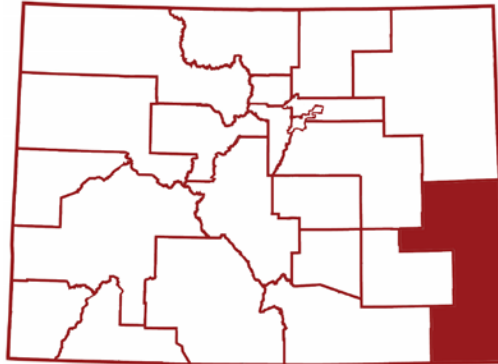


C.L.E.A.R. ACT: 2018

Community Law Enforcement Action Reporting Act

15th Judicial District



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

Age Group	Race/Ethnicity	Percent	Total
Adult		87%	14,157
	Black/African American	<1%	135
	Hispanic	24%	3,438
	Other	1%	197
	White	73%	10,388
Juvenile		13%	2,126
	Black/African American	2%	33
	Hispanic	40%	860
	Other	1%	25
	White	57%	1,208
Total		100%	16,283

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 report presents information regarding arrests/summonses and court case processing for calendar year 2018 for the 15th 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 report presents information regarding arrests/summonses and court case processing for calendar year 2018 for the 15th 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 in the 15th Judicial District, the population of those ages 10 and above was 16,283.

- The adult population was comprised as follows: White, 73%; Black/African American, <1%; Hispanic, 24%; and Other, 1%.
- The juvenile population was comprised as follows: White, 57%, Black/African American, 2%, Hispanic 40%, and Other 1%.

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

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

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

race/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 data³. Note that while no model is 100% accurate, it was determined that using this model is an improvement over using the race/ethnicity designations in the raw data. Please see Appendix C for a description of the prediction model.

Law enforcement data. In 2018, law enforcement made/issued over 300 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, Black/African Americans represented 1% of the population in 2018, but accounted for 3% of arrests/summonses. Hispanics represented 26% of the population and accounted for 34% of arrests. The Other race/ethnicity category represented 1% of the population, and were underrepresented in arrests (<1%), as were Whites, who represented 71% of the population and 63% of arrests/summonses.

Court filings. This study of 876 case filings in county, district, and juvenile courts combined found that while Black/African Americans represented 1% of the 15th Judicial District population and 3% of the arrests/summonses in 2018, they also accounted for 3% of court filings. Hispanics represented 26% of the population, 34% of arrests/summonses, and 39% of case filings. 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 Drug crimes and slightly less likely to be involved in Violent offenses. No cases completed a trial in 2018. Note that these cases are not necessarily the same cases in the **Law Enforcement Data** section above.

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

Court case outcomes. Caution should be used when interpreting the case outcome since many factors can influence the decision. For example, the existence of prior cases (criminal history) may influence the outcome of a case. Additionally, most cases contain multiple charges, and many cases have concurrent cases. These factors are likely to significantly affect the outcome of a case. In particular, all charges in a case may be dismissed or modified as part of a plea agreement involving that case or multiple cases. In county court, 36% of cases were convicted as charged, and 16% were convicted of another crime. In adult district court, 37% were convicted of another crime and one-fourth (23%) were convicted as charged. In juvenile court, 30% were convicted of another offense and 37% were convicted as charged.

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

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

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

Across all court types, women were significantly more likely than men to receive a deferred judgment. Men were significantly more likely than women to receive a jail, prison or YOS sentence across all court types.

The most frequent sentence in county court was a deferred judgment (31%), followed by fines/fees (25%) and jail sentences (23%). A deferred sentence was also the most frequently occurring initial sentence in district court, happening 16% of the time: 12% of Drug, 15% of Other, 26% of Property, and 13% of Violent cases received a deferred judgment. The second most frequently occurring sentences in district court were a prison or jail sentence (15% each).

As with county and district court, a deferred judgment was the most frequently occurring sentence in juvenile court: half (50%) of initial sentences were deferred judgments, and 27% of cases were sentenced to probation.

Note that the number of cases is quite small in some categories, and caution must be used when interpreting the findings.

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, 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. At the state level in 2018, across all court types, 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, in the 15th Judicial District there were too few revocations to draw strong conclusions across race/ethnicity or gender. This analysis found that 15% of county court cases receiving a probation/deferred judgment in 2018 were revoked, as were 20% of adult district court cases and 6% of juvenile court cases. In county court and juvenile court, males were more likely than females to have their sentences revoked. In adult district court, males and females had a roughly equivalent likelihood of revocation (20% and 19%, respectively).

Overall summary. In 2018, over 300 arrests/summonses captured in NIBRS for calendar year 2018 were analyzed by race/ethnicity. Black/African Americans represented 1% of the population in 2018, but accounted for 3% of arrests/summonses. Hispanics represented 26% of the population and accounted for 34% of arrests. The Other race/ethnicity category represented 1% of the population, and were underrepresented in arrests (<1%), as were Whites, who represented 71% of the population and 63% of arrests/summonses.

