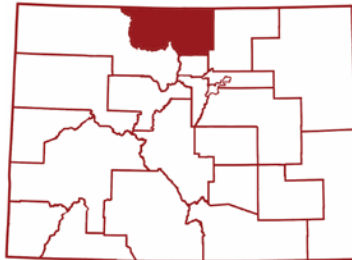


CLEAR Act: 2018

Community Law Enforcement Action Reporting Act

8th Judicial District



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

Age Group	Race/Ethnicity	Percent	Total
Adult		89%	279,218
	Black/African American	1%	3,240
	Hispanic	10%	26,658
	Other	3%	8,539
	White	86%	240,781
Juvenile		11%	33,690
	Black/African American	2%	621
	Hispanic	18%	5,977
	Other	4%	1,224
	White	77%	25,868
Total		100%	312,907

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

Pursuant to Senate Bill 2015-185

Prepared by

Kim English

Peg Flick

Laurence Lucero

Colorado Department of Public Safety

Stan Hilkey, Executive Director

Division of Criminal Justice

Joe Thome, Director

Office of Research and Statistics

Kim English, Research Director

700 Kipling St., Denver, Colorado 80215

The corresponding web-based interactive data dashboard is located here:

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



Table of Contents

8 th Judicial District.....	1
Pursuant to Senate Bill 2015-185	2
Preface.....	4
Executive Summary	5
Section 1: Introduction	10
Background and overview	10
Data sources	11
Section 2: Law Enforcement Data	14
Arrest/summons.....	14
Section 3: Court Case Processing.....	20
Case Filings	20
Overall	20
Court type.....	22
Trials	24
Case Outcomes	25
Initial Sentences.....	28
County court	28
District court	32
Juvenile court.....	35
Revocations	39
County court	39
Adult district court.....	41
Juvenile Court	42
Appendix A.....	45
NIBRS Group A Arrest Crimes	45
Appendix B.....	47
Most serious filing/conviction charge categories.....	47
Appendix C.....	48
Statistical Model for Classifying Hispanic Ethnicity	48

Preface

In 2015, the General Assembly passed Senate Bill 185, the Community Law Enforcement Action Reporting Act, or the CLEAR Act. The CLEAR Act mandates that the Division of Criminal Justice (DCJ) annually analyze and report data provided by law enforcement agencies, the Judicial Department, and the adult Parole Board, to reflect decisions made at multiple points in the justice system process. The CLEAR Act requires that the data be analyzed by race/ethnicity and gender. This study presents information for calendar year 2018.

This report presents law enforcement and court case processing data for the 8th Judicial District for 2018.

This report presents a summary of the findings by collapsing the offense categories into four broad groups: **Drugs, Other, Property** and **Violent** crimes. The details by offense type, and by judicial district, are presented in the corresponding web-based interactive dashboard available at: <https://www.colorado.gov/dcj-ors/ORS-SB185>

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

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

Executive Summary

Background. In 2015, the General Assembly passed Senate Bill 185, the Community Law Enforcement Action Reporting Act, or the CLEAR Act. The CLEAR Act mandates that the Division of Criminal Justice (DCJ) annually analyze and report data provided by law enforcement agencies,¹ the Judicial Department, and the adult Parole Board, to reflect decisions made at multiple points in the justice system process. The CLEAR Act requires that the data be analyzed by race/ethnicity and gender.

This report presents law enforcement and court case processing data for the 8th Judicial District for calendar year 2018.

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 in the 8th Judicial District of those ages 10 and above was 312,907. The adult population was comprised as follows:

- White, 86%;
- Black/African American, 1%;
- Hispanic, 10%; and
- Other, 3%.

The juvenile population was comprised as follows:

- White, 77%;
- Black/African American, 2%;
- Hispanic, 18%; and
- Other, 4%.

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.

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 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 over 12,000 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 14% of all arrests/summonses while Violent crimes accounted for 10% of arrests/summonses, Property offenses accounted for 17% of arrests/summonses, and the remainder of arrests/summonses (58%) fell into the Other crime category. Black/African Americans represented 1% of the population in 2018 but accounted for 5% of arrests/summonses. Hispanics represented 10% of the population and 20% of arrests/summonses.

Court filings. This study of more than 8,600 case filings in county, district, and juvenile courts combined found that while Black/African Americans represented 1% of the population and 5% of the arrests/summonses in 2018, they accounted for 5% of district court filings. In juvenile court, Black/African Americans represented 6% of cases, compared to 2% Black/African American juveniles in the population. Hispanic adults made up 10% of the adult population but represented 20% of arrests/summonses and 22% of both district court and county court filings in 2018. In terms of gender, 28% of filings were females and 72% were males. 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 include attempts, solicitations, and conspiracies.

Court case outcomes. Caution should be used when interpreting the case outcome since many factors can influence the decision. For example, the existence of prior cases (criminal history) may influence the outcome of a case. Additionally, most cases contain multiple charges, and many cases have concurrent cases. These factors are likely to significantly affect the outcome of a case. In particular, all charges in a case may be dismissed or modified as part of a plea

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

agreement involving that case or multiple cases. In fact, 26% of cases in county court were dismissed, as were 17% of cases in district court and 26% of cases in juvenile court.

In county court, 30% of cases were convicted as charged, and one-quarter (25%) were convicted of another crime. In adult district court, 34% were convicted of another crime and 30% were convicted as charged. In juvenile court, 17% were convicted of another offense and 43% were convicted as charged. Across county, district and juvenile courts, Black/African Americans were much more likely, compared to those in the other race/ethnicity categories, to have the cases fall into the Not Yet Resolved category.

Initial court sentences. This analysis reflects the most serious initial sentences; these can be later modified, such as when jail is added as part of a probation revocation. Additionally, individuals may have multiple cases for which they are sentenced simultaneously. The sentence given in one case may not truly reflect the seriousness of the case as the more serious sentence may be recorded in another case as part of a plea agreement. In fact, 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.

Twenty percent (20%) of county court cases resulted in a deferred judgment, and 22% of cases received a jail sentence. Only five (n=5) Drug cases received a deferred judgment. County court used community service in only 2% of cases; 74% of community service sentences were Drug cases. Women in county court were considerably more likely than men to receive a deferred judgment (26% compared to 18%, respectively). Men were more likely than women to receive a jail sentence (25% for men compared to 14% for women).

