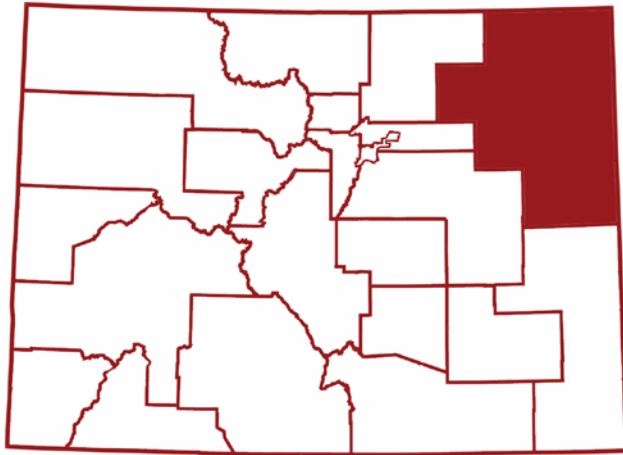# CLEAR Act: 2018

Community Law Enforcement Action Reporting Act

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13th Judicial District

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

Age Group	Race/Ethnicity	Percent	Total
Adult		**88%**	**60,270**
	Black/African American	3%	1,555
	Hispanic	21%	12,606
	Other	1%	865
	White	75%	45,245
Juvenile		**12%**	**8,309**
	Black/African American	2%	190
	Hispanic	35%	2,880
	Other	1%	87
	White	62%	5,152
Total		**100%**	**68,579**

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

December 2019

COLORADO
Division of Criminal Justice
Department of Public Safety

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

Community Law Enforcement Action Reporting Act

Pursuant to Senate Bill 2015-185

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

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

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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 and court processing information for calendar year 2018 for the 13th Judicial District.

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

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

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

Executive Summary

Background. In 2015, the General Assembly passed Senate Bill 185, the Community Law Enforcement Action Reporting Act, or the CLEAR Act. The CLEAR Act mandates that the Division of Criminal Justice (DCJ) annually analyze and report data provided by law enforcement agencies,[1] the Judicial Department, and the adult Parole Board, to reflect decisions made at multiple points in the justice system process. The CLEAR Act requires that the data be analyzed by race/ethnicity and gender. This study presents information for calendar year 2018.

This study presents arrest and court processing information for calendar year 2018 for the 13th 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 13th Judicial District was 68,579. The adult population was comprised as follows:
- White, 75%;
- Black/African American; 3%;
- Hispanic, 21%; and
- Other, 1%.

The juvenile population was comprised as follows:
- White, 62%;
- Black/African American, 2%;
- Hispanic, 35%; and
- Other, 1%.

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

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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.

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

Law enforcement data. In 2018, law enforcement made/issued 3,436 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 7% of all arrests/summonses while Violent crimes accounted for 10% of arrests/summonses, Property offenses accounted for 10% of arrests/summonses, and the remainder of arrests/summonses (74%) fell into the Other crime category. Hispanics represented 21% of the population and 32% of arrests/summonses.

Court filings. This study of 2,627 case filings in county, district, and juvenile courts combined found that while Hispanic adults made up 21% of the adult population but had 30% of district court filings in 2018 and 31% of county court filings. Hispanic juveniles made up 35% of the population but only 32% of juvenile court filings. The race/ethnicity distribution across the four crime categories was relatively consistent. In terms of gender, 28% of filings were females and 72% were males. Females were slightly more likely than men to be involved in Property and roughly equivalent in the remaining offense types. Less than 1% of cases completed a trial in 2018. Note that these cases are not necessarily the same cases in the **Law Enforcement Data** section above.

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

Court case outcomes. Caution should be used when interpreting the case outcome since many factors can influence the decision. For example, the existence of prior cases (criminal history) may influence the outcome of a case. Additionally, most cases contain multiple charges, and many cases have concurrent cases. These factors are likely to significantly affect the outcome of a case. In particular, all charges in a case may be dismissed or modified as part of a plea agreement involving that case or multiple cases. In fact, 16% of cases in county court were dismissed, as were 16% of cases in district court and 9% of cases in juvenile court. One-quarter (27%) of county court cases were convicted as charged compared to 11% in district court and 40% in juvenile court. One-quarter (25%) of county court cases were convicted of a different charge, as were 29% of district court cases, and 25% of juvenile court cases.

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

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

Women were significantly more likely than men to receive a deferred judgment in county court (54% compared to 25%, respectively). Men were more likely than women to receive a jail sentence (22% for men compared to 13% for women), and men were more likely to be granted an initial sentence to probation (34% compared to 18% for women) in county court. The few numbers of cases involving Black/African Americans and those in the Other race/ethnicity category make it difficult to interpret the county court initial sentence findings.

In district court, probation was the most frequently occurring initial sentence, happening in 51% of cases. Women were more likely than men to receive a deferred judgment (7% compared to 3%, respectively). Overall Hispanics were slightly more likely than Whites to receive a prison sentence (28% compared to 23%, respectively). Twenty-five percent of Hispanics with Drug charges were sentenced to the Department of Corrections compared to 18% of Whites. The few cases involving Black/African Americans (n=39) and those of Other race/ethnicity (n=2) means this must be interpreted with caution.

Unlike county and district court, initial sentences to probation weren't the most frequently occurring sentence in Juvenile court: 41% of initial sentences were to probation, while 54% of cases were granted a deferred judgment. Females were more likely to receive a deferred judgement than males (73% versus 48%, respectively).

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

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

Overall, 9% of cases receiving a probation/deferred judgment in county court in 2018 were revoked. Black/African Americans and Hispanics were slightly less likely to be revoked compared to the overall revocation rate (6% and 8%, respectively, compared to 9% overall).

Females in county court were slightly less likely to get revoked than males (8% compared to 10%, respectively). Men with property crimes were the most likely to be revoked (22%).

Revocations from probation/deferred judgments occurred slightly more frequently in district court (17%) compared to county court (9%) in 2018. Hispanics were most likely to be revoked (22% compared to 17% overall). Women in adult district court were much more likely than men to get revoked (22% compared to 14%, respectively). Women with Drug cases were most likely, compared to other crime types, to get revoked.

