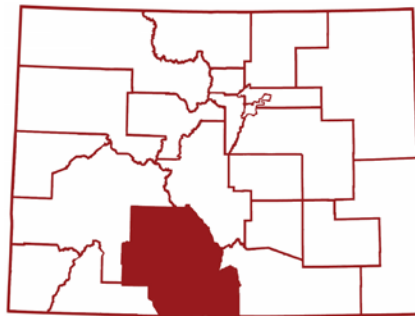


Senate Bill 15-185 CLEAR Act

2016

Community Law Enforcement Action Reporting Act

12th Judicial District



12th Judicial District: Population race/ethnicity estimates, 2016

Age Group	Race/ethnicity	%	N
Adult		76%	35,121
	Black	1%	206
	Hispanic	47%	16,557
	Other	2%	714
	White	50%	17,644
Juvenile		24%	11,386
	Black	1%	68
	Hispanic	60%	6,780
	Other	2%	203
	White	38%	4,335
All		100%	46,507

Data source: Office of the State Demographer,

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

October 2017



COLORADO
Department of Public Safety

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

Community Law Enforcement Action Reporting Act

Pursuant to Senate Bill 2015-185

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The corresponding web-based interactive data dashboard is located here:
colorado.gov/dcj-ors/ors-SB185



Preface

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

Senate Bill 15-185 mandated DCJ to annually analyze and report these data disaggregated by offense type. In 2017, following the publication of the first CLEAR Act report,¹ the findings from the statewide analysis were presented to the Colorado Commission on Criminal and Juvenile Justice.² At the conclusion of the presentation, the Commission voted unanimously to request that the next analyses disaggregate the data by judicial district so that local stakeholders could examine if and where disparities exist, and develop strategies to address them.

This report provides information about arrests and court cases for the 12th 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 12th 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 12th Judicial District was 46,507. The adult population was comprised as follows: White, 50%; Black, 1%; Hispanic, 47%; and Other, 2%. The juvenile population was comprised as follows: White, 38%, Black, 1%, Hispanic 60%, and Other 2%. Males made up 50% of the state population and females made up the other half of the population.

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

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

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

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

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

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 1,220 arrests/summonses in the 12th 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 5% of all arrests/summonses and Violent crimes accounted for another 8% of arrests/summonses, Property offenses accounted for 10% of arrests/summonses, and the remainder of arrests/summonses (78%) fell into the Other crime category. Blacks represented less than 1% of the population in the 12th Judicial District in 2016 and accounted for 1% of arrests/summonses. Hispanics represented 50% of the population and 28% of arrests/summonses. Whites represented 47% of the population in the 12th Judicial District and 69% of arrests. Males represented about 50% of the state population and approximately 70% of arrests. Females were much more likely to be involved in Property offenses than the other offense categories. Juveniles were more likely to be summonsed than arrested. Violent crimes were less likely than the other crime categories to result in a summons.

Filings. This study of 2,100 case filings in county, district, and juvenile courts combined found that, while Blacks represented less than 1% of the population in the 12th Judicial District, and 1% of the arrests/summonses in 2016, they accounted for 1% of district court filings and 2% of county court filings. Hispanics represented 50% of the population, 28% of arrests/summonses, and 32% of case filings. Whites represented 47% of the population in 2016, 69% of arrests/summonses, and 65% of filings. Drug offenses were the most serious filing charge in 13% of cases, and Violent charges comprised the largest category at 32% of charges filed. The race/ethnicity distribution is generally consistent across crime types.

Nearly half (44%) of county court cases were Violent offenses (primarily misdemeanor assault); Property offenses (33%) and Other cases (26%) comprised the largest categories of cases in adult district court. Property crimes (52%) and Other crimes (24%) made up the majority of cases filed in juvenile court. Females were more likely to have cases in district and county court (27%) compared to juvenile court (22%). Few cases resulted in a trial; violent offenses were more likely than other crime types to result in a trial.

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

Case outcomes. Caution should be used when interpreting the case outcome since many factors can influence the decision. For example, the existence of prior cases (criminal history) may influence the outcome of a case. Additionally, most cases contain multiple charges, and many cases have concurrent cases. These factors are likely to significantly affect the outcome of a case. In particular, all charges in a case may be dismissed or modified as part of a plea agreement involving that case or multiple cases. In fact, 22% of cases in county court were dismissed, as were 40% of cases in district court and 14% of cases in juvenile court. One-fourth (25%) of county court cases were convicted as charged compared to 13% in district court and 25% in juvenile court. One-fifth (20%) of county court cases were convicted of a different charge, as were over half (45%) of district court cases, and 36% of juvenile court cases.

Initial sentences. The analyses presented here reflect 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.

This section provided the initial sentence for each of the four offense types for county, district and juvenile court cases in the 12th Judicial District in 2016. County court Drug cases resulted in a fine in 32% of cases, and community service for 18% of cases. Deferred judgments occurred for almost one-third of Property (32%), 20% of Violent crime cases, 27% of Other cases, and 36% for Drug cases (this figure represents only 8 cases). Almost half (44%) of Violent cases received an initial sentence to probation. Women were significantly more likely than men to receive a deferred judgment in county court (42% compared to 20%, respectively). Men were more likely than women to receive a jail sentence (24% for men compared to 11% for women).

For those with Other as the most serious county court conviction charge, Blacks and Hispanics were less likely to receive a deferred judgment (17% and 13%, respectively) compared to Whites (33%), and more likely to receive a jail sentence (33% and 31%, respectively compared to 16% for Whites). For Property and Violent offenses, Hispanics were more likely to receive jail sentences compared to Whites.

In district court, probation was the most frequently occurring initial sentence, imposed 65% of the time for Drug cases. The second most frequently occurring sentence in district court was a prison sentence: 15% of Drug cases, 28% of Other cases, 12% of Property cases, and 18% of Violent cases received a sentence to the Department of Corrections. Deferred judgments were imposed infrequently and were most likely to be imposed in Property and Violent cases (both at 11%), and least likely to be imposed in Drug cases (2%, however, this is only 2 cases). Women were much more likely to receive probation compared to men (64% versus 49%, respectively) and less likely to receive a prison sentence (13% compared to 21%, respectively).

