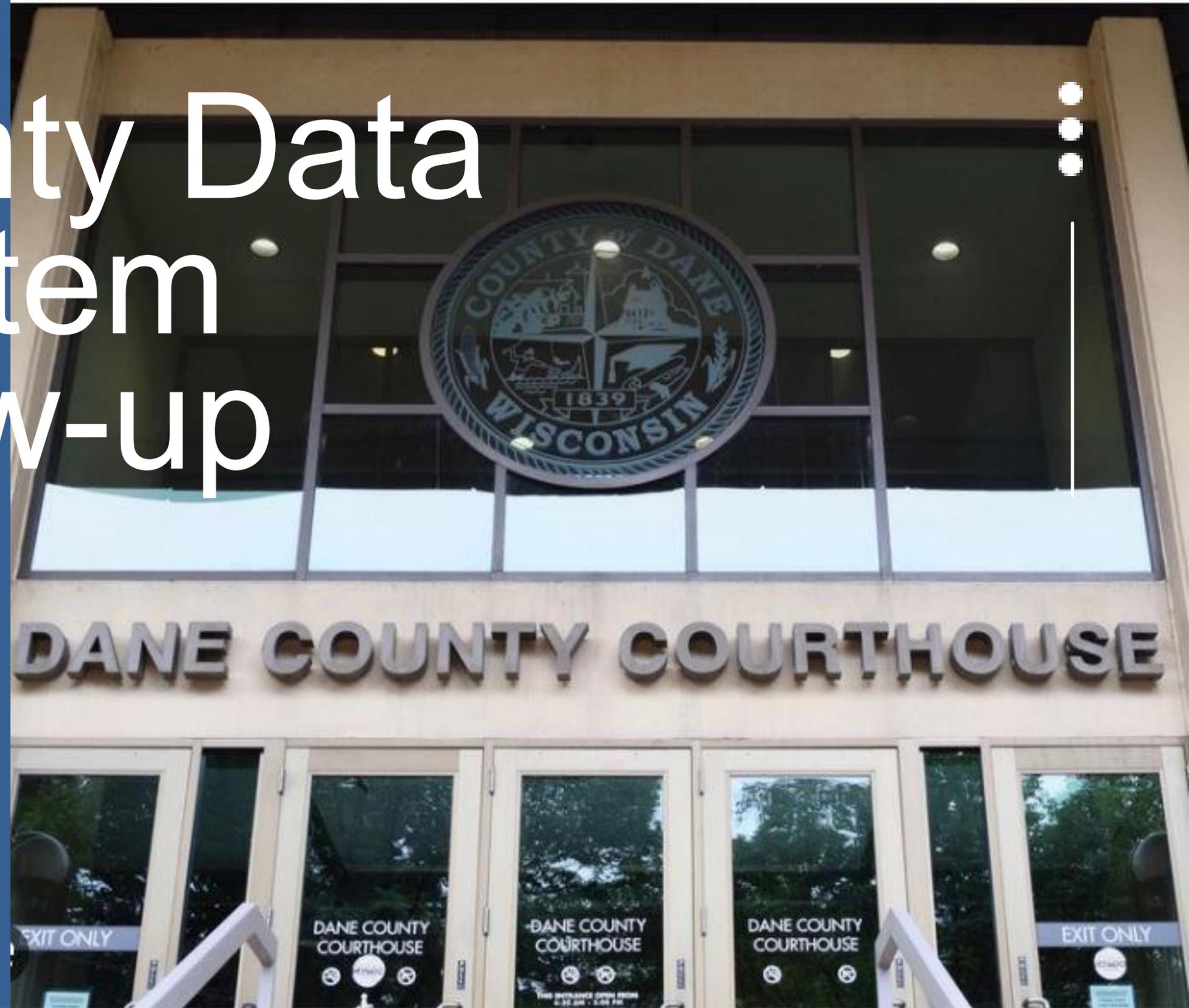


Dane County Data from a System Lens Follow-up

For the Community Court
Advisory Subcommittee



June 2023

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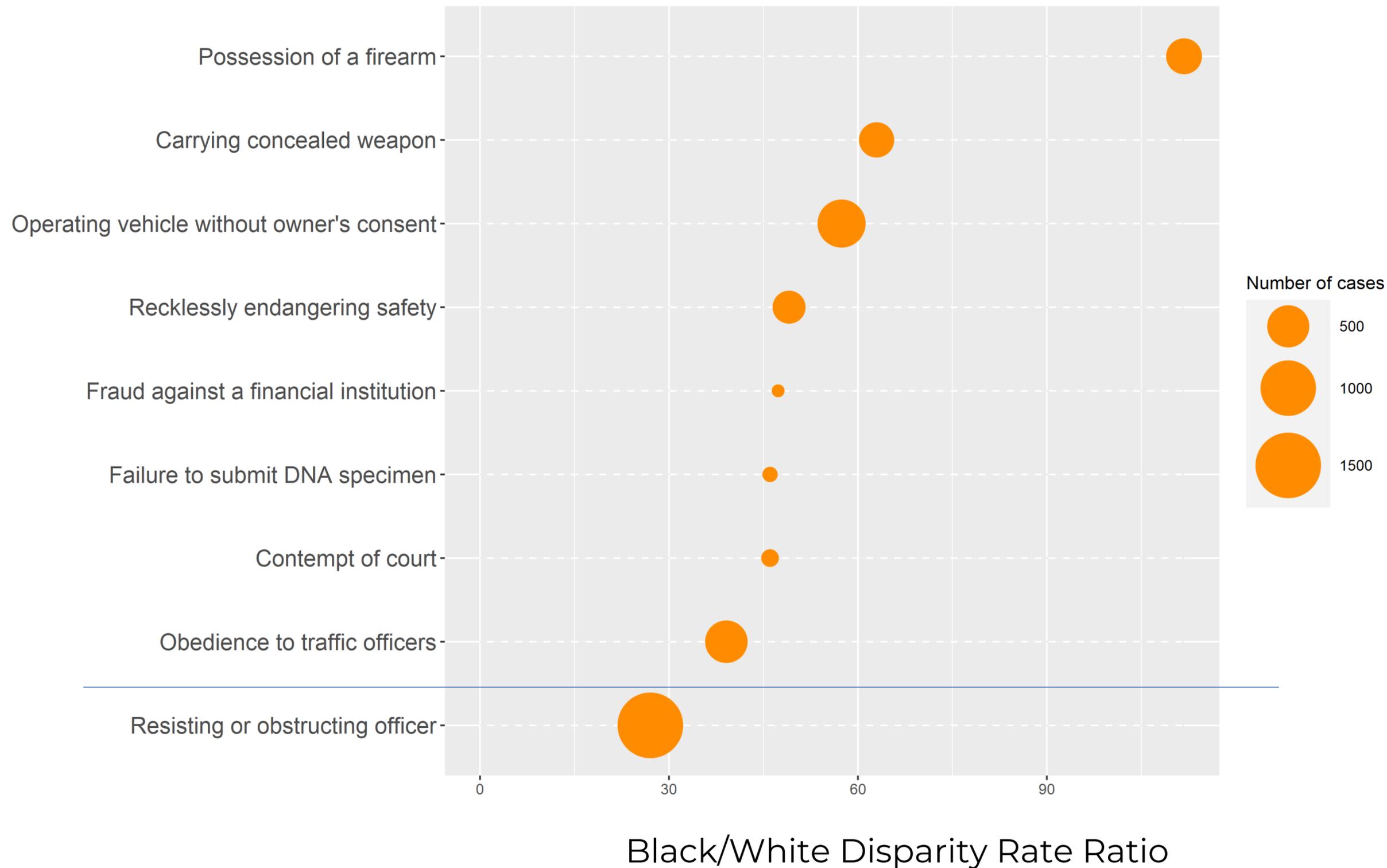
Presented By : Tamarine Cornelius,
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This chart show the eight offenses with the largest Black-White disparity rate ratios in criminal cases in which *all charges* are non-violent.

“Resisting or obstructing officer” was not among the eight most racially disparate offenses (it was #12) but it is included in this chart because it was an interest of the Subcommittee.

The population is defendants age 17 to 35, for criminal cases filed in Dane County in the years 2018 to 2022. Only offenses that were charged in at least 50 cases across five years are shown.

New data: Most disparate offenses in cases in which all charges are non-violent



Most racially disparate offenses, measured in Black-White disparity rate ratio, **in cases in which all offenses are non-violent.** This is the same information as on the prior slide.

Age 17 to 35, criminal cases filed in 2018 to 2022

<u>Statute</u>	<u>Offense name</u>	<u>Black/white rate ratio</u>	<u>Disparity rank</u>	<u>Number of cases</u>
941.29	Possession of a firearm	111.8	1	328
941.23	Carrying concealed weapon	63.0	2	313
943.23	Operating vehicle without owner's consent	57.4	3	699
941.3	Recklessly endangering safety	49.1	4	263
943.82	Fraud against a financial institution	47.3	5	51
785.01	Contempt of court	46.1	6	63
946.52	Failure to submit DNA specimen	46.1	7	54
346.04	Obedience to traffic officers	39.1	8	511
946.41	Resisting or obstructing officer	27.0	12	1,503

From Dane County Jail Race and Ethnicity Disparity Analysis

April 2021

Prepared by James Austin, Ph.D. Roger Ocker

<https://cjc.countyofdane.com/documents/pdf/Dane-County-County-Jail-JFA-RED-analysis.pdf>

Since a person can be arrested multiple times in a 12-month period, this analysis was performed again by only counting the number of people arrested at least once in 2018. This analysis more closely reflects how many individual people are arrested at least one time in a single year.

