Racial and Ethnic Disparities in Multnomah County

November 2019

Table of Contents

Introduction

The W. Haywood Burns Institute (BI) was established to provide local jurisdictions with practical, proven approaches for promoting equity and reducing racial and ethnic disparities (R.E.D.) in the justice system. For almost two decades, the BI has successfully worked with jurisdictions in more than 40 states to reduce R.E.D. by leading traditional and non-traditional stakeholders through a data-driven, community-informed and consensus-based process. It is the BI's experience that local jurisdictions can implement successful and sustainable strategies that reduce justice system involvement for people of color and reduce R.E.D. by examining key decision-making points within the justice system.

In coordination with other technical assistance providers and John D. and Catherine T. MacArthur Foundation staff, BI provides technical assistance to sites selected through MacArthur's Safety and Justice Challenge (SJC) initiative. BI's technical assistance is focused on enhancing local efforts to reduce racial and ethnic disparities. This technical assistance includes strengthening local collaborative/governance structures, engaging with communities of color most impacted by the criminal justice system and strengthening local data capacity and utilization specific to racial and ethnic disparities.

In 2015, Justice System Partners (JSP) produced a report that was published by Multnomah County, "Racial and Ethnic Disparities and the Relative Rate Index (RRI): Summary of Data in Multnomah County." This report summarized 2014 data from key decision making points collected as part of the Safety and Justice Challenge.

The purpose of this report is to provide Multnomah County with updated data on racial and ethnic disparities at key justice system decision making points. The data included in this report should be considered a starting point for understanding whether and to what extent racial and ethnic disparities exist in Multnomah County, not to answer questions regarding why the disparities exist.

Methodology and Sources of Data
The majority of this analysis is based on data collected by agencies as part of the application process for the Safety and Justice Challenge (SJC). The data include jail "snapshots" and data from seven key decision making points (listed below). In addition, BI requested from Multnomah County data on the number of adults booked into jail, the most serious offenses for which people were booked into jail, and the average length of stay in jail (pretrial and total).

For comparison purposes, this report follows a similar format as JSP's 2015 report about racial and ethnic disparities in Multnomah County. With the exception of one day count or "snapshot" data, a full year of the most recently available data (May 2018-April 2019) were used to compare to 2014[1]. Where possible, the analysis compares people involved at one decision point to the prior decision point (i.e.,

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[1] For ease of reviewing data, timeframe is referred to in charts as 2019. The actual time frame is May 1, 2018 - April 30, 2019

comparing cases issued for prosecution to cases referred for prosecution). Where these data were not available, the analysis includes a "per capita" analysis, comparing people involved in the justice system to the overall adult population in Multnomah County (18 +).

Point of Analysis		Data Source
One Day Count Snapshot of Jail (Total and Pretrial)		Multnomah County Sheriff's Office
Total Jail Bookings		Multnomah County Sheriff's Office
Jail Length of Stay (Total and Pretrial)		Multnomah County Sheriff's Office
Most Serious Offense Associated with Jail Booking		Multnomah County Sheriff's Office
Seven Decision Points Collected for Safety and Justice Challenge (SJC)	Decision Point 1: Arrest Proxy (Referrals Received by MCDA)[*]	Multnomah County District Attorney
	Decision Point 2: Prosecutorial Charging[2][*]	Multnomah County District Attorney
	Decision Point 3: Assignment of Counsel[*]	Multnomah County District Attorney
	Decision Point 4: Releases from Jail	Multnomah County Sheriff's Office
	Decision Point 5: Case Processing/ Diversion[*]	Multnomah County District Attorney
	Decision Point 6: Disposition and Sentencing[*]	Multnomah County District Attorney
	Decision Point 7: Probation[*]	Multnomah County Department of Community Justice

In embarking on work to reduce racial and ethnic disparities, it is important to reemphasize that reducing justice system involvement for people of color does not necessarily reduce their relative likelihood (i.e., disparity) of system involvement compared to White adults. America's historical legacy of structural inequities contribute to the current overrepresentation of people of color in the justice system. Sites interested in change should understand that the consistent overuse of the justice system for people of color means that there are comparably few White adults subject to justice system involvement. Consequently, gauging progress by solely focusing on the "relative rate index" can result in overlooking both progress and ongoing problems in justice system involvement for people of color.

