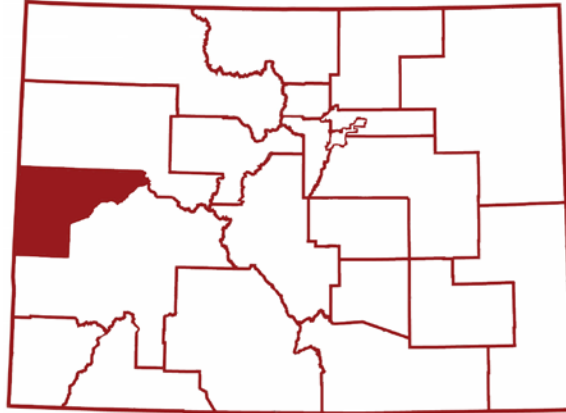


CLEAR Act: 2018

Community Law Enforcement Action Reporting Act

21st Judicial District



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

Age Group	Crime type	Percent	Total
Adult		88%	119,519
	Black/African American	<1%	1,104
	Hispanic	12%	14,731
	Other	2%	2,330
	White	85%	101,355
Juvenile		12%	15,938
	Black/African American	2%	252
	Hispanic	22%	3,488
	Other	2%	308
	White	75%	11,889
Total		100%	135,457

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

December 2019



COLORADO
Division of Criminal Justice
Department of Public Safety

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

Community Law Enforcement Action Reporting Act

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

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



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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/summonses and court case processing for the 21st 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/summons and court case processing for the 21st 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 21st Judicial District was 135,457. The adult population was comprised as follows:

- White, 85%;
- Black/African American, <1%;
- Hispanic, 12%; and
- Other, 2%.

The juvenile population was comprised as follows:

- White, 75%;
- Black/African American, 2%;
- Hispanic, 22%; and
- Other, 2%.

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

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

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

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

Law enforcement data. In 2018, law enforcement made/issued over 7,900 arrests/summonses. For this analysis, dozens of offense categories were collapsed into four broad groups of crimes: Drugs, Other, Property and Violence (see Appendix A for the list of offenses in these categories). In 2018, arrests/summonses for Drug offenses accounted for 15% of all arrests/summonses while Violent crimes accounted for 12% of arrests/summonses, Property offenses accounted for 15%, and the remainder (58%) fell into the Other crime category. Black/African Americans represented less than 1% of the population in 2018 but accounted for 3% of arrests/summonses. Hispanics represented 14% of the (combined adult and juvenile) population and 19% of arrests/summonses. Juveniles were more likely to be summonsed than arrested. Violent crimes were less likely than the other crime categories to result in a summons.

Court filings. This study of more than 6,245 case filings in county, district, and juvenile courts combined found that while Black/African Americans represented about 1% of the population and 3% of the arrests/summonses in 2018, they accounted for 5% of district court filings. In juvenile court, Black/African Americans represented less than 1% of cases, compared to 2% Black/African American juveniles in the population. Hispanic adults made up 12% of the adult population but had 21% of district court filings in 2018. Hispanics juveniles represented 22% of the population and 25% of juvenile cases. In terms of gender, 28% of filings were females and 72% were males. Females were slightly more likely than men to be involved in Property and Drug crimes and slightly less likely to be involved in Violent offenses. 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, 26% of cases in county court were dismissed, as were 13% of cases in district court and 14% of cases in juvenile court. One-third (38%) of county court cases were convicted as charged compared to 19% in district court and

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

36% in juvenile court. In district court, Black/African Americans were more likely to have the case dismissed (17% compared to 13% overall). Over one-third (35%) of district court cases were not yet resolved when these data were obtained for analysis, and 45% of Black/African American cases were not yet resolved.

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, as previously mentioned, statewide in 2018, 19% of county court cases, 36% of district court cases, and 39% of juvenile court cases had other, concurrent cases mentioned in minute orders or sentencing notes. Finally, in addition to concurrent cases affecting the sentencing outcome of a case, criminal/juvenile history may also influence the initial sentence.

In county court in 2018, a sentence of fines/fees was the most frequently used sentencing option, used in 35% of cases. Jail was used in 17% of cases, and deferred judgments were issued in 8% of cases. The most common sentence for Drug cases was community service and fines/fees. Women were considerably more likely than men to receive a deferred judgment in county court (12% compared to 6%, respectively). Men were more likely than women to receive a jail sentence (20% for men compared to 10% for women), and men were more likely to be granted an initial sentence to probation (30% compared to 27% for women). In terms of race/ethnicity, Black/African Americans with cases in county court were more likely to receive a jail sentence (26% compared to 17% overall) and unlikely to receive a deferred judgement (0% compared to 8% overall).

In district court, probation was the most frequently occurring initial sentence, happening 48% of the time. The second most frequently occurring sentence in district court was a prison sentence: 20% of Drug cases, 31% of Other cases, 19% of Property cases, and 24% of Violent cases received a sentence to the Department of Corrections. Deferred judgments were imposed in 3% of cases and were most likely to be imposed in Property cases (6%) and Violent cases (6%), and least likely to be imposed in Drug cases (1%). Women were less likely to receive a jail sentence (9%) compared to men (13%), and considerably less likely to receive a prison sentence compared to men (14% compared to 26%). One-third (35%) of initial sentences for Black/African Americans in district court were to the Department of Corrections compared to 22% overall.

In juvenile court, deferred judgments were issued in 21% of cases, but in only 8% of Drug cases. Drug and Other cases were more likely to receive a sentence to the Division of Youth Services (21% and 22% compared to 15% overall). Females were more likely to receive a deferred judgement than males (30% versus 18%, respectively), and less likely to receive a sentence to the Division of Youth Services (9% compared to 16% overall). Hispanic youth were more likely to receive a sentence to the Division of Youth Services (14% compared to 1% overall).

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

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

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

In county court, 15% of cases receiving a probation/deferred judgment in 2018 were revoked. Black/African Americans were less likely to be revoked (11% compared to 15% overall). Whites with Drug or Violent cases were revoked at a rate of 20%. Females in county court were less likely to be revoked than males (9% compared to 19%, respectively). Females with Violent cases were revoked at a rate of 15% and males with Drug offenses were revoked at a rate of 27%.

