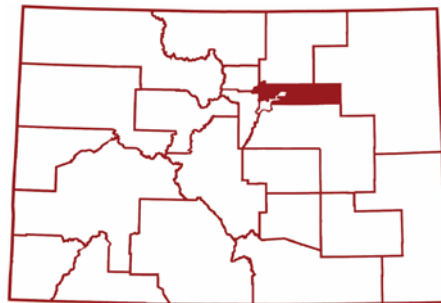


Senate Bill 15-185 CLEAR Act

2016

Community Law Enforcement Action Reporting Act

17th Judicial District



17th Judicial District: Population race/ethnicity estimates, 2016

Age Group	Race/ethnicity	%	N
Adult		73%	412,210
	Black	3%	11,128
	Hispanic	33%	136,707
	Other	6%	22,789
	White	59%	241,586
Juvenile		27%	153,809
	Black	3%	4,857
	Hispanic	49%	75,420
	Other	6%	8,756
	White	42%	64,776
All		100%	566,019

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 17th 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 17th 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 17th Judicial District was 566,019. The adult population was comprised as follows: White, 59%; Black, 3%; Hispanic, 33%; and Other, 6%. The juvenile population was comprised as follows: White, 42%, Black, 3%, Hispanic 49%, and Other 6%. 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 33,461 arrests/summons in the 17th 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 7% of all arrests/summons and Violent crimes accounted for another 7% of arrests/summons, Property offenses accounted for 13% of arrests/summons, and the remainder of arrests/summons (72%) fell into the Other crime category. Blacks represented 3% of the population in the 17th Judicial District in 2016, but accounted for 6% of arrests/summons. Hispanics represented 38% of the population and 36% of arrests/summons. 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 11,353 case filings in county, district, and juvenile courts combined found that, while Blacks represented 3% of the population in the 17th Judicial District, and 6% of the arrests/summons in 2016, they accounted for 7% of court filings. In juvenile court, Blacks represented 12% of cases, compared to 3% Black juveniles in the population. Hispanic adults made up 33% of the adult population in the 17th Judicial District but had 40% of court filings in 2016; 52% of juvenile court cases were Hispanic. In terms of gender, 25% of filings were females and 75% were males. Females were slightly less likely than men to be involved in Violent crimes (33% compared to 35%, respectively) and slightly more to be involved in Drug offenses (19% compared to 15%, respectively). Only 1-2% of cases completed a trial in 2016. 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, 17% of cases in county court were dismissed, as were 8% of cases in district court and 18% of cases in juvenile court. Over one-third (40%) of county court cases were convicted as charged compared to 14% in district court and 36% in juvenile court. One-quarter (28%) of county court cases were convicted of a different charge, as were over half (60%) of district court cases, and 37% of juvenile court cases.

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

This section provided the initial sentence for each of the four offense types for county court cases in the 17th Judicial District in 2016. County court Drug cases resulted in a fine in 65% of cases, and community service for 10% of cases. Deferred judgments occurred rarely for Drug offenses (1%) and Other cases (4%), and more often for Property crimes (10%) and Violent offenses (18%). Probation was the most frequently occurring sentence for non-Drug offenses, and jail was the county court sentence for 19% of Drug cases, 30% of Other offenses, 37% of Property crimes, and 22% of Violent cases.

Women were significantly more likely than men to receive a deferred judgment in county court (17% compared to 7%, respectively). Men were more likely than women to receive a jail sentence (30% for men compared to 20% for women). Those in the Other race/ethnicity category were more likely to receive a deferred judgment (25% compared to 6-14% for other race/ethnicities); Hispanics were especially unlikely to receive a deferred judgment, at 6%, compared to 11% for Whites. Hispanics were more likely to receive jail time (30%) compared to 25% of White cases.

In district court, probation was the most frequently occurring initial sentence, imposed 73% of the time for Drug cases. The second most frequently occurring sentence was a prison sentence: 6% of Drug cases, 30% of Other cases, 13% of Property cases, and 22% of Violent cases received a sentence to the Department of Corrections. Deferred judgments were imposed infrequently and were most likely to be imposed in Violent cases (6%), and least likely to be imposed in Drug cases (1%).

Women were much more likely to receive probation compared to men (71% versus 54%, respectively) and less likely to receive a prison sentence (6% compared to 19%, respectively). One-fifth (19%) of initial sentences for Blacks were to the Department of Corrections, and 18% of initial sentences for Hispanic cases were to prison, a slightly higher proportion compared to the other race/ethnicity groups (15%). Looking at initial sentences by crime type, Drug cases with Black and Hispanic defendants were more likely than those in the Other and White race/ethnicity categories to receive a jail sentence: 23% of Blacks and 17% of Hispanics were sentenced to jail compared to 13% for Others and 13% for Whites. For those whose case fell into the Other crime category (Table 3-23), Hispanics (34%) were more likely to receive a prison sentence compared to Blacks (28%) and Whites (27%) (the few cases in the Other race/ethnicity category [n=8] means this information should be interpreted with caution). For Property and Violent offenses, Black defendants were somewhat more likely to receive a prison sentence compared to Whites.

Deferred judgments were used more frequently in juvenile court compared to county and district court. In fact, 54% of initial sentences for Drug offenses were deferred judgments, as were 42% of Other offenses, 29% of Property cases, and 33% of Violent cases. Probation was the next most frequently occurring sentence in juvenile court. Females received deferred judgments at a higher rate than males (45% and 31%, respectively). No females received sentences to the Division of Youth Services in 2016 compared to 31 males. Overall, Blacks and Hispanics were less likely than Whites to receive a deferred judgment and were much more likely to receive an initial sentence to probation.

Revocations. Cases sentenced in 2016 to probation or a deferred judgment that received a revocation in the 17th Judicial District are included in the analyses presented here.⁶ Those sentenced near the end of 2016 may not have had enough time to get revoked. **Note that these are cases, not individuals.** Counting cases and not individuals is likely to inflate the proportion of revocations presented in these analyses. For example, the Judicial Department reports that in 2016, 22% of adult state probation terminations were the result of a revocation.⁷ The revocations presented here may not result in termination from probation supervision. In fact, in 2016, across county, adult district, and juvenile district courts *statewide*, 49% of cases were reinstated, 44% were not reinstated, and for the remaining 7% of cases it was unclear the outcome of the revocation.

Overall, 20% of county court cases receiving a probation/deferred judgment in the 17th Judicial District in 2016 were revoked. Blacks and Hispanics were slightly more likely to be revoked compared to Whites (26% and 22% respectively, compared to 18%). Blacks were least likely to be revoked when the most serious crime was Other (20%) and most likely to be revoked if they were sentenced for Violent offense (32%). Hispanics were most likely to be revoked for Drug and Property offenses (each at 33%), however the few cases in some of the categories means that information must be interpreted with caution. Whites were most likely to be revoked for a Property offense (27%). Women in county court were less likely to be revoked compared to men (16% and 21%, respectively).

Revocations from probation/deferred judgments occurred more frequently in district court (33%) compared to county court (20%) in 2016. In district court, Whites (34%) were slightly more likely to be revoked compared to Hispanics (32%) and Blacks (31%). Hispanics (41%) and Whites (46%) with Drug offenses were most likely to be revoked. Women in adult district court were slightly more likely than men to get revoked (34% compared to 33%). Men and women with Drug cases were most likely, compared to those with other crime types, to get revoked. In juvenile court, 24% of cases sentenced to probation/deferred judgment in 2016 in the 17th Judicial District were revoked. Hispanics were most likely to get revoked (29%), compared to 24% for Blacks and 18% for Whites. Note that there are too few cases in the Other race/ethnicity category to generalize the findings (n=3). Females were revoked at a rate of 14% compared to 26% for males. Comparing across crime types, females with Other and Property crimes were most likely to be revoked (23%) and males with Property cases were most likely to be revoked (33%).