> ### *Reducing R.E.D. is not a quota system or a numbers game.*
>
> A well-rounded picture of progress will never be captured by one measure or metric or by quantitative data alone. It is important to use multiple quantitative and qualitative measures of progress to gauge impact.
> - These may include raw numbers, proportions, rates per capita, rates per prior decision point, and relative rates or disparity gap.
> - They also may include reasons for system involvement or diversion, whether people most impacted by the justice system are included in the decision-making structure, and whether justice system impacted people believe they are being treated fairly, with dignity and respect.
>
> Qualitative data will provide critical insight that is impossible to learn from the numbers alone.

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[*] These data reflect decision points that may or may not include jail. These data have been collected as part of the MacArthur Safety and Justice Challenge (SJC) since sites applied.

When identifying whether and to what extent racial and ethnic disparities exist and in measuring progress, it is important to use multiple metrics. This is true at the macro level (i.e. key decision making points like arrest or jail admissions) and at the micro level (i.e.: target populations like admissions to jail for probation violations or jail admissions for driving with a suspended license).

Thus, in the analysis that follows, BI uses multiple metrics to describe justice system involvement for people of color and to measure change in involvement over time:

(1) **Volume / Counts:** Number of people involved in justice system.
(2) **Rate per Capita:** Likelihood of system involvement compared to the population.
(3) **Rate per prior decision making point:** Likelihood of penetrating more deeply into the justice system, compared to the prior decision making point.
(4) **Disparity Gap (comparing per capita rates):** Ratio of rates or relative likelihood of system involvement for people of color per capita compared to White per capita. This analysis is often referred to as a "Relative Rate Index".
(5) **Disparity Gap (comparing rates per prior decision making point):** Ratio of rates or relative likelihood of system involvement for people of color per prior decision point compared to White per prior decision point. This analysis is often referred to as a "Relative Rate Index".
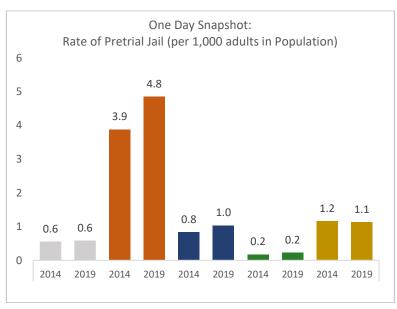
For any one of these measures, a site may observe progress using one measure, but note that "the problem of disparities is getting worse" using another measure.
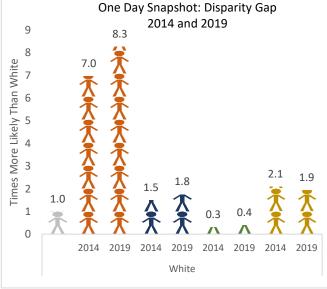
Summary of Key Findings

One Day Snapshots of Pretrial Jail in 2014 and 2019 indicate that the likelihood of jail "on any given day" increased for Black and Latino adults, and the relative likelihood of jail for Black and Latino adults compared to White adults (Disparity Gap) increased.

- Because the rate of pretrial jail according to the snapshot increased more for Black and Latino adults than it did for White adults, there was an increase in the relative likelihood of pretrial jail for Black and Latino adults. Black adults were 7 times more likely than White adults to be in jail pretrial during the 2014 snapshot, and they were 8.3 times more likely in 2019. Latino adults were 1.5 times more likely to be in jail during the 2014 snapshot, and they were 1.8 times more likely in 2019.
- One Day Snapshots of Pretrial Jail in 2014 and 2019 indicate that the likelihood of jail "on any given day" decreased slightly for Native American adults, and the relative likelihood of jail compared to White adults (Disparity Gap) also decreased.
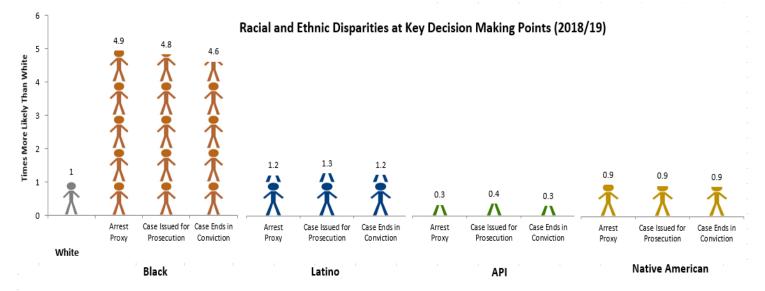
Reviewing the cumulative racial and ethnic disparity in 2018/2019 indicates that disparity is most profound at arrest[3] for Black adults in Multnomah County. Black adults also have the highest disparity gaps across decision points. Based on rates of justice system involvement per capita:

- Black adults in Multnomah County are 4.9 times as likely as White adults to have a case that is received and reviewed by the Multnomah County District Attorney's (MCDA) Office (a proxy used for arrest in this report). Black adults are 4.8 times as likely as White adults to have a case issued for prosecution, and they are 4.6 times as likely to have a case that ends in a conviction.

