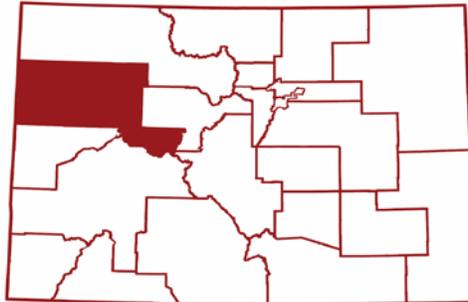# Senate Bill 15-185 CLEAR Act

2016

Community Law Enforcement Action Reporting Act

9th Judicial District

9th Judicial District: Population race/ethnicity estimates, 2016

Age Group	Race/ethnicity	%	N
Adult		**76%**	**63,566**
	Black	1%	372
	Hispanic	21%	13,091
	Other	2%	1,160
	White	77%	48,942
Juvenile		**24%**	**20,440**
	Black	1%	166
	Hispanic	37%	7,637
	Other	2%	373
	White	60%	12,264
All		**100%**	**84,005**

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 9th Judicial District for events that occurred in 2016. The statewide report and the 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.

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[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 9th 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 9th Judicial District was 577,375. The adult population was comprised as follows: White, 77%; Black, 1%; Hispanic, 21%; and Other, 2%. The juvenile population was comprised as follows: White, 60%, Black, 1%, Hispanic 37%, and Other 2%. Males made up 50% of the state population and females made up the other half of the population.

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

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

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[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/ccjj*.
[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 3,001 arrests/summonses in the 9th 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 7% of all arrests/summonses and Violent crimes accounted for another 13% of arrests/summonses, Property offenses accounted for 11% of arrests/summonses, and the remainder of arrests/summonses (69%) fell into the Other crime category. Blacks represented less than 1% of the population in the 9th Judicial District in 2016 and accounted for 1% of arrests/summonses. Hispanics represented 25% of the population and 22% of arrests/summonses. Males represented about 50% of the state population and 70% of arrests. Females were much more likely to be involved in Drug and Property offenses than the other offense categories. Juveniles were more likely to be summonsed than arrested. Violent crimes were less likely than the other crime categories to result in a summons.

Filings. This study of 2,062 case filings in county, district, and juvenile courts combined found that, while Blacks represented 1% of the population in the 9th Judicial District, and 1% of the arrests/summonses in 2016, they accounted for 2% of court filings. Hispanic adults made up 21% of the adult population in the 9th Judicial District and had 19% of court filings in 2016. The race/ethnicity distribution across the four crime categories was relatively consistent. In terms of gender, 25% of filings were females and 75% were males. Females were slightly more likely than men to be involved in Drug crimes (10% compared to 8%, respectively) and slightly less to be involved in Violent offenses (33% compared to 37%, respectively). Less than 1% of cases completed a trial in county and district court; no juvenile court cases completed a trial in 2016. 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, 24% of cases in county court were dismissed, as were 11% of cases in district court and 18% of cases in juvenile court. One-third (33%) of county court cases were convicted as charged as were 24% in district court and 52% in juvenile court. One-third (33%) of county court cases were convicted of a different charge, as were 40% of district court cases, and 25% 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.

County court Drug cases resulted in a fine in 26% of cases, and community service for 22% of cases. Deferred judgments occurred for over one-quarter of Property (29%) and 30% of Violent crime cases, 29% of Other cases, and 22% for Drug cases (this figure represents only 5 cases). Hispanics in county court with a Violent offense were more likely to be given a jail sentence and less likely to receive a deferred judgment. Women were significantly more likely than men to receive a deferred judgment in county court (41% compared to 25%, respectively). Men were more likely than women to receive a jail sentence (18% for men compared to 10% for women), and men were more likely to be granted an initial sentence to probation (30% compared to 22% for women).

In district court, probation was the most frequently occurring initial sentence, imposed 57% of the time for Drug cases. The second most frequently occurring sentence in district court was a jail or prison sentence. Deferred judgments were imposed in 11% of Drug cases and 12% of Violent cases. Over one-third (38%) of initial sentences for Blacks were to jail (however, this information must be interpreted with caution due to the few cases involving Blacks, n=8). Women were much more likely to receive a deferred judgment compared to men (18% versus 7%, respectively) and less likely to receive a prison sentence (7% compared to 17%, respectively).

In juvenile court, probation was the most frequently occurring sentence, followed by deferred judgments. Drug cases and Violent cases were more likely than other offenses to receive a deferred judgment (50% and 45%, respectively) in juvenile court, but the few cases in many of the categories means this information must be interpreted with caution. Overall, most juveniles received probation or a deferred judgment.

Revocations. Cases sentenced in 2016 to probation or a deferred judgment that received a revocation in the 9th Judicial District are included in the analyses presented here.[6] 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.[7] The revocations presented here may not result in termination from probation supervision. In fact, in 2016, across county, adult district, and juvenile district courts *statewide*, 49% of cases were reinstated, 44% were not reinstated, and for the remaining 7% of cases it was unclear the outcome of the revocation.

Overall, only 7% of county court cases receiving a probation/deferred judgment in the 9th Judicial District in 2016 were revoked. Hispanics were more likely to be revoked compared to the overall revocation rate (11% compared to 7%). Those in the Other race/ethnicity category had no revocations, however, because of the small number of cases (n=9), this information should be interpreted with caution. Hispanics and Whites with Property offenses (both at 11%) were more likely to be revoked. Males and females in county court in 2016 were about equally likely to be revoked.

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[6] Judicial data pertaining to *petitions* to revoke are less reliable than data identifying actual revocations.
[7] *Judicial Branch Annual Statistical Report, Fiscal Year 2016*, Table 48, page 120.

