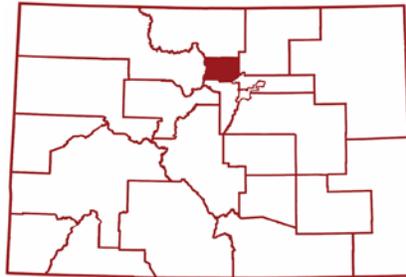# Senate Bill 15-185 CLEAR Act

2016

Community Law Enforcement Action Reporting Act

20th Judicial District

20th Judicial District: Population race/ethnicity estimates, 2016

Age Group	Race/ethnicity	%	N
Adult		**80%**	**256,570**
	Black	1%	2,489
	Hispanic	12%	31,521
	Other	6%	14,396
	White	81%	208,163
Juvenile		**20%**	**65,302**
	Black	2%	1,029
	Hispanic	24%	15,787
	Other	7%	4,404
	White	68%	44,081
All		**100%**	**321,872**

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

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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 20th Judicial District for events that occurred in 2016. The statewide report and individual judicial district reports may be found here: *colorado.gov/dcj-ors/ors-SB185*.

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

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

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[1] This report is available at *http://cdpsdocs.state.co.us/ors/docs/reports/2016-SB15-185-Rpt.pdf*.
[2] For more information about the Commission, see *https://www.colorado.gov/ccjj*.

Executive Summary

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

In 2017, following the publication of the first CLEAR Act report,[3] the findings from the statewide analysis were presented to the Colorado Commission on Criminal and Juvenile Justice.[4] At the conclusion of the presentation, the Commission voted unanimously to request that the next analyses disaggregate the data by judicial district so that local stakeholders could examine if and where disparities exist, and develop strategies to address them. This report of 2016 data was prepared for the 20th 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 20th Judicial District was 321,872. The adult population was comprised as follows: White, 81%; Black, 1%; Hispanic, 12%; and Other, 6%. The juvenile population was comprised as follows: White, 68%, Black, 2%, Hispanic 24%, and Other 7%. Males made up 50% of the state population and females made up the other half of the population.

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

To improve upon the accuracy of the race/ethnicity designation in court data in this analysis, court cases were matched to the Colorado Bureau of Investigation's National Incident Based Reporting System (NIBRS) arrest data, which contains both race and ethnicity. To obtain ethnicity information, the defendant's name and date of birth in the court record was matched to arrest data and the ethnicity was extracted for all arrests. If the ethnicity recorded for any 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 14,529 arrests/summonses in the 20th 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,

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[3] This report is available at *http://cdpsdocs.state.co.us/ors/docs/reports/2016-SB15-185-Rpt.pdf*.
[4] For more information about the Commission, see *https://www.colorado.gov/ccjj*.
[5] The arrest information includes 17 offense categories summarized from more than 40, and the court data includes 24 offense categories summarized from more than 1500 statutes.

arrests/summonses for Drug offenses accounted for 7% of all arrests/summonses and Violent crimes accounted for another 10% of arrests/summonses, Property offenses accounted for 12% of arrests/summonses, and the remainder of arrests/summonses (71%) fell into the Other crime category. Blacks represented 1% of the population in the 20th Judicial District in 2016, but accounted for 5% of arrests/summonses. Hispanics represented 15% of the population and 18% 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. Violent crimes were less likely than the other crime categories to result in a summons.

Filings. This study of 5,741 case filings in county, district, and juvenile courts combined found that, while Blacks represented 1% of the population in the 20th Judicial District, and 5% of the arrests/summonses in 2016, they accounted for 6% of district court filings. In juvenile court, Blacks represented 4% of cases, compared to 2% Black juveniles in the population. Hispanic adults made up 12% of the adult population in the 20th Judicial District but had 26% of district court filings in 2016. The race/ethnicity distribution across the four crime categories was relatively consistent. In terms of gender, 24% of filings were females and 76% were males. Females were more likely to have cases in county court (27%) compared to adult district court (20%) and juvenile court (24%). Only 1% of cases completed a trial in county, district court and juvenile court; violent cases were more likely than other offense types to complete a trial. Note that these cases are not necessarily the same cases in the **Law Enforcement Data** section above.

Case outcomes. Caution should be used when interpreting the case outcome since many factors can influence the decision. For example, the existence of prior cases (criminal history) may influence the outcome of a case. Additionally, most cases contain multiple charges, and many cases have concurrent cases. These factors are likely to significantly affect the outcome of a case. In particular, all charges in a case may be dismissed or modified as part of a plea agreement involving that case or multiple cases. In fact, 23% of cases in county court were dismissed, as were 9% of cases in district court and 13% of cases in juvenile court. One-third (34%) of county court cases were convicted as charged compared to 16% in district court and 49% in juvenile court. One-third (33%) of county court cases were convicted of a different charge, as were over half (63%) of district court cases, and 33% 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 2% of cases (this figure represents only one case), and community service for 19% of cases. Deferred judgments occurred for one-quarter of Property (29%) and 21% of Violent crime cases, 20% of Other cases, and 52% for Drug cases. Jail was the sentence in one-third (33%) of property crimes and 27% of Other offenses. Those in the Other race/ethnicity category in county court were much more likely to receive a deferred judgment (40% compared to 18%-25% for other race/ethnicities); Hispanics and Blacks were least likely to receive a deferred judgment (each at 18%) compared to Whites (25%). Blacks were considerably more likely to receive jail time (35%) compared to Whites (23%).

In district court, probation was the most frequently occurring initial sentence, imposed 67% of the time for Drug cases. The second most frequently occurring sentence in district court was a jail sentence: 22% of Drug cases, 22% of Other cases, 15% of Property cases, and 15% of Violent cases received a jail sentence. Initial sentences to the Department of Corrections occurred infrequently, but were most likely with Violent cases. Women were much more likely to receive probation compared to men (64% versus 56%, respectively) and less likely to receive a jail sentence (14% compared to 19%, respectively). One-tenth (11%) of initial sentences for Hispanics were to the Department of Corrections, compared to 7% for Whites. Hispanics were less likely than Whites to receive a deferred judgment in district court (6% and 13%, respectively).

In juvenile court, initial sentences to probation were the most frequently occurring sentence, followed by deferred judgments. Violent cases were more likely than other offense categories to receive a deferred judgment. Females were more likely than males to receive a deferred judgment (49% compared to 32%, respectively). Across race/ethnicity categories, Blacks were considerably more likely than Whites to receive an initial sentence to the Division of Youth Services (17% and 2%, respectively). However, the few numbers of Black defendants (n=18) in juvenile court means this information should be interpreted with caution.

