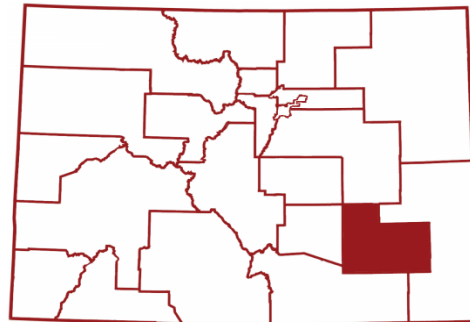


Senate Bill 15-185 CLEAR Act

2016

Community Law Enforcement Action Reporting Act

16th Judicial District



16th Judicial District: Population race/ethnicity estimates, 2016

Age Group	Race/ethnicity	%	N
Adult		80%	24,018
	Black	4%	1,059
	Hispanic	36%	8,697
	Other	2%	569
	White	57%	13,693
Juvenile		20%	6,017
	Black	1%	45
	Hispanic	52%	3,112
	Other	2%	123
	White	45%	2,737
All		100%	30,034

Data source: Office of the State Demographer,

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

October 2017



COLORADO
Department of Public Safety

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

Community Law Enforcement Action Reporting Act

Pursuant to Senate Bill 2015-185

Prepared by

Kim English

Peg Flick

Laurence Lucero

Colorado Department of Public Safety

Stan Hilkey, Executive Director

Division of Criminal Justice

Joe Thome, Director

Office of Research and Statistics

Kim English, Research Director

700 Kipling St., Denver, Colorado 80215

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 16th Judicial District for events that occurred in 2016. The statewide report and individual judicial district reports may be found here: colorado.gov/dcj-ors/ors-SB185.

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

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

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

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

Executive Summary

Background. In 2015, the General Assembly passed Senate Bill 15-185, the Community Law Enforcement Action Reporting Act, or the CLEAR Act. The CLEAR Act mandates that the Division of Criminal Justice annually analyze and report data provided by law enforcement agencies, the Judicial Department, and the adult Parole Board, to reflect decisions made at multiple points in the justice system process. The CLEAR Act requires that the data be analyzed by race/ethnicity and gender. This study presents information for calendar year 2016.

In 2017, following the publication of the first CLEAR Act report,³ the findings from the statewide analysis were presented to the Colorado Commission on Criminal and Juvenile Justice.⁴ At the conclusion of the presentation, the Commission voted unanimously to request that the next analyses disaggregate the data by judicial district so that local stakeholders could examine if and where disparities exist, and develop strategies to address them. This report of 2016 data was prepared for the 16th 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 16th Judicial District was 30,034. The adult population was comprised as follows: White, 57%; Black, 4%; Hispanic, 36%; and Other, 2%. The juvenile population was comprised as follows: White, 45%, Black, less than 1%, Hispanic 52%, and Other 2%. Males made up 50% of the state population and females made up the other half of the population.

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

To improve upon the accuracy of the race/ethnicity designation in court data in this analysis, court cases were matched to the Colorado Bureau of Investigation's National Incident Based Reporting System (NIBRS) arrest data, which contains both race and ethnicity. To obtain ethnicity information, the defendant's name and date of birth in the court record was matched to arrest data and the ethnicity was extracted for all arrests. If the ethnicity recorded for any 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 731 arrests/summonses in the 16th 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 6% of all arrests/summonses and Violent crimes

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

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

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

accounted for 20% of arrests/summonses, Property offenses accounted for 19% of arrests/summonses, and the remainder of arrests/summonses (54%) fell into the Other crime category. Blacks represented approximately 4% of the population in the 16th Judicial District in 2016 and accounted for 2% of arrests/summonses. Hispanics represented 39% of the population and 51% of arrests/summonses. Males represented about 50% of the state population and approximately 70% of arrests. Females were much more likely to be involved in Property offenses than the other offense categories. Juveniles were more likely to be summonsed than arrested.

Filings. This study of 1,070 case filings in county, district, and juvenile courts combined found that, while Blacks represented less than 4% of the population in the 16th Judicial District, and 2% of the arrests/summonses in 2016, they accounted for 3% of court filings. Hispanics represented 39% of the population and 43% of case filings. Combining information across the three court types, Drug offenses were the most serious filing charge in 10% of cases, and Violent charges comprised the largest category at 44% of charges filed. The race/ethnicity distribution was generally consistent across crime type. The few numbers of cases with Black and Other defendants means that caution must be used when interpreting the data. Across all court types, 25% of filings were females and 75% were males. Comparing across crime types, females were most likely to be involved in Violent crimes (37%) and least likely to be involved in Drug offenses (14%). Men were most likely to be involved in Violent offenses (47%) and least likely to be involved in Drug offenses (9%).

County court had the most cases in 2016 (61% of the total), followed by adult district court (37%) and juvenile court at 2%. Blacks, comprising 4% of the population in the 16th Judicial District, represented 3% of county court cases filed compared to 2% in adult district court and 11% in juvenile court, however, the few numbers of cases (especially in juvenile court, n=19) means that this information should be interpreted with caution. Hispanic adults made up 36% of the adult population in the 16th Judicial District, 51% of arrests, and 47% of district court filings in 2016.

Cases completed a trial infrequently in 2016 (less than 1%). Cases with a Violent or Other offense were most likely to complete a trial, however, the few numbers of trials (n=6) means that this information must be interpreted with caution.

Note that these cases are not necessarily the same cases in the **Law enforcement data** section above.