In district court, probation was the most frequently occurring initial sentence, happening in more than half of cases (55%), and in 66% of Drug cases. The second most frequently occurring sentence in district court was a prison sentence: 13% of Drug cases, 22% of Other cases, 13% of Property cases, and 18% of Violent cases received a sentence to the Department of Corrections. Deferred judgments were imposed in 8% of cases and were most likely to be imposed in Property cases (16%), and least likely to be imposed in Drug cases (1%). Women were somewhat more likely to receive a deferred judgment compared to men (10% versus 7%, respectively), and more likely to be granted probation (60% compared to 53% for men). Women were slightly less likely to receive a jail sentence (7%) compared to men (9%), and also considerably less likely to receive a prison sentence compared to men (9% compared to 18%). One-fifth (21%) of initial sentences for Black/African Americans were to the Department of Corrections, 19% of initial sentences for Hispanic cases were to prison, and 24% of those in the Other race/ethnicity category received a prison sentence compared to 14% of Whites.

In juvenile court, initial sentences of a deferred judgment were the most frequently occurring sentence: half of initial sentences were a deferred judgment, while 37% of cases were granted probation supervision. Violent cases were more likely than other offense types to receive a deferred judgment (65%) in juvenile court. Females were slightly less likely to receive a deferred judgment than males (47% versus 52%, respectively), and more likely to receive a sentence to the probation (46% compared to 34%, respectively). Across race/ethnicity

categories, Black/African Americans were less likely to receive a deferred judgment (36% compared to 50% overall), and Black/African Americans were more likely to receive an initial sentence to probation (64% compared to 37% overall). However, this information must be interpreted with caution given the few cases in this category (n=11).

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.

In county court, 21% of cases receiving a probation/deferred judgment in 2018 were revoked. Hispanics were more likely to be revoked compared to the overall revocation rate (26% compared to 21% overall) while Black/African Americans were least likely to be revoked (16%). Females in county court were equally likely to get revoked as males (21% for both). The pattern of revocations across offense type varies little across gender, however, females with Drug cases were less likely to be revoked compared to males with Drug crimes (13% compared to 17%, respectively).

Revocations from probation/deferred judgments occurred more frequently in district court (27%) compared to county court (21%) in 2018. Hispanics were most likely to be revoked (30% compared to 27% overall); Hispanics with Drug cases were revoked at a rate of 42%. Women in adult district court in the 8th Judicial District were very slightly more likely than men to get revoked (28% compared to 27%). Men and women with Drug cases were considerably more likely, compared to those with other crime types, to get revoked.

In juvenile court, 33% of cases sentenced to probation/deferred judgment in 2018 were revoked. Black/African Americans were considerably more likely to get revoked (45% compared to 33% overall), however, the few cases (n=11) means that this information must be interpreted with caution. Hispanics with Drug cases were revoked at a rate of 46%. Females were revoked at a rate of 29% compared to 35% for males. Comparing across crime types, females with Drug crimes were most likely to be revoked (40%) and males with Property cases were most likely to be revoked (38%).

Overall summary. In 2018 in the 8th Judicial District, Black/African Americans represented 1% of the adult population but accounted for 5% of arrests/summons and 5% of adult district court filings. Hispanic adults represented 10% of the population, 20% of arrests/summons, and 22% of district court filings. In juvenile court, Black/African Americans represented 6% of cases, compared to 2% of Black/African American juveniles in the population; Hispanic youth were 18% of the population and 29% of cases filed.

In district court, one-fifth (21%) of initial sentences for Black/African Americans were to the Department of Corrections, 19% of initial sentences for Hispanic cases were to prison, and 24% of those in the Other race/ethnicity category were given a prison sentence compared to 14% of Whites.

In juvenile court, across race/ethnicity categories, Black/African Americans were less likely to receive a deferred judgment (36% compared to 50% overall), and Black/African Americans were more likely to receive an initial sentence to probation (64% compared to 37% overall). However, this information must be interpreted with caution given the few cases in this category (n=11).

In terms of revocations, in district court, Hispanics were most likely to be revoked (30% compared to 27% overall); Hispanics with Drug cases were revoked at a rate of 42%. Men and women with Drug cases were considerably more likely, compared to those with other crime types, to get revoked. In juvenile court, 33% of cases sentenced to probation/deferred judgment in 2018 were revoked. Black/African Americans were considerably more likely to get revoked (45% compared to 33% overall), however, the few cases (n=11) means that this information must be interpreted with caution. Hispanics with Drug cases were revoked at a rate of 46%.

Section 1: Introduction

Background and overview

In 2015, the General Assembly passed Senate Bill 15-185, the Community Law Enforcement Action Reporting Act, or the CLEAR Act. The CLEAR Act mandates that the Division of Criminal Justice annually analyze and report data provided by law enforcement agencies,⁴ the Judicial Department, and the adult Parole Board, to reflect decisions made at multiple points in the justice system process. The CLEAR Act requires that the data be analyzed by race/ethnicity and gender. This study presents information for calendar year 2018, including the following:

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

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

This report is presented 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 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

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).

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 the 8th Judicial District in 2018 for residents ages 10 and over was 312,907 and was comprised as follows:

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

Age Group	Race/Ethnicity	Percent	Total
Adult		89%	279,218
	Black/African American	1%	3,240
	Hispanic	10%	26,658
	Other	3%	8,539
	White	86%	240,781
Juvenile		11%	33,690
	Black	2%	621
	Hispanic	18%	5,977
	Other	4%	1,224
	White	77%	25,868
Total		100%	312,907

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 8th 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;
- The burden placed on law enforcement in collecting data on the offense;
- The national statistical validity and usefulness of the collected data.

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.

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 12,000 NIBRS incidents were analyzed for calendar year 2018 (Table 1-2).

Table 1-2. Arrests by type, 2018

Arrest Type	Percent	Total
Custody/warrant	9%	1,115
On-view/probable cause	44%	5,379
Summons	47%	5,837
Total	100%	12,331

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. County court contains both adult and juvenile misdemeanor cases. The data are presented by court type: County, Adult District, and Juvenile. Juveniles who were charged as adults are in Adult District Court. The number of cases analyzed by type of court can be seen in Table 1-3.

Table 1-3. Court of case filing, 2018

Court	Percent	Total
Adult District	37%	3,190
County	56%	4,890
Juvenile	7%	586
Total	100%	8,666

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

Note that the information presented here reflects the analysis of more than 8,600 **cases not individuals**. Individuals may have multiple, concurrent cases,⁷ 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.

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

The crime information analyzed for this study reflects the most serious filing or conviction charge for 24 offense categories⁸ which, for the analysis presented in this document, have been collapsed into four categories: Drug, Other, Property and Violent.⁹ 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.

Finally, please note that the cases represented in the arrests, filings, sentences, and parole board sections were not necessarily the same cases. This is due to the fact that lags exist between when an arrest results in a filing, and when a filing results in a sentence. This report analyzes events (arrests, filings, sentences,) that occurred in a single year.

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.

⁸ The 24 offense categories are summarized from hundreds of criminal statutes.

⁹ 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/summons captured in the Colorado Bureau of Investigation's National Incident Based Reporting System (NIBRS) for calendar year 2018.

