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# Race, Ethnicity and Prosecution in Hillsborough County, Florida

**MacArthur  
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Advancing Prosecutorial Effectiveness and Fairness Report Series

July 2019





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# Introduction

## What The Project Is About

This project is a groundbreaking partnership between prosecutors and researchers to promote more effective, just, and transparent decision making in prosecution. It is a bipartisan effort to be smart on crime, to think about new ways to maximize public safety, to enhance fairness, and to create a new system of accountability to the public. It involves four forward-thinking prosecutors in Chicago, Jacksonville, Milwaukee, and Tampa working with researchers at Florida International University and Loyola University Chicago to take a new look at prosecutorial performance and decision making. This partnership is supported by the **John D. and Catherine T. MacArthur Foundation**.

Improving prosecutorial performance and decision making is impossible without data. Data takes center stage in the project, because it tells prosecutors what problems are the biggest threats to community well-being, and it points to ways to tackle those problems. Data helps measure the overall impact of prosecutors' work, and it alerts them that a policy or practice needs to be continued or changed. Unfortunately, most prosecutors' offices lack the ability to collect, analyze, and apply data to these ends. Many offices do not record the data they need. Others are missing the staff and knowledge necessary to analyze their data. Still other offices—probably most—do not have the ability and commitment to use data to guide their decisions and reforms. This project focuses on helping our partner offices and other interested jurisdictions overcome these hurdles.

The project has four distinct objectives:

- 1 To expand offices' data and analytical capacity by assessing case management systems, making better use of existing data, and exploring options for capturing new information without creating additional burdens for prosecutors.
- 2 To assist prosecutors with tracking their progress toward greater efficiency, effectiveness, and fairness using prosecutorial performance indicators at the office and unit levels (as opposed to the individual prosecutor level).
- 3 To identify possible racial and ethnic disparities at various stages of case processing across offense categories, and to work with stakeholders to develop specific solutions to reduce them.
- 4 To establish a practice of using data to measure monthly or quarterly performance and engage with the communities.

While the project targets performance in our four partner jurisdictions, it also aims to use the knowledge generated from this experiment to advance the field of prosecution nationally. There are more than 2,300 local prosecutors' offices in the United States, but very few organizations specialize in prosecutorial research and technical assistance. Realistically, most prosecutors' offices will not receive any direct meaningful assistance. By building sustainable data collection, performance measurement, and communication practices for the four offices, this project provides a set of blueprints that offices across the country can use to make their own internal improvements. We realize there is no one-size-fits-all approach to prosecutorial office management that will meet every office's needs. Writing a prescription for a patient we have not examined is hard. However, the project provides a model that other offices can use to start thinking about forming local partnerships, improving data capacity, and producing metrics for assessing their own impact.

The backdrop for this project is the *Safety & Justice Challenge*, the MacArthur Foundation initiative to reduce jail misuse and overuse as both a crucial component and a major driver of America's over-reliance on incarceration. Unnecessary jail incarceration carries significant costs to individuals, families, communities, and society at large. These costs take their greatest toll on low-income people and communities of color. The *Safety & Justice Challenge* supports local leaders who are dedicated to safely reducing jail populations, improving justice systems, and ultimately strengthening their communities.

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## What The Report Is About

The fair and just treatment of racial and ethnic minorities at all stages of the criminal justice system is of significant importance to communities of color, practitioners, and scholars alike. Central to this discourse is a recognition of the discretionary power that prosecutors wield in shaping the outcomes of criminal cases. This includes, among other things, the decision to file or drop a case, amend the severity and number of charges, and dispose of criminal cases through plea bargaining.

This report focuses on the outcomes of prosecutorial decision making in Hillsborough County, Florida. Specifically, it assesses the extent to which racial and ethnic disparities exist across the following five decision points in criminal case processing: (1) Case filing; (2) Charge changes from arrest to filing; (3) Disposition type; (4) Charge changes from filing to disposition; and (5) Sentencing.

We encourage the reader to interpret the results while recognizing that criminal case processing can trigger disparate outcomes for racial and ethnic minorities for a number of different reasons. Some of these reasons, such as defense attorney role and judicial discretion, are beyond the immediate control of prosecutors. At the same time, our partners are keenly aware that prosecutors can and should play a vital role in uncovering and addressing racial and ethnic disparities in the criminal justice system, and this report stems from that recognition.

The intent of this report is to prompt discussion and raise questions, rather than provide definitive answers. We also want to stress that the findings presented throughout this report cannot be used to support or refute possible racial and ethnic biases. Our methodology simply does not permit that. Rather than serving as an end point, we view this report as a starting point from which to engage in meaningful discussions concerning policies and procedures that can ameliorate racial and ethnic disparities in case outcomes. Furthermore, given that prosecutorial decision making does not operate in a vacuum, certain findings direct attention to ways state attorney's offices, the defense bar, law enforcement agencies, and the judiciary can galvanize future reform efforts. Even more importantly, continued efforts to engage with minority communities will be critical for increasing public trust in and cooperation with the criminal justice system.

**This report is part of a series of publications resulting from this partnership. The first report, *Prosecutorial Attitudes, Perspectives, and Priorities: Insights from the Inside*, was released in December, 2018. The final report in the series, focused on prosecutorial performance indicators, will be released near the end of 2019.**

We also welcome your questions. Our contact information is provided on the back cover.

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# Foreword from Andrew Warren State Attorney

The Office of the State Attorney  
for the 13th Judicial Circuit  
Tampa, FL



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## Our Commitment to Fairness, Effectiveness, & Transparency

Fairness, effectiveness, and transparency are core values in our criminal justice system. Our system is rooted in fairness and due process—the idea that everyone is equal before the law. We must be effective in balancing the goals of public safety, accountability, deterrence, and rehabilitation. We must be transparent so that people have faith in the fairness and effectiveness of our criminal justice system. When we fail to achieve these values, we must hold ourselves accountable.

Racial disparities undermine the fairness and effectiveness of our system, which ultimately erodes trust with our community and hinders our ability to protect them from crime. Our commitment to transparency requires examining prosecutorial decisions and how they impact racial disparities.

To address disparities, we must start by looking inward. We must be willing to scrutinize prosecutorial practices to reveal the good, the bad, and the ugly. We are proud to partner with the MacArthur Foundation, Florida International University (FIU), and Loyola University Chicago on a groundbreaking project to examine our office's use of discretion and identify racial disparities. As part of this project, we gave FIU researchers unprecedented access to data in order to conduct an independent and objective evaluation of prosecutorial decision making. This report

represents a nearly two-year effort to gather and analyze data on racial and ethnic disparities across multiple stages of case processing. The FIU researchers assessed nearly 87,000 cases from 2017 and 2018 to compare outcomes for Black, White, and Hispanic defendants. The findings are informative. Although there were differences between racial groups, the disparities were not glaring. The report, however, identifies several areas for improvement, not only regarding racial disparities but also in terms of resource allocation, utilization of diversion programs, and sentencing recommendations.

The report does not provide all the answers. In fact, it leaves us with more questions than answers. That is by design; the report is a starting point—for understanding trends in our decision making over time; for our commitment to data-driven policy; and for meaningful dialogue with the communities we serve. Moreover, the report does not address the entire criminal justice system. We know disparities exist outside of the prosecutorial field, and there are broader socioeconomic, educational, and systemic factors that contribute to racial disparities within our office and the larger criminal justice system. We need to study the findings in this report and work with our law enforcement partners, other government agencies, and the diverse communities we serve to advance fairness and impartiality for all of Hillsborough County.

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## Lessons from the Report

The first takeaway is that differences among racial and ethnic groups are not large. Across fourteen different broad measurements for charging decisions, dispositions, and sentences, differences in the probability of outcomes by race—when accounting for other factors—ranges from two cases per 1,000 to 54 cases per 1,000 when looking at all cases together. Twelve of the fourteen differences are at or below 20 cases per 1,000.

Those disparities, however, become more pronounced within particular offense categories. For example, the overall disparity for the likelihood of a case being filed across White, Black, and Hispanic defendants is only seven cases per 1,000, but when limited to felony offenses against another person, the disparity is 38 cases per 1,000.

Second, the report shows that for property offenses, Black and Hispanic defendants generally have their cases dismissed by a prosecutor at a higher rate than White defendants, but they enter into diversion programs less frequently. These statistics raise several questions: are the dismissal and diversion rates related? Are filing decisions the cause of both disparities? Why does this trend not hold for other offense categories or for all offenses? We need to answer these questions in order to understand what drives this disparity.

There are additional lessons we can learn beyond racial disparities. For example, our filing and prosecutorial dismissal rates both appear to be high: we file 91% of all cases (94% for misdemeanors; 85% for felonies), and we voluntarily dismiss 23% of all cases (28% of misdemeanors; 8% of felonies). It is difficult to interpret these numbers without a large enough sample of comparable data from other offices, and such comparisons are imprecise because of legal and procedural differences between jurisdictions. Furthermore, traffic offenses drive the high dismissal rate for misdemeanors, which is likely the consequence of our policy to minimize the prosecution of financially based Driving with Suspended License cases. Even so, the findings suggest that we could save resources and reduce the burden on defendants by filing fewer cases up front that we are likely to later voluntarily dismiss.

Another finding that merits attention regards custodial sentences. Racial disparities are low—less than two cases per 1,000 across almost all categories. However, the likelihood of a custodial sentence for a felony drug offense is high compared to other felony offenses, while custodial sentences are given far less for misdemeanor drug offenses than for other misdemeanors. The relatively high percentage of custodial sentences for felony drug cases may be the result of more serious charges—sale and trafficking rather than simple possession—but we need to explore this further to ensure that we are obtaining appropriate sentences in these cases.

## Where Do We Go From Here?

We know that there are racial disparities in our criminal justice system, and for many years we have presumed that prosecutorial decision making contributes to those disparities. This report confirms that presumption, although the prosecutor-driven disparities in Hillsborough County are not so glaring as to require immediate and comprehensive changes. Instead, the report identifies specific areas where we likely need to improve, and it gives us a roadmap to do so. It is time to dig deeper into these findings and ask the necessary questions so we can advance the fairness and effectiveness of our office.

It is also time to redefine how we evaluate our own success. The next and final stage of this project is the development of Prosecutorial Performance Indicators (“PPIs”) that will rewrite the blueprint for how prosecutors’ offices measure their success. Rather than relying simply on crime rates and conviction rates as indicators of prosecutorial performance, we are identifying a range of metrics that are far more meaningful and precise. The work that went into this report from FIU and my data team has created the foundation for that next step. We have been building data and analytical capacity as well as training prosecutors to become intelligent consumers of data. The PPIs will enable my executive team to identify and track the performance of this office, giving us valuable tools to minimize racial disparities, effectively allocate resources, and make better decisions regarding charging, diversion, and sentencing. In short, this project will improve the fairness, efficiency, and effectiveness for which we strive.

## Thank You

There are nearly 2,400 local prosecutorial offices in this country. We are grateful to be one of the four offices partnering with the MacArthur Foundation, FIU, and Loyola University Chicago on this project. The partnership has been a significant undertaking that has required collaboration with multiple government agencies and communities, and a lot of time and energy from our prosecutors and administrative staff. We owe this work to the public, and my office is committed to being transparent while making our community safer and our criminal justice system fairer. I am grateful to my team for sharing this vision, to the communities for trusting us with their safety and wellbeing, to the research teams at FIU and Loyola for leading the project, and to the MacArthur Foundation for supporting this important work.



# Study Methodology



## Data

Data for this report came from the Hillsborough County State Attorney's Office's (SAO) case management system and the Clerk of Court's Office. The dataset includes over 80,000 felony and misdemeanor cases disposed of by the SAO in 2017 and 2018.

## Race and Ethnicity

While the SAO's case management system lists defendants' race and ethnicity as recorded by law enforcement, our preliminary assessment suggested that Hispanic ethnicity was underreported in the dataset. Therefore, we used two methods to identify Hispanic defendants. First, defendants were classified as "Hispanic" if the SAO's case management system identified them as such. Second, for the remaining "non-Hispanic" individuals in the dataset, defendants were identified as "Hispanic" if their surnames matched the U.S. Census Bureau's Hispanic Surname List, meaning that at least 75% of individuals in the United States with that surname self-identify as Hispanic. Though it is important to examine case processing outcomes for Asian and Native American defendants, there were not enough cases to conduct robust disparity analyses for these groups. Appendix B, however, includes basic descriptive information for the cases involving Asian and Native American defendants.

## Defining a Case

This report offers a case-level as opposed to charge-level analysis, which means that many cases in the dataset have multiple charges and/or counts. The information on multiple

charges and counts is captured and accounted for when appropriate. Also, some defendants had more than one case disposed of within the 24-month period analyzed.

## Decision Points

This report presents results for the following five decision points: (1) Case filing; (2) Charge changes from arrest to filing; (3) Disposition type; (4) Charge changes from filing to disposition; and (5) Sentencing. A description of each decision point is provided at the beginning of each section.

## Accounting for Legal and Non-Legal Factors

The results account for differences in case, defendant, defense attorney, and prosecutor characteristics among racial groups. However, the results do not take into account case evidence, pretrial detention, diversion eligibility, plea bargaining details, and defendants' socioeconomic characteristics.

## Offense Categories

Results are provided for all offenses together, and then broken down into person, property, and drug offenses separately. Public order and traffic offenses, which are the largest but most diverse category, are not analyzed as their own offense type. Given the increased interest in the processing of drug, particularly marijuana, possession cases, results for these cases are also described for each decision point. Excluded from this analysis are "driving under the influence" cases and cases flagged by the SAO as "domestic violence," because these two types of cases tend to have unique trends which would have unduly influenced the overall results.

# Presentation of Results

## Bar graphs

Figures 1-5

Graphs show simple percentages for each decision outcome that do not take into account racial differences in case, defendant, defense attorney, and prosecutor characteristics. Percentages are provided for all defendants, then for White, Black, and Hispanic defendants separately.

## Tables

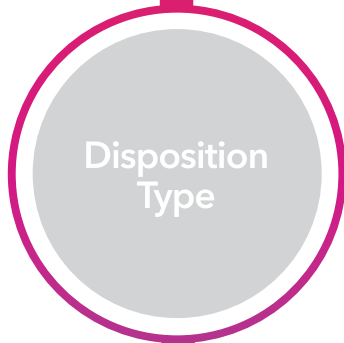
Tables 1-5, 1a-5a & 1b-5b

Tables display expected rates per 1,000 cases for White, Black and Hispanic defendants of each decision outcome after accounting for case, defendant, defense attorney, and prosecutor characteristics. The rates are predicted probabilities calculated following logistic or multinomial logistic regressions. Tables 1-5 present rates for felonies and misdemeanors combined, while Tables 1a-5a present rates for felonies only and Tables 1b-5b present rates for misdemeanors only.

## Dashboards

Appendix A

Dashboards provide a visual overview of racial and ethnic disparities for all five decision points included in this report, broken down by offense type. These dashboards also display changes in disparities between 2017 and 2018. Please see page 34 for detailed information about how to interpret these charts.



When a criminal case is referred for prosecution to the SAO by the police, a prosecutor reviews the available evidence and decides whether to accept the case and bring charges against the defendant ("file"), or to decline to prosecute ("not file").

Figure 1: Simple Percentage of Cases Filed by Defendant Race

These bar graphs represent simple percentages of case filing outcomes for all defendants together, followed by White, Black, and Hispanic defendants separately. The graphs do not take into account racial differences in case, defendant, defense attorney, and prosecutor characteristics.