Case outcomes. Caution should be used when interpreting the case outcome since many factors can influence the decision. For example, the existence of prior cases (criminal history) may influence the outcome of a case. Additionally, most cases contain multiple charges, and many cases have concurrent cases. These factors are likely to significantly affect the outcome of a case. In particular, all charges in a case may be dismissed or modified as part of a plea agreement involving that case or multiple cases. In fact, 41% of cases in county court were dismissed, as were 20% of cases in district court and 5% of cases in juvenile court. Nearly one-third (29%) of county court cases were convicted as charged compared to 14% in district court and 42% in juvenile court. One-fifth (20%) of county court cases were convicted of a different charge, as were nearly half (43%) of district court cases, and 32% 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 73% of cases, and community service for 27% of cases, however, the few numbers of Drug cases (n=11) means that this information should be interpreted with caution. Fines/fees were the most serious sentence for one-third of Property (35%) and Other (36%) offenses. Probation was ordered for 47% of Violent offenses in county court. Women were more likely to receive a deferred judgment compared to men (16% versus 10%, respectively) and less likely to receive a prison sentence (3% compared to 26%, respectively).

In district court, the few numbers of cases with defendants in the Black (n=16) and Other (n=2) race/ethnicity categories means that this information should be interpreted with caution. Nevertheless, 56% of Black defendants and all (100%) Other defendants received sentences to the Department of Corrections. Hispanics received deferred judgments at nearly half the rate of Whites (9% compared to 15%, respectively), and were more likely to receive a sentence to community corrections compared to Whites (17% versus 4%, respectively).

For Drug cases in district court, Hispanics were less likely than Whites to receive a deferred judgment (10% compared to 4%, respectively) and more likely to receive a sentence to jail compared to Whites (15% compared to 4%, respectively). For Other offenses (Table 3-23), Hispanics were more likely than Whites to receive jail sentence (40% compared to 25%, respectively). Hispanics were much more likely to receive a prison sentence for Property crimes (Table 3-24). For Violent offenses (Table 3-25), Hispanics were less likely than Whites to receive a deferred judgment (8% and 12%, respectively) and less likely than Whites to receive a jail term (17% and 31%, respectively).

The few numbers of juvenile court cases (n=10) means that the information, when disaggregated by crime type and race/ethnicity, must be interpreted with caution. There was only one female in juvenile court in 2016.

Revocations. Cases sentenced in 2016 to probation or a deferred judgment that received a revocation in the 16th 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, 26% of county court cases receiving a probation/deferred judgment in the 16th Judicial District in 2016 were revoked. Hispanics were more likely to be revoked compared to Whites (36% and 18%, respectively). Hispanics and Whites with Violent offenses were most likely to be revoked. The few cases with Black defendants (n=4) means that this information must be interpreted with caution. Women were less likely to be revoked compared to men (18% and 29%, respectively).

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 (31%) compared to county court (26%) in 2016. In district court, Hispanics were more likely to be revoked than Whites (40% compared to 20%, respectively). Women in adult district court were more likely than men to get revoked (44% compared to 36%, respectively). Women with Drug cases (43%) were most likely, compared to those with other crime types, to get revoked; men with Property offenses (46%) 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 16th Judicial District were revoked. The few numbers of cases in juvenile court (n=9) means that caution should be used when interpreting the findings. No females and 2 males were revoked in 2016.

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.

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). More than 700 NIBRS incidents in the 16th Judicial District were analyzed for calendar year 2016 (Table 1-1).

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.

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.

Table 1-1. Arrests by type, 16th Judicial District, 2016

Arrest type	%	N
Custody/warrant	51%	372
On-view/probable cause	7%	51
Summons	42%	308
All	100%	731

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, 16th Judicial District, 2016

Court	%	N
Adult District	37%	401
County	61%	650
Juvenile	2%	19
All	100%	1,070

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

Note that the information presented here reflects the analysis of more than 1,000 **cases not individuals**. Individuals may have multiple, concurrent cases,¹¹ and cases typically have multiple charges. Frequently cases and charges are dismissed for a judgment in a concurrent case. The **Dismissed/Not Guilty** category in the tables that follow means that some charges were dismissed and some were found not guilty.

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.

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.

The crime information analyzed for this study reflects the most serious filing or conviction charge for 24 offense categories¹² 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 exact match on name and date of birth between the data sets. For the analysis of *charges*, no match was found for 15% of cases statewide. For the analysis of *sentences*, no match was found for 13% of cases statewide. The lack of a match in the arrest data was due primarily to differences in the spelling of names, and differences in dates of birth.

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/summons captured in the Colorado Bureau of Investigation's National Incident Based Reporting System (NIBRS) for calendar year 2016.

Table 2-1. Arrests by offense

Offense	%	N
Drugs	6%	45
Other	54%	397
Property	19%	140
Violent	20%	149
All	100%	731

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

Table 2-2 reflects over 700 arrests/summons captured in NIBRS for calendar year 2016 in the 16th Judicial District, by race/ethnicity. Blacks represented less than 4% of the population in 2016 and accounted for 2% of arrests/summons in the 16th Judicial District. Hispanics represented 51% of the population and accounted for 54% of arrests. The Other race/ethnicity category represented 2% of the population, and was underrepresented in arrests (less than 1%), as were Whites which represented 55% of the population and 47% of arrests/summons in the 16th Judicial District. The few numbers of incidents involving those in the Black (n=15) and Other (n=1) race/ethnicity category means that the information, particularly when disaggregated by crime type and race/ethnicity, must be interpreted with caution.

Table 2-2. Arrests by race/ethnicity

Race/ethnicity	%	N
Black	2%	15
Hispanic	51%	371
Other	<1%	1
White	47%	344
All	100%	731

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

Tables 2-3 and 2-4 show that juveniles accounted for none of on view/probable cause arrests and 2% of custody/warrant arrests. Overall, juveniles were more likely to get summoned than arrested; they accounted for 6% of summonsed cases (Table 2-5). The most common offense receiving an arrest/summons fell into the Other crime category.