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

Crime type	Percent	Total
Drugs	14%	1,777
Other	58%	7,144
Property	17%	2,116
Violent	10%	1,294
Total	100%	12,331

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

Table 2-2 reflects over 12,000 arrests/summons captured in NIBRS for calendar year 2018, by race/ethnicity. Black/African Americans represented 1% of the population in the 8th Judicial District in 2018, but accounted for 5% of arrests/summons. Hispanics represented 10% of the population and accounted for 20% of arrests. The Other race/ethnicity category represented less than 1% of the population, and were equally represented in arrests (<1%), while Whites, representing 85% of the population, represented 74% of arrests/summons.

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

Race/Ethnicity	Percent	Total
Black/African Am	5%	565
Hispanic*	20%	2,489
Other	<1%	115
White	74%	9,162
Total	100%	12,331

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 3% of on view/probable cause arrests, and that 27% of those arrests were for violent crimes, a proportion higher than adults (17%). Juveniles accounted for 4% of custody/warrant arrests (Table 2-4). Overall, juveniles were more likely to get summoned than arrested; they accounted for 19% 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		97%	5,241
	Drugs	18%	941
	Other	52%	2,706
	Property	14%	726
	Violent	17%	868
Juvenile		3%	138
	Drugs	9%	12
	Other	39%	54
	Property	25%	35
	Violent	27%	37
Total		100%	5,379

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		96%	1,065
	Drugs	7%	78
	Other	84%	899
	Property	7%	70
	Violent	2%	18
Juvenile		4%	50
	Drugs	2%	1
	Other	90%	45
	Property	8%	4
Total		100%	1,115

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	Drug type	Percent	Total
Adult		81%	4,734
	Drugs	11%	517
	Other	62%	2,925
	Property	23%	1,067
	Violent	5%	225
Juvenile		19%	1,103
	Drugs	21%	228
	Other	47%	515
	Property	19%	214
	Violent	13%	146
Total		100%	5,837

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 18% of probable cause arrests were for Drug related offenses, 51% were for Other offenses, 14% for Property offenses, and 17% for Violent offenses. While Black/African Americans made up 1% of the population, Table 2-6 shows that they were arrested at three to 9 times that rate for probable cause arrests in 2018: 3% of Drug arrests were Black/African Americans, 4% of arrests for Other offenses were Black/African Americans, 6% of Property arrests were Black/African Americans, and 9% of Violent arrests were Black/African Americans. Likewise, Hispanics made up 10% of the population but accounted for 19% of probable cause Drug arrests, 21% of probable cause arrests for Other offenses, 25% of property arrests, and 22% of violent probable cause arrests.

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 17% of these types of arrests involved a Violent offense, Black/African Americans made up 9% of Violent crime arrests and Hispanics made up 22%, which was greater than the proportion of Black/African Americans and Hispanics in the population (1% and 10%, respectively).

Table 2-8 shows that summons were less likely to be issued for Violent offenses (6%) compared to Other (59%) and Property (22%) and that, of those summons issued for Violent crimes, 6% went to Black/African Americans and 26% went to Hispanics.

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

Crime type	Race/Ethnicity	Percent	Total
Drugs		18%	953
	Black/African American	3%	31
	Hispanic*	19%	180
	Other	<1%	6
	White	77%	736
Other		51%	2,760
	Black/African American	4%	123
	Hispanic*	21%	574
	Other	<1%	24
	White	74%	2,039
Property		14%	761
	Black/African American	6%	43
	Hispanic*	25%	187
	Other	1%	10
	White	68%	521
Violent		17%	905
	Black/African American	9%	77
	Hispanic*	22%	198
	Other	1%	10
	White	69%	620
Total		100%	5,379

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		7%	79
	Black/African American	4%	3
	Hispanic*	32%	25
	White	65%	51
Other		85%	944
	Black/African American	2%	23
	Hispanic*	19%	179
	Other	<1%	1
	White	78%	741
Property		7%	74
	Black/African American	4%	3
	Hispanic*	24%	18
	White	72%	53
Violent		2%	18
	Black/African American	6%	1
	Hispanic*	11%	2
	White	83%	15
Total		100%	1,115

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		13%	745
	Black/African American	3%	19
	Hispanic*	27%	198
	Other	<1%	3
	White	70%	525
Other		59%	3,440
	Black/African American	5%	162
	Hispanic*	16%	558
	Other	1%	44
	White	78%	2,676
Property		22%	1,281
	Black/African American	5%	59
	Hispanic*	21%	272
	Other	1%	14
	White	73%	936
Violent		6%	371
	Black/African American	6%	21
	Hispanic*	26%	98
	Other	<1%	3
	White	67%	249
Total		100%	5,837

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 17-36% of arrests and 24-45% of summonses (depending on the crime category) and men comprised the remainder.

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

Crime type	Gender	Percent	Total
Drugs		18%	953
	Female	33%	318
	Male	67%	635
Other		51%	2,760
	Female	25%	694
	Male	75%	2,066
Property		14%	761
	Female	31%	238
	Male	69%	523
Violent		17%	905
	Female	25%	223
	Male	75%	682
Total		100%	5,379

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		7%	79
	Female	33%	26
	Male	67%	53
Other		85%	944
	Female	34%	325
	Male	66%	619
Property		7%	74
	Female	36%	27
	Male	64%	47
Violent		2%	18
	Female	17%	3
	Male	83%	15
Total		100%	1,115

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		13%	745
	Female	31%	229
	Male	69%	516
Other		59%	3,440
	Female	24%	813
	Male	76%	2,627
Property		22%	1,281
	Female	45%	577
	Male	55%	704
Violent		6%	371
	Female	30%	113
	Male	70%	258
Total		100%	5,837

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

Summary: Law enforcement data. In 2018, law enforcement made/issued over 12,000 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 14% of all arrests/summonses while Violent crimes accounted for 10% of arrests/summonses, Property offenses accounted for 17% of arrests/summonses, and the remainder of arrests/summonses (58%) fell into the Other crime category. Black/African Americans represented 1% of the population in 2018 but accounted for 5% of arrests/summonses. Hispanics represented 10% of the population and 20% 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.¹⁰ 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,¹¹ and cases typically have multiple charges. Frequently cases and charges are dismissed for a judgment in a concurrent case. The **Dismissed/Not Guilty** category in the tables that follow means that some charges were dismissed and some were found not guilty.

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

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

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

Case Filings

Overall

Table 3-1 depicts race/ethnicity distribution for 8,666 case filings in county, adult district, and juvenile courts combined for calendar year 2018. While Black/African Americans represented 1% of the population and 5% of the arrests/summonses in 2018, they accounted for 5% of court filings. Hispanics represented 10% of the population, 20% of arrests/summonses, and 22% of case filings. Note that these cases are not necessarily the same cases in the **Law enforcement data** section above.

¹⁰ Denver County Court is not part of the statewide Judicial data management system.

