CLEAR Act: 2018
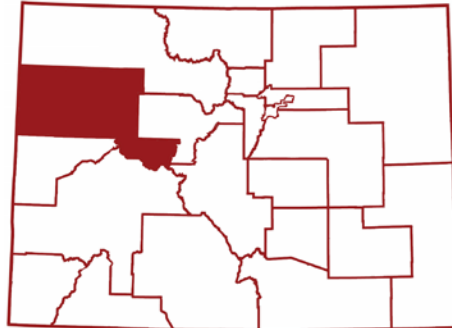
Community Law Enforcement Action Reporting Act

9th Judicial District

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

Age Group	Race/Ethnicity	Percent	Total
Adult		**88%**	**65,556**
	Black/African Am	<1%	616
	Hispanic	19%	12,649
	Other	2%	1,100
	White	78%	51,191
Juvenile		**12%**	**8,537**
	Black/African Am	1%	101
	Hispanic	34%	2,893
	Other	2%	147
	White	63%	5,397
Total		**100%**	**74,093**

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

December 2019

COLORADO
Division of Criminal Justice
Department of Public Safety

SUMMARY: Report on the C.L.E.A.R. Act

Community Law Enforcement Action Reporting Act

Pursuant to Senate Bill 2015-185

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The corresponding web-based interactive data dashboard is located here:
https://www.colorado.gov/dcj-ors/ORS-SB185

COLORADO
Division of Criminal Justice
Department of Public Safety

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Preface

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

This study presents information on arrests/summonses and court case processing for calendar year 2018 for the 9th Judicial District.

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

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

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

Executive Summary

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

This study presents information on arrests/summonses and court case processing for calendar year 2018 for the 9th Judicial District.

Senate Bill 15-185 mandated DCJ to annually analyze and report these data disaggregated by offense type. Because it is difficult to identify patterns in analyses that involve many categories,[2] this report presents a summary of the findings by collapsing the offense categories into four broad groups: **Drugs, Other, Property** and **Violent** crimes (see Appendix A and Appendix B for a list of crimes falling into these categories). The details by offense type are presented in the corresponding web-based interactive dashboard available at: https://www.colorado.gov/dcj-ors/ORS-SB185

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

The state Demographer's Office estimates that, in 2018, the population of those ages 10 and above in the 9th Judicial District was 74,093.

The adult population was comprised as follows:
- White, 78%;
- Black, <1%;
- Hispanic, 19%;
- Other, 2%.

The juvenile population was comprised as follows:
- White, 63%;
- Black, 1%;
- Hispanic, 34%; and
- Other, 2%.

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

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

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 3,300 arrests/summonses in the 9th Judicial District. For this analysis, dozens of offense categories were collapsed into four broad groups of crimes: Drugs, Other, Property and Violence (see Appendix A for the list of offenses in these categories). In 2018, arrests/summonses for Drug offenses accounted for 8% of all arrests/summonses while Violent crimes accounted for 13% of arrests/summonses, Property offenses accounted for 9% of arrests/summonses, and the remainder of arrests/summonses (70%) fell into the Other crime category. Black/African Americans represented 1% of the population in 2018 but accounted for 3% of arrests/summonses. Hispanics represented 21% of the population and 25% of arrests/summonses. Females were somewhat more likely to be involved in Drug offenses than the other offense categories. Juveniles were more likely to be summonsed than arrested. Violent crimes were less likely than the other crime categories to result in a summons.

Court filings. This study of 2,245 case filings in county, district, and juvenile courts combined found that while Black/African Americans represented 1% of the population and 3% of the arrests/summonses in 2018, they accounted for 2% of court filings. Hispanics represented 21% of the population and 30% of court filings. In juvenile court, Hispanics represented 35% of cases, compared to 34% of Hispanic juveniles in the population. In terms of gender, 22% of filings were females and 78% were males. Females were slightly more likely than men to be involved in Drug crimes and slightly less likely to be involved in Violent offenses. Only 1 case 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

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

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, 18% of cases in county court were dismissed, as were 10% of cases in district court and 20% of cases in juvenile court. One-third (30%) of county court cases were convicted as charged compared to 18% in district court and 33% in juvenile court. One-quarter (28%) of county court cases were convicted of a different charge, as were 24% of district court cases, and 30% of juvenile court cases.

Initial court sentences. In county court, deferred judgments occurred in 22% of cases and probation was given in 25% of cases. The majority of drug cases (n=25) received a fine/fee. Half (52%) of cases receiving a jail sentence had a violent offense as the most serious charge. Women were more likely than men to receive a deferred judgment in county court (29% compared to 20%, respectively). Men were more likely than women to receive a jail sentence (23% for men compared to 18% for women), and men were more likely to be granted an initial sentence to probation (26% compared to 23% for women). Those in the Other race/ethnicity category were more likely to receive a jail sentence (57% compared to 22% overall) but the few cases (n=7) means this information must be interpreted with caution. Black/African Americans were less likely to receive a deferred judgement (9% compared to 22% overall) but, again, the few cases (n=23) means this information must be interpreted with caution. For Property cases, 48% of Hispanics received a jail sentence compared to 26% of Whites. For Violent offenses, 63% of Black/African Americans received a jail sentence compared to 33% of Whites, but the few Black/African American cases in this category (n=8) means this information must be interpreted with caution.

In district court, probation was the most frequently occurring initial sentence, happening 54% of the time for Drug cases. The second most frequently occurring sentence in district court was a jail sentence: 12% of Drug cases, 24% of Other cases, 15% of Property cases, and 17% of Violent cases received a jail sentence. Deferred judgments were imposed in 14% of cases and were most likely to be imposed in Property cases (20%), and least likely to be imposed in Drug cases (9%). Women were much more likely to receive a deferred judgment compared to men (20% versus 12%, respectively), and more likely to receive a jail sentence (19% compared to 16% for men). Women were less likely to receive a jail sentence (8%) compared to men (11%), and also considerably less likely to receive a prison sentence compared to men (3% compared to 9%). Over one-quarter (27%) of initial sentences for Black/African Americans was to jail compared to 17% overall. Cases with White defendants were more likely to receive a deferred judgment (16%) compared to Black/African Americans (7%) and Hispanics (9%). Overall, probation and jail were the most common sentences for Drug offenses (66% and 14%, respectively). When the most serious offense fell into the Other crime category, 14% of Hispanics received a prison sentence compared to 5% of Whites. When the most serious offense was Violent, 14% of Whites received a sentence to the Department of Corrections compared to 25% of Black/African Americans, however, the few cases in this category (n=4) means that this information should be interpreted with caution.

In juvenile court, an initial sentence to probation was the most frequently occurring sentence: two-thirds (67%) of initial sentences were to probation, while 15% of cases were granted a deferred judgment. Drug cases were more likely than other offenses to receive a probation sentence (83% compared to 67% overall) in juvenile court, however, there were only six (n=6) Drug cases in juvenile court in 2018. Initial sentences to the Division of Youth Services were

more likely for Property and Other cases. Females were less likely to receive a deferred judgement than males (12% versus 16%, respectively), and slightly more likely to receive a sentence to the Division of Youth Services (12% compared to 11%, respectively). Hispanics were less likely to receive a deferred judgment (11% compared to 18% for Whites), and more likely to receive an initial sentence to the Division of Youth Services (14% compared to 5% for Whites).