- Latino adults in Multnomah County are 1.2 times as likely as White adults to have a case that is referred and reviewed by MCDA. Latino adults are 1.3 times as likely as White adults to have a case issued for prosecution, and 1.2 times as likely to have a case that ends in a conviction.

- Asian and Pacific Islander (API) and Native American adults are less likely than White adults to have a case processed through the justice system.

Racial and Ethnic Disparities at Key Decision Making Points (2018/19)

While the rate at which people of color are involved in the justice system decreased from 2014 to 2019 at several key decision making points, the rate of pretrial jail (based on the one day count) increased for all groups except Native Americans. The disparity gap at several key decision making points also increased.

- Total jail rates (based on the one day count) decreased for White and Black adults but increased for Latino, Asian and Pacific Islander, and Native American adults.

- Total jail disparities increased for Black adults by five percent, Latino adults by 24 percent, Asian and Pacific Islander adults by 29 percent, and Native American adults by 73 percent.

- Arrest proxy disparities increased for Black adults by 17 percent, Latino adults by nine percent and Native American adults by 350 percent.

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[3] There were no arrest data available for Multnomah County. Instead a proxy of all cases received and reviewed by the Multnomah County District Attorney's Office.

MacArthur Safety and Justice Challenge (SJC): Racial and Ethnic Disparities in Multnomah County

- Rates of cases issues for prosecution decreased for all groups except Native Americans. This held true for per capita rates, as well as rates per cases reviewed.
- Disparities in cases issued for prosecution (based on per capita rates) increased for Black adults by 17 percent, Latino adults by 18 percent and Native American adults by 800 percent.
- Disparities in cases issued for prosecution (based on cases reviewed) increased for Black adults by one percent, Latino adults by four percent, Asian and Pacific Islander adults by 11 percent and Native American adults by 37 percent.
- Rates for cases with a conviction (per capita) decreased by more than 60 percent for all groups except Native American adults, whose conviction rates (per capita) increased by 76 percent.
- Rates for cases with a conviction (per cases with a disposition) decreased for all groups.
- Disparities in conviction rates (per capita) increased for Black adults by seven percent, Latino adults by 16 percent and Native American adults by 409 percent.
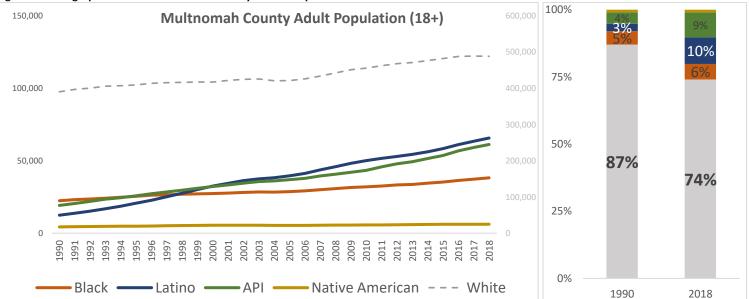- Disparities in conviction rates (per cases with a disposition) decreased for all groups.

		White	Black	Latino	API	Native American
One Day Count in Jail (Pretrial)	Rate change (per capita)	↑5%	↑25%	↑24%	↑31%	↓-3%
	Change in Disparity (per capita)		↑19%	↑18%	↑25%	↓-8%
One Day Count in Jail (Total)	Rate change (per capita)	↓-14%	↓-9%	↑6%	↑11%	↑49%
	Change in Disparity (per capita)		↑5%	↑24%	↑29%	↑73%
Arrest Proxy	Rate change (per capita)	↓-29%	↓-16%	↓-21%	↓-56%	↑305%
	Change in Disparity (per capita)		↑17%	↑9%	↓-40%	↑350%
Cases Issued for Prosecution	Rate change (per capita)	↓-40%	↓-30%	↓-31%	↓-60%	↑356%
	Rate change (per cases reviewed)	↓-17%	↓-16%	↓-13%	↓-7%	↑14%
	Change in Disparity (per capita)		↑17%	↑18%	↓-20%	↑800%
	Change in Disparity (per cases reviewed)		↑1%	↑4%	↑11%	↑37%
Cases with a Conviction	Rate change (per capita)	↓-65%	↓-63%	↓-60%	↓-80%	↑76%
	Rate change (per cases with a disposition)	↓-7%	↓-18%	↓-11%	↓-15%	↓-40%
	Change in Disparity (per capita)		↑7%	↑16%	↓-44%	↑409%
	Change in Disparity (per cases with a disposition)		↓-11%	↓-4%	↓-8%	↓-35%