¹¹ 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 Am	5%	424
Hispanic*	22%	1,946
Other	2%	173
White	71%	6,123
Total	100%	8,666

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 16% of cases, and Violent charges comprised 26% of charges filed. While Black/African Americans represented 1% of the population, they represented 7% of Violent case filings. While Hispanics represented 10% of the population, they represented 22% of Violent case filings.

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

Crime type	Race/Ethnicity	Percent	Total
Drugs		16%	1,391
	Black/African Am	3%	39
	Hispanic*	21%	289
	Other	2%	25
	White	75%	1,038
Other		29%	2,520
	Black/African Am	4%	108
	Hispanic*	24%	610
	Other	2%	48
	White	70%	1,754
Property		29%	2,510
	Black/African Am	5%	120
	Hispanic*	22%	544
	Other	2%	43
	White	72%	1,803
Violent		26%	2,245
	Black/African Am	7%	157
	Hispanic*	22%	503
	Other	3%	57
	White	68%	1,528
Total		100%	8,666

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals. *Hispanic ethnicity was estimated using a DCJ-developed and validated statistical model; see Appendix C.

Table 3-3 depicts that, across all court types, 28% of filings were females and 72% were males. Females were slightly more likely than men to be involved in Property crimes (33% compared to 27%, respectively) and Drug crimes (18% compared to 15%, respectively) and slightly less to be involved in Violent offenses (24% compared to 27%, respectively).

Table 3-3. Most serious filing charge by gender

Gender	Crime Type	Percent	Total
Female		28%	2,439
	Drugs	18%	451
	Other	25%	602
	Property	33%	803
	Violent	24%	583
Male		72%	6,227
	Drugs	15%	940
	Other	31%	1,918
	Property	27%	1,707
	Violent	27%	1,662
Total		100%	8,666

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 56% of the total. Black/African Americans represented 5% of county court cases filed, 5% in adult district court and 6% in juvenile court. Hispanics represented 22% of county court filings, 22% of district court filings, and 29% of juvenile court filings in 2018.

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

Court	Race/Ethnicity	Percent	Total
Adult District		37%	3,190
	Black/African Am	5%	152
	Hispanic*	22%	686
	Other	2%	49
	White	72%	2,303
County		56%	4,890
	Black/African Am	5%	238
	Hispanic*	22%	1,090
	Other	2%	107
	White	71%	3,455
Juvenile		7%	586
	Black/African Am	6%	34
	Hispanic*	29%	170
	Other	3%	17
	White	62%	365
Total		100%	8,666

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. One-third (33%) of county court cases were Violent offenses (primarily misdemeanor assault); Property offenses (30%) and Other cases (29%) comprised the largest categories of cases in adult district court; and Property crimes made up over one-third (36%) 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 (29%) compared to adult district court (28%) and juvenile court (22%).

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

Court	Crime type	Percent	Total
Adult District		37%	3,190
	Drugs	27%	863
	Other	29%	922
	Property	30%	944
	Violent	14%	461
County		56%	4,890
	Drugs	9%	454
	Other	30%	1,469
	Property	28%	1,356
	Violent	33%	1,611
Juvenile		7%	586
	Drugs	13%	74
	Other	22%	129
	Property	36%	210
	Violent	30%	173
Total		100%	8,666

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. Excludes Denver County Court cases.

Table 3-6. Court of case filing, by gender

Court	Gender	Percent	Total
Adult District		37%	3,190
	Female	28%	898
	Male	72%	2,292
County		56%	4,890
	Female	29%	1,414
	Male	71%	3,476
Juvenile		7%	586
	Female	22%	127
	Male	78%	459
Total		100%	8,666

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. Excludes Denver County Court cases.

Trials

Table 3-7 shows how very infrequently cases in these courts completed a trial (<1%). Table 3-8 combines information across court types and shows the number of trials completed by offense 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		37%	3,190
	No	100%	3,178
	Yes	<1%	12
County		56%	4,890
	No	100%	4,874
	Yes	<1%	16
Juvenile		7%	586
	No	100%	586
Total		100%	8,666

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		16%	1,391
	No	100%	1,389
	Yes	<1%	2
Other		29%	2,520
	No	100%	2,514
	Yes	<1%	6
Property		29%	2,510
	No	100%	2,507
	Yes	<1%	3
Violent		26%	2,245
	No	99%	2,228
	Yes	<1%	17
Total		100%	8,666

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 more than 8,600 case filings in county, district, and juvenile courts combined found that while Black/African Americans represented 1% of the population and 5% of the arrests/summons in 2018, they accounted for 5% of district court filings. In juvenile court, Black/African Americans represented 6% of cases, compared to 2% Black/African American juveniles in the population. Hispanic adults made up 10% of the adult population but

had 22% of district court and county court filings in 2018. In terms of gender, 28% of filings were females and 72% were males. 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 one-fourth (26%) 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 30% of cases were convicted as charged, and one-quarter (25%) were convicted of another crime. In adult district court (Table 3-10), 34% were convicted of another crime and 30% were convicted as charged. In juvenile court (Table 3-11), 17% were convicted of another offense and 43% were convicted as charged. Black/African Americans were much more likely to have the case fall into the Not Yet Resolved category (30% compared to 19% overall).

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		25%	21%	24%	30%	100%	238
	Drugs	21%	14%	36%	29%	100%	14
	Other	26%	30%	15%	29%	100%	66
	Property	26%	19%	29%	26%	100%	58
	Violent	25%	17%	25%	33%	100%	100
Hispanic*		31%	26%	25%	19%	100%	1,090
	Drugs	39%	8%	35%	18%	100%	88
	Other	28%	34%	20%	18%	100%	373
	Property	34%	24%	21%	21%	100%	270
	Violent	29%	24%	30%	18%	100%	359
Other		29%	22%	31%	18%	100%	107
	Drugs	36%	18%	36%	9%	100%	11
	Other	25%	25%	33%	17%	100%	36
	Property	17%	22%	35%	26%	100%	23
	Violent	38%	22%	24%	16%	100%	37
White		31%	26%	26%	18%	100%	3,455
	Drugs	41%	14%	30%	15%	100%	341
	Other	25%	34%	25%	17%	100%	994
	Property	33%	23%	25%	19%	100%	1,005
	Violent	30%	24%	27%	19%	100%	1,115
Total		30%	25%	26%	19%	100%	4,890

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. Eleven percent (11%) of cases filed in district court had all charges dismissed (fewer than 1% of those in this category were not guilty). Cases falling into the Other race/ethnicity category were slightly less likely to have charges dismissed (8% compared to 11% overall). Black/African Americans were much more likely to have the case fall into the Not Yet Resolved category (30% compared to 20% overall).

