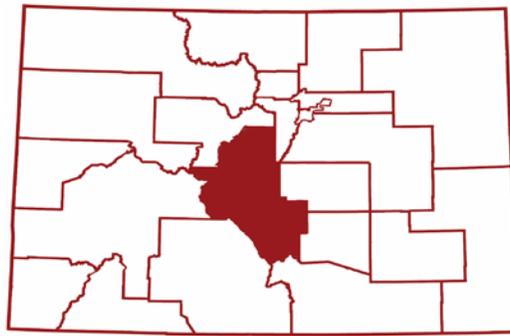# Senate Bill 15-185 CLEAR Act

2016

Community Law Enforcement Action Reporting Act

11th Judicial District

11th Judicial District: Population race/ethnicity estimates, 2016

Age Group	Race/ethnicity	%	N
Adult		**83%**	**73,671**
	Black	3%	2,266
	Hispanic	11%	7,763
	Other	2%	1,713
	White	84%	61,929
Juvenile		**17%**	**14,701**
	Black	1%	157
	Hispanic	13%	1,919
	Other	3%	400
	White	83%	12,225
All		**100%**	**88,372**

Data source: Office of the State Demographer,
https://demography.dola.colorado.gov/population/data/race-estimate/#county-race-by-age-estimates

October 2017

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 11th Judicial District for events that occurred in 2016. The statewide report and individual judicial district reports may be found here: *colorado.gov/dcj-ors/ors-SB185*.

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

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

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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 11th 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 11th Judicial District was 88,372. The adult population was comprised as follows: White, 84%; Black, 3%; Hispanic, 11%; and Other, 2%. The juvenile population was comprised as follows: White, 83%, Black, 1%, Hispanic 13%, and Other 3%. 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 nearly 2,500 arrests/summonses in the 11th 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 8% of all arrests/summonses and Violent crimes accounted for another 19% of arrests/summonses, Property offenses accounted for 7% of arrests/summonses, and the remainder of arrests/summonses (66%) fell into the Other crime category. Blacks represented 3% of the population in the 11th Judicial District in 2016 and were 4% of arrests/summonses. Hispanics represented 11% of the population and were underrepresented in arrests/summonses at 4%. Whites, representing 84% of the population, were overrepresented in arrests/summonses at 91%. Males represented about 50% of the state population and approximately 70% of arrests. Females were much more likely to be involved in Property offenses than the other offense categories.

Filings. This study of 2,751 case filings in county, district, and juvenile courts combined found that, while Blacks represented 3% of the population in the 11th Judicial District, and 4% of the arrests/summonses in 2016, they accounted for 3% of district court filings. In juvenile court, Blacks represented 5% of cases (n=6), compared to 1% Black juveniles in the population. Hispanic adults made up 11% of the adult population in the 11th Judicial District and had 11% of district 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 Property crimes (30% compared to19%, respectively) and slightly less to be involved in Violent offenses (29% compared to 35%, respectively). Less than 1% of cases completed a trial; 2% of violent cases completed a trial. Note that these cases are not necessarily the same cases in the **Law Enforcement Data** section above.

Case outcomes. Caution should be used when interpreting the case outcome since many factors can influence the decision. For example, the existence of prior cases (criminal history) may influence the outcome of a case. Additionally, most cases contain multiple charges, and many cases have concurrent cases. These factors are likely to significantly affect the outcome of a case. In particular, all charges in a case may be dismissed or modified as part of a plea agreement involving that case or multiple cases. In fact, 45% of cases in county court were dismissed, as were 22% of cases in district court and 41% of cases in juvenile court. One-fifth (21%) of county court cases were convicted as charged compared to 14% in district court and 27% in juvenile court. One-quarter (25%) of county court cases were convicted of a different charge, as were over half (51%) of district court cases, and 29% 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 52% of cases, and community service for 19% of cases, however, the low number of Drug cases (n=21) means that this information must be interpreted with caution. Deferred judgments occurred for 15% of Property offense cases and 30% of Violent crime cases, 18% of Other cases, and 5% for Drug cases (this figure represents only 1 case). Almost half (47%) of Violent cases received an initial sentence to probation. Women were significantly more likely than men to receive a deferred judgment in county court (29% compared to 19%, respectively). Men were more likely than women to receive a jail sentence (26% for men compared to 16% for women).

In district court, probation was the most frequently occurring initial sentence, imposed 58% of the time for Drug cases. The second most frequently occurring sentence in district court was a deferred judgment: 18% of Drug cases, 8% of Other cases, 19% of Property cases, and 17% of Violent cases. Jail was imposed in 23% of Other cases. Women were more likely than men to receive a deferred judgment (21% compared to 14%, respectively) and men were more likely to receive a jail sentence compared to women (18% versus 8%, respectively). One-quarter (23%) of initial sentences for Blacks were to the Department of Corrections, and 18% of initial sentences for Hispanic cases were to prison, a higher proportion compared to the other race/ethnicity groups (10%). Analyzing the initial sentence by race/ethnicity across the four crime types found that the few numbers of non-Whites means that this information must be interpreted with caution.

In juvenile court, deferred judgments were the most frequently occurring sentence, followed by probation. The few numbers of juvenile court cases (n=75) means that the information presented must be interpreted with caution.

