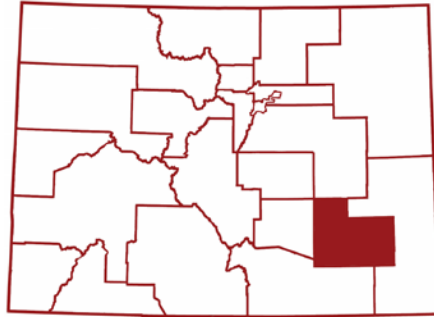


CLEAR Act: 2018

Community Law Enforcement Action Reporting Act

16th Judicial District



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

Age Group	Race/Ethnicity	Percent	Total
Adult		89%	23,938
	Black/African American	5%	1,146
	Hispanic	35%	8,429
	Other	2%	547
	White	58%	13,816
Juvenile		11%	2,863
	Black/African American	2%	50
	Hispanic	48%	1,369
	Other	2%	49
	White	49%	1,395
Total		100%	26,800

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

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

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



Table of Contents

Preface	4
Executive Summary	5
Section 1: Introduction	10
Background and overview	10
Data sources	11
Section 2: Law Enforcement Data	14
Arrest/summons	14
Section 3: Court Case Processing	20
Case Filings	20
Overall	20
Court type	22
Trials	23
Case Outcomes	24
Initial Sentences	28
County court	28
District court	32
Juvenile court	35
Revocations	37
County court	38
Adult district court	39
Juvenile Court	40
Appendix A	43
NIBRS Group A Arrest Crimes	43
Appendix B	45
Most serious filing/conviction charge categories	45
Appendix C	46
Statistical Model for Classifying Hispanic Ethnicity	46

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 findings regarding arrest and court case processing for the 16th Judicial District in 2018.

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

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

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

Executive Summary

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

This study presents findings regarding arrest and court case processing for the 16th Judicial District in 2018.

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

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

The state Demographer’s Office estimates that, in 2018, the population of those ages 10 and above in the 16th Judicial District was 26,800. The adult population was comprised as follows:

- White, 58%;
- Black/African American, 5%;
- Hispanic, 35%; and
- Other, 2%.

The juvenile population was comprised as follows:

- White, 49%;
- Black/African American, 2%;
- Hispanic, 48%; and
- Other, 2%.

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

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

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

race category, and thus significantly undercounted in the Hispanic category. For example, in 2018 Hispanics represented 22% of the Colorado population, but only 6% of court cases statewide were classified as Hispanic in ICON. In addition, the arrest data are plagued with random misclassifications of race and ethnicity, and both random and non-random missing race/ethnicity data. To improve upon the accuracy of the race/ethnicity designation in this analysis, a statistical model was developed to predict whether an offender was Hispanic. The model had an overall predictive accuracy of 94%. This model was used with both the arrest and court 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 900 arrests/summonses in the 16th Judicial District. For this analysis, dozens of offense categories were collapsed into four broad groups of crimes: Drugs, Other, Property and Violence (see Appendix A for the list of offenses in these categories). In 2018, arrests/summonses for Drug offenses accounted for 10% of all arrests/summonses while Violent crimes accounted for 11% of arrests/summonses, Property offenses accounted for 16% of arrests/summonses, and the remainder of arrests/summonses (63%) fell into the Other crime category. Hispanics represented 37% of the population and 52% of arrests/summonses.

Court filings. This study of more than 1,200 case filings in county, district, and juvenile courts combined found that while Hispanics represented 37% of the population and 52% of the arrests/summonses in 2018, they accounted for 54% of district court filings. In juvenile court, Hispanics represented 54% of cases, compared to 48% Hispanic juveniles in the population. In terms of gender, 27% of filings were females and 73% were males. The distribution of crime types was generally consistent across gender. Less than 1% of cases completed a trial in 2018. Note that these cases are not necessarily the same cases in the **Law Enforcement Data** section above.

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

Court case outcomes. Caution should be used when interpreting the case outcome since many factors can influence the decision. For example, the existence of prior cases (criminal history) may influence the outcome of a case. Additionally, most cases contain multiple charges, and many cases have concurrent cases. These factors are likely to significantly affect the outcome of a case. In particular, all charges in a case may be dismissed or modified as part of a plea agreement involving that case or multiple cases. In fact, 40% of cases in county court were dismissed, as were 14% of cases in district court and 42% of cases in juvenile court. One-fourth (25%) of county court cases were convicted as charged compared to 15% in district court and 27% in juvenile court. Sixteen percent (16%) of county court cases were convicted of a different charge, as were 26% of district court cases, and 27% of juvenile court cases. In district court, Hispanics and Whites were more likely to have charges dismissed, however, note that there were few cases in the Black/African American category (n=12) and the Other race/ethnicity

³ The 2017 CLEAR Act report used NIBRS arrest data to identify race/ethnicity in the court data.

category (n=6); caution must be used when interpreting the findings when the number of cases is small.

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.

In county court, the most frequent sentence was community service, used in 30% of cases. Deferred judgments were rarely used in county court, with only 6% of cases receiving this outcome. Jail was used in 14% of county court cases; 44% of cases sentenced to jail were Violent offenses. Women were considerably more likely than men to receive a deferred judgment in county court (11% compared to 4%, respectively). Men were more likely than women to receive a jail sentence (17% for men compared to 7% for women), and men were more likely to be granted an initial sentence to probation (26% compared to 17% for women). The few cases in the Black/African American and Other race/ethnicity categories make it difficult to interpret the county court findings for these groups. There were few differences in the initial sentence in county court between Hispanic and White cases, however, Hispanics were less likely than Whites to receive a jail sentence (12% compared to 17%, respectively).

In district court, probation was the most frequently occurring initial sentence (43%), happening two-thirds (63%) of the time for Drug cases. The second most frequently occurring sentence in district court was a prison sentence (25%): 14% of Drug cases, 24% of Other cases, 32% of Property cases, and 32% of Violent cases received a sentence to the Department of Corrections. Deferred judgments were imposed in 10% of cases and were most likely to be imposed in Property cases (15%). Women were much more likely to receive a deferred judgment compared to men (20% versus 7%, respectively). Women were less likely to receive a jail sentence (7%) compared to men (11%), and considerably less likely to receive a prison sentence compared to men (18% compared to 28%). One-third (33%) of initial sentences for Black/African Americans were to prison compared to 25% overall, however, the few Black/African American cases (n=9) means this information must be interpreted with caution.

