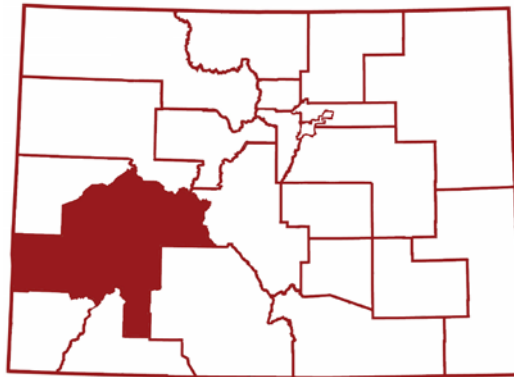# CLEAR Act: 2018

Community Law Enforcement Action Reporting Act

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7th Judicial District

Race/ethnicity estimates for those ages 10 and above, 2018: 7th Judicial District

Age Group	Race/Ethnicity	Percent	Total
Adult		**89%**	**82,901**
	Black/African Am	<1%	567
	Hispanic	13%	10,844
	Other	2%	1,361
	White	85%	70,130
Juvenile		**11%**	**10,561**
	Black/African Am	<1%	103
	Hispanic	25%	2,619
	Other	1%	153
	White	73%	7,686
Total		**100%**	**93,462**

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

Prepared by

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COLORADO
Division of Criminal Justice
Department of Public Safety

Table of Contents

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 arrest and court processing information for calendar year 2018 for the 7th Judicial District.

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 study presents information for calendar year 2018.

This study presents arrest and court processing information for calendar year 2018 for the 7th 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, the population of those ages 10 and above in the 7th Judicial District was 93,462. The adult population was comprised as follows:
- White, 85%;
- Black/African American; <1%;
- Hispanic, 13%; and
- Other, 2%.

The juvenile population was comprised as follows:
- White, 73%;
- Black, <1%;
- Hispanic, 25%; and
- Other, 1%.

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

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[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.

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 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 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 data[3]. 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, law enforcement made/issued 4,250 arrests/summonses. 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 8% of all arrests/summonses while Violent crimes accounted for 13% of arrests/summonses, Property offenses accounted for 12% of arrests/summonses, and the remainder of arrests/summonses (67%) fell into the Other crime category. Hispanics represented 14% of the population and 22% of arrests/summonses.

Court filings. This study of 3,096 case filings in county, district, and juvenile courts combined found that while Hispanic adults made up 13% of the adult population but had 22% of district court filings in 2018 and 24% of county court filings. Hispanic juveniles made up 25% of the population and 24% of juvenile court filings. 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 and Drug crimes and slightly less likely to be involved in Violent offenses. Less than 1% of cases completed a trial in 2018. 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 <u>include</u> 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, 33% of cases in county court were dismissed, as were 21% of cases in district court and 32% of cases in juvenile court. One-third (33%) of county court cases were convicted as charged compared to 25% in district court and 38% in juvenile court. One-quarter (27%) of county court cases were convicted of a different charge, as were 17% of district court cases, and 20% of juvenile court cases.

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[3] The S.B. 15-185 2017 report used NIBRS arrest data to identify race/ethnicity in the court data.

Initial court sentences. The analyses undertaken reflect the most serious initial sentences; these can be later modified, such as when jail is added as part of a probation revocation. Additionally, individuals may have multiple cases for which they are sentenced simultaneously. The sentence given in one case may not truly reflect the seriousness of the case as the more serious sentence may be recorded in another case as part of a plea agreement. In fact, statewide in 2018, 19% of county court cases, 36% of district court cases, and 39% 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 initial sentence.

Women were significantly more likely than men to receive a deferred judgment in county court (28% compared to 16%, respectively). Men were more likely than women to receive a jail sentence (24% for men compared to 13% for women), and men were more likely to be granted an initial sentence to probation (28% compared to 22% for women) in county court. The few numbers of cases involving Black/African Americans and those in the Other race/ethnicity category make it difficult to interpret the county court initial sentence findings.

In district court, probation was the most frequently occurring initial sentence, happening in 44% of cases. Women were more likely than men to receive a deferred judgment (28% compared to 13%, respectively). Overall Hispanics were slightly more likely than Whites to receive a prison sentence (19% compared to 16%, respectively). Nineteen percent of Hispanics with Drug charges were sentenced to the Department of Corrections compared to 12% of Whites. Over half of initial sentences for Black/African Americans were to probation supervision compared to 44% overall, but the few cases involving Black/African Americans (n=10) means this must be interpreted with caution.

As with county and district court, initial sentences to probation were the most frequently occurring sentence: 50% of initial sentences were to probation, while 30% of cases were granted a deferred judgment. Females were more likely to receive a deferred judgement than males (38% versus 28%, respectively).

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. In 2018 statewide, 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, 15% of cases receiving a probation/deferred judgment in county court in 2018 were revoked. Black/African Americans and Hispanics were slightly more likely to be revoked compared to the overall revocation rate (22% and 19%, respectively, compared to 15% overall),

however, the few numbers of Black/African American cases (n=9) means this information must be interpreted with caution. Females in county court were less likely to get revoked than males (11% compared to 16%, respectively). Men and women with property crimes were slightly more likely to be revoked (20% compared to 16%, respectively).

Revocations from probation/deferred judgments occurred slightly more frequently in district court (16%) compared to county court (15%) in 2018. Black/African Americans were most likely to be revoked (38% compared to 16% overall), but the few cases (n=8) means that this information must be interpreted with caution. Women in adult district court were less likely than men to get revoked (11% compared to 19%, respectively). Men and women with Drug cases were more likely, compared to other crime types, to get revoked.

In juvenile court, 16% of cases sentenced to probation/deferred judgment in 2018 were revoked. Compared to Whites, Hispanics were much more likely to get revoked (38% compared to 8%), however, the few Hispanic cases (n=21) means this information must be interpreted with caution. Females were revoked at a rate of 22% compared to 14% for males. Comparing across crime types, those with Other crimes were most likely to be revoked (50% for women and 20% for men).

