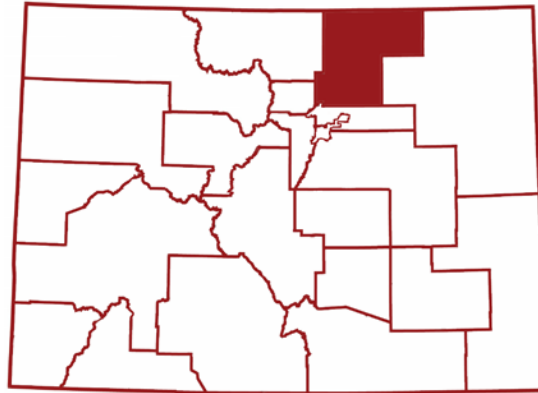


CLEAR Act: 2018

Community Law Enforcement Action Reporting Act

19th Judicial District



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

Age Group	Race/Ethnicity	Percent	Total
Adult		86%	232,703
	Black/African American	1%	3,035
	Hispanic	26%	61,227
	Other	2%	5,661
	White	70%	162,781
Juvenile		14%	36,914
	Black/African American	2%	561
	Hispanic	40%	14,603
	Other	2%	836
	White	57%	20,914
Total		100%	269,618

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

December 2019



COLORADO
Division of Criminal Justice
Department of Public Safety

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

Community Law Enforcement Action Reporting Act

Pursuant to Senate Bill 2015-185

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

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



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Preface

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

This study presents information on arrests and court case processing in the 19th Judicial District for calendar year 2018.

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

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

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

Executive Summary

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

This study presents information on arrests and court case processing in the 19th Judicial District for calendar year 2018.

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

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

The state Demographer’s Office estimates that, in 2018, the population of those ages 10 and above in the 19th Judicial District was 269,618. The adult population was comprised as follows:

- White, 71%;
- Black, 4%;
- Hispanic, 20%; and
- Other, 5%.

The juvenile population was comprised as follows:

- White, 56%;
- Black, 5%;
- Hispanic, 34%; 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 between race and ethnicity. As a result, persons of Hispanic ethnicity are typically in the White

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

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

race category, and thus significantly undercounted in the Hispanic category. For example, in 2018, Hispanics represented 22% of the Colorado population, but only 6% of court cases statewide were classified as Hispanic in ICON. In addition, the arrest data are plagued with random misclassifications of race and ethnicity, and both random and non-random missing race/ethnicity data. To improve upon the accuracy of the race/ethnicity designation in this analysis, a statistical model was developed to predict whether an offender was Hispanic. The model had an overall predictive accuracy of 94%. This model was used with both the arrest and court data³. Note that while no model is 100% accurate, it was determined that using this model is an improvement over using the race/ethnicity designations in the raw data. Please see Appendix C for a description of the prediction model.

Law enforcement data. In 2018, law enforcement made/issued over 10,000 arrests/summons in the 19th 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/summons for Drug offenses accounted for 11% of all arrests/summons while Violent crimes accounted for 13%, Property offenses accounted for 15% and the remainder of arrests/summons (61%) fell into the Other crime category. Black/African Americans represented 1% of the population in 2018 but accounted for 3% of arrests/summons. Hispanics represented 28% of the population and 46% of arrests/summons. Violent crimes were less likely than the other crime categories to result in a summons.

Court filings. This study of more than 7,400 case filings in county, district, and juvenile courts combined found that while Black/African Americans represented 1% of the population and 3% of the arrests/summons in 2018, they accounted for 3% of district court filings. In juvenile court, Black/African Americans represented 4% of cases, compared to 2% Black/African American juveniles in the population. Hispanic adults made up 26% of the adult population and 46% of arrests, and 46% of district court filings in 2018. In terms of gender, 27% of filings were females and 73% were males. Females were slightly more likely than men to be involved in Other and Drug crimes and slightly less likely to be involved in Violent offenses. Only 1% of cases completed a trial in 2018. Note that these cases are not necessarily the same cases in the **Law Enforcement Data** section above.

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

Court case outcomes. Caution should be used when interpreting the case outcome since many factors can influence the decision. For example, the existence of prior cases (criminal history) may influence the outcome of a case. Additionally, most cases contain multiple charges, and many cases have concurrent cases. These factors are likely to significantly affect the outcome of a case. In particular, all charges in a case may be dismissed or modified as part of a plea agreement involving that case or multiple cases. In fact, 20% of cases in county court were dismissed, as were 9% of cases in district court and 23% of cases in juvenile court. One-third (32%) of county court cases were convicted as charged compared to 19% in district court and 31% in juvenile court. Seventeen percent (17%) of county court cases were convicted of a

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

different charge, as were 31% of district court cases, and 31% of juvenile court cases. Across all three court types, Black/African Americans were more likely than the other race/ethnicity groups to have a case falling in the not yet resolved category.

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.

The most common sentence in county court was a jail sentence, occurring in 30% of cases. Deferred judgments were issued in 16% of cases. Drug cases most frequently received community service or fines/fees. Women were slightly more likely than men to receive a deferred judgment in county court (18% compared to 15%, respectively). Men were more likely than women to receive a jail sentence (31% for men compared to 26% for women), and men were more likely to be granted an initial sentence to probation (28% compared to 16% for women). Black/African Americans were much more likely to receive a deferred judgment in county court (27% compared to 16% overall) and much more likely to receive a sentence to jail (42% compared to 30% overall). Hispanics were less likely to receive a deferred judgement, at 12% compared to 16% overall. Hispanics were more likely to receive jail time (35% compared to 30% overall).

In district court, probation was the most frequently occurring initial sentence, happening two-thirds (65%) of the time for Drug cases. The second most frequently occurring sentence in district court was a prison sentence: 15% of Drug cases, 32% of Other cases, 18% of Property cases, and 22% of Violent cases received a sentence to the Department of Corrections. Deferred judgments were imposed in 7% of cases and were most likely to be imposed in Violent cases (12%), and least likely to be imposed in Drug cases (2%). Women were slightly more likely to receive a deferred judgment compared to men (8% versus 7%, respectively), and more likely to be granted probation (65% compared to 51% for men). Women were less likely to receive a jail sentence (6%) compared to men (9%), and considerably less likely to receive a prison sentence compared to men (14% compared to 24%). Black/African Americans were more likely to receive a deferred judgement in district court (14% compared to 7% overall).

