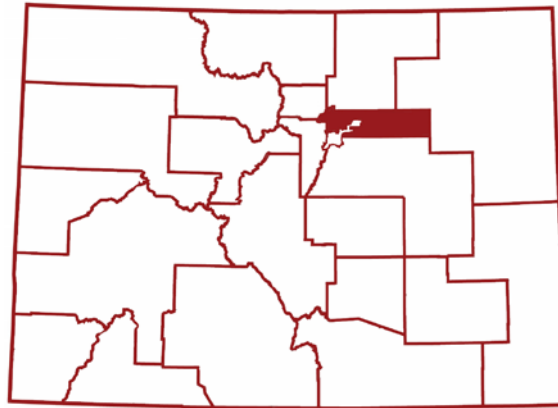


CLEAR Act: 2018

Community Law Enforcement Action Reporting Act

17th Judicial District



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

Age Group	Race/Ethnicity	Percent	Total
Adult		86%	432,204
	Black/African American	3%	13,652
	Hispanic	33%	142,013
	Other	6%	24,389
	White	58%	252,150
Juvenile		14%	69,174
	Black/African American	4%	2,713
	Hispanic	50%	34,279
	Other	5%	3,622
	White	41%	28,560
Total		100%	501,378

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

December 2018



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>



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Preface

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

This study presents arrest and case processing information for calendar year 2018 for the 17th Judicial District.

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

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

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

Executive Summary

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

This study presents arrest and case processing information for calendar year 2018 for the 17th Judicial District.

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

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

The state Demographer's Office estimates that, in 2018 in the 17th Judicial District, the population of those ages 10 and above was 501,378. The adult population was comprised as follows:

- White, 58%;
- Black/African American, 3%;
- Hispanic, 33%; and
- Other, 6%.

The juvenile population was comprised as follows:

- White, 41%;
- Black/African American, 4%;
- Hispanic, 50%; and
- Other, 5%.

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

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

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

between race and ethnicity. As a result, persons of Hispanic ethnicity are typically in the White race category, and thus significantly undercounted in the Hispanic category. For example, statewide 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 32,000 arrests/summonses in the 17th 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 9% of all arrests/summonses while Violent crimes accounted for 8% of arrests/summonses, Property offenses accounted for 12% of arrests/summonses, and the remainder of arrests/summonses (71%) fell into the Other crime category. Black/African Americans represented 3% of the population in 2018 but accounted for 7% of arrests/summonses. Hispanics represented 35% of the population and 39% of arrests/summonses. Males represented about 50% of the population and 70-80% of arrests. Females were more likely to be involved in Property offenses than the other offense categories. Juveniles were more likely to be summonsed than arrested. Violent crimes were less likely than the other crime categories to result in a summons.

Court filings. This study of more than 11,000 case filings in county, district, and juvenile courts combined found that while Black/African Americans represented 3% of the population and 7% of the arrests/summonses in 2018, they accounted for 10% of district court filings. In juvenile court, Black/African Americans represented 12% of cases, compared to 4% Black/African American juveniles in the population. Hispanic adults made up 33% of the adult population but had 39% of district court filings in 2018. The race/ethnicity distribution across the four crime categories was relatively consistent except that Hispanics were slightly less likely to be involved with Drug offenses compared to the other offense categories while Whites were somewhat more likely to be involved in Drug crimes. In terms of gender, 25% of filings were females and 75% were males. Only 1-2% 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

³ The S.B. 15-185 2018 report (of 2017 data) used NIBRS arrest data to identify race/ethnicity in the court data.

a case. In particular, all charges in a case may be dismissed or modified as part of a plea agreement involving that case or multiple cases. In fact, 16% of cases in county court were dismissed, as were 7% of cases in district court and 13% of cases in juvenile court. Nearly one-third (31%) of county court cases were convicted as charged compared to 13% in district court and 36% in juvenile court. One-quarter (26%) of county court cases were convicted of a different charge, as were almost half (47%) of district court cases, and 34% of juvenile court cases. In juvenile court, Black/African Americans were somewhat less likely to be convicted as charged (28% compared to 36% overall), and Black/African Americans were nearly twice as likely to have a case dismissed (24% compared to 13% overall).

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.

County court granted a deferred judgment in 13% of cases and issued a jail sentence in 29% of cases. Community service was used most often for Drug offenses (52%) and least often for Violent charges (3%). Women were considerably more likely than men to receive a deferred judgment in county court (20% compared to 10%, respectively). Men were more likely than women to receive a jail sentence (31% for men compared to 23% for women), and men were more likely to be granted an initial sentence to probation (39% compared to 31% for women). In county court Drug cases, two-thirds of Black/African American cases received a jail sentence (64% compared to 34% overall), and 9% of Black/African American cases received community services compared to 27% overall. However, the few cases in this category (n=11) means this information must be interpreted with caution. For those with Other as the most serious county court conviction charge, Black/African Americans were more likely to receive a jail sentence (40% compared to 33% overall). For Property offenses, Black/African Americans received a deferred judgment in 10% of cases compared to 17% overall, and for Violent charges, Black/African Americans received a deferred judgment at a rate of 14% compared to 25% overall.

In district court, probation was the most frequently occurring initial sentence, happening 55% of the time overall, and 68% of the time for Drug cases. The second most frequently occurring sentence in district court was a prison sentence: 7% of Drug cases, 32% of Other cases, 15% of Property cases, and 17% of Violent cases received a sentence to the Department of Corrections. Deferred judgments were imposed in 5% of cases and were most likely to be imposed in Property and Violent cases (7%). . Women were more likely to receive a deferred judgment compared to men (7% versus 4%, respectively), and more likely to be granted probation (67% compared to 52% for men). Women were less likely to receive a jail sentence (12%) compared to men (15%), and considerably less likely to receive a prison sentence compared to men (8% compared to 18%). For Drug cases, those in the Other race/ethnicity category were more likely to receive a deferred judgment (13% compared to 3% overall) and more likely to receive a

sentence to prison (19% compared to 7% overall). However, the few cases in the Other race/ethnicity category (n=16) means that this information should be interpreted with caution. For Other offenses, Black/African Americans and Hispanics were more likely to receive a prison sentence compared to Whites (39% and 36%, respectively, compared to 27%). For Violent offenses in district court, Black/African Americans were slightly more likely to receive a prison sentence (20% compared to 17% overall).

In juvenile court, half (52%) of initial sentences were to Probation, while 36% of cases were granted a deferred judgment. Drug cases were somewhat more likely than other offenses to receive a deferred judgment (50% compared to 36% overall) in juvenile court. Initial sentences to the Division of Youth Services were more likely for Other and Property cases. Females were more likely to receive a deferred judgement than males (44% versus 34%, respectively), and less likely to receive a sentence to the Division of Youth Services (5% compared to 10%). Those in the Other race/ethnicity category were much more likely to receive a deferred judgment, however, the few cases (n=7) means this information should be interpreted with caution. Overall in juvenile court, Black/African American youth were more likely to receive a jail sentence (9% compared to 2% overall).

