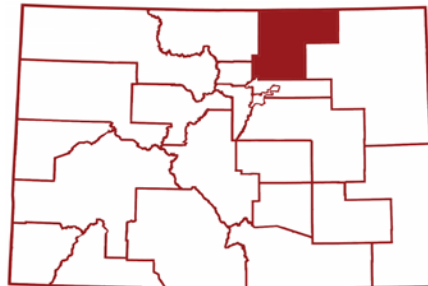


Senate Bill 15-185 CLEAR Act

2016

Community Law Enforcement Action Reporting Act

19th Judicial District



19th Judicial District: Population race/ethnicity estimates, 2016

Age Group	Race/ethnicity	%	N
Adult		73%	217,963
	Black	1%	2,160
	Hispanic	27%	58,734
	Other	3%	5,564
	White	70%	151,504
Juvenile		27%	79,070
	Black	1%	929
	Hispanic	42%	33,243
	Other	2%	1,803
	White	55%	43,095
All		100%	297,032

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 19th 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 19th 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 19th Judicial District was 297,032. The adult population was comprised as follows: White, 70%; Black, 1%; Hispanic, 27%; and Other, 3%. The juvenile population was comprised as follows: White, 55%, Black, 1%, Hispanic 42%, and Other 2%. Males made up 50% of the state population and females made up the other half of the population.

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

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

Law enforcement data. In 2016 law enforcement made/issued 9,684 arrests/summonses in the 19th Judicial District. For this analysis, dozens of offense categories were collapsed into four broad groups of crimes: Drugs, Other, Property and Violence (see Appendix A for the list of offenses in these categories). In 2016, arrests/summonses for Drug offenses accounted for 10% of all arrests/summonses and Violent crimes

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.

accounted for another 14% of arrests/summonses, Property offenses accounted for 16% of arrests/summonses, and the remainder of arrests/summonses (61%) fell into the Other crime category. Blacks represented 1% of the population in the 19th Judicial District in 2016, but accounted for 4% of arrests/summonses. Hispanics represented 16% of the population and 9% of arrests/summonses.⁶ 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. Violent crimes were less likely than the other crime categories to result in a summons.

Filings. This study of 6,943 case filings in county, district, and juvenile courts combined found that, while Blacks represented 1% of the population in the 19th Judicial District, and 4% of the arrests/summonses in 2016, they accounted for 3% of district court filings. In juvenile court, Blacks represented 4% of cases, compared to 1% Black juveniles in the population. Hispanic adults made up 27% of the adult population in the 19th Judicial District but had 34% of district court filings in 2016. The race/ethnicity distribution across the four crime categories was relatively consistent. In terms of gender, 26% of filings were females and 74% were males. Females were slightly more likely than men to be involved in Property crimes (26% compared to 23%, respectively) and slightly less likely to be involved in Violent offenses (34% compared to 35%, respectively). Only 1% of cases completed a trial. Note that these cases are not necessarily the same cases in the **Law Enforcement Data** section above.

Case outcomes. Caution should be used when interpreting the case outcome since many factors can influence the decision. For example, the existence of prior cases (criminal history) may influence the outcome of a case. Additionally, most cases contain multiple charges, and many cases have concurrent cases. These factors are likely to significantly affect the outcome of a case. In particular, all charges in a case may be dismissed or modified as part of a plea agreement involving that case or multiple cases. In fact, 29% of cases in county court were dismissed, as were 12% of cases in district court and 23% of cases in juvenile court. One-third (37%) of county court cases were convicted as charged compared to 24% in district court and 37% in juvenile court. One-quarter (22%) of county court cases were convicted of a different charge, as were nearly half (46%) of district court cases, and 33% of juvenile court cases.

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

County court Drug cases resulted in a fine in 68% of cases, and community service for 19% of cases. Deferred judgments occurred for 17% of Property and 27% of Violent crime cases, 10% of Other cases, and 1% for Drug cases (this figure represents only 1 case). Almost half (48%) of Other cases received an initial sentence to jail. Those in the White (22%) and Other (24%) race/ethnicity categories were much more likely to receive a deferred judgment compared to Blacks (12%) and Hispanics (10%). Hispanics were considerably more likely to receive jail time (42%), compared to Whites (24%) in county court.

⁶ Hispanics appear to be considerably underrepresented in the NIBRS data for the 19th Judicial District. There were 918 incidents with Hispanics that resulted in an arrest or summons, however, there were 2,123 court case filings with Hispanic defendants (see Table 3-1) in 2016.

In district court, probation was the most frequently occurring initial sentence, imposed 69% of the time for Drug cases. The second most frequently occurring sentence in district court was a prison sentence: 12% of Drug cases, 27% of Other cases, 12% of Property cases, and 23% of Violent cases received a sentence to the Department of Corrections. Deferred judgments were imposed infrequently and were most likely to be imposed in Property cases (11%), and least likely to be imposed in Drug cases (2%). Women were much more likely to receive a deferred judgment compared to men (12% versus 5%, respectively) and less likely to receive a prison sentence (10% compared to 21%, respectively). One-quarter (22%) of initial district court sentences for Hispanics were to the Department of Corrections compared to 16% for Whites. Blacks were more likely to receive a deferred judgment compared to Whites (18% and 8%, respectively). Hispanics (9%) were more likely to receive a jail sentence compared to Whites (5%).

In juvenile court, initial sentences to probation were the most frequently occurring sentence, followed by deferred judgments. Drug cases and Property cases were more likely than other offenses to receive probation (52% and 43%, respectively) in juvenile court. Females were more likely than males to receive a deferred judgment (52% and 37%, respectively) and males were slightly more likely to receive a sentence to the Division of Youth Services (9% compared to 12%). The few numbers of cases with Black (n=18) and Other (n=2) defendants in juvenile court means that the information about those groups must be interpreted with caution. Hispanics were more likely than Whites to receive a sentence to the Division of Youth Services (20% and 7%, respectively). Hispanics were less likely than Whites to receive a deferred judgment (25% compared to 49%). Across offense types in juvenile court, Hispanics were less likely than Whites to receive a deferred judgment and were much more likely to receive an initial sentence to the Division of Youth Services.