Additional analyses. To better understand the disparity across race/ethnicity in initial sentences in district court and juvenile court, a statistical technique called logistic regression was employed in an attempt to account for circumstances that may impact decision making at this point in the process. These additional analyses allow for the examination of the impact of concurrent and prior cases, including current and prior violent offenses,⁸ may have on those decisions.

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

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

⁸ The violent crimes included in this analysis are as follows: C.R.S. 18-3-102, 1st degree homicide; 18-3-103, 2nd degree homicide; 18-3-202, 1st degree assault; 18-3-203, 2nd degree assault; 18-3-301, 1st degree kidnapping; 18-3-302, 2nd degree kidnapping; 18-3-402, sex assault (felony); 18-3-404, unlawful sexual contact (felony); 18-3-405, sex assault on a child; 18-3-405.3, sex assault on a child position of trust; 18-4-302, aggravated robbery; 18-4-102,

After controlling for other factors described above, there was no significant difference in sentences to DOC in district court between Blacks and Whites or between Hispanics and Whites. Regarding deferred judgments in district court, after controlling for other factors described above, Hispanics were statistically significantly less likely to receive a deferred sentence in district court than Whites. However, there was no significant difference in sentences between Blacks and Whites. Finally, in juvenile court, after controlling for the sentencing factors described above, Hispanics were statistically significantly less likely than Whites to receive a deferred judgment in juvenile court. However, there was no significant difference in sentences between Blacks and Whites.

1st degree arson; 18-3.5-103, 1st degree unlawful termination of pregnancy; 18-3.5-104, 2nd degree unlawful termination of a pregnancy.

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 four 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. Section Four describes the findings from additional analyses undertaken to better understand the impact of concurrent cases and criminal history on the initial sentence.

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.⁹ 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;

⁹ 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.

- The national statistical validity and usefulness of the collected data.

NIBRS Group A offenses are listed in Appendix A, and Group B offenses are summarized into “Other.”¹⁰ 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 33,000 NIBRS incidents in the 17th Judicial District were analyzed for calendar year 2016 (Table 1-1).

Table 1-1. Arrests by type, 17th Judicial District, 2016

Arrest type	%	N
Custody/warrant	45%	14,936
On-view/probable cause	24%	7,978
Summons	32%	10,547
All	100%	33,461

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.¹¹ 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, 17th Judicial District, 2016

Court	%	N
Adult District	40%	4,496
County	55%	6,240
Juvenile	5%	617
All	100%	11,353

¹⁰ 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.

¹¹ 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.

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

Note that the information presented here reflects the analysis of 11,353 **cases not individuals**. Individuals may have multiple, concurrent cases,¹² 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 categories¹³ which, for the analysis presented in this document, have been collapsed into four categories: Drug, Other, Property and Violent.¹⁴ The analysis of the 24 offense categories is available on the interactive data dashboard. See Appendix B for the list of offenses that were combined into the four broad categories.

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

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

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

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

¹² 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.

¹³ The 24 offense categories are summarized from more than 1500 statutes.

¹⁴ 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	7%	2,470
Other	72%	24,195
Property	13%	4,443
Violent	7%	2,353
All	100%	33,461

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

Table 2-2 reflects 33,461 arrests/summons captured in NIBRS for calendar year 2016 in the 17th Judicial District, by race/ethnicity. Blacks represented 3% of the population in 2016, but accounted for 6% of arrests/summons in the 17th Judicial District. Hispanics represented 38% of the population and accounted for 36% of arrests. The Other race/ethnicity category represented 6% of the population, and was underrepresented in arrests (2%). Whites represented 54% of the population and 57% of arrests/summons in the 17th Judicial District.

Table 2-2. Arrests by race/ethnicity

Race/ethnicity	%	N
Black	6%	1,933
Hispanic	36%	11,973
Other	2%	555
White	57%	19,000
All	100%	33,461

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 8% of on view/probable cause arrests, and that 15% of those arrests were for violent crimes, a proportion similar to adults (11%). Juveniles accounted for 5% of custody/warrant arrests (Table 2-4). Overall, juveniles were more likely to get summoned than arrested; they accounted for one-fifth (21%) 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		92%	7,357
	Drugs	14%	995
	Other	63%	4,618
	Property	13%	951
	Violent	11%	793
Juvenile		8%	621
	Drugs	15%	94
	Other	46%	286
	Property	24%	147
	Violent	15%	94
All		100%	7,978

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

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

Age Group	Offense	%	N
Adult		95%	14,256
	Drugs	2%	315
	Other	84%	12,031
	Property	7%	986
	Violent	6%	924
Juvenile		5%	680
	Drugs	6%	40
	Other	65%	442
	Property	16%	112
	Violent	13%	86
All		100%	14,936

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		79%	8,317
	Drugs	6%	511
	Other	69%	5,740
	Property	21%	1,744
	Violent	4%	322
Juvenile		21%	2,230
	Drugs	23%	515
	Other	48%	1,078
	Property	23%	503
	Violent	6%	134
All		100%	10,547

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 14% of probable cause arrests were for Drug related offenses, 61% were for Other offenses, 14% for Property offenses, and 11% for Violent offenses. While Blacks made up 3% of the population in the 17th Judicial District, Table 2-6 shows that they were arrested at a greater rate for probable cause arrests in 2016: 5% of arrests for Other offenses were Blacks, 6% of Property arrests were Blacks, and 8% of Violent arrests were Blacks. While Hispanics represented 38% of the population in 2016, they accounted for 41% of Other offenses, 37% of Property arrests and 37% of Violent probable cause arrests in the 17th Judicial District. Whites made up 54% of the population and 64% of Drug probable cause arrests.

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

Offense	Race/ethnicity	%	N
Drugs		14%	1,089
	Black	3%	31
	Hispanic	32%	349
	Other	1%	8
	White	64%	701
Other		61%	4,904
	Black	5%	248
	Hispanic	41%	2,002
	Other	2%	79
	White	53%	2,575
Property		14%	1,098
	Black	6%	65
	Hispanic	37%	408
	Other	2%	21
	White	55%	604
Violent		11%	887
	Black	8%	72
	Hispanic	37%	329
	Other	1%	11
	White	54%	475
All		100%	7,978

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. The majority (84%) of these arrests involved an offense that fell into the Other offense category. While only 7% of these types of arrests involved a Violent offense, Blacks made up 7% of Violent crime warrant arrests and Hispanics made up 42%, which is greater than the proportion of Blacks (3%) and Hispanics (38%) in the 17th Judicial District.

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

Offense	Race/ethnicity	%	N
Drugs		2%	355
	Black	2%	7
	Hispanic	35%	124
	Other	1%	3

	White	62%	221
Other		84%	12,473
	Black	7%	927
	Hispanic	38%	4,706
	Other	1%	131
	White	54%	6,709
Property		7%	1,098
	Black	5%	55
	Hispanic	39%	427
	Other	1%	12
	White	55%	604
Violent		7%	1,010
	Black	7%	75
	Hispanic	42%	420
	Other	2%	16
	White	49%	499
All		100%	14,936

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 (4%) compared to Other (65%) and Property (21%) and that, of those summons issued for Violent crimes, 7% went to Blacks and 38% to Hispanics. Whites were least likely to be summonsed for a Violent crime (54%) and most likely for Other offenses (64%).

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

Offense	Race/ethnicity	%	N
Drugs		10%	1,026
	Black	4%	40
	Hispanic	36%	374
	Other	2%	18
	White	58%	594
Other		65%	6,818
	Black	4%	268
	Hispanic	29%	2,000
	Other	3%	196
	White	64%	4,354
Property		21%	2,247
	Black	5%	112
	Hispanic	30%	663
	Other	2%	52
	White	63%	1,420
Violent		4%	456
	Black	7%	33
	Hispanic	38%	171
	Other	2%	8
	White	54%	244
All		100%	10,547

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 20-32% of arrests and 28-49% of summonses (depending on the crime category) and men comprised the remainder. Overall, women were more likely to be involved in Property offenses compared with the other offense categories.