There were only 25 cases in juvenile court the 16th Judicial District in 2018, and this small number of cases means it is difficult to interpret the information when it is disaggregated by race/ethnicity or crime type. Approximately half of cases received a deferred judgment and half received probation. One youth was sentenced to the Division of Youth Services. Females were less likely to receive a deferred judgement than males (33% versus 54%, respectively), and less likely to receive a sentence to the Division of Youth Services (0% compared to 5%).

Revocations. Cases sentenced in 2018 to probation or a deferred judgment that received a revocation were included in this analyses. **Note that these are cases, not individuals** and, as previously mentioned, statewide in 2018, 19% of county court cases, 36% of district court

cases, and 38% of juvenile court cases had other, concurrent cases mentioned in minute orders or sentencing notes. Counting cases and not individuals is likely to inflate the proportion of revocations presented in these analyses. The revocation information, therefore, should be interpreted with caution.

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

Overall, 21% of county court cases receiving a probation/deferred judgment in 2018 were revoked. Hispanics were slightly more likely to be revoked compared to Whites (22% and 18%, respectively). Females in county court were less likely to be revoked than males (12% compared to 24%, respectively). The pattern of revocations across offense type varies considerably across gender, however. Compared to other offense types, females with Violent cases were most likely to be revoked (14%) whereas males with Property crimes were more likely to be revoked (33%). However, the few cases in many of the categories means that this information should be interpreted with caution.

In district court, 21% of cases were revoked. Those in the Other race/ethnicity category were most likely to be revoked (40% compared to 21% overall), however, the few cases (n=5) means this information should be interpreted with caution. Hispanics with Violent charges were revoked at a rate of 36% compared to a 21% revocation rate for Whites with Violent charges, however, again, care should be taken when interpreting the findings because of the small number of cases in many categories.

In juvenile court, 8% of cases sentenced to probation/deferred judgment in 2018 were revoked. One-third (33%) of Hispanics with Other offenses were revoked and 17% of Whites with Violent cases were revoked. However, the few cases in these categories means that this information must be interpreted with caution.

Overall summary. In 2018, in the 16th Judicial District, Black/African Americans represented 5% of the population in 2018, but accounted for only 1% of arrests/summonses. Hispanics represented 37% of the population and accounted for 52% of arrests. The Other race/ethnicity category represented 2% of the population only two arrests in 2018. Whites represented 57% of the population and 47% of arrests/summonses.

The analysis of 1,200 case filings in county, district, and juvenile courts combined found that while Hispanics represented 37% of the population and 52% of the arrests/summonses in 2018, they accounted for 54% of district court filings. In juvenile court, Hispanics represented 54% of cases, compared to 48% Hispanic juveniles in the population. In terms of gender, 27% of filings were females and 73% were males. The distribution of crime types was generally consistent across gender. Less than 1% of cases completed a trial in 2018.

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Violent offenses. Women were considerably more likely than men to receive a deferred judgment in county court (11% compared to 4%, respectively). Men were more likely than women to receive a jail sentence (17% for men compared to 7% for women), and men were more likely to be granted an initial sentence to probation (26% compared to 17% for women). The few cases in the Black/African American and Other race/ethnicity categories make it difficult to interpret the county court findings for these groups. There were few differences in the initial sentence in county court between Hispanic and White cases, however, Hispanics were less likely than Whites to receive a jail sentence (12% compared to 17%, respectively).

In district court, probation was the most frequently occurring initial sentence (43%), happening two-thirds (63%) of the time for Drug cases. The second most frequently occurring sentence in district court was a prison sentence (25%): 14% of Drug cases, 24% of Other cases, 32% of Property cases, and 32% of Violent cases received a sentence to the Department of Corrections. Deferred judgments were imposed in 10% of cases. One-third (33%) of initial sentences for Black/African Americans were to prison compared to 25% overall, however, the few Black/African American cases (n=9) means this information must be interpreted with caution.

There were only 25 cases in juvenile court the 16th Judicial District in 2018, and this small number of cases means it is difficult to interpret the information when it is disaggregated by race/ethnicity or crime type. Approximately half of cases received a deferred judgment and half received probation. One youth was sentenced to the Division of Youth Services. Females were less likely to receive a deferred judgement than males (33% versus 54%, respectively), and less likely to receive a sentence to the Division of Youth Services (0% compared to 5%).

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In district court, 21% of cases were revoked. Those in the Other race/ethnicity category were most likely to be revoked (40% compared to 21% overall), however, the few cases (n=5) means this information should be interpreted with caution. Hispanics with Violent charges were revoked at a rate of 36% compared to a 21% revocation rate for Whites with Violent charges, however, again, care should be taken when interpreting the findings because of the small number of cases in many categories.

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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 for the 16th Judicial District, 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.

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

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

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

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).

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 for residents ages 10 and over in the 16th Judicial District was 26,800 and was comprised as follows:

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

Age Group	Race/Ethnicity	Percent	Total
Adult		89%	23,938
	Black/African American	5%	1,146
	Hispanic	35%	8,429
	Other	2%	547
	White	58%	13,816
Juvenile		11%	2,863
	Black/African American	2%	50
	Hispanic	48%	1,369
	Other	2%	49
	White	49%	1,395
Total		100%	26,800

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

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

⁵ The CLEAR Act 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 900 NIBRS incidents from the 16th Judicial District were analyzed for calendar year 2018 (Table 1-2).

Table 1-2. Arrests by type, 2018

Arrest Type	Percent	Total
Custody/warrant	63%	575
On-view/probable cause	13%	122
Summons	24%	222
Total	100%	919

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

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

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

Table 1-3. Court of case filing, 2018

Court	Percent	Total
Adult District	44%	533
County	54%	660
Juvenile	2%	26
Total	100%	1,219

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 1,200 **cases not individuals**. Individuals may have multiple, concurrent cases,⁷ and cases typically have multiple charges. Frequently cases and charges are dismissed for a judgment in a concurrent case. The **Dismissed/Not Guilty** category in the tables that follow means that some charges were dismissed and some were found not guilty.

