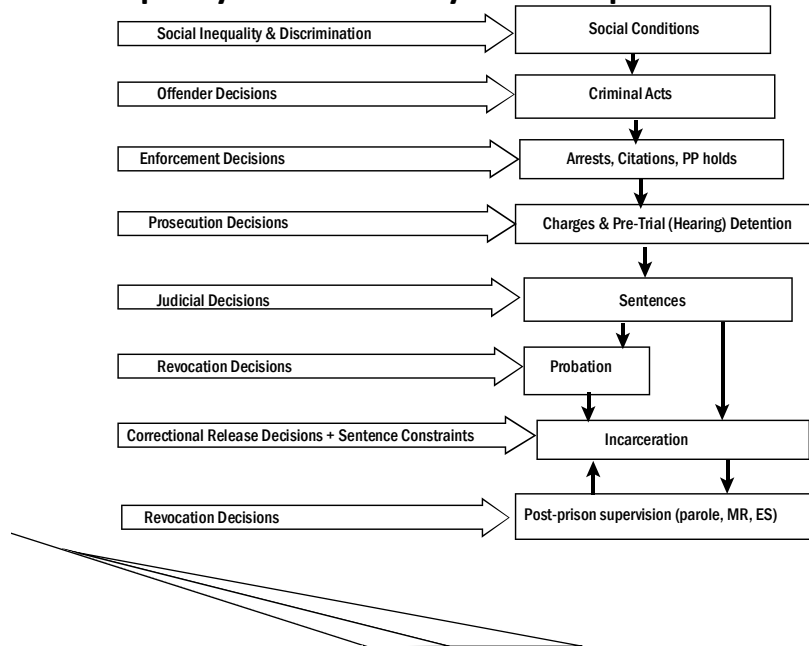


Dane County Disparities: Updated to 2006

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University of Wisconsin – Madison

We know we have a problem, why look at statistics?

- African Americans have higher rates of arrest and imprisonment, that is a fact.
- That fact does not tell you whether the problem is that Black people are committing more crimes, or that Black people are treated unfairly in the system.
- More specific information helps you to focus in on where and how the problem is occurring
- The evidence suggests that there is BOTH a problem with Black people committing more crime AND a problem with differential treatment in the system

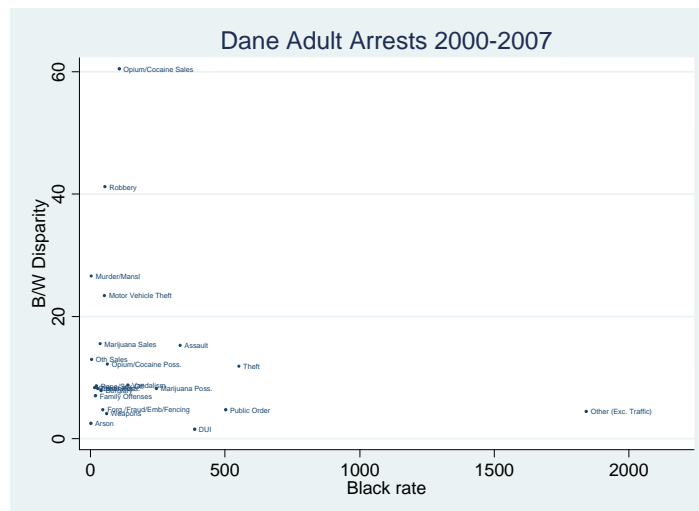
Disparity arises at every decision point in the system

Numbers, Rates and Disparities

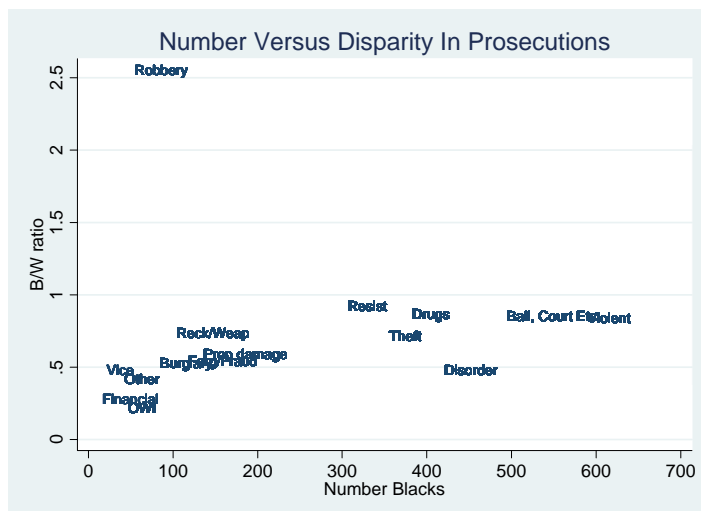
About Rates & Disparity Ratios

- ♦ Imprisonment and arrest rates are expressed as the rate per 100,000 of the appropriate population
- ♦ Example: In 1999 Wisconsin new prison sentences
 - ❖ 1021 Whites imprisoned, White population of Wisconsin was 4,701,123.
 - ❖ $1021 \div 4701123 = .000217$.
 - ❖ Multiply .00021 by 100,000 = 22, the imprisonment rate per 100,000 population.
 - ❖ 1,266 Blacks imprisoned, Black population of Wisconsin was 285,308.
 - ❖ $1266 \div 285308 = .004437$.
 - ❖ Multiply by 100,000 = 444
- ♦ Calculate Disparity Ratios by dividing rates:
 - ❖ $444/22 = 20.4$ the Black/White ratio in new prison sentence rates