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

Offense	Gender	%	N
Drugs		14%	1,089
	Female	30%	323
	Male	70%	766
Other		61%	4,904
	Female	28%	1,367
	Male	72%	3,537
Property		14%	1,098
	Female	32%	355
	Male	68%	743
Violent		11%	887
	Female	24%	217
	Male	76%	670
All		100%	7,978

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		2%	355
	Female	32%	112
	Male	68%	243
Other		84%	12,473
	Female	29%	3,556
	Male	71%	8,917
Property		7%	1,098
	Female	32%	356
	Male	68%	742
Violent		7%	1,010
	Female	20%	206
	Male	80%	804
All		100%	14,936

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%	1,026
	Female	28%	291
	Male	72%	735
Other		65%	6,818
	Female	36%	2,485
	Male	64%	4,333
Property		21%	2,247
	Female	49%	1,095
	Male	51%	1,152
Violent		4%	456
	Female	38%	175
	Male	62%	281
All		100%	10,547

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 33,461 arrests/summons in the 17th 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 7% of all arrests/summons and Violent crimes accounted for another 7% of arrests/summons, Property offenses accounted for 13% of arrests/summons, and the remainder of arrests/summons (72%) fell into the Other crime category. Blacks represented 3% of the population in the 17th Judicial District in 2016, but accounted for 6% of arrests/summons. Hispanics represented 38% of the population and 36% of arrests/summons. 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.¹⁵ For this analysis, cases were selected for the 17th 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,¹⁶ 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 11,353 case filings in county, adult district, and juvenile courts combined in the 17th Judicial District. While Blacks represented 3% of the population and 6% of the arrests/summonses in 2016, they accounted for 7% of court filings. Hispanics represented 38% of the population and 40% of case filings. Note that these cases are not necessarily the same cases in the **Law enforcement data** section above.

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

Race/ethnicity	%	N
Black	7%	830
Hispanic	40%	4,528
Other	1%	152
White	51%	5,843
All	100%	11,353

¹⁵ Denver County Court is not part of the statewide Judicial data management system.

¹⁶ 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.

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

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

Combining information across the three court types, Table 3-2 shows the race/ethnicity distribution for the four crime categories. Table 3-2 shows that Drug offenses were the most serious filing charge in 16% of cases, and Violent charges comprised the largest category at 34% of charges filed. Hispanics were least likely to receive a filing for a Drug case (35%) and most likely for a Violent case (42%). Blacks, representing 3% of the population, were filed on for a Violent offense at a rate of 9%.

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

Offense	Race/ethnicity	%	N
Drugs		16%	1,842
	Black	5%	84
	Hispanic	35%	649
	Other	1%	20
	White	59%	1,089
Other		28%	3,134
	Black	8%	237
	Hispanic	40%	1,246
	Other	1%	40
	White	51%	1,611
Property		22%	2,469
	Black	7%	162
	Hispanic	41%	1,008
	Other	1%	33
	White	51%	1,266
Violent		34%	3,908
	Black	9%	347
	Hispanic	42%	1,625
	Other	2%	59
	White	48%	1,877
All		100%	11,353

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

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

Table 3-3 depicts that, across all court types, 25% of filings were females and 75% were males. Females were slightly less likely than men to be involved in Violent crimes (33% compared to

35%, respectively) and slightly more to be involved in Drug offenses (19% compared to 15%, respectively).

Table 3-3. Most serious filing charge by gender

Gender	Offense	%	N
Female		25%	2,808
	Drugs	19%	530
	Other	24%	663
	Property	25%	693
	Violent	33%	922
Male		75%	8,545
	Drugs	15%	1,312
	Other	29%	2,471
	Property	21%	1,776
	Violent	35%	2,986
All		100%	11,353

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 17th Judicial District. County court had the most cases in 2016 (55% of the total), followed by adult district court (40%) and juvenile court at 5%. Blacks, comprising 3% of the population in the 17th Judicial District, represented 6% of county court cases filed compared to 8% in adult district court and 12% in juvenile court. Hispanic adults made up 33% of the adult population in the 17th Judicial District and 39% of district court filings in 2016.

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

Court	Race/ethnicity	%	N
Adult District		40%	4,496
	Black	8%	366
	Hispanic	39%	1,732
	Other	1%	57
	White	52%	2,341
County		55%	6,240
	Black	6%	391
	Hispanic	40%	2,475
	Other	1%	90
	White	53%	3,284
Juvenile		5%	617
	Black	12%	73
	Hispanic	52%	321
	Other	1%	5
	White	35%	218
All		100%	11,353

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

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

Table 3-5 provides the type of offense by court type. Nearly half (45%) of county court cases were Violent offenses (primarily misdemeanor assault); Property offenses (31%) and Drug cases (29%) comprised the largest categories of cases in adult district court. Property crimes (43%) and Violent crimes (35%) made up the majority of cases filed in juvenile court. Table 3-6 presents the distribution across gender for cases in county, district and juvenile court. Females were more likely to have cases in county court (27%) compared to adult district court (22%) and juvenile court (18%).

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

Court	Offense	%	N
Adult District		40%	4,496
	Drugs	29%	1,308
	Other	20%	895
	Property	31%	1,394
	Violent	20%	899
County		55%	6,240
	Drugs	8%	492
	Other	34%	2,145
	Property	13%	811
	Violent	45%	2,792
Juvenile		5%	617
	Drugs	7%	42
	Other	15%	94
	Property	43%	264
	Violent	35%	217
All		100%	11,353

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		40%	4,496
	Female	22%	1,011
	Male	78%	3,485
County		55%	6,240
	Female	27%	1,686
	Male	73%	4,554
Juvenile		5%	617
	Female	18%	111
	Male	82%	506
All		100%	11,353

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

Trials

Table 3-7 shows how very infrequently cases in these courts completed a trial (1-2%). Table 3-8 combines information across court types and shows the number of trials completed by offense category. Cases with a Violent offense were most likely to complete a trial.

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

Court	Completed Trial	%	N
Adult District		40%	4,496
	No	99%	4,440
	Yes	1%	56
County		55%	6,240
	No	98%	6,142
	Yes	2%	98
Juvenile		5%	617
	No	99%	611
	Yes	1%	6
All		100%	11,353

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

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

Offense	Completed Trial	%	N
Drugs		16%	1,842
	No	100%	1,835
	Yes	<1%	7
Other		28%	3,134
	No	99%	3,103
	Yes	1%	31
Property		22%	2,469
	No	99%	2,447
	Yes	1%	22
Violent		34%	3,908
	No	97%	3,808
	Yes	3%	100
All		100%	11,353

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 11,353 case filings in county, district, and juvenile courts combined found that, while Blacks represented 3% of the population in the 17th Judicial District, and 6% of the arrests/summons in 2016, they accounted for 7% of court filings. In juvenile court, Blacks represented 12% of cases, compared to 3% Black juveniles in the population. Hispanic adults made up 33% of the adult population in the 17th Judicial District but had 40% of court filings in 2016; 52% of juvenile court cases were Hispanic. In terms of gender, 25% of filings were females and 75% were males. Females were slightly less likely than men to be involved in Violent crimes (33% compared to 35%, respectively) and slightly more to be involved in Drug offenses (19% compared to 15%, respectively). Only 1-2% of cases completed a trial in 2016. 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 17th Judicial District, by race/ethnicity and most serious filing charge (including attempt, conspiracy and solicitation), for county court, district court, and juvenile court in 2016. It is important to remember that most cases contain multiple charges, and many cases have concurrent cases. All charges in a case may be dismissed or modified as part of a plea agreement involving that case or multiple cases. In fact, overall, in 17% 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 40% of cases were convicted as charged, and 28% were convicted of another crime. In adult district court (Table 3-10), 60% were convicted of another crime and 14% were convicted as charged. In juvenile court (Table 3-11), 37% were convicted of another offense and 36% 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		41%	26%	16%	17%	100%	391
	Drugs	67%	7%	20%	7%	100%	15
	Other	44%	26%	12%	19%	100%	133
	Property	39%	29%	12%	20%	100%	41
	Violent	37%	27%	20%	16%	100%	202
Hispanic		39%	28%	17%	16%	100%	2,475
	Drugs	54%	10%	23%	14%	100%	164
	Other	41%	31%	12%	16%	100%	865
	Property	34%	38%	13%	15%	100%	302
	Violent	37%	27%	20%	17%	100%	1,144
Other		37%	23%	22%	18%	100%	90
	Drugs	100%	0%	0%	0%	100%	3
	Other	40%	23%	17%	20%	100%	30
	Property	31%	25%	31%	12%	100%	16
	Violent	32%	24%	24%	20%	100%	41
White		40%	27%	17%	16%	100%	3,284
	Drugs	67%	8%	14%	11%	100%	310
	Other	35%	31%	17%	16%	100%	1,117
	Property	33%	36%	15%	17%	100%	452
	Violent	39%	26%	18%	17%	100%	1,405
All		40%	28%	17%	16%	100%	6,240

