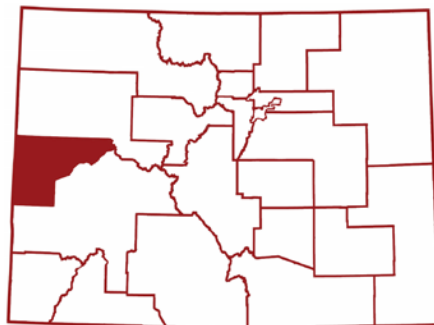# Senate Bill 15-185 CLEAR Act

2016

Community Law Enforcement Action Reporting Act

21st Judicial District

21st Judicial District: Population race/ethnicity estimates, 2016

Age Group	Race/ethnicity	%	N
Adult		**77%**	**117,789**
	Black	1%	783
	Hispanic	12%	14,641
	Other	2%	2,531
	White	85%	99,835
Juvenile		**23%**	**34,568**
	Black	1%	396
	Hispanic	23%	7,937
	Other	2%	806
	White	74%	25,428
All		**100%**	**152,357**

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

October 2017

CDPS
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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COLORADO
Department of Public Safety

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 21st 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 21st 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 21st Judicial District was 152,357. The adult population was comprised as follows: White, 85%; Black, <1%; Hispanic, 12%; and Other, 2%. The juvenile population was comprised as follows: White, 74%, Black, <1%, Hispanic 23%, and Other 2%. Males made up 50% of the state population and females made up the other half of the population.

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

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

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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.

Law enforcement data. Summary: Law enforcement data. In 2016 law enforcement made/issued 7,530 arrests/summonses in the 21st 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 14% of all arrests/summonses and Violent crimes accounted for another 11% of arrests/summonses, Property offenses accounted for 28% of arrests/summonses, and the remainder of arrests/summonses (57%) fell into the Other crime category. Blacks represented less than 1% of the population in the 21st Judicial District in 2016, but accounted for 2% of arrests/summonses. Hispanics represented 15% of the population and 14% of arrests/summonses. Males represented about 50% of the state population and approximately 70% of arrests. 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 4,923 case filings in county, district, and juvenile courts combined found that, while Blacks represented less than 1% of the population in the 21st Judicial District, and 2% of the arrests/summonses in 2016, they accounted for 5% of district court filings. In juvenile court, Blacks represented 2% of cases, compared to less than 1% Black juveniles in the population. Hispanic adults made up 12% of the adult population in the 21st Judicial District but had 20% of district court filings in 2016. The race/ethnicity distribution across the four crime categories was relatively consistent. In terms of gender, 29% of filings were females and 12% were males. Only 1% of cases completed a trial in county and district court; 2% of juvenile court cases completed a trial. Note that these cases are not necessarily the same cases in the **Law Enforcement Data** section above.

Case outcomes. Caution should be used when interpreting the case outcome since many factors can influence the decision. For example, the existence of prior cases (criminal history) may influence the outcome of a case. Additionally, most cases contain multiple charges, and many cases have concurrent cases. These factors are likely to significantly affect the outcome of a case. In particular, all charges in a case may be dismissed or modified as part of a plea agreement involving that case or multiple cases. In fact, 30% of cases in county court were dismissed, as were 15% of cases in district court and 15% of cases in juvenile court. One-third (36%) of county court cases were convicted as charged compared to 23% in district court and 38% in juvenile court. A small portion (15%) of county court cases were convicted of a different charge, as were nearly half (44%) of district court cases, and 39% 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.

In county court, Drug cases resulted in a fine in 17% of cases, and community service for 31% of cases. Deferred judgments occurred for almost one-third of Drug (31%) and Other offenses (31%) and 6% of Violent crime cases, 11% of Property cases. Over half (53%) of Violent cases received an initial sentence to probation. Females in county court were more likely than men to receive a deferred judgment (29% and 14%, respectively) and were half as likely as men to receive a sentence to jail (9% compared to 18%, respectively).

Whites were much more likely than those in the other race/ethnicity categories to receive a deferred judgment (23% compared to 6-9% for other race/ethnicities); Hispanics were especially unlikely to receive a deferred judgment in county court, at 6%. Hispanics were considerably more likely to receive jail time compared to Whites (27% and 12%, respectively). The few cases in the Other race/ethnicity category (n=12) means that the information must be interpreted with caution.

In district court, probation was the most frequently occurring initial sentence, imposed 64% of the time for Drug cases. The second most frequently occurring sentence in district court was a prison sentence: 16% of Drug cases, 25% of Other cases, 16% of Property cases, and 19% of Violent cases received a sentence to the Department of Corrections. In fact, one-fifth (21%) of initial sentences for Blacks and Hispanics were to the Department of Corrections, slightly higher than the 18% of Whites. Blacks were more likely than Whites to receive a jail sentence (14% compared to 8%, respectively). Deferred judgments were imposed infrequently and were most likely to be imposed in Property cases (14%), and least likely to be imposed in Drug cases (2%). Women were more likely to receive a deferred judgment than men (10% compared to 5%, respectively) and less likely to receive a sentence to the Department of Corrections (9% and 22%, respectively).

In juvenile court in the 21st Judicial District, initial sentences to probation were the most frequently occurring sentence, followed by a sentence to the Division of Youth Services. Drug cases and Violent cases were more likely than other offenses to receive a sentence to DYS in juvenile court. Deferred judgments were rarely used in juvenile court, but when used, they were more likely to be received by females than males (22% compared to 17%, respectively). Males were more likely than females to receive a sentence to DYS (14% versus 3%, respectively). Across race/ethnicity categories, the few cases in the Black (n=10) and Other (n=5) race/ethnicity categories means this information must be interpreted with caution. Nevertheless, 30% of Blacks and 22% of Hispanics were sentenced to the Division of Youth Services compared to 7% of Whites. Blacks (10%) and Hispanics (15%) were less likely to receive a deferred judgment compared to Whites (20%).

Revocations. Cases sentenced in 2016 to probation or a deferred judgment that received a revocation in the 21st 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.

In county court, 12% of cases receiving a probation/deferred judgment in the 21st Judicial District in 2016 were revoked. Hispanics were revoked at a rate of 21% compared to 10% for Whites. The few numbers of Blacks (n=20) and those in the Other race/ethnicity group (n=6) requires caution when interpreting the findings. Across race/ethnicity categories, those with Violent cases were more likely to be revoked compared to the

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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.

other offense categories. Women were less likely than men to be revoked in county court (8% versus 14%, respectively).