Revocations. Cases sentenced in 2016 to probation or a deferred judgment that received a revocation in the 11th 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, 27% of county court cases receiving a probation/deferred judgment in the 11th Judicial District in 2016 were revoked. Blacks and Hispanics were slightly more likely to be revoked compared to the overall revocation rate (57% and 41% respectively, compared to 17% and 25%). However, the few numbers of Black defendants (n=7) in county court means that this information must be interpreted with caution. Males and females in county court 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 (42%) compared to county court (27%) in 2016. Hispanics and Blacks were slightly more likely to be revoked compared to Whites (44% and 43%, respectively compared to 42%), but the few numbers of Black defendants (n=9) means that this information must be interpreted with caution. Blacks and Hispanics with Drug offenses were most likely to be revoked (75% and 60%, respectively). Women in adult district court were slightly more likely than men to get revoked (44% compared to 41%). Men and women with Drug cases were most likely, compared to those with other crime types, to get revoked.

In juvenile court, 22% of cases sentenced to probation/deferred judgment in 2016 in the 11th Judicial District were revoked. Blacks were most likely to get revoked (40%), however, the few numbers of Black defendants (n=5) means that this information should be interpreted with caution. Females were revoked at a rate of 33% compared to 18% for males. Comparing across crime types, females with Drug crimes were most likely to be revoked (67%) and males with Violent cases were most likely to be revoked (28%).

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). Nearly 2,500 NIBRS incidents in the 11th Judicial District were analyzed for calendar year 2016 (Table 1-1).

Table 1-1. Arrests by type, 11th Judicial District, 2016

Arrest type	%	N
Custody/warrant	61%	1,524
On-view/probable cause	25%	617
Summons	14%	352
All	100%	2,493

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, 11th Judicial District, 2016

Court	%	N
Adult District	35%	972
County	60%	1,647
Juvenile	5%	132
All	100%	2,751

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 2,700 *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	8%	195
Other	66%	1,651
Property	7%	171
Violent	19%	476
All	100%	2,493

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

Table 2-2 reflects over 2,400 arrests/summonses captured in NIBRS for calendar year 2016 in the 11th Judicial District, by race/ethnicity. Blacks represented 3% of the population in 2016 and accounted for 4% of arrests/summonses in the 11th Judicial District. Hispanics represented 11% of the population and accounted for 4% of arrests. The Other race/ethnicity category represented 2% of the population, and was underrepresented in arrests (<1%). Whites represented 84% of the population and were overrepresented in arrests, at 91%.

Table 2-2. Arrests by race/ethnicity

Race/ethnicity	%	N
Black	4%	99
Hispanic	4%	107
Other	<1%	6
White	91%	2,281
All	100%	2,493

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 6% of on view/probable cause arrests, and that 61% of those arrests were for violent crimes. Juveniles accounted for 4% of custody/warrant arrests (Table 2-4). Overall, juveniles were more likely to get arrested than summonsed; they accounted for one-fifth (21%) of summonsed cases (Table 2-5). Not surprisingly, violent offenses were least likely to result in a summons for adults and juveniles (Table 2-5).

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

Age Group	Offense	%	N
Adult		**94%**	**579**
	Drugs	6%	34
	Other	50%	287
	Property	4%	22
	Violent	41%	236
Juvenile		**6%**	**38**
	Drugs	3%	1
	Other	29%	11
	Property	8%	3
	Violent	61%	23
All		**100%**	**617**

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		**96%**	**1,458**
	Drugs	9%	136
	Other	74%	1,081
	Property	6%	91
	Violent	10%	150
Juvenile		**4%**	**66**
	Drugs	6%	4
	Other	65%	43
	Property	15%	10
	Violent	14%	9
All		**100%**	**1,524**

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		**79%**	**279**
	Drugs	4%	10
	Other	66%	185
	Property	13%	35
	Violent	18%	49
Juvenile		**21%**	**73**
	Drugs	14%	10
	Other	60%	44
	Property	14%	10
	Violent	12%	9
All		**100%**	**352**

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

Combining juveniles and adults, the following three tables show type of arrest/summons by offense type, disaggregated by race/ethnicity. First, Table 2-6 shows that 6% of probable cause arrests were for Drug related offenses, 48% were for Other offenses, 4% for Property offenses, and 42% for Violent offenses. While Blacks made up 3% of the population in the 11th Judicial District, Table 2-6 shows that they were arrested at multiple times that rate for probable cause arrests in 2016: 9% of Drug arrests were Blacks (however, this represents 3 incidents), 9% of arrests for Other offenses were Blacks, and 17% of Violent arrests were Blacks. While Hispanics represented 11% of the population in 2016, they were underrepresented in all four crime categories. The few numbers of cases in many categories means that this information must be interpreted with caution.

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

Offense	Race/ethnicity	%	N
Drugs		6%	35
	Black	9%	3
	Hispanic	11%	4
	White	80%	28
Other		48%	298
	Black	9%	26
	Hispanic	3%	9
	Other	1%	2
	White	88%	261
Property		4%	25
	Black	4%	1
	Hispanic	8%	2
	Other	4%	1
	White	84%	21
Violent		42%	259
	Black	17%	44
	Hispanic	2%	4
	Other	<1%	1
	White	81%	210
All		100%	617

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

The other arrest type, where an individual is taken into custody on an outstanding warrant, is depicted in Table 2-7. Nearly three-quarters (74%) of these arrests involved an offense that fell into the Other offense category. Only 10% of these types of arrests involved a Violent offense. Whites, which made up 84% of the population in the 11th Judicial District in 2016, were over-represented in each offense category for warrant arrests. This was also the case for summonses in 2016 (Table 2-8).