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

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

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

Race/ethnicity		Convicted as charged	Convicted other crime	Dismissed/not guilty	Not yet resolved/case closed	All	N
Black		12%	54%	11%	23%	100%	366
	Drugs	7%	74%	6%	13%	100%	68
	Other	18%	37%	23%	23%	100%	84
	Property	12%	59%	5%	24%	100%	95
	Violent	11%	50%	11%	29%	100%	119
Hispanic		13%	61%	8%	18%	100%	1,732
	Drugs	5%	72%	7%	17%	100%	461
	Other	20%	50%	13%	17%	100%	343
	Property	14%	63%	6%	16%	100%	560
	Violent	14%	55%	10%	21%	100%	368
Other		21%	54%	2%	23%	100%	57
	Drugs	0%	80%	0%	20%	100%	15
	Other	30%	60%	10%	0%	100%	10
	Property	27%	27%	0%	47%	100%	15
	Violent	29%	53%	0%	18%	100%	17
White		16%	60%	8%	16%	100%	2,341
	Drugs	5%	74%	5%	15%	100%	764
	Other	25%	44%	17%	14%	100%	458
	Property	19%	58%	5%	17%	100%	724
	Violent	19%	54%	8%	19%	100%	395
All		14%	60%	8%	18%	100%	4,496

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

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

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

Race/ethnicity		Convicted as charged	Convicted other crime	Dismissed/not guilty	Not yet resolved/case closed	All	N
Black		30%	45%	16%	8%	100%	73
	Drugs	0%	100%	0%	0%	100%	1
	Other	25%	40%	10%	25%	100%	20
	Property	31%	38%	31%	0%	100%	26
	Violent	35%	54%	8%	4%	100%	26
Hispanic		33%	38%	20%	9%	100%	321
	Drugs	38%	38%	12%	12%	100%	24
	Other	45%	37%	11%	8%	100%	38
	Property	29%	36%	23%	12%	100%	146
	Violent	35%	42%	19%	4%	100%	113
Other		80%	20%	0%	0%	100%	5
	Drugs	100%	0%	0%	0%	100%	2
	Property	50%	50%	0%	0%	100%	2
	Violent	100%	0%	0%	0%	100%	1
White		42%	34%	17%	8%	100%	218
	Drugs	40%	33%	13%	13%	100%	15
	Other	64%	17%	17%	3%	100%	36
	Property	46%	28%	21%	6%	100%	90
	Violent	27%	49%	12%	12%	100%	77
All		36%	37%	18%	8%	100%	617

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, 17% of cases in county court were dismissed, as were 8% of cases in district court and 18% of cases in juvenile court. Over one-third (40%) of county court cases were convicted as charged compared to 14% in district court and 36% in juvenile court. One-quarter (28%) of county court cases were convicted of a different charge, as were over half (60%) of district court cases, and 37% of juvenile court cases.

Initial sentences

The tables below show cases sentenced between Jan 1, 2016 and Dec 31, 2016 in the 17th 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 17th Judicial District in 2016. County court Drug cases resulted in a fine in 65% of cases, and community service for 10% of cases. Deferred judgments occurred rarely for Drug offenses (1%) and Other cases (4%), and more often for Property crimes (10%) and Violent offenses (18%). Probation was the most frequently occurring sentence for non-Drug offenses, and jail was the sentence for 19% of Drug cases, 30% of Other offenses, 37% of Property crimes, and 22% of Violent cases.

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 (17% compared to 7%, respectively). Men were more likely than women to receive a jail sentence (30% for men compared to 20% for women).

Table 3-12. Initial sentence in County Court, by most serious conviction charge (N=4,314)

Sentence	Drugs	%	Other	%	Property	%	Violent	%
Community Service	35	10%	23	1%	19	4%	3	<1%
Deferred	4	1%	83	4%	52	10%	274	18%
Fines/fees	224	65%	468	25%	83	16%	95	6%
Jail	66	19%	567	30%	197	37%	336	22%
Probation/Intensive Supervision	12	4%	725	38%	156	30%	794	51%
Unsupervised Probation	1	<1%	32	2%	21	4%	44	3%
All	342	100%	1,898	100%	528	100%	1,546	100%

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

Table 3-13. Initial sentence in County Court by gender (N=4,314)

Sentence	Female	%	Male	%
Community Service	25	2%	55	2%
Deferred	193	17%	220	7%
Fines/fees	253	23%	617	19%
Jail	219	20%	947	30%
Probation/Intensive Supervision	378	34%	1,309	41%
Unsupervised Probation	38	3%	60	2%
All	1,106	100%	3,208	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 17th Judicial District. Those in the Other race/ethnicity category were more likely to receive a deferred judgment (25% compared to 6-14% for other race/ethnicities); Hispanics were especially unlikely to receive a deferred judgment, at 6%, compared to 11% for Whites. Hispanics were more likely to receive jail time (30%) compared to 25% of White cases.

Table 3-14. Initial sentence in County Court by race/ethnicity (N=4,314)*

Sentence	Black	Hispanic	Other	White
N	275	1,772	64	2,203
Community Service	2%	2%	2%	2%
Deferred	14%	6%	25%	11%
Fines/fees	14%	17%	27%	23%
Jail	27%	30%	14%	25%
Probation/Intensive Supervision	39%	42%	27%	37%
Unsupervised Probation	3%	2%	6%	2%
All	100%	100%	100%	100%

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

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

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. Community service, fines/fees, and jail were the most frequently occurring sentences. The few numbers of cases in the Black (n=12) and Other (n=6) race/ethnicity category require caution when interpreting the findings. Comparing Hispanic and White defendants with Drug charges in county court, Hispanics were twice as likely to receive a jail sentence (28% compared to 14%, respectively).

Table 3-15. Initial sentence for Drugs as most serious conviction in County Court by race/ethnicity (N=342)*

Sentence	Black	Hispanic	Other	White
N	12	97	6	227
Community Service	25%	13%	17%	8%
Deferred	0%	0%	0%	2%
Fines/fees	33%	56%	33%	72%
Jail	42%	28%	33%	14%
Probation/Intensive Supervision	0%	3%	17%	4%
Unsupervised Probation	0%	0%	0%	<1%
All	100%	100%	100%	100%

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

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

Table 3-16 shows that, for those with Other as the most serious county court conviction charge, Blacks and Hispanics were somewhat more likely to receive a jail sentence compared to Whites (32% and 32%, compared to 28%, respectively). Table 3-17 provides information on the initial sentence in county court for Property offenses and Table 3-18 depicts the initial sentence for Violent offenses in county court; for Violent offenses, Blacks and Hispanics were more likely to receive a jail sentence.