Revocations from probation/deferred judgments occurred more frequently in district court (30%) compared to county court (12%) in 2016. In district court, Hispanics and Whites were equally likely to be revoked (31%); Blacks and Other defendants were revoked at a rate of 17%. Hispanics (33%) and Whites (39%) with Drug offenses were most likely to be revoked. Women in adult district court were slightly less likely than men to get revoked (30% compared to 31%). Men and women with Drug cases were most likely, compared to those with other crime types, to get revoked.

In juvenile court, 35% of cases sentenced to probation/deferred judgment in 2016 in the 21st Judicial District were revoked (Table 3-37). Hispanics were most likely to get revoked (50%). Females were revoked at a rate of 34% compared to 35% for males. Comparing across crime types, juveniles with Drug crimes were most likely to be revoked.

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.

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

NIBRS Group A offenses are listed in Appendix A, and Group B offenses are summarized into "Other."[9] Per the CLEAR Act, the data presented here includes information concerning arrests classified as *on view/probable cause* (an arrest without a warrant but with probable cause, resulting in physical restraint), *summons* (an order to appear in court), and *custody/warrant* (an arrest that involves an outstanding warrant and physical restraint). Over 7,500 NIBRS incidents in the 21st Judicial District were analyzed for calendar year 2016 (Table 1-1).

Table 1-1. Arrests by type. 21st Judicial District, 2016

Arrest type	%	N
Custody/warrant	31%	2,342
On-view/probable cause	28%	2,111
Summons	41%	3,077
All	100%	7,530

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. 21st Judicial District, 2016

Court	%	N
Adult District	42%	2,066
County	53%	2,603
Juvenile	5%	254
All	100%	4,923

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

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[9] Group B crimes include bad checks, curfew/loitering/vagrancy, disorderly conduct, driving under the influence, drunkenness, family offenses (nonviolent), liquor law violations, voyeurism, runaway, trespass of real property, all other offenses.

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

Note that the information presented here reflects the analysis of more than 4,923 **cases not individuals**. Individuals may have multiple, concurrent cases,[11] and cases typically have multiple charges. Frequently cases and charges are dismissed for a judgment in a concurrent case. The **Dismissed/Not Guilty** category in the tables that follow means that some charges were dismissed and some were found not guilty.

The crime information analyzed for this study reflects the most serious filing or conviction charge for 24 offense categories[12] which, for the analysis presented in this document, have been collapsed into four categories: Drug, Other, Property and Violent.[13] The analysis of the 24 offense categories is available on the interactive data dashboard. See Appendix B for the list of offenses that were combined into the four broad categories.

This analysis focused on the most serious charge as defined by felony or misdemeanor level. Traffic cases are not in this analysis unless they appeared in a district/county filing. Cases sentenced to probation or a deferred judgment that were revoked are reported, but those sentenced near the end of 2016 may not have had time to revoke.

As previously mentioned, Judicial systematically collects information about race but not ethnicity. This means that, when the data is disaggregated by race/ethnicity, most Hispanics are in the White category. For example, in 2016 Hispanics represented 22% of the Colorado population, but only 6% of cases statewide were classified as Hispanic in ICON.

The analysis of race and ethnicity across justice decision points is significantly hampered by the lack of ethnicity information in the statewide court data system. To improve upon the accuracy of the race/ethnicity designation in court data in this analysis, court cases were matched to the Colorado Bureau of Investigation's National Incident Based Reporting System (NIBRS) arrest data, which contains both race and ethnicity. To obtain ethnicity information, the defendant's name and date of birth in the court record was matched to arrest data and the ethnicity was extracted for all arrests. If the ethnicity recorded for any arrest was found to be Hispanic, then the race/ethnicity was set to Hispanic. Otherwise, the original race/ethnicity designation from the court record was used.

The NIBRS arrest data contained all Colorado arrests from 2011 to 2016. Matching involved finding an <u>exact</u> match on name and date of birth between the data sets. For the analysis of *charges*, no match was found for 15% of cases statewide. For the analysis of *sentences*, no match was found for 13% of cases statewide. The lack of a match in the arrest data was due primarily to differences in the spelling of names, and differences in dates of birth.

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[11] This study found that in 2016, statewide, 18% of county court cases, 36% of district court cases, and 37% of juvenile court cases had other, concurrent cases mentioned in minute orders or sentencing notes.
[12] The 24 offense categories are summarized from more than 1500 statutes.
[13] Note that all offenses include attempts, solicitations, and conspiracies.

Section 2: Law Enforcement Information

Arrest/summons

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

Table 2-1. Arrests by offense

Offense	%	N
Drugs	14%	1,046
Other	57%	4,291
Property	18%	1,382
Violent	11%	811
All	**100%**	**7,530**

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

Table 2-2 reflects over 7,500 arrests/summonses captured in NIBRS for calendar year 2016 in the 21st Judicial District, by race/ethnicity. Blacks represented less than 1% of the population in 2016, but accounted for 2% of arrests/summonses in the 21st Judicial District. Hispanics represented 15% of the population and accounted for 14% of arrests. The Other race/ethnicity category represented 2% of the population, and was underrepresented in arrests (1%). Whites represented 82% of the population and 83% of arrests/summonses.

Table 2-2. Arrests by race/ethnicity

Race/ethnicity	%	N
Black	2%	178
Hispanic	14%	1,070
Other	1%	47
White	83%	6,235
All	**100%**	**7,530**

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

Table 2-3 shows that juveniles accounted for 3% of on view/probable cause arrests, and that 25% of those arrests were for violent crimes, a proportion similar to adults (24%). Juveniles accounted for 6% of custody/warrant arrests (Table 2-4). Overall, juveniles were more likely to get summoned than arrested; they accounted for one-fifth (19%) of summonsed cases (Table 2-5). Not surprisingly, violent offenses were least likely to result in a summons for 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		**97%**	**2,038**
	Drugs	26%	523
	Other	39%	796
	Property	11%	225
	Violent	24%	494
Juvenile		**3%**	**73**
	Drugs	14%	10
	Other	25%	18
	Property	37%	27
	Violent	25%	18
All		**100%**	**2,111**

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

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

Age Group	Offense	%	N
Adult		**94%**	**2,198**
	Drugs	6%	129
	Other	79%	1,734
	Property	10%	217
	Violent	5%	118
Juvenile		**6%**	**144**
	Drugs	2%	3
	Other	78%	113
	Property	15%	21
	Violent	5%	7
All		**100%**	**2,342**

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

Table 2-5. Arrest type Summons, by age group and offense

Age Group	Offense	%	N
Adult		**81%**	**2,496**
	Drugs	10%	258
	Other	56%	1,389
	Property	29%	714
	Violent	5%	135
Juvenile		**19%**	**581**
	Drugs	21%	123
	Other	41%	241
	Property	31%	178
	Violent	7%	39
All		**100%**	**3,077**

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 25% of probable cause arrests were for Drug related offenses, 39% were for Other offenses, 12% for Property offenses, and 24% for Violent offenses. While Blacks made up less than 1% of the population in the 21st Judicial District, Table 2-6 shows that they were arrested at multiple times that rate for probable cause arrests in 2016: 2% of Drug arrests were Blacks, 2% of arrests for Other offenses were Blacks, 4% of Property arrests were Blacks, and 3% of Violent arrests were Blacks. While Hispanics represented 15% of the population in 2016, they accounted for 18% of Property offenses that resulted in a probable cause arrest.