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

Offense	Race/ethnicity	%	N
Drugs		9%	140
	Black	1%	1
	Hispanic	8%	11
	Other	1%	1
	White	91%	127
Other		74%	1,124
	Black	2%	17
	Hispanic	5%	55
	White	94%	1,052
Property		7%	101
	Black	1%	1
	Hispanic	3%	3
	White	96%	97
Violent		10%	159
	Black	1%	1
	Hispanic	3%	5
	White	96%	153
All		100%	1,524

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

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

Offense	Race/ethnicity	%	N
Drugs		6%	20
	Hispanic	5%	1
	White	95%	19
Other		65%	229
	Black	1%	3
	Hispanic	4%	9
	White	95%	217
Property		13%	45
	Hispanic	7%	3
	Other	2%	1
	White	91%	41
Violent		16%	58
	Black	3%	2
	Hispanic	2%	1
	White	95%	55
All		100%	352

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 17-39% of arrests and 22-50% of summonses (depending on the crime category) and men comprised the remainder. Overall,

women were more likely to be involved in Property offenses compared with the other offense categories.

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

Offense	Gender	%	N
Drugs		**6%**	**35**
	Female	26%	9
	Male	74%	26
Other		**48%**	**298**
	Female	17%	51
	Male	83%	247
Property		**4%**	**25**
	Female	28%	7
	Male	72%	18
Violent		**42%**	**259**
	Female	17%	45
	Male	83%	214
All		**100%**	**617**

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		**9%**	**140**
	Female	39%	55
	Male	61%	85
Other		**74%**	**1,124**
	Female	27%	300
	Male	73%	824
Property		**7%**	**101**
	Female	22%	22
	Male	78%	79
Violent		**10%**	**159**
	Female	25%	40
	Male	75%	119
All		**100%**	**1,524**

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		6%	20
	Female	30%	6
	Male	70%	14
Other		65%	229
	Female	24%	56
	Male	76%	173
Property		13%	45
	Female	49%	22
	Male	51%	23
Violent		16%	58
	Female	22%	13
	Male	78%	45
All		100%	352

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 nearly 2,500 arrests/summonses in the 11th 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 8% of all arrests/summonses and Violent crimes accounted for another 19% of arrests/summonses, Property offenses accounted for 7% of arrests/summonses, and the remainder of arrests/summonses (66%) fell into the Other crime category. Blacks represented 3% of the population in the 11th Judicial District in 2016 and were 4% of arrests/summonses. Hispanics represented 11% of the population and were underrepresented in arrests/summonses at 4%. Whites, representing 84% of the population, were overrepresented in arrests/summonses at 91%. Males represented about 50% of the state population and approximately 70% of arrests. Females were much more likely to be involved in Property offenses than the other offense categories.

Section 3: Court Case Processing

The Judicial Branch's information management system contains county and district court adult and juvenile case filings and dispositions statewide, with the exception of Denver County Court.[14] For this analysis, cases were selected for the 11th 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 2,751 case filings in county, adult district, and juvenile courts combined in the 11th Judicial District. While Blacks represented 3% of the population and 4% of the arrests/summonses in 2016, they accounted for 2% of court filings. Hispanics represented 11% of the population and 4% of arrests, they represented 10% 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%	66
Hispanic	10%	287
Other	3%	84
White	84%	2,314
All	**100%**	**2,751**

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 14% of cases, and Violent charges comprised the largest category at 34% 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		**14%**	**384**
	Black	1%	5
	Hispanic	9%	34
	Other	3%	13
	White	86%	332
Other		**32%**	**879**
	Black	3%	24
	Hispanic	11%	96
	Other	3%	25
	White	84%	734
Property		**20%**	**557**
	Black	2%	13
	Hispanic	8%	46
	Other	4%	23
	White	85%	475
Violent		**34%**	**931**
	Black	3%	24
	Hispanic	12%	111
	Other	2%	23
	White	83%	773
All		**100%**	**2,751**

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 Property crimes (30% compared to 19%, respectively) and slightly less to be involved in Violent offenses (29% compared to 35%, respectively).

Table 3-3. Most serious filing charge by gender

Gender	Offense	%	N
Female		25%	698
	Drugs	19%	130
	Other	30%	206
	Property	23%	158
	Violent	29%	204
Male		75%	2,053
	Drugs	12%	254
	Other	33%	673
	Property	19%	399
	Violent	35%	727
All		100%	2,751

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 11th Judicial District. County court had the most cases in 2016 (60% of the total), followed by adult district court (35%) and juvenile court at 5%. Blacks, comprising 3% of the population in the 11th Judicial District, represented 2% of county court cases filed compared to 3% in adult district court and 5% in juvenile court. Hispanic adults made up 11% of the adult population in the 11th Judicial District and 11% of district court filings in 2016.

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

Court	Race/ethnicity	%	N
Adult District		**35%**	**972**
	Black	3%	29
	Hispanic	11%	110
	Other	2%	18
	White	84%	815
County		**60%**	**1,647**
	Black	2%	31
	Hispanic	10%	172
	Other	2%	39
	White	85%	1,405
Juvenile		**5%**	**132**
	Black	5%	6
	Hispanic	4%	5
	Other	20%	27
	White	71%	94
All		**100%**	**2,751**

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 (42%) of county court cases were Violent offenses (primarily misdemeanor assault); Property and Other offenses (both at 24%) and Drug cases (32%) comprised the largest categories of cases in adult district court. Property crimes (34%) and Violent crimes (33%) 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 county and juvenile court (each at 27%) compared to adult district court (22%).

