

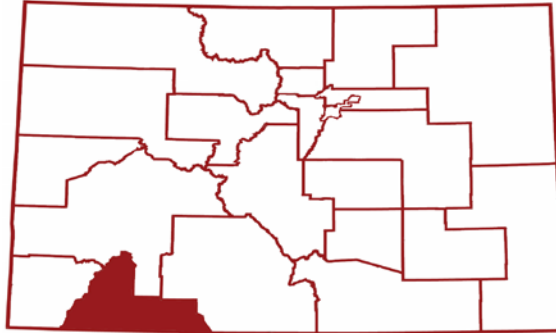
# Senate Bill 15-185 CLEAR Act

## 2016

### Community Law Enforcement Action Reporting Act

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#### 6th Judicial District



*Population race/ethnicity estimates, 6<sup>th</sup> Judicial District, 2016*

Age Group	Race/ethnicity	%	N
<b>Adult</b>		<b>80%</b>	<b>55,971</b>
	Black	<1%	279
	Hispanic	12%	6,970
	Other	6%	3,100
	White	82%	45,622
<b>Juvenile</b>		<b>20%</b>	<b>13,725</b>
	Black	1%	140
	Hispanic	22%	3,009
	Other	7%	894
	White	71%	9,682
<b>All</b>		<b>100%</b>	<b>69,696</b>

Data source: Office of the State Demographer,

<https://demography.dola.colorado.gov/population/data/race-estimate/#county-race-by-age-estimates>

October 2017



**COLORADO**  
Department of Public Safety

# **SUMMARY: Report on the C.L.E.A.R. Act:**

## **Community Law Enforcement Action Reporting Act**

### ***Pursuant to Senate Bill 2015-185***

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*The corresponding web-based interactive data dashboard is located here:*

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



## Preface

In 2015, the General Assembly passed Senate Bill 185, the Community Law Enforcement Action Reporting Act, or the CLEAR Act. The CLEAR Act mandates that the Division of Criminal Justice (DCJ) annually analyze and report data provided by law enforcement agencies, the Judicial Department, and 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. This study presents information for calendar year 2016.

Senate Bill 15-185 mandated DCJ to annually analyze and report these data disaggregated by offense type. In 2017, following the publication of the first CLEAR Act report,<sup>1</sup> the findings from the statewide analysis were presented to the Colorado Commission on Criminal and Juvenile Justice.<sup>2</sup> At the conclusion of the presentation, the Commission voted unanimously to request that the next analyses disaggregate the data by judicial district so that local stakeholders could examine if and where disparities exist, and develop strategies to address them.

This report provides information about arrests and court cases for the 6<sup>th</sup> Judicial District for events that occurred in 2016. The statewide report may be found here and individual judicial district reports may be found here: [colorado.gov/dcj-ors/ors-SB185](http://colorado.gov/dcj-ors/ors-SB185).

The findings presented here collapse the offense categories into four broad groups: **Drugs, Other, Property** and **Violent** crimes. The details by offense type, and by judicial district, are presented in the corresponding web-based interactive dashboard available at the link above.

These two reporting mechanisms—this report and the data dashboard—should be viewed together since only the report contains information regarding the data sets used in the report and in the dashboard, and because the analysis of the four broad categories of crime allows for summary discussion of patterns of events.

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<sup>1</sup> This report is available at <http://cdpsdocs.state.co.us/ors/docs/reports/2016-SB15-185-Rpt.pdf>.

<sup>2</sup> For more information about the Commission, see <https://www.colorado.gov/ccjj>.

## Executive Summary

**Background.** In 2015, the General Assembly passed Senate Bill 15-185, the Community Law Enforcement Action Reporting Act, or the CLEAR Act. The CLEAR Act mandates that the Division of Criminal Justice annually analyze and report data provided by law enforcement agencies, the Judicial Department, and 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. This study presents information for calendar year 2016.

In 2017, following the publication of the first CLEAR Act report,<sup>3</sup> the findings from the statewide analysis were presented to the Colorado Commission on Criminal and Juvenile Justice.<sup>4</sup> At the conclusion of the presentation, the Commission voted unanimously to request that the next analyses disaggregate the data by judicial district so that local stakeholders could examine if and where disparities exist, and develop strategies to address them. This report of 2016 data was prepared for the 6<sup>th</sup> Judicial District.

Senate Bill 15-185 mandated DCJ to annually analyze and report these data disaggregated by offense type. Because it is difficult to identify patterns in analyses that involve many categories,<sup>5</sup> this report presents a summary of the findings by collapsing the offense categories into four broad groups: **Drugs, Other, Property** and **Violent** crimes (see Appendix A and Appendix B for a list of crimes falling into these categories). The details by offense type are presented in the corresponding web-based interactive dashboard available at: [colorado.gov/dcj-ors/ors-SB185](http://colorado.gov/dcj-ors/ors-SB185).

The state Demographer's Office estimates that in 2016, the population in Colorado's 6<sup>th</sup> Judicial District was 69,696. The adult population was comprised as follows: White, 82%; Black, <1%; Hispanic, 12%; and Other, 6%. The juvenile population was comprised as follows: White, 71%, Black, 1%, Hispanic 242, and Other 7%. Males made up 50% of the state population and females made up the other half of the population.

**An important note about race/ethnicity.** The analysis of race and ethnicity across justice decision points is significantly hampered by the lack of ethnicity information in the statewide court data system. Specifically, the Judicial Branch's ICON data system does not distinguish between race and ethnicity. As a result, persons of Hispanic ethnicity are typically in the White race category, and thus significantly undercounted in the Hispanic category. For example, in 2016 Hispanics represented 22% of the Colorado population, but only 6% of court cases statewide were classified as Hispanic in ICON.

To improve upon the accuracy of the race/ethnicity designation in court data in this analysis, court cases were matched to the Colorado Bureau of Investigation's National Incident Based Reporting System (NIBRS) arrest data, which contains both race and ethnicity. To obtain ethnicity information, the defendant's name and date of birth in the court record was matched to arrest data and the ethnicity was extracted for all arrests. If the ethnicity recorded for any

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<sup>3</sup> This report is available at <http://cdpsdocs.state.co.us/ors/docs/reports/2016-SB15-185-Rpt.pdf>.

<sup>4</sup> For more information about the Commission, see <https://www.colorado.gov/ccji>.

<sup>5</sup> The arrest information includes 17 offense categories summarized from more than 40, and the court data includes 24 offense categories summarized from more than 1500 statutes.

arrest was found to be Hispanic, then the race/ethnicity was set to Hispanic. Otherwise, the original race/ethnicity designation from the court record was used.

**Law enforcement data.** In 2016 law enforcement made/issued 3,777 arrests/summonses in the 6<sup>th</sup> Judicial District. For this analysis, dozens of offense categories were collapsed into four broad groups of crimes: Drugs, Other, Property and Violence (see Appendix A for the list of offenses in these categories). In 2016, arrests/summonses for Drug offenses accounted for 5% of all arrests/summonses and Violent crimes accounted for another 8% of arrests/summonses, Property offenses accounted for 9% of arrests/summonses, and the remainder of arrests/summonses (79%) fell into the Other crime category. Blacks represented less than 1% of the population in the 6<sup>th</sup> Judicial District in 2016, but accounted for 2% of arrests/summonses. The Other race/ethnicity category represented 6% of the population and 13% of arrests/summonses. Males represented about 50% of the state population and approximately 70% of arrests. Females were much more likely to be involved in Property offenses than the other offense categories.

**Filings.** This study of 1,701 case filings in county, district, and juvenile courts combined found that county court had the most cases in 2016 (57% of the total), followed by adult district court (40%) and juvenile court at 6%. Blacks, comprising less than 1% of the population in the 6<sup>th</sup> Judicial District, represented 3% of cases in adult district court and 2% in juvenile court. Hispanic adults made up 14% of the adult population in the 6<sup>th</sup> Judicial District and 25% of district court filings in 2016. Those in the Other race/ethnicity category represented 6% of the population but 13% of district court filings, 18% of county court filings, and 17% of juvenile filings. However, the few juvenile cases means that information related to juvenile court must be interpreted with caution. Note that these cases are not necessarily the same cases in the **Law Enforcement Data** section above.

**Case outcomes.** Caution should be used when interpreting the case outcome since many factors can influence the decision. For example, the existence of prior cases (criminal history) may influence the outcome of a case. Additionally, most cases contain multiple charges, and many cases have concurrent cases. These factors are likely to significantly affect the outcome of a case. In particular, all charges in a case may be dismissed or modified as part of a plea agreement involving that case or multiple cases. In fact, 41% of cases in county court were dismissed, as were 28% of cases in district court and 50% of cases in juvenile court. Caution should be used when interpreting the findings on case outcomes when the number of cases is low.

**Initial sentences.** This analysis reflects the most serious initial sentences; these can be later modified, such as when jail is added as part of a probation revocation. Additionally, individuals may have multiple cases for which they are sentenced simultaneously. The sentence given in one case may not truly reflect the seriousness of the case as the more serious sentence may be recorded in another case as part of a plea agreement. Finally, in addition to concurrent cases affecting the sentencing outcome of a case, criminal/juvenile history may also influence the final initial sentence.

County court Drug cases resulted in a fine in 42% of cases, and community service for 17% of cases. Deferred judgments occurred for approximately half of Property (52%) cases and Violent (46%) cases. Caution must be used when interpreting the findings when few cases are involved

(for example, there were only 12 Drug cases in county court in 2016). Women were more likely than men to receive a deferred judgment in county court (54% compared to 37%, respectively). Men were more likely than women to receive a jail sentence (14% for men compared to 7% for women). Those in the Other and White race/ethnicity category were much more likely to receive a deferred judgment (35% and 46%, respectively) compared to 30% for Hispanics. Hispanics and those in the Other race/ethnicity category were more likely to receive jail sentences (17% and 18%, respectively) compared to Whites (10%). When the initial sentence was for Violent offenses in county court, Whites (53%) were much more likely to receive a deferred judgment compared to Hispanics (33%) and those in the Other (41%) race/ethnicity category.

In district court in the 6<sup>th</sup> Judicial District, probation was the most frequently occurring initial sentence, imposed 52% of the time for Property cases. The second most frequently occurring sentence in district court was a deferred judgment: 40% of Drug cases, 18% of Other cases, 24% of Property cases, and 27% of Violent cases received deferred judgment. Cases with Drug offenses were sentenced to the Department of Corrections 15% of the time. Women were more likely than men to receive a deferred judgment (34% compared to 23%, respectively) and slightly less likely to receive a prison sentence (8% compared to 11%).

This section also provided information on the initial sentence for juvenile court cases, by race/ethnicity and by crime type, for the 6<sup>th</sup> Judicial District, however, because the few numbers of cases in juvenile court (n=26), care must be taken when interpreting the findings.