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. Statewide 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.

In county court, 19% of cases receiving a probation/deferred judgment in 2018 were revoked. Black/African Americans were revoked at a rate of 31%, however, and those in the Other race/ethnicity category were revoked at a rate of 7%. Females in county court were very slightly less likely to be revoked than males (19% compared to 20%, respectively). The pattern of revocations across offense types varied little by gender. Half of cases with Drug charges were revoked, however, the number of cases is small and so this must be interpreted with caution.

In district court, revocations from probation/deferred judgments occurred at a rate of 31% in 2018. Those in the Other race/ethnicity category were revoked at a rate of 11%. Black/African Americans with Drug charges were revoked at a rate of 44%. Women in adult district court were more likely than men to get revoked (34% compared to 29%). Men and women with Drug cases were considerably more likely, compared to those with other crime types, to be revoked.

In juvenile court, 26% of cases sentenced to probation/deferred judgment in 2018 were revoked. Black/African American youth were more likely to be revoked (30% compared to 26%

overall). Females were revoked at a rate of 22% compared to 27% for males. Comparing across crime types, females and males with Other crimes were most likely to be revoked (27% and 34%, respectively).

Overall summary. In 2018 in the 17th Judicial District, Black/African Americans represented 3% of the adult state population but accounted for 7% of arrests/summons, and 10% of adult district court filings. Hispanic adults represented 33% of the population, 39% of arrests/summons, and 39% of district court filings. In juvenile court, Black/African Americans represented 12% of cases, compared to 4% of Black/African American juveniles in the population; Hispanic youth were 50% of the population and 51% of cases filed.

County court granted a deferred judgment in 13% of cases and issued a jail sentence in 29% of cases. Men were more likely than women to receive a jail sentence (31% for men compared to 23% for women), and men were more likely to be granted an initial sentence to probation (39% compared to 31% for women). In county court Drug cases, two-thirds of Black/African American cases received a jail sentence (64% compared to 34% overall), and 9% of Black/African American cases received community services compared to 27% overall. However, the few cases in this category (n=11) means this information must be interpreted with caution. For those with Other as the most serious county court conviction charge, Black/African Americans were more likely to receive a jail sentence (40% compared to 33% overall). For Property offenses, Black/African Americans received a deferred judgment in 10% of cases compared to 17% overall, and for Violent charges, Black/African Americans received a deferred judgment at a rate of 14% compared to 25% overall.

In district court, probation was the most frequently occurring initial sentence, happening 55% of the time overall, and 68% of the time for Drug cases. The second most frequently occurring sentence in district court was a prison sentence: 7% of Drug cases, 32% of Other cases, 15% of Property cases, and 17% of Violent cases received a sentence to the Department of Corrections. Deferred judgments were imposed in 5% of cases and were most likely to be imposed in Property and Violent cases (7%). For Drug cases, those in the Other race/ethnicity category were more likely to receive a deferred judgment (13% compared to 3% overall) and more likely to receive a sentence to prison (19% compared to 7% overall). However, the few cases in the Other race/ethnicity category (n=16) means that this information should be interpreted with caution. For Other offenses, Black/African Americans and Hispanics were more likely to receive a prison sentence compared to Whites (39% and 36%, respectively, compared to 27%). For Violent offenses in district court, Black/African Americans were slightly more likely to receive a prison sentence (20% compared to 17% overall).

In juvenile court, half (52%) of initial sentences were to probation, while 36% of cases were granted a deferred judgment. Drug cases were somewhat more likely than other offenses to receive a deferred judgment (50% compared to 36% overall) in juvenile court. Initial sentences to the Division of Youth Services were more likely for Other and Property cases. Females were more likely to receive a deferred judgement than males (44% versus 34%, respectively), and less likely to receive a sentence to the Division of Youth Services (5% compared to 10%). Those in the Other race/ethnicity category were much more likely to receive a deferred judgment, however, the few cases (n=7) means this information should be interpreted with caution.

Overall in juvenile court, Black/African American youth were more likely to receive a jail sentence (9% compared to 2% overall).

In terms of revocations, 19% of county court cases, 31% of district court cases and 26% of juvenile court cases that had an initial sentence to probation/deferred were revoked. In county court, Black/African Americans were revoked at a rate of 31%, however, and those in the Other race/ethnicity category were revoked at a rate of 7%. Half of county court cases with Drug charges were revoked, however, the number of cases is small and so this must be interpreted with caution. In district court, Black/African Americans with Drug charges were revoked at a rate of 44% compared to 31% overall. Men and women with Drug cases in district court were considerably more likely, compared to those with other crime types, to be revoked. In juvenile court, 26% of cases sentenced to probation/deferred judgment in 2018 were revoked; Black/African American youth were more likely to be revoked (30% compared to 26% overall).

Section 1: Introduction

Background and overview

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

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

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

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

An important note about race/ethnicity. The analysis of race and ethnicity across justice decision points is significantly hampered by the lack of ethnicity information in the statewide court data system. Specifically, the Judicial Branch’s ICON data system does not distinguish between race and ethnicity. As a result, persons of Hispanic ethnicity are typically in the White race category, and thus significantly undercounted in the Hispanic category. For example, in 2018 Hispanics represented 22% of the Colorado population, but only 6% of cases were classified as Hispanic in ICON. In addition, the arrest data are plagued with random 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 the 17th Judicial District in 2018 for residents ages 10 and over was 501,378 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		86%	432,204
	Black/African American	3%	13,652
	Hispanic	33%	142,013
	Other	6%	24,389
	White	58%	252,150
Juvenile		14%	69,174
	Black/African American	4%	2,713
	Hispanic	50%	34,279
	Other	5%	3,622
	White	41%	28,560
Total		100%	501,378

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

Data sources

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

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

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

NIBRS Group A offenses are listed in Appendix A, and Group B offenses are summarized into “Other.”⁶ Per the CLEAR Act, the data presented here includes information concerning arrests classified as *on view/probable cause* (an arrest without a warrant but with probable cause, resulting in physical restraint), *summons* (an order to appear in court), and *custody/warrant* (an arrest that involves an outstanding warrant and physical restraint). More than 32,000 NIBRS incidents were analyzed for calendar year 2018 (Table 1-2).

Table 1-2. Arrests by type, 2018

Arrest Type	Percent	Total
Custody/warrant	45%	14,693
On-view/probable cause	21%	6,975
Summons	33%	10,817
Total	100%	32,485

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

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

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

Table 1-3. Court of case filing, 2018

Court	Percent	Total
Adult District	45%	5,330
County	50%	5,855
Juvenile	5%	577
Total	100%	11,762

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 11,700 **cases not individuals**. Individuals may have multiple, concurrent cases,⁸ and cases typically have multiple charges. Frequently cases and charges are dismissed for a judgment in a concurrent case. The **Dismissed/Not Guilty** category in the tables that follow means that some charges were dismissed and some were found not guilty.