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

Offense	Race/ethnicity	%	N
Drugs		**25%**	**533**
	Black	2%	9
	Hispanic	15%	80
	White	83%	444
Other		**39%**	**814**
	Black	2%	18
	Hispanic	17%	136
	Other	1%	6
	White	80%	654
Property		**12%**	**252**
	Black	4%	10
	Hispanic	18%	45
	Other	1%	2
	White	77%	195
Violent		**24%**	**512**
	Black	3%	17
	Hispanic	15%	77
	Other	1%	4
	White	81%	414
All		**100%**	**2,111**

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 80% (79%) 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 7% of Violent crime warrant arrests and Hispanics made up 19%, which is greater than the proportion of Blacks (less than 1%) and Hispanics (15%) in the 21st Judicial District.

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

Offense	Race/ethnicity	%	N
Drugs		**6%**	**132**
	Black	3%	4
	Hispanic	11%	15
	White	86%	113
Other		**79%**	**1,847**
	Black	2%	35
	Hispanic	13%	233
	Other	1%	11
	White	85%	1,568
Property		**10%**	**238**
	Black	5%	11
	Hispanic	13%	32
	White	82%	195
Violent		**5%**	**125**
	Black	7%	9
	Hispanic	19%	24
	Other	2%	2
	White	72%	90
All		**100%**	**2,342**

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 (6%) compared to Other (53%) and Property (29%) and that, of those summons issued for Violent crimes, 3% went to Blacks and 15% to Hispanics. Whites were least likely to be summonsed for a Violent crime (80%) and most likely for Property (85%).

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

Offense	Race/ethnicity	%	N
Drugs		**12%**	**381**
	Black	4%	14
	Hispanic	13%	50
	Other	<1%	1
	White	83%	316
Other		**53%**	**1,630**
	Black	2%	35
	Hispanic	14%	229
	Other	1%	14
	White	83%	1,352
Property		**29%**	**892**
	Black	1%	11
	Hispanic	14%	123
	Other	<1%	4
	White	85%	754
Violent		**6%**	**174**
	Black	3%	5
	Hispanic	15%	26
	Other	2%	3
	White	80%	140
All		**100%**	**3,077**

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 14-39% of arrests and 28-44% 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		**25%**	**533**
	Female	39%	206
	Male	61%	327
Other		**39%**	**814**
	Female	24%	194
	Male	76%	620
Property		**12%**	**252**
	Female	27%	68
	Male	73%	184
Violent		**24%**	**512**
	Female	30%	155
	Male	70%	357
All		**100%**	**2,111**

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

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

Offense	Gender	%	N
Drugs		**6%**	**132**
	Female	30%	40
	Male	70%	92
Other		**79%**	**1,847**
	Female	29%	537
	Male	71%	1,310
Property		**10%**	**238**
	Female	33%	79
	Male	67%	159
Violent		**5%**	**125**
	Female	14%	17
	Male	86%	108
All		**100%**	**2,342**

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		**12%**	**381**
	Female	28%	107
	Male	72%	274
Other		**53%**	**1,630**
	Female	24%	394
	Male	76%	1,236
Property		**29%**	**892**
	Female	44%	390
	Male	56%	502
Violent		**6%**	**174**
	Female	35%	61
	Male	65%	113
All		**100%**	**3,077**

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 7,530 arrests/summonses in the 21st 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 14% of all arrests/summonses and Violent crimes accounted for another 11% of arrests/summonses, Property offenses accounted for 28% of arrests/summonses, and the remainder of arrests/summonses (57%) fell into the Other crime category. Blacks represented less than 1% of the population in the 21st Judicial District in 2016, but accounted for 2% of arrests/summonses. Hispanics represented 15% of the population and 14% of arrests/summonses. Males represented about 50% of the state population and approximately 70% of arrests. 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 21st 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 4,923 case filings in county, adult district, and juvenile courts combined in the 21st Judicial District. While Blacks represented less than 1% of the population and 2% of the arrests/summonses in 2016, they accounted for 3% of court filings. Hispanics represented 15% of the population and 21% 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	3%	151
Hispanic	21%	1,047
Other	1%	68
White	74%	3,657
All	**100%**	**4,923**

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 16% of cases, and Violent charges comprised the largest category at 31% 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		**16%**	**789**
	Black	4%	30
	Hispanic	20%	154
	Other	1%	11
	White	75%	594
Other		**26%**	**1,276**
	Black	2%	31
	Hispanic	20%	258
	Other	1%	17
	White	76%	970
Property		**27%**	**1,329**
	Black	2%	33
	Hispanic	22%	296
	Other	1%	18
	White	74%	982
Violent		**31%**	**1,529**
	Black	4%	57
	Hispanic	22%	339
	Other	1%	22
	White	73%	1,111
All		**100%**	**4,923**

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, 29% of filings were females and 71% were males. Females were more likely than men to be involved in Drug crimes (20% compared to 15%, respectively) and slightly less to be involved in Violent offenses (28% compared to 32%, respectively).

Table 3-3. Most serious filing charge by gender

Gender	Offense	%	N
Female		**29%**	**1,417**
	Drugs	20%	278
	Other	25%	355
	Property	28%	394
	Violent	28%	390
Male		**71%**	**3,506**
	Drugs	15%	511
	Other	26%	921
	Property	27%	935
	Violent	32%	1,139
All		**100%**	**4,923**

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 21st Judicial District. County court had the most cases in 2016 (53% of the total), followed by adult district court (42%) and juvenile court at 5%. Blacks, comprising less than 1% of the population in the 21st Judicial District, represented 2% of county court cases filed compared to 5% in adult district court and 2% in juvenile court. Hispanic made up 12% of the adult population in the 21st Judicial District and 20% of district court filings in 2016.

