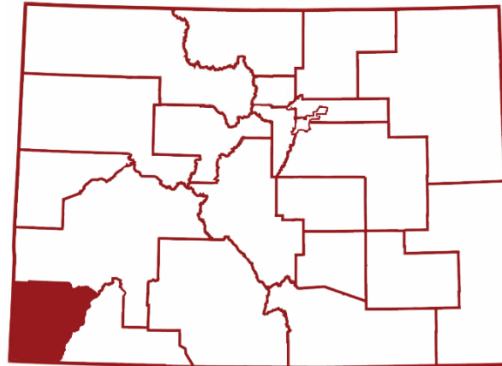# C.L.E.A.R. ACT: 2018
Community Law Enforcement Action Reporting Act

22nd Judicial District

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

Age Group	Race/Ethnicity	Percent	Total
Adult		**88%**	**21,870**
	Black/African American	<1%	135
	Hispanic	10%	2,242
	Other	11%	2,418
	White	78%	17,075
Juvenile		**12%**	**2,945**
	Black/African American	1%	35
	Hispanic	18%	523
	Other	18%	525
	White	63%	1,861
Total		**100%**	**24,814**

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

December 2019

COLORADO
Division of Criminal Justice
Department of Public Safety

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

Community Law Enforcement Action Reporting Act

Pursuant to Senate Bill 2015-185

Presented to the House and Senate Judiciary Committees of the Colorado General Assembly

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The corresponding web-based interactive data dashboard is located here:
https://www.colorado.gov/dcj-ors/ORS-SB185

COLORADO
Division of Criminal Justice
Department of Public Safety

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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 law enforcement and court case processing information for calendar year 2018 for the 22nd Judicial District.

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

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

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

Executive Summary

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

This study presents law enforcement and court case processing information for calendar year 2018 for the 22nd Judicial District.

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

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

The state Demographer's Office estimates that, in 2018 in the 22nd Judicial District, the population of those ages 10 and above was 24,814.

- The adult population was comprised as follows: White, 78%; Black/African American, <1%; Hispanic, 10%; and Other, 11%.
- The juvenile population was comprised as follows: White, 63%, Black/African American, 1%, Hispanic 18%, and Other 18%.

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

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[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.

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 data[3]. 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 1,600 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 6% of all arrests/summonses while Violent crimes accounted for 13% of arrests/summonses, Property offenses accounted for 9% of arrests/summonses, and the remainder of arrests/summonses (71%) fell into the Other crime category. Those of Other race/ethnicity were over represented across all arrest types and most offense types (Drug offenses in summonses and warrant arrests were the only exceptions). Males represented about 50% of the state population and 59-77% of arrests (depending on crime type). Females were more likely to be involved in Drug offenses than the other offense categories. Juveniles were more likely to be summonsed than arrested. Violent crimes were less likely than the other crime categories to result in a summons.

Court filings. This study of more than 1,200 case filings in county, district, and juvenile courts combined found that those of Other race/ethnicity are over represented as they were 11% of the population but made up 40% of overall filings. Whites were under represented as they were 75% of the population but were 45% of the overall filings. In terms of gender, 29% of filings were females and 71% 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. Given the small number of cases for Black/African Americans and Hispanics, it is imperative to interpret the findings with caution.

All offenses presented in the analysis of court data <u>include</u> 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, 38% of cases in county court were dismissed, as were 19% of cases in district court and 25% of cases in juvenile court. One-quarter (26%) of county court cases were convicted as charged compared to 15% in district court and 34% in juvenile court. Less than one-quarter (20%) of county court cases were convicted of a different charge, as were 35% of district court cases, and 27% of juvenile court cases.

Initial court sentences. This analysis reflects the most serious initial sentences; these can be later modified, such as when jail is added as part of a probation revocation. Additionally,

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

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

Women were more likely than men to receive a deferred judgment in county court (54% compared to 47%, respectively). Men were more likely than women to receive a jail sentence (17% for men compared to 11% for women), and men were more likely to be granted an initial sentence to probation (23% compared to 20% for women) in county court. There were too few observation of initial sentences in county court for Black/African Americans and Hispanics to analyze. However, those of Other race/ethnicity were much less likely to receive a deferred judgment compared to Whites (36% compared to 60%, respectively), and much more likely to be sentenced to jail (25% compared to 6% for Whites).

In district court, probation was the most frequently occurring initial sentence, happening over half (55%) of the time overall. The second most frequently occurring sentence in district court was a deferred sentence: 21% of Drug cases, 11% of Other cases, 25% of Property cases, and 15% of Violent cases received a deferred sentence. Sentences to the Department of Corrections were imposed in 14% of cases. Whites were the most likely to receive a deferred judgement (23%), Hispanics were the most likely to be sentenced to prison (29%), and that those of Other race/ethnicity were the most likely to be sentenced to probation (71%). The few cases in some categories means this information must be interpreted with caution.

In juvenile court, a deferred sentence was the most frequently occurring initial sentence type (58%). Initial sentences to the Division of Youth Services were only made for Violent crimes. Note that the few cases in juvenile court (n=31) means this information should be interpreted with caution.

Revocations. Cases sentenced in 2018 to probation or a deferred judgment that received a revocation are included in the analyses presented here. **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.

Overall, 21% of county court cases receiving a probation/deferred judgment in 2018 were revoked. Those of Other race/ethnicity were much more likely than Whites to be revoked (35% compared to 11%, respectively). Females in county court were more likely to get revoked than

males (22% compared to 20%, respectively). The few cases in some categories means this information must be interpreted with caution.

In district court, 25% of cases were revoked. There were few cases in county court for Black/African Americans and Hispanics; the findings therefore must be interpreted with caution. However, those of Other race/ethnicity were more likely than Whites to receive a revocation (33% compared to 22%, respectively). Those of Other race/ethnicity with Other offenses were most likely to be revoked (46%). Women in adult district court were slightly less likely than men to get revoked (21% compared to 26%). Men with Drug cases were the most likely to be revoked (37%).