In juvenile court, 17% of cases sentenced to probation/deferred judgment in 2018 were revoked. Compared to Whites, Hispanics were less likely to get revoked (14% compared to 20%), however, the few Hispanic cases (n=21) means this information must be interpreted with caution. Females were revoked at a rate of 0% compared to 23% for males. Comparing across crime types, males with drug crimes were most likely to be revoked (50% for men).

Overall summary. In 2018, arrests/summonses for Drug offenses accounted for 7% of all arrests/summonses while Violent crimes accounted for 10% of arrests/summonses, Property offenses accounted for 10% of arrests/summonses, and the remainder of arrests/summonses (74%) fell into the Other crime category. Hispanics represented 21% of the population and 32% of arrests/summonses.

Hispanic adults made up 21% of the adult population in the 13th Judicial District but had 30% of district court filings in 2018 and 24% of county court filings. Hispanic juveniles made up 35% of the population but only 32% of juvenile court filings. The race/ethnicity distribution across the four crime categories was relatively consistent. In terms of gender, 28% of filings were females and 72% were males. Females were slightly more likely than men to be involved in Property and roughly equivalent in the remaining offense types. Less than 1% of cases completed a trial in 2018.

In terms of court case outcomes, 16% of cases in county court were dismissed, as were 16% of cases in district court and 9% of cases in juvenile court. One-quarter (27%) of county court cases were convicted as charged compared to 11% in district court and 40% in juvenile court. One-quarter (25%) of county court cases were convicted of a different charge, as were 29% of district court cases, and 25% of juvenile court cases.

In terms of initial sentences, Women were significantly more likely than men to receive a deferred judgment in county court (54% compared to 25%, respectively). Men were more likely than women to receive a jail sentence (22% for men compared to 13% for women), and men were more likely to be granted an initial sentence to probation (34% compared to 18% for women) in county court. The few cases involving Black/African Americans and those in the Other race/ethnicity category means that the information should be interpreted with caution.

In district court, probation was the most frequently occurring initial sentence, happening in 51% of cases. Women were more likely than men to receive a deferred judgment (7% compared to 3%, respectively). Overall Hispanics were slightly more likely than Whites to receive a prison sentence (28% compared to 23%, respectively). Twenty-five percent of Hispanics with Drug charges were sentenced to the Department of Corrections compared to

18% of Whites. The few cases involving Black/African Americans (n=39) and those of Other race/ethnicity (n=2) means this information must be interpreted with caution.

Unlike county and district court, initial sentences to probation weren't the most frequently occurring sentence in Juvenile court: 41% of initial sentences were to probation, while 54% of cases were granted a deferred judgment. Females were more likely to receive a deferred judgement than males (73% versus 48%, respectively).

Section 1: Introduction

Background and overview

In 2015, the General Assembly passed Senate Bill 15-185, the Community Law Enforcement Action Reporting Act, or the CLEAR Act. The CLEAR Act mandates that the Division of Criminal Justice annually analyze and report data provided by law enforcement agencies,[4] the Judicial Department, and the adult Parole Board, to reflect decisions made at multiple points in the justice system process. The CLEAR Act requires that the data be analyzed by race/ethnicity and gender. This study presents information for the 13th Judicial District for calendar year 2018, including the following:

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

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

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

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

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

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

Finally, the Colorado Department of Local Affairs, Office of the State Demographer, estimated that the population in 2018 in the 13th Judicial District for residents ages 10 and over was 68,579 and was comprised as follows:

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

Age Group	Race/Ethnicity	Percent	Total
Adult		**88%**	**60,270**
	Black/African American	3%	1,555
	Hispanic	21%	12,606
	Other	1%	865
	White	75%	45,245
Juvenile		**12%**	**8,309**
	Black/African American	2%	190
	Hispanic	35%	2,880
	Other	1%	87
	White	62%	5,152
Total		**100%**	**68,579**

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 13th Judicial District for the period between January 1, 2018 and December 31, 2018 was obtained from the Colorado Bureau of Investigation's National Incident-Based Reporting System (NIBRS), which includes Group A and B arrests. NIBRS requires different details in the reporting of Group A and Group B offenses. Law enforcement must report both incidents and arrests for Group A offenses, and they must report only arrests for Group B offenses. NIBRS developers used the following criteria to determine if a crime should be designated as a Group A offense:

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

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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 3,400 NIBRS incidents in the 13th Judicial District were analyzed for calendar year 2018 (Table 1-2).

Table 1-2. Arrests by type, 2018

Arrest Type	Percent	Total
Custody/warrant	45%	1,559
On-view/probable cause	30%	1,034
Summons	25%	843
Total	**100%**	**3,436**

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

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

Judicial case processing data. ICON is the Colorado Judicial Branch's information management system, which contains county and district court adult and juvenile filings and case dispositions statewide, with the exception of Denver County Court.[7] County court contains both adult and juvenile misdemeanor cases. The data are presented by court type: County, Adult District, and Juvenile. Juveniles who were charged as adults are in Adult District Court. The number of cases analyzed by type of court in the 13th Judicial District can be seen in Table 1-3.

Table 1-3. Court of case filing, 2018

Court	Percent	Total
Adult District	43%	1,123
County	52%	1,375
Juvenile	5%	129
Total	**100%**	**2,627**

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

Note that the information presented here reflects the analysis of more than 115,000 ***cases not individuals***. Individuals may have multiple, concurrent cases,[8] and cases typically have multiple charges. Frequently cases and charges are dismissed for a judgment in a concurrent case. The **Dismissed/Not Guilty** category in the tables that follow means that some charges were dismissed and some were found not guilty.

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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.

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 for the 13th Judicial District.

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

Offense Type	Percent	Total
Drugs	7%	228
Other	74%	2,545
Property	10%	328
Violent	10%	335
Total	**100%**	**3,436**

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

Table 2-2 reflects 3,436 arrests/summonses captured in NIBRS for calendar year 2018, by race/ethnicity. Black/African Americans represented 3% of the population in 2018, and accounted for 5% of arrests/summonses. Hispanics represented 21% of the population and accounted for 32% of arrests. The Other race/ethnicity category represented 1% of the population, and were underrepresented in arrests (<1%), as were Whites, who represented 75% of the population and 63% of arrests/summonses.