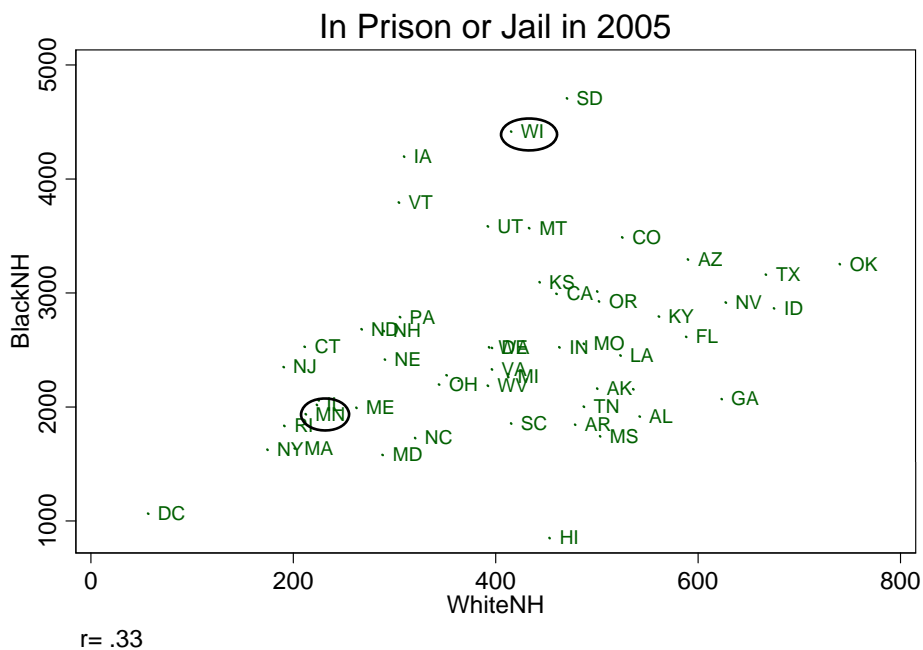
Arrests: Rate Vs Disparity

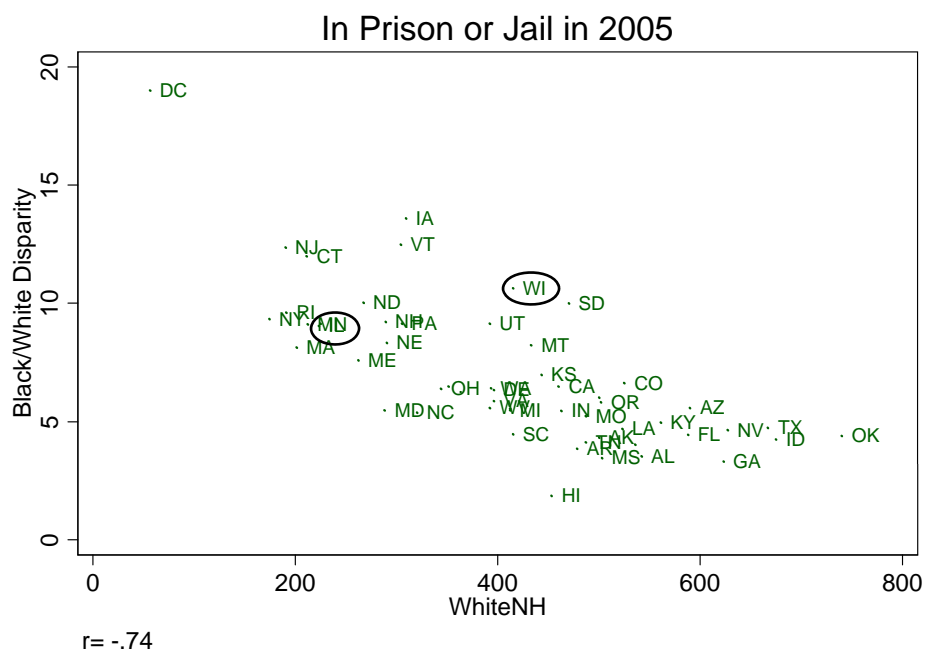
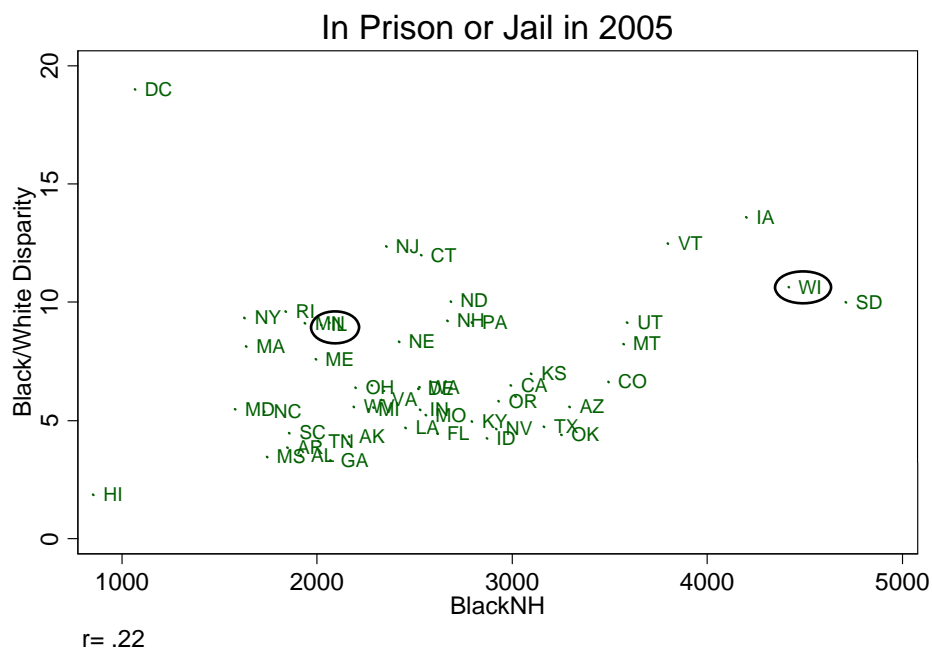


CCAP Cases: Number vs. B/W Ratio

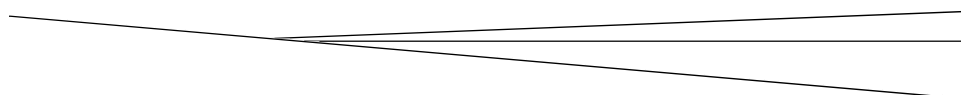


Robbery is most disparate but violent, bail jumping, disorder are most cases



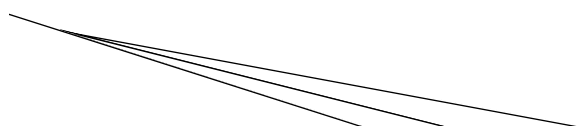


Dane County Trends



Arrest Disparities

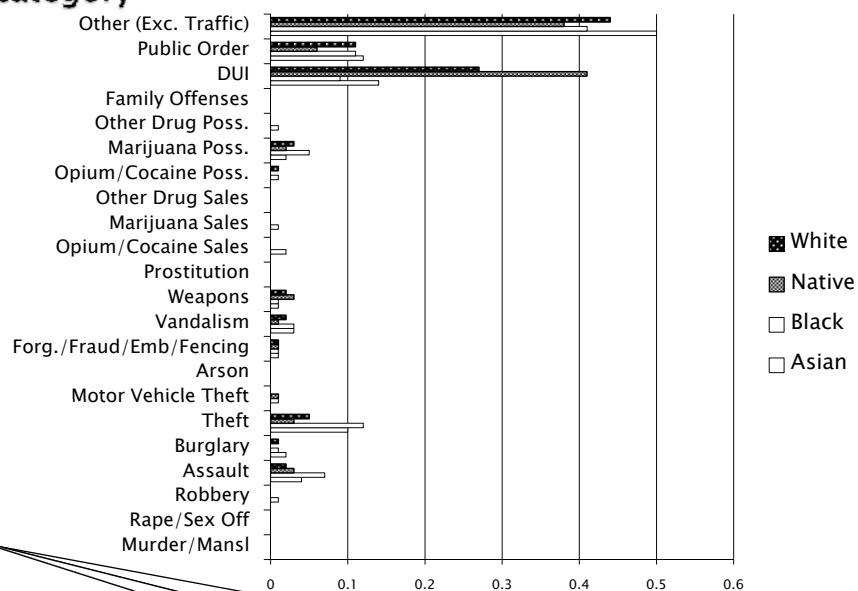
»» Underlying Crime +
Enforcement

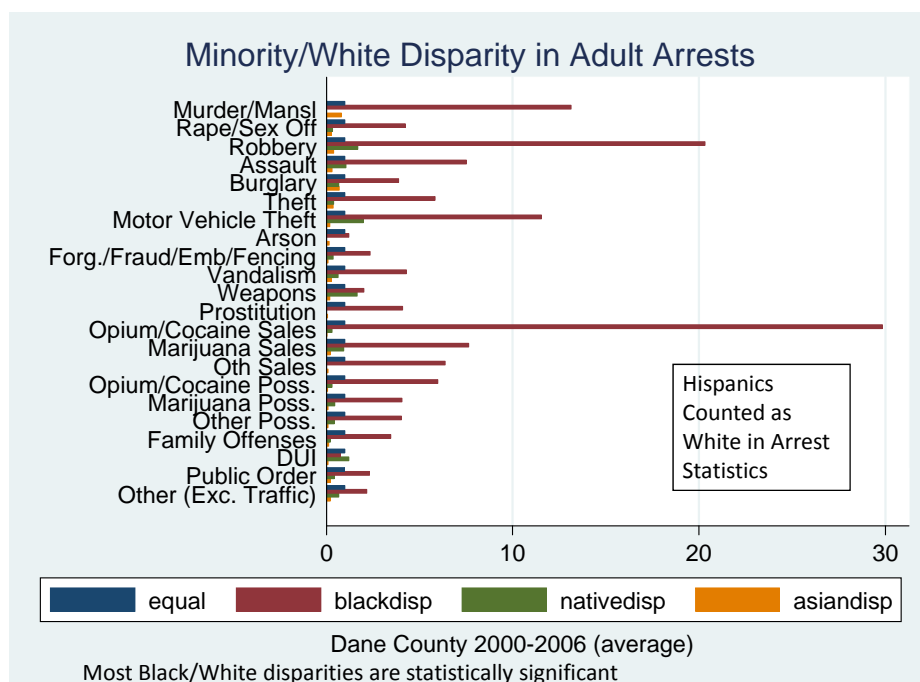


Arrests

» Dane County 2000–2006
averages

Proportion of arrests that are in each offense category






Time trends in arrests

- Are available in a separate presentation, were distributed earlier

Factors in arrest disparities

- ♦ Differences in crime
 - These cannot be ignored. Underlying factors include inequality, school failure, family troubles.
 - ♦ Differences in surveillance
 - Policing is not random: crimes in some places are much more likely to get caught
 - ♦ Differences in police responses
 - Jurisdictional differences (e.g. ticket vs. arrest)
 - Warn & release vs. arrest
 - Discretionary charging decisions. E.g. assault vs. disorderly conduct.
 - Escalating interactions → resisting arrest, assaulting an officer, etc.
- 