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

⁷ This study found that, 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 categories⁸ which, for the analysis presented in this document, have been collapsed into four categories: Drug, Other, Property and Violent.⁹ The analysis of the 24 offense categories is available on the interactive data dashboard. See Appendix B for the list of offenses that were combined into the four broad categories.

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

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

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

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

⁹ Note that all offenses include attempts, solicitations, and conspiracies.

Section 2: Law Enforcement Data

Arrest/summons

The findings presented in this report summarize multiple offense types into four broad categories of crime types: Drugs, Other, Property and Violent (Table 2-1) (see Appendix A for a list of crimes in each category). The interactive dashboard, at <https://www.colorado.gov/dcj-ors/ORS-SB185>, provides information on 17 arrest offense types. The analyses of four broad categories allows for the identification of patterns that are difficult to discern when detailed information is presented. Additionally, some of the law enforcement findings are disaggregated, by adults, juveniles, and by gender. Finally, the CLEAR Act 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 the 16th Judicial District for calendar year 2018.

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

Crime Type	Percent	Total
Drugs	10%	89
Other	63%	581
Property	16%	151
Violent	11%	98
Total	100%	919

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

Table 2-2 reflects over 900 arrests/summons captured in NIBRS for calendar year 2018, by race/ethnicity. Black/African Americans represented 5% of the population in 2018, but accounted for only 1% of arrests/summons. Hispanics represented 37% of the population and accounted for 52% of arrests. The Other race/ethnicity category represented 2% of the population only two arrests in 2018. Whites represented 57% of the population and 47% of arrests/summons.

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

Race/Ethnicity	Percent	Total
Black/African American	1%	10
Hispanic*	52%	475
Other	<1%	2
White	47%	432
Total	100%	919

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 only one (n=1) on view/probable cause arrest, and that arrest was for an offense falling in the Other category. Juveniles accounted for only seven (n=7) custody/warrant arrests (Table 2-4). Overall, juveniles were more likely to get summoned than arrested; they accounted for eleven (n=11) summonsed cases (Table 2-5).

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

Age Group	Crime Type	Percent	Total
Adult		99%	121
	Drugs	12%	14
	Other	50%	60
	Property	27%	33
	Violent	12%	14
Juvenile		<1%	1
	Other	100%	1
Total		100%	122

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

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

Age Group	Crime type	Percent	Total
Adult		99%	568
	Drugs	13%	72
	Other	66%	376
	Property	9%	53
	Violent	12%	67
Juvenile		1%	7
	Other	43%	3
	Property	14%	1
	Violent	43%	3
Total		100%	575

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

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

Age Group	Crime type	Percent	Total
Adult		95%	211
	Drugs	1%	3
	Other	63%	133
	Property	30%	64
	Violent	5%	11
Juvenile		5%	11
	Other	73%	8
	Violent	27%	3
Total		100%	222

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 11% of probable cause arrests were for Drug related offenses, 50% were for Other offenses, 27% for Property offenses, and 11% for Violent offenses. While Hispanics made up 37% of the population, Table 2-6 shows that they were arrested at almost two times that rate for probable cause arrests in 2018: 64% of Drug arrests were Hispanics, 56% of arrests for Other offenses were Hispanics, 61% of

Property arrests were Hispanics, and 64% of Violent arrests were Hispanics. Note, however, that there are few cases in some categories; caution must be used when interpreting the results when the number of cases is small.

The other arrest type, where an individual is taken into custody on an outstanding warrant, is depicted in Table 2-7. Over 60% of these arrests involved an offense that fell into the Other category. Hispanics made up 37% of the population but accounted for 64% of Drug probable cause arrests and 64% of Violent probable cause arrests.

Table 2-8 shows that summons were less likely to be issued for Violent offenses (6%) compared to Other (66%) 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

Crime type	Race/Ethnicity	Percent	Total
Drugs		11%	14
	Hispanic*	64%	9
	White	36%	5
Other		50%	61
	Hispanic*	56%	34
	White	44%	27
Property		27%	33
	Black/African American	3%	1
	Hispanic*	61%	20
	White	36%	12
Violent		11%	14
	Hispanic*	64%	9
	White	36%	5
Total		100%	122

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

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

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

Crime type	Race/Ethnicity	Percent	Total
Drugs		13%	72
	Hispanic*	53%	38
	White	47%	34
Other		66%	379
	Black/African American	1%	5
	Hispanic*	52%	198
	White	46%	176
Property		9%	54
	Hispanic*	57%	31
	Other	2%	1
	White	41%	22
Violent		12%	70
	Black/African American	1%	1
	Hispanic*	44%	31
	White	54%	38
Total		100%	575

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

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

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

Crime type	Race/Ethnicity	Percent	Total
Drugs		1%	3
	Hispanic*	33%	1
	White	67%	2
Other		64%	141
	Black/African American	1%	2
	Hispanic*	44%	62
	White	55%	77
Property		29%	64
	Black/African American	2%	1
	Hispanic*	55%	35
	White	44%	28
Violent		6%	14
	Hispanic*	50%	7
	Other	7%	1
	White	43%	6
Total		100%	222

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 women made up half the population, they were considerably less likely than men to be arrested. Overall, women constituted approximately 21-33% of arrests and 14-41% of summonses (depending on the crime category) and men comprised the remainder.