Revocations from probation/deferred judgments occurred more frequently in district court (28%) compared to county court (15%) in 2018. Black/African Americans were revoked at a rate of 23% compared to 28% overall. Hispanics and Whites with Drug cases were most likely to be revoked (40% and 42%, respectively). Women in district court were revoked at a rate of 34% compared to 25% for men, and both women and men with Drug cases were most likely to be revoked (42% and 38%, respectively).

In juvenile court, 31% of cases sentenced to probation/deferred judgment in 2018 were revoked. Black/African Americans were revoked at a rate of 67%, however this represents two revoked cases, so caution must be used when interpreting this information. Hispanic youth with Drug cases were revoked at a rate of 75% but, again, this represents three cases revoked.

Overall summary. In 2018, Black/African Americans represented approximately 1% of the population but accounted for 3% of arrests/summonses and 4% of adult district court filings. Hispanics represented 14% of the (combined juvenile and adult) population, 21% of arrests/summonses and 21% of district court filings. In juvenile court, Black/African Americans represented <1% of cases, compared to 2% of Black/African American juveniles in the population; Hispanic youth were 22% of the population and 25% of cases filed.

In county court in 2018, a sentence of fines/fees was the most frequently used sentencing option, used in 35% of cases. Jail was used in 17% of cases, and deferred judgments were issued in 8% of cases. The most common sentence for Drug cases was community service and fines/fees. Women were considerably more likely than men to receive a deferred judgment in county court (12% compared to 6%, respectively). In terms of race/ethnicity, Black/African Americans with cases in county court were more likely to receive a jail sentence (26% compared to 17% overall) and unlikely to receive a deferred judgement (0% compared to 8% overall).

In district court, probation was the most frequently occurring initial sentence, happening 48% of the time. The second most frequently occurring sentence in district court was a prison sentence: 20% of Drug cases, 31% of Other cases, 19% of Property cases, and 24% of Violent cases received a sentence to the Department of Corrections. Women were less likely to receive a jail sentence (9%) compared to men (13%), and considerably less likely to receive a prison

sentence compared to men (14% compared to 26%). One-third (35%) of initial sentences for Black/African Americans in district court were to the Department of Corrections compared to 22% overall.

In juvenile court, deferred judgments were issued in 21% of cases, but in only 8% of Drug cases. Drug and Other cases were more likely to receive a sentence to the Division of Youth Services (21% and 22% compared to 15% overall). Females were more likely to receive a deferred judgement than males (30% versus 18%, respectively), and less likely to receive a sentence to the Division of Youth Services (9% compared to 16% overall). Hispanic youth were more likely to receive a sentence to the Division of Youth Services (14% compared to 1% overall).

Section 1: Introduction

Background and overview

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

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

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

This report is presented 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 data. To improve upon the accuracy of the race/ethnicity designation in this analysis, a

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).

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 21st Judicial District for residents ages 10 and over was 135,457 and was comprised as follows:

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

Age Group	Crime type	Percent	Total
Adult		88%	119,519
	Black/African American	<1%	1,104
	Hispanic	12%	14,731
	Other	2%	2,330
	White	85%	101,355
Juvenile		12%	15,938
	Black/African American	2%	252
	Hispanic	22%	3,488
	Other	2%	308
	White	75%	11,889
Total		100%	135,457

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; and
- 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 7,900 NIBRS incidents were analyzed for calendar year 2018 (Table 1-2).

Table 1-2. Arrests by type, 2018

Arrest Type	Percent	Total
Custody/warrant	34%	2,697
On-view/probable cause	27%	2,148
Summons	39%	3,145
Total	100%	7,990

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	39%	2,441
County	56%	3,492
Juvenile	5%	312
Total	100%	6,245

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.

Note that the information presented here reflects the analysis of more than 6,245 **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

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.

Dismissed/Not Guilty category in the tables that follow means that some charges were dismissed and some were found not guilty.

The crime information analyzed for this study reflects the most serious filing or conviction charge for 24 offense categories⁹ which, for the analysis presented in this document, have been collapsed into four categories: Drug, Other, Property and Violent.¹⁰ The analysis of the 24 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.

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

Crime type	Percent	Total
Drugs	15%	1,192
Other	58%	4,657
Property	15%	1,191
Violent	12%	950
Total	100%	7,990

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

Table 2-2 reflects over 7,900 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 12% of the adult population and accounted for 19% of arrests. The Other race/ethnicity category represented 1% of the population, and were underrepresented in arrests (<1%), as were Whites, who represented 85% of the population and 78% of arrests/summons.

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

Race/Ethnicity	Percent	Total
Black/African Am	3%	222
Hispanic*	19%	1,499
Other	<1%	71
White	78%	6,198
Total	100%	7,990

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

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

Table 2-3 shows that juveniles accounted for 4% of on view/probable cause arrests and that 37% of those arrests were for violent crimes. Juveniles accounted for 4% of custody/warrant arrests (Table 2-4). Overall, juveniles were more likely to get summoned than arrested; they accounted for 19% of summonsed cases (Table 2-5). Not surprisingly, violent offenses were least likely to result in a summons for adults and juveniles (Table 2-5).

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

Age Group	Crime type	Percent	Total
Adult		96%	2,065
	Drugs	31%	639
	Other	32%	668
	Property	12%	241
	Violent	25%	517
Juvenile		4%	83
	Drugs	13%	11
	Other	24%	20
	Property	25%	21
	Violent	37%	31
Total		100%	2,148

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		96%	2,578
	Drugs	6%	159
	Other	81%	2,078
	Property	9%	228
	Violent	4%	113
Juvenile		4%	119
	Drugs	4%	5
	Other	83%	99
	Property	7%	8
	Violent	6%	7
Total		100%	2,697

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		81%	2,537
	Drugs	10%	242
	Other	62%	1,580
	Property	21%	528
	Violent	7%	187
Juvenile		19%	608
	Drugs	22%	136
	Other	35%	212
	Property	27%	165
	Violent	16%	95
Total		100%	3,145

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 30% of probable cause arrests were for Drug related offenses, 32% were for Other offenses, 12% for Property offenses, and 26% for Violent offenses. While Black/African Americans made up about 1% of the population, Table 2-6 shows that they were arrested at three times that rate for probable cause arrests in 2018. Hispanics made up 14% of the adult and juvenile population combined, but comprised 19% of Drug offense probable cause 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 4% of these types of arrests involved a Violent offense, Hispanics made up 29%, a proportion greater than their proportion in the population (14%).