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

⁷ Denver County Court is not part of ICON.

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

The crime information analyzed for this study reflects the most serious filing or conviction charge for 24 offense categories⁹ which, for the analysis presented in this document, have been collapsed into four categories: Drug, Other, Property and Violent.¹⁰ The analysis of the 24 offense categories is available on the interactive data dashboard. See Appendix B for the list of offenses that were combined into the four broad categories.

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

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

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

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

Section 2: Law Enforcement Data

Arrest/summons

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

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

Crime type	Percent	Total
Drugs	9%	2,814
Other	71%	23,113
Property	12%	3,946
Violent	8%	2,612
Total	100%	32,485

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

Table 2-2 reflects over 32,000 arrests/summons captured in NIBRS for calendar year 2018, by race/ethnicity. Black/African Americans represented 3% of the population in 2018, but accounted for 7% of arrests/summons. Hispanics represented 35% of the population and accounted for 39% of arrests. The Other race/ethnicity category represented 6% of the population, and were underrepresented in arrests (1%), as were Whites, who represented 60% of the population and 52% of arrests/summons.

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

Race/Ethnicity	Percent	Total
Black/African American	7%	2,231
Hispanic*	39%	12,776
Other	1%	457
White	52%	17,021
Total	100%	32,485

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 5% of on view/probable cause arrests, and that 29% of those arrests were for Violent crimes, a proportion similar to adults (20%). Juveniles accounted for 3% of custody/warrant arrests (Table 2-4). Overall, juveniles were more likely to get summoned than arrested; they accounted for 17% of summonsed cases (Table 2-5). Not surprisingly, Violent offenses were least likely to result in a summons for adults and juveniles (Table 2-5).

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

Age Group	Crime type	Percent	Total
Adult		95%	6,643
	Drugs	16%	1,051
	Other	58%	3,845
	Property	13%	891
	Violent	13%	856
Juvenile		5%	332
	Drugs	10%	34
	Other	50%	165
	Property	11%	37
	Violent	29%	96
Total		100%	6,975

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

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

Age Group	Crime type	Percent	Total
Adult		97%	14,190
	Drugs	4%	545
	Other	83%	11,707
	Property	6%	883
	Violent	7%	1,055
Juvenile		3%	503
	Drugs	6%	30
	Other	65%	329
	Property	15%	74
	Violent	14%	70
Total		100%	14,693

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		79%	8,536
	Drugs	7%	559
	Other	70%	5,998
	Property	19%	1,645
	Violent	4%	334
Juvenile		21%	2,281
	Drugs	26%	595
	Other	47%	1,069
	Property	18%	416
	Violent	9%	201
Total		100%	10,817

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 16% of probable cause arrests were for Drug related offenses, 57% were for Other offenses, 13% for Property offenses, and 14% for Violent offenses. While Black/African Americans made up 3% of the population, Table 2-6 shows that they were arrested at three times that rate (9%) for Violent crime probable cause arrests in 2018. Hispanics made up 35% of the population but made up 43% of probable cause arrests for Other offenses.

The other arrest type, where an individual is taken into custody on an outstanding warrant, is depicted in Table 2-7. Over 80% of these arrests involved an offense that fell into the Other category. While only 8% of these types of arrests involved a Violent offense, Black/African Americans made up 8% of Violent crime arrests and Hispanics made up 44%, which was greater than the proportion of Black/African Americans and Hispanics in the population (3% and 35%, respectively).

Table 2-8 shows that summons were less likely to be issued for Violent offenses (5%) compared to Other (65%) and Property (19%) and that, of those summons issued for Violent crimes, 10% went to Black/African Americans and 41% went to Hispanics.

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

Crime type	Race/Ethnicity	Percent	Total
Drugs		16%	1,085
	Black/African American	4%	38
	Hispanic*	34%	366
	Other	1%	12
	White	62%	669
Other		57%	4,010
	Black/African American	6%	225
	Hispanic*	43%	1,716
	Other	1%	60
	White	50%	2,009
Property		13%	928
	Black/African American	7%	64
	Hispanic*	33%	310
	Other	2%	16
	White	58%	538
Violent		14%	952
	Black/African American	9%	83
	Hispanic*	37%	350
	Other	1%	13
	White	53%	506
Total		100%	6,975

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

Drug Type	Race/Ethnicity	Percent	Total
Drugs		4%	575
	Black/African American	4%	24
	Hispanic*	33%	192
	Other	2%	11
	White	61%	348
Other		82%	12,036
	Black/African American	9%	1,116
	Hispanic*	41%	4,948
	Other	1%	138
	White	48%	5,834
Property		7%	957
	Black/African American	6%	54
	Hispanic*	40%	384
	Other	<1%	2
	White	54%	517
Violent		8%	1,125
	Black/African American	8%	88
	Hispanic*	44%	494
	Other	<1%	10
	White	47%	533
Total		100%	14,693

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

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

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

Crime type	Race/Ethnicity	Percent	Total
Drugs		11%	1,154
	Black/African American	5%	60
	Hispanic*	43%	494
	Other	1%	17
	White	51%	583
Other		65%	7,067
	Black/African American	4%	298
	Hispanic*	37%	2,583
	Other	2%	138
	White	57%	4,048
Property		19%	2,061
	Black/African American	6%	129
	Hispanic*	35%	719
	Other	2%	33
	White	57%	1,180
Violent		5%	535
	Black/African American	10%	52
	Hispanic*	41%	220
	Other	1%	7
	White	48%	256
Total		100%	10,817

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 21-35% of arrests and 33-52% of summonses (depending on the crime category) and men comprised the remainder. Overall, women were generally more likely to be involved in Property offenses compared with the other offense categories.

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

Crime type	Gender	Percent	Total
Drugs		16%	1,085
	Female	29%	311
	Male	71%	774
Other		57%	4,010
	Female	25%	984
	Male	75%	3,026
Property		13%	928
	Female	35%	322
	Male	65%	606
Violent		14%	952
	Female	27%	257
	Male	73%	695
Total		100%	6,975

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

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

Crime type	Gender	Percent	Total
Drugs		4%	575
	Female	31%	179
	Male	69%	396
Other		82%	12,036
	Female	28%	3,350
	Male	72%	8,686
Property		7%	957
	Female	33%	320
	Male	67%	637
Violent		8%	1,125
	Female	21%	241
	Male	79%	884
Total		100%	14,693

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

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

Crime type	Gender	Percent	Total
Drugs		11%	1,154
	Female	33%	378
	Male	67%	776
Other		65%	7,067
	Female	38%	2,667
	Male	62%	4,400
Property		19%	2,061
	Female	52%	1,063
	Male	48%	998
Violent		5%	535
	Female	37%	198
	Male	63%	337
Total		100%	10,817

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 32,000 arrests/summons. 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/summons for Drug offenses accounted for 9% of all arrests/summons while Violent crimes accounted for 8% of arrests/summons, Property offenses accounted for 12% of arrests/summons, and the remainder of arrests/summons (71%) fell into the Other crime category. Black/African Americans represented 3% of the population in 2018 but accounted for 7% of arrests/summons. Hispanics represented 35% of the population and 39% of arrests/summons. Females were more likely to be involved in Property offenses than the other offense categories. Juveniles were more likely to be summonsed than arrested. Violent crimes were less likely than the other crime categories to result in a summons.