Multnomah County's Changing Demographics

Census data indicate that Multnomah County's demographic make-up is changing. For example, between 1990 and 2018, the number of Black adults (18+) increased by 71 percent; the number of Latino adults increased by 429 percent; and the number of Asian and Pacific Islander adults increased by 219 percent[4]. The proportion of the adult population that is White decreased from 87 percent in 1990 to 74 percent in 2018, and the proportion of the adult population that is Latino increased from three percent to ten percent.

Figure 1: Demographic Shifts in Multnomah County's Adult Population

	White		Black		Latino		API		Native American		Total
	#	% of total	#	% of total	#	% of total	#	% of total	#	% of total	#
1990 Adult Population	389,955	87%	22,375	5%	12,398	3%	19,153	4%	4,333	1%	448,214
2018 Adult Population	487,859	74%	38,169	6%	65,611	10%	61,165	9%	6,175	1%	658,979
% Change 1990-2018	25%		71%		429%		219%		43%		47%

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[4] Puzzanchera, C., Sladky, A. and Kang, W. (2019). "Easy Access to Juvenile Populations: 1990-2018." Online. Available: https://www.ojjdp.gov/ojstatbb/ezapop/
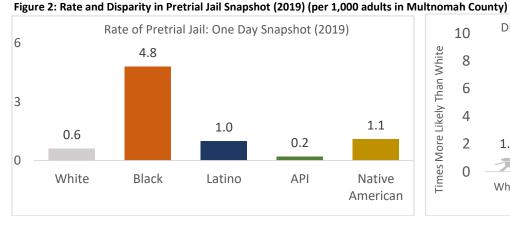
One Day Snapshot Data

One day snapshot data are helpful in understanding the number of individuals impacted by justice system decision making on "any given day."   The data below take a snapshot of Multnomah County's jail population (pretrial and total) on June 30, 2019. In addition, the section includes trends to provide an overview in changes to the likelihood of jail on "any given day" from 2010-2019 as well as the relative likelihood of jail for adults of color compared to white adults.
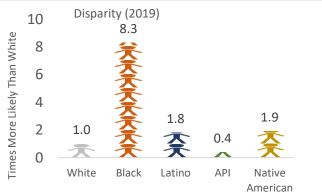
Pretrial Jail Snapshot

On a one day snapshot of pretrial jail in Multnomah County on June 30, 2019, people of color were more likely than White adults to be incarcerated pretrial.
- For every 1,000 White adults in Multnomah County, there were .6 in pretrial jail;
- For every 1,000 Black adults in Multnomah County, there were 4.8 in pretrial jail;
- For every 1,000 Latino adults in Multnomah County, there were 1.0 in pretrial jail;
- For every 1,000 Asian and Pacific Islander (API) adults in Multnomah County, there were .2 in pretrial jail; and
- For every 1,000 Native American adults in Multnomah County, there were 1.1 in jail.

Comparing these rates, we note that Black adults were 8.3 times; Latino adults 1.8 times; and Native American adults 1.9 times more likely than White adults to be incarcerated in pretrial jail.

Figure 2: Rate and Disparity in Pretrial Jail Snapshot (2019) (per 1,000 adults in Multnomah County)

Trends in Pretrial Jail Snapshot

According to one day count data on pretrial jail, the rate of pretrial jail "one any given day" has increased; by 33 percent from 2010-2019 and by 15 percent from 2014 to 2019.

The one day count rate of jail for Black adults increased more than the increase for White adults, resulting in an increase in the disparity gap or relative likelihood of pretrial for Black adults compared to White adults. For example, for every one white adult held in jail "on any given day" in 2014, there were 7 Black adults in jail; for every one white adult held in jail "on any given day" in 2019, there were 8.3 Black adults in jail.