In juvenile court, deferred judgments were issued in 69% of cases, and in 75% of Drug cases. Sentences to the Division of Youth Services occurred 10% of the time overall; three percent (3%) of Drug cases went to DYS as did 15% of Violent cases. Females were more likely to receive a deferred judgement than males (75% versus 67%, respectively), and less likely to receive a sentence to the Division of Youth Services (2% compared to 13%). Black/African Americans were considerably less likely to receive a deferred judgment (50% compared to 69% overall) and much more likely to receive a sentence to the Division of Youth Services (40% compared to 10% overall). However, the few cases (n=10) means this information must be interpreted with caution.

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, 19% of county court cases, 36% of district court cases, and 38% of juvenile court cases had other, concurrent cases mentioned in minute orders or sentencing notes. Counting cases and not individuals is likely to inflate the proportion of revocations presented in these analyses. The revocation information, therefore, should be interpreted with caution.

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

In county court, 18% of cases receiving a probation/deferred judgment in 2018 were revoked. Black/African Americans were much less likely to be revoked compared to the overall revocation rate (8% compared to 18% overall). Hispanics with Drug charges were revoked at a rate of 33%, however, the few cases (n=3) means this information should be interpreted with caution. Females in county court were less likely to be revoked than males (15% compared to 19%, respectively). The pattern of revocations across offense type varies considerably across gender, however. Compared to other offense types, females with Drug cases were most likely to be revoked (20%, however, there are few cases) whereas males with Drug crimes were least likely to be revoked (11%).

Revocations from probation/deferred judgments occurred more frequently in district court (24%) compared to county court (18%) in 2018. Hispanics were slightly more likely to be revoked (26% compared to 24% overall). Black/African Americans with Violent cases were revoked at a rate of 33%, however, the few cases (n=9) means this should be interpreted with caution. Hispanics with Drug cases were revoked at a rate of 36% compared to 24% overall. In terms of gender, both men and women with Drug cases were revoked at higher rates (31% and 29%, respectively, compared to 24% overall).

In juvenile court, 17% of cases sentenced to probation/deferred judgment in 2018 were revoked. None of the Black/African American cases were revoked, however, there were few cases (n=6) so this information should be interpreted with caution. Females were revoked at a rate of 16% compared to 17% for males. Comparing across crime types, females with Other crimes were most likely to be revoked (24%).

Overall summary. In 2018 in the 19th Judicial District, Black/African Americans represented 1% of the adult population but accounted for 3% of arrests/summons and 3% of adult district court filings. Hispanic adults represented 26% of the population, 46% of arrests/summons, and 46% of district court filings. In juvenile court, Black/African Americans represented 4% of cases, compared to 2% of Black/African American juveniles in the population; Hispanic youth were 40% of the population and 49% of cases filed.

The most common sentence in county court was a jail sentence, occurring in 30% of cases. Deferred judgments were issued in 16% of cases. Drug cases most frequently received

community service or fines/fees.). Black/African Americans were much more likely to receive a deferred judgment in county court (27% compared to 16% overall) and much more likely to receive a sentence to jail (42% compared to 30% overall). Hispanics were less likely to receive a deferred judgement, at 12% compared to 16% overall, and were more likely to receive jail time (35% compared to 30% overall).

In district court, probation was the most frequently occurring initial sentence, happening two-thirds (65%) of the time for Drug cases. The second most frequently occurring sentence in district court was a prison sentence: 15% of Drug cases, 32% of Other cases, 18% of Property cases, and 22% of Violent cases received a sentence to the Department of Corrections. Women were slightly more likely to receive a deferred judgment compared to men (8% versus 7%, respectively), and more likely to be granted probation (65% compared to 51% for men). Women were less likely to receive a jail sentence (6%) compared to men (9%), and considerably less likely to receive a prison sentence compared to men (14% compared to 24%). Black/African Americans were more likely to receive a deferred judgement in district court (14% compared to 7% overall).

In juvenile court, deferred judgments were issued in 69% of cases, and in 75% of Drug cases. Sentences to the Division of Youth Services occurred 10% of the time overall; three percent (3%) of Drug cases went to DYS as did 15% of Violent cases. Females were more likely to receive a deferred judgement than males (75% versus 67%, respectively), and less likely to receive a sentence to the Division of Youth Services (2% compared to 13%). Black/African Americans were considerably less likely to receive a deferred judgment (50% compared to 69% overall) and much more likely to receive a sentence to the Division of Youth Services (40% compared to 10% overall). However, the few cases (n=10) means this information must be interpreted with caution.

In terms of revocations, these occurred at a rate of 18% in county court, 24% in district court and 17% in juvenile court. In county court, the pattern of revocations across offense type varies considerably across gender. Compared to other offense types, females with Drug cases were most likely to be revoked (20%, however, there are few cases) whereas males with Drug crimes were least likely to be revoked (11%). In district court, Hispanics were slightly more likely to be revoked (26% compared to 24% overall). Black/African Americans with Violent cases were revoked at a rate of 33%, however, the few cases (n=9) means this should be interpreted with caution. Hispanics with Drug cases were revoked at a rate of 36% compared to 24% overall. In terms of gender, both men and women with Drug cases were revoked at higher rates (31% and 29%, respectively, compared to 24% overall). In juvenile court, none of the Black/African American cases were revoked, however, there were few cases (n=6) so this information should be interpreted with caution. Females were revoked at a rate of 16% compared to 17% for males. Comparing across crime types, females with Other crimes were most likely to be revoked (24%).

Section 1: Introduction

Background and overview

In 2015, the General Assembly passed Senate Bill 15-185, the Community Law Enforcement Action Reporting Act, or the CLEAR Act. The CLEAR Act mandates that the Division of Criminal Justice annually analyze and report data provided by law enforcement agencies,⁴ the Judicial Department, and the adult Parole Board, to reflect decisions made at multiple points in the justice system process. The CLEAR Act requires that the data be analyzed by race/ethnicity and gender. This study presents information for the 19th Judicial District for calendar year 2018, including the following:

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

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

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

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

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

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

Finally, the Colorado Department of Local Affairs, Office of the State Demographer, estimated that the population in 2018 in the 19th Judicial District for residents ages 10 and over was 269,618 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%	232,703
	Black/African American	1%	3,035
	Hispanic	26%	61,227
	Other	2%	5,661
	White	70%	162,781
Juvenile		14%	36,914
	Black/African American	2%	561
	Hispanic	40%	14,603
	Other	2%	836
	White	57%	20,914
Total		100%	269,618

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 10,000 NIBRS incidents were analyzed for calendar year 2018 (Table 1-2).

