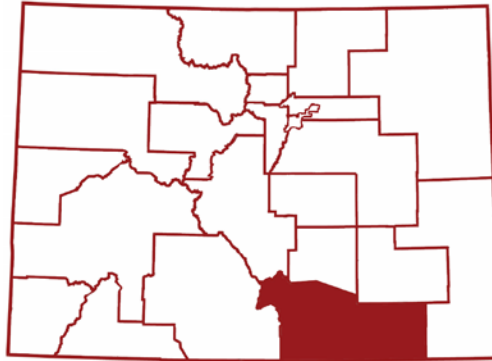


CLEAR Act: 2018

Community Law Enforcement Action Reporting Act

3rd Judicial District



Race/ethnicity estimates for those ages 10 and above, 2018

Age Group	Race/Ethnicity	Percent	Total
Adult		90%	17,422
	Black/African American	2%	271
	Hispanic	37%	6,387
	Other	2%	415
	White	59%	10,349
Juvenile		10%	1,910
	Black/African American	2%	31
	Hispanic	51%	970
	Other	3%	51
	White	45%	857
Total		100%	19,332

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

December 2019



COLORADO
Division of Criminal Justice
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:

<https://www.colorado.gov/dcj-ors/ORS-SB185>



COLORADO
Division of Criminal Justice
Department of Public Safety

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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 2018.

This report presents a summary of the findings by collapsing 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: <https://www.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.

Finally, please see the following publication for a discussion of strategies to reduce racial and ethnic disparities: https://www.brennancenter.org/sites/default/files/2019-08/Report_Racial%20Disparities%20Report%20062515.pdf

Executive Summary

Background. 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,¹ 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 report presents information regarding arrests/summonses and court case processing for calendar year 2018 for the 3rd 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,² 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: <https://www.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.

The state Demographer’s Office estimates that, in 2018 in the 3rd Judicial District, the population of those ages 10 and above was 19,332.

- The adult population was comprised as follows: White, 59%; Black/African American, 2%; Hispanic, 37%; and Other, 2%.
- The juvenile population was comprised as follows: White, 45%, Black/African American, 2%, Hispanic 51%, and Other 3%.

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, statewide, in 2018, Hispanics represented 22% of the Colorado population, but only 6% of court cases statewide were classified as Hispanic in ICON. In addition, the arrest data are plagued with random misclassifications of race and ethnicity, and both random and non-random missing race/ethnicity data. To improve upon the accuracy of the race/ethnicity designation in this

¹ Local law enforcement agencies submit offense and arrest data to the Colorado Bureau of Investigation. The data used for this report was extracted from CBI’s National Incident Based Reporting System (NIBRS).

² The arrest information includes 17 offense categories summarized from more than 40, and the court data includes 24 offense categories summarized from hundreds of criminal statutes.

analysis, a statistical model was developed to predict whether an offender was Hispanic. The model had an overall predictive accuracy of 94%. This model was used with both the arrest and court data³. Note that while no model is 100% accurate, it was determined that using this model is an improvement over using the race/ethnicity designations in the raw data. Please see Appendix C for a description of the prediction model.

Law enforcement data. In 2018, arrests/summons for Drug offenses accounted for 16% of all arrests/summons while Violent crimes accounted for 12% of arrests/summons, Property offenses accounted for 13% of arrests/summons, and the remainder of arrests/summons (59%) fell into the Other crime category. This analysis of roughly 550 arrests/summons captured in NIBRS for calendar year 2018 found Black/African Americans represented 2% of the population in 2018, and accounted for 2% of arrests/summons. Hispanics represented 37% of the population and accounted for 55% of arrests. Whites represented 59% of the population, and 43% of arrests.

Court filings. This study of more than 1,100 case filings in county, district, and juvenile courts combined found that while Hispanics represented 37% of the population in the 3rd Judicial District, they accounted for 54% of overall filings. In terms of gender, 28% of filings were females and 72% were males. Women were slightly more likely than men to be involved in Property and Violent offenses than other types of offenses, while men were more likely to commit Violent or Other offenses. Only two cases completed a trial in 2018 across District, County, and Juvenile courts. Note that these cases are not necessarily the same cases in the **Law Enforcement Data** section above.

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

Court 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, 50% of cases in county court were dismissed, as were 22% of cases in district court and 42% of cases in juvenile court. About one-tenth of (12%) of county and district court cases were convicted as charged (12% and 10% respectively) and 13% in juvenile court. Juvenile court had 62 cases in 2018; note that caution should be used when interpreting the data when there are few cases.

Initial court 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. In fact, in 2018 statewide, 19% of county court cases, 36% of district court cases, and 38% of juvenile court cases had other, concurrent cases mentioned in minute orders or sentencing notes. Finally, in addition to

³ The S.B. 15-185 2016 report used NIBRS arrest data to identify race/ethnicity in the court data.

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

In county court, 29% of cases received a deferred judgment, 24% received jail sentences and 20% were granted probation. Women were more likely than men to receive a deferred judgment in county court (35% compared to 27%, respectively). Men were more likely than women to receive a jail sentence (28% for men compared to 13% for women), and women were more likely to be granted an initial sentence to probation (23% compared to 19% for men) in county court. Hispanics were considerably less likely than the Whites to receive a deferred judgment (the sample contained too few Black/African Americans and those in the Other race/ethnicity category to be analyzed).

In district court, probation was the most frequently occurring initial sentence, happening in 37% of cases. The second most frequently occurring sentence in district court was Deferred: 25% of Drug cases, 28% of Other cases, 37% of Property cases, and 51% of Violent cases received a Deferred sentence. Sentences to the Department of Corrections only account for 12% of sentences. Almost one-quarter of initial sentences for Black/African Americans (22%) were to the Department of Corrections compared to 12% overall. Deferred judgments were initially granted in 34% of district court cases overall.

Juvenile court only sentenced 15 cases in 2018; the few cases means that the information should be interpreted with caution.

Revocations. Cases sentenced in 2018 to probation or a deferred judgment that received a revocation were included in this analyses. **Note that these are cases, not individuals** and, as previously mentioned, statewide in 2018, 19% of county court cases, 36% of district court cases, and 38% of juvenile court cases had other, concurrent cases mentioned in minute orders or sentencing notes. Counting cases and not individuals is likely to inflate the proportion of revocations presented in these analyses. The revocation information, therefore, should be interpreted with caution.

In addition, not all revocations result in termination from supervision. Statewide in 2018, across all court types and for those with a probation or a deferred judgment sentence, 48% of cases with a revocation were reinstated, 45% were not reinstated, and for the remaining 7% the outcome was unclear.

Overall, 9% of cases receiving a probation/deferred judgment in county court 2018 were revoked. There were too few cases for individuals of Black/African American and Other race/ethnicity to analyze with confidence (two cases and a single case, respectively). However, among Whites and Hispanics, Whites were much less likely to be revoked (5% versus 12%). Females in county court were somewhat less likely to get revoked than males (7% compared to 10%, respectively). Males and females with Violent offenses were the most likely to be revoked in county court.