Table 2-8 shows that summons were less likely to be issued for Violent offenses (9%) compared to Other (57%) and Property (22%) and that, of those summons issued for Drug crimes, 23% went to Hispanics.

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

Crime type	Race/Ethnicity	Percent	Total
Drugs		30%	650
	Black/African American	3%	18
	Hispanic*	19%	122
	Other	1%	7
	White	77%	503
Other		32%	688
	Black/African American	3%	22
	Hispanic*	22%	149
	Other	1%	9
	White	74%	508
Property		12%	262
	Black/African American	3%	8
	Hispanic*	15%	40
	White	82%	214
Violent		26%	548
	Black/African American	3%	17
	Hispanic*	20%	110
	Other	1%	7
	White	76%	414
Total		100%	2,148

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		6%	164
	Black/African American	2%	4
	Hispanic*	21%	35
	Other	<1%	1
	White	76%	124
Other		81%	2,177
	Black/African American	3%	70
	Hispanic*	18%	391
	Other	1%	23
	White	78%	1,693
Property		9%	236
	Black/African American	2%	4
	Hispanic*	22%	53
	White	76%	179
Violent		4%	120
	Black/African American	3%	3
	Hispanic*	29%	35
	White	68%	82
Total		100%	2,697

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%	378
	Black/African American	2%	7
	Hispanic*	23%	88
	Other	<1%	2
	White	74%	281
Other		57%	1,792
	Black/African American	3%	49
	Hispanic*	17%	298
	Other	1%	18
	White	80%	1,427
Property		22%	693
	Black/African American	2%	13
	Hispanic*	19%	132
	Other	<1%	3
	White	79%	545
Violent		9%	282
	Black/African American	2%	7
	Hispanic*	16%	46
	Other	<1%	1
	White	81%	228
Total		100%	3,145

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 18-34% of arrests and 28-47% of summonses (depending on the crime category) and men comprised the remainder. Overall, women were generally more likely to be involved in Drug and Property offenses compared with the other offense categories.

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

Crime type	Gender	Percent	Total
Drugs		30%	650
	Female	34%	221
	Male	66%	429
Other		32%	688
	Female	24%	167
	Male	76%	521
Property		12%	262
	Female	21%	56
	Male	79%	206
Violent		26%	548
	Female	29%	159
	Male	71%	389
Total		100%	2,148

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		6%	164
	Female	34%	56
	Male	66%	108
Other		81%	2,177
	Female	28%	616
	Male	72%	1,561
Property		9%	236
	Female	30%	70
	Male	70%	166
Violent		4%	120
	Female	18%	22
	Male	82%	98
Total		100%	2,697

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%	378
	Female	35%	131
	Male	65%	247
Other		57%	1,792
	Female	28%	505
	Male	72%	1,287
Property		22%	693
	Female	47%	325
	Male	53%	368
Violent		9%	282
	Female	35%	100
	Male	65%	182
Total		100%	3,145

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 7,900 arrests/summons. For this analysis, dozens of offense categories were collapsed into four broad groups of crimes: Drugs, Other, Property and Violence (see Appendix A for the list of offenses in these categories). In 2018, arrests/summons for Drug offenses accounted for 15% of all arrests/summons while Violent crimes accounted for 12% of arrests/summons, Property offenses accounted for 15%, and the remainder (58%) fell into the Other crime category. Black/African Americans represented less than 1% of the population in 2018 but accounted for 3% of arrests/summons. Hispanics represented 14% of the (combined adult and juvenile) population and 19% of arrests/summons. Juveniles were more likely to be summonsed than arrested. Violent crimes were less likely than the other crime categories to result in a summons.

Section 3: Court Case Processing

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

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

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

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

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

Case Filings

Overall

Table 3-1 depicts race/ethnicity distribution for 6,245 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 14% of the (combined adult and juvenile) population, 19% of arrests/summonses, and 20% 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%	205
Hispanic	20%	1,242
Other	2%	104
White	75%	4,694
Total	100%	6,245

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 17% of cases, and Property charges comprised the largest category at 30% of charges filed. Black/African Americans had 5% of Other offense cases although they represented approximately 1% of the population.

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

Crime type	Race/Ethnicity	Percent	Total
Drugs		17%	1,092
	Black/African Am	2%	27
	Hispanic*	22%	238
	Other	3%	29
	White	73%	798
Other		24%	1,512
	Black/African Am	5%	69
	Hispanic*	21%	310
	Other	2%	23
	White	73%	1,110
Property		30%	1,857
	Black/African Am	3%	56
	Hispanic*	18%	325
	Other	1%	22
	White	78%	1,454
Violent		29%	1,784
	Black/African Am	3%	53
	Hispanic*	21%	369
	Other	2%	30
	White	75%	1,332
Total		100%	6,245

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

Table 3-3 depicts that, across all court types, 28% of filings were females and 72% were males. Females were slightly more likely than men to be involved in Property crimes (31% compared to 29%, respectively) and Drug crimes (20% compared to 16%, respectively) and slightly less to be involved in Violent offenses (27% compared to 29%, respectively).