In juvenile court, 30% of cases sentenced to probation/deferred judgment in 2018 were revoked. Females were less likely than males to be revoked (27% compared to 32%, respectively). Note that the few cases in juvenile court (n=30) means that the information should be interpreted with caution.

Overall summary. In 2018, the Other race/ethnicity category represented 11% of the population, and were 52% of the arrests/summons and 40% of overall filings in 2018. Whites, on the other hand, comprised 78% of the population but were only 37% of the arrests/summons and 45% of the overall filings. Regarding gender, women constituted approximately 29-41% of arrests and 33-40% of summonses (depending on the crime category) and men comprised the remainder. Overall, juveniles were more likely to get summoned than arrested; they accounted for 19% of summonsed cases in 2018.

In county court, those of Other race/ethnicity category were much less likely to receive a deferred judgment compared to Whites (36% compared to 60%, respectively), and much more likely to be sentenced to jail (25% compared to 6% for Whites). Those of Other race/ethnicity were sentenced to probation at twice the rate of Whites (30% compared to 15%, respectively). Note that the few cases for Black/African Americans and Hispanics in county court means the information should be interpreted with caution.

In adult district court, Whites were the most likely to receive a deferred judgement (23%), Hispanics were the most likely to be sentenced to prison (29%), and that those of Other race/ethnicity were the most likely to be sentenced to probation (71%). In juvenile court, a deferred sentence was the most frequently occurring initial sentence. Note that the few cases in some categories means the findings should be interpreted with caution.

In terms of revocations, 21% of cases in county receiving a probation/deferred judgment in 2018 were revoked. Those of Other race/ethnicity were much more likely than Whites to receive a revocation (35% compared to 11%, respectively). In adult district court, 25% of cases that had an initial sentence to probation/deferred were revoked. Those of Other race/ethnicity were more likely than Whites to receive a revocation (33% compared to 22%, respectively). In juvenile court, 30% of cases sentenced to probation/deferred judgment in 2018 were revoked.

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 on law enforcement and court processing for calendar year 2018 for the 22nd Judicial District, including the following:

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

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

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

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

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[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).

2018 Hispanics represented 22% of the Colorado population, but only 6% of cases were classified as Hispanic in ICON. In addition, the arrest data are plagued with random misclassifications of race/ethnicity, and both random and non-random missing race/ethnicity data. To improve upon the accuracy of the race/ethnicity designation in this analysis, a statistical model was developed to predict whether an offender was Hispanic. The model had an overall predictive accuracy of 94%. This model was used with both arrest and court data.[5] Note that while no model is perfectly accurate it was determined that using this model is an improvement over using the race/ethnicity designations in the raw data. Please see Appendix C for a description of the prediction model.

Finally, the Colorado Department of Local Affairs, Office of the State Demographer, estimated that the population in the 22nd Judicial District in 2018 for residents ages 10 and over was 24,814 and was comprised as follows:

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

Age Group	Race/Ethnicity	Percent	Total
Adult		**88%**	**21,870**
	Black/African American/	<1%	135
	Hispanic	10%	2,242
	Other	11%	2,418
	White	78%	17,075
Juvenile		**12%**	**2,945**
	Black/African American	1%	35
	Hispanic	18%	523
	Other	18%	525
	White	63%	1,861
Total		**100%**	**24,814**

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;

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[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.

- The burden placed on law enforcement in collecting data on the offense;
- The national statistical validity and usefulness of the collected data.

NIBRS Group A offenses are listed in Appendix A, and Group B offenses are summarized into "Other."[6] Per the CLEAR Act, the data presented here includes information concerning arrests classified as *on view/probable cause* (an arrest without a warrant but with probable cause, resulting in physical restraint), *summons* (an order to appear in court), and *custody/warrant* (an arrest that involves an outstanding warrant and physical restraint). More than 1,600 NIBRS incidents were analyzed for calendar year 2018 (Table 1-2).

Table 1-2. Arrests by type, 2018

Arrest Type	Percent	Total
Custody/warrant	66%	1,083
On-view/probable cause	26%	425
Summons	8%	127
Total	100%	1,635

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	36%	440
County	59%	717
Juvenile	5%	59
Total	100%	1,216

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

Note that the information presented here reflects the analysis of more than 1,200 ***cases not individuals***. Individuals may have multiple, concurrent cases,[8] and cases typically have multiple charges. Frequently cases and charges are dismissed for a judgment in a concurrent case. The

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[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 categories[9] 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.

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[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, 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/summonses captured in the Colorado Bureau of Investigation's National Incident Based Reporting System (NIBRS) for calendar year 2018.

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

Offense Type	Percent	Total
Drugs	6%	103
Other	71%	1,165
Property	9%	155
Violent	13%	212
Total	**100%**	**1,635**

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

Table 2-2 reflects over 1,600 arrests/summonses captured in NIBRS for calendar year 2018, by race/ethnicity. The Other race/ethnicity category represented 11% of the population, and were 52% of the arrests/summons in 2018, while Whites were 78% of the population but and were only 37% of the arrests/summons.

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

Race Ethnicity	Percent	Total
Black/African American	<1%	11
Hispanic*	10%	161
Other	52%	851
White	37%	612
Total	**100%**	**1,635**

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 1% of on view/probable cause arrests, and that all of those arrests were for violent crimes (n=5). Juveniles accounted for <1% 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). Interpretations of these data should be made with caution as there are very few cases in some categories.