Disparities in the system after arrest

Prosecutions, Convictions & Prison Sentences



2004 Dane County Ratio Prosecutions to Arrests

	White	Black	disparity	* if significant
Murder	2.50	1.00	0.40	NA
Forcible rape	2.05	2.60	1.27	NA
Robbery	0.82	1.25	1.52	NA
Aggravated Assault	0.99	1.31	1.32	NA
Burglary	1.71	3.29	1.93	NA
Larceny/theft	0.33	0.59	1.76	*
Motor vehicle theft	0.68	0.86	1.26	*
Other assaults	0.50	0.58	1.17	*
Arson	0.20	0.00	0.00	
Forgery and counterfeiting	0.95	0.77	0.81	
Fraud	0.07	0.21	2.98	*
Stolen property, buying, receiving	0.62	0.77	1.25	
Vandalism	0.53	0.73	1.38	*
Weapons	0.81	0.90	1.11	*
Prostitution	0.30	0.37	1.24	*
Other sex offenses	0.36	0.44	1.23	*
Drug offenses	0.45	0.90	1.99	*
Offenses against family and children	0.39	1.00	2.59	*
Driving under the influence of subst	0.02	0.04	2.46	*
Liquor offenses	0.00	0.00	0.00	
Disorderly conduct	0.24	0.48	1.95	*
Remaining	0.01	0.07	5.42	*

Arrest count from UCR, Prosecution count from CCAP; *= $p < .05$, NA= more prosecutions than arrests

Dane 2004 Ratio Convictions to Prosecutions in CCAP

	Whites	Blacks	Disparity	* if significant
Murder	0.40	0.67	1.67	
Forcible rape	0.69	0.58	0.84	
Robbery	0.79	0.74	0.95	
Aggravated Assault	0.58	0.71	1.21	*
Burglary	0.66	0.68	1.03	
Larceny/theft	0.68	0.77	1.15	*
Motor vehicle theft	0.46	0.67	1.44	
Other assaults	0.63	0.74	1.17	*
Arson	1.00			
Forgery and counterfeiting	0.79	0.88	1.12	
Fraud	0.76	0.69	0.90	
Stolen: property, buting, receiving	0.31	0.60	1.92	
Vandalism	0.66	0.68	1.03	
Weapons	0.84	0.72	0.86	
Prostitution	0.79	0.43	0.55	
Other sex offenses	0.55	0.64	1.16	
Drug offenses	0.62	0.75	1.22	*
Offenses against family and children	0.53	0.50	0.94	
Driving under the influence of subst	0.86	1.00	1.16	
Liquor offenses	1.00			
Disorderly conduct	0.72	0.79	1.09	*
Other	0.82	0.88	1.07	
Violate court order	0.71	0.78	1.11	
Other: traffic offenses	0.83	0.80	0.96	
Remaining	0.50	0.57	1.13	
Total	0.67	0.74	1.10	*

* = $p < .05$

Dane 2004 Ratio prison sentences to convictions in CCAP

	Whites	Blacks	Disparity	* if significant
Murder	0.50	0.75	1.50	
Forcible rape	0.39	0.47	1.21	
Robbery	0.27	0.42	1.55	
Aggravated Assault	0.17	0.48	2.76	*
Burglary	0.31	0.51	1.67	*
Larceny/theft	0.37	0.61	1.65	*
Motor vehicle theft	0.38	0.63	1.63	
Other assaults	0.27	0.45	1.70	*
Arson	0.00			
Forgery and counterfeiting	0.30	0.33	1.12	
Fraud	0.24	0.35	1.47	
Stolen: property, buting, receiving	0.40	0.17	0.42	
Vandalism	0.30	0.47	1.57	*
Weapons	0.21	0.46	2.23	*
Prostitution	0.18	0.67	3.67	
Other sex offenses	0.71	0.43	0.61	
Drug offenses	0.38	0.58	1.50	*
Offenses against family and children	0.11	0.25	2.25	
Driving under the influence of subst	0.51	0.41	0.82	
Liquor offenses	0.00			
Disorderly conduct	0.28	0.55	1.97	*
Other	0.78	0.86	1.10	
Violate court order	0.46	0.39	0.85	
Other: traffic offenses	0.60	0.38	0.63	
Remaining	0.54	0.70	1.30	*

* = p<.05

Prosecutions: 2004 CCAP

»»

Racial mix of CCAP 2004 cases

Cases			People with at least one case		
race	No Felony	Any Felony		No felony	Any Felony
1 Black	0.37	0.42	1 Black	0.32	0.40
2 Asian	0.01	0.01	2 Asian	0.01	0.01
3 Native	0.00	0.00	3 Native	0.00	0.01
4 Hispanic	0.04	0.03	4 Hispanic	0.05	0.03
5 White	0.58	0.53	5 White	0.62	0.53
6 Unk	0.12	0.01	6 Unk	0.00	0.02
Number	5,105	2,7397	Total	3,522	2,258

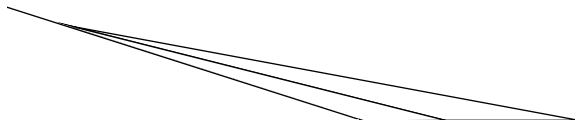
# Cases	Black	Asian	Native	Hispanic	White	Unk
1	0.71	0.88	0.80	0.84	0.81	0.90
2	0.18	0.09	0.04	0.14	0.13	0.08
3+	0.11	0.03	0.16	0.02	0.06	0.02

2004 Dane County CCAP (court cases)

	No felony	Felony
Number Cases	4970	2957
Trial	11	31
Guilty Plea	2461	1194
No Plea, No Trial	2590	1763

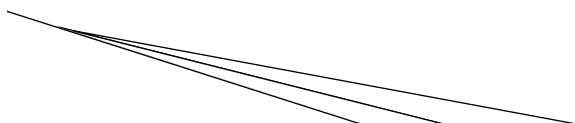
Trial cases

- Only 42 cases went to trial in 2004
 - 24 Blacks (17 felony, 7 non-felony)
 - 21 Whites (14 felony, 4 non-felony)
- Of the 95 charges that go to trial
 - 23% of 60 felonies are “not guilty”
 - 31% of 35 misdemeanors are “not guilty”
- Of the cases that go to trial
 - 23% of the 31 felony cases are entirely “not guilty”
 - 18% of the 11 misdemeanor cases are entirely “not guilty”
- The proportion of cases of “not guilty” is slightly higher for Black felony cases and White non-felony cases.