Table 3-3. Most serious filing charge by gender

Gender	Crime type	Percent	Total
Female		28%	1,760
	Drugs	20%	357
	Other	23%	397
	Property	31%	537
	Violent	27%	469
Male		72%	4,485
	Drugs	16%	735
	Other	25%	1,115
	Property	29%	1,320
	Violent	29%	1,315
Total		100%	6,245

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 56% of the total. Black/African Americans represented approximately 1% of the population but accounted for 3% of county court filings and 4% of district court filings. Hispanics represented 12% of the adult population and 21% of district court filings. Hispanics youth represented 22% of the population and 25% of juvenile court filings in 2018.

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

Court	Race/Ethnicity	Percent	Total
Adult District		39%	2,441
	Black/African Am	4%	96
	Hispanic*	21%	503
	Other	2%	41
	White	74%	1,801
County		56%	3,492
	Black/African Am	3%	106
	Hispanic*	19%	662
	Other	2%	56
	White	76%	2,668
Juvenile		5%	312
	Black/African Am	<1%	3
	Hispanic*	25%	77
	Other	2%	7
	White	72%	225
Total		100%	6,245

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. One-third (35%) of county court cases were Violent offenses (primarily misdemeanor assault); Property offenses (30%) and Drug cases (32%) comprised the largest categories of cases in adult district court; and Property crimes made up one-third (33%) of cases filed in juvenile court and Violent offenses comprised 41% of juvenile court cases. 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 (31%) compared to adult district court (26%) and juvenile court (21%).

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

Court	Crime type	Percent	Total
Adult District		39%	2,441
	Drugs	32%	784
	Other	20%	489
	Property	30%	735
	Violent	18%	433
County		56%	3,492
	Drugs	8%	281
	Other	28%	969
	Property	29%	1,019
	Violent	35%	1,223
Juvenile		5%	312
	Drugs	9%	27
	Other	17%	54
	Property	33%	103
	Violent	41%	128
Total		100%	6,245

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		39%	2,441
	Female	26%	624
	Male	74%	1,817
County		56%	3,492
	Female	31%	1,072
	Male	69%	2,420
Juvenile		5%	312
	Female	21%	64
	Male	79%	248
Total		100%	6,245

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		39%	2,441
	No	99%	2,411
	Yes	1%	30
County		56%	3,492
	No	100%	3,481
	Yes	<1%	11
Juvenile		5%	312
	No	99%	309
	Yes	<1%	3
Total		100%	6,245

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		17%	1,092
	No	99%	1,084
	Yes	<1%	8
Other		24%	1,512
	No	100%	1,506
	Yes	<1%	6
Property		30%	1,857
	No	100%	1,849
	Yes	<1%	8
Violent		29%	1,784
	No	99%	1,762
	Yes	1%	22
Total		100%	6,245

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 6,245 case filings in county, district, and juvenile courts combined found that while Black/African Americans represented about 1% of the population and 3% of the arrests/summons in 2018, they accounted for 5% of district court filings. In juvenile court, Black/African Americans represented less than 1% of cases, compared to 2% Black/African American juveniles in the population. Hispanic adults made up 12% of the adult population but had 21% of district court filings in 2018. Hispanics juveniles represented 22% of the population and 25% of juvenile cases. In terms of gender, 28% of filings were females and 72% were males. Females were slightly more likely than men to be involved in

Property and Drug crimes and slightly less likely to be involved in Violent offenses. 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, overall, in one-fourth (26%) of cases, all charges were dismissed in county court in 2018 (Table 3-9). Convicted as charged means the defendant was convicted of at least the most serious filing charge.

Table 3-9 reflects county court case outcomes, showing that 33% of cases were convicted as charged, and one-quarter (25%) were convicted of another crime. Black/African Americans were more likely to have the case dismissed (34% compared to 26% overall) and less likely to be convicted as charged (25% compared to 38% overall). Black/African Americans were also more likely to have a case fall in the not yet resolved category (28% compared to 21% 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 American		25%	12%	34%	28%	100%	106
	Drugs	0%	0%	50%	50%	100%	2
	Other	28%	19%	16%	37%	100%	43
	Property	27%	7%	50%	17%	100%	30
	Violent	23%	10%	42%	26%	100%	31
Hispanic*		41%	13%	24%	22%	100%	662
	Drugs	51%	10%	17%	22%	100%	63
	Other	48%	21%	14%	17%	100%	198
	Property	41%	5%	33%	21%	100%	160
	Violent	32%	14%	27%	27%	100%	241
Other		41%	16%	20%	23%	100%	56
	Drugs	44%	44%	0%	11%	100%	9
	Other	53%	13%	13%	20%	100%	15
	Property	33%	8%	25%	33%	100%	12
	Violent	35%	10%	30%	25%	100%	20
White		38%	15%	27%	21%	100%	2,668
	Drugs	45%	14%	19%	22%	100%	207
	Other	47%	19%	16%	18%	100%	713
	Property	34%	9%	33%	23%	100%	817
	Violent	33%	16%	30%	20%	100%	931
Total		38%	15%	26%	21%	100%	3,492

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. Thirteen percent (13%) of cases filed in district court had all charges dismissed (less than 1% of those in this category were not guilty). Black/African Americans were more likely to have the case dismissed (17% compared to 13% overall). Over one-third (35%) of district court cases were not yet resolved when these data were obtained for analysis, and 45% of Black/African American cases were not yet resolved.

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		16%	23%	17%	45%	100%	96
	Drugs	12%	24%	4%	60%	100%	25
	Other	15%	19%	31%	35%	100%	26
	Property	25%	25%	4%	46%	100%	24
	Violent	10%	24%	29%	38%	100%	21
Hispanic*		19%	30%	12%	39%	100%	503
	Drugs	22%	28%	10%	40%	100%	168
	Other	17%	24%	24%	35%	100%	95
	Property	20%	31%	10%	40%	100%	146
	Violent	14%	39%	9%	38%	100%	94
Other		7%	37%	7%	49%	100%	41
	Drugs	0%	35%	5%	60%	100%	20
	Other	29%	43%	14%	14%	100%	7
	Property	13%	25%	0%	63%	100%	8
	Violent	0%	50%	17%	33%	100%	6
White		19%	35%	13%	33%	100%	1,801
	Drugs	20%	39%	12%	30%	100%	571
	Other	21%	29%	20%	30%	100%	361
	Property	18%	37%	13%	32%	100%	557
	Violent	18%	30%	9%	42%	100%	312
Total		19%	33%	13%	35%	100%	2,441

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 in 14% of cases filed, while 36% of cases were convicted as charged and 32% were convicted of a different crime. The few Black/African American and Other cases (n=3 and n=7, respectively) means this information must be interpreted with caution.