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

Crime type	Gender	Percent	Total
Drugs		11%	14
	Female	21%	3
	Male	79%	11
Other		50%	61
	Female	33%	20
	Male	67%	41
Property		27%	33
	Female	27%	9
	Male	73%	24
Violent		11%	14
	Female	29%	4
	Male	71%	10
Total		100%	122

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

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

Crime type	Gender	Percent	Total
Drugs		13%	72
	Female	29%	21
	Male	71%	51
Other		66%	379
	Female	25%	94
	Male	75%	285
Property		9%	54
	Female	30%	16
	Male	70%	38
Violent		12%	70
	Female	27%	19
	Male	73%	51
Total		100%	575

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

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

Crime type	Gender	Percent	Total
Drugs		1%	3
	Male	100%	3
Other		64%	141
	Female	32%	45
	Male	68%	96
Property		29%	64
	Female	41%	26
	Male	59%	38
Violent		6%	14
	Female	14%	2
	Male	86%	12
Total		100%	222

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 900 arrests/summonses in the 16th Judicial District. For this analysis, dozens of offense categories were collapsed into four broad groups of crimes: Drugs, Other, Property and Violence (see Appendix A for the list of offenses in these categories). In 2018, arrests/summonses for Drug offenses accounted for 10% of all arrests/summonses while Violent crimes accounted for 11% of arrests/summonses, Property offenses accounted for 16% of arrests/summonses, and the remainder of arrests/summonses (63%) fell into the Other crime category. Hispanics represented 37% of the population and 52% 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. 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,¹⁰ and cases typically have multiple charges. Frequently cases and charges are dismissed for a judgment in a concurrent case. The **Dismissed/Not Guilty** category in the tables that follow means that some charges were dismissed and some were found not guilty.

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

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

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

Case Filings

Overall

Table 3-1 depicts race/ethnicity distribution for 1,219 case filings in county, adult district, and juvenile courts combined for calendar year 2018. While Hispanics represented 37% of the population in the 16th Judicial District and 52% of the arrests/summonses in 2018, they accounted for 51% of court filings. Note that these cases are not necessarily the same cases in the **Law enforcement data** section above.

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

Race/Ethnicity	Percent	Total
Black/African American	2%	25
Hispanic	51%	619
Other	1%	13
White	46%	562
Total	100%	1,219

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.

¹⁰ 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.

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 13% of cases, and Violent charges comprised the largest category at 41% of charges filed. Note that the number of cases in some categories is quite small—caution must be used when interpreting the findings when there are few cases. Hispanics adults represented 44% of the population but comprised 55% of Drug and Property cases, 52% of Other offenses, and 47% of Violent cases.

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

Crime type	Race/Ethnicity	Percent	Total
Drugs		13%	158
	Black/African American	<1%	1
	Hispanic	55%	87
	Other	<1%	1
	White	44%	69
Other		27%	333
	Black/African American	3%	11
	Hispanic	52%	173
	Other	2%	8
	White	42%	141
Property		19%	227
	Black/African American	1%	3
	Hispanic	55%	125
	Other	<1%	2
	White	43%	97
Violent		41%	501
	Black/African American	2%	10
	Hispanic	47%	234
	Other	<1%	2
	White	51%	255
Total		100%	1,219

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, 27% of filings were females and 73% were males. The distribution across crime types is similar for females and males.

Table 3-3. Most serious filing charge by gender

Gender	Crime type	Percent	Total
Female		27%	334
	Drugs	15%	49
	Other	25%	82
	Property	21%	69
	Violent	40%	134
Male		73%	885
	Drugs	12%	109
	Other	28%	251
	Property	18%	158
	Violent	41%	367
Total		100%	1,219

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 54% of the total. Hispanics represented 48% of county court filings, 54% of district court filings, and 54% of juvenile court filings in 2018.

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

Court	Race/Ethnicity	Percent	Total
Adult District		44%	533
	Black/African American	2%	12
	Hispanic	54%	286
	Other	1%	6
	White	43%	229
County		54%	660
	Black/African American	2%	13
	Hispanic	48%	319
	Other	<1%	4
	White	49%	324
Juvenile		2%	26
	Hispanic	54%	14
	Other	12%	3
	White	35%	9
Total		100%	1,219

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. Over half of county court (56%) and juvenile court cases (54%) were Violent offenses (primarily misdemeanor assault). In district court, the type of offense was nearly equally distributed across the four crime categories. Table 3-6 presents the distribution across gender for cases in county, district and juvenile court.

Females were more likely to have cases in county court (30%) compared to adult district court (24%) and juvenile court (27%).

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

Court	Crime type	Percent	Total
Adult District		44%	533
	Drugs	25%	133
	Other	29%	157
	Property	24%	128
	Violent	22%	115
County		54%	660
	Drugs	3%	22
	Other	27%	175
	Property	14%	91
	Violent	56%	372
Juvenile		2%	26
	Drugs	12%	3
	Other	4%	1
	Property	31%	8
	Violent	54%	14
Total		100%	1,219

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%	533
	Female	24%	127
	Male	76%	406
County		54%	660
	Female	30%	200
	Male	70%	460
Juvenile		2%	26
	Female	27%	7
	Male	73%	19
Total		100%	1,219

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

Trials

Table 3-7 shows how very infrequently cases in these courts completed a trial (<1%). There were no trials in juvenile court in 2018. Table 3-8 combines information across court types and shows the number of trials completed by offense type. Cases with an Other or 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		44%	533
	No	100%	532
	Yes	<1%	1
County		54%	660
	No	99%	654
	Yes	<1%	6
Juvenile		2%	26
	No	100%	26
Total		100%	1,219

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

Table 3-8. Most serious filing charge, by trials completed

Crime type	Completed Trial	Percent	Total
Drugs		13%	158
	No	100%	158
Other		27%	333
	No	99%	330
	Yes	<1%	3
Property		19%	227
	No	100%	226
	Yes	<1%	1
Violent		41%	501
	No	99%	498
	Yes	<1%	3
Total		100%	1,219

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

Summary: Filings. This study of more than 1,200 case filings in county, district, and juvenile courts combined found that while Hispanics represented 37% of the population and 52% of the arrests/summons in 2018, they accounted for 54% of district court filings. In juvenile court, Hispanics represented 54% of cases, compared to 48% Hispanic juveniles in the population. In terms of gender, 27% of filings were females and 73% were males. The distribution of crime types was generally consistent across gender. 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, in 40% 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 25% of cases were convicted as charged, and 16% were convicted of another crime. In adult district court (Table 3-10), 15% were convicted as charged and 26% were convicted of another crime. In juvenile court (Table 3-11), 27% were convicted as charged and 12% were convicted of another crime.