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

Race Ethnicity	Percent	Total
Black/African American	5%	172
Hispanic*	32%	1,087
Other	<1%	20
White	63%	2,157
Total	**100%**	**3,436**

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 4% of on view/probable cause arrests, and that the majority of those arrests (78%) for Other crimes, a proportion similar to adults (74%). Juveniles accounted for 3% of custody/warrant arrests (Table 2-4). Overall, juveniles were more likely to get summoned than arrested; they accounted for 19% of summonsed cases (Table 2-5). Not surprisingly, violent offenses were least likely to result in a summons for adults and juveniles (Table 2-5).

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

Age Category	Offense Type	Percent	Total
Adult		**96%**	**997**
	Drugs	9%	88
	Other	74%	742
	Property	5%	50
	Violent	12%	117
Juvenile		**4%**	**37**
	Drugs	3%	1
	Other	78%	29
	Property	3%	1
	Violent	16%	6
Total		**100%**	**1,034**

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

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

Age Category	Offense Type	Percent	Total
Adult		**97%**	**1,514**
	Drugs	7%	100
	Other	76%	1,153
	Property	7%	113
	Violent	10%	148
Juvenile		**3%**	**45**
	Drugs	2%	1
	Other	64%	29
	Property	11%	5
	Violent	22%	10
Total		**100%**	**1,559**

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

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

Age Category	Offense Type	Percent	Total
Adult		**81%**	**686**
	Drugs	3%	20
	Other	70%	483
	Property	20%	137
	Violent	7%	46
Juvenile		**19%**	**157**
	Drugs	11%	18
	Other	69%	109
	Property	14%	22
	Violent	5%	8
Total		**100%**	**843**

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

Combining juveniles and adults, the following three tables show type of arrest/summons by offense type, disaggregated by race/ethnicity. First, Table 2-6 shows that 9% of probable cause arrests were for Drug related offenses, 75% were for Other offenses, 5% for Property offenses, and 12% for Violent offenses. While Hispanics made up 21% of the population, Table 2-6 shows that they were arrested at a rate of 28%-37% (depending on crime type) for probable cause arrests in 2018.

The arrest type where an individual is taken into custody on an outstanding warrant, is depicted in Table 2-7. Over 75% of these arrests involved an offense that fell into the Other category. Hispanics made up 31% of Property crime arrests compared to being 21% of the population.

Table 2-8 shows that summons were less likely to be issued for Violent offenses (6%) compared to Other (70%) and Property (19%) and that, of those summons issued for Violent crimes, 44% went to Hispanics.

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

Offense Type	Race/Ethnicity	Percent	Total
Drugs		**9%**	**89**
	Black/African American	3%	3
	Hispanic*	31%	28
	White	65%	58
Other		**75%**	**771**
	Black/African American	6%	47
	Hispanic*	37%	285
	Other	<1%	3
	White	57%	436
Property		**5%**	**51**
	Black/African American	6%	3
	Hispanic*	35%	18
	White	59%	30
Violent		**12%**	**123**
	Black/African American	7%	9
	Hispanic*	28%	35
	Other	<1%	1
	White	63%	78
Total		**100%**	**1,034**

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

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

Offense Type	Race/Ethnicity	Percent	Total
Drugs		**6%**	**101**
	Black/African American	4%	4
	Hispanic*	20%	20
	White	76%	77
Other		**76%**	**1,182**
	Black/African American	5%	61
	Hispanic*	26%	309
	Other	<1%	9
	White	68%	803
Property		**8%**	**118**
	Black/African American	4%	5
	Hispanic*	31%	36
	White	65%	77
Violent		**10%**	**158**
	Black/African American	6%	10
	Hispanic*	23%	37
	Other	1%	2
	White	69%	109
Total		**100%**	**1,559**

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

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

Offense Type	Race/Ethnicity	Percent	Total
Drugs		**5%**	**38**
	Hispanic*	39%	15
	White	61%	23
Other		**70%**	**592**
	Black/African American	4%	22
	Hispanic*	38%	226
	Other	<1%	4
	White	57%	340
Property		**19%**	**159**
	Black/African American	4%	7
	Hispanic*	34%	54
	White	62%	98
Violent		**6%**	**54**
	Black/African American	2%	1
	Hispanic*	44%	24
	Other	2%	1
	White	52%	28
Total		**100%**	**843**

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

The following three tables show arrest/summons by broad offense category and gender. Overall, women constituted approximately 26-42% of arrests/summonses (depending on the crime category) and men comprised the remainder.

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

Offense Type	Gender	Percent	Total
Drugs		**9%**	**89**
	Female	29%	26
	Male	71%	63
Other		**75%**	**771**
	Female	26%	201
	Male	74%	570
Property		**5%**	**51**
	Female	29%	15
	Male	71%	36
Violent		**12%**	**123**
	Female	27%	33
	Male	73%	90
Total		**100%**	**1,034**

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

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

Offense Type	Gender	Percent	Total
Drugs		**6%**	**101**
	Female	30%	30
	Male	70%	71
Other		**76%**	**1,182**
	Female	29%	347
	Male	71%	835
Property		**8%**	**118**
	Female	42%	50
	Male	58%	68
Violent		**10%**	**158**
	Female	26%	41
	Male	74%	117
Total		**100%**	**1,559**

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

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

Offense type	Gender	Percent	Total
Drugs		**5%**	**38**
	Female	42%	16
	Male	58%	22
Other		**70%**	**592**
	Female	39%	232
	Male	61%	360
Property		**19%**	**159**
	Female	42%	67
	Male	58%	92
Violent		**6%**	**54**
	Female	33%	18
	Male	67%	36
Total		**100%**	**843**

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 3,436 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 7% of all arrests/summonses while Violent crimes accounted for 10% of arrests/summonses, Property offenses accounted for 10% of arrests/summonses, and the remainder of arrests/summonses (74%) fell into the Other crime category. Hispanics represented 21% of the adult population and 32% of arrests/summonses.

Section 3: Court Case Processing

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

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

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

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

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

Case Filings

Overall

Table 3-1 depicts race/ethnicity distribution for 2,627 case filings in county, adult district, and juvenile courts combined for the 13th Judicial District in calendar year 2018. Hispanics represented 22% of the population (adults and juveniles combined), 32% of arrests/summonses, and 31% of case filings. Note that these cases are not necessarily the same cases in the **Law enforcement data** section above.