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		0%	67%	0%	33%	100%	3
	Drugs	0%	0%	0%	0%	0%	0
	Other	0%	0%	0%	0%	0%	0
	Property	0%	50%	0%	50%	100%	2
	Violent	0%	100%	0%	0%	100%	1
Hispanic*		40%	27%	9%	23%	100%	77
	Drugs	43%	29%	29%	0%	100%	7
	Other	35%	47%	12%	6%	100%	17
	Property	47%	21%	5%	26%	100%	19
	Violent	38%	21%	6%	35%	100%	34
Other		71%	14%	14%	0%	100%	7
	Drugs	0%	0%	0%	0%	0%	0
	Other	100%	0%	0%	0%	100%	1
	Property	50%	0%	50%	0%	100%	2
	Violent	75%	25%	0%	0%	100%	4
White		33%	34%	16%	17%	100%	225
	Drugs	25%	50%	20%	5%	100%	20
	Other	17%	39%	22%	22%	100%	36
	Property	36%	35%	16%	13%	100%	80
	Violent	39%	27%	12%	21%	100%	89
Total		36%	32%	14%	18%	100%	312

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, 26% of cases in county court were dismissed, as were 13% of cases in district court and 14% of cases in juvenile court. One-third (38%) of county court cases were convicted as charged compared to 19% in district court and 36% in juvenile court. In district court, Black/African Americans were more likely to have the case dismissed (17% compared to 13% overall). Over one-third (35%) of district court cases were not yet resolved when these data were obtained for analysis, and 45% of Black/African American cases were not yet resolved.

Initial Sentences

The tables below show cases sentenced in the 21st Judicial District between Jan 1, 2018 and Dec 31, 2018, in county court, district court, and juvenile court. These cases are not necessarily the same cases in the **Case Filings** section above. Also, because these data represent cases, not individuals, the number of individuals sentenced to the Department of Corrections (DOC) or the Division of Youth Services (DYS) will not match the number reported as admissions by these agencies.

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

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

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

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

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

County court

Table 3-12 presents the initial sentence for each of the four offense types for county court cases in 2018. A sentence of fines/fees was the most frequently used option in county court, used in 35% of cases. Jail was used in 17% of cases, and deferred judgments were issued in 8% of cases. The most common sentence for Drug cases was community service and fines/fees.

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

Sentence	Crime type	Percent	Total
Community Corrections		<1%	1
	Violent	100%	1
Community Service		10%	209
	Drugs	18%	37
	Other	37%	78
	Property	29%	60
	Violent	16%	34
Deferred		8%	159
	Drugs	9%	15
	Other	46%	73
	Property	35%	56
	Violent	9%	15
Fines/fees		35%	744
	Drugs	9%	68
	Other	44%	331
	Property	33%	242
	Violent	14%	103
Jail		17%	354
	Drugs	5%	17
	Other	31%	109
	Property	32%	115
	Violent	32%	113
Probation/Intensive Supervision		29%	607
	Drugs	2%	10
	Other	22%	135
	Property	16%	97
	Violent	60%	365
Unsupervised Probation		1%	28
	Drugs	11%	3
	Other	14%	4
	Property	25%	7
	Violent	50%	14
Total		100%	2,102

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

Table 3-13 reflects initial county court sentences by gender. Women were considerably more likely than men to receive a deferred judgment in county court (12% compared to 6%, respectively). Men were more likely than women to receive a jail sentence (20% for men compared to 10% for women), and men were more likely to be granted an initial sentence to probation (30% compared to 27% for women).

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

Sentence	Female	Male	Total
(N)	678	1,424	2,102
Community Corrections	0%	<1%	<1%
Community Service	9%	10%	10%
Deferred	12%	6%	8%
Fines/fees	42%	32%	35%
Jail	10%	20%	17%
Probation/Intensive Supervision	27%	30%	29%
Unsupervised Probation	1%	1%	1%
Total	100%	100%	100%

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

Table 3-14 presents the initial sentence in county court by race/ethnicity. Black/African Americans were more likely to receive a jail sentence (26% compared to 17% overall) and unlikely to receive a deferred judgement (0% compared to 8% overall).

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

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	53	406	36	1,607	2,102
Community Corrections	0%	<1%	0%	0%	<1%
Community Service	6%	12%	6%	10%	10%
Deferred	0%	8%	19%	7%	8%
Fines/fees	34%	33%	39%	36%	35%
Jail	26%	17%	8%	17%	17%
Probation/Intensive Supervision	34%	28%	25%	29%	29%
Unsupervised Probation	0%	2%	3%	1%	1%
Total	100%	100%	100%	100%	100%

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

The following four tables show the initial county court sentence for each of the four offense categories, by race/ethnicity. *Note that the few cases in some categories means the information must be interpreted with caution.* Table 3-15 shows initial sentences for county court Drug cases. Drug cases in county court received community service in 25% of cases, and fines/fees in 45% of cases.

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

Sentence	Hispanic*	Other	White	Total
(N)	29	7	114	150
Community Service	24%	14%	25%	25%
Deferred	10%	14%	10%	10%
Fines/fees	41%	71%	45%	45%
Jail	10%	0%	12%	11%
Probation/Intensive Supervision	10%	0%	6%	7%
Unsupervised Probation	3%	0%	2%	2%
Total	100%	100%	100%	100%

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

Table 3-16 shows that, for those with Other as the most serious county court conviction charge, Black/African Americans were more likely to receive a jail sentence (20% compared to 15% overall) and probation supervision (35% compared to 18% overall). Table 3-17 provides information on the initial sentence in county court for Property offenses and Table 3-18 depicts the initial sentence for Violent offenses in county court; for both offense types, Black/African Americans were more likely to receive a jail sentence.