Revocations. Cases sentenced in 2016 to probation or a deferred judgment that received a revocation in the 20th 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, 18% of county court cases receiving a probation/deferred judgment in the 20th Judicial District in 2016 were revoked. Hispanics and those in the Other race/ethnicity categories were slightly more likely to be revoked compared to the overall revocation rate (24% and 25% respectively, compared to 18%). Blacks were most likely to be revoked when the most serious crime was Other (20%, however, because of the small number of cases [n=20], this information should be interpreted with caution). Hispanics with Drug cases (38%) were most likely to get revoked in county court, however, there were only 8 cases in this group so the information must be interpreted with caution. Females were slightly less likely than males to get revoked (17% and 19%, respectively).

Revocations from probation/deferred judgments occurred more frequently in district court (28%) compared to county court (18%) in 2016. In district court, Hispanics were most likely to be revoked (34% compared to 28% overall). Blacks (16%) were less likely to be revoked compared to Whites (27%) and Hispanics (34%). Hispanics with Drug offenses were most likely to be revoked (53%). None of the cases in the Other race/ethnicity category were revoked, however, the number of cases is quite small (n=18). Women in adult district court were slightly less likely than men to get revoked (27% compared to 28%). Men and women with Drug cases were most likely, compared to those with other crime types, to get revoked.

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

In juvenile court, 33% of cases sentenced to probation/deferred judgment in 2016 in the 20th Judicial District were revoked. Hispanics were most likely to get revoked (46%); none of those in the Black and Other race/ethnicity categories were revoked in 2016. Females were revoked at a rate of 21% compared to 37% for males. Comparing across crime types, females with Drug offenses were most likely to be revoked (38%) and males with Property cases were most likely to be revoked (43%).

Section 1: 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). Over 14,000 NIBRS incidents in the 20th Judicial District were analyzed for calendar year 2016 (Table 1-1).

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

[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, 20th Judicial District, 2016

Arrest type	%	N
Custody/warrant	37%	5,410
On-view/probable cause	28%	4,116
Summons	34%	5,003
All	**100%**	**14,529**

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, 20th Judicial District, 2016

Court	%	N
Adult District	39%	2,240
County	53%	3,060
Juvenile	8%	441
All	**100%**	**5,741**

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 5,741 *cases not individuals*. Individuals may have multiple, concurrent cases,[11] and cases typically have multiple charges. Frequently cases and charges are dismissed for a judgment in a concurrent case. The **Dismissed/Not Guilty** category in the tables that follow means that some charges were dismissed and some were found not guilty.

The crime information analyzed for this study reflects the most serious filing or conviction charge for 24 offense categories[12] which, for the analysis presented in this document, have been collapsed into four categories: Drug, Other, Property and Violent.[13] The analysis of the 24 offense categories is available on the

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[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.

[12] The 24 offense categories are summarized from more than 1500 statutes.

[13] Note that all offenses include attempts, solicitations, and conspiracies.

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.

Section 2: Law Enforcement Information

Arrest/summons

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

Table 2-1. Arrests by offense

Offense	%	N
Drugs	7%	1,076
Other	71%	10,353
Property	12%	1,715
Violent	10%	1,385
All	100%	14,529

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

Table 2-2 reflects over 14,000 arrests/summonses captured in NIBRS for calendar year 2016 in the 20th Judicial District, by race/ethnicity. Blacks represented 1% of the population in 2016, but accounted for 5% of arrests/summonses in the 20th Judicial District. Hispanics represented 15% of the population and accounted for 18% of arrests. The Other race/ethnicity category represented 6% of the population, and was underrepresented in arrests (3%).

Table 2-2. Arrests by race/ethnicity

Race/ethnicity	%	N
Black	5%	672
Hispanic	18%	2,620
Other	3%	383
White	75%	10,854
All	100%	14,529

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

Table 2-3 shows that juveniles accounted for 5% of on view/probable cause arrests, and that 28% of those arrests were for violent crimes, a proportion higher than adults (22%). Juveniles accounted for 5% of custody/warrant arrests (Table 2-4). Overall, juveniles were more likely to get summoned than arrested; they accounted for 16% of summonsed cases (Table 2-5). Not surprisingly, violent offenses were least likely to result in a summons for adults and juveniles (Table 2-5).

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

Age Group	Offense	%	N
Adult		**95%**	**3,903**
	Drugs	9%	357
	Other	58%	2,272
	Property	11%	434
	Violent	22%	840
Juvenile		**5%**	**213**
	Drugs	13%	28
	Other	31%	65
	Property	29%	61
	Violent	28%	59
All		**100%**	**4,116**

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		**95%**	**5,138**
	Drugs	3%	129
	Other	87%	4,483
	Property	5%	270
	Violent	5%	256
Juvenile		**5%**	**272**
	Drugs	3%	7
	Other	78%	212
	Property	9%	25
	Violent	10%	28
All		**100%**	**5,410**

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		**84%**	**4,180**
	Drugs	8%	353
	Other	71%	2,948
	Property	17%	725
	Violent	4%	154
Juvenile		**16%**	**823**
	Drugs	25%	202
	Other	45%	373
	Property	24%	200
	Violent	6%	48
All		**100%**	**5,003**

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 9% of probable cause arrests were for Drug related offenses, 57% were for Other offenses, 12% for Property offenses, and 22% for Violent offenses. While Blacks

made up 1% of the population in the 20th Judicial District, Table 2-6 shows that they were arrested at multiple times that rate for probable cause arrests in 2016: 5% of Drug arrests were Blacks, 4% of arrests for Other offenses were Blacks, 4% of Property arrests were Blacks, and 6% of Violent arrests were Blacks. Likewise, while Hispanics represented 15% of the population in 2016, they accounted for 26% of Drug offenses, 20% of Property arrests and 22% of Violent probable cause arrests in the 20th Judicial District.

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

Offense	Race/ethnicity	%	N
Drugs		**9%**	**385**
	Black	5%	18
	Hispanic	26%	99
	Other	1%	3
	White	69%	265
Other		**57%**	**2,337**
	Black	4%	97
	Hispanic	20%	464
	Other	2%	54
	White	74%	1,722
Property		**12%**	**495**
	Black	4%	19
	Hispanic	20%	100
	Other	3%	14
	White	73%	362
Violent		**22%**	**899**
	Black	6%	57
	Hispanic	22%	199
	Other	3%	29
	White	68%	614
All		**100%**	**4,116**

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

The other arrest type, where an individual is taken into custody on an outstanding warrant, is depicted in Table 2-7. Nearly 90% (87%) of these arrests involved an offense that fell into the Other offense category. While only 5% of these types of arrests involved a Violent offense, Blacks made up 8% of Violent crime warrant arrests and Hispanics made up 27%, which is greater than the proportion of Blacks (1%) and Hispanics (15%) in the 20th Judicial District.