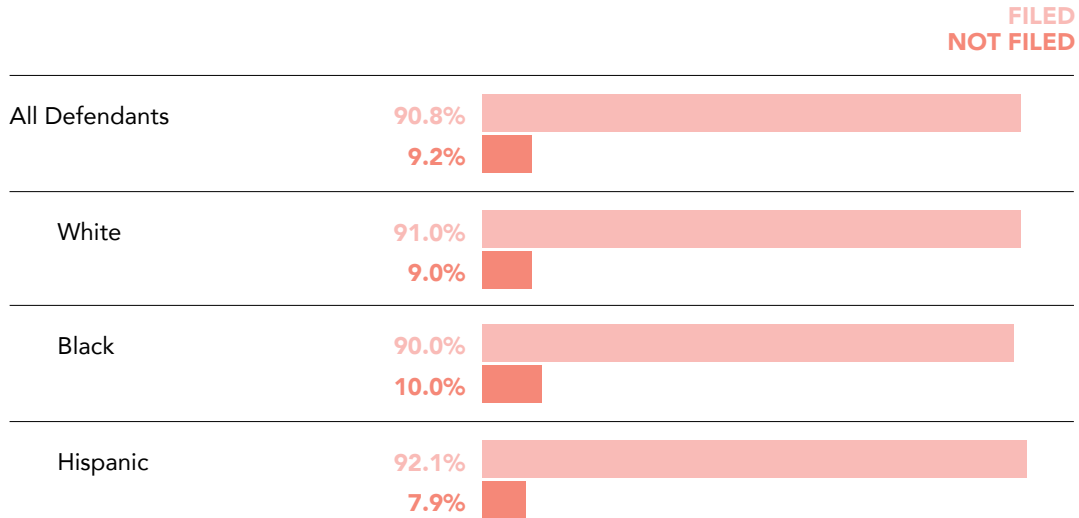


Table 1: Likelihood of Case Filing by Defendant Race

Numbers in this table represent the expected rates of each outcome per 1,000 cases for White, Black, and Hispanic defendants after taking into account the influence of: (1) offense severity, (2) offense type, (3) charge counts, (4) whether the case originated with an arrest, (5) prior convictions, (6) prior sexual assault convictions, (7) criminal history designations such as habitual offender, (8) year of disposition, (9) defendant gender, and (10) defendant age. Results for person offenses also take into account (11) victim race, (12) victim gender, (13) victim age, and (14) whether a business or government agency was involved as a victim. Results for drug offenses also take into account (15) drug type, (16) whether the offense involved possession or sale/trafficking/manufacturing, and (17) the presence of drug paraphernalia. Please see the text provided after this table for additional description of these rates.

	All Cases Brought For Filing	Person Offenses	Property Offenses	Drug Offenses
White	<b>912</b> out of 1,000 cases	624	<b>862</b>	926
Black	905 out of 1,000 cases	<b>648</b>	845	<b>931</b>
Hispanic	910 out of 1,000 cases	614	850	924
Number of Cases	86,129	5,805	18,207	13,543

## Most influential factors

**Filing:** Race/ethnicity was not an influential factor for this decision. Charges were more likely to be filed when:

- the top arrest charge was a 2nd degree misdemeanor
- the top arrest charge was a public order/traffic or drug offense
- the defendant was younger
- the case originated with an arrest
- the case involved more arrest charges

For **all cases**, Whites were most likely and Blacks were least likely to have their cases filed, after accounting for legal and extralegal characteristics. For every 1,000 cases brought to the SAO with Whites, 912 were filed. Corresponding numbers for Hispanics and Blacks are 910 and 905. This means there were 7 more cases filed with Whites than with Blacks for every 1,000 cases involving defendants of each race.

For **property** offenses, Whites were most likely (862 out of 1,000 cases) and Blacks were least likely (845 out of 1,000 cases) to have their cases filed, after accounting for legal and extralegal characteristics. The corresponding number for Hispanics is 850. This pattern is consistent with the overall pattern.

Unlike the pattern for overall and property offenses, for **person** offenses, Blacks were most likely (648 out of 1,000 cases) and Hispanics were least likely (614 out of 1,000 cases) to have their cases filed, after accounting for legal and extralegal characteristics. The corresponding number for Whites is 624.

The pattern of racial differences for **drug** offenses followed that of person offenses, though the differences were smaller (931 out of 1,000 cases for Blacks, 926 out of 1,000 cases for Whites, and 924 out of 1,000 cases for Hispanics).

- All drug possession cases (9,559 cases): Blacks were most likely to have their cases filed (939 out of 1,000 cases), followed by Hispanics (936 out of 1,000 cases) and Whites (930 out of 1,000 cases).
- Marijuana possession cases (4,361 cases): Whites and Blacks were more likely to have their case filed (949 out of 1,000 cases for each) than Hispanics (942 out of 1,000 cases).

Table 1a: Felony Likelihood of Case Filing by Defendant Race

Numbers in this table represent the expected rates of each outcome per 1,000 cases for White, Black, and Hispanic defendants after taking into account the same factors detailed in the note in Table 1.

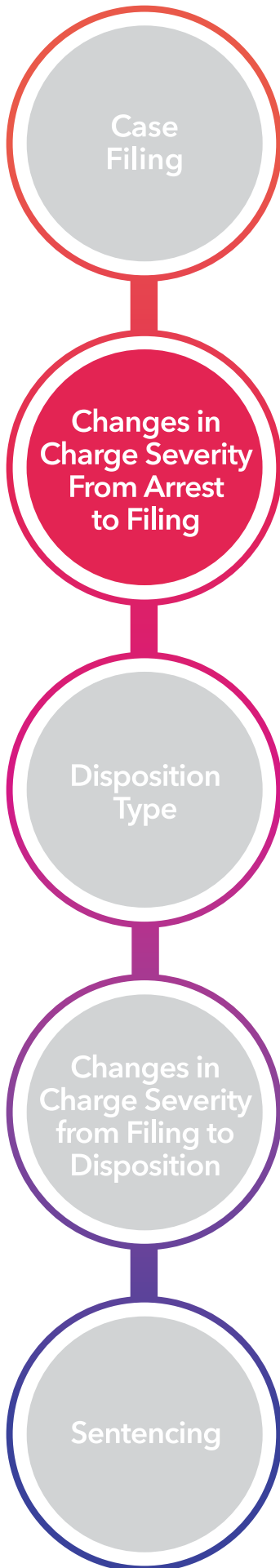
	All Cases Brought For Filing	Person Offenses	Property Offenses	Drug Offenses
White	<b>862</b> out of 1,000 cases	645	<b>831</b>	931
Black	850 out of 1,000 cases	<b>674</b>	806	<b>932</b>
Hispanic	847 out of 1,000 cases	636	804	926
Number of Cases	31,731	4,205	10,481	8,788

Table 1b: Misdemeanor Likelihood of Case Filing by Defendant Race

Numbers in this table represent the expected rates of each outcome per 1,000 cases for White, Black, and Hispanic defendants after taking into account the same factors detailed in the note in Table 1.

	All Cases Brought For Filing	Person Offenses	Property Offenses	Drug Offenses
White	941 out of 1,000 cases	573	904	914
Black	938 out of 1,000 cases	<b>575</b>	898	<b>925</b>
Hispanic	<b>946</b> out of 1,000 cases	566	<b>913</b>	919
Number of Cases	54,398	1,593	7,726	4,584

# 2



When a prosecutor decides to accept a case and file charges, that prosecutor must also decide whether to file the exact charges that were referred by the police or to alter the charges. Changes in charge severity from arrest to filing are determined by the severity degree/level of the top arrest charge and the top filed charge. The top filed charge may be less severe than the top arrest charge ("charge reduction"); the top filed charge may be more severe than the top arrest charge ("charge increase"), or the charge severity may stay the same ("no change").

Figure 2: Simple Percentage of Cases with Charge Changes at Filing by Defendant Race

These bar graphs represent simple percentages of charge change outcomes for all defendants together, followed by White, Black, and Hispanic defendants separately. The graphs do not take into account racial differences in case, defendant, defense attorney, and prosecutor characteristics.

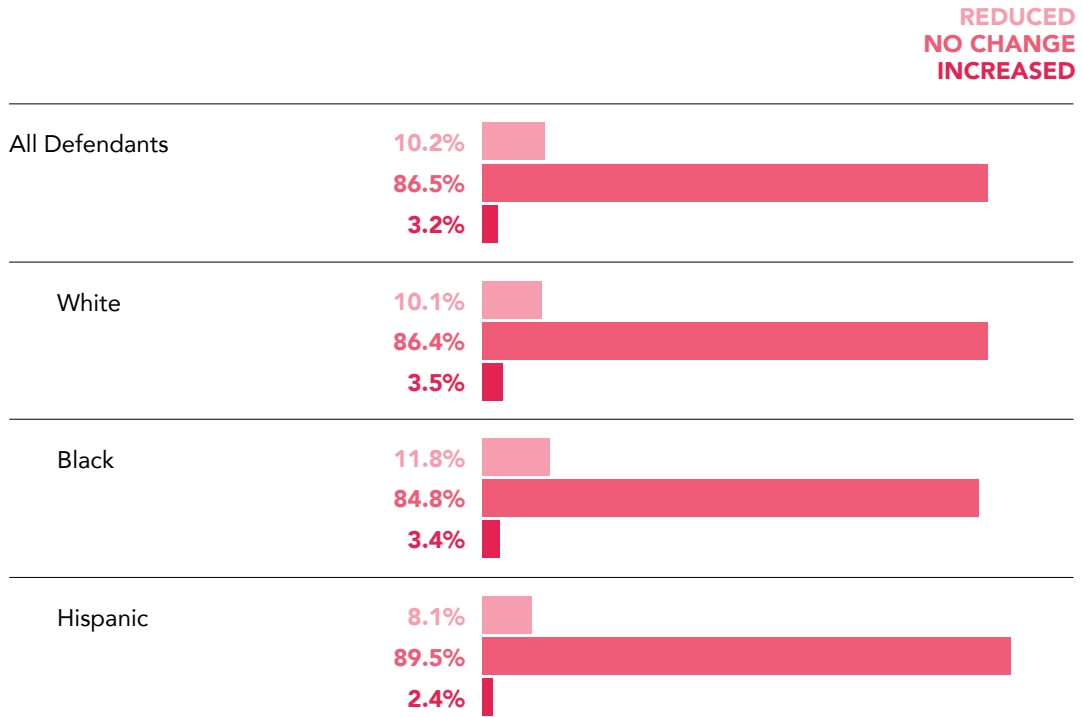


Table 2: Likelihood of Changes in Charge Severity  
from Arrest to Filing by Defendant Race

Numbers in this table represent the expected rates of each outcome per 1,000 cases for White, Black, and Hispanic defendants after taking into account the influence of: (1) offense severity, (2) offense type, (3) charge counts, (4) whether the case originated with an arrest, (5) prior convictions, (6) prior sexual assault convictions, (7) criminal history designations such as habitual offender, (8) year of disposition, (9) defense attorney type (private attorney, public defender, or pro se), (10) defendant gender, and (11) defendant age. Results for person offenses also take into account (12) victim race, (13) victim gender, (14) victim age, and (15) whether a business or government agency was involved as a victim. Results for drug offenses also take into account (16) drug type, (17) whether the offense involved possession or sale/trafficking/manufacturing, and (18) the presence of drug paraphernalia. Please see the text provided after this table for additional description of these rates.

	All Filed Cases	Person Offenses	Property Offenses	Drug Offenses
<b>REDUCTION IN CHARGES</b>				
White	103 out of 1,000 cases	<b>200</b>	<b>86</b>	169
Black	<b>104</b> out of 1,000 cases	185	<b>86</b>	<b>183</b>
Hispanic	99 out of 1,000 cases	194	81	167
<b>NO CHANGE IN CHARGES</b>				
White	865 out of 1,000 cases	726	858	774
Black	861 out of 1,000 cases	<b>735</b>	860	773
Hispanic	<b>872</b> out of 1,000 cases	717	<b>869</b>	<b>779</b>
<b>INCREASE IN CHARGES</b>				
White	32 out of 1,000 cases	73	<b>56</b>	<b>57</b>
Black	<b>34</b> out of 1,000 cases	80	53	43
Hispanic	29 out of 1,000 cases	<b>89</b>	50	54
Number of Cases	78,240	3,679	15,523	12,556



## Most influential factors

**Reduction in charges: Race/ethnicity was not an influential factor for this decision.**

**Charges were more likely to be reduced when:**

- the top arrest charge was a felony
- the case originated with an arrest
- the top arrest charge was a public order/traffic offense
- the defendant represented him/herself
- the case was disposed in 2018

**Increase in charges: Race/ethnicity was not an influential factor for this decision.**

**Charges were more likely to be increased when:**

- the defendant did not represent him/herself
- the top arrest charge was a 2nd degree misdemeanor
- the case was disposed in 2018
- the top arrest charge was a person or drug offense
- the case originated with an arrest

For **all cases**, there were no marked differences by race or ethnicity for either charge reductions or increases, although Hispanics were least likely to receive a charge reduction or increase.

For **person** offenses, Blacks were least likely to have their charges reduced, and Hispanics were most likely to have their charges increased.

- Among similarly situated defendants, Whites were most likely to have their charges reduced (200 out of 1,000 cases), followed by Hispanics (194 out of 1,000 cases), and Blacks (185 out of 1,000 cases). Hispanics were most likely to receive a charge increase (89 out of 1,000 cases), followed by Blacks (80 out of 1,000 cases) and Whites (73 out of 1,000 cases).

For **property** offenses, Hispanics were least likely to have their charges reduced, and Whites were most likely to have their charges increased.

- Among similarly situated defendants, Whites and Blacks were more likely to have their charges reduced (86 out of 1,000 cases) than Hispanics (81 out of 1,000 cases). Whites were most likely to receive a charge increase (56 out of 1,000 cases), followed by Blacks (53 out of 1,000 cases), then Hispanics (50 out of 1,000 cases).

For **drug** offenses, Hispanics were least likely to have their charges reduced, and Whites were most likely to have their charges increased.

- Among similarly situated defendants, Blacks were most likely to have their charges reduced (183 out of 1,000 cases), followed by Whites (169 out of 1,000 cases), and then Hispanics (167 out of 1,000 cases). Whites were most likely to receive a charge increase (57 out of 1,000 cases), followed by Hispanics (54 out of 1,000 cases), and then Blacks (43 out of 1,000 cases).
- All drug possession cases (8,977 cases): Consistent with the overall pattern for drug offenses, Whites were least likely to have their charges reduced and most likely to have their charges increased. Blacks were most likely to receive a charge reduction (144 out of 1,000 cases), followed by Hispanics (141 out of 1,000 cases) and then Whites (135 out of 1,000 cases). Whites and Hispanics were more likely to receive a charge increase (36 out of 1,000 cases for each) than Blacks (35 out of 1,000 cases).
  - Marijuana possession cases (4,146 cases): Whites were least likely to have their charges reduced, and Blacks were most likely to have their charges increased. Hispanics were most likely to receive a charge reduction (83 out of 1,000 cases), followed by Blacks (80 out of 1,000 cases) and then Whites (79 out of 1,000 cases). Blacks were most likely to receive a charge increase (44 out of 1,000), followed by Hispanics (37 out of 1,000 cases) and then Whites (29 out of 1,000 cases).

Table 2a: Felony Likelihood of Changes in Charge Severity  
from Arrest to Filing by Defendant Race

Numbers in this table represent the expected rates of each outcome per 1,000 cases for White, Black, and Hispanic defendants after taking into account the same factors detailed in the note in Table 2.