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

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

Overall, 11% of county court cases receiving a probation/deferred judgment in 2018 were revoked. Black/African Americans were revoked at a rate of 22%, however, because of the few cases (n=9), this information must be interpreted with caution. Hispanics with Property offenses were revoked at a rate of 25%, compared to 11% overall. Females in county court were less likely to get revoked than males (7% compared to 12%, respectively). Females with Violent charges and males with Property offenses were most likely to be revoked (12% and 22%, respectively).

Revocations from probation/deferred judgments occurred slightly more frequently in district court (12%) compared to county court (11%) in 2018. Whites were most likely to be revoked (14% compared to 12% overall); Whites and Hispanics with Property offenses were more likely to be revoked (16% and 18%, respectively). Women in adult district court were more likely than men to get revoked (16% compared to 11%).

In juvenile court, 11% of cases sentenced to probation/deferred judgment in 2018 were revoked. None of the female juveniles were revoked, however, the number of cases is low (n=15). Hispanics were more likely than Whites to get revoked (17% compared to 5%, respectively).

Overall summary. In 2018, Black/African Americans represented 1% of the population but accounted for 3% of arrests/summonses and 2% of court filings. Hispanics represented 21% of the population, 15% of arrests/summonses and 30% of court filings. In juvenile court, Hispanics represented 35% of cases, compared to 34% of Hispanic juveniles in the population.

In county court, deferred judgments occurred in 22% of cases and probation was given in 25% of cases. The majority of drug cases (n=25) received a fine/fee. Half (52%) of cases receiving a jail sentence had a violent offense as the most serious charge. Women were more likely than men to receive a deferred judgment in county court (29% compared to 20%, respectively). Men

were more likely than women to receive a jail sentence (23% for men compared to 18% for women), and men were more likely to be granted an initial sentence to probation (26% compared to 23% for women). Those in the Other race/ethnicity category were more likely to receive a jail sentence (57% compared to 22% overall) but the few cases (n=7) means this information must be interpreted with caution. Black/African Americans were less likely to receive a deferred judgement (9% compared to 22% overall) but, again, the few cases (n=23) means this information must be interpreted with caution. For Property cases, 48% of Hispanics received a jail sentence compared to 26% of Whites. For Violent offenses, 63% of Black/African Americans received a jail sentence compared to 33% of Whites, but the few Black/African American cases in this category (n=8) means this information must be interpreted with caution.

In district court, probation was the most frequently occurring initial sentence, happening 54% of the time for Drug cases. The second most frequently occurring sentence in district court was a jail sentence: 12% of Drug cases, 24% of Other cases, 15% of Property cases, and 17% of Violent cases received a jail sentence. Over one-quarter (27%) of initial sentences for Black/African Americans was to jail compared to 17% overall. Cases with White defendants were more likely to receive a deferred judgment (16%) compared to Black/African Americans (7%) and Hispanics (9%). Overall, probation and jail were the most common sentences for Drug offenses (66% and 14%, respectively). When the most serious offense fell into the Other crime category, 14% of Hispanics received a prison sentence compared to 5% of Whites. When the most serious offense was Violent, 14% of Whites received a sentence to the Department of Corrections compared to 25% of Black/African Americans, however, the few cases in this category (n=4) means that this information should be interpreted with caution.

n juvenile court, an initial sentence to probation was the most frequently occurring sentence: two-thirds (67%) of initial sentences were to probation, while 15% of cases were granted a deferred judgment. Drug cases were more likely than other offenses to receive a probation sentence (83% compared to 67% overall) in juvenile court, however, there were only six (n=6) Drug cases in juvenile court in 2018. Hispanics were less likely to receive a deferred judgment (11% compared to 18% for Whites), and more likely to receive an initial sentence to the Division of Youth Services (14% compared to 5% for Whites).

In terms of revocations, 11% of county court cases receiving a probation/deferred judgment in 2018 were revoked. Black/African Americans were revoked at a rate of 22%, however, because of the few cases (n=9), this information must be interpreted with caution. Hispanics with Property offenses were revoked at a rate of 25%, compared to 11% overall.

Revocations from probation/deferred judgments occurred slightly more frequently in district court (12%) compared to county court (11%) in 2018. Whites were most likely to be revoked (14% compared to 12% overall); Whites and Hispanics with Property offenses were more likely to be revoked (16% and 18%, respectively). Women in adult district court were more likely than men to get revoked (16% compared to 11%).

In juvenile court, 11% of cases sentenced to probation/deferred judgment in 2018 were revoked. None of the female juveniles were revoked, however, the number of cases is low (n=15). Hispanics were more likely than Whites to get revoked (17% compared to 5%, respectively).

Section 1: Introduction

Background and overview

In 2015, the General Assembly passed Senate Bill 15-185, the Community Law Enforcement Action Reporting Act, or the CLEAR Act. The CLEAR Act mandates that the Division of Criminal Justice annually analyze and report data provided by law enforcement agencies,[4] the Judicial Department, and the adult Parole Board, to reflect decisions made at multiple points in the justice system process. The CLEAR Act requires that the data be analyzed by race/ethnicity and gender. This study presents information for the 9th Judicial District for calendar year 2018, including the following:

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

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

This report is presented to the Judiciary Committees of the General Assembly in tandem with the data dashboard that provides information by offense type, and includes a feature that shows the initial sentence by number of prior cases. These two reporting mechanisms—this report and the data dashboard—should be viewed together since only the report contains information regarding the data sets used in the report and in the dashboard, and because the analysis of the four broad categories of crime allows for summary discussion of patterns of events.

An important note about race/ethnicity. The analysis of race and ethnicity across justice decision points is significantly hampered by the lack of ethnicity information in the statewide court data system. Specifically, the Judicial Branch's ICON data system does not distinguish between race and ethnicity. As a result, persons of Hispanic ethnicity are typically in the White race category, and thus significantly undercounted in the Hispanic category. For example, in 2018 Hispanics represented 22% of the Colorado population, but only 6% of cases were classified as Hispanic in ICON. In addition, the arrest data are plagued with random

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

misclassifications of race/ethnicity, and both random and non-random missing race/ethnicity data. To improve upon the accuracy of the race/ethnicity designation in this analysis, a statistical model was developed to predict whether an offender was Hispanic. The model had an overall predictive accuracy of 94%. This model was used with both arrest and court data.[5] Note that while no model is perfectly accurate it was determined that using this model is an improvement over using the race/ethnicity designations in the raw data. Please see Appendix C for a description of the prediction model.