Overall summary. In 2018, arrests/summonses for Drug offenses accounted for 8% of all arrests/summonses while Violent crimes accounted for 13% of arrests/summonses, Property offenses accounted for 12% of arrests/summonses, and the remainder of arrests/summonses (67%) fell into the Other crime category. Hispanics represented 14% of the population and 22% of arrests/summonses.

Hispanic adults made up 13% of the adult population in the 7th Judicial District but had 22% of district court filings in 2018 and 24% of county court filings. Hispanic juveniles made up 25% of the population and 24% of juvenile court filings. 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 and Drug crimes and slightly less likely to be involved in Violent offenses. Less than 1% of cases completed a trial in 2018.

In terms of court case outcomes, 33% of cases in county court were dismissed, as were 21% of cases in district court and 32% of cases in juvenile court. One-third (33%) of county court cases were convicted as charged compared to 25% in district court and 38% in juvenile court. One-quarter (27%) of county court cases were convicted of a different charge, as were 17% of district court cases, and 20% of juvenile court cases.

In terms of initial sentences, women were significantly more likely than men to receive a deferred judgment in county court (28% compared to 16%, respectively). Men were more likely than women to receive a jail sentence (24% for men compared to 13% for women), and men were more likely to be granted an initial sentence to probation (28% compared to 22% for women) in county court. The few numbers of cases involving Black/African Americans and those in the Other race/ethnicity category make it difficult to interpret the county court initial sentence findings.

In district court, probation was the most frequently occurring initial sentence, happening in 44% of cases. Women were more likely than men to receive a deferred judgment (28% compared to 13%, respectively). Overall Hispanics were slightly more likely than Whites to receive a prison sentence (19% compared to 16%, respectively). Nineteen percent of Hispanics with Drug charges were sentenced to the Department of Corrections compared to 12% of Whites. Over half of initial sentences for Black/African Americans were to probation supervision compared to 44% overall, but the few cases involving Black/African Americans (n=10) means this must be interpreted with caution.

As with county and district court, initial sentences to probation in juvenile court were the most frequently occurring sentence: 50% of initial sentences were to Probation, while 30% of cases were granted a deferred judgment. Females were more likely to receive a deferred judgement than males (38% versus 28%, respectively).

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 the 7th Judicial District 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

This report is presented to the Judiciary Committees of the General Assembly in tandem with the data dashboard that provides information by offense type, and includes a feature that shows the initial sentence by number of prior cases. 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 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

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[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).

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.

Finally, the Colorado Department of Local Affairs, Office of the State Demographer, estimated that the population in 2018 in the 7th Judicial District for residents ages 10 and over was 93,462 and was comprised as follows:

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

Age Group	Race/Ethnicity	Percent	Total
Adult		**89%**	**82,901**
	Black/African Am	<1%	567
	Hispanic	13%	10,844
	Other	2%	1,361
	White	85%	70,130
Juvenile		**11%**	**10,561**
	Black/African Am	<1%	103
	Hispanic	25%	2,619
	Other	1%	153
	White	73%	7,686
Total		**100%**	**93,462**

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 7th Judicial District 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;

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[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.

- 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 arrest that involves an outstanding warrant and physical restraint). More than 4,200 NIBRS incidents in the 7th Judicial District were analyzed for calendar year 2018 (Table 1-2).

Table 1-2. Arrests by type, 2018

Arrest Type	Percent	Total
Custody/ warrant	37%	1,554
On-view/ probable cause	30%	1,270
Summons	34%	1,426
Total	**100%**	**4,250**

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 in the 7th Judicial District can be seen in Table 1-3.

Table 1-3. Court of case filing, 2018

Court	Percent	Total
Adult District	35%	1,088
County	60%	1,860
Juvenile	5%	148
Total	**100%**	**3,096**

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.

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[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.

[7] Denver County Court is not part of ICON.

Note that the information presented here reflects the analysis of more than 3,096 **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 categories[9] 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.

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.

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[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.

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/summonses captured in the Colorado Bureau of Investigation's National Incident Based Reporting System (NIBRS) for calendar year 2018 for the 7th Judicial District.

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

Crime Type	Percent	Total
Drugs	8%	360
Other	67%	2,852
Property	12%	492
Violent	13%	546
Total	**100%**	**4,250**

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

Table 2-2 reflects 4,250 arrests/summonses captured in NIBRS for calendar year 2018, by race/ethnicity. Black/African Americans represented <1% of the population in 2018, and accounted for 1% of arrests/summonses. Hispanics represented 14% of the population and accounted for 22% of arrests. The Other race/ethnicity category represented 2% of the population, and were underrepresented in arrests (1%), as were Whites, who represented 83% of the population and 76% of arrests/summonses.

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

Race/Ethnicity	Percent	Total
Black/African Am	1%	54
Hispanic*	22%	921
Other	1%	48
White	76%	3,227
Total	**100%**	**4,250**

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 2% of on view/probable cause arrests, and that 34% of those arrests were for violent crimes, a proportion greater than adults (27%). Juveniles accounted for 2% of custody/warrant arrests (Table 2-4). Overall, juveniles were more likely to get summoned than arrested; they accounted for 21% of summonsed cases (Table 2-5). Not surprisingly, violent offenses were least likely to result in a summons for adults and juveniles (Table 2-5).