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

Offense	Race/ethnicity	%	N
Drugs		**3%**	**136**
	Black	6%	8
	Hispanic	21%	29
	Other	4%	5
	White	69%	94
Other		**87%**	**4,695**
	Black	5%	254
	Hispanic	19%	887
	Other	2%	107
	White	73%	3,447
Property		**5%**	**295**
	Black	6%	17
	Hispanic	19%	57
	Other	4%	12
	White	71%	209
Violent		**5%**	**284**
	Black	8%	22
	Hispanic	27%	76
	Other	4%	10
	White	62%	176
All		**100%**	**5,410**

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

Table 2-8 shows that summons were less likely to be issued for Violent offenses (4%) compared to Other (66%) and Property (18%) and that, of those summons issued for Violent crimes, 6% went to Blacks and 28% to Hispanics. Whites were least likely to be summonsed for a Violent crime (63%) and most likely for Other offenses (66%).

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

Offense	Race/ethnicity	%	N
Drugs		**11%**	**555**
	Black	3%	18
	Hispanic	18%	99
	Other	3%	16
	White	76%	422
Other		**66%**	**3,321**
	Black	4%	124
	Hispanic	11%	381
	Other	3%	103
	White	82%	2,713
Property		**18%**	**925**
	Black	3%	26
	Hispanic	19%	173
	Other	3%	24
	White	76%	702
Violent		**4%**	**202**
	Black	6%	12
	Hispanic	28%	56
	Other	3%	6
	White	63%	128
All		**100%**	**5,003**

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 16-34% of arrests and 23-44% of summonses (depending on the crime category) and men comprised the remainder.

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

Offense	Gender	%	N
Drugs		**9%**	**385**
	Female	28%	108
	Male	72%	277
Other		**57%**	**2,337**
	Female	23%	540
	Male	77%	1,797
Property		**12%**	**495**
	Female	27%	136
	Male	73%	359
Violent		**22%**	**899**
	Female	24%	217
	Male	76%	682
All		**100%**	**4,116**

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		**3%**	**136**
	Female	34%	46
	Male	66%	90
Other		**87%**	**4,695**
	Female	23%	1,098
	Male	77%	3,597
Property		**5%**	**295**
	Female	31%	90
	Male	69%	205
Violent		**5%**	**284**
	Female	16%	46
	Male	84%	238
All		**100%**	**5,410**

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

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

Offense	Gender	%	N
Drugs		**11%**	**555**
	Female	23%	125
	Male	77%	430
Other		**66%**	**3,321**
	Female	29%	950
	Male	71%	2,371
Property		**18%**	**925**
	Female	44%	404
	Male	56%	521
Violent		**4%**	**202**
	Female	31%	62
	Male	69%	140
All		**100%**	**5,003**

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 14,529 arrests/summonses in the 20th Judicial District. For this analysis, dozens of offense categories were collapsed into four broad groups of crimes: Drugs, Other, Property and Violence (see Appendix A for the list of offenses in these categories). In 2016, arrests/summonses for Drug offenses accounted for 7% of all arrests/summonses and Violent crimes accounted for another 10% of arrests/summonses, Property offenses accounted for 12% of arrests/summonses, and the remainder of arrests/summonses (71%) fell into the Other crime category. Blacks represented 1% of the population in the 20th Judicial District in 2016, but accounted for 5% of arrests/summonses. Hispanics represented 15% of the population and 18% 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. Violent crimes were less likely than the other crime categories to result in a summons.

Section 3: Court Case Processing

The Judicial Branch's information management system contains county and district court adult and juvenile case filings and dispositions statewide, with the exception of Denver County Court.[14] For this analysis, cases were selected for the 20th Judicial District. County court contains both adult and juvenile misdemeanor cases. The data are presented here by court type: county, adult district, and juvenile. Juveniles who were charged as adults are in adult district court.

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

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

Additionally, all offenses presented in the analysis of court data <u>include</u> attempts, solicitations, and conspiracies.

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

Case Filings

Overall

Table 3-1 depicts race/ethnicity distribution for 5,741 case filings in county, adult district, and juvenile courts combined in the 20th Judicial District. While Blacks represented 1% of the population and 5% of the arrests/summonses in 2016, they accounted for 5% of court filings. Hispanics represented 15% of the population and 25% of case filings. Note that these cases are not necessarily the same cases in the **Law enforcement data** section above.

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

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

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

Race/ethnicity	%	N
Black	5%	277
Hispanic	25%	1,463
Other	2%	109
White	68%	3,892
All	**100%**	**5,741**

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 11% of cases, and Violent charges comprised the largest category at 35% of charges filed. The race/ethnicity distribution was generally consistent across crime types.

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

Offense	Race/ethnicity	%	N
Drugs		**11%**	**610**
	Black	5%	28
	Hispanic	24%	148
	Other	1%	8
	White	70%	426
Other		**25%**	**1,409**
	Black	5%	67
	Hispanic	29%	409
	Other	2%	22
	White	65%	911
Property		**30%**	**1,703**
	Black	5%	77
	Hispanic	22%	376
	Other	2%	35
	White	71%	1,215
Violent		**35%**	**2,019**
	Black	5%	105
	Hispanic	26%	530
	Other	2%	44
	White	66%	1,340
All		**100%**	**5,741**

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

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

Table 3-3 depicts that, across all court types, 24% of filings were females and 76% were males. Females were slightly more likely than men to be involved in Property crimes (31% compared to 29%, respectively) and slightly more to be involved in Violent offenses (36% compared to 35%, respectively).

Table 3-3. Most serious filing charge by gender

Gender	Offense	%	N
Female		**24%**	**1,369**
	Drugs	12%	164
	Other	21%	289
	Property	31%	420
	Violent	36%	496
Male		**76%**	**4,372**
	Drugs	10%	446
	Other	26%	1,120
	Property	29%	1,283
	Violent	35%	1,523
All		**100%**	**5,741**

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 20th Judicial District. County court had the most cases in 2016 (53% of the total), followed by adult district court (39%) and juvenile court at 8%. Blacks, comprising 1% of the population in the 20th Judicial District, represented 4% of county court cases filed compared to 6% in adult district court and 4% in juvenile court. Hispanic made up 12% of the adult population in the 20th Judicial District and 26% of district court filings in 2016.

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

Court	Race/ethnicity	%	N
Adult District		**39%**	**2,240**
	Black	6%	124
	Hispanic	26%	586
	Other	2%	36
	White	67%	1,494
County		**53%**	**3,060**
	Black	4%	137
	Hispanic	22%	687
	Other	2%	71
	White	71%	2,165
Juvenile		**8%**	**441**
	Black	4%	16
	Hispanic	43%	190
	Other	<1%	2
	White	53%	233
All		**100%**	**5,741**

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

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

Table 3-5 provides the type of offense by court type. Nearly half (45%) of county court cases were Violent offenses (primarily misdemeanor assault); Property offenses (34%) and Violent cases (24%) comprised the largest categories of cases in adult district court. Property crimes (37%) made up the largest crime category of cases filed in juvenile court. Table 3-6 presents the distribution across gender for cases in county, district and juvenile court. Females were more likely to have cases in county court (27%) compared to adult district court (20%) and juvenile court (24%).