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

Age Category	Offense Type	Percent	Total
Adult		**99%**	**420**
	Drugs	14%	59
	Other	53%	224
	Property	12%	49
	Violent	21%	88
Juvenile		**1%**	**5**
	Violent	100%	5
Total		**100%**	**425**

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

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

Age Category	Offense Type	Percent	Total
Adult		**99%**	**1,077**
	Drugs	3%	32
	Other	85%	911
	Property	4%	43
	Violent	8%	91
Juvenile		**<1%**	**6**
	Drugs	33%	2
	Violent	67%	4
Total		**100%**	**1,083**

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

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

Age Category	Offense Type	Percent	Total
Adult		**81%**	**103**
	Drugs	6%	6
	Other	25%	26
	Property	50%	51
	Violent	19%	20
Juvenile		**19%**	**24**
	Drugs	17%	4
	Other	17%	4
	Property	50%	12
	Violent	17%	4
Total		**100%**	**127**

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 14% of probable cause arrests were for Drug related offenses, 53% were for Other offenses, 12% for Property offenses, and 22% for Violent offenses. Those of Other race/ethnicity were over-represented among the on-view/probable cause arrest data as they represented 11% of the population but were 27% – 61% of on-view arrests (depending on crime type).

The 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. Only 9% of these types of arrests involved a Violent offense. Those of Other race/ethnicity were highly over represented (compared to their population) in all offense types except for Drug offenses. Hispanics were 11% of the population but made up 26% of drug arrests.

Table 2-8 shows that summons were least likely to be issued for Drug offenses (8%) compared to Other (24%) and Property (50%) and Violent (19%). and that, of those summons issued for Violent crimes, 14% went to Black/African Americans. Whites were least likely to be summonsed for a Violent crime (55%). Whites were much more likely than other ethnicities to be arrested via summons for any offense type.

Note that the findings must be interpreted with caution when there are few cases in many categories.

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

Offense Type	Race / Ethnicity	Percent	Total
Drugs		**14%**	**59**
	Black/African American	2%	1
	Hispanic*	19%	11
	Other	27%	16
	White	53%	31
Other		**53%**	**224**
	Hispanic*	7%	16
	Other	61%	136
	White	32%	72
Property		**12%**	**49**
	Hispanic*	16%	8
	Other	41%	20
	White	43%	21
Violent		**22%**	**93**
	Black/African American	1%	1
	Hispanic*	8%	7
	Other	52%	48
	White	40%	37
Total		**100%**	**425**

Data source: Colorado Bureau of Investigation, National Incident Based Reporting System (NIBRS) data. Extracted 06/10/2019.
*Hispanic ethnicity was estimated using a DCJ-developed and validated statistical model; see Appendix C.

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

Offense Type	Race/Ethnicity	Percent	Total
Drugs		**3%**	**34**
	Black/African American	3%	1
	Hispanic*	26%	9
	Other	9%	3
	White	62%	21
Other		**84%**	**911**
	Black/African American	<1%	8
	Hispanic*	8%	76
	Other	59%	536
	White	32%	291
Property		**4%**	**43**
	Hispanic*	14%	6
	Other	47%	20
	White	40%	17
Violent		**9%**	**95**
	Hispanic*	14%	13
	Other	42%	40
	White	44%	42
Total		**100%**	**1,083**

Data source: Colorado Bureau of Investigation, National Incident Based Reporting System (NIBRS) data. Extracted 06/10/2019.
*Hispanic ethnicity was estimated using a DCJ-developed and validated statistical model; see Appendix C.

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

Offense Type	Race/Ethnicity	Percent	Total
Drugs		**8%**	**10**
	Hispanic*	30%	3
	Other	10%	1
	White	60%	6
Other		**24%**	**30**
	Hispanic*	13%	4
	Other	27%	8
	White	60%	18
Property		**50%**	**63**
	Hispanic*	8%	5
	Other	27%	17
	White	65%	41
Violent		**19%**	**24**
	Hispanic*	13%	3
	Other	25%	6
	White	63%	15
Total		**100%**	**127**

Data source: Colorado Bureau of Investigation, National Incident Based Reporting System (NIBRS) data. Extracted 06/10/2019.
*Hispanic ethnicity was estimated using a DCJ-developed and validated statistical model; see Appendix C.

The following three tables show arrest/summons by broad offense category and gender. Although women made up half the Colorado population, they were considerably less likely than men to be arrested. Overall, women constituted approximately 29-41% of arrests and 33-40% of summonses (depending on the crime category) and men comprised the remainder. Women were generally more likely to be involved in Drug offenses compared with the other offense categories.

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

Offense Type	Gender	Percent	Total
Drugs		**14%**	**59**
	Female	29%	17
	Male	71%	42
Other		**53%**	**224**
	Female	23%	52
	Male	77%	172
Property		**12%**	**49**
	Female	22%	11
	Male	78%	38
Violent		**22%**	**93**
	Female	23%	21
	Male	77%	72
Total		**100%**	**425**

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

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

Offense Type	Gender	Percent	Total
Drugs		**3%**	**34**
	Female	41%	14
	Male	59%	20
Other		**84%**	**911**
	Female	27%	248
	Male	73%	663
Property		**4%**	**43**
	Female	30%	13
	Male	70%	30
Violent		**9%**	**95**
	Female	34%	32
	Male	66%	63
Total		**100%**	**1,083**

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

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

Offense Type	Gender	Percent	Total
Drugs		**8%**	**10**
	Female	40%	4
	Male	60%	6
Other		**24%**	**30**
	Female	33%	10
	Male	67%	20
Property		**50%**	**63**
	Female	38%	24
	Male	62%	39
Violent		**19%**	**24**
	Female	38%	9
	Male	63%	15
Total		**100%**	**127**

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 1,600 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 6% of all arrests/summonses while Violent crimes accounted for 13% of arrests/summonses, Property offenses accounted for 9% of arrests/summonses, and the remainder of arrests/summonses (71%) fell into the Other crime category. Those of Other race/ethnicity were highly over represented across all arrest types and most offense types (Drug offenses in Summons and Warrant arrests were the only exceptions). Females were more likely to be involved in Drug offenses than the other offense categories. Juveniles were more likely to be summonsed than arrested. Violent crimes were less likely than the other crime categories to result in a summons.