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

Age Group	Offense	%	N
Adult		100%	51
	Drugs	18%	9
	Other	69%	35
	Property	6%	3
	Violent	8%	4
All		100%	51

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

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

Age Group	Offense	%	N
Adult		98%	365
	Drugs	7%	25
	Other	56%	206
	Property	11%	41
	Violent	25%	93
Juvenile		2%	7
	Other	57%	4
	Violent	43%	3
All		100%	372

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		94%	288
	Drugs	4%	11
	Other	49%	141
	Property	33%	95
	Violent	14%	41
Juvenile		6%	20
	Other	55%	11
	Property	5%	1
	Violent	40%	8
All		100%	308

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 18% of probable cause arrests were for Drug related offenses, 59% were for Other offenses, 6% for Property offenses, and 8% for Violent offenses. While Blacks made up approximately 4% of the population in the 16th Judicial District, Table 2-6 shows that none were arrested probable cause arrests in 2016. The few numbers of probable cause arrests (n=51) means that the information, especially when disaggregated by crime type and race/ethnicity, must be interpreted with caution.

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

Offense	Race/ethnicity	%	N
Drugs		18%	9
	Hispanic	78%	7
	White	22%	2
Other		69%	35
	Hispanic	69%	24
	White	31%	11
Property		6%	3
	Hispanic	67%	2
	White	33%	1
Violent		8%	4
	Hispanic	50%	2
	White	50%	2
All		100%	51

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

The other arrest type, where an individual is taken into custody on an outstanding warrant, is depicted in Table 2-7. This type of arrest occurred more frequently (n=372) than probable cause arrests (n=51). Over half (56%) of these arrests involved an offense that fell into the Other offense category. Hispanics made up 39% of the population in the 16th Judicial District and made up 36% of Drug warrant arrests, 46% of Other arrests, 54% of Property arrests and 43% of Violent warrant arrests.

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

Offense	Race/ethnicity	%	N
Drugs		7%	25
	Black	8%	2
	Hispanic	36%	9
	Other	4%	1
	White	52%	13
Other		56%	210
	Black	<1%	1
	Hispanic	46%	97
	White	53%	112
Property		11%	41
	Black	2%	1
	Hispanic	54%	22
	White	44%	18
Violent		26%	96
	Black	4%	4
	Hispanic	43%	41
	White	53%	51
All		100%	372

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

Table 2-8 shows that summons are less likely to be issued for Drug offenses (4%) compared to Other (49%) and Property (31%). Of those summons issued for Violent crimes, 55% went to Hispanics.

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

Offense	Race/ethnicity	%	N
Drugs		4%	11
	Hispanic	45%	5
	White	55%	6
Other		49%	152
	Black	3%	4
	Hispanic	49%	75
	White	48%	73
Property		31%	96
	Black	3%	3
	Hispanic	62%	60
	White	34%	33
Violent		16%	49
	Hispanic	55%	27
	White	45%	22
All		100%	308

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 15-32% of arrests and 33-50% of summonses (depending on the crime category) and men comprised the remainder. However, the few numbers of men and women involved in probable cause arrests means this information should be interpreted with caution. Overall, women were more likely to be involved in Drug and Property offenses compared with the other offense categories.

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

Offense	Gender	%	N
Drugs		18%	9
	Female	22%	2
	Male	78%	7
Other		69%	35
	Female	31%	11
	Male	69%	24
Property		6%	3
	Female	67%	2
	Male	33%	1
Violent		8%	4
	Female	25%	1
	Male	75%	3
All		100%	51

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

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

Offense	Gender	%	N
Drugs		7%	25
	Female	32%	8
	Male	68%	17
Other		56%	210
	Female	26%	54
	Male	74%	156
Property		11%	41
	Female	34%	14
	Male	66%	27
Violent		26%	96
	Female	15%	14
	Male	85%	82
All		100%	372

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		4%	11
	Female	36%	4
	Male	64%	7
Other		49%	152
	Female	36%	54
	Male	64%	98
Property		31%	96
	Female	50%	48
	Male	50%	48
Violent		16%	49
	Female	33%	16
	Male	67%	33
All		100%	308

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 731 arrests/summonses in the 16th 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 6% of all arrests/summonses and Violent crimes accounted for 20% of arrests/summonses, Property offenses accounted for 19% of arrests/summonses, and the remainder of arrests/summonses (54%) fell into the Other crime category. Blacks represented approximately 4% of the population in the 16th Judicial District in 2016 and accounted for 2% of arrests/summonses. Hispanics represented 39% of the population and 51% of arrests/summonses. Males represented about 50% of the state population and approximately 70% of arrests. Females were much more likely to be involved in Property offenses than the other offense categories. Juveniles were more likely to be summonsed than arrested.

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 16th 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 include attempts, solicitations, and conspiracies.

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

Case Filings

Overall

Table 3-1 depicts race/ethnicity distribution for 1,070 case filings in county, adult district, and juvenile courts combined in the 16th Judicial District. While Blacks represented approximately 4% of the population and 2% of the arrests/summons in 2016, they accounted for 3% of court filings. Hispanics represented 39% of the population and 43% of case filings. Note that these cases are not necessarily the same cases in the **Law enforcement data** section above.

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	3%	34
Hispanic	43%	461
Other	1%	6
White	53%	569
All	100%	1,070

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 10% of cases, and Violent charges comprised the largest category at 44% of charges filed. The race/ethnicity distribution was generally consistent across crime type. The few numbers of cases with Black and Other defendants means that caution must be used when interpreting the data.

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

Offense	Race/ethnicity	%	N
Drugs		10%	108
	Black	2%	2
	Hispanic	44%	48
	White	54%	58
Other		26%	276
	Black	4%	11
	Hispanic	40%	111
	Other	1%	3
	White	55%	151
Property		20%	210
	Black	4%	8
	Hispanic	47%	98
	Other	1%	2
	White	49%	102
Violent		44%	476
	Black	3%	13
	Hispanic	43%	204
	Other	<1%	1
	White	54%	258
All		100%	1,070

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. Comparing across crime types, females were most likely to be involved in Violent crimes (37%) and least likely to be involved in Drug offenses (14%). Men were most likely to be involved in Violent offenses (47%) and least likely to be involved in Drug offenses (9%).