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

Age Group	Crime type	Percent	Total
Adult		**98%**	**1,241**
	Drugs	9%	112
	Other	58%	725
	Property	6%	74
	Violent	27%	330
Juvenile		**2%**	**29**
	Drugs	14%	4
	Other	28%	8
	Property	24%	7
	Violent	34%	10
Total		**100%**	**1,270**

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 Group	Crime type	Percent	Total
Adult		**98%**	**1,529**
	Drugs	5%	84
	Other	84%	1,279
	Property	4%	58
	Violent	7%	108
Juvenile		**2%**	**25**
	Drugs	4%	1
	Other	80%	20
	Violent	16%	4
Total		**100%**	**1,554**

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 Group	Crime type	Percent	Total
Adult		**79%**	**1,133**
	Drugs	9%	103
	Other	56%	634
	Property	28%	317
	Violent	7%	79
Juvenile		**21%**	**293**
	Drugs	19%	56
	Other	63%	186
	Property	12%	36
	Violent	5%	15
Total		**100%**	**1,426**

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 9% of probable cause arrests were for Drug related offenses, 58% were for Other offenses, 6% for Property offenses, and 27% for Violent offenses. While Hispanics made up 14% of the population, Table 2-6 shows that they were arrested at a rate of 22%-26% (depending on crime type) for probable cause arrests in 2018.

The other arrest type, where an individual is taken into custody on an outstanding warrant, is depicted in Table 2-7. Over 80% of these arrests involved an offense that fell into the Other category. While only 7% of these types of arrests involved a Violent offense, Hispanics made up 24% of Violent crime arrests. Hispanics made up 32% of Drug custody/warrant arrests.

Table 2-8 shows that summons were less likely to be issued for Violent offenses (7%) compared to Other (58%) and Property (25%) and that, of those summons issued for Violent crimes, 17% went to Hispanics.

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

Crime type	Race/ Ethnicity	Percent	Total
Drugs		**9%**	**116**
	Black/African Am	<1%	1
	Hispanic*	22%	26
	Other	3%	4
	White	73%	85
Other		**58%**	**733**
	Black/African Am	<1%	7
	Hispanic*	22%	159
	Other	<1%	7
	White	76%	560
Property		**6%**	**81**
	Black/African Am	1%	1
	Hispanic*	26%	21
	White	73%	59
Violent		**27%**	**340**
	Black/African Am	<1%	2
	Hispanic*	23%	77
	Other	1%	5
	White	75%	256
Total		**100%**	**1,270**

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

Crime type	Race/Ethnicity	Percent	Total
Drugs		**5%**	**85**
	Black/African Am	1%	1
	Hispanic*	32%	27
	White	67%	57
Other		**84%**	**1,299**
	Black/African Am	2%	21
	Hispanic*	22%	282
	Other	2%	27
	White	75%	969
Property		**4%**	**58**
	Black/African Am	3%	2
	Hispanic*	21%	12
	White	76%	44
Violent		**7%**	**112**
	Black/African Am	2%	2
	Hispanic*	24%	27
	White	74%	83
Total		**100%**	**1,554**

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

Crime type	Race/Ethnicity	Percent	Total
Drugs		**11%**	**159**
	Hispanic*	19%	30
	Other	1%	2
	White	80%	127
Other		**58%**	**820**
	Black/African Am	1%	12
	Hispanic*	20%	168
	Other	<1%	2
	White	78%	638
Property		**25%**	**353**
	Black/African Am	1%	5
	Hispanic*	22%	76
	White	77%	272
Violent		**7%**	**94**
	Hispanic*	17%	16
	Other	1%	1
	White	82%	77
Total		**100%**	**1,426**

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. Overall, women constituted approximately 21-40% of arrests/summonses (depending on the crime category) and men comprised the remainder.

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

Crime type	Gender	Percent	Total
Drugs		**9%**	**116**
	Female	28%	32
	Male	72%	84
Other		**58%**	**733**
	Female	21%	151
	Male	79%	582
Property		**6%**	**81**
	Female	25%	20
	Male	75%	61
Violent		**27%**	**340**
	Female	28%	96
	Male	72%	244
Total		**100%**	**1,270**

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

Crime type	Gender	Percent	Total
Drugs		**5%**	**85**
	Female	28%	24
	Male	72%	61
Other		**84%**	**1,299**
	Female	28%	363
	Male	72%	936
Property		**4%**	**58**
	Female	40%	23
	Male	60%	35
Violent		**7%**	**112**
	Female	27%	30
	Male	73%	82
Total		**100%**	**1,554**

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

Crime type	Gender	Percent	Total
Drugs		**11%**	**159**
	Female	34%	54
	Male	66%	105
Other		**58%**	**820**
	Female	30%	249
	Male	70%	571
Property		**25%**	**353**
	Female	38%	135
	Male	62%	218
Violent		**7%**	**94**
	Female	35%	33
	Male	65%	61
Total		**100%**	**1,426**

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 4,250 arrests/summonses. 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 8% of all arrests/summonses while Violent crimes accounted for 13% of arrests/summonses, Property offenses accounted for 12% of arrests/summonses, and the remainder of arrests/summonses (67%) fell into the Other crime category. Hispanics represented 14% of the population and 22% of arrests/summonses.

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 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 <u>include</u> attempts, solicitations, and conspiracies.

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

Case Filings

Overall

Table 3-1 depicts race/ethnicity distribution for 3,096 case filings in county, adult district, and juvenile courts combined for the 7th Judicial District in calendar year 2018. Hispanics represented 14% of the population, 22% of arrests/summonses, and 23% of case filings. Note that these cases are not necessarily the same cases in the **Law enforcement data** section above.

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[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	1%	36
Hispanic*	23%	726
Other	2%	63
White	73%	2,271
Total	**100%**	**3,096**

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 13% of cases, and Violent charges comprised the largest category at 40% of charges filed. The race/ethnicity distribution is generally consistent across crime types.

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

Crime type	Race/Ethnicity	Percent	Total
Drugs		**13%**	**404**
	Black/African Am	1%	5
	Hispanic*	24%	98
	Other	2%	10
	White	72%	291
Other		**26%**	**810**
	Black/African Am	2%	13
	Hispanic*	27%	220
	Other	3%	23
	White	68%	554
Property		**21%**	**638**
	Black/African Am	2%	11
	Hispanic*	21%	132
	Other	<1%	6
	White	77%	489
Violent		**40%**	**1,244**
	Black/African Am	<1%	7
	Hispanic*	22%	276
	Other	2%	24
	White	75%	937
Total		**100%**	**3,096**

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, 26% of filings were females and 74% were males. Females were slightly more likely than men to be involved in Property crimes (23% compared to 20%, respectively) and Drug crimes (17% compared to 12%, respectively) and slightly less to be involved in Violent offenses (38% compared to 41%, respectively).