Section 3: Court Case Processing

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

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

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

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

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

Case Filings

Overall

Table 3-1 depicts race/ethnicity distribution for 1,216 case filings in county, adult district, and juvenile courts combined for calendar year 2018. Those of Other race/ethnicity were 11% of the population and 40% of filings, compared to Whites who were 75% of the population and 45% of filings. Note that these cases are not necessarily the same cases in the **Law enforcement data** section above.

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

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

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

Race Ethnicity	Percent	Total
Black/African American	<1%	10
Hispanic*	14%	169
Other	40%	491
White	45%	546
Total	**100%**	**1,216**

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 14% of cases, and Violent charges comprised the largest category at 44% of charges filed.

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

Offense Type	Race/Ethnicity	Percent	Total
Drugs		**14%**	**168**
	Black/African American	<1%	1
	Hispanic*	23%	39
	Other	27%	46
	White	49%	82
Other		**26%**	**319**
	Black/African American	2%	5
	Hispanic*	16%	52
	Other	40%	129
	White	42%	133
Property		**16%**	**196**
	Hispanic*	13%	25
	Other	20%	40
	White	67%	131
Violent		**44%**	**533**
	Black/African American	<1%	4
	Hispanic*	10%	53
	Other	52%	276
	White	38%	200
Total		**100%**	**1,216**

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, 29% of filings were females and 71% were males. Females were slightly more likely than men to be involved in Drug crimes (17%, compared to 13%, respectively) and Property crimes (17% compared to 16%, respectively) and slightly less to be involved in Violent offenses (42% compared to 44%, respectively).

Table 3-3. Most serious filing charge by gender

Gender	Offense Type	Percent	Total
Female		**29%**	**353**
	Drugs	17%	60
	Other	24%	84
	Property	17%	59
	Violent	42%	150
Male		**71%**	**863**
	Drugs	13%	108
	Other	27%	235
	Property	16%	137
	Violent	44%	383
Total		**100%**	**1,216**

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 59% of the total. Those of Other race/ethnicity represented 46% of county court cases filed compared to 32% in adult district and juvenile courts.

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

Court	Race/Ethnicity	Percent	Total
Adult District		**36%**	**440**
	Black/African American	1%	6
	Hispanic*	19%	82
	Other	32%	140
	White	48%	212
County		**59%**	**717**
	Black/African American	<1%	4
	Hispanic*	11%	80
	Other	46%	332
	White	42%	301
Juvenile		**5%**	**59**
	Hispanic*	12%	7
	Other	32%	19
	White	56%	33
Total		**100%**	**1,216**

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

Table 3-5 shows the type of offense within court type. Over half (57%) of county court cases were Violent offenses (primarily misdemeanor assault); cases were fairly evenly split among offense types in adult district court; and Violent crimes made up almost half (49%) of cases filed in juvenile court. Table 3-6 presents the distribution across gender for cases in county, district and juvenile court. Females were more likely to have cases in Juvenile court (44%) compared to adult district court (28%) and county court (29%).

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

Court	Offense Type	Percent	Total
Adult District		**36%**	**440**
	Drugs	26%	115
	Other	29%	128
	Property	23%	102
	Violent	22%	95
County		**59%**	**717**
	Drugs	7%	50
	Other	25%	182
	Property	11%	76
	Violent	57%	409
Juvenile		**5%**	**59**
	Drugs	5%	3
	Other	15%	9
	Property	31%	18
	Violent	49%	29
Total		**100%**	**1,216**

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		**36%**	**440**
	Female	28%	122
	Male	72%	318
County		**59%**	**717**
	Female	29%	205
	Male	71%	512
Juvenile		**5%**	**59**
	Female	44%	26
	Male	56%	33
Total		**100%**	**1,216**

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 (n=4).

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

Court	Completed Trial	Percent	Total
Adult District		**36%**	**440**
	No	99%	435
	Yes	1%	5
County		**59%**	**717**
	No	99%	713
	Yes	<1%	4
Juvenile		**5%**	**59**
	No	100%	59
Total		**100%**	**1,216**

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

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

Offense Type	Completed Trial	Percent	Total
Drugs		**14%**	**168**
	No	99%	167
	Yes	<1%	1
Other		**26%**	**319**
	No	99%	316
	Yes	<1%	3
Property		**16%**	**196**
	No	99%	195
	Yes	<1%	1
Violent		**44%**	**533**
	No	99%	529
	Yes	<1%	4
Total		**100%**	**1,216**

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

Summary: Filings. This study of more than 1,200 case filings in county, district, and juvenile courts combined found that those of Other race/ethnicity are over represented as they were 11% of the population but made up 40% of overall filings. Whites were under represented as they were 75% of the population but were 45% of the overall filings. In terms of gender, 29% of filings were females and 71% 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. Given the small number of cases available for analysis – particularly among Black/African Americans and Hispanics - it is imperative to interpret the information with caution.

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 over one-third (38%) 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 26% of cases were convicted as charged, and less than one-quarter (20%) were convicted of another crime. In adult district court (Table 3-10), 35% were convicted of another crime and one-fourth (15%) were convicted as charged. In juvenile court (Table 3-11), 27% were convicted of another offense and 34% were convicted as charged.