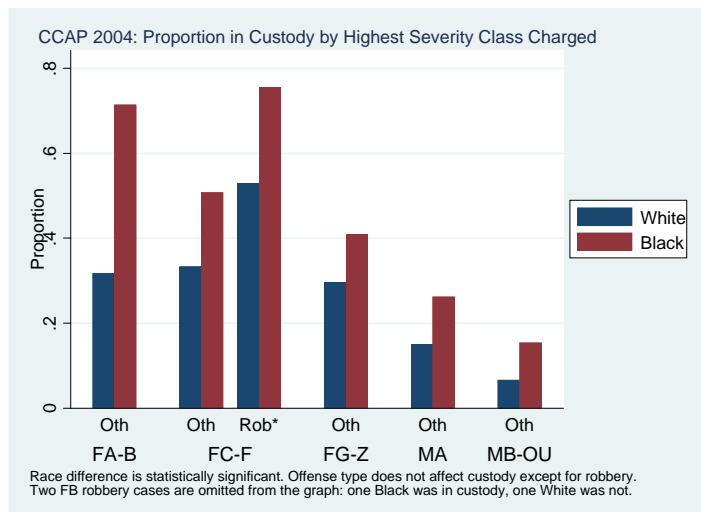


Disparity analysis

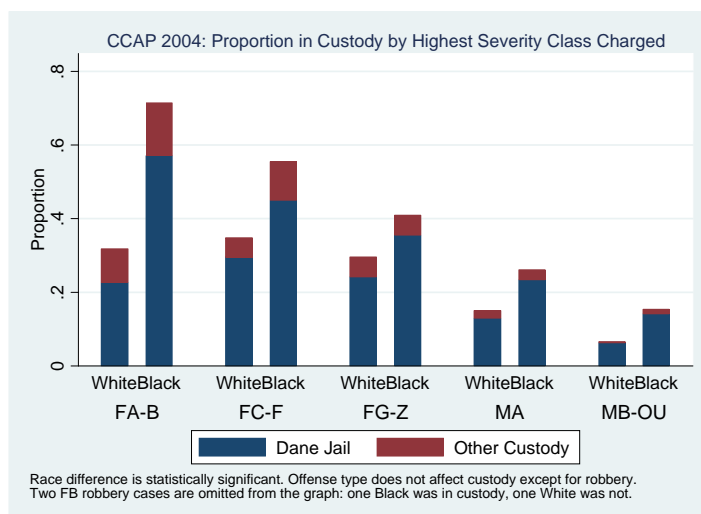
- Only for Whites and Blacks are there enough cases for a disparity analysis
- There are more “unknown” and “blank” races in the data than Hispanics, and only a handful of Asians or Native people.
- Cases that go to trial are dropped. This is a study of plea bargaining and prosecutions.



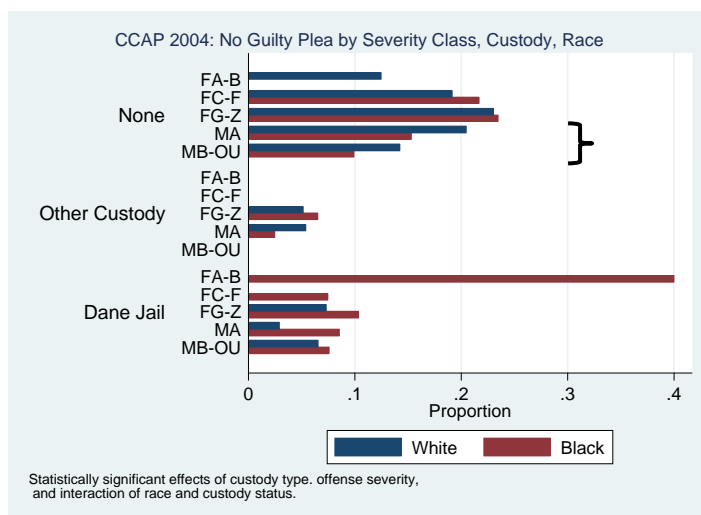
CCAP: Racial Disparity in Custody



CCAP: Custody During Sentencing

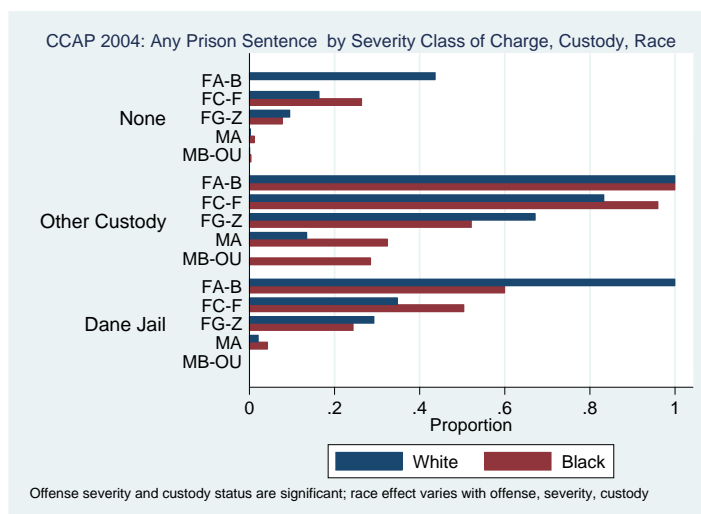


CCAP 2004: No Guilty Plea and Custody

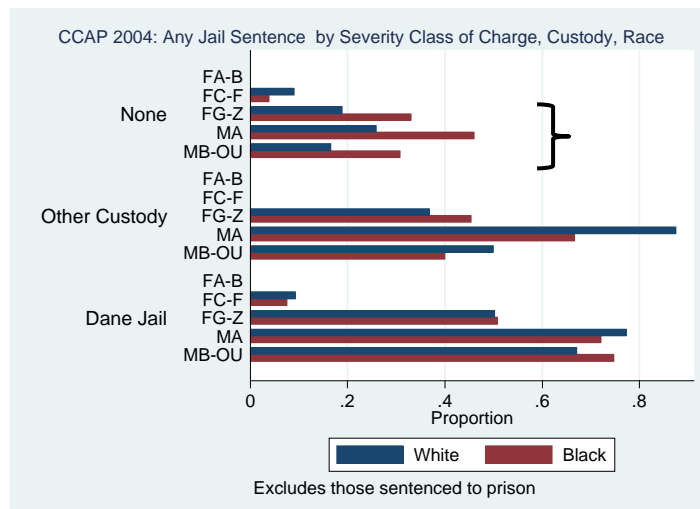


- 1) Higher no guilty plea if not in custody
- 2) Racial difference in being in jail but ultimately no guilty plea
- 3) Racial difference in no guilty plea for misdemeanors not in custody

CCAP 2004: Prison sentences

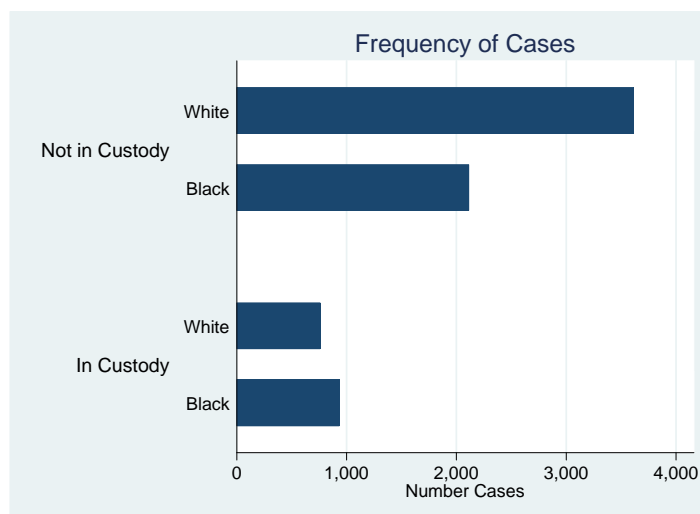


CCAP 2004 Jail Sentences

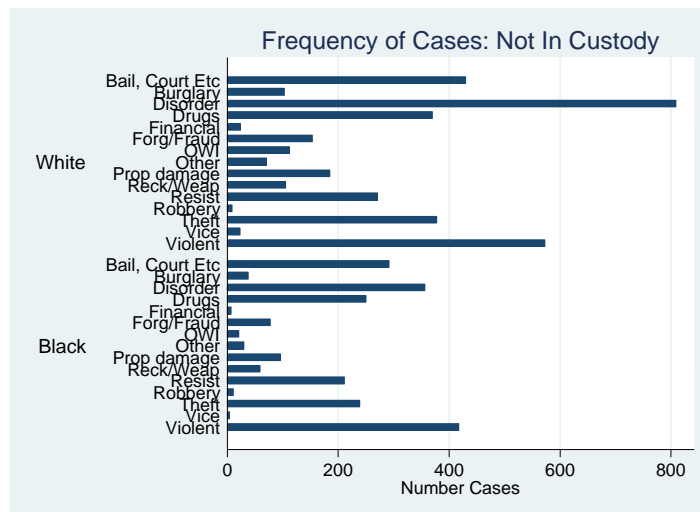


Custody status difference is statistically significant. Race not significant except for lower offense severity for people not in custody.

