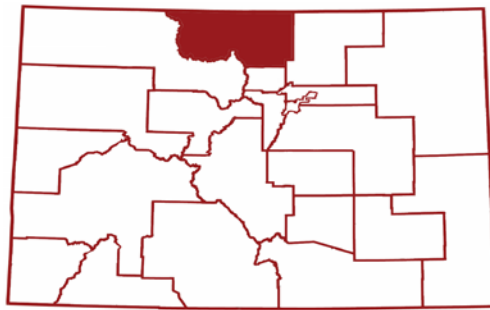


Senate Bill 15-185 CLEAR Act

2016

Community Law Enforcement Action Reporting Act

8th Judicial District



8th Judicial District: Population race/ethnicity estimates, 2016

Age Group	Race/ethnicity	%	N
Adult		79%	266,257
	Black	1%	2,407
	Hispanic	10%	26,199
	Other	3%	8,460
	White	86%	229,192
Juvenile		21%	70,589
	Black	2%	1,119
	Hispanic	19%	13,589
	Other	4%	2,976
	White	75%	52,905
All		100%	336,846

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



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,¹ the findings from the statewide analysis were presented to the Colorado Commission on Criminal and Juvenile Justice.² 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 8th Judicial District for events that occurred in 2016. The statewide report and individual judicial district reports may be found here: 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.

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

² 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,³ the findings from the statewide analysis were presented to the Colorado Commission on Criminal and Juvenile Justice.⁴ 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 8th 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,⁵ 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.

The state Demographer's Office estimates that in 2016, the population in Colorado's 8th Judicial District was 336,846. The adult population was comprised as follows: White, 88%; Black, 1%; Hispanic, 10%; and Other, 3%. The juvenile population was comprised as follows: White, 75%, Black, 2%, Hispanic 19%, and Other 4%. 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

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

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

⁵ 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 12,127 arrests/summonses in the 8th 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 12% of all arrests/summonses and Violent crimes accounted for another 11% of arrests/summonses, Property offenses accounted for 20% of arrests/summonses, and the remainder of arrests/summonses (57%) fell into the Other crime category. Blacks represented 1% of the population in the 8th Judicial District in 2016, but accounted for 4% of arrests/summonses. Hispanics represented 12% of the population and 17% of arrests/summonses. Males represented about 50% of the state population and 70% of arrests. Females were much more likely to be involved in Property offenses than the other offense categories. Violent crimes were less likely than the other crime categories to result in a summons.

Filings. This study of 8,540 case filings in county, district, and juvenile courts combined found that, while Blacks represented 1% of the population in the 8th Judicial District, and 4% of the arrests/summonses in 2016, they accounted for 5% of district court filings and 4% of county court filings. In juvenile court, Blacks represented 6% of cases, compared to 2% Black juveniles in the population. Hispanic made up 10% of the adult population in the 8th Judicial District but had 22% of district court filings in 2016. The race/ethnicity distribution across the four crime categories was relatively consistent. In terms of gender, 27% of filings were females and 73% were males. Less than 1% of cases completed a trial in county, district and juvenile court; Violent offenses were most likely to result in a trial. 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, 28% of cases in county court were dismissed, as were 11% of cases in district court and 11% of cases in juvenile court. One-third (31%) of county court cases were convicted as charged compared to 36% in district court and juvenile court. One-third (33%) of county court cases were convicted of a different charge, as were almost half (42%) of district court cases, and 42% of juvenile court cases.

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.

For county court cases in the 8th Judicial District in 2016, women were considerably more likely than men to receive a deferred judgment in county court (27% compared to 17%, respectively).

Men were somewhat more likely than women to receive a jail sentence (24% for men compared to 20% for women), and men were more likely to be granted an initial sentence to probation (26% compared to 18% for women). County court Drug cases resulted in a fine in 46% of cases, and community service for 34% of cases. Deferred judgments occurred for 18% of Other and Property cases, 28% of Violent crime cases, and 3% for Drug cases (this figure represents only 4 cases). Almost half (40%) of Violent cases received an initial sentence to probation.

In county court, those in the Other race/ethnicity category were much more likely to receive a deferred judgment (23% compared to 14-21% for other race/ethnicities); Hispanics were less likely to receive a deferred judgment, at 14%, followed by Blacks at 19% compared to 21% for Whites and 23% for those in the Other race/ethnicity category. Blacks and Hispanics were more likely to receive jail time (24% and 30%, respectively), compared to 1% of Other cases and 21% of White cases.

For cases with Other as the most serious county court conviction charge, Hispanics (36%) were much more likely to receive a jail sentence compared to the other initial sentencing options. For Property offense types in county court, Blacks were more likely to receive a jail sentence; for Violent offenses, Hispanics were more likely to receive a jail sentence.

In district court, probation was the most frequently occurring initial sentence, imposed 65% of the time for Drug cases. The second most frequently occurring sentence in district court was a prison sentence: 14% of Drug cases, 20% of Other cases, 14% of Property cases, and 25% of Violent cases received a sentence to the Department of Corrections. Deferred judgments were imposed infrequently and were most likely to be imposed in Property cases (16%), and least likely to be imposed in Drug cases (4%). Women were much more likely to receive probation compared to men (62% versus 52%, respectively) and less likely to receive a prison sentence (10% compared to 20%, respectively).

One-fifth (21%) of initial sentences in district court for Blacks were to the Department of Corrections, and 24% of initial sentences for Hispanic cases were to prison, a higher proportion compared to the other race/ethnicity groups (15%). Hispanics (41%) were more likely than the other race/ethnicity groups to receive a prison sentence for a Violent crime, compared to Blacks (29%), those in the Other race/ethnicity category (33%), and Whites (21%).

In juvenile court, an initial sentence of a deferred judgment was the most frequently occurring sentence, followed by probation. Drug cases and Violent cases were more likely than other offenses to receive a deferred judgment (60% and 49%, respectively) in juvenile court.

When reviewing the initial juvenile court sentence by race/ethnicity, the few numbers of cases in the Black (n=19) and Other (n=6) race/ethnicity groups means that this information should be interpreted with caution. Across race/ethnicity categories, Blacks and Hispanics were considerably more likely to receive an initial sentence to the Division of Youth Services (11% and 13%, respectively, compared to 4% for Whites).

Revocations. Table 3-33 shows revocation information for county court. Overall, 23% of cases receiving a probation/deferred judgment in the 8th Judicial District in 2016 were revoked. Hispanics were more likely to be revoked compared to the overall revocation rate (30%). Blacks were least likely to be revoked when the most serious crime was Other and most likely to be revoked if the case was a Violent offense. Across race/ethnicity categories, those with Property cases were more likely to be revoked compared to the other offense categories, however, 40% of Drug cases involving White defendants were revoked. Males were slightly more likely to be revoked compared to females (24% compared to 21%, respectively).

Revocations from probation/deferred judgments occurred more frequently in district court (31%, Table 3-35) compared to county court (23%, Table 3-33) in 2016. Hispanics were most likely to be revoked (39% compared to 31% overall). Hispanics with Drug offenses were most likely to be revoked (54%). The few numbers of cases in the Other (n=21) race/ethnicity category means this information must be interpreted with caution. Table 3-36 shows that men and women in adult district court were equally likely to get revoked (31%). Men and women with Drug cases were most likely, compared to those with other crime types, to get revoked.

In juvenile court, 32% of cases sentenced to probation/deferred judgment in 2016 in the 8th Judicial District were revoked (Table 3-37). Blacks (35%) and Hispanics (36%) were most likely to get revoked compared to Whites (29%). The few cases in the Other (n=6) race/ethnicity category means that caution must be used when interpreting the findings. Table 3-38 presents revocations in juvenile court by gender. Females were revoked at a rate of 26% compared to 33% for males. Comparing across crime types, females with Other crimes were most likely to be revoked (33%) and males with Drug cases were most likely to be revoked (38%).