Figure 3: Rate and Disparity in Pretrial Jail Snapshot (2010-2014 and 2019) (per 1,000 adults in Multnomah County)

		White	Black	Latino	API	Native American	Total
Adult Population	2010	455,402	31,926	50,086	43,307	5,676	586,397
	2014	475,876	34,552	56,101	51,537	6,012	624,078
	2019	487,859	38,169	65,611	61,165	6,175	658,979
Pretrial Jail Snapshot	2010	187	113	59	13	4	376
	2014	265	134	47	9	7	462
	2019	286	185	68	14	7	560
Rate of People in Jail (per 1,000 in population)	2010	0.4	3.5	1.2	0.3	0.7	0.6
	2014	0.6	3.9	0.8	0.2	1.2	0.7
	2019	0.6	4.8	1.0	0.2	1.1	0.8
	% change 2014-2019	5%	25%	24%	31%	-3%	15%
	% change 2010-2019	43%	37%	-12%	-24%	61%	33%
Disparity (Times more likely than White)	2010	1	8.6	2.9	0.7	1.7	
	2014	1	7.0	1.5	0.3	2.1	
	2019	1	8.3	1.8	0.4	1.9	
	% change 2014-2019		19%	18%	25%	-8%	
	% change 2010-2019		-4%	-38%	-47%	13%	

MacArthur Safety and Justice Challenge (SJC): Racial and Ethnic Disparities in Multnomah County
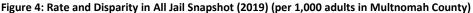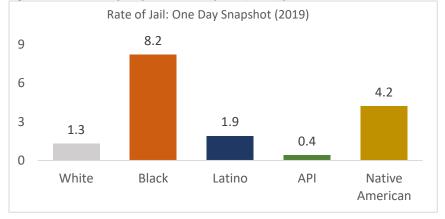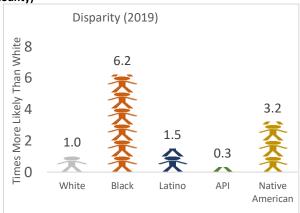
All Jail Snapshot

On a one day snapshot of the entire jail population in Multnomah County on **June 30, 2019**, people of color were more likely than White adults to be incarcerated.

- For every 1,000 White adults in Multnomah County, there were 1.3 incarcerated in jail;
- For every 1,000 Black adults in Multnomah County, there were 8.2 incarcerated in jail;
- For every 1,000 Latino adults in Multnomah County, there were 1.9 incarcerated in jail;
- For every 1,000 Asian and Pacific Islander (API) adults in Multnomah County, there were .4 incarcerated in jail; and
- For every 1,000 Native American adults in Multnomah County, there were 4.2 incarcerated in jail.

Comparing these rates, we note that Black adults were 6.2 times more likely; Latinos 1.5 times more likely; and Native American adults 3.2 times more likely than White adults to be incarcerated in jail on the one day count.

Figure 4: Rate and Disparity in All Jail Snapshot (2019) (per 1,000 adults in Multnomah County)

Trends All Jail Snapshot

According to one day count data on the entire jail population, the rate of jail "on any given day" has decreased; it has decreased by 17 percent from 2010-2019 and by 9 percent from 2014 to 2019. Combined with data on pretrial snapshot data, these data suggest that the reductions in Multnomah's total jail population "on any given day" are the result of a reduction in jail sentences rather than the pretrial population.

Over the past 10 years (from 2010 to 2019), the reduction in one day count rate of jail for Black adults decreased more significantly than White adults resulting in a decrease in the disparity gap or relative likelihood of jail for Black adults compared to White adults. For every one white adult held in jail "on any given day" in 2010, there were 7.4 Black adults in jail; for every one white adult held in jail "on any given day" in 2019, there were 6.2 Black adults in jail, a 16 percent reduction.
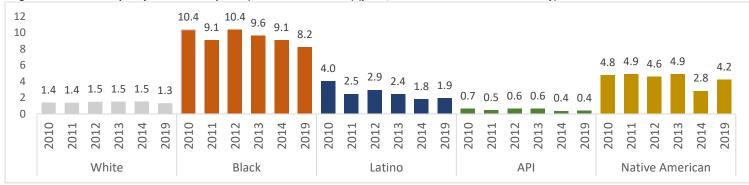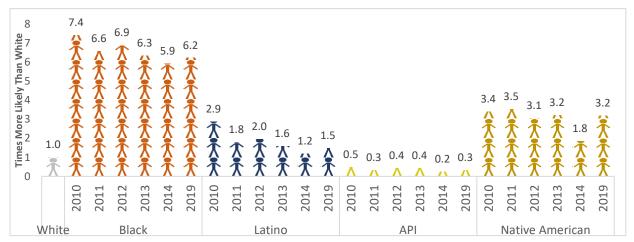
Over the past six years (from 2014-2019), the reduction in one day count rate of jail for White adults decreased more significantly than Black adults resulting in an increase in the disparity gap or relative likelihood of jail for Black adults compared to White adults. For every one white adult held in jail "on

any given day" in 2014, there were 5.9 Black adults in jail; for every one white adult held in jail "on any given day" in 2019, there were 6.2 Black adults in jail, a 5 percent increase.