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

Court	Offense	%	N
Adult District		**35%**	**972**
	Drugs	32%	308
	Other	24%	232
	Property	24%	229
	Violent	21%	203
County		**60%**	**1,647**
	Drugs	4%	67
	Other	37%	613
	Property	17%	283
	Violent	42%	684
Juvenile		**5%**	**132**
	Drugs	7%	9
	Other	26%	34
	Property	34%	45
	Violent	33%	44
All		**100%**	**2,751**

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		**35%**	**972**
	Female	22%	218
	Male	78%	754
County		**60%**	**1,647**
	Female	27%	444
	Male	73%	1,203
Juvenile		**5%**	**132**
	Female	27%	36
	Male	73%	96
All		**100%**	**2,751**

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 (less than 1%). Table 3-8 combines information across court types and shows the number of trials completed by offense category. Cases with a Violent offense were most likely to complete a trial.

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

Court	Completed Trial	%	N
Adult District		**35%**	**972**
	No	99%	967
	Yes	1%	5
County		**60%**	**1,647**
	No	99%	1,631
	Yes	1%	16
Juvenile		**5%**	**132**
	No	99%	131
	Yes	1%	1
All		**100%**	**2,751**

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		**14%**	**384**
	No	99%	382
	Yes	1%	2
Other		**32%**	**879**
	No	100%	877
	Yes	<1%	2
Property		**20%**	**557**
	No	99%	554
	Yes	1%	3
Violent		**34%**	**931**
	No	98%	916
	Yes	2%	15
All		**100%**	**2,751**

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 2,751 case filings in county, district, and juvenile courts combined found that, while Blacks represented 3% of the population in the 11th Judicial District, and 4% of the arrests/summonses in 2016, they accounted for 3% of district court filings. In juvenile court, Blacks represented 5% of cases (n=6), compared to 1% Black juveniles in the population. Hispanic adults made up 11% of the adult population in the 11th Judicial District and had 11% of district 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 Property crimes (30% compared to19%, respectively) and slightly less to be involved in Violent offenses (29% compared to 35%, respectively). Less than 1% of cases completed a trial; 2% of violent cases completed a trial. Note that these cases are not necessarily the same cases in the **Law Enforcement Data** section above.

Case outcomes

The following three tables present the case outcomes for the 11th 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 half (45%) 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 21% of cases were convicted as charged, and 25% were convicted of another crime. In adult district court (Table 3-10), 51% were convicted of another crime and 14% were convicted as charged. In juvenile court (Table 3-11), 29% were convicted of another offense and 27% 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		**23%**	**29%**	**42%**	**6%**	**100%**	**31**
	Other	7%	27%	53%	13%	100%	15
	Property	67%	33%	0%	0%	100%	3
	Violent	31%	31%	38%	0%	100%	13
Hispanic		**24%**	**26%**	**44%**	**6%**	**100%**	**172**
	Drugs	0%	50%	33%	17%	100%	6
	Other	15%	31%	46%	7%	100%	67
	Property	30%	30%	39%	0%	100%	23
	Violent	32%	17%	45%	7%	100%	76
Other		**36%**	**21%**	**38%**	**5%**	**100%**	**39**
	Drugs	57%	29%	14%	0%	100%	7
	Other	36%	36%	18%	9%	100%	11
	Property	25%	25%	50%	0%	100%	8
	Violent	31%	0%	62%	8%	100%	13
White		**21%**	**25%**	**46%**	**9%**	**100%**	**1,405**
	Drugs	37%	19%	35%	9%	100%	54
	Other	18%	25%	45%	12%	100%	520
	Property	22%	23%	45%	10%	100%	249
	Violent	21%	26%	47%	6%	100%	582
All		**21%**	**25%**	**45%**	**9%**	**100%**	**1,647**

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		**21%**	**21%**	**14%**	**45%**	**100%**	**29**
	Drugs	60%	20%	0%	20%	100%	5
	Other	0%	0%	33%	67%	100%	9
	Property	43%	14%	14%	29%	100%	7
	Violent	0%	50%	0%	50%	100%	8
Hispanic		**17%**	**43%**	**21%**	**19%**	**100%**	**110**
	Drugs	7%	61%	21%	11%	100%	28
	Other	24%	41%	31%	3%	100%	29
	Property	23%	41%	23%	14%	100%	22
	Violent	16%	29%	10%	45%	100%	31
Other		**11%**	**28%**	**17%**	**44%**	**100%**	**18**
	Drugs	0%	33%	33%	33%	100%	3
	Other	25%	0%	25%	50%	100%	4
	Property	0%	75%	0%	25%	100%	4
	Violent	14%	14%	14%	57%	100%	7
White		**13%**	**53%**	**22%**	**11%**	**100%**	**815**
	Drugs	13%	62%	19%	6%	100%	272
	Other	14%	38%	36%	13%	100%	190
	Property	13%	59%	16%	11%	100%	196
	Violent	11%	50%	18%	20%	100%	157
All		**14%**	**51%**	**22%**	**14%**	**100%**	**972**

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		**33%**	**50%**	**17%**	**0%**	**100%**	**6**
	Property	33%	33%	33%	0%	100%	3
	Violent	33%	67%	0%	0%	100%	3
Hispanic		**60%**	**20%**	**20%**	**0%**	**100%**	**5**
	Property	0%	100%	0%	0%	100%	1
	Violent	75%	0%	25%	0%	100%	4
Other		**33%**	**19%**	**48%**	**0%**	**100%**	**27**
	Drugs	33%	0%	67%	0%	100%	3
	Other	20%	20%	60%	0%	100%	10
	Property	36%	27%	36%	0%	100%	11
	Violent	67%	0%	33%	0%	100%	3
White		**23%**	**31%**	**41%**	**4%**	**100%**	**94**
	Drugs	0%	67%	17%	17%	100%	6
	Other	25%	17%	58%	0%	100%	24
	Property	27%	37%	30%	7%	100%	30
	Violent	24%	29%	44%	3%	100%	34
All		**27%**	**29%**	**41%**	**3%**	**100%**	**132**