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

Court	Offense	%	N
Adult District		**39%**	**2,240**
	Drugs	21%	468
	Other	22%	490
	Property	34%	752
	Violent	24%	530
County		**53%**	**3,060**
	Drugs	4%	110
	Other	26%	797
	Property	26%	786
	Violent	45%	1,367
Juvenile		**8%**	**441**
	Drugs	7%	32
	Other	28%	122
	Property	37%	165
	Violent	28%	122
All		**100%**	**5,741**

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		**39%**	**2,240**
	Female	20%	445
	Male	80%	1,795
County		**53%**	**3,060**
	Female	27%	818
	Male	73%	2,242
Juvenile		**8%**	**441**
	Female	24%	106
	Male	76%	335
All		**100%**	**5,741**

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

Trials

Table 3-7 shows how very infrequently cases in these courts completed a trial (1%) in 2016. Table 3-8 combines information across court types and shows the number of trials completed by offense category. Cases with a Violent offense were most likely to complete a trial.

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

Court	Completed Trial	%	N
Adult District		**39%**	**2,240**
	No	99%	2,222
	Yes	1%	18
County		**53%**	**3,060**
	No	99%	3,044
	Yes	1%	16
Juvenile		**8%**	**441**
	No	99%	438
	Yes	1%	3
All		**100%**	**5,741**

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		**11%**	**610**
	No	100%	609
	Yes	<1%	1
Other		**25%**	**1,409**
	No	99%	1,401
	Yes	1%	8
Property		**30%**	**1,703**
	No	100%	1,696
	Yes	<1%	7
Violent		**35%**	**2,019**
	No	99%	1,998
	Yes	1%	21
All		**100%**	**5,741**

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 5,741 case filings in county, district, and juvenile courts combined found that, while Blacks represented 1% of the population in the 20th Judicial District, and 5% of the arrests/summonses in 2016, they accounted for 6% of district court filings. In juvenile court, Blacks represented 4% of cases, compared to 2% Black juveniles in the population. Hispanic adults made up 12% of the adult population in the 20th Judicial District but had 26% of district court filings in 2016. The race/ethnicity distribution across the four crime categories was relatively consistent. In terms of gender, 24% of filings were females and 76% were males. Females were more likely to have cases in county court (27%) compared to adult district court (20%) and juvenile court (24%). Only 1% of cases completed a trial in county, district court and juvenile court; violent cases were more likely than other offense types to complete a trial. Note that these cases are not necessarily the same cases in the **Law Enforcement Data** section above.

Case outcomes

The following three tables present the case outcomes for the 20th Judicial District, by race/ethnicity and most serious filing charge (including attempt, conspiracy and solicitation), for county court, district court, and juvenile court in 2016. It is important to remember that most cases contain multiple charges, and many cases have concurrent cases. All charges in a case may be dismissed or modified as part of a plea agreement involving that case or multiple cases. In fact, overall, in nearly one-quarter (23%) 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 34% of cases were convicted as charged, and 33% were convicted of another crime. In adult district court (Table 3-10), 63% were convicted of another crime and 16% were convicted as charged. In juvenile court (Table 3-11), 33% were convicted of another offense and 49% were convicted as charged.

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

Race/ethnicity		Convicted as charged	Convicted other crime	Dismissed/not guilty	Not yet resolved/case closed	All	N
Black		**31%**	**36%**	**20%**	**13%**	**100%**	**137**
	Drugs	50%	0%	0%	50%	100%	2
	Other	32%	35%	19%	14%	100%	37
	Property	30%	41%	15%	15%	100%	27
	Violent	30%	35%	24%	11%	100%	71
Hispanic		**34%**	**37%**	**20%**	**9%**	**100%**	**687**
	Drugs	29%	38%	33%	0%	100%	24
	Other	47%	34%	10%	10%	100%	189
	Property	33%	35%	22%	10%	100%	138
	Violent	27%	40%	23%	10%	100%	336
Other		**28%**	**28%**	**32%**	**11%**	**100%**	**71**
	Drugs	0%	50%	50%	0%	100%	2
	Other	31%	44%	19%	6%	100%	16
	Property	29%	17%	38%	17%	100%	24
	Violent	28%	28%	34%	10%	100%	29
White		**35%**	**32%**	**24%**	**9%**	**100%**	**2,165**
	Drugs	49%	18%	18%	15%	100%	82
	Other	35%	34%	20%	11%	100%	555
	Property	37%	27%	26%	10%	100%	597
	Violent	33%	35%	25%	8%	100%	931
All		**34%**	**33%**	**23%**	**10%**	**100%**	**3,060**

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		12%	56%	13%	19%	100%	124
	Drugs	8%	65%	8%	19%	100%	26
	Other	15%	56%	30%	0%	100%	27
	Property	7%	58%	2%	33%	100%	43
	Violent	21%	46%	18%	14%	100%	28
Hispanic		14%	66%	8%	13%	100%	586
	Drugs	6%	75%	7%	11%	100%	110
	Other	18%	59%	12%	11%	100%	160
	Property	14%	67%	5%	14%	100%	172
	Violent	15%	64%	6%	15%	100%	144
Other		17%	50%	14%	19%	100%	36
	Drugs	0%	100%	0%	0%	100%	6
	Other	20%	40%	40%	0%	100%	5
	Property	18%	36%	9%	36%	100%	11
	Violent	21%	43%	14%	21%	100%	14
White		17%	62%	10%	11%	100%	1,494
	Drugs	9%	72%	7%	11%	100%	326
	Other	19%	55%	17%	9%	100%	298
	Property	18%	61%	9%	11%	100%	526
	Violent	19%	60%	6%	14%	100%	344
All		16%	63%	9%	12%	100%	2,240

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		**69%**	**25%**	**0%**	**6%**	**100%**	**16**
	Other	67%	33%	0%	0%	100%	3
	Property	57%	29%	0%	14%	100%	7
	Violent	83%	17%	0%	0%	100%	6
Hispanic		**47%**	**37%**	**11%**	**5%**	**100%**	**190**
	Drugs	36%	36%	29%	0%	100%	14
	Other	47%	30%	17%	7%	100%	60
	Property	47%	36%	9%	8%	100%	66
	Violent	50%	46%	2%	2%	100%	50
Other		**0%**	**50%**	**0%**	**50%**	**100%**	**2**
	Other	0%	0%	0%	100%	100%	1
	Violent	0%	100%	0%	0%	100%	1
White		**49%**	**30%**	**15%**	**6%**	**100%**	**233**
	Drugs	39%	50%	11%	0%	100%	18
	Other	45%	24%	22%	9%	100%	58
	Property	50%	33%	14%	3%	100%	92
	Violent	55%	25%	12%	8%	100%	65
All		**49%**	**33%**	**13%**	**6%**	**100%**	**441**

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, 23% of cases in county court were dismissed, as were 9% of cases in district court and 13% of cases in juvenile court. One-third (34%) of county court cases were convicted as charged compared to 16% in district court and 49% in juvenile court. One-third (33%) of county court cases were convicted of a different charge, as were over half (63%) of district court cases, and 33% of juvenile court cases.