In district court, one-quarter (26%) of initial sentences for Hispanics were to the Department of Corrections compared to 14% for Whites. Across the four crime types, Hispanics were more likely than Whites to receive a prison sentence.

In juvenile court, deferred judgments were the most frequently occurring sentence, followed by probation. However, the low number of cases in most categories means that this information must be interpreted with caution. Females were more likely than males to receive a deferred judgment (75% compared to 44%), however the few numbers of defendants in most categories means that this information must be interpreted with caution.

Revocations: Summary. Cases sentenced in 2016 to probation or a deferred judgment that received a revocation in the 12th Judicial District are included in the analyses presented here.⁶

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

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

Overall, 22% of county court cases receiving a probation/deferred judgment in the 12th Judicial District in 2016 were revoked. Hispanics were more likely to be revoked compared to Whites (34% compared to 17%, respectively). Hispanics were most likely to be revoked for Other offenses (47%). Whites were most likely to be revoked for Drug offenses (50%). The few numbers of Black (n=6) and Other (n=8) defendants means that caution should be used when interpreting the information. Women were less likely to be revoked than men (16% compared to 25%, respectively).

Revocations from probation/deferred judgments occurred more frequently in district court (40%) compared to county court (22%) in 2016. Hispanics were most likely to be revoked (56% compared to 40% overall); 62% of Hispanics with Other offenses were revoked. Women in adult district court were more likely than men to get revoked (49% compared to 35%). Men and women with Drug cases were most likely, compared to those with other crime types, to get revoked.

In juvenile court, 19% of cases sentenced to probation/deferred judgment in 2016 in the 12th Judicial District were revoked. Hispanics were slightly more likely than Whites to get revoked (22% compared to 19%, respectively). In terms of gender, no females in juvenile court were revoked in 2016. Because of the small number of cases in juvenile court (n=37), caution should be used when interpreting the findings.

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 1,200 NIBRS incidents in the 12th Judicial District were analyzed for calendar year 2016 (Table 1-1).

Table 1-1. Arrests by type, 12th Judicial District, 2016

Arrest type	%	N
Custody/warrant	67%	819
On-view/probable cause	7%	82
Summons	26%	319
All	100%	1,220

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, 12th Judicial District, 2016

Court	%	N
Adult District	51%	1,072
County	46%	964
Juvenile	3%	64
All	100%	2,100

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.

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

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

Note that the information presented here reflects the analysis of 2,100 **cases not individuals**. Individuals may have multiple, concurrent cases,¹¹ and cases typically have multiple charges. Frequently cases and charges are dismissed for a judgment in a concurrent case. The **Dismissed/Not Guilty** category in the tables that follow means that some charges were dismissed and some were found not guilty.

The crime information analyzed for this study reflects the most serious filing or conviction charge for 24 offense categories¹² which, for the analysis presented in this document, have been collapsed into four categories: Drug, Other, Property and Violent.¹³ The analysis of the 24 offense categories is available on the interactive data dashboard. See Appendix B for the list of offenses that were combined into the four broad categories.

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

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

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

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

¹¹ This study found that in 2016, statewide, 18% of county court cases, 36% of district court cases, and 37% of juvenile court cases had other, concurrent cases mentioned in minute orders or sentencing notes.

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

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

Section 2: Law Enforcement Information

Arrest/summons

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

Table 2-1. Arrests by offense

Offense	%	N
Drugs	5%	64
Other	78%	946
Property	10%	118
Violent	8%	92
All	100%	1,220

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

Table 2-2 reflects 1,220 arrests/summons captured in NIBRS for calendar year 2016 in the 12th Judicial District, by race/ethnicity. Blacks represented less than 1% of the population in 2016 and accounted for 1% of arrests/summons in the 12th Judicial District. Hispanics represented 50% of the population and accounted for 28% of arrests. The Other race/ethnicity category represented 2% of the population and 2% of arrests. Whites represented 47% of the population and 69% of arrests.

Table 2-2. Arrests by race/ethnicity

Race/ethnicity	%	N
Black	1%	14
Hispanic	28%	344
Other	2%	26
White	69%	836
All	100%	1,220

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, but this represents only 2 incidents so this information must be interpreted with caution. Juveniles accounted for 1% of custody/warrant arrests (Table 2-4). Overall, juveniles were more likely to get summoned than arrested; they accounted for 12% of summonsed cases (Table 2-5). Not

surprisingly, violent offenses were least likely to result in a summons for adults and juveniles (Table 2-5).

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

Age Group	Offense	%	N
Adult		98%	80
	Drugs	4%	3
	Other	59%	47
	Property	22%	18
	Violent	15%	12
Juvenile		2%	2
	Other	50%	1
	Violent	50%	1
All		100%	82

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		99%	810
	Drugs	3%	28
	Other	85%	690
	Property	4%	36
	Violent	7%	56
Juvenile		1%	9
	Other	89%	8
	Property	11%	1
All		100%	819

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		88%	281
	Drugs	10%	28
	Other	61%	172
	Property	21%	60
	Violent	7%	21
Juvenile		12%	38
	Drugs	13%	5
	Other	74%	28
	Property	8%	3
	Violent	5%	2
All		100%	319

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 4% of probable cause arrests were for Drug related offenses (n=3), 59% were for Other offenses, 22% for Property offenses, and 16% for Violent offenses. The few numbers of cases in the race/ethnicity categories means that caution should be used when interpreting the findings.