	All Filed Cases	Person Offenses	Property Offenses	Drug Offenses
<b>REDUCTION IN CHARGES</b>				
White	270 out of 1,000 cases	<b>257</b>	126	239
Black	<b>283</b> out of 1,000 cases	253	<b>134</b>	<b>267</b>
Hispanic	267 out of 1,000 cases	<b>257</b>	122	241
<b>NO CHANGE IN CHARGES</b>				
White	693 out of 1,000 cases	<b>663</b>	825	<b>731</b>
Black	684 out of 1,000 cases	653	826	713
Hispanic	<b>696</b> out of 1,000 cases	648	<b>831</b>	<b>731</b>
<b>INCREASE IN CHARGES</b>				
White	<b>37</b> out of 1,000 cases	80	<b>49</b>	<b>30</b>
Black	34 out of 1,000 cases	<b>94</b>	40	20
Hispanic	<b>37</b> out of 1,000 cases	<b>94</b>	47	28
Number of Cases	27,096	2,576	8,546	8,173

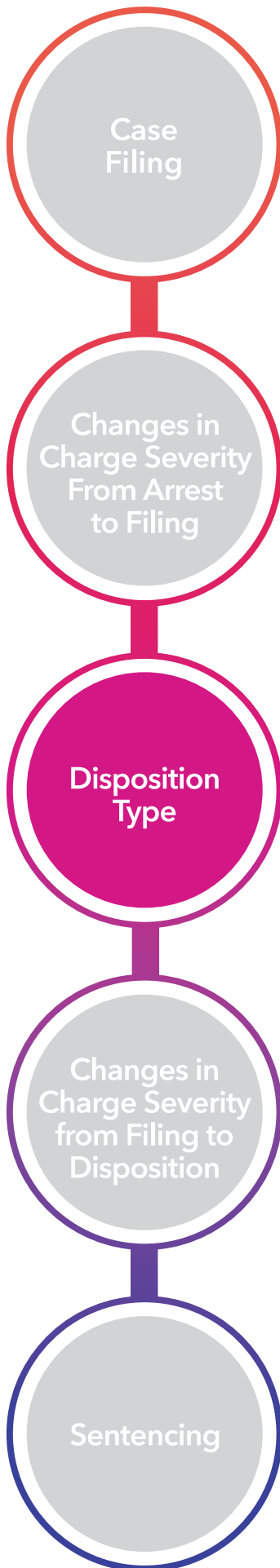
Table 2b: Misdemeanor Likelihood of Changes in Charge Severity  
from Arrest to Filing by Defendant Race

Numbers in this table represent the expected rates of each outcome per 1,000 cases for White, Black, and Hispanic defendants after taking into account the same factors detailed in the note in Table 2.

	All Filed Cases	Person Offenses	Property Offenses	Drug Offenses
<b>REDUCTION IN CHARGES</b>				
White	<b>13</b> out of 1,000 cases	*	<b>37</b>	<b>40</b>
Black	9 out of 1,000 cases	*	26	25
Hispanic	11 out of 1,000 cases	*	33	37
<b>NO CHANGE IN CHARGES</b>				
White	957 out of 1,000 cases	*	899	858
Black	956 out of 1,000 cases	*	903	<b>883</b>
Hispanic	<b>962</b> out of 1,000 cases	*	<b>917</b>	857
<b>INCREASE IN CHARGES</b>				
White	29 out of 1,000 cases	*	64	102
Black	<b>34</b> out of 1,000 cases	*	<b>71</b>	92
Hispanic	27 out of 1,000 cases	*	50	<b>106</b>
Number of Cases	51,144	*	6,977	4,383

\*Cannot estimate due to the infrequency of charge reductions and increases.

# 3



This report distinguishes four main ways that a case can be resolved, or disposed of, after filing. The prosecutor can seek conviction through either a plea deal or a trial (“plea/trial”); the prosecutor can drop the case for reasons such as insufficient evidence (“prosecutorial dismissal”); the case can be dropped for administrative reasons or by a judge (“administrative/judicial dismissal”); or the case can be diverted without a conviction to one of several intervention programs offered in Hillsborough County (“post-filing diversion”). Not all defendants are eligible for diversion programming, and diversion requires consent from the defendant and victim.

Figure 3: Simple Percentage of Cases Resulting in Each Major Disposition Type by Race

These bar graphs represent simple percentages of disposition types for all defendants together, followed by White, Black, and Hispanic defendants separately. The graphs do not take into account racial differences in case, defendant, defense attorney, and prosecutor characteristics.

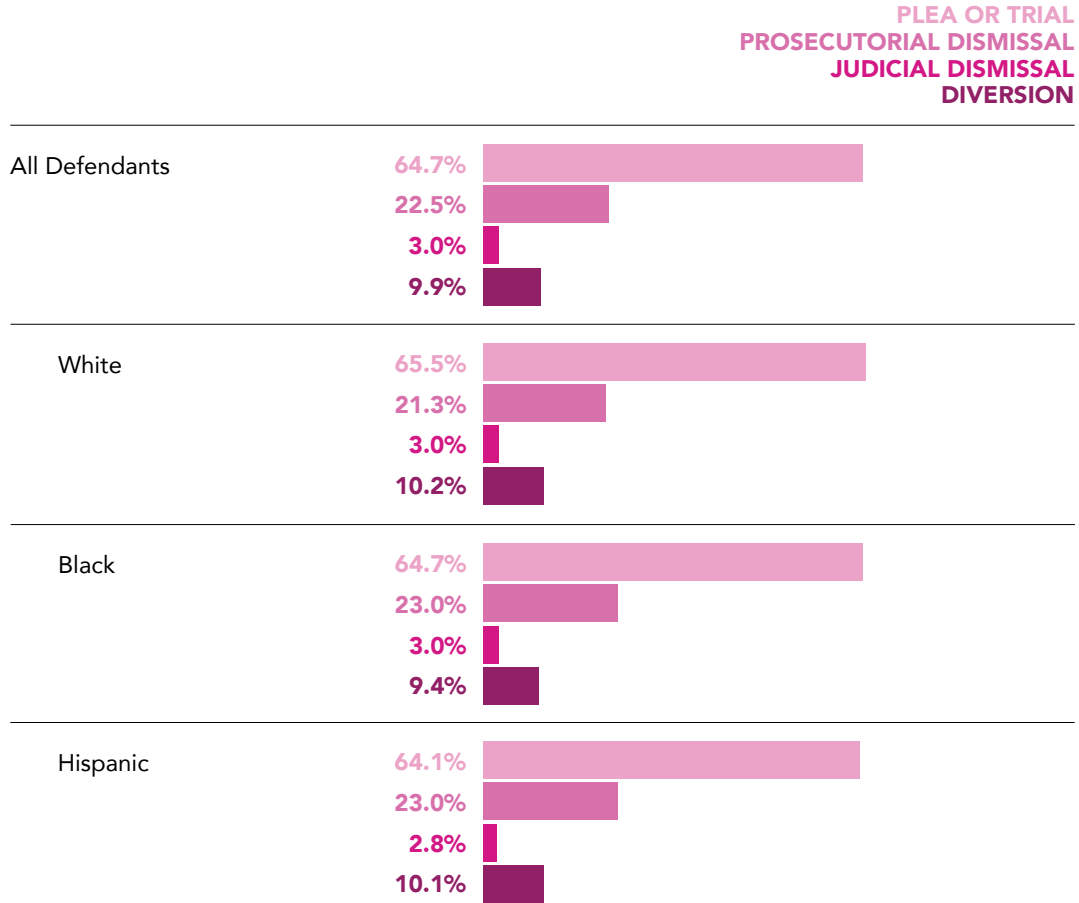


Table 3: Likelihood of Disposition by Defendant Race

Numbers in this table represent the expected rates of each outcome per 1,000 cases for White, Black, and Hispanic defendants after taking into account the influence of: (1) offense severity, (2) offense type, (3) charge counts, (4) charge changes from arrest to filing, (5) whether the case originated with an arrest, (6) prior convictions, (7) prior sexual assault convictions, (8) criminal history designations such as habitual offender, (9) year of disposition, (10) defense attorney type (private attorney, public defender, or pro se), (11) prosecutor race, (12) prosecutor gender, (13) prosecutor years of experience, (14) defendant gender, and (15) defendant age. Results for person offenses also take into account (16) victim race, (17) victim gender, (18) victim age, and (19) whether a business or government agency was involved as a victim. Results for drug offenses also take into account (20) drug type, (21) whether the offense involved possession or sale/trafficking/manufacturing, and (22) the presence of drug paraphernalia. Please see the text provided after this table for additional description of these rates.

	All Disposed Cases	Person Offenses	Property Offenses	Drug Offenses
<b>OUTCOME 1: GUILTY PLEA OR TRIAL</b>				
White	668 out of 1,000 cases	636	<b>739</b>	<b>849</b>
Black	629 out of 1,000 cases	<b>649</b>	702	842
Hispanic	<b>683</b> out of 1,000 cases	626	691	842
<b>OUTCOME 2: PROSECUTORIAL DISMISSAL POST-FILING (NOLLE PROSEQUI)</b>				
White	211 out of 1,000 cases	177	90	54
Black	<b>243</b> out of 1,000 cases	195	<b>119</b>	<b>68</b>
Hispanic	198 out of 1,000 cases	<b>212</b>	102	59
<b>OUTCOME 3: ADMINISTRATIVE/JUDICIAL DISMISSAL POST-FILING</b>				
White	<b>30</b> out of 1,000 cases	37	22	20
Black	<b>30</b> out of 1,000 cases	<b>39</b>	<b>36</b>	<b>21</b>
Hispanic	28 out of 1,000 cases	38	32	18
<b>OUTCOME 4: POST-FILING DIVERSION</b>				
White	90 out of 1,000 cases	<b>148</b>	149	78
Black	<b>98</b> out of 1,000 cases	117	143	70
Hispanic	90 out of 1,000 cases	123	<b>175</b>	<b>81</b>
Number of Cases	75,723	3,465	15,344	11,754

## Prosecutorial Dismissal Findings

### Most influential factors

Race/ethnicity was not one of the most influential factors for this decision. Prosecutorial dismissals were most likely when:

- the top filed charge was a public order/traffic offense
- the case involved fewer filed charges
- the top filed charge was a misdemeanor
- the defendant was older
- the case did not originate with an arrest
- the defendant had fewer prior convictions

For **all cases**, Blacks were most likely (243 out of 1,000 cases) and Hispanics were least likely (198 out of 1,000 cases) to have their case dismissed by a prosecutor. The corresponding number for Whites is 211.

For **person** offenses, Hispanics were most likely (212 out of 1,000 cases) to have their cases dismissed by a prosecutor, followed by Blacks (195 out of 1,000 cases), and then Whites (177 out of 1,000 cases).

For **property** offenses, Blacks were most likely (119 out of 1,000 cases) to have their cases dismissed by a prosecutor, followed by Hispanics (102 out of 1,000 cases), and then Whites (90 out of 1,000 cases).

For **drug** offenses, Blacks were most likely (68 out of 1,000 cases) to have their cases dismissed by a prosecutor, followed by Hispanics (59 out of 1,000 cases) and Whites (54 out of 1,000 cases).

- All drug possession cases (8,516 cases): Consistent with all drug offenses, Blacks were most likely (64 out of 1,000 cases) to have their cases dismissed by a prosecutor, followed by Whites (46 out of 1,000 cases), and then Hispanics (44 out of 1,000 cases).
  - Marijuana possession cases (3,638 cases): Consistent with all drug and drug possession cases, Blacks were most likely (67 out of 1,000 cases) to have their cases dismissed by a prosecutor, followed by Whites (48 out of 1,000 cases), and then Hispanics (47 out of 1,000 cases).

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## Judicial Dismissal Findings

### Most influential factors

Race/ethnicity was not an influential factor for this decision. Judicial dismissals were most likely when:

- the defendant was represented by a public defender
- the top filed charge was a misdemeanor
- the top filed charge was a person or public order/traffic offense
- the case was disposed in 2017
- the case did not involve a charge reduction at filing

For **all cases**, Whites and Blacks were more likely to have their case dismissed by a judge (30 out of 1,000 cases for each) than Hispanics (28 out of 1,000 cases).

For **person** offenses, Blacks were most likely to have their case dismissed by a judge (39 out of 1,000 cases), followed by Hispanics (38 out of 1,000 cases), and then Whites (37 out of 1,000 cases).

For **property** offenses, Blacks were most likely to have their case dismissed by a judge (36 out of 1,000 cases), followed by Hispanics (32 out of 1,000 cases), and then Whites (22 out of 1,000 cases).

For **drug** offenses, Blacks were most likely to have their case dismissed by a judge (21 out of 1,000 cases), followed by Whites (20 out of 1,000 cases), and then Hispanics (18 out of 1,000 cases).

- All drug possession cases (8,516 cases): Whites and Blacks were more likely to have their case dismissed by a judge (21 out of 1,000 cases for each) than Hispanics (11 out of 1,000 cases).
- Marijuana possession cases (3,638 cases): Blacks were most likely to have their case dismissed by a judge (17 out of 1,000 cases), followed by Whites (14 out of 1,000 cases), and then Hispanics (12 out of 1,000 cases).

## Diversión Findings

### Most influential factors

Race/ethnicity was not an influential factor for this decision. Diversión was more likely when:

- the defendant had fewer prior convictions
- the top filed charge was a felony
- the top filed charge was a property offense
- the defendant was not represented by a public defender
- the defendant was younger

For **all cases**, Blacks were more likely to have their case diverted (98 out of 1,000 cases) than Whites and Hispanics (90 out of 1,000 cases for each).

For **person** offenses, Whites were most likely (148 out of 1,000 cases), and Blacks were least likely (117 out of 1,000 cases), to have their case diverted. The corresponding number for Hispanics was 123.

For **property** offenses, Hispanics were most likely (175 out of 1,000 cases) to have their case diverted, followed by Whites (149 out of 1,000 cases), and then Blacks (143 out of 1,000 cases).

For **drug** offenses, Hispanics were most likely to have their case diverted (81 out of 1,000 cases), followed by Whites (78 out of 1,000 cases), and then Blacks (70 out of 1,000 cases).

- All drug possession cases (8,516 cases): Hispanics were most likely to have their case diverted (99 out of 1,000 cases), followed by Whites (93 out of 1,000 cases), and then Blacks (85 out of 1,000 cases).
- Marijuana possession cases (3,638 cases): Whites and Hispanics were more likely to have their case diverted (148 out of 1,000 cases for each) than Blacks (132 out of 1,000 cases).



Table 3a: Felony Likelihood of Disposition by Defendant Race

Numbers in this table represent the expected rates of each outcome per 1,000 cases for White, Black, and Hispanic defendants after taking into account the same factors detailed in the note in Table 3.

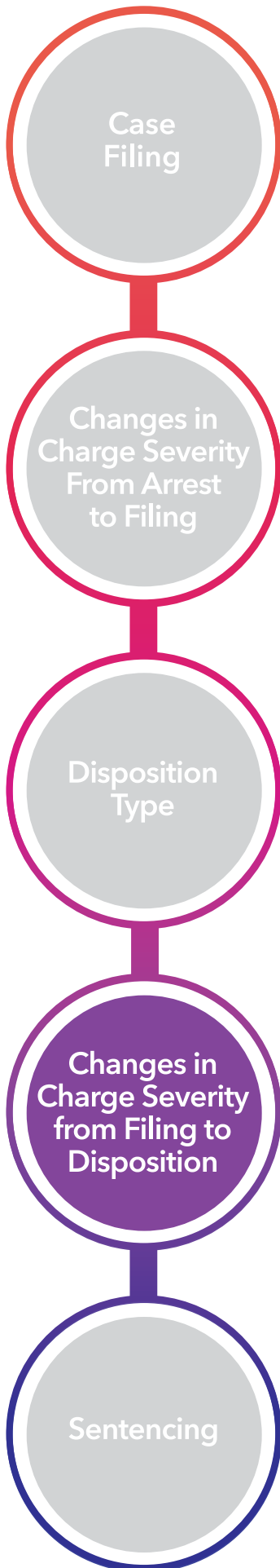
	All Disposed Cases	Person Offenses	Property Offenses	Drug Offenses
<b>OUTCOME 1: GUILTY PLEA OR TRIAL</b>				
White	<b>814</b> out of 1,000 cases	760	<b>748</b>	816
Black	786 out of 1,000 cases	<b>783</b>	700	<b>838</b>
Hispanic	786 out of 1,000 cases	771	683	824
<b>OUTCOME 2: PROSECUTORIAL DISMISSAL POST-FILING (NOLLE PROSEQUI)</b>				
White	62 out of 1,000 cases	97	72	45
Black	<b>90</b> out of 1,000 cases	102	<b>101</b>	<b>52</b>
Hispanic	82 out of 1,000 cases	<b>113</b>	97	46
<b>OUTCOME 3: ADMINISTRATIVE/JUDICIAL DISMISSAL POST-FILING</b>				
White	19 out of 1,000 cases	31	15	<b>20</b>
Black	<b>23</b> out of 1,000 cases	35	<b>20</b>	<b>20</b>
Hispanic	18 out of 1,000 cases	<b>38</b>	16	16
<b>OUTCOME 4: POST-FILING DIVERSION</b>				
White	105 out of 1,000 cases	<b>112</b>	166	<b>120</b>
Black	102 out of 1,000 cases	80	179	90
Hispanic	<b>114</b> out of 1,000 cases	76	<b>203</b>	114
Number of Cases	20,484	2,265	7,698	7,405

Table 3b: Misdemeanor Likelihood of Disposition by Defendant Race

Numbers in this table represent the expected rates of each outcome per 1,000 cases for White, Black, and Hispanic defendants after taking into account the same factors detailed in the note in Table 3.