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

Court	Race/ethnicity	%	N
Adult District		**42%**	**2,066**
	Black	5%	100
	Hispanic	20%	411
	Other	2%	32
	White	74%	1,523
County		**53%**	**2,603**
	Black	2%	45
	Hispanic	22%	575
	Other	1%	31
	White	75%	1,952
Juvenile		**5%**	**254**
	Black	2%	6
	Hispanic	24%	61
	Other	2%	5
	White	72%	182
All		**100%**	**4,923**

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

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

Table 3-5 provides the type of offense by court type. Nearly half (42%) of county court cases were Violent offenses (primarily misdemeanor assault); Property offenses (30%) and Drug cases (31%) comprised the largest categories of cases in adult district court. Property crimes (57%) and Violent crimes (25%) made up the majority of cases filed in juvenile court. Table 3-6 presents the distribution across gender for cases in county, district and juvenile court. Females were more likely to have cases in county court (31%) compared to adult district court (28%) and juvenile court (15%).

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

Court	Offense	%	N
Adult District		**42%**	**2,066**
	Drugs	31%	632
	Other	22%	445
	Property	30%	612
	Violent	18%	377
County		**53%**	**2,603**
	Drugs	5%	137
	Other	31%	806
	Property	22%	572
	Violent	42%	1,088
Juvenile		**5%**	**254**
	Drugs	8%	20
	Other	10%	25
	Property	57%	145
	Violent	25%	64
All		**100%**	**4,923**

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		**42%**	**2,066**
	Female	28%	583
	Male	72%	1,483
County		**53%**	**2,603**
	Female	31%	795
	Male	69%	1,808
Juvenile		**5%**	**254**
	Female	15%	39
	Male	85%	215
All		**100%**	**4,923**

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 (1-2%). 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		**42%**	**2,066**
	No	99%	2,047
	Yes	1%	19
County		**53%**	**2,603**
	No	99%	2,583
	Yes	1%	20
Juvenile		**5%**	**254**
	No	98%	250
	Yes	2%	4
All		**100%**	**4,923**

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		**16%**	**789**
	No	100%	786
	Yes	<1%	3
Other		**26%**	**1,276**
	No	99%	1,263
	Yes	1%	13
Property		**27%**	**1,329**
	No	99%	1,320
	Yes	1%	9
Violent		**31%**	**1,529**
	No	99%	1,511
	Yes	1%	18
All		**100%**	**4,923**

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 4,923 case filings in county, district, and juvenile courts combined found that, while Blacks represented less than 1% of the population in the 21st Judicial District, and 2% of the arrests/summonses in 2016, they accounted for 5% of district court filings. In juvenile court, Blacks represented 2% of cases, compared to less than 1% Black juveniles in the population. Hispanic adults made up 12% of the adult population in the 21st Judicial District but had 20% of district court filings in 2016. The race/ethnicity distribution across the four crime categories was relatively consistent. In terms of gender, 29% of filings were females and 12% were males. Only 1% of cases completed a trial in county and district court; 2% of juvenile court cases completed a trial. Note that these cases are not necessarily the same cases in the **Law Enforcement Data** section above.

Case outcomes

The following three tables present the case outcomes for the 21st Judicial District, by race/ethnicity and most serious filing charge (including attempt, conspiracy and solicitation), for county court, district court, and juvenile court in 2016. It is important to remember that most cases contain multiple charges, and many cases have concurrent cases. All charges in a case may be dismissed or modified as part of a plea agreement involving that case or multiple cases. In fact, overall, in over one-quarter (30%) 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 36% of cases were convicted as charged, and 15% were convicted of another crime. In adult district court (Table 3-10), 44% were convicted of another crime and one-fourth (23%) were convicted as charged. In juvenile court (Table 3-11), 39% were convicted of another offense and 38% 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		**29%**	**22%**	**29%**	**20%**	**100%**	**45**
	Drugs	50%	50%	0%	0%	100%	2
	Other	23%	23%	31%	23%	100%	13
	Property	38%	25%	25%	12%	100%	8
	Violent	27%	18%	32%	23%	100%	22
Hispanic		**30%**	**16%**	**31%**	**23%**	**100%**	**575**
	Drugs	17%	35%	26%	22%	100%	23
	Other	35%	23%	20%	22%	100%	168
	Property	32%	8%	39%	21%	100%	135
	Violent	26%	14%	35%	25%	100%	249
Other		**26%**	**29%**	**39%**	**6%**	**100%**	**31**
	Drugs	50%	0%	50%	0%	100%	2
	Other	30%	40%	20%	10%	100%	10
	Property	50%	0%	50%	0%	100%	2
	Violent	18%	29%	47%	6%	100%	17
White		**38%**	**14%**	**29%**	**19%**	**100%**	**1,952**
	Drugs	35%	13%	36%	15%	100%	110
	Other	52%	17%	18%	14%	100%	615
	Property	33%	10%	34%	23%	100%	427
	Violent	31%	15%	34%	20%	100%	800
All		**36%**	**15%**	**30%**	**19%**	**100%**	**2,603**

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

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

Table 3-10. Adult District Court outcomes by race/ethnicity and most serious filing charge*

Race/ethnicity		Convicted as charged	Convicted other crime	Dismissed/not guilty	Not yet resolved/case closed	All	N
Black		**10%**	**41%**	**23%**	**26%**	**100%**	**100**
	Drugs	7%	50%	18%	25%	100%	28
	Other	18%	6%	53%	24%	100%	17
	Property	8%	50%	12%	29%	100%	24
	Violent	10%	45%	19%	26%	100%	31
Hispanic		**25%**	**42%**	**11%**	**21%**	**100%**	**411**
	Drugs	24%	49%	7%	20%	100%	122
	Other	27%	31%	16%	26%	100%	81
	Property	25%	46%	10%	19%	100%	136
	Violent	25%	38%	14%	24%	100%	72
Other		**19%**	**31%**	**22%**	**28%**	**100%**	**32**
	Drugs	11%	22%	22%	44%	100%	9
	Other	29%	0%	57%	14%	100%	7
	Property	9%	55%	9%	27%	100%	11
	Violent	40%	40%	0%	20%	100%	5
White		**24%**	**45%**	**16%**	**15%**	**100%**	**1,523**
	Drugs	27%	47%	13%	12%	100%	473
	Other	24%	39%	21%	16%	100%	340
	Property	23%	43%	17%	17%	100%	441
	Violent	19%	51%	13%	17%	100%	269
All		**23%**	**44%**	**15%**	**17%**	**100%**	**2,066**