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	Dis- missed/ not guilty	Not yet resolved/ case closed	Total	Total N
Black/African Am		32%	26%	13%	30%	100%	152
	Drugs	63%	4%	17%	17%	100%	24
	Other	32%	34%	16%	18%	100%	38
	Property	30%	32%	6%	32%	100%	47
	Violent	16%	26%	14%	44%	100%	43
Hispanic*		29%	34%	12%	24%	100%	686
	Drugs	45%	30%	8%	17%	100%	175
	Other	28%	29%	23%	20%	100%	198
	Property	26%	38%	7%	28%	100%	215
	Violent	11%	43%	7%	39%	100%	98
Other		31%	39%	8%	22%	100%	49
	Drugs	46%	31%	8%	15%	100%	13
	Other	33%	50%	8%	8%	100%	12
	Property	8%	46%	8%	38%	100%	13
	Violent	36%	27%	9%	27%	100%	11
White		37%	35%	10%	18%	100%	2,303
	Drugs	58%	23%	5%	14%	100%	651
	Other	27%	36%	19%	17%	100%	674
	Property	31%	44%	7%	19%	100%	669
	Violent	28%	36%	9%	27%	100%	309
Total		35%	34%	11%	20%	100%	3,190

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 26% of cases filed, while 43% of cases were convicted as charged and 17% were convicted of a different crime. Black/African Americans were much more likely to have the case fall into the Not Yet Resolved category (26% compared to 14% overall).

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		32%	21%	21%	26%	100%	34
	Drugs	100%	0%	0%	0%	100%	1
	Other	25%	25%	50%	0%	100%	4
	Property	20%	40%	20%	20%	100%	15
	Violent	43%	0%	14%	43%	100%	14
Hispanic*		45%	16%	25%	14%	100%	170
	Drugs	62%	15%	19%	4%	100%	26
	Other	44%	13%	33%	10%	100%	39
	Property	44%	20%	19%	17%	100%	59
	Violent	39%	15%	28%	17%	100%	46
Other		24%	35%	29%	12%	100%	17
	Drugs	100%	0%	0%	0%	100%	1
	Other	0%	0%	0%	0%	0%	0
	Property	0%	57%	43%	0%	100%	7
	Violent	33%	22%	22%	22%	100%	9
White		44%	16%	26%	14%	100%	365
	Drugs	50%	17%	30%	2%	100%	46
	Other	45%	16%	23%	15%	100%	86
	Property	50%	17%	23%	9%	100%	129
	Violent	33%	13%	31%	23%	100%	104
Total		43%	17%	26%	14%	100%	586

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, 26% of cases in county court were dismissed, as were 17% of cases in district court and 26% of cases in juvenile court.

In county court, 30% of cases were convicted as charged, and one-quarter (25%) were convicted of another crime. In adult district court, 34% were convicted of another crime and 30% were convicted as charged. In juvenile court, 17% were convicted of another offense and 43% were convicted as charged. Across county, district and juvenile courts, Black/African Americans were much more likely, compared to those in the other race/ethnicity categories, to have the cases fall into the Not Yet Resolved category.

Initial Sentences

The tables below show cases sentenced in the 8th Judicial District between Jan 1, 2018 and Dec 31, 2018, in county court, district court, and juvenile court. These cases are not necessarily the same cases in the **Case Filings** section above. Also, because these data represent cases, not individuals, the number of individuals sentenced to the Department of Corrections (DOC) or the Division of Youth Services (DYS) will not match the number reported as admissions by these agencies.

Cases generally have multiple initial sentences, usually include fines, and can also include community service and credit for time served. The data below reflect the most serious initial sentence. For example, the sentence of fines means that no more serious sentence was found. The same is true for credit for time served and community service.

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

Additionally, individuals may have multiple cases for which they are sentenced simultaneously. The sentence given in one case may not truly reflect the seriousness of the case as the more serious sentence may be recorded in another case as part of a plea agreement. In fact, as previously mentioned, 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. Twenty percent (20%) of county court cases resulted in a deferred judgment, and 22% of cases received a jail sentence. Only five (n=5) Drug cases received a deferred judgment. County court used community service in only 2% of cases; 74% of community service sentences were Drug cases.

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

Sentence	Crime type	Percent	Total
Community Service		2%	58
	Drugs	74%	43
	Other	19%	11
	Property	5%	3
	Violent	2%	1
Deferred		20%	602
	Drugs	<1%	5
	Other	30%	181
	Property	29%	176
	Violent	40%	240
Fines/fees		20%	591
	Drugs	28%	166
	Other	40%	238
	Property	21%	122
	Violent	11%	65
Jail		22%	650
	Drugs	2%	13
	Other	35%	230
	Property	38%	248
	Violent	24%	159
Probation/Intensive Supervision		22%	647
	Drugs	2%	14
	Other	44%	283
	Property	14%	91
	Violent	40%	259
Unsupervised Probation		14%	425
	Drugs	<1%	1
	Other	24%	102
	Property	60%	254
	Violent	16%	68
Total		100%	2,973

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 (26% compared to 18%, respectively). Men were more likely than women to receive a jail sentence (25% for men compared to 14% for women).

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

Sentence	Female	Male	Total
(N)	858	2,115	2,973
Community Service	3%	2%	2%
Deferred	26%	18%	20%
Fines/fees	21%	20%	20%
Jail	14%	25%	22%
Probation/Intensive Supervision	21%	22%	22%
Unsupervised Probation	17%	13%	14%
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 and White race/ethnicity categories were more likely to receive a deferred judgment (22% compared to 11% for Black/African Americans and 16% for Hispanics). Black/African Americans were more likely to receive jail time (32% compared to 20% overall).

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

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	120	698	46	2,109	2,973
Community Service	<1%	2%	0%	2%	2%
Deferred	11%	16%	22%	22%	20%
Fines/fees	26%	19%	24%	20%	20%
Jail	32%	24%	24%	20%	22%
Probation/Intensive Supervision	17%	23%	20%	22%	22%
Unsupervised Probation	14%	15%	11%	14%	14%
Total	100%	100%	100%	100%	100%

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals. *Hispanic ethnicity was estimated using a DCJ-developed and validated statistical model; see Appendix C.

The following four tables show the initial county court sentence for each of the four offense categories, by race/ethnicity. Table 3-15 shows initial sentences for county court Drug cases. The few cases for Black/African Americans and those in the Other race/ethnicity category (n=6 and n=7, respectively) makes it difficult to interpret the results. There are few differences between Hispanics and Whites in the sentencing patterns of Drug cases in county court.