Table 1-2. Arrests by type, 2018

Arrest Type	Percent	Total
Custody/warrant	31%	3,075
On-view/probable cause	46%	4,652
Summons	23%	2,354
Total	100%	10,081

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	40%	2,975
County	51%	3,779
Juvenile	9%	675
Total	100%	7,429

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 7,400 **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. The findings are presented by county, adult district and juvenile court.

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 captured in the Colorado Bureau of Investigation's National Incident Based Reporting System (NIBRS) for calendar year 2018 in the 19th Judicial District.

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

Crime type	Percent	Total
Drugs	11%	1,092
Other	61%	6,131
Property	15%	1,517
Violent	13%	1,341
Total	100%	10,081

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

Table 2-2 reflects over 10,000 arrests/summons captured in NIBRS for calendar year 2018, by race/ethnicity. Black/African Americans represented 1% of the population in 2018, but accounted for 3% of arrests/summons. Hispanics represented 28% of the population and accounted for 46% of arrests. The Other race/ethnicity category represented 2% of the population, and were underrepresented in arrests (1%), as were Whites, who represented 68% of the population and 50% of arrests/summons.

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

Race/Ethnicity	Percent	Total
Black/African American	3%	310
Hispanic*	46%	4,651
Other	1%	104
White	50%	5,016
Total	100%	10,081

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 9% of on view/probable cause arrests and that 26% of those arrests were for Violent crimes. Juveniles accounted for 5% of custody/warrant arrests (Table 2-4). 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		91%	4,214
	Drugs	16%	661
	Other	48%	2,018
	Property	16%	673
	Violent	20%	862
Juvenile		9%	438
	Drugs	6%	28
	Other	29%	126
	Property	38%	168
	Violent	26%	116
Total		100%	4,652

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		95%	2,928
	Drugs	4%	119
	Other	84%	2,466
	Property	5%	148
	Violent	7%	195
Juvenile		5%	147
	Drugs	2%	3
	Other	80%	117
	Property	5%	8
	Violent	13%	19
Total		100%	3,075

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		87%	2,054
	Drugs	10%	207
	Other	61%	1,255
	Property	23%	468
	Violent	6%	124
Juvenile		13%	300
	Drugs	25%	74
	Other	50%	149
	Property	17%	52
	Violent	8%	25
Total		100%	2,354

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 15% of probable cause arrests were for Drug related offenses, 46% were for Other offenses, 18% for Property offenses, and 21% for Violent offenses. While Black/African Americans made up 1% of the population, Table 2-6 shows that they were arrested at three to 4 times that rate for probable cause arrests in 2018: 2% of Drug arrests, 3% of arrests for Other offenses, 3% of Property arrests, and 4% of Violent arrests.

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 7% of these types of arrests involved a Violent offense, Hispanics accounted for 49% of the Violent offenses although they represented 28% of the (combined adult and juvenile) population.

Table 2-8 shows that summons were less likely to be issued for Violent offenses (6%) compared to Other (60%) and Property (22%) and that, of those summons issued for Violent crimes, 45% of these went to Hispanics.

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

Crime type	Race/Ethnicity	Percent	Total
Drugs		15%	689
	Black/African American	2%	16
	Hispanic*	46%	314
	Other	2%	12
	White	50%	347
Other		46%	2,144
	Black/African American	3%	75
	Hispanic*	46%	989
	Other	1%	28
	White	49%	1,052
Property		18%	841
	Black/African American	3%	22
	Hispanic*	50%	418
	Other	<1%	4
	White	47%	397
Violent		21%	978
	Black/African American	4%	38
	Hispanic*	45%	439
	Other	2%	15
	White	50%	486
Total		100%	4,652

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

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

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

Crime type	Race/Ethnicity	Percent	Total
Drugs		4%	122
	Black/African American	2%	2
	Hispanic*	39%	47
	White	60%	73
Other		84%	2,583
	Black/African American	3%	90
	Hispanic*	47%	1,214
	Other	<1%	23
	White	49%	1,256
Property		5%	156
	Black/African American	3%	4
	Hispanic*	45%	70
	White	53%	82
Violent		7%	214
	Black/African American	2%	4
	Hispanic*	49%	104
	White	50%	106
Total		100%	3,075

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		12%	281
	Black/African American	3%	8
	Hispanic*	42%	117
	Other	<1%	2
	White	55%	154
Other		60%	1,404
	Black/African American	2%	34
	Hispanic*	45%	630
	Other	1%	17
	White	51%	723
Property		22%	520
	Black/African American	2%	12
	Hispanic*	47%	242
	Other	<1%	3
	White	51%	263
Violent		6%	149
	Black/African American	3%	5
	Hispanic*	45%	67
	White	52%	77
Total		100%	2,354

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

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

The following three tables show arrest/summons by broad offense category and gender. Overall, women constituted approximately 20-36% of arrests and 33-53% of summonses (depending on the crime category) and men comprised the remainder.

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

Crime type	Gender	Percent	Total
Drugs		15%	689
	Female	31%	214
	Male	69%	475
Other		46%	2,144
	Female	22%	472
	Male	78%	1,672
Property		18%	841
	Female	36%	304
	Male	64%	537
Violent		21%	978
	Female	27%	260
	Male	73%	718
Total		100%	4,652

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%	122
	Female	32%	39
	Male	68%	83
Other		84%	2,583
	Female	30%	783
	Male	70%	1,800
Property		5%	156
	Female	29%	46
	Male	71%	110
Violent		7%	214
	Female	20%	43
	Male	80%	171
Total		100%	3,075

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		12%	281
	Female	37%	103
	Male	63%	178
Other		60%	1,404
	Female	37%	521
	Male	63%	883
Property		22%	520
	Female	53%	273
	Male	48%	247
Violent		6%	149
	Female	33%	49
	Male	67%	100
Total		100%	2,354

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 10,000 arrests/summons in the 19th 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/summons for Drug offenses accounted for 11% of all arrests/summons while Violent crimes accounted for 13%, Property offenses accounted for 15%, and the remainder of arrests/summons (61%) fell into the Other crime category. Black/African Americans represented 1% of the population in 2018 but accounted for 3% of arrests/summons. Hispanics represented 28% of the population and 46% of arrests/summons. 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 for the 19th Judicial District 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 7,429 case filings in county, adult district, and juvenile courts combined for calendar year 2018. While Black/African Americans represented 1% of the population and 3% of the arrests/summonses in 2018, they accounted for 3% of court filings. Hispanics represented 28% of the population, 46% of arrests/summonses, and 46% of case filings. Note that these cases are not necessarily the same cases in the **Law enforcement data** section above.