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)	20	158	15	537	730
Community Service	5%	14%	7%	10%	11%
Deferred	0%	10%	27%	10%	10%
Fines/fees	40%	40%	40%	47%	45%
Jail	20%	16%	7%	15%	15%
Probation/Intensive Supervision	35%	18%	20%	18%	18%
Unsupervised Probation	0%	2%	0%	<1%	<1%
Total	100%	100%	100%	100%	100%

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

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

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	18	97	5	457	577
Community Service	11%	11%	0%	10%	10%
Deferred	0%	10%	20%	10%	10%
Fines/fees	39%	38%	60%	43%	42%
Jail	33%	19%	20%	20%	20%
Probation/Intensive Supervision	17%	20%	0%	16%	17%
Unsupervised Probation	0%	2%	0%	1%	1%
Total	100%	100%	100%	100%	100%

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

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

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	15	122	9	499	645
Community Corrections	0%	<1%	0%	0%	<1%
Community Service	0%	6%	0%	5%	5%
Deferred	0%	4%	11%	2%	2%
Fines/fees	20%	16%	0%	16%	16%
Jail	27%	20%	11%	17%	18%
Probation/Intensive Supervision	53%	52%	67%	58%	57%
Unsupervised Probation	0%	<1%	11%	2%	2%
Total	100%	100%	100%	100%	100%

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

District court

Table 3-19 shows the initial sentence by offense type for district court cases in 2018. Probation was the most frequently occurring initial sentence, happening 48% of the time. The second most frequently occurring sentence in district court was a prison sentence: 20% of Drug cases, 31% of Other cases, 19% of Property cases, and 24% of Violent cases received a sentence to the Department of Corrections. Deferred judgments were imposed in 3% of cases and were most likely to be imposed in Property cases (6%) and Violent cases (6%), and least likely to be imposed in Drug cases (1%).

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

Sentence	Drugs	Other	Property	Violent	Total
(N)	672	377	497	359	1,905
Community Corrections	10%	8%	12%	7%	10%
Community Service	5%	<1%	1%	<1%	2%
Deferred	1%	2%	6%	6%	3%
Dept of Corrections	20%	31%	19%	24%	22%
Fines/fees	1%	6%	3%	1%	3%
Jail	10%	18%	11%	11%	12%
Probation/Intensive Supervision	53%	36%	47%	51%	48%
Total	100%	100%	100%	100%	100%

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

Table 3-20 shows the initial district court sentence by gender. Women were less likely to receive a jail sentence (9%) compared to men (13%), and considerably less likely to receive a prison sentence compared to men (14% compared to 26%).

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

Sentence	Female	Male	Total
(N)	521	1,384	1,905
Community Corrections	10%	9%	10%
Community Service	2%	2%	2%
Deferred	4%	3%	3%
Dept of Corrections	14%	26%	22%
Fines/fees	3%	2%	3%
Jail	9%	13%	12%
Probation/Intensive Supervision	58%	44%	48%
Total	100%	100%	100%

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

Table 3-21 shows the initial sentence in adult district court by race/ethnicity combining all crime types. One-third (35%) of initial sentences for Black/African Americans were to the Department of Corrections compared to 22% overall.

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

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	77	363	35	1,430	1,905
Community Corrections	4%	10%	6%	10%	10%
Community Service	3%	1%	3%	2%	2%
Deferred	3%	2%	9%	3%	3%
Dept of Corrections	35%	22%	31%	22%	22%
Fines/fees	9%	2%	3%	2%	3%
Jail	9%	12%	6%	12%	12%
Probation/Intensive Supervision	38%	49%	43%	48%	48%
Total	100%	100%	100%	100%	100%

Data Source: Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice. Note these figures represent cases, not individuals. *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. Black/African Americans were more likely to receive a deferred judgement (9% compared to 1% overall) and more likely to receive a jail sentence (13% compared to 10% overall). The following tables show sentences for Other offenses (Table 3-23), Property (Table 3-24) and Violent offenses (Table 3-25). For each of these crime types, Black/African Americans were more likely to receive a sentence to the Department of Corrections. However, the few Black/African American cases means this information should be interpreted with caution.

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

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	23	126	12	511	672
Community Corrections	0%	14%	0%	9%	10%
Community Service	9%	3%	8%	5%	5%
Deferred	9%	0%	0%	<1%	1%
Dept of Corrections	26%	27%	33%	18%	20%
Fines/fees	17%	<1%	0%	<1%	1%
Jail	13%	9%	8%	11%	10%
Probation/Intensive Supervision	26%	46%	50%	56%	53%
Total	100%	100%	100%	100%	100%

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

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

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	17	63	10	287	377
Community Corrections	0%	8%	0%	9%	8%
Community Service	0%	0%	0%	<1%	<1%
Deferred	0%	3%	0%	1%	2%
Dept of Corrections	41%	35%	40%	29%	31%
Fines/fees	12%	8%	10%	5%	6%
Jail	12%	11%	10%	20%	18%
Probation/Intensive Supervision	35%	35%	40%	36%	36%
Total	100%	100%	100%	100%	100%

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

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

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	20	90	5	382	497
Community Corrections	10%	11%	20%	13%	12%
Community Service	0%	1%	0%	2%	1%
Deferred	0%	6%	60%	6%	6%
Dept of Corrections	30%	10%	20%	20%	19%
Fines/fees	5%	1%	0%	4%	3%
Jail	5%	13%	0%	11%	11%
Probation/Intensive Supervision	50%	58%	0%	45%	47%
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)	17	84	8	250	359
Community Corrections	6%	6%	13%	8%	7%
Community Service	0%	0%	0%	<1%	<1%
Deferred	0%	2%	0%	7%	6%
Dept of Corrections	47%	19%	25%	24%	24%
Fines/fees	0%	1%	0%	2%	1%
Jail	6%	15%	0%	10%	11%
Probation/Intensive Supervision	41%	56%	63%	49%	51%
Total	100%	100%	100%	100%	100%

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

Juvenile court

Table 3-26 below reflects the initial sentence for juvenile court cases in 2018, by crime type. Deferred judgments were issued in 21% of cases, but in only 8% of Drug cases. Drug and Other cases were more likely to receive a sentence to the Division of Youth Services (21% and 22% compared to 15% overall).