In district court, 21% of cases were revoked. Drug cases across race/ethnicity groups, compared to the other offense categories, were the most likely to be revoked. Hispanics and those in the Other race/ethnicity category were most likely to be revoked (24% compared to 21% overall).

Hispanics and Whites with Drug offenses were revoked at a rate of 31% and 29%, respectively. Men and women in adult district court were equally likely to get revoked (31% revocation rate for males and females). Men with property cases were considerably more likely, compared to those with other crime types, to get revoked (54%).

In juvenile court, 8% of cases sentenced to probation/deferred judgment in 2018 were revoked. The number of juvenile cases is very low (n=12) and so this information must be interpreted with caution. In fact, there were no juvenile cases involving Black/African Americans or Hispanics.

Overall summary. In 2018, over 550 arrests/summonses captured in NIBRS for calendar year 2018 were analyzed by race/ethnicity. Black/African Americans represented 2% of the population in 2018, and accounted for 2% of arrests/summonses. Hispanics represented 37% of the population and accounted for 55% of arrests. Whites represented 59% of the population, and 43% of arrests.

This study of more than 1,100 case filings in county, district, and juvenile courts combined found that while Hispanics represented 37% of the population in the 3rd Judicial District, they accounted for 54% of overall filings. In terms of gender, 28% of filings were females and 72% were males.

In county court, 43% of cases received a deferred judgment, 29% received jail sentences and 20% were granted probation. Hispanics were considerably less likely than the Whites to receive a deferred judgment (the sample contained too few Black/African Americans and those in the Other race/ethnicity category to be analyzed). Women were more likely than men to receive a deferred judgment in county court (35% compared to 27%, respectively).

In terms of revocations, 9% of county court cases receiving a deferred judgment/probation sentence were revoked in 2018; 31% of district court cases were revoked. In juvenile court, 8% of cases sentenced to probation/deferred judgment in 2018 were revoked. Because the number of juvenile cases is very low (n=12), this information must be interpreted with caution.

Section 1: Introduction

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,⁴ 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 2018, 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 hundreds of criminal 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 and judicial district are presented in the corresponding web-based interactive dashboard available at: <https://www.colorado.gov/dcj-ors/ORS-SB185>

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 2018 Hispanics represented 22% of the Colorado population, but only 6% of cases were classified as Hispanic in ICON. In addition, the arrest data are plagued with random misclassifications of race/ethnicity, and both random and non-random missing race/ethnicity data. To improve upon the accuracy of the race/ethnicity designation in this analysis, a statistical model was developed to predict whether an offender was Hispanic. The model had an overall predictive accuracy of 94%. This model was used with both arrest and court data.⁵ Note that while no model is perfectly accurate it was determined that using this model is an improvement over using the race/ethnicity designations in the raw data. Please see Appendix C for a description of the prediction model.

⁴ Local law enforcement agencies submit offense and arrest data to the Colorado Bureau of Investigation. The data used for this report was extracted from CBI's National Incident Based Reporting System (NIBRS).

⁵ The S.B. 15-185 report published in 2017 (of 2016 data) used NIBRS arrest data to identify race/ethnicity in the court data.

Finally, the Colorado Department of Local Affairs, Office of the State Demographer, estimated that the population in 2018 in the 3rd Judicial District for residents ages 10 and over was 19,332 and was comprised as follows:

Table 1-1. Race/ethnicity estimates for those ages 10 and above, 2018

Age Group	Race/Ethnicity	Percent	Total
Adult		90%	17,422
	Black/African American	2%	271
	Hispanic	37%	6,387
	Other	2%	415
	White	59%	10,349
Juvenile		10%	1,910
	Black/African American	2%	31
	Hispanic	51%	970
	Other	3%	51
	White	45%	857
Total		100%	19,332

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

Data sources

Arrest/Summons. Law enforcement data for the period between January 1, 2018 and December 31, 2018 was obtained from the Colorado Bureau of Investigation’s National Incident-Based Reporting System (NIBRS), which includes Group A and B arrests. 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.”⁶ 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

⁶ 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.

arrest that involves an outstanding warrant and physical restraint). More than 550 NIBRS incidents in the 3rd Judicial District were analyzed for calendar year 2018 (Table 1-2).

Table 1-2. Arrests by type, 2018

Arrest Type	Percent	Total
Custody/warrant	61%	344
On-view/probable cause	28%	159
Summons	11%	63
Total	100%	566

Data source: Colorado Bureau of Investigation, National Incident Based Reporting System (NIBRS) data. Extracted 06/10/2019.

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.

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.⁷ 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 can be seen in Table 1-3.

Table 1-3. Court of case filing, 2018

Court	Percent	Total
Adult District	47%	539
County	48%	557
Juvenile	5%	62
Total	100%	1,158

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 1,100 **cases not individuals**. Individuals may have multiple, concurrent cases,⁸ 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 categories⁹ which, for the analysis presented in this document, have been collapsed into four categories: Drug, Other, Property and Violent.¹⁰ 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.

⁷ Denver County Court is not part of ICON.

⁸ This study found that, statewide in 2018, 19% of county court cases, 36% of district court cases, and 38% of juvenile court cases had other, concurrent cases mentioned in minute orders or sentencing notes.

⁹ The 24 offense categories are summarized from hundreds of criminal statutes.

¹⁰ 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 2018 may not have had time to revoke.

Organization of this report: This report is organized into three sections. The current 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 analyses of data obtained from the Judicial Department, including filing charges, case outcomes, initial sentences, trials, and revocations for those sentenced to probation or a deferred judgment. The findings are presented by county, adult district and juvenile court.

Section 2: Law Enforcement Data

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 <https://www.colorado.gov/dcj-ors/ORS-SB185>, provides information on 17 arrest offense types. The analyses 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 2018.

Table 2-1. Arrests/summons by offense, 2018

Offense Type	Percent	Total
Drugs	16%	92
Other	59%	334
Property	13%	72
Violent	12%	68
Total	100%	566

Data source: Colorado Bureau of Investigation, National Incident Based Reporting System (NIBRS) data. Extracted 06/10/2019.

Table 2-2 reflects over 500 arrests/summons captured in NIBRS for calendar year 2018, by race/ethnicity. Black/African Americans represented 2% of the population in 2018, and accounted for 2% of arrests/summons. Hispanics represented 37% of the population and accounted for 55% of arrests. Whites represented 59% of the population but only 43% of arrests/summons.

Table 2-2. Arrests/summons by race/ethnicity, 2018

Race/Ethnicity	Percent	Total
Black/African American	2%	11
Hispanic*	55%	309
White	43%	246
Total	100%	566

Data source: Colorado Bureau of Investigation, National Incident Based Reporting System (NIBRS) data. Extracted 06/10/2019.

*Hispanic ethnicity was estimated using a DCJ-developed and validated statistical model; see Appendix C.

Table 2-3 shows that juveniles accounted for less than 4% (n=5) of on view/probable cause arrests, and 60% of those arrests were for violent crimes, however the few cases involved means that it is difficult to generalize these findings. Juveniles accounted for 19 custody/warrant arrests (Table 2-4). Overall, juveniles were a higher proportion of summonses than other arrest types; they accounted for 14% of summonsed cases (n=9) (Table 2-5). Not surprisingly, violent offenses were least likely to result in a summons for adults and juveniles (Table 2-5).