As shown in Table 6, there were 5,997 people arrested at least once in 2018 (as opposed to the 8,819 total arrests). This analysis lowers the overall rate from 2.4 to 1.6, but the arrest rate for Blacks remains about 8 times higher than the White and Hispanic rates. Using Black, Hispanic, and “other” to White ratios the disparity for Blacks remains very high.

**Table 6. Person Based Arrest Rates by Race and Ethnicity – 2018
Selected Cities**

Race/Ethnicity	Population		Total Arrests			
	City Population	%	Arrests	%	Rate Per 100 Population	RRR
Total	363,736	100%	5,997	100%	1.6	
Hispanic	30,013	8%	358	4%	1.2	1.1
White	269,736	74%	2,937	49%	1.1	1.0
Black	25,250	7%	2,482	41%	9.8	8.9
Other*	38,737	11%	220	4%	0.6	-0.5

*Includes other racial/ethnic groups or those who declined to report

We then looked at the total arrest rates by the major crime types of violent, property, drug, and other crimes. Table 7 repeats the analysis shown in Table 6 but controls for the type of crime for which the person was arrested. Here the Black residents have a significantly higher arrest rate as compared to Whites and Hispanic for each of these crime groups (Table 8). The same pattern appears using the RRR calculations. Thus, the higher arrest rates for Blacks are not being driven by a specific arrest crime type.

Next, we calculated based upon the number of arrests rather than the county population attributes and per capita arrest rates. This analysis takes into account the higher proportion of all arrests being attributed to Blacks as compared to other racial and ethnic groups.

In general, the percentage distributions by crime type are fairly equivalent for all groups with the exception of violent crimes where Blacks, Hispanics, and “others” have a higher percentage of arrests and Whites have a lower percentage for non-violent crimes. However, when based on the proportion of arrests rather than the county population, the RRRs drop significantly for Blacks. This suggests that the much of the disparity between Blacks and other populations in Dane County occurs at the point of arrest.

If a person is charged with Offense A, what is the likelihood that they are also charged with Offense B?

The associations are for criminal cases filed in Dane County in the years 2018 through 2022, in which all charges are non-violent and the defendant is age 17 to 35. Column B shows offenses for which the likelihood that the person was charged with that offense was at least 15%.

<u>Offense A</u>	<u>Most-associated offenses B</u>	<u>Given that a person is charged with Offense A, what is the likelihood that they are also charged with Offense B?</u>
Possession of a firearm		
	Manuf, deliv, or possession of drugs	31%
	Bail jumping	25%
	Recklessly endangering safety	20%
	Carrying concealed weapon	17%
	Resisting or obstructing officer	17%
	Disorderly conduct	15%
Carrying concealed weapon		
	Manuf, deliv, or possession of drugs	40%
	Bail jumping	25%
	Possession of a firearm	18%
	Resisting or obstructing officer	17%
Operating vehicle without owner's consent		
	Bail jumping	33%
	Resisting or obstructing officer	17%

<u>Offense A</u>	<u>Most-associated offenses B</u>	<u>Given that a person is charged with Offense A, what is the likelihood that they are also charged with Offense B?</u>
Recklessly endangering safety		
	Bail jumping	26%
	Possession of a firearm	24%
	Disorderly conduct	22%
Fraud against financial institution		
	Forgery	45%
Contempt of court		
	Failure to submit DNA specimen	83%
Failure to submit DNA specimen		
	Contempt of court	96%
Obedience to a traffic officer		
	Bail jumping	30%
	Resisting or obstructing officer	21%

Ten most common offenses

Ages 17 to 35, criminal cases filed in 2018 to 2022, in cases in which all offenses are non-violent

Dane County

<u>Statute</u>	<u>Statute name</u>	<u>B/W rate ratio</u>	<u>Number of cases</u>
947.01	Disorderly conduct	19.2	3,284
946.49	Bail jumping	21.8	3,242
961.41	Prohibited acts A — penalties (Drugs)	14.5	1,853
346.63	Operating under influence of intoxicant or other drug	4.8	1,813
946.41	Resisting or obstructing officer	26.9	1,505
343.44	Operating while suspended, revoked, ordered out-of-service or disqualified	9.4	1,218
943.01	Damage to property	21.5	1,060
943.2	Theft	19.5	1,049
943.5	Retail theft; theft of services	10.9	714
943.23	Operating vehicle without owner's consent	57.4	699

Share of defendants age 17 to 35 in cases filed 2018 to 2022 in which all charges were non-violent, who had a previous criminal case filed in the prior three years