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

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

Summary: Case outcomes. Caution should be used when interpreting the case outcome since many factors can influence the decision. For example, the existence of prior cases (criminal history) may influence the outcome of a case. Additionally, most cases contain multiple charges, and many cases have concurrent cases. These factors are likely to significantly affect the outcome of a case. In particular, all charges in a case may be dismissed or modified as part of a plea agreement involving that case or multiple cases. In fact, 45% of cases in county court were dismissed, as were 22% of cases in district court and 41% of cases in juvenile court. One-fifth (21%) of county court cases were convicted as charged compared to 14% in district court and 27% in juvenile court. One-quarter (25%) of county court cases were convicted of a different charge, as were over half (51%) of district court cases, and 29% of juvenile court cases.

Initial sentences

The tables below show cases sentenced between Jan 1, 2016 and Dec 31, 2016 in the 11th 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 11th Judicial District in 2016. County court Drug cases resulted in a fine in 52% of cases, and community service for 19% of cases, however, the low number of Drug cases (n=21) means that this information must be interpreted with caution. Deferred judgments occurred for 15% of Property offense cases and 30% of Violent crime cases, 18% of Other cases, and 5% for Drug cases (this figure represents only 1 case). Almost half (47%) of Violent cases received an initial sentence to probation.

Table 3-12. Initial sentence in County Court, by most serious conviction charge (N=664)

Sentence	Drugs	%	Other	%	Property	%	Violent	%
Community Service	4	19%	6	2%	1	1%	0	0%
Deferred	1	5%	49	18%	21	15%	71	30%
Fines/fees	11	52%	81	30%	30	22%	7	3%
Jail	3	14%	52	19%	57	42%	43	18%
Probation/Intensive Supervision	2	10%	74	27%	23	17%	111	47%
Unsupervised Probation	0	0%	11	4%	4	3%	2	1%
All	**21**	**100%**	**273**	**100%**	**136**	**100%**	**234**	**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 (29% compared to 19%, respectively). Men were more likely than women to receive a jail sentence (26% for men compared to 16% for women).

Table 3-13. Initial sentence in County Court by gender (N=664)

Sentence	Female	%	Male	%
Community Service	2	1%	9	2%
Deferred	47	29%	95	19%
Fines/fees	36	22%	93	19%
Jail	26	16%	129	26%
Probation/Intensive Supervision	44	27%	166	33%
Unsupervised Probation	7	4%	10	2%
All	162	100%	502	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 11th Judicial District. Blacks were much more likely to receive a deferred judgment (36% compared to 14-22% for other race/ethnicities) however the few numbers of Black defendants (n=11) means that this information should be interpreted with caution. Hispanics were less likely to receive a deferred judgment, at 14%. Hispanics were more likely to receive jail time (38%) compared to 22% of White cases.

Table 3-14. Initial sentence in County Court by race/ethnicity* (N=664)

Sentence	Black	Hispanic	Other	White
N	11	74	17	562
Community Service	9%	0%	6%	2%
Deferred	36%	14%	18%	22%
Fines/fees	18%	16%	35%	19%
Jail	9%	38%	24%	22%
Probation/Intensive Supervision	27%	31%	18%	32%
Unsupervised Probation	0%	1%	0%	3%
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 Drug cases (n=21) requires caution when interpreting the findings.

Table 3-15. Initial sentence for Drugs as most serious conviction in County Court by race/ethnicity*
(N=21)

Sentence	Black	Other	White
N	1	4	16
Community Service	0%	25%	19%
Deferred	0%	0%	6%
Fines/fees	100%	75%	44%
Jail	0%	0%	19%
Probation/Intensive Supervision	0%	0%	12%
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 3-16 shows that, for those with Other as the most serious county court conviction charge, Hispanics were more likely to receive a jail sentence (42% compared to 16% for Whites). Table 3-17 provides information on the initial sentence in county court for Property offenses and Table 3-18 depicts the initial sentence for Violent offenses in county court; for both offense types, Hispanics were more likely to receive jail sentences compared to Whites. However, because of the low numbers of cases in many categories, this information must be interpreted with caution.

Table 3-16. Initial sentence for Other as most serious conviction in County Court by race/ethnicity*
(N=273)

Sentence	Black	Hispanic	Other	White
N	6	31	4	232
Community Service	17%	0%	0%	2%
Deferred	50%	13%	25%	18%
Fines/fees	17%	23%	50%	31%
Jail	0%	42%	25%	16%
Probation/Intensive Supervision	17%	23%	0%	28%
Unsupervised Probation	0%	0%	0%	5%
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=136)

Sentence	Black	Hispanic	Other	White
N	1	15	4	116
Community Service	0%	0%	0%	1%
Deferred	0%	13%	0%	16%
Fines/fees	0%	27%	25%	22%
Jail	0%	53%	50%	41%
Probation/Intensive Supervision	100%	0%	25%	18%
Unsupervised Probation	0%	7%	0%	3%
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=234)

Sentence	Black	Hispanic	Other	White
N	3	28	5	198
Deferred	33%	14%	40%	32%
Fines/fees	0%	4%	0%	3%
Jail	33%	25%	20%	17%
Probation/Intensive Supervision	33%	57%	40%	46%
Unsupervised Probation	0%	0%	0%	1%
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 11th Judicial District. Probation was the most frequently occurring initial sentence, imposed 58% of the time for Drug cases. The second most frequently occurring sentence in district court was a deferred judgment: 18% of Drug cases, 8% of Other cases, 19% of Property cases, and 17% of Violent cases. Jail was imposed in 23% of Other cases. Table 3-20 illustrates the initial sentence in district court by gender. Women were more likely than men to receive a deferred judgment (21% compared to 14%, respectively) and men were more likely to receive a jail sentence compared to women (18% versus 8%, respectively).

