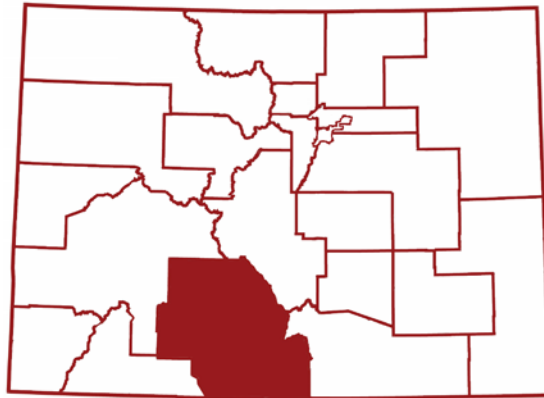# CLEAR ACT: 2018

Community Law Enforcement Action Reporting Act

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12th Judicial District

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

Age Group	Race/Ethnicity	Percent	Total
Adult		**87%**	**35,541**
	Black/African Am	1%	385
	Hispanic	44%	15,605
	Other	2%	801
	White	53%	18,750
Juvenile		**13%**	**5,291**
	Black/African Am	1%	75
	Hispanic	54%	2,854
	Other	2%	100
	White	43%	2,262
Total		**100%**	**40,832**

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

December 2018

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

Community Law Enforcement Action Reporting Act

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Division of Criminal Justice
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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 arrest/summons and court case processing information for calendar year 2018 for the 12th 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 arrest/summons and court case processing information for calendar year 2018 for the 12th 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 12th Judicial District was 40,832. The adult population was comprised as follows:
- White, 53%;
- Black/African American, 1%;
- Hispanic, 44%; and
- Other, 2%.

The juvenile population was comprised as follows:
- White, 43%;
- Black, 1%;
- Hispanic, 54%; and
- Other, 2%.

An important note about race/ethnicity. The analysis of race and ethnicity across justice decision points is significantly hampered by the lack of ethnicity information in the statewide court data system. Specifically, the Judicial Branch's ICON data system does not distinguish between race and ethnicity. As a result, persons of Hispanic ethnicity are typically in the White

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

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

race category, and thus significantly undercounted in the Hispanic category. For example, in 2018 Hispanics represented 22% of the Colorado population, but only 6% of court cases statewide were classified as Hispanic in ICON. In addition, the arrest data are plagued with random misclassifications of race and ethnicity, and both random and non-random missing race/ethnicity data. To improve upon the accuracy of the race/ethnicity designation in this analysis, a statistical model was developed to predict whether an offender was Hispanic. The model had an overall predictive accuracy of 94%. This model was used with both the arrest and court data[3]. Note that while no model is 100% accurate, it was determined that using this model is an improvement over using the race/ethnicity designations in the raw data. Please see Appendix C for a description of the prediction model.

Law enforcement data. In 2018, law enforcement made/issued 1,465 arrests/summonses. For this analysis, dozens of offense categories were collapsed into four broad groups of crimes: Drugs, Other, Property and Violence (see Appendix A for the list of offenses in these categories). In 2018, arrests/summonses for Drug offenses accounted for 10% of all arrests/summonses while Violent crimes accounted for 13% of arrests/summonses, Property offenses accounted for 23% of arrests/summonses, and the remainder of arrests/summonses (54%) fell into the Other crime category. Black/African Americans represented 1% of the population in 2018 and accounted for 1% of arrests/summonses. Hispanics represented 45% of the population and 64% of arrests/summonses. Females were more likely to be involved in Drug and Property offenses than the other offense categories. Juveniles were more likely to be summonsed than arrested.

Court filings. This study of 1,891 case filings in county, district, and juvenile courts combined found that Black/African Americans represented 1% of the population and 1% of the arrests/summonses in 2018, and they accounted for 1% of district court filings. In juvenile court, Black/African Americans represented 1% of cases, compared to 1% Black/African Americans juveniles in the population. Hispanic adults made up 44% of the adult population but accounted for 64% of arrests and 60% of district court filings in 2018. Hispanic juveniles represented 54% of the population and 69% of juvenile court filings. In terms of gender, 26% of overall filings were females and 74% were males. Females were slightly more likely than men to be involved in Property crimes (32% compared to 25%, respectively) and Drug crimes (14% compared to 9%, respectively) and less to be involved in Violent offenses (26% compared to 40%, respectively). Note that these cases are not necessarily the same cases in the **Law Enforcement Data** section above.

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

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

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

agreement involving that case or multiple cases. In fact, 33% of cases in county court were dismissed, as were 21% of cases in district court and 30% of cases in juvenile court. In county court, Black/African Americans were slightly less likely to have a case dismissed in county court (25% compared to 33% overall), however, the few cases (n=16) means this information should be interpreted with caution. In district court, Black/African Americans were more likely to be convicted of another crime (60% compared to 39% overall), however, the few cases (n=5) means this information should be interpreted with caution. In juvenile court, all charges were dismissed for 30% of cases filed, while 19% of cases were convicted as charged and 28% were convicted of a different crime. The few cases in each of the race/ethnicity categories makes interpretation of this information difficult.

Initial court sentences. The analyses undertaken reflect the most serious initial sentences; these can be later modified, such as when jail is added as part of a probation revocation. Additionally, individuals may have multiple cases for which they are sentenced simultaneously. The sentence given in one case may not truly reflect the seriousness of the case as the more serious sentence may be recorded in another case as part of a plea agreement. In fact, in 2018, 19% of county court cases, 36% of district court cases, and 39% of juvenile court cases had other, concurrent cases mentioned in minute orders or sentencing notes. Finally, in addition to concurrent cases affecting the sentencing outcome of a case, criminal/juvenile history may also influence the initial sentence.

In county court, deferred judgments and jail were used in at a rate of 23% and 26%, respectively. Most Drug cases (n=9) received a fine/fee. Women were more likely than men to receive a deferred judgment in county court (28% compared to 21%, respectively). Men were more likely than women to receive a jail sentence (30% for men compared to 18% for women), and men were more likely to be granted an initial sentence to probation (33% compared to 25% for women). Those in the Other race/ethnicity category were more likely to receive a deferred judgment (38% compared to 23% overall) but the few cases (n=8) means this information should be interpreted with caution. There were few differences in initial sentences between Hispanic and White cases in county court.

In district court, probation was the most frequently occurring initial sentence, happening about half (47%) of the time overall, and for 60% of Drug cases. The second most frequently occurring sentence in district court was a prison sentence: 15% of Drug cases, 23% of Other cases, 14% of Property cases, and 23% of Violent cases received a sentence to the Department of Corrections. Deferred judgments were imposed in 6% of cases and were most likely to be imposed in Property cases (12%), and least likely to be imposed in Drug cases (2%). Women were much more likely to receive a deferred judgment compared to men (12% versus 4%, respectively), and more likely to be granted probation (51% compared to 46% for men). Women were equally likely to receive a jail sentence (17%) compared to men (18%), and were less likely to receive a prison sentence compared to men (13% compared to 21%). Over one-fifth (21%) of initial sentences for Black/African Americans were to the Department of Corrections compared to 19% overall. Another 21% of Black/African American cases were sentenced to community corrections compared to 9% overall. However, the few Black/African American cases (n=14) in district court means this information should be interpreted with caution. In general, few differences in the initial sentence in district court were found between Hispanic and White cases.