Revocations from probation/deferred judgments occurred more frequently in district court (11%) compared to county court (7%) in 2016. Hispanics with Drug offenses were most likely to be revoked (18%). Note that the few numbers of cases with Black (n=4) and those in the Other (n=5) race/ethnicity category means that caution must be used when interpreting the findings. Women and men in adult district court were nearly equally likely to be revoked. Men (20%) with Drug cases were most likely, compared to those with other crime types, to get revoked.

In juvenile court, 27% of cases sentenced to probation/deferred judgment in 2016 in the 9th Judicial District were revoked. Whites were most likely to get revoked (34%). Females were revoked at a rate of 54% compared to 20% for males, however the few numbers of females (n=13) in juvenile court means that this information must be interpreted with caution.

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

Data sources

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

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

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[8] 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.

NIBRS Group A offenses are listed in Appendix A, and Group B offenses are summarized into "Other."[9] 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). Just over 3,000 NIBRS incidents in the 9th Judicial District were analyzed for calendar year 2016 (Table 1-1).

Table 1-1. Arrests by type, 9th Judicial District, 2016

Arrest type	%	N
Custody/warrant	28%	855
On-view/probable cause	39%	1,158
Summons	33%	988
All	**100%**	**3,001**

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

The arrest data were reduced to 17 categories of offenses (see Appendix A) that can be viewed on the interactive data dashboard and, for this report, further collapsed into four categories of Drugs, Other, Property and Violent. Arrests can contain multiple charges. The arrest charge presented here represents the most serious charge on the arrest as selected by the law enforcement officer.

The NIBRS data contain both race and ethnicity information.

Judicial case processing data. ICON is the Colorado Judicial Branch's information management system, which contains county and district court adult and juvenile filings and case dispositions statewide, with the exception of Denver County Court.[10] 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, 9th Judicial District, 2016

Court	%	N
Adult District	34%	709
County	62%	1,280
Juvenile	4%	73
All	**100%**	**2,062**

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.

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[9] 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.

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

Note that the information presented here reflects the analysis of more than 2,000 **cases not individuals**. Individuals may have multiple, concurrent cases,[11] 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[12] which, for the analysis presented in this document, have been collapsed into four categories: Drug, Other, Property and Violent.[13] 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 <u>exact</u> match on name and date of birth between the data sets. For the analysis of *charges*, no match was found for 15% of cases statewide. For the analysis of *sentences*, no match was found for 13% of cases statewide. The lack of a match in the arrest data was due primarily to differences in the spelling of names, and differences in dates of birth.

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[11] 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.
[12] The 24 offense categories are summarized from more than 1500 statutes.
[13] 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/summonses captured in the Colorado Bureau of Investigation's National Incident Based Reporting System (NIBRS) for calendar year 2016.

Table 2-1. Arrests by offense

Offense	%	N
Drugs	7%	216
Other	69%	2,057
Property	11%	338
Violent	13%	390
All	**100%**	**3,001**

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

Table 2-2 reflects 3,001 arrests/summonses captured in NIBRS for calendar year 2016 in the 9th Judicial District, by race/ethnicity. Blacks represented 1% of the population in 2016 and accounted for 1% of arrests/summonses in the 9th Judicial District. Hispanics represented 25% of the population and accounted for 22% of arrests. The Other race/ethnicity category represented 2% of the population, and was underrepresented in arrests (1%). Whites, which represented 73% of the population, accounted for 75% of arrests/summonses in the 9th Judicial District in 2016.

Table 2-2. Arrests by race/ethnicity

Race/ethnicity	%	N
Black	1%	44
Hispanic	22%	673
Other	1%	28
White	75%	2,256
All	**100%**	**3,001**

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 3% of on view/probable cause arrests, and that 10% of those arrests were for violent crimes; 20% of adult probable cause arrests were for violent offenses. Juveniles accounted for 2% of custody/warrant arrests (Table 2-4). Overall, juveniles were more likely to get summoned than arrested; they accounted for one-fifth (19%)

of summonsed cases (Table 2-5). Not surprisingly, violent offenses were least likely to result in a summons for juveniles (Table 2-5).

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

Age Group	Offense	%	N
Adult		**97%**	**1,119**
	Drugs	5%	54
	Other	66%	738
	Property	9%	101
	Violent	20%	226
Juvenile		**3%**	**39**
	Drugs	31%	12
	Other	44%	17
	Property	15%	6
	Violent	10%	4
All		**100%**	**1,158**

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		**98%**	**835**
	Drugs	7%	61
	Other	75%	626
	Property	9%	77
	Violent	8%	71
Juvenile		**2%**	**20**
	Drugs	5%	1
	Other	85%	17
	Property	5%	1
	Violent	5%	1
All		**100%**	**855**

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		**81%**	**805**
	Drugs	5%	41
	Other	73%	584
	Property	13%	108
	Violent	9%	72
Juvenile		**19%**	**183**
	Drugs	26%	47
	Other	41%	75
	Property	25%	45
	Violent	9%	16
All		**100%**	**988**

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 6% of probable cause arrests were for Drug related offenses, 65% were for Other offenses, 9% for Property offenses, and 20% for Violent offenses. Whites represented 73% of the population in the 9th Judicial District and were slightly more likely than expected to be arrested for a violent offense (80%). The few numbers of arrests involving Blacks (n=44) and those in the Other race/ethnicity gourp (n=28) means that the information in the following tables should be interpreted with caution.