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

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

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

Race/Ethnicity	Percent	Total
Black/African Am	3%	211
Hispanic	46%	3,408
Other	3%	197
White	49%	3,613
Total	100%	7,429

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

Combining information across the three court types, Table 3-2 shows the race/ethnicity distribution for the four crime categories. Table 3-2 shows that Drug offenses were the most serious filing charge in 15% of cases, and Violent charges comprised the largest category at 34% of charges filed. The race/ethnicity distribution is generally consistent across crime types.

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

Crime type	Race/Ethnicity	Percent	Total
Drugs		15%	1,125
	Black/African American	3%	30
	Hispanic	45%	502
	Other	3%	29
	White	50%	564
Other		30%	2,226
	Black/African American	2%	47
	Hispanic	51%	1,141
	Other	3%	65
	White	44%	973
Property		21%	1,559
	Black/African American	4%	65
	Hispanic	44%	688
	Other	3%	53
	White	48%	753
Violent		34%	2,519
	Black/African American	3%	69
	Hispanic	43%	1,077
	Other	2%	50
	White	53%	1,323
Total		100%	7,429

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

Table 3-3 depicts that, across all court types, 27% of filings were females and 73% were males. Females were slightly more likely than men to be involved in Property crimes (25% compared to 20%, respectively) and Drug crimes (17% compared to 15%, respectively) and slightly less to be involved in Violent offenses (32% compared to 35%, respectively).

Table 3-3. Most serious filing charge by gender

Gender	Crime type	Percent	Total
Female		27%	2,015
	Drugs	17%	334
	Other	26%	532
	Property	25%	500
	Violent	32%	649
Male		73%	5,414
	Drugs	15%	791
	Other	31%	1,694
	Property	20%	1,059
	Violent	35%	1,870
Total		100%	7,429

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 51% of the total. Black/African Americans represented 3% of county and district court cases and 4% in juvenile court. Hispanics represented 45% of county court filings, 46% of district court filings, and 49% of juvenile court filings in 2018.

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

Court	Race/Ethnicity	Percent	Total
Adult District		40%	2,975
	Black/African American	3%	87
	Hispanic	46%	1,377
	Other	2%	58
	White	49%	1,453
County		51%	3,779
	Black/African American	3%	98
	Hispanic	45%	1,702
	Other	3%	126
	White	49%	1,853
Juvenile		9%	675
	Black/African American	4%	26
	Hispanic	49%	329
	Other	2%	13
	White	45%	307
Total		100%	7,429

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 (44%) of county court cases were Violent offenses (primarily misdemeanor assault); Other offenses (27%) and Drug cases (28%) comprised the largest categories of cases in adult district court; Violent crimes made up over one-third (38%) 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 (29%) compared to adult district court (25%) and juvenile court (26%).

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

Court	Crime type	Percent	Total
Adult District		40%	2,975
	Drugs	28%	846
	Other	27%	818
	Property	24%	726
	Violent	20%	585
County		51%	3,779
	Drugs	6%	224
	Other	34%	1,273
	Property	16%	607
	Violent	44%	1,675
Juvenile		9%	675
	Drugs	8%	55
	Other	20%	135
	Property	33%	226
	Violent	38%	259
Total		100%	7,429

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		40%	2,975
	Female	25%	736
	Male	75%	2,239
County		51%	3,779
	Female	29%	1,106
	Male	71%	2,673
Juvenile		9%	675
	Female	26%	173
	Male	74%	502
Total		100%	7,429

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

Trials

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

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

Court	Completed Trial	Percent	Total
Adult District		40%	2,975
	No	100%	2,963
	Yes	<1%	12
County		51%	3,779
	No	100%	3,762
	Yes	<1%	17
Juvenile		9%	675
	No	100%	675
Total		100%	7,429

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		15%	1,125
	No	100%	1,124
	Yes	<1%	1
Other		30%	2,226
	No	100%	2,218
	Yes	<1%	8
Property		21%	1,559
	No	100%	1,559
Violent		34%	2,519
	No	99%	2,499
	Yes	<1%	20
Total		100%	7,429

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 7,400 case filings in county, district, and juvenile courts combined found that while Black/African Americans represented 1% of the population and 3% of the arrests/summons in 2018, they accounted for 3% of district court filings. In juvenile court, Black/African Americans represented 4% of cases, compared to 2% Black/African American juveniles in the population. Hispanic adults made up 26% of the adult population and 46% of arrests, and 46% of district court filings in 2018. In terms of gender, 27% of filings were females and 73% were males. Females were slightly more likely than men to be involved in Other and Drug crimes and slightly less likely to be involved in Violent offenses. Only 1% of

cases completed a trial in 2018. Note that these cases are not necessarily the same cases in the **Law Enforcement Data** section above.

Case Outcomes

The following three tables present case outcomes, by race/ethnicity and most serious filing charge (including attempt, conspiracy and solicitation), for county court, district court, and juvenile court in 2018. It is important to remember that most cases contain multiple charges, and many cases have concurrent cases. All charges in a case may be dismissed or modified as part of a plea agreement involving that case or multiple cases. In fact, all charges were dismissed in county court in 20% of cases 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 32% of cases were convicted as charged, and 17% were convicted of another crime. Black/African Americans were less likely to be convicted as charged in county court (24% compared to 32% overall), and they were more likely to have a case not yet resolved (36% compared to 30% overall).

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		24%	20%	19%	36%	100%	98
	Drugs	0%	60%	20%	20%	100%	5
	Other	21%	32%	14%	32%	100%	28
	Property	35%	13%	22%	30%	100%	23
	Violent	24%	12%	21%	43%	100%	42
Hispanic		32%	17%	18%	33%	100%	1,702
	Drugs	34%	39%	18%	9%	100%	98
	Other	33%	18%	16%	33%	100%	666
	Property	40%	12%	16%	32%	100%	247
	Violent	29%	15%	20%	37%	100%	691
Other		33%	15%	25%	27%	100%	126
	Drugs	20%	40%	20%	20%	100%	10
	Other	26%	9%	34%	32%	100%	47
	Property	44%	16%	9%	31%	100%	32
	Violent	35%	16%	30%	19%	100%	37
White		33%	17%	23%	28%	100%	1,853
	Drugs	29%	32%	25%	14%	100%	111
	Other	30%	18%	22%	30%	100%	532
	Property	42%	15%	16%	27%	100%	305
	Violent	31%	15%	25%	29%	100%	905
Total		32%	17%	20%	30%	100%	3,779

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. Nine percent (9%) of cases filed in district court had all charges dismissed (fewer than 1% of those in this category were not guilty). Cases falling into the Other race/ethnicity category were slightly more likely to have charges dismissed, especially Violent offenses. Black/African Americans were more likely to have cases that fell into the not yet resolved category (48% compared to 41% overall).