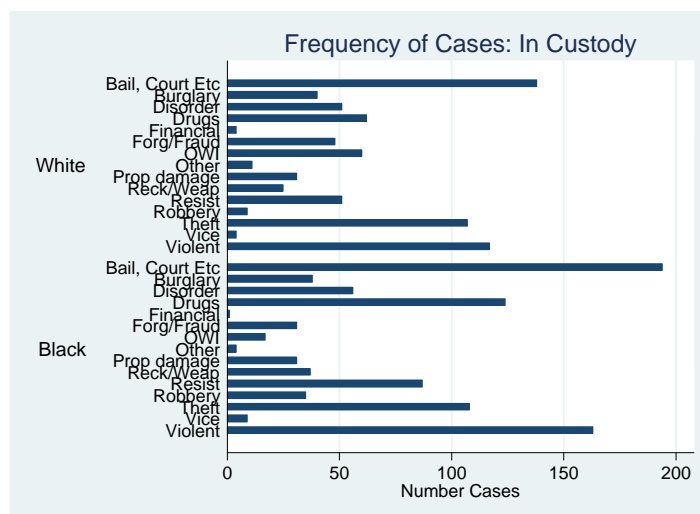
Case Mix: Custody Type



CCAP Case Mix: Not in Custody

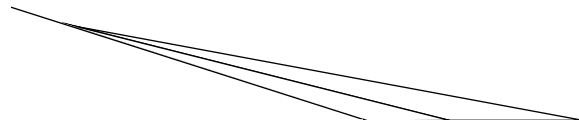


CCAP Case Mix: In Custody

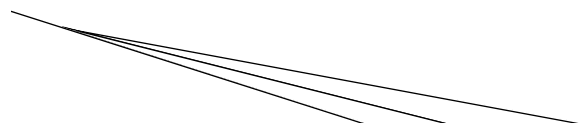


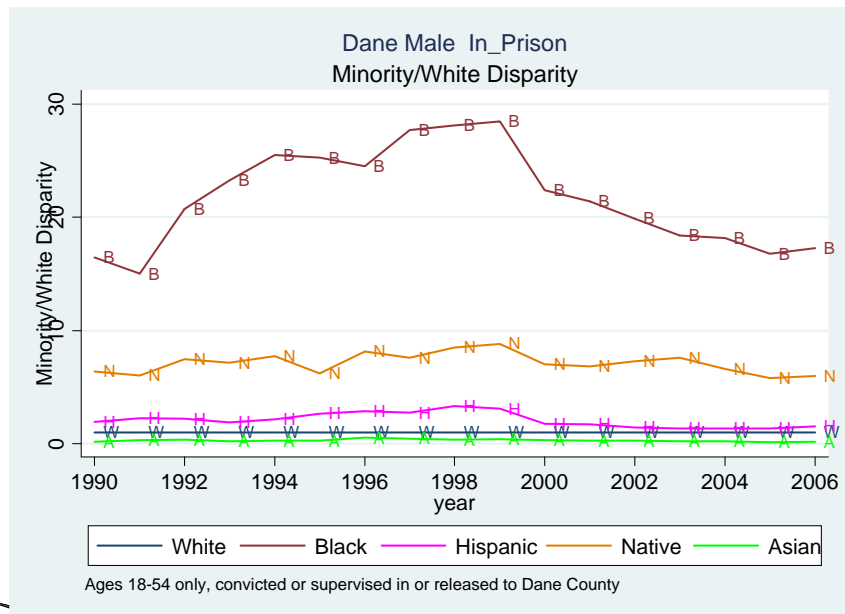
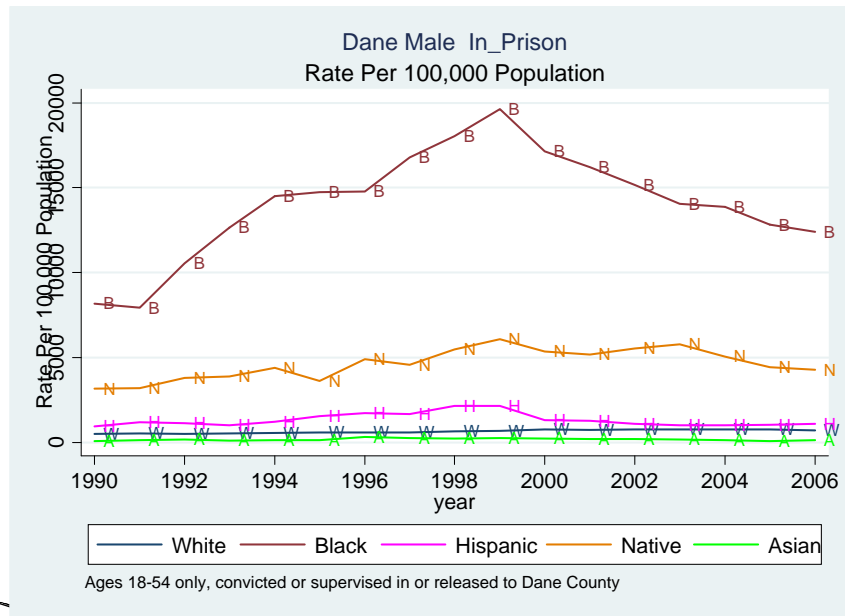
What data don't we have?

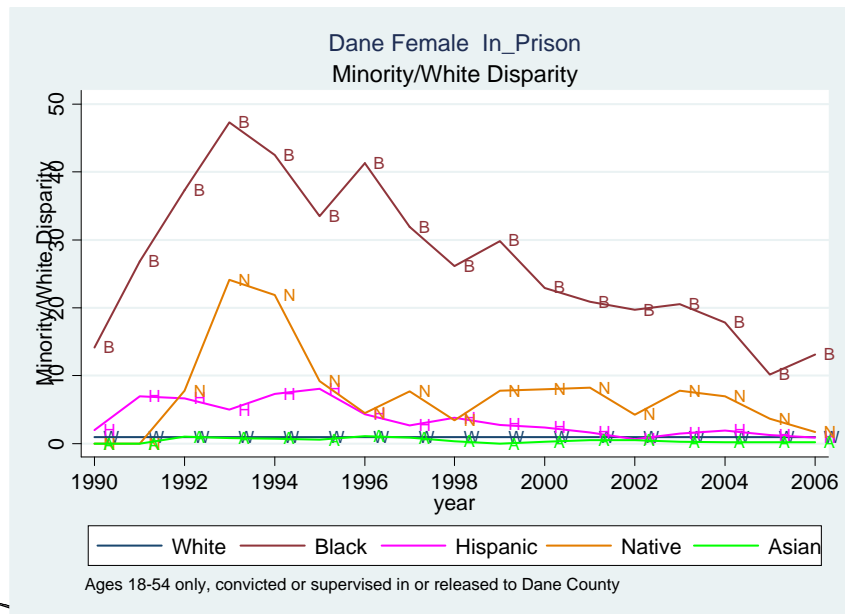
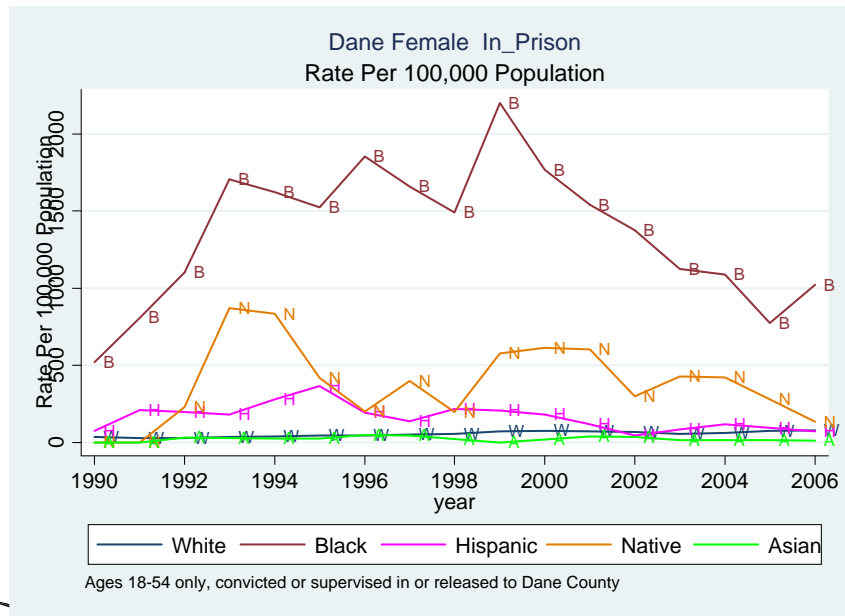
- ▶ Police discretion decisions for lesser offenses
 - Arrest vs. ticket, warning, letting it go
 - Impact of deployment decisions on chances of getting caught
 - Impact of differences between jurisdictions
- ▶ Charging decisions after arrest
- ▶ A good way of assessing the impact of prior record & other aggravating/mitigating circumstances on charging and sentencing (this is a do-able statistical problem, but requires better data and a lot of work)