Additional analyses. To better understand the disparity across race/ethnicity in initial sentences, a statistical technique called logistic regression was employed in an attempt to account for circumstances that may impact decision making at this point in the process. These additional analyses allow for the examination of the impact of concurrent and prior cases, including current and prior violent offenses,⁶ may have on those decisions.

After controlling for the additional factors, Hispanics were statistically significantly more likely than Whites to receive a DOC sentence in the 8th Judicial District in 2016. However, no differences between Blacks and Whites, and Hispanics and Whites, were found in initial sentences of a deferred judgment in district court or in juvenile court. It should be noted that the small number of Black defendants in juvenile court (n=19) makes it unlikely that statistical differences would be found. Despite this complex analysis, it is possible that other factors besides concurrent cases and prior history explain the race/ethnicity differences in initial sentences to DOC between White and Hispanic defendants.

⁶ The violent crimes included in this analysis are as follows: C.R.S. 18-3-102, 1st degree homicide; 18-3-103, 2nd degree homicide; 18-3-202, 1st degree assault; 18-3-203, 2nd degree assault; 18-3-301, 1st degree kidnapping; 18-3-302, 2nd degree kidnapping; 18-3-402, sex assault (felony); 18-3-404, unlawful sexual contact (felony); 18-3-405, sex assault on a child; 18-3-405.3, sex assault on a child position of trust; 18-4-302, aggravated robbery; 18-4-102, 1st degree arson; 18-3.5-103, 1st degree unlawful termination of pregnancy; 18-3.5-104, 2nd degree unlawful termination of a pregnancy.

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.

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.

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 four 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. Section Four describes the findings from additional analyses undertaken to better understand the impact of concurrent cases and criminal history on the initial sentence.

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.⁷ 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;

⁷ 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.

- The national statistical validity and usefulness of the collected data.

NIBRS Group A offenses are listed in Appendix A, and Group B offenses are summarized into “Other.”⁸ 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 12,000 NIBRS incidents in the 8th Judicial District were analyzed for calendar year 2016 (Table 1-1).

Table 1-1. Arrests by type, 8th Judicial District, 2016

Arrest type	%	N
Custody/warrant	9%	1,106
On-view/probable cause	40%	4,904
Summons	50%	6,117
All	100%	12,127

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

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.⁹ 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, 8th Judicial District, 2016

Court	%	N
Adult District	33%	2,830
County	60%	5,111
Juvenile	7%	599
All	100%	8,540

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.

Note that the information presented here reflects the analysis of more than 8,500 **cases not individuals**. Individuals may have multiple, concurrent cases,¹⁰ 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.

⁸ 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.

⁹ 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.

¹⁰ 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.

The crime information analyzed for this study reflects the most serious filing or conviction charge for 24 offense categories¹¹ which, for the analysis presented in this document, have been collapsed into four categories: Drug, Other, Property and Violent.¹² 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.

¹¹ The 24 offense categories are summarized from more than 1500 statutes.

¹² 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, 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/Summons by offense

Offense	%	N
Drugs	12%	1,452
Other	57%	6,896
Property	20%	2,466
Violent	11%	1,313
All	100%	12,127

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

Table 2-2 reflects over 12,000 arrests/summons captured in NIBRS for calendar year 2016 in the 8th Judicial District, by race/ethnicity. Blacks represented 1% of the population in 2016, but accounted for 4% of arrests/summons in the 8th Judicial District. Hispanics represented 12% of the population and accounted for 17% of arrests. The Other race/ethnicity category represented 3% of the population, and was underrepresented in arrests (1%). Whites represented 84% of the population and 77% of arrests/summons in the 8th Judicial District.

Table 2-2. Arrest/Summons by race/ethnicity

Race/ethnicity	%	N
Black	4%	505
Hispanic	17%	2,066
Other	1%	161
White	77%	9,395
All	100%	12,127

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 2% of on view/probable cause arrests, and that 33% of those arrests were for violent crimes. Nineteen percent (19%) of adult arrests/summons were for violent crimes. Juveniles accounted for 6% of custody/warrant arrests (Table 2-4), and 17% of summonses (Table 2-5). Not surprisingly, violent offenses were least likely to result in a summons for adults and juveniles (Table 2-5).

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

Age Group	Offense	%	N
Adult		98%	4,797
	Drugs	14%	681
	Other	52%	2,495
	Property	15%	714
	Violent	19%	907
Juvenile		2%	107
	Drugs	8%	9
	Other	38%	41
	Property	21%	22
	Violent	33%	35
All		100%	4,904

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
Adult		94%	1,043
	Drugs	6%	65
	Other	84%	875
	Property	7%	77
	Violent	2%	26
Juvenile		6%	63
	Drugs	10%	6
	Other	87%	55
	Property	2%	1
	Violent	2%	1
All		100%	1,106

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
Adult		83%	5,101
	Drugs	9%	465
	Other	60%	3,044
	Property	27%	1,358
	Violent	5%	234
Juvenile		17%	1,016
	Drugs	22%	226
	Other	38%	386
	Property	29%	294
	Violent	11%	110
All		100%	6,117

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 14% of probable cause arrests were for Drug related offenses, 52% were for Other offenses, 15% for Property offenses, and 19% for Violent offenses. While Blacks made up 1% of the population in the 8th Judicial District, Table 2-6 shows that they were arrested at multiple times that rate for probable cause arrests in 2016: 4% of Drug arrests were Blacks, 4% of arrests for Other offenses were Blacks, 5% of Property arrests were Blacks, and 5% of Violent arrests were Blacks. Likewise, while Hispanics represented 12% of the population in 2016, they accounted for 18% of Drug arrests, 19% of Other offenses, 22% of Property arrests and 20% of Violent probable cause arrests in the 8th Judicial District.

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

Offense	Race/ethnicity	%	N
Drugs		14%	690
	Black	4%	26
	Hispanic	18%	121
	Other	1%	7
	White	78%	536
Other		52%	2,536
	Black	4%	93
	Hispanic	19%	478
	Other	1%	25
	White	76%	1,940
Property		15%	736
	Black	5%	37
	Hispanic	22%	163
	Other	1%	7
	White	72%	529
Violent		19%	942
	Black	5%	43
	Hispanic	20%	184
	Other	2%	17
	White	74%	698
All		100%	4,904

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. Over 80% (84%) of these arrests involved an offense that fell into the Other offense category. While only 2% of these types of arrests involved a Violent offense, Blacks made up 4% of Violent crime warrant arrests and Hispanics made up 19%, which is greater than the proportion of Blacks (1%) and Hispanics (12%) in the 8th Judicial District.

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

Offense	Race/ethnicity	%	N
Drugs		6%	71
	Black	4%	3
	Hispanic	14%	10
	Other	1%	1
	White	80%	57
Other		84%	930
	Black	4%	39
	Hispanic	14%	131
	Other	1%	10
	White	81%	750
Property		7%	78
	Black	8%	6
	Hispanic	14%	11
	White	78%	61
Violent		2%	27
	Black	4%	1
	Hispanic	19%	5
	Other	4%	1
	White	74%	20
All		100%	1,106

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 (6%) compared to Other (56%) and Property (27%) and that, of those summons issued for Violent crimes, 4% went to Blacks and 25% to Hispanics. Whites were least likely to be summonsed for a Violent crime (70%) and most likely for Other offenses (80%).