Initial sentences

The tables below show cases sentenced between Jan 1, 2016 and Dec 31, 2016 in the 20th Judicial District, in county court, district court, and juvenile court. These cases are not necessarily the same cases in the **Case Filings** section above. Also, because these data represent cases, not individuals, the number of individuals sentenced to the Department of Corrections (DOC) or the Division of Youth Services (DYS) from this jurisdiction will not match the number reported as admissions by DOC or DYS.

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

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

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

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

County court

Table 3-12 presents the initial sentence for each of the four offense types for county court cases in the 20th Judicial District in 2016. County court Drug cases resulted in a fine in 2% of cases (this figure represents only one case), and community service for 19% of cases. Deferred judgments occurred for one-quarter of Property (29%) and 21% of Violent crime cases, 20% of Other cases, and 52% for Drug cases. Jail was the sentence in one-third (33%) of property crimes and 27% of Other offenses.

Table 3-12. Initial sentence in County Court, by most serious conviction charge (N=2,144)

Sentence	Drugs	%	Other	%	Property	%	Violent	%
Community Service	12	19%	34	4%	20	4%	3	<1%
Deferred	32	52%	174	20%	150	29%	144	21%
Fines/fees	1	2%	52	6%	39	7%	9	1%
Jail	9	15%	230	27%	175	33%	118	17%
Probation/Intensive Supervision	8	13%	329	38%	89	17%	412	59%
Unsupervised Probation	0	0%	41	5%	51	10%	12	2%
All	62	100%	860	100%	524	100%	698	100%

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

Table 3-13 reflects initial county court sentences by gender. Women were significantly more likely than men to receive a deferred judgment in county court (35% compared to 19%, respectively). Men were more likely than women to receive a jail sentence (28% for men compared to 16% for women).

Table 3-13. Initial sentence in County Court by gender (N=2,144)

Sentence	Female	%	Male	%
Community Service	15	3%	54	3%
Deferred	196	35%	304	19%
Fines/fees	15	3%	86	5%
Jail	90	16%	442	28%
Probation/Intensive Supervision	218	39%	620	39%
Unsupervised Probation	25	4%	79	5%
All	559	100%	1,585	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 20th Judicial District. Those in the Other race/ethnicity category were much more likely to receive a deferred judgment (40% compared to 18%-25% for other race/ethnicities); Hispanics and Blacks were least likely to receive a deferred judgment (each at 18%) compared to Whites (25%). Blacks were considerably more likely to receive jail time (35%) compared to Whites (23%).

Table 3-14. Initial sentence in County Court by race/ethnicity* (N=2,144)

Sentence	Black	Hispanic	Other	White
N	82	475	43	1,544
Community Service	4%	2%	0%	4%
Deferred	18%	18%	40%	25%
Fines/fees	6%	4%	2%	5%
Jail	35%	28%	23%	23%
Probation/Intensive Supervision	32%	44%	33%	38%
Unsupervised Probation	5%	5%	2%	5%
All	100%	100%	100%	100%

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

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

The following four tables show the initial county court sentence for each of the four offense categories, by race/ethnicity. Table 3-15 shows initial sentences for county court Drug cases. The few numbers of cases in the Black (n=1) and Hispanic (n=14) race/ethnicity categories require caution when interpreting the findings.

Table 3-15. Initial sentence for Drugs as most serious conviction in County Court by race/ethnicity* (N=62)

Sentence	Black	Hispanic	White
N	1	14	47
Community Service	0%	7%	23%
Deferred	100%	36%	55%
Fines/fees	0%	7%	0%
Jail	0%	29%	11%
Probation/Intensive Supervision	0%	21%	11%
All	100%	100%	100%

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

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

Table 3-16 shows that, for those with Other as the most serious county court conviction charge, Hispanics (30%) were somewhat more likely than Whites (26%) to receive a jail sentence. Blacks were especially unlikely to receive a deferred judgment compared to Whites (12% and 21%, 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 and especially Blacks were more likely to receive jail sentences compared to Whites.

Table 3-16. Initial sentence for Other as most serious conviction in County Court by race/ethnicity* (N=860)

Sentence	Black	Hispanic	Other	White
N	33	195	18	614
Community Service	3%	4%	0%	4%
Deferred	12%	17%	50%	21%
Fines/fees	9%	4%	0%	7%
Jail	27%	30%	17%	26%
Probation/Intensive Supervision	39%	40%	33%	38%
Unsupervised Probation	9%	5%	0%	5%
All	100%	100%	100%	100%

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

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

Table 3-17. Initial sentence for Property as most serious conviction in County Court by race/ethnicity* (N=524)

Sentence	Black	Hispanic	Other	White
N	19	91	13	401
Community Service	11%	2%	0%	4%
Deferred	21%	22%	38%	30%
Fines/fees	0%	7%	8%	8%
Jail	58%	38%	46%	31%
Probation/Intensive Supervision	11%	21%	0%	17%
Unsupervised Probation	0%	10%	8%	10%
All	100%	100%	100%	100%

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

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

Table 3-18. Initial sentence for Violent as most serious conviction in County Court by race/ethnicity* (N=698)

Sentence	Black	Hispanic	Other	White
N	29	175	12	482
Community Service	0%	1%	0%	<1%
Deferred	21%	14%	25%	23%
Fines/fees	7%	1%	0%	1%
Jail	31%	19%	8%	15%
Probation/Intensive Supervision	38%	61%	67%	59%
Unsupervised Probation	3%	3%	0%	1%
All	**100%**	**100%**	**100%**	**100%**

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

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

District court

Table 3-19 shows the initial sentence by offense type for district court cases in the 20th Judicial District. Probation was the most frequently occurring initial sentence, imposed 67% of the time for Drug cases. The second most frequently occurring sentence in district court was a jail sentence: 22% of Drug cases, 22% of Other cases, 15% of Property cases, and 15% of Violent cases received a jail sentence. Initial sentences to the Department of Corrections occurred infrequently, but were most likely with Violent cases.

Table 3-20 indicates the initial sentence in district court by gender. Women were much more likely to receive probation compared to men (64% versus 56%, respectively) and less likely to receive a jail sentence (14% compared to 19%, respectively).