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

Race/ Ethnicity	Crime type	Convicted as charged	Convicted other crime	Dismissed / not guilty	Not yet resolved /case closed	Total	Total N
Black/ African American		38%	23%	31%	8%	100%	13
	Drugs	0%	0%	0%	0%	0%	0
	Other	67%	17%	17%	0%	100%	6
	Property	0%	0%	100%	0%	100%	1
	Violent	17%	33%	33%	17%	100%	6
Hispanic		24%	19%	38%	18%	100%	319
	Drugs	82%	9%	0%	9%	100%	11
	Other	31%	31%	17%	20%	100%	89
	Property	16%	12%	53%	18%	100%	49
	Violent	19%	15%	47%	18%	100%	170
Other		50%	0%	25%	25%	100%	4
	Drugs	0%	0%	0%	0%	0%	0
	Other	100%	0%	0%	0%	100%	2
	Property	0%	0%	50%	50%	100%	2
	Violent	0%	0%	0%	0%	0%	0
White		24%	13%	44%	20%	100%	324
	Drugs	55%	9%	18%	18%	100%	11
	Other	41%	15%	28%	15%	100%	78
	Property	21%	23%	36%	21%	100%	39
	Violent	16%	10%	53%	22%	100%	196
Total		25%	16%	40%	19%	100%	660

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. Twenty-eight percent (28%) of cases filed in district court had all charges dismissed (fewer than 1% of those in this category were not guilty). Hispanics and Whites were more likely to have charges dismissed, however, note that there were few cases in the Black/African American category (n=12) and the Other race/ethnicity category (n=6); caution must be used when interpreting the findings when the number of cases is small.

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

Race/ Ethnicity	Crime type	Convicted as charged	Convicted other crime	Dismissed/ not guilty	Not yet resolved/ case closed	Total	Total N
Black/ African American		17%	17%	17%	50%	100%	12
	Drugs	0%	0%	0%	100%	100%	1
	Other	0%	20%	20%	60%	100%	5
	Property	0%	50%	0%	50%	100%	2
	Violent	50%	0%	25%	25%	100%	4
Hispanic		15%	26%	26%	33%	100%	286
	Drugs	15%	25%	40%	20%	100%	75
	Other	25%	21%	17%	37%	100%	84
	Property	4%	34%	24%	38%	100%	71
	Violent	14%	25%	21%	39%	100%	56
Other		17%	33%	17%	33%	100%	6
	Drugs	0%	0%	0%	0%	0%	0
	Other	0%	40%	20%	40%	100%	5
	Property	0%	0%	0%	0%	0%	0
	Violent	100%	0%	0%	0%	100%	1
White		14%	26%	31%	29%	100%	229
	Drugs	18%	21%	47%	14%	100%	57
	Other	14%	21%	33%	32%	100%	63
	Property	20%	29%	24%	27%	100%	55
	Violent	6%	33%	19%	43%	100%	54
Total		15%	26%	28%	32%	100%	533

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. Note that the few cases in juvenile court (n=26) means that it is difficult to confidently draw conclusions when the data are disaggregated by race/ethnicity and crime type because of the small number of cases in all categories. All charges were dismissed for 42% of cases filed, while 27% of cases were convicted as charged and 12% were convicted of a different crime. Over half (56%) of White cases in juvenile court were dismissed compared to 43% of Hispanic cases.

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

Race/ Ethnicity	Crime type	Convicted as charged	Convicted other crime	Dismissed / not guilty	Not yet resolved case closed	Total	Total N
Hispanic		29%	14%	43%	14%	100%	14
	Drugs	100%	0%	0%	0%	100%	1
	Other	0%	0%	0%	0%	0%	0
	Property	0%	40%	60%	0%	100%	5
	Violent	38%	0%	38%	25%	100%	8
Other		33%	0%	0%	67%	100%	3
	Drugs	0%	0%	0%	100%	100%	1
	Other	100%	0%	0%	0%	100%	1
	Property	0%	0%	0%	0%	0%	0
	Violent	0%	0%	0%	100%	100%	1
White		22%	11%	56%	11%	100%	9
	Drugs	0%	0%	100%	0%	100%	1
	Other	0%	0%	0%	0%	0%	0
	Property	0%	0%	100%	0%	100%	3
	Violent	40%	20%	20%	20%	100%	5
Total		27%	12%	42%	19%	100%	26

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, 40% of cases in county court were dismissed, as were 14% of cases in district court and 42% of cases in juvenile court. One-fourth (25%) of county court cases were convicted as charged compared to 15% in district court and 27% in juvenile court. Sixteen percent (16%) of county court cases were convicted of a different charge, as were 26% of district court cases, and 27% of juvenile court cases. In district court, Hispanics and Whites were more likely to have charges dismissed, however, note that there were few cases in the Black/African American category (n=12) and the Other race/ethnicity category (n=6); caution must be used when interpreting the findings when the number of cases is small.

Initial Sentences

The tables below show cases sentenced between Jan 1, 2018 and Dec 31, 2018, in county court, district court, and juvenile court in the 16th Judicial District. 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 community service, used in 30% of cases. Deferred judgments were rarely used in county court, with only 6% of cases receiving this outcome. Jail was used in 14% of county court cases; 44% of cases sentenced to jail were Violent offenses.

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

Sentence	Crime type	Percent	Total
Community Service		30%	84
	Drugs	7%	6
	Other	50%	42
	Property	20%	17
	Violent	23%	19
Deferred		6%	16
	Other	38%	6
	Property	6%	1
	Violent	56%	9
Fines/fees		26%	72
	Drugs	18%	13
	Other	65%	47
	Property	10%	7
	Violent	7%	5
Jail		14%	39
	Drugs	3%	1
	Other	36%	14
	Property	18%	7
	Violent	44%	17
Probation/Intensive Supervision		23%	66
	Other	38%	25
	Property	8%	5
	Violent	55%	36
Unsupervised Probation		2%	5
	Other	80%	4
	Property	20%	1
Total		100%	282

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 (11% compared to 4%, respectively). Men were more likely than women to receive a jail sentence (17% for men compared to 7% for women), and men were more likely to be granted an initial sentence to probation (26% compared to 17% for women).