**Revocations.** Cases sentenced in 2016 to probation or a deferred judgment that received a revocation in the 6<sup>th</sup> Judicial District are included in the analyses presented here.<sup>6</sup> Those sentenced near the end of 2016 may not have had enough time to get revoked. **Note that these are cases, not individuals.** Counting cases and not individuals is likely to inflate the proportion of revocations presented in these analyses. For example, the Judicial Department reports that in 2016, 22% of adult state probation terminations were the result of a revocation.<sup>7</sup> The revocations presented here may not result in termination from probation supervision. In fact, in 2016, across county, adult district, and juvenile district courts *statewide*, 49% of cases were reinstated, 44% were not reinstated, and for the remaining 7% of cases it was unclear the outcome of the revocation.

Overall, 19% of county court cases receiving a probation/deferred judgment in the 6<sup>th</sup> Judicial District in 2016 were revoked. Blacks, Hispanics and those in the Other race/ethnicity category were more likely to be revoked compared Whites (29%, 27% and 35% respectively, compared to 12%), however the few cases with Black defendants (n=7) in county court means this information should be interpreted with caution. Across race/ethnicity categories, those with Violent cases were more likely to be revoked compared to the other offense categories. Table 3-33 shows that women were slightly less likely than men to get revoked (17% compared to 19%, respectively).

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<sup>6</sup> Judicial data pertaining to *petitions* to revoke are less reliable than data identifying actual revocations.

<sup>7</sup> *Judicial Branch Annual Statistical Report, Fiscal Year 2016*, Table 48, page 120.

Revocations from probation/deferred judgments with similar frequency in district court (18%) compared to county court (19%) in 2016. Hispanics and those in the Other race/ethnicity category were more likely to be revoked compared to Whites (22% compared to 15%). The few cases in many of the categories means that this information must be interpreted with caution. Women in adult district court were less likely than men to get revoked (14% compared to 19%). Women with Drug cases (23%) were most likely, compared to those with other crime types, to get revoked.

In juvenile court, 30% of cases sentenced to probation/deferred judgment in 2016 in the 6<sup>th</sup> Judicial District were revoked. Hispanics were most likely to get revoked. Females were revoked at a rate of 28% compared to 30% for males. Comparing across crime types, females with Other crimes were most likely to be revoked (35%) and males with Property cases were most likely to be revoked (38%).

## Section 1: Background and overview

In 2015, the General Assembly passed Senate Bill 15-185, the Community Law Enforcement Action Reporting Act, or the CLEAR Act. The CLEAR Act mandates that the Division of Criminal Justice annually analyze and report data provided by law enforcement agencies, the Judicial Department, and 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. This study presents information for calendar year 2016, including the following:

- Arrest information by offense type disaggregated by summons, custody/warrant arrest, and on view/probable cause arrest;
- Misdemeanor and felony charges filed by offense type;
- The dispositions of charges filed by offense type;
- Sentence by offense type; and
- Revocations for probation and deferred judgments.

Senate Bill 15-185 mandated DCJ to annually analyze and report these data disaggregated by offense type. Because it is difficult to identify patterns in analyses that involve many categories (the arrest information includes 17 offense categories [summarized from more than 40], and the court data includes 24 offense categories [summarized from more than 1500 statutes]), this report presents a summary of the findings by collapsing the offense categories into four broad groups: Drugs, Other, Property and Violent crimes (see Appendix A and Appendix B for a list of crimes falling into these categories). The details by offense type are presented in the corresponding web-based interactive dashboard available at: [colorado.gov/dcj-ors/ors-SB185](http://colorado.gov/dcj-ors/ors-SB185).

In 2017, following the publication of the first CLEAR Act report, the findings from the statewide analysis were presented to the Colorado Commission on Criminal and Juvenile Justice. At the conclusion of the presentation, the Commission voted unanimously to request that the next analyses disaggregate the data by judicial district so that local stakeholders could examine if and where disparities exist, and develop strategies to address them. Information by judicial district and details by offense type may be found at the interactive dashboard available at: [colorado.gov/dcj-ors/ors-SB185](http://colorado.gov/dcj-ors/ors-SB185).

These two reporting mechanisms—this report and the data dashboard—should be viewed together since only the report contains information regarding the data sets used in the report and in the dashboard, and because the analysis of the four broad categories of crime allows for summary discussion of patterns of events.

**An important note about race/ethnicity.** The analysis of race and ethnicity across justice decision points is significantly hampered by the lack of ethnicity information in the statewide court data system. Specifically, the Judicial Branch's ICON data system does not distinguish between race and ethnicity. As a result, persons of Hispanic ethnicity are typically in the White race category, and thus significantly undercounted in the Hispanic category. For example, in 2016 Hispanics represented 22% of the Colorado population, but only 6% of court cases statewide were classified as Hispanic in ICON.



To improve upon the accuracy of the race/ethnicity designation in court data in this analysis, court cases were matched to the Colorado Bureau of Investigation's National Incident Based Reporting System (NIBRS) arrest data, which contains both race and ethnicity. To obtain ethnicity information, the defendant's name and date of birth in the court record was matched to arrest data and the ethnicity was extracted for all arrests. If the ethnicity recorded for any arrest was found to be Hispanic, then the race/ethnicity was set to Hispanic. Otherwise, the original race/ethnicity designation from the court record was used.

The NIBRS arrest data contained all arrests from 2011 to 2016. Matching involved finding an exact match on name and date of birth between the data sets. For the analysis of charges, no match was found for 15% of cases, statewide. For the analysis of sentences, no match was found for 13% of cases, statewide. The lack of a match was due primarily to differences in the spelling of names and differences in dates of birth.

**Organization of this report:** This report is organized into three sections. This section provides an overview of the study and important information about the data sources. Section Two presents the findings from the law enforcement arrest/summons analyses, breaking down the information into three categories as directed by S.B. 15-185: *on view/probable cause* (an arrest without a warrant but with probable cause, resulting in physical restraint), *summons* (an order to appear in court), and *custody/warrant* (an arrest that involves an outstanding warrant and physical restraint). Section Three presents the findings from the analysis of data obtained from the Judicial Department, including filing charges, case outcomes, initial sentences, trials, and revocations for those sentenced to probation or a deferred judgment. The findings are presented by county, adult district and juvenile court.

## Data sources

**Arrest/Summons.** Law enforcement data for the period between January 1, 2016 and December 31, 2016 was obtained from the Colorado Bureau of Investigation's National Incident-Based Reporting System (NIBRS), which includes Group A and B arrests.<sup>8</sup> NIBRS requires different details in the reporting of Group A and Group B offenses. Law enforcement must report both incidents and arrests for Group A offenses, and they must report only arrests for Group B offenses. NIBRS developers used the following criteria to determine if a crime should be designated as a Group A offense:

- The seriousness or significance of the offense;
- The frequency or volume of its occurrence;
- The seriousness or significance of the offense;
- The prevalence of the offense nationwide;
- The probability law enforcement becomes aware of the offense;
- The likelihood that law enforcement is the best source for collecting data regarding the offense;
- The burden placed on law enforcement in collecting data on the offense;
- The national statistical validity and usefulness of the collected data.

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<sup>8</sup> Note that the arrests by Colorado State Patrol officers could not be allocated by judicial districts because CSP regions do not correspond directly to judicial district boundaries. Arrests by CSP are included only in this study's statewide report and not the individual judicial district reports. The statewide report is available at [colorado.gov/dcj-ors/ors-SB185](http://colorado.gov/dcj-ors/ors-SB185).

NIBRS Group A offenses are listed in Appendix A, and Group B offenses are summarized into “Other.”<sup>9</sup> Per the CLEAR Act, the data presented here includes information concerning arrests classified as *on view/probable cause* (an arrest without a warrant but with probable cause, resulting in physical restraint), *summons* (an order to appear in court), and *custody/warrant* (an arrest that involves an outstanding warrant and physical restraint). Over 3,700 NIBRS incidents in the 6<sup>th</sup> Judicial District were analyzed for calendar year 2016 (Table 1-1).

*Table 1-1. Arrests by type, 6<sup>th</sup> Judicial District, 2016*

Arrest type	%	N
Custody/warrant	44%	1,672
On-view/probable cause	18%	665
Summons	38%	1,440
<b>All</b>	<b>100%</b>	<b>3,777</b>

Data source: Colorado Bureau of Investigation, National Incident Based Reporting System (NIBRS) data. Extracted 6/7/2017.

The arrest data were reduced to 17 categories of offenses (see Appendix A) that can be viewed on the interactive data dashboard and, for this report, further collapsed into four categories of Drugs, Other, Property and 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.

The NIBRS data contain both race and ethnicity information.

**Judicial case processing data.** ICON is the Colorado Judicial Branch's information management system, which contains county and district court adult and juvenile filings and case dispositions statewide, with the exception of Denver County Court.<sup>10</sup> County court contains both adult and juvenile misdemeanor cases. The data are presented by court type: county, adult district, and juvenile. Juveniles who were charged as adults are in Adult District Court. The number of cases analyzed by type of court is in Table 1-2.

*Table 1-2. Court of case filing, 6<sup>th</sup> Judicial District, 2016*

Court	%	N
Adult District	40%	686
County	57%	969
Juvenile	3%	46
<b>All</b>	<b>100%</b>	<b>1,701</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>9</sup> Group B crimes include bad checks, curfew/loitering/vagrancy, disorderly conduct, driving under the influence, drunkenness, family offenses (nonviolent), liquor law violations, voyeurism, runaway, trespass of real property, all other offenses.

<sup>10</sup> Denver County Court is not part of ICON and consequently this information is excluded from the information presented in this report and on the interactive web dashboard.

Note that the information presented here reflects the analysis of 1,701 **cases not individuals**. Individuals may have multiple, concurrent cases,<sup>11</sup> and cases typically have multiple charges. Frequently cases and charges are dismissed for a judgment in a concurrent case. The **Dismissed/Not Guilty** category in the tables that follow means that some charges were dismissed and some were found not guilty.

The crime information analyzed for this study reflects the most serious filing or conviction charge for 24 offense categories<sup>12</sup> which, for the analysis presented in this document, have been collapsed into four categories: Drug, Other, Property and Violent.<sup>13</sup> The analysis of the 24 offense categories is available on the interactive data dashboard. See Appendix B for the list of offenses that were combined into the four broad categories.

This analysis focused on the most serious charge as defined by felony or misdemeanor level. Traffic cases are not in this analysis unless they appeared in a district/county filing. Cases sentenced to probation or a deferred judgment that were revoked are reported, but those sentenced near the end of 2016 may not have had time to revoke.

As previously mentioned, Judicial systematically collects information about race but not ethnicity. This means that, when the data is disaggregated by race/ethnicity, most Hispanics are in the White category. For example, in 2016 Hispanics represented 22% of the Colorado population, but only 6% of cases statewide were classified as Hispanic in ICON.

The analysis of race and ethnicity across justice decision points is significantly hampered by the lack of ethnicity information in the statewide court data system. To improve upon the accuracy of the race/ethnicity designation in court data in this analysis, court cases were matched to the Colorado Bureau of Investigation's National Incident Based Reporting System (NIBRS) arrest data, which contains both race and ethnicity. To obtain ethnicity information, the defendant's name and date of birth in the court record was matched to arrest data and the ethnicity was extracted for all arrests. If the ethnicity recorded for any arrest was found to be Hispanic, then the race/ethnicity was set to Hispanic. Otherwise, the original race/ethnicity designation from the court record was used.