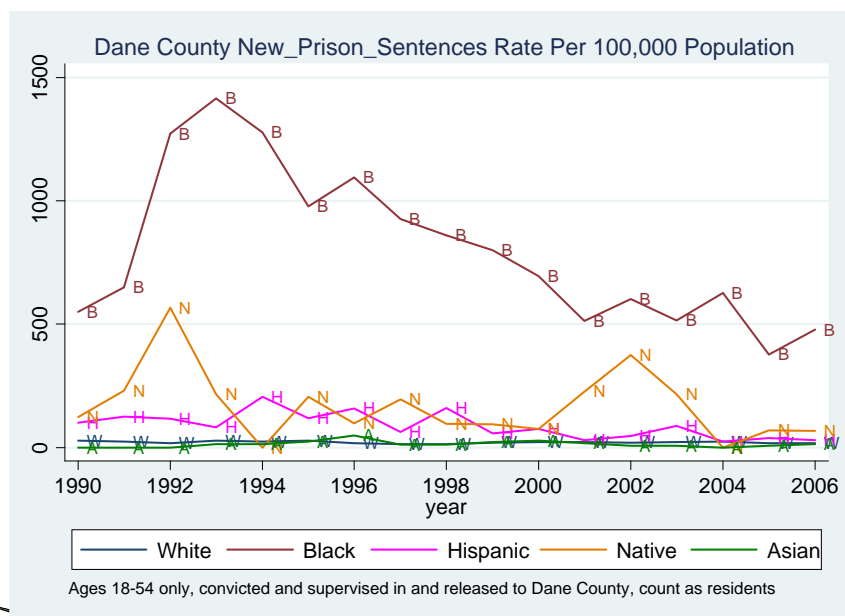
“In Prison”: Sentenced or Supervised in Dane County

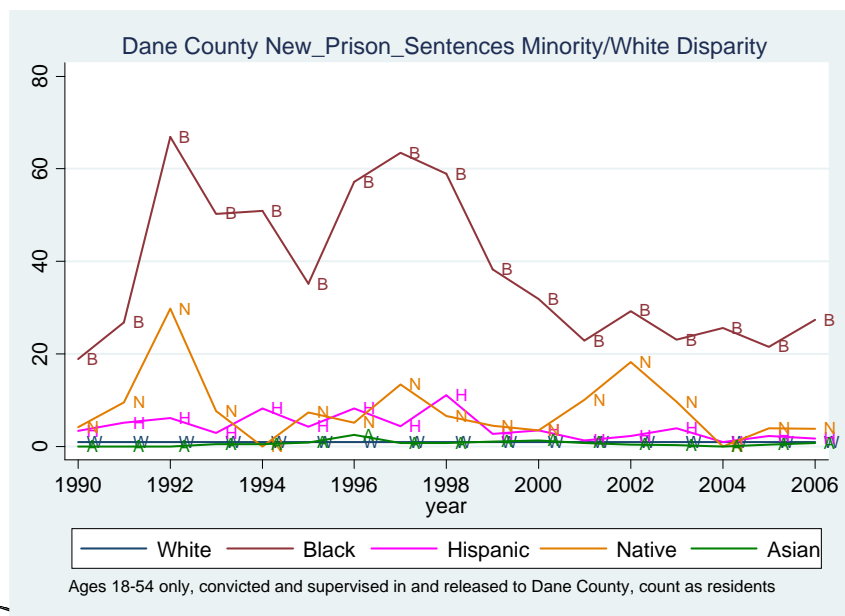






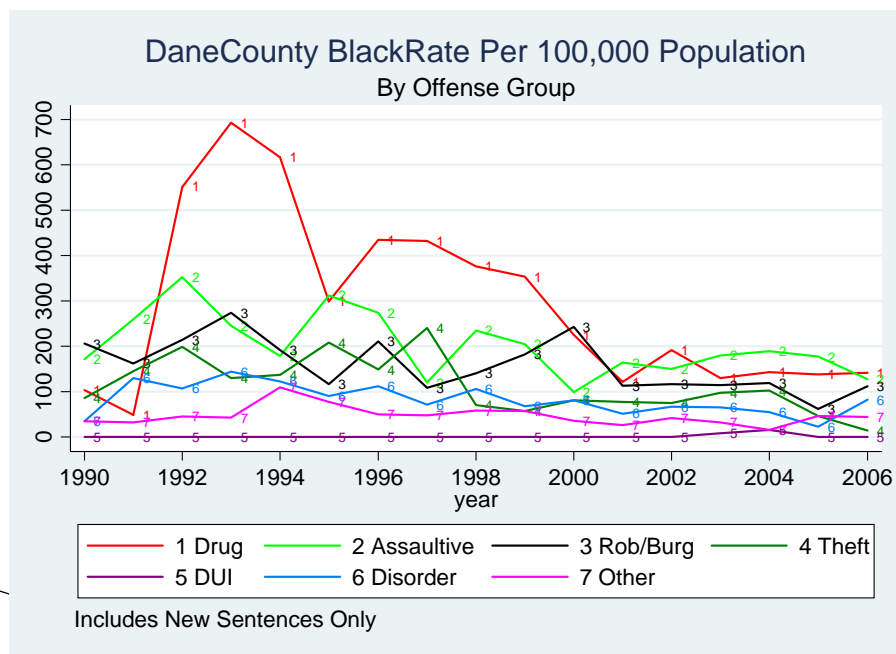
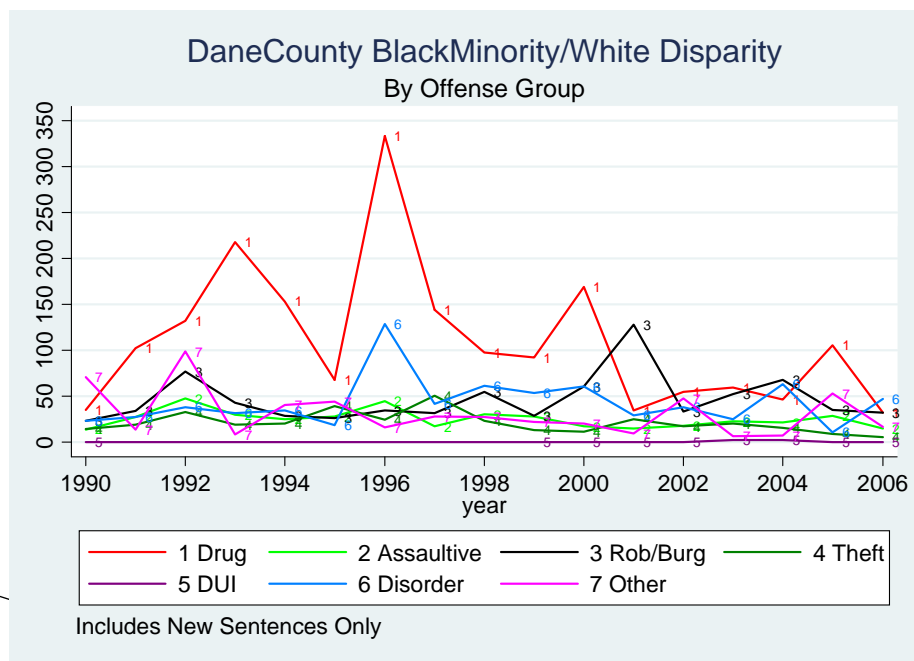
Prison Admissions