Table 3-3. Most serious filing charge by gender

Gender	Crime type	Percent	Total
Female		**26%**	**796**
	Drugs	17%	135
	Other	21%	171
	Property	23%	184
	Violent	38%	306
Male		**74%**	**2,300**
	Drugs	12%	269
	Other	28%	639
	Property	20%	454
	Violent	41%	938
Total		**100%**	**3,096**

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 court had the most cases in 2018, with 60% of the total. Hispanics represented 14% of the population in the 7th Judicial District in 2018 but had 24% of county court filings, 22% of district court filings, and 24% of juvenile court filings in 2018.

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

Court	Race/ Ethnicity	Percent	Total
Adult District		**35%**	**1,088**
	Black/African Am	1%	11
	Hispanic*	22%	244
	Other	2%	22
	White	75%	811
County		**60%**	**1,860**
	Black/African Am	1%	24
	Hispanic*	24%	446
	Other	2%	40
	White	73%	1,350
Juvenile		**5%**	**148**
	Black/African Am	<1%	1
	Hispanic*	24%	36
	Other	<1%	1
	White	74%	110
Total		**100%**	**3,096**

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. Half (51%) of county court cases were Violent offenses (primarily misdemeanor assault); Property offenses (31%) and Drug cases (25%) comprised the largest categories of cases in adult district court; and Property crimes made up nearly one-third (31%) 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 (25%) and juvenile court (12%).

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

Court	Crime type	Percent	Total
Adult District		35%	1,088
	Drugs	25%	268
	Other	24%	259
	Property	31%	333
	Violent	21%	228
County		60%	1,860
	Drugs	7%	126
	Other	28%	520
	Property	14%	259
	Violent	51%	955
Juvenile		5%	148
	Drugs	7%	10
	Other	21%	31
	Property	31%	46
	Violent	41%	61
Total		100%	3,096

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		35%	1,088
	Female	25%	275
	Male	75%	813
County		60%	1,860
	Female	27%	503
	Male	73%	1,357
Juvenile		5%	148
	Female	12%	18
	Male	88%	130
Total		100%	3,096

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. In fact, in 2018 in the 7th Judicial District, there were only seven trials, all in county court. Table 3-8 combines information across court types and shows the number of trials completed by offense type. 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	Percent	Total
Adult District		**35%**	**1,088**
	No	100%	1,088
County		**60%**	**1,860**
	No	100%	1,853
	Yes	<1%	7
Juvenile		**5%**	**148**
	No	100%	148
Total		**100%**	**3,096**

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		**13%**	**404**
	No	100%	403
	Yes	<1%	1
Other		**26%**	**810**
	No	100%	810
Property		**21%**	**638**
	No	100%	638
Violent		**40%**	**1,244**
	No	100%	1,238
	Yes	<1%	6
Total		**100%**	**3,096**

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 3,096 case filings in county, district, and juvenile courts combined found that while Hispanic adults made up 13% of the adult population but had 22% of district court filings in 2018 and 24% of county court filings. Hispanic juveniles made up 25% of the population and 24% of juvenile court filings. 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 and Drug crimes and slightly less likely to be involved in Violent offenses. Less than 1% of 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 nearly one-third (32%) 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 33% of cases were convicted as charged, and one-quarter (25%) were convicted of another crime. In adult district court (Table 3-10), 47% were convicted of another crime and one-fourth (25%) were convicted as charged. In juvenile court (Table 3-11), 25% were convicted of another offense and 38% were convicted as charged.

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

Race/Ethnicity	Crime type	Convicted as charged	Convicted other crime	Dismissed /not guilty	Not yet resolved/ Case closed	Total	Total N
Black/African Am		**33%**	**8%**	**38%**	**21%**	**100%**	**24**
	Drugs	100%	0%	0%	0%	100%	1
	Other	36%	18%	27%	18%	100%	11
	Property	14%	0%	71%	14%	100%	7
	Violent	40%	0%	20%	40%	100%	5
Hispanic*		**28%**	**26%**	**29%**	**17%**	**100%**	**446**
	Drugs	56%	12%	20%	12%	100%	25
	Other	34%	31%	17%	18%	100%	149
	Property	28%	18%	39%	15%	100%	61
	Violent	21%	27%	35%	17%	100%	211
Other		**30%**	**18%**	**38%**	**15%**	**100%**	**40**
	Drugs	67%	0%	0%	33%	100%	3
	Other	19%	25%	44%	13%	100%	16
	Property	50%	0%	50%	0%	100%	2
	Violent	32%	16%	37%	16%	100%	19
White		**26%**	**23%**	**35%**	**15%**	**100%**	**1,350**
	Drugs	35%	18%	36%	11%	100%	97
	Other	31%	30%	26%	13%	100%	344
	Property	25%	24%	33%	17%	100%	189
	Violent	23%	21%	39%	17%	100%	720
Total		**27%**	**24%**	**33%**	**16%**	**100%**	**1,860**

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. One-fifth (21%) of cases filed in district court had all charges dismissed (fewer than 1% of those in this category were not

guilty). Black/African Americans were most likely to have the case dismissed (27%), especially Violent offenses (50%), however, the few cases (n=11) means this information must be interpreted with caution.