Finally, the Colorado Department of Local Affairs, Office of the State Demographer, estimated that the population in the 9th Judicial District in 2018 for residents ages 10 and over was 74,093 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		**88%**	**65,556**
	Black/African Am	<1%	616
	Hispanic	19%	12,649
	Other	2%	1,100
	White	78%	51,191
Juvenile		**12%**	**8,537**
	Black/African Am	1%	101
	Hispanic	34%	2,893
	Other	2%	147
	White	63%	5,397
Total		**100%**	**74,093**

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

Data sources

Arrest/Summons. Law enforcement data for the period between January 1, 2018 and December 31, 2018 was obtained from the Colorado Bureau of Investigation's National Incident-Based Reporting System (NIBRS), which includes Group A and B arrests. NIBRS requires different details in the reporting of Group A and Group B offenses. Law enforcement must report both incidents and arrests for Group A offenses, and they must report only arrests for Group B offenses. NIBRS developers used the following criteria to determine if a crime should be designated as a Group A offense:

- The seriousness or significance of the offense;
- The frequency or volume of its occurrence;
- The seriousness or significance of the offense;
- The prevalence of the offense nationwide;
- The probability law enforcement becomes aware of the offense;
- The likelihood that law enforcement is the best source for collecting data regarding the offense;

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

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

NIBRS Group A offenses are listed in Appendix A, and Group B offenses are summarized into "Other."[6] Per the CLEAR Act, the data presented here includes information concerning arrests classified as *on view/probable cause* (an arrest without a warrant but with probable cause, resulting in physical restraint), *summons* (an order to appear in court), and *custody/warrant* (an arrest that involves an outstanding warrant and physical restraint). More than 3,000 NIBRS incidents were analyzed for calendar year 2018 (Table 1-2).

Table 1-2. Arrests by type, 2018

Arrest Type	Percent	Total
Custody/ warrant	22%	741
On-view/ probable cause	47%	1,560
Summons	31%	1,046
Total	**100%**	**3,347**

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	35%	792
County	61%	1,362
Juvenile	4%	91
Total	**100%**	**2,245**

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

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[6] Group B crimes include bad checks, curfew/loitering/vagrancy, disorderly conduct, driving under the influence, drunkenness, family offenses (nonviolent), liquor law violations, voyeurism, runaway, trespass of real property, all other offenses.

Note that the information presented here reflects the analysis of more than 2,200 ***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.

The crime information analyzed for this study reflects the most serious filing or conviction charge for 24 offense categories[8] 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.

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

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[7] 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.

[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-SB185-2018, provides information on 17 arrest offense types. The analyses of four broad categories allows for the identification of patterns that are difficult to discern when detailed information is presented. Additionally, some of the law enforcement findings are disaggregated, by adults, juveniles, and by gender. Finally, Senate Bill 15-185 mandates that arrest information be provided by arrest type and summons. The data represent all arrests/summonses captured in the Colorado Bureau of Investigation's National Incident Based Reporting System (NIBRS) for calendar year 2018 for the 9th Judicial District.

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

Crime type	Percent	Total
Drugs	8%	282
Other	70%	2,329
Property	9%	316
Violent	13%	420
Total	**100%**	**3,347**

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

Table 2-2 reflects over 3,000 arrests/summonses captured in NIBRS for calendar year 2018, by race/ethnicity. Black/African Americans represented 1% of the population in 2018 but accounted for 3% of arrests/summonses. Hispanics represented 21% of the population and accounted for 25% of arrests. The Other race/ethnicity category represented 2% of the population, and were underrepresented in arrests (1%), as were Whites, who represented 76% of the population and 71% of arrests/summonses.

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

Race/Ethnicity	Percent	Total
Black/African Am	3%	91
Hispanic*	25%	845
Other	1%	38
White	71%	2,373
Total	**100%**	**3,347**

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

Table 2-3 shows that juveniles accounted for 2% of on view/probable cause arrests, and that 18% of those arrests were for violent crimes, a proportion similar to adults (20%). Juveniles accounted for 3% of custody/warrant arrests (Table 2-4). Overall, juveniles were more likely to get summoned than arrested; they accounted for 13% of summonsed cases (Table 2-5). Not surprisingly, violent offenses were least likely to result in a summons for adults and juveniles (Table 2-5).

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

Age Group	Crime type	Percent	Total
Adult		**98%**	**1,527**
	Drugs	8%	125
	Other	65%	990
	Property	7%	114
	Violent	20%	298
Juvenile		**2%**	**33**
	Drugs	15%	5
	Other	55%	18
	Property	12%	4
	Violent	18%	6
Total		**100%**	**1,560**

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		**97%**	**722**
	Drugs	4%	32
	Other	85%	613
	Property	5%	36
	Violent	6%	41
Juvenile		**3%**	**19**
	Drugs	5%	1
	Other	84%	16
	Property	11%	2
Total		**100%**	**741**

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

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

Age Group	Crime type	Percent	Total
Adult		**87%**	**908**
	Drugs	7%	64
	Other	70%	635
	Property	16%	144
	Violent	7%	65
Juvenile		**13%**	**138**
	Drugs	40%	55
	Other	41%	57
	Property	12%	16
	Violent	7%	10
Total		**100%**	**1,046**

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 8% of probable cause arrests were for Drug related offenses, 65% were for Other offenses, 8% for Property offenses, and 19% for Violent offenses. While Black/African Americans made up 1% of the population, Table 2-6 shows that they were arrested at twice that rate for non-Drug probable cause arrests in 2018. Hispanics represented 21% of the population and 28% of Violent probable cause arrest in 2018.

The other arrest type, where an individual is taken into custody on an outstanding warrant, is depicted in Table 2-7. Over 80% of these arrests involved an offense that fell into the Other category. While only 6% of these types of arrests involved a Violent offense, Black/African Americans made up 5% of Violent crime arrests which was greater than the proportion of Black/African Americans in the population (1%). However, this finding represents only 2 cases, so this information must be interpreted with caution.

Table 2-8 shows that summons were less likely to be issued for Violent offenses (7%) compared to Other (66%) and Property (15%) and that, of those receiving summonses for Violent crimes, 33% went to Hispanics.

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

Crime type	Race/Ethnicity	Percent	Total
Drugs		**8%**	**130**
	Black/African Am	<1%	1
	Hispanic*	25%	32
	Other	<1%	1
	White	74%	96
Other		**65%**	**1,008**
	Black/African Am	2%	18
	Hispanic*	22%	224
	Other	1%	14
	White	75%	752
Property		**8%**	**118**
	Black/African Am	2%	2
	Hispanic*	25%	30
	Other	<1%	1
	White	72%	85
Violent		**19%**	**304**
	Black/African Am	2%	6
	Hispanic*	28%	85
	Other	2%	5
	White	68%	208
Total		**100%**	**1,560**

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		**4%**	**33**
	Black/African Am	6%	2
	Hispanic*	36%	12
	White	58%	19
Other		**85%**	**629**
	Black/African Am	4%	23
	Hispanic*	27%	167
	Other	1%	7
	White	69%	432
Property		**5%**	**38**
	Black/African Am	3%	1
	Hispanic*	24%	9
	White	74%	28
Violent		**6%**	**41**
	Black/African Am	5%	2
	Hispanic*	22%	9
	Other	2%	1
	White	71%	29
Total		**100%**	**741**

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

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

Crime type	Race/Ethnicity	Percent	Total
Drugs		**11%**	**119**
	Hispanic*	37%	44
	White	63%	75
Other		**66%**	**692**
	Black/African Am	5%	32
	Hispanic*	23%	162
	Other	1%	7
	White	71%	491
Property		**15%**	**160**
	Black/African Am	3%	4
	Hispanic*	29%	46
	Other	<1%	1
	White	68%	109
Violent		**7%**	**75**
	Hispanic*	33%	25
	Other	1%	1
	White	65%	49
Total		**100%**	**1,046**

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 18-30% of arrests and 24-41% of summonses (depending on the crime category) and men comprised the remainder. Overall, women were generally more likely to be involved in Drug offenses compared with the other offense categories.