In juvenile court, probation was the most frequently occurring sentence: nearly half (44%) of initial sentences were to probation, while 41% of cases were granted a deferred judgment. Females were slightly more likely than males to receive a deferred judgement (44% versus 41%, respectively), and less likely to receive a sentence to the Division of Youth Services (0% compared to 9%). The few cases in juvenile court (n=41) makes interpreting the findings challenging when the information is disaggregated into offense, gender and race/ethnicity categories.

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

In addition, not all revocations result in termination from supervision. In 2018, 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, 19% of county court cases receiving a probation/deferred judgment in 2018 were revoked. The few Black/African American and Other race/ethnicity cases (n=5 for each) in county court means that only comparisons between Hispanic and White cases are feasible. Hispanics, compared to Whites, were more likely to be revoked for Property offenses (23% compared to 0%, respectively). Females in county court were less likely to get revoked than males (15% compared to 20%, respectively). Compared to other offense types, both men and women with Violent cases were most likely to be revoked (24% and 22% respectively).

Revocations from probation/deferred judgments occurred more frequently in district court (39%) compared to county court (19%) in 2018. Black/African Americans and Hispanics were most likely to be revoked (75% and 43%, respectively, compared to 39% overall). However, note that there were only four (n=4) Black/African Americans in district court in 2018 so these findings must be interpreted with caution. Those with Drug offenses were in general most likely to be revoked. Women in adult district court were very slightly more likely than men to get revoked (42% compared to 38%). Men and women with Drug cases were considerably more likely, compared to those with other crime types, to get revoked.

In juvenile court, 14% of cases sentenced to probation/deferred judgment in 2018 were revoked. The few cases (n=35) in juvenile court makes interpreting the findings challenging when the information is disaggregated into offense, gender and race/ethnicity categories.

Overall summary. In 2018, Black/African Americans represented 1% of the adult population and accounted for 1% of arrests/summonses, and 1% of adult district court filing. Hispanic adults represented 44% of the population, 64% of arrests/summonses and 60% of district court filings. Hispanic youth represented 54% of the population and 69% of juvenile court filings.

In county court, Women were more likely than men to receive a deferred judgment in county court (28% compared to 21%, respectively). Men were more likely than women to receive a jail sentence (30% for men compared to 18% for women), and men were more likely to be granted an initial sentence to probation (33% compared to 25% for women). Those in the Other race/ethnicity category were more likely to receive a deferred judgment (38% compared to 23% overall) but the few cases (n=8) means this information should be interpreted with caution. There were few differences in initial sentences between Hispanic and White cases in county court.

In district court, women were much more likely to receive a deferred judgment compared to men (12% versus 4%, respectively), and more likely to be granted probation (51% compared to 46% for men). Women were equally likely to receive a jail sentence (17%) compared to men (18%), and were less likely to receive a prison sentence compared to men (13% compared to 21%). Over one-fifth (21%) of initial sentences for Black/African Americans were to the Department of Corrections compared to 19% overall. Another 21% of Black/African American cases were sentenced to community corrections compared to 9% overall. However, the few Black/African American cases (n=14) in district court means this information should be interpreted with caution. In general, few differences in the initial sentence in district court were found between Hispanic and White cases.

In juvenile court, probation was the most frequently occurring sentence: nearly half (44%) of initial sentences were to probation, while 41% of cases were granted a deferred judgment. Females were slightly more likely than males to receive a deferred judgement (44% versus 41%, respectively), and less likely to receive a sentence to the Division of Youth Services (0% compared to 9%). The few cases in juvenile court (n=41) makes interpreting the findings challenging when the information is disaggregated into offense, gender and race/ethnicity categories.

In terms of revocations, Black/African Americans and Hispanics in county court were most likely to be revoked (75% and 43%, respectively, compared to 39% overall). However, note that there were only four (n=4) Black/African Americans in district court in 2018 so these findings must be interpreted with caution. Those with Drug offenses were in general most likely to be revoked. Women in adult district court were very slightly more likely than men to get revoked (42% compared to 38%). Men and women with Drug cases were considerably more likely, compared to those with other crime types, to get revoked.

In juvenile court, 14% of cases sentenced to probation/deferred judgment in 2018 were revoked. The few cases (n=35) in juvenile court makes interpreting the findings challenging when the information is disaggregated into offense, gender and race/ethnicity categories.

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 12th 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

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

An important note about race/ethnicity. The analysis of race and ethnicity across justice decision points is significantly hampered by the lack of ethnicity information in the statewide court data system. Specifically, the Judicial Branch's ICON data system does not distinguish between race and ethnicity. As a result, persons of Hispanic ethnicity are typically in the White race category, and thus significantly undercounted in the Hispanic category. For example, in 2018 Hispanics represented 22% of the Colorado population, but only 6% of cases were classified as Hispanic in ICON. In addition, the arrest data are plagued with random misclassifications of race/ethnicity, and both random and non-random missing race/ethnicity data. To improve upon the accuracy of the race/ethnicity designation in this analysis, a statistical model was developed to predict whether an offender was Hispanic. The model had

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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).

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 12th Judicial District in 2018 for residents ages 10 and over was 4,930,240 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		**87%**	**35,541**
	Black/African Am	1%	385
	Hispanic	44%	15,605
	Other	2%	801
	White	53%	18,750
Juvenile		**13%**	**5,291**
	Black/African Am	1%	75
	Hispanic	54%	2,854
	Other	2%	100
	White	43%	2,262
Total		**100%**	**40,832**

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

Data sources

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

- The seriousness or significance of the offense;
- The frequency or volume of its occurrence;
- The seriousness or significance of the offense;
- The prevalence of the offense nationwide;
- The probability law enforcement becomes aware of the offense;
- The likelihood that law enforcement is the best source for collecting data regarding the offense;
- The burden placed on law enforcement in collecting data on the offense;
- The national statistical validity and usefulness of the collected data.

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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.

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 1,400 NIBRS incidents were analyzed for calendar year 2018 (Table 1-2).

Table 1-2. Arrests by type, 2018

Arrest Type	Percent	Total
Custody/warrant	36%	523
On-view/probable cause	20%	299
Summons	44%	643
Total	**100%**	**1,465**

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

The arrest data were reduced to 17 categories of offenses (see Appendix A) that can be viewed on the interactive data dashboard and, for this report, further collapsed into four categories of Drugs, Other, Property and Violent. Arrests can contain multiple charges. The arrest charge presented here represents the most serious charge on the arrest as selected by the law enforcement officer.

Judicial case processing data. ICON is the Colorado Judicial Branch's information management system, which contains county and district court adult and juvenile filings and case dispositions statewide, with the exception of Denver County Court.[7] County court contains both adult and juvenile misdemeanor cases. The data are presented by court type: county, adult district, and juvenile. Juveniles who were charged as adults are in adult district court. The number of cases analyzed by type of court can be seen in Table 1-3.

Table 1-3. Court of case filing, 2018

Court	Percent	Total
Adult District	48%	902
County	49%	922
Juvenile	4%	67
Total	**100%**	**1,891**

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

Note that the information presented here reflects the analysis of 1,891 *cases not individuals*. Individuals may have multiple, concurrent cases,[8] and cases typically have multiple charges. Frequently cases and charges are dismissed for a judgment in a concurrent case. The

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

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

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

Dismissed/Not Guilty category in the tables that follow means that some charges were dismissed and some were found not guilty.

