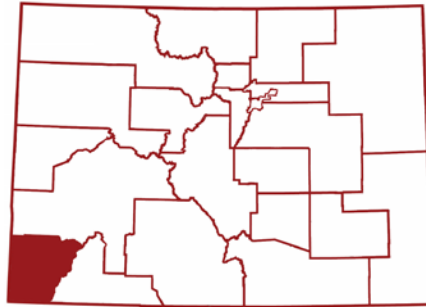# Senate Bill 15-185 CLEAR Act

2016

Community Law Enforcement Action Reporting Act

22nd Judicial District

22nd Judicial District: Population race/ethnicity estimates, 2016

Age Group	Race/ethnicity	%	N
Adult		**77%**	**22,293**
	Black	<1%	65
	Hispanic	10%	2,193
	Other	11%	2,363
	White	79%	17,672
Juvenile		**23%**	**6,654**
	Black	1%	66
	Hispanic	18%	1,210
	Other	17%	1,140
	White	64%	4,238
All		**100%**	**28,948**

Data source: Office of the State Demographer,

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

October 2017

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

Community Law Enforcement Action Reporting Act

Pursuant to Senate Bill 2015-185

Prepared by

Kim English
Peg Flick
Laurence Lucero

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 22nd Judicial District for events that occurred in 2016. The statewide report and individual judicial district reports may be found here: *colorado.gov/dcj-ors/ors-SB185*.

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

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

---

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

Executive Summary

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

In 2017, following the publication of the first CLEAR Act report,[3] the findings from the statewide analysis were presented to the Colorado Commission on Criminal and Juvenile Justice.[4] At the conclusion of the presentation, the Commission voted unanimously to request that the next analyses disaggregate the data by judicial district so that local stakeholders could examine if and where disparities exist, and develop strategies to address them. This report of 2016 data was prepared for the 22nd 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 22nd Judicial District was 28,948. The adult population was comprised as follows: White, 79%; Black, <1%; Hispanic, 10%; and Other, 11%. The juvenile population was comprised as follows: White, 64%, Black, <1%, Hispanic 18%, and Other17%. 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

---

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

arrest was found to be Hispanic, then the race/ethnicity was set to Hispanic. Otherwise, the original race/ethnicity designation from the court record was used.

Law enforcement data. In 2016 law enforcement made/issued 1,610 arrests/summonses in the 22nd 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 4% of all arrests/summonses and Violent crimes accounted for another 9% of arrests/summonses, Property offenses accounted for 7%, and the remainder of arrests/summonses (80%) fell into the Other crime category. Blacks represented less than 1% of the population in the 22nd Judicial District in 2016, and accounted for 1% of arrests/summonses. Hispanics represented 12% of the population and 10% of arrests/summonses. Those in the Other race/ethnicity category represented 12% of the population but 42% of arrests/summonses. Males represented about 50% of the state population and approximately 70% of arrests.

Filings. This study of 962 case filings in county, district, and juvenile courts combined found that, while Blacks, comprising less than 1% of the population in the 22nd Judicial District, represented 2% of adult district court filings (n=6) and 3% in juvenile court (n=2). Hispanic made up 12% of the adult population in the 22nd Judicial District and 13% of district court filings in 2016. Those falling in the Other race/ethnicity category, however, represented 12% of the population in 2016 and 35% of county court filings, 27% of district court filings, and 33% of juvenile court filings.

Over half (54%) of county court cases were Violent offenses (primarily misdemeanor assault); Drugs (23%), Other cases (35%) and Violent filings (24%) were the prevalent crimes in adult district court. Property crimes (36%) and Violent and Other crimes (each at 29%)) made up the majority of cases filed in juvenile court. Females were more likely to have cases in juvenile court (30%) compared to adult district court (28%) and county court (26%).
Only 1% of cases completed a trial in county, district, and juvenile court. 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, 33% of cases in county court were dismissed, as were 30% of cases in district court and 54% of cases in juvenile court. Over one-third (41%) of county court cases were convicted as charged compared to 17% in district court and 26% in juvenile court. One-fifth (18%) of county court cases were convicted of a different charge, as were 34% of district court cases, and 17% 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, deferred judgments were the most frequently used initial sentence. County court Drug cases resulted in a deferred judgment in 57% of cases, and community service for 26% of cases. Deferred judgments occurred for 53% of Other crimes, 43% of Property offenses and 40% of Violent crime cases. In county court, women were more likely than men to receive a deferred judgment (55% compared to 42%, respectively) and less likely to receive a jail sentence (12% compared to 19%, respectively). In terms of race/ethnicity, Whites (49%) were more likely to receive a deferred judgment compared to Hispanics (39%) and those in the Other (43%) race/ethnicity category. Hispanics were more likely than Whites to receive a jail sentence (20% compared to 16%, respectively). Across crime type, for those with Other as the most serious county court conviction charge, Hispanics (43%) were much more likely than those in the White (7%) and Other (16%) race/ethnicity categories to receive a jail sentence. For Violent offenses in county court, Hispanics were less likely than Whites to receive a deferred judgment, and less likely than Whites to receive a jail sentence.

In district court, probation was the most frequently occurring initial sentence, imposed 44% of the time for Drug cases. The second most frequently occurring sentence in district court was a deferred judgment: 18% of Drug cases, 13% of Other cases, 26% of Property cases, and 16% of Violent cases received a deferred judgment. The next most frequently occurring sentence was incarceration, either jail or the Department of Corrections. Women were more likely to receive a deferred judgment compared to men (27% versus 15%, respectively) and less likely to receive a prison sentence (2% compared to 18%, respectively). For Drug cases, Hispanics were less likely than Whites to receive a deferred judgment (9% compared to 20%, respectively), and more likely to receive a sentence to prison (27% compared to 13%, respectively), however the few Hispanic cases (n=11) means this information should be interpreted with caution. This is also the case for Blacks (n=1) and those in the Other race/ethnicity category (n=3). For Other offenses, Hispanics were less likely than Whites to receive a deferred judgment (0% compared to 20%, respectively), but the few Other cases (n=39) means that the disaggregated information must be interpreted with caution. Hispanics were much less likely to receive a deferred judgment than Whites for Property offenses (8% and 27%, respectively) and, for Violent crimes, Hispanics were more likely than Whites to receive a prison sentence (21% compared to 4%, respectively), however, the few numbers of cases across crime types means this information must be interpreted with caution.