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

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

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

Race/Ethnicity	Percent	Total
Black/African American	6%	150
Hispanic*	31%	812
Other	1%	32
White	62%	1,633
Total	**100%**	**2,627**

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 8% of cases, and Violent charges comprised the largest category at 39% of charges filed. The race/ethnicity distribution is generally consistent across crime types – Whites were under-represented compared to the general population while Hispanics and Black/African Americans were over-represented.

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

Offense Type	Race/Ethnicity	Percent	Total
Drugs		**8%**	**222**
	Black/African American	4%	8
	Hispanic*	36%	79
	Other	<1%	1
	White	60%	134
Other		**35%**	**918**
	Black/African American	5%	49
	Hispanic*	33%	304
	Other	<1%	9
	White	61%	556
Property		**18%**	**469**
	Black/African American	6%	30
	Hispanic*	27%	125
	Other	<1%	4
	White	66%	310
Violent		**39%**	**1,018**
	Black/African American	6%	63
	Hispanic*	30%	304
	Other	2%	18
	White	62%	633
Total		**100%**	**2,627**

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

Table 3-3 depicts that, across all court types, 28% of filings were females and 72% were males. Females were slightly more likely than men to be involved in Property crimes (22% compared to 16%, respectively).

Table 3-3. Most serious filing charge by gender

Gender	Offense Type	Percent	Total
Female		**28%**	**726**
	Drugs	9%	68
	Other	31%	223
	Property	22%	159
	Violent	38%	276
Male		**72%**	**1,901**
	Drugs	8%	154
	Other	37%	695
	Property	16%	310
	Violent	39%	742
Total		**100%**	**2,627**

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 52% of the total. Hispanics were over-represented in adult course as they made up 21% of the adult population in the 13th Judicial District (2018), but had 31% of county court filings, 30% of district court filings. However, in juvenile course, Hispanics were slightly under-represented as they were 35% of the population but only 32% of juvenile court filings.

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

Court	Race/Ethnicity	Percent	Total
Adult District		**43%**	**1,123**
	Black/African American	7%	76
	Hispanic *	30%	340
	Other	<1%	9
	White	62%	698
County		**52%**	**1,375**
	Black/African American	5%	68
	Hispanic*	31%	431
	Other	1%	18
	White	62%	858
Juvenile		**5%**	**129**
	Black/African American	5%	6
	Hispanic*	32%	41
	Other	4%	5
	White	60%	77
Total		**100%**	**2,627**

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

Table 3-5 shows the type of offense within court type. Half (53%) of county court cases were Violent offenses (primarily misdemeanor assault); Other offenses (41%) comprised the largest category of cases in adult district court; and Violent crimes were the largest category (40%) of cases filed in juvenile court. Table 3-6 presents the distribution across gender for cases in county, district and juvenile court. Females were consistently 25%-30% of filings across court types.

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

Court	Offense Type	Percent	Total
Adult District		**43%**	**1,123**
	Drugs	15%	166
	Other	41%	462
	Property	22%	252
	Violent	22%	243
County		**52%**	**1,375**
	Drugs	4%	51
	Other	31%	425
	Property	13%	175
	Violent	53%	724
Juvenile		**5%**	**129**
	Drugs	4%	5
	Other	24%	31
	Property	33%	42
	Violent	40%	51
Total		**100%**	**2,627**

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		**43%**	**1,123**
	Female	25%	279
	Male	75%	844
County		**52%**	**1,375**
	Female	30%	412
	Male	70%	963
Juvenile		**5%**	**129**
	Female	27%	35
	Male	73%	94
Total		**100%**	**2,627**

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

Trials

Table 3-7 shows how very infrequently cases in these courts completed a trial. In fact, in 2018 in the 13th Judicial District, there were only 12 completed trials, across all court types combined. 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		**43%**	**1,123**
	No	100%	1,120
	Yes	<1%	3
County		**52%**	**1,375**
	No	100%	1,370
	Yes	<1%	5
Juvenile		**5%**	**129**
	No	97%	125
	Yes	3%	4
Total		**100%**	**2,627**

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

Offense Type	Completed Trial	Percent	Total
Drugs		**8%**	**222**
	No	100%	222
Other		**35%**	**918**
	No	100%	917
	Yes	<1%	1
Property		**18%**	**469**
	No	100%	468
	Yes	<1%	1
Violent		**39%**	**1,018**
	No	99%	1,008
	Yes	<1%	10
Total		**100%**	**2,627**

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

Summary: Filings. This study of 2,627 case filings in county, district, and juvenile courts combined found that while Hispanic adults made up 21% of the adult population but had 30% of district court filings in 2018 and 31% of county court filings. Hispanic juveniles made up 35% of the population and 32% of juvenile court filings. The race/ethnicity distribution across the four crime categories was relatively consistent. In terms of gender, 28% of filings were females and 72% were males. Females were slightly more likely than men to be involved in Property crimes. Less than 1% of cases completed a trial in 2018. Note that these cases are not necessarily the same cases in the **Law Enforcement Data** section above.

Case Outcomes

The following three tables present case outcomes, by race/ethnicity and most serious filing charge (including attempt, conspiracy and solicitation), for county court, district court, and juvenile court in 2018. It is important to remember that most cases contain multiple charges, and many cases have concurrent cases. All charges in a case may be dismissed or modified as part of a plea agreement involving that case or multiple cases. In fact, overall, in nearly one-third (32%) of cases, all charges were dismissed in county court in 2018 (Table 3-9). Convicted as charged means the defendant was convicted of at least the most serious filing charge.

Table 3-9 reflects county court case outcomes, showing that 27% of cases were convicted as charged, and one-quarter (25%) were convicted of another crime. In adult district court (Table 3-10), 29% were convicted of another crime and 11% were convicted as charged. In juvenile court (Table 3-11), 25% were convicted of another offense and 40% were convicted as charged.