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

Race/Ethnicity	Crime type	Convicted as charged	Convicted other crime	Dismissed not guilty	Not yet resolved/ case closed	Total	Total N
Black/African Am		**36%**	**18%**	**27%**	**18%**	**100%**	**11**
	Drugs	25%	25%	50%	0%	100%	4
	Other	0%	0%	0%	100%	100%	2
	Property	100%	0%	0%	0%	100%	3
	Violent	0%	50%	50%	0%	100%	2
Hispanic*		**17%**	**27%**	**18%**	**38%**	**100%**	**244**
	Drugs	13%	29%	14%	44%	100%	70
	Other	20%	30%	23%	27%	100%	66
	Property	23%	23%	18%	37%	100%	62
	Violent	13%	26%	17%	43%	100%	46
Other		**5%**	**27%**	**14%**	**55%**	**100%**	**22**
	Drugs	0%	29%	14%	57%	100%	7
	Other	0%	29%	14%	57%	100%	7
	Property	25%	50%	0%	25%	100%	4
	Violent	0%	0%	25%	75%	100%	4
White		**18%**	**29%**	**22%**	**32%**	**100%**	**811**
	Drugs	20%	29%	19%	32%	100%	187
	Other	19%	22%	31%	28%	100%	184
	Property	16%	28%	23%	33%	100%	264
	Violent	16%	35%	12%	36%	100%	176
Total		**17%**	**28%**	**21%**	**34%**	**100%**	**1,088**

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 32% of cases filed, while 20% of cases were convicted as charged and 28% were convicted of a different crime. Hispanics were more likely to have the case dismissed (39% compared to 32% overall). Caution should be used when interpreting the findings when the number of cases in a category is small.

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

Race/Ethnicity	Crime type	Convicted as charged	Convicted other crime	Dismissed /not guilty	Not yet resolved/ case closed	Total	Total N
Black/African Am		**0%**	**0%**	**100%**	**0%**	**100%**	**1**
	Drugs	0%	0%	0%	0%	0%	0
	Other	0%	0%	0%	0%	0%	0
	Property	0%	0%	100%	0%	100%	1
	Violent	0%	0%	0%	0%	0%	0
Hispanic*		**22%**	**22%**	**39%**	**17%**	**100%**	**36**
	Drugs	33%	33%	0%	33%	100%	3
	Other	40%	0%	40%	20%	100%	5
	Property	22%	11%	44%	22%	100%	9
	Violent	16%	32%	42%	11%	100%	19
Other		**0%**	**0%**	**0%**	**100%**	**100%**	**1**
	Drugs	0%	0%	0%	0%	0%	0
	Other	0%	0%	0%	0%	0%	0
	Property	0%	0%	0%	0%	0%	0
	Violent	0%	0%	0%	100%	100%	1
White		**20%**	**30%**	**29%**	**21%**	**100%**	**110**
	Drugs	57%	29%	14%	0%	100%	7
	Other	19%	31%	42%	8%	100%	26
	Property	19%	36%	25%	19%	100%	36
	Violent	15%	24%	27%	34%	100%	41
Total		**20%**	**28%**	**32%**	**20%**	**100%**	**148**

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, 33% of cases in county court were dismissed, as were 21% of cases in district court and 32% of cases in juvenile court. One-third (33%) of county court cases were convicted as charged compared to 25% in district court and 38% in juvenile court. One-quarter (27%) of county court cases were convicted of a different charge, as were 17% of district court cases, and 20% of juvenile court cases.

Initial Sentences

The tables below show cases sentenced in the 7th 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 <u>most serious initial sentence</u>. For example, the sentence of fines means that no more serious sentence was found. The same is true for credit for time served and community service.

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

Additionally, individuals may have multiple cases for which they are sentenced simultaneously. The sentence given in one case may not truly reflect the seriousness of the case as the more serious sentence may be recorded in another case as part of a plea agreement. In fact, 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.

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. Deferred judgments were used in 19% of county court cases, and probation was issued in 27% of cases. Cases with Drugs as the most serious charge were most likely to receive sentences of either community service or fees/fines.

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

Sentence	Crime type	Percent	Total
Community Corrections		**<1%**	**1**
	Violent	100%	1
Community Service		**11%**	**111**
	Drugs	33%	37
	Other	37%	41
	Property	14%	16
	Violent	15%	17
Deferred		**19%**	**201**
	Drugs	2%	4
	Other	20%	41
	Property	22%	44
	Violent	56%	112
Fines/fees		**17%**	**175**
	Drugs	27%	47
	Other	60%	105
	Property	10%	17
	Violent	3%	6
Jail		**21%**	**215**
	Drugs	<1%	2
	Other	43%	93
	Property	16%	35
	Violent	40%	85
Probation/Intensive Supervision		**27%**	**274**
	Drugs	1%	3
	Other	34%	92
	Property	9%	26
	Violent	56%	153
Unsupervised Probation		**5%**	**54**
	Drugs	4%	2
	Other	39%	21
	Property	28%	15
	Violent	30%	16
Total		**100%**	**1,031**

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 considerably more likely than men to receive a deferred judgment in county court (28% compared to 16%, respectively). Men were more likely than women to receive a jail sentence (24% for men compared to 13% for women), and men were more likely to be granted an initial sentence to probation (28% compared to 22% for women).

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

Sentence	Female	Male	Total
(N)	270	761	1,031
Community Corrections	0%	<1%	<1%
Community Service	12%	10%	11%
Deferred	28%	16%	19%
Fines/fees	20%	16%	17%
Jail	13%	24%	21%
Probation/Intensive Supervision	22%	28%	27%
Unsupervised Probation	6%	5%	5%
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. Those in the Other race/ethnicity category totaled only 16 cases, so this information must be interpreted with caution, along with the findings for Black/African Americans (n=12). Hispanics were less likely to receive a deferred judgment compared to Whites (14% compared to 21%, respectively. Hispanics were more likely compared to Whites to receive a jail sentence in county court (24% compared to 20%, respectively).

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

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	12	263	16	740	1,031
Community Corrections	0%	<1%	0%	0%	<1%
Community Service	17%	12%	19%	10%	11%
Deferred	50%	14%	19%	21%	19%
Fines/fees	8%	19%	6%	17%	17%
Jail	0%	24%	19%	20%	21%
Probation/Intensive Supervision	25%	27%	25%	26%	27%
Unsupervised Probation	0%	4%	13%	6%	5%
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. Sentences of community service and fines/fees were the most common sentences for Drug cases.