Section 3: Court Case Processing

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

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

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

Additionally, all offenses presented in the analysis of court data 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 11,762 case filings in county, adult district, and juvenile courts combined in the 17th Judicial District for calendar year 2018. While Black/African Americans represented 3% of the population and 7% of the arrests/summonses in 2018, they accounted for 9% of court filings. Hispanics represented 35% of the population, 39% of arrests/summonses, and 41% of case 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	9%	1,087
Hispanic	41%	4,846
Other	2%	195
White	48%	5,634
Total	100%	11,762

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.

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

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

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 18% of cases, and Violent charges comprised the largest category at 34% of charges filed. The race/ethnicity distribution is generally consistent across crime types except that Hispanics were slightly less likely to be involved with Drug offenses compared to the other offense categories while Whites were somewhat more likely to be involved in Drug crimes.

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

Crime type	Race/Ethnicity	Percent	Total
Drugs		18%	2,090
	Black/African American	8%	159
	Hispanic	36%	752
	Other	2%	32
	White	55%	1,147
Other		25%	2,987
	Black/African American	9%	258
	Hispanic	44%	1,329
	Other	2%	48
	White	45%	1,352
Property		22%	2,646
	Black/African American	10%	257
	Hispanic	40%	1,063
	Other	2%	40
	White	49%	1,286
Violent		34%	4,039
	Black/African American	10%	413
	Hispanic	42%	1,702
	Other	2%	75
	White	46%	1,849
Total		100%	11,762

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, 25% of filings were females and 75% were males. Females were more likely than men to be involved in Drug crimes (22% compared to 16%, respectively) and slightly less to be involved in Violent offenses (32% compared to 35%, respectively).

Table 3-3. Most serious filing charge by gender

Gender	Crime type	Percent	Total
Female		25%	2,949
	Drugs	22%	648
	Other	21%	628
	Property	24%	717
	Violent	32%	956
Male		75%	8,813
	Drugs	16%	1,442
	Other	27%	2,359
	Property	22%	1,929
	Violent	35%	3,083
Total		100%	11,762

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 50% of the total. Black/African Americans represented 8% of county court cases filed compared to 10% in adult district court and 12% in juvenile court. Hispanics represented 43% of county court filings, 39% of district court filings, and 51% of juvenile court filings in 2018.

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

Court	Race/Ethnicity	Percent	Total
Adult District		45%	5,330
	Black/African American	10%	519
	Hispanic	39%	2,055
	Other	2%	89
	White	50%	2,667
County		50%	5,855
	Black/African American	8%	496
	Hispanic	43%	2,496
	Other	2%	96
	White	47%	2,767
Juvenile		5%	577
	Black/African American	12%	72
	Hispanic	51%	295
	Other	2%	10
	White	35%	200
Total		100%	11,762

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

Table 3-5 shows the type of offense within court type. Nearly half (46%) of county court cases were Violent offenses (primarily misdemeanor assault); Property offenses (31%) and Drug cases (29%) comprised the largest categories of cases in adult district court; and Property crimes made up over one-third (36%) of cases filed in juvenile court. Table 3-6 presents the distribution across gender for cases in county, district and juvenile court. Females were more

likely to have cases in county court (28%) compared to adult district court (23%) and juvenile court (19%).

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

Court	Crime type	Percent	Total
Adult District		45%	5,330
	Drugs	29%	1,567
	Other	18%	971
	Property	31%	1,665
	Violent	21%	1,127
County		50%	5,855
	Drugs	8%	489
	Other	32%	1,896
	Property	13%	776
	Violent	46%	2,694
Juvenile		5%	577
	Drugs	6%	34
	Other	21%	120
	Property	36%	205
	Violent	38%	218
Total		100%	11,762

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		45%	5,330
	Female	23%	1,220
	Male	77%	4,110
County		50%	5,855
	Female	28%	1,621
	Male	72%	4,234
Juvenile		5%	577
	Female	19%	108
	Male	81%	469
Total		100%	11,762

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 (1-2%). Table 3-8 combines information across court types and shows the number of trials completed by offense type. Cases with a Violent offense were most likely to complete a trial.

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

Court	Completed Trial	Percent	Total
Adult District		45%	5,330
	No	100%	5,311
	Yes	<1%	19
County		50%	5,855
	No	99%	5,817
	Yes	<1%	38
Juvenile		5%	577
	No	98%	568
	Yes	2%	9
Total		100%	11,762

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		18%	2,090
	No	100%	2,090
Other		25%	2,987
	No	99%	2,971
	Yes	<1%	16
Property		22%	2,646
	No	100%	2,635
	Yes	<1%	11
Violent		34%	4,039
	No	99%	4,000
	Yes	<1%	39
Total		100%	11,762

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 11,000 case filings in county, district, and juvenile courts combined found that while Black/African Americans represented 3% of the population and 7% of the arrests/summons in 2018, they accounted for 10% of district court filings. In juvenile court, Black/African Americans represented 12% of cases, compared to 4% Black/African American juveniles in the population. Hispanic adults made up 33% of the adult population but had 39% of district court filings in 2018. The race/ethnicity distribution across the four crime categories was relatively consistent except that Hispanics were slightly less likely to be involved with Drug offenses compared to the other offense categories while Whites were somewhat more likely to be involved in Drug crimes. In terms of gender, 25% of filings were females and 75% were males. Only 1-2% 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 16% 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 31% of cases were convicted as charged, one-quarter (26%) were convicted of another crime, 16% were dismissed and 26% were not yet resolved. Across race/ethnicity, Drug cases were most likely to be convicted as charged, ranging from 58% for Black/African Americans to 38% for Hispanics.

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

Race/ Ethnicity	Crime type	Convicted as charged	Convicted other crime	Dismissed/ not guilty	Not yet resolved/ case closed	Total	Total N
Black/African Am		30%	23%	16%	31%	100%	496
	Drugs	58%	4%	19%	19%	100%	26
	Other	35%	25%	9%	31%	100%	152
	Property	22%	35%	14%	29%	100%	63
	Violent	26%	20%	21%	33%	100%	255
Hispanic		30%	27%	16%	27%	100%	2,496
	Drugs	38%	8%	30%	24%	100%	188
	Other	32%	28%	12%	28%	100%	868
	Property	24%	36%	11%	29%	100%	338
	Violent	28%	27%	18%	27%	100%	1,102
Other		29%	27%	14%	30%	100%	96
	Drugs	50%	13%	13%	25%	100%	8
	Other	21%	38%	14%	28%	100%	29
	Property	27%	9%	27%	36%	100%	11
	Violent	31%	27%	10%	31%	100%	48
White		33%	26%	17%	24%	100%	2,767
	Drugs	53%	6%	22%	19%	100%	267
	Other	28%	31%	13%	29%	100%	847
	Property	35%	30%	13%	21%	100%	364
	Violent	32%	26%	20%	22%	100%	1,289
Total		31%	26%	16%	26%	100%	5,855

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. Seven percent (7%) of cases filed in district court had all charges dismissed (fewer than 1% of those in this category were not guilty) and 47% of cases were convicted of another crime. Three-quarters (75%) of Black/African

Americans with Drug charges were convicted of another crime. Fully one-third (33%) of district court cases had not yet been resolved when the data were obtained for analysis.