This study of 876 case filings in county, district, and juvenile courts combined found that while Black/African Americans represented 1% of the 15th Judicial District population they also accounted for 3% of court filings. Hispanics represented 26% of the population and 39% of case filings.

The most frequent sentence across all court types (adult district, county, and juvenile) was a deferred judgment. A deferred judgment was granted 31% of the time in county court, 16% of the time in adult district court, and 50% of the time in juvenile court. Across all court types, women were significantly more likely than men to receive a deferred judgment. Men were significantly more likely than women to receive a jail, prison or YOS sentence across all court types.

In terms of revocations, 15% of county court cases receiving a probation/deferred judgment in 2018 were revoked, as were 20% of adult district court cases and 6% of juvenile court cases. Because the number of cases is very small across all court types, caution must be used when interpreting the findings.

Section 1: Introduction

Background and overview

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

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

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

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

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

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).

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.

Finally, the Colorado Department of Local Affairs, Office of the State Demographer, estimated that the population in 2018 in the 15th Judicial District for residents ages 10 and over was 16,283 and was comprised as follows:

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

Age Group	Race/Ethnicity	Percent	Total
Adult		87%	14,157
	Black/African American	<1%	135
	Hispanic	24%	3,438
	Other	1%	197
	White	73%	10,388
Juvenile		13%	2,126
	Black/African American	2%	33
	Hispanic	40%	860
	Other	1%	25
	White	57%	1,208
Total		100%	16,283

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

Data sources

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

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

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). For calendar year 2018, 356

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.

NIBRS incidents were analyzed (Table 1-2). As Table 1-2 demonstrates, there are very small number of arrests (356) which produced only 876 case filings (Table 1-3). Any interpretation of data this limited should be done with caution, and analysis should be only descriptive in nature. These analytical limitations will be restated throughout the report.

Table 1-2. Arrests by type, 2018

Arrest Type	Percent	Total
Custody/warrant	38%	134
On-view/probable cause	22%	78
Summons	40%	144
Total	100%	356

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

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

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

Table 1-3. Court of case filing, 2018

Court	Percent	Total
Adult District	44%	383
County	53%	466
Juvenile	3%	27
Total	100%	876

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 876 **cases not individuals**. Individuals may have multiple, concurrent cases,⁸ and cases typically have multiple charges. Frequently cases and charges are dismissed for a judgment in a concurrent case. The **Dismissed/Not Guilty** category in the tables that follow means that some charges were dismissed and some were found not guilty.

The crime information analyzed for this study reflects the most serious filing or conviction charge for 24 offense categories⁹ 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

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.

⁹ The 24 offense categories are summarized from hundreds of criminal statutes.

¹⁰ Note that all offenses include attempts, solicitations, and conspiracies.

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.

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

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

Offense Type	Percent	Total
Drugs	18%	63
Other	63%	224
Property	8%	27
Violent	12%	42
Total	100%	356

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

Table 2-2 reflects over 300 arrests/summons captured in NIBRS for calendar year 2018, by race/ethnicity. Black/African Americans represented <1% of the 15th Judicial District population in 2018, but accounted for 3% of arrests/summons. Hispanics represented 26% of the 15th Judicial District population and accounted for 34% of arrests. The Other race/ethnicity category represented 1% of the 15th Judicial District population, and were underrepresented in arrests (<1%), as were Whites, who represented 71% of the 15th Judicial District population and 63% of arrests/summons.

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

Race/Ethnicity	Percent	Total
Black/African American	3%	10
Hispanic*	34%	120
Other	<1%	2
White	63%	224
Total	100%	356

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.

Tables 2-3 through 2-5 show the number of on-view/probable cause, custody/warrant, and summons in 2018. The small number of arrests in these categories make further analysis inadvisable.

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

Age Category	Offense Type	Percent	Total
Adult		99%	77
	Drugs	23%	18
	Other	49%	38
	Property	6%	5
	Violent	21%	16
Juvenile		1%	1
	Other	100%	1
Total		100%	78

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		98%	131
	Drugs	17%	22
	Other	64%	84
	Property	8%	11
	Violent	11%	14
Juvenile		2%	3
	Drugs	33%	1
	Other	33%	1
	Property	33%	1
Total		100%	134

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		92%	132
	Drugs	11%	14
	Other	73%	97
	Property	8%	10
	Violent	8%	11
Juvenile		8%	12
	Drugs	67%	8
	Other	25%	3
	Violent	8%	1
Total		100%	144

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. The analysis of data contained in these tables is complicated by the small population size. See Table 2-6 for instance – only one Black/African American was arrested for and on-view/probable cause drug offense, yet that single individual comprised of 6% of the entire on-view/probable cause data pool. Again, analysis of data sets as small as those represented in the following three tables should be done with caution.