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 N
Black/African American		**75%**	**0%**	**25%**	**0%**	**4**
	Drugs	0%	0%	0%	0%	0
	Other	100%	0%	0%	0%	2
	Property	0%	0%	0%	0%	0
	Violent	50%	0%	50%	0%	2
Hispanic*		**23%**	**16%**	**46%**	**15%**	**80**
	Drugs	36%	0%	36%	27%	11
	Other	25%	14%	50%	11%	28
	Property	50%	0%	25%	25%	8
	Violent	9%	27%	52%	12%	33
Other		**21%**	**23%**	**39%**	**17%**	**332**
	Drugs	24%	0%	65%	12%	17
	Other	20%	25%	39%	16%	69
	Property	25%	15%	35%	25%	20
	Violent	20%	25%	37%	18%	226
White		**31%**	**19%**	**35%**	**15%**	**301**
	Drugs	41%	14%	23%	23%	22
	Other	37%	18%	34%	11%	83
	Property	40%	13%	21%	27%	48
	Violent	24%	22%	43%	12%	148
Total		**26%**	**20%**	**38%**	**16%**	**717**

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

Table 3-10 reflects case outcomes for district court in 2018. Nineteen percent (19%) of cases filed in district court had all charges dismissed (fewer than 1% of those in this category were not guilty) and 15% were convicted as charged. Almost one-third of cases (32%) had not yet been resolved when the data were obtained for analysis. Please note that the few Black/African American cases (n=6) means this information should be interpreted with caution.

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 N
Black/African American		**0%**	**17%**	**50%**	**33%**	**6**
	Drugs	0%	100%	0%	0%	1
	Other	0%	0%	67%	33%	3
	Property	0%	0%	0%	0%	0
	Violent	0%	0%	50%	50%	2
Hispanic*		**12%**	**39%**	**17%**	**32%**	**82**
	Drugs	11%	30%	11%	48%	27
	Other	17%	30%	22%	30%	23
	Property	6%	41%	24%	29%	17
	Violent	13%	67%	13%	7%	15
Other		**12%**	**27%**	**20%**	**41%**	**140**
	Drugs	18%	18%	29%	36%	28
	Other	11%	19%	25%	46%	57
	Property	13%	31%	19%	38%	16
	Violent	10%	44%	8%	38%	39
White		**17%**	**39%**	**17%**	**26%**	**212**
	Drugs	17%	49%	10%	24%	59
	Other	29%	20%	20%	31%	45
	Property	19%	32%	26%	23%	69
	Violent	3%	59%	10%	28%	39
Total		**15%**	**35%**	**19%**	**32%**	**440**

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

Table 3-11 presents case outcomes for juvenile court. All charges were dismissed for 25% of cases filed, while 34% of cases were convicted as charged and 27% were convicted of a different crime. Note that the few cases in most categories means this information should 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 N
Hispanic*		**57%**	**14%**	**29%**	**0%**	**7**
	Drugs	100%	0%	0%	0%	1
	Other	100%	0%	0%	0%	1
	Property	0%	0%	0%	0%	0
	Violent	40%	20%	40%	0%	5
Other		**21%**	**26%**	**42%**	**11%**	**19**
	Drugs	0%	0%	100%	0%	1
	Other	33%	0%	67%	0%	3
	Property	25%	25%	25%	25%	4
	Violent	18%	36%	36%	9%	11
White		**36%**	**30%**	**15%**	**18%**	**33**
	Drugs	0%	0%	0%	100%	1
	Other	40%	40%	20%	0%	5
	Property	14%	29%	21%	36%	14
	Violent	62%	31%	8%	0%	13
Total		**34%**	**27%**	**25%**	**14%**	**59**

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, 38% of cases in county court were dismissed, as were 19% of cases in district court and 25% of cases in juvenile court. One-quarter (26%) of county court cases were convicted as charged compared to 15% in district court and 34% in juvenile court. Less than one-quarter (20%) of county court cases were convicted of a different charge, as were 35% of district court cases, and 27% of juvenile court cases.

Initial Sentences

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

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

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

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

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

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

County court

Table 3-12 presents the initial sentence for each of the four offense types for county court cases in 2018. County court Drug cases resulted in a fine in 7% of cases, and community service for 5% of cases. Deferred judgments occurred for approximately almost half of all cases (49%), with 16% of Property cases, 50% of Violent cases, 28% of Other cases, and 6% of Drug cases receiving a deferred sentence.

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

Sentence	Offense Type	Percent	Total
Community Service		**5%**	**19**
	Drugs	16%	3
	Other	68%	13
	Property	5%	1
	Violent	11%	2
Deferred		**49%**	**171**
	Drugs	6%	11
	Other	28%	48
	Property	16%	27
	Violent	50%	85
Fines/fees		**7%**	**24**
	Drugs	13%	3
	Other	29%	7
	Property	50%	12
	Violent	8%	2
Jail		**16%**	**54**
	Other	48%	26
	Property	7%	4
	Violent	44%	24
Probation/Intensive Supervision		**22%**	**76**
	Other	37%	28
	Property	7%	5
	Violent	57%	43
Unsupervised Probation		**1%**	**4**
	Other	75%	3
	Violent	25%	1
Total		**100%**	**348**

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 more likely than men to receive a deferred judgment in county court (54% compared to 47%, respectively). Men were more likely than women to receive a jail sentence (17% for men compared to 11% for women), and men were more likely to be granted an initial sentence to probation (23% compared to 20% for women).

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

Sentence	Female	Male	Total
(N)	95	253	348
Community Service	5%	6%	5%
Deferred	54%	47%	49%
Fines/fees	8%	6%	7%
Jail	11%	17%	16%
Probation/Intensive Supervision	20%	23%	22%
Unsupervised Probation	2%	<1%	1%
Total	**100%**	**100%**	**100%**

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

Table 3-14 presents the initial sentence in county court by race/ethnicity. Note that the few cases in some categories means the information should be interpreted with caution. Those of Other race/ethnicity category were much less likely to receive a deferred judgment compared to Whites (36% compared to 60%, respectively), and much more likely to be sentenced to jail (25% compared to 6% for Whites). Those of Other race/ethnicity were sentenced to probation at twice the rate of Whites (30% compared to 15%, respectively).