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

Offense	Race/ethnicity	%	N
Drugs		**6%**	**66**
	Hispanic	24%	16
	Other	2%	1
	White	74%	49
Other		**65%**	**755**
	Black	2%	14
	Hispanic	23%	175
	Other	<1%	3
	White	75%	563
Property		**9%**	**107**
	Black	3%	3
	Hispanic	24%	26
	White	73%	78
Violent		**20%**	**230**
	Black	2%	4
	Hispanic	17%	40
	Other	1%	2
	White	80%	184
All		**100%**	**1,158**

The other arrest type, where an individual is taken into custody on an outstanding warrant, is depicted in Table 2-7. Three-quarters (75%) of these arrests involved an offense that fell into the Other offense category. While only 8% of these types of arrests involved a Violent offense, Blacks made up 7% of Violent crime warrant arrests in the 9th Judicial District, however this information must be interpreted with caution given the few cases in this category (n=5).

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

Offense	Race/ethnicity	%	N
Drugs		**7%**	**62**
	Black	2%	1
	Hispanic	18%	11
	White	81%	50
Other		**75%**	**643**
	Black	1%	5
	Hispanic	20%	126
	Other	1%	9
	White	78%	503
Property		**9%**	**78**
	Black	1%	1
	Hispanic	13%	10
	White	86%	67
Violent		**8%**	**72**
	Black	7%	5
	Hispanic	21%	15
	Other	3%	2
	White	69%	50
All		**100%**	**855**

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 (9%) compared to Other (67%) and Property (15%) and that, of those summons issued for Violent crimes, 32% went to Hispanics.

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

Offense	Race/ethnicity	%	N
Drugs		**9%**	**88**
	Black	2%	2
	Hispanic	31%	27
	Other	2%	2
	White	65%	57
Other		**67%**	**659**
	Black	1%	6
	Hispanic	24%	161
	Other	1%	4
	White	74%	488
Property		**15%**	**153**
	Black	2%	3
	Hispanic	25%	38
	Other	1%	1
	White	73%	111
Violent		**9%**	**88**
	Hispanic	32%	28
	Other	5%	4
	White	64%	56
All		**100%**	**988**

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 17-37% of arrests and 25-31% of summonses (depending on the crime category) and men comprised the remainder. Overall, women were more likely to be involved in Drugs and 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		**6%**	**66**
	Female	33%	22
	Male	67%	44
Other		**65%**	**755**
	Female	19%	145
	Male	81%	610
Property		**9%**	**107**
	Female	32%	34
	Male	68%	73
Violent		**20%**	**230**
	Female	22%	51
	Male	78%	179
All		**100%**	**1,158**

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		**7%**	**62**
	Female	37%	23
	Male	63%	39
Other		**75%**	**643**
	Female	20%	130
	Male	80%	513
Property		**9%**	**78**
	Female	17%	13
	Male	83%	65
Violent		**8%**	**72**
	Female	26%	19
	Male	74%	53
All		**100%**	**855**

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		**9%**	**88**
	Female	31%	27
	Male	69%	61
Other		**67%**	**659**
	Female	29%	189
	Male	71%	470
Property		**15%**	**153**
	Female	31%	48
	Male	69%	105
Violent		**9%**	**88**
	Female	25%	22
	Male	75%	66
All		**100%**	**988**

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

Summary: Law enforcement data. In 2016 law enforcement made/issued 3,001 arrests/summonses in the 9th 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 7% of all arrests/summonses and Violent crimes accounted for another 13% of arrests/summonses, Property offenses accounted for 11% of arrests/summonses, and the remainder of arrests/summonses (69%) fell into the Other crime category. Blacks represented less than 1% of the population in the 9th Judicial District in 2016 and accounted for 1% of arrests/summonses. Hispanics represented 25% of the population and 22% of arrests/summonses. Males represented about 50% of the state population and 70% of arrests. Females were much more likely to be involved in Drug and Property offenses than the other

offense categories. Juveniles were more likely to be summonsed than arrested. 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.[14] For this analysis, cases were selected for the 9th 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,[15] 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 <u>include</u> 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 2,062 case filings in county, adult district, and juvenile courts combined in the 9th Judicial District. While Blacks represented less than 1% of the population and 1% of the arrests/summonses in 2016, they accounted for 2% of court filings. Hispanics represented 25% of the population and 19% of case filings. Note that these cases are not necessarily the same cases in the **Law enforcement data** section above.

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[14] Denver County Court is not part of the statewide Judicial data management system.

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

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

Race/ethnicity	%	N
Black	2%	44
Hispanic	19%	399
Other	1%	27
White	77%	1,592
All	**100%**	**2,062**

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 9% of cases, and Violent charges comprised the largest category at 36% 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		**9%**	**181**
	Black	2%	4
	Hispanic	20%	37
	Other	1%	2
	White	76%	138
Other		**34%**	**699**
	Black	2%	14
	Hispanic	19%	130
	Other	2%	11
	White	78%	544
Property		**21%**	**438**
	Black	3%	13
	Hispanic	19%	84
	Other	2%	8
	White	76%	333
Violent		**36%**	**744**
	Black	2%	13
	Hispanic	20%	148
	Other	1%	6
	White	78%	577
All		**100%**	**2,062**

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, 25% of filings were females and 75% were males. Females were slightly more likely than men to be involved in Drug crimes (10% compared to 8%, respectively) and slightly less to be involved in Violent offenses (33% compared to 37%, respectively).

Table 3-3. Most serious filing charge by gender

Gender	Offense	%	N
Female		**25%**	**508**
	Drugs	10%	49
	Other	36%	181
	Property	22%	111
	Violent	33%	167
Male		**75%**	**1,554**
	Drugs	8%	132
	Other	33%	518
	Property	21%	327
	Violent	37%	577
All		**100%**	**2,062**

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 9th Judicial District. County court had the most cases in 2016 (62% of the total), followed by adult district court (34%) and juvenile court at 4%. Blacks, comprising less than 1% of the population in the 9th Judicial District, represented 2% of district and county court cases filed in 2016. Hispanic adults made up 21% of the adult population in the 9th Judicial District and 20% of district court filings in 2016.