The crime information analyzed for this study reflects the most serious filing or conviction charge for 24 offense categories[9] which, for the analysis presented in this document, have been collapsed into four categories: Drug, Other, Property and Violent.[10] The analysis of the 24 offense categories is available on the interactive data dashboard. See Appendix B for the list of offenses that were combined into the four broad categories.

This analysis focused on the most serious charge as defined by felony or misdemeanor level. Traffic cases are not in this analysis unless they appeared in a district/county filing. Cases sentenced to probation or a deferred judgment that were revoked are reported, but those sentenced near the end of 2018 may not have had time to revoke.

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

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[9] The 24 offense categories are summarized from hundreds of criminal statutes.
[10] Note that all offenses include attempts, solicitations, and conspiracies.

Section 2: Law Enforcement Data

Arrest/summons

The findings presented in this report summarize multiple offense types into four broad categories of crime types: Drugs, Other, Property and Violent (Table 2-1) (see Appendix A for a list of crimes in each category). The interactive dashboard, at https://www.colorado.gov/dcj-ors/ORS-SB185, provides information on 17 arrest offense types. The analyses of four broad categories allows for the identification of patterns that are difficult to discern when detailed information is presented. Additionally, some of the law enforcement findings are disaggregated, by adults, juveniles, and by gender. Finally, Senate Bill 15-185 mandates that arrest information be provided by arrest type and summons. The data represent all arrests/summonses captured in the Colorado Bureau of Investigation's National Incident Based Reporting System (NIBRS) for calendar year 2018.

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

Crime type	Percent	Total
Drugs	10%	148
Other	54%	793
Property	23%	330
Violent	13%	194
Total	**100%**	**1,465**

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

Table 2-2 reflects over 1,400 arrests/summonses captured in NIBRS for calendar year 2018, by race/ethnicity. Black/African Americans represented 1% of the population in 2018 and accounted for 1% of arrests/summonses. Hispanics represented 45% of the population and accounted for 54% of arrests. The Other race/ethnicity category represented 2% of the population and 2% of arrests/summonses. Whites represented 52% of the population and 32% of arrests/summonses.

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

Race/Ethnicity	Percent	Total
Black/African American	1%	21
Hispanic*	64%	944
Other	2%	24
White	32%	476
Total	**100%**	**1,465**

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 6% of on view/probable cause arrests, and that 33% of those arrests were for violent crimes, a proportion similar to adults (27%). Juveniles accounted for 3% of custody/warrant arrests (Table 2-4). Overall, juveniles were more likely to get summoned than arrested; they accounted for 9% of summonsed cases (Table 2-5).

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

Age Group	Crime type	Percent	Total
Adult		**94%**	**281**
	Drugs	21%	58
	Other	27%	75
	Property	25%	71
	Violent	27%	77
Juvenile		**6%**	**18**
	Other	28%	5
	Property	39%	7
	Violent	33%	6
Total		**100%**	**299**

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%**	**509**
	Drugs	6%	32
	Other	78%	395
	Property	6%	29
	Violent	10%	53
Juvenile		**3%**	**14**
	Drugs	7%	1
	Other	57%	8
	Property	7%	1
	Violent	29%	4
Total		**100%**	**523**

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		**91%**	**585**
	Drugs	8%	46
	Other	49%	288
	Property	36%	210
	Violent	7%	41
Juvenile		**9%**	**58**
	Drugs	19%	11
	Other	38%	22
	Property	21%	12
	Violent	22%	13
Total		**100%**	**643**

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 19% of probable cause arrests were for Drug related offenses, 27% were for Other offenses, 26% for Property offenses, and 28% for Violent offenses. While Hispanics made up 45% of the population in the 12th Judicial District, they accounted for 66% of Drug probable cause arrests, 71% of Other and 60% of Violent probable cause arrests.

The other arrest type, where an individual is taken into custody on an outstanding warrant, is depicted in Table 2-7. Over three-quarters (77%) of these arrests involved an offense that fell into the Other offense category. While only 11% of these types of arrests involved a Violent offense, Hispanics made up 60% of Violent crime custody/warrant arrests.

Table 2-8 shows that summonses were less likely to be issued for Drug (9%) and Violent offenses (8%) compared to Other (48%) and Property (35%) and that, of those summonses issued for Violent crimes, 59% went to Hispanics and 35% went to Whites.

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

Crime type	Race/Ethnicity	Percent	Total
Drugs		**19%**	**58**
	Black/African Am	2%	1
	Hispanic*	66%	38
	White	33%	19
Other		**27%**	**80**
	Hispanic*	71%	57
	Other	1%	1
	White	28%	22
Property		**26%**	**78**
	Hispanic*	63%	49
	White	37%	29
Violent		**28%**	**83**
	Black/African Am	1%	1
	Hispanic*	60%	50
	Other	4%	3
	White	35%	29
Total		**100%**	**299**

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		**6%**	**33**
	Hispanic*	70%	23
	White	30%	10
Other		**77%**	**403**
	Black/African Am	<1%	2
	Hispanic*	70%	282
	Other	3%	11
	White	27%	108
Property		**6%**	**30**
	Hispanic*	90%	27
	White	10%	3
Violent		**11%**	**57**
	Black/African Am	2%	1
	Hispanic*	60%	34
	Other	2%	1
	White	37%	21
Total		**100%**	**523**

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		**9%**	**57**
	Hispanic*	61%	35
	White	39%	22
Other		**48%**	**310**
	Black/African Am	3%	9
	Hispanic*	59%	182
	Other	2%	5
	White	37%	114
Property		**35%**	**222**
	Black/African Am	2%	4
	Hispanic*	61%	135
	Other	1%	3
	White	36%	80
Violent		**8%**	**54**
	Black/African Am	6%	3
	Hispanic*	59%	32
	White	35%	19
Total		**100%**	**643**

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

The following three tables show arrest/summons by broad offense category and gender. Women were less likely than men to be arrested. Overall, women constituted approximately 14-48% of arrests and 32-47% of summonses (depending on the crime category) and men

comprised the remainder. Overall, women were generally more likely to be arrested for Drug offenses and Summonsed for Property 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		**19%**	**58**
	Female	34%	20
	Male	66%	38
Other		**27%**	**80**
	Female	19%	15
	Male	81%	65
Property		**26%**	**78**
	Female	32%	25
	Male	68%	53
Violent		**28%**	**83**
	Female	14%	12
	Male	86%	71
Total		**100%**	**299**

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		**6%**	**33**
	Female	48%	16
	Male	52%	17
Other		**77%**	**403**
	Female	36%	144
	Male	64%	259
Property		**6%**	**30**
	Female	27%	8
	Male	73%	22
Violent		**11%**	**57**
	Female	26%	15
	Male	74%	42
Total		**100%**	**523**

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		**9%**	**57**
	Female	37%	21
	Male	63%	36
Other		**48%**	**310**
	Female	32%	100
	Male	68%	210
Property		**35%**	**222**
	Female	47%	105
	Male	53%	117
Violent		**8%**	**54**
	Female	35%	19
	Male	65%	35
Total		**100%**	**643**

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 1,465 arrests/summonses. For this analysis, dozens of offense categories were collapsed into four broad groups of crimes: Drugs, Other, Property and Violence (see Appendix A for the list of offenses in these categories). In 2018, arrests/summonses for Drug offenses accounted for 10% of all arrests/summonses while Violent crimes accounted for 13% of arrests/summonses, Property offenses accounted for 23% of arrests/summonses, and the remainder of arrests/summonses (54%) fell into the Other crime category. Black/African Americans represented 1% of the population in 2018 and accounted for 1% of arrests/summonses. Hispanics represented 45% of the population and 64% of arrests/summonses. Females were more likely to be involved in Drug and Property offenses than the other offense categories. Juveniles were more likely to be summonsed than arrested.