The NIBRS arrest data contained all Colorado arrests from 2011 to 2016. Matching involved finding an exact match on name and date of birth between the data sets. For the analysis of *charges*, no match was found for 15% of cases statewide. For the analysis of *sentences*, no match was found for 13% of cases statewide. The lack of a match in the arrest data was due primarily to differences in the spelling of names, and differences in dates of birth.

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<sup>11</sup> This study found that in 2016, statewide, 18% of county court cases, 36% of district court cases, and 37% of juvenile court cases had other, concurrent cases mentioned in minute orders or sentencing notes.

<sup>12</sup> The 24 offense categories are summarized from more than 1500 statutes.

<sup>13</sup> Note that all offenses include attempts, solicitations, and conspiracies.

## Section 2: Law Enforcement Information

### Arrest/summons

The findings presented in this report summarize multiple offense types into four broad categories of crime types: Drugs, Other, Property and Violent (Table 2-1) (see Appendix A for a list of crimes in each category). The interactive dashboard, at [colorado.gov/dcj-ors/ors-SB185](http://colorado.gov/dcj-ors/ors-SB185), provides information on 17 arrest offense types. The analysis of four broad categories allows for the identification of patterns that are difficult to discern when detailed information is presented. Additionally, some of the law enforcement findings are disaggregated, by adults, juveniles, and by gender. Finally, Senate Bill 15-185 mandates that arrest information be provided by arrest type and summons. The data represent all arrests/summons captured in the Colorado Bureau of Investigation's National Incident Based Reporting System (NIBRS) for calendar year 2016.

*Table 2-1. Arrests by offense*

Offense	%	N
Drugs	5%	170
Other	79%	2,965
Property	9%	327
Violent	8%	315
<b>All</b>	<b>100%</b>	<b>3,777</b>

Data source: Colorado Bureau of Investigation, National Incident Based Reporting System (NIBRS) data. Extracted 6/7/2017.

Table 2-2 reflects 3,777 arrests/summons captured in NIBRS for calendar year 2016 in the 6<sup>th</sup> Judicial District, by race/ethnicity. Blacks represented less than 1% of the population in 2016, but accounted for 2% of arrests/summons in the 6<sup>th</sup> Judicial District. Hispanics represented 14% of the population and accounted for 13% of arrests. The Other race/ethnicity category represented 6% of the population and 24% of arrests. Whites represented 79% of the population and 62% of arrests/summons in the 6<sup>th</sup> Judicial District.

*Table 2-2. Arrests by race/ethnicity*

Race/ethnicity	%	N
Black	2%	68
Hispanic	13%	497
Other	24%	888
White	62%	2,324
<b>All</b>	<b>100%</b>	<b>3,777</b>

Data source: Colorado Bureau of Investigation, National Incident Based Reporting System (NIBRS) data. Extracted 6/7/2017.

Table 2-3 shows that juveniles accounted for 1% of on view/probable cause arrests in 2016, but this represents only five arrests. The information regarding juvenile on view/probable cause arrests must be interpreted with caution given the low number of cases. Likewise, juveniles accounted for 1% of custody/warrant arrests, representing only 20 incidents (Table 2-4). Overall, juveniles were more likely to get summoned than arrested; they accounted for 5% of summonsed cases (Table 2-5).

*Table 2-3. Arrest type On-View/Probable Cause, by age group and offense*

Age Group	Offense	%	N
<b>Adult</b>		<b>99%</b>	<b>660</b>
	Drugs	4%	28
	Other	67%	439
	Property	10%	64
	Violent	20%	129
<b>Juvenile</b>		<b>1%</b>	<b>5</b>
	Other	40%	2
	Property	20%	1
	Violent	40%	2
<b>All</b>		<b>100%</b>	<b>665</b>

Data source: Colorado Bureau of Investigation, National Incident Based Reporting System (NIBRS) data. Extracted 6/7/2017.

*Table 2-4. Arrest type Custody/Warrant, by age group and offense*

Age Group	Offense	%	N
<b>Adult</b>		<b>99%</b>	<b>1,652</b>
	Drugs	3%	44
	Other	83%	1,366
	Property	6%	103
	Violent	8%	139
<b>Juvenile</b>		<b>1%</b>	<b>20</b>
	Other	65%	13
	Property	15%	3
	Violent	20%	4
<b>All</b>		<b>100%</b>	<b>1,672</b>

Data source: Colorado Bureau of Investigation, National Incident Based Reporting System (NIBRS) data. Extracted 6/7/2017.

*Table 2-5. Arrest type Summons, by age group and offense*

Age Group	Offense	%	N
<b>Adult</b>		<b>95%</b>	<b>1,370</b>
	Drugs	5%	72
	Other	82%	1,120
	Property	10%	137
	Violent	3%	41
<b>Juvenile</b>		<b>5%</b>	<b>70</b>
	Drugs	37%	26
	Other	36%	25
	Property	27%	19
<b>All</b>		<b>100%</b>	<b>1,440</b>

Data source: Colorado Bureau of Investigation, National Incident Based Reporting System (NIBRS) data. Extracted 6/7/2017.

Combining juveniles and adults, the following three tables show type of arrest/summons by offense type, disaggregated by race/ethnicity. First, Table 2-6 shows that 4% of probable cause arrests were for Drug related offenses, 66% were for Other offenses, 10% for Property offenses,

and 20% for Violent offenses. While Hispanics made up 14% of the population in the 6<sup>th</sup> Judicial District, Table 2-6 shows that 29% of probable cause arrests involved Hispanics. However, the few numbers of cases in many of the categories means that this information should be interpreted with caution. While Blacks made up less than 1% of the population in the 6<sup>th</sup> Judicial District, 3% of probable cause arrests for violent offenses involved Blacks. However, this is only 4 individuals, so this information must be interpreted with caution.

*Table 2-6. Arrest type On-View/Probable Cause, by offense and race/ethnicity*

<b>Offense</b>	<b>Race/ethnicity</b>	<b>%</b>	<b>N</b>
<b>Drugs</b>		<b>4%</b>	<b>28</b>
	Hispanic	29%	8
	Other	14%	4
	White	57%	16
<b>Other</b>		<b>66%</b>	<b>441</b>
	Black	2%	11
	Hispanic	15%	65
	Other	29%	129
	White	54%	236
<b>Property</b>		<b>10%</b>	<b>65</b>
	Black	3%	2
	Hispanic	20%	13
	Other	18%	12
	White	58%	38
<b>Violent</b>		<b>20%</b>	<b>131</b>
	Black	3%	4
	Hispanic	15%	20
	Other	23%	30
	White	59%	77
<b>All</b>		<b>100%</b>	<b>665</b>

Data source: Colorado Bureau of Investigation, National Incident Based Reporting System (NIBRS) data. Extracted 6/7/2017.

The other arrest type, where an individual is taken into custody on an outstanding warrant, is depicted in Table 2-7. This type of arrest is much more common than a probable cause arrest (1,672 warrant arrests compared to 665 probable cause arrests). Over 80% (82%) of these arrests involved an offense that fell into the Other offense category. While only 9% of these types of arrests involved a Violent offense, Hispanics made up 17% of Violent crime warrant arrests and the Other race/ethnicity category made up 13%, which is greater than the proportion of Hispanics (14%) and Others (6%) in the 6<sup>th</sup> Judicial District.

Table 2-7. Arrest type Custody/Warrant, by offense and race/ethnicity

Offense	Race/ethnicity	%	N
<b>Drugs</b>		<b>3%</b>	<b>44</b>
	Black	5%	2
	Hispanic	9%	4
	Other	7%	3
	White	80%	35
<b>Other</b>		<b>82%</b>	<b>1,379</b>
	Black	2%	23
	Hispanic	13%	176
	Other	21%	289
	White	65%	891
<b>Property</b>		<b>6%</b>	<b>106</b>
	Black	3%	3
	Hispanic	15%	16
	Other	13%	14
	White	69%	73
<b>Violent</b>		<b>9%</b>	<b>143</b>
	Black	1%	1
	Hispanic	17%	25
	Other	13%	19
	White	69%	98
<b>All</b>		<b>100%</b>	<b>1,672</b>

Data source: Colorado Bureau of Investigation, National Incident Based Reporting System (NIBRS) data. Extracted 6/7/2017.

Table 2-8 shows that summons are less likely to be issued for Violent offenses (3%) compared to Other (80%). The few numbers of cases in many of the categories means caution is required when interpreting the findings.

Table 2-8. Arrest type Summons, by offense and race/ethnicity

Offense	Race/ethnicity	%	N
<b>Drugs</b>		<b>7%</b>	<b>98</b>
	Black	4%	4
	Hispanic	7%	7
	Other	24%	24
	White	64%	63
<b>Other</b>		<b>80%</b>	<b>1,145</b>
	Black	1%	12
	Hispanic	12%	138
	Other	29%	330
	White	58%	665
<b>Property</b>		<b>11%</b>	<b>156</b>
	Black	2%	3
	Hispanic	15%	23
	Other	18%	28
	White	65%	102
<b>Violent</b>		<b>3%</b>	<b>41</b>
	Black	7%	3
	Hispanic	5%	2
	Other	15%	6
	White	73%	30
<b>All</b>		<b>100%</b>	<b>1,440</b>

Data source: Colorado Bureau of Investigation, National Incident Based Reporting System (NIBRS) data. Extracted 6/7/2017.

The following three tables show arrest/summons by broad offense category and gender. Although women make up half the population, they were considerably less likely than men to be arrested. Overall, women constituted approximately 14-34% of arrests and 23-44% of summonses (depending on the crime category) and men comprised the remainder. Overall, women were more likely to be involved in Property offenses compared with the other offense categories.



*Table 2-9. Arrest type On-View/Probable Cause, by offense and gender*

<b>Offense</b>	<b>Gender</b>	<b>%</b>	<b>N</b>
<b>Drugs</b>		<b>4%</b>	<b>28</b>
	Female	14%	4
	Male	86%	24
<b>Other</b>		<b>66%</b>	<b>441</b>
	Female	20%	87
	Male	80%	354
<b>Property</b>		<b>10%</b>	<b>65</b>
	Female	29%	19
	Male	71%	46
<b>Violent</b>		<b>20%</b>	<b>131</b>
	Female	26%	34
	Male	74%	97
<b>All</b>		<b>100%</b>	<b>665</b>

Data source: Colorado Bureau of Investigation, National Incident Based Reporting System (NIBRS) data. Extracted 6/7/2017.

*Table 2-10. Arrest type Custody/Warrant, by offense and gender*

<b>Offense</b>	<b>Gender</b>	<b>%</b>	<b>N</b>
<b>Drugs</b>		<b>3%</b>	<b>44</b>
	Female	27%	12
	Male	73%	32
<b>Other</b>		<b>82%</b>	<b>1,379</b>
	Female	27%	368
	Male	73%	1,011
<b>Property</b>		<b>6%</b>	<b>106</b>
	Female	34%	36
	Male	66%	70
<b>Violent</b>		<b>9%</b>	<b>143</b>
	Female	23%	33
	Male	77%	110
<b>All</b>		<b>100%</b>	<b>1,672</b>

Data source: Colorado Bureau of Investigation, National Incident Based Reporting System (NIBRS) data. Extracted 6/7/2017.