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

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

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

Race/ethnicity		Convicted as charged	Convicted other crime	Dismissed/not guilty	Not yet resolved/case closed	All	N
Black		**33%**	**17%**	**33%**	**17%**	**100%**	**6**
	Other	0%	0%	100%	0%	100%	1
	Property	100%	0%	0%	0%	100%	1
	Violent	25%	25%	25%	25%	100%	4
Hispanic		**41%**	**41%**	**13%**	**5%**	**100%**	**61**
	Drugs	22%	67%	11%	0%	100%	9
	Other	56%	44%	0%	0%	100%	9
	Property	44%	28%	20%	8%	100%	25
	Violent	39%	44%	11%	6%	100%	18

Other		**0%**	**80%**	**20%**	**0%**	**100%**	**5**
	Property	0%	80%	20%	0%	100%	5
White		**38%**	**38%**	**15%**	**8%**	**100%**	**182**
	Drugs	27%	45%	27%	0%	100%	11
	Other	20%	53%	20%	7%	100%	15
	Property	40%	38%	15%	7%	100%	114
	Violent	40%	33%	12%	14%	100%	42
All		**38%**	**39%**	**15%**	**7%**	**100%**	**254**

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, 30% of cases in county court were dismissed, as were 15% of cases in district court and 15% of cases in juvenile court. One-third (36%) of county court cases were convicted as charged compared to 23% in district court and 38% in juvenile court. A small portion (15%) of county court cases were convicted of a different charge, as were nearly half (44%) of district court cases, and 39% of juvenile court cases.

Initial sentences

The tables below show cases sentenced between Jan 1, 2016 and Dec 31, 2016 in the 21st Judicial District, in county court, district court, and juvenile court. These cases are not necessarily the same cases in the **Case Filings** section above. Also, because these data represent cases, not individuals, the number of individuals sentenced to the Department of Corrections (DOC) or the Division of Youth Services (DYS) from this jurisdiction will not match the number reported as admissions by DOC or DYS.

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

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

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

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

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

County court

Table 3-12 presents the initial sentence for each of the four offense types for county court cases in the 21st Judicial District in 2016. County court Drug cases resulted in a fine in 17% of cases, and community service for 31% of cases. Deferred judgments occurred for almost one-third of Drug (31%) and Other offenses (31%) and 6% of Violent crime cases, 11% of Property cases. Over half (53%) of Violent cases received an initial sentence to probation. Females in county court were more likely than men to receive a deferred judgment (29% and 14%, respectively) and were half as likely as men to receive a sentence to jail (9% compared to 18%, respectively) (Table 3-13).

Table 3-12. Initial sentence in County Court, by most serious conviction charge (N=1,357)

Sentence	Drugs	%	Other	%	Property	%	Violent	%
Community Corrections	0	0%	2	<1%	3	1%	3	1%
Community Service	18	31%	59	10%	21	9%	24	5%
Deferred	18	31%	177	31%	26	11%	31	6%
Dept of Corrections	0	0%	1	<1%	0	0%	0	0%
Fines/fees	10	17%	155	27%	61	26%	74	15%
Jail	5	9%	55	10%	59	26%	90	18%
Probation/Intensive Supervision	7	12%	124	21%	60	26%	259	53%
Unsupervised Probation	0	0%	5	1%	1	<1%	9	2%
All	**58**	**100%**	**578**	**100%**	**231**	**100%**	**490**	**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. Initial sentence in County Court by gender (N=1,357)

Sentence	Female	%	Male	%
Community Corrections	2	<1%	6	1%
Community Service	39	9%	83	9%
Deferred	124	29%	128	14%
Dept of Corrections	0	0%	1	<1%
Fines/fees	71	17%	229	25%
Jail	39	9%	170	18%
Probation/Intensive Supervision	146	34%	304	33%
Unsupervised Probation	7	2%	8	1%
All	**428**	**100%**	**929**	**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 21st Judicial District. Whites were much more likely than those in the other race/ethnicity categories to receive a deferred judgment (23% compared to 6-9% for other race/ethnicities); Hispanics were especially unlikely to receive a deferred judgment, at 6%. Hispanics were considerably more likely to receive jail time compared to Whites (27% and 12%, respectively). The few cases in the Other race/ethnicity category (n=12) means that the information must be interpreted with caution.

Table 3-14. Initial sentence in County Court by race/ethnicity* (N=1,357)

Sentence	Black	Hispanic	Other	White
N	32	299	12	1,014
Community Corrections	0%	<1%	0%	1%
Community Service	3%	9%	17%	9%
Deferred	9%	6%	8%	23%
Dept of Corrections	0%	<1%	0%	0%
Fines/fees	25%	25%	25%	21%
Jail	9%	27%	8%	12%
Probation/Intensive Supervision	50%	31%	42%	33%
Unsupervised Probation	3%	1%	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.

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. Hispanics were considerably less likely than Whites to receive a deferred judgment (6% compared to 23%, respectively), and much more likely to receive a jail sentence (27% compared to 12%, respectively). The few numbers of cases in the Black and Other 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=58)

Sentence	Black	Hispanic	Other	White
N	2	5	1	50
Community Service	0%	40%	100%	30%
Deferred	50%	40%	0%	30%
Fines/fees	50%	0%	0%	18%
Jail	0%	0%	0%	10%
Probation/Intensive Supervision	0%	20%	0%	12%
All	100%	100%	100%	100%

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

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

Table 3-16 shows that, for those with Other as the most serious county court conviction charge, Blacks (25%) and Hispanics (18%) were more likely than Whites (7%) to receive a jail sentence. The few cases involving those in the Black (n=8) and Other (n=5) race/ethnicity categories means this information should be interpreted with caution. Table 3-17 provides information on the initial sentence in county court for Property offenses and Table 3-18 depicts the initial sentence for Violent offenses in county court; for both offense types, Hispanics were much 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=578)

Sentence	Black	Hispanic	Other	White
N	8	126	5	439
Community Corrections	0%	1%	0%	<1%
Community Service	12%	13%	20%	9%
Deferred	0%	8%	0%	38%
Dept of Corrections	0%	1%	0%	0%
Fines/fees	38%	33%	0%	25%
Jail	25%	18%	0%	7%
Probation/Intensive Supervision	25%	25%	80%	20%
Unsupervised Probation	0%	1%	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.