Table 3-3. Most serious filing charge by gender

Gender	Offense	%	N
Female		25%	265
	Drugs	14%	36
	Other	26%	70
	Property	23%	61
	Violent	37%	98
Male		75%	805
	Drugs	9%	72
	Other	26%	206
	Property	19%	149
	Violent	47%	378
All		100%	1,070

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 16th Judicial District. County court had the most cases in 2016 (61% of the total), followed by adult district court (37%) and juvenile court at 2%. Blacks, comprising 4% of the population in the 16th Judicial District, represented 3% of county court cases filed compared to 2% in adult district court and 11% in juvenile court, however, the few numbers of cases (especially in juvenile court, n=19) means that this information should be interpreted with caution. Hispanic adults made up 36% of the adult population in the 16th Judicial District, 51% of arrests, and 47% of district court filings in 2016.

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

Court	Race/ethnicity	%	N
Adult District		37%	401
	Black	2%	10
	Hispanic	47%	189
	Other	<1%	2
	White	50%	200
County		61%	650
	Black	3%	22
	Hispanic	41%	268
	Other	<1%	2
	White	55%	358
Juvenile		2%	19
	Black	11%	2
	Hispanic	21%	4
	Other	11%	2
	White	58%	11
All		100%	1,070

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

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

Table 3-5 provides the type of offense by court type. Over half (58%) of county court cases were Violent offenses (primarily misdemeanor assault); Property offenses (31%) and Drug and Other cases (each at 23%) comprised the largest categories of cases in adult district court. Property crimes (32%) and Violent crimes (47%) 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 district court (26%) compared to county (24%) and juvenile court (5%). The few numbers of cases in juvenile court (n=19) means that this information should be interpreted with caution.

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

Court	Offense	%	N
Adult District		37%	401
	Drugs	23%	93
	Other	23%	93
	Property	31%	126
	Violent	22%	89
County		61%	650
	Drugs	2%	14
	Other	28%	180
	Property	12%	78
	Violent	58%	378
Juvenile		2%	19
	Drugs	5%	1
	Other	16%	3
	Property	32%	6
	Violent	47%	9
All		100%	1,070

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		37%	401
	Female	26%	105
	Male	74%	296
County		61%	650
	Female	24%	159
	Male	76%	491
Juvenile		2%	19
	Female	5%	1
	Male	95%	18
All		100%	1,070

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 or Other offense were most likely to complete a trial, however, the few numbers of trials (n=6) means that this information must be interpreted with caution.

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

Court	Completed Trial	%	N
Adult District		37%	401
	No	100%	399
	Yes	<1%	2
County		61%	650
	No	99%	646
	Yes	1%	4
Juvenile		2%	19
	No	100%	19
All		100%	1,070

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		10%	108
	No	100%	108
Other		26%	276
	No	99%	273
	Yes	1%	3
Property		20%	210
	No	100%	210
Violent		44%	476
	No	99%	473
	Yes	1%	3
All		100%	1,070

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

Summary: Filings. This study of 1,070 case filings in county, district, and juvenile courts combined found that, while Blacks represented less than 4% of the population in the 16th Judicial District, and 2% of the arrests/summons in 2016, they accounted for 3% of court filings. Hispanics represented 39% of the population and 43% of case filings. Combining information across the three court types, Drug offenses were the most serious filing charge in 10% of cases, and Violent charges comprised the largest category at 44% of charges filed. The race/ethnicity distribution was generally consistent across crime type. The few numbers of cases with Black and Other defendants means that caution must be used when interpreting the data. Across all court types, 25% of filings were females and 75% were males. Comparing across crime types, females were most likely to be involved in Violent crimes (37%) and least likely to be involved in Drug offenses (14%). Men were most likely to be involved in Violent offenses (47%) and least likely to be involved in Drug offenses (9%).

County court had the most cases in 2016 (61% of the total), followed by adult district court (37%) and juvenile court at 2%. Blacks, comprising 4% of the population in the 16th Judicial District, represented 3% of county court cases filed compared to 2% in adult district court and 11% in juvenile court, however, the few numbers

of cases (especially in juvenile court, n=19) means that this information should be interpreted with caution. Hispanic adults made up 36% of the adult population in the 16th Judicial District, 51% of arrests, and 47% of district court filings in 2016.

Cases completed a trial infrequently in 2016 (less than 1%). Cases with a Violent or Other offense were most likely to complete a trial, however, the few numbers of trials (n=6) means that this information must be interpreted with caution.

Note that these cases are not necessarily the same cases in the **Law enforcement data** section above.

Case outcomes

The following three tables present the case outcomes for the 16th Judicial District, by race/ethnicity and most serious filing charge (including attempt, conspiracy and solicitation), for county court, district court, and juvenile court in 2016. It is important to remember that most cases contain multiple charges, and many cases have concurrent cases. All charges in a case may be dismissed or modified as part of a plea agreement involving that case or multiple cases. In fact, overall, in over one-quarter (41%) of cases, all charges were dismissed in county court in 2016 (Table 3-9).

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

Table 3-9 reflects county court case outcomes, showing that 29% of cases were convicted as charged, and 20% were convicted of another crime. In adult district court (Table 3-10), 43% were convicted of another crime and 14% were convicted as charged. In juvenile court (Table 3-11), 32% were convicted of another offense and 42% were convicted as charged.