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

Offense	Race/ethnicity	%	N
Drugs		4%	3
	White	100%	3
Other		59%	48
	Black	2%	1
	Hispanic	44%	21
	Other	2%	1
	White	52%	25
Property		22%	18
	Hispanic	33%	6
	White	67%	12
Violent		16%	13
	Hispanic	46%	6
	Other	15%	2
	White	38%	5
All		100%	82

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. Over 80% (85%) of these arrests involved an offense that fell into the Other offense category. Only 7% of these types of arrests involved a Violent offense. Whites made up 47% of the population in the 12th Judicial District in 2016 but accounted for 82% of warrant arrests for Drugs.

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

Offense	Race/ethnicity	%	N
Drugs		3%	28
	Hispanic	18%	5
	White	82%	23
Other		85%	698
	Black	1%	8
	Hispanic	31%	216
	Other	1%	8
	White	67%	466
Property		5%	37
	Hispanic	43%	16
	Other	5%	2
	White	51%	19
Violent		7%	56
	Black	2%	1
	Hispanic	38%	21
	Other	4%	2
	White	57%	32
All		100%	819

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

Table 2-8 shows that summons are less likely to be issued for Violent offenses (7%) compared to Other (63%) and Property (20%) and that, of those summons issued for Violent crimes, 57% were to Whites. The few numbers of cases in many of the race/ethnicity categories means that this information should be interpreted with caution.

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

Offense	Race/ethnicity	%	N
Drugs		10%	33
	Black	6%	2
	Hispanic	15%	5
	Other	3%	1
	White	76%	25
Other		63%	200
	Black	<1%	1
	Hispanic	14%	29
	Other	3%	6
	White	82%	164
Property		20%	63
	Hispanic	19%	12
	Other	3%	2
	White	78%	49
Violent		7%	23
	Black	4%	1
	Hispanic	30%	7
	Other	9%	2
	White	57%	13
All		100%	319

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

The following three tables show arrest/summons by broad offense category and gender. Although women make up half the population, they were considerably less likely than men to be arrested. Overall, women constituted approximately 14-37% of arrests and 26-46% of summonses (depending on the crime category) and men comprised the remainder. The few numbers of cases in many of the crime categories means this information must be interpreted with caution.

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

Offense	Gender	%	N
Drugs		4%	3
	Female	33%	1
	Male	67%	2
Other		59%	48
	Female	19%	9
	Male	81%	39
Property		22%	18
	Female	22%	4
	Male	78%	14
Violent		16%	13
	Female	15%	2
	Male	85%	11
All		100%	82

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

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

Offense	Gender	%	N
Drugs		3%	28
	Female	29%	8
	Male	71%	20
Other		85%	698
	Female	37%	259
	Male	63%	439
Property		5%	37
	Female	14%	5
	Male	86%	32
Violent		7%	56
	Female	20%	11
	Male	80%	45
All		100%	819

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		10%	33
	Female	30%	10
	Male	70%	23
Other		63%	200
	Female	34%	69
	Male	66%	131
Property		20%	63
	Female	46%	29
	Male	54%	34
Violent		7%	23
	Female	26%	6
	Male	74%	17
All		100%	319

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 1,220 arrests/summons in the 12th 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/summons for Drug offenses accounted for 5% of all arrests/summons and Violent crimes accounted for another 8% of arrests/summons, Property offenses accounted for 10% of arrests/summons, and the remainder of arrests/summons (78%) fell into the Other crime category. Blacks represented less than 1% of the population in the 12th Judicial District in 2016 and accounted for 1% of arrests/summons. Hispanics represented 50% of the population and 28% of arrests/summons. Whites represented 47% of the population in the 12th Judicial District and 69% of arrests. Males represented about 50% of the state population and approximately 70% of arrests. Females were much more likely to be involved in Property offenses than the other

offense categories. Juveniles were more likely to be summonsed than arrested. Violent crimes were less likely than the other crime categories to result in a summons.

Section 3: Court Case Processing

The Judicial Branch's information management system contains county and district court adult and juvenile case filings and dispositions statewide, with the exception of Denver County Court.¹⁴ For this analysis, cases were selected for the 12th Judicial District. County court contains both adult and juvenile misdemeanor cases. The data are presented here by court type: county, adult district, and juvenile. Juveniles who were charged as adults are in adult district court.

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

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

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

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

Case Filings

Overall

Table 3-1 depicts race/ethnicity distribution for 2,100 case filings in county, adult district, and juvenile courts combined in the 12th Judicial District. While Blacks represented less than 1% of the population and 1% of the arrests/summonses in 2016, they accounted for 2% of court filings. Hispanics represented 50% of the population, 28% of arrests/summonses, and 32% of case filings. Whites represented 47% of the population in 2016, 69% of arrests/summonses, and 65% of 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	2%	36
Hispanic	32%	665
Other	2%	43
White	65%	1,356
All	100%	2,100

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.

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 13% of cases, and Violent charges comprised the largest category at 32% of charges filed. The race/ethnicity distribution is generally consistent across crime types.

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

Offense	Race/ethnicity	%	N
Drugs		13%	266
	Black	3%	9
	Hispanic	35%	93
	Other	2%	4
	White	60%	160
Other		29%	601
	Black	1%	7
	Hispanic	33%	199
	Other	2%	9
	White	64%	386
Property		27%	567
	Black	1%	4
	Hispanic	29%	164
	Other	3%	16
	White	68%	383
Violent		32%	666
	Black	2%	16
	Hispanic	31%	209
	Other	2%	14
	White	64%	427
All		100%	2,100

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 3-3 depicts that, across all court types, 27% of filings were females and 73% were males. Females were more likely than men to be involved in Property crimes (30% compared to 26%, respectively) and less to be involved in Violent offenses (27% compared to 33%, respectively).

Table 3-3. Most serious filing charge by gender

Gender	Offense	%	N
Female		27%	558
	Drugs	16%	88
	Other	27%	149
	Property	30%	170
	Violent	27%	151
Male		73%	1,542
	Drugs	12%	178
	Other	29%	452
	Property	26%	397
	Violent	33%	515
All		100%	2,100

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.