Table 3-17. Initial sentence for Property as most serious conviction in County Court by race/ethnicity* (N=231)

Sentence	Black	Hispanic	Other	White
N	6	58	1	166
Community Corrections	0%	0%	0%	2%
Community Service	0%	9%	0%	10%
Deferred	33%	7%	0%	12%
Fines/fees	17%	26%	0%	27%
Jail	17%	38%	100%	21%
Probation/Intensive Supervision	33%	21%	0%	28%
Unsupervised Probation	0%	0%	0%	1%
All	**100%**	**100%**	**100%**	**100%**

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

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

Table 3-18. Initial sentence for Violent as most serious conviction in County Court by race/ethnicity* (N=490)

Sentence	Black	Hispanic	Other	White
N	16	110	5	359
Community Corrections	0%	0%	0%	1%
Community Service	0%	3%	0%	6%
Deferred	0%	3%	20%	8%
Fines/fees	19%	18%	60%	13%
Jail	0%	32%	0%	15%
Probation/Intensive Supervision	75%	43%	20%	55%
Unsupervised Probation	6%	2%	0%	2%
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 21st Judicial District. Probation was the most frequently occurring initial sentence, imposed 64% of the time for Drug cases. The second most frequently occurring sentence in district court was a prison sentence: 16% of Drug cases, 25% of Other cases, 16% of Property cases, and 19% of Violent cases received a sentence to the Department of Corrections. Deferred judgments were imposed infrequently and were most likely to be imposed in Property cases (14%), and least likely to be imposed in Drug cases (2%).

Women were more likely to receive a deferred judgment than men (10% compared to 5%, respectively) and less likely to receive a sentence to the Department of Corrections (9% and 22%, respectively) (Table 3-20).

Table 3-19. Initial sentence in Adult District Court, by most serious conviction charge (N=1,437)

Sentence	Drugs	%	Other	%	Property	%	Violent	%
Community Corrections	45	8%	22	9%	43	12%	19	7%
Community Service	17	3%	4	2%	2	1%	1	<1%
Deferred	11	2%	10	4%	49	14%	25	9%
Dept of Corrections	88	16%	63	25%	59	16%	54	19%
Fines/fees	5	1%	12	5%	15	4%	10	4%
Jail	28	5%	40	16%	22	6%	31	11%
Probation/Intensive Supervision	352	64%	101	40%	171	47%	138	50%
All	**546**	**100%**	**252**	**100%**	**361**	**100%**	**278**	**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=1,437)

Sentence	Female	%	Male	%
Community Corrections	27	7%	102	10%
Community Service	8	2%	16	2%
Deferred	40	10%	55	5%
Dept of Corrections	35	9%	229	22%
Fines/fees	10	3%	32	3%
Jail	21	5%	100	10%
Probation/Intensive Supervision	252	64%	510	49%
All	**393**	**100%**	**1,044**	**100%**

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

Table 3-21 shows the initial sentence in adult district court by race/ethnicity combining all crime types. One-fifth (21%) of initial sentences for Blacks and Hispanics were to the Department of Corrections, slightly higher than the 18% of Whites. Blacks were more likely than Whites to receive a jail sentence (14% compared to 8%, respectively).

Table 3-21. Initial sentence in Adult District Court by race/ethnicity* (N=1,437)

Sentence	Black	Hispanic	Other	White
N	70	273	21	1,073
Community Corrections	4%	10%	0%	9%
Community Service	0%	3%	5%	1%
Deferred	6%	3%	19%	7%
Dept of Corrections	21%	21%	14%	18%
Fines/fees	1%	3%	14%	3%
Jail	14%	9%	10%	8%
Probation/Intensive Supervision	53%	52%	38%	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 district court sentences for each of the offense categories, by race/ethnicity. Table 3-22 shows the sentences cases received for Drug offenses. Blacks and Hispanics were more likely than Whites to receive a sentence to prison and to jail for Drug cases. For Other offenses, Hispanics were somewhat more likely than Whites to receive prison sentences (30% compared to 25%, respectively) (Table 3-23). Whites were more likely than Hispanics to receive a prison sentence for Property crimes (Table 3-24).

Table 3-22. Initial sentence for Drugs as most serious conviction in Adult District Court by race/ethnicity* (N=546)

Sentence	Black	Hispanic	Other	White
N	23	110	7	406
Community Corrections	4%	7%	0%	9%
Community Service	0%	5%	14%	2%
Deferred	0%	1%	14%	2%
Dept of Corrections	26%	22%	29%	14%
Fines/fees	0%	0%	29%	1%
Jail	9%	7%	0%	4%
Probation/Intensive Supervision	61%	57%	14%	67%
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=252)

Sentence	Black	Hispanic	Other	White
N	7	53	5	187
Community Corrections	0%	11%	0%	9%
Community Service	0%	4%	0%	1%
Deferred	0%	4%	20%	4%
Dept of Corrections	0%	30%	0%	25%
Fines/fees	14%	4%	0%	5%
Jail	29%	13%	20%	16%
Probation/Intensive Supervision	57%	34%	60%	41%
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=361)

Sentence	Black	Hispanic	Other	White
N	18	63	3	277
Community Corrections	11%	16%	0%	11%
Community Service	0%	0%	0%	1%
Deferred	22%	8%	0%	14%
Dept of Corrections	11%	11%	0%	18%
Fines/fees	0%	3%	33%	4%
Jail	0%	6%	0%	6%
Probation/Intensive Supervision	56%	56%	67%	45%
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=278)

Sentence	Black	Hispanic	Other	White
N	22	47	6	203
Community Corrections	0%	9%	0%	7%
Community Service	0%	0%	0%	<1%
Deferred	0%	0%	33%	11%
Dept of Corrections	32%	19%	17%	18%
Fines/fees	0%	6%	0%	3%
Jail	27%	13%	17%	9%
Probation/Intensive Supervision	41%	53%	33%	50%
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 21st Judicial District. Initial sentences to probation were the most frequently occurring sentence, followed by a sentence to the Division of Youth Services. Drug cases and Violent cases were more likely than other offenses to receive a sentence to DYS in juvenile court. Deferred judgments were rarely used in juvenile court, but when used, they were more likely to be received by females than males (22% compared to 17%, respectively). Males were more likely than females to receive a sentence to DYS (14% versus 3%, respectively).