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

Age Category	Offense Type	Percent	Total
Adult		97%	154
	Drugs	18%	27
	Other	56%	87
	Property	7%	11
	Violent	19%	29
Juvenile		3%	5
	Other	20%	1
	Property	20%	1
	Violent	60%	3
Total		100%	159

Data source: Colorado Bureau of Investigation, National Incident Based Reporting System (NIBRS) data. Extracted 06/10/2019.

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

Age Category	Offense Type	Percent	Total
Adult		94%	325
	Drugs	15%	48
	Other	66%	213
	Property	9%	30
	Violent	10%	34
Juvenile		6%	19
	Drugs	42%	8
	Other	47%	9
	Property	5%	1
	Violent	5%	1
Total		100%	344

Data source: Colorado Bureau of Investigation, National Incident Based Reporting System (NIBRS) data. Extracted 06/10/2019.

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

Age Category	Offense Type	Percent	Total
Adult		86%	54
	Drugs	11%	6
	Other	33%	18
	Property	54%	29
	Violent	2%	1
Juvenile		14%	9
	Drugs	33%	3
	Other	67%	6
Total		100%	63

Data source: Colorado Bureau of Investigation, National Incident Based Reporting System (NIBRS) data. Extracted 06/10/2019.

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 17% of probable cause arrests were for Drug related offenses, 55% were for Other offenses, 8% for Property offenses, and 20% for Violent offenses. Hispanics represented 37% of the population in the 3rd Judicial District but accounted for 41% to 59% of those arrested via probable cause, across offense

types. Whites were consistently arrested via probable cause at a lower rate than their representation of overall population (59% of the population and arrested at a rate of 40% to 56%).

The second arrest type, where an individual is taken into custody on an outstanding warrant, is depicted in Table 2-7. Over 65% of these arrests involved an offense that fell into the Other crime category. Hispanics were 37% of the population but represented 53% of those arrested via warrant for Other crimes.

Table 2-8 shows that summons were the least likely to be issued for Violent offenses (2%), compared to Other (38%) and Property (46%) and Drugs (14%). The number of arrests made via summons was too low to analyze along the lines of Race/Ethnicity. In fact, not all races and ethnicities were present in each Offense Type.

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

Offense Type	Race/Ethnicity	Percent	Total
Drugs		17%	27
	Hispanic*	59%	16
	White	41%	11
Other		55%	88
	Black/African American	2%	2
	Hispanic*	58%	51
	White	40%	35
Property		8%	12
	Hispanic*	58%	7
	White	42%	5
Violent		20%	32
	Black/African American	3%	1
	Hispanic*	41%	13
	White	56%	18
Total		100%	159

Data source: Colorado Bureau of Investigation, National Incident Based Reporting System (NIBRS) data. Extracted 06/10/2019. *Hispanic ethnicity was estimated using a DCJ-developed and validated statistical model; see Appendix C.

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

Offense Type	Race/Ethnicity	Percent	Total
Drugs		16%	56
	Hispanic*	64%	36
	White	36%	20
Other		65%	222
	Black/African Am	1%	3
	Hispanic*	53%	118
	White	45%	101
Property		9%	31
	Hispanic*	74%	23
	White	26%	8
Violent		10%	35
	Black/African Am	6%	2
	Hispanic*	46%	16
	White	49%	17
Total		100%	344

Data source: Colorado Bureau of Investigation, National Incident Based Reporting System (NIBRS) data. Extracted 06/10/2019. *Hispanic ethnicity was estimated using a DCJ-developed and validated statistical model; see Appendix C.

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

Offense Type	Race/Ethnicity	Percent	Total
Drugs		14%	9
	Hispanic*	33%	3
	White	67%	6
Other		38%	24
	Black/African American	13%	3
	Hispanic*	46%	11
	White	42%	10
Property		46%	29
	Hispanic*	48%	14
	White	52%	15
Violent		2%	1
	Hispanic*	100%	1
Total		100%	63

Data source: Colorado Bureau of Investigation, National Incident Based Reporting System (NIBRS) data. Extracted 06/10/2019.

*Hispanic ethnicity was estimated using a DCJ-developed and validated statistical model; see Appendix C.

The following three tables show arrest/summons by broad offense category and gender. Women were considerably less likely than men to be arrested. Overall, women constituted approximately 21-42% of arrests and 58-79% of summonses (depending on the crime category) and men comprised the remainder.

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

Offense Type	Gender	Percent	Total
Drugs		17%	27
	Female	30%	8
	Male	70%	19
Other		55%	88
	Female	36%	32
	Male	64%	56
Property		8%	12
	Female	25%	3
	Male	75%	9
Violent		20%	32
	Female	28%	9
	Male	72%	23
Total		100%	159

Data source: Colorado Bureau of Investigation, National Incident Based Reporting System (NIBRS) data. Extracted 06/10/2019.

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

Offense Type	Gender	Percent	Total
Drugs		16%	56
	Female	21%	12
	Male	79%	44
Other		65%	222
	Female	32%	72
	Male	68%	150
Property		9%	31
	Female	42%	13
	Male	58%	18
Violent		10%	35
	Female	23%	8
	Male	77%	27
Total		100%	344

Data source: Colorado Bureau of Investigation, National Incident Based Reporting System (NIBRS) data. Extracted 06/10/2019.

Table 2-11. Arrest type Summons, by offense and gender

Offense Type	Gender	Percent	Total
Drugs		14%	9
	Female	22%	2
	Male	78%	7
Other		38%	24
	Female	21%	5
	Male	79%	19
Property		46%	29
	Female	45%	13
	Male	55%	16
Violent		2%	1
	Male	100%	1
Total		100%	63

Data source: Colorado Bureau of Investigation, National Incident Based Reporting System (NIBRS) data. Extracted 06/10/2019.

Summary: Law enforcement data. In 2018, law enforcement made/issued over 550 arrests/summonses in the 3rd 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 2018, arrests/summonses for Drug offenses accounted for 16% of all arrests/summonses while Violent crimes accounted for 12% of arrests/summonses, Property offenses accounted for 13% of arrests/summonses, and the remainder of arrests/summonses (59%) fell into the Other crime category. Black/African Americans represented 2% of the population in 2018 and accounted for 2% of arrests/summonses. Hispanics represented 37% of the population but 55% of arrests/summonses. Juveniles were more likely to be summonsed than arrested. Violent crimes were less likely than the other crime categories to result in a summons.