	All Disposed Cases	Person Offenses	Property Offenses	Drug Offenses
<b>OUTCOME 1: GUILTY PLEA OR TRIAL</b>				
White	614 out of 1,000 cases	<b>410</b>	<b>735</b>	<b>799</b>
Black	572 out of 1,000 cases	390	708	779
Hispanic	<b>643</b> out of 1,000 cases	363	701	779
<b>OUTCOME 2: PROSECUTORIAL DISMISSAL POST-FILING (NOLLE PROSEQUI)</b>				
White	266 out of 1,000 cases	325	108	69
Black	<b>301</b> out of 1,000 cases	378	<b>134</b>	<b>86</b>
Hispanic	243 out of 1,000 cases	<b>391</b>	98	77
<b>OUTCOME 3: ADMINISTRATIVE/JUDICIAL DISMISSAL POST-FILING</b>				
White	<b>34</b> out of 1,000 cases	44	29	19
Black	32 out of 1,000 cases	<b>50</b>	<b>52</b>	21
Hispanic	32 out of 1,000 cases	34	49	<b>23</b>
<b>OUTCOME 4: POST-FILING DIVERSION</b>				
White	85 out of 1,000 cases	<b>221</b>	128	113
Black	<b>95</b> out of 1,000 cases	182	106	114
Hispanic	82 out of 1,000 cases	152	<b>152</b>	<b>121</b>
Number of Cases	55,239	1,200	7,570	5,048

# 4



The charges recorded at disposition may differ from the filed charges, for reasons such as charge bargaining or newly uncovered evidence. Changes in charge severity from filing to disposition are determined by the severity degree/level of the top filed charge and the top disposition charge. The top disposition charge may be less severe than the top filed charge ("charge reduction"); the top disposition charge may be more severe than the top filed charge ("charge increase"), or the charge severity may stay the same ("no change").

Figure 4: Simple Percentage of Cases with Charge Changes at Disposition by Defendant Race

These bar graphs represent simple percentages of charge changes for all defendants together, followed by White, Black, and Hispanic defendants separately. The graphs do not take into account racial differences in case, defendant, defense attorney, and prosecutor characteristics.

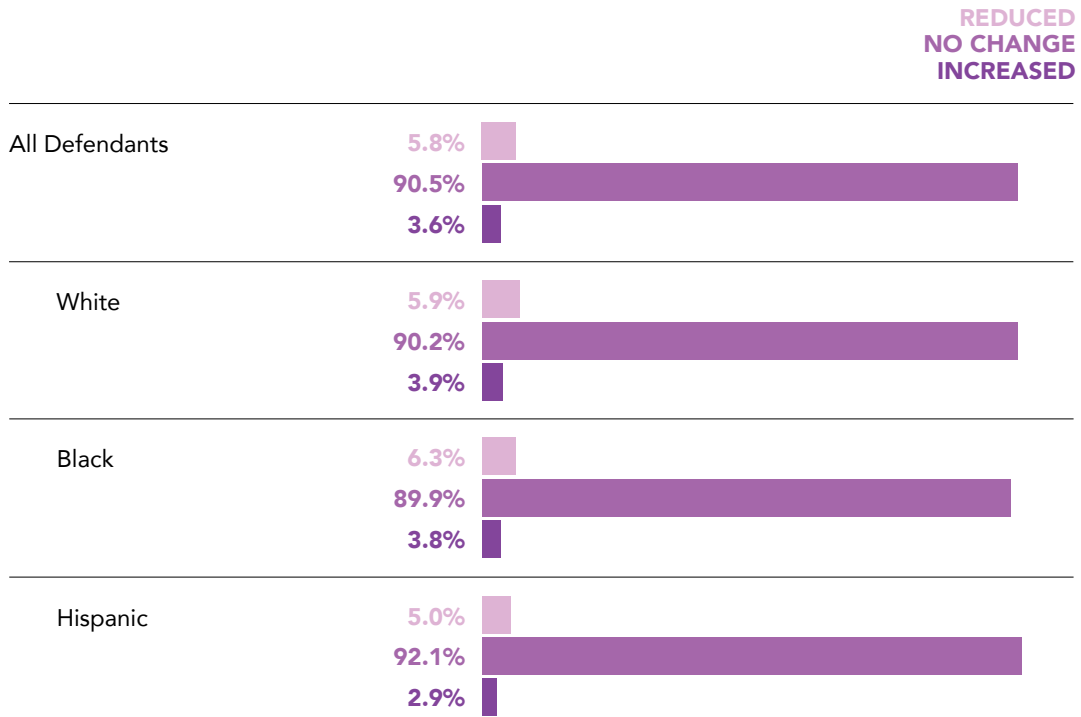


Table 4: Likelihood of Changes in Charge Severity  
from Filing to Disposition by Defendant Race

Numbers in this table represent the expected rates of each outcome per 1,000 cases for White, Black, and Hispanic defendants after taking into account the influence of: (1) offense severity, (2) offense type, (3) charge counts, (4) charge changes from arrest to filing, (5) disposition type, (6) whether the case originated with an arrest, (7) prior convictions, (8) prior sexual assault convictions, (9) criminal history designations such as habitual offender, (10) year of disposition, (11) defense attorney type (private attorney, public defender, or pro se), (12) prosecutor race, (13) prosecutor gender, (14) prosecutor years of experience, (15) defendant gender, and (16) defendant age. Results for person offenses also take into account (17) victim race, (18) victim gender, (19) victim age, and (20) whether a business or government agency was involved as a victim. Results for drug offenses also take into account (21) drug type, (22) whether the offense involved possession or sale/trafficking/manufacturing, and (23) the presence of drug paraphernalia. Please see the text provided after this table for additional description of these rates.

	All Disposed Cases	Person Offenses	Property Offenses	Drug Offenses
<b>REDUCTION IN CHARGES</b>				
White	47 out of 1,000 cases	<b>205</b>	68	56
Black	<b>52</b> out of 1,000 cases	192	<b>72</b>	<b>77</b>
Hispanic	49 out of 1,000 cases	190	62	64
<b>NO CHANGE IN CHARGES</b>				
White	916 out of 1,000 cases	761	900	<b>880</b>
Black	912 out of 1,000 cases	773	895	852
Hispanic	<b>918</b> out of 1,000 cases	<b>781</b>	<b>902</b>	865
<b>INCREASE IN CHARGES</b>				
White	<b>37</b> out of 1,000 cases	33	32	64
Black	36 out of 1,000 cases	<b>35</b>	33	<b>71</b>
Hispanic	33 out of 1,000 cases	30	<b>36</b>	<b>71</b>
Number of Cases	74,577	3,478	14,829	11,700

## Most influential factors

**Reduction in charges: Race/ethnicity was not an influential factor for this decision. Charges were more likely to be reduced when:**

- the top filing charge was a felony
- the case was disposed via guilty plea, trial, or diversion
- the defendant was older

**Increase in charges: Race/ethnicity was not an influential factor for this decision. Charges were more likely to be increased when:**

- the case was disposed in 2018
- the defendant did not represent him/herself
- the top filed charge was a misdemeanor
- there was a charge reduction between arrest and filing
- the case involved more filed charges

For **all cases**, Whites were least likely to have their charges reduced and also most likely to have their charges increased.

- Among similarly situated defendants, Blacks were most likely to have their charges reduced (52 out of 1,000 cases), followed by Hispanics (49 out of 1,000 cases), and then Whites (47 out of 1,000 cases). Whites were most likely to have their charges increased (37 out of 1,000 cases), followed by Blacks (36 out of 1,000 cases) and Hispanics (33 out of 1,000 cases).

For **person** offenses, Hispanics were least likely to have their charges reduced, and Blacks were most likely to have their charges increased.

- Among similarly situated defendants, Whites were most likely to have their charges reduced (205 out of 1,000 cases), followed by Blacks (192 out of 1,000 cases) and Hispanics (190 out of 1,000 cases). Blacks were most likely to receive a charge increase (35 out of 1,000 cases), followed by Whites (33 out of 1,000 cases) and Hispanics (30 out of 1,000 cases).

For **property** offenses, Hispanics were least likely to have their charges reduced and also most likely to have their charges increased.

- Among similarly situated defendants, Blacks were most likely to have their charges reduced (72 out of 1,000 cases), followed by Whites (68 out of 1,000 cases), and then Hispanics (62 out of 1,000 cases). Hispanics were most likely to receive a charge increase (36 out of 1,000 cases), followed by Blacks (33 out of 1,000 cases) and Whites (32 out of 1,000 cases).

For **drug** offenses, Whites were least likely to have their charges reduced, and Blacks and Hispanics were most likely to have their charges increased.

- Among similarly situated defendants, Blacks were most likely to have their charges reduced (77 out of 1,000 cases), followed by Hispanics (64 out of 1,000 cases), and then Whites (56 out of 1,000 cases). Blacks and Hispanics were more likely to receive a charge increase (71 out of 1,000 cases) than Whites (64 out of 1,000 cases).
- All drug possession cases (8,499 cases): Whites were least likely to have their charges reduced, and Blacks were most likely to have their charges increased. Blacks were most likely to receive a charge reduction (70 out of 1,000 cases), followed by Hispanics (59 out of 1,000 cases) and Whites (46 out of 1,000 cases). Blacks were most likely to receive a charge increase (54 out of 1,000 cases), followed by Hispanics (53 out of 1,000 cases) and then Whites (50 out of 1,000 cases).
  - Marijuana possession cases (3,606 cases): Consistent with the overall pattern for drug possession cases, Whites were least likely to have their charges reduced, and Blacks were most likely to have their charges increased. Blacks were most likely to receive a charge reduction (64 out of 1,000 cases), followed by Hispanics (45 out of 1,000 cases) and Whites (39 out of 1,000 cases). Blacks were most likely to receive a charge increase (24 out of 1,000 cases), followed by Hispanics (22 out of 1,000 cases), and then Whites (17 out of 1,000 cases).

Table 4a: Felony Likelihood of Changes in Charge Severity from Filing to Disposition by Defendant Race

Numbers in this table represent the expected rates of each outcome per 1,000 cases for White, Black, and Hispanic defendants after taking into account the same factors detailed in the note in Table 4.

	All Disposed Cases	Person Offenses	Property Offenses	Drug Offenses
<b>REDUCTION IN CHARGES</b>				
White	133 out of 1,000 cases	<b>293</b>	121	82
Black	<b>145</b> out of 1,000 cases	276	<b>130</b>	<b>101</b>
Hispanic	134 out of 1,000 cases	278	112	95
<b>NO CHANGE IN CHARGES</b>				
White	<b>843</b> out of 1,000 cases	686	850	<b>884</b>
Black	827 out of 1,000 cases	707	846	861
Hispanic	840 out of 1,000 cases	<b>708</b>	<b>857</b>	873
<b>INCREASE IN CHARGES</b>				
White	24 out of 1,000 cases	<b>20</b>	29	34
Black	<b>28</b> out of 1,000 cases	18	24	<b>37</b>
Hispanic	26 out of 1,000 cases	14	<b>31</b>	32
Number of Cases	20,546	2,316	7,655	6,717

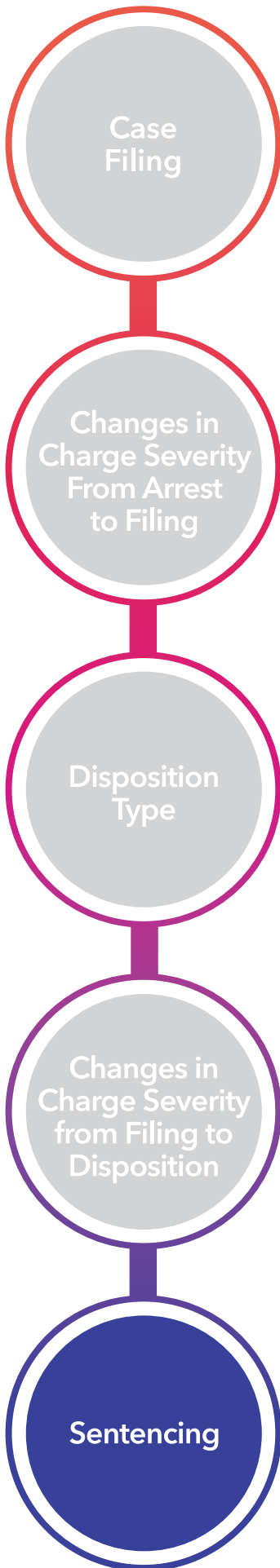
Table 4b: Misdemeanor Likelihood of Changes in Charge Severity from Filing to Disposition by Defendant Race

Numbers in this table represent the expected rates of each outcome per 1,000 cases for White, Black, and Hispanic defendants after taking into account the same factors detailed in the note in Table 4.

	All Disposed Cases	Person Offenses	Property Offenses	Drug Offenses
<b>REDUCTION IN CHARGES</b>				
White	<b>28</b> out of 1,000 cases	*	<b>14</b>	4
Black	24 out of 1,000 cases	*	11	4
Hispanic	25 out of 1,000 cases	*	10	<b>6</b>
<b>NO CHANGE IN CHARGES</b>				
White	930 out of 1,000 cases	*	949	900
Black	938 out of 1,000 cases	*	946	<b>901</b>
Hispanic	<b>940</b> out of 1,000 cases	*	<b>950</b>	888
<b>INCREASE IN CHARGES</b>				
White	<b>42</b> out of 1,000 cases	*	37	96
Black	38 out of 1,000 cases	*	<b>43</b>	96
Hispanic	35 out of 1,000 cases	*	40	<b>105</b>
Number of Cases	54,612	*	7,187	4,471

\*Cannot estimate due to the infrequency of charge reductions and increases.

# 5



Cases resulting in a plea deal or trial conviction may be sentenced to either a non-custodial sentence, a sentence of time served, or a custodial sentence. Non-custodial sentences include any sentence in which probation, fines, court costs, community service, or other punishments are assigned but the defendant is not incarcerated. The analyses are unable to distinguish withholds of adjudication from other non-custodial sentences. Time served sentences include any sentence in which credit for time served in jail prior to conviction accounts for the entirety of a custodial sentence. Custodial sentences include any jail or prison sentence that is longer than credit for time served.



Figure 5: Simple Percentage of Sentence Type by Defendant Race

These bar graphs represent simple percentages of sentence types for all defendants together, followed by White, Black, and Hispanic defendants separately. The graphs do not take into account racial differences in case, defendant, defense attorney, and prosecutor characteristics.