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

Crime type	Gender	Percent	Total
Drugs		**8%**	**130**
	Female	25%	33
	Male	75%	97
Other		**65%**	**1,008**
	Female	19%	190
	Male	81%	818
Property		**8%**	**118**
	Female	18%	21
	Male	82%	97
Violent		**19%**	**304**
	Female	22%	68
	Male	78%	236
Total		**100%**	**1,560**

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		**4%**	**33**
	Female	30%	10
	Male	70%	23
Other		**85%**	**629**
	Female	24%	148
	Male	76%	481
Property		**5%**	**38**
	Female	18%	7
	Male	82%	31
Violent		**6%**	**41**
	Female	24%	10
	Male	76%	31
Total		**100%**	**741**

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

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

Crime type	Gender	Percent	Total
Drugs		**11%**	**119**
	Female	26%	31
	Male	74%	88
Other		**66%**	**692**
	Female	24%	167
	Male	76%	525
Property		**15%**	**160**
	Female	41%	65
	Male	59%	95
Violent		**7%**	**75**
	Female	24%	18
	Male	76%	57
Total		**100%**	**1,046**

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 3,300 arrests/summonses in the 9th Judicial District. For this analysis, dozens of offense categories were collapsed into four broad groups of crimes: Drugs, Other, Property and Violence (see Appendix A for the list of offenses in these categories). In 2018, arrests/summonses for Drug offenses accounted for 8% of all arrests/summonses while Violent crimes accounted for 13% of arrests/summonses, Property offenses accounted for 9% of arrests/summonses, and the remainder of arrests/summonses (70%) fell into the Other crime category. Black/African Americans represented 1% of the population in 2018 but accounted for 3% of arrests/summonses. Hispanics represented 21% of the population and 25% of arrests/summonses. Females were somewhat more likely to be involved in Drug offenses than the other offense categories. Juveniles were more likely to be summonsed than arrested. Violent crimes were less likely than the other crime categories to result in a summons.

Section 3: Court Case Processing

The Judicial Branch's information management system contains county and district court adult and juvenile case filings and dispositions statewide, with the exception of Denver County Court. [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 <u>include</u> attempts, solicitations, and conspiracies.

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

Case Filings

Overall

Table 3-1 depicts race/ethnicity distribution for 2,245 case filings in county, adult district, and juvenile courts combined for calendar year 2018. While Black/African Americans represented 1% of the s population and 3% of the arrests/summonses in 2018, they accounted for 2% of court filings. Hispanics represented 21% of the population, 25% of arrests/summonses, and 30% of case filings. Note that these cases are not necessarily the same cases in the **Law enforcement data** section above.

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[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	2%	53
Hispanic*	30%	671
Other	2%	35
White	66%	1,486
Total	**100%**	**2,245**

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 12% of cases, and Violent charges comprised the largest category at 40% of charges filed.

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

Crime type	Race/Ethnicity	Percent	Total
Drugs		**12%**	**263**
	Black/African Am	2%	5
	Hispanic*	32%	85
	Other	1%	3
	White	65%	170
Other		**29%**	**662**
	Black/African Am	2%	14
	Hispanic*	37%	246
	Other	2%	13
	White	59%	389
Property		**19%**	**427**
	Black/African Am	2%	9
	Hispanic*	26%	109
	Other	3%	12
	White	70%	297
Violent		**40%**	**893**
	Black/African Am	3%	25
	Hispanic*	26%	231
	Other	<1%	7
	White	71%	630
Total		**100%**	**2,245**

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, 22% of filings were females and 78% were males. Females were slightly more likely than men to be involved in Drug crimes (15% compared to 11%, respectively) and very slightly less to be involved in Violent offenses (39% compared to 40%, respectively).

Table 3-3. Most serious filing charge by gender

Gender	Crime type	Percent	Total
Female		**22%**	**500**
	Drugs	15%	74
	Other	27%	135
	Property	19%	95
	Violent	39%	196
Male		**78%**	**1,745**
	Drugs	11%	189
	Other	30%	527
	Property	19%	332
	Violent	40%	697
Total		**100%**	**2,245**

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 61% of the total. Black/African Americans represented 2% of county court cases filed compared to 2% in adult district court and none in juvenile court. Hispanics represented 29% of county court filings, 30% of district court filings, and 35% of juvenile court filings in 2018.

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

Court	Race/Ethnicity	Percent	Total
Adult District		**35%**	**792**
	Black/African Am	2%	19
	Hispanic*	30%	241
	Other	2%	15
	White	65%	517
County		**61%**	**1,362**
	Black/African Am	2%	34
	Hispanic*	29%	398
	Other	1%	18
	White	67%	912
Juvenile		**4%**	**91**
	Hispanic*	35%	32
	Other	2%	2
	White	63%	57
Total		**100%**	**2,245**

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

Table 3-5 shows the type of offense within court type. Half (51%) of county court cases were Violent offenses (primarily misdemeanor assault); Property offenses (29%) and Drug cases (26%) comprised the largest categories of cases in adult district court; and Property crimes made up nearly half (49%) 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 and juvenile court (24%) compared to adult district court (20%).

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

Court	Crime type	Percent	Total
Adult District		**35%**	**792**
	Drugs	26%	202
	Other	25%	195
	Property	29%	227
	Violent	21%	168
County		**61%**	**1,362**
	Drugs	4%	53
	Other	33%	454
	Property	11%	155
	Violent	51%	700
Juvenile		**4%**	**91**
	Drugs	9%	8
	Other	14%	13
	Property	49%	45
	Violent	27%	25
Total		**100%**	**2,245**

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

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

Court	Gender	Percent	Total
Adult District		**35%**	**792**
	Female	20%	157
	Male	80%	635
County		**61%**	**1,362**
	Female	24%	321
	Male	76%	1,041
Juvenile		**4%**	**91**
	Female	24%	22
	Male	76%	69
Total		**100%**	**2,245**

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

Trials

Table 3-7 shows how very infrequently cases in these courts completed a trial. In fact, in 2018, only one trial was held in the 9th Judicial District. Table 3-8 combines information across court types and shows the number of trials completed by offense type. County court held one trial for a Violent case.

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

Court	Completed Trial	Percent	Total
Adult District		35%	792
	No	100%	792
County		61%	1,362
	No	100%	1,361
	Yes	<1%	1
Juvenile		4%	91
	No	100%	91
Total		100%	2,245

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		12%	263
	No	100%	263
Other		29%	662
	No	100%	662
Property		19%	427
	No	100%	427
Violent		40%	893
	No	100%	892
	Yes	<1%	1
Total		100%	2,245

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 2,245 case filings in county, district, and juvenile courts combined found that while Black/African Americans represented 1% of the population and 3% of the arrests/summonses in 2018, they accounted for 2% of court filings. Hispanics represented 21% of the population and 30% of court filings. In juvenile court, Hispanics represented 35% of cases, compared to 34% of Hispanic juveniles in the population. In terms of gender, 22% of filings were females and 78% were males. Females were slightly more likely than men to be involved in Drug crimes and slightly less likely to be involved in Violent offenses. Only 1 case 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 18% 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 over one-quarter (28%) were convicted of another crime. In adult district court (Table 3-10), 47% were convicted of another crime and 18% were convicted as charged. In juvenile court (Table 3-11), 30% were convicted of another offense and 33% were convicted as charged.