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

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	1	24	1	69	95
Community Service	100%	42%	0%	38%	39%
Deferred	0%	0%	0%	6%	4%
Fines/fees	0%	54%	100%	48%	49%
Jail	0%	0%	0%	3%	2%
Probation/Intensive Supervision	0%	4%	0%	3%	3%
Unsupervised Probation	0%	0%	0%	3%	2%
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 3-16 shows the initial county court sentence for those cases with Other as the most serious conviction charge. Because of the few cases involving Black/African Americans and those falling into the Other race/ethnicity category, caution must be used when interpreting the findings. Hispanics received a deferred judgment at a rate of 5% compared to 12% for Whites, and Hispanics received a jail sentence at a rate of 28% compared to 23% for Whites. Table 3-17 provides information on the initial sentence in county court for Property offenses and Table 3-18 depicts the initial sentence for Violent offenses in county court.

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

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	4	112	7	270	393
Community Service	25%	14%	29%	8%	10%
Deferred	50%	5%	14%	12%	10%
Fines/fees	25%	29%	0%	27%	27%
Jail	0%	28%	14%	23%	24%
Probation/Intensive Supervision	0%	18%	29%	26%	23%
Unsupervised Probation	0%	6%	14%	5%	5%
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 3-17. Initial sentence for <u>Property</u> as most serious conviction in County Court by race/ethnicity

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	2	42	1	108	153
Community Service	0%	12%	0%	10%	10%
Deferred	100%	31%	100%	26%	29%
Fines/fees	0%	7%	0%	13%	11%
Jail	0%	24%	0%	23%	23%
Probation/Intensive Supervision	0%	21%	0%	16%	17%
Unsupervised Probation	0%	5%	0%	12%	10%
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 <u>Violent</u> as most serious conviction in County Court by race/ethnicity

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	5	85	7	293	390
Community Corrections	0%	1%	0%	0%	<1%
Community Service	0%	1%	14%	5%	4%
Deferred	40%	21%	14%	31%	29%
Fines/fees	0%	1%	0%	2%	2%
Jail	0%	26%	29%	21%	22%
Probation/Intensive Supervision	60%	48%	29%	37%	39%
Unsupervised Probation	0%	1%	14%	5%	4%
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.

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 almost half (44%) of the time overall, and 50% of the time for Drug cases. Deferred judgments were issued 16% of the time overall, and in 20% of Property cases.

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

Sentence	Drugs	Other	Property	Violent	Total
(N)	159	192	197	150	698
Community Corrections	9%	9%	12%	5%	9%
Community Service	3%	0%	0%	0%	<1%
Deferred	13%	13%	20%	19%	16%
Dept of Corrections	13%	22%	15%	13%	16%
Fines/fees	0%	4%	1%	0%	1%
Jail	12%	18%	10%	13%	13%
Probation/Intensive Supervision	50%	35%	43%	49%	44%
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 (28% versus 13%, respectively), and more likely to be granted probation (55% compared to 40% for men). Women were less likely to receive a jail sentence (9%) compared to men (14%), and also considerably less likely to receive a prison sentence compared to men (4% compared to 19%).

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

Sentence	Female	Male	Total
(N)	146	552	698
Community Corrections	1%	11%	9%
Community Service	1%	<1%	<1%
Deferred	28%	13%	16%
Dept of Corrections	4%	19%	16%
Fines/fees	<1%	1%	1%
Jail	9%	14%	13%
Probation/Intensive Supervision	55%	40%	44%
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. Nearly one-fifth (19%) of initial sentences for Hispanics were to the Department of Corrections compared to 16% for Whites. Over half (60%) of initial sentences for Black/African Americans were to probation supervision, however caution must be used when interpreting the findings when there are few cases (n=10).

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

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	10	157	12	519	698
Community Corrections	0%	11%	8%	8%	9%
Community Service	0%	0%	0%	<1%	<1%
Deferred	20%	16%	17%	16%	16%
Dept of Corrections	10%	19%	8%	16%	16%
Fines/fees	0%	1%	8%	1%	1%
Jail	10%	13%	8%	13%	13%
Probation/Intensive Supervision	60%	39%	50%	44%	44%
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. Hispanics were less likely to receive a deferred judgement than Whites for Drug offenses (9% compared to 14%, respectively). Nineteen percent (19%) of Hispanics charged with Drug crimes were sentenced to the Department of Corrections compared to 12% of Whites. For Other, Property and Violent offenses, see Tables 3-23, 3-24 and 3-25. Care must be taken when considering the findings when the categories have few cases.

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

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	3	32	2	122	159
Community Corrections	0%	19%	0%	7%	9%
Community Service	0%	0%	0%	4%	3%
Deferred	0%	9%	50%	14%	13%
Dept of Corrections	0%	19%	0%	12%	13%
Jail	33%	9%	50%	11%	12%
Probation/Intensive Supervision	67%	44%	0%	52%	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 <u>Other</u> as most serious conviction in Adult District Court by race/ethnicity

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	1	47	6	138	192
Community Corrections	0%	2%	17%	11%	9%
Deferred	0%	15%	0%	12%	13%
Dept of Corrections	0%	34%	17%	19%	22%
Fines/fees	0%	4%	17%	3%	4%
Jail	0%	17%	0%	19%	18%
Probation/Intensive Supervision	100%	28%	50%	36%	35%
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 3-24. Initial sentence for <u>Property</u> as most serious conviction in Adult District Court by race/ethnicity

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	3	44	4	146	197
Community Corrections	0%	18%	0%	10%	12%
Deferred	33%	18%	25%	20%	20%
Dept of Corrections	0%	2%	0%	20%	15%
Fines/fees	0%	0%	0%	1%	1%
Jail	0%	14%	0%	9%	10%
Probation/Intensive Supervision	67%	48%	75%	40%	43%
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 <u>Violent</u> as most serious conviction in Adult District Court by race/ethnicity

Sentence	Black/African Am	Hispanic*	White	Total
(N)	3	34	113	150
Community Corrections	0%	9%	4%	5%
Deferred	33%	21%	19%	19%
Dept of Corrections	33%	21%	10%	13%
Jail	0%	9%	15%	13%
Probation/Intensive Supervision	33%	41%	52%	49%
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. As with county and district court, initial sentences to Probation were the most frequently occurring sentence: 50% of initial sentences were to Probation, while 30% of cases were granted a deferred judgment.