Table 3-16. Initial sentence for Other as most serious conviction in County Court by race/ethnicity (N=1,898)*

Sentence	Black	Hispanic	Other	White
N	137	801	27	933
Community Service	2%	1%	0%	1%
Deferred	7%	2%	22%	6%
Fines/fees	18%	24%	37%	26%
Jail	32%	32%	11%	28%
Probation/Intensive Supervision	39%	39%	22%	38%
Unsupervised Probation	1%	1%	7%	2%
All	100%	100%	100%	100%

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

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

Table 3-17. Initial sentence for Property as most serious conviction in County Court by race/ethnicity (N=528)*

Sentence	Black	Hispanic	Other	White
N	21	223	10	274
Community Service	0%	5%	0%	3%
Deferred	29%	7%	30%	10%
Fines/fees	19%	13%	30%	18%
Jail	14%	39%	30%	38%
Probation/Intensive Supervision	29%	34%	10%	27%
Unsupervised Probation	10%	2%	0%	5%
All	100%	100%	100%	100%

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

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

Table 3-18. Initial sentence for Violent as most serious conviction in County Court by race/ethnicity* (N=1,546)

Sentence	Black	Hispanic	Other	White
N	105	651	21	769
Community Service	0%	<1%	0%	<1%
Deferred	22%	12%	33%	22%
Fines/fees	7%	5%	10%	7%
Jail	22%	25%	5%	19%
Probation/Intensive Supervision	46%	55%	43%	49%
Unsupervised Probation	4%	3%	10%	2%
All	100%	100%	100%	100%

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

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

District court

Table 3-19 shows the initial sentence by offense type for district court cases in the 17th Judicial District. Probation was the most frequently occurring initial sentence, imposed 73% of the time for Drug cases. The second most frequently occurring sentence in district court was a prison sentence: 6% of Drug cases, 30% of Other cases, 13% of Property cases, and 22% of Violent cases received a sentence to the Department of Corrections. Deferred judgments were imposed infrequently and were most likely to be imposed in Violent cases (6%), and least likely to be imposed in Drug cases (1%).

Table 3-20 indicates the initial sentence in district court by gender. Women were much more likely to receive probation compared to men (71% versus 54%, respectively) and less likely to receive a prison sentence (6% compared to 19%, respectively).

Table 3-19. Initial sentence in Adult District Court, by most serious conviction charge (N=3,692)

Sentence	Drugs	%	Other	%	Property	%	Violent	%
Community Corrections	37	3%	83	11%	95	8%	58	8%
Community Service	1	<1%	7	1%	3	<1%	1	<1%
Deferred	8	1%	21	3%	63	5%	41	6%
Dept of Corrections	64	6%	221	30%	155	13%	161	22%
Division of Youth Services	0	0%	0	0%	1	<1%	0	0%
Fines/fees	18	2%	11	1%	18	2%	2	<1%
Jail	162	15%	107	15%	157	13%	64	9%
Probation/Intensive Supervision	772	73%	286	39%	674	58%	395	54%
Youthful Offender System	0	0%	0	0%	0	0%	6	1%
All	1,062	100%	736	100%	1,166	100%	728	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=3,692)

Sentence	Female	%	Male	%
Community Corrections	28	3%	245	9%
Community Service	4	<1%	8	<1%
Deferred	43	5%	90	3%
Dept of Corrections	51	6%	550	19%
Division of Youth Services	1	<1%	0	0%
Fines/fees	12	1%	37	1%
Jail	96	12%	394	14%
Probation/Intensive Supervision	578	71%	1,549	54%
Youthful Offender System	0	0%	6	<1%
All	813	100%	2,879	100%

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

Table 3-21 shows the initial sentence in adult district court by race/ethnicity combining all crime types. One-fifth (19%) of initial sentences for Blacks were to the Department of Corrections, and 18% of initial sentences for Hispanic cases were to prison, a slightly higher proportion compared to the other race/ethnicity groups (15%).

Table 3-21. Initial sentence in Adult District Court by race/ethnicity* (N=3,692)

Sentence	Black	Hispanic	Other	White
N	269	1,463	52	1,908
Community Corrections	7%	8%	6%	7%
Community Service	1%	<1%	2%	<1%
Deferred	3%	2%	8%	5%
Dept of Corrections	19%	18%	15%	15%
Division of Youth Services	0%	<1%	0%	0%
Fines/fees	2%	1%	2%	1%
Jail	14%	14%	6%	13%
Probation/Intensive Supervision	54%	56%	62%	59%
Youthful Offender System	<1%	<1%	0%	<1%
All	100%	100%	100%	100%

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

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

The following four tables show initial district court sentences for each of the offense categories, by race/ethnicity. Table 3-22 shows the sentences cases received for Drug offenses. Drug cases with Black and Hispanic defendants were more likely than those in the Other and White race/ethnicity categories to receive a jail sentence: 23% of Blacks and 17% of Hispanics were sentenced to jail compared to 13% for Others and Whites. For those whose case fell into the Other crime category (Table 3-23), Hispanics (34%) were more likely to receive a prison sentence compared to Blacks (28%) and Whites (27%). Note that the few cases in the Other race/ethnicity category (n=8) means this information should be interpreted with caution. For Property and Violent offenses, Black defendants were somewhat more likely to receive a prison sentence compared to Whites (Tables 3-24 and 3-25).

Table 3-22. Initial sentence for Drugs as most serious conviction in Adult District Court by race/ethnicity (N=1,062)*

Sentence	Black	Hispanic	Other	White
N	56	370	15	621
Community Corrections	4%	4%	0%	3%
Community Service	0%	0%	7%	0%
Deferred	0%	1%	0%	1%
Dept of Corrections	7%	6%	7%	6%
Fines/fees	2%	1%	0%	2%
Jail	23%	17%	13%	13%
Probation/Intensive Supervision	64%	70%	73%	75%
All	100%	100%	100%	100%

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

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

Table 3-23. Initial sentence for Other as most serious conviction in Adult District Court by race/ethnicity (N=736)*

Sentence	Black	Hispanic	Other	White
N	58	311	8	359
Community Corrections	9%	12%	0%	12%
Community Service	3%	<1%	0%	1%
Deferred	2%	1%	0%	5%
Dept of Corrections	28%	34%	25%	27%
Fines/fees	7%	1%	0%	1%
Jail	17%	15%	0%	14%
Probation/Intensive Supervision	34%	37%	75%	41%
All	100%	100%	100%	100%

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

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

Table 3-24. Initial sentence for Property as most serious conviction in Adult District Court by race/ethnicity (N=1,166)*

Sentence	Black	Hispanic	Other	White
N	77	463	18	608
Community Corrections	6%	9%	17%	8%
Community Service	0%	<1%	0%	<1%
Deferred	6%	4%	17%	6%
Dept of Corrections	16%	13%	6%	13%
Division of Youth Services	0%	<1%	0%	0%
Fines/fees	1%	1%	6%	2%
Jail	9%	13%	6%	14%
Probation/Intensive Supervision	61%	60%	50%	56%
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=728)*

Sentence	Black	Hispanic	Other	White
N	78	319	11	320
Community Corrections	9%	8%	0%	8%
Community Service	0%	0%	0%	<1%
Deferred	3%	3%	9%	8%
Dept of Corrections	24%	23%	36%	20%
Fines/fees	0%	0%	0%	1%
Jail	10%	11%	0%	7%
Probation/Intensive Supervision	53%	54%	55%	55%
Youthful Offender System	1%	1%	0%	<1%
All	100%	100%	100%	100%

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

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

Juvenile court

Table 3-26 below reflects the initial sentence for juvenile court cases, by crime type, for the 17th Judicial District. Deferred judgments were used more frequently in juvenile court compared to county and district court. In fact 54% of initial sentences for Drug offenses were deferred judgments, as were 42% of Other offenses, 29% of Property cases, and 33% of Violent cases.

Probation was the next most frequently occurring sentence in juvenile court. Females received deferred judgments at a higher rate than males (45% and 31%, respectively) (Table 3-27). No females received sentences to the Division of Youth Services in 2016 compared to 31 males.