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

Race / Ethnicity	Offense Type	Convicted as charged	Convicted other crime	Dismissed/ not guilty	Not yet resolved/ case closed	Total	Total N
Black/African American		**9%**	**35%**	**10%**	**46%**	**100%**	**68**
	Drugs	0%	0%	0%	0%	0%	0
	Other	21%	36%	7%	36%	100%	14
	Property	0%	56%	0%	44%	100%	9
	Violent	7%	31%	13%	49%	100%	45
Hispanic*		**31%**	**28%**	**16%**	**26%**	**100%**	**431**
	Drugs	75%	13%	8%	4%	100%	24
	Other	37%	29%	11%	23%	100%	156
	Property	20%	36%	7%	38%	100%	45
	Violent	23%	26%	22%	28%	100%	206
Other		**6%**	**22%**	**50%**	**22%**	**100%**	**18**
	Drugs	0%	100%	0%	0%	100%	1
	Other	0%	33%	67%	0%	100%	3
	Property	0%	0%	0%	100%	100%	1
	Violent	8%	15%	54%	23%	100%	13
White		**28%**	**24%**	**16%**	**32%**	**100%**	**858**
	Drugs	62%	19%	8%	12%	100%	26
	Other	35%	26%	13%	25%	100%	252
	Property	30%	22%	14%	34%	100%	120
	Violent	21%	23%	19%	37%	100%	460
Total		**27%**	**25%**	**16%**	**31%**	**100%**	**1,375**

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

Table 3-10 reflects case outcomes for district court in 2018. One-fifth (16%) of cases filed in district court had all charges dismissed (fewer than 1% of those in this category were not guilty). There were very few cases (n=1,123), with only 76 Black/African Americans and 9 people of Other race/ethnicity, so this information must be interpreted with caution.

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

Race / Ethnicity	Offense Type	Convicted as charged	Convicted other crime	Dismissed/ not guilty	Not yet resolved/ case closed	Total	Total N
Black/African American		**14%**	**24%**	**14%**	**47%**	**100%**	**76**
	Drugs	29%	29%	0%	43%	100%	7
	Other	15%	15%	29%	41%	100%	34
	Property	12%	47%	6%	35%	100%	17
	Violent	11%	17%	0%	72%	100%	18
Hispanic*		**11%**	**27%**	**15%**	**47%**	**100%**	**340**
	Drugs	17%	42%	2%	40%	100%	53
	Other	11%	19%	26%	44%	100%	140
	Property	5%	31%	9%	55%	100%	64
	Violent	13%	27%	7%	53%	100%	83
Other		**0%**	**33%**	**0%**	**67%**	**100%**	**9**
	Drugs	0%	0%	0%	0%	0%	0
	Other	0%	20%	0%	80%	100%	5
	Property	0%	50%	0%	50%	100%	2
	Violent	0%	50%	0%	50%	100%	2
White		**11%**	**31%**	**16%**	**42%**	**100%**	**698**
	Drugs	9%	48%	8%	35%	100%	106
	Other	8%	25%	25%	42%	100%	283
	Property	12%	32%	12%	44%	100%	169
	Violent	16%	29%	11%	44%	100%	140
Total		**11%**	**29%**	**16%**	**44%**	**100%**	**1,123**

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 9% of cases filed, while 40% of cases were convicted as charged and 25% were convicted of a different crime. Hispanics were most likely to have the case dismissed (12% compared to 9% overall). Caution should be used when interpreting the findings when the number of cases in a category is small (N=129).

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

Race / Ethnicity	Offense Type	Convicted as charged	Convicted other crime	Dismissed/ not guilty	Not yet resolved/ case closed	Total	Total N
Black/African American		**83%**	**17%**	**0%**	**0%**	**100%**	**6**
	Drugs	100%	0%	0%	0%	100%	1
	Other	100%	0%	0%	0%	100%	1
	Property	75%	25%	0%	0%	100%	4
	Violent	0%	0%	0%	0%	0%	0
Hispanic*		**32%**	**24%**	**12%**	**32%**	**100%**	**41**
	Drugs	100%	0%	0%	0%	100%	2
	Other	13%	38%	13%	38%	100%	8
	Property	31%	38%	6%	25%	100%	16
	Violent	33%	7%	20%	40%	100%	15
Other		**40%**	**20%**	**0%**	**40%**	**100%**	**5**
	Drugs	0%	0%	0%	0%	0%	0
	Other	100%	0%	0%	0%	100%	1
	Property	0%	0%	0%	100%	100%	1
	Violent	33%	33%	0%	33%	100%	3
White		**42%**	**26%**	**9%**	**23%**	**100%**	**77**
	Drugs	100%	0%	0%	0%	100%	2
	Other	38%	33%	10%	19%	100%	21
	Property	48%	19%	14%	19%	100%	21
	Violent	36%	27%	6%	30%	100%	33
Total		**40%**	**25%**	**9%**	**26%**	**100%**	**129**

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

Summary: Case outcomes. Caution should be used when interpreting the case outcome since many factors can influence the decision. For example, the existence of prior cases (criminal history) may influence the outcome of a case. Additionally, most cases contain multiple charges, and many cases have concurrent cases. These factors are likely to significantly affect the outcome of a case. In particular, all charges in a case may be dismissed or modified as part of a plea agreement involving that case or multiple cases. In fact, 33% of cases in county court were dismissed, as were 21% of cases in district court and 32% of cases in juvenile court. One-quarter (27%) of county court cases were convicted as charged compared to 11% in district court and 40% in juvenile court. One-quarter (25%) of county court cases were convicted of a different charge, as were 29% of district court cases, and 25% of juvenile court cases.

Initial Sentences

The tables below show cases sentenced in the 13th 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 were used in 34% of county court cases, and probation was issued in 29% of cases. Cases with Drugs as the most serious charge were most likely to receive a sentence of community service or a deferred judgement.

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

Sentence	Offense Type	Percent	Total
Community Service		**3%**	**22**
	Drugs	36%	8
	Other	55%	12
	Property	5%	1
	Violent	5%	1
Deferred		**34%**	**290**
	Drugs	9%	27
	Other	42%	123
	Property	10%	28
	Violent	39%	112
Fines/fees		**15%**	**127**
	Drugs	4%	5
	Other	57%	73
	Property	27%	34
	Violent	12%	15
Jail		**19%**	**164**
	Other	44%	72
	Property	15%	24
	Violent	41%	68
Probation/Intensive Supervision		**29%**	**251**
	Drugs	3%	7
	Other	41%	102
	Property	11%	28
	Violent	45%	114
Unsupervised Probation		**<1%**	**6**
	Other	33%	2
	Property	17%	1
	Violent	50%	3
Total		**100%**	**860**

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

Table 3-13 reflects initial county court sentences by gender. Women were considerably more likely than men to receive a deferred judgment in county court (54% compared to 25%, respectively). Men were more likely than women to receive a jail sentence (22% for men compared to 13% for women), and men were more likely to be granted an initial sentence to probation (34% compared to 18% for women).