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

Offense Type	Race/Ethnicity	Percent	Total
Drugs		23%	18
	Black/African American	6%	1
	Hispanic*	28%	5
	White	67%	12
Other		50%	39
	Black/African American	3%	1
	Hispanic*	31%	12
	White	67%	26
Property		6%	5
	Hispanic*	20%	1
	White	80%	4
Violent		21%	16
	Hispanic*	13%	2
	White	88%	14
Total		100%	78

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		17%	23
	Hispanic*	52%	12
	White	48%	11
Other		63%	85
	Black/African American	4%	3
	Hispanic*	24%	20
	White	73%	62
Property		9%	12
	Hispanic*	42%	5
	White	58%	7
Violent		10%	14
	Hispanic*	21%	3
	Other	7%	1
	White	71%	10
Total		100%	134

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		15%	22
	Hispanic*	59%	13
	White	41%	9
Other		69%	100
	Black/African American	3%	3
	Hispanic*	39%	39
	Other	1%	1
	White	57%	57
Property		7%	10
	Black/African American	20%	2
	Hispanic*	10%	1
	White	70%	7
Violent		8%	12
	Hispanic*	58%	7
	White	42%	5
Total		100%	144

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. Although analyzing these arrest data by gender is less problematic than analyzing across race/ethnicity, it should still be done with caution because of the few cases in many categories.

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

Offense Type	Gender	Percent	Total
Drugs		23%	18
	Female	6%	1
	Male	94%	17
Other		50%	39
	Female	28%	11
	Male	72%	28
Property		6%	5
	Female	40%	2
	Male	60%	3
Violent		21%	16
	Female	25%	4
	Male	75%	12
Total		100%	78

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		17%	23
	Female	39%	9
	Male	61%	14
Other		63%	85
	Female	24%	20
	Male	76%	65
Property		9%	12
	Female	25%	3
	Male	75%	9
Violent		10%	14
	Female	21%	3
	Male	79%	11
Total		100%	134

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		15%	22
	Female	27%	6
	Male	73%	16
Other		69%	100
	Female	29%	29
	Male	71%	71
Property		7%	10
	Female	40%	4
	Male	60%	6
Violent		8%	12
	Female	42%	5
	Male	58%	7
Total		100%	144

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

Summary: Law enforcement data. In 2018, law enforcement made/issued over 300 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, Black/African Americans represented 1% of the population in 2018, but accounted for 3% of arrests/summonses. Hispanics represented 26% of the (combined adult and juvenile) population and accounted for 34% of arrests. The Other race/ethnicity category represented 1% of the population, and were underrepresented in arrests (<1%), as were Whites, who represented 71% of the population and 63% 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 at <https://www.colorado.gov/dcj-ors/ORS-SB185>. See Appendix B for the list of offenses that were combined into the four broad crime categories.

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

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

Case Filings

Overall

Table 3-1 depicts race/ethnicity distribution for 876 case filings in county, adult district, and juvenile courts combined for calendar year 2018. While Black/African Americans represented 1% of the 15th Judicial District population and 3% of the arrests/summonses in 2018, they also accounted for 3% of court filings. Hispanics represented 26% of the population, 34% of arrests/summonses, and 39% of case filings. Note that these cases are not necessarily the same cases in the **Law enforcement data** section above.

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	3%	27
Hispanic*	39%	344
Other	1%	11
White	56%	494
Total	100%	876

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 offense types. Table 3-2 shows that Drug offenses were the most serious filing charge in 16% of cases, and Violent charges comprised the largest category at 31% of charges filed. The race/ethnicity distribution is generally consistent across crime types.

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

Offense Type	Race/Ethnicity	Percent	Total
Drugs		16%	140
	Black/African American	2%	3
	Hispanic*	48%	67
	Other	<1%	1
	White	49%	69
Other		27%	239
	Black/African American	4%	10
	Hispanic*	35%	84
	Other	<1%	2
	White	60%	143
Property		26%	228
	Black/African American	3%	7
	Hispanic*	36%	81
	Other	1%	3
	White	60%	137
Violent		31%	269
	Black/African American	3%	7
	Hispanic*	42%	112
	Other	2%	5
	White	54%	145
Total		100%	876

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 (29% compared to 24%, respectively) and Drug crimes (17% compared to 15%, respectively) and slightly less to be involved in Violent offenses (32% compared to 35%, respectively).

Table 3-3. Most serious filing charge by gender

Gender	Offense Type	Percent	Total
Female		28%	246
	Drugs	20%	49
	Other	24%	59
	Property	30%	74
	Violent	26%	64
Male		72%	630
	Drugs	14%	91
	Other	29%	180
	Property	24%	154
	Violent	33%	205
Total		100%	876

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 53% of the total. Black/African Americans represented 3% of county court cases file, 3% of filings in adult district court, and 0% in juvenile court. Hispanics represented 38% of county court filings, 40% of district court filings, and 52% of juvenile court filings in 2018.