Table 3-19. Initial sentence in Adult District Court, by most serious conviction charge (N=1,827)

Sentence	Drugs	%	Other	%	Property	%	Violent	%
Community Corrections	5	1%	13	4%	23	4%	13	3%
Community Service	6	2%	5	1%	3	<1%	1	<1%
Deferred	22	6%	26	7%	98	16%	56	12%
Dept of Corrections	6	2%	38	11%	46	8%	61	13%
Fines/fees	3	1%	10	3%	6	1%	2	<1%
Jail	84	22%	79	22%	92	15%	71	15%
Probation/Intensive Supervision	259	67%	189	52%	338	56%	272	57%
All	**385**	**100%**	**360**	**100%**	**606**	**100%**	**476**	**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=1,827)

Sentence	Female	%	Male	%
Community Corrections	11	3%	43	3%
Community Service	3	1%	12	1%
Deferred	48	13%	154	11%
Dept of Corrections	9	2%	142	10%
Fines/fees	7	2%	14	1%
Jail	52	14%	274	19%
Probation/Intensive Supervision	232	64%	826	56%
All	**362**	**100%**	**1,465**	**100%**

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

Table 3-21 shows the initial sentence in adult district court by race/ethnicity combining all crime types. One-tenth (11%) of initial sentences for Hispanics were to the Department of Corrections, compared to 7% for Whites. Hispanics were less likely than Whites to receive a deferred judgment in district court (6% and 13%, respectively).

Table 3-21. Initial sentence in Adult District Court by race/ethnicity* (N=1,827)

Sentence	Black	Hispanic	Other	White
N	83	477	25	1,242
Community Corrections	5%	3%	0%	3%
Community Service	0%	2%	4%	<1%
Deferred	12%	6%	8%	13%
Dept of Corrections	6%	11%	4%	7%
Fines/fees	2%	1%	0%	1%
Jail	13%	20%	20%	17%
Probation/Intensive Supervision	61%	57%	64%	58%
All	**100%**	**100%**	**100%**	**100%**

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

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

The following four tables show initial district court sentences for each of the offense categories, by race/ethnicity. Table 3-22 shows the sentences cases received for Drug offenses. The majority of cases received a probation sentence; the next most frequent initial sentence was to jail. Blacks were more likely than Whites to receive a jail sentence (33% compared to 20%, respectively), but the few numbers of Drug cases with Black defendants (n=15) means this information should be interpreted with caution. Hispanics, compared to Whites, were somewhat more likely to receive a jail sentence (25% compared to 20%, respectively). For Other offenses, Hispanics were more likely than Whites to receive prison sentences (14% and 10%, respectively) (Table 3-23); Hispanics were more likely than Whites to receive a prison sentence for Property and Violent crimes (Tables 3-24 and 3-25).

Table 3-22. Initial sentence for Drugs as most serious conviction in Adult District Court by race/ethnicity (N=385)*

Sentence	Black	Hispanic	Other	White
N	15	99	6	265
Community Corrections	0%	3%	0%	1%
Community Service	0%	2%	0%	2%
Deferred	0%	3%	0%	7%
Dept of Corrections	0%	3%	17%	1%
Fines/fees	0%	2%	0%	<1%
Jail	33%	25%	17%	20%
Probation/Intensive Supervision	67%	62%	67%	69%
All	**100%**	**100%**	**100%**	**100%**

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

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

Table 3-23. Initial sentence for Other as most serious conviction in Adult District Court by race/ethnicity (N=360)*

Sentence	Black	Hispanic	Other	White
N	15	101	5	239
Community Corrections	0%	2%	0%	5%
Community Service	0%	3%	20%	<1%
Deferred	7%	7%	0%	8%
Dept of Corrections	0%	14%	0%	10%
Fines/fees	7%	1%	0%	3%
Jail	7%	17%	0%	26%
Probation/Intensive Supervision	80%	56%	80%	49%
All	**100%**	**100%**	**100%**	**100%**

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

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

Table 3-24. Initial sentence for Property as most serious conviction in Adult District Court by race/ethnicity* (N=606)

Sentence	Black	Hispanic	Other	White
N	33	145	3	425
Community Corrections	9%	4%	0%	3%
Community Service	0%	1%	0%	<1%
Deferred	18%	8%	33%	19%
Dept of Corrections	3%	11%	0%	7%
Fines/fees	3%	2%	0%	<1%
Jail	9%	17%	33%	15%
Probation/Intensive Supervision	58%	57%	33%	55%
All	**100%**	**100%**	**100%**	**100%**

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

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

Table 3-25. Initial sentence for Violent as most serious conviction in Adult District Court by race/ethnicity* (N=476)

Sentence	Black	Hispanic	Other	White
N	20	132	11	313
Community Corrections	5%	4%	0%	2%
Community Service	0%	1%	0%	0%
Deferred	15%	5%	9%	15%
Dept of Corrections	20%	15%	0%	12%
Fines/fees	0%	1%	0%	<1%
Jail	10%	21%	27%	12%
Probation/Intensive Supervision	50%	54%	64%	59%
All	**100%**	**100%**	**100%**	**100%**

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

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

Juvenile court

Table 3-26 below reflects the initial sentence for juvenile court cases, by crime type, for the 20th Judicial District. Initial sentences to probation were the most frequently occurring sentence, followed by deferred judgments. Violent cases were more likely than other offense categories to receive a deferred judgment. Females were more likely than males to receive a deferred judgment (49% compared to 32%, respectively) (Table 3-27).

Table 3-26. Initial sentence in Juvenile Court, by most serious conviction charge (N=321)

Sentence	Drugs	%	Other	%	Property	%	Violent	%
Deferred	5	17%	27	36%	48	35%	36	46%

Dept of Corrections	0	0%	0	0%	1	1%	0	0%
Division of Youth Services	0	0%	3	4%	5	4%	3	4%
Fines/fees	1	3%	2	3%	0	0%	0	0%
Jail	1	3%	0	0%	2	1%	0	0%
Juvenile Detention	1	3%	6	8%	5	4%	2	3%
Probation/Intensive Supervision	22	73%	36	49%	78	56%	37	47%
All	**30**	**100%**	**74**	**100%**	**139**	**100%**	**78**	**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=321)

Sentence	Female	%	Male	%
Deferred	39	49%	77	32%
Dept of Corrections	0	0%	1	<1%
Division of Youth Services	0	0%	11	5%
Fines/fees	1	1%	2	1%
Jail	0	0%	3	1%
Juvenile Detention	3	4%	11	5%
Probation/Intensive Supervision	37	46%	136	56%
All	**80**	**100%**	**241**	**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. Across race/ethnicity categories, Blacks were considerably more likely than Whites to receive an initial sentence to the Division of Youth Services (17% and 2%, respectively). However, the few numbers of Black defendants (n=18) in juvenile court means this information should be interpreted with caution.