In juvenile court, the few numbers of cases (n=24) means that caution should be used with interpreting the findings when the information is disaggregated by crime type and race/ethnicity. All sentences in juvenile court in 2016 were either a deferred judgment or probation.

Revocations: Summary. Cases sentenced in 2016 to probation or a deferred judgment that received a revocation in the 22nd 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

---

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

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, 18% of cases receiving a probation/deferred judgment in the 22nd Judicial District in 2016 were revoked. Hispanics (26%) and those in the Other race/ethnicity category (22%) were considerably more likely to be revoked compared to Whites (14%). Hispanics (44%) and those in the Other race/ethnicity category (27%) were most likely to be revoked with the offense was Violent. Women were slightly more likely to get revoked compared to men (19% and 18%, respectively).

Revocations from probation/deferred judgments occurred at the same frequently in district court (18%) as county court (18%) in 2016. In district court, Hispanics (24%) and those in the Other race/ethnicity category (25%) were more likely to be revoked compared to Whites (14%). Women in adult district court were more likely than men to get revoked (28% compared to 13%). Women with Violent cases and men with Other offenses were most likely to get revoked. Note that the number of cases in many of the categories is quite small; caution must be used when interpreting the findings when there are few cases.

In juvenile court, 21% of cases sentenced to probation/deferred judgment in 2016 in the 22nd Judicial District were revoked (Table 3-37). The few cases in this juvenile court analysis (n=24) means that the information must be interpreted with caution. Table 3-38 presents revocations in juvenile court by gender. Females were revoked at a rate of 25% compared to 20% for males. However, the few female cases (n=4) means this information should be interpreted with caution.

---

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

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.

---

[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 1,600 NIBRS incidents in the 22nd Judicial District were analyzed for calendar year 2016 (Table 1-1).

Table 1-1. Arrests by type, 22nd Judicial District, 2016

Arrest type	%	N
Custody/warrant	57%	924
On-view/probable cause	34%	553
Summons	8%	133
All	100%	1,610

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, 22nd Judicial District, 2016

Court	%	N
Adult District	37%	359
County	56%	534
Juvenile	7%	69
All	100%	962

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

Note that the information presented here reflects the analysis of 962 *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

---

[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.

[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.

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.

---

[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	4%	63
Other	80%	1,294
Property	7%	110
Violent	9%	143
All	100%	1,610

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

Table 2-2 reflects 1,610 arrests/summonses captured in NIBRS for calendar year 2016 in the 22nd Judicial District, by race/ethnicity. Blacks represented less than 1% of the population in 2016 and accounted for 1% of arrests/summonses in the 22nd Judicial District. Hispanics represented 12% of the population and accounted for 10% of arrests. The Other race/ethnicity category represented 12% of the population, and accounted for nearly half (43%) of arrests/summonses in the 22nd Judicial District in 2016.

Table 2-2. Arrests by race/ethnicity

Race/ethnicity	%	N
Black	1%	18
Hispanic	10%	154
Other	43%	688
White	47%	750
All	100%	1,610

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 2% of on view/probable cause arrests, and that 31% of those arrests were for violent crimes. However, the few numbers of juveniles (n=13)

with probable cause arrests means this information must be interpreted with caution. Juveniles accounted for one custody/warrant arrest (Table 2-4) and 8 summonses (Table 2-5).

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

Age Group	Offense	%	N
Adult		**98%**	**540**
	Drugs	10%	54
	Other	62%	337
	Property	8%	43
	Violent	20%	106
Juvenile		**2%**	**13**
	Other	15%	2
	Property	54%	7
	Violent	31%	4
All		**100%**	**553**

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		**100%**	**923**
	Drugs	<1%	2
	Other	98%	900
	Property	1%	9
	Violent	1%	12
Juvenile		**<1%**	**1**
	Other	100%	1
All		**100%**	**924**

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

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

Age Group	Offense	%	N
Adult		**94%**	**125**
	Drugs	5%	6
	Other	42%	52
	Property	39%	49
	Violent	14%	18
Juvenile		**6%**	**8**
	Drugs	12%	1
	Other	25%	2
	Property	25%	2
	Violent	38%	3
All		**100%**	**133**

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 10% of probable cause

arrests were for Drug related offenses, 61% were for Other offenses, 9% for Property offenses, and 20% for Violent offenses. While Blacks made up less than 1% of the population in the 22nd Judicial District, Table 2-6 shows that they were arrested at twice that rate for probable cause arrests in 2016: 2% of Drug arrests were Blacks, 2% of arrests for Other offenses were Blacks, 2% of Property arrests were Blacks, and 8% of Violent arrests were Blacks. While Hispanics represented 12% of the population in 2016, they accounted for 13% of Drug offenses. Those in the Other race/ethnicity category, however, representing 12% of the population in the 22nd Judicial District accounted for 50% of Other offenses, 40% of Property arrests and 34% of Violent probable cause arrests.