Revocations. Cases sentenced in 2016 to probation or a deferred judgment that received a revocation in the 19th Judicial District are included in the analyses presented here.⁷ 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.⁸ 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, 23% of cases receiving a probation/deferred judgment in county court in the 19th Judicial District in 2016 were revoked. Hispanics were more likely to be revoked compared to the overall revocation rate (33% compared to 23%). Blacks were least likely to be revoked when the most serious crime was Property (however, because of the small number of cases, this information should be interpreted with caution), and most likely to be revoked if they were sentenced for an Other offense. Hispanics were most likely to be revoked with the offense was Drugs, however, the few numbers of cases in this category means the information should be interpreted with caution.

Revocations from probation/deferred judgments occurred more frequently in district court (29%) compared to county court (23%) in 2016. In district court, Hispanics (38%) and those in the Other (42%) race/ethnicity group were most likely to be revoked, however the few cases with Other defendants means that the information should be interpreted with caution. Hispanics and Whites with Drug offenses were more likely to be revoked, compared to other offense types. Table 3-36 shows that women in adult district court were more

⁷ Judicial data pertaining to *petitions* to revoke are less reliable than data identifying actual revocations.

⁸ *Judicial Branch Annual Statistical Report, Fiscal Year 2016*, Table 48, page 120.

likely than men to get revoked (31% compared to 28%). Men and women with Drug cases were most likely, compared to those with other crime types, to get revoked.

In juvenile court, 24% of cases sentenced to probation/deferred judgment in 2016 in the 19th Judicial District were revoked. Hispanics were much more likely than Whites to get revoked (37% and 19%, respectively). Females were revoked at a rate of 19% compared to 26% for males. Comparing across crime types, females with Drug crimes were most likely to be revoked (40%, however this represents only 3 cases) and males with Other cases were most likely to be revoked (37%).

Section 1: Background and overview

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

- Arrest information by offense type disaggregated by summons, custody/warrant arrest, and on view/probable cause arrest;
- Misdemeanor and felony charges filed by offense type;
- The dispositions of charges filed by offense type;
- Sentence by offense type; and
- Revocations for probation and deferred judgments.

Senate Bill 15-185 mandated DCJ to annually analyze and report these data disaggregated by offense type. Because it is difficult to identify patterns in analyses that involve many categories (the arrest information includes 17 offense categories [summarized from more than 40], and the court data includes 24 offense categories [summarized from more than 1500 statutes]), this report presents a summary of the findings by collapsing the offense categories into four broad groups: Drugs, Other, Property and Violent crimes (see Appendix A and Appendix B for a list of crimes falling into these categories). The details by offense type are presented in the corresponding web-based interactive dashboard available at: colorado.gov/dcj-ors/ors-SB185.

In 2017, following the publication of the first CLEAR Act report, the findings from the statewide analysis were presented to the Colorado Commission on Criminal and Juvenile Justice. At the conclusion of the presentation, the Commission voted unanimously to request that the next analyses disaggregate the data by judicial district so that local stakeholders could examine if and where disparities exist, and develop strategies to address them. Information by judicial district and details by offense type may be found at the interactive dashboard available at: colorado.gov/dcj-ors/ors-SB185.

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

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

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

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

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

Organization of this report: This report is organized into three sections. This section provides an overview of the study and important information about the data sources. Section Two presents the findings from the law enforcement arrest/summons analyses, breaking down the information into three categories as directed by S.B. 15-185: *on view/probable cause* (an arrest without a warrant but with probable cause, resulting in physical restraint), *summons* (an order to appear in court), and *custody/warrant* (an arrest that involves an outstanding warrant and physical restraint). Section Three presents the findings from the analysis of data obtained from the Judicial Department, including filing charges, case outcomes, initial sentences, trials, and revocations for those sentenced to probation or a deferred judgment. The findings are presented by county, adult district and juvenile court.

Data sources

Arrest/Summons. Law enforcement data for the period between January 1, 2016 and December 31, 2016 was obtained from the Colorado Bureau of Investigation’s National Incident-Based Reporting System (NIBRS), which includes Group A and B arrests.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;
- 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 9,600 NIBRS incidents in the 19th Judicial District were analyzed for calendar year 2016 (Table 1-1).

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.

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.

Table 1-1. Arrests by type, 19th Judicial District, 2016

Arrest type	%	N
Custody/warrant	32%	3,119
On-view/probable cause	38%	3,658
Summons	30%	2,907
All	100%	9,684

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, 19th Judicial District, 2016

Court	%	N
Adult District	38%	2,647
County	52%	3,600
Juvenile	10%	696
All	100%	6,943

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 more than 6,900 **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.

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.

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.

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

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

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

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

Section 2: Law Enforcement Information

Arrest/summons

The findings presented in this report summarize multiple offense types into four broad categories of crime types: Drugs, Other, Property and Violent (Table 2-1) (see Appendix A for a list of crimes in each category). The interactive dashboard, at colorado.gov/dcj-ors/ors-SB185, provides information on 17 arrest offense types. The analysis of four broad categories allows for the identification of patterns that are difficult to discern when detailed information is presented. Additionally, some of the law enforcement findings are disaggregated, by adults, juveniles, and by gender. Finally, Senate Bill 15-185 mandates that arrest information be provided by arrest type and summons. The data represent all arrests/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, 19th Judicial District, 2016

Offense	%	N
Drugs	10%	933
Other	61%	5,865
Property	16%	1,577
Violent	14%	1,309
All	100%	9,684

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

Table 2-2 reflects 9,684 arrests/summons captured in NIBRS for calendar year 2016 in the 19th Judicial District, by race/ethnicity. Blacks represented 1% of the population in 2016, but accounted for 4% of arrests/summons. Hispanics represented 31% of the population and accounted for 9% of arrests, however, this figure may be unreliable.¹⁵ The Other race/ethnicity category represented 3% of the population, and was underrepresented in arrests (1%). Whites represented 66% of the population and 86% of arrests/summons in the 19th Judicial District.

Table 2-2. Arrests by race/ethnicity, 19th Judicial District, 2016

Race/ethnicity	%	N
Black	4%	347
Hispanic	9%	918*
Other	1%	89
White	86%	8,330
All	100%	9,684

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

*See Footnote 12.

Table 2-3 shows that juveniles accounted for 15% of on view/probable cause arrests, and that 23% of those arrests were for violent crimes, a proportion similar to adults (24%). Juveniles accounted for 6% of custody/warrant arrests (Table 2-4), and 14% 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).

¹⁵Hispanics appear to be considerably underrepresented in the NIBRS data for the 19th Judicial District. There were 918 incidents with Hispanics that resulted in an arrest or summons, however, there were 2,123 court case filings with Hispanic defendants (see Table 3-1) in 2016.