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

Sentence	Drugs	Other	Property	Violent	Total
(N)	7	22	30	33	92
Deferred	14%	32%	33%	30%	30%
Division of Youth Services	0%	9%	23%	6%	12%
Fines/fees	14%	14%	0%	0%	4%
Jail	0%	0%	3%	0%	1%
Juvenile Detention	14%	0%	3%	0%	2%
Probation/Intensive Supervision	57%	45%	37%	64%	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.

Table 3-27 shows the initial sentence in juvenile court by gender. Females were more likely to receive a deferred judgement than males (38% versus 28%, respectively).

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

Sentence	Female	Male	Total
(N)	21	71	92
Deferred	38%	28%	30%
Division of Youth Services	0%	15%	12%
Fines/fees	0%	6%	4%
Jail	5%	0%	1%
Juvenile Detention	10%	0%	2%
Probation/Intensive Supervision	48%	51%	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.

Table 3-28 reflects the initial juvenile court sentence by race/ethnicity. Note that there were no Black/African Americans or cases falling into the Other race/ethnicity category at the point of initial sentencing in 2018 in the 7th Judicial District.

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

Sentence	Hispanic*	White	Total
(N)	23	69	92
Deferred	30%	30%	30%
Division of Youth Services	4%	14%	12%
Fines/fees	0%	6%	4%
Jail	0%	1%	1%
Juvenile Detention	4%	1%	2%
Probation/Intensive Supervision	61%	46%	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.

The following four tables show initial juvenile court sentences for each of the offense categories by race/ethnicity. 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. 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. Initial sentence for <u>Drugs</u> as most serious conviction in Juvenile Court by race/ethnicity

Sentence	Hispanic*	White	Total
(N)	1	6	7
Deferred	0%	17%	14%
Fines/fees	0%	17%	14%
Juvenile Detention	100%	0%	14%
Probation/Intensive Supervision	0%	67%	57%
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 3-30. Initial sentence for <u>Other</u> as most serious conviction in Juvenile Court by race/ethnicity

Sentence	Hispanic*	White	Total
(N)	5	17	22
Deferred	20%	35%	32%
Division of Youth Services	0%	12%	9%
Fines/fees	0%	18%	14%
Probation/Intensive Supervision	80%	35%	45%
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)	4	26	30
Deferred	50%	31%	33%
Division of Youth Services	25%	23%	23%
Jail	0%	4%	3%
Juvenile Detention	0%	4%	3%
Probation/Intensive Supervision	25%	38%	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. *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)	13	20	33
Deferred	31%	30%	30%
Division of Youth Services	0%	10%	6%
Probation/Intensive Supervision	69%	60%	64%
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, 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. Finally, in addition to concurrent cases affecting the sentencing outcome of a case, criminal/juvenile history may also influence the final initial sentence.

Women were significantly more likely than men to receive a deferred judgment in county court (28% compared to 16%, respectively). Men were more likely than women to receive a jail sentence (24% for men compared to 13% for women), and men were more likely to be granted an initial sentence to probation (28% compared to 22% for women) in county court. The few numbers of cases involving Black/African Americans and those in the Other race/ethnicity category make it difficult to interpret the county court initial sentence findings.

In district court, Probation was the most frequently occurring initial sentence, happening in 44% of cases. Women were more likely than men to receive a deferred judgment (28% compared to 13%, respectively). Overall Hispanics were slightly more likely than Whites to receive a prison sentence (19% compared to 16%, respectively). Nineteen percent of Hispanics with Drug charges were sentenced to the Department of Corrections compared to 12% of Whites. Over half of initial sentences for Black/African Americans were to probation supervision compared to 44% overall, but the few cases involving Black/African Americans (n=10) means this must be interpreted with caution.

As with county and district court, initial sentences to Probation were the most frequently occurring sentence: 50% of initial sentences were to Probation, while 30% of cases were granted a deferred judgment. Females were more likely to receive a deferred judgement than males (38% versus 28%, respectively).

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, 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, 15% of cases receiving a probation/deferred judgment in county court in 2018 were revoked. Black/African Americans and Hispanics were slightly more likely to be revoked compared to the overall revocation rate (22% and 19%, respectively, compared to 15% overall), however, the few numbers of Black/African American cases (n=9) means this information must be interpreted with caution.

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[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	Crime type	No	Yes	Total	Total N
Black/African Am		**78%**	**22%**	**100%**	**9**
	Other	100%	0%	100%	2
	Property	50%	50%	100%	2
	Violent	80%	20%	100%	5
Hispanic*		**81%**	**19%**	**100%**	**118**
	Drugs	100%	0%	100%	1
	Other	79%	21%	100%	33
	Property	83%	17%	100%	24
	Violent	80%	20%	100%	60
Other		**89%**	**11%**	**100%**	**9**
	Other	100%	0%	100%	4
	Property	100%	0%	100%	1
	Violent	75%	25%	100%	4
White		**87%**	**13%**	**100%**	**393**
	Drugs	88%	13%	100%	8
	Other	89%	11%	100%	115
	Property	81%	19%	100%	58
	Violent	87%	13%	100%	212
Total		**85%**	**15%**	**100%**	**529**

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 less likely to get revoked than males (11% compared to 16%, respectively). Men and women with property crimes were slightly more likely to be revoked (20% compared to 16%, respectively).