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

Offense	Race/ethnicity	%	N
Drugs		**10%**	**54**
	Black	2%	1
	Hispanic	13%	7
	Other	4%	2
	White	81%	44
Other		**61%**	**339**
	Black	2%	7
	Hispanic	8%	27
	Other	50%	171
	White	40%	134
Property		**9%**	**50**
	Black	2%	1
	Hispanic	6%	3
	Other	40%	20
	White	52%	26
Violent		**20%**	**110**
	Hispanic	8%	9
	Other	34%	37
	White	58%	64
All		**100%**	**553**

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 all (98%) of these arrests involved an offense that fell into the Other offense category. The few numbers of cases in the other offense categories means that caution should be undertaken when reviewing these findings.

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

Offense	Race/ethnicity	%	N
Drugs		**<1%**	**2**
	Hispanic	50%	1
	White	50%	1
Other		**98%**	**901**
	Black	1%	8
	Hispanic	10%	92
	Other	46%	410
	White	43%	391
Property		**1%**	**9**
	Hispanic	22%	2
	Other	56%	5
	White	22%	2
Violent		**1%**	**12**
	Hispanic	17%	2
	Other	33%	4
	White	50%	6
All		**100%**	**924**

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 Drug offenses (5%) compared to Other (41%), Property (38%) and Violent crimes (16%). The few numbers of cases in many of the categories means that caution should be used when interpreting the findings.

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

Offense	Race/ethnicity	%	N
Drugs		**5%**	**7**
	Hispanic	29%	2
	White	71%	5
Other		**41%**	**54**
	Black	2%	1
	Hispanic	7%	4
	Other	26%	14
	White	65%	35
Property		**38%**	**51**
	Hispanic	8%	4
	Other	47%	24
	White	45%	23
Violent		**16%**	**21**
	Hispanic	5%	1
	Other	5%	1
	White	90%	19
All		**100%**	**133**

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 8-50% of arrests and 14-37% 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		**10%**	**54**
	Female	41%	22
	Male	59%	32
Other		**61%**	**339**
	Female	21%	72
	Male	79%	267
Property		**9%**	**50**
	Female	30%	15
	Male	70%	35
Violent		**20%**	**110**
	Female	25%	27
	Male	75%	83
All		**100%**	**553**

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		**<1%**	**2**
	Female	50%	1
	Male	50%	1
Other		**98%**	**901**
	Female	30%	274
	Male	70%	627
Property		**1%**	**9**
	Female	33%	3
	Male	67%	6
Violent		**1%**	**12**
	Female	8%	1
	Male	92%	11
All		**100%**	**924**

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		**5%**	**7**
	Female	14%	1
	Male	86%	6
Other		**41%**	**54**
	Female	28%	15
	Male	72%	39
Property		**38%**	**51**
	Female	37%	19
	Male	63%	32
Violent		**16%**	**21**
	Female	33%	7
	Male	67%	14
All		**100%**	**133**

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 1,610 arrests/summonses in the 22nd 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 4% of all arrests/summonses and Violent crimes accounted for another 9% of arrests/summonses, Property offenses accounted for 7%, and the remainder of arrests/summonses (80%) fell into the Other crime category. Blacks represented less than 1% of the population in the 22nd Judicial District in 2016, and accounted for 1% of arrests/summonses. Hispanics represented 12% of the population and 10% of arrests/summonses. Those in the Other race/ethnicity category represented 12% of the population but 42% of arrests/summonses. Males represented about 50% of the state population and approximately 70% of arrests.

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 22nd 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 962 case filings in county, adult district, and juvenile courts combined in the 22nd Judicial District for 2016. While Blacks represented less than 1% of the population and 1% of the arrests/summonses in 2016, they accounted for 1% of court filings (n=10). Hispanics represented 12% of the population and 13% of case filings. Those in the Other race/ethnicity category represented 12% of the population, 43% of arrests/summonses, and 32% of court filings. Note that these cases are not necessarily the same cases in the **Law enforcement data** section above.

---

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

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

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

Race/ethnicity	%	N
Black	1%	10
Hispanic	13%	129
Other	32%	305
White	54%	518
All	**100%**	**962**

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 12% of cases, and Violent charges comprised the largest category at 41% of charges filed. The race/ethnicity distribution was generally consistent across crime types, with the exception of those in the Other race/ethnicity category. This group was less likely to be involved in Drug offenses (15%) and more likely to be involved in Other (40%) and Violent (33%) offenses.

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

Offense	Race/ethnicity	%	N
Drugs		**12%**	**117**
	Black	3%	3
	Hispanic	16%	19
	Other	15%	17
	White	67%	78
Other		**29%**	**279**
	Black	<1%	1
	Hispanic	11%	32
	Other	40%	112
	White	48%	134
Property		**18%**	**169**
	Black	3%	5
	Hispanic	14%	23
	Other	26%	44
	White	57%	97
Violent		**41%**	**397**
	Black	<1%	1
	Hispanic	14%	55
	Other	33%	132
	White	53%	209
All		**100%**	**962**

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, 27% of filings were females and 73% were males. Females were slightly more likely than men to be involved in Property crimes (20% compared to 17%, respectively) and less to be involved in Violent offenses (34% compared to 44%, respectively).

Table 3-3. Most serious filing charge by gender

Gender	Offense	%	N
Female		**27%**	**259**
	Drugs	16%	41
	Other	30%	79
	Property	20%	52
	Violent	34%	87
Male		**73%**	**703**
	Drugs	11%	76
	Other	28%	200
	Property	17%	117
	Violent	44%	310
All		**100%**	**962**

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 22nd Judicial District. County court had the most cases in 2016 (56% of the total), followed by adult district court (37%) and juvenile court at 7%. Blacks, comprising less than 1% of the population in the 22nd Judicial District, represented 2% of adult district court filings (n=6) and 3% in juvenile court (n=2). Hispanic made up 12% of the adult population in the 22nd Judicial District and 13% of district court filings in 2016. Those falling in the Other race/ethnicity category, however, represented 12% of the population in 2016 and 35% of county court filings, 27% of district court filings, and 33% of juvenile court filings.