Table 2-11. Arrest type Summons, by offense and gender

Offense	Gender	%	N
<b>Drugs</b>		<b>7%</b>	<b>98</b>
	Female	30%	29
	Male	70%	69
<b>Other</b>		<b>80%</b>	<b>1,145</b>
	Female	23%	263
	Male	77%	882
<b>Property</b>		<b>11%</b>	<b>156</b>
	Female	44%	68
	Male	56%	88
<b>Violent</b>		<b>3%</b>	<b>41</b>
	Female	15%	6
	Male	85%	35
<b>All</b>		<b>100%</b>	<b>1,440</b>

Data source: Colorado Bureau of Investigation, National Incident Based Reporting System (NIBRS) data. Extracted 6/7/2017.

**Summary: Law enforcement data.** In 2016 law enforcement made/issued 3,777 arrests/summonses in the 6<sup>th</sup> Judicial District. For this analysis, dozens of offense categories were collapsed into four broad groups of crimes: Drugs, Other, Property and Violence (see Appendix A for the list of offenses in these categories). In 2016, arrests/summonses for Drug offenses accounted for 5% of all arrests/summonses and Violent crimes accounted for another 8% of arrests/summonses, Property offenses accounted for 9% of arrests/summonses, and the remainder of arrests/summonses (79%) fell into the Other crime category. Blacks represented less than 1% of the population in the 6<sup>th</sup> Judicial District in 2016, but accounted for 2% of arrests/summonses. The Other race/ethnicity category represented 6% of the population and 13% of arrests/summonses. Males represented about 50% of the state population and approximately 70% of arrests. Females were much more likely to be involved in Property offenses than the other offense categories.

## Section 3: Court Case Processing

The Judicial Branch's information management system contains county and district court adult and juvenile case filings and dispositions statewide, with the exception of Denver County Court.<sup>14</sup> For this analysis, cases were selected for the 6<sup>th</sup> Judicial District. County court contains both adult and juvenile misdemeanor cases. The data are presented here by court type: county, adult district, and juvenile. Juveniles who were charged as adults are in adult district court.

Note that this analysis reflects **cases not individuals**. Individuals may have multiple, concurrent cases,<sup>15</sup> and cases typically have multiple charges. Frequently cases and charges are dismissed for a judgment in a concurrent case. The **Dismissed/Not Guilty** category in the tables that follow means that some charges were dismissed and some were found not guilty.

The crime information analyzed for this study reflects the most serious filing or conviction charge for 24 offense categories which, for the analysis presented in this document, have been collapsed into four categories: Drug, Other, Property and Violent. The analysis of the 24 offense categories, summarized from more than 1500 statutes, is available on the interactive data dashboard at [colorado.gov/dcj-ors/ors-SB185](http://colorado.gov/dcj-ors/ors-SB185). See Appendix B for the list of offenses that were combined into the four broad categories.

*Additionally, all offenses presented in the analysis of court data include attempts, solicitations, and conspiracies.*

This analysis focused on the most serious charge as defined by felony or misdemeanor level. Traffic cases are not in this analysis unless they appeared in a district/county court filing.

### Case Filings

#### Overall

Table 3-1 depicts race/ethnicity distribution for 1,701 case filings in county, adult district, and juvenile courts combined in the 6<sup>th</sup> Judicial District. While Blacks represented less than 1% of the population and 2% of the arrests/summons in 2016, they accounted for 2% of court filings. Hispanics represented 14% of the population and 21% of case filings. Most noteworthy, those falling into the Other race/ethnicity category represented 6% of the population and 16% of court filings. Note that these cases are not necessarily the same cases in the **Law enforcement data** section above.

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<sup>14</sup> Denver County Court is not part of the statewide Judicial data management system.

<sup>15</sup> This study found that in 2016, statewide, 18% of county court cases, 36% of district court cases, and 37% of juvenile court cases had other, concurrent cases mentioned in minute orders or sentencing notes.

Table 3-1. Overall filings by race/ethnicity\*

Race/ethnicity	%	N
Black	2%	33
Hispanic	21%	357
Other	16%	272
White	61%	1,039
<b>All</b>	<b>100%</b>	<b>1,701</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.

\*Judicial systematically collects race but not ethnicity. Court cases were matched to the Colorado Bureau of Investigation's NIBRS arrest data using name and birthdate to obtain ethnicity information. When Hispanic ethnicity was found in the arrest data, the defendant's race/ethnicity was set to Hispanic; otherwise the original Judicial race designation was used.

Combining information across the three court types, Table 3-2 shows the race/ethnicity distribution for the four crime categories. Table 3-2 shows that Drug offenses were the most serious filing charge in 6% of cases, and Violent charges comprised the largest category at 41% of charges filed. Hispanics represented 14% of the population in the 6<sup>th</sup> Judicial District but were involved in 29% of Drug offenses and 23% of Other offenses. Those in the Other race/ethnicity category represented 6% of the population but 19% of Violent filings.

Table 3-2. Most serious filing charge by race/ethnicity\*

Offense	Race/ethnicity	%	N
<b>Drugs</b>		<b>6%</b>	<b>98</b>
	Black	2%	2
	Hispanic	29%	28
	Other	8%	8
	White	61%	60
<b>Other</b>		<b>32%</b>	<b>536</b>
	Black	2%	9
	Hispanic	23%	122
	Other	17%	92
	White	58%	313
<b>Property</b>		<b>21%</b>	<b>365</b>
	Black	3%	10
	Hispanic	19%	71
	Other	12%	42
	White	66%	242
<b>Violent</b>		<b>41%</b>	<b>702</b>
	Black	2%	12
	Hispanic	19%	136
	Other	19%	130
	White	60%	424
<b>All</b>		<b>100%</b>	<b>1,701</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.

\*Judicial systematically collects race but not ethnicity. Court cases were matched to the Colorado Bureau of Investigation's NIBRS arrest data using name and birthdate to obtain ethnicity information. When Hispanic ethnicity was found in the arrest data, the defendant's race/ethnicity was set to Hispanic; otherwise the original Judicial race designation was used.

Table 3-3 depicts that, across all court types, 24% of filings were females and 76% were males. Females were slightly more likely than men to be involved in Property crimes (28% compared to 19%, respectively) and slightly less to be involved in Violent offenses (38% compared to 42%, respectively).

Table 3-3. Most serious filing charge by gender

Gender	Offense	%	N
<b>Female</b>		<b>24%</b>	<b>415</b>
	Drugs	6%	23
	Other	28%	116
	Property	28%	117
	Violent	38%	159
<b>Male</b>		<b>76%</b>	<b>1,286</b>
	Drugs	6%	75
	Other	33%	420
	Property	19%	248
	Violent	42%	543
<b>All</b>		<b>100%</b>	<b>1,701</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.

## Court type

Table 3-4 breaks down race/ethnicity by the type of court for the 6<sup>th</sup> Judicial District. County court had the most cases in 2016 (57% of the total), followed by adult district court (40%) and juvenile court at 6%. Blacks, comprising less than 1% of the population in the 6<sup>th</sup> Judicial District, represented 3% of cases in adult district court and 2% in juvenile court. Hispanic adults made up 14% of the adult population in the 6<sup>th</sup> Judicial District and 25% of district court filings in 2016. Those in the Other race/ethnicity category represented 6% of the population but 13% of district court filings, 18% of county court filings, and 17% of juvenile filings. However, the few juvenile cases means that information related to juvenile court must be interpreted with caution.

Table 3-4. Court of case filing, by race/ethnicity\*

<b>Court</b>	<b>Race/ethnicity</b>	<b>%</b>	<b>N</b>
<b>Adult District</b>		<b>40%</b>	<b>686</b>
	Black	3%	18
	Hispanic	25%	174
	Other	13%	90
	White	59%	404
<b>County</b>		<b>57%</b>	<b>969</b>
	Black	1%	14
	Hispanic	19%	181
	Other	18%	174
	White	62%	600
<b>Juvenile</b>		<b>3%</b>	<b>46</b>
	Black	2%	1
	Hispanic	4%	2
	Other	17%	8
	White	76%	35
<b>All</b>		<b>100%</b>	<b>1,701</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.

\*Judicial systematically collects race but not ethnicity. Court cases were matched to the Colorado Bureau of Investigation's NIBRS arrest data using name and birthdate to obtain ethnicity information. When Hispanic ethnicity was found in the arrest data, the defendant's race/ethnicity was set to Hispanic; otherwise the original Judicial race designation was used.

Table 3-5 provides the type of offense by court type. Over half (55%) of county court cases were Violent offenses (primarily misdemeanor assault); Other offenses (37%) comprised the largest category of cases in adult district court. Property crimes (39%) and Violent crimes (41%) made up the majority of cases filed in juvenile court. Table 3-6 presents the distribution across gender for cases in county, district and juvenile court, but the few cases in juvenile court means that this information should be interpreted with caution. About one-quarter of cases involved females (Table 3-6).

Table 3-5. Court of case filing, by most serious filing charge

Court	Offense	%	N
<b>Adult District</b>		<b>40%</b>	<b>686</b>
	Drugs	11%	77
	Other	37%	255
	Property	29%	201
	Violent	22%	153
<b>County</b>		<b>57%</b>	<b>969</b>
	Drugs	2%	21
	Other	28%	272
	Property	15%	146
	Violent	55%	530
<b>Juvenile</b>		<b>3%</b>	<b>46</b>
	Other	20%	9
	Property	39%	18
	Violent	41%	19
<b>All</b>		<b>100%</b>	<b>1,701</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.

Table 3-6. Court of case filing, by gender

Court	Gender	%	N
<b>Adult District</b>		<b>40%</b>	<b>686</b>
	Female	23%	159
	Male	77%	527
<b>County</b>		<b>57%</b>	<b>969</b>
	Female	25%	245
	Male	75%	724
<b>Juvenile</b>		<b>3%</b>	<b>46</b>
	Female	24%	11
	Male	76%	35
<b>All</b>		<b>100%</b>	<b>1,701</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.

## Trials

Table 3-7 shows how very infrequently cases in these courts completed a trial (n=10). Table 3-8 combines information across court types and shows the number of trials completed by offense category. Cases with a Violent offense were most likely to complete a trial.



*Table 3-7. Court of case filing, by trials completed*

<b>Court</b>	<b>Completed Trial</b>	<b>%</b>	<b>N</b>
<b>Adult District</b>		<b>40%</b>	<b>686</b>
	No	99%	680
	Yes	1%	6
<b>County</b>		<b>57%</b>	<b>969</b>
	No	100%	966
	Yes	<1%	3
<b>Juvenile</b>		<b>3%</b>	<b>46</b>
	No	98%	45
	Yes	2%	1
<b>All</b>		<b>100%</b>	<b>1,701</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.