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

Race/ Ethnicity	Crime type	Convicted as charged	Convicted other crime	Dismissed not guilty	Not yet resolved/ case closed	Total	Total N
Black/African Am		**18%**	**24%**	**24%**	**35%**	**100%**	**34**
	Drugs	100%	0%	0%	0%	100%	1
	Other	0%	44%	33%	22%	100%	9
	Property	0%	100%	0%	0%	100%	2
	Violent	23%	9%	23%	45%	100%	22
Hispanic*		**31%**	**30%**	**16%**	**24%**	**100%**	**398**
	Drugs	41%	35%	18%	6%	100%	17
	Other	43%	24%	14%	19%	100%	172
	Property	34%	25%	9%	31%	100%	32
	Violent	17%	35%	18%	30%	100%	177
Other		**11%**	**17%**	**56%**	**17%**	**100%**	**18**
	Drugs	0%	0%	0%	0%	0%	0
	Other	13%	25%	25%	38%	100%	8
	Property	0%	17%	83%	0%	100%	6
	Violent	25%	0%	75%	0%	100%	4
White		**31%**	**28%**	**18%**	**23%**	**100%**	**912**
	Drugs	34%	29%	23%	14%	100%	35
	Other	43%	31%	11%	15%	100%	265
	Property	23%	30%	22%	24%	100%	115
	Violent	27%	26%	21%	27%	100%	497
Total		**30%**	**28%**	**18%**	**23%**	**100%**	**1,362**

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. Ten percent (10%) of cases filed in district court had all charges dismissed (fewer than 1% of those in this category were not guilty). Unfortunately, nearly half (48%) of district court cases were not yet resolved when the data were obtained for analysis.

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

Race/Ethnicity	Crime type	Convicted as charged	Convicted other crime	Dismissed / not guilty	Not yet resolved/ case closed	Total	Total N
Black/African Am		**11%**	**11%**	**16%**	**63%**	**100%**	**19**
	Drugs	0%	50%	0%	50%	100%	4
	Other	0%	0%	40%	60%	100%	5
	Property	0%	0%	14%	86%	100%	7
	Violent	67%	0%	0%	33%	100%	3
Hispanic*		**15%**	**24%**	**8%**	**54%**	**100%**	**241**
	Drugs	16%	21%	8%	55%	100%	62
	Other	19%	22%	10%	49%	100%	69
	Property	11%	32%	8%	49%	100%	65
	Violent	13%	18%	4%	64%	100%	45
Other		**7%**	**20%**	**13%**	**60%**	**100%**	**15**
	Drugs	33%	0%	0%	67%	100%	3
	Other	0%	0%	50%	50%	100%	4
	Property	0%	40%	0%	60%	100%	5
	Violent	0%	33%	0%	67%	100%	3
White		**19%**	**25%**	**10%**	**45%**	**100%**	**517**
	Drugs	20%	27%	5%	49%	100%	133
	Other	20%	20%	21%	40%	100%	117
	Property	22%	32%	10%	36%	100%	150
	Violent	15%	21%	6%	58%	100%	117
Total		**18%**	**24%**	**10%**	**48%**	**100%**	**792**

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 20% of cases filed, while 33% of cases were convicted as charged and 30% were convicted of a different crime.

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
Hispanic*		**28%**	**41%**	**22%**	**9%**	**100%**	**32**
	Drugs	17%	67%	17%	0%	100%	6
	Other	0%	60%	20%	20%	100%	5
	Property	50%	25%	17%	8%	100%	12
	Violent	22%	33%	33%	11%	100%	9
Other		**50%**	**0%**	**0%**	**50%**	**100%**	**2**
	Drugs	0%	0%	0%	0%	0%	0
	Other	0%	0%	0%	100%	100%	1
	Property	100%	0%	0%	0%	100%	1
	Violent	0%	0%	0%	0%	0%	0
White		**35%**	**25%**	**19%**	**21%**	**100%**	**57**
	Drugs	0%	0%	0%	100%	100%	2
	Other	14%	14%	14%	57%	100%	7
	Property	47%	31%	13%	9%	100%	32
	Violent	25%	19%	38%	19%	100%	16
Total		**33%**	**30%**	**20%**	**18%**	**100%**	**91**

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, 18% of cases in county court were dismissed, as were 10% of cases in district court and 20% of cases in juvenile court. One-third (30%) of county court cases were convicted as charged compared to 18% in district court and 33% in juvenile court. One-quarter (28%) of county court cases were convicted of a different charge, as were 24% of district court cases, and 30% of juvenile court cases.

Initial Sentences

The tables below show cases sentenced in the 9th Judicial District between Jan 1, 2018 and Dec 31, 2018, in county court, district court, and juvenile court. These cases are not necessarily the same cases in the **Case Filings** section above. Also, because these data represent cases, not individuals, the number of individuals sentenced to the Department of Corrections (DOC) or the

Division of Youth Services (DYS) will not match the number reported as admissions by these agencies.

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

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

Additionally, individuals may have multiple cases for which they are sentenced simultaneously. The sentence given in one case may not truly reflect the seriousness of the case as the more serious sentence may be recorded in another case as part of a plea agreement. In fact, as previously mentioned, statewide in 2018, 19% of county court cases, 36% of district court cases, and 38% of juvenile court cases had other, concurrent cases mentioned in minute orders or sentencing notes.

Also, please note that the crime categories include attempts, solicitations, and conspiracy offenses.

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

County court

Table 3-12 presents the initial sentence for each of the four offense types for county court cases in 2018. Deferred judgments occurred in 22% of cases and probation was given in 25% of cases. The majority of drug cases (n=25) received a fine/fee. Half (52%) of cases receiving a jail sentence had a violent offense as the most serious charge.

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

Sentence	Crime type	Percent	Total
Community Service		**2%**	**18**
	Drugs	6%	1
	Other	78%	14
	Property	11%	2
	Violent	6%	1
Deferred		**22%**	**209**
	Drugs	2%	4
	Other	45%	94
	Property	10%	20
	Violent	44%	91
Fines/fees		**21%**	**195**
	Drugs	13%	25
	Other	71%	138
	Property	7%	14
	Violent	9%	18
Jail		**22%**	**207**
	Drugs	2%	4
	Other	32%	66
	Property	14%	29
	Violent	52%	108
Probation/Intensive Supervision		**25%**	**235**
	Drugs	1%	3
	Other	43%	101
	Property	7%	16
	Violent	49%	115
Unsupervised Probation		**8%**	**80**
	Drugs	9%	7
	Other	45%	36
	Property	18%	14
	Violent	29%	23
Total		**100%**	**944**

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

Table 3-13 reflects initial county court sentences by gender. Women were more likely than men to receive a deferred judgment in county court (29% compared to 20%, respectively). Men were more likely than women to receive a jail sentence (23% for men compared to 18% for women), and men were more likely to be granted an initial sentence to probation (26% compared to 23% for women).