Court type

Table 3-4 breaks down race/ethnicity by the type of court for the 12th Judicial District. District court had the most cases in 2016 (51% of the total), followed by county court (46%) and juvenile court at 63%. Blacks, comprising less than 1% of the population in the 12th Judicial District, represented 2% of county court cases filed compared to 1% in adult district court and 0% in juvenile court. Hispanic adults made up 47% of the adult population in the 12th Judicial District and 35% of district court filings in 2016. Whites made up 38% of the juvenile population in 2016 and 73% of juvenile court cases.

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

Court	Race/ethnicity	%	N
Adult District		51%	1,072
	Black	1%	15
	Hispanic	35%	372
	Other	2%	21
	White	62%	664
County		46%	964
	Black	2%	21
	Hispanic	29%	279
	Other	2%	19
	White	67%	645
Juvenile		3%	64
	Hispanic	22%	14
	Other	5%	3
	White	73%	47
All		100%	2,100

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 3-5 provides the type of offense by court type. Nearly half (44%) of county court cases were Violent offenses (primarily misdemeanor assault); Property offenses (33%) and Other cases (26%) comprised the largest categories of cases in adult district court. Property crimes (52%) and Other crimes (24%) made up the majority of cases filed in juvenile court. Table 3-6 presents the distribution across gender for cases in county, district and juvenile court. Females were more likely to have cases in district and county court (27%) compared to juvenile court (22%).

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

Court	Offense	%	N
Adult District		51%	1,072
	Drugs	19%	208
	Other	26%	279
	Property	33%	358
	Violent	21%	227
County		46%	964
	Drugs	6%	54
	Other	32%	306
	Property	18%	176
	Violent	44%	428
Juvenile		3%	64
	Drugs	6%	4
	Other	25%	16
	Property	52%	33
	Violent	17%	11
All		100%	2,100

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 3-6. Court of case filing, by gender

Court	Gender	%	N
Adult District		51%	1,072
	Female	27%	285
	Male	73%	787
County		46%	964
	Female	27%	259
	Male	73%	705
Juvenile		3%	64
	Female	22%	14
	Male	78%	50
All		100%	2,100

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.

Trials

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

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

Court	Completed Trial	%	N
Adult District		51%	1,072
	No	99%	1,058
	Yes	1%	14
County		46%	964
	No	99%	952
	Yes	1%	12
Juvenile		3%	64
	No	97%	62
	Yes	3%	2
All		100%	2,100

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 3-8. Most serious filing charge, by trials completed

Offense	Completed Trial	%	N
Drugs		13%	266
	No	100%	266
Other		29%	601
	No	98%	592
	Yes	2%	9
Property		27%	567
	No	100%	566
	Yes	<1%	1
Violent		32%	666
	No	97%	648
	Yes	3%	18
All		100%	2,100

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.

Summary: Filings. This study of 2,100 case filings in county, district, and juvenile courts combined found that, while Blacks represented less than 1% of the population in the 12th Judicial District, and 1% of the arrests/summonses in 2016, they accounted for 1% of district court filings and 2% of county court filings. Hispanics represented 50% of the population, 28% of arrests/summonses, and 32% of case filings. Whites represented 47% of the population in 2016, 69% of arrests/summonses, and 65% of filings. Drug offenses were the most serious filing charge in 13% of cases, and Violent charges comprised the largest category at 32% of charges filed. The race/ethnicity distribution is generally consistent across crime types.

Nearly half (44%) of county court cases were Violent offenses (primarily misdemeanor assault); Property offenses (33%) and Other cases (26%) comprised the largest categories of cases in adult district court. Property crimes (52%) and Other crimes (24%) made up the majority of cases filed in juvenile court. Females were more likely to have cases in district and county court (27%) compared to juvenile court (22%). Few cases resulted in a trial; violent offenses were more likely than other crime types to result in a trial.

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

Case outcomes

The following three tables present the case outcomes for the 12th 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, in nearly half (42%) 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 25% of cases were convicted as charged, and 20% were convicted of another crime. In adult district court (Table 3-10), 45% were convicted of another crime and 13% were convicted as charged. In juvenile court (Table 3-11), 36% were convicted of another offense and 25% 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		33%	14%	38%	14%	100%	21
	Drugs	0%	0%	100%	0%	100%	2
	Other	60%	0%	40%	0%	100%	5
	Property	50%	0%	50%	0%	100%	2
	Violent	25%	25%	25%	25%	100%	12
Hispanic		26%	19%	43%	12%	100%	279
	Drugs	24%	10%	57%	10%	100%	21
	Other	28%	25%	31%	16%	100%	80
	Property	26%	21%	45%	9%	100%	47
	Violent	25%	17%	47%	11%	100%	131
Other		21%	26%	37%	16%	100%	19
	Drugs	0%	0%	100%	0%	100%	1
	Other	40%	40%	20%	0%	100%	5
	Property	14%	29%	43%	14%	100%	7
	Violent	17%	17%	33%	33%	100%	6
White		25%	20%	41%	14%	100%	645
	Drugs	23%	20%	50%	7%	100%	30
	Other	27%	23%	39%	11%	100%	216
	Property	22%	16%	48%	13%	100%	120
	Violent	24%	19%	39%	18%	100%	279
All		25%	20%	42%	14%	100%	964

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%	53%	27%	20%	100%	15
	Drugs	0%	57%	29%	14%	100%	7
	Other	0%	50%	0%	50%	100%	2
	Property	0%	50%	50%	0%	100%	2
	Violent	0%	50%	25%	25%	100%	4
Hispanic		15%	48%	22%	15%	100%	372
	Drugs	8%	48%	31%	13%	100%	71
	Other	17%	50%	17%	16%	100%	115
	Property	16%	48%	22%	14%	100%	113
	Violent	16%	44%	22%	18%	100%	73
Other		14%	33%	33%	19%	100%	21
	Drugs	0%	0%	67%	33%	100%	3
	Other	25%	25%	25%	25%	100%	4
	Property	17%	33%	50%	0%	100%	6
	Violent	12%	50%	12%	25%	100%	8
White		12%	43%	26%	18%	100%	664
	Drugs	12%	43%	28%	17%	100%	127
	Other	13%	46%	26%	16%	100%	158
	Property	11%	48%	29%	13%	100%	237
	Violent	14%	32%	21%	32%	100%	142
All		13%	45%	25%	17%	100%	1,072