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

Sentence	Black/African American	Hispanic*	Other	White	Total
(N)	3	31	158	156	348
Community Service	0%	10%	4%	6%	5%
Deferred	100%	55%	36%	60%	49%
Fines/fees	0%	10%	3%	11%	7%
Jail	0%	13%	25%	6%	16%
Probation/Intensive Supervision	0%	13%	30%	15%	22%
Unsupervised Probation	0%	0%	1%	1%	1%
Total	100%	100%	100%	100%	100%

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

The following four tables (3-15 through 3-18) show the initial county court sentence for each of the four offense categories, by race/ethnicity. Note that the few cases in many categories means this information should be interpreted with caution.

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

Sentence	Hispanic*	Other	White	Total
(N)	5	4	8	17
Community Service	0%	25%	25%	18%
Deferred	80%	75%	50%	65%
Fines/fees	20%	0%	25%	18%
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. Initial sentence for Other as most serious conviction in County Court by race/ethnicity

Sentence	Black/African American	Hispanic*	Other	White	Total
(N)	1	11	61	52	125
Community Service	0%	9%	8%	13%	10%
Deferred	100%	45%	25%	52%	38%
Fines/fees	0%	9%	2%	10%	6%
Jail	0%	27%	26%	13%	21%
Probation/Intensive Supervision	0%	9%	38%	8%	22%
Unsupervised Probation	0%	0%	2%	4%	2%
Total	100%	100%	100%	100%	100%

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

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

Sentence	Black/African American	Hispanic*	Other	White	Total
(N)	1	5	15	28	49
Community Service	0%	20%	0%	0%	2%
Deferred	100%	40%	60%	54%	55%
Fines/fees	0%	20%	13%	32%	24%
Jail	0%	0%	20%	4%	8%
Probation/Intensive Supervision	0%	20%	7%	11%	10%
Total	100%	100%	100%	100%	100%

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

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

Sentence	Black/African American	Hispanic*	Other	White	Total
(N)	1	10	78	68	157
Community Service	0%	10%	1%	0%	1%
Deferred	100%	60%	38%	71%	54%
Fines/fees	0%	0%	1%	1%	1%
Jail	0%	10%	27%	3%	15%
Probation/Intensive Supervision	0%	20%	31%	25%	27%
Unsupervised Probation	0%	0%	1%	0%	<1%
Total	100%	100%	100%	100%	100%

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

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 over half the time (55%) overall. The second most frequently occurring sentence in district court was a deferred sentence: 21% of Drug cases, 11% of Other cases, 25% of Property cases, and 15% of Violent cases received a deferred sentence. Sentences to the Department of Corrections were imposed in 14% of cases.

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

Sentence	Drugs	Other	Property	Violent	Total
(N)	81	54	64	60	259
Community Corrections	5%	6%	5%	7%	5%
Community Service	0%	2%	2%	0%	<1%
Deferred	21%	11%	25%	15%	19%
Dept of Corrections	11%	15%	14%	15%	14%
Fines/fees	1%	0%	2%	0%	<1%
Jail	2%	6%	8%	10%	6%
Probation/Intensive Supervision	59%	61%	45%	53%	55%
Total	100%	100%	100%	100%	100%

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

Table 3-20 shows the initial district court sentence by gender. Women were much more likely to receive a deferred judgment compared to men (32% versus 15%, respectively). The few cases in many categories means that this information should be interpreted with caution.

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

Sentence	Female	Male	Total
(N)	57	202	259
Community Corrections	0%	7%	5%
Community Service	2%	<1%	<1%
Deferred	32%	15%	19%
Dept of Corrections	9%	15%	14%
Fines/fees	0%	<1%	<1%
Jail	5%	6%	6%
Probation/Intensive Supervision	53%	55%	55%
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. Whites were the most likely to receive a deferred judgement, Hispanics were the most likely to be sentenced to prison (29%), and that those of Other race/ethnicity were the

most likely to be sentenced to probation (71%). Note that the few cases in some categories means that the information must be interpreted with caution.

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

Sentence	Black/African American	Hispanic*	Other	White	Total
(N)	3	45	62	149	259
Community Corrections	0%	4%	3%	7%	5%
Community Service	0%	2%	0%	<1%	<1%
Deferred	67%	11%	10%	23%	19%
Dept of Corrections	0%	29%	5%	13%	14%
Fines/fees	0%	0%	0%	1%	<1%
Jail	0%	7%	11%	4%	6%
Probation/Intensive Supervision	33%	47%	71%	51%	55%
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 (3-22 through 3-25) show the initial district court sentence for each of the four offense categories, by race/ethnicity. The few cases in most categories means that this information should be interpreted with caution.

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

Sentence	Black/African American	Hispanic*	Other	White	Total
(N)	1	14	15	51	81
Community Corrections	0%	0%	7%	6%	5%
Deferred	100%	14%	13%	24%	21%
Dept of Corrections	0%	36%	0%	8%	11%
Fines/fees	0%	0%	0%	2%	1%
Jail	0%	0%	0%	4%	2%
Probation/Intensive Supervision	0%	50%	80%	57%	59%
Total	**100%**	**100%**	**100%**	**100%**	**100%**

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

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

Sentence	Hispanic*	Other	White	Total
(N)	10	15	29	54
Community Corrections	0%	0%	10%	6%
Community Service	0%	0%	3%	2%
Deferred	0%	0%	21%	11%
Dept of Corrections	30%	0%	17%	15%
Jail	10%	13%	0%	6%
Probation/Intensive Supervision	60%	87%	48%	61%
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 3-24. Initial sentence for <u>Property</u> as most serious conviction in Adult District Court by race/ethnicity