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

Race/ethnicity		Convicted as charged	Convicted other crime	Dismissed/not guilty	Not yet resolved/case closed	All	N
Black		36%	9%	36%	18%	100%	22
	Other	56%	11%	22%	11%	100%	9
	Property	25%	25%	50%	0%	100%	4
	Violent	22%	0%	44%	33%	100%	9
Hispanic		27%	21%	44%	7%	100%	268
	Drugs	67%	0%	33%	0%	100%	6
	Other	37%	31%	26%	6%	100%	68
	Property	37%	17%	37%	10%	100%	30
	Violent	20%	19%	54%	8%	100%	164
Other		0%	50%	0%	50%	100%	2
	Property	0%	0%	0%	100%	100%	1
	Violent	0%	100%	0%	0%	100%	1
White		30%	20%	38%	12%	100%	358
	Drugs	62%	0%	38%	0%	100%	8
	Other	49%	20%	24%	7%	100%	103
	Property	28%	19%	35%	19%	100%	43
	Violent	20%	20%	46%	14%	100%	204
All		29%	20%	41%	10%	100%	650

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		10%	60%	10%	20%	100%	10
	Drugs	50%	50%	0%	0%	100%	2
	Other	0%	100%	0%	0%	100%	2
	Property	0%	0%	50%	50%	100%	2
	Violent	0%	75%	0%	25%	100%	4
Hispanic		14%	47%	18%	21%	100%	189
	Drugs	17%	38%	26%	19%	100%	42
	Other	19%	49%	14%	19%	100%	43
	Property	10%	50%	16%	24%	100%	68
	Violent	14%	50%	17%	19%	100%	36
Other		0%	0%	50%	50%	100%	2
	Other	0%	0%	50%	50%	100%	2
White		14%	38%	22%	26%	100%	200
	Drugs	16%	33%	29%	22%	100%	49
	Other	13%	39%	20%	28%	100%	46
	Property	20%	46%	14%	20%	100%	56
	Violent	8%	33%	24%	35%	100%	49
All		14%	43%	20%	23%	100%	401

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

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

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

Race/ethnicity		Convicted as charged	Convicted other crime	Dismissed/not guilty	Not yet resolved/case closed	All	N
Black		0%	100%	0%	0%	100%	2
	Property	0%	100%	0%	0%	100%	2
Hispanic		50%	0%	0%	50%	100%	4
	Violent	50%	0%	0%	50%	100%	4
Other		0%	50%	0%	50%	100%	2
	Other	0%	0%	0%	100%	100%	1
	Property	0%	100%	0%	0%	100%	1
White		55%	27%	9%	9%	100%	11
	Drugs	0%	0%	100%	0%	100%	1
	Other	50%	0%	0%	50%	100%	2
	Property	67%	33%	0%	0%	100%	3
	Violent	60%	40%	0%	0%	100%	5
All		42%	32%	5%	21%	100%	19

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

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

Summary: Case outcomes. Caution should be used when interpreting the case outcome since many factors can influence the decision. For example, the existence of prior cases (criminal history) may influence the outcome of a case. Additionally, most cases contain multiple charges, and many cases have concurrent cases. These factors are likely to significantly affect the outcome of a case. In particular, all charges in a case may be dismissed or modified as part of a plea agreement involving that case or multiple cases. In fact, 41% of cases in county court were dismissed, as were 20% of cases in district court and 5% of cases in juvenile court. Nearly one-third (29%) of county court cases were convicted as charged compared to 14% in district court and 42% in juvenile court. One-fifth (20%) of county court cases were convicted of a different charge, as were nearly half (43%) of district court cases, and 32% of juvenile court cases.

Initial sentences

The tables below show cases sentenced between Jan 1, 2016 and Dec 31, 2016 in the 16th Judicial District, in county court, district court, and juvenile court. These cases are not necessarily the same cases in the **Case Filings** section above. Also, because these data represent cases, not individuals, the number of individuals sentenced to the Department of Corrections (DOC) or the Division of Youth Services (DYS) from this jurisdiction will not match the number reported as admissions by DOC or DYS.

Cases generally have multiple initial sentences, usually include fines, and can also include community service and credit for time served. The data below reflect the most serious initial sentence. For example, the sentence of fines means that no more serious sentence was found. The same is true for credit for time served and community service.

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

Additionally, individuals may have multiple cases for which they are sentenced simultaneously. The sentence given in one case may not truly reflect the seriousness of the case as the more serious sentence may be recorded in another case as part of a plea agreement.

Also, please note that the crime categories include attempts, solicitations, and conspiracy offenses.

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

County court

Table 3-12 presents the initial sentence for each of the four offense types for county court cases in the 16th Judicial District in 2016. County court Drug cases resulted in a fine in 73% of cases, and community service for 27% of cases, however, the few numbers of Drug cases (n=11) means that this information should be interpreted with caution. Fines/fees were the most serious sentence for one-third of Property (35%) and Other (36%) offenses. Probation was ordered for 47% of Violent offenses in county court.

Table 3-12. Initial sentence in County Court, by most serious conviction charge (N=316)

Sentence	Drugs	%	Other	%	Property	%	Violent	%
Community Service	3	27%	29	19%	13	32%	23	20%
Deferred	0	0%	28	18%	1	2%	13	12%
Fines/fees	8	73%	55	36%	14	35%	6	5%
Jail	0	0%	23	15%	8	20%	18	16%
Probation/Intensive Supervision	0	0%	17	11%	4	10%	53	47%
All	11	100%	152	100%	40	100%	113	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 more likely than men to receive a deferred judgment in county court (22% compared to 10%, respectively). Men were more likely than women to receive a jail sentence (18% for men compared to 10% for women).

Table 3-13. Initial sentence in County Court by gender (N=316)

Sentence	Female	%	Male	%
Community Service	21	25%	47	20%
Deferred	18	22%	24	10%
Fines/fees	21	25%	62	27%
Jail	8	10%	41	18%
Probation/Intensive Supervision	15	18%	59	25%
All	83	100%	233	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 16th Judicial District. The few cases with those in the Black (n=14) and Other (n=2) race/ethnicity categories means that the information must be interpreted with caution. Hispanics in county court were more likely to receive a jail sentence compared to Whites (24% compared to 9%, respectively), and less likely to receive a deferred judgment (8% compared to 18%, respectively).

Table 3-14. Initial sentence in County Court by race/ethnicity (N=316)*

Sentence	Black	Hispanic	Other	White
N	14	142	2	158
Community Service	14%	24%	0%	20%
Deferred	21%	8%	0%	18%
Fines/fees	50%	17%	100%	32%
Jail	7%	24%	0%	9%
Probation/Intensive Supervision	7%	27%	0%	22%
All	100%	100%	100%	100%

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

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

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=11) require caution when interpreting the findings.