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

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	6	50	7	179	242
Community Service	0%	20%	0%	18%	18%
Deferred	0%	2%	0%	2%	2%
Fines/fees	100%	70%	86%	66%	69%
Jail	0%	4%	0%	6%	5%
Probation/Intensive Supervision	0%	2%	14%	7%	6%
Unsupervised Probation	0%	2%	0%	0%	<1%
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 that, for those with Other charges as the most serious county court conviction charge, those in the Other race/ethnicity category were more likely to receive a jail sentence (39% compared to 22% overall), however, given the few numbers of cases in this category (n=18), this information must be interpreted with caution. Black/African Americans were more likely to receive an initial sentence of fines/fees (39% compared to 23% overall).

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

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	41	276	18	710	1,045
Community Service	0%	1%	0%	<1%	1%
Deferred	7%	13%	22%	19%	17%
Fines/fees	39%	22%	28%	22%	23%
Jail	24%	26%	39%	20%	22%
Probation/Intensive Supervision	20%	27%	6%	28%	27%
Unsupervised Probation	10%	11%	6%	10%	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 3-17 provides information on the initial sentence in county court for Property offenses and Table 3-18 depicts the initial sentence for Violent offenses in county court. For both offense types, Black/African Americans were more likely to receive jail sentences: for property offenses the difference was 42% compared to 28% overall, and for Violent charges the difference was 35% compared to 20% overall.

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

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	33	206	8	647	894
Community Service	3%	<1%	0%	<1%	<1%
Deferred	9%	20%	25%	20%	20%
Fines/fees	12%	10%	0%	15%	14%
Jail	42%	28%	25%	27%	28%
Probation/Intensive Supervision	6%	11%	25%	10%	10%
Unsupervised Probation	27%	30%	25%	28%	28%
Total	100%	100%	100%	100%	100%

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals. *Hispanic ethnicity was estimated using a DCJ-developed and validated statistical model; see Appendix C.

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

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	40	166	13	573	792
Community Service	0%	0%	0%	<1%	<1%
Deferred	18%	20%	31%	34%	30%
Fines/fees	13%	8%	0%	8%	8%
Jail	35%	24%	15%	18%	20%
Probation/Intensive Supervision	25%	39%	38%	31%	33%
Unsupervised Probation	10%	10%	15%	8%	9%
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 more than half the time (55%) and in 66% of Drug cases. The second most frequently occurring sentence in district court was a prison sentence: 13% of Drug cases, 22% of Other cases, 13% of Property cases, and 18% of Violent cases received a sentence to the Department of Corrections. Deferred judgments were imposed in 8% of cases and were most likely to be imposed in Property cases (16%), and least likely to be imposed in Drug cases (1%).

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

Sentence	Drugs	Other	Property	Violent	Total
(N)	925	558	766	382	2,631
Community Corrections	15%	13%	13%	6%	13%
Community Service	0%	<1%	0%	0%	<1%
Deferred	1%	6%	16%	10%	8%
Dept of Corrections	13%	22%	13%	18%	15%
Fines/fees	<1%	2%	<1%	0%	<1%
Jail	4%	14%	8%	11%	8%
Probation/Intensive Supervision	66%	43%	51%	55%	55%
Youthful Offender System	0%	<1%	0%	<1%	<1%
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 somewhat more likely to receive a deferred judgment compared to men (10% versus 7%, respectively), and more likely to be granted probation (60% compared to 53% for men). Women were slightly less likely to receive a jail sentence (7%) compared to men (9%), and also considerably less likely to receive a prison sentence compared to men (9% compared to 18%).

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

Sentence	Female	Male	Total
(N)	713	1,918	2,631
Community Corrections	12%	13%	13%
Community Service	0%	<1%	<1%
Deferred	10%	7%	8%
Dept of Corrections	9%	18%	15%
Fines/fees	<1%	<1%	<1%
Jail	7%	9%	8%
Probation/Intensive Supervision	60%	53%	55%
Youthful Offender System	0%	<1%	<1%
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. One-fifth (21%) of initial sentences for Black/African Americans were to the Department of Corrections, 19% of initial sentences for Hispanic cases were to prison, and 24% of those in the Other race/ethnicity category were given a prison sentence compared to 14% of Whites.

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

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	108	480	45	1,998	2,631
Community Corrections	4%	12%	4%	14%	13%
Community Service	0%	0%	0%	<1%	<1%
Deferred	10%	8%	13%	7%	8%
Dept of Corrections	21%	19%	24%	14%	15%
Fines/fees	0%	1%	0%	<1%	<1%
Jail	11%	9%	2%	8%	8%
Probation/Intensive Supervision	54%	51%	56%	56%	55%
Youthful Offender System	0%	0%	0%	<1%	<1%
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 initial sentences cases received for Drug offenses. Black/African Americans and Hispanics were more likely to receive a prison sentence (23% and 18%, respectively compared to 13% overall). For Other, Property and Violent offenses in district court, see Tables 3-23, 3-24 and 3-25.

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

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	22	160	13	730	925
Community Corrections	5%	16%	0%	16%	15%
Deferred	0%	<1%	0%	1%	1%
Dept of Corrections	23%	18%	8%	12%	13%
Fines/fees	0%	<1%	0%	1%	<1%
Jail	0%	4%	0%	4%	4%
Probation/Intensive Supervision	73%	61%	92%	66%	66%
Total	100%	100%	100%	100%	100%

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals. *Hispanic ethnicity was estimated using a DCJ-developed and validated statistical model; see Appendix C.

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

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	22	111	13	412	558
Community Corrections	9%	9%	8%	15%	13%
Community Service	0%	0%	0%	<1%	<1%
Deferred	9%	8%	8%	5%	6%
Dept of Corrections	27%	22%	46%	20%	22%
Fines/fees	0%	5%	0%	1%	2%
Jail	27%	16%	8%	13%	14%
Probation/Intensive Supervision	27%	41%	31%	45%	43%
Youthful Offender System	0%	0%	0%	<1%	<1%
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 Property as most serious conviction in Adult District Court by race/ethnicity

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	34	133	9	590	766
Community Corrections	3%	13%	11%	13%	13%
Deferred	21%	15%	22%	15%	16%
Dept of Corrections	9%	16%	11%	13%	13%
Fines/fees	0%	0%	0%	<1%	<1%
Jail	6%	8%	0%	8%	8%
Probation/Intensive Supervision	62%	48%	56%	50%	51%
Total	100%	100%	100%	100%	100%

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals. *Hispanic ethnicity was estimated using a DCJ-developed and validated statistical model; see Appendix C.

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

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	30	76	10	266	382
Community Corrections	0%	8%	0%	6%	6%
Deferred	7%	8%	30%	10%	10%
Dept of Corrections	30%	25%	30%	15%	18%
Jail	13%	7%	0%	12%	11%
Probation/Intensive Supervision	50%	53%	40%	57%	55%
Youthful Offender System	0%	0%	0%	<1%	<1%
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.