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

Court	Race/ethnicity	%	N
Adult District		**37%**	**359**
	Black	2%	6
	Hispanic	16%	58
	Other	27%	97
	White	55%	198
County		**56%**	**534**
	Black	<1%	2
	Hispanic	13%	71
	Other	35%	185
	White	52%	276
Juvenile		**7%**	**69**
	Black	3%	2
	Other	33%	23
	White	64%	44
All		**100%**	**962**

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

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

Table 3-5 provides the type of offense by court type. Over half (54%) of county court cases were Violent offenses (primarily misdemeanor assault); Drugs (23%), Other cases (35%) and Violent filings (24%) were the prevalent crimes in adult district court. Property crimes (36%) and Violent and Other crimes (each at 29%)) made up the majority of cases filed in juvenile court. Table 3-6 presents the distribution across gender for cases in county, district and juvenile court. Females were more likely to have cases in juvenile court (30%) compared to adult district court (28%) and county court (26%).

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

Court	Offense	%	N
Adult District		**37%**	**359**
	Drugs	23%	81
	Other	35%	124
	Property	19%	68
	Violent	24%	86
County		**56%**	**534**
	Drugs	6%	32
	Other	25%	135
	Property	14%	76
	Violent	54%	291
Juvenile		**7%**	**69**
	Drugs	6%	4
	Other	29%	20
	Property	36%	25
	Violent	29%	20
All		**100%**	**962**

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

Table 3-6. Court of case filing, by gender

Court	Gender	%	N
Adult District		**37%**	**359**
	Female	28%	100
	Male	72%	259
County		**56%**	**534**
	Female	26%	138
	Male	74%	396
Juvenile		**7%**	**69**
	Female	30%	21
	Male	70%	48
All		**100%**	**962**

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%). 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 (n=5).

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

Court	Completed Trial	%	N
Adult District		**37%**	**359**
	No	99%	356
	Yes	1%	3
County		**56%**	**534**
	No	99%	529
	Yes	1%	5
Juvenile		**7%**	**69**
	No	99%	68
	Yes	1%	1
All		**100%**	**962**

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		**12%**	**117**
	No	100%	117
Other		**29%**	**279**
	No	99%	276
	Yes	1%	3
Property		**18%**	**169**
	No	99%	168
	Yes	1%	1
Violent		**41%**	**397**
	No	99%	392
	Yes	1%	5
All		**100%**	**962**

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 962 case filings in county, district, and juvenile courts combined found that, while Blacks, comprising less than 1% of the population in the 22nd Judicial District, represented 2% of adult district court filings (n=6) and 3% in juvenile court (n=2). Hispanic made up 12% of the adult population in the 22nd Judicial District and 13% of district court filings in 2016. Those falling in the Other race/ethnicity category, however, represented 12% of the population in 2016 and 35% of county court filings, 27% of district court filings, and 33% of juvenile court filings.

Over half (54%) of county court cases were Violent offenses (primarily misdemeanor assault); Drugs (23%), Other cases (35%) and Violent filings (24%) were the prevalent crimes in adult district court. Property crimes (36%) and Violent and Other crimes (each at 29%)) made up the majority of cases filed in juvenile court. Females were more likely to have cases in juvenile court (30%) compared to adult district court (28%) and county court (26%).

Only 1% of cases completed a trial in county, district, and juvenile court. 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 22nd 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 33% 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 41% of cases were convicted as charged, and 18% were convicted of another crime. In adult district court (Table 3-10), 34% were convicted of another crime and 17% were convicted as charged. In juvenile court (Table 3-11), 17% were convicted of another offense and 26% 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		**50%**	**50%**	**0%**	**0%**	**100%**	**2**
	Property	100%	0%	0%	0%	100%	1
	Violent	0%	100%	0%	0%	100%	1
Hispanic		**42%**	**15%**	**38%**	**4%**	**100%**	**71**
	Drugs	100%	0%	0%	0%	100%	2
	Other	44%	28%	28%	0%	100%	18
	Property	50%	17%	25%	8%	100%	12
	Violent	36%	10%	49%	5%	100%	39
Other		**39%**	**19%**	**32%**	**9%**	**100%**	**185**
	Drugs	44%	22%	33%	0%	100%	9
	Other	48%	15%	28%	9%	100%	54
	Property	39%	28%	22%	11%	100%	18
	Violent	35%	20%	36%	10%	100%	104
White		**42%**	**18%**	**33%**	**7%**	**100%**	**276**
	Drugs	43%	24%	24%	10%	100%	21
	Other	62%	17%	17%	3%	100%	63
	Property	40%	13%	38%	9%	100%	45
	Violent	33%	19%	39%	8%	100%	147
All		**41%**	**18%**	**33%**	**7%**	**100%**	**534**

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		**0%**	**50%**	**33%**	**17%**	**100%**	**6**
	Drugs	0%	33%	67%	0%	100%	3
	Other	0%	0%	0%	100%	100%	1
	Property	0%	100%	0%	0%	100%	2
Hispanic		**22%**	**36%**	**29%**	**12%**	**100%**	**58**
	Drugs	35%	18%	47%	0%	100%	17
	Other	29%	14%	43%	14%	100%	14
	Property	9%	55%	18%	18%	100%	11
	Violent	12%	62%	6%	19%	100%	16
Other		**18%**	**24%**	**24%**	**35%**	**100%**	**97**
	Drugs	17%	17%	33%	33%	100%	6
	Other	10%	6%	29%	54%	100%	48
	Property	19%	52%	10%	19%	100%	21
	Violent	32%	36%	23%	9%	100%	22
White		**15%**	**38%**	**33%**	**14%**	**100%**	**198**
	Drugs	13%	44%	31%	13%	100%	55
	Other	20%	26%	39%	15%	100%	61
	Property	18%	35%	38%	9%	100%	34
	Violent	10%	50%	23%	17%	100%	48
All		**17%**	**34%**	**30%**	**19%**	**100%**	**359**