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

Sentence	Female	Male	Total
(N)	84	198	282
Community Service	31%	29%	30%
Deferred	11%	4%	6%
Fines/fees	32%	23%	26%
Jail	7%	17%	14%
Probation/Intensive Supervision	17%	26%	23%
Unsupervised Probation	2%	2%	2%
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. The few cases in the Black/African American and Other race/ethnicity categories make it difficult to interpret the findings for these groups. There were few differences in the initial sentence in county court between Hispanic and White cases, however, Hispanics were less likely than Whites to receive a jail sentence (12% compared to 17%, respectively).

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

Sentence	Black/African American	Hispanic*	Other	White	Total
(N)	7	148	2	125	282
Community Service	29%	31%	0%	29%	30%
Deferred	0%	5%	0%	6%	6%
Fines/fees	71%	24%	100%	24%	26%
Jail	0%	12%	0%	17%	14%
Probation/Intensive Supervision	0%	26%	0%	22%	23%
Unsupervised Probation	0%	2%	0%	2%	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.

The following four tables show the initial county court sentence for each of the four offense categories, by race/ethnicity. *Note that the information must be interpreted with caution when there are few cases in the analysis.* Table 3-15 shows initial sentences for county court Drug cases (n=20). Whites were more likely than Hispanics to receive a fine/fee sentence (71% and 62%, respectively) and Hispanics were more likely than Whites to receive a jail sentence (8% and 0%, respectively), however, there are few cases in this analysis.

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

Sentence	Hispanic*	White	Total
(N)	13	7	20
Community Service	31%	29%	30%
Fines/fees	62%	71%	65%
Jail	8%	0%	5%
Total	100%	100%	100%

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

Table 3-16 shows that, for cases with Other as the most serious conviction charge, Whites were more likely than Hispanics to receive a sentence of fines/fees (39% compared to 27%) and Hispanics were more likely to receive probation compared to Whites (21% and 16%, respectively). Table 3-17 provides information on the initial sentence in county court for Property offenses; the few Property cases (n=38) makes interpretation of the findings difficult. Nevertheless, nearly half (45%) of Property cases were sentenced to community service. Table 3-18 depicts the initial sentence for Violent offenses in county court. Hispanic cases were more likely than White cases to receive community service (28% and 16%, respectively), less likely than Whites to receive a deferred judgment (8% compared to 14%), and less likely than Whites to receive a jail sentence (15% and 25%, respectively).

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)	4	81	2	51	138
Community Service	25%	32%	0%	29%	30%
Deferred	0%	5%	0%	4%	4%
Fines/fees	75%	27%	100%	39%	34%
Jail	0%	11%	0%	10%	10%
Probation/Intensive Supervision	0%	21%	0%	16%	18%
Unsupervised Probation	0%	4%	0%	2%	3%
Total	100%	100%	100%	100%	100%

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

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

Sentence	Black/African American	Hispanic*	White	Total
(N)	1	14	23	38
Community Service	0%	36%	52%	45%
Deferred	0%	7%	0%	3%
Fines/fees	100%	29%	9%	18%
Jail	0%	14%	22%	18%
Probation/Intensive Supervision	0%	14%	13%	13%
Unsupervised Probation	0%	0%	4%	3%
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 Violent as most serious conviction in County Court by race/ethnicity

Sentence	Black/African American	Hispanic*	White	Total
(N)	2	40	44	86
Community Service	50%	28%	16%	22%
Deferred	0%	8%	14%	10%
Fines/fees	50%	3%	7%	6%
Jail	0%	15%	25%	20%
Probation/Intensive Supervision	0%	48%	39%	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.

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 (43%), happening two-thirds (63%) of the time for Drug cases. The second most frequently occurring sentence in district court was a prison sentence (25%): 14% of Drug cases, 24% of Other cases, 32% of Property cases, and 32% of Violent cases received a sentence to the Department of Corrections. Deferred judgments were imposed in 10% of cases and were most likely to be imposed in Property cases (15%).

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

Sentence	Drugs	Other	Property	Violent	Total
(N)	81	100	82	81	344
Community Corrections	5%	3%	10%	5%	6%
Community Service	1%	8%	2%	4%	4%
Deferred	5%	10%	15%	10%	10%
Dept of Corrections	14%	24%	32%	32%	25%
Fines/fees	1%	3%	2%	2%	2%
Jail	11%	18%	6%	4%	10%
Probation/Intensive Supervision	63%	34%	33%	43%	43%
Total	100%	100%	100%	100%	100%

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

Table 3-20 shows the initial district court sentence by gender. Women were much more likely to receive a deferred judgment compared to men (20% versus 7%, respectively). Women were less likely to receive a jail sentence (7%) compared to men (11%), and also considerably less likely to receive a prison sentence compared to men (18% compared to 28%).

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

Sentence	Female	Male	Total
(N)	85	259	344
Community Corrections	7%	5%	6%
Community Service	7%	3%	4%
Deferred	20%	7%	10%
Dept of Corrections	18%	28%	25%
Fines/fees	2%	2%	2%
Jail	7%	11%	10%
Probation/Intensive Supervision	39%	44%	43%
Total	100%	100%	100%

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

Table 3-21 shows the initial sentence in adult district court by race/ethnicity combining all crime types. One-third (33%) of initial sentences for Black/African Americans were to prison compared to 25% overall, however, the few Black/African American cases (n=9) means this information must 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)	9	163	6	166	344
Community Corrections	0%	5%	0%	7%	6%
Community Service	0%	4%	0%	5%	4%
Deferred	0%	8%	33%	11%	10%
Dept of Corrections	33%	25%	17%	26%	25%
Fines/fees	11%	3%	0%	1%	2%
Jail	0%	12%	0%	9%	10%
Probation/Intensive Supervision	56%	44%	50%	41%	43%
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 received for Drug offenses. Hispanics were more likely than Whites to receive a jail sentence (16% compared to 7%, respectively), and less likely to receive a sentence to the Department of Corrections (11% compared to 16%, respectively). For Other, Property and Violent offenses, see Tables 3-23, 3-24 and 3-25.