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

Sentence	Female	Male	Total
(N)	248	696	944
Community Service	0%	3%	2%
Deferred	29%	20%	22%
Fines/fees	24%	19%	21%
Jail	18%	23%	22%
Probation/Intensive Supervision	23%	26%	25%
Unsupervised Probation	5%	10%	8%
Total	100%	100%	100%

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

Table 3-14 presents the initial sentence in county court by race/ethnicity. Those in the Other race/ethnicity category were more likely to receive a jail sentence (57% compared to 22% overall) but the few cases (n=7) means this information must be interpreted with caution. Black/African Americans were less likely to receive a deferred judgement (9% compared to 22% overall) but, again, the few cases (n=23) means this information must be interpreted with caution.

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

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	23	275	7	639	944
Community Service	0%	2%	0%	2%	2%
Deferred	9%	22%	14%	23%	22%
Fines/fees	30%	21%	14%	20%	21%
Jail	30%	19%	57%	23%	22%
Probation/Intensive Supervision	26%	27%	14%	24%	25%
Unsupervised Probation	4%	9%	0%	8%	8%
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. A sentence of fees/fines was the most common for Drug offenses, occurring for 57% of cases. Caution must be used when interpreting data with few cases.

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

Sentence	Black/African Am	Hispanic*	White	Total
(N)	2	13	29	44
Community Service	0%	0%	3%	2%
Deferred	50%	23%	0%	9%
Fines/fees	50%	31%	69%	57%
Jail	0%	8%	10%	9%
Probation/Intensive Supervision	0%	8%	7%	7%
Unsupervised Probation	0%	31%	10%	16%
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 3-16 shows that, for those with Other as the most serious county court conviction charge, the most common sentence was fines/fees (31%). Hispanics were slightly less likely than Whites to receive a deferred judgment (19% compared to 23%, respectively). Table 3-17 provides information on the initial sentence in county court for Property offenses and Table 3-18 depicts the initial sentence for Violent offenses in county court. For Property cases, 48% of Hispanics received a jail sentence compared to 26% of Whites. For Violent offenses, 63% of Black/African Americans received a jail sentence compared to 33% of Whites, but the few Black/African American cases in this category (n=8) means this information must be interpreted with caution.

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

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	11	149	1	288	449
Community Service	0%	4%	0%	3%	3%
Deferred	0%	19%	0%	23%	21%
Fines/fees	36%	32%	0%	30%	31%
Jail	18%	15%	100%	14%	15%
Probation/Intensive Supervision	36%	22%	0%	22%	22%
Unsupervised Probation	9%	8%	0%	8%	8%
Total	100%	100%	100%	100%	100%

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

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

Sentence	Black/African American	Hispanic*	Other	White	Total
(N)	2	23	1	69	95
Community Service	0%	0%	0%	3%	2%
Deferred	0%	22%	0%	22%	21%
Fines/fees	50%	0%	100%	17%	15%
Jail	0%	48%	0%	26%	31%
Probation/Intensive Supervision	50%	9%	0%	19%	17%
Unsupervised Probation	0%	22%	0%	13%	15%
Total	100%	100%	100%	100%	100%

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

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

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	8	90	5	253	356
Community Service	0%	0%	0%	<1%	<1%
Deferred	13%	28%	20%	25%	26%
Fines/fees	13%	6%	0%	5%	5%
Jail	63%	19%	60%	33%	30%
Probation/Intensive Supervision	13%	42%	20%	30%	32%
Unsupervised Probation	0%	6%	0%	7%	6%
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 54% of the time for Drug cases. The second most frequently occurring sentence in district court was a jail sentence: 12% of Drug cases, 24% of Other cases, 15% of Property cases, and 17% of Violent cases received a jail sentence. Deferred judgments were imposed in 14% of cases and were most likely to be imposed in Property cases (20%), and least likely to be imposed in Drug cases (9%).

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

Sentence	Drugs	Other	Property	Violent	Total
(N)	161	144	152	105	562
Community Corrections	2%	6%	7%	<1%	4%
Community Service	1%	<1%	0%	0%	<1%
Deferred	9%	10%	20%	19%	14%
Dept of Corrections	6%	8%	7%	11%	8%
Fines/fees	2%	4%	<1%	2%	2%
Jail	12%	24%	15%	17%	17%
Probation/Intensive Supervision	66%	48%	51%	50%	54%
Total	100%	100%	100%	100%	100%

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

Table 3-20 shows the initial district court sentence by gender. Women were much more likely to receive a deferred judgment compared to men (20% versus 12%, respectively), and more likely to receive a jail sentence (19% compared to 16% for men). Women were less likely to receive a jail sentence (8%) compared to men (11%), and also considerably less likely to receive a prison sentence compared to men (3% compared to 9%).

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

Sentence	Female	Male	Total
(N)	119	443	562
Community Corrections	0%	5%	4%
Community Service	<1%	<1%	<1%
Deferred	20%	12%	14%
Dept of Corrections	3%	9%	8%
Fines/fees	2%	2%	2%
Jail	19%	16%	17%
Probation/Intensive Supervision	55%	54%	54%
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. Over one-quarter (27%) of initial sentences for Black/African Americans was to jail compared to 17% overall. Cases with White defendants were more likely to receive a deferred judgment (16%) compared to Black/African Americans (7%) and Hispanics (9%).

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

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	15	173	9	365	562
Community Corrections	0%	8%	0%	3%	4%
Community Service	0%	0%	11%	<1%	<1%
Deferred	7%	10%	22%	16%	14%
Dept of Corrections	7%	9%	0%	8%	8%
Fines/fees	0%	5%	0%	1%	2%
Jail	27%	16%	22%	17%	17%
Probation/Intensive Supervision	60%	53%	44%	55%	54%
Total	100%	100%	100%	100%	100%

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

The following four tables show initial district court sentences for each of the four offense categories, by race/ethnicity. Table 3-22 shows the sentences cases received for Drug offenses. Probation and jail were the most common sentences for Drug offenses (66% and 14%, respectively). When the most serious offense fell into the Other crime category (Table 3-23), 14% of Hispanics received a prison sentence compared to 5% of Whites. When the most serious offense was Violent, 14% of Whites received a sentence to the Department of Corrections compared to 25% of Black/African Americans, however, the few cases in this category (n=4) means that this information should be interpreted with caution.