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

Race/ Ethnicity	Crime type	Convicted as charged	Convicted other crime	Dismissed/ not guilty	Not yet resolved/ case closed	Total	Total N
Black/African Am		10%	45%	9%	35%	100%	519
	Drugs	5%	75%	7%	13%	100%	130
	Other	15%	34%	18%	32%	100%	87
	Property	9%	41%	6%	44%	100%	165
	Violent	14%	30%	9%	47%	100%	137
Hispanic		13%	45%	6%	36%	100%	2,055
	Drugs	7%	59%	3%	31%	100%	550
	Other	23%	33%	11%	33%	100%	389
	Property	12%	49%	5%	35%	100%	637
	Violent	14%	34%	6%	47%	100%	479
Other		16%	36%	7%	42%	100%	89
	Drugs	4%	61%	4%	30%	100%	23
	Other	11%	11%	22%	56%	100%	18
	Property	21%	46%	0%	33%	100%	24
	Violent	25%	21%	4%	50%	100%	24
White		13%	50%	8%	29%	100%	2,667
	Drugs	5%	69%	5%	21%	100%	864
	Other	19%	34%	20%	27%	100%	477
	Property	13%	49%	5%	33%	100%	839
	Violent	22%	33%	6%	38%	100%	487
Total		13%	47%	7%	33%	100%	5,330

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 in 2018. All charges were dismissed for 13% of cases filed, while 36% of cases were convicted as charged and 34% were convicted of a different crime. Black/African Americans were somewhat less likely to be convicted as charged (28% compared to 36% overall), and Black/African Americans were nearly twice as likely to have a case dismissed (24% compared to 13% overall).

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

Race/ Ethnicity	Crime type	Convicted as charged	Convicted other crime	Dismissed/ not guilty	Not yet resolved case closed	Total	Total N
Black/African Am		28%	28%	24%	21%	100%	72
	Drugs	0%	33%	67%	0%	100%	3
	Other	53%	11%	21%	16%	100%	19
	Property	21%	31%	28%	21%	100%	29
	Violent	19%	38%	14%	29%	100%	21
Hispanic		38%	34%	11%	17%	100%	295
	Drugs	29%	57%	7%	7%	100%	14
	Other	53%	19%	13%	15%	100%	72
	Property	32%	43%	11%	14%	100%	88
	Violent	36%	34%	9%	21%	100%	121
Other		40%	30%	10%	20%	100%	10
	Drugs	100%	0%	0%	0%	100%	1
	Other	100%	0%	0%	0%	100%	1
	Property	40%	0%	20%	40%	100%	5
	Violent	0%	100%	0%	0%	100%	3
White		34%	35%	12%	19%	100%	200
	Drugs	44%	38%	6%	13%	100%	16
	Other	50%	25%	14%	11%	100%	28
	Property	39%	34%	12%	16%	100%	83
	Violent	21%	40%	12%	27%	100%	73
Total		36%	34%	13%	18%	100%	577

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, 16% of cases in county court were dismissed, as were 7% of cases in district court and 13% of cases in juvenile court. Nearly one-third (31%) of county court cases were convicted as charged compared to 13% in district court and 36% in juvenile court. One-quarter (26%) of county court cases were convicted of a different charge, as were almost half (47%) of district court cases, and 34% of juvenile court cases. In juvenile court, Black/African Americans were somewhat less likely to be convicted as charged (28% compared to 36% overall), and Black/African Americans were nearly twice as likely to have a case dismissed (24% compared to 13% overall).

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 17th 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. County court granted a deferred judgment in 13% of cases and issued a jail sentence in 29% of cases. Community service was used most often for Drug offenses (52%) and least often for Violent charges (3%).

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

Sentence	Crime type	Percent	Total
Community Service		3%	144
	Drugs	52%	75
	Other	31%	44
	Property	14%	20
	Violent	3%	5
Deferred		13%	535
	Drugs	<1%	4
	Other	13%	67
	Property	18%	98
	Violent	68%	366
Fines/fees		17%	685
	Drugs	15%	101
	Other	60%	409
	Property	14%	99
	Violent	11%	76
Jail		29%	1,193
	Drugs	8%	95
	Other	50%	591
	Property	18%	214
	Violent	25%	293
Probation/Intensive Supervision		37%	1,518
	Drugs	<1%	8
	Other	45%	680
	Property	8%	129
	Violent	46%	701
Unsupervised Probation		1%	57
	Other	39%	22
	Property	21%	12
	Violent	40%	23
Total		100%	4,132

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 (20% compared to 10%, respectively). Men were more likely than women to receive a jail sentence (31% for men compared to 23% for women), and men were more likely to be granted an initial sentence to probation (39% compared to 31% for women).

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

Sentence	Female	Male	Total
(N)	1,170	2,962	4,132
Community Service	5%	3%	3%
Deferred	20%	10%	13%
Fines/fees	19%	16%	17%
Jail	23%	31%	29%
Probation/Intensive Supervision	31%	39%	37%
Unsupervised Probation	1%	1%	1%
Total	100%	100%	100%

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

Table 3-14 presents the initial sentence in county court by race/ethnicity. Those in the Other race/ethnicity category were more likely to receive a deferred judgment (25% compared to 13% overall). Black/African Americans were more likely to receive a jail sentence (35% compared to 29% overall).

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

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	323	1,792	68	1,949	4,132
Community Service	2%	3%	1%	4%	3%
Deferred	10%	11%	25%	15%	13%
Fines/fees	14%	17%	12%	17%	17%
Jail	35%	27%	21%	30%	29%
Probation/Intensive Supervision	38%	40%	40%	33%	37%
Unsupervised Probation	1%	1%	1%	1%	1%
Total	100%	100%	100%	100%	100%

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

The following four tables show the initial county court sentence for each of the four offense categories, by race/ethnicity. Table 3-15 shows initial sentences for county court Drug cases. In these cases, two-thirds of Black/African American cases received a jail sentence (64% compared to 34% overall), and 9% of Black/African American cases received community services compared to 27% overall. However, the few cases (n=11) means this information must be interpreted with caution.