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

Court	Race/ethnicity	%	N
Adult District		**34%**	**709**
	Black	2%	15
	Hispanic	20%	139
	Other	2%	13
	White	76%	542
County		**62%**	**1,280**
	Black	2%	28
	Hispanic	19%	241
	Other	1%	12
	White	78%	999
Juvenile		**4%**	**73**
	Black	1%	1
	Hispanic	26%	19
	Other	3%	2
	White	70%	51
All		**100%**	**2,062**

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. Nearly half (45%) of county court cases were Violent offenses (primarily misdemeanor assault); Property offenses (34%) and Other cases (25%) comprised the largest categories of cases in adult district court. Property crimes (38%) and Violent crimes (36%) 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. Females were more likely to have cases in juvenile court (36%) compared to adult district court (22%) and county court (25%), but the few numbers of juvenile cases (n=73 total; n=26 for juvenile females) means this information must be interpreted with caution.

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

Court	Offense	%	N
Adult District		**34%**	**709**
	Drugs	21%	150
	Other	25%	174
	Property	34%	242
	Violent	20%	143
County		**62%**	**1,280**
	Drugs	2%	28
	Other	40%	509
	Property	13%	168
	Violent	45%	575
Juvenile		**4%**	**73**
	Drugs	4%	3
	Other	22%	16
	Property	38%	28
	Violent	36%	26
All		**100%**	**2,062**

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		**34%**	**709**
	Female	22%	157
	Male	78%	552
County		**62%**	**1,280**
	Female	25%	325
	Male	75%	955
Juvenile		**4%**	**73**
	Female	36%	26
	Male	64%	47
All		**100%**	**2,062**

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

Trials

Table 3-7 shows how very infrequently cases in these courts completed a trial (<1%). There were no trials in juvenile court. 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		**34%**	**709**
	No	99%	704
	Yes	1%	5
County		**62%**	**1,280**
	No	100%	1,276
	Yes	<1%	4
Juvenile		**4%**	**73**
	No	100%	73
All		**100%**	**2,062**

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		**9%**	**181**
	No	99%	180
	Yes	1%	1
Other		**34%**	**699**
	No	100%	696
	Yes	<1%	3
Property		**21%**	**438**
	No	100%	438
Violent		**36%**	**744**
	No	99%	739
	Yes	1%	5
All		**100%**	**2,062**

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 2,062 case filings in county, district, and juvenile courts combined found that, while Blacks represented 1% of the population in the 9th Judicial District, and 1% of the arrests/summonses in 2016, they accounted for 2% of court filings. Hispanic adults made up 21% of the adult population in the 9th Judicial District and had 19% of court filings in 2016. The race/ethnicity distribution across the four crime categories was relatively consistent. In terms of gender, 25% of filings were females and 75% were males. Females were slightly more likely than men to be involved in Drug crimes (10% compared to 8%, respectively) and slightly less to be involved in Violent offenses (33% compared to 37%, respectively). Less than 1% of cases completed a trial in county and district court; no juvenile court cases completed a trial in 2016. 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 9th 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 nearly one-quarter (24%) of cases, all charges were dismissed in county court in 2016 (Table 3-9).

Convicted as charged means the defendant was convicted of at least the most serious filing charge.

Table 3-9 reflects county court case outcomes, showing that 24% of cases were convicted as charged, and 40% were convicted of another crime. In adult district court (Table 3-10), 40% were convicted of another crime and one-fourth (24%) were convicted as charged. In juvenile court (Table 3-11), 33% were convicted of another offense and 33% 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		**36%**	**39%**	**21%**	**4%**	**100%**	**28**
	Other	38%	38%	23%	0%	100%	13
	Property	67%	0%	17%	17%	100%	6
	Violent	11%	67%	22%	0%	100%	9
Hispanic		**23%**	**44%**	**22%**	**11%**	**100%**	**241**
	Drugs	33%	33%	33%	0%	100%	6
	Other	29%	40%	17%	13%	100%	92
	Property	8%	38%	42%	12%	100%	24
	Violent	21%	49%	21%	9%	100%	119
Other		**33%**	**33%**	**17%**	**17%**	**100%**	**12**
	Other	50%	38%	12%	0%	100%	8
	Violent	0%	25%	25%	50%	100%	4
White		**35%**	**31%**	**25%**	**10%**	**100%**	**999**
	Drugs	27%	23%	27%	23%	100%	22
	Other	45%	29%	17%	9%	100%	396
	Property	27%	34%	28%	11%	100%	138
	Violent	29%	31%	31%	9%	100%	443
All		**33%**	**33%**	**24%**	**10%**	**100%**	**1,280**

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		**40%**	**47%**	**7%**	**7%**	**100%**	**15**
	Drugs	50%	50%	0%	0%	100%	4
	Other	100%	0%	0%	0%	100%	1
	Property	33%	50%	0%	17%	100%	6
	Violent	25%	50%	25%	0%	100%	4
Hispanic		**14%**	**47%**	**12%**	**26%**	**100%**	**139**
	Drugs	20%	40%	17%	23%	100%	30
	Other	12%	36%	21%	30%	100%	33
	Property	14%	61%	4%	22%	100%	51
	Violent	12%	44%	12%	32%	100%	25
Other		**46%**	**15%**	**8%**	**31%**	**100%**	**13**
	Drugs	50%	0%	0%	50%	100%	2
	Other	67%	0%	0%	33%	100%	3
	Property	33%	33%	17%	17%	100%	6
	Violent	50%	0%	0%	50%	100%	2
White		**26%**	**39%**	**11%**	**24%**	**100%**	**542**
	Drugs	32%	33%	9%	26%	100%	114
	Other	30%	25%	23%	22%	100%	137
	Property	25%	47%	6%	23%	100%	179
	Violent	18%	48%	8%	26%	100%	112
All		**24%**	**40%**	**11%**	**24%**	**100%**	**709**