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

Court	Race/Ethnicity	Percent	Total
Adult District		44%	383
	Black/African American	3%	12
	Hispanic*	40%	154
	Other	1%	4
	White	56%	213
County		53%	466
	Black/African American	3%	15
	Hispanic*	38%	176
	Other	1%	5
	White	58%	270
Juvenile		3%	27
	Hispanic*	52%	14
	Other	7%	2
	White	41%	11
Total		100%	876

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

Table 3-5 shows the type of offense within court type. Nearly half (43%) of county court cases were Violent offenses (primarily misdemeanor assault); Property offenses (28%) and Drug cases (32%) comprised the largest categories of cases in adult district court; and Violent crimes made up almost half (44%) of cases filed in juvenile court, however, the number of juvenile court case

filings is very low (n=27) and the findings should be interpreted with caution. Table 3-6 presents the distribution across gender for cases in county, district and juvenile court.

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

Court	Offense Type	Percent	Total
Adult District		44%	383
	Drugs	32%	122
	Other	25%	94
	Property	28%	109
	Violent	15%	58
County		53%	466
	Drugs	4%	17
	Other	30%	138
	Property	24%	112
	Violent	43%	199
Juvenile		3%	27
	Drugs	4%	1
	Other	26%	7
	Property	26%	7
	Violent	44%	12
Total		100%	876

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		44%	383
	Female	29%	112
	Male	71%	271
County		53%	466
	Female	27%	127
	Male	73%	339
Juvenile		3%	27
	Female	26%	7
	Male	74%	20
Total		100%	876

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 (0%). Table 3-8 combines information across court types and shows the number of trials completed by offense type.

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

Court	Completed Trial	Percent	Total
Adult District		44%	383
	No	100%	383
County		53%	466
	No	100%	466
Juvenile		3%	27
	No	100%	27
Total		100%	876

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		16%	140
	No	100%	140
Other		27%	239
	No	100%	239
Property		26%	228
	No	100%	228
Violent		31%	269
	No	100%	269
Total		100%	876

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 876 case filings in county, district, and juvenile courts combined found that while Black/African Americans represented 1% of the 15th Judicial District population and 3% of the arrests/summons in 2018, they also accounted for 3% of court filings. Hispanics represented 26% of the population, 34% of arrests/summons, and 39% of case filings. 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 Drug crimes and slightly less likely to be involved in Violent offenses. No 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 36% of cases were convicted as charged, and 16% were convicted of another crime. In adult district court (Table 3-10), 37%

were convicted of another crime and one-fourth (23%) were convicted as charged. In juvenile court (Table 3-11), 30% were convicted of another offense and 37% 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		40%	27%	33%	0%	100%	15
	Drugs	0%	0%	0%	0%	0%	0
	Other	17%	33%	50%	0%	100%	6
	Property	67%	33%	0%	0%	100%	3
	Violent	50%	17%	33%	0%	100%	6
Hispanic*		36%	15%	30%	19%	100%	176
	Drugs	75%	13%	0%	13%	100%	8
	Other	31%	22%	20%	27%	100%	51
	Property	37%	14%	31%	17%	100%	35
	Violent	34%	11%	39%	16%	100%	82
Other		40%	40%	20%	0%	100%	5
	Drugs	0%	0%	0%	0%	0%	0
	Other	100%	0%	0%	0%	100%	1
	Property	100%	0%	0%	0%	100%	1
	Violent	0%	67%	33%	0%	100%	3
White		36%	16%	28%	21%	100%	270
	Drugs	44%	22%	11%	22%	100%	9
	Other	31%	19%	29%	21%	100%	80
	Property	44%	14%	16%	26%	100%	73
	Violent	32%	15%	36%	17%	100%	108
Total		36%	16%	29%	19%	100%	466

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. Nineteen percent (19%) of cases filed in district court had all charges dismissed (fewer than 1% of those in this category were not guilty). Offenses falling in the Other crime category were more likely to get dismissed compared to the other offense types for Hispanics and Whites. The small number of cases of Black/African Americans and those in the Other race/ethnicity category means that the findings should 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		17%	50%	17%	17%	100%	12
	Drugs	33%	33%	33%	0%	100%	3
	Other	25%	25%	25%	25%	100%	4
	Property	0%	75%	0%	25%	100%	4
	Violent	0%	100%	0%	0%	100%	1
Hispanic*		22%	34%	21%	23%	100%	154
	Drugs	28%	28%	26%	19%	100%	58
	Other	13%	30%	30%	27%	100%	30
	Property	19%	38%	14%	29%	100%	42
	Violent	25%	50%	8%	17%	100%	24
Other		25%	50%	25%	0%	100%	4
	Drugs	0%	0%	100%	0%	100%	1
	Other	100%	0%	0%	0%	100%	1
	Property	0%	100%	0%	0%	100%	1
	Violent	0%	100%	0%	0%	100%	1
White		25%	38%	17%	20%	100%	213
	Drugs	50%	17%	18%	15%	100%	60
	Other	20%	37%	25%	17%	100%	59
	Property	16%	47%	10%	27%	100%	62
	Violent	3%	66%	13%	19%	100%	32
Total		23%	37%	19%	21%	100%	383

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

Table 3-11 presents case outcomes for juvenile court. All charges were dismissed for 7% of cases filed, while 37% of cases were convicted as charged and 30% were convicted of a different crime. The small number of cases (n=27) means the findings should be interpreted with caution.