*Table 3-8. Most serious filing charge, by trials completed*

<b>Offense</b>	<b>Completed Trial</b>	<b>%</b>	<b>N</b>
<b>Drugs</b>		<b>6%</b>	<b>98</b>
	No	100%	98
<b>Other</b>		<b>32%</b>	<b>536</b>
	No	100%	535
	Yes	<1%	1
<b>Property</b>		<b>21%</b>	<b>365</b>
	No	100%	364
	Yes	<1%	1
<b>Violent</b>		<b>41%</b>	<b>702</b>
	No	99%	694
	Yes	1%	8
<b>All</b>		<b>100%</b>	<b>1,701</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.

**Summary: Filings.** This study of 1,701 case filings in county, district, and juvenile courts combined found that county court had the most cases in 2016 (57% of the total), followed by adult district court (40%) and juvenile court at 6%. Blacks, comprising less than 1% of the population in the 6<sup>th</sup> Judicial District, represented 3% of cases in adult district court and 2% in juvenile court. Hispanic adults made up 14% of the adult population in the 6<sup>th</sup> Judicial District and 25% of district court filings in 2016. Those in the Other race/ethnicity category represented 6% of the population but 13% of district court filings, 18% of county court filings, and 17% of juvenile filings. However, the few juvenile cases means that information related to juvenile court must be interpreted with caution. Note that these cases are not necessarily the same cases in the **Law Enforcement Data** section above.

## Case outcomes

The following three tables present the case outcomes for the 6<sup>th</sup> Judicial District, by race/ethnicity and most serious filing charge (including attempt, conspiracy and solicitation), for county court, district court, and juvenile court in 2016. It is important to remember that most cases contain multiple charges, and many cases have concurrent cases. All charges in a case may be dismissed or modified as part of a plea agreement involving that case or multiple cases. In fact, overall, 41% of cases, all charges were dismissed in county court in 2016 (Table 3-9). Convicted as charged means the defendant was convicted of at least the most serious filing charge.

Table 3-9 reflects county court case outcomes, showing that 24% of cases were convicted as charged, and 22% were convicted of another crime. In adult district court (Table 3-10), 32% were convicted of another crime and one-fourth (23%) were convicted as charged. In juvenile court (Table 3-11), 32% were convicted of another offense and 39% were convicted as charged.

*Table 3-9. County Court outcomes by race/ethnicity\* and most serious filing charge*

Race/ethnicity		Convicted as charged	Convicted other crime	Dismissed/not guilty	Not yet resolved/case closed	All	N
<b>Black</b>		<b>21%</b>	<b>29%</b>	<b>43%</b>	<b>7%</b>	<b>100%</b>	<b>14</b>
	Other	0%	80%	0%	20%	100%	5
	Property	50%	0%	50%	0%	100%	2
	Violent	29%	0%	71%	0%	100%	7
<b>Hispanic</b>		<b>27%</b>	<b>21%</b>	<b>37%</b>	<b>15%</b>	<b>100%</b>	<b>181</b>
	Drugs	60%	20%	0%	20%	100%	5
	Other	21%	19%	47%	14%	100%	58
	Property	40%	20%	20%	20%	100%	25
	Violent	26%	23%	38%	14%	100%	93
<b>Other</b>		<b>24%</b>	<b>22%</b>	<b>39%</b>	<b>15%</b>	<b>100%</b>	<b>174</b>
	Drugs	67%	0%	33%	0%	100%	3
	Other	22%	22%	44%	12%	100%	41
	Property	29%	19%	29%	24%	100%	21
	Violent	23%	23%	39%	15%	100%	109
<b>White</b>		<b>24%</b>	<b>22%</b>	<b>43%</b>	<b>11%</b>	<b>100%</b>	<b>600</b>
	Drugs	23%	15%	38%	23%	100%	13
	Other	30%	26%	37%	7%	100%	168
	Property	31%	18%	35%	16%	100%	98
	Violent	18%	21%	49%	11%	100%	321
<b>All</b>		<b>24%</b>	<b>22%</b>	<b>41%</b>	<b>12%</b>	<b>100%</b>	<b>969</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.

\*Judicial systematically collects race but not ethnicity. Court cases were matched to the Colorado Bureau of Investigation's NIBRS arrest data using name and birthdate to obtain ethnicity information. When Hispanic ethnicity was found in the arrest data, the defendant's race/ethnicity was set to Hispanic; otherwise the original Judicial race designation was used.

Table 3-10. Adult District Court outcomes by race/ethnicity\* and most serious filing charge

Race/ethnicity		Convicted as charged	Convicted other crime	Dismissed/not guilty	Not yet resolved/case closed	All	N
<b>Black</b>		<b>17%</b>	<b>33%</b>	<b>44%</b>	<b>6%</b>	<b>100%</b>	<b>18</b>
	Drugs	50%	50%	0%	0%	100%	2
	Other	0%	0%	100%	0%	100%	4
	Property	25%	38%	38%	0%	100%	8
	Violent	0%	50%	25%	25%	100%	4
<b>Hispanic</b>		<b>27%</b>	<b>28%</b>	<b>29%</b>	<b>16%</b>	<b>100%</b>	<b>174</b>
	Drugs	30%	30%	26%	13%	100%	23
	Other	21%	8%	52%	19%	100%	63
	Property	33%	33%	15%	20%	100%	46
	Violent	29%	52%	10%	10%	100%	42
<b>Other</b>		<b>18%</b>	<b>40%</b>	<b>29%</b>	<b>13%</b>	<b>100%</b>	<b>90</b>
	Drugs	20%	20%	40%	20%	100%	5
	Other	20%	30%	38%	12%	100%	50
	Property	17%	50%	17%	17%	100%	18
	Violent	12%	65%	12%	12%	100%	17
<b>White</b>		<b>23%</b>	<b>32%</b>	<b>26%</b>	<b>19%</b>	<b>100%</b>	<b>404</b>
	Drugs	36%	40%	13%	11%	100%	47
	Other	25%	17%	41%	18%	100%	138
	Property	22%	41%	17%	19%	100%	129
	Violent	16%	39%	23%	22%	100%	90
<b>All</b>		<b>23%</b>	<b>32%</b>	<b>28%</b>	<b>17%</b>	<b>100%</b>	<b>686</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.

\*Judicial systematically collects race but not ethnicity. Court cases were matched to the Colorado Bureau of Investigation's NIBRS arrest data using name and birthdate to obtain ethnicity information. When Hispanic ethnicity was found in the arrest data, the defendant's race/ethnicity was set to Hispanic; otherwise the original Judicial race designation was used.

Table 3-11. Juvenile Court outcomes by race/ethnicity\* and most serious filing charge

Race/ethnicity		Convicted as charged	Convicted other crime	Dismissed/not guilty	Not yet resolved/case closed	All	N
<b>Black</b>		<b>0%</b>	<b>0%</b>	<b>100%</b>	<b>0%</b>	<b>100%</b>	<b>1</b>
	Violent	0%	0%	100%	0%	100%	1
<b>Hispanic</b>		<b>50%</b>	<b>0%</b>	<b>50%</b>	<b>0%</b>	<b>100%</b>	<b>2</b>
	Other	0%	0%	100%	0%	100%	1
	Violent	100%	0%	0%	0%	100%	1
<b>Other</b>		<b>38%</b>	<b>12%</b>	<b>38%</b>	<b>12%</b>	<b>100%</b>	<b>8</b>
	Other	100%	0%	0%	0%	100%	1
	Property	0%	33%	67%	0%	100%	3
	Violent	50%	0%	25%	25%	100%	4
<b>White</b>		<b>40%</b>	<b>9%</b>	<b>51%</b>	<b>0%</b>	<b>100%</b>	<b>35</b>
	Other	14%	0%	86%	0%	100%	7
	Property	33%	7%	60%	0%	100%	15
	Violent	62%	15%	23%	0%	100%	13
<b>All</b>		<b>39%</b>	<b>9%</b>	<b>50%</b>	<b>2%</b>	<b>100%</b>	<b>46</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.

\*Judicial systematically collects race but not ethnicity. Court cases were matched to the Colorado Bureau of Investigation's NIBRS arrest data using name and birthdate to obtain ethnicity information. When Hispanic ethnicity was found in the arrest data, the defendant's race/ethnicity was set to Hispanic; otherwise the original Judicial race designation was used.

**Summary: Case outcomes.** Caution should be used when interpreting the case outcome since many factors can influence the decision. For example, the existence of prior cases (criminal history) may influence the outcome of a case. Additionally, most cases contain multiple charges, and many cases have concurrent cases. These factors are likely to significantly affect the outcome of a case. In particular, all charges in a case may be dismissed or modified as part of a plea agreement involving that case or multiple cases. In fact, 41% of cases in county court were dismissed, as were 28% of cases in district court and 50% of cases in juvenile court. Caution should be used when interpreting the findings on case outcomes when the number of cases is low.

## Initial sentences

The tables below show cases sentenced between Jan 1, 2016 and Dec 31, 2016 in the 6<sup>th</sup> Judicial District, in county court, district court, and juvenile court. These cases are not necessarily the same cases in the **Case Filings** section above. Also, because these data represent cases, not individuals, the number of individuals sentenced to the Department of Corrections (DOC) or the Division of Youth Services (DYS) from this jurisdiction may not match the number reported as admissions by DOC or DYS.

Cases generally have multiple initial sentences, often include fines, and can also include community service and credit for time served. The data below reflect the most serious initial

sentence. For example, the sentence of fines means that no more serious sentence was found. The same is true for credit for time served and community service.

Initial sentences can be later modified, such as when jail is added as part of a probation revocation. When probation sentences also include a jail sentence, the probation sentence is counted as the initial sentence because it is longer than the jail sentence. Probation/Intensive Supervision includes electronic monitoring.

Additionally, individuals may have multiple cases for which they are sentenced simultaneously. The sentence given in one case may not truly reflect the seriousness of the case as the more serious sentence may be recorded in another case as part of a plea agreement. Also, please note that the crime categories include attempts, solicitations, and conspiracy offenses.

Finally, in addition to concurrent cases affecting the sentencing outcome of a case, criminal/juvenile history may also influence the initial sentence.

## County court

Table 3-12 presents the initial sentence for each of the four offense types for county court cases in the 6<sup>th</sup> Judicial District in 2016. County court Drug cases resulted in a fine in 42% of cases, and community service for 17% of cases. Deferred judgments occurred for approximately half of Property (52%) cases and Violent (46%) cases. Caution must be used when interpreting the findings when few cases are involved (for example, there were only 12 Drug cases in county court).

*Table 3-12. Initial sentence in County Court, by most serious conviction charge (N=498)*

Sentence	Drugs	%	Other	%	Property	%	Violent	%
Community Service	2	17%	4	2%	5	5%	1	<1%
Deferred	2	17%	56	30%	48	52%	95	46%
Fines/fees	5	42%	23	12%	6	7%	7	3%
Jail	0	0%	22	12%	10	11%	31	15%
Probation/Intensive Supervision	0	0%	65	35%	16	17%	64	31%
Unsupervised Probation	3	25%	16	9%	7	8%	10	5%
<b>All</b>	<b>12</b>	<b>100%</b>	<b>186</b>	<b>100%</b>	<b>92</b>	<b>100%</b>	<b>208</b>	<b>100%</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.