Section 3: Court Case Processing

The Judicial Branch's information management system contains county and district court adult and juvenile case filings and dispositions statewide, with the exception of Denver County Court.¹¹ County court contains both adult and juvenile misdemeanor cases. The 2018 data for the 3rd Judicial District 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,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 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 hundreds of criminal statutes, is available on the interactive data dashboard <https://www.colorado.gov/dcj-ors/ORS-SB185>. See Appendix B for the list of offenses that were combined into the four broad crime 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 1,158 case filings in county, adult district, and juvenile courts combined for calendar year 2018. While Black/African Americans represented 2% of the population and 2% of the arrests/summonses in 2018, they also accounted for 2% of court filings. Hispanics represented 37% of the population, 55% of arrests/summonses, and 54% of case filings. Those falling into the Other race/ethnicity category represented 2% of the population and less than 1% of court filings. Note that these cases are not necessarily the same cases in the **Law enforcement data** section above.

¹¹ Denver County Court is not part of the statewide Judicial data management system.

¹² This study found that, statewide in 2018, 19% of county court cases, 36% of district court cases, and 38% of juvenile court cases had other, concurrent cases mentioned in minute orders or sentencing notes.

Table 3-1. Overall filings by race/ethnicity, 2018

Race/Ethnicity	Percent	Total
Black/African American	2%	18
Hispanic	54%	623
Other	<1%	10
White	44%	507
Total	100%	1,158

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. *Hispanic ethnicity was estimated using a DCJ-developed and validated statistical model; see Appendix C.

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 18% of cases, and Violent charges was the largest category at 31% of charges filed. Hispanics represented 57% of Drug filings, 52% of Other filings, 53% of Property filings, and 54% of Violent filings while only comprising 37% of the population. Conversely, Whites made up 59% of the population and represented 41-45% of filings across offense types.

Table 3-2. Most serious filing charge by race/ethnicity, 2018

Offense Type	Race/Ethnicity	Percent	Total
Drugs		18%	209
	Black/African American	<1%	2
	Hispanic*	57%	120
	Other	<1%	2
	White	41%	85
Other		24%	282
	Black/African American	2%	7
	Hispanic*	52%	146
	Other	<1%	1
	White	45%	128
Property		26%	306
	Black/African American	<1%	3
	Hispanic*	53%	161
	Other	2%	5
	White	45%	137
Violent		31%	361
	Black/African American	2%	6
	Hispanic*	54%	196
	Other	<1%	2
	White	43%	157
Total		100%	1,158

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. *Hispanic ethnicity was estimated using a DCJ-developed and validated statistical model; see Appendix C.

Table 3-3 depicts that, across all court types, 28% of filings were females and 72% were males. Females were more likely than men to be involved in Drug and Property crimes (20% and 31% compared to 17% and 24%, respectively) and slightly less to be involved in Other offenses (18% compared to 27%, respectively).

Table 3-3. Most serious filing charge by gender

Gender	Offense Type	Percent	Total
Female		28%	328
	Drugs	20%	67
	Other	18%	58
	Property	31%	103
	Violent	30%	100
Male		72%	830
	Drugs	17%	142
	Other	27%	224
	Property	24%	203
	Violent	31%	261
Total		100%	1,158

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. County court1 had the most cases in 2018, with 48% of the total. Race/Ethnicity composition was fairly consistent across all three court types. In Juvenile court the filing percentages for all race/ethnicities closely mirrored their population percentage. In district and county courts Hispanics were 53% and 55% of filings, respectively, compared to being 37% of the population. Whites were 45% and 43% of the filings in the district and county courts while comprising 59% of the population.

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

Court	Race/Ethnicity	Percent	Total
Adult District		47%	539
	Black/African American	2%	9
	Hispanic*	53%	285
	Other	<1%	5
	White	45%	240
County		48%	557
	Black/African American	1%	8
	Hispanic*	55%	306
	Other	<1%	5
	White	43%	238
Juvenile		5%	62
	Black/African American	2%	1
	Hispanic*	52%	32
	White	47%	29
Total		100%	1,158

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. *Hispanic ethnicity was estimated using a DCJ-developed and validated statistical model; see Appendix C.

Table 3-5 shows the type of offense within court type. The largest percentage of county court cases were Violent offenses (42%, primarily misdemeanor assault); the Drug and Property offense types comprised the largest category of cases in adult district court (29%); and Other and Violent crimes made up over one-third (35% and 34% respectively) 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 (26%) compared to adult district court (27%) and juvenile court (26%). Note that caution must be used when interpreting the findings when there are few cases (there were only 62 juvenile cases filed in the 3rd Judicial District in 2018).

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

Court	Offense Type	Percent	Total
Adult District		47%	539
	Drugs	29%	157
	Other	22%	118
	Property	29%	157
	Violent	20%	107
County		48%	557
	Drugs	7%	39
	Other	25%	142
	Property	26%	143
	Violent	42%	233
Juvenile		5%	62
	Drugs	21%	13
	Other	35%	22
	Property	10%	6
	Violent	34%	21
Total		100%	1,158

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	Percent	Total
Adult District		47%	539
	Female	27%	143
	Male	73%	396
County		48%	557
	Female	30%	169
	Male	70%	388
Juvenile		5%	62
	Female	26%	16
	Male	74%	46
Total		100%	1,158

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%). There were only two cases that completed trial across all court types – one involved an Other offense type and the other involved a Violent offense (Table 3-8).

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

Court	Completed Trial	Percent	Total
Adult District		47%	539
	No	100%	539
County		48%	557
	No	100%	556
	Yes	<1%	1
Juvenile		5%	62
	No	98%	61
	Yes	2%	1
Total		100%	1,158

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

Crime Type	Completed Trial	Percent	Total
Drugs		18%	209
	No	100%	209
Other		24%	282
	No	100%	281
	Yes	<1%	1
Property		26%	306
	No	100%	306
Violent		31%	361
	No	100%	360
	Yes	<1%	1
Total		100%	1,158

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 1,158 case filings in county, district, and juvenile courts combined found Race/Ethnicity composition was fairly consistent across all three court types. In Juvenile court the filing percentages for all Race/Ethnicities closely mirrored their population percentage. Hispanic adults made up 37% of the adult population but had 54% of district court filings in 2018. In terms of gender, 28% of filings were females and 72% were males. Women were slightly more likely than men to be involved in Drug and Property offenses. Only two cases completed a trial in 2018. Note that these cases are not necessarily the same cases in the **Law Enforcement Data** section above.

Case Outcomes

The following three tables present case outcomes, by race/ethnicity and most serious filing charge (including attempt, conspiracy and solicitation), for county court, district court, and

juvenile court in 2018. 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 half (50%) of cases, all charges were dismissed in county court in 2018 (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 12% of cases were convicted as charged, and 17% were convicted of another crime. In adult district court (Table 3-10), 35% were convicted of another crime and 10% were convicted as charged. In juvenile court (Table 3-11), 11% were convicted of another offense and 13% were convicted as charged. However, caution must be used when interpreting the findings in Juvenile court given the small number of cases in most categories.