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

Offense	Race/ethnicity	%	N
Drugs		11%	691
	Black	4%	25
	Hispanic	19%	128
	Other	1%	7
	White	77%	531
Other		56%	3,430
	Black	4%	144
	Hispanic	14%	468
	Other	2%	60
	White	80%	2,758
Property		27%	1,652
	Black	5%	75
	Hispanic	17%	280
	Other	1%	23
	White	77%	1,274
Violent		6%	344
	Black	4%	13
	Hispanic	25%	87
	Other	1%	3
	White	70%	241
All		100%	6,117

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 24-40% of arrests and 22-45% 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

Offense	Gender	%	N
Drugs		14%	690
	Female	31%	213
	Male	69%	477
Other		52%	2,536
	Female	24%	619
	Male	76%	1,917
Property		15%	736
	Female	30%	224
	Male	70%	512
Violent		19%	942
	Female	26%	241
	Male	74%	701
All		100%	4,904

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

Offense	Gender	%	N
Drugs		6%	71
	Female	25%	18
	Male	75%	53
Other		84%	930
	Female	30%	279
	Male	70%	651
Property		7%	78
	Female	40%	31
	Male	60%	47
Violent		2%	27
	Female	15%	4
	Male	85%	23
All		100%	1,106

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
Drugs		11%	691
	Female	26%	179
	Male	74%	512
Other		56%	3,430
	Female	22%	767
	Male	78%	2,663
Property		27%	1,652
	Female	45%	744
	Male	55%	908
Violent		6%	344
	Female	26%	88
	Male	74%	256
All		100%	6,117

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 12,127 arrests/summonses in the 8th 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 12% of all arrests/summonses and Violent crimes accounted for another 11% of arrests/summonses, Property offenses accounted for 20% of arrests/summonses, and the remainder of arrests/summonses (57%) fell into the Other crime category. Blacks represented 1% of the population in the 8th Judicial District in 2016, but accounted for 4% of arrests/summonses. Hispanics represented 12% of the population and 17% of

arrests/summonses. Males represented about 50% of the state population and 70% of arrests. Females were much more likely to be involved in Property offenses than the other offense categories. Violent crimes were less likely than the other crime categories to result in a summons.

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.¹³ For this analysis, cases were selected for the 8th 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,¹⁴ 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. 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 8,540 case filings in county, adult district, and juvenile courts combined in the 8th Judicial District. While Blacks represented 1% of the population and 4% of the arrests/summonses in 2016, they accounted for 4% of court filings. Hispanics represented 12% of the population, 17% of arrests/summonses, and 22% of case filings. Note that these cases are not necessarily the same cases in the **Law enforcement data** section above.

¹³ Denver County Court is not part of the statewide Judicial data management system.

¹⁴ 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	4%	365
Hispanic	22%	1,874
Other	1%	108
White	73%	6,193
All	100%	8,540

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 13% of cases, and Violent charges comprised 26% of charges filed. The race/ethnicity distribution is generally consistent across crime types.

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

Offense	Race/ethnicity	%	N
Drugs		13%	1,086
	Black	4%	43
	Hispanic	20%	219
	Other	1%	12
	White	75%	812
Other		30%	2,537
	Black	3%	87
	Hispanic	22%	560
	Other	1%	34
	White	73%	1,856
Property		31%	2,675
	Black	5%	128
	Hispanic	22%	587
	Other	1%	31
	White	72%	1,929
Violent		26%	2,242
	Black	5%	107
	Hispanic	23%	508
	Other	1%	31
	White	71%	1,596
All		100%	8,540

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, 27% of filings were females and 73% were males. Females were slightly more likely than men to be involved in Property crimes (36% compared to 30%, respectively) and slightly less to be involved in Violent offenses (25% compared to 27%, respectively).

Table 3-3. Most serious filing charge by gender

Gender	Offense	%	N
Female		27%	2,307
	Drugs	14%	327
	Other	25%	576
	Property	36%	830
	Violent	25%	574
Male		73%	6,233
	Drugs	12%	759
	Other	31%	1,961
	Property	30%	1,845
	Violent	27%	1,668
All		100%	8,540

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 8th Judicial District. County court had the most cases in 2016 (60% of the total), followed by adult district court (33%) and juvenile court at 7%. Blacks, comprising 1% of the population in the 8th Judicial District, represented 5% of county and district court cases filed, and 6% in juvenile court. Hispanic adults made up 12% of the adult population in the 8th Judicial District and 22% of district court filings in 2016.

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

Court	Race/ethnicity	%	N
Adult District		33%	2,830
	Black	5%	128
	Hispanic	22%	612
	Other	1%	28
	White	73%	2,062
County		60%	5,111
	Black	4%	203
	Hispanic	21%	1,082
	Other	1%	74
	White	73%	3,752
Juvenile		7%	599
	Black	6%	34
	Hispanic	30%	180
	Other	1%	6
	White	63%	379
All		100%	8,540

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. One-third (33%) of county court cases were Violent offenses (primarily misdemeanor assault); Property offenses (33%) and Other offenses (28%) comprised the largest categories of cases in adult district court. Property crimes (38%) and Other crimes (27%) 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. One-quarter of adult district court cases were women (25%); females comprised 28% of cases in county and juvenile court.

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

Court	Offense	%	N
Adult District		33%	2,830
	Drugs	24%	693
	Other	28%	787
	Property	33%	922
	Violent	15%	428
County		60%	5,111
	Drugs	7%	336
	Other	31%	1,587
	Property	30%	1,523
	Violent	33%	1,665
Juvenile		7%	599
	Drugs	10%	57
	Other	27%	163
	Property	38%	230
	Violent	25%	149
All		100%	8,540

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
Adult District		33%	2,830
	Female	25%	720
	Male	75%	2,110
County		60%	5,111
	Female	28%	1,418
	Male	72%	3,693
Juvenile		7%	599
	Female	28%	169
	Male	72%	430
All		100%	8,540

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 3-7 shows how very infrequently cases in these courts completed a trial (less than 1%). 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

Court	Completed Trial	%	N
Adult District		33%	2,830
	No	100%	2,820
	Yes	<1%	10
County		60%	5,111
	No	100%	5,092
	Yes	<1%	19
Juvenile		7%	599
	No	100%	597
	Yes	<1%	2
All		100%	8,540

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

Offense	Completed Trial	%	N
Drugs		13%	1,086
	No	100%	1,085
	Yes	<1%	1
Other		30%	2,537
	No	100%	2,532
	Yes	<1%	5
Property		31%	2,675
	No	100%	2,671
	Yes	<1%	4
Violent		26%	2,242
	No	99%	2,221
	Yes	1%	21
All		100%	8,540

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 8,540 case filings in county, district, and juvenile courts combined found that, while Blacks represented 1% of the population in the 8th Judicial District, and 4% of the arrests/summons in 2016, they accounted for 5% of district court filings and 4% of county court filings. In juvenile court, Blacks represented 6% of cases, compared to 2% Black juveniles in the population. Hispanic made up 10% of the adult population in the 8th Judicial District but had 22% of district court filings in 2016. The race/ethnicity distribution across the four crime categories was relatively consistent. In terms of gender, 27% of filings were females and 73% were males. Less than 1% of cases completed a trial in county, district and juvenile court; Violent offenses were most likely to result in a trial. 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 8th 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, in over one-quarter (28%) of cases, all charges were dismissed in county court in 2016 (Table 3-9). In county court, case outcomes involving Drugs or Violent charges were somewhat more likely to get dismissed, compared to the other crime categories. There were few differences across race/ethnicity in terms of case outcomes, except that Blacks and those in the Other race/ethnicity category were more likely to be involved in cases not yet resolved.