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

Race/Ethnicity	Crime type	Convicted as charged	Convicted other crime	Dismissed /not guilty	Not yet resolved/ case closed	Total	Total N
Black/African American		18%	26%	7%	48%	100%	87
	Drugs	22%	35%	4%	39%	100%	23
	Other	28%	28%	6%	39%	100%	18
	Property	17%	27%	3%	53%	100%	30
	Violent	6%	13%	19%	63%	100%	16
Hispanic		18%	31%	8%	44%	100%	1,377
	Drugs	17%	31%	9%	44%	100%	374
	Other	19%	34%	8%	39%	100%	405
	Property	17%	31%	9%	43%	100%	336
	Violent	19%	24%	5%	52%	100%	262
Other		21%	31%	14%	34%	100%	58
	Drugs	21%	26%	11%	42%	100%	19
	Other	21%	43%	7%	29%	100%	14
	Property	19%	38%	13%	31%	100%	16
	Violent	22%	11%	33%	33%	100%	9
White		20%	32%	10%	37%	100%	1,453
	Drugs	19%	42%	11%	29%	100%	430
	Other	24%	31%	11%	34%	100%	381
	Property	19%	31%	12%	38%	100%	344
	Violent	19%	21%	7%	53%	100%	298
Total		19%	31%	9%	41%	100%	2,975

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

Table 3-11 presents case outcomes for juvenile court. All charges were dismissed for 23% of cases filed, while 31% of cases were convicted as charged and 17% were convicted of a different crime. Black/African American youth were more likely to have cases that fell into the not yet resolved category (38% compared to 29% 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 American		35%	4%	23%	38%	100%	26
	Drugs	50%	0%	50%	0%	100%	2
	Other	0%	0%	100%	0%	100%	1
	Property	25%	8%	8%	58%	100%	12
	Violent	45%	0%	27%	27%	100%	11
Hispanic		31%	18%	17%	34%	100%	329
	Drugs	13%	40%	17%	30%	100%	30
	Other	30%	17%	17%	36%	100%	70
	Property	38%	14%	17%	30%	100%	105
	Violent	29%	15%	18%	38%	100%	124
Other		54%	0%	38%	8%	100%	13
	Drugs	0%	0%	0%	0%	0%	0
	Other	50%	0%	50%	0%	100%	4
	Property	60%	0%	40%	0%	100%	5
	Violent	50%	0%	25%	25%	100%	4
White		30%	19%	28%	24%	100%	307
	Drugs	57%	17%	17%	9%	100%	23
	Other	37%	20%	27%	17%	100%	60
	Property	33%	16%	29%	22%	100%	104
	Violent	18%	21%	29%	32%	100%	120
Total		31%	17%	23%	29%	100%	675

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, 20% of cases in county court were dismissed, as were 9% of cases in district court and 23% of cases in juvenile court. One-third (32%) of county court cases were convicted as charged compared to 19% in district court and 31% in juvenile court. Seventeen percent (17%) of county court cases were convicted of a different charge, as were 31% of district court cases, and 31% of juvenile court cases. Across all three court types, Black/African Americans were more likely than the other race/ethnicity groups to have a case falling in the not yet resolved category.

Initial Sentences

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

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

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

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

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

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

County court

Table 3-12 presents the initial sentence for each of the four offense types for county court cases in 2018. The most common sentence in county court was a jail sentence, occurring in 30% of cases. Deferred judgments were issued in 16% of cases. Drug cases most frequently received community service or fines/fees.

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

Sentence	Crime type	Percent	Total
Community Service		3%	67
	Drugs	81%	54
	Other	10%	7
	Property	7%	5
	Violent	1%	1
Deferred		16%	375
	Drugs	<1%	1
	Other	15%	55
	Property	25%	94
	Violent	60%	225
Fines/fees		9%	205
	Drugs	58%	118
	Other	34%	70
	Property	6%	13
	Violent	2%	4
Jail		30%	691
	Drugs	<1%	4
	Other	56%	390
	Property	21%	146
	Violent	22%	151
Probation/Intensive Supervision		25%	578
	Drugs	<1%	5
	Other	28%	161
	Property	11%	65
	Violent	60%	347
Unsupervised Probation		18%	425
	Drugs	2%	8
	Other	21%	90
	Property	40%	169
	Violent	37%	158
Total		100%	2,341

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 slightly more likely than men to receive a deferred judgment in county court (18% compared to 15%, respectively). Men were more likely than women to receive a jail sentence (31% for men compared to 26% for women), and men were more likely to be granted an initial sentence to probation (28% compared to 16% for women).

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

Sentence	Female	Male	Total
(N)	602	1,739	2,341
Community Service	4%	3%	3%
Deferred	18%	15%	16%
Fines/fees	11%	8%	9%
Jail	26%	31%	30%
Probation/Intensive Supervision	16%	28%	25%
Unsupervised Probation	26%	16%	18%
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. Excludes Denver County Court cases.

Table 3-14 presents the initial sentence in county court by race/ethnicity. Black/African Americans were much more likely to receive a deferred judgment in county court (27% compared to 16% overall) and much more likely to receive a sentence to jail (42% compared to 30% overall). Hispanics were less likely to receive a deferred judgement, at 12% compared to 16% overall. Hispanics were more likely to receive jail time (35% compared to 30% overall).

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

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	52	1,104	59	1,126	2,341
Community Service	0%	2%	3%	4%	3%
Deferred	27%	12%	19%	19%	16%
Fines/fees	10%	8%	17%	9%	9%
Jail	42%	35%	22%	24%	30%
Probation/Intensive Supervision	10%	26%	14%	25%	25%
Unsupervised Probation	12%	17%	25%	20%	18%
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. The few cases in many categories means this information should be interpreted with caution. Table 3-15 shows initial sentences for county court Drug cases. Most Drug cases in county court received either community service (28%) or fines/fees (62%).