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
Hispanic*		29%	29%	14%	29%	100%	14
	Drugs	0%	100%	0%	0%	100%	1
	Other	33%	0%	0%	67%	100%	3
	Property	0%	25%	25%	50%	100%	4
	Violent	50%	33%	17%	0%	100%	6
Other		50%	0%	0%	50%	100%	2
	Drugs	0%	0%	0%	0%	0%	0
	Other	0%	0%	0%	0%	0%	0
	Property	100%	0%	0%	0%	100%	1
	Violent	0%	0%	0%	100%	100%	1
White		45%	36%	0%	18%	100%	11
	Drugs	0%	0%	0%	0%	0%	0
	Other	100%	0%	0%	0%	100%	4
	Property	0%	50%	0%	50%	100%	2
	Violent	20%	60%	0%	20%	100%	5
Total		37%	30%	7%	26%	100%	27

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 county court, 36% of cases were convicted as charged, and 16% were convicted of another crime. In adult district court (Table 3-10), 37% were convicted of another crime and one-fourth (23%) were convicted as charged. In juvenile court (Table 3-11), 30% were convicted of another offense and 37% were convicted as charged.

Initial Sentences

The tables below show cases sentenced 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. The most frequent sentence in county court was a deferred judgment (31%), followed by fines/fees (25%) and jail sentences (23%). The few cases in many categories means that this information should be interpreted with caution.

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

Sentence	Offense Type	Percent	Total
Community Service		<1%	1
	Drugs	100%	1
Deferred		31%	83
	Drugs	13%	11
	Other	34%	28
	Property	19%	16
	Violent	34%	28
Fines/fees		25%	66
	Drugs	5%	3
	Other	42%	28
	Property	35%	23
	Violent	18%	12
Jail		23%	62
	Other	27%	17
	Property	31%	19
	Violent	42%	26
Probation/Intensive Supervision		19%	51
	Drugs	2%	1
	Other	20%	10
	Property	27%	14
	Violent	51%	26
Unsupervised Probation		<1%	2
	Other	50%	1
	Violent	50%	1
Total		100%	265

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 (50% compared to 24%, respectively). Men were more likely than women to receive a jail sentence (28% for men compared to 13% for women), and men were more likely to be granted an initial sentence to probation (23% compared to 10% for women).

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

Sentence	Female	Male	Total
(N)	78	187	265
Community Service	0%	<1%	<1%
Deferred	50%	24%	31%
Fines/fees	27%	24%	25%
Jail	13%	28%	23%
Probation/Intensive Supervision	10%	23%	19%
Unsupervised Probation	0%	1%	<1%
Total	100%	100%	100%

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

Table 3-14 presents the initial sentence in county court by race/ethnicity. Note that the small number of cases in some categories means that the findings should be interpreted with caution.

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

Sentence	Black/African American	Hispanic*	Other	White	Total
(N)	11	97	4	153	265
Community Service	0%	0%	0%	<1%	<1%
Deferred	0%	30%	0%	35%	31%
Fines/fees	36%	24%	75%	24%	25%
Jail	27%	28%	25%	20%	23%
Probation/Intensive Supervision	36%	18%	0%	20%	19%
Unsupervised Probation	0%	1%	0%	<1%	<1%
Total	100%	100%	100%	100%	100%

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals. *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. As Table 3-15 demonstrates, the number of initial sentences is so small that not every race/ethnicity is present in each offense category (only Hispanics and Whites received a conviction for a Drug offense). Because of the few cases, interpreting the findings in Tables 3-15 through 3-18 should be undertaken with caution.