Section 3: Court Case Processing

The Judicial Branch's information management system contains county and district court adult and juvenile case filings and dispositions statewide, with the exception of Denver County Court.[11] County court contains both adult and juvenile misdemeanor cases. The 2018 data are presented here by court type: county, adult district, and juvenile. Juveniles who were charged as adults are in adult district court.

Note that this analysis reflects *cases not individuals*. Individuals may have multiple, concurrent cases,[12] and cases typically have multiple charges. Frequently cases and charges are dismissed for a judgment in a concurrent case. The **Dismissed/Not Guilty** category in the tables that follow means that some charges were dismissed and some were found not guilty.

The crime information analyzed for this study reflects the most serious filing or conviction charge for 24 offense categories which, for the analysis presented in this document, have been collapsed into four categories: Drug, Other, Property and Violent. The analysis of the 24 offense categories, summarized from hundreds of criminal statutes, is available on the interactive data dashboard at 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 1,891 case filings in county, adult district, and juvenile courts combined for calendar year 2018. While Black/African Americans represented 1% of the population and 1% of the arrests/summonses in 2018, they accounted for 1% of court filings. Hispanics represented 45% of the population, 64% of arrests/summonses, and 58% of case filings. Note that these cases are not necessarily the same cases in the **Law enforcement data** section above.

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

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

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

Race/Ethnicity	Percent	Total
Black/African Am	1%	22
Hispanic*	58%	1,104
Other	2%	29
White	39%	736
Total	**100%**	**1,891**

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 10% of cases, and Violent charges comprised the largest category at 36% of charges filed. Hispanics were more likely to be involved in Drug (62%)and Property (64%) cases.

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

Crime type	Race/Ethnicity	Percent	Total
Drugs		**10%**	**190**
	Black/African American	2%	3
	Hispanic*	62%	117
	White	37%	70
Other		**27%**	**516**
	Black/African American	2%	9
	Hispanic*	55%	285
	Other	2%	12
	White	41%	210
Property		**27%**	**502**
	Black/African American	<1%	2
	Hispanic*	64%	322
	Other	<1%	4
	White	35%	174
Violent		**36%**	**683**
	Black/African American	1%	8
	Hispanic*	56%	380
	Other	2%	13
	White	41%	282
Total		**100%**	**1,891**

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

Table 3-3 depicts that, across all court types, 26% of filings were females and 74% were males. Females were slightly more likely than men to be involved in Property crimes (32% compared to 25%, respectively) and Drug crimes (14% compared to 9%, respectively) and less to be involved in Violent offenses (26% compared to 40%, respectively).

Table 3-3. Most serious filing charge by gender

Gender	Crime type	Percent	Total
Female		**26%**	**491**
	Drugs	14%	70
	Other	27%	133
	Property	32%	159
	Violent	26%	129
Male		**74%**	**1,400**
	Drugs	9%	120
	Other	27%	383
	Property	25%	343
	Violent	40%	554
Total		**100%**	**1,891**

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 49% of the total. Black/African Americans represented 2% of county court cases filed compared to 1% representation in the population. Hispanics represented 40% of the adult population but 60% of district court filings. Hispanic juveniles represented 54% of the population and 69% of juvenile court filings in 2018.

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

Court	Race/Ethnicity	Percent	Total
Adult District		**48%**	**902**
	Black/African American	<1%	5
	Hispanic*	60%	538
	Other	1%	11
	White	39%	348
County		**49%**	**922**
	Black/African American	2%	16
	Hispanic*	56%	520
	Other	2%	17
	White	40%	369
Juvenile		**4%**	**67**
	Black/African American	1%	1
	Hispanic*	69%	46
	Other	1%	1
	White	28%	19
Total		**100%**	**1,891**

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. Nearly half (49%) of county court cases were Violent offenses (primarily misdemeanor assault); Property offenses (35%) comprised the largest category of cases in adult district court; and Property crimes made up over one-third (43%) of cases filed in juvenile court. Table 3-6 presents the distribution across gender for cases in county, district and juvenile court. Across court types, approximately one-fourth of cases were female defendants.

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

Court	Crime type	Percent	Total
Adult District		**48%**	**902**
	Drugs	18%	159
	Other	24%	217
	Property	35%	318
	Violent	23%	208
County		**49%**	**922**
	Drugs	3%	29
	Other	31%	287
	Property	17%	155
	Violent	49%	451
Juvenile		**4%**	**67**
	Drugs	3%	2
	Other	18%	12
	Property	43%	29
	Violent	36%	24
Total		**100%**	**1,891**

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		**48%**	**902**
	Female	26%	231
	Male	74%	671
County		**49%**	**922**
	Female	26%	244
	Male	74%	678
Juvenile		**4%**	**67**
	Female	24%	16
	Male	76%	51
Total		**100%**	**1,891**

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

Trials

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

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

Court	Completed Trial	Percent	Total
Adult District		48%	902
	No	99%	894
	Yes	<1%	8
County		49%	922
	No	99%	917
	Yes	<1%	5
Juvenile		4%	67
	No	99%	66
	Yes	1%	1
Total		100%	1,891

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		10%	190
	No	100%	190
Other		27%	516
	No	100%	514
	Yes	<1%	2
Property		27%	502
	No	100%	502
Violent		36%	683
	No	98%	671
	Yes	2%	12
Total		100%	1,891

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. County Court cases.

Summary: Filings. This study of 1,891 case filings in county, district, and juvenile courts combined found that Black/African Americans represented 1% of the population and 1% of the arrests/summonses in 2018, and they accounted for 1% of district court filings. In juvenile court, Black/African Americans represented 1% of cases, compared to 1% Black/African Americans juveniles in the population. Hispanic adults made up 44% of the adult population but accounted for 64% of arrests and 60% of district court filings in 2018. Hispanic juveniles represented 54% of the population and 69% of juvenile court filings. In terms of gender, 26% of overall filings were females and 74% were males. Females were slightly more likely than men to

be involved in Property crimes (32% compared to 25%, respectively) and Drug crimes (14% compared to 9%, respectively) and less to be involved in Violent offenses (26% compared to 40%, respectively). Note that these cases are not necessarily the same cases in the **Law Enforcement Data** section above.

Case Outcomes

The following three tables present case outcomes, by race/ethnicity and most serious filing charge (including attempt, conspiracy and solicitation), for county court, district court, and juvenile court in 2018. It is important to remember that most cases contain multiple charges, and many cases have concurrent cases. All charges in a case may be dismissed or modified as part of a plea agreement involving that case or multiple cases. In fact, overall, in one-third (33%) of cases, all charges were dismissed in county court in 2018 (Table 3-9). Convicted as charged means the defendant was convicted of at least the most serious filing charge.