Table 3-13 reflects initial county court sentences by gender. Women were more likely than men to receive a deferred judgment in county court (54% compared to 37%, respectively). Men were more likely than women to receive a jail sentence (14% for men compared to 7% for women), and men were more likely to be granted an initial sentence to probation (31% compared to 22% for women).

*Table 3-13. Initial sentence in County Court by gender (N=498)*

Sentence	Female	%	Male	%
Community Service	2	2%	10	2%
Deferred	52	54%	149	37%
Fines/fees	6	6%	35	9%
Jail	7	7%	56	14%
Probation/Intensive Supervision	21	22%	124	31%
Unsupervised Probation	8	8%	28	7%
<b>All</b>	<b>96</b>	<b>100%</b>	<b>402</b>	<b>100%</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.

Table 3-14 presents the initial sentence in county court by race/ethnicity for the 6<sup>th</sup> Judicial District. Those in the Other and White race/ethnicity category were much more likely to receive a deferred judgment (35% and 46%, respectively, compared to 30% for Hispanics). The few numbers of cases involving Blacks (n=9) means that caution must be used when interpreting the findings. Hispanics and those in the Other race/ethnicity category were more likely to receive jail sentences (17% and 18%, respectively) compared to Whites (10%).

*Table 3-14. Initial sentence in County Court by race/ethnicity\* (N=498)*

Sentence	Black	Hispanic	Other	White
N	9	104	71	314
Community Service	0%	2%	3%	3%
Deferred	22%	30%	35%	46%
Fines/fees	11%	11%	6%	8%
Jail	11%	17%	18%	10%
Probation/Intensive Supervision	56%	33%	34%	26%
Unsupervised Probation	0%	8%	4%	8%
<b>All</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</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.

\*Judicial systematically collects race but not ethnicity. Court cases were matched to the Colorado Bureau of Investigation's NIBRS arrest data using name and birthdate to obtain ethnicity information. When Hispanic ethnicity was found in the arrest data, the defendant's race/ethnicity was set to Hispanic; otherwise the original Judicial race designation was used.

The following four tables show the initial county court sentence for each of the four offense categories, by race/ethnicity. Table 3-15 shows initial sentences for county court Drug cases. The few numbers of cases (n=12) require caution when interpreting the findings.

*Table 3-15. Initial sentence for Drugs as most serious conviction in County Court by race/ethnicity\* (N=12)*

Sentence	Hispanic	Other	White
N	4	1	7
Community Service	25%	100%	0%
Deferred	0%	0%	29%
Fines/fees	50%	0%	43%
Unsupervised Probation	25%	0%	29%
<b>All</b>	<b>100%</b>	<b>100%</b>	<b>100%</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.

\*Judicial systematically collects race but not ethnicity. Court cases were matched to the Colorado Bureau of Investigation's NIBRS arrest data using name and birthdate to obtain ethnicity information. When Hispanic ethnicity was found in the arrest data, the defendant's race/ethnicity was set to Hispanic; otherwise the original Judicial race designation was used.

Table 3-16 shows that, for those with Other as the most serious county court conviction charge, Hispanics were more likely to receive a jail sentence (25% compared to 8% for Whites). Table 3-17 provides information on the initial sentence in county court for Property offenses but the limited number of cases in many categories means that the information must be interpreted with caution. Table 3-18 depicts the initial sentence for Violent offenses in county court; Whites (53%) were much more likely to receive a deferred judgment compared to Hispanics (33%) and those in the Other (41%) race/ethnicity category.

*Table 3-16. Initial sentence for Other as most serious conviction in County Court by race/ethnicity\* (N=186)*

Sentence	Black	Hispanic	Other	White
N	6	36	21	123
Community Service	0%	0%	0%	3%
Deferred	17%	31%	24%	32%
Fines/fees	17%	8%	5%	15%
Jail	17%	25%	10%	8%
Probation/Intensive Supervision	50%	28%	52%	33%
Unsupervised Probation	0%	8%	10%	9%
<b>All</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</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.

\*Judicial systematically collects race but not ethnicity. Court cases were matched to the Colorado Bureau of Investigation's NIBRS arrest data using name and birthdate to obtain ethnicity information. When Hispanic ethnicity was found in the arrest data, the defendant's race/ethnicity was set to Hispanic; otherwise the original Judicial race designation was used.

*Table 3-17. Initial sentence for Property as most serious conviction in County Court by race/ethnicity\* (N=92)*

Sentence	Black	Hispanic	Other	White
N	1	18	8	65
Community Service	0%	6%	12%	5%
Deferred	100%	28%	38%	60%
Fines/fees	0%	17%	0%	5%
Jail	0%	11%	25%	9%
Probation/Intensive Supervision	0%	28%	25%	14%
Unsupervised Probation	0%	11%	0%	8%
<b>All</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</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.

\*Judicial systematically collects race but not ethnicity. Court cases were matched to the Colorado Bureau of Investigation's NIBRS arrest data using name and birthdate to obtain ethnicity information. When Hispanic ethnicity was found in the arrest data, the defendant's race/ethnicity was set to Hispanic; otherwise the original Judicial race designation was used.

*Table 3-18. Initial sentence for Violent as most serious conviction in County Court by race/ethnicity\* (N=208)*

Sentence	Black	Hispanic	Other	White
N	2	46	41	119
Community Service	0%	0%	0%	1%
Deferred	0%	33%	41%	53%
Fines/fees	0%	7%	7%	1%
Jail	0%	15%	22%	13%
Probation/Intensive Supervision	100%	41%	27%	27%
Unsupervised Probation	0%	4%	2%	6%
<b>All</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</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.

\*Judicial systematically collects race but not ethnicity. Court cases were matched to the Colorado Bureau of Investigation's NIBRS arrest data using name and birthdate to obtain ethnicity information. When Hispanic ethnicity was found in the arrest data, the defendant's race/ethnicity was set to Hispanic; otherwise the original Judicial race designation was used.

## District court

Table 3-19 shows the initial sentence by offense type for district court cases in the 6<sup>th</sup> Judicial District. Probation was the most frequently occurring initial sentence, imposed 52% of the time for Property cases. The second most frequently occurring sentence in district court was a deferred judgment: 40% of Drug cases, 18% of Other cases, 24% of Property cases, and 27% of Violent cases received deferred judgment. Cases with Drug offenses were sentenced to the Department of Corrections 15% of the time. Table 3-20 shows the initial sentence by gender. Women were more likely than men to receive a deferred judgment (34% compared to 23%, respectively) and slightly less likely to receive a prison sentence (8% compared to 11%).



*Table 3-19. Initial sentence in Adult District Court, by most serious conviction charge (N=448)*

Sentence	Drugs	%	Other	%	Property	%	Violent	%
Community Corrections	2	3%	4	3%	5	4%	8	8%
Deferred	26	40%	27	18%	33	24%	27	27%
Dept of Corrections	10	15%	18	12%	11	8%	8	8%
Fines/fees	0	0%	4	3%	2	1%	0	0%
Jail	2	3%	25	17%	15	11%	10	10%
Probation/Intensive Supervision	25	38%	68	47%	71	52%	47	47%
<b>All</b>	<b>65</b>	<b>100%</b>	<b>146</b>	<b>100%</b>	<b>137</b>	<b>100%</b>	<b>100</b>	<b>100%</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.

*Table 3-20. Initial sentence in Adult District Court by gender (N=448)*

Sentence	Female	%	Male	%
Community Corrections	3	3%	16	4%
Deferred	31	34%	82	23%
Dept of Corrections	7	8%	40	11%
Fines/fees	2	2%	4	1%
Jail	10	11%	42	12%
Probation/Intensive Supervision	39	42%	172	48%
<b>All</b>	<b>92</b>	<b>100%</b>	<b>356</b>	<b>100%</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.

Table 3-21 shows the initial sentence in adult district court by race/ethnicity combining all crime types. One-quarter (25%) of initial sentences for Blacks were to the Department of Corrections, a higher proportion compared to the other race/ethnicity categories, but the number of cases involving Blacks is low (n=12) so care must be taken when interpreting these findings. Blacks (25%) and those in the Other (27%) race/ethnicity category were more likely to receive sentences to jail.

*Table 3-21. Initial sentence in Adult District Court by race/ethnicity\* (N=448)*

Sentence	Black	Hispanic	Other	White
N	12	108	51	277
Community Corrections	8%	3%	6%	4%
Deferred	0%	25%	16%	28%
Dept of Corrections	25%	10%	14%	9%
Fines/fees	0%	1%	0%	2%
Jail	25%	12%	27%	8%
Probation/Intensive Supervision	42%	49%	37%	48%
<b>All</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</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.

\*Judicial systematically collects race but not ethnicity. Court cases were matched to the Colorado Bureau of Investigation's NIBRS arrest data using name and birthdate to obtain ethnicity information. When Hispanic ethnicity was found in the arrest data, the defendant's race/ethnicity was set to Hispanic; otherwise the original Judicial race designation was used.

The following four tables show initial district court sentences for each of the offense categories, by race/ethnicity. Table 3-22 shows the sentences cases received for Drug offenses, however, the few numbers of cases in the Black, Hispanic and Other race/ethnicity categories means that care must be taken when interpreting the findings. This limitation also holds for Tables 3-23, 3-24 and 3-25.

*Table 3-22. Initial sentence for Drugs as most serious conviction in Adult District Court by race/ethnicity\* (N=65)*

Sentence	Black	Hispanic	Other	White
N	1	17	2	45
Community Corrections	100%	0%	0%	2%
Deferred	0%	41%	0%	42%
Dept of Corrections	0%	18%	0%	16%
Jail	0%	0%	0%	4%
Probation/Intensive Supervision	0%	41%	100%	36%
<b>All</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</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.

\*Judicial systematically collects race but not ethnicity. Court cases were matched to the Colorado Bureau of Investigation's NIBRS arrest data using name and birthdate to obtain ethnicity information. When Hispanic ethnicity was found in the arrest data, the defendant's race/ethnicity was set to Hispanic; otherwise the original Judicial race designation was used.

*Table 3-23. Initial sentence for Other as most serious conviction in Adult District Court by race/ethnicity\* (N=146)*

Sentence	Black	Hispanic	Other	White
N	4	36	25	81
Community Corrections	0%	0%	8%	2%
Deferred	0%	19%	12%	21%
Dept of Corrections	0%	11%	20%	11%
Fines/fees	0%	3%	0%	4%
Jail	50%	19%	28%	11%
Probation/Intensive Supervision	50%	47%	32%	51%
<b>All</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</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.

\*Judicial systematically collects race but not ethnicity. Court cases were matched to the Colorado Bureau of Investigation's NIBRS arrest data using name and birthdate to obtain ethnicity information. When Hispanic ethnicity was found in the arrest data, the defendant's race/ethnicity was set to Hispanic; otherwise the original Judicial race designation was used.

*Table 3-24. Initial sentence for Property as most serious conviction in Adult District Court by race/ethnicity\* (N=137)*

Sentence	Black	Hispanic	Other	White
N	6	27	13	91
Community Corrections	0%	4%	8%	3%
Deferred	0%	26%	23%	25%
Dept of Corrections	33%	11%	8%	5%
Fines/fees	0%	0%	0%	2%
Jail	17%	11%	38%	7%
Probation/Intensive Supervision	50%	48%	23%	57%
<b>All</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</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.