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

Age Group	Offense	%	N
Adult		85%	3,110
	Drugs	16%	483
	Other	42%	1,321
	Property	18%	547
	Violent	24%	759
Juvenile		15%	548
	Drugs	5%	29
	Other	32%	177
	Property	39%	215
	Violent	23%	127
All		100%	3,658

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

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

Age Group	Offense	%	N
Adult		94%	2,930
	Drugs	4%	115
	Other	82%	2,400
	Property	7%	196
	Violent	7%	219
Juvenile		6%	189
	Drugs	4%	7
	Other	79%	149
	Property	9%	17
	Violent	8%	16
All		100%	3,119

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		86%	2,499
	Drugs	7%	168
	Other	64%	1,595
	Property	23%	572
	Violent	7%	164
Juvenile		14%	408
	Drugs	32%	131
	Other	55%	223
	Property	7%	30
	Violent	6%	24
All		100%	2,907

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, 41% were for Other offenses, 21% for Property offenses, and 24% for Violent offenses. While Blacks made up 1% of the population in the 19th Judicial District, Table 2-6 shows that they were arrested at multiple times that rate for probable cause arrests in 2016: 3% of Drug arrests were Blacks, 4% of arrests for Other offenses were Blacks, 2% of Property arrests were Blacks, and 5% of Violent arrests were Blacks.

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

Offense	Race/ethnicity	%	N
Drugs		14%	512
	Black	3%	17
	Hispanic	4%	18
	Other	<1%	2
	White	93%	475
Other		41%	1,498
	Black	4%	61
	Hispanic	8%	117
	Other	1%	18
	White	87%	1,302
Property		21%	762
	Black	2%	18
	Hispanic	2%	19
	Other	1%	6
	White	94%	719
Violent		24%	886
	Black	5%	40
	Hispanic	4%	33
	Other	1%	11
	White	91%	802
All		100%	3,658

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

The other arrest type, where an individual is taken into custody on an outstanding warrant, is depicted in Table 2-7. Over 80% (82%) of these arrests involved an offense that fell into the Other offense category. While only 8% of these types of arrests involved a Violent offense, Blacks made up 4% of Violent crime warrant arrests and Hispanics made up 17%.

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

Offense	Race/ethnicity	%	N
Drugs		4%	122
	Black	3%	4
	Hispanic	18%	22
	White	79%	96
Other		82%	2,549
	Black	4%	97
	Hispanic	10%	260
	Other	1%	24
	White	85%	2,168
Property		7%	213
	Black	4%	9
	Hispanic	15%	32
	Other	<1%	1
	White	80%	171
Violent		8%	235
	Black	4%	9
	Hispanic	17%	40
	Other	3%	6
	White	77%	180
All		100%	3,119

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 (6%) compared to Other (63%) and Property (21%) and that, of those summons issued for Violent crimes, 4% went to Blacks and 17% to Hispanics. Whites were least likely to be summonsed for a Violent crime (79%) and most likely for Property (92%).

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

Offense	Race/ethnicity	%	N
Drugs		10%	299
	Black	3%	10
	Hispanic	10%	31
	Other	1%	2
	White	86%	256
Other		63%	1,818
	Black	3%	56
	Hispanic	16%	284
	Other	1%	17
	White	80%	1,461
Property		21%	602
	Black	3%	19
	Hispanic	5%	30
	Other	<1%	2
	White	92%	551
Violent		6%	188
	Black	4%	7
	Hispanic	17%	32
	White	79%	149
All		100%	2,907

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 19-36% of arrests and 32-51% of summonses (depending on the crime category) and men comprised the remainder. Overall, women were more likely to be involved in Drug and 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%	512
	Female	35%	179
	Male	65%	333
Other		41%	1,498
	Female	23%	345
	Male	77%	1,153
Property		21%	762
	Female	33%	255
	Male	67%	507
Violent		24%	886
	Female	26%	231
	Male	74%	655
All		100%	3,658

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		4%	122
	Female	36%	44
	Male	64%	78
Other		82%	2,549
	Female	31%	779
	Male	69%	1,770
Property		7%	213
	Female	26%	55
	Male	74%	158
Violent		8%	235
	Female	19%	44
	Male	81%	191
All		100%	3,119

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%	299
	Female	32%	97
	Male	68%	202
Other		63%	1,818
	Female	34%	613
	Male	66%	1,205
Property		21%	602
	Female	51%	309
	Male	49%	293
Violent		6%	188
	Female	45%	84
	Male	55%	104
All		100%	2,907

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 9,684 arrests/summonses in the 19th Judicial District. For this analysis, dozens of offense categories were collapsed into four broad groups of crimes: Drugs, Other, Property and Violence (see Appendix A for the list of offenses in these categories). In 2016, arrests/summonses for Drug offenses accounted for 10% of all arrests/summonses and Violent crimes accounted for another 14% of arrests/summonses, Property offenses accounted for 16% of arrests/summonses, and the remainder of arrests/summonses (61%) fell into the Other crime category. Blacks represented 1% of the population in the 19th Judicial District in 2016, but accounted for 4% of arrests/summonses. Hispanics represented 16% of the population and 9% of arrests/summonses.¹⁶ Males

¹⁶ Hispanics appear to be considerably underrepresented in the NIBRS data for the 19th Judicial District. There were 918 incidents with Hispanics that resulted in an arrest or summons, however, there were 2,123 court case filings with Hispanic defendants (see Table 3-1) in 2016.

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. 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.¹⁷ For this analysis, cases were selected for the 19th 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,¹⁸ 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 6,943 case filings in county, adult district, and juvenile courts combined in the 19th Judicial District. While Blacks represented 1% of the population and 4% of the arrests/summons in 2016, they accounted for 3% of court filings. Hispanics represented 31% of the population and 31% of case filings. Note that these cases are not necessarily the same cases in the **Law enforcement data** section above.

¹⁷ Denver County Court is not part of the statewide Judicial data management system.

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

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

Race/ethnicity	%	N
Black	3%	210
Hispanic	31%	2,123
Other	1%	77
White	65%	4,533
All	100%	6,943

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

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

Combining information across the three court types, Table 3-2 shows the race/ethnicity distribution for the four crime categories. Table 3-2 shows that Drug offenses were the most serious filing charge in 12% of cases, and Violent charges comprised the largest category at 34% of charges filed. The race/ethnicity distribution were generally consistent across crime types.