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
Hispanic		36%	50%	14%	0%	100%	14
	Drugs	0%	100%	0%	0%	100%	1
	Other	50%	50%	0%	0%	100%	4
	Property	25%	50%	25%	0%	100%	4
	Violent	40%	40%	20%	0%	100%	5
Other		67%	0%	0%	33%	100%	3
	Property	67%	0%	0%	33%	100%	3
White		19%	34%	40%	6%	100%	47
	Drugs	33%	0%	67%	0%	100%	3
	Other	33%	17%	42%	8%	100%	12
	Property	12%	46%	35%	8%	100%	26
	Violent	17%	33%	50%	0%	100%	6
All		25%	36%	33%	6%	100%	64

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, 22% of cases in county court were dismissed, as were 40% of cases in district court and 14% of cases in juvenile court. One-fourth (25%) of county court cases were convicted as charged compared to 13% in district court and 25% in juvenile court. One-fifth (20%) of county court cases were convicted of a different charge, as were over half (45%) of district court cases, and 36% of juvenile court cases.

Initial sentences

The tables below show cases sentenced between Jan 1, 2016 and Dec 31, 2016 in the 12th Judicial District, in county court, district court, and juvenile court. These cases are not necessarily the same cases in the **Case Filings** section above. Also, because these data represent cases, not individuals, the number of individuals sentenced to the Department of Corrections (DOC) or the Division of Youth Services (DYS) from this jurisdiction will not match the number reported as admissions by DOC or DYS.

Cases generally have multiple initial sentences, usually include fines, and can also include community service and credit for time served. The data below reflect the most serious initial

sentence. For example, the sentence of fines means that no more serious sentence was found. The same is true for credit for time served and community service.

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

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

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

County court

Table 3-12 presents the initial sentence for each of the four offense types for county court cases in the 12th Judicial District in 2016. County court Drug cases resulted in a fine in 32% of cases, and community service for 18% of cases. Deferred judgments occurred for almost one-third of Property (32%), 20% of Violent crime cases, 27% of Other cases, and 36% for Drug cases (this figure represents only 8 cases). Almost half (44%) of Violent cases received an initial sentence to probation.

Table 3-12. Initial sentence in County Court, by most serious conviction charge (N=420)

Sentence	Drugs	%	Other	%	Property	%	Violent	%
Community Service	4	18%	6	3%	1	2%	0	0%
Deferred	8	36%	53	27%	18	32%	29	20%
Fines/fees	7	32%	40	20%	11	20%	12	8%
Jail	0	0%	42	21%	7	12%	36	25%
Probation/Intensive Supervision	3	14%	46	23%	15	27%	64	44%
Unsupervised Probation	0	0%	9	5%	4	7%	5	3%
All	22	100%	196	100%	56	100%	146	100%

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

Table 3-13 reflects initial county court sentences by gender. Women were significantly more likely than men to receive a deferred judgment in county court (42% compared to 20%, respectively). Men were more likely than women to receive a jail sentence (24% for men compared to 11% for women).

Table 3-13. Initial sentence in County Court by gender (N=420)

Sentence	Female	%	Male	%
Community Service	1	1%	10	3%
Deferred	47	42%	61	20%
Fines/fees	14	12%	56	18%
Jail	12	11%	73	24%
Probation/Intensive Supervision	29	26%	99	32%
Unsupervised Probation	9	8%	9	3%
All	112	100%	308	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 12th Judicial District. Those in the Other race/ethnicity category were much more likely to receive a deferred judgment (58% compared to 17-28% for other race/ethnicities); Blacks and Hispanics were less likely to receive a deferred judgment, at 17% and 19%, respectively, compared to 28% for Whites. Blacks and Hispanics were considerably more likely to receive jail time (33% and 28%, respectively), compared to 15% of White cases.

Table 3-14. Initial sentence in County Court by race/ethnicity (N=420)*

Sentence	Black	Hispanic	Other	White
N	12	134	12	262
Community Service	0%	4%	0%	2%
Deferred	17%	19%	58%	28%
Fines/fees	17%	11%	8%	20%
Jail	33%	28%	25%	15%
Probation/Intensive Supervision	33%	34%	8%	30%
Unsupervised Probation	0%	4%	0%	5%
All	100%	100%	100%	100%

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

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

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 (n=22) require caution when interpreting the findings.

Table 3-15. Initial sentence for Drugs as most serious conviction in County Court by race/ethnicity (N=22)*

Sentence	Hispanic	White
N	10	12
Community Service	30%	8%
Deferred	50%	25%
Fines/fees	0%	58%
Probation/Intensive Supervision	20%	8%
All	100%	100%

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

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

Table 3-16 shows that, for those with Other as the most serious county court conviction charge, Blacks and Hispanics were less likely to receive a deferred judgment (17% and 13%, respectively) compared to Whites (33%), and more likely to receive a jail sentence (33% and 31%, respectively compared to 16% for Whites). Table 3-17 provides information on the initial sentence in county court for Property offenses and Table 3-18 depicts the initial sentence for Violent offenses in county court; for both offense types, Hispanics were more likely to receive jail sentences compared to Whites.