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)	4	79	8	99	190
Community Service	0%	25%	13%	33%	28%
Deferred	0%	0%	0%	1%	<1%
Fines/fees	100%	68%	88%	54%	62%
Jail	0%	3%	0%	2%	2%
Probation/Intensive Supervision	0%	3%	0%	3%	3%
Unsupervised Probation	0%	1%	0%	7%	4%
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 much more likely to receive a jail sentence (72% compared to 50% 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 violent offenses, Black/African Americans were more likely to receive jail sentence (30% compared to 17% overall, and more likely to receive a deferred judgment (45% 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)	18	429	15	311	773
Community Service	0%	<1%	0%	1%	<1%
Deferred	11%	5%	13%	10%	7%
Fines/fees	6%	7%	20%	11%	9%
Jail	72%	56%	20%	43%	50%
Probation/Intensive Supervision	11%	20%	13%	23%	21%
Unsupervised Probation	0%	11%	33%	13%	12%
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)	10	217	17	248	492
Community Service	0%	<1%	6%	<1%	1%
Deferred	30%	17%	6%	22%	19%
Fines/fees	0%	3%	0%	2%	3%
Jail	30%	31%	35%	28%	30%
Probation/Intensive Supervision	10%	16%	12%	11%	13%
Unsupervised Probation	30%	32%	41%	36%	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 3-18. Initial sentence for Violent as most serious conviction in County Court by race/ethnicity

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	20	379	19	468	886
Community Service	0%	0%	0%	<1%	<1%
Deferred	45%	20%	42%	28%	25%
Fines/fees	0%	0%	0%	<1%	<1%
Jail	30%	20%	21%	14%	17%
Probation/Intensive Supervision	10%	42%	21%	39%	39%
Unsupervised Probation	15%	18%	16%	18%	18%
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 in the 19th Judicial District. Probation was the most frequently occurring initial sentence, happening two-thirds (65%) of the time for Drug cases. The second most frequently occurring sentence in district court was a prison sentence: 15% of Drug cases, 32% of Other cases, 18% of Property cases, and 22% of Violent cases received a sentence to the Department of Corrections. Deferred judgments were imposed in 7% of cases and were most likely to be imposed in Violent cases (12%), and least likely to be imposed in Drug cases (2%).

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

Sentence	Drugs	Other	Property	Violent	Total
(N)	626	518	627	445	2,216
Community Corrections	7%	8%	7%	8%	7%
Community Service	1%	0%	0%	0%	<1%
Deferred	2%	5%	11%	12%	7%
Dept of Corrections	15%	32%	18%	22%	21%
Fines/fees	2%	<1%	<1%	0%	<1%
Jail	8%	10%	8%	7%	8%
Probation/Intensive Supervision	65%	44%	55%	52%	55%
Youthful Offender System	0%	0%	<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.

Table 3-20 shows the initial district court sentence by gender. Women were slightly more likely to receive a deferred judgment compared to men (8% versus 7%, respectively), and more likely to be granted probation (65% compared to 51% for men). Women were less likely to receive a

jail sentence (6%) compared to men (9%), and considerably less likely to receive a prison sentence compared to men (14% compared to 24%).

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

Sentence	Female	Male	Total
(N)	600	1,616	2,216
Community Corrections	7%	8%	7%
Community Service	<1%	<1%	<1%
Deferred	8%	7%	7%
Dept of Corrections	14%	24%	21%
Fines/fees	1%	<1%	<1%
Jail	6%	9%	8%
Probation/Intensive Supervision	65%	51%	55%
Youthful Offender System	0%	<1%	<1%
Total	100%	100%	100%

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

Table 3-21 shows the initial sentence in adult district court by race/ethnicity combining all crime types. Black/African Americans were more likely to receive a deferred judgement in district court (14% compared to 7% overall).

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

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	85	972	34	1,125	2,216
Community Corrections	9%	8%	6%	7%	7%
Community Service	0%	<1%	0%	<1%	<1%
Deferred	14%	6%	12%	7%	7%
Dept of Corrections	24%	24%	24%	19%	21%
Fines/fees	0%	<1%	0%	<1%	<1%
Jail	9%	8%	6%	8%	8%
Probation/Intensive Supervision	42%	53%	53%	57%	55%
Youthful Offender System	1%	<1%	0%	0%	<1%
Total	100%	100%	100%	100%	100%

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals. *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. The few cases in some categories means this information should be interpreted with caution. Black/African Americans were much more likely to receive a jail sentence (20% compared to 8% overall) and more likely to receive a deferred judgment (13% compared to 2% overall). They were also more likely to receive a community corrections sentence (13% compared to 7% overall). However, there are only 15 cases in this category and so the information must be interpreted with caution. For Violent offenses (Table 3-25), Black/African Americans were much more likely to receive a prison sentences (46% compared to 22% 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)	15	244	7	360	626
Community Corrections	13%	7%	0%	6%	7%
Community Service	0%	2%	0%	1%	1%
Deferred	13%	<1%	0%	2%	2%
Dept of Corrections	7%	17%	14%	14%	15%
Fines/fees	0%	2%	0%	1%	2%
Jail	20%	11%	14%	6%	8%
Probation/Intensive Supervision	47%	59%	71%	69%	65%
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)	18	254	7	239	518
Community Corrections	17%	7%	0%	8%	8%
Deferred	6%	5%	0%	5%	5%
Dept of Corrections	22%	34%	43%	31%	32%
Fines/fees	0%	0%	0%	<1%	<1%
Jail	17%	7%	0%	13%	10%
Probation/Intensive Supervision	39%	46%	57%	42%	44%
Total	100%	100%	100%	100%	100%

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

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)	26	276	14	311	627
Community Corrections	4%	8%	14%	6%	7%
Deferred	35%	9%	14%	11%	11%
Dept of Corrections	12%	19%	14%	18%	18%
Fines/fees	0%	<1%	0%	<1%	<1%
Jail	0%	7%	7%	10%	8%
Probation/Intensive Supervision	50%	56%	50%	55%	55%
Youthful Offender System	0%	<1%	0%	0%	<1%
Total	100%	100%	100%	100%	100%

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals. *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)	26	198	6	215	445
Community Corrections	8%	10%	0%	6%	8%
Deferred	0%	10%	33%	14%	12%
Dept of Corrections	46%	25%	33%	16%	22%
Jail	8%	8%	0%	6%	7%
Probation/Intensive Supervision	35%	48%	33%	58%	52%
Youthful Offender System	4%	0%	0%	0%	<1%
Total	100%	100%	100%	100%	100%

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals. *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. Deferred judgments were issued in 69% of juvenile court cases, and in 75% of Drug cases. Sentences to the Division of Youth Services occurred 10% of the time overall; 3% of Drug cases went to DYS as did 15% of Violent cases.