Sentence	Black/African American	Hispanic*	Other	White	Total
(N)	2	11	12	39	64
Community Corrections	0%	9%	0%	5%	5%
Community Service	0%	9%	0%	0%	2%
Deferred	50%	18%	33%	23%	25%
Dept of Corrections	0%	18%	8%	15%	14%
Fines/fees	0%	0%	0%	3%	2%
Jail	0%	18%	0%	8%	8%
Probation/Intensive Supervision	50%	27%	58%	46%	45%
Total	**100%**	**100%**	**100%**	**100%**	**100%**

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

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

Sentence	Hispanic*	Other	White	Total
(N)	10	20	30	60
Community Corrections	10%	5%	7%	7%
Deferred	10%	0%	27%	15%
Dept of Corrections	30%	10%	13%	15%
Jail	0%	25%	3%	10%
Probation/Intensive Supervision	50%	60%	50%	53%
Total	**100%**	**100%**	**100%**	**100%**

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

Juvenile court

Table 3-26 below reflects the initial sentence for juvenile court cases in 2018, by crime type. A deferred sentence was the most frequently occurring initial sentence type (58%). Initial sentences to the Division of Youth Services were only made for Violent crimes. The few cases available for analysis (n=31) means that caution must be used when interpreting the findings.

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

Sentence	Other	Property	Violent	Total
(N)	5	4	22	31
Deferred	60%	50%	59%	58%
Division of Youth Services	0%	0%	5%	3%
Probation/Intensive Supervision	40%	50%	36%	39%
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.

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

Sentence	Female	Male	Total
(N)	11	20	31
Deferred	64%	55%	58%
Division of Youth Services	0%	5%	3%
Probation/Intensive Supervision	36%	40%	39%
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. Initial sentence in Juvenile Court by race/ethnicity

Sentence	Black/African American	Hispanic*	Other	White	Total
(N)	1	5	6	19	31
Deferred	100%	40%	67%	58%	58%
Division of Youth Services	0%	20%	0%	0%	3%
Probation/Intensive Supervision	0%	40%	33%	42%	39%
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. Table 3-29 shows that there were no Drug cases in juvenile court in 2018.

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

Sentence		Total
(N)	**0**	**0**
	0%	0%
Total	**0%**	**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 <u>Other</u> as most serious conviction in Juvenile Court by race/ethnicity

Sentence	Hispanic*	Other	White	Total
(N)	1	2	2	5
Deferred	0%	50%	100%	60%
Probation/Intensive Supervision	100%	50%	0%	40%
Total	**100%**	**100%**	**100%**	**100%**

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

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

Sentence	Other	White	Total
(N)	1	3	4
Deferred	0%	67%	50%
Probation/Intensive Supervision	100%	33%	50%
Total	**100%**	**100%**	**100%**

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

Table 3-32. Initial sentence for <u>Violent</u> as most serious conviction in Juvenile Court by race/ethnicity

Sentence	Black/African American	Hispanic*	Other	White	Total
(N)	1	4	3	14	22
Deferred	100%	50%	100%	50%	59%
Division of Youth Services	0%	25%	0%	0%	5%
Probation/Intensive Supervision	0%	25%	0%	50%	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.

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

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

Women were more likely than men to receive a deferred judgment in county court (54% compared to 47%, respectively). Men were more likely than women to receive a jail sentence (17% for men compared to 11% for women), and men were more likely to be granted an initial sentence to probation (23% compared to 20% for women) in county court. There were too few observation of initial sentences in county court for Black/African Americans and Hispanics to analyze. However, those of Other race/ethnicity were much less likely to receive a deferred judgment compared to Whites (36% compared to 60%, respectively), and much more likely to be sentenced to jail (25% compared to 6% for Whites).

In district court, probation was the most frequently occurring initial sentence, happening over half (55%) of the time overall. The second most frequently occurring sentence in district court was a deferred sentence: 21% of Drug cases, 11% of Other cases, 25% of Property cases, and 15% of Violent cases received a deferred sentence. Sentences to the Department of Corrections were imposed in 14% of cases. Whites were the most likely to receive a deferred judgement (23%), Hispanics were the most likely to be sentenced to prison (29%), and that those of Other race/ethnicity were the most likely to be sentenced to probation (71%). Please note that the few cases in some categories means that the findings must be interpreted with caution.

In juvenile court, a deferred sentence was the most frequently occurring initial sentence type (58%). Initial sentences to the Division of Youth Services were only made for Violent crimes. The few cases in juvenile court in 2018 (n=31) means the information must be interpreted with caution.

Revocations

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

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

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[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, 21% of cases receiving a probation/deferred judgment in 2018 were revoked. Those of Other race/ethnicity were much more likely than Whites to receive a revocation (35% compared to 11%, respectively). Because of the small number of Black/African American (n=3) and Hispanic (n=21) cases, this information should be interpreted with caution.

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

Race/Ethnicity	Offense Type	No	Yes	Total	Total N
Black/African American		**100%**	**0%**	**100%**	**3**
	Other	100%	0%	100%	1
	Property	100%	0%	100%	1
	Violent	100%	0%	100%	1
Hispanic*		**90%**	**10%**	**100%**	**21**
	Drugs	100%	0%	100%	4
	Other	83%	17%	100%	6
	Property	100%	0%	100%	3
	Violent	88%	13%	100%	8
Other		**65%**	**35%**	**100%**	**107**
	Drugs	100%	0%	100%	3
	Other	77%	23%	100%	39
	Property	60%	40%	100%	10
	Violent	56%	44%	100%	55
White		**89%**	**11%**	**100%**	**120**
	Drugs	100%	0%	100%	4
	Other	88%	12%	100%	33
	Property	89%	11%	100%	18
	Violent	89%	11%	100%	65
Total		**79%**	**21%**	**100%**	**251**

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

Table 3-34 reflects county court revocations by gender. Females in county court were more likely to get revoked than males (22% compared to 20%, respectively). The pattern of revocations across offense type varies considerably across gender, however. Males were most likely to be revoked for a violent crime (25%) whereas women were most likely to be revoked for a crime in the Other category (30%). No Drug cases in county count were revoked for males or females.