Table 3-15. Initial sentence for Drugs as most serious conviction in County Court by race/ethnicity (N=11)*

Sentence	Hispanic	White
N	5	6
Community Service	40%	17%
Fines/fees	60%	83%
All	100%	100%

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

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

Table 3-16 shows that, for those with Other as the most serious county court conviction charge Hispanics were less likely to receive a deferred judgment compared to Whites (12% versus 24%, respectively) and more likely to receive a jail sentence (25% and 9%, respectively) . 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 than Whites to receive jail sentences and less likely to receive a deferred judgment.

Table 3-16. Initial sentence for Other as most serious conviction in County Court by race/ethnicity (N=152)*

Sentence	Black	Hispanic	Other	White
N	11	60	1	80
Community Service	18%	28%	0%	12%
Deferred	18%	12%	0%	24%
Fines/fees	55%	22%	100%	44%
Jail	9%	25%	0%	9%
Probation/Intensive Supervision	0%	13%	0%	11%
All	100%	100%	100%	100%

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

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

Table 3-17. Initial sentence for Property as most serious conviction in County Court by race/ethnicity (N=40)*

Sentence	Black	Hispanic	White
N	1	22	17
Community Service	0%	32%	35%
Deferred	0%	0%	6%
Fines/fees	0%	36%	35%
Jail	0%	23%	18%
Probation/Intensive Supervision	100%	9%	6%
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 3-18. Initial sentence for Violent as most serious conviction in County Court by race/ethnicity (N=113)*

Sentence	Black	Hispanic	Other	White
N	2	55	1	55
Community Service	0%	15%	0%	27%
Deferred	50%	7%	0%	15%
Fines/fees	50%	0%	100%	7%
Jail	0%	25%	0%	7%
Probation/Intensive Supervision	0%	53%	0%	44%
All	100%	100%	100%	100%

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

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

District court

Table 3-19 shows the initial sentence by offense type for district court cases in the 16th Judicial District in 2016. Probation was the most frequently occurring initial sentence, imposed 47% of the time for Drug cases. The second most frequently occurring sentence in district court was a prison sentence: 12% of Drug cases, 36% of Other cases, 13% of Property cases, and 20% of Violent cases received a sentence to the Department of Corrections. Deferred judgments were most likely to be imposed in Property cases (19%), and least likely to be imposed in Drug cases (8%).

Table 3-20 indicates the initial sentence in district court by gender. Women were more likely to receive a deferred judgment compared to men (16% versus 10%, respectively) and less likely to receive a prison sentence (3% compared to 26%, respectively).

Table 3-19. Initial sentence in Adult District Court, by most serious conviction charge (N=235)

Sentence	Drugs	%	Other	%	Property	%	Violent	%
Community Corrections	13	20%	0	0%	10	15%	2	4%
Community Service	0	0%	1	2%	0	0%	0	0%
Deferred	5	8%	4	7%	13	19%	5	11%
Dept of Corrections	8	12%	20	36%	9	13%	9	20%
Fines/fees	1	2%	0	0%	1	1%	1	2%
Jail	8	12%	15	27%	14	21%	10	22%
Probation/Intensive Supervision	31	47%	15	27%	21	31%	19	41%
All	66	100%	55	100%	68	100%	46	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=235)

Sentence	Female	%	Male	%
Community Corrections	15	23%	10	6%
Community Service	1	2%	0	0%
Deferred	10	16%	17	10%
Dept of Corrections	2	3%	44	26%
Fines/fees	0	0%	3	2%
Jail	13	20%	34	20%
Probation/Intensive Supervision	23	36%	63	37%
All	64	100%	171	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. The few numbers of cases with defendants in the Black (n=16) and Other (n=2) race/ethnicity category means that this information should be interpreted with caution. Nevertheless, 56% of Black defendants and all (100%) Other defendants received sentences to the Department of Corrections. Hispanics received deferred judgments at nearly half the rate of Whites (9% compared to 15%, respectively), and were more likely to receive a sentence to community corrections compared to Whites (17% versus 4%, respectively).

Table 3-21. Initial sentence in Adult District Court by race/ethnicity (N=235)*

Sentence	Black	Hispanic	Other	White
N	16	122	2	95
Community Corrections	0%	17%	0%	4%
Community Service	0%	0%	0%	1%
Deferred	12%	9%	0%	15%
Dept of Corrections	56%	15%	100%	18%
Fines/fees	0%	1%	0%	2%
Jail	6%	20%	0%	22%
Probation/Intensive Supervision	25%	38%	0%	38%
All	100%	100%	100%	100%

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

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

The following four tables show initial district court sentences for each of the offense categories, by race/ethnicity. The few cases with Black defendants means that this information should be interpreted with caution. Table 3-22 shows the sentences cases received for Drug offenses. Hispanics were less likely than Whites to receive a deferred judgment (10% compared to 4%, respectively) and more likely to receive a sentence to jail compared to Whites (15% compared to 4%, respectively). For Other offenses (Table 3-23), Hispanics were more likely than Whites to receive jail sentence (40% compared to 25%, respectively). Hispanics were much more likely to receive a prison sentence for Property crimes (Table 3-24). For Violent offenses (Table 3-25), Hispanics were less likely than Whites to receive a deferred judgment (8% and 12%, respectively) and less likely than Whites to receive a jail term (17% and 31%, respectively).