Table 3-19. Initial sentence in Adult District Court, by most serious conviction charge (N=624)

Sentence	Drugs	%	Other	%	Property	%	Violent	%
Community Corrections	5	2%	3	2%	7	5%	1	1%
Deferred	39	18%	10	8%	27	19%	23	17%
Dept of Corrections	13	6%	20	16%	11	8%	24	18%
Fines/fees	6	3%	6	5%	3	2%	0	0%
Jail	29	13%	28	23%	25	17%	13	10%
Probation/Intensive Supervision	128	58%	56	46%	72	50%	75	55%
All	**220**	**100%**	**123**	**100%**	**145**	**100%**	**136**	**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=624)

Sentence	Female	%	Male	%
Community Corrections	4	3%	12	3%
Deferred	31	21%	68	14%
Dept of Corrections	1	1%	67	14%
Fines/fees	2	1%	13	3%
Jail	12	8%	83	18%
Probation/Intensive Supervision	100	67%	231	49%
All	**150**	**100%**	**474**	**100%**

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

Table 3-21 shows the initial sentence in adult district court by race/ethnicity combining all crime types. One-quarter (23%) of initial sentences for Blacks were to the Department of Corrections, and 18% of initial sentences for Hispanic cases were to prison, a higher proportion compared to the other race/ethnicity groups (10%).

Table 3-21. Initial sentence in Adult District Court by race/ethnicity* (N=624)

Sentence	Black	Hispanic	Other	White
N	13	65	10	536
Community Corrections	0%	3%	0%	3%
Deferred	15%	9%	20%	17%
Dept of Corrections	23%	18%	10%	10%
Fines/fees	0%	5%	0%	2%
Jail	8%	28%	0%	14%
Probation/Intensive Supervision	54%	37%	70%	55%
All	**100%**	**100%**	**100%**	**100%**

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

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

The following four tables show initial district court sentences for each of the offense categories, by race/ethnicity. Table 3-22 shows the sentences cases received for Drug offenses; subsequent tables show the initial sentence race/ethnicity for Other, Property and Violent offenses. Across these four tables, the few numbers of non-Whites means that this information must be interpreted with caution.

Table 3-22. Initial sentence for Drugs as most serious conviction in Adult District Court by race/ethnicity* (N=220)

Sentence	Black	Hispanic	Other	White
N	4	16	2	198
Community Corrections	0%	0%	0%	3%
Deferred	25%	12%	0%	18%
Dept of Corrections	0%	0%	0%	7%
Fines/fees	0%	6%	0%	3%
Jail	0%	31%	0%	12%
Probation/Intensive Supervision	75%	50%	100%	58%
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=123)

Sentence	Black	Hispanic	Other	White
N	1	18	2	102
Community Corrections	0%	0%	0%	3%
Deferred	0%	6%	50%	8%
Dept of Corrections	100%	33%	0%	13%
Fines/fees	0%	11%	0%	4%
Jail	0%	33%	0%	22%
Probation/Intensive Supervision	0%	17%	50%	51%
All	**100%**	**100%**	**100%**	**100%**

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

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

Table 3-24. Initial sentence for Property as most serious conviction in Adult District Court by race/ethnicity* (N=145)

Sentence	Black	Hispanic	Other	White
N	4	17	2	122
Community Corrections	0%	6%	0%	5%
Deferred	25%	12%	0%	20%
Dept of Corrections	0%	12%	0%	7%
Fines/fees	0%	0%	0%	2%
Jail	25%	24%	0%	16%
Probation/Intensive Supervision	50%	47%	100%	49%
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=136)

Sentence	Black	Hispanic	Other	White
N	4	14	4	114
Community Corrections	0%	7%	0%	0%
Deferred	0%	7%	25%	18%
Dept of Corrections	50%	29%	25%	15%
Jail	0%	21%	0%	9%
Probation/Intensive Supervision	50%	36%	50%	58%
All	**100%**	**100%**	**100%**	**100%**

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

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

Juvenile court

Table 3-26 below reflects the initial sentence for juvenile court cases, by crime type, for the 11th Judicial District. Deferred judgments were the most frequently occurring sentence, followed by probation. Table 3-27 shows the initial sentence in juvenile court by gender. The few numbers of juvenile court cases (n=75) means that this information must be interpreted with caution.