Table 3-9. County Court outcomes by race/ethnicity and most serious filing charge

Race/Ethnicity	Offense Type	Convicted as charged	Convicted other crime	Dismissed/ not guilty	Not yet resolved/ Case closed	Total %	Total N
Black/African American		13%	13%	63%	13%	100%	8
	Drugs	0%	0%	100%	0%	100%	1
	Other	0%	33%	67%	0%	100%	3
	Property	50%	0%	50%	0%	100%	2
	Violent	0%	0%	50%	50%	100%	2
Hispanic*		12%	15%	53%	20%	100%	306
	Drugs	17%	4%	65%	13%	100%	23
	Other	9%	23%	51%	17%	100%	69
	Property	17%	8%	53%	22%	100%	76
	Violent	10%	17%	52%	20%	100%	138
Other		20%	20%	20%	40%	100%	5
	Drugs	0%	0%	0%	0%	0%	0
	Other	0%	0%	0%	0%	0%	0
	Property	33%	0%	33%	33%	100%	3
	Violent	0%	50%	0%	50%	100%	2
White		12%	18%	46%	24%	100%	238
	Drugs	33%	13%	27%	27%	100%	15
	Other	14%	26%	33%	27%	100%	70
	Property	11%	16%	48%	24%	100%	62
	Violent	8%	15%	57%	20%	100%	91
Total		12%	17%	50%	21%	100%	557

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. *Hispanic ethnicity was estimated using a DCJ-developed and validated statistical model; see Appendix C.

Table 3-10 reflects case outcomes for district court in 2018. Nearly one-quarter (22%) of cases filed in district court had all charges dismissed. There were very few cases involving Black/African Americans or those of Other race/ethnicity and analysis should be made with caution. Among Whites and Hispanics, cases where Violent crimes were the most serious charge were most likely to be dismissed in district court.

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

Race/Ethnicity	Offense Type	Convicted as charged	Convicted other crime	Dismissed/ not guilty	Not yet resolved/ Case losed	Total %
Black/African American		0%	33%	44%	22%	9
	Drugs	0%	100%	/0%	0%	1
	Other	0%	0%	33%	67%	3
	Property	0%	100%	0%	0%	1
	Violent	0%	25%	75%	0%	4
Hispanic		9%	33%	22%	36%	285
	Drugs	10%	30%	19%	40%	89
	Other	16%	23%	23%	39%	62
	Property	6%	49%	23%	23%	84
	Violent	4%	26%	24%	46%	50
Other		20%	60%	20%	0%	5
	Drugs	0%	50%	50%	0%	2
	Other	100%	0%	0%	0%	1
	Property	0%	100%	0%	0%	2
	Violent	0%	0%	0%	0%	0
White		12%	37%	21%	31%	240
	Drugs	11%	32%	22%	35%	65
	Other	13%	27%	19%	40%	52
	Property	9%	53%	16%	23%	70
	Violent	15%	30%	28%	26%	53
Total		10%	35%	22%	33%	539

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. *Hispanic ethnicity was estimated using a DCJ-developed and validated statistical model; see Appendix C.

Table 3-11 presents case outcomes for juvenile court. All charges were dismissed for 42% of cases filed, while 13% of cases were convicted as charged and 11% were convicted of a different crime. The few cases in Juvenile Court (n=37) means that this information must be interpreted with caution.

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

Race/Ethnicity	Offense Type	Convicted as charged	Convicted other crime	Dismissed/ not guilty	Not yet resolved	Total %	Total N
Black/African American		0%	0%	100%	0%	100%	1
	Drugs	0%	0%	0%	0%	0%	0
	Other	0%	0%	100%	0%	100%	1
	Property	0%	0%	0%	0%	0%	0
	Violent	0%	0%	0%	0%	0%	0
Hispanic		19%	6%	34%	41%	100%	32
	Drugs	13%	0%	38%	50%	100%	8
	Other	20%	13%	40%	27%	100%	15
	Property	100%	0%	0%	0%	100%	1
	Violent	13%	0%	25%	63%	100%	8
White		7%	17%	48%	28%	100%	29
	Drugs	0%	0%	80%	20%	100%	5
	Other	0%	17%	67%	17%	100%	6
	Property	20%	40%	0%	40%	100%	5
	Violent	8%	15%	46%	31%	100%	13
Total		13%	11%	42%	34%	100%	62

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. *Hispanic ethnicity was estimated using a DCJ-developed and validated statistical model; see Appendix C.

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, 50% of cases in county court were dismissed, as were 22% of cases in district court and 42% of cases in juvenile court. Only a small percentage of cases were convicted as charged - 12% of county court cases, 10% in district court, and 13% in juvenile court. Juvenile court only had 62 cases in 2018; it is difficult to interpret information when there are few cases.

Initial Sentences

The tables below show cases sentenced in the 3rd Judicial District between Jan 1, 2018 and Dec 31, 2018, 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) will not match the number reported as admissions by these agencies.

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. In fact, as previously mentioned, in 2018 statewide, 19% of county court cases, 36% of district court cases, and 38% of juvenile court cases had other, concurrent cases mentioned in minute orders or sentencing notes.

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 final initial sentence.

County court

Table 3-12 presents the initial sentence for each of the four offense types for county court cases in 2018. A deferred judgment was the most frequently occurring sentence, happening in 29% of cases. Probation was used in 20% of cases.

Table 3-12. Initial sentence in County Court, by most serious conviction charge

Sentence	Offense Type	Percent	Total
Community Service		2%	4
	Drugs	25%	1
	Other	50%	2
	Property	25%	1
Deferred		29%	58
	Drugs	10%	6
	Other	45%	26
	Property	24%	14
	Violent	21%	12
Fines/fees		11%	21
	Drugs	19%	4
	Other	67%	14
	Property	14%	3
Jail		24%	47
	Drugs	2%	1
	Other	36%	17
	Property	47%	22
	Violent	15%	7
Probation/Intensive Supervision		20%	40
	Other	25%	10
	Property	10%	4
	Violent	65%	26
Unsupervised Probation		15%	29
	Other	28%	8
	Property	55%	16
	Violent	17%	5
Total		100%	199

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 more likely than men to receive a deferred judgment in county court (35% compared to 27%, respectively). Men were more likely than women to receive a jail sentence (28% for men compared to 13% for women), and women were more likely to be granted an initial sentence to probation (23% compared to 19% for men).

Table 3-13. Initial sentence in County Court by gender

Sentence	Female	Male	Total
(N)	60	139	199
Community Service	2%	2%	2%
Deferred	35%	27%	29%
Fines/fees	12%	10%	11%
Jail	13%	28%	24%
Probation/Intensive Supervision	23%	19%	20%
Unsupervised Probation	15%	14%	15%
Total	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.

Table 3-14 presents the initial sentence in county court by race/ethnicity. Hispanics were the least likely to receive a deferred judgment (25% compared to 29% overall). Over one-quarter (28%) of Hispanic cases received a jail sentence compared to 24% overall. Note the small number of Black/African Americans and those in the Other race/ethnicity category (2 sentences for either group) – conclusions should not be drawn from such small sample sizes.

Table 3-14. Initial sentence in County Court by race/ethnicity

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	2	105	2	90	199
Community Service	0%	<1%	0%	3%	2%
Deferred	100%	25%	50%	32%	29%
Fines/fees	0%	9%	0%	13%	11%
Jail	0%	28%	50%	19%	24%
Probation/Intensive Supervision	0%	26%	0%	14%	20%
Unsupervised Probation	0%	12%	0%	18%	15%
Total	100%	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. *Hispanic ethnicity was estimated using a DCJ-developed and validated statistical model; see Appendix C.