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

Sentence	Drugs	Other	Property	Violent	Total
(N)	24	37	85	80	226
Community Service	0%	5%	0%	0%	<1%
Deferred	8%	11%	18%	33%	21%
Division of Youth Services	21%	22%	15%	9%	15%
Juvenile Detention	0%	3%	2%	0%	1%
Probation/Intensive Supervision	71%	59%	65%	59%	62%
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 (30% versus 18%, respectively), and less likely to receive a sentence to the Division of Youth Services (9% compared to 16%).

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

Sentence	Female	Male	Total
(N)	46	180	226
Community Service	2%	<1%	<1%
Deferred	30%	18%	21%
Division of Youth Services	9%	16%	15%
Juvenile Detention	0%	2%	1%
Probation/Intensive Supervision	59%	63%	62%
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. Hispanic youth were more likely to receive a sentence to the Division of Youth Services (14% compared to 1% overall).

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

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	3	59	7	157	226
Community Service	0%	0%	0%	1%	<1%
Deferred	0%	22%	71%	18%	21%
Division of Youth Services	0%	14%	0%	16%	15%
Juvenile Detention	0%	5%	0%	0%	1%
Probation/Intensive Supervision	100%	59%	29%	64%	62%
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)	7	17	24
Deferred	0%	12%	8%
Division of Youth Services	43%	12%	21%
Probation/Intensive Supervision	57%	76%	71%
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	10	1	25	37
Community Service	0%	0%	0%	8%	5%
Deferred	0%	10%	100%	8%	11%
Division of Youth Services	0%	30%	0%	20%	22%
Juvenile Detention	0%	10%	0%	0%	3%
Probation/Intensive Supervision	100%	50%	0%	64%	59%
Total	100%	100%	100%	100%	100%

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

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)	1	19	2	63	85
Deferred	0%	32%	0%	14%	18%
Division of Youth Services	0%	5%	0%	19%	15%
Juvenile Detention	0%	11%	0%	0%	2%
Probation/Intensive Supervision	100%	53%	100%	67%	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 3-32. Initial sentence for *Violent* as most serious conviction in Juvenile Court by race/ethnicity

Sentence	Black/African Am	Hispanic*	Other	White	Total
(N)	1	23	4	52	80
Deferred	0%	26%	100%	31%	33%
Division of Youth Services	0%	4%	0%	12%	9%
Probation/Intensive Supervision	100%	70%	0%	58%	59%
Total	100%	100%	100%	100%	100%

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

Summary: Initial sentences. This analysis reflects the most serious initial sentences; these can be later modified, such as when jail is added as part of a probation revocation. Additionally, individuals may have multiple cases for which they are sentenced simultaneously. The sentence given in one case may not truly reflect the seriousness of the case as the more serious sentence may be recorded in another case as part of a plea agreement. In fact, 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. Finally, in addition to concurrent cases affecting the sentencing outcome of a case, criminal/juvenile history may also influence the final initial sentence.

In county court in 2018, a sentence of fines/fees was the most frequently used sentencing option, used in 35% of cases. Jail was used in 17% of cases, and deferred judgments were issued in 8% of cases. The most common sentence for Drug cases was community service and fines/fees. Women were considerably more likely than men to receive a deferred judgment in county court (12% compared to 6%, respectively). Men were more likely than women to receive a jail sentence (20% for men compared to 10% for women), and men were more likely to be granted an initial sentence to probation (30% compared to 27% for women). In terms of race/ethnicity, Black/African Americans with cases in county court were more likely to receive a jail sentence (26% compared to 17% overall) and unlikely to receive a deferred judgement (0% compared to 8% overall).

In district court, probation was the most frequently occurring initial sentence, happening 48% of the time. The second most frequently occurring sentence in district court was a prison sentence: 20% of Drug cases, 31% of Other cases, 19% of Property cases, and 24% of Violent cases received a sentence to the Department of Corrections. Deferred judgments were imposed in 3% of cases and were most likely to be imposed in Property cases (6%) and Violent cases (6%), and least likely to be imposed in Drug cases (1%). Women were less likely to receive a jail sentence (9%) compared to men (13%), and considerably less likely to receive a prison sentence compared to men (14% compared to 26%). One-third (35%) of initial sentences for Black/African Americans in district court were to the Department of Corrections compared to 22% overall.

In juvenile court, deferred judgments were issued in 21% of cases, but in only 8% of Drug cases. Drug and Other cases were more likely to receive a sentence to the Division of Youth Services (21% and 22% compared to 15% overall). Females were more likely to receive a deferred judgement than males (30% versus 18%, respectively), and less likely to receive a sentence to the Division of Youth Services (9% compared to 16% overall). Hispanic youth were more likely to receive a sentence to the Division of Youth Services (14% compared to 1% overall).

Revocations

Cases sentenced in 2018 to probation or a deferred judgment that received a revocation are included in the analyses presented here.¹³ Those sentenced near the end of 2018 may not have had enough time to get revoked. **Note that these are cases, not individuals** and, as previously mentioned, statewide in 2018, 19% of county court cases, 36% of district court cases, and 38% of juvenile court cases had other, concurrent cases mentioned in minute orders or sentencing notes. Counting cases and not individuals is likely to inflate the proportion of revocations presented in these analyses. For example, the Judicial Department reports that in 2018, 24% of adult state probation terminations were the result of a revocation.¹⁴ The revocations presented here may not result in termination from probation supervision. In fact, in 2018, across county, adult district, and juvenile district courts, 48% of cases were reinstated, 45% were not reinstated, and for the remaining 7% of cases it was unclear the outcome of the revocation. The next series of tables shows revocations in county court, then district court, and finally juvenile court.