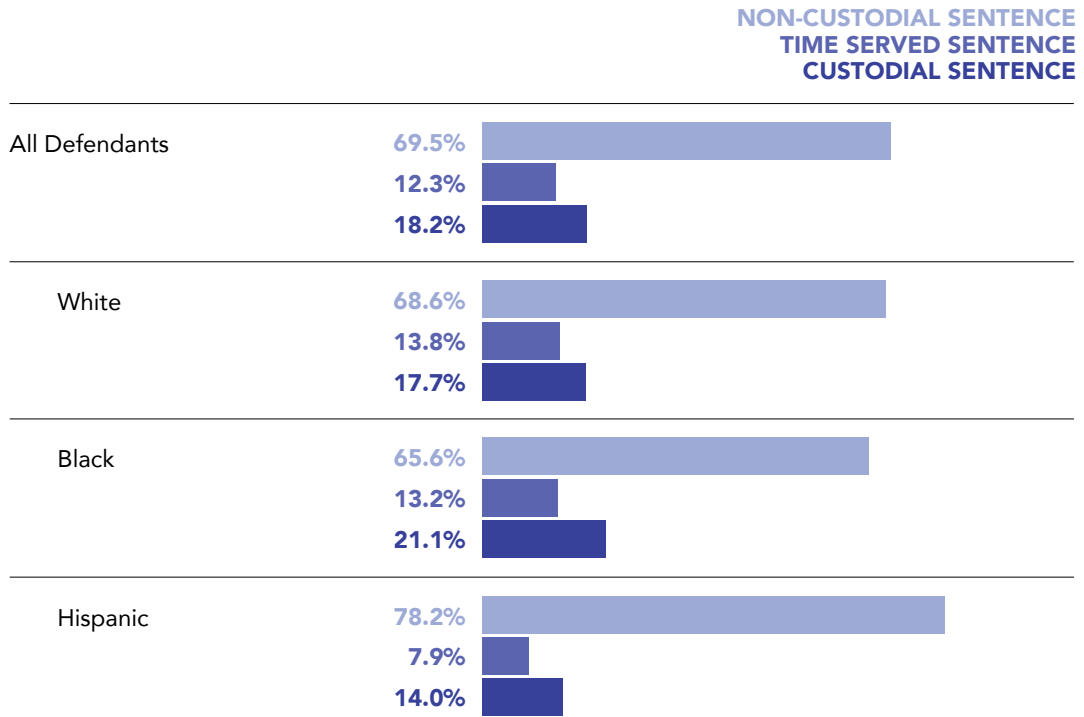


Table 5: Likelihood of Sentence Type by Defendant Race

Numbers in this table represent the expected rates of each outcome per 1,000 cases for White, Black, and Hispanic defendants after taking into account the influence of: (1) offense severity, (2) offense type, (3) charge counts, (4) charge changes from arrest to filing, (5) charge changes from filing to disposition, (6) disposition type, (7) whether the case originated with an arrest, (8) prior convictions, (9) prior sexual assault convictions, (10) criminal history designations such as habitual offender, (11) year of disposition, (12) defense attorney type (private attorney, public defender, or pro se), (13) prosecutor race, (14) prosecutor gender, (15) prosecutor years of experience, (16) defendant gender, and (17) defendant age. Results for person offenses also take into account (18) victim race, (19) victim gender, (20) victim age, and (21) whether a business or government agency was involved as a victim. Results for drug offenses also take into account (22) drug type, (23) whether the offense involved possession or sale/trafficking/manufacturing, and (24) the presence of drug paraphernalia. Please see the text provided after this table for additional description of these rates.

	All Disposed Cases	Person Offenses	Property Offenses	Drug Offenses
<b>NON-CUSTODIAL SENTENCE</b>				
White	691 out of 1,000 cases	464	506	618
Black	697 out of 1,000 cases	<b>472</b>	522	588
Hispanic	<b>711</b> out of 1,000 cases	451	<b>563</b>	<b>625</b>
<b>TIME SERVED SENTENCE</b>				
White	124 out of 1,000 cases	104	<b>229</b>	112
Black	<b>127</b> out of 1,000 cases	<b>116</b>	227	<b>136</b>
Hispanic	107 out of 1,000 cases	66	177	116
<b>CUSTODIAL SENTENCE</b>				
White	<b>185</b> out of 1,000 cases	432	<b>264</b>	270
Black	175 out of 1,000 cases	412	251	<b>276</b>
Hispanic	182 out of 1,000 cases	<b>482</b>	260	260
Number of Cases	49,048	2,023	11,191	9,674

## Most influential factors

**Time served: Race/ethnicity was not an influential factor for this decision. Cases were more likely to result in time served when:**

- the defendant was represented by a public defender
- the top disposition charge was a misdemeanor
- the defendant was older
- the case originated with an arrest

**Custodial sentence: Race/ethnicity was not an influential factor for this decision. Cases were more likely to result in a custodial sentence when:**

- the defendant was represented by a public defender
- the top disposition charge was a felony
- the defendant had more prior convictions
- the defendant was older

For **all cases**, Blacks were most likely to receive a sentence of time served and Whites were most likely to receive a custodial sentence.

- Among similarly situated defendants, Blacks were most likely to receive a sentence of time served (127 out of 1,000 cases), followed by Whites (124 out of 1,000 cases) and Hispanics (107 out of 1,000 cases). Whites were most likely to receive a custodial sentence (185 out of 1,000 cases), followed by Hispanics (182 out of 1,000 cases), and then Blacks (175 out of 1,000 cases).

For **person** offenses, Blacks were most likely to receive a sentence of time served and Hispanics were most likely to receive a custodial sentence.

- Among similarly situated defendants, Blacks were most likely to receive a sentence of time served (116 out of 1,000 cases), followed by Whites (104 out of 1,000 cases) and Hispanics (66 out of 1,000 cases). Hispanics were most likely to receive a custodial sentence (482 out of 1,000 cases), followed by Whites (432 out of 1,000 cases), and then Blacks (412 out of 1,000 cases).

For **property** offenses, Whites were most likely to receive a sentence of time served and also most likely to receive a custodial sentence.

- Among similarly situated defendants, Whites were most likely to receive a sentence of time served (229 out of 1,000 cases), followed by Blacks (227 out of 1,000 cases) and Hispanics (177 out of 1,000 cases). Whites were most likely to receive a custodial sentence (264 out of 1,000 cases), followed by Hispanics (260 out of 1,000 cases), and then Blacks (251 out of 1,000 cases).

For **drug** offenses, Blacks were most likely to receive a sentence of time served and also most likely to receive a custodial sentence.

- Among similarly situated defendants, Blacks were most likely to receive a sentence of time served (136 out of 1,000 cases), followed by Hispanics (116 out of 1,000 cases) and Whites (112 out of 1,000 cases). Blacks were most likely to receive a custodial sentence (276 out of 1,000 cases), followed by Whites (270 out of 1,000 cases), and then Hispanics (260 out of 1,000 cases).
- All drug possession cases (6,912 cases): Blacks were most likely to receive a sentence of time served (137 out of 1,000 cases), followed by Whites (114 out of 1,000 cases) and Hispanics (112 out of 1,000 cases). Whites were most likely to receive a custodial sentence (244 out of 1,000 cases), followed by Blacks (242 out of 1,000 cases) and Hispanics (232 out of 1,000 cases).
- Marijuana possession cases (2,790 cases): Hispanics were most likely to receive a sentence of time served (111 out of 1,000 cases), followed by Blacks (105 out of 1,000 cases) and Whites (84 out of 1,000 cases). Whites were most likely to receive a custodial sentence (69 out of 1,000 cases), followed by Blacks (64 out of 1,000 cases) and Hispanics (51 out of 1,000 cases).

Table 5a: Felony Likelihood of Sentence Type by Defendant Race

Numbers in this table represent the expected rates of each outcome per 1,000 cases for White, Black, and Hispanic defendants after taking into account the same factors detailed in the note in Table 5.

	All Disposed Cases	Person Offenses	Property Offenses	Drug Offenses
<b>NON-CUSTODIAL SENTENCE</b>				
White	452 out of 1,000 cases	398	467	481
Black	468 out of 1,000 cases	<b>419</b>	478	452
Hispanic	<b>482</b> out of 1,000 cases	358	<b>508</b>	<b>511</b>
<b>TIME SERVED SENTENCE</b>				
White	74 out of 1,000 cases	43	63	94
Black	<b>96</b> out of 1,000 cases	<b>54</b>	<b>92</b>	<b>123</b>
Hispanic	69 out of 1,000 cases	32	44	83
<b>CUSTODIAL SENTENCE</b>				
White	<b>473</b> out of 1,000 cases	560	<b>469</b>	425
Black	435 out of 1,000 cases	527	429	<b>426</b>
Hispanic	450 out of 1,000 cases	<b>610</b>	448	404
Number of Cases	15,572	1,440	5,208	5,943

Table 5b: Misdemeanor Likelihood of Sentence Type by Defendant Race

Numbers in this table represent the expected rates of each outcome per 1,000 cases for White, Black, and Hispanic defendants after taking into account the same factors detailed in the note in Table 5.

	All Disposed Cases	Person Offenses	Property Offenses	Drug Offenses
<b>NON-CUSTODIAL SENTENCE</b>				
White	803 out of 1,000 cases	634	540	<b>838</b>
Black	803 out of 1,000 cases	587	563	800
Hispanic	<b>816</b> out of 1,000 cases	<b>704</b>	<b>607</b>	810
<b>TIME SERVED SENTENCE</b>				
White	<b>147</b> out of 1,000 cases	246	<b>372</b>	140
Black	143 out of 1,000 cases	<b>274</b>	344	162
Hispanic	127 out of 1,000 cases	158	296	<b>163</b>
<b>CUSTODIAL SENTENCE</b>				
White	51 out of 1,000 cases	119	89	22
Black	54 out of 1,000 cases	<b>139</b>	93	<b>38</b>
Hispanic	<b>58</b> out of 1,000 cases	138	<b>98</b>	27
Number of Cases	33,476	583	5,983	3,731

# Appendix A

## Racial and Ethnic Disparity Dashboards

These dashboards provide the reader with a visual overview of how outcomes for different racial and ethnic groups compare across the five decision points detailed in this report.

Dashboards are broken down by offense type: (1) all cases, (2) person, (3) property, and (4) drug. They are also separated by year, 2017 and 2018.

Differences between Black and White defendants, and between Hispanic and White defendants, are presented as rates per 1,000 cases. These rates take into account the influence of legal (e.g. offense severity, prior record) and non-legal (defendant age, defense counsel type) factors described in the tables throughout the report.

Each bar in the dashboards has three components:

**Color** - Lighter bars show differences in rates for Black defendants compared to White defendants, while darker bars show differences in rates for Hispanic defendants compared to White defendants.

**Number** - The number at the end of each bar shows the difference in rates for each outcome. Positive numbers indicate that Black or Hispanic defendants have a higher rate of the outcome than White defendants, while negative numbers indicate Black or Hispanic defendants have a lower rate of the outcome than White defendants.

**Direction** - The direction of the bar reflects whether the difference in rates benefits Black or Hispanic defendants. Bars to the right of the 0 axis represent differences that potentially benefit Black or Hispanic defendants. Bars to the left of the 0 axis represent differences that are unlikely to benefit Black or Hispanic defendants.

Outcome preferences are defined by whether defendants would rather receive each outcome over its immediate alternative, *regardless of what happened earlier in case processing*. Although earlier outcomes may influence differences observed in later outcomes, preferences are determined only by the alternatives available within the same decision point. An example interpretation is provided for one bar in each chart.

*Example:* We have categorized prosecutorial dismissals as a possible preferred outcome for defendants. If we look at the overall picture, a higher dismissal rate may suggest unfavorable treatment at case filing; a higher rate of prosecutorial dismissals for minority defendants could indicate that some of these cases should have never been filed. However, for cases that have been filed, defendants would likely prefer to receive a dismissal rather than plead guilty or go to trial.

### Outcomes that defendants are likely to prefer include:

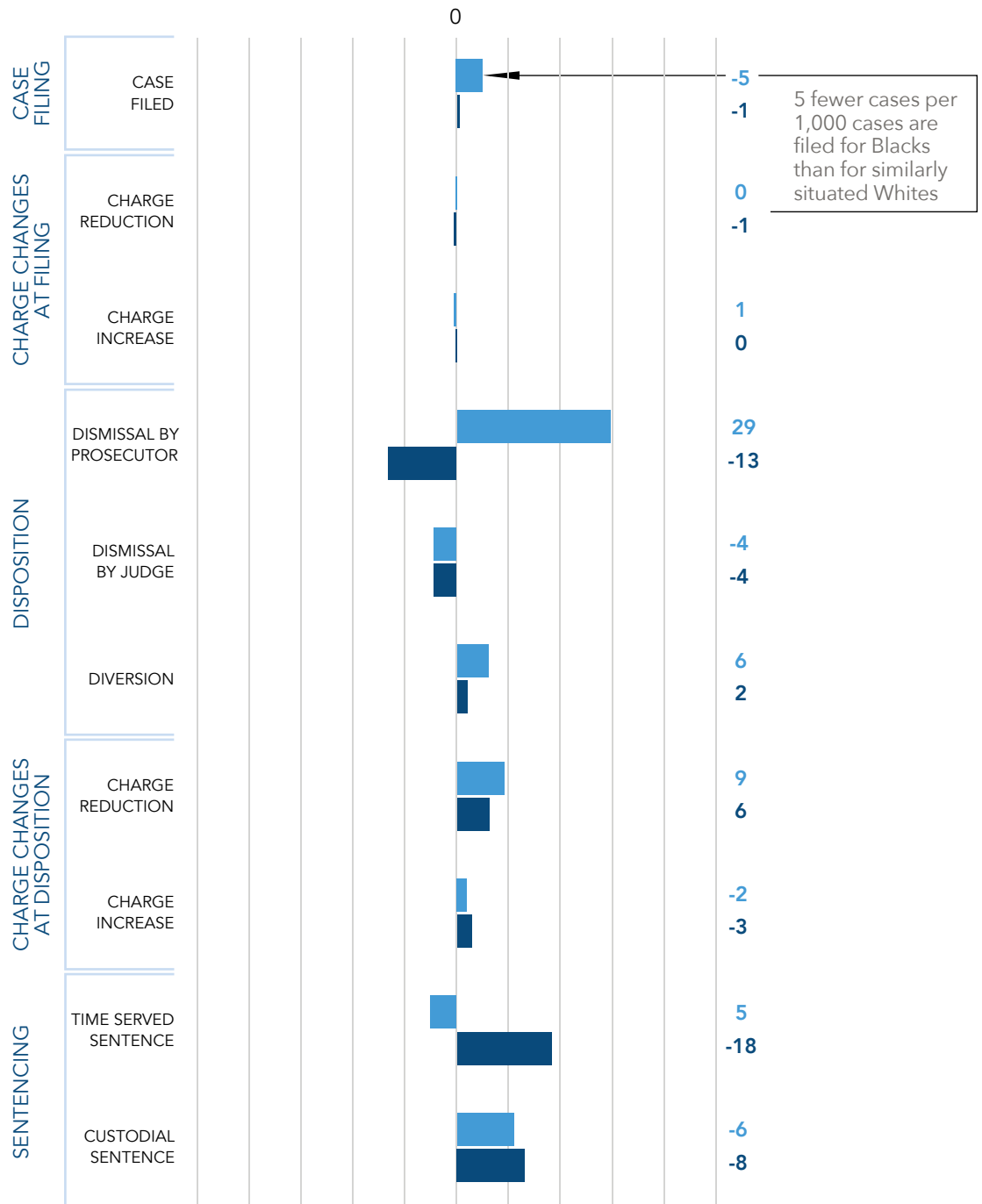
- charge reduction at filing as opposed to no charge change at filing
- dismissal by prosecutor (nolle prosequi) as opposed to guilty plea/trial
- dismissal by a judge as opposed to guilty plea/trial
- post-filing diversion as opposed to guilty plea/trial
- charge reduction at disposition as opposed to no charge change at disposition

### Outcomes that defendants are likely not to prefer include:

- case filing as opposed to case rejection at filing
- charge increase at filing as opposed to no charge change at filing
- charge increase at disposition as opposed to no charge change at disposition
- time served sentence as opposed to non-custodial sentence
- custodial sentence as opposed to non-custodial sentence