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 cases (n=12) makes difficult the interpretation of the information.

Table 3-15. Initial sentence for Drugs as most serious conviction in County Court by race/ethnicity

Sentence	Hispanic*	White	Total
(N)	6	6	12
Community Service	0%	17%	8%
Deferred	67%	33%	50%
Fines/fees	33%	33%	33%
Jail	0%	17%	8%
Total	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. *Hispanic ethnicity was estimated using a DCJ-developed and validated statistical model; see Appendix C.

Table 3-16 shows that, for sentences with Other as the most serious county court conviction charge, Hispanics were less likely to receive a deferred judgment than Whites (27% contrasted to 38%). Note there was no representation from those in the Other race/ethnicity group, and there was only one sentence for a Black/African American. 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. Note that, again, the number of sentences available for analysis is very low and any interpretations of the data should be made with caution.

Table 3-16. Initial sentence for Other as most serious conviction in County Court by race/ethnicity

Sentence	Black/African Am	Hispanic*	White	Total
(N)	1	37	39	77
Community Service	0%	3%	3%	3%
Deferred	100%	27%	38%	34%
Fines/fees	0%	11%	26%	18%
Jail	0%	27%	18%	22%
Probation/Intensive Supervision	0%	19%	8%	13%
Unsupervised Probation	0%	14%	8%	10%
Total	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. *Hispanic ethnicity was estimated using a DCJ-developed and validated statistical model; see Appendix C.

Table 3-17. Initial sentence for Property as most serious conviction in County Court by race/ethnicity

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	1	30	2	27	60
Community Service	0%	0%	0%	4%	2%
Deferred	100%	20%	50%	22%	23%
Fines/fees	0%	10%	0%	0%	5%
Jail	0%	43%	50%	30%	37%
Probation/Intensive Supervision	0%	3%	0%	11%	7%
Unsupervised Probation	0%	23%	0%	33%	27%
Total	100%	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. *Hispanic ethnicity was estimated using a DCJ-developed and validated statistical model; see Appendix C.

Table 3-18. Initial sentence for Violent as most serious conviction in County Court by race/ethnicity

Sentence	Hispanic*	White	Total
(N)	32	18	50
Deferred	19%	33%	24%
Jail	19%	6%	14%
Probation/Intensive Supervision	59%	39%	52%
Unsupervised Probation	3%	22%	10%
Total	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. *Hispanic ethnicity was estimated using a DCJ-developed and validated statistical model; see Ap

District court

Table 3-19 shows the initial sentence by offense type for district court cases in 2018. Probation was the most frequently occurring initial sentence, happening 37% of the time overall. The second most frequently occurring sentence in district court was a Deferred sentence: 25% of Drug cases, 28% of Other cases, 37% of Property cases, and 51% of Violent cases received a deferred sentence.

Table 3-19. Initial sentence in Adult District Court, by most serious conviction charge

Sentence	Drugs	Other	Property	Violent	Total
(N)	84	58	94	43	279
Community Corrections	2%	0%	5%	0%	3%
Deferred	25%	28%	37%	51%	34%
Dept of Corrections	6%	17%	15%	12%	12%
Fines/fees	4%	0%	0%	0%	1%
Jail	13%	12%	16%	14%	14%
Probation/Intensive Supervision	50%	43%	27%	23%	37%
Total	100%	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.

Table 3-20 shows the initial district court sentence by gender. Women were much more likely to receive a deferred judgment compared to men (46% versus 29%, respectively), and more likely to be granted probation (44% compared to 34% for men). Women were also considerably less likely to receive a prison sentence compared to men (4% compared to 16%).

Table 3-20. Initial sentence in Adult District Court by gender

Sentence	Female	Male	Total
(N)	80	199	279
Community Corrections	0%	4%	3%
Deferred	46%	29%	34%
Dept of Corrections	4%	16%	12%
Fines/fees	1%	1%	1%
Jail	5%	18%	14%
Probation/Intensive Supervision	44%	34%	37%
Total	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.

Table 3-21 shows the initial sentence in adult district court by race/ethnicity combining all crime types. When comparing Whites and Hispanics, Hispanics were less likely to receive a jail sentence (11% compared to 17%) but much more likely to receive a probation sentence (44% compared to 31%).

Table 3-21. Initial sentence in Adult District Court by race/ethnicity

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	9	147	2	121	279
Community Corrections	0%	3%	0%	2%	3%
Deferred	44%	31%	100%	35%	34%
Dept of Corrections	22%	11%	0%	13%	12%
Fines/fees	0%	<1%	0%	2%	1%
Jail	22%	11%	0%	17%	14%
Probation/Intensive Supervision	11%	44%	0%	31%	37%
Total	100%	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. *Hispanic ethnicity was estimated using a DCJ-developed and validated statistical model; see Appendix C.

The following four tables show initial district court sentences for each of the four offense categories, by race/ethnicity. Table 3-22 shows the sentences cases received for Drug offenses. The few cases in many categories makes interpreting the results difficult. Tables 3-23, 3-24 and 3-25 have many cells with few cases, so caution must be used when interpreting the results.

Table 3-22. Initial sentence for Drugs as most serious conviction in Adult District Court by race/ethnicity

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	3	51	1	29	84
Community Corrections	0%	4%	0%	0%	2%
Deferred	100%	20%	100%	24%	25%
Dept of Corrections	0%	8%	0%	3%	6%
Fines/fees	0%	2%	0%	7%	4%
Jail	0%	10%	0%	21%	13%
Probation/Intensive Supervision	0%	57%	0%	45%	50%
Total	100%	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. *Hispanic ethnicity was estimated using a DCJ-developed and validated statistical model; see Appendix C.

Table 3-23. Initial sentence for Other as most serious conviction in Adult District Court by race/ethnicity

Sentence	Black/African Am	Hispanic*	White	Total
(N)	2	28	28	58
Deferred	50%	36%	18%	28%
Dept of Corrections	0%	7%	29%	17%
Jail	0%	14%	11%	12%
Probation/Intensive Supervision	50%	43%	43%	43%
Total	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. *Hispanic ethnicity was estimated using a DCJ-developed and validated statistical model; see Appendix C.

Table 3-24. Initial sentence for Property as most serious conviction in Adult District Court by race/ethnicity

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	2	47	1	44	94
Community Corrections	0%	4%	0%	7%	5%
Deferred	0%	34%	100%	41%	37%
Dept of Corrections	50%	17%	0%	11%	15%
Jail	50%	9%	0%	23%	16%
Probation/Intensive Supervision	0%	36%	0%	18%	27%
Total	100%	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.

*Hispanic ethnicity was estimated using a DCJ-developed and validated statistical model; see Appendix C.

Table 3-25. Initial sentence for Violent as most serious conviction in Adult District Court by race/ethnicity

Sentence	Black/African Am	Hispanic*	White	Total
(N)	2	21	20	43
Deferred	0%	48%	60%	51%
Dept of Corrections	50%	10%	10%	12%
Jail	50%	14%	10%	14%
Probation/Intensive Supervision	0%	29%	20%	23%
Total	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.