Table 3-16. Initial sentence for Other as most serious conviction in County Court by race/ethnicity (N=196)*

Sentence	Black	Hispanic	Other	White
N	6	61	7	122
Community Service	0%	2%	0%	4%
Deferred	17%	13%	57%	33%
Fines/fees	0%	15%	0%	25%
Jail	33%	31%	29%	16%
Probation/Intensive Supervision	50%	36%	14%	16%
Unsupervised Probation	0%	3%	0%	6%
All	100%	100%	100%	100%

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

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

Table 3-17. Initial sentence for Property as most serious conviction in County Court by race/ethnicity (N=56)*

Sentence	Hispanic	Other	White
N	15	4	37
Community Service	7%	0%	0%
Deferred	27%	75%	30%
Fines/fees	0%	25%	27%
Jail	27%	0%	8%
Probation/Intensive Supervision	20%	0%	32%
Unsupervised Probation	20%	0%	3%
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=146)*

Sentence	Black	Hispanic	Other	White
N	6	48	1	91
Deferred	17%	17%	0%	22%
Fines/fees	33%	12%	0%	4%
Jail	33%	31%	100%	20%
Probation/Intensive Supervision	17%	38%	0%	49%
Unsupervised Probation	0%	2%	0%	4%
All	100%	100%	100%	100%

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

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

District court

Table 3-19 shows the initial sentence by offense type for district court cases in the 12th Judicial District. Probation was the most frequently occurring initial sentence, imposed 65% of the time for Drug cases. The second most frequently occurring sentence in district court was a prison sentence: 15% of Drug cases, 28% of Other cases, 12% of Property cases, and 18% of Violent cases received a sentence to the Department of Corrections. Deferred judgments were imposed infrequently and were most likely to be imposed in Property and Violent cases (both at 11%), and least likely to be imposed in Drug cases (2%, however, this is only 2 cases).

Table 3-20 indicates the initial sentence in district court by gender. Women were much more likely to receive probation compared to men (64% versus 49%, respectively) and less likely to receive a prison sentence (13% compared to 21%, respectively).

Table 3-19. Initial sentence in Adult District Court, by most serious conviction charge (N=603)

Sentence	Drugs	%	Other	%	Property	%	Violent	%
Community Corrections	9	7%	6	3%	11	6%	2	2%
Deferred	2	2%	6	3%	20	11%	12	11%
Dept of Corrections	18	15%	53	28%	22	12%	19	18%
Fines/fees	4	3%	10	5%	2	1%	4	4%
Jail	10	8%	40	21%	21	11%	13	12%
Probation/Intensive Supervision	80	65%	72	39%	112	60%	55	52%
All	123	100%	187	100%	188	100%	105	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=603)

Sentence	Female	%	Male	%
Community Corrections	4	2%	24	6%
Deferred	10	6%	30	7%
Dept of Corrections	22	13%	90	21%
Fines/fees	7	4%	13	3%
Jail	17	10%	67	15%
Probation/Intensive Supervision	108	64%	211	49%
All	168	100%	435	100%

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

Table 3-21 shows the initial sentence in adult district court by race/ethnicity combining all crime types. One-quarter (26%) of initial sentences for Hispanics were to the Department of Corrections compared to 14% for Whites.

Table 3-21. Initial sentence in Adult District Court by race/ethnicity (N=603)*

Sentence	Black	Hispanic	Other	White
N	11	238	9	345
Community Corrections	0%	5%	22%	4%
Deferred	9%	4%	11%	8%
Dept of Corrections	0%	26%	0%	14%
Fines/fees	18%	0%	11%	5%
Jail	0%	15%	22%	14%
Probation/Intensive Supervision	73%	50%	33%	55%
All	100%	100%	100%	100%

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

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

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 more likely to receive a sentence to prison. For Other offenses, 43% of Hispanics were received a prison sentence compared to 20% of Whites (Table 3-23). Hispanics were more likely than Whites to receive a prison sentence for a Violent crime (Table 3-25).

Table 3-22. Initial sentence for Drugs as most serious conviction in Adult District Court by race/ethnicity (N=123)*

Sentence	Black	Hispanic	White
N	3	51	69
Community Corrections	0%	10%	6%
Deferred	0%	0%	3%
Dept of Corrections	0%	22%	10%
Fines/fees	33%	0%	4%
Jail	0%	8%	9%
Probation/Intensive Supervision	67%	61%	68%
All	100%	100%	100%

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

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

Table 3-23. Initial sentence for Other as most serious conviction in Adult District Court by race/ethnicity (N=187)*

Sentence	Black	Hispanic	Other	White
N	5	75	3	104
Community Corrections	0%	3%	33%	3%
Deferred	0%	0%	0%	6%
Dept of Corrections	0%	43%	0%	20%
Fines/fees	20%	0%	33%	8%
Jail	0%	20%	33%	23%
Probation/Intensive Supervision	80%	35%	0%	40%
All	100%	100%	100%	100%

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

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

Table 3-24. Initial sentence for Property as most serious conviction in Adult District Court by race/ethnicity (N=188)*

Sentence	Black	Hispanic	Other	White
N	2	76	2	108
Community Corrections	0%	7%	0%	6%
Deferred	50%	9%	50%	10%
Dept of Corrections	0%	13%	0%	11%
Fines/fees	0%	0%	0%	2%
Jail	0%	13%	0%	10%
Probation/Intensive Supervision	50%	58%	50%	61%
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=105)*

Sentence	Black	Hispanic	Other	White
N	1	36	4	64
Community Corrections	0%	0%	25%	2%
Deferred	0%	8%	0%	14%
Dept of Corrections	0%	25%	0%	16%
Fines/fees	0%	0%	0%	6%
Jail	0%	17%	25%	9%
Probation/Intensive Supervision	100%	50%	50%	53%
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 12th Judicial District. Deferred judgments were the most frequently occurring sentence, followed by probation. However, the low number of cases in most categories means that this information must be interpreted with caution. Table 3-27 shows the initial sentence in juvenile court by gender. Females were more likely than males to receive a deferred judgment (75% compared to 44%), however, the few numbers of defendants in most categories means that this information must be interpreted with caution.