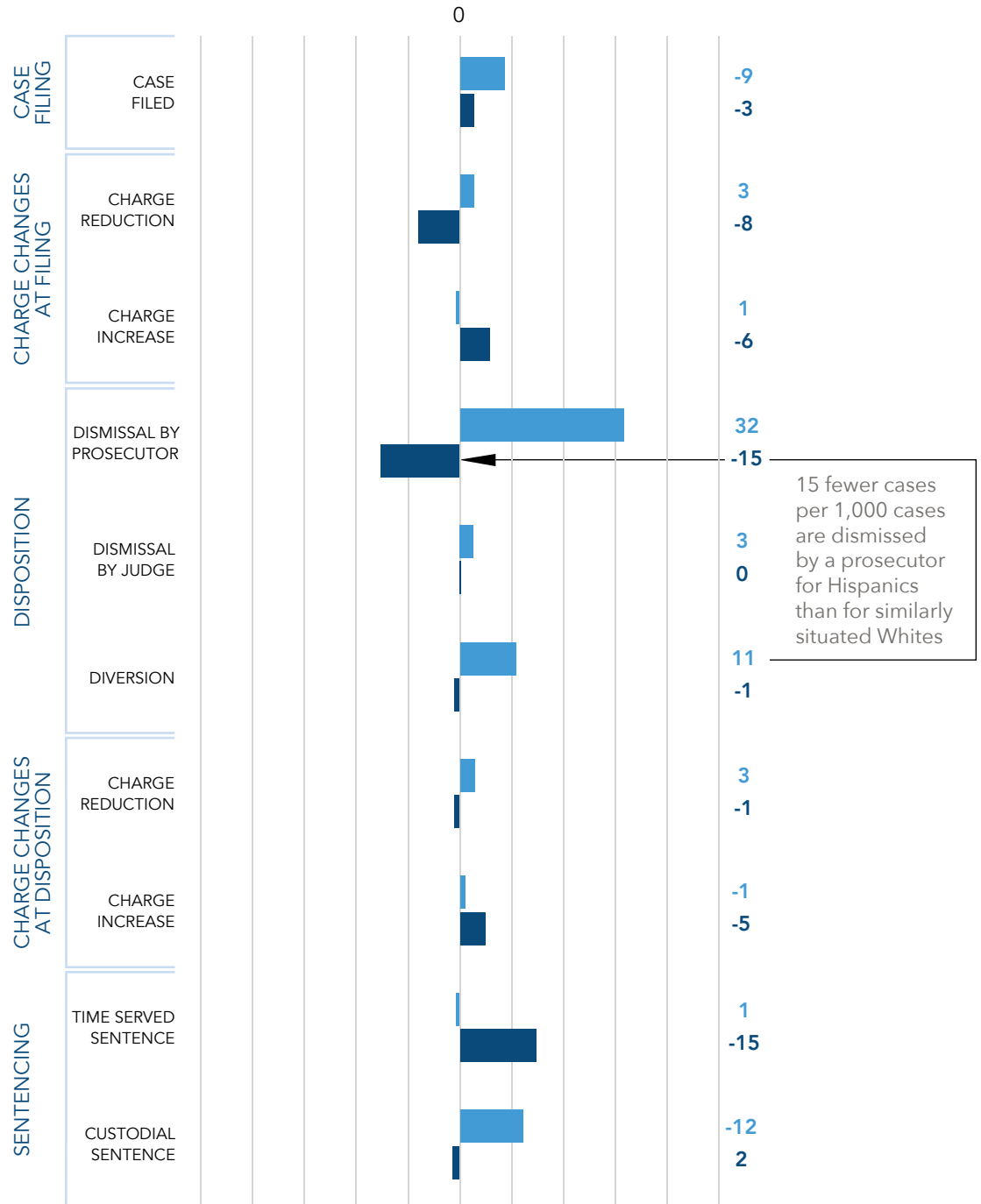
## 2017 All Cases Differences in Rates by Outcome and Race

Black Defendants  
Hispanic Defendants



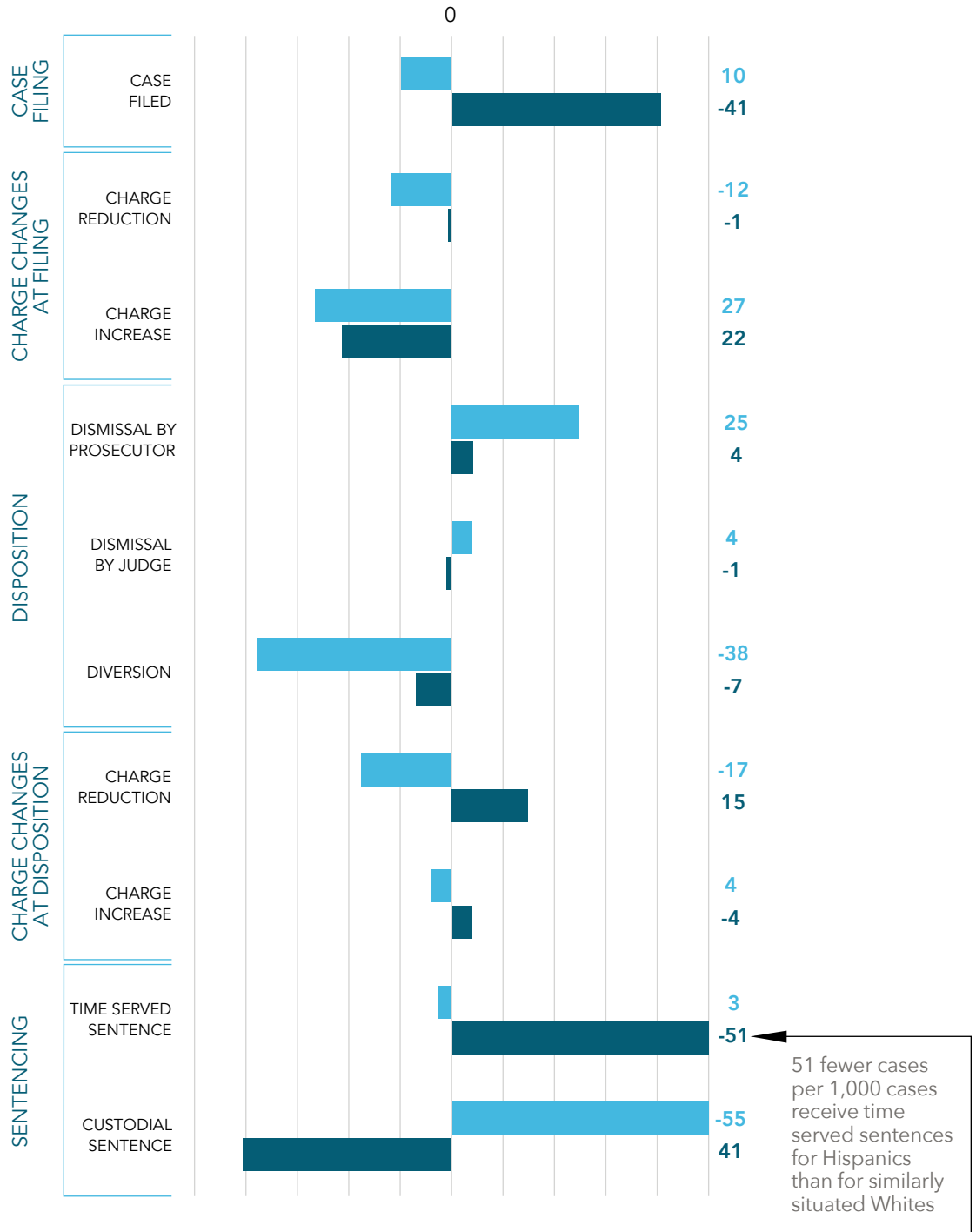
## 2018 All Cases Differences in Rates by Outcome and Race

Black Defendants  
Hispanic Defendants



## 2017 Person Cases Differences in Rates by Outcome and Race

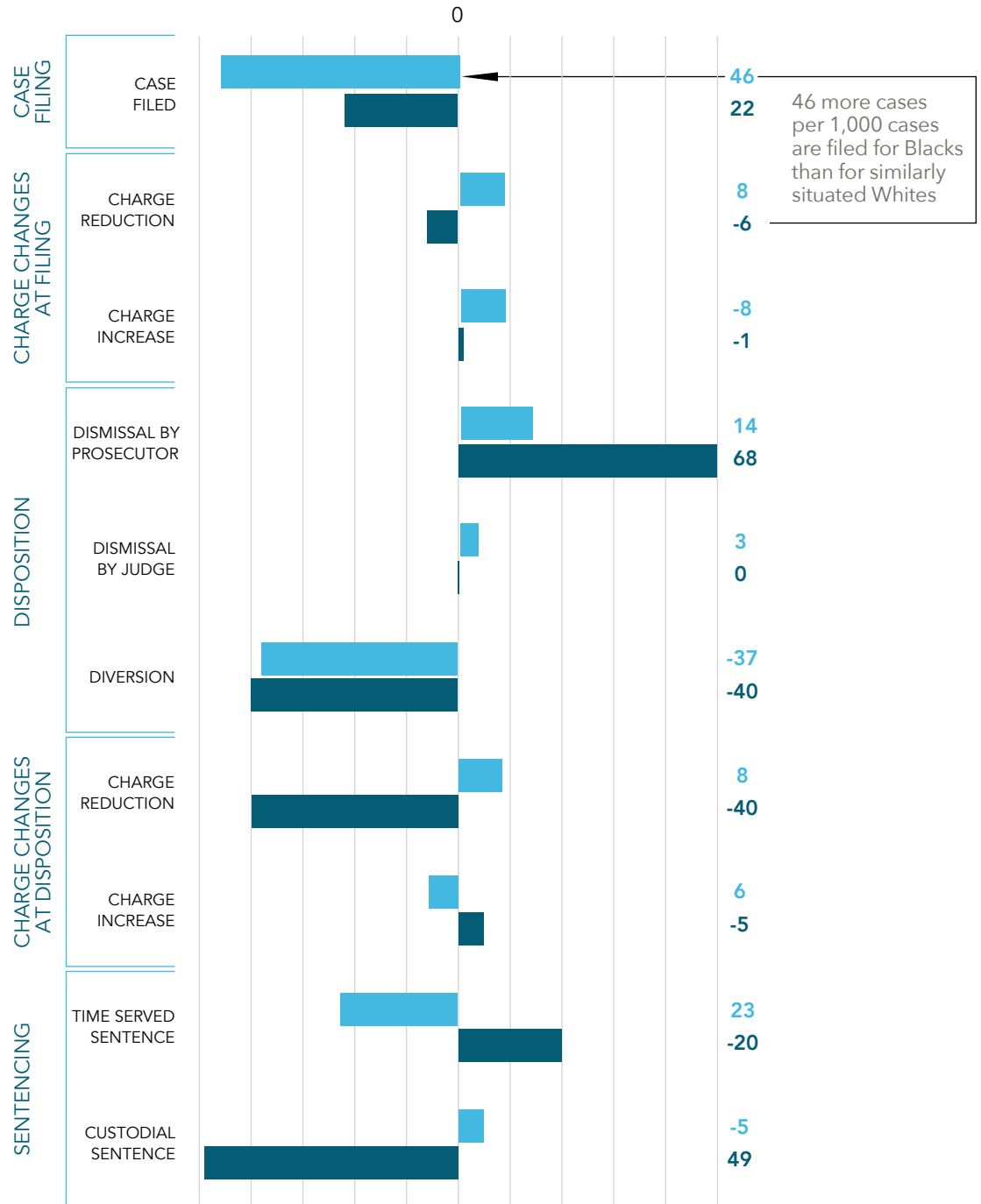
Black Defendants  
Hispanic Defendants





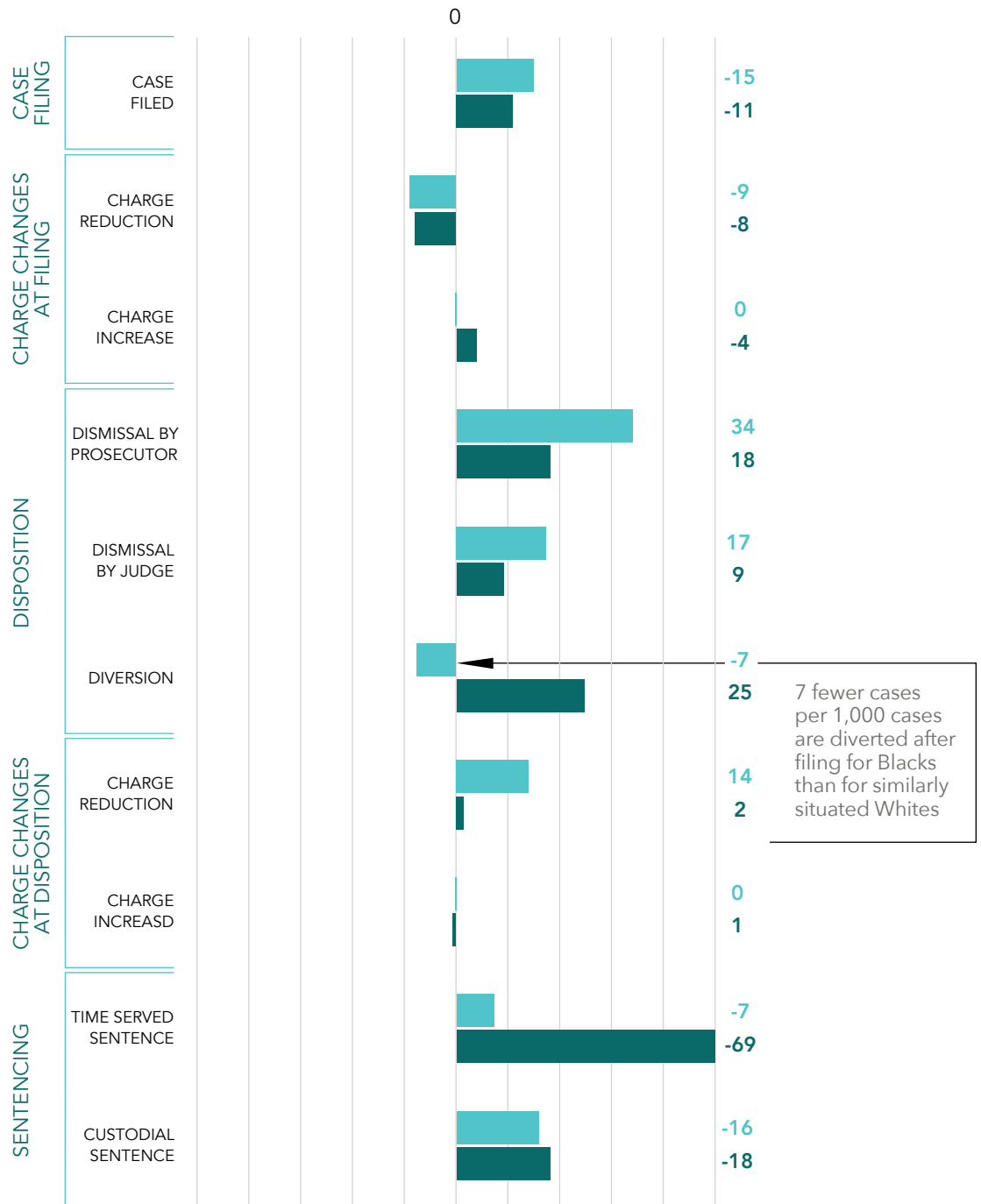
## 2018 Person Cases Differences in Rates by Outcome and Race