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

Offense	Race/ethnicity	%	N
Drugs		12%	815
	Black	2%	20
	Hispanic	28%	231
	Other	1%	10
	White	68%	554
Other		30%	2,100
	Black	3%	63
	Hispanic	33%	702
	Other	1%	15
	White	63%	1,320
Property		24%	1,644
	Black	2%	40
	Hispanic	30%	501
	Other	1%	14
	White	66%	1,089
Violent		34%	2,384
	Black	4%	87
	Hispanic	29%	689
	Other	2%	38
	White	66%	1,570
All		100%	6,943

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, 26% of filings were females and 74% were males. Females were slightly more likely than men to be involved in Property crimes (26% compared to 23%, respectively) and slightly less likely to be involved in Violent offenses (34% compared to 35%, respectively).

Table 3-3. Most serious filing charge by gender

Gender	Offense	%	N
Female		26%	1,791
	Drugs	14%	252
	Other	26%	467
	Property	26%	472
	Violent	34%	600
Male		74%	5,152
	Drugs	11%	563
	Other	32%	1,633
	Property	23%	1,172
	Violent	35%	1,784
All		100%	6,943

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 19th Judicial District. County court had the most cases in 2016 (52% of the total), followed by adult district court (38%) and juvenile court at 10%. Blacks, comprising 1% of the population in the 19th Judicial District, represented 3% of county court cases filed, 3% in adult district court and 4% in juvenile court. Hispanic adults made up 27% of the adult population in the 19th Judicial District and 34% of district court filings in 2016.

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

Court	Race/ethnicity	%	N
Adult District		38%	2,647
	Black	3%	84
	Hispanic	34%	888
	Other	1%	19
	White	63%	1,656
County		52%	3,600
	Black	3%	96
	Hispanic	29%	1,029
	Other	1%	51
	White	67%	2,424
Juvenile		10%	696
	Black	4%	30
	Hispanic	30%	206
	Other	1%	7
	White	65%	453
All		100%	6,943

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 (27%) and Other cases (29%) comprised the largest categories of cases in adult district court. Property crimes (43%) and Violent crimes (34%) 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 (24%) and juvenile court (27%).

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

Court	Offense	%	N
Adult District		38%	2,647
	Drugs	24%	647
	Other	29%	758
	Property	27%	714
	Violent	20%	528
County		52%	3,600
	Drugs	4%	140
	Other	34%	1,210
	Property	17%	628
	Violent	45%	1,622
Juvenile		10%	696
	Drugs	4%	28
	Other	19%	132
	Property	43%	302
	Violent	34%	234
All		100%	6,943

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		38%	2,647
	Female	24%	640
	Male	76%	2,007
County		52%	3,600
	Female	27%	960
	Male	73%	2,640
Juvenile		10%	696
	Female	27%	191
	Male	73%	505
All		100%	6,943

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

Trials

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

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

Court	Completed Trial	%	N
Adult District		38%	2,647
	No	99%	2,621
	Yes	1%	26
County		52%	3,600
	No	99%	3,564
	Yes	1%	36
Juvenile		10%	696
	No	99%	692
	Yes	1%	4
All		100%	6,943

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

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

Offense	Completed Trial	%	N
Drugs		12%	815
	No	100%	812
	Yes	<1%	3
Other		30%	2,100
	No	99%	2,088
	Yes	1%	12
Property		24%	1,644
	No	100%	1,641
	Yes	<1%	3
Violent		34%	2,384
	No	98%	2,336
	Yes	2%	48
All		100%	6,943

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 6,943 case filings in county, district, and juvenile courts combined found that, while Blacks represented 1% of the population in the 19th Judicial District, and 4% of the arrests/summons in 2016, they accounted for 3% of district court filings. In juvenile court, Blacks represented 4% of cases, compared to 1% Black juveniles in the population. Hispanic adults made up 27% of the adult population in the 19th Judicial District but had 34% of district court filings in 2016. The race/ethnicity distribution across the four crime categories was relatively consistent. In terms of gender, 26% of filings were females and 74% were males. Females were slightly more likely than men to be involved in Property crimes (26% compared to 23%, respectively) and slightly less likely to be involved in Violent offenses (34% compared to 35%, respectively). Only 1% of cases completed a trial. Note that these cases are not necessarily the same cases in the **Law Enforcement Data** section above.

Case outcomes

The following three tables present the case outcomes for the 19th Judicial District, by race/ethnicity and most serious filing charge (including attempt, conspiracy and solicitation), for county court, district court, and juvenile court in 2016. It is important to remember that most cases contain multiple charges, and many cases have concurrent cases. All charges in a case may be dismissed or modified as part of a plea agreement involving that case or multiple cases. In fact, overall, in over one-quarter (29%) 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 37% of cases were convicted as charged, and 22% were convicted of another crime. In adult district court (Table 3-10), 46% were convicted of another crime and one-fourth (24%) were convicted as charged. In juvenile court (Table 3-11), 3% were convicted of another offense and 37% 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		43%	17%	25%	16%	100%	96
	Drugs	25%	0%	50%	25%	100%	4
	Other	38%	29%	21%	12%	100%	34
	Property	40%	10%	40%	10%	100%	10
	Violent	48%	10%	23%	19%	100%	48
Hispanic		43%	21%	24%	12%	100%	1,029
	Drugs	39%	23%	29%	10%	100%	31
	Other	44%	23%	18%	14%	100%	366
	Property	48%	22%	20%	10%	100%	193
	Violent	39%	18%	30%	12%	100%	439
Other		39%	18%	39%	4%	100%	51
	Drugs	50%	25%	0%	25%	100%	4
	Other	58%	8%	33%	0%	100%	12
	Property	29%	29%	43%	0%	100%	7
	Violent	32%	18%	46%	4%	100%	28
White		35%	23%	31%	11%	100%	2,424
	Drugs	30%	43%	20%	8%	100%	101
	Other	36%	28%	25%	11%	100%	798
	Property	39%	20%	28%	13%	100%	418
	Violent	33%	20%	37%	11%	100%	1,107
All		37%	22%	29%	12%	100%	3,600