Table 3-9 reflects county court case outcomes, showing that 33% of cases were convicted as charged, and one-quarter (25%) were convicted of another crime. Black/African Americans were slightly less likely to have a case dismissed in county court (25% compared to 33% overall), however, the few cases (n=16) means this information should be interpreted with caution.

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 American		**25%**	**19%**	**25%**	**31%**	**100%**	**16**
	Drugs	0%	0%	0%	0%	0%	0
	Other	22%	11%	22%	44%	100%	9
	Property	0%	100%	0%	0%	100%	1
	Violent	33%	17%	33%	17%	100%	6
Hispanic*		**24%**	**13%**	**32%**	**30%**	**100%**	**520**
	Drugs	25%	6%	31%	38%	100%	16
	Other	29%	17%	22%	31%	100%	153
	Property	19%	10%	38%	33%	100%	97
	Violent	24%	13%	36%	28%	100%	254
Other		**29%**	**18%**	**18%**	**35%**	**100%**	**17**
	Drugs	0%	0%	0%	0%	0%	0
	Other	43%	0%	14%	43%	100%	7
	Property	0%	0%	0%	100%	100%	1
	Violent	22%	33%	22%	22%	100%	9
White		**22%**	**19%**	**35%**	**24%**	**100%**	**369**
	Drugs	23%	0%	62%	15%	100%	13
	Other	23%	22%	35%	20%	100%	118
	Property	13%	18%	45%	25%	100%	56
	Violent	25%	19%	30%	27%	100%	182
Total		**24%**	**16%**	**33%**	**28%**	**100%**	**922**

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. Over one-fifth (21%) of cases filed in district court had all charges dismissed (fewer than 1% of those in this category were not guilty). Black/African Americans were more likely to be convicted of another crime (60% compared to 39% overall), however, the few cases (n=5) means this information should be interpreted with caution.

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

Race/ Ethnicity	Crime type	Convicted as charged	Convicted other crime	Dismissed / not guilty	Not yet resolved/ case closed	Total	Total N
Black/African American		**20%**	**60%**	**0%**	**20%**	**100%**	**5**
	Drugs	33%	67%	0%	0%	100%	3
	Other	0%	0%	0%	0%	0%	0
	Property	0%	0%	0%	100%	100%	1
	Violent	0%	100%	0%	0%	100%	1
Hispanic*		**9%**	**38%**	**22%**	**31%**	**100%**	**538**
	Drugs	7%	42%	21%	30%	100%	100
	Other	14%	37%	20%	29%	100%	125
	Property	8%	40%	24%	28%	100%	203
	Violent	5%	34%	21%	41%	100%	110
Other		**0%**	**27%**	**9%**	**64%**	**100%**	**11**
	Drugs	0%	0%	0%	0%	0%	0
	Other	0%	25%	25%	50%	100%	4
	Property	0%	67%	0%	33%	100%	3
	Violent	0%	0%	0%	100%	100%	4
White		**10%**	**39%**	**20%**	**31%**	**100%**	**348**
	Drugs	7%	45%	23%	25%	100%	56
	Other	18%	40%	18%	24%	100%	88
	Property	10%	41%	16%	32%	100%	111
	Violent	5%	32%	23%	40%	100%	93
Total		**9%**	**39%**	**21%**	**31%**	**100%**	**902**

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 30% of cases filed, while 19% of cases were convicted as charged and 28% were convicted of a different crime. The few cases in each of the race/ethnicity categories makes interpretation of this information difficult.

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

Race/Ethnicity	Crime type	Convicted as charged	Convicted other crime	Dismissed / not guilty	Not yet resolved/ case closed	Total	Total N
Black/African Am		**0%**	**100%**	**0%**	**0%**	**100%**	**1**
	Drugs	0%	0%	0%	0%	0%	0
	Other	0%	0%	0%	0%	0%	0
	Property	0%	0%	0%	0%	0%	0
	Violent	0%	100%	0%	0%	100%	1
Hispanic*		**15%**	**24%**	**37%**	**24%**	**100%**	**46**
	Drugs	0%	0%	100%	0%	100%	1
	Other	14%	14%	29%	43%	100%	7
	Property	18%	32%	32%	18%	100%	22
	Violent	13%	19%	44%	25%	100%	16
Other		**0%**	**0%**	**100%**	**0%**	**100%**	**1**
	Drugs	0%	0%	0%	0%	0%	0
	Other	0%	0%	100%	0%	100%	1
	Property	0%	0%	0%	0%	0%	0
	Violent	0%	0%	0%	0%	0%	0
White		**32%**	**37%**	**11%**	**21%**	**100%**	**19**
	Drugs	0%	0%	100%	0%	100%	1
	Other	0%	75%	0%	25%	100%	4
	Property	57%	14%	14%	14%	100%	7
	Violent	29%	43%	0%	29%	100%	7
Total		**19%**	**28%**	**30%**	**22%**	**100%**	**67**

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

Summary: Case outcomes. Caution should be used when interpreting the case outcome since many factors can influence the decision. For example, the existence of prior cases (criminal history) may influence the outcome of a case. Additionally, most cases contain multiple charges, and many cases have concurrent cases. These factors are likely to significantly affect the outcome of a case. In particular, all charges in a case may be dismissed or modified as part of a plea agreement involving that case or multiple cases. In fact, 33% of cases in county court were dismissed, as were 21% of cases in district court and 30% of cases in juvenile court. In county court, Black/African Americans were slightly less likely to have a case dismissed in county court (25% compared to 33% overall), however, the few cases (n=16) means this information should be interpreted with caution. In district court, Black/African Americans were more likely to be convicted of another crime (60% compared to 39% overall), however, the few cases (n=5) means this information should be interpreted with caution. In juvenile court, all charges were dismissed for 30% of cases filed, while 19% of cases were convicted as charged

and 28% were convicted of a different crime. The few cases in each of the race/ethnicity categories makes interpretation of this information difficult.

Initial Sentences

The tables below show cases sentenced in the 12th Judicial District between Jan 1, 2018 and Dec 31, 2018, in county court, district court, and juvenile court. These cases are not necessarily the same cases in the **Case Filings** section above. Also, because these data represent cases, not individuals, the number of individuals sentenced to the Department of Corrections (DOC) or the Division of Youth Services (DYS) will not match the number reported as admissions by these agencies.

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

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

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

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

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

County court

Table 3-12 presents the initial sentence for each of the four offense types for county court cases in 2018. Deferred judgments and jail were used in county court at a rate of 23% and 26%, respectively. Most Drug cases (n=9) received a fine/fee.

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

Sentence	Crime type	Percent	Total
Community Service		**4%**	**16**
	Drugs	25%	4
	Other	44%	7
	Property	31%	5
Deferred		**23%**	**101**
	Drugs	3%	3
	Other	47%	47
	Property	19%	19
	Violent	32%	32
Fines/fees		**11%**	**46**
	Drugs	20%	9
	Other	57%	26
	Property	13%	6
	Violent	11%	5
Jail		**26%**	**115**
	Drugs	3%	3
	Other	32%	37
	Property	15%	17
	Violent	50%	58
Probation/Intensive Supervision		**31%**	**135**
	Other	31%	42
	Property	11%	15
	Violent	58%	78
Unsupervised Probation		**5%**	**23**
	Other	48%	11
	Property	30%	7
	Violent	22%	5
Total		**100%**	**436**

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 (28% compared to 21%, respectively). Men were more likely than women to receive a jail sentence (30% for men compared to 18% for women), and men were more likely to be granted an initial sentence to probation (33% compared to 25% for women).