Table 3-26. Initial sentence in Juvenile Court, by most serious conviction charge (N=208)

Sentence	Drugs	%	Other	%	Property	%	Violent	%
Community Service	0	0%	0	0%	1	1%	0	0%
Deferred	1	6%	1	3%	23	23%	12	20%
Division of Youth Services	5	29%	5	17%	6	6%	9	15%
Fines/fees	0	0%	2	7%	5	5%	0	0%
Jail	0	0%	1	3%	0	0%	0	0%
Juvenile Detention	0	0%	1	3%	1	1%	1	2%
Probation/Intensive Supervision	11	65%	19	66%	65	64%	39	64%
All	**17**	**100%**	**29**	**100%**	**101**	**100%**	**61**	**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=208)

Sentence	Female	%	Male	%
Community Service	0	0%	1	1%
Deferred	7	22%	30	17%
Division of Youth Services	1	3%	24	14%
Fines/fees	2	6%	5	3%
Jail	0	0%	1	1%
Juvenile Detention	0	0%	3	2%
Probation/Intensive Supervision	22	69%	112	64%
All	**32**	**100%**	**176**	**100%**

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

Table 3-28 reflects the initial juvenile court sentence by race/ethnicity. The few cases in the Black (n=10) and Other (n=5) race/ethnicity categories means this information must be interpreted with caution. Nevertheless, 30% of Blacks and 22% of Hispanics were sentenced to the Division of Youth Services compared to 7% of Whites. Blacks (10%) and Hispanics (15%) were less likely to receive a deferred judgment compared to Whites (20%).

Table 3-28. Initial sentence in Juvenile Court by race/ethnicity* (N=208)

Sentence	Black	Hispanic	Other	White
N	10	46	5	147
Community Service	0%	0%	0%	1%
Deferred	10%	15%	0%	20%
Division of Youth Services	30%	22%	20%	7%
Fines/fees	0%	2%	0%	4%
Jail	0%	0%	0%	1%
Juvenile Detention	0%	2%	0%	1%
Probation/Intensive Supervision	60%	59%	80%	66%
All	**100%**	**100%**	**100%**	**100%**

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

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

The following four tables show initial juvenile court sentences for each of the offense categories by race/ethnicity. Note that the number of cases can be quite small for some sentences; in these cases the findings should be interpreted with caution. Table 3-29 shows the initial sentence when a Drug offense was the most serious conviction crime; subsequent tables show the initial sentence for Other offenses, Property

offenses, and Violent crimes. For Violent offenses (Table 3-32), Hispanics (21%) were more likely than Whites (9%) to receive an initial sentence to the Division of Youth Services.

Table 3-29. Initial sentence for Drugs as most serious conviction in Juvenile Court by race/ethnicity* (N=17)

Sentence	Hispanic	White
N	9	8
Deferred	11%	0%
Division of Youth Services	33%	25%
Probation/Intensive Supervision	56%	75%
All	100%	100%

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

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

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

Sentence	Black	Hispanic	Other	White
N	3	10	1	15
Deferred	0%	0%	0%	7%
Division of Youth Services	33%	40%	0%	0%
Fines/fees	0%	0%	0%	13%
Jail	0%	0%	0%	7%
Juvenile Detention	0%	0%	0%	7%
Probation/Intensive Supervision	67%	60%	100%	67%
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 3-31. Initial sentence for Property as most serious conviction in Juvenile Court by race/ethnicity* (N=101)

Sentence	Black	Hispanic	Other	White
N	4	13	3	81
Community Service	0%	0%	0%	1%
Deferred	25%	31%	0%	22%
Division of Youth Services	0%	0%	33%	6%
Fines/fees	0%	8%	0%	5%
Juvenile Detention	0%	0%	0%	1%
Probation/Intensive Supervision	75%	62%	67%	64%
All	100%	100%	100%	100%

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

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

Table 3-32. Initial sentence for Violent as most serious conviction in Juvenile Court by race/ethnicity* (N=61)

Sentence	Black	Hispanic	Other	White
N	3	14	1	43
Deferred	0%	14%	0%	23%
Division of Youth Services	67%	21%	0%	9%
Juvenile Detention	0%	7%	0%	0%
Probation/Intensive Supervision	33%	57%	100%	67%
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.

In county court, Drug cases resulted in a fine in 17% of cases, and community service for 31% of cases. Deferred judgments occurred for almost one-third of Drug (31%) and Other offenses (31%) and 6% of Violent crime cases, 11% of Property cases. Over half (53%) of Violent cases received an initial sentence to probation. Females in county court were more likely than men to receive a deferred judgment (29% and 14%, respectively) and were half as likely as men to receive a sentence to jail (9% compared to 18%, respectively). Whites were much more likely than those in the other race/ethnicity categories to receive a deferred judgment (23% compared to 6-9% for other race/ethnicities); Hispanics were especially unlikely to receive a deferred judgment in county court, at 6%. Hispanics were considerably more likely to receive jail time compared to Whites (27% and 12%, respectively). The few cases in the Other race/ethnicity category (n=12) means that the information must be interpreted with caution.

In district court, probation was the most frequently occurring initial sentence, imposed 64% of the time for Drug cases. The second most frequently occurring sentence in district court was a prison sentence: 16% of Drug cases, 25% of Other cases, 16% of Property cases, and 19% of Violent cases received a sentence to the Department of Corrections. In fact, one-fifth (21%) of initial sentences for Blacks and Hispanics were to the Department of Corrections, slightly higher than the 18% of Whites. Blacks were more likely than Whites to

receive a jail sentence (14% compared to 8%, respectively). Deferred judgments were imposed infrequently and were most likely to be imposed in Property cases (14%), and least likely to be imposed in Drug cases (2%). Women were more likely to receive a deferred judgment than men (10% compared to 5%, respectively) and less likely to receive a sentence to the Department of Corrections (9% and 22%, respectively).

In juvenile court in the 21st Judicial District, initial sentences to probation were the most frequently occurring sentence, followed by a sentence to the Division of Youth Services. Drug cases and Violent cases were more likely than other offenses to receive a sentence to DYS in juvenile court. Deferred judgments were rarely used in juvenile court, but when used, they were more likely to be received by females than males (22% compared to 17%, respectively). Males were more likely than females to receive a sentence to DYS (14% versus 3%, respectively). Across race/ethnicity categories, the few cases in the Black (n=10) and Other (n=5) race/ethnicity categories means this information must be interpreted with caution. Nevertheless, 30% of Blacks and 22% of Hispanics were sentenced to the Division of Youth Services compared to 7% of Whites. Blacks (10%) and Hispanics (15%) were less likely to receive a deferred judgment compared to Whites (20%).