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.

County court

Table 3-33 shows revocation information for county court. Overall, 15% of county court cases receiving a probation/deferred judgment in 2018 were revoked. Black/African Americans were less likely to be revoked (11% compared to 15% overall). Whites with Drug or Violent cases were revoked at a rate of 20%.

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 Am		89%	11%	100%	18
	Other	100%	0%	100%	7
	Property	67%	33%	100%	3
	Violent	88%	13%	100%	8
Hispanic*		86%	14%	100%	155
	Drugs	86%	14%	100%	7
	Other	92%	8%	100%	48
	Property	94%	6%	100%	31
	Violent	78%	22%	100%	69
Other		88%	12%	100%	17
	Drugs	100%	0%	100%	1
	Other	86%	14%	100%	7
	Property	100%	0%	100%	1
	Violent	88%	13%	100%	8
White		84%	16%	100%	604
	Drugs	80%	20%	100%	20
	Other	91%	9%	100%	150
	Property	86%	14%	100%	125
	Violent	80%	20%	100%	309
Total		85%	15%	100%	794

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 (9% compared to 19%, respectively). Females with Violent cases were revoked at a rate of 15% and males with Drug offenses were revoked at a rate of 27%.

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		91%	9%	100%	268
	Drugs	92%	8%	100%	13
	Other	97%	3%	100%	64
	Property	95%	5%	100%	65
	Violent	85%	15%	100%	126
Male		81%	19%	100%	526
	Drugs	73%	27%	100%	15
	Other	89%	11%	100%	148
	Property	82%	18%	100%	95
	Violent	78%	22%	100%	268
Total		85%	15%	100%	794

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 (28%, Table 3-35) compared to county court (15%, Table 3-33) in 2018. Black/African Americans were revoked at a rate of 23% compared to 28% overall. Hispanics and Whites with Drug cases were most likely to be revoked (40% and 42%, respectively). Women in district court were revoked at a rate of 34% compared to 25% for men, and both women and men with Drug cases were most likely to be revoked (42% and 38%, respectively).

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

Race/Ethnicity	Crime type	No	Yes	Total	Total N
Black/African Am		77%	23%	100%	31
	Drugs	88%	13%	100%	8
	Other	83%	17%	100%	6
	Property	70%	30%	100%	10
	Violent	71%	29%	100%	7
Hispanic*		72%	28%	100%	188
	Drugs	60%	40%	100%	58
	Other	75%	25%	100%	24
	Property	77%	23%	100%	57
	Violent	80%	20%	100%	49
Other		83%	17%	100%	18
	Drugs	100%	0%	100%	6
	Other	100%	0%	100%	4
	Property	67%	33%	100%	3
	Violent	60%	40%	100%	5
White		71%	29%	100%	736
	Drugs	58%	42%	100%	292
	Other	83%	17%	100%	108
	Property	76%	24%	100%	195
	Violent	83%	17%	100%	141
Total		72%	28%	100%	973

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

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

Gender	Crime type	No	Yes	Total	Total N
Female		66%	34%	100%	325
	Drugs	58%	42%	100%	153
	Other	74%	26%	100%	46
	Property	73%	27%	100%	89
	Violent	78%	22%	100%	37
Male		75%	25%	100%	648
	Drugs	62%	38%	100%	211
	Other	86%	14%	100%	96
	Property	77%	23%	100%	176
	Violent	82%	18%	100%	165
Total		72%	28%	100%	973

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, 31% of cases sentenced to probation/deferred judgment in 2018 were revoked (Table 3-37). Black/African Americans were revoked at a rate of 67%, however this represents two revoked cases, so caution must be used when interpreting this information. Hispanic youth with Drug cases were revoked at a rate of 75% but, again, this represents three cases revoked.

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		33%	67%	100%	3
	Other	100%	0%	100%	1
	Property	0%	100%	100%	1
	Violent	0%	100%	100%	1
Hispanic*		67%	33%	100%	48
	Drugs	25%	75%	100%	4
	Other	100%	0%	100%	6
	Property	56%	44%	100%	16
	Violent	73%	27%	100%	22
Other		100%	0%	100%	7
	Other	100%	0%	100%	1
	Property	100%	0%	100%	2
	Violent	100%	0%	100%	4
White		68%	32%	100%	130
	Drugs	73%	27%	100%	15
	Other	78%	22%	100%	18
	Property	57%	43%	100%	51
	Violent	76%	24%	100%	46
Total		69%	31%	100%	188

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		80%	20%	100%	41
	Drugs	67%	33%	100%	3
	Other	83%	17%	100%	6
	Property	75%	25%	100%	8
	Violent	83%	17%	100%	24
Male		65%	35%	100%	147
	Drugs	63%	38%	100%	16
	Other	85%	15%	100%	20
	Property	55%	45%	100%	62
	Violent	71%	29%	100%	49
Total		69%	31%	100%	188

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

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

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

In county court, 15% of cases receiving a probation/deferred judgment in 2018 were revoked. Black/African Americans were less likely to be revoked (11% compared to 15% overall). Whites with Drug or Violent cases were revoked at a rate of 20%. Females in county court were less likely to be revoked than males (9% compared to 19%, respectively). Females with Violent cases were revoked at a rate of 15% and males with Drug offenses were revoked at a rate of 27%.

Revocations from probation/deferred judgments occurred more frequently in district court (28%) compared to county court (15%) in 2018. Black/African Americans were revoked at a rate of 23% compared to 28% overall. Hispanics and Whites with Drug cases were most likely to be revoked (40% and 42%, respectively). Women in district court were revoked at a rate of 34% compared to 25% for men, and both women and men with Drug cases were most likely to be revoked (42% and 38%, respectively).

In juvenile court, 31% of cases sentenced to probation/deferred judgment in 2018 were revoked. Black/African Americans were revoked at a rate of 67%, however this represents two revoked cases, so caution must be used when interpreting this information. Hispanic youth with Drug cases were revoked at a rate of 75% but, again, this represents three cases revoked.

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.