Table 3-22. Initial sentence for Drugs as most serious conviction in Adult District Court by race/ethnicity (N=66)*

Sentence	Black	Hispanic	White
N	3	39	24
Community Corrections	0%	26%	12%
Deferred	0%	10%	4%
Dept of Corrections	33%	15%	4%
Fines/fees	0%	0%	4%
Jail	0%	13%	12%
Probation/Intensive Supervision	67%	36%	62%
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 3-23. Initial sentence for Other as most serious conviction in Adult District Court by race/ethnicity (N=55)*

Sentence	Black	Hispanic	Other	White
N	5	20	2	28
Community Service	0%	0%	0%	4%
Deferred	20%	0%	0%	11%
Dept of Corrections	80%	30%	100%	29%
Jail	0%	40%	0%	25%
Probation/Intensive Supervision	0%	30%	0%	32%
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=68)*

Sentence	Black	Hispanic	White
N	2	39	27
Community Corrections	0%	26%	0%
Deferred	0%	13%	30%
Dept of Corrections	100%	5%	19%
Fines/fees	0%	3%	0%
Jail	0%	21%	22%
Probation/Intensive Supervision	0%	33%	30%
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 3-25. Initial sentence for Violent as most serious conviction in Adult District Court by race/ethnicity (N=46)*

Sentence	Black	Hispanic	White
N	6	24	16
Community Corrections	0%	4%	6%
Deferred	17%	8%	12%
Dept of Corrections	33%	17%	19%
Fines/fees	0%	0%	6%
Jail	17%	17%	31%
Probation/Intensive Supervision	33%	54%	25%
All	100%	100%	100%

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

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

Juvenile court

Table 3-26 below reflects the initial sentence for juvenile court cases, by crime type, for the 16th Judicial District. There were no sentences for Drugs in juvenile court. The few numbers of juvenile court cases (n=10) means that the information, when disaggregated by crime type and race/ethnicity, must be interpreted with caution. Table 3-27 shows the initial sentence by gender. There was only one female in juvenile court in 2016.

Table 3-26. Initial sentence in Juvenile Court, by most serious conviction charge (N=10)

Sentence	Other	%	Property	%	Violent	%
Deferred	2	100%	0	0%	3	60%
Division of Youth Services	0	0%	1	33%	0	0%
Probation/Intensive Supervision	0	0%	2	67%	2	40%
All	2	100%	3	100%	5	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=10)

Sentence	Female	%	Male	%
Deferred	0	0%	5	56%
Division of Youth Services	0	0%	1	11%
Probation/Intensive Supervision	1	100%	3	33%
All	1	100%	9	100%

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

Table 3-28 reflects the initial juvenile court sentence by race/ethnicity. The few numbers of cases means that caution should be used when interpreting this information.

Table 3-28. Initial sentence in Juvenile Court by race/ethnicity (N=10)*

Sentence	Black	Hispanic	Other	White
N	2	2	1	5
Deferred	100%	50%	0%	40%
Division of Youth Services	0%	0%	100%	0%
Probation/Intensive Supervision	0%	50%	0%	60%
All	100%	100%	100%	100%

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

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

The following four tables show initial juvenile court sentences for each of the offense categories by race/ethnicity. Note that the number of cases is quite small (there were only two Other offenses, 3 Property offenses, and 5 Violent offenses in juvenile court in 2016). For this reason, the findings should be interpreted with caution.

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

Sentence	Black	White
N	1	1
Deferred	100%	100%
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 Property as most serious conviction in Juvenile Court by race/ethnicity (N=3)*

Sentence	Hispanic	Other	White
N	1	1	1
Division of Youth Services	0%	100%	0%
Probation/Intensive Supervision	100%	0%	100%
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 Violent as most serious conviction in Juvenile Court by race/ethnicity (N=5)*

Sentence	Black	Hispanic	White
N	1	1	3
Deferred	100%	100%	33%
Probation/Intensive Supervision	0%	0%	67%
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 73% of cases, and community service for 27% of cases, however, the few numbers of Drug cases (n=11) means that this information should be interpreted with caution. Fines/fees were the most serious sentence for one-third of Property (35%) and Other (36%) offenses. Probation was ordered for 47% of Violent offenses in county court. Women were more likely to receive a deferred judgment compared to men (16% versus 10%, respectively) and less likely to receive a prison sentence (3% compared to 26%, respectively).

In district court, the few numbers of cases with defendants in the Black (n=16) and Other (n=2) race/ethnicity categories means that this information should be interpreted with caution. Nevertheless, 56% of Black defendants and all (100%) Other defendants received sentences to the Department of Corrections. Hispanics received deferred judgments at nearly half the rate of Whites (9% compared to 15%, respectively), and were more likely to receive a sentence to community corrections compared to Whites (17% versus 4%, respectively).

For Drug cases in district court, Hispanics were less likely than Whites to receive a deferred judgment (10% compared to 4%, respectively) and more likely to receive a sentence to jail compared to Whites (15% compared to 4%, respectively). For Other offenses (Table 3-23), Hispanics were more likely than Whites to receive jail sentence (40% compared to 25%, respectively). Hispanics were much more likely to receive a prison sentence for Property crimes (Table 3-24). For Violent offenses (Table 3-25), Hispanics were less likely than Whites to receive a deferred judgment (8% and 12%, respectively) and less likely than Whites to receive a jail term (17% and 31%, respectively).

The few numbers of juvenile court cases (n=10) means that the information, when disaggregated by crime type and race/ethnicity, must be interpreted with caution. There was only one female in juvenile court in 2016.

Revocations

Cases sentenced in 2016 to probation or a deferred judgment that received a revocation in the 16th 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, 26% of cases receiving a probation/deferred judgment in county court in the 16th Judicial District in 2016 were revoked. Hispanics were more likely to be revoked compared to Whites (36% and 18%, respectively). Hispanics and Whites with

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.

Violent offenses were most likely to be revoked. The few cases with Black defendants (n=4) means that this information must be interpreted with caution. Women were less likely to be revoked compared to men (18% and 29%, respectively) (Table 3-33).