Black Defendants  
Hispanic Defendants



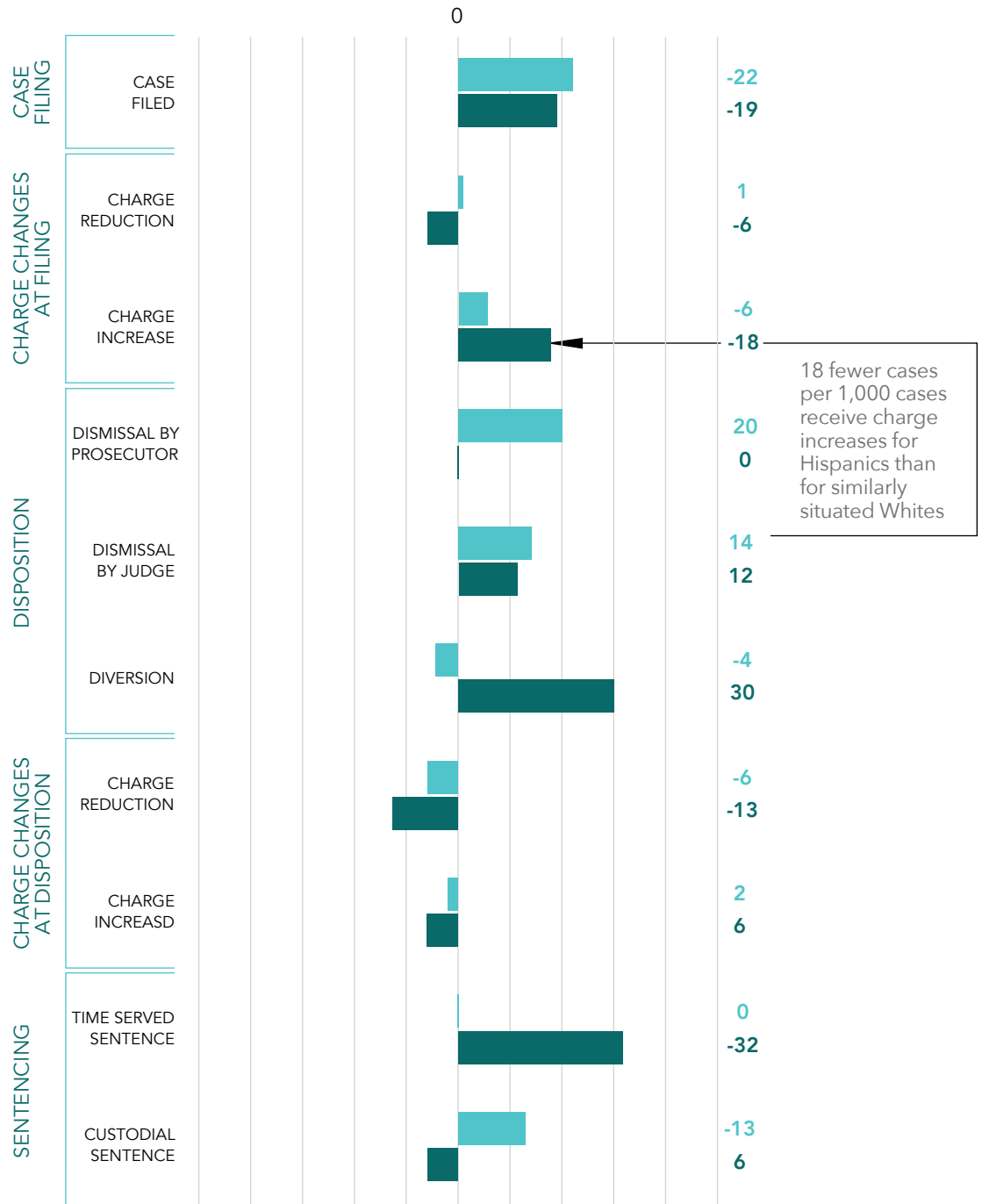
## 2017 Property Cases Differences in Rates by Outcome and Race

Black Defendants  
Hispanic Defendants



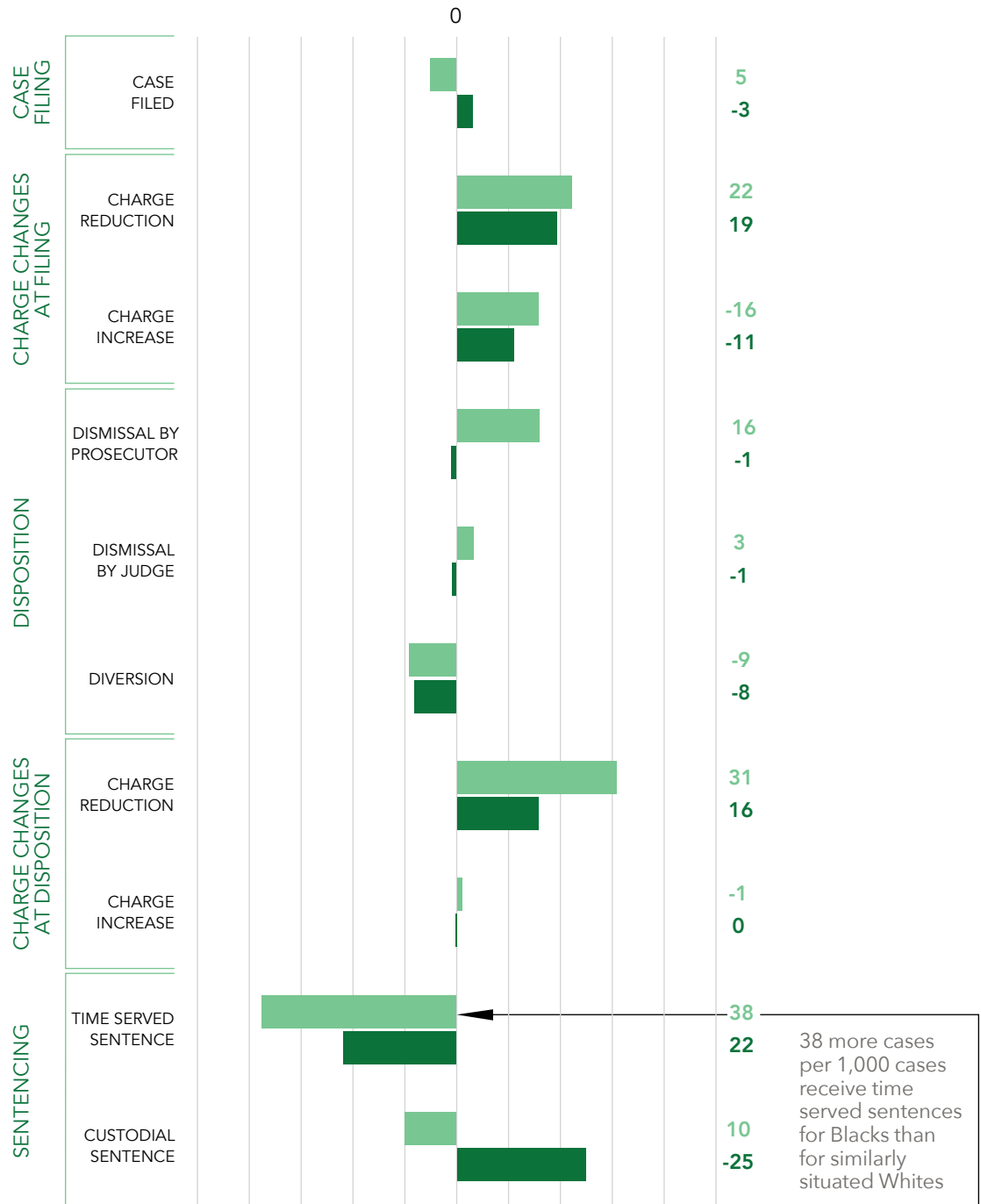
## 2018 Property Cases Differences in Rates by Outcome and Race

Black Defendants  
Hispanic Defendants



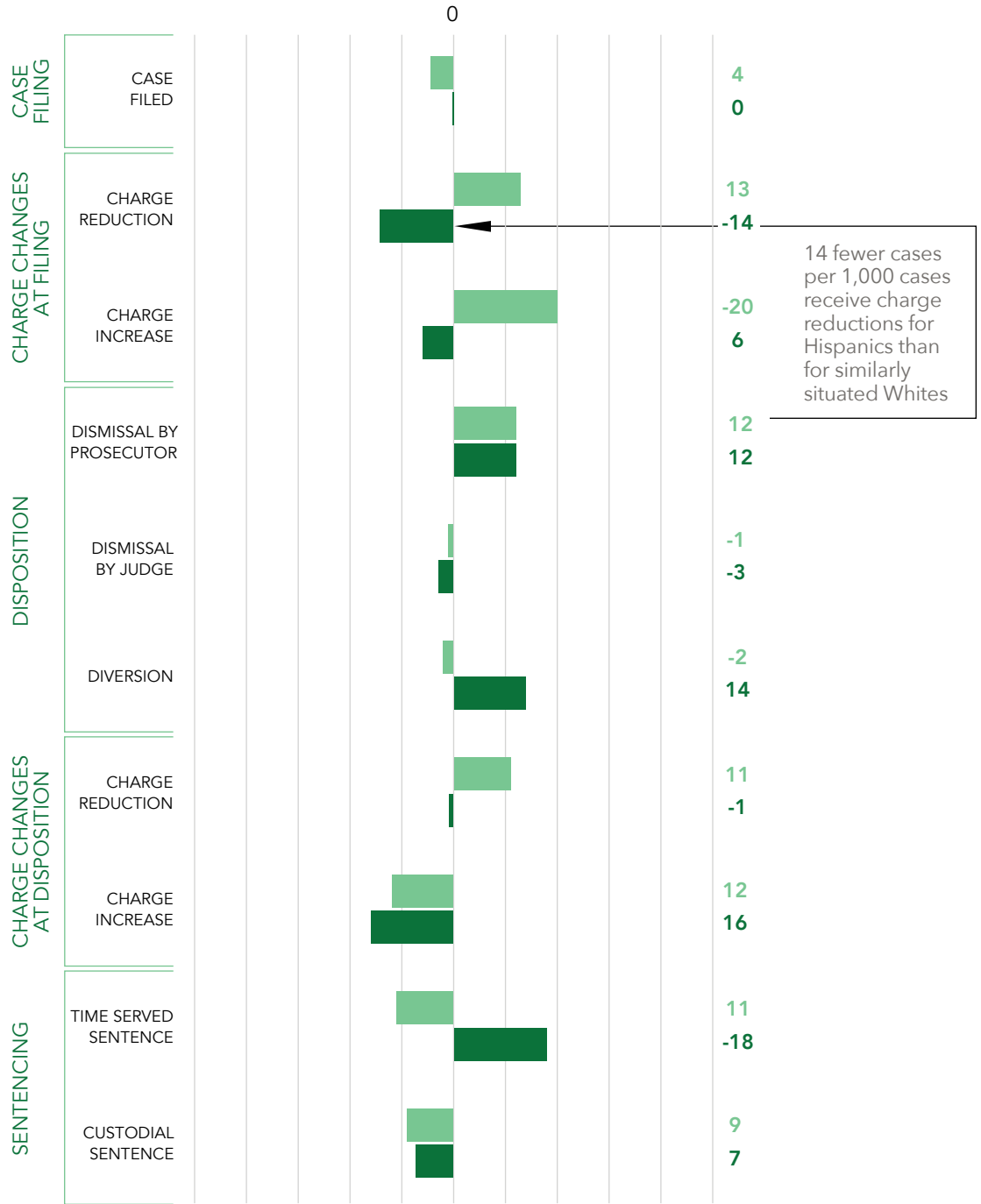
## 2017 Drug Cases Differences in Rates by Outcome and Race

Black Defendants  
Hispanic Defendants



## 2018 Drug Cases Differences in Rates by Outcome and Race

Black Defendants  
Hispanic Defendants



# Appendix B

## Descriptive Statistics

Table 1: Descriptive Statistics for Cases Brought for Filing	All Cases	Defendant Race				Offense Severity	
		White	Black	Hispanic	Asian/ Native Am.	Misdemeanors	Felonies
<b>TOTAL CASES</b>	N=86,811	N=36,588	N=32,530	N=16,682	N=471	N=54,963	N=31,848
<b>FILING DECISION</b>							
No charges filed	9.2%	9.0%	10.0%	7.9%	10.0%	6.1%	14.7%
Charges filed	90.8%	91.0%	90.0%	92.1%	90.0%	93.9%	85.3%
<b>CHARGE CHANGES</b>							
Reduced	10.2%	10.1%	11.8%	8.1%	2.1%	1.2%	27.5%
No Change	86.5%	85.9%	84.8%	89.5%	96.9%	95.7%	67.5%
Increased	3.3%	4.0%	3.4%	2.4%	1.0%	3.1%	3.6%
<b>DEFENDANT DEMOGRAPHICS</b>							
White	42.4%	n/a	n/a	n/a	n/a	42.7%	42.0%
Black	37.7%	n/a	n/a	n/a	n/a	35.4%	41.7%
Hispanic	19.3%	n/a	n/a	n/a	n/a	21.2%	16.1%
Asian/Native American	1.0%	n/a	n/a	n/a	n/a	1.0%	0.2%
Female	26.6%	27.4%	26.6%	24.5%	29.1%	29.3%	22.1%
Male	73.4%	72.6%	73.4%	75.5%	70.9%	70.8%	77.9%
Age (mean years)	34.2	36.2	32.5	33.3	33.4	34.2	34.2

**Table 1:** Descriptive Statistics  
for Cases Brought for Filing  
*Continued*

	All Cases	Defendant Race				Offense Severity	
		White	Black	Hispanic	Asian/ Native Am.	Misdemeanors	Felonies
<b>OFFENSE INFORMATION</b>							
Felony - capital	0.0%	0.1%	0.1%	0.1%	0.0%	n/a	0.2%
Felony - life	0.4%	0.3%	0.5%	0.5%	0.4%	n/a	1.0%
Felony - punishable by life	0.9%	0.6%	1.3%	0.7%	0.0%	n/a	2.3%
Felony - 1st degree	1.6%	1.5%	1.7%	1.6%	0.4%	n/a	4.5%
Felony - 2nd degree	6.4%	5.5%	8.3%	5.3%	1.3%	n/a	17.6%
Felony - 3rd degree	27.4%	28.6%	39.0%	22.6%	9.8%	n/a	75.0%
Misdemeanor - 1st degree	21.5%	23.1%	22.0%	17.6%	16.8%	34.0%	n/a
Misdemeanor - 2nd degree	41.8%	40.4%	37.0%	51.7%	71.3%	66.0%	n/a
Person	10.1%	8.4%	13.2%	7.3%	5.1%	4.3%	20.1%
Property	21.1%	23.7%	20.5%	17.1%	8.9%	14.1%	33.1%
Drug	15.6%	17.1%	15.7%	12.8%	7.2%	8.7%	27.7%
Public order/traffic	53.2%	50.7%	50.6%	62.2%	79.0%	72.90%	19.1%
Number of charges (mean)	2.0	2.2	2.0	1.8	1.4	1.3	3.2
Case initiated by arrest	42.2%	46.0%	43.0%	34.0%	16.1%	27.7%	67.2%
Disposed in 2017	52.0%	50.4%	52.7%	53.8%	58.2%	50.5%	54.5%
Disposed in 2018	48.0%	49.6%	47.3%	46.2%	41.8%	49.5%	45.5%
<b>CRIMINAL HISTORY</b>							
Number of prior arrests (mean)	5.4	4.3	7.7	3.5	0.8	4.3	7.3
Number of prior convictions (mean)	4.4	3.8	6.0	2.9	0.6	3.6	5.8
Any prior jail sentence	35.6%	33.9%	43.5%	25.7%	7.2%	28.8%	47.3%
Any prior prison sentence	21.3%	17.1%	30.3%	14.2%	1.7%	14.3%	33.4%
Serious criminal history	14.7%	9.5%	23.3%	10.3%	1.1%	9.9%	23.0%
Any prior sexual assault conviction	3.0%	2.6%	4.0%	2.0%	1.0%	2.1%	4.6%
<b>VICTIM INFORMATION</b>							
White	52.3%	65.8%	34.5%	60.9%	46.9%	41.5%	58.3%
Black	25.3%	9.4%	48.2%	11.2%	14.3%	23.5%	26.3%
Hispanic	1.7%	1.0%	1.6%	3.9%	2.0%	1.4%	1.9%
Asian/Native American	0.1%	1.0%	1.0%	1.0%	8.2%	1.0%	1.0%
Female	57.5%	56.2%	58.7%	57.9%	66.0%	69.0%	50.8%
Male	42.5%	43.8%	41.3%	42.1%	34.0%	31.0%	49.2%
Age (mean)	31.4	32.2	31.3	29.2	27.7	26.5	34.2
Business/public agency	12.6%	13.8%	10.0%	15.2%	0.2%	16.5%	9.6%