Table 3-26. Initial sentence in Juvenile Court, by most serious conviction charge (N=466)

Sentence	Drugs	%	Other	%	Property	%	Violent	%
Deferred	14	54%	29	42%	56	29%	58	33%
Division of Youth Services	0	0%	2	3%	12	6%	17	10%
Fines/fees	0	0%	1	1%	0	0%	0	0%
Jail	0	0%	3	4%	3	2%	2	1%
Juvenile Detention	0	0%	1	1%	1	1%	1	1%
Probation/Intensive Supervision	12	46%	33	48%	124	63%	97	55%
All	26	100%	69	100%	196	100%	175	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=466)

Sentence	Female	%	Male	%
Deferred	37	45%	120	31%
Division of Youth Services	0	0%	31	8%
Fines/fees	1	1%	0	0%
Jail	1	1%	7	2%
Juvenile Detention	1	1%	2	1%
Probation/Intensive Supervision	42	51%	224	58%
All	82	100%	384	100%

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

Table 3-28 reflects the initial juvenile court sentence by race/ethnicity. Across race/ethnicity categories, Blacks and Hispanics were considerably less likely to receive a deferred judgment compared to Whites (23% and 27%, respectively compared to 45% for Whites) and more likely to receive an initial sentence to the Division of Youth Services (9% and 8%, respectively, compared to 5%).

Table 3-28. Initial sentence in Juvenile Court by race/ethnicity (N=466)*

Sentence	Black	Hispanic	Other	White
N	57	230	3	176
Deferred	23%	27%	100%	45%
Division of Youth Services	9%	8%	0%	5%
Fines/fees	0%	0%	0%	1%
Jail	2%	2%	0%	1%
Juvenile Detention	0%	1%	0%	0%
Probation/Intensive Supervision	67%	62%	0%	48%
All	100%	100%	100%	100%

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

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

The following four tables show initial juvenile court sentences for each of the offense categories by race/ethnicity. Note that the number of cases can be quite small for some categories in the tables below; in these cases the findings should be interpreted with caution.

Table 3-29 shows the initial sentence when a Drug offense was the most serious conviction crime; subsequent tables show the initial sentence for Other offenses, Property offenses, and Violent crimes. For Other, Property, and Violent offenses (Tables 3-32, 3-33, and 3-34), Blacks and Hispanics were less likely than Whites to receive a deferred judgment and were much more likely to receive an initial sentence to probation.

Table 3-29. Initial sentence for Drugs as most serious conviction in Juvenile Court by race/ethnicity (N=26)*

Sentence	Black	Hispanic	White
N	2	13	11
Deferred	50%	54%	55%
Probation/Intensive Supervision	50%	46%	45%
All	100%	100%	100%

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

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

Table 3-30. Initial sentence for Other as most serious conviction in Juvenile Court by race/ethnicity (N=69)*

Sentence	Black	Hispanic	White
N	5	33	31
Deferred	20%	30%	58%
Division of Youth Services	20%	3%	0%
Fines/fees	0%	0%	3%
Jail	0%	6%	3%
Juvenile Detention	0%	3%	0%
Probation/Intensive Supervision	60%	58%	35%
All	100%	100%	100%

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

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

Table 3-31. Initial sentence for Property as most serious conviction in Juvenile Court by race/ethnicity (N=196)*

Sentence	Black	Hispanic	Other	White
N	26	101	1	68
Deferred	15%	27%	100%	35%
Division of Youth Services	4%	9%	0%	3%
Jail	0%	2%	0%	1%
Juvenile Detention	0%	1%	0%	0%
Probation/Intensive Supervision	81%	61%	0%	60%
All	100%	100%	100%	100%

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

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

Table 3-32. Initial sentence for Violent as most serious conviction in Juvenile Court by race/ethnicity (N=175)*

Sentence	Black	Hispanic	Other	White
N	24	83	2	66
Deferred	29%	20%	100%	48%
Division of Youth Services	12%	10%	0%	9%
Jail	4%	1%	0%	0%
Juvenile Detention	0%	1%	0%	0%
Probation/Intensive Supervision	54%	67%	0%	42%
All	100%	100%	100%	100%

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

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

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 court cases in the 17th Judicial District in 2016. County court Drug cases resulted in a fine in 65% of cases, and community service for 10% of cases. Deferred judgments occurred rarely for Drug offenses (1%) and Other cases (4%), and more often for Property crimes (10%) and Violent offenses (18%). Probation was the most frequently occurring sentence for non-Drug offenses, and jail was the county court sentence for 19% of Drug cases, 30% of Other offenses, 37% of Property crimes, and 22% of Violent cases.

Women were significantly more likely than men to receive a deferred judgment in county court (17% compared to 7%, respectively). Men were more likely than women to receive a jail sentence (30% for men compared to 20% for women). Those in the Other race/ethnicity category were more likely to receive a deferred judgment (25% compared to 6-14% for other race/ethnicities); Hispanics were especially unlikely to receive a deferred judgment, at 6%, compared to 11% for Whites. Hispanics were more likely to receive jail time (30%) compared to 25% of White cases.

In district court, probation was the most frequently occurring initial sentence, imposed 73% of the time for Drug cases. The second most frequently occurring sentence was a prison sentence: 6% of Drug cases, 30% of Other cases, 13% of Property cases, and 22% of Violent cases received a sentence to the Department of Corrections. Deferred judgments were imposed infrequently and were most likely to be imposed in Violent cases (6%), and least likely to be imposed in Drug cases (1%).

Women were much more likely to receive probation compared to men (71% versus 54%, respectively) and less likely to receive a prison sentence (6% compared to 19%, respectively). One-fifth (19%) of initial sentences for Blacks were to the Department of Corrections, and 18% of initial sentences for Hispanic cases were to prison, a slightly higher proportion compared to the other race/ethnicity groups (15%). Looking at initial sentences by crime type, Drug cases with Black and Hispanic defendants were more likely than those in the Other and White race/ethnicity categories to receive a jail sentence: 23% of Blacks and 17% of Hispanics were sentenced to jail compared to 13% for Others and 13% for Whites. For those whose case fell into the Other crime category (Table 3-23), Hispanics (34%) were more likely to receive a prison sentence compared to Blacks (28%) and Whites (27%) (the few cases in the Other race/ethnicity category [n=8] means this information should be interpreted with caution). For Property and

Violent offenses, Black defendants were somewhat more likely to receive a prison sentence compared to Whites.

Deferred judgments were used more frequently in juvenile court compared to county and district court. In fact, 54% of initial sentences for Drug offenses were deferred judgments, as were 42% of Other offenses, 29% of Property cases, and 33% of Violent cases. Probation was the next most frequently occurring sentence in juvenile court. Females received deferred judgments at a higher rate than males (45% and 31%, respectively). No females received sentences to the Division of Youth Services in 2016 compared to 31 males. Overall, Blacks and Hispanics were less likely than Whites to receive a deferred judgment and were much more likely to receive an initial sentence to probation.

Revocations

Cases sentenced in 2016 to probation or a deferred judgment that received a revocation in the 17th Judicial District are included in the analyses presented here.¹⁷ 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.¹⁸ The revocations presented here may not result in termination from probation supervision. In fact, in 2016, across county, adult district, and juvenile district courts *statewide*, 49% of cases were reinstated, 44% were not reinstated, and for the remaining 7% of cases it was unclear the outcome of the revocation.

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

County court

Table 3-33 shows revocation information for county court. Overall, 20% of cases receiving a probation/deferred judgment in county court in the 17th Judicial District in 2016 were revoked. Blacks and Hispanics were slightly more likely to be revoked compared to Whites (26% and 22% respectively, compared to 18%). Blacks were least likely to be revoked when the most serious crime was Other (20%) and most likely to be revoked if they were sentenced for Violent offense (32%). Hispanics were most likely to be revoked for Drug and Property offenses (each at 33%), however the few cases in some of the categories means that information must be interpreted with caution. Whites were most likely to be revoked for a Property offense (27%). Women in county court were less likely to be revoked compared to men (16% and 21%, respectively).

¹⁷ Judicial data pertaining to *petitions* to revoke are less reliable than data identifying actual revocations.

¹⁸ *Judicial Branch Annual Statistical Report, Fiscal Year 2016*, Table 48, page 120.