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

Race/ethnicity		No	Yes	All	N
Black		75%	25%	100%	4
	Other	100%	0%	100%	2
	Property	0%	100%	100%	1
	Violent	100%	0%	100%	1
Hispanic		64%	36%	100%	50
	Other	100%	0%	100%	15
	Property	100%	0%	100%	2
	Violent	45%	55%	100%	33
White		82%	18%	100%	62
	Other	89%	11%	100%	28
	Property	100%	0%	100%	2
	Violent	75%	25%	100%	32
All		74%	26%	100%	116

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

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

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

Gender		No	Yes	All	N
Female		82%	18%	100%	33
	Other	88%	12%	100%	16
	Property	100%	0%	100%	2
	Violent	73%	27%	100%	15
Male		71%	29%	100%	83
	Other	97%	3%	100%	29
	Property	67%	33%	100%	3
	Violent	57%	43%	100%	51
All		74%	26%	100%	116

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

Adult district court

Revocations from probation/deferred judgments occurred more frequently in district court (31%, Table 3-35) compared to county court (26%, Table 3-33) in 2016. In district court, Hispanics were more likely to be revoked than Whites (40% compared to 20%, respectively). Table 3-36 shows that women in adult district court were more likely than men to get revoked (44% compared to 36%, respectively). Women with Drug

cases (43%) were most likely, compared to those with other crime types, to get revoked; men with Property offenses (46%) were most likely, compared to those with other crime types, to get revoked.

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

Race/ethnicity		No	Yes	All	N
Black		67%	33%	100%	6
	Drugs	100%	0%	100%	2
	Other	100%	0%	100%	1
	Violent	33%	67%	100%	3
Hispanic		60%	40%	100%	57
	Drugs	61%	39%	100%	18
	Other	83%	17%	100%	6
	Property	44%	56%	100%	18
	Violent	67%	33%	100%	15
White		80%	20%	100%	50
	Drugs	75%	25%	100%	16
	Other	100%	0%	100%	12
	Property	69%	31%	100%	16
	Violent	83%	17%	100%	6
All		69%	31%	100%	113

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

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

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

Gender		No	Yes	All	N
Female		64%	36%	100%	33
	Drugs	57%	43%	100%	14
	Other	75%	25%	100%	4
	Property	60%	40%	100%	10
	Violent	80%	20%	100%	5
Male		71%	29%	100%	80
	Drugs	77%	23%	100%	22
	Other	100%	0%	100%	15
	Property	54%	46%	100%	24
	Violent	63%	37%	100%	19
All		69%	31%	100%	113

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 16th Judicial District were revoked (Table 3-36). The few numbers of cases in juvenile court (n=9) means that caution should be used when interpreting the findings. Table 3-38 presents revocations in juvenile court by gender. No females and two males were revoked in 2016.

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

Race/ethnicity		No	Yes	All	N
Black		100%	0%	100%	2
	Other	100%	0%	100%	1
	Violent	100%	0%	100%	1
Hispanic		100%	0%	100%	2
	Property	100%	0%	100%	1
	Violent	100%	0%	100%	1
White		60%	40%	100%	5
	Other	100%	0%	100%	1
	Property	0%	100%	100%	1
	Violent	67%	33%	100%	3
All		78%	22%	100%	9

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

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

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

Gender		No	Yes	All	N
Female		100%	0%	100%	1
	Violent	100%	0%	100%	1
Male		75%	25%	100%	8
	Other	100%	0%	100%	2
	Property	50%	50%	100%	2
	Violent	75%	25%	100%	4
All		78%	22%	100%	9

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. Cases sentenced in 2016 to probation or a deferred judgment that received a revocation in the 16th Judicial District are included in the analyses presented here.¹⁸ Those sentenced near the end of 2016 may not have had enough time to get revoked. **Note that these are cases, not individuals.** Counting cases and not individuals is likely to inflate the proportion of revocations presented in these analyses. For example, the Judicial Department reports that in 2016, 22% of adult state probation terminations were the result of a

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

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, 26% of county court cases receiving a probation/deferred judgment in the 16th Judicial District in 2016 were revoked. Hispanics were more likely to be revoked compared to Whites (36% and 18%, respectively). Hispanics and Whites with Violent offenses were most likely to be revoked. The few cases with Black defendants (n=4) means that this information must be interpreted with caution. Women were less likely to be revoked compared to men (18% and 29%, respectively).

Revocations from probation/deferred judgments occurred more frequently in district court (31%) compared to county court (26%) in 2016. In district court, Hispanics were more likely to be revoked than Whites (40% compared to 20%, respectively). Women in adult district court were more likely than men to get revoked (44% compared to 36%, respectively). Women with Drug cases (43%) were most likely, compared to those with other crime types, to get revoked; men with Property offenses (46%) 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 16th Judicial District were revoked. The few numbers of cases in juvenile court (n=9) means that caution should be used when interpreting the findings. No females and two males were revoked in 2016.

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
		Drunkenness
		Hit and Run
		Human Trafficking - Labor
		Liquor Law Violations
		Non-violent Family Offenses
		Runaway
		Trespassing
		Wagering
	Other Sex Crime	
		Fondling
		Human Trafficking - Commercial Sex Acts
		Peeping Tom
		Pornography
		Promoting Prostitution
		Prostitution
		Purchasing Prostitution
	Weapons	
		Weapons Laws Violation
Property		
	Arson	
		Arson
	Burglary	
		Burglary
	Fraud	
		Counterfeit
		Credit Card/ATM Fraud
		Embezzlement

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

Appendix B

Most serious filing/conviction charge categories

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

Arson - 1st - 4th degree arson

Burglary - 1st to 3rd degree burglary, possession of burglary tools

Drug Poss - drug possession, paraphernalia possession

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

Escape

Extortion

Felony Assault - 1st and 2nd degree assault, vehicular assault, felony menacing, felony stalking, felony child abuse, witness intimidation

Forgery

Fraud

Homicide - 1st and 2nd degree murder

Kidnapping - 1st and 2nd degree kidnapping, false imprisonment, human trafficking, violation of custody

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

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

Misd Assault -3rd degree assault, child abuse, violation of a protection order, harassment

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

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