**Table 2:** Descriptive Statistics for Disposed Cases

	All Cases	Defendant Race				Offense Severity	
		White	Black	Hispanic	Asian/ Native Am.	Misdemeanors	Felonies
<b>Total Cases</b>	N=78,111	N=33,104	N=28,880	N=15,285	N=424	N=56,491	N=21,620
<b>DISPOSITION TYPES</b>							
Prosecutorial Dismissal	22.5%	21.3%	23.0%	23.0%	44.3%	27.9%	8.3%
Judicial Dismissal	3.0%	3.0%	3.0%	2.8%	5.0%	3.3%	2.1%
Diversions	10.0%	10.2%	9.4%	10.1%	13.2%	8.9%	12.6%
Plea or Trial	64.7%	63.4%	64.7%	64.0%	37.3%	59.9%	77.0%
<b>CHARGE CHANGES</b>							
Reduced	5.7%	5.8%	6.2%	4.9%	3.3%	2.6%	13.8%
No change	89.3%	88.9%	88.6%	91.0%	93.9%	91.2%	81.8%
Increased	5.0%	5.3%	5.2%	4.1%	2.8%	5.2%	4.5%
<b>DEFENDANT DEMOGRAPHICS</b>							
White	42.6%	n/a	n/a	n/a	n/a	42.4%	43.1%
Black	37.2%	n/a	n/a	n/a	n/a	35.8%	40.8%
Hispanic	19.7%	n/a	n/a	n/a	n/a	21.1%	16.0%
Asian/Native American	0.5%	n/a	n/a	n/a	n/a	0.7%	0.1%
Female	26.3%	27.2%	26.2%	24.4%	27.4%	28.4%	20.8%
Male	73.7%	72.8%	73.8%	75.6%	72.6%	71.6%	79.2%
Age (mean years)	34.1	36.1	32.4	33.1	33.1	34.2	33.8
<b>OFFENSE INFORMATION</b>							
Felony - capital	0.1%	0.1%	0.1%	0.1%	0.0%	n/a	0.2%
Felony - life	0.2%	0.1%	0.2%	0.2%	0.0%	n/a	0.7%
Felony - punishable by life	0.5%	0.3%	0.9%	0.4%	0.0%	n/a	2.0%
Felony - 1st degree	1.4%	1.3%	1.5%	1.4%	0.0%	n/a	5.0%
Felony - 2nd degree	4.9%	4.6%	5.7%	4.1%	0.5%	n/a	17.5%
Felony - 3rd degree	20.6%	21.8%	22.0%	16.5%	5.4%	n/a	74.6%
Misdemeanor - 1st degree	25.1%	26.2%	26.9%	20.2%	17.2%	34.8%	n/a
Misdemeanor - 2nd degree	47.2%	45.6%	42.6%	57.1%	76.9%	65.2%	n/a
Person	7.2%	6.1%	9.6%	5.6%	1.0%	2.8%	18.8%
Property	19.7%	22.6%	19.0%	15.3%	6.6%	13.4%	36.0%
Drug	16.2%	17.4%	16.8%	13.0%	6.8%	9.3%	34.3%
Public order/traffic	56.9%	53.9%	54.6%	66.0%	85.6%	74.50%	10.9%
Number of charges (mean)	1.9	2.0	2.0	1.8	1.3	1.3	3.6
Case initiated by arrest	41.9%	45.9%	42.8%	33.2%	13.4%	32.4%	66.6%
Charges reduced at filing	10.2%	10.1%	11.8%	8.1%	2.1%	11.3%	7.4%
Charges increased at filing	3.2%	3.5%	3.4%	2.3%	0.7%	1.3%	8.2%
Top charge dropped at filing	8.1%	8.4%	8.7%	6.4%	3.1%	5.8%	14.2%
Disposed in 2017	52.0%	50.2%	52.8%	53.8%	56.8%	51.0%	54.5%
Disposed in 2018	48.0%	49.8%	47.2%	46.2%	43.2%	49.0%	45.5%
<b>CRIMINAL HISTORY</b>							
Number of prior arrests (mean)	5.3	4.3	7.6	3.4	0.8	4.5	7.5
Number of prior convictions (mean)	4.4	3.8	6.1	2.8	0.6	3.8	6.0
Any prior jail sentence	35.6%	34.0%	43.6%	26.6%	6.8%	30.4%	49.2%
Any prior prison sentence	21.2%	17.1%	20.3%	14.0%	1.7%	15.2%	36.9%
Serious criminal history	14.5%	9.4%	23.0%	10.1%	0.9%	10.4%	25.1%
Any prior sexual assault conviction	3.0%	2.6%	4.0%	2.1%	0.9%	2.1%	5.2%



**Table 2:** Descriptive Statistics for Disposed Cases  
*Continued*

	All Cases	Defendant Race				Offense Severity	
		White	Black	Hispanic	Asian/ Native Am	Misdemeanors	Felonies
<b>VICTIM INFORMATION</b>							
White	52.1%	63.6%	36.7%	58.2%	41.4%	42.3%	59.8%
Black	22.3%	9.0%	42.7%	10.4%	6.9%	21.1%	23.3%
Hispanic	1.8%	1.0%	1.9%	3.7%	3.4%	1.3%	2.3%
Asian/Native American	1.0%	0.8%	1.0%	1.0%	3.4%	0.9%	0.9%
Female	57.6%	57.2%	57.4%	58.9%	66.7%	67.6%	49.7%
Male	42.4%	42.8%	42.6%	41.1%	33.3%	32.4%	50.3%
Age (mean years)	30.8	31.6	31.0	28.4	23.0	26.0	34.5
Business/public agency	13.6%	14.5%	11.0%	16.7%	29.2%	16.7%	10.5%
<b>DEFENSE COUNSEL TYPE</b>							
Public defender	39.6%	41.6%	44.0%	28.7%	7.3%	27.2%	71.9%
Private counsel	20.7%	24.2%	13.3%	26.5%	33.0%	18.6%	26.1%
Pro se	39.7%	34.1%	42.7%	44.8%	59.7%	54.2%	2.0%
<b>DISPOSITION PROSECUTOR INFORMATION</b>							
White	64.0%	65.3%	60.8%	64.4%	61.9%	67.5%	54.4%
Black	9.0%	8.7%	10.0%	7.0%	12.6%	9.0%	8.7%
Hispanic	27.1%	26.0%	29.2%	25.6%	25.5%	23.5%	37.0%
Female	61.7%	61.0%	62.7%	61.4%	56.9%	59.0%	69.0%
Male	38.3%	39.0%	37.3%	38.6%	43.1%	41.0%	31.0%
Years of Experience (mean)	2.8	2.8	3.0	2.6	2.1	2.0	5.2

**Table 3:** Descriptive Statistics for Sentenced Cases

	All Cases	Defendant Race				Offense Severity	
		White	Black	Hispanic	Asian/ Native Am.	Misdemeanors	Felonies
<b>Total Cases</b>	N=49,841	N=21,328	N=19,445	N=9,701	N=157	N=33,933	N=15,908
<b>CUSTODIAL SENTENCE</b>							
Non-Custodial Sentence	69.5%	68.5%	65.6%	78.2%	94.3%	80.3%	45.7%
Time Served Sentence	12.4%	13.8%	13.3%	7.9%	3.2%	14.4%	8.9%
Custodial Sentence	18.1%	17.7%	21.1%	13.9%	2.5%	5.3%	45.4%
<b>DEFENDANT DEMOGRAPHICS</b>							
White	43.0%	n/a	n/a	n/a	n/a	42.7%	43.6%
Black	37.2%	n/a	n/a	n/a	n/a	35.3%	41.2%
Hispanic	19.5%	n/a	n/a	n/a	n/a	21.6%	15.2%
Asian/Native American	0.3%	n/a	n/a	n/a	n/a	0.5%	0.0%
Female	22.9%	25.5%	20.8%	21.0%	28.0%	25.7%	17.0%
Male	77.1%	74.5%	79.2%	79.0%	72.0%	74.3%	83.0%
Age (mean years)	34.4	36.5	32.6	33.2	35.1	34.4	34.3
<b>OFFENSE INFORMATION</b>							
Felony - capital	0.0%	0.0%	0.0%	0.0%	0.0%	n/a	0.1%
Felony - life	0.1%	0.1%	0.2%	0.2%	0.0%	n/a	0.5%
Felony - punishable by life	0.5%	0.2%	0.9%	0.4%	0.0%	n/a	1.6%
Felony - 1st degree	1.4%	1.4%	1.5%	1.5%	0.0%	n/a	4.5%
Felony - 2nd degree	6.3%	5.8%	7.6%	5.1%	0.0%	n/a	19.8%
Felony - 3rd degree	23.5%	24.9%	25.2%	17.7%	2.5%	n/a	73.5%
Misdemeanor - 1st degree	27.0%	28.4%	28.8%	20.6%	22.9%	40.0%	n/a
Misdemeanor - 2nd degree	41.1%	39.1%	35.6%	54.7%	74.5%	60.0%	n/a
Person	7.3%	5.7%	9.8%	5.9%	0.6%	2.5%	17.5%
Property	22.7%	26.6%	21.9%	16.3%	7.6%	17.9%	33.0%
Drug	19.9%	20.8%	21.4%	15.5%	7.6%	11.2%	38.4%
Public order/traffic	50.1%	46.8%	46.9%	62.3%	84.1%	68.4%	11.2%
Number of charges (mean)	3.3	3.4	3.5	3.0	1.9	2.1	5.9
Case initiated by arrest	48.3%	51.7%	50.9%	37.4%	11.5%	37.8%	70.7%
Charges reduced at filing	11.3%	11.0%	13.2%	8.7%	4.5%	10.8%	12.4%
Charges increased at filing	4.0%	4.4%	4.3%	3.0%	0.0%	1.8%	8.9%
Top charge dropped at filing	69.8%	10.1%	10.9%	7.6%	1.9%	5.9%	18.3%
Charges reduced at disposition	6.4%	6.1%	7.4%	5.5%	3.2%	6.9%	5.3%
Charges increased at disposition	4.2%	4.4%	4.60%	3.2%	1.9%	1.6%	9.9%
Top charge dropped at disposition	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Plea disposition	99.4%	99.4%	99.2%	99.6%	99.4%	99.4%	99.2%
Trial disposition	0.6%	0.6%	0.8%	0.4%	0.6%	0.6%	0.8%
Disposed in 2017	52.1%	50.1%	53.5%	53.9%	52.9%	53.1%	49.9%
Disposed in 2018	47.9%	49.9%	46.5%	46.1%	47.1%	46.9%	50.1%
<b>CRIMINAL HISTORY</b>							
Number of prior arrests (mean)	6.4	5.3	9.1	4.1	0.9	5.3	9.0
Number of prior convictions (mean)	5.4	4.7	7.4	3.5	0.9	4.6	7.3
Any prior jail sentence	43.6%	42.2%	52.2%	31.6%	9.6%	36.3%	59.0%
Any prior prison sentence	26.8%	22.2%	37.2%	18.2%	1.3%	18.0%	45.8%
Serious criminal history	18.0%	11.9%	28.1%	12.8%	0.0%	12.4%	30.0%
Any prior sexual assault conviction	3.5%	3.1%	4.7%	2.2%	0.6%	2.4%	5.9%

**Table 3:** Descriptive Statistics for Sentenced Cases  
*Continued*

	All Cases	Defendant Race				Offense Severity	
		White	Black	Hispanic	Asian/ Native Am.	Misdemeanors	Felonies
<b>VICTIM INFORMATION</b>							
White	58.6%	71.2%	41.7%	67.3%	0.2%	49.7%	64.2%
Black	23.5%	9.5%	43.2%	11.5%	0.2%	24.5%	22.8%
Hispanic	2.0%	1.1%	2.1%	4.0%	0.2%	1.2%	2.5%
Asian/Native American	0.9%	0.8%	1.2%	0.7%	0.2%	0.9%	1.0%
Female	51.9%	51.9%	52.3%	51.1%	60.0%	59.6%	46.9%
Male	48.1%	48.1%	47.7%	48.9%	40.0%	40.4%	53.1%
Age (mean years)	34.3	35.4	33.7	32.6	31.0	31.2	36.3
Business/public agency	9.1%	9.8%	7.8%	10.5%	6.3%	10.1%	8.2%
<b>DEFENSE COUNSEL TYPE</b>							
Public defender	46.8%	49.5%	58.1%	32.8%	8.3%	33.1%	76.0%
Private counsel	19.6%	21.8%	13.3%	26.4%	33.8%	17.7%	23.6%
Pro se	33.6%	27.8%	35.0%	40.8%	58.0%	49.2%	0.5%
<b>DISPOSITION PROSECUTOR INFORMATION</b>							
White	62.8%	64.1%	59.4%	66.2%	61.1%	67.5%	52.6%
Black	8.9%	8.9%	9.9%	6.9%	12.1%	8.8%	9.1%
Hispanic	28.3%	27.0%	30.7%	26.9%	27.0%	23.7%	38.3%
Female	62.7%	62.3%	63.9%	61.9%	41.8%	59.9%	69.0%
Male	37.2%	37.7%	36.1%	38.1%	38.2%	40.1%	31.0%
Years of Experience (mean)	3.0	3.0	3.3	2.7	1.8	2.1	5.1

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# Appendix C

## Most Common Person, Property, and Drug Charges Brought for Filing, 2017-2018

### Person offenses:

1. §784.03 Battery (2,659 cases, excluding domestic violence cases)
2. §790.23 Felon in possession of a firearm (1,033 cases)
3. §784.045 Aggravated battery with a deadly weapon (838 cases)
4. §784.021 Aggravated assault (689 cases)
5. §812.13 Robbery (477 cases)
6. §810.02 Burglary (400 cases)
7. §790.01 Carrying a concealed firearm (394)
8. §843.01 Resisting an officer with violence (270 cases)
9. §827.03 Abuse/neglect of a child (203 cases)
10. §784.041 Felony battery (176 cases)

### Property offenses:

1. §812.014 Theft (8,231 cases)
2. §810.09 Trespassing on property not structure/conveyance (2,451 cases)
3. §810.02 Burglary (2,124 cases)
4. §810.08 Trespassing in structure/conveyance (1,111 cases)
5. §812.155 Failure to return hired or leased property (836 cases)
6. §812.019 Dealing in stolen property (627 cases)
7. §832.05 Giving worthless checks (548 cases)
8. §539.001 Entering false information on pawnbroker form (374 cases)
9. §812.015 Retail theft (283 cases)
10. §414.39 Public assistance fraud (275 cases)

### Drug offenses:

1. §893.13.6 Possession of cannabis, less than 20 grams (3,513 cases)
2. §893.13.6A Possession of controlled substance (3,181 cases)
3. §893.13.6A Possession of cocaine (1,473 cases)
4. §893.147.1 Possession of drug paraphernalia (1,049 cases)
5. §893.13.6A Possession of cannabis (858 cases)
6. §893.13.1A Possession of cannabis with intent to sell (343 cases)
7. §893.13.6A Possession of heroin (337 cases)
8. §893.13.1A Possession of cocaine with intent to sell (216 cases)
9. §893.13.1A Delivery of cocaine (208 cases)
10. §893.13.1A Delivery of controlled substance (168 cases)



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## About Florida International University

Florida International University is classified by Carnegie as a R1: Doctoral Universities - Highest Research Activity and recognized as a Carnegie engaged university. It is a public research university with colleges and schools that offers 196 bachelor's, master's and doctoral programs in fields such as engineering, computer science, international relations, architecture, law and medicine. This project is housed in the Department of Criminology and Criminal Justice and the Center for the Administration of Justice, which are part of the Steven J. Green School of International and Public Affairs.

## About Loyola University Chicago

Loyola University Chicago, a private university founded in 1870 as St. Ignatius College, is one of the nation's largest Jesuit, Catholic Universities and the only one located in Chicago. Recognizing Loyola's excellence in education, *U.S. News and World Report* has ranked Loyola consistently among the top "national universities" in its annual publications. Loyola is among a select group of universities recognized for community service and engagement by prestigious national organizations like the Carnegie Foundation and the Corporation for National and Community Service.