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 31% of cases were convicted as charged, and 33% were convicted of another crime. In adult district court (Table 3-10), 42% were convicted of another crime and one-third (36%) were convicted as charged. In juvenile court (Table 3-11), 42% were convicted of another offense and 36% 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
Black		31%	26%	31%	12%	100%	203
	Drugs	38%	0%	62%	0%	100%	13
	Other	25%	33%	25%	16%	100%	51
	Property	36%	26%	26%	12%	100%	66
	Violent	27%	26%	34%	12%	100%	73
Hispanic		34%	35%	23%	8%	100%	1,082
	Drugs	35%	24%	32%	10%	100%	72
	Other	38%	38%	17%	7%	100%	325
	Property	29%	39%	22%	10%	100%	322
	Violent	36%	30%	28%	7%	100%	363
Other		23%	28%	35%	14%	100%	74
	Drugs	67%	33%	0%	0%	100%	3
	Other	25%	29%	36%	11%	100%	28
	Property	16%	32%	26%	26%	100%	19
	Violent	21%	25%	46%	8%	100%	24
White		30%	33%	29%	8%	100%	3,752
	Drugs	33%	20%	38%	9%	100%	248
	Other	30%	34%	28%	8%	100%	1,183
	Property	30%	33%	28%	10%	100%	1,116
	Violent	29%	35%	30%	6%	100%	1,205
All		31%	33%	28%	8%	100%	5,111

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
Black		34%	36%	12%	17%	100%	128
	Drugs	59%	33%	4%	4%	100%	27
	Other	19%	38%	28%	16%	100%	32
	Property	38%	34%	11%	17%	100%	47
	Violent	18%	41%	5%	36%	100%	22
Hispanic		35%	42%	9%	14%	100%	612
	Drugs	56%	27%	7%	10%	100%	134
	Other	34%	37%	15%	14%	100%	179
	Property	30%	52%	5%	13%	100%	205
	Violent	16%	53%	11%	20%	100%	94
Other		39%	39%	11%	11%	100%	28
	Drugs	78%	11%	0%	11%	100%	9
	Other	40%	20%	20%	20%	100%	5
	Property	22%	44%	22%	11%	100%	9
	Violent	0%	100%	0%	0%	100%	5
White		36%	43%	12%	9%	100%	2,062
	Drugs	51%	35%	8%	6%	100%	523
	Other	32%	36%	23%	9%	100%	571
	Property	35%	49%	7%	9%	100%	661
	Violent	22%	56%	8%	14%	100%	307
All		36%	42%	11%	10%	100%	2,830

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
Black		32%	24%	35%	9%	100%	34
	Drugs	33%	33%	33%	0%	100%	3
	Other	75%	0%	25%	0%	100%	4
	Property	27%	33%	33%	7%	100%	15
	Violent	25%	17%	42%	17%	100%	12
Hispanic		43%	20%	33%	4%	100%	180
	Drugs	23%	31%	46%	0%	100%	13
	Other	46%	18%	36%	0%	100%	56
	Property	50%	13%	32%	5%	100%	60
	Violent	37%	27%	27%	8%	100%	51
Other		33%	17%	17%	33%	100%	6
	Other	0%	0%	0%	100%	100%	1
	Property	67%	0%	33%	0%	100%	3
	Violent	0%	50%	0%	50%	100%	2
White		46%	17%	34%	3%	100%	379
	Drugs	54%	10%	37%	0%	100%	41
	Other	43%	12%	44%	1%	100%	102
	Property	49%	23%	24%	4%	100%	152
	Violent	39%	18%	38%	5%	100%	84
All		44%	19%	34%	4%	100%	599

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, 28% of cases in county court were dismissed, as were 11% of cases in district court and 11% of cases in juvenile court. One-third (31%) of county court cases were convicted as charged compared to 36% in district court and juvenile court. One-third (33%) of county court cases were convicted of a different charge, as were almost half (42%) of district court cases, and 42% of juvenile court cases.

Initial sentences

The tables below show cases sentenced between Jan 1, 2016 and Dec 31, 2016 in the 8th 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 will not match the number reported as admissions by DOC or DYS.

Cases generally have multiple initial sentences, usually 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 8th Judicial District in 2016. County court Drug cases resulted in a fine in 46% of cases, and community service for 34% of cases. Deferred judgments occurred for 18% of Other and Property cases, 28% of Violent crime cases, and 3% for Drug cases (this figure represents only 4 cases). Almost half (40%) of Violent cases received an initial sentence to probation.

Table 3-12. Initial sentence in County Court, by most serious conviction charge (N=3,317)

Sentence	Drugs	%	Other	%	Property	%	Violent	%
Community Service	48	34%	20	2%	4	<1%	0	0%
Deferred	4	3%	236	18%	171	18%	246	28%
Fines/fees	65	46%	315	24%	117	12%	14	2%
Jail	4	3%	297	22%	280	29%	178	20%
Probation/Intensive Supervision	15	11%	291	22%	109	11%	360	40%
Unsupervised Probation	4	3%	163	12%	284	29%	92	10%
All	140	100%	1,322	100%	965	100%	890	100%

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 significantly more likely than men to receive a deferred judgment in county court (27% compared to 17%, respectively). Men were somewhat more likely than women to receive a jail sentence (24% for men compared to 20% for women), and men were more likely to be granted an initial sentence to probation (26% compared to 18% for women).

Table 3-13. Initial sentence in County Court by gender (N=3,317)

Sentence	Female	%	Male	%
Community Service	16	2%	56	2%
Deferred	242	27%	415	17%
Fines/fees	140	15%	371	15%
Jail	178	20%	581	24%
Probation/Intensive Supervision	159	18%	616	26%
Unsupervised Probation	171	19%	372	15%
All	906	100%	2,411	100%

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 8th Judicial District. Those in the Other race/ethnicity category were much more likely to receive a deferred judgment (23% compared to 14-21% for other race/ethnicities); Hispanics were less likely to receive a deferred judgment, at 14%, followed by Blacks at 19% compared to 21% for Whites and 23% for those in the Other race/ethnicity category. Blacks and Hispanics were considerably more likely to receive jail time (24% and 30%, respectively), compared to 1% of Other cases and 21% of White cases.

Table 3-14. Initial sentence in County Court by race/ethnicity (N=3,317)*

Sentence	Black	Hispanic	Other	White
N	118	742	39	2,418
Community Service	1%	2%	8%	2%
Deferred	19%	14%	23%	21%
Fines/fees	11%	15%	18%	16%
Jail	24%	30%	10%	21%
Probation/Intensive Supervision	29%	22%	10%	24%
Unsupervised Probation	16%	16%	31%	16%
All	100%	100%	100%	100%

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 in the Black (n=4) and Other (n=3) race/ethnicity category require caution when interpreting the findings. The majority of cases with Drugs as the most serious charge received community service and fines/fees.

Table 3-15. Initial sentence for Drugs as most serious conviction in County Court by race/ethnicity (N=140)*

Sentence	Black	Hispanic	Other	White
N	4	29	3	104
Community Service	0%	41%	67%	33%
Deferred	0%	3%	0%	3%
Fines/fees	75%	48%	33%	45%
Jail	25%	0%	0%	3%
Probation/Intensive Supervision	0%	7%	0%	12%
Unsupervised Probation	0%	0%	0%	4%
All	100%	100%	100%	100%

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 the initial sentence for cases with Other as the most serious county court conviction charge. Hispanics (36%) were much more likely to receive a jail sentence compared to the other initial sentencing options. Table 3-17 provides information on the initial sentence in county court for Property offenses and Table 3-18 depicts the initial sentence for Violent offenses in county court. For Property offense types in county court, Blacks were more likely to receive a jail sentence; for Violent offenses, Hispanics were more likely to receive a jail sentence.