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		30%	32%	15%	23%	100%	84
	Drugs	31%	56%	12%	0%	100%	16
	Other	28%	28%	24%	20%	100%	25
	Property	44%	25%	12%	19%	100%	16
	Violent	22%	26%	11%	41%	100%	27
Hispanic		25%	47%	12%	16%	100%	888
	Drugs	19%	53%	18%	10%	100%	192
	Other	24%	48%	14%	14%	100%	300
	Property	30%	43%	8%	19%	100%	214
	Violent	25%	43%	9%	23%	100%	182
Other		11%	47%	37%	5%	100%	19
	Drugs	0%	40%	40%	20%	100%	5
	Other	67%	33%	0%	0%	100%	3
	Property	0%	40%	60%	0%	100%	5
	Violent	0%	67%	33%	0%	100%	6
White		23%	46%	11%	19%	100%	1,656
	Drugs	20%	56%	10%	15%	100%	434
	Other	28%	41%	12%	18%	100%	430
	Property	24%	44%	12%	20%	100%	479
	Violent	20%	42%	12%	26%	100%	313
All		24%	46%	12%	18%	100%	2,647

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		27%	23%	23%	27%	100%	30
	Other	25%	0%	50%	25%	100%	4
	Property	36%	14%	21%	29%	100%	14
	Violent	17%	42%	17%	25%	100%	12
Hispanic		41%	33%	19%	7%	100%	206
	Drugs	0%	62%	38%	0%	100%	8
	Other	42%	19%	28%	11%	100%	36
	Property	46%	28%	21%	5%	100%	94
	Violent	38%	46%	9%	7%	100%	68
Other		43%	29%	14%	14%	100%	7
	Drugs	0%	0%	100%	0%	100%	1
	Property	50%	0%	0%	50%	100%	2
	Violent	50%	50%	0%	0%	100%	4
White		36%	33%	25%	6%	100%	453
	Drugs	21%	58%	16%	5%	100%	19
	Other	35%	24%	35%	7%	100%	92
	Property	42%	31%	22%	5%	100%	192
	Violent	32%	38%	24%	6%	100%	150
All		37%	33%	23%	7%	100%	696

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, 29% of cases in county court were dismissed, as were 12% of cases in district court and 23% of cases in juvenile court. One-third (37%) of county court cases were convicted as charged compared to 24% in district court and 37% in juvenile court. One-quarter (22%) of county court cases were convicted of a different charge, as were nearly half (46%) of district court cases, and 33% of juvenile court cases.

Initial sentences

The tables below show cases sentenced between Jan 1, 2016 and Dec 31, 2016 in the 19th 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 DHS.

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 19th Judicial District in 2016. County court Drug cases resulted in a fine in 68% of cases, and community service for 19% of cases. Deferred judgments occurred for 17% of Property and 27% of Violent crime cases, 10% of Other cases, and 1% for Drug cases (this figure represents only 1 case). Almost half (48%) of Other cases received an initial sentence to jail.

Table 3-12. Initial sentence in County Court, by most serious conviction charge (N=2,273)

Sentence	Drugs	%	Other	%	Property	%	Violent	%
Community Service	23	19%	12	1%	0	0%	2	<1%
Deferred	1	1%	78	10%	74	17%	250	27%
Fines/fees	80	68%	96	12%	20	5%	5	1%
Jail	5	4%	386	48%	123	28%	175	19%
Probation/Intensive Supervision	5	4%	162	20%	97	22%	348	38%
Unsupervised Probation	4	3%	76	9%	118	27%	133	15%
All	118	100%	810	100%	432	100%	913	100%

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

Table 3-13 reflects initial county court sentences by gender. Women were significantly more likely than men to receive a deferred judgment in county court (26% compared to 15%, respectively). Men were more likely than women to receive a jail sentence (34% for men compared to 20% for women).

Table 3-13. Initial sentence in County Court by gender (N=2,273)

Sentence	Female	%	Male	%
Community Service	11	2%	26	2%
Deferred	152	26%	251	15%
Fines/fees	53	9%	148	9%
Jail	119	20%	570	34%
Probation/Intensive Supervision	148	25%	464	27%
Unsupervised Probation	99	17%	232	14%
All	582	100%	1,691	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 19th Judicial District. Those in the White (22%) and Other (24%) race/ethnicity categories were much more likely to receive a deferred judgment compared to Blacks (12%) and Hispanics (10%). Hispanics were considerably more likely to receive jail time (42%), compared to Whites (24%).

Table 3-14. Initial sentence in County Court by race/ethnicity* (N=2,273)

Sentence	Black	Hispanic	Other	White
N	58	724	29	1,462
Community Service	0%	2%	3%	2%
Deferred	12%	10%	24%	22%
Fines/fees	5%	6%	3%	11%
Jail	29%	42%	38%	24%
Probation/Intensive Supervision	28%	28%	21%	27%
Unsupervised Probation	26%	13%	10%	15%
All	100%	100%	100%	100%

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

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

The following four tables show the initial county court sentence for each of the four offense categories, by race/ethnicity. Table 3-15 shows initial sentences for county court Drug cases. The few numbers of cases in the Hispanic (n=20) and Other (n=2) race/ethnicity categories require caution when interpreting the findings.

Table 3-15. Initial sentence for Drugs as most serious conviction in County Court by race/ethnicity (N=118)*

Sentence	Hispanic	Other	White
N	20	2	96
Community Service	20%	50%	19%
Deferred	0%	0%	1%
Fines/fees	55%	50%	71%
Jail	10%	0%	3%
Probation/Intensive Supervision	5%	0%	4%
Unsupervised Probation	10%	0%	2%
All	100%	100%	100%

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

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

Table 3-16 shows that, for those with Other as the most serious county court conviction charge, Hispanics (60%) were more likely than Whites (41%) to receive a jail sentence. Table 3-17 provides information on the initial sentence in county court for Property offenses and Table 3-18 depicts the initial sentence for Violent offenses in county court; for both offense types, Hispanics were more likely to receive jail sentences compared to Whites.