*Hispanic ethnicity was estimated using a DCJ-developed and validated statistical model; see Appendix C.

Juvenile court

Table 3-26 below reflects the initial sentence for juvenile court cases in 2018, by crime type. Because of the few cases sentenced in juvenile court (n=15), interpretation of the findings is difficult.

Table 3-26. Initial sentence in Juvenile Court, by most serious conviction charge

Sentence	Drugs	Other	Property	Violent	Total
(N)	1	4	5	5	15
Community Service	0%	50%	0%	0%	13%
Deferred	0%	50%	0%	40%	27%
Fines/fees	0%	0%	20%	0%	7%
Probation/Intensive Supervision	100%	0%	80%	60%	53%
Total	100%	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.

Table 3-27 shows the initial sentence in juvenile court by gender. Females were more likely to receive a deferred judgement than males (67% versus 0%, respectively). Again, the few cases makes interpretation difficult.

Table 3-27. Initial sentence in Juvenile Court by gender

Sentence	Female	Male	Total
(N)	3	12	15
Community Service	67%	0%	13%
Deferred	0%	33%	27%
Fines/fees	0%	8%	7%
Probation/Intensive Supervision	33%	58%	53%
Total	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.

Table 3-28 reflects the initial juvenile court sentence by race/ethnicity. Hispanic youth were more likely to receive Community Service, however, there are few cases available for analysis.

Table 3-28. Initial sentence in Juvenile Court by race/ethnicity

Sentence	Hispanic*	White	Total
(N)	8	7	15
Community Service	25%	0%	13%
Deferred	25%	29%	27%
Fines/fees	0%	14%	7%
Probation/Intensive Supervision	50%	57%	53%
Total	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. *Hispanic ethnicity was estimated using a DCJ-developed and validated statistical model; see Appendix C.

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

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

Sentence	Hispanic*	Total
(N)	1	1
Probation/Intensive Supervision	100%	100%
Total	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. *Hispanic ethnicity was estimated using a DCJ-developed and validated statistical model; see Appendix C.

Table 3-30. Initial sentence for Other as most serious conviction in Juvenile Court by race/ethnicity

Sentence	Hispanic*	White	Total
(N)	3	1	4
Community Service	67%	0%	50%
Deferred	33%	100%	50%
Total	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. *Hispanic ethnicity was estimated using a DCJ-developed and validated statistical model; see Appendix C.

Table 3-31. Initial sentence for Property as most serious conviction in Juvenile Court by race/ethnicity

Sentence	Hispanic*	White	Total
(N)	2	3	5
Fines/fees	0%	33%	20%
Probation/Intensive Supervision	100%	67%	80%
Total	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. *Hispanic ethnicity was estimated using a DCJ-developed and validated statistical model; see Appendix C.

Table 3-32. Initial sentence for Violent as most serious conviction in Juvenile Court by race/ethnicity

Sentence	Hispanic*	White	Total
(N)	2	3	5
Deferred	50%	33%	40%
Probation/Intensive Supervision	50%	67%	60%
Total	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.

*Hispanic ethnicity was estimated using a DCJ-developed and validated statistical model; see Appendix C.

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. In fact, in 2018 statewide, 19% of county court cases, 36% of district court cases, and 38% of juvenile court cases had other, concurrent cases mentioned in minute orders or sentencing notes. Finally, in addition to concurrent cases affecting the sentencing outcome of a case, criminal/juvenile history may also influence the final initial sentence.

In county court, 29% of cases received a deferred judgment, 24% received jail sentences and 20% were granted probation. Women were more likely than men to receive a deferred judgment in county court (35% compared to 27%, respectively). Men were more likely than women to receive a jail sentence (28% for men compared to 13% for women), and women were more likely to be granted an initial sentence to probation (23% compared to 19% for men) in county court. Hispanics were less likely than Whites to receive a deferred judgment.

In district court, probation was the most frequently occurring initial sentence, happening in half of cases (37%). The second most frequently occurring sentence in district court was a deferred

sentence: 25% of Drug cases, 28% of Other cases, 37% of Property cases, and 51% of Violent cases received a Deferred sentence. Hispanics were less likely to receive a Jail sentence compared to Whites, and were more likely to receive a Probation sentence compared to Whites. Note the small number of sentences for Black/African Americans and those in the Other race/ethnicity category - analysis of these data is very difficult and should be done with caution.

Juvenile court only sentenced 15 cases in 2018, making interpreting the findings difficult.

Revocations

Cases sentenced in 2018 to probation or a deferred judgment that received a revocation are included in the analyses presented here.¹³ Those sentenced near the end of 2018 may not have had enough time to get revoked. **Note that these are cases, not individuals** and, as previously mentioned, statewide in 2018, 19% of county court cases, 36% of district court cases, and 38% of juvenile court cases had other, concurrent cases mentioned in minute orders or sentencing notes. 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 2018, 24% of adult state probation terminations were the result of a revocation.¹⁴ The revocations presented here may not result in termination from probation supervision. In fact, as previously mentioned, statewide in 2018, across county, adult district, and juvenile district courts, 48% of cases were reinstated, 45% 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, 9% of cases receiving a probation/deferred judgment in 2018 were revoked. Whites were less likely than Hispanics to get revoked in county court, at 5%, compared to 12%. Black/African Americans and those in the Other race/ethnicity category had too few data to analyze. Revocations were most likely to occur when the offense type was Violent.

¹³ Judicial data pertaining to *petitions* to revoke are less reliable than data identifying actual revocations.

¹⁴ See *Judicial Branch Annual Statistical Report, Fiscal Year 2018*, Table 48, page 121.

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

Race/Ethnicity	Offense Type	No	Yes	Total %	Total N
Black/African Am		100%	0%	100%	2
	Other	100%	0%	100%	1
	Property	100%	0%	100%	1
Hispanic*		88%	12%	100%	66
	Drugs	100%	0%	100%	4
	Other	95%	5%	100%	22
	Property	93%	7%	100%	14
	Violent	77%	23%	100%	26
Other		100%	0%	100%	1
	Property	100%	0%	100%	1
White		95%	5%	100%	58
	Drugs	100%	0%	100%	2
	Other	100%	0%	100%	21
	Property	100%	0%	100%	18
	Violent	82%	18%	100%	17
Total		91%	9%	100%	127

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. *Hispanic ethnicity was estimated using a DCJ-developed and validated statistical model; see Appendix C.

Table 3-34 reflects county court revocations by gender. Overall, females in county court were somewhat less likely to get revoked than males (7% compared to 10%, respectively). Females with Violent offenses were revoked in county of court 14% of the time compared to 24% of males with Violent offenses.