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

Sentence	Female	Male	Total
(N)	118	318	436
Community Service	6%	3%	4%
Deferred	28%	21%	23%
Fines/fees	16%	8%	11%
Jail	18%	30%	26%
Probation/Intensive Supervision	25%	33%	31%
Unsupervised Probation	7%	5%	5%
Total	**100%**	**100%**	**100%**

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

Table 3-14 presents the initial sentence in county court by race/ethnicity. Those in the Other race/ethnicity category were more likely to receive a deferred judgment (38% compared to 23% overall) but the few cases (n=8) means this information should be interpreted with caution. There were few differences in initial sentences between Hispanic and White cases in county court.

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

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	7	246	8	175	436
Community Service	0%	3%	0%	5%	4%
Deferred	29%	23%	38%	22%	23%
Fines/fees	14%	11%	0%	10%	11%
Jail	14%	27%	38%	25%	26%
Probation/Intensive Supervision	43%	28%	13%	35%	31%
Unsupervised Probation	0%	7%	13%	3%	5%
Total	100%	100%	100%	100%	100%

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

The following four tables show the initial county court sentence for each of the four offense categories, by race/ethnicity. Table 3-15 shows initial sentences for county court Drug cases. Whites were more likely than Hispanics to receive an initial sentence of community service (29% compared to 17%, respectively), however, the few Drug cases (n=19) means this information should be interpreted with caution.

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

Sentence	Hispanic*	White	Total
(N)	12	7	19
Community Service	17%	29%	21%
Deferred	17%	14%	16%
Fines/fees	50%	43%	47%
Jail	17%	14%	16%
Total	100%	100%	100%

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

Table 3-16 shows the initial county court sentence for Other offenses. Because there were only two Black/African American cases and three cases falling into the Other race/ethnicity category, it is not possible to draw conclusions about those cases. Comparing the initial sentence for Hispanics and Whites charged with Other offenses, Hispanics were more likely to receive a deferred judgment (29% compared to 23%, respectively) and less likely to receive a jail sentence (21% compared to 25%).

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 Violent offenses, Hispanics were more likely to receive a jail sentence compared to Whites (37%

compared to 26%) and less likely to receive a deferred judgment (15% compared to 22%, respectively).

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)	2	96	3	69	170
Community Service	0%	4%	0%	4%	4%
Deferred	50%	29%	67%	23%	28%
Fines/fees	50%	17%	0%	13%	15%
Jail	0%	21%	0%	25%	22%
Probation/Intensive Supervision	0%	22%	0%	30%	25%
Unsupervised Probation	0%	7%	33%	4%	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.

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

Sentence	Hispanic*	White	Total
(N)	44	25	69
Community Service	5%	12%	7%
Deferred	30%	24%	28%
Fines/fees	5%	16%	9%
Jail	23%	28%	25%
Probation/Intensive Supervision	27%	12%	22%
Unsupervised Probation	11%	8%	10%
Total	100%	100%	100%

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

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

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	5	94	5	74	178
Deferred	20%	15%	20%	22%	18%
Fines/fees	0%	4%	0%	1%	3%
Jail	20%	37%	60%	26%	33%
Probation/Intensive Supervision	60%	39%	20%	50%	44%
Unsupervised Probation	0%	4%	0%	1%	3%
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 about half (47%) of the time overall, and for 60% of Drug cases. The second most frequently occurring sentence in district

court was a prison sentence: 15% of Drug cases, 23% of Other cases, 14% of Property cases, and 23% of Violent cases received a sentence to the Department of Corrections. Deferred judgments were imposed in 6% of cases and were most likely to be imposed in Property cases (12%), and least likely to be imposed in Drug cases (2%).

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

Sentence	Drugs	Other	Property	Violent	Total
(N)	157	198	207	144	706
Community Corrections	10%	6%	10%	10%	9%
Community Service	0%	<1%	0%	0%	<1%
Deferred	2%	4%	12%	7%	6%
Dept of Corrections	15%	23%	14%	23%	19%
Fines/fees	2%	2%	0%	0%	<1%
Jail	11%	33%	13%	11%	18%
Probation/Intensive Supervision	60%	32%	51%	49%	47%
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 (12% versus 4%, respectively), and more likely to be granted probation (51% compared to 46% for men). Women were equally likely to receive a jail sentence (17%) compared to men (18%), and were less likely to receive a prison sentence compared to men (13% compared to 21%).

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

Sentence	Female	Male	Total
(N)	187	519	706
Community Corrections	8%	9%	9%
Community Service	0%	<1%	<1%
Deferred	12%	4%	6%
Dept of Corrections	13%	21%	19%
Fines/fees	0%	1%	<1%
Jail	17%	18%	18%
Probation/Intensive Supervision	51%	46%	47%
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-fifth (21%) of initial sentences for Black/African Americans were to the Department of Corrections compared to 19% overall. Another 21% of Black/African American cases were sentenced to community corrections compared to 9% overall. However, the few Black/African American cases (n=14) in district court means this information should be interpreted with caution. In general, few differences in the initial sentence in district court were found between Hispanic and White cases.

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

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	14	423	17	252	706
Community Corrections	21%	8%	0%	10%	9%
Community Service	0%	<1%	0%	0%	<1%
Deferred	0%	7%	0%	7%	6%
Dept of Corrections	21%	19%	12%	18%	19%
Fines/fees	0%	1%	0%	<1%	<1%
Jail	29%	18%	6%	17%	18%
Probation/Intensive Supervision	29%	47%	82%	47%	47%
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. Note that caution should be used when interpreting the findings when the number of cases is small. Black/African Americans and Hispanics were less likely to receive a deferred judgement than Whites (0% and 1% compared to 4%), and Black/African Americans and Hispanics were more likely than Whites to receive a sentence to jail or prison. Initial sentences for Other, Property and Violent offenses, are shown in Tables 3-23, 3-24 and 3-25. For Violent offenses (Table 3-15), Hispanics were more likely than Whites to receive a jail or prison sentence, and less likely to receive a deferred judgment.

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

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	8	90	5	54	157
Community Corrections	13%	9%	0%	13%	10%
Deferred	0%	1%	0%	4%	2%
Dept of Corrections	25%	19%	0%	9%	15%
Fines/fees	0%	3%	0%	0%	2%
Jail	25%	13%	0%	6%	11%
Probation/Intensive Supervision	38%	54%	100%	69%	60%
Total	100%	100%	100%	100%	100%

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

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

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	2	124	1	71	198
Community Corrections	50%	5%	0%	7%	6%
Community Service	0%	<1%	0%	0%	<1%
Deferred	0%	5%	0%	1%	4%
Dept of Corrections	0%	23%	0%	24%	23%
Fines/fees	0%	2%	0%	1%	2%
Jail	50%	32%	100%	34%	33%
Probation/Intensive Supervision	0%	32%	0%	32%	32%
Total	100%	100%	100%	100%	100%

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

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

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

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	1	131	6	69	207
Community Corrections	100%	8%	0%	12%	10%
Deferred	0%	13%	0%	12%	12%
Dept of Corrections	0%	12%	0%	19%	14%
Jail	0%	12%	0%	16%	13%
Probation/Intensive Supervision	0%	54%	100%	42%	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	Hispanic*	Other	White	Total
(N)	3	78	5	58	144
Community Corrections	0%	10%	0%	10%	10%
Deferred	0%	5%	0%	10%	7%
Dept of Corrections	33%	24%	40%	19%	23%
Jail	33%	13%	0%	9%	11%
Probation/Intensive Supervision	33%	47%	60%	52%	49%
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: nearly half (44%) of initial sentences were to Probation, while 41% of cases were granted a deferred judgment. The few cases in juvenile court (n=41) makes interpreting the findings challenging when the information is disaggregated into offense, gender and race/ethnicity categories.