Table 3-16. Initial sentence for Other as most serious conviction in County Court by race/ethnicity (N=810)*

Sentence	Black	Hispanic	Other	White
N	21	280	11	498
Community Service	0%	2%	0%	1%
Deferred	5%	4%	27%	13%
Fines/fees	14%	9%	0%	14%
Jail	38%	60%	45%	41%
Probation/Intensive Supervision	24%	19%	0%	21%
Unsupervised Probation	19%	6%	27%	10%
All	100%	100%	100%	100%

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

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

Table 3-17. Initial sentence for Property as most serious conviction in County Court by race/ethnicity* (N=432)

Sentence	Black	Hispanic	Other	White
N	8	156	6	262
Deferred	12%	10%	17%	21%
Fines/fees	0%	5%	0%	5%
Jail	38%	42%	50%	20%
Probation/Intensive Supervision	12%	22%	33%	23%
Unsupervised Probation	38%	21%	0%	31%
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=913)

Sentence	Black	Hispanic	Other	White
N	29	268	10	606
Community Service	0%	<1%	0%	<1%
Deferred	17%	16%	30%	33%
Fines/fees	0%	0%	0%	1%
Jail	21%	26%	30%	16%
Probation/Intensive Supervision	34%	43%	40%	36%
Unsupervised Probation	28%	15%	0%	14%
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 19th Judicial District. Probation was the most frequently occurring initial sentence, imposed 69% of the time for Drug cases. The second most frequently occurring sentence in district court was a prison sentence: 12% of Drug cases, 27% of Other cases, 12% of Property cases, and 23% of Violent cases received a sentence to the Department of Corrections. Deferred judgments were imposed infrequently and were most likely to be imposed in Property cases (11%), and least likely to be imposed in Drug cases (2%).

Table 3-20 indicates the initial sentence in district court by gender. Women were much more likely to receive a deferred judgment compared to men (12% versus 5%, respectively) and less likely to receive a prison sentence (10% compared to 21%, respectively).

Table 3-19. Initial sentence in Adult District Court, by most serious conviction charge (N=1,910)

Sentence	Drugs	%	Other	%	Property	%	Violent	%
Community Corrections	29	6%	33	7%	44	8%	19	5%
Community Service	17	3%	0	0%	0	0%	0	0%
Deferred	10	2%	25	5%	66	11%	33	9%
Dept of Corrections	60	12%	130	27%	69	12%	85	23%
Fines/fees	11	2%	3	1%	0	0%	1	<1%
Jail	25	5%	50	11%	25	4%	22	6%
Probation/Intensive Supervision	343	69%	233	49%	370	64%	207	56%
All	495	100%	474	100%	574	100%	367	100%

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

Table 3-20. Initial sentence in Adult District Court by gender (N=1,910)

Sentence	Female	%	Male	%
Community Corrections	23	5%	102	7%
Community Service	9	2%	8	1%
Deferred	58	12%	76	5%
Dept of Corrections	50	10%	294	21%
Fines/fees	4	1%	11	1%
Jail	25	5%	97	7%
Probation/Intensive Supervision	317	65%	836	59%
All	486	100%	1,424	100%

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

Table 3-21 shows the initial sentence in adult district court by race/ethnicity combining all crime types. One-quarter (22%) of initial sentences for Hispanics were to the Department of Corrections compared to 16% for Whites. Blacks were more likely to receive a deferred judgment compared to Whites (18% and 8%, respectively). Hispanics (9%) were more likely to receive a jail sentence compared to Whites (5%).

Table 3-21. Initial sentence in Adult District Court by race/ethnicity* (N=1,910)

Sentence	Black	Hispanic	Other	White
N	56	646	15	1,193
Community Corrections	2%	7%	7%	7%
Community Service	0%	1%	0%	1%
Deferred	18%	4%	0%	8%
Dept of Corrections	16%	22%	13%	16%
Fines/fees	0%	<1%	0%	1%
Jail	5%	9%	0%	5%
Probation/Intensive Supervision	59%	57%	80%	62%
All	100%	100%	100%	100%

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

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

The following four tables show initial district court sentences for each of the offense categories, by race/ethnicity. Table 3-22 shows the sentences cases received for Drug offenses. Hispanics and Blacks (each at 18%) were more likely to receive a prison sentence compared to Whites (9%). For Other and Violent offenses, Hispanics were more likely than Whites to receive prison sentences. Blacks were more likely than Whites to receive a prison sentence for Property offenses (Tables 3-23, 3-24 and 3-25).

Table 3-22. Initial sentence for Drugs as most serious conviction in Adult District Court by race/ethnicity (N=495)*

Sentence	Black	Hispanic	Other	White
N	11	157	3	324
Community Corrections	9%	6%	0%	6%
Community Service	0%	3%	0%	4%
Deferred	0%	1%	0%	2%
Dept of Corrections	18%	18%	0%	9%
Fines/fees	0%	1%	0%	3%
Jail	0%	6%	0%	5%
Probation/Intensive Supervision	73%	65%	100%	71%
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=474)*

Sentence	Black	Hispanic	Other	White
N	16	181	6	271
Community Corrections	0%	9%	17%	6%
Deferred	12%	3%	0%	7%
Dept of Corrections	12%	31%	17%	26%
Fines/fees	0%	1%	0%	1%
Jail	12%	14%	0%	8%
Probation/Intensive Supervision	62%	43%	67%	52%
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=574)*

Sentence	Black	Hispanic	Other	White
N	23	189	3	359
Community Corrections	0%	7%	0%	8%
Deferred	30%	7%	0%	13%
Dept of Corrections	17%	12%	0%	12%
Jail	0%	8%	0%	3%
Probation/Intensive Supervision	52%	66%	100%	64%
All	100%	100%	100%	100%

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

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

Table 3-25. Initial sentence for Violent as most serious conviction in Adult District Court by race/ethnicity (N=367)*

Sentence	Black	Hispanic	Other	White
N	6	119	3	239
Community Corrections	0%	3%	0%	6%
Deferred	17%	6%	0%	10%
Dept of Corrections	17%	29%	33%	20%
Fines/fees	0%	0%	0%	<1%
Jail	17%	8%	0%	5%
Probation/Intensive Supervision	50%	53%	67%	58%
All	100%	100%	100%	100%

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

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

Juvenile court

Table 3-26 below reflects the initial sentence for juvenile court cases, by crime type, for the 19th Judicial District. Initial sentences to probation were the most frequently occurring sentence, followed by deferred judgments. Drug cases and Property cases were more likely than other offenses to receive probation (52% and 43%, respectively) in juvenile court. Table 3-27 shows that females were more likely than males to receive a deferred judgment (52% and 37%, respectively) and males were slightly more likely to receive a sentence to the Division of Youth Services (9% compared to 12%).