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

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

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

Race/ethnicity		Convicted as charged	Convicted other crime	Dismissed/not guilty	Not yet resolved/case closed	All	N
Black		**0%**	**50%**	**50%**	**0%**	**100%**	**2**
	Property	0%	50%	50%	0%	100%	2
Other		**9%**	**9%**	**78%**	**4%**	**100%**	**23**
	Drugs	50%	0%	50%	0%	100%	2
	Other	10%	0%	80%	10%	100%	10
	Property	0%	20%	80%	0%	100%	5
	Violent	0%	17%	83%	0%	100%	6
White		**36%**	**20%**	**41%**	**2%**	**100%**	**44**
	Drugs	0%	0%	100%	0%	100%	2
	Other	20%	20%	50%	10%	100%	10
	Property	44%	17%	39%	0%	100%	18
	Violent	43%	29%	29%	0%	100%	14
All		**26%**	**17%**	**54%**	**3%**	**100%**	**69**

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, 33% of cases in county court were dismissed, as were 30% of cases in district court and 54% of cases in juvenile court. Over one-third (41%) of county court cases were convicted as charged compared to 17% in district court and 26% in juvenile court. One-fifth (18%) of county court cases were convicted of a different charge, as were 34% of district court cases, and 17% of juvenile court cases.

Initial sentences

The tables below show cases sentenced between Jan 1, 2016 and Dec 31, 2016 in the 22nd Judicial District, in county court, district court, and juvenile court. These cases are not necessarily the same cases in the **Case Filings** section above. Also, because these data represent cases, not individuals, the number of individuals sentenced to the Department of Corrections (DOC) or the Division of Youth Services (DYS) from this jurisdiction will not match the number reported as admissions by DOC or DYS.

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

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

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

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

County court

Table 3-12 presents the initial sentence for each of the four offense types for county court cases in the 22nd Judicial District in 2016. Deferred judgments were the most frequently used initial sentence in county court. County court Drug cases resulted in a deferred judgment in 57% of cases, and community service for 26% of cases. Deferred judgments occurred for 53% of Other crimes, 43% of Property offenses and 40% of Violent crime cases. In county court, women were more likely than men to receive a deferred judgment (55% compared to 42%, respectively) and less likely to receive a jail sentence (12% compared to 19%, respectively) (Table 3-13).

Table 3-12. Initial sentence in County Court, by most serious conviction charge (N=346)

Sentence	Drugs	%	Other	%	Property	%	Violent	%
Community Service	6	26%	6	5%	2	3%	1	1%
Deferred	13	57%	63	53%	26	43%	57	40%
Fines/fees	1	4%	9	8%	8	13%	3	2%
Jail	0	0%	17	14%	13	21%	28	20%
Probation/Intensive Supervision	3	13%	24	20%	12	20%	53	37%
Unsupervised Probation	0	0%	0	0%	0	0%	1	1%
All	**23**	**100%**	**119**	**100%**	**61**	**100%**	**143**	**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=346)

Sentence	Female	%	Male	%
Community Service	5	5%	10	4%
Deferred	52	55%	107	42%
Fines/fees	4	4%	17	7%
Jail	11	12%	47	19%
Probation/Intensive Supervision	22	23%	70	28%
Unsupervised Probation	0	0%	1	<1%
All	**94**	**100%**	**252**	**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 22nd Judicial District. Whites (49%) were more likely to receive a deferred judgment compared to Hispanics (39%) and those in the Other (43%) race/ethnicity category. Hispanics were more likely than Whites to receive a jail sentence (20% compared to 16%, respectively).

Table 3-14. Initial sentence in County Court by race/ethnicity* (N=346)

Sentence	Hispanic	Other	White
N	44	118	184
Community Service	0%	3%	7%
Deferred	39%	43%	49%
Fines/fees	9%	3%	7%
Jail	20%	16%	16%
Probation/Intensive Supervision	32%	35%	20%
Unsupervised Probation	0%	0%	1%
All	**100%**	**100%**	**100%**

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

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

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

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

Sentence	Hispanic	Other	White
N	2	4	17
Community Service	0%	25%	29%
Deferred	50%	75%	53%
Fines/fees	50%	0%	0%
Probation/Intensive Supervision	0%	0%	18%
All	**100%**	**100%**	**100%**

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

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

Table 3-16 shows that, for those with Other as the most serious county court conviction charge, Hispanics (43%) were much more likely than those in the White (7%) and Other (16%) race/ethnicity categories to receive a jail sentence. Table 3-17 provides information on the initial sentence in county court for Property offenses (the few numbers of cases in the Hispanic and Other race/ethnicity categories means that this information must be interpreted with caution). Table 3-18 depicts the initial sentence for Violent offenses in county court; Hispanics were less likely than Whites to receive a deferred judgment, and less likely than Whites to receive a jail sentence for a violent offense in county court.

Table 3-16. Initial sentence for Other as most serious conviction in County Court by race/ethnicity*
(N=119)

Sentence	Hispanic	Other	White
N	14	44	61
Community Service	0%	5%	7%
Deferred	36%	50%	59%
Fines/fees	7%	7%	8%
Jail	43%	16%	7%
Probation/Intensive Supervision	14%	23%	20%
All	**100%**	**100%**	**100%**

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

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

Table 3-17. Initial sentence for Property as most serious conviction in County Court by race/ethnicity* *(N=61)*

Sentence	Hispanic	Other	White
N	9	19	33
Community Service	0%	0%	6%
Deferred	56%	37%	42%
Fines/fees	22%	5%	15%
Jail	0%	26%	24%
Probation/Intensive Supervision	22%	32%	12%
All	100%	100%	100%

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

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

Table 3-18. Initial sentence for Violent as most serious conviction in County Court by race/ethnicity* *(N=143)*

Sentence	Hispanic	Other	White
N	19	51	73
Community Service	0%	0%	1%
Deferred	32%	37%	44%
Fines/fees	0%	0%	4%
Jail	16%	14%	25%
Probation/Intensive Supervision	53%	49%	25%
Unsupervised Probation	0%	0%	1%
All	100%	100%	100%

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

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

District court

Table 3-19 shows the initial sentence by offense type for district court cases in the 22nd Judicial District. Probation was the most frequently occurring initial sentence, imposed 44% of the time for Drug cases. The second most frequently occurring sentence in district court was a deferred judgment: 18% of Drug cases, 13% of Other cases, 26% of Property cases, and 16% of Violent cases received a deferred judgment. The next most frequently occurring sentence was incarceration, either jail or the Department of Corrections.