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

Race/ethnicity		No	Yes	All	N
Black		74%	26%	100%	155
	Other	80%	20%	100%	66
	Property	79%	21%	100%	14
	Violent	68%	32%	100%	75
Hispanic		78%	22%	100%	892
	Drugs	67%	33%	100%	3
	Other	82%	18%	100%	339
	Property	67%	33%	100%	95
	Violent	77%	23%	100%	455
Other		97%	3%	100%	37
	Drugs	100%	0%	100%	1
	Other	100%	0%	100%	14
	Property	100%	0%	100%	4
	Violent	94%	6%	100%	18
White		82%	18%	100%	1,114
	Drugs	85%	15%	100%	13
	Other	85%	15%	100%	421
	Property	73%	27%	100%	116
	Violent	82%	18%	100%	564
All		80%	20%	100%	2,198

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%	609
	Drugs	89%	11%	100%	9
	Other	84%	16%	100%	210
	Property	82%	18%	100%	66
	Violent	84%	16%	100%	324
Male		79%	21%	100%	1,589
	Drugs	75%	25%	100%	8
	Other	83%	17%	100%	630
	Property	67%	33%	100%	163
	Violent	77%	23%	100%	788
All		80%	20%	100%	2,198

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 (33%, Table 3-35) compared to county court (20%, Table 3-33) in 2016. In district court, Whites (34%) were slightly more likely to be revoked compared to Hispanics (32%) and Blacks (31%). Hispanics (41%) and Whites (46%) with Drug offenses were most likely to be revoked. Table 3-36 shows that women in adult district court were slightly more likely than men to get revoked (34% compared to 33%). 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		69%	31%	100%	152
	Drugs	69%	31%	100%	36
	Other	62%	38%	100%	21
	Property	62%	38%	100%	52
	Violent	81%	19%	100%	43
Hispanic		68%	32%	100%	857
	Drugs	59%	41%	100%	264
	Other	77%	23%	100%	117
	Property	64%	36%	100%	294
	Violent	80%	20%	100%	182
Other		81%	19%	100%	36
	Drugs	82%	18%	100%	11
	Other	100%	0%	100%	6
	Property	67%	33%	100%	12
	Violent	86%	14%	100%	7
White		66%	34%	100%	1,215
	Drugs	54%	46%	100%	469
	Other	80%	20%	100%	163
	Property	67%	33%	100%	379
	Violent	77%	23%	100%	204
All		67%	33%	100%	2,260

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

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

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

Gender		No	Yes	All	N
Female		66%	34%	100%	621
	Drugs	55%	45%	100%	228
	Other	77%	23%	100%	65
	Property	70%	30%	100%	236
	Violent	75%	25%	100%	92
Male		67%	33%	100%	1,639
	Drugs	58%	42%	100%	552
	Other	79%	21%	100%	242
	Property	63%	37%	100%	501
	Violent	80%	20%	100%	344
All		67%	33%	100%	2,260

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

Juvenile Court

In juvenile court, 24% of cases sentenced to probation/deferred judgment in 2016 in the 17th Judicial District were revoked (Table 3-37). Hispanics were most likely to get revoked (29%), compared to 24% for Blacks and 18% for Whites. Note that there are too few cases in the Other race/ethnicity category to generalize the findings (n=3). Table 3-38 presents revocations in juvenile court by gender. Females were revoked at a rate of 14% compared to 26% for males. Comparing across crime types, females with Other and Property crimes were most likely to be revoked (23%) and males with Property cases were most likely to be revoked (33%).

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

Race/ethnicity		No	Yes	All	N
Black		76%	24%	100%	51
	Drugs	100%	0%	100%	2
	Other	75%	25%	100%	4
	Property	72%	28%	100%	25
	Violent	80%	20%	100%	20
Hispanic		71%	29%	100%	204
	Drugs	85%	15%	100%	13
	Other	62%	38%	100%	29
	Property	67%	33%	100%	89
	Violent	77%	23%	100%	73
Other		67%	33%	100%	3
	Property	0%	100%	100%	1
	Violent	100%	0%	100%	2
White		82%	18%	100%	165
	Drugs	91%	9%	100%	11
	Other	83%	17%	100%	29
	Property	71%	29%	100%	65
	Violent	92%	8%	100%	60
All		76%	24%	100%	423

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		86%	14%	100%	79
	Drugs	83%	17%	100%	6
	Other	77%	23%	100%	13
	Property	77%	23%	100%	30
	Violent	100%	0%	100%	30
Male		74%	26%	100%	344
	Drugs	90%	10%	100%	20
	Other	71%	29%	100%	49
	Property	67%	33%	100%	150
	Violent	79%	21%	100%	125
All		76%	24%	100%	423

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 17th Judicial District are included in the analyses presented here.¹⁹ 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.²⁰ 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, 20% of county court cases receiving a probation/deferred judgment in the 17th Judicial District in 2016 were revoked. Blacks and Hispanics were slightly more likely to be revoked compared to Whites (26% and 22% respectively, compared to 18%). Blacks were least likely to be revoked when the most serious crime was Other (20%) and most likely to be revoked if they were sentenced for Violent offense (32%). Hispanics were most likely to be revoked for Drug and Property offenses (each at 33%), however the few cases in some of the categories means that information must be interpreted with caution. Whites were most likely to be revoked for a Property offense (27%). Women in county court were less likely to be revoked compared to men (16% and 21%, respectively).

Revocations from probation/deferred judgments occurred more frequently in district court (33%) compared to county court (20%) in 2016. In district court, Whites (34%) were slightly more likely to be revoked compared to Hispanics (32%) and Blacks (31%). Hispanics (41%) and Whites (46%) with Drug offenses were most likely to be revoked. Women in adult district court were slightly more likely than men to get revoked (34% compared to 33%). Men and women with Drug cases were most likely, compared to those with other crime types, to get revoked. In juvenile court, 24% of cases sentenced to probation/deferred judgment in 2016 in the 17th Judicial District were revoked. Hispanics were most likely to get revoked (29%), compared to 24% for Blacks and 18% for Whites. Note that there are too few cases in the Other race/ethnicity category to generalize the findings (n=3). Females were revoked at a rate of 14% compared to 26% for males. Comparing across crime types, females with Other and Property crimes were most likely to be revoked (23%) and males with Property cases were most likely to be revoked (33%).

¹⁹ Judicial data pertaining to *petitions* to revoke are less reliable than data identifying actual revocations.

²⁰ *Judicial Branch Annual Statistical Report, Fiscal Year 2016*, Table 48, page 120.

Section 4: Additional Information

To better understand the sentencing information presented in Section 3, additional analyses were undertaken in an attempt to account for circumstances that may impact the initial sentence decision. To the extent that differential sentences were granted across race/ethnicity in the 17th Judicial District, these analyses allow for the examination of the impact of concurrent and prior cases, including current and prior violent cases, may have on those decisions.

This section begins with a description of the statistical approach employed, and then presents the findings²¹ to the following research questions (the results are summarized below):

1. Compared to Whites, are Blacks (or Hispanics) more or less likely to receive a sentence to the Department of Corrections for felony convictions in district court?
2. Compared to Whites, are Blacks (or Hispanics) more or less likely to receive a deferred judgment for convictions in district court?
3. Compared to Whites, are Black juveniles (or Hispanic juveniles) more or less likely to receive a deferred judgment for convictions in juvenile court?

Results

1. After controlling for other factors described below, there was no significant difference in sentences to DOC in district court between Blacks and Whites or between Hispanics and Whites.

2. After controlling for other factors described below, Hispanics were statistically significantly less likely to receive a deferred sentence in district court than Whites. However, there was no significant difference in sentences between Blacks and Whites.

3. After controlling for the sentencing factors described below, Hispanics were statistically significantly less likely than Whites to receive a deferred judgment in juvenile court. However, there was no significant difference in sentences between Blacks and Whites.