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		**0%**	**0%**	**100%**	**0%**	**100%**	**1**
	Property	0%	0%	100%	0%	100%	1
Hispanic		**58%**	**16%**	**11%**	**16%**	**100%**	**19**
	Drugs	0%	0%	0%	100%	100%	1
	Other	60%	0%	40%	0%	100%	5
	Property	78%	22%	0%	0%	100%	9
	Violent	25%	25%	0%	50%	100%	4
Other		**100%**	**0%**	**0%**	**0%**	**100%**	**2**
	Property	100%	0%	0%	0%	100%	2
White		**49%**	**29%**	**20%**	**2%**	**100%**	**51**
	Drugs	50%	0%	50%	0%	100%	2
	Other	36%	45%	18%	0%	100%	11
	Property	50%	38%	6%	6%	100%	16
	Violent	55%	18%	27%	0%	100%	22
All		**52%**	**25%**	**18%**	**5%**	**100%**	**73**

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. Ex

*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, 24% of cases in county court were dismissed, as were 11% of cases in district court and 18% of cases in juvenile court. One-third (33%) of county court cases were convicted as charged as were 24% in district court and 52% in juvenile court. One-third (33%) of county court cases were convicted of a different charge, as were 40% of district court cases, and 25% of juvenile court cases.

Initial sentences

The tables below show cases sentenced between Jan 1, 2016 and Dec 31, 2016 in the 9th 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 <u>most serious initial sentence</u>. 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 9th Judicial District in 2016. County court Drug cases resulted in a fine in 26% of cases, and community service for 22% of cases. Deferred judgments occurred for over one-quarter of Property (29%) and 30% of Violent crime cases, 29% of Other cases, and 22% for Drug cases (this figure represents only 5 cases).

Table 3-12. Initial sentence in County Court, by most serious conviction charge (N=880)

Sentence	Drugs	%	Other	%	Property	%	Violent	%
Community Service	5	22%	9	2%	3	3%	2	1%
Deferred	5	22%	142	29%	30	29%	79	30%
Fines/fees	6	26%	90	18%	13	13%	6	2%
Jail	3	13%	67	14%	21	21%	49	18%
Probation/Intensive Supervision	2	9%	127	26%	13	13%	104	39%
Unsupervised Probation	2	9%	53	11%	22	22%	27	10%
All	**23**	**100%**	**488**	**100%**	**102**	**100%**	**267**	**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 (41% compared to 25%, respectively). Men were more likely than women to receive a jail sentence (18% for men compared to 10% for women), and men were more likely to be granted an initial sentence to probation (30% compared to 22% for women).

Table 3-13. Initial sentence in County Court by gender (N=880)

Sentence	Female	%	Male	%
Community Service	3	1%	16	2%
Deferred	94	41%	162	25%
Fines/fees	34	15%	81	12%
Jail	22	10%	118	18%
Probation/Intensive Supervision	49	22%	197	30%
Unsupervised Probation	25	11%	79	12%
All	**227**	**100%**	**653**	**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 9th Judicial District. Those in the Other race/ethnicity category were much more likely to receive a deferred judgment (40% compared to 14-33% for other race/ethnicities), however the few cases in the Other race/ethnicity category in county court (n=10) means this information must be interpreted with caution (this also holds for Black defendants in county court, n=17). Hispanics were especially unlikely to receive a deferred judgment, at 14%, compared to 33% for Whites. Hispanics were considerably more likely to receive jail time (21%) compared to 12% of Black cases and 15% of White cases.

Table 3-14. Initial sentence in County Court by race/ethnicity* (N=880)

Sentence	Black	Hispanic	Other	White
N	17	161	10	692
Community Service	0%	3%	0%	2%
Deferred	29%	14%	40%	33%
Fines/fees	18%	13%	10%	13%
Jail	12%	21%	0%	15%
Probation/Intensive Supervision	29%	38%	50%	25%
Unsupervised Probation	12%	11%	0%	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.

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 race/ethnicity categories require caution when interpreting the findings.

Table 3-15. Initial sentence for Drugs as most serious conviction in County Court by race/ethnicity* (N=23)

Sentence	Black	Hispanic	Other	White
N	1	8	1	13
Community Service	0%	12%	0%	31%
Deferred	0%	25%	100%	15%
Fines/fees	100%	25%	0%	23%
Jail	0%	12%	0%	15%
Probation/Intensive Supervision	0%	0%	0%	15%
Unsupervised Probation	0%	25%	0%	0%
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 that, for those with Other as the most serious county court conviction charge, Blacks and Hispanics were more likely to receive a jail sentence (20% and 21%, respectively) compared to 12% for Whites. Note that the few Black cases (n=10) means this information must be interpreted with caution. 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. Again, caution should be used when interpreting the findings related to non-Whites because of the few cases in some categories.