Table 3-26. Initial sentence in Juvenile Court, by most serious conviction charge (N=517)

Sentence	Drugs	%	Other	%	Property	%	Violent	%
Community Corrections	0	0%	0	0%	0	0%	1	1%
Deferred	9	43%	49	45%	100	41%	55	38%
Dept of Corrections	0	0%	0	0%	0	0%	1	1%
Division of Youth Services	0	0%	9	8%	25	10%	24	17%
Fines/fees	1	5%	0	0%	0	0%	0	0%
Jail	0	0%	4	4%	8	3%	5	3%
Juvenile Detention	0	0%	3	3%	6	2%	3	2%
Probation/Intensive Supervision	11	52%	43	40%	104	43%	56	39%
All	21	100%	108	100%	243	100%	145	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=517)

Sentence	Female	%	Male	%
Community Corrections	0	0%	1	<1%
Deferred	76	52%	137	37%
Dept of Corrections	0	0%	1	<1%
Division of Youth Services	13	9%	45	12%
Fines/fees	0	0%	1	<1%
Jail	1	1%	16	4%
Juvenile Detention	4	3%	8	2%
Probation/Intensive Supervision	53	36%	161	44%
All	147	100%	370	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.

The following four tables show initial juvenile court sentences for each of the offense categories by race/ethnicity. The few numbers of cases with Black (n=18) and Other (n=2) defendants means that the information about those groups must be interpreted with caution. Hispanics were more likely than Whites to receive a sentence to the Division of Youth Services (20% and 7%, respectively). Hispanics were less likely than Whites to receive a deferred judgment (25% compared to 49%). 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. Across offense types (Table 3-32), Hispanics were less likely than Whites to receive a deferred judgment and were much more likely to receive an initial sentence to the Division of Youth Services.

Table 3-28. Initial sentence in Juvenile Court by race/ethnicity (N=517)*

Sentence	Black	Hispanic	Other	White
N	18	164	2	333
Community Corrections	0%	1%	0%	0%
Deferred	50%	25%	50%	49%
Dept of Corrections	0%	0%	0%	<1%
Division of Youth Services	17%	20%	0%	7%
Fines/fees	0%	0%	0%	<1%
Jail	0%	7%	0%	2%
Juvenile Detention	0%	5%	0%	1%
Probation/Intensive Supervision	33%	43%	50%	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 3-29. Initial sentence for Drugs as most serious conviction in Juvenile Court by race/ethnicity (N=21)*

Sentence	Hispanic	White
N	5	16
Deferred	20%	50%
Fines/fees	0%	6%
Probation/Intensive Supervision	80%	44%
All	100%	100%

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

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

Table 3-30. Initial sentence for Other as most serious conviction in Juvenile Court by race/ethnicity (N=108)*

Sentence	Black	Hispanic	Other	White
N	4	37	1	66
Deferred	0%	35%	0%	55%
Division of Youth Services	25%	11%	0%	6%
Jail	0%	5%	0%	3%
Juvenile Detention	0%	5%	0%	2%
Probation/Intensive Supervision	75%	43%	100%	35%
All	100%	100%	100%	100%

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

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

Table 3-31. Initial sentence for Property as most serious conviction in Juvenile Court by race/ethnicity (N=243)*

Sentence	Black	Hispanic	Other	White
N	10	76	1	156
Deferred	70%	24%	100%	47%
Division of Youth Services	10%	20%	0%	6%
Jail	0%	7%	0%	2%
Juvenile Detention	0%	4%	0%	2%
Probation/Intensive Supervision	20%	46%	0%	43%
All	100%	100%	100%	100%

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

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

Table 3-32. Initial sentence for Violent as most serious conviction in Juvenile Court by race/ethnicity (N=145)*

Sentence	Black	Hispanic	White
N	4	46	95
Community Corrections	0%	2%	0%
Deferred	50%	20%	46%
Dept of Corrections	0%	0%	1%
Division of Youth Services	25%	28%	11%
Jail	0%	9%	1%
Juvenile Detention	0%	7%	0%
Probation/Intensive Supervision	25%	35%	41%
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.

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

County court Drug cases resulted in a fine in 68% of cases, and community service for 19% of cases. Deferred judgments occurred for 17% of Property and 27% of Violent crime cases, 10% of Other cases, and 1% for Drug cases (this figure represents only 1 case). Almost half (48%) of Other cases received an initial sentence to jail. Those in the White (22%) and Other (24%) race/ethnicity categories were much more likely to receive a deferred judgment compared to Blacks (12%) and Hispanics (10%). Hispanics were considerably more likely to receive jail time (42%), compared to Whites (24%) in county court.

In district court, probation was the most frequently occurring initial sentence, imposed 69% of the time for Drug cases. The second most frequently occurring sentence in district court was a prison sentence: 12% of Drug cases, 27% of Other cases, 12% of Property cases, and 23% of Violent cases received a sentence to the Department of Corrections. Deferred judgments were imposed infrequently and were most likely to be imposed in Property cases (11%), and least likely to be imposed in Drug cases (2%). Women were much more likely to receive a deferred judgment compared to men (12% versus 5%, respectively) and less likely to receive a prison sentence (10% compared to 21%, respectively). One-quarter (22%) of initial district court sentences for Hispanics were to the Department of Corrections compared to 16% for Whites. Blacks were more likely to receive a deferred judgment compared to Whites (18% and 8%, respectively). Hispanics (9%) were more likely to receive a jail sentence compared to Whites (5%).

In juvenile court, initial sentences to probation were the most frequently occurring sentence, followed by deferred judgments. Drug cases and Property cases were more likely than other offenses to receive probation (52% and 43%, respectively) in juvenile court. Females were more likely than males to receive a deferred judgment (52% and 37%, respectively) and males were slightly more likely to receive a sentence to the Division of Youth Services (9% compared to 12%). The few numbers of cases with Black (n=18) and Other (n=2) defendants in juvenile court means that the information about those groups must be interpreted with caution. Hispanics were more likely than Whites to receive a sentence to the Division of Youth Services (20% and 7%, respectively). Hispanics were less likely than Whites to receive a deferred judgment (25% compared to 49%). Across offense types in juvenile court, Hispanics were less likely than Whites to receive a deferred judgment and were much more likely to receive an initial sentence to the Division of Youth Services.

Revocations

Cases sentenced in 2016 to probation or a deferred judgment that received a revocation in the 19th 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.

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, 23% of cases receiving a probation/deferred judgment in county court in the 19th Judicial District in 2016 were revoked. Hispanics were more likely to be revoked compared to the overall revocation rate (33% compared to 23%). Blacks were least likely to be revoked when the most serious crime was Property (however, because of the small number of cases, this information should be interpreted with caution), and most likely to be revoked if they were sentenced for an Other offense. Hispanics were most likely to be revoked with the offense was Drugs,

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.

however, the few numbers of cases in this category means the information should be interpreted with caution.