Table 3-26. Initial sentence in Juvenile Court, by most serious conviction charge (N=75)

Sentence	Drugs	%	Other	%	Property	%	Violent	%
Community Service	0	0%	0	0%	0	0%	1	4%
Deferred	4	80%	4	57%	25	68%	15	58%
Division of Youth Services	0	0%	0	0%	3	8%	1	4%
Fines/fees	0	0%	1	14%	1	3%	0	0%
Juvenile Detention	0	0%	0	0%	0	0%	1	4%
Probation/Intensive Supervision	1	20%	2	29%	8	22%	8	31%
All	**5**	**100%**	**7**	**100%**	**37**	**100%**	**26**	**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=75)

Sentence	Female	%	Male	%
Community Service	0	0%	1	2%
Deferred	16	84%	32	57%
Division of Youth Services	0	0%	4	7%
Fines/fees	0	0%	2	4%
Juvenile Detention	1	5%	0	0%
Probation/Intensive Supervision	2	11%	17	30%
All	**19**	**100%**	**56**	**100%**

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

Table 3-28 reflects the initial juvenile court sentence by race/ethnicity. The few cases with non-White defendants means that caution should be used when interpreting the findings.

Table 3-28. Initial sentence in Juvenile Court by race/ethnicity* (N=75)

Sentence	Black	Hispanic	Other	White
N	5	1	11	58
Community Service	0%	0%	0%	2%
Deferred	80%	0%	82%	60%
Division of Youth Services	0%	0%	0%	7%
Fines/fees	0%	0%	0%	3%
Juvenile Detention	0%	0%	0%	2%
Probation/Intensive Supervision	20%	100%	18%	26%
All	**100%**	**100%**	**100%**	**100%**

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

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

The following four tables show initial juvenile court sentences for each of the offense categories by race/ethnicity. The few cases with non-White defendants means that caution should be used when interpreting the findings.

Table 3-29. Initial sentence for Drugs as most serious conviction in Juvenile Court by race/ethnicity* (N=5)

Sentence	Other	White
N	2	3
Deferred	100%	67%
Probation/Intensive Supervision	0%	33%
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=7)

Sentence	Hispanic	Other	White
N	1	1	5
Deferred	0%	100%	60%
Fines/fees	0%	0%	20%
Probation/Intensive Supervision	100%	0%	20%
All	**100%**	**100%**	**100%**

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

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

Table 3-31. Initial sentence for Property as most serious conviction in Juvenile Court by race/ethnicity* (N=37)

Sentence	Black	Other	White
N	2	6	29
Deferred	100%	67%	66%
Division of Youth Services	0%	0%	10%
Fines/fees	0%	0%	3%
Probation/Intensive Supervision	0%	33%	21%
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=26)

Sentence	Black	Other	White
N	3	2	21
Community Service	0%	0%	5%
Deferred	67%	100%	52%
Division of Youth Services	0%	0%	5%
Juvenile Detention	0%	0%	5%
Probation/Intensive Supervision	33%	0%	33%
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.

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

County court Drug cases resulted in a fine in 52% of cases, and community service for 19% of cases, however, the low number of Drug cases (n=21) means that this information must be interpreted with caution. Deferred judgments occurred for 15% of Property offense cases and 30% of Violent crime cases, 18% of Other cases, and 5% for Drug cases (this figure represents only 1 case). Almost half (47%) of Violent cases received an initial sentence to probation. Women were significantly more likely than men to receive a deferred judgment in county court (29% compared to 19%, respectively). Men were more likely than women to receive a jail sentence (26% for men compared to 16% for women).

In district court, probation was the most frequently occurring initial sentence, imposed 58% of the time for Drug cases. The second most frequently occurring sentence in district court was a deferred judgment: 18% of Drug cases, 8% of Other cases, 19% of Property cases, and 17% of Violent cases. Jail was imposed in 23% of Other cases. Women were more likely than men to receive a deferred judgment (21% compared to 14%, respectively) and men were more likely to receive a jail sentence compared to women (18% versus 8%, respectively). One-quarter (23%) of initial sentences for Blacks were to the Department of Corrections, and 18% of initial sentences for Hispanic cases were to prison, a higher proportion compared to the other race/ethnicity groups (10%). Analyzing the initial sentence by race/ethnicity across the four crime types found that the few numbers of non-Whites means that this information must be interpreted with caution.

In juvenile court, deferred judgments were the most frequently occurring sentence, followed by probation. The few numbers of juvenile court cases (n=75) means that the information presented must be interpreted with caution.

Revocations

Cases sentenced in 2016 to probation or a deferred judgment that received a revocation in the 11th 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, 27% of cases receiving a probation/deferred judgment in county court in the 11th Judicial District in 2016 were revoked. Blacks and Hispanics were slightly more likely to be revoked compared to the overall revocation rate (57% and 41% respectively, compared to 17% and 25%). However, the few numbers of Black defendants (n=7) in county court means that this information must be interpreted with caution. Table 3-34 reflects revocations in county court 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		**43%**	**57%**	**100%**	**7**
	Other	50%	50%	100%	4
	Property	0%	100%	100%	1
	Violent	50%	50%	100%	2
Hispanic		**59%**	**41%**	**100%**	**34**
	Other	55%	45%	100%	11
	Property	100%	0%	100%	3
	Violent	55%	45%	100%	20
Other		**83%**	**17%**	**100%**	**6**
	Other	100%	0%	100%	1
	Property	100%	0%	100%	1
	Violent	75%	25%	100%	4
White		**75%**	**25%**	**100%**	**322**
	Drugs	100%	0%	100%	3
	Other	80%	20%	100%	118
	Property	70%	30%	100%	43
	Violent	72%	28%	100%	158
All		**73%**	**27%**	**100%**	**369**

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		**73%**	**27%**	**100%**	**98**
	Drugs	100%	0%	100%	1
	Other	77%	23%	100%	31
	Property	78%	22%	100%	18
	Violent	69%	31%	100%	48
Male		**72%**	**28%**	**100%**	**271**
	Drugs	100%	0%	100%	2
	Other	77%	23%	100%	103
	Property	67%	33%	100%	30
	Violent	70%	30%	100%	136
All		**73%**	**27%**	**100%**	**369**

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 (42%, Table 3-35) compared to county court (27%, Table 3-33) in 2016. Hispanics and Blacks were slightly more likely to be revoked compared to Whites (44% and 43%, respectively compared to 42%), but the few numbers of Black defendants (n=9) means that this information must be interpreted with caution. Blacks and Hispanics with Drug offenses were most likely to be revoked (75% and 60%, respectively). Table 3-36 shows that women in adult district court were slightly more likely than men to get revoked (44% compared to 41%). Men and women with Drug cases were most likely, compared to those with other crime types, to get revoked.