\*Judicial systematically collects race but not ethnicity. Court cases were matched to the Colorado Bureau of Investigation's NIBRS arrest data using name and birthdate to obtain ethnicity information. When Hispanic ethnicity was found in the arrest data, the defendant's race/ethnicity was set to Hispanic; otherwise the original Judicial race designation was used.

Table 3-25. Initial sentence for Violent as most serious conviction in Adult District Court by race/ethnicity\* (N=100)

Sentence	Black	Hispanic	Other	White
N	1	28	11	60
Community Corrections	0%	7%	0%	10%
Deferred	0%	21%	18%	32%
Dept of Corrections	100%	4%	9%	8%
Jail	0%	11%	18%	8%
Probation/Intensive Supervision	0%	57%	55%	42%
<b>All</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</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.

\*Judicial systematically collects race but not ethnicity. Court cases were matched to the Colorado Bureau of Investigation's NIBRS arrest data using name and birthdate to obtain ethnicity information. When Hispanic ethnicity was found in the arrest data, the defendant's race/ethnicity was set to Hispanic; otherwise the original Judicial race designation was used.

## Juvenile court

Table 3-26 below reflects the initial sentence for juvenile court cases, by crime type, for the 6<sup>th</sup> Judicial District, and Table 3-27 shows the initial sentence by gender. Because the few numbers of cases in juvenile court (n=26), care must be taken when interpreting the findings. This is especially the case when the initial sentence is shown by offense type, Tables 3-28 to 3-31.

Table 3-26. Initial sentence in Juvenile Court, by most serious conviction charge (N=26)

Sentence	Other	%	Property	%	Violent	%
Deferred	2	100%	7	70%	9	64%
Division of Youth Services	0	0%	0	0%	2	14%
Probation/Intensive Supervision	0	0%	3	30%	3	21%
<b>All</b>	<b>2</b>	<b>100%</b>	<b>10</b>	<b>100%</b>	<b>14</b>	<b>100%</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.

Table 3-27. Initial sentence in Juvenile Court by gender (N=26)

Sentence	Female	%	Male	%
Deferred	4	67%	14	70%
Division of Youth Services	0	0%	2	10%
Probation/Intensive Supervision	2	33%	4	20%
<b>All</b>	<b>6</b>	<b>100%</b>	<b>20</b>	<b>100%</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.

*Table 3-28. Initial sentence in Juvenile Court by race/ethnicity\* (N=26)*

Sentence	Hispanic	Other	White
N	4	3	19
Deferred	75%	67%	68%
Division of Youth Services	0%	0%	11%
Probation/Intensive Supervision	25%	33%	21%
<b>All</b>	<b>100%</b>	<b>100%</b>	<b>100%</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.

\*Judicial systematically collects race but not ethnicity. Court cases were matched to the Colorado Bureau of Investigation's NIBRS arrest data using name and birthdate to obtain ethnicity information. When Hispanic ethnicity was found in the arrest data, the defendant's race/ethnicity was set to Hispanic; otherwise the original Judicial race designation was used.

*Table 3-29. Initial sentence for Other as most serious conviction in Juvenile Court by race/ethnicity\* (N=2)*

Sentence	Hispanic
N	2
Deferred	100%
<b>All</b>	<b>100%</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.

\*Judicial systematically collects race but not ethnicity. Court cases were matched to the Colorado Bureau of Investigation's NIBRS arrest data using name and birthdate to obtain ethnicity information. When Hispanic ethnicity was found in the arrest data, the defendant's race/ethnicity was set to Hispanic; otherwise the original Judicial race designation was used.

*Table 3-30. Initial sentence for Property as most serious conviction in Juvenile Court by race/ethnicity\* (N=10)*

Sentence	Other	White
N	1	9
Deferred	0%	78%
Probation/Intensive Supervision	100%	22%
<b>All</b>	<b>100%</b>	<b>100%</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.

\*Judicial systematically collects race but not ethnicity. Court cases were matched to the Colorado Bureau of Investigation's NIBRS arrest data using name and birthdate to obtain ethnicity information. When Hispanic ethnicity was found in the arrest data, the defendant's race/ethnicity was set to Hispanic; otherwise the original Judicial race designation was used.

Table 3-31. Initial sentence for Violent as most serious conviction in Juvenile Court by race/ethnicity\* (N=14)

Sentence	Hispanic	Other	White
N	2	2	10
Deferred	50%	100%	60%
Division of Youth Services	0%	0%	20%
Probation/Intensive Supervision	50%	0%	20%
<b>All</b>	<b>100%</b>	<b>100%</b>	<b>100%</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.

\*Judicial systematically collects race but not ethnicity. Court cases were matched to the Colorado Bureau of Investigation's NIBRS arrest data using name and birthdate to obtain ethnicity information. When Hispanic ethnicity was found in the arrest data, the defendant's race/ethnicity was set to Hispanic; otherwise the original Judicial race designation was used.

**Summary: Initial sentences.** This analysis reflects the most serious initial sentences; these can be later modified, such as when jail is added as part of a probation revocation. Additionally, individuals may have multiple cases for which they are sentenced simultaneously. The sentence given in one case may not truly reflect the seriousness of the case as the more serious sentence may be recorded in another case as part of a plea agreement. Finally, in addition to concurrent cases affecting the sentencing outcome of a case, criminal/juvenile history may also influence the final initial sentence.

County court Drug cases resulted in a fine in 42% of cases, and community service for 17% of cases. Deferred judgments occurred for approximately half of Property (52%) cases and Violent (46%) cases. Caution must be used when interpreting the findings when few cases are involved (for example, there were only 12 Drug cases in county court). Women were more likely than men to receive a deferred judgment in county court (54% compared to 37%, respectively). Men were more likely than women to receive a jail sentence (14% for men compared to 7% for women). Those in the Other and White race/ethnicity category were much more likely to receive a deferred judgment (35% and 46%, respectively, compared to 30% for Hispanics). Hispanics and those in the Other race/ethnicity category were more likely to receive jail sentences (17% and 18%, respectively) compared to Whites (10%). When the initial sentence was for Violent offenses in county court, Whites (53%) were much more likely to receive a deferred judgment compared to Hispanics (33%) and those in the Other (41%) race/ethnicity category.

In district court in the 6<sup>th</sup> Judicial District, probation was the most frequently occurring initial sentence, imposed 52% of the time for Property cases. The second most frequently occurring sentence in district court was a deferred judgment: 40% of Drug cases, 18% of Other cases, 24% of Property cases, and 27% of Violent cases received deferred judgment. Cases with Drug offenses were sentenced to the Department of Corrections 15% of the time. Women were more likely than men to receive a deferred judgment (34% compared to 23%, respectively) and slightly less likely to receive a prison sentence (8% compared to 11%).

This section also provided information on the initial sentence for juvenile court cases, by race/ethnicity and by crime type, for the 6<sup>th</sup> Judicial District, however, because the few numbers of cases in juvenile court (n=26), care must be taken when interpreting the findings.

## Revocations

Cases sentenced in 2016 to probation or a deferred judgment that received a revocation in the 6<sup>th</sup> Judicial District are included in the analyses presented here.<sup>16</sup> Those sentenced near the end of 2016 may not have had enough time to get revoked. **Note that these are cases, not individuals.** Counting cases and not individuals is likely to inflate the proportion of revocations presented in these analyses. For example, the Judicial Department reports that in 2016, 22% of adult state probation terminations were the result of a revocation.<sup>17</sup> The revocations presented here may not result in termination from probation supervision. In fact, in 2016, across county, adult district, and juvenile district courts *statewide*, 49% of cases were reinstated, 44% were not reinstated, and for the remaining 7% of cases it was unclear the outcome of the revocation.

The next series of tables shows revocations in county court, then district court, and finally juvenile court.

## County court

Table 3-32 shows revocation information for county court. Overall, 19% of cases receiving a probation/deferred judgment in the 6<sup>th</sup> Judicial District in 2016 were revoked. Blacks, Hispanics and those in the Other race/ethnicity category were more likely to be revoked compared Whites (29%, 27% and 35% respectively, compared to 12%), however the few cases with Black defendants (n=7) in county court means this information should be interpreted with caution. Across race/ethnicity categories, those with Violent cases were more likely to be revoked compared to the other offense categories. Table 3-33 shows that women were slightly less likely than men to get revoked (17% compared to 19%, respectively).

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<sup>16</sup> Judicial data pertaining to *petitions* to revoke are less reliable than data identifying actual revocations.

<sup>17</sup> *Judicial Branch Annual Statistical Report, Fiscal Year 2016*, Table 48, page 120.

Table 3-32. Revocations from Probation/Deferred in County Court, by race/ethnicity\* and most serious conviction charge

Race/ethnicity		No	Yes	All	N
<b>Black</b>		<b>71%</b>	<b>29%</b>	<b>100%</b>	<b>7</b>
	Other	100%	0%	100%	4
	Property	0%	100%	100%	1
	Violent	50%	50%	100%	2
<b>Hispanic</b>		<b>73%</b>	<b>27%</b>	<b>100%</b>	<b>73</b>
	Drugs	100%	0%	100%	1
	Other	83%	17%	100%	24
	Property	75%	25%	100%	12
	Violent	64%	36%	100%	36
<b>Other</b>		<b>65%</b>	<b>35%</b>	<b>100%</b>	<b>52</b>
	Other	78%	22%	100%	18
	Property	60%	40%	100%	5
	Violent	59%	41%	100%	29
<b>White</b>		<b>88%</b>	<b>12%</b>	<b>100%</b>	<b>250</b>
	Drugs	100%	0%	100%	4
	Other	90%	10%	100%	91
	Property	89%	11%	100%	53
	Violent	84%	16%	100%	102
<b>All</b>		<b>81%</b>	<b>19%</b>	<b>100%</b>	<b>382</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.

\*Judicial systematically collects race but not ethnicity. Court cases were matched to the Colorado Bureau of Investigation's NIBRS arrest data using name and birthdate to obtain ethnicity information. When Hispanic ethnicity was found in the arrest data, the defendant's race/ethnicity was set to Hispanic; otherwise the original Judicial race designation was used.

Table 3-33. Revocations from Probation/Deferred in County Court, by gender and most serious conviction charge

Gender		No	Yes	All	N
<b>Female</b>		<b>83%</b>	<b>17%</b>	<b>100%</b>	<b>81</b>
	Other	89%	11%	100%	28
	Property	84%	16%	100%	19
	Violent	76%	24%	100%	34
<b>Male</b>		<b>81%</b>	<b>19%</b>	<b>100%</b>	<b>301</b>
	Drugs	100%	0%	100%	5
	Other	87%	13%	100%	109
	Property	83%	17%	100%	52
	Violent	75%	25%	100%	135
<b>All</b>		<b>81%</b>	<b>19%</b>	<b>100%</b>	<b>382</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

Revocations from probation/deferred judgments occurred more frequently in district court (40%, Table 3-34) compared to county court (19%, Table 3-32) in 2016. Hispanics and those in the Other race/ethnicity category were more likely to be revoked compared to Whites (22% compared to 15%). The few cases in many of the categories means that this information must be interpreted with caution. Table 3-35 shows that women in adult district court were less likely than men to get revoked (14% compared to 19%). Women with Drug cases (23%) were most likely, compared to those with other crime types, to get revoked.