Table 3-26. Initial sentence in Juvenile Court, by most serious conviction charge (N=46)

Sentence	Drugs	%	Other	%	Property	%	Violent	%
Deferred	2	67%	3	27%	14	70%	5	42%
Division of Youth Services	0	0%	1	9%	1	5%	2	17%
Fines/fees	0	0%	1	9%	1	5%	1	8%
Jail	0	0%	2	18%	0	0%	0	0%
Probation/Intensive Supervision	1	33%	4	36%	4	20%	4	33%
All	3	100%	11	100%	20	100%	12	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=46)

Sentence	Female	%	Male	%
Deferred	9	75%	15	44%
Division of Youth Services	2	17%	2	6%
Fines/fees	0	0%	3	9%
Jail	0	0%	2	6%
Probation/Intensive Supervision	1	8%	12	35%
All	12	100%	34	100%

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

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

Table 3-28. Initial sentence in Juvenile Court by race/ethnicity (N=46)*

Sentence	Hispanic	Other	White
N	11	2	33
Deferred	45%	100%	52%
Division of Youth Services	9%	0%	9%
Fines/fees	9%	0%	6%
Jail	0%	0%	6%
Probation/Intensive Supervision	36%	0%	27%
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 initial juvenile court sentences for each of the offense categories by race/ethnicity. Note that the number of cases is quite small for most sentences. For this reason, the information must be interpreted with caution.

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

Sentence	Hispanic	White
N	1	2
Deferred	0%	100%
Probation/Intensive Supervision	100%	0%
All	100%	100%

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

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

Table 3-30. Initial sentence for Other as most serious conviction in Juvenile Court by race/ethnicity (N=11)*

Sentence	Hispanic	White
N	3	8
Deferred	33%	25%
Division of Youth Services	0%	12%
Fines/fees	0%	12%
Jail	0%	25%
Probation/Intensive Supervision	67%	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.

Table 3-31. Initial sentence for Property as most serious conviction in Juvenile Court by race/ethnicity (N=20)*

Sentence	Hispanic	Other	White
N	3	2	15
Deferred	33%	100%	73%
Division of Youth Services	0%	0%	7%
Fines/fees	33%	0%	0%
Probation/Intensive Supervision	33%	0%	20%
All	100%	100%	100%

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

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

Table 3-32. Initial sentence for Violent as most serious conviction in Juvenile Court by race/ethnicity (N=12)*

Sentence	Hispanic	White
N	4	8
Deferred	75%	25%
Division of Youth Services	25%	12%
Fines/fees	0%	12%
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.

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.

This section provided the initial sentence for each of the four offense types for county, district and juvenile court cases in the 12th Judicial District in 2016. County court Drug cases resulted in a fine in 32% of cases, and community service for 18% of cases. Deferred judgments occurred for almost one-third of Property (32%), 20% of Violent crime cases, 27% of Other cases, and 36% for Drug cases (this figure represents only 8 cases). Almost half (44%) of Violent cases received an initial sentence to probation. Women were significantly more likely than men to receive a deferred judgment in county court (42% compared to 20%, respectively). Men were more likely than women to receive a jail sentence (24% for men compared to 11% for women).

For those with Other as the most serious county court conviction charge, Blacks and Hispanics were less likely to receive a deferred judgment (17% and 13%, respectively) compared to Whites (33%), and more likely to receive a jail sentence (33% and 31%, respectively compared to 16% for Whites). For Property and Violent offenses, Hispanics were more likely to receive jail sentences compared to Whites.

In district court, probation was the most frequently occurring initial sentence, imposed 65% of the time for Drug cases. The second most frequently occurring sentence in district court was a prison sentence: 15% of Drug cases, 28% of Other cases, 12% of Property cases, and 18% of Violent cases received a sentence to the Department of Corrections. Deferred judgments were imposed infrequently and were most likely to be imposed in Property and Violent cases (both at 11%), and least likely to be imposed in Drug cases (2%, however, this is only 2 cases). Women were much more likely to receive probation compared to men (64% versus 49%, respectively) and less likely to receive a prison sentence (13% compared to 21%, respectively).

In district court, one-quarter (26%) of initial sentences for Hispanics were to the Department of Corrections compared to 14% for Whites. Across the four crime types, Hispanics were more likely than Whites to receive a prison sentence.

In juvenile court, deferred judgments were the most frequently occurring sentence, followed by probation. However, the low number of cases in most categories means that this information must be interpreted with caution. Females were more likely than males to receive a deferred judgment (75% compared to 44%), however the few numbers of defendants in most categories means that this information must be interpreted with caution.

Revocations

Cases sentenced in 2016 to probation or a deferred judgment that received a revocation in the 12th Judicial District are included in the analyses presented here.¹⁶ Those sentenced near the end of 2016 may not have had enough time to get revoked. **Note that these are cases, not individuals.** Counting cases and not individuals is likely to inflate the proportion of revocations presented in these analyses. For example, the Judicial Department reports that in 2016, 22% of adult state probation terminations were the result of a revocation.¹⁷ The revocations presented here may not result in termination from probation supervision. In fact, in 2016, across county, adult district, and juvenile district courts *statewide*, 49% of cases were reinstated, 44% were not reinstated, and for the remaining 7% of cases it was unclear the outcome of the revocation.

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

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

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

County court

Table 3-33 shows revocation information for county court. Overall, 22% of cases receiving a probation/deferred judgment in county court in the 12th Judicial District in 2016 were revoked. Hispanics were more likely to be revoked compared to Whites (34% compared to 17%, respectively). Hispanics were most likely to be revoked for Other offenses (47%). Whites were most likely to be revoked for Drug offenses (50%). The few numbers of Black (n=6) and Other (n=8) defendants means that caution should be used when interpreting the information. Women were less likely to be revoked than men (16% compared to 25%, 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
Black		83%	17%	100%	6
	Other	75%	25%	100%	4
	Violent	100%	0%	100%	2
Hispanic		66%	34%	100%	76
	Drugs	71%	29%	100%	7
	Other	53%	47%	100%	32
	Property	90%	10%	100%	10
	Violent	70%	30%	100%	27
Other		88%	12%	100%	8
	Other	80%	20%	100%	5
	Property	100%	0%	100%	3
White		83%	17%	100%	164
	Drugs	50%	50%	100%	4
	Other	96%	4%	100%	67
	Property	79%	21%	100%	24
	Violent	74%	26%	100%	69
All		78%	22%	100%	254