Figure 5: Rate and Disparity in All Jail Snapshot (2010-2014 and 2019) (per 1,000 adults in Multnomah County)

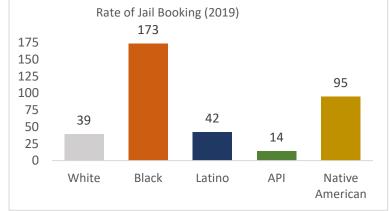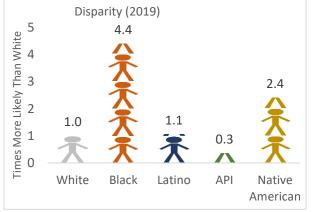|		White	Black	Latino	API	Native American	Total
Adult Population	2010	455,402	31,926	50,086	43,307	5,676	586,397
	2014	475,876	34,552	56,101	51,537	6,012	624,078
	2019	487,859	38,169	65,611	61,165	6,175	658,979
Total Jail Snapshot	2010	638	331	202	29	27	1227
	2014	730	313	102	19	17	1182
	2019	644	313	127	25	26	1138
Rate of People in Jail (per 1,000 in population)	2010	1.4	10.4	4.0	0.7	4.8	**2.1**
	2014	1.5	9.1	1.8	.4	2.8	1.9
	2019	1.3	8.2	1.9	0.4	4.2	1.7
	% change 2014-2019	-14%	-9%	6%	11%	49%	-9%
	% change 2010-2019	-6%	-21%	-52%	-39%	-11%	-17%
Disparity (Times more likely than White)	2010		7.4	2.9	0.5	3.4	
	2014		5.9	1.2	.2	1.8	
	2019		6.2	1.5	0.3	3.2	
	% change 2014-2019		5%	24%	29%	73%	
	% change 2010-2019		-16%	-49%	-35%	-6%	

Jail Bookings

In 2019, people of color were more likely than White adults to be booked into jail.
- For every 1,000 White adults in the Multnomah County population, there were 39 booked into jail;
- For every 1,000 Black adults in the Multnomah County population, there were 173 booked into jail;
- For every 1,000 Latino adults in the Multnomah County population, there were 42 booked into jail;
- For every 1,000 API adults in the Multnomah County population, there were 14 booked into jail;
- For every 1,000 Native American adults in the Multnomah County population, there were 95 booked into jail.

Comparing these rates, we note that Black adults were 4.4 times more likely; Latinos 1.1 times more likely; and Native American adults 2.4 times more likely than White adults to be booked into jail. API adults were less likely than White adults to be booked into jail—for every one White adult booked, there were .3 API adults booked.

Figure 6: Rate and Disparity in Jail Bookings (2019) (per 1,000 adults in Multnomah County)

	White	Black	Latino	API	Native American	Other	Total
Adult Population	487,859	38,169	65,611	61,165	6,175		658,979
Pretrial Jail Snapshot	19,237	6,622	2,752	842	587	48	48
Rate per 1,000 Adults	39	173	42	14	95	-	46
Disparity *(Times more likely than White)*		4.4	1.1	.3	2.4	-	

Average Length of Stay in Jail

In 2018/19, people of color had longer lengths of stay in jail (including both pretrial and sentenced) than White adults. Whereas White adults stayed an average of 11.9 days, Black adults stayed an average of 16.8 days; Latino adults stayed an average of 17 days; API adults stayed an average of 13.5 days; and Native American adults stayed an average of 14 days.[5]

Figure 7: Average Length of Stay in Jail (2019)

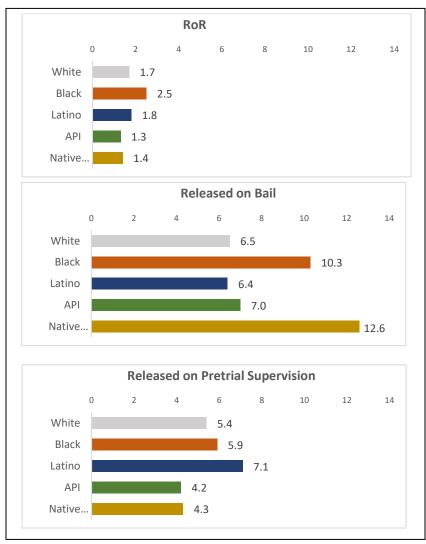|	White	Black	Latino	API	Native American	Other	Total
Average Length of Stay (ALOS) (Days) in Jail *(includes all pretrial jail; time served; and all jail pending transfers)*	11.9	16.8	17	13.5	14		13.5
Number of Individuals Counted for ALOS	20,489	6,771	2,987	740	687	180	31,854

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[5] The data include persons in jail, including those who were ineligible for release based on local, state or federal policy.