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

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	11	93	6	173	283
Community Service	9%	20%	17%	31%	27%
Deferred	0%	1%	0%	2%	1%
Fines/fees	27%	44%	33%	32%	36%
Jail	64%	32%	33%	32%	34%
Probation/Intensive Supervision	0%	2%	17%	3%	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 3-16 shows that, for those with Other as the most serious county court conviction charge, Black/African Americans were more likely to receive a jail sentence (40% compared to 33% overall). Table 3-17 provides information on the initial sentence in county court for Property offenses and Table 3-18 depicts the initial sentence for Violent offenses in county court. For both offense types, Black/African Americans were less likely to receive a deferred judgment: For Property offenses, Black/African Americans received a deferred judgment in 10% of cases compared to 17% overall, and for Violent charges, Black/African Americans received a deferred judgment at a rate of 14% compared to 25% overall.

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

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	144	839	25	805	1,813
Community Service	2%	3%	0%	2%	2%
Deferred	6%	3%	8%	4%	4%
Fines/fees	20%	23%	16%	23%	23%
Jail	40%	30%	24%	35%	33%
Probation/Intensive Supervision	31%	41%	52%	35%	38%
Unsupervised Probation	<1%	1%	0%	1%	1%
Total	100%	100%	100%	100%	100%

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

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

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	40	241	8	283	572
Community Service	5%	4%	0%	3%	3%
Deferred	10%	17%	63%	17%	17%
Fines/fees	13%	17%	13%	18%	17%
Jail	43%	34%	0%	41%	37%
Probation/Intensive Supervision	28%	26%	25%	19%	23%
Unsupervised Probation	3%	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.

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

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	128	619	29	688	1,464
Community Service	0%	<1%	0%	<1%	<1%
Deferred	14%	22%	34%	30%	25%
Fines/fees	6%	5%	3%	5%	5%
Jail	24%	20%	21%	19%	20%
Probation/Intensive Supervision	54%	51%	38%	45%	48%
Unsupervised Probation	2%	2%	3%	1%	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.

District court

Table 3-19 shows the initial sentence by offense type for district court cases in 2018. Probation was the most frequently occurring initial sentence, happening 55% of the time overall, and 68% of the time for Drug cases. The second most frequently occurring sentence in district court was a prison sentence: 7% of Drug cases, 32% of Other cases, 15% of Property cases, and 17% of Violent cases received a sentence to the Department of Corrections. Deferred judgments were imposed in 5% of cases and were most likely to be imposed in Property and Violent cases (7%).

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

Sentence	Drugs	Other	Property	Violent	Total
(N)	1,499	789	1,252	918	4,458
Community Corrections	3%	15%	10%	9%	8%
Community Service	<1%	<1%	<1%	0%	<1%
Deferred	3%	3%	7%	7%	5%
Dept of Corrections	7%	32%	15%	17%	16%
Fines/fees	<1%	2%	<1%	<1%	<1%
Jail	18%	14%	13%	10%	14%
Probation/Intensive Supervision	68%	34%	52%	56%	55%
Youthful Offender System	0%	0%	0%	<1%	<1%
Total	100%	100%	100%	100%	100%

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

Table 3-20 shows the initial district court sentence by gender. Women were more likely to receive a deferred judgment compared to men (7% versus 4%, respectively), and more likely to be granted probation (67% compared to 52% for men). Women were less likely to receive a jail sentence (12%) compared to men (15%), and considerably less likely to receive a prison sentence compared to men (8% compared to 18%).

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

Sentence	Female	Male	Total
(N)	1,073	3,385	4,458
Community Corrections	5%	10%	8%
Community Service	<1%	<1%	<1%
Deferred	7%	4%	5%
Dept of Corrections	8%	18%	16%
Fines/fees	<1%	1%	<1%
Jail	12%	15%	14%
Probation/Intensive Supervision	67%	52%	55%
Youthful Offender System	<1%	<1%	<1%
Total	100%	100%	100%

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

Table 3-21 shows the initial sentence in adult district court by race/ethnicity combining all crime types. Black/African Americans and Hispanics were sentenced to the Department of Corrections at a rate of 18% compared to 14% for Whites. Those in the Other race/ethnicity category were most likely to receive a deferred judgment (16% compared to 5% overall).

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

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	409	1,702	56	2,291	4,458
Community Corrections	9%	10%	4%	7%	8%
Community Service	0%	<1%	0%	<1%	<1%
Deferred	4%	5%	16%	5%	5%
Dept of Corrections	18%	18%	20%	14%	16%
Fines/fees	<1%	1%	0%	<1%	<1%
Jail	12%	16%	9%	14%	14%
Probation/Intensive Supervision	56%	50%	52%	59%	55%
Youthful Offender System	0%	<1%	0%	<1%	<1%
Total	100%	100%	100%	100%	100%

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

The following four tables show initial district court sentences for each of the four offense categories, by race/ethnicity. Table 3-22 shows the sentences cases received for Drug offenses. Those in the Other race/ethnicity category were more likely to receive a deferred judgment (13% compared to 3% overall) and more likely to receive a sentence to prison (19% compared to 7% overall). However, the few cases in the Other race/ethnicity category (n=16) means that this information should be interpreted with caution. For Other offenses (Table 3-23), Black/African Americans and Hispanics were more likely to receive a prison sentence compared to Whites (39% and 36%, respectively, compared to 27%). For Violent offenses in district court, Black/African Americans were slightly more likely to receive a prison sentence (20% compared to 17% overall).

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

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	135	497	16	851	1,499
Community Corrections	4%	4%	0%	2%	3%
Community Service	0%	0%	0%	<1%	<1%
Deferred	2%	3%	13%	2%	3%
Dept of Corrections	7%	9%	19%	6%	7%
Fines/fees	0%	1%	0%	<1%	<1%
Jail	18%	21%	0%	17%	18%
Probation/Intensive Supervision	69%	62%	69%	72%	68%
Total	100%	100%	100%	100%	100%

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

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

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	70	357	8	354	789
Community Corrections	13%	17%	13%	14%	15%
Community Service	0%	<1%	0%	0%	<1%
Deferred	3%	3%	0%	4%	3%
Dept of Corrections	39%	36%	50%	27%	32%
Fines/fees	3%	3%	0%	1%	2%
Jail	6%	14%	0%	15%	14%
Probation/Intensive Supervision	37%	27%	38%	39%	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 Am	Hispanic*	Other	White	Total
(N)	120	453	17	662	1,252
Community Corrections	8%	11%	6%	10%	10%
Community Service	0%	<1%	0%	<1%	<1%
Deferred	8%	8%	18%	6%	7%
Dept of Corrections	16%	14%	18%	16%	15%
Fines/fees	<1%	1%	0%	<1%	<1%
Jail	13%	13%	18%	14%	13%
Probation/Intensive Supervision	55%	53%	41%	52%	52%
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 Am	Hispanic*	Other	White	Total
(N)	84	395	15	424	918
Community Corrections	13%	10%	0%	8%	9%
Deferred	2%	4%	27%	9%	7%
Dept of Corrections	20%	17%	7%	17%	17%
Fines/fees	0%	<1%	0%	0%	<1%
Jail	10%	14%	13%	7%	10%
Probation/Intensive Supervision	55%	53%	53%	59%	56%
Youthful Offender System	0%	1%	0%	<1%	<1%
Total	100%	100%	100%	100%	100%

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

Juvenile court

Table 3-26 below reflects the initial sentence for juvenile court cases in 2018, by crime type. As with county and district court, initial sentences to probation were the most frequently occurring sentence: Half (52%) of initial sentences were to probation, while 36% of cases were granted a deferred judgment. Drug cases were somewhat more likely than other offenses to receive a deferred judgment (50% compared to 36% overall) in juvenile court. Initial sentences to the Division of Youth Services were more likely for Other and Property cases.