Revocations

Cases sentenced in 2016 to probation or a deferred judgment that received a revocation in the 21st 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, 12% of cases receiving a probation/deferred judgment in county court in the 21st Judicial District in 2016 were revoked. Hispanics were revoked at a rate of 21% compared to 10% for Whites. The few numbers of Blacks (n=20) and those in the Other race/ethnicity group (n=6) requires caution when interpreting the findings. Across race/ethnicity categories, those with Violent cases were more likely to be revoked compared to the other offense categories. Women were less likely than men to be revoked in county court (8% versus 14%, respectively) (Table 3-34).

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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			**95%**	**5%**	**100%**	**20**
	Drugs		100%	0%	100%	1
	Other		100%	0%	100%	2
	Property		100%	0%	100%	4
	Violent		92%	8%	100%	13
Hispanic			**79%**	**21%**	**100%**	**114**
	Drugs		100%	0%	100%	3
	Other		86%	14%	100%	43
	Property		69%	31%	100%	16
	Violent		75%	25%	100%	52
Other			**67%**	**33%**	**100%**	**6**
	Other		75%	25%	100%	4
	Violent		50%	50%	100%	2
White			**90%**	**10%**	**100%**	**577**
	Drugs		86%	14%	100%	21
	Other		96%	4%	100%	257
	Property		88%	12%	100%	67
	Violent		85%	15%	100%	232
All			**88%**	**12%**	**100%**	**717**

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

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

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

Gender		No	Yes	All	N
Female		**92%**	**8%**	**100%**	**277**
	Drugs	87%	13%	100%	15
	Other	98%	2%	100%	124
	Property	88%	12%	100%	42
	Violent	89%	11%	100%	96
Male		**86%**	**14%**	**100%**	**440**
	Drugs	90%	10%	100%	10
	Other	92%	8%	100%	182
	Property	82%	18%	100%	45
	Violent	81%	19%	100%	203
All		**88%**	**12%**	**100%**	**717**

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 (30%, Table 3-35) compared to county court (12%, Table 3-33) in 2016. In district court, Hispanics and Whites were equally likely to be revoked (31%); Blacks and Other defendants were revoked at a rate of 17%. Hispanics (33%) and Whites (39%) with Drug offenses were most likely to be revoked. Table 3-36 shows that women in adult district court were slightly less likely than men to get revoked (30% compared to 31%). Men and women with Drug cases were most likely, compared to those with other crime types, to get revoked.

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

Race/ethnicity		No	Yes	All	N
Black		**83%**	**17%**	**100%**	**41**
	Drugs	86%	14%	100%	14
	Other	50%	50%	100%	4
	Property	93%	7%	100%	14
	Violent	78%	22%	100%	9
Hispanic		**69%**	**31%**	**100%**	**149**
	Drugs	67%	33%	100%	64
	Other	75%	25%	100%	20
	Property	70%	30%	100%	40
	Violent	68%	32%	100%	25
Other		**83%**	**17%**	**100%**	**12**
	Drugs	100%	0%	100%	2
	Other	75%	25%	100%	4
	Property	100%	0%	100%	2
	Violent	75%	25%	100%	4
White		**69%**	**31%**	**100%**	**655**
	Drugs	61%	39%	100%	283
	Other	78%	22%	100%	83
	Property	71%	29%	100%	164
	Violent	75%	25%	100%	125
All		**70%**	**30%**	**100%**	**857**

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		**70%**	**30%**	**100%**	**292**
	Drugs	65%	35%	100%	155
	Other	75%	25%	100%	24

	Property	77%	23%	100%	81
	Violent	75%	25%	100%	32
Male		**69%**	**31%**	**100%**	**565**
	Drugs	62%	38%	100%	208
	Other	77%	23%	100%	87
	Property	71%	29%	100%	139
	Violent	74%	26%	100%	131
All		**70%**	**30%**	**100%**	**857**

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, 35% of cases sentenced to probation/deferred judgment in 2016 in the 21st Judicial District were revoked (Table 3-37). Hispanics were most likely to get revoked (50%). Table 3-38 presents revocations in juvenile court by gender. Females were revoked at a rate of 34% compared to 35% for males. Comparing across crime types, juveniles with Drug crimes were most likely to be revoked.

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		**71%**	**29%**	**100%**	**7**
	Other	100%	0%	100%	2
	Property	50%	50%	100%	4
	Violent	100%	0%	100%	1
Hispanic		**50%**	**50%**	**100%**	**34**
	Drugs	33%	67%	100%	6
	Other	50%	50%	100%	6
	Property	58%	42%	100%	12
	Violent	50%	50%	100%	10
Other		**75%**	**25%**	**100%**	**4**
	Other	100%	0%	100%	1
	Property	50%	50%	100%	2
	Violent	100%	0%	100%	1
White		**68%**	**32%**	**100%**	**126**
	Drugs	33%	67%	100%	6
	Other	64%	36%	100%	11
	Property	70%	30%	100%	70
	Violent	72%	28%	100%	39
All		**65%**	**35%**	**100%**	**171**

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		**66%**	**34%**	**100%**	**29**
	Drugs	0%	100%	100%	2
	Other	50%	50%	100%	6
	Property	73%	27%	100%	11
	Violent	80%	20%	100%	10
Male		**65%**	**35%**	**100%**	**142**
	Drugs	40%	60%	100%	10
	Other	71%	29%	100%	14
	Property	66%	34%	100%	77
	Violent	66%	34%	100%	41
All		**65%**	**35%**	**100%**	**171**

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 21st 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.

In county court, 12% of cases receiving a probation/deferred judgment in the 21st Judicial District in 2016 were revoked. Hispanics were revoked at a rate of 21% compared to 10% for Whites. The few numbers of Blacks (n=20) and those in the Other race/ethnicity group (n=6) requires caution when interpreting the findings. Across race/ethnicity categories, those with Violent cases were more likely to be revoked compared to the other offense categories. Women were less likely than men to be revoked in county court (8% versus 14%, respectively).

Revocations from probation/deferred judgments occurred more frequently in district court (30%) compared to county court (12%) in 2016. In district court, Hispanics and Whites were equally likely to be revoked (31%);

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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.

Blacks and Other defendants were revoked at a rate of 17%. Hispanics (33%) and Whites (39%) with Drug offenses were most likely to be revoked. Women in adult district court were slightly less likely than men to get revoked (30% compared to 31%). Men and women with Drug cases were most likely, compared to those with other crime types, to get revoked.

In juvenile court, 35% of cases sentenced to probation/deferred judgment in 2016 in the 21st Judicial District were revoked (Table 3-37). Hispanics were most likely to get revoked (50%). Females were revoked at a rate of 34% compared to 35% for males. Comparing across crime types, juveniles with Drug crimes were most likely to be revoked.

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