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

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	4	50	5	102	161
Community Corrections	0%	8%	0%	0%	2%
Community Service	0%	0%	20%	<1%	1%
Deferred	25%	6%	20%	10%	9%
Dept of Corrections	0%	8%	0%	6%	6%
Fines/fees	0%	4%	0%	2%	2%
Jail	25%	8%	20%	14%	12%
Probation/Intensive Supervision	50%	66%	40%	68%	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 <u>Other</u> as most serious conviction in Adult District Court by race/ethnicity

Sentence	Black/African Am	Hispanic*	White	Total
(N)	3	56	85	144
Community Corrections	0%	7%	5%	6%
Community Service	0%	0%	1%	<1%
Deferred	0%	5%	13%	10%
Dept of Corrections	0%	14%	5%	8%
Fines/fees	0%	9%	1%	4%
Jail	33%	27%	21%	24%
Probation/Intensive Supervision	67%	38%	54%	48%
Total	**100%**	**100%**	**100%**	**100%**

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

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

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	4	40	3	105	152
Community Corrections	0%	13%	0%	5%	7%
Deferred	0%	15%	33%	22%	20%
Dept of Corrections	0%	5%	0%	9%	7%
Fines/fees	0%	0%	0%	<1%	<1%
Jail	50%	13%	33%	14%	15%
Probation/Intensive Supervision	50%	55%	33%	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 <u>Violent</u> as most serious conviction in Adult District Court by race/ethnicity

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	4	27	1	73	105
Community Corrections	0%	0%	0%	1%	<1%
Deferred	0%	19%	0%	21%	19%
Dept of Corrections	25%	4%	0%	14%	11%
Fines/fees	0%	4%	0%	1%	2%
Jail	0%	15%	0%	19%	17%
Probation/Intensive Supervision	75%	59%	100%	44%	50%
Total	**100%**	**100%**	**100%**	**100%**	**100%**

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

Juvenile court

Table 3-26 below reflects the initial sentence for juvenile court cases in 2018, by crime type. As with county and district court, initial sentences to probation were the most frequently occurring sentence: two-thirds (67%) of initial sentences were to probation, while 15% of cases were granted a deferred judgment. Drug cases were more likely than other offenses to receive a probation sentence (83% compared to 67% overall) in juvenile court, however, there were only six (n=6) Drug cases in Juvenile Court in 2018. Initial sentences to the Division of Youth Services were more likely for Property and Other cases.

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

Sentence	Drugs	Other	Property	Violent	Total
(N)	6	13	53	19	91
Deferred	17%	38%	6%	26%	15%
Division of Youth Services	0%	23%	11%	5%	11%
Fines/fees	0%	0%	8%	0%	4%
Juvenile Detention	0%	0%	4%	0%	2%
Probation/Intensive Supervision	83%	38%	72%	68%	67%
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 less likely to receive a deferred judgement than males (12% versus 16%, respectively), and slightly more likely to receive a sentence to the Division of Youth Services (12% compared to 11%, respectively).

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

Sentence	Female	Male	Total
(N)	17	74	91
Deferred	12%	16%	15%
Division of Youth Services	12%	11%	11%
Fines/fees	0%	5%	4%
Juvenile Detention	0%	3%	2%
Probation/Intensive Supervision	76%	65%	67%
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. Hispanics were less likely to receive a deferred judgment (11% compared to 18% for Whites), and more likely to receive an initial sentence to the Division of Youth Services (14% compared to 5% for Whites).

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

Sentence	Hispanic*	Other	White	Total
(N)	44	3	44	91
Deferred	11%	33%	18%	15%
Division of Youth Services	14%	67%	5%	11%
Fines/fees	7%	0%	2%	4%
Juvenile Detention	0%	0%	5%	2%
Probation/Intensive Supervision	68%	0%	70%	67%
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.

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

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

Sentence	Hispanic*	White	Total
(N)	5	1	6
Deferred	20%	0%	17%
Probation/Intensive Supervision	80%	100%	83%
Total	100%	100%	100%

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

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

Sentence	Hispanic*	White	Total
(N)	5	8	13
Deferred	40%	38%	38%
Division of Youth Services	40%	13%	23%
Probation/Intensive Supervision	20%	50%	38%
Total	**100%**	**100%**	**100%**

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

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

Sentence	Hispanic*	Other	White	Total
(N)	22	3	28	53
Deferred	0%	33%	7%	6%
Division of Youth Services	14%	67%	4%	11%
Fines/fees	14%	0%	4%	8%
Juvenile Detention	0%	0%	7%	4%
Probation/Intensive Supervision	73%	0%	79%	72%
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 3-32. Initial sentence for <u>Violent</u> as most serious conviction in Juvenile Court by race/ethnicity

Sentence	Hispanic*	White	Total
(N)	12	7	19
Deferred	17%	43%	26%
Division of Youth Services	8%	0%	5%
Probation/Intensive Supervision	75%	57%	68%
Total	**100%**	**100%**	**100%**

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

Summary: Initial sentences. This analysis reflects the most serious initial sentences; these can be later modified, such as when jail is added as part of a probation revocation. Additionally, individuals may have multiple cases for which they are sentenced simultaneously. The sentence given in one case may not truly reflect the seriousness of the case as the more serious sentence may be recorded in another case as part of a plea agreement. In fact, statewide in 2018, 19% of county court cases, 36% of district court cases, and 38% of juvenile court cases had other, concurrent cases mentioned in minute orders or sentencing notes. Finally, in addition to concurrent cases affecting the sentencing outcome of a case, criminal/juvenile history may also influence the final initial sentence.

In county court, deferred judgments occurred in 22% of cases and probation was given in 25% of cases. The majority of drug cases (n=25) received a fine/fee. Half (52%) of cases receiving a jail sentence had a violent offense as the most serious charge. Women were more likely than men to receive a deferred judgment in county court (29% compared to 20%, respectively). Men were more likely than women to receive a jail sentence (23% for men compared to 18% for women), and men were more likely to be granted an initial sentence to probation (26% compared to 23% for women). Those in the Other race/ethnicity category were more likely to receive a jail sentence (57% compared to 22% overall) but the few cases (n=7) means this information must be interpreted with caution. Black/African Americans were less likely to receive a deferred judgement (9% compared to 22% overall) but, again, the few cases (n=23) means this information must be interpreted with caution. For Property cases, 48% of Hispanics received a jail sentence compared to 26% of Whites. For Violent offenses, 63% of Black/African Americans received a jail sentence compared to 33% of Whites, but the few Black/African American cases in this category (n=8) means this information must be interpreted with caution.

In district court, probation was the most frequently occurring initial sentence, happening 54% of the time for Drug cases. The second most frequently occurring sentence in district court was a jail sentence: 12% of Drug cases, 24% of Other cases, 15% of Property cases, and 17% of Violent cases received a jail sentence. Deferred judgments were imposed in 14% of cases and were most likely to be imposed in Property cases (20%), and least likely to be imposed in Drug cases (9%). Women were much more likely to receive a deferred judgment compared to men (20% versus 12%, respectively), and more likely to receive a jail sentence (19% compared to 16% for men). Women were less likely to receive a jail sentence (8%) compared to men (11%), and also considerably less likely to receive a prison sentence compared to men (3% compared to 9%). Over one-quarter (27%) of initial sentences for Black/African Americans was to jail compared to 17% overall. Cases with White defendants were more likely to receive a deferred judgment (16%) compared to Black/African Americans (7%) and Hispanics (9%). Overall, probation and jail were the most common sentences for Drug offenses (66% and 14%, respectively). When the most serious offense fell into the Other crime category, 14% of Hispanics received a prison sentence compared to 5% of Whites. When the most serious offense was Violent, 14% of Whites received a sentence to the Department of Corrections compared to 25% of Black/African Americans, however, the few cases in this category (n=4) means that this information should be interpreted with caution.