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

Sentence	Drugs	Other	Property	Violent	Total
(N)	2	6	19	14	41
Community Service	0%	0%	5%	0%	2%
Deferred	50%	17%	26%	71%	41%
Division of Youth Services	0%	17%	5%	7%	7%
Juvenile Detention	0%	0%	5%	7%	5%
Probation/Intensive Supervision	50%	67%	58%	14%	44%
Total	100%	100%	100%	100%	100%

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

Table 3-27 shows the initial sentence in juvenile court by gender. Females were slightly more likely than males to receive a deferred judgement (44% versus 41%, respectively), and less likely to receive a sentence to the Division of Youth Services (0% compared to 9%).

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

Sentence	Female	Male	Total
(N)	9	32	41
Community Service	0%	3%	2%
Deferred	44%	41%	41%
Division of Youth Services	0%	9%	7%
Juvenile Detention	0%	6%	5%
Probation/Intensive Supervision	56%	41%	44%
Total	100%	100%	100%

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

Table 3-28 reflects the initial juvenile court sentence by race/ethnicity. Hispanics in juvenile court were less likely than Whites to receive a deferred judgment (38% and 47%, respectively).

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

Sentence	Black	Hispanic*	Other	White	Total
(N)	2	21	1	17	41
Community Service	0%	5%	0%	0%	2%
Deferred	0%	38%	100%	47%	41%
Division of Youth Services	0%	0%	0%	18%	7%
Juvenile Detention	0%	5%	0%	6%	5%
Probation/Intensive Supervision	100%	52%	0%	29%	44%
Total	100%	100%	100%	100%	100%

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

The following four tables show initial juvenile court sentences for each of the offense categories by race/ethnicity. Note that the number of 2018 juvenile cases was small (n=41), making it difficult to interpret the findings presented in the tables below.

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

Sentence	Hispanic*	Total
(N)	2	2
Deferred	50%	50%
Probation/Intensive Supervision	50%	50%
Total	100%	100%

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

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

Sentence	Black/African Am	Hispanic*	White	Total
(N)	1	2	3	6
Deferred	0%	50%	0%	17%
Division of Youth Services	0%	0%	33%	17%
Probation/Intensive Supervision	100%	50%	67%	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.

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

Sentence	Black/African Am	Hispanic*	White	Total
(N)	1	11	7	19
Community Service	0%	9%	0%	5%
Deferred	0%	9%	57%	26%
Division of Youth Services	0%	0%	14%	5%
Juvenile Detention	0%	9%	0%	5%
Probation/Intensive Supervision	100%	73%	29%	58%
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*	Other	White	Total
(N)	6	1	7	14
Deferred	83%	100%	57%	71%
Division of Youth Services	0%	0%	14%	7%
Juvenile Detention	0%	0%	14%	7%
Probation/Intensive Supervision	17%	0%	14%	14%
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.

Summary: Initial sentences. This analysis reflects the most serious initial sentences; these can be later modified, such as when jail is added as part of a probation revocation. Additionally, individuals may have multiple cases for which they are sentenced simultaneously. The sentence given in one case may not truly reflect the seriousness of the case as the more serious sentence may be recorded in another case as part of a plea agreement. In fact, in 2018, 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 and jail were used in at a rate of 23% and 26%, respectively. Most Drug cases (n=9) received a fine/fee. Women were more likely than men to receive a deferred judgment in county court (28% compared to 21%, respectively). Men were more likely than women to receive a jail sentence (30% for men compared to 18% for women), and men were more likely to be granted an initial sentence to probation (33% compared to 25% for women). Those in the Other race/ethnicity category were more likely to receive a deferred judgment (38% compared to 23% overall) but the few cases (n=8) means this information should be interpreted with caution. There were few differences in initial sentences between Hispanic and White cases in county court.

In district court, probation was the most frequently occurring initial sentence, happening about half (47%) of the time overall, and for 60% of Drug cases. The second most frequently occurring sentence in district court was a prison sentence: 15% of Drug cases, 23% of Other cases, 14% of Property cases, and 23% of Violent cases received a sentence to the Department of Corrections. Deferred judgments were imposed in 6% of cases and were most likely to be imposed in Property cases (12%), and least likely to be imposed in Drug cases (2%). Women were much more likely to receive a deferred judgment compared to men (12% versus 4%, respectively), and more likely to be granted probation (51% compared to 46% for men). Women were equally likely to receive a jail sentence (17%) compared to men (18%), and were less likely to receive a prison sentence compared to men (13% compared to 21%). Over one-fifth (21%) of initial sentences for Black/African Americans were to the Department of Corrections compared to 19% overall. Another 21% of Black/African American cases were sentenced to community corrections compared to 9% overall. However, the few Black/African American cases (n=14) in district court means this information should be interpreted with caution. In general, few

differences in the initial sentence in district court were found between Hispanic and White cases.

In juvenile court, probation was the most frequently occurring sentence: nearly half (44%) of initial sentences were to probation, while 41% of cases were granted a deferred judgment. Females were slightly more likely than males to receive a deferred judgement (44% versus 41%, respectively), and less likely to receive a sentence to the Division of Youth Services (0% compared to 9%). The few cases in juvenile court (n=41) makes interpreting the findings challenging when the information is disaggregated into offense, gender and race/ethnicity categories.

Revocations

Cases sentenced in 2018 to probation or a deferred judgment that received a revocation are included in the analyses presented here.[13] Those sentenced near the end of 2018 may not have had enough time to get revoked. **Note that these are cases, not individuals** and, as previously mentioned, statewide in 2018, 19% of county court cases, 36% of district court cases, and 38% of juvenile court cases had other, concurrent cases mentioned in minute orders or sentencing notes. Counting cases and not individuals is likely to inflate the proportion of revocations presented in these analyses. For example, the Judicial Department reports that in 2018, 24% of adult state probation terminations were the result of a revocation.[14] The revocations presented here may not result in termination from probation supervision. In fact, in 2018, across county, adult district, and juvenile district courts, 48% of cases were reinstated, 45% were not reinstated, and for the remaining 7% of cases it was unclear the outcome of the revocation.

The next series of tables shows revocations in county court, then district court, and finally juvenile court.

County court

Table 3-33 shows revocation information for county court. Overall, 19% of cases receiving a probation/deferred judgment in 2018 were revoked. The few Black/African American and Other race/ethnicity cases (n=5 for each) means that only comparisons between Hispanic and White cases are feasible. Hispanics, compared to Whites, were more likely to be revoked for Property offenses (23% compared to 0%, respectively).