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

Sentence	Drugs	Other	Property	Violent	Total
(N)	28	92	156	146	422
Deferred	50%	39%	34%	34%	36%
Division of Youth Services	4%	12%	11%	6%	9%
Fines/fees	0%	1%	0%	<1%	<1%
Jail	11%	2%	3%	0%	2%
Juvenile Detention	0%	1%	0%	<1%	<1%
Probation/Intensive Supervision	36%	45%	53%	59%	52%
Total	100%	100%	100%	100%	100%

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

Table 3-27 shows the initial sentence in juvenile court by gender. Females were more likely to receive a deferred judgement than males (44% versus 34%, respectively), and less likely to receive a sentence to the Division of Youth Services (5% compared to 10%).

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

Sentence	Female	Male	Total
(N)	78	344	422
Deferred	44%	34%	36%
Division of Youth Services	5%	10%	9%
Fines/fees	0%	<1%	<1%
Jail	1%	2%	2%
Juvenile Detention	0%	<1%	<1%
Probation/Intensive Supervision	50%	52%	52%
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. Those in the Other race/ethnicity category were much more likely to receive a deferred judgment, however, the few cases (n=7) means this information should be interpreted with cation. Black/African American youth were more likely to receive a jail sentence (9% compared to 2% overall).

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

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	46	225	7	144	422
Deferred	35%	38%	57%	33%	36%
Division of Youth Services	2%	9%	0%	11%	9%
Fines/fees	2%	<1%	0%	0%	<1%
Jail	9%	<1%	0%	2%	2%
Juvenile Detention	0%	0%	0%	1%	<1%
Probation/Intensive Supervision	52%	52%	43%	53%	52%
Total	100%	100%	100%	100%	100%

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

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

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

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	2	12	1	13	28
Deferred	0%	58%	100%	46%	50%
Division of Youth Services	0%	0%	0%	8%	4%
Jail	50%	17%	0%	0%	11%
Probation/Intensive Supervision	50%	25%	0%	46%	36%
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 3-30. Initial sentence for Other as most serious conviction in Juvenile Court by race/ethnicity

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	13	52	1	26	92
Deferred	69%	31%	100%	38%	39%
Division of Youth Services	0%	17%	0%	8%	12%
Fines/fees	8%	0%	0%	0%	1%
Jail	8%	0%	0%	4%	2%
Juvenile Detention	0%	0%	0%	4%	1%
Probation/Intensive Supervision	15%	52%	0%	46%	45%
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 3-31. Initial sentence for Property as most serious conviction in Juvenile Court by race/ethnicity

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	16	76	3	61	156
Deferred	13%	42%	67%	28%	34%
Division of Youth Services	0%	11%	0%	15%	11%
Jail	13%	0%	0%	3%	3%
Probation/Intensive Supervision	75%	47%	33%	54%	53%
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 3-32. Initial sentence for Violent as most serious conviction in Juvenile Court by race/ethnicity

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	15	85	2	44	146
Deferred	33%	35%	0%	32%	34%
Division of Youth Services	7%	5%	0%	9%	6%
Fines/fees	0%	1%	0%	0%	<1%
Juvenile Detention	0%	0%	0%	2%	<1%
Probation/Intensive Supervision	60%	59%	100%	57%	59%
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.

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.

County court granted a deferred judgment in 13% of cases and issued a jail sentence in 29% of cases. Community service was used most often for Drug offenses (52%) and least often for Violent charges (3%). Women were considerably more likely than men to receive a deferred judgment in county court (20% compared to 10%, respectively). Men were more likely than women to receive a jail sentence (31% for men compared to 23% for women), and men were more likely to be granted an initial sentence to probation (39% compared to 31% for women). In county court Drug cases, two-thirds of Black/African American cases received a jail sentence (64% compared to 34% overall), and 9% of Black/African American cases received community services compared to 27% overall. However, the few cases in this category (n=11) means this information must be interpreted with caution. For those with Other as the most serious county court conviction charge, Black/African Americans were more likely to receive a jail sentence (40% compared to 33% overall). For Property offenses, Black/African Americans received a deferred judgment in 10% of cases compared to 17% overall, and for Violent charges, Black/African Americans received a deferred judgment at a rate of 14% compared to 25% overall.

In district court, probation was the most frequently occurring initial sentence, happening 55% of the time overall, and 68% of the time for Drug cases. The second most frequently occurring sentence in district court was a prison sentence: 7% of Drug cases, 32% of Other cases, 15% of Property cases, and 17% of Violent cases received a sentence to the Department of Corrections. Deferred judgments were imposed in 5% of cases and were most likely to be imposed in Property and Violent cases (7%). Women were more likely to receive a deferred judgment compared to men (7% versus 4%, respectively), and more likely to be granted probation (67% compared to 52% for men). Women were less likely to receive a jail sentence (12%) compared

to men (15%), and considerably less likely to receive a prison sentence compared to men (8% compared to 18%). For Drug cases, those in the Other race/ethnicity category were more likely to receive a deferred judgment (13% compared to 3% overall) and more likely to receive a sentence to prison (19% compared to 7% overall). However, the few cases in the Other race/ethnicity category (n=16) means that this information should be interpreted with caution. For Other offenses, Black/African Americans and Hispanics were more likely to receive a prison sentence compared to Whites (39% and 36%, respectively, compared to 27%). For Violent offenses in district court, Black/African Americans were slightly more likely to receive a prison sentence (20% compared to 17% overall).

In juvenile court, half (52%) of initial sentences were to probation, while 36% of cases were granted a deferred judgment. Drug cases were somewhat more likely than other offenses to receive a deferred judgment (50% compared to 36% overall) in juvenile court. Initial sentences to the Division of Youth Services were more likely for Other and Property cases. Females were more likely to receive a deferred judgement than males (44% versus 34%, respectively), and less likely to receive a sentence to the Division of Youth Services (5% compared to 10%). Those in the Other race/ethnicity category were much more likely to receive a deferred judgment, however, the few cases (n=7) means this information should be interpreted with caution. Overall in juvenile court, Black/African American youth were more likely to receive a jail sentence (9% compared to 2% overall).

Revocations

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

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

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

a rate of 31%, however, and those in the Other race/ethnicity category were revoked at a rate of 7%.