In juvenile court, an initial sentence to probation was the most frequently occurring sentence: two-thirds (67%) of initial sentences were to probation, while 15% of cases were granted a deferred judgment. Drug cases were more likely than other offenses to receive a probation sentence (83% compared to 67% overall) in juvenile court, however, there were only six (n=6) Drug cases in juvenile court in 2018. Initial sentences to the Division of Youth Services were more likely for Property and Other cases. Females were less likely to receive a deferred judgement than males (12% versus 16%, respectively), and slightly more likely to receive a sentence to the Division of Youth Services (12% compared to 11%, respectively). Hispanics were less likely to receive a deferred judgment (11% compared to 18% for Whites), and more likely to receive an initial sentence to the Division of Youth Services (14% compared to 5% for Whites).

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 statwide, 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, 11% of cases receiving a probation/deferred judgment in 2018 were revoked. Black/African Americans were revoked at a rate of 22%, however, because of the few cases (n=9), this information must be interpreted with caution. Hispanics with Property offenses were revoked at a rate of 25%, compared to 11% overall.

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

Race/Ethnicity	Crime type	No	Yes	Total	Total N
Black/African Am		**78%**	**22%**	**100%**	**9**
	Drugs	100%	0%	100%	1
	Other	80%	20%	100%	5
	Property	0%	100%	100%	1
	Violent	100%	0%	100%	2
Hispanic*		**89%**	**11%**	**100%**	**161**
	Drugs	100%	0%	100%	8
	Other	92%	8%	100%	73
	Property	75%	25%	100%	12
	Violent	87%	13%	100%	68
Other		**100%**	**0%**	**100%**	**2**
	Violent	100%	0%	100%	2
White		**90%**	**10%**	**100%**	**352**
	Drugs	100%	0%	100%	5
	Other	94%	6%	100%	153
	Property	86%	14%	100%	37
	Violent	86%	14%	100%	157
Total		**89%**	**11%**	**100%**	**524**

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.

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[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 3-34 reflects county court revocations by gender. Overall, females in county court were less likely to get revoked than males (7% compared to 12%, respectively). Females with Violent charges and males with Property offenses were most likely to be revoked (12% and 22%, 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		**93%**	**7%**	**100%**	**143**
	Drugs	100%	0%	100%	5
	Other	97%	3%	100%	61
	Property	100%	0%	100%	9
	Violent	88%	12%	100%	68
Male		**88%**	**12%**	**100%**	**381**
	Drugs	100%	0%	100%	9
	Other	92%	8%	100%	170
	Property	78%	22%	100%	41
	Violent	86%	14%	100%	161
Total		**89%**	**11%**	**100%**	**524**

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

Adult district court

Revocations from probation/deferred judgments occurred slightly more frequently in district court (12%, Table 3-35) compared to county court (11%, Table 3-33) in 2018. Whites were most likely to be revoked (14% compared to 12% overall); Whites and Hispanics with Property offenses were more likely to be revoked (16% and 18%, respectively). Table 3-36 shows that women in adult district court were more likely than men to get revoked (16% compared to 11%).

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		**90%**	**10%**	**100%**	**10**
	Drugs	100%	0%	100%	3
	Other	100%	0%	100%	2
	Property	50%	50%	100%	2
	Violent	100%	0%	100%	3
Hispanic*		**90%**	**10%**	**100%**	**109**
	Drugs	92%	8%	100%	36
	Other	96%	4%	100%	24
	Property	82%	18%	100%	28
	Violent	90%	10%	100%	21
Other		**100%**	**0%**	**100%**	**6**
	Drugs	100%	0%	100%	3
	Property	100%	0%	100%	2
	Violent	100%	0%	100%	1
White		**86%**	**14%**	**100%**	**258**
	Drugs	85%	15%	100%	79
	Other	86%	14%	100%	57
	Property	84%	16%	100%	75
	Violent	94%	6%	100%	47
Total		**88%**	**12%**	**100%**	**383**

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		**84%**	**16%**	**100%**	**89**
	Drugs	82%	18%	100%	39
	Other	80%	20%	100%	15
	Property	90%	10%	100%	30
	Violent	80%	20%	100%	5
Male		**89%**	**11%**	**100%**	**294**
	Drugs	90%	10%	100%	82
	Other	91%	9%	100%	68
	Property	81%	19%	100%	77
	Violent	94%	6%	100%	67
Total		**88%**	**12%**	**100%**	**383**

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, 11% of cases sentenced to probation/deferred judgment in 2018 were revoked (Table 3-37). None of the female juveniles were revoked, however, the number of cases was low (n=15). Hispanics were more likely than Whites to get revoked (17% compared to 5%, respectively).

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

Race/Ethnicity	Crime type	No	Yes	Total	Total N
Hispanic*		**83%**	**17%**	**100%**	**35**
	Drugs	100%	0%	100%	5
	Other	67%	33%	100%	3
	Property	75%	25%	100%	16
	Violent	91%	9%	100%	11
Other		**100%**	**0%**	**100%**	**1**
	Property	100%	0%	100%	1
White		**95%**	**5%**	**100%**	**39**
	Drugs	100%	0%	100%	1
	Other	86%	14%	100%	7
	Property	96%	4%	100%	24
	Violent	100%	0%	100%	7
Total		**89%**	**11%**	**100%**	**75**

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		**100%**	**0%**	**100%**	**15**
	Drugs	100%	0%	100%	1
	Property	100%	0%	100%	12
	Violent	100%	0%	100%	2
Male		**87%**	**11%**	**100%**	**60**
	Drugs	100%	0%	100%	5
	Other	80%	20%	100%	10
	Property	83%	17%	100%	29
	Violent	94%	6%	100%	16
Total		**89%**	**11%**	**100%**	**75**

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

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

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

Overall, 11% of county court cases receiving a probation/deferred judgment in 2018 were revoked. Black/African Americans were revoked at a rate of 22%, however, because of the few cases (n=9), this information must be interpreted with caution. Hispanics with Property offenses were revoked at a rate of 25%, compared to 11% overall. Females in county court were less likely to get revoked than males (7% compared to 12%, respectively). Females with Violent charges and males with Property offenses were most likely to be revoked (12% and 22%, respectively).

Revocations from probation/deferred judgments occurred slightly more frequently in district court (12%) compared to county court (11%) in 2018. Whites were most likely to be revoked (14% compared to 12% overall); Whites and Hispanics with Property offenses were more likely to be revoked (16% and 18%, respectively). Women in adult district court were more likely than men to get revoked (16% compared to 11%).

In juvenile court, 11% of cases sentenced to probation/deferred judgment in 2018 were revoked. None of the female juveniles were revoked, however, the number of cases is low (n=15). Hispanics were more likely than Whites to get revoked (17% compared to 5%, respectively).

Appendix A

NIBRS Group A Arrest Crimes

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

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

Appendix B

Most serious filing/conviction charge categories

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

Arson - 1st - 4th degree arson

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

Drug Poss - drug possession, paraphernalia possession

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

Escape

Extortion

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

Forgery

Fraud

Homicide - 1st and 2nd degree murder

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

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

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

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

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

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

Appendix C

Statistical Model for Classifying Hispanic Ethnicity

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

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

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

The variables provided to the model included:

1. Hispanic ethnicity of the person's last name using the Census Bureau's Hispanic names list

2. Gender

3. Proportion of court cases in which the person is labeled Hispanic

4. Proportion of court cases in which the person is labeled Native American

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

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

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[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.