Table 3-16. Initial sentence for Other as most serious conviction in County Court by race/ethnicity (N=1,322)*

Sentence	Black	Hispanic	Other	White
N	43	274	14	991
Community Service	0%	1%	0%	2%
Deferred	28%	10%	7%	20%
Fines/fees	14%	21%	36%	25%
Jail	16%	36%	14%	19%
Probation/Intensive Supervision	23%	20%	7%	23%
Unsupervised Probation	19%	11%	36%	12%
All	100%	100%	100%	100%

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=965)*

Sentence	Black	Hispanic	Other	White
N	41	232	11	681
Community Service	2%	<1%	9%	<1%
Deferred	15%	16%	36%	18%
Fines/fees	7%	15%	9%	11%
Jail	37%	31%	9%	28%
Probation/Intensive Supervision	20%	9%	9%	12%
Unsupervised Probation	20%	28%	27%	30%
All	100%	100%	100%	100%

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=890)*

Sentence	Black	Hispanic	Other	White
N	30	207	11	642
Deferred	17%	20%	36%	31%
Fines/fees	3%	<1%	0%	2%
Jail	17%	26%	9%	18%
Probation/Intensive Supervision	53%	43%	18%	40%
Unsupervised Probation	10%	11%	36%	10%
All	100%	100%	100%	100%

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 8th Judicial District. Probation was the most frequently occurring initial sentence, imposed 65% of the time for Drug cases. The second most frequently occurring sentence in district court was a prison sentence: 14% of Drug cases, 20% of Other cases, 14% of Property cases, and 25% of Violent cases received a sentence to the Department of Corrections. Deferred judgments were imposed infrequently and were most likely to be imposed in Property cases (16%), and least likely to be imposed in Drug cases (4%).

Table 3-20 indicates the initial sentence in district court by gender. Women were much more likely to receive probation compared to men (62% versus 52%, respectively) and less likely to receive a prison sentence (10% compared to 20%, respectively).

Table 3-19. Initial sentence in Adult District Court, by most serious conviction charge (N=2,206)

Sentence	Drugs	%	Other	%	Property	%	Violent	%
Community Corrections	69	11%	49	9%	74	10%	17	5%
Deferred	27	4%	42	8%	117	16%	29	9%
Dept of Corrections	89	14%	110	20%	101	14%	81	25%
Fines/fees	1	<1%	7	1%	4	1%	2	1%
Jail	33	5%	85	16%	51	7%	10	3%
Probation/Intensive Supervision	415	65%	244	45%	369	52%	180	56%
All	634	100%	537	100%	716	100%	319	100%

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=2,206)

Sentence	Female	%	Male	%
Community Corrections	57	10%	152	9%
Deferred	72	13%	143	9%
Dept of Corrections	58	10%	323	20%
Fines/fees	3	1%	11	1%
Jail	29	5%	150	9%
Probation/Intensive Supervision	350	62%	858	52%
All	569	100%	1,637	100%

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-fifth (21%) of initial sentences for Blacks were to the Department of Corrections, and 24% of initial sentences for Hispanic cases were to prison, a higher proportion compared to the other race/ethnicity groups (15%).

Table 3-21. Initial sentence in Adult District Court by race/ethnicity (N=2,206)*

Sentence	Black	Hispanic	Other	White
N	85	469	27	1,625
Community Corrections	12%	10%	4%	9%
Deferred	9%	8%	7%	10%
Dept of Corrections	21%	24%	15%	15%
Fines/fees	1%	0%	0%	1%
Jail	7%	6%	4%	9%
Probation/Intensive Supervision	49%	52%	70%	56%
All	100%	100%	100%	100%

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. Blacks and Hispanics and those in the Other race/ethnicity category were more likely to receive a sentence to prison, however, the few numbers of cases in the Other race/ethnicity category (n=7) means that this information should be interpreted with caution.

For Other offenses (Table 3-23), Hispanics and those in the Other race/ethnicity category were more likely to receive prison sentences, but the few numbers of cases in the Other race/ethnicity category (n=5) means that this information should be interpreted with caution. Hispanics (41%) were more likely than the other race/ethnicity groups to receive a prison

sentence for a Violent crime, compared to Blacks (29%), those in the Other race/ethnicity category (33%), and Whites (21%) (Table 3-25).

Table 3-22. Initial sentence for Drugs as most serious conviction in Adult District Court by race/ethnicity (N=634)*

Sentence	Black	Hispanic	Other	White
N	21	127	7	479
Community Corrections	10%	14%	14%	10%
Deferred	0%	4%	0%	5%
Dept of Corrections	24%	23%	0%	11%
Fines/fees	0%	0%	0%	<1%
Jail	5%	3%	14%	6%
Probation/Intensive Supervision	62%	56%	71%	68%
All	100%	100%	100%	100%

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=537)*

Sentence	Black	Hispanic	Other	White
N	21	121	5	390
Community Corrections	10%	7%	0%	10%
Deferred	5%	5%	20%	9%
Dept of Corrections	19%	28%	40%	18%
Fines/fees	5%	0%	0%	2%
Jail	5%	12%	0%	18%
Probation/Intensive Supervision	57%	49%	40%	44%
All	100%	100%	100%	100%

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=716)*

Sentence	Black	Hispanic	Other	White
N	26	160	9	521
Community Corrections	19%	11%	0%	10%
Deferred	23%	13%	11%	17%
Dept of Corrections	15%	16%	0%	14%
Fines/fees	0%	0%	0%	1%
Jail	8%	7%	0%	7%
Probation/Intensive Supervision	35%	53%	89%	51%
All	100%	100%	100%	100%

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=319)*

Sentence	Black	Hispanic	Other	White
N	17	61	6	235
Community Corrections	6%	5%	0%	6%
Deferred	6%	8%	0%	10%
Dept of Corrections	29%	41%	33%	21%
Fines/fees	0%	0%	0%	1%
Jail	12%	2%	0%	3%
Probation/Intensive Supervision	47%	44%	67%	60%
All	100%	100%	100%	100%

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 8th Judicial District. An initial sentence of a deferred judgment was the most frequently occurring sentence, followed by probation. Drug cases and Violent cases were more likely than other offenses to receive a deferred judgment (60% and 49%, respectively) in juvenile court. Table 3-27 shows the initial sentence by gender.

Table 3-26. Initial sentence in Juvenile Court, by most serious conviction charge (N=453)

Sentence	Drugs	%	Other	%	Property	%	Violent	%
Community Service	0	0%	1	1%	0	0%	0	0%
Deferred	21	60%	61	52%	107	49%	45	56%
Division of Youth Services	2	6%	6	5%	22	10%	4	5%
Fines/fees	2	6%	5	4%	3	1%	1	1%
Jail	1	3%	3	3%	9	4%	4	5%
Juvenile Detention	0	0%	3	3%	0	0%	1	1%
No Sentence	1	3%	0	0%	1	<1%	0	0%
Probation/Intensive Supervision	8	23%	38	32%	78	35%	26	32%
All	35	100%	117	100%	220	100%	81	100%

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=453)

Sentence	Female	%	Male	%
Community Service	0	0%	1	<1%
Deferred	64	59%	170	49%
Division of Youth Services	2	2%	32	9%
Fines/fees	4	4%	7	2%
Jail	5	5%	12	3%
Juvenile Detention	2	2%	2	1%
No Sentence	1	1%	1	<1%
Probation/Intensive Supervision	30	28%	120	35%
All	108	100%	345	100%

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 reflects the initial juvenile court sentence by race/ethnicity. The few numbers of cases in the Black (n=19) and Other (n=6) race/ethnicity groups means that this information should be interpreted with caution. Across race/ethnicity categories, Blacks and Hispanics were considerably more likely to receive an initial sentence to the Division of Youth Services (11% and 13%, respectively, compared to 4% for Whites).