Table 3-28. Initial sentence in Juvenile Court by race/ethnicity* (N=321)

Sentence	Black	Hispanic	Other	White
N	18	144	3	156
Deferred	39%	31%	100%	39%
Dept of Corrections	6%	0%	0%	0%
Division of Youth Services	17%	3%	0%	2%
Fines/fees	0%	1%	0%	1%
Jail	0%	2%	0%	0%
Juvenile Detention	6%	5%	0%	4%
Probation/Intensive Supervision	33%	57%	0%	54%
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/defendants can be quite small in some categories; in these cases the findings should be interpreted with caution. Table 3-29 shows the initial sentence when a Drug offense was the most serious conviction crime; subsequent tables show the initial sentence for Other offenses, Property offenses, and Violent crimes. Interpretation of the findings is difficult given the few cases in many categories.

Table 3-29. Initial sentence for Drugs as most serious conviction in Juvenile Court by race/ethnicity* (N=30)

Sentence	Black	Hispanic	White
N	1	15	14
Deferred	0%	13%	21%
Fines/fees	0%	7%	0%
Jail	0%	7%	0%
Juvenile Detention	0%	0%	7%
Probation/Intensive Supervision	100%	73%	71%
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 3-30. Initial sentence for Other as most serious conviction in Juvenile Court by race/ethnicity* (N=74)

Sentence	Black	Hispanic	White
N	4	33	37
Deferred	25%	30%	43%
Division of Youth Services	25%	3%	3%
Fines/fees	0%	3%	3%
Juvenile Detention	0%	15%	3%
Probation/Intensive Supervision	50%	48%	49%
All	100%	100%	100%

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

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

Table 3-31. Initial sentence for Property as most serious conviction in Juvenile Court by race/ethnicity* (N=139)

Sentence	Black	Hispanic	White
N	6	64	69
Deferred	33%	33%	36%
Dept of Corrections	17%	0%	0%
Division of Youth Services	33%	3%	1%
Jail	0%	3%	0%
Juvenile Detention	17%	2%	4%
Probation/Intensive Supervision	0%	59%	58%
All	100%	100%	100%

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

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

Table 3-32. Initial sentence for Violent as most serious conviction in Juvenile Court by race/ethnicity* (N=78)

Sentence	Black	Hispanic	Other	White
N	7	32	3	36
Deferred	57%	38%	100%	47%
Division of Youth Services	0%	6%	0%	3%
Juvenile Detention	0%	3%	0%	3%
Probation/Intensive Supervision	43%	53%	0%	47%
All	100%	100%	100%	100%

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

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

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

County court Drug cases resulted in a fine in 2% of cases (this figure represents only one case), and community service for 19% of cases. Deferred judgments occurred for one-quarter of Property (29%) and 21% of Violent crime cases, 20% of Other cases, and 52% for Drug cases. Jail was the sentence in one-third (33%) of property crimes and 27% of Other offenses. Those in the Other race/ethnicity category in county court were much more likely to receive a deferred judgment (40% compared to 18%-25% for other race/ethnicities); Hispanics and Blacks were least likely to receive a deferred judgment (each at 18%) compared to Whites (25%). Blacks were considerably more likely to receive jail time (35%) compared to Whites (23%).

In district court, probation was the most frequently occurring initial sentence, imposed 67% of the time for Drug cases. The second most frequently occurring sentence in district court was a jail sentence: 22% of Drug cases, 22% of Other cases, 15% of Property cases, and 15% of Violent cases received a jail sentence. Initial sentences to the Department of Corrections occurred infrequently, but were most likely with Violent cases. Women were much more likely to receive probation compared to men (64% versus 56%, respectively) and less likely to receive a jail sentence (14% compared to 19%, respectively). One-tenth (11%) of initial sentences for Hispanics were to the Department of Corrections, compared to 7% for Whites. Hispanics were less likely than Whites to receive a deferred judgment in district court (6% and 13%, respectively).

In juvenile court, initial sentences to probation were the most frequently occurring sentence, followed by deferred judgments. Violent cases were more likely than other offense categories to receive a deferred judgment. Females were more likely than males to receive a deferred judgment (49% compared to 32%, respectively). Across race/ethnicity categories, Blacks were considerably more likely than Whites to receive an initial sentence to the Division of Youth Services (17% and 2%, respectively). However, the few numbers of Black defendants (n=18) in juvenile court means this information should be interpreted with caution.

Revocations

Cases sentenced in 2016 to probation or a deferred judgment that received a revocation in the 20th 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, 18% of cases receiving a probation/deferred judgment in county court in the 20th Judicial District in 2016 were revoked. Hispanics and those in the Other race/ethnicity categories were slightly more likely to be revoked compared to the overall revocation rate (24% and 25% respectively, compared to 18%). Blacks were most likely to be revoked when the most serious crime was Other (20%, however, because of the small number of cases [n=20], this information should be interpreted with caution). Hispanics with Drug cases (38%) were most likely to get revoked in county court, however, there were only 8 cases in this group so the information must be interpreted with caution. Females were slightly less likely than males to get revoked (17% and 19%, respectively).

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

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

Race/ethnicity			No	Yes	All	N
Black			**82%**	**18%**	**100%**	**45**
	Drugs		100%	0%	100%	1
	Other		80%	20%	100%	20
	Property		83%	17%	100%	6
	Violent		83%	17%	100%	18
Hispanic			**76%**	**24%**	**100%**	**315**
	Drugs		62%	38%	100%	8
	Other		79%	21%	100%	121
	Property		83%	17%	100%	48
	Violent		72%	28%	100%	138
Other			**75%**	**25%**	**100%**	**32**
	Other		80%	20%	100%	15
	Property		100%	0%	100%	6
	Violent		55%	45%	100%	11
White			**84%**	**16%**	**100%**	**1,050**
	Drugs		94%	6%	100%	31
	Other		86%	14%	100%	388
	Property		88%	12%	100%	230
	Violent		77%	23%	100%	401
All			**82%**	**18%**	**100%**	**1,442**

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

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

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

Gender		No	Yes	All	N
Female		**83%**	**17%**	**100%**	**439**
	Drugs	75%	25%	100%	8
	Other	87%	13%	100%	159
	Property	91%	9%	100%	79
	Violent	78%	22%	100%	193
Male		**81%**	**19%**	**100%**	**1,003**
	Drugs	91%	9%	100%	32
	Other	83%	17%	100%	385
	Property	86%	14%	100%	211
	Violent	75%	25%	100%	375
All		**82%**	**18%**	**100%**	**1,442**

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 (28%, Table 3-35) compared to county court (18%, Table 3-33) in 2016. In district court, Hispanics were most likely to be revoked (34% compared to 28% overall). Blacks (16%) were less likely to be revoked compared to Whites (27%) and Hispanics (34%). Hispanics with Drug offenses were most likely to be revoked (53%). None of the cases in the Other race/ethnicity category were revoked, however, the number of cases is quite small (n=18). Table 3-36 shows that women in adult district court were slightly less likely than men to get revoked (27% compared to 28%). Men and women with Drug cases were most likely, compared to those with other crime types, to get revoked.