Pretrial Length of Stay in Jail

For every pretrial release type, Black adults have longer lengths of stay in jail. For Release on Own Recognizance (RoR) and Pretrial Supervision releases, Latino adults also have a longer stay in jail. For Releases on Bail, API and Native American adults have a longer stay in jail.

Figure 8: Average Length of Stay in Jail Pretrial by Release Type (2019)

For every pretrial release type, Black adults have longer lengths of stay in jail. For Release on Own Recognizance (RoR) and Pretrial Supervision releases, Latino adults also have a longer stay in jail. For Releases on Bail, API and Native American adults have a longer stay in jail.

Whereas White adults released on RoR stay an average of 1.7 days, Black adults stay an average of 2.5 days.

Whereas White adults released on bail stay an average of 6.5 days, Black adults stay an average of 10.3 days. Whereas White adults released on Pretrial Supervision stay an average of 5.4 days, Black adults stay an average of 5.9 days.

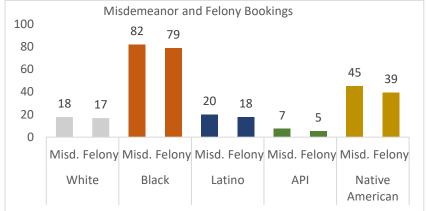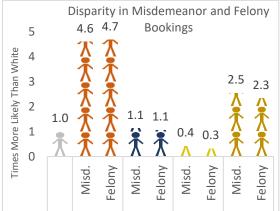|		White	Black	Latino	API	Native American	Other	Total
RoR	ALOS in Jail (Days)	1.7	2.5	1.8	1.3	1.4		1.9
	Number of Individuals Counted	7,385	2,407	983	295	197	80	11,347
Bail Release	ALOS in Jail (Days)	6.5	10.3	6.4	7.0	12.6		7.4
	Number of Individuals Counted	687	272	196	43	16	11	1,225
Pretrial Supervision Release	ALOS in Jail (Days)	5.4	5.9	7.1	4.2	4.3		5.6
	Number of Individuals Counted	1,917	720	316	81	58	15	3,107

Most Serious Offense Associated with Jail Booking

Data from 2019 include the most serious offense[6] associated with jail booking. Examining reasons for booking is a critical step in determining where to focus efforts. Reasons for admission to jail were not included in the 2014 report, so Multnomah County has taken an important step forward by providing and now examining the reasons for booking. When reviewing data on offenses associated with bookings, it is useful to use look at the data in a variety of ways: first, broken down by misdemeanor and felony bookings, then by specific offense. Additionally, it is critical to examine volume, proportion, rate and disparity for each most serious offense to determine strategically which offenses are having the most impact on disparities. The stakeholder group can then hone in on those select reasons for booking and determine whether any alternatives to jail can be developed.

In 2019, people of color were more likely than White adults to be booked into jail for both misdemeanor and felony charges[7]. For every 1,000 White adults in the Multnomah County population, there were 18 booked into jail for a misdemeanor and 17 booked for a felony; for every 1,000 Black adults, there were 82 booked into jail for a misdemeanor and 79 booked for a felony. Black adults were 4.6 times more likely to be booked into jail for a misdemeanor and 4.7 times more likely to be booked into jail for a felony than White adults.

Figure 9: Rate of Misdemeanor and Felony Bookings (per 1,000 adults in Multnomah County) (2019)

		White	Black	Latino	API	Native American	Other	Total
	Adult Population	487,859	38,169	65,611	61,165	6,175		658,979
Misdemeanor Bookings	Number of Bookings	8,677	3,117	1,315	449	278	25	13,861
	Rate of Jail *(per 1000 adults in population)*	17.8	81.7	20.0	7.3	45.0		28.4
	Disparity *(Times more likely than White)*		4.6	1.1	0.4	2.5		1.6
Felony Bookings	Felony	8,236	3,009	1,168	327	243	17	13,000
	Rate of Jail *(per 1000 adults in population)*	16.9	78.8	17.8	5.3	39.4		26.6
	Disparity *(Times more likely than White)*		4.7	1.1	0.3	2.3		1.6