Table 3-28. Initial sentence in Juvenile Court by race/ethnicity (N=453)*

Sentence	Black	Hispanic	Other	White
N	19	159	6	269
Community Service	0%	0%	0%	<1%
Deferred	47%	44%	33%	57%
Division of Youth Services	11%	13%	0%	4%
Fines/fees	0%	4%	0%	2%
Jail	0%	8%	0%	2%
Juvenile Detention	0%	3%	0%	0%
No Sentence	0%	1%	0%	<1%
Probation/Intensive Supervision	42%	29%	67%	34%
All	100%	100%	100%	100%

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 juvenile court sentences for each of the offense categories by race/ethnicity. Note that the number of cases can be quite small for some sentences; in these cases the findings should be interpreted with caution. Table 3-29 shows the initial sentence when a Drug offense was the most serious conviction crime; subsequent tables show the initial sentence for Other offenses, Property offenses, and Violent crimes. Hispanics were more likely to receive an initial sentence to the Division of Youth Services.

Table 3-29. Initial sentence for Drugs as most serious conviction in Juvenile Court by race/ethnicity (N=35)*

Sentence	Black	Hispanic	Other	White
N	3	4	1	27
Deferred	67%	25%	100%	63%
Division of Youth Services	33%	25%	0%	0%
Fines/fees	0%	0%	0%	7%
Jail	0%	0%	0%	4%
No Sentence	0%	0%	0%	4%
Probation/Intensive Supervision	0%	50%	0%	22%
All	100%	100%	100%	100%

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 Other as most serious conviction in Juvenile Court by race/ethnicity (N=117)*

Sentence	Black	Hispanic	White
N	4	54	59
Community Service	0%	0%	2%
Deferred	50%	48%	56%
Division of Youth Services	0%	9%	2%
Fines/fees	0%	7%	2%
Jail	0%	2%	3%
Juvenile Detention	0%	6%	0%
Probation/Intensive Supervision	50%	28%	36%
All	100%	100%	100%

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 Property as most serious conviction in Juvenile Court by race/ethnicity (N=220)*

Sentence	Black	Hispanic	Other	White
N	9	68	4	139
Deferred	44%	41%	25%	53%
Division of Youth Services	11%	18%	0%	6%
Fines/fees	0%	1%	0%	1%
Jail	0%	12%	0%	1%
No Sentence	0%	1%	0%	0%
Probation/Intensive Supervision	44%	26%	75%	38%
All	100%	100%	100%	100%

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 3-32. Initial sentence for Violent as most serious conviction in Juvenile Court by race/ethnicity* (N=81)

Sentence	Black	Hispanic	Other	White
N	3	33	1	44
Deferred	33%	45%	0%	66%
Division of Youth Services	0%	6%	0%	5%
Fines/fees	0%	3%	0%	0%
Jail	0%	9%	0%	2%
Juvenile Detention	0%	3%	0%	0%
Probation/Intensive Supervision	67%	33%	100%	27%
All	100%	100%	100%	100%

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.

For county court cases in the 8th Judicial District in 2016, women were considerably more likely than men to receive a deferred judgment in county court (27% compared to 17%, respectively). Men were somewhat more likely than women to receive a jail sentence (24% for men compared to 20% for women), and men were more likely to be granted an initial sentence to probation (26% compared to 18% for women). County court Drug cases resulted in a fine in 46% of cases, and community service for 34% of cases. Deferred judgments occurred for 18% of Other and Property cases, 28% of Violent crime cases, and 3% for Drug cases (this figure represents only 4 cases). Almost half (40%) of Violent cases received an initial sentence to probation.

In county court, those in the Other race/ethnicity category were much more likely to receive a deferred judgment (23% compared to 14-21% for other race/ethnicities); Hispanics were less likely to receive a deferred judgment, at 14%, followed by Blacks at 19% compared to 21% for Whites and 23% for those in the Other race/ethnicity category. Blacks and Hispanics were more likely to receive jail time (24% and 30%, respectively), compared to 1% of Other cases and 21% of White cases.

For cases with Other as the most serious county court conviction charge, Hispanics (36%) were much more likely to receive a jail sentence compared to the other initial sentencing options. For Property offense types in county court, Blacks were more likely to receive a jail sentence; for Violent offenses, Hispanics were more likely to receive a jail sentence.

In district court, probation was the most frequently occurring initial sentence, imposed 65% of the time for Drug cases. The second most frequently occurring sentence in district court was a prison sentence: 14% of Drug cases, 20% of Other cases, 14% of Property cases, and 25% of Violent cases received a sentence to the Department of Corrections. Deferred judgments were imposed infrequently and were most likely to be imposed in Property cases (16%), and least likely to be imposed in Drug cases (4%). Women were much more likely to receive probation compared to men (62% versus 52%, respectively) and less likely to receive a prison sentence (10% compared to 20%, respectively).

One-fifth (21%) of initial sentences in district court for Blacks were to the Department of Corrections, and 24% of initial sentences for Hispanic cases were to prison, a higher proportion compared to the other race/ethnicity groups (15%). Hispanics (41%) were more likely than the other race/ethnicity groups to receive a prison sentence for a Violent crime, compared to Blacks (29%), those in the Other race/ethnicity category (33%), and Whites (21%).

In juvenile court, an initial sentence of a deferred judgment was the most frequently occurring sentence, followed by probation. Drug cases and Violent cases were more likely than other offenses to receive a deferred judgment (60% and 49%, respectively) in juvenile court.

When reviewing the initial juvenile court sentence by race/ethnicity, the few numbers of cases in the Black (n=19) and Other (n=6) race/ethnicity groups means that this information should be interpreted with caution. Across race/ethnicity categories, Blacks and Hispanics were considerably more likely to receive an initial sentence to the Division of Youth Services (11% and 13%, respectively, compared to 4% for Whites).

Revocations

Cases sentenced in 2016 to probation or a deferred judgment that received a revocation in the 8th Judicial District are included in the analyses presented here.¹⁵ 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.¹⁶ 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.

¹⁵ Judicial data pertaining to *petitions* to revoke are less reliable than data identifying actual revocations.

¹⁶ *Judicial Branch Annual Statistical Report, Fiscal Year 2016*, Table 48, page 120.

County court

Table 3-33 shows revocation information for county court. Overall, 23% of cases receiving a probation/deferred judgment in the 8th Judicial District in 2016 were revoked. Hispanics were more likely to be revoked compared to the overall revocation rate (30%). Blacks were least likely to be revoked when the most serious crime was Other and most likely to be revoked if the case was a Violent offense. Across race/ethnicity categories, those with Property cases were more likely to be revoked compared to the other offense categories, however, 40% of Drug cases involving White defendants were revoked. Males were slightly more likely to be revoked compared to females (24% compared to 21%, respectively).

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

Race/ethnicity		No	Yes	All	N
Black		79%	21%	100%	76
	Other	90%	10%	100%	30
	Property	68%	32%	100%	22
	Violent	75%	25%	100%	24
Hispanic		70%	30%	100%	393
	Drugs	100%	0%	100%	3
	Other	76%	24%	100%	114
	Property	62%	38%	100%	124
	Violent	72%	28%	100%	152
Other		80%	20%	100%	25
	Other	86%	14%	100%	7
	Property	62%	38%	100%	8
	Violent	90%	10%	100%	10
White		78%	22%	100%	1,481
	Drugs	60%	40%	100%	20
	Other	84%	16%	100%	539
	Property	74%	26%	100%	410
	Violent	76%	24%	100%	512
All		77%	23%	100%	1,975

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 3-34. Revocations from Probation/Deferred in County Court, by gender and most serious conviction charge

Gender		No	Yes	All	N
Female		79%	21%	100%	572
	Drugs	75%	25%	100%	4
	Other	84%	16%	100%	173
	Property	75%	25%	100%	218
	Violent	80%	20%	100%	177
Male		76%	24%	100%	1,403
	Drugs	63%	37%	100%	19
	Other	83%	17%	100%	517
	Property	68%	32%	100%	346
	Violent	74%	26%	100%	521
All		77%	23%	100%	1,975

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 (31%, Table 3-35) compared to county court (23%, Table 3-33) in 2016. Hispanics were most likely to be revoked (39% compared to 31% overall). Hispanics with Drug offenses were most likely to be revoked (54%). The few numbers of cases in the Other (n=21) race/ethnicity category means this information must be interpreted with caution. Table 3-36 shows that men and women in adult district court were equally likely to get revoked (31%). Men and women with Drug cases were most likely, compared to those with other crime types, to get revoked.