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%	38
	Other	60%	40%	100%	10
	Property	80%	20%	100%	5
	Violent	78%	22%	100%	23
Hispanic		67%	33%	100%	364
	Drugs	33%	67%	100%	3
	Other	82%	18%	100%	80
	Property	60%	40%	100%	83
	Violent	64%	36%	100%	198
Other		69%	31%	100%	16
	Other	67%	33%	100%	6
	Property	67%	33%	100%	3
	Violent	71%	29%	100%	7
White		81%	19%	100%	928
	Drugs	86%	14%	100%	7
	Other	86%	14%	100%	220
	Property	75%	25%	100%	198
	Violent	80%	20%	100%	503
All		77%	23%	100%	1,346

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		79%	21%	100%	399
	Drugs	83%	17%	100%	6
	Other	85%	15%	100%	91
	Property	74%	26%	100%	117
	Violent	79%	21%	100%	185
Male		76%	24%	100%	947
	Drugs	50%	50%	100%	4
	Other	84%	16%	100%	225
	Property	69%	31%	100%	172
	Violent	75%	25%	100%	546
All		77%	23%	100%	1,346

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 (29%, Table 3-35) compared to county court (23%, Table 3-33) in 2016. In district court, Hispanics (38%) and those in the Other (42%) race/ethnicity group were most likely to be revoked, however the few cases with Other defendants means that the information should be interpreted with caution. Hispanics and Whites with Drug offenses were more likely to be revoked, compared to other offense types. Table 3-36 shows that women in adult district court were more likely than men to get revoked (31% compared to 28%). Men and women with Drug cases were most likely, compared to those with other crime types, to get revoked.

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

Race/ethnicity		No	Yes	All	N
Black		81%	19%	100%	43
	Drugs	75%	25%	100%	8
	Other	67%	33%	100%	12
	Property	89%	11%	100%	19
	Violent	100%	0%	100%	4
Hispanic		62%	38%	100%	394
	Drugs	56%	44%	100%	104
	Other	68%	32%	100%	82
	Property	59%	41%	100%	138
	Violent	70%	30%	100%	70
Other		58%	42%	100%	12
	Drugs	67%	33%	100%	3
	Other	50%	50%	100%	4
	Property	67%	33%	100%	3
	Violent	50%	50%	100%	2
White		75%	25%	100%	838
	Drugs	66%	34%	100%	238
	Other	82%	18%	100%	160
	Property	76%	24%	100%	276
	Violent	79%	21%	100%	164
All		71%	29%	100%	1,287

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		69%	31%	100%	375
	Drugs	55%	45%	100%	120
	Other	81%	19%	100%	63
	Property	75%	25%	100%	134
	Violent	72%	28%	100%	58
Male		72%	28%	100%	912
	Drugs	67%	33%	100%	233
	Other	75%	25%	100%	195
	Property	70%	30%	100%	302
	Violent	78%	22%	100%	182
All		71%	29%	100%	1,287

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 19th Judicial District were revoked (Table 3-37). Hispanics were much more likely than Whites to get revoked (37% and 19%, respectively). Table 3-38 presents revocations in juvenile court by gender. Females were revoked at a rate of 19% compared to 26% for males. Comparing across crime types, females with Drug crimes were most likely to be revoked (40%, however this represents only 3 cases) and males with Other cases were most likely to be revoked (37%).

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		87%	13%	100%	15
	Other	67%	33%	100%	3
	Property	89%	11%	100%	9
	Violent	100%	0%	100%	3
Hispanic		63%	37%	100%	112
	Drugs	80%	20%	100%	5
	Other	62%	38%	100%	29
	Property	60%	40%	100%	53
	Violent	68%	32%	100%	25
Other		50%	50%	100%	2
	Other	0%	100%	100%	1
	Property	100%	0%	100%	1
White		81%	19%	100%	298
	Drugs	87%	13%	100%	15
	Other	75%	25%	100%	59
	Property	77%	23%	100%	141
	Violent	89%	11%	100%	83
All		76%	24%	100%	427

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		81%	19%	100%	129
	Drugs	60%	40%	100%	5
	Other	81%	19%	100%	32
	Property	79%	21%	100%	58
	Violent	88%	12%	100%	34
Male		74%	26%	100%	298
	Drugs	93%	7%	100%	15
	Other	63%	37%	100%	60
	Property	71%	29%	100%	146
	Violent	83%	17%	100%	77
All		76%	24%	100%	427

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 19th Judicial District are included in the analyses presented here.²¹ 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.²² 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, 23% of cases receiving a probation/deferred judgment in county court in the 19th Judicial District in 2016 were revoked. Hispanics were more likely to be revoked compared to the overall revocation rate (33% compared to 23%). Blacks were least likely to be revoked when the most serious crime was Property (however, because of the small number of cases, this information should be interpreted with caution), and most likely to be revoked if they were sentenced for an Other offense. Hispanics were most likely to be revoked with the offense was Drugs, however, the few numbers of cases in this category means the information should be interpreted with caution.

Revocations from probation/deferred judgments occurred more frequently in district court (29%) compared to county court (23%) in 2016. In district court, Hispanics (38%) and those in the Other (42%) race/ethnicity group were most likely to be revoked, however the few cases with Other defendants means that the information should be interpreted with caution. Hispanics and Whites with Drug offenses were more likely to be revoked, compared to other offense types. Table 3-36 shows that women in adult district court were more likely than men to get revoked (31% compared to 28%). Men and women with Drug cases were most likely, compared to those with other crime types, to get revoked.

In juvenile court, 24% of cases sentenced to probation/deferred judgment in 2016 in the 19th Judicial District were revoked. Hispanics were much more likely than Whites to get revoked (37% and 19%, respectively). Females were revoked at a rate of 19% compared to 26% for males. Comparing across crime types, females with Drug crimes were most likely to be revoked (40%, however this represents only 3 cases) and males with Other cases were most likely to be revoked (37%).

²¹ Judicial data pertaining to *petitions* to revoke are less reliable than data identifying actual revocations.

²² *Judicial Branch Annual Statistical Report, Fiscal Year 2016*, Table 48, page 120.

Appendix A NIBRS Group A Arrest Crimes

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

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

Appendix B

Most serious filing/conviction charge categories

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

Arson - 1st - 4th degree arson

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

Drug Poss - drug possession, paraphernalia possession

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

Escape

Extortion

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

Forgery

Fraud

Homicide - 1st and 2nd degree murder

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

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

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

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

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

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