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

Race/ethnicity		No	Yes	All	N
Black		**84%**	**16%**	**100%**	**61**
	Drugs	80%	20%	100%	10
	Other	77%	23%	100%	13
	Property	88%	12%	100%	25
	Violent	85%	15%	100%	13
Hispanic		**66%**	**34%**	**100%**	**299**
	Drugs	47%	53%	100%	64
	Other	70%	30%	100%	64
	Property	71%	29%	100%	94
	Violent	71%	29%	100%	77
Other		**100%**	**0%**	**100%**	**18**
	Drugs	100%	0%	100%	4
	Other	100%	0%	100%	4
	Property	100%	0%	100%	2
	Violent	100%	0%	100%	8
White		**73%**	**27%**	**100%**	**882**
	Drugs	63%	37%	100%	203
	Other	79%	21%	100%	134
	Property	70%	30%	100%	315
	Violent	82%	18%	100%	230
All		**72%**	**28%**	**100%**	**1,260**

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

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

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

Gender		No	Yes	All	N
Female		**73%**	**27%**	**100%**	**280**
	Drugs	54%	46%	100%	78
	Other	80%	20%	100%	46
	Property	78%	22%	100%	100
	Violent	86%	14%	100%	56
Male		**72%**	**28%**	**100%**	**980**
	Drugs	63%	37%	100%	203
	Other	76%	24%	100%	169
	Property	69%	31%	100%	336
	Violent	79%	21%	100%	272
All		**72%**	**28%**	**100%**	**1,260**

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, 33% of cases sentenced to probation/deferred judgment in 2016 in the 20th Judicial District were revoked (Table 3-37). Hispanics were most likely to get revoked (46%); none of those in the Black and Other race/ethnicity categories were revoked in 2016. Table 3-38 presents revocations in juvenile court by gender. Females were revoked at a rate of 21% compared to 37% for males. Comparing across crime types, females with Drug offenses were most likely to be revoked (38%) and males with Property cases were most likely to be revoked (43%).

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

Race/ethnicity			No	Yes	All	N
Black			**100%**	**0%**	**100%**	**13**
	Drugs		100%	0%	100%	1
	Other		100%	0%	100%	3
	Property		100%	0%	100%	2
	Violent		100%	0%	100%	7
Hispanic			**54%**	**46%**	**100%**	**127**
	Drugs		69%	31%	100%	13
	Other		58%	42%	100%	26
	Property		51%	49%	100%	59
	Violent		52%	48%	100%	29
Other			**100%**	**0%**	**100%**	**3**
	Violent		100%	0%	100%	3
White			**75%**	**25%**	**100%**	**146**
	Drugs		85%	15%	100%	13
	Other		74%	26%	100%	34
	Property		72%	28%	100%	65
	Violent		79%	21%	100%	34
All			**67%**	**33%**	**100%**	**289**

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

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

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

Gender			No	Yes	All	N
Female			**79%**	**21%**	**100%**	**76**
	Drugs		62%	38%	100%	8
	Other		80%	20%	100%	20
	Property		90%	10%	100%	21
	Violent		74%	26%	100%	27
Male			**63%**	**37%**	**100%**	**213**
	Drugs		84%	16%	100%	19
	Other		63%	37%	100%	43
	Property		57%	43%	100%	105
	Violent		70%	30%	100%	46
All			**67%**	**33%**	**100%**	**289**

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

Revocations: Summary. Cases sentenced in 2016 to probation or a deferred judgment that received a revocation in the 20th Judicial District are included in the analyses presented here.[18] Those sentenced near the end of 2016 may not have had enough time to get revoked. **Note that these are cases, not individuals**. Counting cases and not individuals is likely to inflate the proportion of revocations presented in these analyses. For example, the Judicial Department reports that in 2016, 22% of adult state probation terminations were the result of a revocation.[19] The revocations presented here may not result in termination from probation supervision. In fact, in 2016, across county, adult district, and juvenile district courts *statewide*, 49% of cases were reinstated, 44% were not reinstated, and for the remaining 7% of cases it was unclear the outcome of the revocation.

Overall, 18% of county court cases receiving a probation/deferred judgment in the 20th Judicial District in 2016 were revoked. Hispanics and those in the Other race/ethnicity categories were slightly more likely to be revoked compared to the overall revocation rate (24% and 25% respectively, compared to 18%). Blacks were most likely to be revoked when the most serious crime was Other (20%, however, because of the small number of cases [n=20], this information should be interpreted with caution). Hispanics with Drug cases (38%) were most likely to get revoked in county court, however, there were only 8 cases in this group so the information must be interpreted with caution. Females were slightly less likely than males to get revoked (17% and 19%, respectively).

Revocations from probation/deferred judgments occurred more frequently in district court (28%) compared to county court (18%) in 2016. In district court, Hispanics were most likely to be revoked (34% compared to 28% overall). Blacks (16%) were less likely to be revoked compared to Whites (27%) and Hispanics (34%). Hispanics with Drug offenses were most likely to be revoked (53%). None of the cases in the Other race/ethnicity category were revoked, however, the number of cases is quite small (n=18). Women in adult district court were slightly less likely than men to get revoked (27% compared to 28%). Men and women with Drug cases were most likely, compared to those with other crime types, to get revoked.

In juvenile court, 33% of cases sentenced to probation/deferred judgment in 2016 in the 20th Judicial District were revoked. Hispanics were most likely to get revoked (46%); none of those in the Black and Other race/ethnicity categories were revoked in 2016. Females were revoked at a rate of 21% compared to 37% for males. Comparing across crime types, females with Drug offenses were most likely to be revoked (38%) and males with Property cases were most likely to be revoked (43%).

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

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

Appendix A
NIBRS Group A Arrest Crimes

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

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

Appendix B
Most serious filing/conviction charge categories

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

Arson - 1st - 4th degree arson
Burglary - 1st to 3rd degree burglary, possession of burglary tools
Drug Poss - drug possession, paraphernalia possession
Drugs - manufacture, process, distribute, cultivate, possession with intent to distribute
Escape
Extortion
Felony Assault - 1st and 2nd degree assault, vehicular assault, felony menacing, felony stalking, felony child abuse, witness intimidation
Forgery
Fraud

Homicide - 1st and 2nd degree murder

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

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

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

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

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

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