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

Race/ethnicity		No	Yes	All	N
Black		68%	32%	100%	50
	Drugs	77%	23%	100%	13
	Other	85%	15%	100%	13
	Property	53%	47%	100%	15
	Violent	56%	44%	100%	9
Hispanic		61%	39%	100%	279
	Drugs	46%	54%	100%	76
	Other	65%	35%	100%	65
	Property	71%	29%	100%	106
	Violent	59%	41%	100%	32
Other		81%	19%	100%	21
	Drugs	80%	20%	100%	5
	Other	33%	67%	100%	3
	Property	100%	0%	100%	9
	Violent	75%	25%	100%	4
White		71%	29%	100%	1,073
	Drugs	59%	41%	100%	348
	Other	78%	22%	100%	205
	Property	74%	26%	100%	356
	Violent	80%	20%	100%	164
All		69%	31%	100%	1,423

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 3-36. Revocations from Probation/Deferred in Adult District Court, by gender and most serious conviction charge

Gender		No	Yes	All	N
Female		69%	31%	100%	422
	Drugs	60%	40%	100%	156
	Other	71%	29%	100%	68
	Property	75%	25%	100%	151
	Violent	77%	23%	100%	47
Male		69%	31%	100%	1,001
	Drugs	56%	44%	100%	286
	Other	76%	24%	100%	218
	Property	73%	27%	100%	335
	Violent	76%	24%	100%	162
All		69%	31%	100%	1,423

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, 32% of cases sentenced to probation/deferred judgment in 2016 in the 8th Judicial District were revoked (Table 3-37). Blacks (35%) and Hispanics (36%) were most likely to get revoked compared to Whites (29%). The few cases in the Other (n=6) race/ethnicity category means that caution must be used when interpreting the findings. Table 3-38 presents revocations in juvenile court by gender. Females were revoked at a rate of 26% compared to 33% for males. Comparing across crime types, females with Other crimes were most likely to be revoked (33%) and males with Drug cases were most likely to be revoked (38%).

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

Race/ethnicity		No	Yes	All	N
Black		65%	35%	100%	17
	Drugs	50%	50%	100%	2
	Other	50%	50%	100%	4
	Property	62%	38%	100%	8
	Violent	100%	0%	100%	3
Hispanic		64%	36%	100%	116
	Drugs	100%	0%	100%	3
	Other	68%	32%	100%	41
	Property	61%	39%	100%	46
	Violent	58%	42%	100%	26
Other		83%	17%	100%	6
	Drugs	100%	0%	100%	1
	Property	100%	0%	100%	4
	Violent	0%	100%	100%	1
White		71%	29%	100%	245
	Drugs	61%	39%	100%	23
	Other	69%	31%	100%	54
	Property	74%	26%	100%	127
	Violent	68%	32%	100%	41
All		68%	32%	100%	384

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 3-38. Revocations from Probation/Deferred in Juvenile Court, by gender and most serious conviction charge

Gender		No	Yes	All	N
Female		74%	26%	100%	94
	Drugs	80%	20%	100%	5
	Other	67%	33%	100%	27
	Property	80%	20%	100%	45
	Violent	71%	29%	100%	17
Male		67%	33%	100%	290
	Drugs	62%	38%	100%	24
	Other	68%	32%	100%	72
	Property	68%	32%	100%	140
	Violent	63%	37%	100%	54
All		68%	32%	100%	384

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: Revocations. Table 3-33 shows revocation information for county court. Overall, 23% of cases receiving a probation/deferred judgment in the 8th Judicial District in 2016 were revoked. Hispanics were more likely to be revoked compared to the overall revocation rate (30%). Blacks were least likely to be revoked when the most serious crime was Other and most likely to be revoked if the case was a Violent offense. Across race/ethnicity categories, those with Property cases were more likely to be revoked compared to the other offense categories, however, 40% of Drug cases involving White defendants were revoked. Males were slightly more likely to be revoked compared to females (24% compared to 21%, respectively).

Revocations from probation/deferred judgments occurred more frequently in district court (31%, Table 3-35) compared to county court (23%, Table 3-33) in 2016. Hispanics were most likely to be revoked (39% compared to 31% overall). Hispanics with Drug offenses were most likely to be revoked (54%). The few numbers of cases in the Other (n=21) race/ethnicity category means this information must be interpreted with caution. Table 3-36 shows that men and women in adult district court were equally likely to get revoked (31%). Men and women with Drug cases were most likely, compared to those with other crime types, to get revoked.

In juvenile court, 32% of cases sentenced to probation/deferred judgment in 2016 in the 8th Judicial District were revoked (Table 3-37). Blacks (35%) and Hispanics (36%) were most likely to get revoked compared to Whites (29%). The few cases in the Other (n=6) race/ethnicity category means that caution must be used when interpreting the findings. Table 3-38 presents revocations in juvenile court by gender. Females were revoked at a rate of 26% compared to 33% for males. Comparing across crime types, females with Other crimes were most likely to be revoked (33%) and males with Drug cases were most likely to be revoked (38%).

Section 4: Additional Information

To better understand the sentencing information presented in Section 3, additional analyses were undertaken in an attempt to account for circumstances that may impact the initial sentence decision. To the extent that differential sentences were granted across race/ethnicity, these analyses allow for the examination of the impact of concurrent and prior cases, including current and prior violent cases, may have on those decisions.

This section begins with a description of the statistical approach employed, and then presents the findings¹⁷ to the following research questions (the results are summarized below):

1. Compared to Whites, are Blacks (or Hispanics) more or less likely to receive a sentence to the Department of Corrections for felony convictions in district court?
2. Compared to Whites, are Blacks (or Hispanics) more or less likely to receive a deferred judgment for convictions in district court?
3. Compared to Whites, are Black juveniles (or Hispanic juveniles) more or less likely to receive a deferred judgment for convictions in juvenile court?

Results

1. After controlling for the factors described below, Hispanics were statistically significantly more likely than Whites to receive a DOC sentence.

2. After controlling for the factors described below, no differences were found between Hispanics and Whites or Blacks and Whites regarding receiving an initial sentence of a deferred judgment.

3. After controlling for the sentencing factors described below, no differences were found between Hispanics and Whites or Blacks and Whites regarding receiving an initial sentence of a deferred judgment in juvenile court.

Method

To determine if differences in initial sentences between Whites and non-Whites were due to the presence of concurrent cases, prior cases, the seriousness of the current offense, and the existence of specific violent crimes in the individual's current/past offense(s), a statistical technique called logistic regression was used. Logistic regression can examine the effect (through odds ratios) of race/ethnicity on sentences received, while controlling for other factors that may impact the sentencing decision. The factors included were those that decision makers often take into in consideration at sentencing, and for which data were available in

¹⁷ Technical details of these statistical analyses are available from the Office of Research and Statistics, Division of Criminal Justice.