Table 3-20 indicates the initial sentence in district court by gender. Women were much more likely to receive a deferred judgment compared to men (27% versus 15%, respectively) and less likely to receive a prison sentence (2% compared to 18%, respectively).

Table 3-19. Initial sentence in Adult District Court, by most serious conviction charge (N=208)

Sentence	Drugs	%	Other	%	Property	%	Violent	%
Community Corrections	5	8%	2	5%	1	2%	2	3%
Deferred	11	18%	5	13%	13	26%	9	16%
Dept of Corrections	9	15%	5	13%	6	12%	8	14%
Fines/fees	3	5%	1	3%	3	6%	2	3%
Jail	6	10%	6	15%	5	10%	14	24%
Probation/Intensive Supervision	27	44%	20	51%	22	44%	23	40%
All	61	100%	39	100%	50	100%	58	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=208)

Sentence	Female	%	Male	%
Community Corrections	5	8%	5	3%
Deferred	16	27%	22	15%
Dept of Corrections	1	2%	27	18%
Fines/fees	2	3%	7	5%
Jail	6	10%	25	17%
Probation/Intensive Supervision	30	50%	62	42%
All	60	100%	148	100%

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

Table 3-21 shows the initial sentence in adult district court by race/ethnicity combining all crime types. The few cases with Black defendants (n=3) means that information must be interpreted with caution. Hispanics were less likely than Whites to receive a deferred judgment (5% compared to 21%) and more likely to receive a sentence to the Department of Corrections (20% compared to 13%). Those in the Other race/ethnicity category were much more likely to receive a jail sentence compared to Whites (22% and 13%, respectively).

Table 3-21. Initial sentence in Adult District Court by race/ethnicity (N=208)*

Sentence	Black	Hispanic	Other	White
N	3	44	49	112
Community Corrections	0%	5%	2%	6%
Deferred	0%	5%	24%	21%
Dept of Corrections	0%	20%	8%	13%
Fines/fees	33%	7%	2%	4%
Jail	0%	11%	22%	13%
Probation/Intensive Supervision	67%	52%	41%	42%
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. Hispanics were less likely than Whites to receive a deferred judgment (9% compared to 20%, respectively), and more likely to receive a sentence to prison (27% compared to 13%, respectively), however the few Hispanic cases (n=11) means this information should be interpreted with caution. This is also the case for Blacks (n=1) and those in the Other race/ethnicity category (n=3). For Other offenses, Hispanics were less likely than Whites to receive a deferred judgment (0% compared to 20%, respectively), but the few Other cases (n=39) means that the disaggregated information must be interpreted with caution (Table 3-23). Hispanics were much less likely to receive a deferred judgment than Whites for Property offenses (8% and 27%, respectively) (Table 3-24) and for Violent crimes, Hispanics were more likely than Whites to receive a prison sentence (21% compared to 4%, respectively) (Table 3-25), however, the few numbers of cases across crime types means this information must be interpreted with caution.

Table 3-22. Initial sentence for Drugs as most serious conviction in Adult District Court by race/ethnicity (N=61)*

Sentence	Black	Hispanic	Other	White
N	1	11	3	46
Community Corrections	0%	9%	0%	9%
Deferred	0%	9%	33%	20%
Dept of Corrections	0%	27%	0%	13%
Fines/fees	100%	0%	0%	4%
Jail	0%	9%	0%	11%
Probation/Intensive Supervision	0%	45%	67%	43%
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=39)*

Sentence	Hispanic	Other	White
N	6	13	20
Community Corrections	0%	0%	10%
Deferred	0%	8%	20%
Dept of Corrections	17%	0%	20%
Fines/fees	0%	0%	5%
Jail	17%	23%	10%
Probation/Intensive Supervision	67%	69%	35%
All	**100%**	**100%**	**100%**

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

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

Table 3-24. Initial sentence for Property as most serious conviction in Adult District Court by race/ethnicity* (N=50)

Sentence	Black	Hispanic	Other	White
N	1	13	14	22
Community Corrections	0%	0%	7%	0%
Deferred	0%	8%	43%	27%
Dept of Corrections	0%	15%	0%	18%
Fines/fees	0%	8%	7%	5%
Jail	0%	8%	14%	9%
Probation/Intensive Supervision	100%	62%	29%	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 3-25. Initial sentence for Violent as most serious conviction in Adult District Court by race/ethnicity* (N=58)

Sentence	Black	Hispanic	Other	White
N	1	14	19	24
Community Corrections	0%	7%	0%	4%
Deferred	0%	0%	21%	21%
Dept of Corrections	0%	21%	21%	4%
Fines/fees	0%	14%	0%	0%
Jail	0%	14%	32%	25%
Probation/Intensive Supervision	100%	43%	26%	46%
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 22nd Judicial District in 2016. The few numbers of juvenile court cases (n=24) means that caution should be used with interpreting the findings when the information is disaggregated by crime type and race/ethnicity. All sentences in juvenile court in 2016 were either a deferred judgment or probation.