Method

To determine if differences in initial sentences between Whites and non-Whites were due to the presence of concurrent cases, prior cases, the seriousness of the current offense, and the existence of specific violent crimes in the individual's current/past offense(s), a statistical technique called logistic regression was used. Logistic regression can examine the effect (through odds ratios) of race/ethnicity on sentences received, while controlling for other factors that may impact the sentencing decision. The factors included were those that decision makers often take into in consideration at sentencing, and for which data were available in

²¹ Technical details of these statistical analyses are available from the Office of Research and Statistics, Division of Criminal Justice.

Judicial's ICON data system. For sentences to the Department of Corrections, these factors were as follows:

- Prior cases,
- Prior convictions for specific violent crimes,²²
- Other concurrent cases,
- Felony conviction level,
- Instant offense type (drug, property, other, violent), and
- Whether the instant offense was specific violent crime.²³

For deferred sentences, the following factors were included in the analysis:

- Prior cases,
- Other concurrent cases,
- Instant offense type (drug, property, other, violent), and
- Whether the instant offense was a specific violent crime.²⁴

In addition, the gender and race/ethnicity of the defendant were included in both sentencing models.

Logistic regression models produce odds ratios which, in this study, are the odds for Blacks (or Hispanics) to receive a sentence divided by the odds for Whites to receive the same sentence. An odds ratio of 1 indicates no difference between Whites and Blacks (or Hispanics). An odds ratio greater than 1 means that Blacks (or Hispanics) had higher odds of receiving that sentence than Whites. An odds ratio less than 1 means that Blacks (or Hispanics) had lower odds of receiving that sentence than Whites. Because logistic regression simultaneously controls for the other factors in the model, odds ratios can be used to measure the differences between race/ethnicity groups after removing the influence of the other factors. Odds ratios and their 95% confidence intervals (CI)²⁵ are reported below.

DOC Sentences - Adult Felony Convictions

Sentences to the Department of Corrections for felony convictions in adult district court in the 17th Judicial District were examined. Blacks received a sentence to DOC in 36% of cases and Hispanics received a sentence to DOC in 37% of cases. In comparison, Whites received a

²² The violent crimes included in this analysis are as follows: C.R.S. 18-3-102, 1st degree homicide; 18-3-103, 2nd degree homicide; 18-3-202, 1st degree assault; 18-3-203, 2nd degree assault; 18-3-301, 1st degree kidnapping; 18-3-302, 2nd degree kidnapping; 18-3-402, sex assault (felony); 18-3-404, unlawful sexual contact (felony); 18-3-405, sex assault on a child; 18-3-405.3, sex assault on a child position of trust; 18-4-302, aggravated robbery; 18-4-102, 1st degree arson; 18-3.5-103, 1st degree unlawful termination of pregnancy; 18-3.5-104, 2nd degree unlawful termination of a pregnancy.

²³ See footnote above.

²⁴ See footnote above.

²⁵ A 95% confidence interval means that we can be 95% confident that the true odds ratio is within the specified interval.

sentence to DOC in 32% of cases. After controlling for other factors described above, there was no significant difference in sentencing between Blacks and Whites or between Hispanics and Whites.

*Table 4-1. DOC Sentences for felony convictions by race/ethnicity**

Race/ethnicity	DOC Sentence	%	N
White		50%	872
	No	68%	594
	Yes	32%	278
Black		8%	143
	No	64%	92
	Yes	36%	51
Hispanic		41%	715
	No	63%	451
	Yes	37%	264
Other		2%	31
	No	74%	23
	Yes	26%	8
All		100%	1,761

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 4-2. Prior violent convictions* for felony convictions by race/ethnicity**

Race/ethnicity	COV Convictions**	%	N
White		50%	872
	None	94%	816
	1 to 2	6%	54
	3 to 5	<1%	2
Black		8%	143
	None	90%	128
	1 to 2	10%	15
Hispanic		41%	715
	None	91%	654
	1 to 2	8%	59
	3 to 5	<1%	2
Other		2%	31
	None	100%	31
All		100%	1,761

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.

*The violent crimes included in this analysis are as follows: C.R.S. 18-3-102, 1st degree homicide; 18-3-103, 2nd degree homicide; 18-3-202, 1st degree assault; 18-3-203, 2nd degree assault; 18-3-301, 1st degree kidnapping; 18-3-302, 2nd degree kidnapping; 18-3-402, sex assault (felony); 18-3-404, unlawful sexual contact (felony); 18-3-405, sex assault on a child; 18-3-405.3, sex assault on a child position of trust; 18-4-302, aggravated robbery; 18-4-102, 1st degree arson; 18-3.5-103, 1st degree unlawful termination of pregnancy; 18-3.5-104, 2nd degree unlawful termination of a pregnancy.

**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.

Deferred Sentences - Adults in District Court

Deferred sentences for all convictions in adult district court were examined (Table 4-3). Blacks received a deferred sentence in 3% of cases and Hispanics received a deferred sentence in 2% of cases. In comparison, Whites received a deferred sentence in 5% of cases. After controlling for other factors described above, Hispanics still had lower odds of receiving a deferred sentence than Whites (Odds ratio: .53, 95% CI .35 - .80). However, there was no significant difference in sentences between Blacks and Whites.

Table 4-3. Deferred sentence for any conviction in Adult District Court by race/ethnicity*

Race/ethnicity	isDefer	%	N
White		52%	1,908
	No	95%	1,822
	Yes	5%	86
Black		7%	269
	No	97%	261
	Yes	3%	8
Hispanic		40%	1,463
	No	98%	1,428
	Yes	2%	35
Other		1%	52
	No	92%	48
	Yes	8%	4
All		100%	3,692

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.

Deferred Sentences - Juvenile Court

Deferred sentences for all convictions in juvenile court were examined (Table 4.4. Blacks received a deferred sentence in 23% of cases and Hispanics received a deferred sentence in 27% of cases. In comparison, Whites received a deferred sentence in 45% of cases. After controlling for other factors described above, Hispanics still had lower odds of receiving a deferred sentence than Whites (Odds ratio: .52, 95% CI .33 - .83). However, there was no significant difference in deferred sentences between Blacks and Whites.

Table 4-4. Deferred sentence for any conviction in Juvenile Court by race/ethnicity*

Race/ethnicity	isDefer	%	N
White		38%	176
	No	55%	96
	Yes	45%	80
Black		12%	57
	No	77%	44
	Yes	23%	13
Hispanic		49%	230
	No	73%	169
	Yes	27%	61
Other		1%	3
	Yes	100%	3
All		100%	466

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: Additional analyses. To better understand the disparity across race/ethnicity in initial sentences in district court and juvenile court, a statistical technique called logistic regression was employed in an attempt to account for circumstances that may impact decision making at this point in the process. These additional analyses allow for the examination of the impact of concurrent and prior cases, including current and prior violent offenses,²⁶ may have on those decisions.

After controlling for other factors described above, there was no significant difference in sentences to DOC in district court between Blacks and Whites or between Hispanics and Whites. Regarding deferred judgments in district court, after controlling for other factors described above, Hispanics were statistically significantly less likely to receive a deferred sentence in district court than Whites. However, there was no significant difference in sentences between Blacks and Whites. Finally, in juvenile court, after controlling for the sentencing factors described above, Hispanics were statistically significantly less likely than Whites to receive a deferred judgment in juvenile court. However, there was no significant difference in sentences between Blacks and Whites.

²⁶ The violent crimes included in this analysis are as follows: C.R.S. 18-3-102, 1st degree homicide; 18-3-103, 2nd degree homicide; 18-3-202, 1st degree assault; 18-3-203, 2nd degree assault; 18-3-301, 1st degree kidnapping; 18-3-302, 2nd degree kidnapping; 18-3-402, sex assault (felony); 18-3-404, unlawful sexual contact (felony); 18-3-405, sex assault on a child; 18-3-405.3, sex assault on a child position of trust; 18-4-302, aggravated robbery; 18-4-102, 1st degree arson; 18-3.5-103, 1st degree unlawful termination of pregnancy; 18-3.5-104, 2nd degree unlawful termination of a pregnancy.

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