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

Sentence	Female	Male	Total
(N)	253	607	860
Community Service	1%	3%	3%
Deferred	54%	25%	34%
Fines/fees	14%	15%	15%
Jail	13%	22%	19%
Probation/Intensive Supervision	18%	34%	29%
Unsupervised Probation	<1%	<1%	<1%
Total	100%	100%	100%

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

Table 3-14 presents the initial sentence in county court by race/ethnicity. Those in the Other race/ethnicity category totaled only 3 cases, so this information must be interpreted with caution, along with the findings for Black/African Americans (n=39). Hispanics were more likely to receive a deferred judgment compared to Whites (38% compared to 33%, respectively. Hispanics were also less likely compared to Whites to receive a jail sentence in county court (16% compared to 18%, respectively).

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

Sentence	Black/African American	Hispanic*	Other	White	Total
(N)	39	263	3	555	860
Community Service	3%	2%	0%	3%	3%
Deferred	18%	38%	67%	33%	34%
Fines/fees	5%	13%	33%	16%	15%
Jail	51%	16%	0%	18%	19%
Probation/Intensive Supervision	21%	32%	0%	29%	29%
Unsupervised Probation	3%	0%	0%	<1%	<1%
Total	100%	100%	100%	100%	100%

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

The following four tables show the initial county court sentence for each of the four offense categories, by race/ethnicity. Table 3-15 shows initial sentences for county court Drug cases. Sentences of community service and fines/fees were the most common sentences for Drug cases.

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

Sentence	Hispanic*	White	Total
(N)	21	26	47
Community Service	5%	27%	17%
Deferred	71%	46%	57%
Fines/fees	0%	19%	11%
Probation/Intensive Supervision	24%	8%	15%
Total	100%	100%	100%

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

Table 3-16 shows the initial county court sentence for those cases with Other as the most serious conviction charge. Because of the few cases involving Black/African Americans and those falling into the Other race/ethnicity category, caution must be used when interpreting the findings. Hispanics received a deferred judgment at a rate of 38% compared to 30% for Whites, and Hispanics received a jail sentence at a rate of 19% compared to 17% for Whites. Table 3-17 provides information on the initial sentence in county court for Property offenses and Table 3-18 depicts the initial sentence for Violent offenses in county court.

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

Sentence	Black/African American	Hispanic*	Other	White	Total
(N)	16	128	1	239	384
Community Service	6%	2%	0%	3%	3%
Deferred	19%	38%	0%	30%	32%
Fines/fees	13%	13%	100%	23%	19%
Jail	50%	19%	0%	17%	19%
Probation/Intensive Supervision	13%	29%	0%	26%	27%
Unsupervised Probation	0%	0%	0%	<1%	<1%
Total	100%	100%	100%	100%	100%

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

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

Sentence	Black/African American	Hispanic*	White	Total
(N)	6	31	79	116
Community Service	0%	0%	1%	<1%
Deferred	0%	6%	33%	24%
Fines/fees	0%	35%	29%	29%
Jail	83%	16%	18%	21%
Probation/Intensive Supervision	17%	42%	18%	24%
Unsupervised Probation	0%	0%	1%	<1%
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 3-18. Initial sentence for <u>Violent</u> as most serious conviction in County Court by race/ethnicity

Sentence	Black/African American	Hispanic*	Other	White	Total
(N)	17	83	2	211	313
Community Service	0%	0%	0%	<1%	<1%
Deferred	24%	41%	100%	34%	36%
Fines/fees	0%	8%	0%	4%	5%
Jail	41%	17%	0%	22%	22%
Probation/Intensive Supervision	29%	34%	0%	38%	36%
Unsupervised Probation	6%	0%	0%	<1%	<1%
Total	100%	100%	100%	100%	100%

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

District court

Table 3-19 shows the initial sentence by offense type for district court cases in 2018. Probation was the most frequently occurring initial sentence, happening almost half (51%) of the time overall, and 59% of the time for Drug cases. Deferred judgments were issued only 4% of the time overall.

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

Sentence	Drugs	Other	Property	Violent	Total
(N)	194	157	197	186	734
Community Corrections	6%	6%	5%	6%	6%
Community Service	<1%	<1%	0%	0%	<1%
Deferred	<1%	5%	6%	4%	4%
Dept of Corrections	22%	31%	18%	32%	25%
Fines/fees	2%	3%	5%	0%	2%
Jail	11%	13%	13%	12%	12%
Probation/Intensive Supervision	59%	42%	55%	46%	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.

Table 3-20 shows the initial district court sentence by gender. Women were much more likely to receive a deferred judgment compared to men (7% versus 3%, respectively), and more likely to be granted probation (70% compared to 45% for men). Women were less likely to receive a jail sentence (7%) compared to men (14%), and also considerably less likely to receive a prison sentence compared to men (10% compared to 30%).

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

Sentence	Female	Male	Total
(N)	178	556	734
Community Corrections	3%	6%	6%
Community Service	<1%	<1%	<1%
Deferred	7%	3%	4%
Dept of Corrections	10%	30%	25%
Fines/fees	2%	2%	2%
Jail	7%	14%	12%
Probation/Intensive Supervision	70%	45%	51%
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. More than a quarter (28%) of initial sentences for Hispanics were to the Department of Corrections compared to 23% for Whites. Black/African Americans were most likely to receive an initial sentence to jail (31%).

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

Sentence	Black/African American	Hispanic*	Other	White	Total
(N)	39	208	2	485	734
Community Corrections	0%	6%	50%	6%	6%
Community Service	0%	<1%	0%	<1%	<1%
Deferred	10%	2%	0%	4%	4%
Dept of Corrections	28%	28%	50%	23%	25%
Fines/fees	3%	4%	0%	1%	2%
Jail	31%	11%	0%	11%	12%
Probation/Intensive Supervision	28%	48%	0%	54%	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.

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. Deferred judgements for drug offenses were used in less than 1% of sentences. Twenty-five percent (25%) of Hispanics charged with Drug crimes were sentenced to the Department of Corrections compared to 18% of Whites. For Other, Property and Violent offenses, see Tables 3-23, 3-24 and 3-25. Care must be taken when considering the findings when the categories have few cases.