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[13] Judicial data pertaining to *petitions* to revoke are less reliable than data identifying actual revocations.
[14] See *Judicial Branch Annual Statistical Report, Fiscal Year 2018*, Table 48, page 121.

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

Race/Ethnicity	Crime type	No	Yes	Total	Total N
Black/African Am		**100%**	**0%**	**100%**	**5**
	Other	100%	0%	100%	1
	Violent	100%	0%	100%	4
Hispanic*		**80%**	**20%**	**100%**	**143**
	Drugs	50%	50%	100%	2
	Other	88%	13%	100%	56
	Property	77%	23%	100%	30
	Violent	75%	25%	100%	55
Other		**100%**	**0%**	**100%**	**5**
	Other	100%	0%	100%	3
	Violent	100%	0%	100%	2
White		**81%**	**19%**	**100%**	**106**
	Drugs	100%	0%	100%	1
	Other	83%	18%	100%	40
	Property	100%	0%	100%	11
	Violent	76%	24%	100%	54
Total		**81%**	**19%**	**100%**	**259**

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

Table 3-34 reflects county court revocations by gender. Females in county court were less likely to get revoked than males (15% compared to 20%, respectively). Compared to other offense types, both men and women with Violent cases were most likely to be revoked (24% 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		**85%**	**15%**	**100%**	**71**
	Drugs	100%	0%	100%	1
	Other	90%	10%	100%	31
	Property	81%	19%	100%	16
	Violent	78%	22%	100%	23
Male		**80%**	**20%**	**100%**	**188**
	Drugs	50%	50%	100%	2
	Other	84%	16%	100%	69
	Property	84%	16%	100%	25
	Violent	76%	24%	100%	92
Total		**81%**	**19%**	**100%**	**259**

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

Adult district court

Revocations from probation/deferred judgments occurred more frequently in district court (39%, Table 3-35) compared to county court (19%, Table 3-33) in 2018. Black/African Americans and Hispanics were most likely to be revoked (75% and 43%, respectively, compared to 39% overall). However, note that there were only four (n=4) Black/African Americans in district court in 2018 so these findings must be interpreted with caution. Those with Drug offenses were in general most likely to be revoked. Table 3-36 shows that women in adult district court were very slightly more likely than men to get revoked (42% compared to 38%). Men and women with Drug cases were considerably more likely, compared to those with other crime types, to get revoked.

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

Race/Ethnicity	Crime type	No	Yes	Total	Total N
Black/African Am		**25%**	**75%**	**100%**	**4**
	Drugs	33%	67%	100%	3
	Violent	0%	100%	100%	1
Hispanic*		**57%**	**43%**	**100%**	**225**
	Drugs	42%	58%	100%	50
	Other	65%	35%	100%	46
	Property	56%	44%	100%	88
	Violent	68%	32%	100%	41
Other		**71%**	**29%**	**100%**	**14**
	Drugs	100%	0%	100%	5
	Property	67%	33%	100%	6
	Violent	33%	67%	100%	3
White		**68%**	**32%**	**100%**	**136**
	Drugs	64%	36%	100%	39
	Other	71%	29%	100%	24
	Property	59%	41%	100%	37
	Violent	78%	22%	100%	36
Total		**61%**	**39%**	**100%**	**379**

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		**58%**	**42%**	**100%**	**117**
	Drugs	50%	50%	100%	40
	Other	59%	41%	100%	17
	Property	58%	42%	100%	48
	Violent	83%	17%	100%	12
Male		**62%**	**38%**	**100%**	**262**
	Drugs	56%	44%	100%	57
	Other	70%	30%	100%	53
	Property	57%	43%	100%	83
	Violent	68%	32%	100%	69
Total		**61%**	**39%**	**100%**	**379**

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, 14% of cases sentenced to probation/deferred judgment in 2018 were revoked (Table 3-37). The few cases (n=35) in juvenile court makes interpreting the findings challenging when the information is disaggregated into offense, gender and race/ethnicity categories.

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

Race/Ethnicity	Crime type	No	Yes	Total	Total N
Black/African Am		**50%**	**50%**	**100%**	**2**
	Other	100%	0%	100%	1
	Property	0%	100%	100%	1
Hispanic*		**89%**	**11%**	**100%**	**19**
	Drugs	100%	0%	100%	2
	Other	100%	0%	100%	2
	Property	78%	22%	100%	9
	Violent	100%	0%	100%	6
Other		**100%**	**0%**	**100%**	**1**
	Violent	100%	0%	100%	1
White		**85%**	**15%**	**100%**	**13**
	Other	100%	0%	100%	2
	Property	83%	17%	100%	6
	Violent	80%	20%	100%	5
Total		**86%**	**14%**	**100%**	**35**

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		**89%**	**11%**	**100%**	**9**
	Drugs	100%	0%	100%	2
	Other	100%	0%	100%	1
	Property	67%	33%	100%	3
	Violent	100%	0%	100%	3
Male		**85%**	**15%**	**100%**	**26**
	Other	100%	0%	100%	4
	Property	77%	23%	100%	13
	Violent	89%	11%	100%	9
Total		**86%**	**14%**	**100%**	**35**

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, 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, 19% of county court cases receiving a probation/deferred judgment in 2018 were revoked. The few Black/African American and Other race/ethnicity cases (n=5 for each) in county court means that only comparisons between Hispanic and White cases are feasible. Hispanics, compared to Whites, were more likely to be revoked for Property offenses (23% compared to 0%, respectively). Females in county court were less likely to get revoked than males (15% compared to 20%, respectively). Compared to other offense types, both men and women with Violent cases were most likely to be revoked (24% and 22% respectively).

Revocations from probation/deferred judgments occurred more frequently in district court (39%) compared to county court (19%) in 2018. Black/African Americans and Hispanics were most likely to be revoked (75% and 43%, respectively, compared to 39% overall). However, note that there were only four (n=4) Black/African Americans in district court in 2018 so these findings must be interpreted with caution. Those with Drug offenses were in general most likely to be revoked. Women in adult district court were very slightly more likely than men to get revoked (42% compared to 38%). Men and women with Drug cases were considerably more likely, compared to those with other crime types, to get revoked.

In juvenile court, 14% of cases sentenced to probation/deferred judgment in 2018 were revoked. The few cases (n=35) in juvenile court makes interpreting the findings challenging when the information is disaggregated into offense, gender and race/ethnicity categories.

Appendix A

NIBRS Group A Arrest Crimes

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

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

Appendix B

Most serious filing/conviction charge categories

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

Arson - 1st - 4th degree arson

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

Drug Poss - drug possession, paraphernalia possession

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

Escape

Extortion

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

Forgery

Fraud

Homicide - 1st and 2nd degree murder

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

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

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

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

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

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

Appendix C

Statistical Model for Classifying Hispanic Ethnicity

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

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

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

The variables provided to the model included:

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

2. Gender

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

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

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

The development model achieved an AUC (Area Under the Curve) of .95 and the validation AUC was also .95.[15] The validation AUC for females was slightly lower at .91. Females often change their last name at marriage and the Hispanic name indicator was the most important variable in the model. The overall predictive accuracy was 94% for both development and validation data sets.

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

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

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

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