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

Gender	Crime type	No	Yes	Total	Total N
Female		**89%**	**11%**	**100%**	**151**
	Drugs	100%	0%	100%	2
	Other	98%	3%	100%	40
	Property	84%	16%	100%	31
	Violent	86%	14%	100%	78
Male		**84%**	**16%**	**100%**	**378**
	Drugs	86%	14%	100%	7
	Other	83%	17%	100%	114
	Property	80%	20%	100%	54
	Violent	85%	15%	100%	203
Total		**85%**	**15%**	**100%**	**529**

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 slightly more frequently in district court (16%, Table 3-35) compared to county court (15%, Table 3-33) in 2018. Black/African Americans were most likely to be revoked (38% compared to 16% overall), but the few cases (n=8) means that this information must be interpreted with caution. Table 3-36 shows that women in adult district court were less likely than men to get revoked (11% compared to 19%, respectively). Men and women with Drug cases were more likely, compared to 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	Crime type	No	Yes	Total	Total N
Black		**63%**	**38%**	**100%**	**8**
	Drugs	0%	100%	100%	2
	Other	100%	0%	100%	1
	Property	100%	0%	100%	3
	Violent	50%	50%	100%	2
Hispanic*		**80%**	**20%**	**100%**	**87**
	Drugs	82%	18%	100%	17
	Other	85%	15%	100%	20
	Property	83%	17%	100%	29
	Violent	71%	29%	100%	21
Other		**75%**	**25%**	**100%**	**8**
	Drugs	100%	0%	100%	1
	Other	100%	0%	100%	3
	Property	50%	50%	100%	4
White		**85%**	**15%**	**100%**	**314**
	Drugs	80%	20%	100%	80
	Other	87%	13%	100%	67
	Property	84%	16%	100%	87
	Violent	91%	9%	100%	80
Total		**84%**	**16%**	**100%**	**417**

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	Crime type	No	Yes	Total	Total N
Female		**89%**	**11%**	**100%**	**122**
	Drugs	83%	17%	100%	35
	Other	92%	8%	100%	24
	Property	91%	9%	100%	43
	Violent	95%	5%	100%	20
Male		**81%**	**19%**	**100%**	**295**
	Drugs	77%	23%	100%	65
	Other	85%	15%	100%	67
	Property	79%	21%	100%	80
	Violent	84%	16%	100%	83
Total		**84%**	**16%**	**100%**	**417**

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, 16% of cases sentenced to probation/deferred judgment in 2018 were revoked (Table 3-37). Compared to Whites, Hispanics were much more likely to get revoked (38% compared to 8%), however, the few Hispanic cases (n=21) means this information must be interpreted with caution. Table 3-38 presents revocations in juvenile court by gender. Females were revoked at a rate of 22% compared to 14% for males. Comparing across crime types, those with Other crimes were most likely to be revoked (50% for women and 20% for men).

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

Race/ Ethnicity	Crime type	No	Yes	Total	Total N
Hispanic*		**62%**	**38%**	**100%**	**21**
	Other	40%	60%	100%	5
	Property	0%	100%	100%	3
	Violent	85%	15%	100%	13
White		**92%**	**8%**	**100%**	**53**
	Drugs	100%	0%	100%	5
	Other	92%	8%	100%	12
	Property	94%	6%	100%	18
	Violent	89%	11%	100%	18
Total		**84%**	**16%**	**100%**	**74**

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	Crime type	No	Yes	Total	Total N
Female		**78%**	**22%**	**100%**	**18**
	Drugs	100%	0%	100%	1
	Other	50%	50%	100%	2
	Property	67%	33%	100%	6
	Violent	89%	11%	100%	9
Male		**86%**	**14%**	**100%**	**56**
	Drugs	100%	0%	100%	4
	Other	80%	20%	100%	15
	Property	87%	13%	100%	15
	Violent	86%	14%	100%	22
Total		**84%**	**16%**	**100%**	**74**

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. In 2018 statewide, 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, 15% of cases receiving a probation/deferred judgment in county court in 2018 were revoked. Black/African Americans and Hispanics were slightly more likely to be revoked compared to the overall revocation rate (22% and 19%, respectively, compared to 15% overall), however, the few numbers of Black/African American cases (n=9) means this information must be interpreted with caution. Females in county court were less likely to get revoked than males (11% compared to 16%, respectively). Men and women with property crimes were slightly more likely to be revoked (20% compared to 16%, respectively).

Revocations from probation/deferred judgments occurred slightly more frequently in district court (16%) compared to county court (15%) in 2018. Black/African Americans were most likely to be revoked (38% compared to 16% overall), but the few cases (n=8) means that this information must be interpreted with caution. Women in adult district court were less likely than men to get revoked (11% compared to 19%, respectively). Men and women with Drug cases were more likely, compared to other crime types, to get revoked.

In juvenile court, 16% of cases sentenced to probation/deferred judgment in 2018 were revoked. Compared to Whites, Hispanics were much more likely to get revoked (38% compared to 8%), however, the few Hispanic cases (n=21) means this information must be interpreted with caution. Table 3-38 presents revocations in juvenile court by gender. Females were revoked at a rate of 22% compared to 14% for males. Comparing across crime types, those with Other crimes were most likely to be revoked (50% for women and 20% for men).

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
		Drunkeness
		Hit and Run
		Human Trafficking - Labor
		Liquor Law Violations
		Non-violent Family Offenses
		Runaway
		Trespassing
		Wagering
	Other Sex Crime	
		Fondling
		Human Trafficking - Commercial Sex Acts
		Peeping Tom
		Pornography
		Promoting Prostitution
		Prostitution
		Purchasing Prostitution
	Weapons	
		Weapons Laws Violation
Property		
	Arson	
		Arson
	Burglary	
		Burglary
	Fraud	
		Counterfeit
		Credit Card/ATM Fraud
		Embezzlement
		Extortion
		False Pretenses

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

Appendix B

Most serious filing/conviction charge categories

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

Arson - 1st - 4th degree arson

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

Drug Poss - drug possession, paraphernalia possession

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

Escape

Extortion

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

Forgery

Fraud

Homicide - 1st and 2nd degree murder

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

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

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

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

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

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

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

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[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.