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

Sentence	Hispanic*	White	Total
(N)	37	44	81
Community Corrections	3%	7%	5%
Community Service	3%	0%	1%
Deferred	5%	5%	5%
Dept of Corrections	11%	16%	14%
Fines/fees	0%	2%	1%
Jail	16%	7%	11%
Probation/Intensive Supervision	62%	64%	63%
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 3-23. Initial sentence for Other as most serious conviction in Adult District Court by race/ethnicity

Sentence	Black/African American	Hispanic*	Other	White	Total
(N)	3	58	3	36	100
Community Corrections	0%	0%	0%	8%	3%
Community Service	0%	9%	0%	8%	8%
Deferred	0%	5%	33%	17%	10%
Dept of Corrections	67%	22%	33%	22%	24%
Fines/fees	0%	5%	0%	0%	3%
Jail	0%	17%	0%	22%	18%
Probation/Intensive Supervision	33%	41%	33%	22%	34%
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)	1	33	1	47	82
Community Corrections	0%	9%	0%	11%	10%
Community Service	0%	0%	0%	4%	2%
Deferred	0%	18%	100%	11%	15%
Dept of Corrections	0%	27%	0%	36%	32%
Fines/fees	0%	3%	0%	2%	2%
Jail	0%	6%	0%	6%	6%
Probation/Intensive Supervision	100%	36%	0%	30%	33%
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.	Other	White	Total
(N)	5	35	2	39	81
Community Corrections	0%	11%	0%	0%	5%
Community Service	0%	0%	0%	8%	4%
Deferred	0%	6%	0%	15%	10%
Dept of Corrections	20%	40%	0%	28%	32%
Fines/fees	20%	3%	0%	0%	2%
Jail	0%	6%	0%	3%	4%
Probation/Intensive Supervision	60%	34%	100%	46%	43%
Total	100%	100%	100%	100%	100%

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

Juvenile court

Table 3-26 below reflects the initial sentence for juvenile court cases in 2018, by crime type. Note that the few cases in juvenile court (n=25) limits the generalizability of the findings.

In juvenile court, nearly all cases were sentenced to either a deferred judgment or probation (48% each). The few initial sentences to the Division of Youth Services were for Property cases.

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

Sentence	Drugs	Other	Property	Violent	Total
(N)	1	6	7	11	25
Deferred	100%	17%	43%	64%	48%
Division of Youth Services	0%	0%	14%	0%	4%
Probation/Intensive Supervision	0%	83%	43%	36%	48%
Total	100%	100%	100%	100%	100%

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

Table 3-27 shows the initial sentence in juvenile court by gender. Females were less likely to receive a deferred judgement than males (33% versus 54%, respectively), and less likely to receive a sentence to the Division of Youth Services (0% compared to 5%).

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

Sentence	Female	Male	Total
(N)	6	19	25
Deferred	33%	53%	48%
Division of Youth Services	0%	5%	4%
Probation/Intensive Supervision	67%	42%	48%
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 only 25 cases in juvenile court in the 16th Judicial District in 2018, and this small number of cases means it is difficult to interpret the information when it is disaggregated by race/ethnicity or crime type in the tables that follow. As shown in Table 3-28, approximately half of cases received a deferred judgment and half received probation. One youth was sentenced to the Division of Youth Services.

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

Sentence	Hispanic*	Other	White	Total
(N)	15	1	9	25
Deferred	47%	100%	44%	48%
Division of Youth Services	0%	0%	11%	4%
Probation/Intensive Supervision	53%	0%	44%	48%
Total	100%	100%	100%	100%

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

The following four tables show initial juvenile court sentences for each of the offense categories by race/ethnicity. Note that the number of cases is quite small; 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	Hispanic*	Total
(N)	1	1
Deferred	100%	100%
Total	100%	100%

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

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

Sentence	Hispanic*	Other	White	Total
(N)	3	1	2	6
Deferred	0%	100%	0%	17%
Probation/Intensive Supervision	100%	0%	100%	83%
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*	White	Total
(N)	6	1	7
Deferred	50%	0%	43%
Division of Youth Services	0%	100%	14%
Probation/Intensive Supervision	50%	0%	43%
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 3-32. Initial sentence for Violent as most serious conviction in Juvenile Court by race/ethnicity

Sentence	Hispanic*	White	Total
(N)	5	6	11
Deferred	60%	67%	64%
Probation/Intensive Supervision	40%	33%	36%
Total	100%	100%	100%

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

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

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

In county court, the most frequent sentence was community service, used in 30% of cases. Deferred judgments were rarely used in county court, with only 6% of cases receiving this outcome. Jail was used in 14% of county court cases; 44% of cases sentenced to jail were Violent offenses. Women were considerably more likely than men to receive a deferred judgment in county court (11% compared to 4%, respectively). Men were more likely than women to receive a jail sentence (17% for men compared to 7% for women), and men were more likely to be granted an initial sentence to probation (26% compared to 17% for women). The few cases in the Black/African American and Other race/ethnicity categories make it difficult to interpret the county court findings for these groups. There were few differences in the initial sentence in county court between Hispanic and White cases, however, Hispanics were less likely than Whites to receive a jail sentence (12% compared to 17%, respectively).

In district court, probation was the most frequently occurring initial sentence (43%), happening two-thirds (63%) of the time for Drug cases. The second most frequently occurring sentence in district court was a prison sentence (25%): 14% of Drug cases, 24% of Other cases, 32% of Property cases, and 32% of Violent cases received a sentence to the Department of Corrections. Deferred judgments were imposed in 10% of cases and were most likely to be imposed in Property cases (15%). Women were much more likely to receive a deferred judgment compared to men (20% versus 7%, respectively). Women were less likely to receive a jail sentence (7%) compared to men (11%), and considerably less likely to receive a prison sentence compared to men (18% compared to 28%). One-third (33%) of initial sentences for Black/African Americans were to prison compared to 25% overall, however, the few Black/African American cases (n=9) means this information must be interpreted with caution.

There were only 25 cases in juvenile court the 16th Judicial District in 2018, and this small number of cases means it is difficult to interpret the information when it is disaggregated by race/ethnicity or crime type. Approximately half of cases received a deferred judgment and half received probation. One youth was sentenced to the Division of Youth Services. Females were less likely to receive a deferred judgement than males (33% versus 54%, respectively), and less likely to receive a sentence to the Division of Youth Services (0% compared to 5%).