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

Sentence	Black/African American	Hispanic*	White	Total
(N)	7	51	136	194
Community Corrections	0%	4%	7%	6%
Community Service	0%	0%	<1%	<1%
Deferred	0%	0%	<1%	<1%
Dept of Corrections	57%	25%	18%	22%
Fines/fees	0%	4%	<1%	2%
Jail	0%	8%	13%	11%
Probation/Intensive Supervision	43%	59%	60%	59%
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 3-23. Initial sentence for <u>Other</u> as most serious conviction in Adult District Court by race/ethnicity

Sentence	Black/African American	Hispanic*	Other	White	Total
(N)	9	48	1	99	157
Community Corrections	0%	8%	100%	5%	6%
Community Service	0%	2%	0%	0%	<1%
Deferred	0%	6%	0%	5%	5%
Dept of Corrections	33%	35%	0%	28%	31%
Fines/fees	11%	0%	0%	3%	3%
Jail	44%	10%	0%	11%	13%
Probation/Intensive Supervision	11%	38%	0%	47%	42%
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 American	Hispanic*	Other	White	Total
(N)	13	57	1	126	197
Community Corrections	0%	9%	0%	3%	5%
Deferred	15%	2%	0%	6%	6%
Dept of Corrections	8%	18%	100%	18%	18%
Fines/fees	0%	11%	0%	2%	5%
Jail	46%	11%	0%	10%	13%
Probation/Intensive Supervision	31%	51%	0%	60%	55%
Total	**100%**	**100%**	**100%**	**100%**	**100%**

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

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

Sentence	Black/African American	Hispanic*	White	Total
(N)	10	52	124	186
Community Corrections	0%	4%	7%	6%
Deferred	20%	2%	4%	4%
Dept of Corrections	30%	37%	30%	32%
Jail	20%	13%	11%	12%
Probation/Intensive Supervision	30%	44%	48%	46%
Total	**100%**	**100%**	**100%**	**100%**

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

Juvenile court

Table 3-26 below reflects the initial sentence for juvenile court cases in 2018, by crime type. Unlike county and district court, deferred sentences were the most frequently occurring outcome: 54% of initial sentences were to deferred, while 41% of cases were sentenced to probation.

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

Sentence	Drugs	Other	Property	Violent	Total
(N)	6	22	32	37	97
Community Corrections	0%	5%	0%	0%	1%
Deferred	83%	55%	53%	49%	54%
Division of Youth Services	0%	0%	0%	5%	2%
Fines/fees	0%	5%	0%	0%	1%
Jail	17%	0%	0%	0%	1%
Probation/Intensive Supervision	0%	36%	47%	46%	41%
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 much more likely to receive a deferred judgement than males (73% versus 48%, respectively).

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

Sentence	Female	Male	Total
(N)	22	75	97
Community Corrections	0%	1%	1%
Deferred	73%	48%	54%
Division of Youth Services	0%	3%	2%
Fines/fees	0%	1%	1%
Jail	0%	1%	1%
Probation/Intensive Supervision	27%	45%	41%
Total	**100%**	**100%**	**100%**

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

Table 3-28 reflects the initial juvenile court sentence by race/ethnicity. Note that there were very few Black/African Americans cases (n=3) and Other race/ethnicity cases (n=2) so the information must be interpreted with caution.

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

Sentence	Black/African American	Hispanic*	Other	White	Total
(N)	3	21	2	71	97
Community Corrections	0%	0%	0%	1%	1%
Deferred	100%	76%	100%	44%	54%
Division of Youth Services	0%	0%	0%	3%	2%
Fines/fees	0%	0%	0%	1%	1%
Jail	0%	0%	0%	1%	1%
Probation/Intensive Supervision	0%	24%	0%	49%	41%
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. Table 3-29 shows the initial sentence when a Drug offense was the most serious conviction crime; subsequent tables show the initial sentence for Other offenses, Property offenses, and Violent crimes. Note that the number of cases can be quite small for some sentences; in these instances, the findings should be interpreted with caution.

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

Sentence	Black/African American	Hispanic*	White	Total
(N)	1	1	4	6
Deferred	100%	100%	75%	83%
Jail	0%	0%	25%	17%
Total	**100%**	**100%**	**100%**	**100%**

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

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

Sentence	Hispanic*	Other	White	Total
(N)	4	1	17	22
Community Corrections	0%	0%	6%	5%
Deferred	100%	100%	41%	55%
Fines/fees	0%	0%	6%	5%
Probation/Intensive Supervision	0%	0%	47%	36%
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 American	Hispanic*	White	Total
(N)	2	11	19	32
Deferred	100%	64%	42%	53%
Probation/Intensive Supervision	0%	36%	58%	47%
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)	5	1	31	37
Deferred	80%	100%	42%	49%
Division of Youth Services	0%	0%	6%	5%
Probation/Intensive Supervision	20%	0%	52%	46%
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, statewide in 2018, 19% of county court cases, 36% of district court cases, and 38% of juvenile court cases had other, concurrent cases mentioned in minute orders or sentencing notes. Finally, in addition to concurrent cases affecting the sentencing outcome of a case, criminal/juvenile history may also influence the final initial sentence.

Women were significantly more likely than men to receive a deferred judgment in county court (54% compared to 25%, respectively). Men were more likely than women to receive a jail sentence (22% for men compared to 13% for women), and men were more likely to be granted an initial sentence to probation (34% compared to 18% for women) in county court. The few numbers of cases involving Black/African Americans and those in the Other race/ethnicity category make it difficult to interpret the county court initial sentence findings.

In district court, Probation was the most frequently occurring initial sentence, happening in 51% of cases. Women were more likely than men to receive a deferred judgment (7% compared to 3%, respectively). Overall Hispanics were slightly more likely than Whites to receive a prison sentence (28% compared to 23%, respectively). Twenty-Five percent of Hispanics with Drug charges were sentenced to the Department of Corrections compared to 18% of Whites. The few cases involving Black/African Americans (n=10) means this must be interpreted with caution.

Unlike with county and district court, initial sentences in Juvenile court were most frequently deferred: 54% of initial sentences were deferred, while 41% of cases were sentenced to Probation. Females were more likely to receive a deferred judgement than males (73% versus 48%, respectively).

Revocations

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

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

County court

Table 3-33 shows revocation information for county court. Overall, 9% of cases receiving a probation/deferred judgment in county court in 2018 were revoked. The few Black/African American cases (n=16) and cases involving those of Other race/ethnicity (n=2) means this information must be interpreted with caution.