Judicial's ICON data system. For sentences to the Department of Corrections, these factors were as follows:

- Prior cases,
- Prior convictions for specific violent crimes,¹⁸
- Other concurrent cases,
- Felony conviction level,
- Instant offense type (drug, property, other, violent), and
- Whether the instant offense was specific violent crime.¹⁹

For deferred sentences, the following factors were included in the analysis:

- Prior cases,
- Other concurrent cases,
- Instant offense type (drug, property, other, violent), and
- Whether the instant offense was a specific violent crime.²⁰

In addition, the gender and race/ethnicity of the defendant were included in both sentencing models.

Logistic regression models produce odds ratios which, in this study, are the odds for Blacks (or Hispanics) to receive a sentence divided by the odds for Whites to receive the same sentence. An odds ratio of 1 indicates no difference between Whites and Blacks (or Hispanics). An odds ratio greater than 1 means that Blacks (or Hispanics) had higher odds of receiving that sentence than Whites. An odds ratio less than 1 means that Blacks (or Hispanics) had lower odds of receiving that sentence than Whites. Because logistic regression simultaneously controls for the other factors in the model, odds ratios can be used to measure the differences between race/ethnicity groups after removing the influence of the other factors. Odds ratios and their 95% confidence intervals (CI)²¹ are reported below.

DOC Sentences - Adult Felony Convictions

Sentences to the Department of Corrections for felony convictions in adult district court in the 8th Judicial District were examined (Table 4-1). Blacks received a sentence to DOC in 30% of cases and Hispanics received a sentence to DOC in 32% of cases. In comparison, Whites

¹⁸ The violent crimes included in this analysis are as follows: C.R.S. 18-3-102, 1st degree homicide; 18-3-103, 2nd degree homicide; 18-3-202, 1st degree assault; 18-3-203, 2nd degree assault; 18-3-301, 1st degree kidnapping; 18-3-302, 2nd degree kidnapping; 18-3-402, sex assault (felony); 18-3-404, unlawful sexual contact (felony); 18-3-405, sex assault on a child; 18-3-405.3, sex assault on a child position of trust; 18-4-302, aggravated robbery; 18-4-102, 1st degree arson; 18-3.5-103, 1st degree unlawful termination of pregnancy; 18-3.5-104, 2nd degree unlawful termination of a pregnancy.

¹⁹ See footnote above.

²⁰ See footnote above.

²¹ A 95% confidence interval means that we can be 95% confident that the true odds ratio is within the specified interval.

received a sentence to DOC in 21% of cases. After controlling for other factors described above, Hispanics still had a higher odds of receiving a DOC sentence than Whites (Odds ratio: 1.49, 95% CI: 1.08 - 2.05). There was no significant difference in sentencing between Blacks and Whites.

*Table 4-1. DOC Sentences for felony convictions by race/ethnicity**

Race/ethnicity	DOC Sentence	%	N
White		73%	1,163
	No	79%	919
	Yes	21%	244
Black		4%	60
	No	70%	42
	Yes	30%	18
Hispanic		22%	358
	No	68%	244
	Yes	32%	114
Other		1%	23
	No	83%	19
	Yes	17%	4
All		100%	1,604

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.

Deferred Sentences - Adults in District Court

Deferred sentences for all convictions in adult district court in the 8th Judicial District were examined. Blacks received a deferred sentence in 9% of cases and Hispanics received a deferred sentence in 8% of cases. In comparison, Whites received a deferred sentence in 10% of cases. After controlling for other factors described above no significant difference in sentences between Blacks and Whites and Hispanics and Whites was found.

Table 4-2. Deferred sentence for all convictions in Adult District Court by race/ethnicity*

Race/ethnicity	Deferred Sentence	%	N
White		74%	1,625
	No	90%	1,457
	Yes	10%	168
Black		4%	85
	No	91%	77
	Yes	9%	8
Hispanic		21%	469
	No	92%	432
	Yes	8%	37
Other		1%	27
	No	93%	25
	Yes	7%	2
All		100%	2,206

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.

Deferred Sentences - Juvenile Court

Deferred sentences for all convictions in juvenile court in the 8th Judicial District were examined. Blacks received a deferred sentence in 47% of cases and Hispanics received a deferred sentence in 44% of cases. In comparison, Whites received a deferred sentence in 57% of cases. After controlling for other factors described above no significant difference in sentences between Blacks²² and Whites or Hispanics and Whites was found.

²² However, the small number of cases with Black defendants in juvenile court (n=19) means that detecting statistical differences is unlikely.

Table 4-3. Deferred sentence for all convictions in Juvenile Court by race/ethnicity*

Race/ethnicity	Deferred Sentence	%	N
White		59%	269
	No	43%	116
	Yes	57%	153
Black		4%	19
	No	53%	10
	Yes	47%	9
Hispanic		35%	159
	No	56%	89
	Yes	44%	70
Other		1%	6
	No	67%	4
	Yes	33%	2
All		100%	453

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: Additional analyses. To better understand the disparity across race/ethnicity in initial sentences, a statistical technique called logistic regression was employed in an attempt to account for circumstances that may impact decision making at this point in the process. These additional analyses allow for the examination of the impact of concurrent and prior cases, including current and prior violent offenses,²³ may have on those decisions.

After controlling for the additional factors, Hispanics were statistically significantly more likely than Whites to receive a DOC sentence in the 8th Judicial District in 2016. However, no differences between Blacks and Whites, and Hispanics and Whites, were found in initial sentences of a deferred judgment in district court or in juvenile court.

²³ The violent crimes included in this analysis are as follows: C.R.S. 18-3-102, 1st degree homicide; 18-3-103, 2nd degree homicide; 18-3-202, 1st degree assault; 18-3-203, 2nd degree assault; 18-3-301, 1st degree kidnapping; 18-3-302, 2nd degree kidnapping; 18-3-402, sex assault (felony); 18-3-404, unlawful sexual contact (felony); 18-3-405, sex assault on a child; 18-3-405.3, sex assault on a child position of trust; 18-4-302, aggravated robbery; 18-4-102, 1st degree arson; 18-3.5-103, 1st degree unlawful termination of pregnancy; 18-3.5-104, 2nd degree unlawful termination of a pregnancy.

Appendix A NIBRS Group A Arrest Crimes

Category	Subcategory	NIBRS Offense
Drugs		
	Drugs	
		Drug Equipment
		Drugs
Other		
	DUI	
		DUI
	Other	
		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
	Other Sex Crime	
		Fondling
		Human Trafficking - Commercial Sex Acts
		Peeping Tom
		Pornography
		Promoting Prostitution
		Prostitution
		Purchasing Prostitution
	Weapons	
		Weapons Laws Violation
Property		
	Arson	
		Arson
	Burglary	
		Burglary
	Fraud	
		Counterfeit
		Credit Card/ATM Fraud

		Embezzlement
		Extortion
		False Pretenses
		Impersonation
		Wire Fraud
	Motor Vehicle Theft	
		Motor Vehicle Theft
	Theft	
		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
Violent		
	Agg Assault	
		Agg Assault
	Homicide	
		Homicide
	Kidnapping	
		Kidnapping
	Other Homicide	
		Manslaughter
	Robbery	
		Robbery
	Sex Assault	
		Incest
		Rape
		Sexual Assault
		Sodomy
		Statutory Rape
	Simple Assault	
		Intimidation
		Simple Assault

Appendix B

Most serious filing/conviction charge categories

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

Arson - 1st - 4th degree arson

Burglary - 1st to 3rd 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 - 1st and 2nd degree assault, vehicular assault, felony menacing, felony stalking, felony child abuse, witness intimidation

Forgery

Fraud

Homicide - 1st and 2nd degree murder

Kidnapping - 1st and 2nd 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 -3rd 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