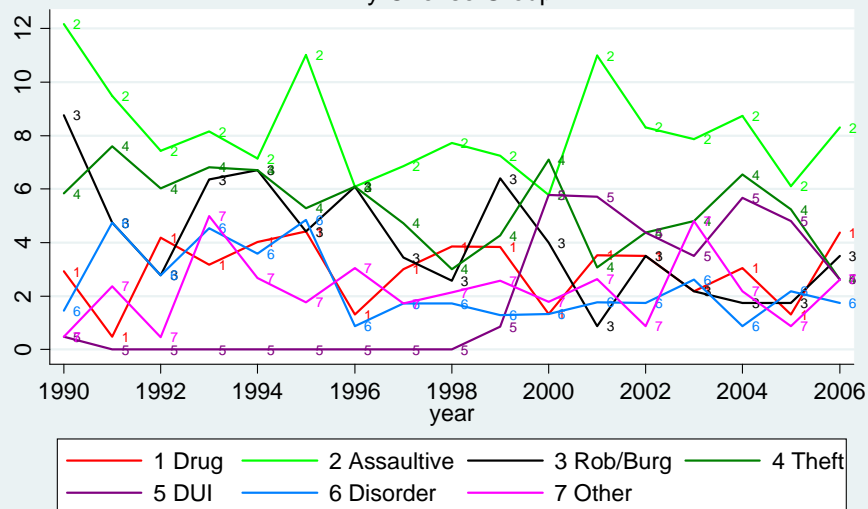


Prison Admissions by Offense

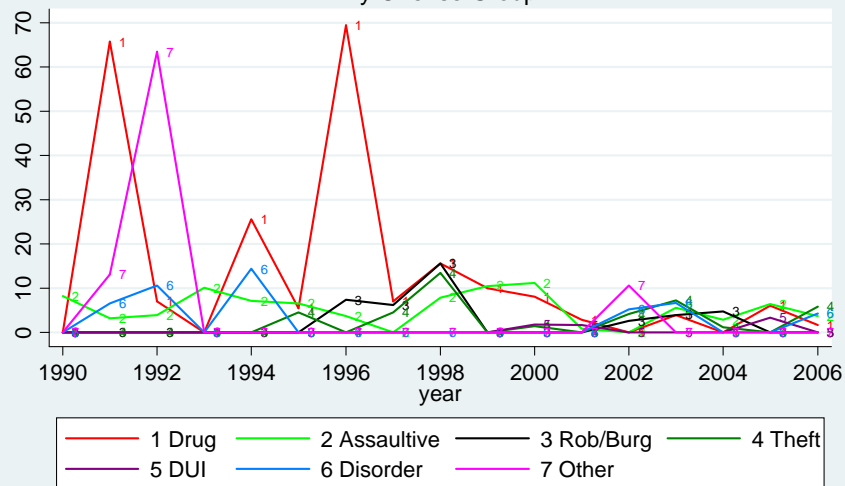


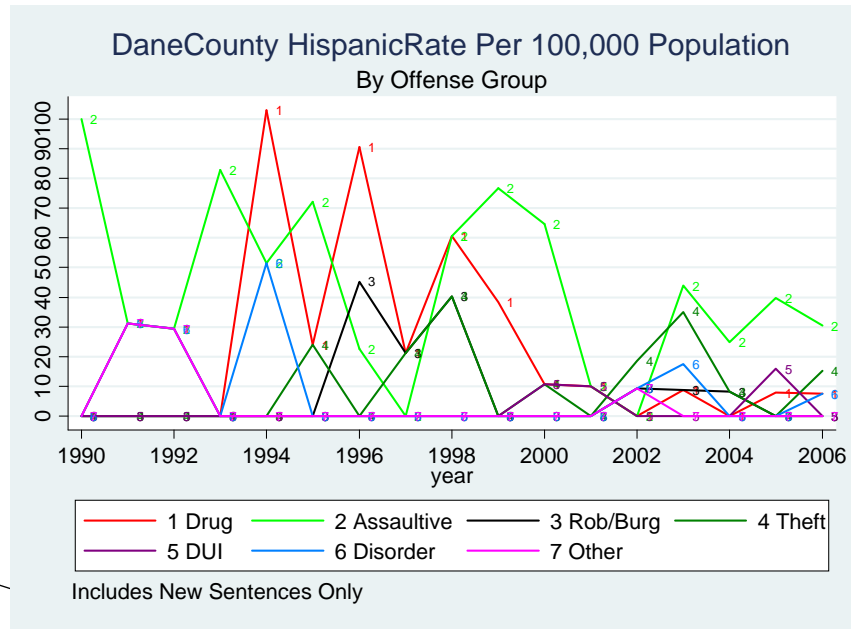


DaneCounty WhiteRate Per 100,000 Population
By Offense Group



DaneCounty HispanicMinority/White Disparity
By Offense Group



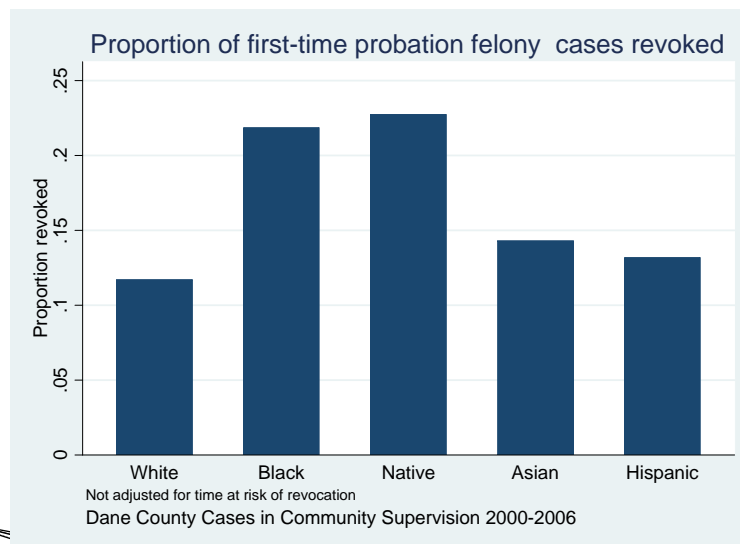


Revocations

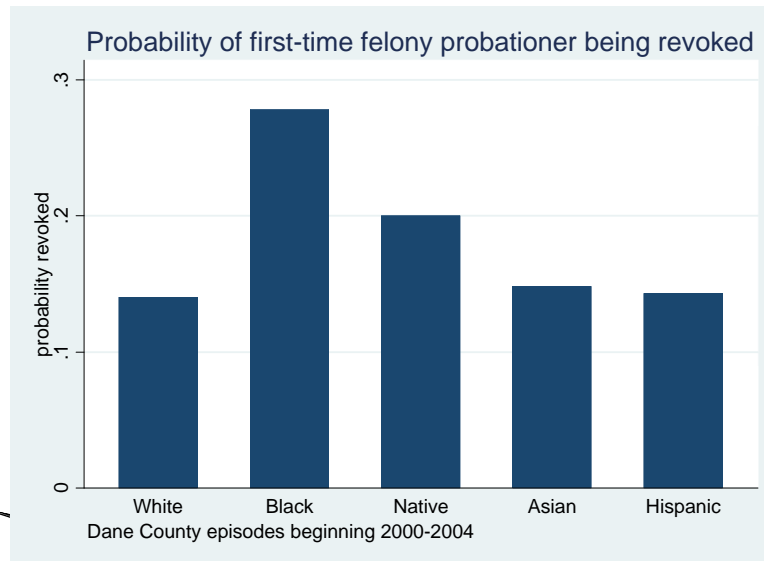
Probation revocation

- ▶ Given that you are on probation, what are your chances of revocation?
- ▶ Over 90% of revocations involve no new sentence, but this is difficult to count anyway
- ▶ Looking only at felonies, there is a disparity in probation revocation