Table 3-16. Initial sentence for Other as most serious conviction in County Court by race/ethnicity* (N=488)

Sentence	Black	Hispanic	Other	White
N	10	91	6	381
Community Service	0%	4%	0%	1%
Deferred	30%	10%	33%	34%
Fines/fees	10%	18%	0%	19%
Jail	20%	21%	0%	12%
Probation/Intensive Supervision	30%	37%	67%	23%
Unsupervised Probation	10%	10%	0%	11%
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=102)

Sentence	Black	Hispanic	Other	White
N	4	8	1	89
Community Service	0%	0%	0%	3%
Deferred	50%	12%	0%	30%
Fines/fees	25%	12%	100%	11%
Jail	0%	12%	0%	22%
Probation/Intensive Supervision	0%	25%	0%	12%
Unsupervised Probation	25%	38%	0%	20%
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=267)

Sentence	Black	Hispanic	Other	White
N	2	54	2	209
Community Service	0%	0%	0%	1%
Deferred	0%	19%	50%	33%
Fines/fees	0%	4%	0%	2%
Jail	0%	24%	0%	17%
Probation/Intensive Supervision	100%	46%	50%	36%
Unsupervised Probation	0%	7%	0%	11%
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 9th Judicial District. Probation was the most frequently occurring initial sentence, imposed 57% of the time for Drug cases. The second most frequently occurring sentence in district court was a jail or prison sentence. Deferred judgments were imposed in 11% of Drug cases and 12% of Violent cases.

Table 3-20 indicates the initial sentence in district court by gender. Women were much more likely to receive a deferred judgment compared to men (18% versus 7%, respectively) and less likely to receive a prison sentence (7% compared to 17%, respectively).

Table 3-19. Initial sentence in Adult District Court, by most serious conviction charge (N=533)

Sentence	Drugs	%	Other	%	Property	%	Violent	%
Community Corrections	6	5%	7	6%	18	9%	2	2%
Community Service	1	1%	1	1%	0	0%	0	0%
Deferred	14	11%	7	6%	17	9%	11	12%
Dept of Corrections	19	16%	23	19%	21	11%	15	16%
Fines/fees	2	2%	4	3%	2	1%	4	4%
Jail	11	9%	29	23%	29	15%	18	19%
Probation/Intensive Supervision	69	57%	53	43%	105	55%	45	47%
All	**122**	**100%**	**124**	**100%**	**192**	**100%**	**95**	**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=533)

Sentence	Female	%	Male	%
Community Corrections	5	4%	28	7%
Community Service	0	0%	2	<1%
Deferred	21	18%	28	7%
Dept of Corrections	9	8%	69	17%
Fines/fees	3	3%	9	2%
Jail	15	13%	72	17%
Probation/Intensive Supervision	62	54%	210	50%
All	**115**	**100%**	**418**	**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. Over one-third (38%) of initial sentences for Blacks were to jail (however, this information must be interpreted with caution due to the few cases involving Blacks, n=8).

Table 3-21. Initial sentence in Adult District Court by race/ethnicity* (N=533)

Sentence	Black	Hispanic	Other	White
N	8	110	8	407
Community Corrections	0%	11%	0%	5%
Community Service	0%	0%	0%	<1%
Deferred	0%	6%	25%	10%
Dept of Corrections	0%	16%	12%	14%
Fines/fees	12%	1%	0%	2%
Jail	38%	15%	25%	16%
Probation/Intensive Supervision	50%	50%	38%	52%
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 initial sentences for each of the offense categories, by race/ethnicity, however caution must be exercised when interpreting the information due to the few cases in many of the categories. Table 3-22 shows the sentences cases received for Drug offenses. Hispanics (29%) were more likely to receive an initial sentence to prison for Drug offenses, compared to Whites (14%). Again, the information presented in Tables 3-23, 3-24 and 3-25 must be interpreted with caution given the few cases in many of the categories.

Table 3-22. Initial sentence for Drugs as most serious conviction in Adult District Court by race/ethnicity* (N=122)

Sentence	Black	Hispanic	Other	White
N	3	21	2	96
Community Corrections	0%	10%	0%	4%
Community Service	0%	0%	0%	1%
Deferred	0%	14%	50%	10%
Dept of Corrections	0%	29%	0%	14%
Fines/fees	33%	0%	0%	1%
Jail	33%	10%	0%	8%
Probation/Intensive Supervision	33%	38%	50%	61%
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=124)

Sentence	Black	Hispanic	Other	White
N	1	27	4	92
Community Corrections	0%	7%	0%	5%
Community Service	0%	0%	0%	1%
Deferred	0%	0%	0%	8%
Dept of Corrections	0%	19%	25%	18%
Fines/fees	0%	0%	0%	4%
Jail	100%	22%	25%	23%
Probation/Intensive Supervision	0%	52%	50%	40%
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=192)

Sentence	Black	Hispanic	Other	White
N	3	40	2	147
Community Corrections	0%	18%	0%	7%
Deferred	0%	5%	50%	10%
Dept of Corrections	0%	8%	0%	12%
Fines/fees	0%	2%	0%	1%
Jail	0%	18%	50%	14%
Probation/Intensive Supervision	100%	50%	0%	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.

Table 3-25. Initial sentence for Violent as most serious conviction in Adult District Court by race/ethnicity* (N=95)

Sentence	Black	Hispanic	White
N	1	22	72
Community Corrections	0%	5%	1%
Deferred	0%	9%	12%
Dept of Corrections	0%	18%	15%
Fines/fees	0%	0%	6%
Jail	100%	9%	21%
Probation/Intensive Supervision	0%	59%	44%
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.

Juvenile court

Table 3-26 below reflects the initial sentence for juvenile court cases, by crime type, for the 9th Judicial District. Probation was the most frequently occurring sentence, followed by deferred judgments. Drug cases and Violent cases were more likely than other offenses to receive a deferred judgment (50% and 45%, respectively) in juvenile court, but the few cases in many of the categories means this information must be interpreted with caution. Table 3-27 shows the initial sentence by gender. Most juveniles received probation or a deferred judgment.