*Table 3-34. Revocations from Probation/Deferred in Adult District Court, by race/ethnicity\* and most serious conviction charge*

Race/ethnicity		No	Yes	All	N
<b>Black</b>		<b>60%</b>	<b>40%</b>	<b>100%</b>	<b>5</b>
	Other	50%	50%	100%	2
	Property	67%	33%	100%	3
<b>Hispanic</b>		<b>78%</b>	<b>22%</b>	<b>100%</b>	<b>80</b>
	Drugs	79%	21%	100%	14
	Other	83%	17%	100%	24
	Property	70%	30%	100%	20
	Violent	77%	23%	100%	22
<b>Other</b>		<b>78%</b>	<b>22%</b>	<b>100%</b>	<b>27</b>
	Drugs	0%	100%	100%	2
	Other	64%	36%	100%	11
	Property	100%	0%	100%	6
	Violent	100%	0%	100%	8
<b>White</b>		<b>85%</b>	<b>15%</b>	<b>100%</b>	<b>212</b>
	Drugs	83%	17%	100%	35
	Other	86%	14%	100%	58
	Property	81%	19%	100%	75
	Violent	91%	9%	100%	44
<b>All</b>		<b>82%</b>	<b>18%</b>	<b>100%</b>	<b>324</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.

\*Judicial systematically collects race but not ethnicity. Court cases were matched to the Colorado Bureau of Investigation's NIBRS arrest data using name and birthdate to obtain ethnicity information. When Hispanic ethnicity was found in the arrest data, the defendant's race/ethnicity was set to Hispanic; otherwise the original Judicial race designation was used.

*Table 3-35. Revocations from Probation/Deferred in Adult District Court, by gender and most serious conviction charge*

Gender		No	Yes	All	N
<b>Female</b>		<b>86%</b>	<b>14%</b>	<b>100%</b>	<b>70</b>
	Drugs	77%	23%	100%	13
	Other	87%	13%	100%	23
	Property	88%	12%	100%	25
	Violent	89%	11%	100%	9
<b>Male</b>		<b>81%</b>	<b>19%</b>	<b>100%</b>	<b>254</b>
	Drugs	79%	21%	100%	38
	Other	81%	19%	100%	72
	Property	77%	23%	100%	79
	Violent	88%	12%	100%	65
<b>All</b>		<b>82%</b>	<b>18%</b>	<b>100%</b>	<b>324</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 Court

In juvenile court, 25% of cases sentenced to probation/deferred judgment in 2016 in the 6<sup>th</sup> Judicial District were revoked (Table 3-36). The few cases in juvenile court (n=24) means that this information should be interpreted with caution.

*Table 3-36. Revocations from Probation/Deferred in Juvenile Court, by race/ethnicity\* and most serious conviction charge*

Race/ethnicity		No	Yes	All	N
<b>Hispanic</b>		<b>75%</b>	<b>25%</b>	<b>100%</b>	<b>4</b>
	Other	100%	0%	100%	2
	Violent	50%	50%	100%	2
<b>Other</b>		<b>67%</b>	<b>33%</b>	<b>100%</b>	<b>3</b>
	Property	100%	0%	100%	1
	Violent	50%	50%	100%	2
<b>White</b>		<b>76%</b>	<b>24%</b>	<b>100%</b>	<b>17</b>
	Property	56%	44%	100%	9
	Violent	100%	0%	100%	8
<b>All</b>		<b>75%</b>	<b>25%</b>	<b>100%</b>	<b>24</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.

\*Judicial systematically collects race but not ethnicity. Court cases were matched to the Colorado Bureau of Investigation's NIBRS arrest data using name and birthdate to obtain ethnicity information. When Hispanic ethnicity was found in the arrest data, the defendant's race/ethnicity was set to Hispanic; otherwise the original Judicial race designation was used.

Table 3-37. Revocations from Probation/Deferred in Juvenile Court, by gender and most serious conviction charge

Gender		No	Yes	All	N
<b>Female</b>		<b>67%</b>	<b>33%</b>	<b>100%</b>	<b>6</b>
	Property	50%	50%	100%	2
	Violent	75%	25%	100%	4
<b>Male</b>		<b>78%</b>	<b>22%</b>	<b>100%</b>	<b>18</b>
	Other	100%	0%	100%	2
	Property	62%	38%	100%	8
	Violent	88%	12%	100%	8
<b>All</b>		<b>75%</b>	<b>25%</b>	<b>100%</b>	<b>24</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.

**Revocations: Summary.** Cases sentenced in 2016 to probation or a deferred judgment that received a revocation in the 6<sup>th</sup> Judicial District are included in the analyses presented here.<sup>18</sup> Those sentenced near the end of 2016 may not have had enough time to get revoked. **Note that these are cases, not individuals.** Counting cases and not individuals is likely to inflate the proportion of revocations presented in these analyses. For example, the Judicial Department reports that in 2016, 22% of adult state probation terminations were the result of a revocation.<sup>19</sup> The revocations presented here may not result in termination from probation supervision. In fact, in 2016, across county, adult district, and juvenile district courts *statewide*, 49% of cases were reinstated, 44% were not reinstated, and for the remaining 7% of cases it was unclear the outcome of the revocation.

Overall, 19% of county court cases receiving a probation/deferred judgment in the 6<sup>th</sup> Judicial District in 2016 were revoked. Blacks, Hispanics and those in the Other race/ethnicity category were more likely to be revoked compared Whites (29%, 27% and 35% respectively, compared to 12%), however the few cases with Black defendants (n=7) in county court means this information should be interpreted with caution. Across race/ethnicity categories, those with Violent cases were more likely to be revoked compared to the other offense categories. Table 3-33 shows that women were slightly less likely than men to get revoked (17% compared to 19%, respectively).

Revocations from probation/deferred judgments with similar frequently in district court (18%) compared to county court (19%) in 2016. Hispanics and those in the Other race/ethnicity category were more likely to be revoked compared to Whites (22% compared to 15%). The few cases in many of the categories means that this information must be interpreted with caution. Women in adult district court were less likely than men to get revoked (14% compared to 19%). Women with Drug cases (23%) were most likely, compared to those with other crime types, to get revoked.

In juvenile court, 30% of cases sentenced to probation/deferred judgment in 2016 in the 6<sup>th</sup> Judicial District were revoked. Hispanics were most likely to get revoked. Females were revoked

<sup>18</sup> Judicial data pertaining to *petitions* to revoke are less reliable than data identifying actual revocations.

<sup>19</sup> *Judicial Branch Annual Statistical Report, Fiscal Year 2016*, Table 48, page 120.

at a rate of 28% compared to 30% for males. Comparing across crime types, females with Other crimes were most likely to be revoked (35%) and males with Property cases were most likely to be revoked (38%).

## Appendix A NIBRS Group A Arrest Crimes

Category	Subcategory	NIBRS Offense
<b>Drugs</b>		
	<b>Drugs</b>	
		Drug Equipment
		Drugs
<b>Other</b>		
	<b>DUI</b>	
		DUI
	<b>Other</b>	
		All Other
		Bad Checks
		Bribery
		Curfew/Loitering/Vagrancy
		Destruction of Property
		Disorderly Conduct
		Drunkenness
		Hit and Run
		Human Trafficking - Labor
		Liquor Law Violations
		Non-violent Family Offenses
		Runaway
		Trespassing
		Wagering
	<b>Other Sex Crime</b>	
		Fondling
		Human Trafficking - Commercial Sex Acts
		Peeping Tom
		Pornography
		Promoting Prostitution
		Prostitution
		Purchasing Prostitution
	<b>Weapons</b>	
		Weapons Laws Violation
<b>Property</b>		
	<b>Arson</b>	
		Arson
	<b>Burglary</b>	
		Burglary
	<b>Fraud</b>	
		Counterfeit
		Credit Card/ATM Fraud

		Embezzlement
		Extortion
		False Pretenses
		Impersonation
		Wire Fraud
	<b>Motor Vehicle Theft</b>	
		Motor Vehicle Theft
	<b>Theft</b>	
		Other Larceny
		Pocket Picking
		Purse Snatching
		Shop Lifting
		Stolen Property
		Theft from Building
		Theft from Coin-Operated
		Theft from Motor Vehicle
		Theft of Motor Vehicle Parts
<b>Violent</b>		
	<b>Agg Assault</b>	
		Agg Assault
	<b>Homicide</b>	
		Homicide
	<b>Kidnapping</b>	
		Kidnapping
	<b>Other Homicide</b>	
		Manslaughter
	<b>Robbery</b>	
		Robbery
	<b>Sex Assault</b>	
		Incest
		Rape
		Sexual Assault
		Sodomy
		Statutory Rape
	<b>Simple Assault</b>	
		Intimidation
		Simple Assault

## Appendix B

### Most serious filing/conviction charge categories

<b>Drugs</b>
Drugs(Distribution)
Drugs(Possession)
<b>Other</b>
Escape
Inchoate
Miscellaneous Felony
Miscellaneous Misdemeanor
Other Custody Violations
Other Sex Crime
Sex Offender Failure to Register
Traffic Felony
Traffic Misdemeanor
Weapons
<b>Property</b>
Arson
Burglary
Extortion
Forgery
Fraud
Motor Vehicle Theft
Other Property
Theft
<b>Violent</b>
Felony Assault
Homicide
Kidnapping
Misdemeanor Assault
Other Homicide
Robbery
Sex Assault

**Arson** - 1<sup>st</sup> - 4<sup>th</sup> degree arson

**Burglary** - 1<sup>st</sup> to 3<sup>rd</sup> degree burglary, possession of burglary tools

**Drug Poss** - drug possession, paraphernalia possession

**Drugs** - manufacture, process, distribute, cultivate, possession with intent to distribute

**Escape**

**Extortion**

**Felony Assault** - 1<sup>st</sup> and 2<sup>nd</sup> degree assault, vehicular assault, felony menacing, felony stalking, felony child abuse, witness intimidation

**Forgery**

**Fraud**

**Homicide** - 1<sup>st</sup> and 2<sup>nd</sup> degree murder

**Kidnapping** - 1<sup>st</sup> and 2<sup>nd</sup> degree kidnapping, false imprisonment, human trafficking, violation of custody

**Misc Felony** - Giving false information to a pawn broker, bribery, witness tampering, vehicular eluding, wiretapping, cruelty to animals,

**Misc Misd** - prostitution, patronizing a prostitute, resisting arrest, obstructing a peace officer, disorderly conduct, interference with school staff, cruelty to animals

**Misd Assault** -3<sup>rd</sup> degree assault, child abuse, violation of a protection order, harassment

**Other Custody Violations** - aiding escape, contraband, violation of bail bond conditions

**Other Homicide** - manslaughter, vehicular homicide, criminally negligent homicide, child abuse causing death