Probation revocations (all 2000–2006)



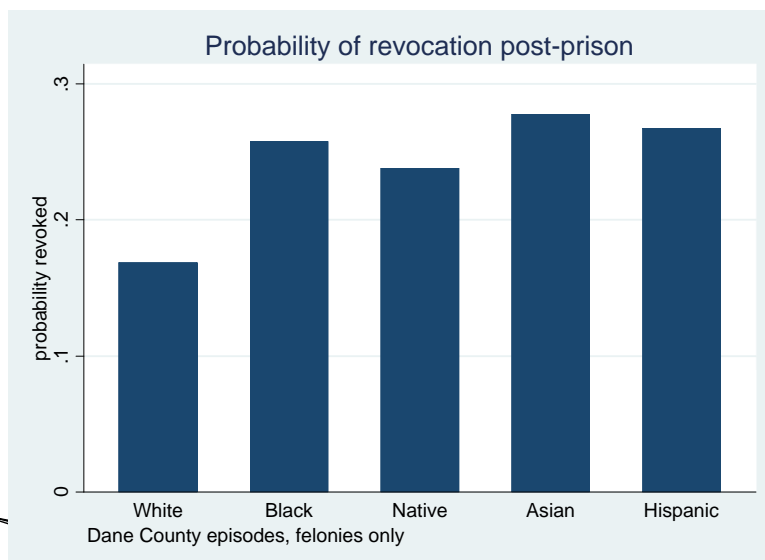
Probation revocations (more limited group)



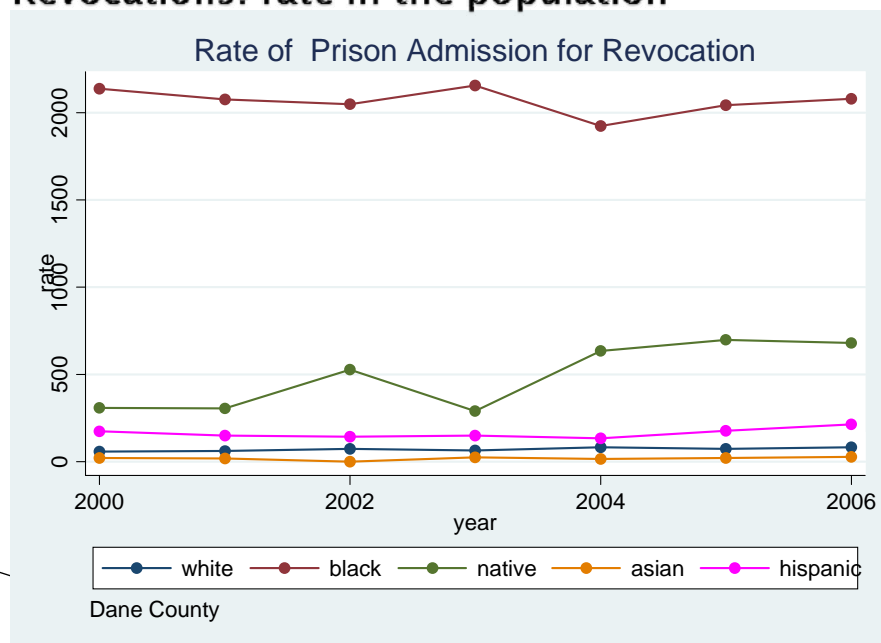
Revocation: the revolving door

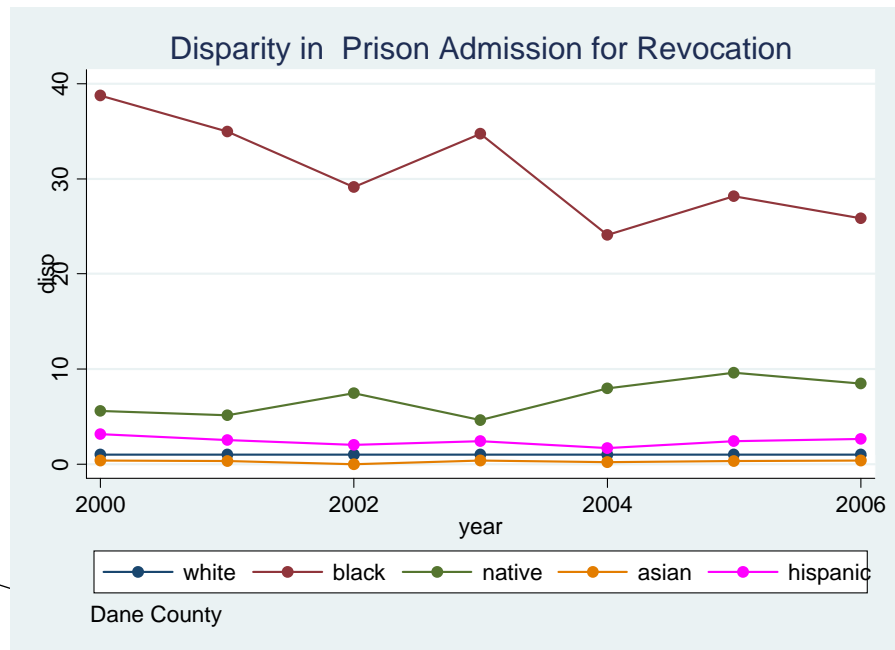
- ▶ Once you are sentenced to prison or revoked into prison, you get in the revolving door of post-prison revocations
- ▶ Parole, mandatory release, extended supervision apply to different people but are roughly comparable in their revocation rates, are grouped together here

Revocation of post-prison community supervision



Revocations: rate in the population

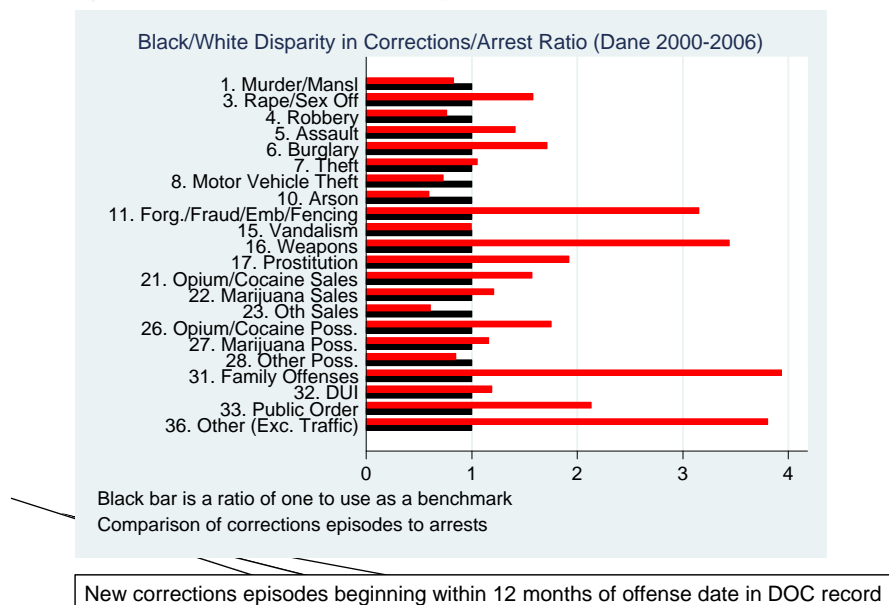




Allocation Exercise



Black/White disparity in ratio of DOC Corrections episodes to UCR arrests, Dane 2000–2006



Black/White disparity in ratio of DOC prison episodes to UCR arrests, Dane 2000–2006