Revocations

Cases sentenced in 2018 to probation or a deferred judgment that received a revocation are included in the analyses presented here.¹¹ 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.¹² The revocations presented

¹¹ Judicial data pertaining to *petitions* to revoke are less reliable than data identifying actual revocations.

¹² See *Judicial Branch Annual Statistical Report, Fiscal Year 2018*, Table 48, page 121.

here may not result in termination from probation supervision. In fact, statewide in 2018, across county, adult district, and juvenile district courts, 48% of cases were reinstated, 45% were not reinstated, and for the remaining 7% of cases it was unclear the outcome of the revocation.

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

County court

Table 3-33 shows revocation information for county court. Overall, 21% of cases receiving a probation/deferred judgment in 2018 were revoked. Hispanics were slightly more likely to be revoked compared to Whites (22% and 18%, respectively).

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

Race/ Ethnicity	Crime type	No	Yes	Total	Total N
Hispanic*		78%	22%	100%	49
	Other	88%	13%	100%	24
	Property	67%	33%	100%	3
	Violent	68%	32%	100%	22
White		82%	18%	100%	38
	Other	82%	18%	100%	11
	Property	75%	25%	100%	4
	Violent	83%	17%	100%	23
Total		79%	21%	100%	87

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 (12% compared to 24%, respectively). The pattern of revocations across offense type varies considerably across gender, however. Compared to other offense types, females with Violent cases were most likely to be revoked (14%) whereas males with Property crimes were more likely to be revoked (33%). However, the few cases in many of the categories means that this information should be interpreted with caution.

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

Gender	Crime type	No	Yes	Total	Total N
Female		88%	12%	100%	25
	Other	90%	10%	100%	10
	Property	100%	0%	100%	1
	Violent	86%	14%	100%	14
Male		76%	24%	100%	62
	Other	84%	16%	100%	25
	Property	67%	33%	100%	6
	Violent	71%	29%	100%	31
Total		79%	21%	100%	87

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 in district court occurred at a rate of 21% in district court (Table 3-35) in 2018. Those in the Other race/ethnicity category were most likely to be revoked (40% compared to 21% overall), however, the few cases (n=5) means this information should be interpreted with caution. Hispanics with Violent charges were revoked at a rate of 36% compared to a 21% revocation rate for Whites with Violent charges, however, again, care should be taken when interpreting the findings because of the small number of cases in many categories.

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

Race/Ethnicity	Crime type	No	Yes	Total	Total N
Black/African American		80%	20%	100%	5
	Other	0%	100%	100%	1
	Property	100%	0%	100%	1
	Violent	100%	0%	100%	3
Hispanic*		80%	20%	100%	84
	Drugs	72%	28%	100%	25
	Other	89%	11%	100%	27
	Property	89%	11%	100%	18
	Violent	64%	36%	100%	14
Other		60%	40%	100%	5
	Other	0%	100%	100%	2
	Property	100%	0%	100%	1
	Violent	100%	0%	100%	2
White		79%	21%	100%	87
	Drugs	73%	27%	100%	30
	Other	86%	14%	100%	14
	Property	84%	16%	100%	19
	Violent	79%	21%	100%	24
Total		79%	21%	100%	181

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

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

Gender	Crime type	No	Yes	Total	Total N
Female		84%	16%	100%	50
	Drugs	75%	25%	100%	16
	Other	83%	17%	100%	12
	Property	86%	14%	100%	14
	Violent	100%	0%	100%	8
Male		77%	23%	100%	131
	Drugs	72%	28%	100%	39
	Other	81%	19%	100%	32
	Property	88%	12%	100%	25
	Violent	71%	29%	100%	35
Total		79%	21%	100%	181

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, 8% of cases sentenced to probation/deferred judgment in 2018 were revoked (Table 3-37). One-third (33%) of Hispanics with Other offenses were revoked and 17% of Whites with Violent cases were revoked. However, the few cases in these categories means that this information must be interpreted with caution.

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

Race/Ethnicity	Crime type	No	Yes	Total	Total N
Hispanic*		93%	7%	100%	15
	Drugs	100%	0%	100%	1
	Other	67%	33%	100%	3
	Property	100%	0%	100%	6
	Violent	100%	0%	100%	5
Other		100%	0%	100%	1
	Other	100%	0%	100%	1
White		88%	13%	100%	8
	Other	100%	0%	100%	2
	Violent	83%	17%	100%	6
Total		92%	8%	100%	24

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, which breaks down revocations by gender and crime type, shows that none of the females in juvenile court was revoked in 2018.

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

Gender	Crime type	No	Yes	Total	Total N
Female		100%	0%	100%	6
	Other	100%	0%	100%	1
	Property	100%	0%	100%	3
	Violent	100%	0%	100%	2
Male		89%	11%	100%	18
	Drugs	100%	0%	100%	1
	Other	80%	20%	100%	5
	Property	100%	0%	100%	3
	Violent	89%	11%	100%	9
Total		92%	8%	100%	24

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

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

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

Overall, 21% of county court cases receiving a probation/deferred judgment in 2018 were revoked. Hispanics were slightly more likely to be revoked compared to Whites (22% and 18%, respectively). Females in county court were less likely to be revoked than males (12% compared to 24%, respectively). The pattern of revocations across offense type varies considerably across gender, however. Compared to other offense types, females with Violent cases were most likely to be revoked (14%) whereas males with Property crimes were more likely to be revoked (33%). However, the few cases in many of the categories means that this information should be interpreted with caution.

In district court, 21% of cases were revoked. Those in the Other race/ethnicity category were most likely to be revoked (40% compared to 21% overall), however, the few cases (n=5) means this information should be interpreted with caution. Hispanics with Violent charges were revoked at a rate of 36% compared to a 21% revocation rate for Whites with Violent charges, however, again, care should be taken when interpreting the findings because of the small number of cases in many categories.

In juvenile court, 8% of cases sentenced to probation/deferred judgment in 2018 were revoked. One-third (33%) of Hispanics with Other offenses were revoked and 17% of Whites with Violent cases were revoked. However, the few cases in these categories means that this information must be interpreted with caution.

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 .95.¹³ 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

¹³ 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.