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

Gender	Offense Type	No	Yes	Total	Total N
Female		**78%**	**22%**	**100%**	**72**
	Drugs	100%	0%	100%	5
	Other	70%	30%	100%	20
	Property	89%	11%	100%	9
	Violent	76%	24%	100%	38
Male		**80%**	**20%**	**100%**	**179**
	Drugs	100%	0%	100%	6
	Other	86%	14%	100%	59
	Property	78%	22%	100%	23
	Violent	75%	25%	100%	91
Total		**79%**	**21%**	**100%**	**251**

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 (25%, Table 3-35) compared to county court (21%, Table 3-33) in 2018. Those of Other race/ethnicity were more likely than Whites to be revoked (33% compared to 22%, respectively). Those of Other race/ethnicity with Other offenses were most likely to be revoked (46% compared to 25% overall). Table 3-36 shows that women in adult district court were less likely than men to get revoked (21% compared to 26%). Men with Drug cases were the most likely to be revoked (37% compared to 26% overall).

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

Race/Ethnicity	Offense Type	No	Yes	Total	Total N
Black/African American		**33%**	**67%**	**100%**	**3**
	Drugs	0%	100%	100%	1
	Property	50%	50%	100%	2
Hispanic*		**77%**	**23%**	**100%**	**26**
	Drugs	56%	44%	100%	9
	Other	100%	0%	100%	6
	Property	100%	0%	100%	5
	Violent	67%	33%	100%	6
Other		**70%**	**30%**	**100%**	**50**
	Drugs	79%	21%	100%	14
	Other	54%	46%	100%	13
	Property	73%	27%	100%	11
	Violent	75%	25%	100%	12
White		**78%**	**22%**	**100%**	**111**
	Drugs	71%	29%	100%	41
	Other	90%	10%	100%	20
	Property	78%	22%	100%	27
	Violent	83%	17%	100%	23
Total		**75%**	**25%**	**100%**	**190**

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

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

Gender	Offense Type	No	Yes	Total	Total N
Female		**79%**	**21%**	**100%**	**48**
	Drugs	79%	21%	100%	24
	Other	80%	20%	100%	10
	Property	80%	20%	100%	10
	Violent	75%	25%	100%	4
Male		**74%**	**26%**	**100%**	**142**
	Drugs	63%	37%	100%	41
	Other	79%	21%	100%	29
	Property	77%	23%	100%	35
	Violent	78%	22%	100%	37
Total		**75%**	**25%**	**100%**	**190**

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, 30% of cases sentenced to probation/deferred judgment in 2018 were revoked (Table 3-37). Females were less likely than males to be revoked (27% compared to 32%, respectively). Note that the few cases in juvenile court (n=30) means that this information must be interpreted with caution.

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

Race Ethnicity	Offense Type	No	Yes	Total	Total N
Black/African American		**100%**	**0%**	**100%**	**1**
	Violent	100%	0%	100%	1
Hispanic*		**75%**	**25%**	**100%**	**4**
	Other	0%	100%	100%	1
	Violent	100%	0%	100%	3
Other		**50%**	**50%**	**100%**	**6**
	Other	50%	50%	100%	2
	Property	0%	100%	100%	1
	Violent	67%	33%	100%	3
White		**74%**	**26%**	**100%**	**19**
	Other	100%	0%	100%	2
	Property	100%	0%	100%	3
	Violent	64%	36%	100%	14
Total		**70%**	**30%**	**100%**	**30**

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

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

Gender	Offense Type	No	Yes	Total	Total N
Female		**73%**	**27%**	**100%**	**11**
	Other	100%	0%	100%	1
	Violent	70%	30%	100%	10
Male		**68%**	**32%**	**100%**	**19**
	Other	50%	50%	100%	4
	Property	75%	25%	100%	4
	Violent	73%	27%	100%	11
Total		**70%**	**30%**	**100%**	**30**

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

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

In addition, not all revocations result in termination from supervision. In 2018, statewide 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 2018, 21% of county court cases receiving a probation/deferred judgment in 2018 were revoked. Note that the few cases in some categories means the information should be interpreted with caution. Those of Other race/ethnicity were much more likely than Whites to receive a revocation (35% compared to 11%, respectively). Females in county court were slightly more likely to be revoked than males (22% compared to 20%, respectively).

In district court, 25% of cases were revoked. Again, the few cases in some categories means the data should be interpreted with caution. Those of Other race/ethnicity were more likely than Whites to receive a revocation (33% compared to 22%, respectively). Those of Other race/ethnicity with Other offenses were most likely to be revoked (46%). Women in district court were less likely than men to get revoked (21% compared to 26%). Men with Drug cases were the most likely to be revoked (37% compared to 25% overall).

In juvenile court, 30% of cases sentenced to probation/deferred judgment in 2018 were revoked in 2018. Females were less likely than males to be revoked (27% compared to 32%, respectively). The few cases in juvenile court (n=30) means that the information should be interpreted with caution.

Appendix A

NIBRS Group A Arrest Crimes

Category	Subcategory	NIBRS Offense
Drugs		
	Drugs	
		Drug Equipment
		Drugs
Other		
	DUI	
		DUI
	Other	
		All Other
		Bad Checks
		Bribery
		Curfew/Loitering/Vagrancy
		Destruction of Property
		Disorderly Conduct
		Drunkeness
		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

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[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.