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

Sentence	Hispanic*	White	Total
(N)	7	9	16
Community Service	0%	11%	6%
Deferred	71%	67%	69%
Fines/fees	29%	11%	19%
Probation/Intensive Supervision	0%	11%	6%
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. Initial sentence for Other as most serious conviction in County Court by race/ethnicity

Sentence	Black/African American	Hispanic*	Other	White	Total
(N)	3	32	3	46	84
Deferred	0%	34%	0%	37%	33%
Fines/fees	67%	25%	67%	35%	33%
Jail	0%	28%	33%	15%	20%
Probation/Intensive Supervision	33%	13%	0%	11%	12%
Unsupervised Probation	0%	0%	0%	2%	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 Property as most serious conviction in County Court by race/ethnicity

Sentence	Black/African American	Hispanic*	Other	White	Total
(N)	2	20	1	49	72
Deferred	0%	15%	0%	27%	22%
Fines/fees	100%	40%	100%	24%	32%
Jail	0%	35%	0%	24%	26%
Probation/Intensive Supervision	0%	10%	0%	24%	19%
Total	100%	100%	100%	100%	100%

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

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

Sentence	Black/African American	Hispanic*	White	Total
(N)	6	38	49	93
Deferred	0%	26%	37%	30%
Fines/fees	0%	13%	14%	13%
Jail	50%	29%	24%	28%
Probation/Intensive Supervision	50%	29%	24%	28%
Unsupervised Probation	0%	3%	0%	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.

District court

Table 3-19 shows the initial sentence by offense type for district court cases in 2018. A deferred judgment was the most frequently occurring initial sentence, happening 16% of the time: 12% of Drug, 15% of Other, 26% of Property, and 13% of Violent cases received a deferred judgment as the initial sentence. The second most frequently occurring sentences in district court were a

prison or jail sentence (15% each). Jail sentences were most likely to be issued for Violent offenses (26%), but prison sentences were issued fairly consistently across offense types.

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

Sentence	Drugs	Other	Property	Violent	Total
(N)	84	54	57	38	233
Community Corrections	20%	6%	5%	3%	10%
Deferred	12%	15%	26%	13%	16%
Dept of Corrections	15%	19%	14%	13%	15%
Fines/fees	6%	2%	4%	3%	4%
Jail	2%	24%	19%	26%	15%
Probation/Intensive Supervision	44%	35%	30%	42%	38%
Youthful Offender System	0%	0%	2%	0%	<1%
Total	100%	100%	100%	100%	100%

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

Table 3-20 shows the initial district court sentence by gender. Women were much more likely to receive a deferred judgment compared to men (28% versus 12%, respectively). Women were less likely to receive a jail sentence (6%) compared to men (19%), and considerably less likely to receive a prison sentence compared to men (5% compared to 20%).

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

Sentence	Female	Male	Total
(N)	65	168	233
Community Corrections	14%	9%	10%
Deferred	28%	12%	16%
Dept of Corrections	5%	20%	15%
Fines/fees	8%	2%	4%
Jail	6%	19%	15%
Probation/Intensive Supervision	40%	38%	38%
Youthful Offender System	0%	<1%	<1%
Total	100%	100%	100%

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

Table 3-21 shows the initial sentence in adult district court by race/ethnicity combining all crime types. The small number of cases in some of the categories means that the information should be interpreted with caution.

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

Sentence	Black/African American	Hispanic*	Other	White	Total
(N)	11	86	3	133	233
Community Corrections	27%	6%	0%	12%	10%
Deferred	9%	21%	33%	14%	16%
Dept of Corrections	18%	19%	33%	13%	15%
Fines/fees	0%	3%	0%	5%	4%
Jail	27%	15%	0%	15%	15%
Probation/Intensive Supervision	18%	36%	33%	41%	38%
Youthful Offender System	0%	0%	0%	<1%	<1%
Total	100%	100%	100%	100%	100%

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

The following four tables show initial district court sentences for each of the four offense categories, by race/ethnicity. The small number of cases in many categories means this information should be interpreted with caution.

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

Sentence	Black/African American	Hispanic*	White	Total
(N)	2	33	49	84
Community Corrections	50%	9%	27%	20%
Deferred	50%	15%	8%	12%
Dept of Corrections	0%	12%	18%	15%
Fines/fees	0%	6%	6%	6%
Jail	0%	6%	0%	2%
Probation/Intensive Supervision	0%	52%	41%	44%
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 *Other* as most serious conviction in Adult District Court by race/ethnicity

Sentence	Black/African American	Hispanic*	Other	White	Total
(N)	2	20	2	30	54
Community Corrections	50%	5%	0%	3%	6%
Deferred	0%	10%	50%	17%	15%
Dept of Corrections	0%	35%	50%	7%	19%
Fines/fees	0%	0%	0%	3%	2%
Jail	50%	25%	0%	23%	24%
Probation/Intensive Supervision	0%	25%	0%	47%	35%
Total	100%	100%	100%	100%	100%

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

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

Sentence	Black/African American	Hispanic*	Other	White	Total
(N)	3	21	1	32	57
Community Corrections	0%	5%	0%	6%	5%
Deferred	0%	43%	0%	19%	26%
Dept of Corrections	67%	10%	0%	13%	14%
Fines/fees	0%	0%	0%	6%	4%
Jail	0%	24%	0%	19%	19%
Probation/Intensive Supervision	33%	19%	100%	34%	30%
Youthful Offender System	0%	0%	0%	3%	2%
Total	100%	100%	100%	100%	100%