Juvenile court

Table 3-26 below reflects the initial sentence for juvenile court cases in the 8th Judicial District in 2018, by crime category. Initial sentences of a deferred judgment were the most frequently occurring sentence: half of initial sentences were a deferred judgment, while 37% of cases were granted probation supervision. Violent cases were more likely than other offense types to receive a deferred judgment (65%) in juvenile court.

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

Sentence	Drugs	Other	Property	Violent	Total
(N)	47	62	128	75	312
Deferred	45%	40%	48%	65%	50%
Division of Youth Services	4%	8%	4%	4%	5%
Fines/fees	4%	2%	2%	3%	2%
Jail	2%	3%	2%	0%	2%
Juvenile Detention	2%	5%	5%	1%	4%
Probation/Intensive Supervision	43%	42%	39%	27%	37%
Total	100%	100%	100%	100%	100%

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

Table 3-27 shows the initial sentence in juvenile court by gender. Females were slightly less likely to receive a deferred judgment than males (47% versus 52%, respectively), and more likely to receive a sentence to the probation (46% compared to 34%, respectively).

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

Sentence	Female	Male	Total
(N)	85	227	312
Deferred	47%	52%	50%
Division of Youth Services	0%	7%	5%
Fines/fees	4%	2%	2%
Jail	0%	2%	2%
Juvenile Detention	4%	4%	4%
Probation/Intensive Supervision	46%	34%	37%
Total	100%	100%	100%

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

Table 3-28 reflects the initial juvenile court sentence by race/ethnicity. Across race/ethnicity categories, Black/African Americans were less likely to receive a deferred judgment (36% compared to 50% overall), and Black/African Americans were more likely to receive an initial sentence to probation (64% compared to 37% overall). However, this information must be interpreted with caution given the few cases in this category (n=11).

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

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	11	96	6	199	312
Deferred	36%	48%	67%	52%	50%
Division of Youth Services	0%	5%	0%	5%	5%
Fines/fees	0%	4%	0%	2%	2%
Jail	0%	3%	0%	1%	2%
Juvenile Detention	0%	2%	0%	5%	4%
Probation/Intensive Supervision	64%	38%	33%	36%	37%
Total	100%	100%	100%	100%	100%

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals. *Hispanic ethnicity was estimated using a DCJ-developed and validated statistical model; see Appendix C.

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

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

Sentence	Black/African Am	Hispanic*	White	Total
(N)	1	15	31	47
Deferred	100%	33%	48%	45%
Division of Youth Services	0%	7%	3%	4%
Fines/fees	0%	7%	3%	4%
Jail	0%	0%	3%	2%
Juvenile Detention	0%	0%	3%	2%
Probation/Intensive Supervision	0%	53%	39%	43%
Total	100%	100%	100%	100%

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals. *Hispanic ethnicity was estimated using a DCJ-developed and validated statistical model; see Appendix C.

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

Sentence	Hispanic*	Other	White	Total
(N)	18	2	42	62
Deferred	39%	50%	40%	40%
Division of Youth Services	6%	0%	10%	8%
Fines/fees	0%	0%	2%	2%
Jail	11%	0%	0%	3%
Juvenile Detention	6%	0%	5%	5%
Probation/Intensive Supervision	39%	50%	43%	42%
Total	100%	100%	100%	100%

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals. *Hispanic ethnicity was estimated using a DCJ-developed and validated statistical model; see Appendix C.

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

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	6	36	1	85	128
Deferred	17%	47%	100%	51%	48%
Division of Youth Services	0%	3%	0%	5%	4%
Fines/fees	0%	3%	0%	1%	2%
Jail	0%	3%	0%	1%	2%
Juvenile Detention	0%	3%	0%	7%	5%
Probation/Intensive Supervision	83%	42%	0%	35%	39%
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 3-32. Initial sentence for *Violent* as most serious conviction in Juvenile Court by race/ethnicity

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	4	27	3	41	75
Deferred	50%	63%	67%	68%	65%
Division of Youth Services	0%	7%	0%	2%	4%
Fines/fees	0%	7%	0%	0%	3%
Juvenile Detention	0%	0%	0%	2%	1%
Probation/Intensive Supervision	50%	22%	33%	27%	27%
Total	100%	100%	100%	100%	100%

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals. *Hispanic ethnicity was estimated using a DCJ-developed and validated statistical model; see Appendix C.

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.

Twenty percent (20%) of county court cases resulted in a deferred judgment, and 22% of cases received a jail sentence. Only five (n=5) Drug cases received a deferred judgment. County court used community service in only 2% of cases; 74% of community service sentences were Drug cases. Women in county court were considerably more likely than men to receive a deferred judgment (26% compared to 18%, respectively). Men were more likely than women to receive a jail sentence (25% for men compared to 14% for women).

In district court, probation was the most frequently occurring initial sentence, happening more than half the time (55%), and in 66% of Drug cases. The second most frequently occurring sentence in district court was a prison sentence: 13% of Drug cases, 22% of Other cases, 13% of Property cases, and 18% of Violent cases received a sentence to the Department of Corrections. Deferred judgments were imposed in 8% of cases and were most likely to be imposed in Property cases (16%), and least likely to be imposed in Drug cases (1%). Women were somewhat more likely to receive a deferred judgment compared to men (10% versus 7%, respectively), and more likely to be granted probation (60% compared to 53% for men). Women were slightly less likely to receive a jail sentence (7%) compared to men (9%), and also considerably less likely to receive a prison sentence compared to men (9% compared to 18%). One-fifth (21%) of initial sentences for Black/African Americans were to the Department of Corrections, 19% of initial sentences for Hispanic cases were to prison, and 24% of those in the Other race/ethnicity category were given a prison sentence compared to 14% of Whites.

In juvenile court, initial sentences of a deferred judgment were the most frequently occurring sentence: half of initial sentences were a deferred judgment, while 37% of cases were granted probation supervision. Violent cases were more likely than other offense types to receive a

deferred judgment (65%) in juvenile court. Females were slightly less likely to receive a deferred judgment than males (47% versus 52%, respectively), and more likely to receive a sentence to the probation (46% compared to 34%, respectively). Across race/ethnicity categories, Black/African Americans were less likely to receive a deferred judgment (36% compared to 50% overall), and Black/African Americans were more likely to receive an initial sentence to probation (64% compared to 37% overall). However, this information must be interpreted with caution given the few cases in this category (n=11).

Revocations

Cases sentenced in 2018 to probation or a deferred judgment that received a revocation are included in the analyses presented here.¹² 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.¹³ 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, 21% of cases receiving a probation/deferred judgment in 2018 were revoked. Hispanics were more likely to be revoked compared to the overall revocation rate (26% compared to 21% overall) while Black/African Americans were least likely to be revoked (16%).

¹² Judicial data pertaining to *petitions* to revoke are less reliable than data identifying actual revocations.