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

Gender	Offense Type	No	Yes	Total	Total N
Female		93%	7%	100%	44
	Drugs	100%	0%	100%	1
	Other	100%	0%	100%	15
	Property	93%	7%	100%	14
	Violent	86%	14%	100%	14
Male		90%	10%	100%	83
	Drugs	100%	0%	100%	5
	Other	97%	3%	100%	29
	Property	100%	0%	100%	20
	Violent	76%	24%	100%	29
Total		91%	9%	100%	127

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 (31%, Table 3-35) compared to county court (9%, Table 3-33) in 2018. Whites were less likely than Hispanics to get revoked in county court, at 25%, compared to 36%. Black/African Americans. Hispanics and Whites with Drug offenses were revoked at a rate of 38% and 30%, respectively. Table 3-36 shows that men in adult district court were equally likely as women to

get revoked (31%). Men with property cases were considerably more likely, compared to those with other crime types, to be revoked (54%).

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

Race/Ethnicity	Offense Type	No	Yes	Total	Total N
Black/African Am		100%	0%	100%	5
	Drugs	100%	0%	100%	3
	Other	100%	0%	100%	2
Hispanic*		64%	36%	100%	110
	Drugs	62%	38%	100%	39
	Other	77%	23%	100%	22
	Property	48%	52%	100%	33
	Violent	81%	19%	100%	16
Other		50%	50%	100%	2
	Drugs	100%	0%	100%	1
	Property	0%	100%	100%	1
White		75%	25%	100%	79
	Drugs	70%	30%	100%	20
	Other	94%	6%	100%	17
	Property	62%	38%	100%	26
	Violent	81%	19%	100%	16
Total		69%	31%	100%	196

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. *Hispanic ethnicity was estimated using a DCJ-developed and validated statistical model; see Appendix C.

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

Gender	Offense type	No	Yes	Total	Total N
Female		69%	31%	100%	72
	Drugs	63%	38%	100%	24
	Other	86%	14%	100%	14
	Property	65%	35%	100%	23
	Violent	73%	27%	100%	11
Male		69%	31%	100%	124
	Drugs	69%	31%	100%	39
	Other	85%	15%	100%	27
	Property	46%	54%	100%	37
	Violent	86%	14%	100%	21
Total		69%	31%	100%	196

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, 8% of cases sentenced to probation/deferred judgment in 2018 were revoked (Table 3-37). Table 3-38 presents revocations in juvenile court by gender. There were only 12 instances in Juvenile court available for analysis any analysis should be made with caution.

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

Race/Ethnicity	Offense Type	No	Yes	Total	Total N
Hispanic*		100%	0%	100%	6
	Drugs	100%	0%	100%	1
	Other	100%	0%	100%	1
	Property	100%	0%	100%	2
	Violent	100%	0%	100%	2
White		83%	17%	100%	6
	Other	100%	0%	100%	1
	Property	100%	0%	100%	2
	Violent	67%	33%	100%	3
Total		92%	8%	100%	12

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. *Hispanic ethnicity was estimated using a DCJ-developed and validated statistical model; see Appendix C.

Table 3-38. Revocations from Probation/Deferred in Juvenile Court, by gender and most serious conviction charge

Gender	Offense Type	No	Yes	Total	Total N
Female		0%	100%	100%	1
	Violent	0%	100%	100%	1
Male		100%	0%	100%	11
	Drugs	100%	0%	100%	1
	Other	100%	0%	100%	2
	Property	100%	0%	100%	4
	Violent	100%	0%	100%	4
Total		92%	8%	100%	12

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: Revocations. Cases sentenced in 2018 to probation or a deferred judgment that received a revocation are included in the analyses presented here. **Note that these are cases, not individuals** and, as previously mentioned, statewide in 2018, 19% of county court cases, 36% of district court cases, and 38% of juvenile court cases had other, concurrent cases mentioned in minute orders or sentencing notes. Counting cases and not individuals is likely to inflate the proportion of revocations presented in these analyses. The revocation information, therefore, should be interpreted with caution.

In addition, not all revocations result in termination from supervision. Statewide in 2018, across all court types and for those with a probation or a deferred judgment sentence, 48% of cases with a revocation were reinstated, 45% were not reinstated, and for the remaining 7% the outcome was unclear.

In county court in 2018, 9% of cases receiving a probation/deferred judgment were revoked. Whites were less likely than Hispanics to be revoked in county court, at 5%, compared to 12%. Black/African Americans and those in the Other race/ethnicity category had too few data to analyze. Revocations were most likely to occur when the offense type was Violent.

In district court, 31% of cases were revoked. Whites were less likely than Hispanics to get revoked in county court, at 25%, compared to 36%. Black/African Americans. Hispanics and Whites with Drug offenses were revoked at a rate of 38% and 30%, respectively.

In juvenile court, 8% of cases were revoked. However, there were only 12 cases in the revocation analysis, so it is difficult to interpret this information.

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

Appendix C

Statistical Model for Classifying Hispanic Ethnicity

Court records in the Judicial Branch's ICON system do not distinguish between race and ethnicity. As a result, the Hispanic category underrepresents the true proportion of Hispanics in the court data system. In addition, the White category is overrepresented because Hispanics are most often coded as White. Finally, the arrest data are plagued with random misclassifications of race and ethnicity, and both random and non-random missing race/ethnicity data.

To address this problem of unreliable race/ethnicity information in the source data, an estimate of Hispanic ethnicity was developed using C50, a decision tree-based methodology that identifies important variables and generates rules to partition individuals into those having the characteristic of interest and those who do not.

Building a statistical model to predict Hispanic ethnicity requires a data set with the true outcome (Hispanic ethnicity) already known so that the performance of the model can be measured. Since the ICON data do not have Hispanic ethnicity consistently recorded, another criminal justice data source was needed. Data from the Department of Corrections were used to build the prediction model because it contained self-reported ethnicity for offenders. These records were matched by name, date of birth (DOB), and SID (State Identification number) to court records to construct the variables numbered 3 and 4 below.

The variables provided to the model included:

1. Hispanic ethnicity of the person's last name using the Census Bureau's Hispanic names list
2. Gender
3. Proportion of court cases in which the person is labeled Hispanic
4. Proportion of court cases in which the person is labeled Native American

The sample was split into 2/3 for development of the model and 1/3 for validation of the results. C50 selected Hispanic Name, the proportion of Hispanic cases in an individual's history, and the proportion of Native American cases in an individual's history for use in the final prediction model.

The development model achieved an AUC (Area Under the Curve) of .95 and the validation AUC was also .95.¹⁵ The validation AUC for females was slightly lower at .91. Females often change their last name at marriage and the Hispanic name indicator was the most important variable in the model. The overall predictive accuracy was 94% for both development and validation data sets.

As an additional check, the 2018 cohort of those receiving a DOC sentence and predicted to be Hispanic was compared to the development dataset's proportion of Hispanics in DOC. In the

¹⁵ AUC is a measure of discrimination between the event of interest and the non-event, ranging from 0-1; 1 means the prediction model perfectly discriminates between the event of interest and the non-event.

ICON data, 35% were predicted to be Hispanic, and this compared to 32% Hispanic in the DOC data. Because persons can have more than one court case at a time in ICON, the higher percentage predicted in ICON was determined acceptable.

For more information about the technical details of the methodology, contact the Office of Research and Statistics.