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

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

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

Gender		No	Yes	All	N
Female		84%	16%	100%	85
	Drugs	67%	33%	100%	6
	Other	89%	11%	100%	28
	Property	93%	7%	100%	14
	Violent	78%	22%	100%	37
Male		75%	25%	100%	169
	Drugs	60%	40%	100%	5
	Other	79%	21%	100%	80
	Property	78%	22%	100%	23
	Violent	70%	30%	100%	61
All		78%	22%	100%	254

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

Adult district court

Revocations from probation/deferred judgments occurred more frequently in district court (40%, Table 3-35) compared to county court (22%, Table 3-33) in 2016. Hispanics were most likely to be revoked (56% compared to 40% overall). Hispanics with Other offenses were most likely to be revoked (62%). Table 3-36 shows that women in adult district court were more likely than men to get revoked (49% compared to 35%). Men and women with Drug cases were most likely, compared to those with other crime types, to get revoked.

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

Race/ethnicity		No	Yes	All	N
Black		100%	0%	100%	9
	Drugs	100%	0%	100%	2
	Other	100%	0%	100%	4
	Property	100%	0%	100%	2
	Violent	100%	0%	100%	1
Hispanic		44%	56%	100%	129
	Drugs	45%	55%	100%	31
	Other	38%	62%	100%	26
	Property	47%	53%	100%	51
	Violent	43%	57%	100%	21
Other		50%	50%	100%	4
	Property	0%	100%	100%	2
	Violent	100%	0%	100%	2
White		69%	31%	100%	217
	Drugs	55%	45%	100%	49
	Other	77%	23%	100%	48
	Property	68%	32%	100%	77
	Violent	77%	23%	100%	43
All		60%	40%	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 3-36. Revocations from Probation/Deferred in Adult District Court, by gender and most serious conviction charge

Gender		No	Yes	All	N
Female		51%	49%	100%	118
	Drugs	46%	54%	100%	35
	Other	62%	38%	100%	26
	Property	49%	51%	100%	49
	Violent	50%	50%	100%	8
Male		65%	35%	100%	241
	Drugs	57%	43%	100%	47
	Other	67%	33%	100%	52
	Property	65%	35%	100%	83
	Violent	69%	31%	100%	59
All		60%	40%	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.

Juvenile Court

In juvenile court, 19% of cases sentenced to probation/deferred judgment in 2016 in the 12th Judicial District were revoked (Table 3-37). Hispanics were slightly more likely than Whites to get revoked (22% compared to 19%, respectively). Table 3-38 presents revocations in juvenile court by gender. No females in juvenile court were revoked in 2016. Because of the small number of cases in juvenile court (n=37), caution should be used when interpreting the findings.

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

Race/ethnicity		No	Yes	All	N
Hispanic		78%	22%	100%	9
	Drugs	100%	0%	100%	1
	Other	67%	33%	100%	3
	Property	50%	50%	100%	2
	Violent	100%	0%	100%	3
Other		100%	0%	100%	2
	Property	100%	0%	100%	2
White		81%	19%	100%	26
	Drugs	100%	0%	100%	2
	Other	50%	50%	100%	4
	Property	93%	7%	100%	14
	Violent	67%	33%	100%	6
All		81%	19%	100%	37

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		100%	0%	100%	10
	Drugs	100%	0%	100%	2
	Other	100%	0%	100%	1
	Property	100%	0%	100%	5
	Violent	100%	0%	100%	2
Male		74%	26%	100%	27
	Drugs	100%	0%	100%	1
	Other	50%	50%	100%	6
	Property	85%	15%	100%	13
	Violent	71%	29%	100%	7
All		81%	19%	100%	37

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 12th Judicial District are included in the analyses presented here.¹⁸ Those sentenced near the end of 2016 may not have had enough time to get revoked. **Note that these are cases, not individuals.** Counting cases and not individuals is likely to inflate the proportion of revocations presented in these analyses. For example, the Judicial Department reports that in 2016, 22% of adult state probation terminations were the result of a revocation.¹⁹ The revocations presented here may not result in termination from probation supervision. In fact, in 2016, across county, adult district, and juvenile district courts *statewide*, 49% of cases were reinstated, 44% were not reinstated, and for the remaining 7% of cases it was unclear the outcome of the revocation.

Overall, 22% of county court cases receiving a probation/deferred judgment in the 12th Judicial District in 2016 were revoked. Hispanics were more likely to be revoked compared to Whites (34% compared to 17%, respectively). Hispanics were most likely to be revoked for Other offenses (47%). Whites were most likely to be revoked for Drug offenses (50%). The few numbers of Black (n=6) and Other (n=8) defendants means that caution should be used when interpreting the information. Women were less likely to be revoked than men (16% compared to 25%, respectively).

Revocations from probation/deferred judgments occurred more frequently in district court (40%) compared to county court (22%) in 2016. Hispanics were most likely to be revoked (56% compared to 40% overall); 62% of Hispanics with Other offenses were revoked. Women in adult district court were more likely than men to get revoked (49% compared to 35%). Men and women with Drug cases were most likely, compared to those with other crime types, to get revoked.

In juvenile court, 19% of cases sentenced to probation/deferred judgment in 2016 in the 12th Judicial District were revoked. Hispanics were slightly more likely than Whites to get revoked (22% compared to 19%, respectively). In terms of gender, no females in juvenile court were revoked in 2016. Because of the small number of cases in juvenile court (n=37), caution should be used when interpreting the findings.

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

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

Appendix A NIBRS Group A Arrest Crimes

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

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

Appendix B

Most serious filing/conviction charge categories

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

Arson - 1st - 4th degree arson

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

Drug Poss - drug possession, paraphernalia possession

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

Escape

Extortion

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

Forgery

Fraud

Homicide - 1st and 2nd degree murder

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

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

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

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

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

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