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

Race/ethnicity		No	Yes	All	N
Black		**56%**	**44%**	**100%**	**9**
	Drugs	25%	75%	100%	4
	Property	67%	33%	100%	3
	Violent	100%	0%	100%	2
Hispanic		**57%**	**43%**	**100%**	**30**
	Drugs	40%	60%	100%	10
	Other	75%	25%	100%	4
	Property	40%	60%	100%	10
	Violent	100%	0%	100%	6
Other		**89%**	**11%**	**100%**	**9**
	Drugs	50%	50%	100%	2
	Other	100%	0%	100%	2
	Property	100%	0%	100%	2
	Violent	100%	0%	100%	3
White		**58%**	**42%**	**100%**	**382**
	Drugs	43%	57%	100%	151
	Other	68%	32%	100%	60
	Property	65%	35%	100%	84
	Violent	68%	32%	100%	87
All		**58%**	**42%**	**100%**	**430**

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		**56%**	**44%**	**100%**	**131**
	Drugs	50%	50%	100%	62
	Other	52%	48%	100%	21
	Property	70%	30%	100%	30
	Violent	61%	39%	100%	18
Male		**59%**	**41%**	**100%**	**299**
	Drugs	38%	62%	100%	105
	Other	78%	22%	100%	45
	Property	61%	39%	100%	69
	Violent	74%	26%	100%	80
All		**58%**	**42%**	**100%**	**430**

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, 22% of cases sentenced to probation/deferred judgment in 2016 in the 11th Judicial District were revoked (Table 3-37). Blacks were most likely to get revoked (40%), however, the few numbers of Black defendants (n=5) means that this information should be interpreted with caution. Table 3-38 presents revocations in juvenile court by gender. Females were revoked at a rate of 33% compared to 18% for males. Comparing across crime types, females with Drug crimes were most likely to be revoked (67%) and males with Violent cases were most likely to be revoked (28%).

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

Race/ethnicity		No	Yes	All	N
Black		**60%**	**40%**	**100%**	**5**
	Property	50%	50%	100%	2
	Violent	67%	33%	100%	3
Hispanic		**100%**	**0%**	**100%**	**1**
	Other	100%	0%	100%	1
Other		**91%**	**9%**	**100%**	**11**
	Drugs	100%	0%	100%	2
	Other	100%	0%	100%	1
	Property	83%	17%	100%	6
	Violent	100%	0%	100%	2
White		**76%**	**24%**	**100%**	**50**
	Drugs	33%	67%	100%	3
	Other	75%	25%	100%	4
	Property	84%	16%	100%	25
	Violent	72%	28%	100%	18
All		**78%**	**22%**	**100%**	**67**

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		**67%**	**33%**	**100%**	**18**
	Drugs	33%	67%	100%	3
	Other	50%	50%	100%	2
	Property	75%	25%	100%	8
	Violent	80%	20%	100%	5
Male		**82%**	**18%**	**100%**	**49**
	Drugs	100%	0%	100%	2
	Other	100%	0%	100%	4
	Property	84%	16%	100%	25
	Violent	72%	28%	100%	18
All		**78%**	**22%**	**100%**	**67**

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

Revocations: Summary. Cases sentenced in 2016 to probation or a deferred judgment that received a revocation in the 11th Judicial District are included in the analyses presented here.[18]

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[18] Judicial data pertaining to *petitions* to revoke are less reliable than data identifying actual revocations.

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, 27% of county court cases receiving a probation/deferred judgment in the 11th Judicial District in 2016 were revoked. Blacks and Hispanics were slightly more likely to be revoked compared to the overall revocation rate (57% and 41% respectively, compared to 17% and 25%). However, the few numbers of Black defendants (n=7) in county court means that this information must be interpreted with caution. Males and females in county court were about equally likely to be revoked.

Revocations from probation/deferred judgments occurred more frequently in district court (42%) compared to county court (27%) in 2016. Hispanics and Blacks were slightly more likely to be revoked compared to Whites (44% and 43%, respectively compared to 42%), but the few numbers of Black defendants (n=9) means that this information must be interpreted with caution. Blacks and Hispanics with Drug offenses were most likely to be revoked (75% and 60%, respectively). Women in adult district court were slightly more likely than men to get revoked (44% compared to 41%). Men and women with Drug cases were most likely, compared to those with other crime types, to get revoked.

In juvenile court, 22% of cases sentenced to probation/deferred judgment in 2016 in the 11th Judicial District were revoked. Blacks were most likely to get revoked (40%), however, the few numbers of Black defendants (n=5) means that this information should be interpreted with caution. Females were revoked at a rate of 33% compared to 18% for males. Comparing across crime types, females with Drug crimes were most likely to be revoked (67%) and males with Violent cases were most likely to be revoked (28%).

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[19] *Judicial Branch Annual Statistical Report, Fiscal Year 2016*, Table 48, page 120.

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