Table 3-26. Initial sentence in Juvenile Court, by most serious conviction charge (N=24)

Sentence	Drugs	%	Other	%	Property	%	Violent	%
Deferred	1	100%	2	67%	9	69%	5	71%
Probation/Intensive Supervision	0	0%	1	33%	4	31%	2	29%
All	1	100%	3	100%	13	100%	7	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=24)

Sentence	Female	%	Male	%
Deferred	2	50%	15	75%
Probation/Intensive Supervision	2	50%	5	25%
All	4	100%	20	100%

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

Table 3-28. Initial sentence in Juvenile Court by race/ethnicity* (N=24)

Sentence	Black	Other	White
N	1	8	15
Deferred	0%	88%	67%
Probation/Intensive Supervision	100%	12%	33%
All	100%	100%	100%

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

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

Table 3-29. Initial sentence for Drugs as most serious conviction in Juvenile Court by race/ethnicity* (N=1)

Sentence	Other
N	1
Deferred	100%
All	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=3)

Sentence	Other	White
N	1	2
Deferred	100%	50%
Probation/Intensive Supervision	0%	50%
All	**100%**	**100%**

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

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

Table 3-31. Initial sentence for Property as most serious conviction in Juvenile Court by race/ethnicity* (N=13)

Sentence	Black	Other	White
N	1	3	9
Deferred	0%	100%	67%
Probation/Intensive Supervision	100%	0%	33%
All	**100%**	**100%**	**100%**

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

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

Table 3-32. Initial sentence for Violent as most serious conviction in Juvenile Court by race/ethnicity* (N=7)

Sentence	Other	White
N	3	4
Deferred	67%	75%
Probation/Intensive Supervision	33%	25%
All	**100%**	**100%**

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

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

Summary: Initial sentences. This analysis reflects the most serious initial sentences; these can be later modified, such as when jail is added as part of a probation revocation. Additionally, individuals may have multiple cases for which they are sentenced simultaneously. The sentence given in one case may not truly reflect the seriousness of the case as the more serious sentence

may be recorded in another case as part of a plea agreement. Finally, in addition to concurrent cases affecting the sentencing outcome of a case, criminal/juvenile history may also influence the final initial sentence.

In county court, deferred judgments were the most frequently used initial sentence. County court Drug cases resulted in a deferred judgment in 57% of cases, and community service for 26% of cases. Deferred judgments occurred for 53% of Other crimes, 43% of Property offenses and 40% of Violent crime cases. In county court, women were more likely than men to receive a deferred judgment (55% compared to 42%, respectively) and less likely to receive a jail sentence (12% compared to 19%, respectively). In terms of race/ethnicity, Whites (49%) were more likely to receive a deferred judgment compared to Hispanics (39%) and those in the Other (43%) race/ethnicity category. Hispanics were more likely than Whites to receive a jail sentence (20% compared to 16%, respectively). Across crime type, for those with Other as the most serious county court conviction charge, Hispanics (43%) were much more likely than those in the White (7%) and Other (16%) race/ethnicity categories to receive a jail sentence. For Violent offenses in county court, Hispanics were less likely than Whites to receive a deferred judgment, and less likely than Whites to receive a jail sentence.

In district court, probation was the most frequently occurring initial sentence, imposed 44% of the time for Drug cases. The second most frequently occurring sentence in district court was a deferred judgment: 18% of Drug cases, 13% of Other cases, 26% of Property cases, and 16% of Violent cases received a deferred judgment. The next most frequently occurring sentence was incarceration, either jail or the Department of Corrections. Women were more likely to receive a deferred judgment compared to men (27% versus 15%, respectively) and less likely to receive a prison sentence (2% compared to 18%, respectively). For Drug cases, Hispanics were less likely than Whites to receive a deferred judgment (9% compared to 20%, respectively), and more likely to receive a sentence to prison (27% compared to 13%, respectively), however the few Hispanic cases (n=11) means this information should be interpreted with caution. This is also the case for Blacks (n=1) and those in the Other race/ethnicity category (n=3). For Other offenses, Hispanics were less likely than Whites to receive a deferred judgment (0% compared to 20%, respectively), but the few Other cases (n=39) means that the disaggregated information must be interpreted with caution. Hispanics were much less likely to receive a deferred judgment than Whites for Property offenses (8% and 27%, respectively) and for Violent crimes, Hispanics were more likely than Whites to receive a prison sentence (21% compared to 4%, respectively), however, the few numbers of cases across crime types means this information must be interpreted with caution.

In juvenile court, the few numbers of cases (n=24) means that caution should be used with interpreting the findings when the information is disaggregated by crime type and race/ethnicity. All sentences in juvenile court in 2016 were either a deferred judgment or probation.

Revocations

Cases sentenced in 2016 to probation or a deferred judgment that received a revocation in the 22nd Judicial District are included in the analyses presented here.[16] Those sentenced near the

---

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

end of 2016 may not have had enough time to get revoked. **Note that these are cases, not individuals**. Counting cases and not individuals is likely to inflate the proportion of revocations presented in these analyses. For example, the Judicial Department reports that in 2016, 22% of adult state probation terminations were the result of a revocation.[17] The revocations presented here may not result in termination from probation supervision. In fact, in 2016, across county, adult district, and juvenile district courts *statewide*, 49% of cases were reinstated, 44% were not reinstated, and for the remaining 7% of cases it was unclear the outcome of the revocation.

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

County court

Table 3-33 shows revocation information for county court. Overall, 18% of cases receiving a probation/deferred judgment in county court in the 22nd Judicial District in 2016 were revoked. Hispanics (26%) and those in the Other race/ethnicity category (22%) were considerably more likely to be revoked compared to Whites (14%). Hispanics (44%) and those in the Other race/ethnicity category (27%) were most likely to be revoked with the offense was Violent. Women were slightly more likely to get revoked compared to men (19% and 18%, respectively) (Table 3-34).