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

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

Sentence	Black/African American	Hispanic*	White	Total
(N)	4	12	22	38
Community Corrections	25%	0%	0%	3%
Deferred	0%	17%	14%	13%
Dept of Corrections	0%	25%	9%	13%
Fines/fees	0%	8%	0%	3%
Jail	50%	8%	32%	26%
Probation/Intensive Supervision	25%	42%	45%	42%
Total	100%	100%	100%	100%

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

Juvenile court

Table 3-26 below reflects the initial sentence for juvenile court cases in 2018, by crime type. As with county and district court, a deferred judgment was the most frequently occurring sentence: half (50%) of initial sentences were deferred judgments and 27% 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)	2	8	4	8	22
Deferred	50%	63%	50%	38%	50%
Division of Youth Services	50%	13%	0%	38%	23%
Probation/Intensive Supervision	0%	25%	50%	25%	27%
Total	100%	100%	100%	100%	100%

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

Table 3-27 shows the initial sentence in juvenile court by gender. Females were more likely to receive a deferred judgement than males (83% versus 38%, respectively), and less likely to receive a sentence to the Division of Youth Services (0% compared to 31%). However, the small number of cases (n=22) means that the information presented regarding juvenile court should be interpreted with caution.

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

Sentence	Female	Male	Total
(N)	6	16	22
Deferred	83%	38%	50%
Division of Youth Services	0%	31%	23%
Probation/Intensive Supervision	17%	31%	27%
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. The few cases means this information should be interpreted with caution.

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

Sentence	Hispanic*	Other	White	Total
(N)	10	3	9	22
Deferred	40%	67%	56%	50%
Division of Youth Services	40%	0%	11%	23%
Probation/Intensive Supervision	20%	33%	33%	27%
Total	100%	100%	100%	100%

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

The following four tables show initial district court sentences for each of the four offense categories, by race/ethnicity. As Table 3-29 demonstrates, the number of cases in many categories is very small; caution should be used when interpreting the findings in Tables 3-29 through 3-32.

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

Sentence	Hispanic*	White	Total
(N)	1	1	2
Deferred	100%	0%	50%
Division of Youth Services	0%	100%	50%
Total	100%	100%	100%

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

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

Sentence	Hispanic*	Other	White	Total
(N)	3	1	4	8
Deferred	33%	100%	75%	63%
Division of Youth Services	33%	0%	0%	13%
Probation/Intensive Supervision	33%	0%	25%	25%
Total	100%	100%	100%	100%

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

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

Sentence	Hispanic*	Other	White	Total
(N)	1	1	2	4
Deferred	0%	100%	50%	50%
Probation/Intensive Supervision	100%	0%	50%	50%
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 *Violent* as most serious conviction in Juvenile Court by race/ethnicity

Sentence	Hispanic*	Other	White	Total
(N)	5	1	2	8
Deferred	40%	0%	50%	38%
Division of Youth Services	60%	0%	0%	38%
Probation/Intensive Supervision	0%	100%	50%	25%
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, at the state level 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.

Across all court types, women were significantly more likely than men to receive a deferred judgment. Men were significantly more likely than women to receive a jail, prison or YOS sentence across all court types.

The most frequent sentence in county court was a deferred judgment (31%), followed by fines/fees (25%) and jail sentences (23%). A deferred judgment was also the most frequently occurring initial sentence in district court, happening 16% of the time: 12% of Drug, 15% of Other, 26% of Property, and 13% of Violent cases. The second most frequently occurring sentences in district court were a prison or jail sentence (15% each).

As with county and district court, a deferred judgment was the most frequently occurring sentence in juvenile court: half (50%) of initial sentences were deferred judgements, and 27% of cases were sentenced to probation.

The small number of cases in many of these analyses means that the information must be interpreted with caution.

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, 19% of county court cases, 36% of district court cases, and 38% of juvenile court cases had other, concurrent cases mentioned in minute orders or sentencing notes. Counting cases and not individuals is likely to inflate the proportion of revocations presented in these analyses. For example, the Judicial Department reports that in 2018, 24% of adult state probation terminations were the result of a revocation.¹⁴ The revocations presented here may not result in termination from probation supervision. In fact, in 2018, across county, adult district, and juvenile district courts, 48% of cases were reinstated, 45% were not reinstated, and for the remaining 7% of cases it was unclear the outcome of the revocation.

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

County court

Table 3-33 shows revocation information for county court. Overall, 15% of cases receiving a probation/deferred judgment in 2018 were revoked. The small number of cases in many categories means that the information should be interpreted with caution.

¹³ Judicial data pertaining to *petitions* to revoke are less reliable than data identifying actual revocations.

¹⁴ See *Judicial Branch Annual Statistical Report, Fiscal Year 2018*, Table 48, page 121.