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

Race/Ethnicity	Crime type	No	Yes	Total	Total N
Black/African American		69%	31%	100%	159
	Other	87%	13%	100%	54
	Property	56%	44%	100%	16
	Violent	61%	39%	100%	89
Hispanic*		83%	17%	100%	948
	Drugs	67%	33%	100%	3
	Other	90%	10%	100%	377
	Property	74%	26%	100%	108
	Violent	80%	20%	100%	460
Other		93%	7%	100%	45
	Drugs	100%	0%	100%	1
	Other	93%	7%	100%	15
	Property	71%	29%	100%	7
	Violent	100%	0%	100%	22
White		79%	21%	100%	958
	Drugs	38%	63%	100%	8
	Other	82%	18%	100%	323
	Property	73%	27%	100%	108
	Violent	79%	21%	100%	519
Total		81%	19%	100%	2,110

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

Table 3-34 reflects county court revocations by gender. Females in county court were very slightly less likely to be revoked than males (19% compared to 20%, respectively). The pattern of revocations across offense type varied little across gender. Half of cases with Drug charges were revoked, however, the number of cases is small and so this must 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		81%	19%	100%	614
	Drugs	50%	50%	100%	2
	Other	85%	15%	100%	195
	Property	73%	27%	100%	85
	Violent	81%	19%	100%	332
Male		80%	20%	100%	1,496
	Drugs	50%	50%	100%	10
	Other	87%	13%	100%	574
	Property	72%	28%	100%	154
	Violent	77%	23%	100%	758
Total		81%	19%	100%	2,110

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

Adult district court

Revocations from probation/deferred judgments occurred more frequently in district court (31%, Table 3-35) compared to county court (19%, Table 3-33) in 2018. Those in the Other race/ethnicity category were revoked at a rate of 11%. Black/African Americans with Drug charges were revoked at a rate of 44%. Table 3-36 shows that women in adult district court were more likely than men to get revoked (34% compared to 29%). Men and women with Drug cases were considerably more likely, compared to those with other crime types, to get revoked.

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

Race/Ethnicity	Crime type	No	Yes	Total	Total N
Black/African Am		67%	33%	100%	247
	Drugs	56%	44%	100%	96
	Other	82%	18%	100%	28
	Property	71%	29%	100%	75
	Violent	75%	25%	100%	48
Hispanic*		72%	28%	100%	938
	Drugs	63%	37%	100%	326
	Other	83%	17%	100%	110
	Property	71%	29%	100%	274
	Violent	82%	18%	100%	228
Other		89%	11%	100%	38
	Drugs	85%	15%	100%	13
	Other	100%	0%	100%	3
	Property	90%	10%	100%	10
	Violent	92%	8%	100%	12
White		67%	33%	100%	1,455
	Drugs	60%	40%	100%	628
	Other	78%	22%	100%	151
	Property	66%	34%	100%	387
	Violent	80%	20%	100%	289
Total		69%	31%	100%	2,678

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		66%	34%	100%	790
	Drugs	57%	43%	100%	373
	Other	79%	21%	100%	68
	Property	68%	32%	100%	250
	Violent	84%	16%	100%	99
Male		71%	29%	100%	1,888
	Drugs	62%	38%	100%	690
	Other	81%	19%	100%	224
	Property	68%	32%	100%	496
	Violent	80%	20%	100%	478
Total		69%	31%	100%	2,678

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, 26% of cases sentenced to probation/deferred judgment in 2018 were revoked (Table 3-37). Black/African American youth were more likely to get revoked (30% compared to 26% overall). Table 3-38 presents revocations in juvenile court by gender. Females were revoked at a rate of 22% compared to 27% for males. Comparing across crime types, females and males with Other crimes were most likely to be revoked (27% and 34%, respectively).

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

Race/Ethnicity	Crime type	No	Yes	Total	Total N
Black/African American		70%	30%	100%	40
	Drugs	100%	0%	100%	1
	Other	55%	45%	100%	11
	Property	86%	14%	100%	14
	Violent	64%	36%	100%	14
Hispanic*		73%	27%	100%	201
	Drugs	80%	20%	100%	10
	Other	65%	35%	100%	43
	Property	71%	29%	100%	68
	Violent	78%	23%	100%	80
Other		100%	0%	100%	7
	Drugs	100%	0%	100%	1
	Other	100%	0%	100%	1
	Property	100%	0%	100%	3
	Violent	100%	0%	100%	2
White		76%	24%	100%	123
	Drugs	67%	33%	100%	12
	Other	77%	23%	100%	22
	Property	72%	28%	100%	50
	Violent	85%	15%	100%	39
Total		74%	26%	100%	371

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

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

Gender	Crime type	No	Yes	Total	Total N
Female		78%	22%	100%	73
	Drugs	80%	20%	100%	5
	Other	73%	27%	100%	15
	Property	74%	26%	100%	31
	Violent	86%	14%	100%	22
Male		73%	27%	100%	298
	Drugs	74%	26%	100%	19
	Other	66%	34%	100%	62
	Property	73%	27%	100%	104
	Violent	77%	23%	100%	113
Total		74%	26%	100%	371

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. Statewide 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.

In county court, 19% of cases receiving a probation/deferred judgment in 2018 were revoked. Black/African Americans were revoked at a rate of 31%, however, and those in the Other race/ethnicity category were revoked at a rate of 7%. Females in county court were very slightly less likely to be revoked than males (19% compared to 20%, respectively). The pattern of revocations across offense types varied little by gender. Half of cases with Drug charges were revoked, however, the number of cases is small and so this must be interpreted with caution.

In district court, revocations from probation/deferred judgments occurred at a rate of 31% in 2018. Those in the Other race/ethnicity category were revoked at a rate of 11%. Black/African Americans with Drug charges were revoked at a rate of 44%. Women in adult district court were more likely than men to get revoked (34% compared to 29%). Men and women with Drug cases were considerably more likely, compared to those with other crime types, to be revoked.

In juvenile court, 26% of cases sentenced to probation/deferred judgment in 2018 were revoked. Black/African American youth were more likely to be revoked (30% compared to 26% overall). Females were revoked at a rate of 22% compared to 27% for males. Comparing across crime types, females and males with Other crimes were most likely to be revoked (27% and 34%, respectively).

Appendix A

NIBRS Group A Arrest Crimes

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

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

Appendix B

Most serious filing/conviction charge categories

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

Arson - 1st - 4th degree arson

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

Drug Poss - drug possession, paraphernalia possession

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

Escape

Extortion

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

Forgery

Fraud

Homicide - 1st and 2nd degree murder

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

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

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

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

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

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

Appendix C

Statistical Model for Classifying Hispanic Ethnicity

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

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

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

The variables provided to the model included:

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

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

The development model achieved an AUC (Area Under the Curve) of .95 and the validation AUC was also .95.¹⁵ The validation AUC for females was slightly lower at .91. Females often change their last name at marriage and the Hispanic name indicator was the most important variable in the model. The overall predictive accuracy was 94% for both development and validation data sets.

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

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

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

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