Table 3-26. Initial sentence in Juvenile Court, by most serious conviction charge (N=68)

Sentence	Drugs	%	Other	%	Property	%	Violent	%
Deferred	1	50%	4	33%	9	26%	9	45%
Division of Youth Services	0	0%	0	0%	1	3%	2	10%
Fines/fees	0	0%	1	8%	0	0%	0	0%
Jail	0	0%	0	0%	1	3%	0	0%
Juvenile Detention	0	0%	0	0%	1	3%	0	0%
Probation/Intensive Supervision	1	50%	7	58%	22	65%	9	45%
All	2	100%	12	100%	34	100%	20	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=68)

Sentence	Female	%	Male	%
Deferred	7	50%	16	30%
Division of Youth Services	1	7%	2	4%
Fines/fees	0	0%	1	2%
Jail	0	0%	1	2%
Juvenile Detention	0	0%	1	2%
Probation/Intensive Supervision	6	43%	33	61%
All	**14**	**100%**	**54**	**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. Most cases received probation or a deferred judgment. Caution must be used when interpreting the findings due to the few cases in juvenile court (n=68).

Table 3-28. Initial sentence in Juvenile Court by race/ethnicity* (N=68)

Sentence	Hispanic	Other	White
N	20	2	46
Deferred	15%	100%	39%
Division of Youth Services	10%	0%	2%
Fines/fees	5%	0%	0%
Jail	0%	0%	2%
Juvenile Detention	5%	0%	0%
Probation/Intensive Supervision	65%	0%	57%
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.

The following four tables show initial juvenile court sentences for each of the offense categories by race/ethnicity. Note that the number of cases is quite small and for this reason the findings should be interpreted with caution: Table 3-29 shows the initial sentence when a Drug offense was the most serious conviction crime (n=2); subsequent tables show the initial sentence for Other offenses (n=12), Property offenses (n=34), and Violent crimes (n=20).

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

Sentence	Hispanic	White
N	1	1
Deferred	0%	100%
Probation/Intensive Supervision	100%	0%
All	**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=12)

Sentence	Hispanic	White
N	6	6
Deferred	50%	17%
Fines/fees	17%	0%
Probation/Intensive Supervision	33%	83%
All	**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=34)

Sentence	Hispanic	Other	White
N	10	2	22
Deferred	0%	100%	32%
Division of Youth Services	0%	0%	5%
Jail	0%	0%	5%
Juvenile Detention	10%	0%	0%
Probation/Intensive Supervision	90%	0%	59%
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 3-32. Initial sentence for Violent as most serious conviction in Juvenile Court by race/ethnicity* (N=20)

Sentence	Hispanic	White
N	3	17
Deferred	0%	53%
Division of Youth Services	67%	0%
Probation/Intensive Supervision	33%	47%
All	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.

This section provided the initial sentence for each of the four offense types for county court cases in the 9th Judicial District in 2016. County court Drug cases resulted in a fine in 26% of cases, and community service for 22% of cases. Deferred judgments occurred for over one-quarter of Property (29%) and 30% of Violent crime cases, 29% of Other cases, and 22% for Drug cases (this figure represents only 5 cases). Hispanics in county court with a Violent offense were more likely to be given a jail sentence and less likely to receive a deferred judgment. Women were significantly more likely than men to receive a deferred judgment in county court (41% compared to 25%, respectively). Men were more likely than women to receive a jail sentence (18% for men compared to 10% for women), and men were more likely to be granted an initial sentence to probation (30% compared to 22% for women).

In district court, probation was the most frequently occurring initial sentence, imposed 57% of the time for Drug cases. The second most frequently occurring sentence in district court was a jail or prison sentence. Deferred judgments were imposed in 11% of Drug cases and 12% of Violent cases. Over one-third (38%) of initial sentences for Blacks were to jail (however, this information must be interpreted with caution due to the few cases involving Blacks, n=8). Women were much more likely to receive a deferred judgment compared to men (18% versus 7%, respectively) and less likely to receive a prison sentence (7% compared to 17%, respectively).

In juvenile court, probation was the most frequently occurring sentence, followed by deferred judgments. Drug cases and Violent cases were more likely than other offenses to receive a deferred judgment (50% and 45%, respectively) in juvenile court, but the few cases in many of

the categories means this information must be interpreted with caution. Overall, most juveniles received probation or a deferred judgment.

Revocations

Cases sentenced in 2016 to probation or a deferred judgment that received a revocation in the 9th Judicial District are included in the analyses presented here.[16] 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.[17] The revocations presented here may not result in termination from probation supervision. In fact, in 2016, across county, adult district, and juvenile district courts *statewide*, 49% of cases were reinstated, 44% were not reinstated, and for the remaining 7% of cases it was unclear the outcome of the revocation.

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

County court

Table 3-33 shows revocation information for county court. Overall, 7% of cases receiving a probation/deferred judgment in county court in the 9th Judicial District in 2016 were revoked. Hispanics were more likely to be revoked compared to the overall revocation rate (11% compared to 7%). Those in the Other race/ethnicity category had no revocations, however, because of the small number of cases (n=9), this information should be interpreted with caution. Hispanics and Whites with Property offenses (both at 11%) were more likely to be revoked. Table 3-34 shows revocation rates by gender. Males and females were about equally likely to be revoked.

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[16] Judicial data pertaining to *petitions* to revoke are less reliable than data identifying actual revocations.
[17] *Judicial Branch Annual Statistical Report, Fiscal Year 2016*, Table 48, page 120.