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

Race/Ethnicity	Offense Type	No	Yes	Total	Total N
Black/African American		75%	25%	100%	4
	Other	100%	0%	100%	1
	Violent	67%	33%	100%	3
Hispanic*		91%	9%	100%	47
	Drugs	100%	0%	100%	5
	Other	100%	0%	100%	15
	Property	80%	20%	100%	5
	Violent	86%	14%	100%	22
White		82%	18%	100%	85
	Drugs	86%	14%	100%	7
	Other	91%	9%	100%	23
	Property	76%	24%	100%	25
	Violent	80%	20%	100%	30
Total		85%	15%	100%	136

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

Table 3-34 reflects county court revocations by gender. Overall, females in county court were less likely to be revoked than males (4% compared to 20%, respectively). The pattern of revocations across offense type varies considerably across gender, however. All revocations for women were for Property offenses, whereas males were revoked for all four crime types. Men with Violent or Property cases were most likely to get revoked (28% and 26%, respectively).

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		96%	4%	100%	47
	Drugs	100%	0%	100%	6
	Other	100%	0%	100%	11
	Property	82%	18%	100%	11
	Violent	100%	0%	100%	19
Male		80%	20%	100%	89
	Drugs	83%	17%	100%	6
	Other	93%	7%	100%	28
	Property	74%	26%	100%	19
	Violent	72%	28%	100%	36
Total		85%	15%	100%	136

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

Adult district court

Revocations from probation/deferred judgments occurred more frequently in district court (20%, Table 3-35) compared to county court (15%, Table 3-33) in 2018. Females and males had roughly the same likelihood of revocation (20% and 19%, respectively). The small number of cases in many categories means that the information should be interpreted with caution.

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		100%	0%	100%	3
	Drugs	100%	0%	100%	1
	Property	100%	0%	100%	1
	Violent	100%	0%	100%	1
Hispanic*		80%	20%	100%	49
	Drugs	68%	32%	100%	22
	Other	86%	14%	100%	7
	Property	85%	15%	100%	13
	Violent	100%	0%	100%	7
Other		50%	50%	100%	2
	Other	0%	100%	100%	1
	Property	100%	0%	100%	1
White		81%	19%	100%	73
	Drugs	71%	29%	100%	24
	Other	89%	11%	100%	19
	Property	76%	24%	100%	17
	Violent	92%	8%	100%	13
Total		80%	20%	100%	127

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		80%	20%	100%	44
	Drugs	72%	28%	100%	18
	Other	75%	25%	100%	8
	Property	86%	14%	100%	14
	Violent	100%	0%	100%	4
Male		81%	19%	100%	83
	Drugs	69%	31%	100%	29
	Other	89%	11%	100%	19
	Property	78%	22%	100%	18
	Violent	94%	6%	100%	17
Total		80%	20%	100%	127

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, 6% of cases sentenced to probation/deferred judgment in 2018 were revoked (Table 3-37). The few cases in juvenile court means that the findings presented here should be interpreted with caution.

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
Hispanic*		100%	0%	100%	6
	Drugs	100%	0%	100%	1
	Other	100%	0%	100%	2
	Property	100%	0%	100%	1
	Violent	100%	0%	100%	2
Other		67%	33%	100%	3
	Other	100%	0%	100%	1
	Property	100%	0%	100%	1
	Violent	0%	100%	100%	1
White		100%	0%	100%	8
	Other	100%	0%	100%	4
	Property	100%	0%	100%	2
	Violent	100%	0%	100%	2
Total		94%	6%	100%	17

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%	6
	Drugs	100%	0%	100%	1
	Other	100%	0%	100%	3
	Property	100%	0%	100%	1
	Violent	100%	0%	100%	1
Male		91%	9%	100%	11
	Other	100%	0%	100%	4
	Property	100%	0%	100%	3
	Violent	75%	25%	100%	4
Total		94%	6%	100%	17

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. At the state level in 2018, across all court types, for those with a probation or a deferred judgment sentence, 48% of cases with a revocation were reinstated, 45% were not reinstated, and for the remaining 7% the outcome was unclear.

In county court, 15% of cases receiving a probation/deferred judgment in 2018 were revoked, as were 20% in adult district and 6% of juvenile court cases. The few cases receiving a revocation makes it difficult to interpret the information presented here.

Appendix A

NIBRS Group A Arrest Crimes

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

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

Appendix B

Most serious filing/conviction charge categories

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

Arson - 1st - 4th degree arson

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

Drug Poss - drug possession, paraphernalia possession

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

Escape

Extortion

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

Forgery

Fraud

Homicide - 1st and 2nd degree murder

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

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

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

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

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

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

Appendix C

Statistical Model for Classifying Hispanic Ethnicity

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

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

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

The variables provided to the model included:

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

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

The development model achieved an AUC (Area Under the Curve) of .95 and the validation AUC was also .95.¹⁵ 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

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.