¹³ 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 American		84%	16%	100%	50
	Other	93%	7%	100%	15
	Property	71%	29%	100%	14
	Violent	86%	14%	100%	21
Hispanic*		74%	26%	100%	382
	Drugs	100%	0%	100%	3
	Other	80%	20%	100%	140
	Property	69%	31%	100%	126
	Violent	73%	27%	100%	113
Other		79%	21%	100%	24
	Drugs	0%	100%	100%	1
	Other	83%	17%	100%	6
	Property	83%	17%	100%	6
	Violent	82%	18%	100%	11
White		80%	20%	100%	1,218
	Drugs	88%	13%	100%	16
	Other	82%	18%	100%	405
	Property	78%	22%	100%	375
	Violent	81%	19%	100%	422
Total		79%	21%	100%	1,674

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. Females in county court were equally likely to get revoked as males (21% for both). The pattern of revocations across offense type varies little across gender, however, females with Drug cases were less likely to be revoked compared to males with Drug crimes (13% compared to 17%, 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		79%	21%	100%	542
	Drugs	88%	13%	100%	8
	Other	82%	18%	100%	144
	Property	75%	25%	100%	218
	Violent	80%	20%	100%	172
Male		79%	21%	100%	1,132
	Drugs	83%	17%	100%	12
	Other	82%	18%	100%	422
	Property	76%	24%	100%	303
	Violent	79%	21%	100%	395
Total		79%	21%	100%	1,674

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

Adult district court

Revocations from probation/deferred judgments occurred more frequently in district court (27%, Table 3-35) compared to county court (21%, Table 3-33) in 2018. Hispanics were most likely to be revoked (30% compared to 27% overall); Hispanics with Drug cases were revoked at a rate of 42%. Table 3-36 shows that women in adult district court in the 8th Judicial District were very slightly more likely than men to get revoked (28% compared to 27%). Men and women with Drug cases were considerably more likely, compared to those with other crime types, to get revoked.

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

Race/ Ethnicity	Crime type	No	Yes	Total	Total N
Black/African Am		78%	22%	100%	69
	Drugs	75%	25%	100%	16
	Other	75%	25%	100%	8
	Property	86%	14%	100%	28
	Violent	71%	29%	100%	17
Hispanic*		70%	30%	100%	282
	Drugs	58%	42%	100%	98
	Other	78%	22%	100%	54
	Property	71%	29%	100%	84
	Violent	83%	17%	100%	46
Other		87%	13%	100%	31
	Drugs	75%	25%	100%	12
	Other	100%	0%	100%	5
	Property	100%	0%	100%	7
	Violent	86%	14%	100%	7
White		73%	27%	100%	1,264
	Drugs	62%	38%	100%	492
	Other	83%	17%	100%	206
	Property	76%	24%	100%	388
	Violent	86%	14%	100%	178
Total		73%	27%	100%	1,646

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		72%	28%	100%	500
	Drugs	62%	38%	100%	208
	Other	85%	15%	100%	61
	Property	78%	22%	100%	175
	Violent	77%	23%	100%	56
Male		73%	27%	100%	1,146
	Drugs	62%	38%	100%	410
	Other	81%	19%	100%	212
	Property	75%	25%	100%	332
	Violent	86%	14%	100%	192
Total		73%	27%	100%	1,646

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, 33% of cases sentenced to probation/deferred judgment in 2018 were revoked (Table 3-37). Black/African Americans were considerably more likely to get revoked (45% compared to 33% overall), however, the few cases (n=11) means that this information must be interpreted with caution. Hispanics with Drug cases were revoked at a rate of 46%. Table 3-38 presents revocations in juvenile court by gender. Females were revoked at a rate of 29% compared to 35% for males. Comparing across crime types, females with Drug crimes were most likely to be revoked (40%) and males with Property cases were most likely to be revoked (38%).

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
Black/African Am		55%	45%	100%	11
	Drugs	0%	100%	100%	1
	Property	67%	33%	100%	6
	Violent	50%	50%	100%	4
Hispanic*		70%	30%	100%	82
	Drugs	54%	46%	100%	13
	Other	79%	21%	100%	14
	Property	63%	38%	100%	32
	Violent	83%	17%	100%	23
Other		67%	33%	100%	6
	Other	100%	0%	100%	2
	Property	0%	100%	100%	1
	Violent	67%	33%	100%	3
White		67%	33%	100%	174
	Drugs	74%	26%	100%	27
	Other	66%	34%	100%	35
	Property	66%	34%	100%	73
	Violent	64%	36%	100%	39
Total		67%	33%	100%	273

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		71%	29%	100%	79
	Drugs	60%	40%	100%	10
	Other	77%	23%	100%	13
	Property	69%	31%	100%	32
	Violent	75%	25%	100%	24
Male		65%	35%	100%	194
	Drugs	68%	32%	100%	31
	Other	68%	32%	100%	38
	Property	63%	38%	100%	80
	Violent	67%	33%	100%	45
Total		67%	33%	100%	273

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.

In county court, 21% of cases receiving a probation/deferred judgment in 2018 were revoked. Hispanics were more likely to be revoked compared to the overall revocation rate (26% compared to 21% overall) while Black/African Americans were least likely to be revoked (16%). Females in county court were equally likely to get revoked as males (21% for both). The pattern of revocations across offense type varies little across gender, however, females with Drug cases were less likely to be revoked compared to males with Drug crimes (13% compared to 17%, respectively).

Revocations from probation/deferred judgments occurred more frequently in district court (27%) compared to county court (21%) in 2018. Hispanics were most likely to be revoked (30% compared to 27% overall); Hispanics with Drug cases were revoked at a rate of 42%. Women in adult district court in the 8th Judicial District were very slightly more likely than men to get revoked (28% compared to 27%). Men and women with Drug cases were considerably more likely, compared to those with other crime types, to get revoked.

In juvenile court, 33% of cases sentenced to probation/deferred judgment in 2018 were revoked. Black/African Americans were considerably more likely to get revoked (45% compared to 33% overall), however, the few cases (n=11) means that this information must be interpreted with caution. Hispanic juveniles with Drug cases were revoked at a rate of 46%. Females were revoked at a rate of 29% compared to 35% for males. Comparing across crime types, females with Drug crimes were most likely to be revoked (40%) and males with Property cases were most likely to be revoked (38%).

Appendix A

NIBRS Group A Arrest Crimes

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

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

Appendix B

Most serious filing/conviction charge categories

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

Arson - 1st - 4th degree arson

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

Drug Poss - drug possession, paraphernalia possession

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

Escape

Extortion

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

Forgery

Fraud

Homicide - 1st and 2nd degree murder

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

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

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

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

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

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

Appendix C

Statistical Model for Classifying Hispanic Ethnicity

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

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

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

The variables provided to the model included:

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

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

The development model achieved an AUC (Area Under the Curve) of .95 and the validation AUC was also .95.¹⁴ 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

¹⁴ 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.