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		**92%**	**8%**	**100%**	**12**
	Other	86%	14%	100%	7
	Property	100%	0%	100%	3
	Violent	100%	0%	100%	2
Hispanic		**89%**	**11%**	**100%**	**101**
	Drugs	100%	0%	100%	4
	Other	92%	8%	100%	52
	Property	83%	17%	100%	6
	Violent	85%	15%	100%	39
Other		**100%**	**0%**	**100%**	**9**
	Drugs	100%	0%	100%	1
	Other	100%	0%	100%	6
	Violent	100%	0%	100%	2
White		**93%**	**7%**	**100%**	**484**
	Drugs	100%	0%	100%	4
	Other	95%	5%	100%	257
	Property	89%	11%	100%	56
	Violent	92%	8%	100%	167
All		**93%**	**7%**	**100%**	**606**

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		**92%**	**8%**	**100%**	**168**
	Drugs	100%	0%	100%	2
	Other	96%	4%	100%	97
	Property	94%	6%	100%	17
	Violent	85%	15%	100%	52
Male		**93%**	**7%**	**100%**	**438**
	Drugs	100%	0%	100%	7
	Other	93%	7%	100%	225
	Property	88%	12%	100%	48
	Violent	93%	7%	100%	158
All		**93%**	**7%**	**100%**	**606**

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 (11%, Table 3-35) compared to county court (7%, Table 3-33) in 2016. Hispanics with Drug offenses were most likely to be revoked (18%). Note that the few numbers of cases with Black (n=4) and those in the Other (n=5) race/ethnicity category means that caution must be used when interpreting the findings. Table 3-36 shows that women and men in adult district court were nearly equally likely to be revoked. Men (20%) 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		**100%**	**0%**	**100%**	**4**
	Drugs	100%	0%	100%	1
	Property	100%	0%	100%	3
Hispanic		**92%**	**8%**	**100%**	**62**
	Drugs	82%	18%	100%	11
	Other	93%	7%	100%	14
	Property	91%	9%	100%	22
	Violent	100%	0%	100%	15
Other		**100%**	**0%**	**100%**	**5**
	Drugs	100%	0%	100%	2
	Other	100%	0%	100%	2
	Property	100%	0%	100%	1
White		**88%**	**12%**	**100%**	**250**
	Drugs	83%	17%	100%	69
	Other	91%	9%	100%	44
	Property	91%	9%	100%	96
	Violent	88%	12%	100%	41
All		**89%**	**11%**	**100%**	**321**

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		**90%**	**10%**	**100%**	**83**
	Drugs	89%	11%	100%	28
	Other	92%	8%	100%	13
	Property	91%	9%	100%	33
	Violent	89%	11%	100%	9
Male		**89%**	**11%**	**100%**	**238**
	Drugs	80%	20%	100%	55
	Other	91%	9%	100%	47
	Property	91%	9%	100%	89
	Violent	91%	9%	100%	47
All		**89%**	**11%**	**100%**	**321**

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, 27% of cases sentenced to probation/deferred judgment in 2016 in the 9th Judicial District were revoked (Table 3-37). Whites were most likely to get revoked (34%). Table 3-38 presents revocations in juvenile court by gender. Females were revoked at a rate of 54% compared to 20% for males, however the few numbers of females (n=13) in juvenile court means that this information must be interpreted with caution.

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

Race/ethnicity		No	Yes	All	N
Hispanic		**88%**	**12%**	**100%**	**16**
	Drugs	0%	100%	100%	1
	Other	80%	20%	100%	5
	Property	100%	0%	100%	9
	Violent	100%	0%	100%	1
Other		**100%**	**0%**	**100%**	**2**
	Property	100%	0%	100%	2
White		**66%**	**34%**	**100%**	**44**
	Drugs	0%	100%	100%	1
	Other	83%	17%	100%	6
	Property	65%	35%	100%	20
	Violent	65%	35%	100%	17
All		**73%**	**27%**	**100%**	**62**

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		**46%**	**54%**	**100%**	**13**
	Other	50%	50%	100%	4
	Property	60%	40%	100%	5
	Violent	25%	75%	100%	4
Male		**80%**	**20%**	**100%**	**49**
	Drugs	0%	100%	100%	2
	Other	100%	0%	100%	7
	Property	81%	19%	100%	26
	Violent	79%	21%	100%	14
All		**73%**	**27%**	**100%**	**62**

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

Revocations: Summary. Cases sentenced in 2016 to probation or a deferred judgment that received a revocation in the 9th Judicial District are included in the analyses presented here.[18] 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.[19] The revocations presented here may not result in termination from probation supervision. In fact, in 2016, across county, adult district, and juvenile district courts *statewide*, 49% of cases were reinstated, 44% were not reinstated, and for the remaining 7% of cases it was unclear the outcome of the revocation.

Overall, only 7% of county court cases receiving a probation/deferred judgment in the 9th Judicial District in 2016 were revoked. Hispanics were more likely to be revoked compared to the overall revocation rate (11% compared to 7%). Those in the Other race/ethnicity category had no revocations, however, because of the small number of cases (n=9), this information should be interpreted with caution. Hispanics and Whites with Property offenses (both at 11%) were more likely to be revoked. Males and females in county court in 2016 were about equally likely to be revoked.

Revocations from probation/deferred judgments occurred more frequently in district court (11%) compared to county court (7%) in 2016. Hispanics with Drug offenses were most likely to be revoked (18%). Note that the few numbers of cases with Black (n=4) and those in the Other (n=5) race/ethnicity category means that caution must be used when interpreting the findings. Women and men in adult district court were nearly equally likely to be revoked. Men (20%) with Drug cases were most likely, compared to those with other crime types, to get revoked.

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[18] Judicial data pertaining to *petitions* to revoke are less reliable than data identifying actual revocations.
[19] *Judicial Branch Annual Statistical Report, Fiscal Year 2016*, Table 48, page 120.

In juvenile court, 27% of cases sentenced to probation/deferred judgment in 2016 in the 9th Judicial District were revoked. Whites were most likely to get revoked (34%). Females were revoked at a rate of 54% compared to 20% for males, however the few numbers of females (n=13) in juvenile court means that this information must be interpreted with caution.

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
		Drunkeness
		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