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

Race/Ethnicity	Offense Type	No	Yes	Total	Total N
Black/African American		**94%**	**6%**	**100%**	**16**
	Other	100%	0%	100%	5
	Property	100%	0%	100%	1
	Violent	90%	10%	100%	10
Hispanic*		**92%**	**8%**	**100%**	**182**
	Drugs	100%	0%	100%	20
	Other	94%	6%	100%	85
	Property	80%	20%	100%	15
	Violent	89%	11%	100%	62
Other		**100%**	**0%**	**100%**	**2**
	Violent	100%	0%	100%	2
White		**90%**	**10%**	**100%**	**347**
	Drugs	93%	7%	100%	14
	Other	94%	6%	100%	137
	Property	85%	15%	100%	41
	Violent	88%	12%	100%	155
Total		**91%**	**9%**	**100%**	**547**

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

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

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[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 3-34 reflects county court revocations by gender. Overall, females in county court were slightly less likely to get revoked than males (8% compared to 10%, respectively). Men with property crimes were the most likely to be revoked (22%).

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

Gender	Offense Type	No	Yes	Total	Total N
Female		**92%**	**8%**	**100%**	**183**
	Drugs	83%	17%	100%	6
	Other	96%	4%	100%	78
	Property	95%	5%	100%	21
	Violent	87%	13%	100%	78
Male		**90%**	**10%**	**100%**	**364**
	Drugs	100%	0%	100%	28
	Other	93%	7%	100%	149
	Property	78%	22%	100%	36
	Violent	89%	11%	100%	151
Total		**91%**	**9%**	**100%**	**547**

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

Adult district court

Revocations from probation/deferred judgments occurred slightly more frequently in district court (17%, Table 3-35) compared to county court (9%, Table 3-33) in 2018. Hispanics were most likely to be revoked (22% compared to 17% overall), Table 3-36 shows that women in adult district court were more likely than men to get revoked (22% compared to 14%, respectively). Women with Drug cases were the most likely, compared to other crime types, to get revoked.

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

Race/Ethnicity	Offense Type	No	Yes	Total	Total N
Black/African American		**93%**	**7%**	**100%**	**15**
	Drugs	100%	0%	100%	3
	Other	0%	100%	100%	1
	Property	100%	0%	100%	6
	Violent	100%	0%	100%	5
Hispanic*		**78%**	**22%**	**100%**	**105**
	Drugs	67%	33%	100%	30
	Other	90%	10%	100%	21
	Property	77%	23%	100%	30
	Violent	83%	17%	100%	24
White		**85%**	**15%**	**100%**	**281**
	Drugs	82%	18%	100%	82
	Other	85%	15%	100%	52
	Property	83%	17%	100%	83
	Violent	91%	9%	100%	64
Total		**83%**	**17%**	**100%**	**401**

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

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

Gender	Offense Type	No	Yes	Total	Total N
Female		**78%**	**22%**	**100%**	**137**
	Drugs	68%	32%	100%	44
	Other	82%	18%	100%	28
	Property	85%	15%	100%	39
	Violent	81%	19%	100%	26
Male		**86%**	**14%**	**100%**	**264**
	Drugs	85%	15%	100%	71
	Other	87%	13%	100%	46
	Property	81%	19%	100%	80
	Violent	93%	7%	100%	67
Total		**83%**	**17%**	**100%**	**401**

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, 17% of cases sentenced to probation/deferred judgment in 2018 were revoked (Table 3-37). Compared to Whites, Hispanics were less likely to get revoked (14% compared to 20%), however, the few Hispanic cases (n=21) means this information must be interpreted with caution. Table 3-38 presents revocations in juvenile court by gender. Females were revoked at a rate of 0% compared to 23% for males. Comparing across crime types, men with drug crimes were most likely to be revoked (50%).

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

Race/Ethnicity	Offense Type	No	Yes	Total	Total N
Black/African American		**100%**	**0%**	**100%**	**3**
	Drugs	100%	0%	100%	1
	Property	100%	0%	100%	2
Hispanic*		**86%**	**14%**	**100%**	**21**
	Drugs	100%	0%	100%	1
	Other	100%	0%	100%	4
	Property	73%	27%	100%	11
	Violent	100%	0%	100%	5
Other		**100%**	**0%**	**100%**	**2**
	Other	100%	0%	100%	1
	Violent	100%	0%	100%	1
White		**80%**	**20%**	**100%**	**66**
	Drugs	67%	33%	100%	3
	Other	87%	13%	100%	15
	Property	79%	21%	100%	19
	Violent	79%	21%	100%	29
Total		**83%**	**17%**	**100%**	**92**

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

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

Gender	Offense Type	No	Yes	Total	Total N
Female		**100%**	**0%**	**100%**	**22**
	Drugs	100%	0%	100%	3
	Other	100%	0%	100%	5
	Property	100%	0%	100%	7
	Violent	100%	0%	100%	7
Male		**77%**	**23%**	**100%**	**70**
	Drugs	50%	50%	100%	2
	Other	87%	13%	100%	15
	Property	72%	28%	100%	25
	Violent	79%	21%	100%	28
Total		**83%**	**17%**	**100%**	**92**

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

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

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

Overall, 9% of cases receiving a probation/deferred judgment in county court in 2018 were revoked. The few Black/African American cases (n=16) and cases involving those of Other race/ethnicity (n=2) means this information must be interpreted with caution. Females in county court were less likely to get revoked than males (8% compared to 10%, respectively). Men with property crimes were slightly more likely to be revoked (22%) than other crime types.

Revocations from probation/deferred judgments occurred slightly more frequently in district court (17%) compared to county court (9%) in 2018. The few cases involving Black/African Americans (n=15) means that this information must be interpreted with caution. Hispanics were more likely to be revoked than Whites (22% compared to 15%, respectively). Women in adult district court were more likely than men to get revoked (22% compared to 14%, respectively). Women with Drug cases were the most likely, compared to other crime types, to get revoked.

In juvenile court, 17% of cases sentenced to probation/deferred judgment in 2018 were revoked. Compared to Whites, Hispanics were less likely to get revoked (14% compared to 20%), however, the few Hispanic cases (n=21) means this information must be interpreted with caution. Table 3-38 presents revocations in juvenile court by gender. Females were revoked at a rate of 0% compared to 23% for males.

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.