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

Sentence	Drugs	Other	Property	Violent	Total
(N)	36	70	125	122	353
Community Corrections	0%	0%	<1%	0%	<1%
Deferred	75%	71%	73%	63%	69%
Division of Youth Services	3%	10%	7%	15%	10%
Jail	0%	3%	2%	0%	1%
Juvenile Detention	0%	0%	2%	<1%	<1%
Probation/Intensive Supervision	22%	16%	15%	21%	18%
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 (75% versus 67%, respectively), and less likely to receive a sentence to the Division of Youth Services (2% compared to 13%).

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

Sentence	Female	Male	Total
(N)	101	252	353
Community Corrections	0%	<1%	<1%
Deferred	75%	67%	69%
Division of Youth Services	2%	13%	10%
Jail	<1%	2%	1%
Juvenile Detention	<1%	<1%	<1%
Probation/Intensive Supervision	21%	17%	18%
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. Black/African Americans were considerably less likely to receive a deferred judgment (50% compared to 69% overall) and much more likely to receive a sentence to the Division of Youth Services (40% compared to 10% overall). However, the few cases (n=10) means this information must be interpreted with caution.

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

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	10	183	5	155	353
Community Corrections	0%	0%	0%	<1%	<1%
Deferred	50%	67%	40%	74%	69%
Division of Youth Services	40%	12%	0%	6%	10%
Jail	0%	2%	0%	<1%	1%
Juvenile Detention	0%	<1%	0%	1%	<1%
Probation/Intensive Supervision	10%	18%	60%	17%	18%
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 can be quite small for some sentences; 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	Hispanic*	White	Total
(N)	14	22	36
Deferred	86%	68%	75%
Division of Youth Services	7%	0%	3%
Probation/Intensive Supervision	7%	32%	22%
Total	100%	100%	100%

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

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

Sentence	Black/African Am	Hispanic.	Other	White	Total
(N)	1	39	1	29	70
Deferred	100%	69%	100%	72%	71%
Division of Youth Services	0%	10%	0%	10%	10%
Jail	0%	3%	0%	3%	3%
Probation/Intensive Supervision	0%	18%	0%	14%	16%
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)	4	68	2	51	125
Community Corrections	0%	0%	0%	2%	<1%
Deferred	75%	71%	0%	78%	73%
Division of Youth Services	0%	9%	0%	6%	7%
Jail	0%	4%	0%	0%	2%
Juvenile Detention	0%	1%	0%	2%	2%
Probation/Intensive Supervision	25%	15%	100%	12%	15%
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)	5	62	2	53	122
Deferred	20%	58%	50%	74%	63%
Division of Youth Services	80%	18%	0%	6%	15%
Juvenile Detention	0%	0%	0%	2%	<1%
Probation/Intensive Supervision	0%	24%	50%	19%	21%
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, 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.

The most common sentence in county court was a jail sentence, occurring in 30% of cases. Deferred judgments were issued in 16% of cases. Drug cases most frequently received community service or fines/fees. Women were slightly more likely than men to receive a deferred judgment in county court (18% compared to 15%, respectively). Men were more likely than women to receive a jail sentence (31% for men compared to 26% for women), and men were more likely to be granted an initial sentence to probation (28% compared to 16% for women). Black/African Americans were much more likely to receive a deferred judgment in county court (27% compared to 16% overall) and much more likely to receive a sentence to jail (42% compared to 30% overall). Hispanics were less likely to receive a deferred judgement, at 12% compared to 16% overall. Hispanics were more likely to receive jail time (35% compared to 30% overall).

In district court, probation was the most frequently occurring initial sentence, happening two-thirds (65%) of the time for Drug cases. The second most frequently occurring sentence in district court was a prison sentence: 15% of Drug cases, 32% of Other cases, 18% of Property cases, and 22% of Violent cases received a sentence to the Department of Corrections. Deferred judgments were imposed in 7% of cases and were most likely to be imposed in Violent cases (12%), and least likely to be imposed in Drug cases (2%). Women were slightly more likely to receive a deferred judgment compared to men (8% versus 7%, respectively), and more likely to be granted probation (65% compared to 51% for men). Women were less likely to receive a jail sentence (6%) compared to men (9%), and considerably less likely to receive a prison sentence compared to men (14% compared to 24%). Black/African Americans were more likely to receive a deferred judgement in district court (14% compared to 7% overall).

In juvenile court, deferred judgments were issued in 69% of cases, and in 75% of Drug cases. Sentences to the Division of Youth Services occurred 10% of the time overall; 3% of Drug cases went to DYS as did 15% of Violent cases. Females were more likely to receive a deferred judgement than males (75% versus 67%, respectively), and less likely to receive a sentence to the Division of Youth Services (2% compared to 13%). Black/African Americans were considerably less likely to receive a deferred judgment (50% compared to 69% overall) and much more likely to receive a sentence to the Division of Youth Services (40% compared to 10% overall). However, the few cases (n=10) means this information must be interpreted with caution.

Revocations

Cases sentenced in 2018 to probation or a deferred judgment that received a revocation are included in the analyses presented here.¹³ Those sentenced near the end of 2018 may not have had enough time to get revoked. **Note that these are cases, not individuals** and, as previously mentioned, statewide in 2018, 19% of county court cases, 36% of district court cases, and 38% of juvenile court cases had other, concurrent cases mentioned in minute orders or sentencing notes. Counting cases and not individuals is likely to inflate the proportion of revocations presented in these analyses. For example, the Judicial Department reports that in 2018, 24% of adult state probation terminations were the result of a revocation.¹⁴ The revocations presented here may not result in termination from probation supervision. In fact, in 2018, across county, adult district, and juvenile district courts statewide, 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, 18% of cases receiving a probation/deferred judgment in 2018 were revoked. Black/African Americans were much less

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.

likely to be revoked compared to the overall revocation rate (8% compared to 18% overall). Hispanics with Drug charges were revoked at a rate of 33%, however, the few cases (n=3) means this information should be interpreted with caution.