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

Race/ethnicity		No	Yes	All	N
Hispanic		**74%**	**26%**	**100%**	**31**
	Drugs	100%	0%	100%	1
	Other	100%	0%	100%	7
	Property	86%	14%	100%	7
	Violent	56%	44%	100%	16
Other		**78%**	**22%**	**100%**	**92**
	Drugs	100%	0%	100%	3
	Other	81%	19%	100%	32
	Property	85%	15%	100%	13
	Violent	73%	27%	100%	44
White		**86%**	**14%**	**100%**	**129**
	Drugs	83%	17%	100%	12
	Other	90%	10%	100%	48
	Property	78%	22%	100%	18
	Violent	86%	14%	100%	51
All		**82%**	**18%**	**100%**	**252**

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.

---

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

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

Gender		No	Yes	All	N
Female		**81%**	**19%**	**100%**	**74**
	Drugs	83%	17%	100%	6
	Other	86%	14%	100%	21
	Property	62%	38%	100%	13
	Violent	85%	15%	100%	34
Male		**82%**	**18%**	**100%**	**178**
	Drugs	90%	10%	100%	10
	Other	88%	12%	100%	66
	Property	92%	8%	100%	25
	Violent	73%	27%	100%	77
All		**82%**	**18%**	**100%**	**252**

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 at the same frequently in district court (18%, Table 3-35) as county court (18%, Table 3-33) in 2016. In district court, Hispanics (24%) and those in the Other race/ethnicity category (25%) were more likely to be revoked compared to Whites (14%). Table 3-36 shows that women in adult district court were more likely than men to get revoked (28% compared to 13%). Women with Violent cases and men with Other offenses were most likely to get revoked. Note that the number of cases in many of the categories is quite small; caution must be used when interpreting the findings when there are few cases.

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

Race/ethnicity		No	Yes	All	N
Black		**100%**	**0%**	**100%**	**2**
	Property	100%	0%	100%	1
	Violent	100%	0%	100%	1
Hispanic		**76%**	**24%**	**100%**	**25**
	Drugs	83%	17%	100%	6
	Other	50%	50%	100%	4
	Property	78%	22%	100%	9
	Violent	83%	17%	100%	6
Other		**75%**	**25%**	**100%**	**32**
	Drugs	33%	67%	100%	3
	Other	80%	20%	100%	10
	Property	90%	10%	100%	10
	Violent	67%	33%	100%	9
White		**86%**	**14%**	**100%**	**71**
	Drugs	83%	17%	100%	29
	Other	82%	18%	100%	11
	Property	100%	0%	100%	15
	Violent	81%	19%	100%	16
All		**82%**	**18%**	**100%**	**130**

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		**72%**	**28%**	**100%**	**46**
	Drugs	75%	25%	100%	20
	Other	67%	33%	100%	9
	Property	83%	17%	100%	12
	Violent	40%	60%	100%	5
Male		**87%**	**13%**	**100%**	**84**
	Drugs	83%	17%	100%	18
	Other	81%	19%	100%	16
	Property	96%	4%	100%	23
	Violent	85%	15%	100%	27
All		**82%**	**18%**	**100%**	**130**

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, 21% of cases sentenced to probation/deferred judgment in 2016 in the 22nd Judicial District were revoked (Table 3-37). The few cases in this juvenile court analysis (n=24) means that the information must be interpreted with caution. Table 3-38 presents revocations in juvenile court by gender. Females were revoked at a rate of 25% compared to 20% for males. However, the few female cases (n=4) means this information should be interpreted with caution.

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

Race/ethnicity		No	Yes	All	N
Black		**0%**	**100%**	**100%**	**1**
	Property	0%	100%	100%	1
Other		**100%**	**0%**	**100%**	**8**
	Drugs	100%	0%	100%	1
	Other	100%	0%	100%	1
	Property	100%	0%	100%	3
	Violent	100%	0%	100%	3
White		**73%**	**27%**	**100%**	**15**
	Other	50%	50%	100%	2
	Property	67%	33%	100%	9
	Violent	100%	0%	100%	4
All		**79%**	**21%**	**100%**	**24**

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		**75%**	**25%**	**100%**	**4**
	Property	50%	50%	100%	2
	Violent	100%	0%	100%	2
Male		**80%**	**20%**	**100%**	**20**
	Drugs	100%	0%	100%	1
	Other	67%	33%	100%	3
	Property	73%	27%	100%	11
	Violent	100%	0%	100%	5
All		**79%**	**21%**	**100%**	**24**

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 22nd 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, 18% of cases receiving a probation/deferred judgment in the 22nd Judicial District in 2016 were revoked. Hispanics (26%) and those in the Other race/ethnicity category (22%) were considerably more likely to be revoked compared to Whites (14%). Hispanics (44%) and those in the Other race/ethnicity category (27%) were most likely to be revoked with the offense was Violent. Women were slightly more likely to get revoked compared to men (19% and 18%, respectively).

Revocations from probation/deferred judgments occurred at the same frequently in district court (18%) as county court (18%) in 2016. In district court, Hispanics (24%) and those in the Other race/ethnicity category (25%) were more likely to be revoked compared to Whites (14%). Women in adult district court were more likely than men to get revoked (28% compared to 13%). Women with Violent cases and men with Other offenses were most likely to get revoked. Note that the number of cases in many of the categories is quite small; caution must be used when interpreting the findings when there are few cases.

In juvenile court, 21% of cases sentenced to probation/deferred judgment in 2016 in the 22nd Judicial District were revoked (Table 3-37). The few cases in this juvenile court analysis (n=24) means that the information must be interpreted with caution. Table 3-38 presents revocations in juvenile court by gender. Females were revoked at a rate of 25% compared to 20% for males. However, the few female cases (n=4) means this information should be interpreted with caution.

---

[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.

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