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		92%	8%	100%	25
	Other	100%	0%	100%	4
	Property	100%	0%	100%	7
	Violent	86%	14%	100%	14
Hispanic*		79%	21%	100%	601
	Drugs	67%	33%	100%	3
	Other	83%	17%	100%	154
	Property	76%	24%	100%	140
	Violent	78%	22%	100%	304
Other		79%	21%	100%	34
	Other	78%	22%	100%	9
	Property	70%	30%	100%	10
	Violent	87%	13%	100%	15
White		85%	15%	100%	718
	Drugs	91%	9%	100%	11
	Other	84%	16%	100%	139
	Property	84%	16%	100%	171
	Violent	85%	15%	100%	397
Total		82%	18%	100%	1,378

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

Table 3-34 reflects county court revocations by gender. Overall, females in county court were less likely to be revoked than males (15% compared to 19%, respectively). The pattern of revocations across offense type varies considerably across gender, however. Compared to other offense types, females with Drug cases were most likely to be revoked (20%, however, there are few cases) whereas males with Drug crimes were least likely to be revoked (11%).

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

Gender	Crime type	No	Yes	Total	Total N
Female		85%	15%	100%	359
	Drugs	80%	20%	100%	5
	Other	82%	18%	100%	60
	Property	83%	17%	100%	124
	Violent	88%	12%	100%	170
Male		81%	19%	100%	1,019
	Drugs	89%	11%	100%	9
	Other	84%	16%	100%	246
	Property	79%	21%	100%	204
	Violent	80%	20%	100%	560
Total		82%	18%	100%	1,378

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 (24%, Table 3-35) compared to county court (18%, Table 3-33) in 2018. Hispanics were slightly more likely to be revoked (26% compared to 24% overall). Black/African Americans with Violent cases were revoked at a rate of 33%, however, the few cases (n=9) means this should be interpreted with caution. Hispanics with Drug cases were revoked at a rate of 36% compared to 24% overall. Table 3-36 shows revocation rates by gender. Both men and women with Drug cases were revoked at higher rates (31% and 29%, respectively, compared to 24% overall).

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

Race/Ethnicity	Crime type	No	Yes	Total	Total N
Black/African American		75%	25%	100%	48
	Drugs	78%	22%	100%	9
	Other	75%	25%	100%	8
	Property	77%	23%	100%	22
	Violent	67%	33%	100%	9
Hispanic*		74%	26%	100%	572
	Drugs	64%	36%	100%	147
	Other	79%	21%	100%	131
	Property	72%	28%	100%	179
	Violent	86%	14%	100%	115
Other		77%	23%	100%	22
	Drugs	80%	20%	100%	5
	Other	100%	0%	100%	4
	Property	67%	33%	100%	9
	Violent	75%	25%	100%	4
White		77%	23%	100%	727
	Drugs	73%	27%	100%	254
	Other	81%	19%	100%	114
	Property	77%	23%	100%	204
	Violent	83%	17%	100%	155
Total		76%	24%	100%	1,369

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		73%	27%	100%	437
	Drugs	69%	31%	100%	159
	Other	77%	23%	100%	74
	Property	73%	27%	100%	153
	Violent	78%	22%	100%	51
Male		78%	22%	100%	932
	Drugs	71%	29%	100%	256
	Other	81%	19%	100%	183
	Property	76%	24%	100%	261
	Violent	84%	16%	100%	232
Total		76%	24%	100%	1,369

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

Juvenile Court

In juvenile court, 17% of cases sentenced to probation/deferred judgment in 2018 were revoked (Table 3-37). None of the Black/African American cases were revoked, however there are few cases (n=6) so this information should be interpreted with caution. Table 3-38 presents revocations in juvenile court by gender. Females were revoked at a rate of 16% compared to 17% for males. Comparing across crime types, females with Other crimes were most likely to be revoked (24%).

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

Race/Ethnicity	Crime type	No	Yes	Total	Total N
Black/African Am		100%	0%	100%	6
	Other	100%	0%	100%	1
	Property	100%	0%	100%	4
	Violent	100%	0%	100%	1
Hispanic*		82%	18%	100%	156
	Drugs	92%	8%	100%	13
	Other	76%	24%	100%	34
	Property	78%	22%	100%	58
	Violent	88%	12%	100%	51
Other		80%	20%	100%	5
	Other	0%	100%	100%	1
	Property	100%	0%	100%	2
	Violent	100%	0%	100%	2
White		84%	16%	100%	142
	Drugs	86%	14%	100%	22
	Other	88%	12%	100%	25
	Property	87%	13%	100%	46
	Violent	78%	22%	100%	49
Total		83%	17%	100%	309

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		84%	16%	100%	97
	Drugs	88%	13%	100%	8
	Other	76%	24%	100%	21
	Property	85%	15%	100%	39
	Violent	86%	14%	100%	29
Male		83%	17%	100%	212
	Drugs	89%	11%	100%	27
	Other	83%	18%	100%	40
	Property	82%	18%	100%	71
	Violent	82%	18%	100%	74
Total		83%	17%	100%	309

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, 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, 18% of cases receiving a probation/deferred judgment in 2018 were revoked. Black/African Americans were much less likely to be revoked compared to the overall revocation rate (8% compared to 18% overall). Hispanics with Drug charges were revoked at a rate of 33%, however, the few cases (n=3) means this information should be interpreted with caution. Females in county court were less likely to be revoked than males (15% compared to 19%, respectively). The pattern of revocations across offense type varies considerably across gender, however. Compared to other offense types, females with Drug cases were most likely to be revoked (20%, however, there are few cases) whereas males with Drug crimes were least likely to be revoked (11%).

Revocations from probation/deferred judgments occurred more frequently in district court (24%) compared to county court (18%) in 2018. Hispanics were slightly more likely to be revoked (26% compared to 24% overall). Black/African Americans with Violent cases were revoked at a rate of 33%, however, the few cases (n=9) means this should be interpreted with caution. Hispanics with Drug cases were revoked at a rate of 36% compared to 24% overall. In terms of gender, both men and women with Drug cases were revoked at higher rates (31% and 29%, respectively, compared to 24% overall).

In juvenile court, 17% of cases sentenced to probation/deferred judgment in 2018 were revoked. None of the Black/African American cases were revoked, however, there were few cases (n=6) so this information should be interpreted with caution. Females were revoked at a rate of 16% compared to 17% for males. Comparing across crime types, females with Other crimes were most likely to be revoked (24%).

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.