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[6] Most serious offense means that if an individual had multiple offenses associated with their admission to jail, a hierarchy was applied and only the most serious offense was included in the data.
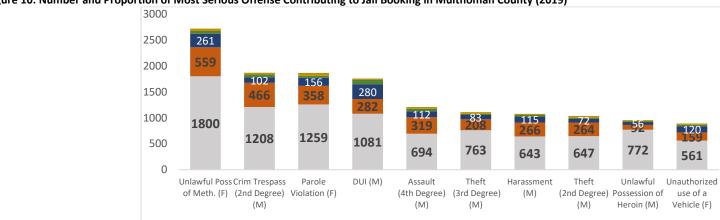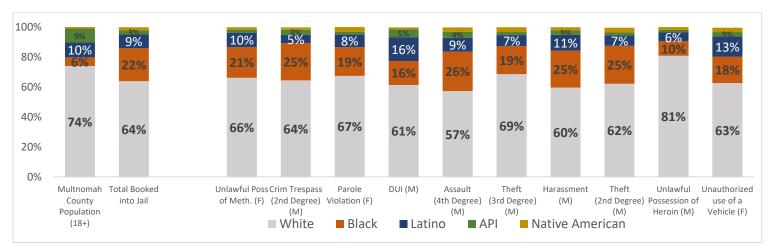[7] There were a total of 3,207 cases (11% of total 30,068 bookings) that did not have booking category available.

MacArthur Safety and Justice Challenge (SJC): Racial and Ethnic Disparities in Multnomah County

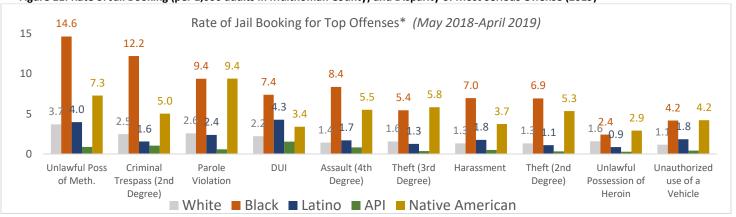**Figure 10: Number and Proportion of Most Serious Offense Contributing to Jail Booking in Multnomah County (2019)**
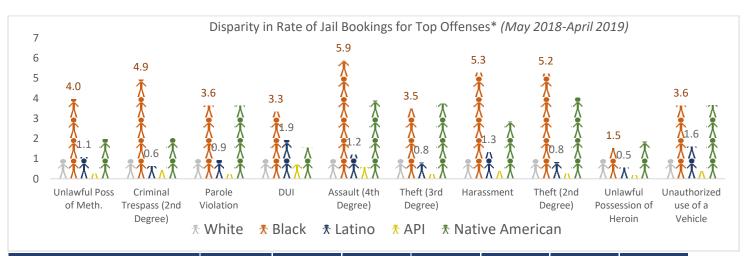

In 2019, Unlawful Poss. of Meth. (F) was the most frequent offense contributing to jail bookings, accounting for 9% of all bookings (2,722/30,888). Criminal Trespass in the 2nd Degree (Class C Misdemeanor) was the second most frequent offense contributing to jail bookings, accounting for 6.2% of all bookings (1,874/30,088). Parole Violations were the 3rd most frequent offense contributing to jail bookings, accounting for 6.2% of all bookings (1,867/30,088).

	White	Black	Latino	API	Native American	Other/ Unknown	Total
Unlawful Poss of Meth. (F)	1800	559	261	54	45	3	2722
Crim Trespass (2nd Degree) (M)	1208	466	102	63	31	4	1874
Parole Violation (F)	1259	358	156	36	58	0	1867
DUI (M)	1081	282	280	94	21	3	1761
Assault (4th Degree) (M)	694	319	112	50	34	3	1212
Theft (3rd Degree) (M)	763	208	83	22	36	1	1113
Harassment (M)	643	266	115	31	23	1	1079
Theft (2nd Degree) (M)	647	264	72	20	33	5	1041
Unlawful Possession of Heroin (F)	772	92	56	17	18	0	955
Unauthorized use of a Vehicle (F)	561	159	120	26	26	4	896
All Other Reasons for Admission	9809	3649	1395	429	262	24	15,478
Total Booked into Jail	**19237**	**6622**	**2752**	**842**	**587**	**48**	**30,088**

MacArthur Safety and Justice Challenge (SJC): Racial and Ethnic Disparities in Multnomah County

Figure 11: Rate of Jail Booking (per 1,000 adults in Multnomah County) and Disparity of Most Serious Offense (2019)

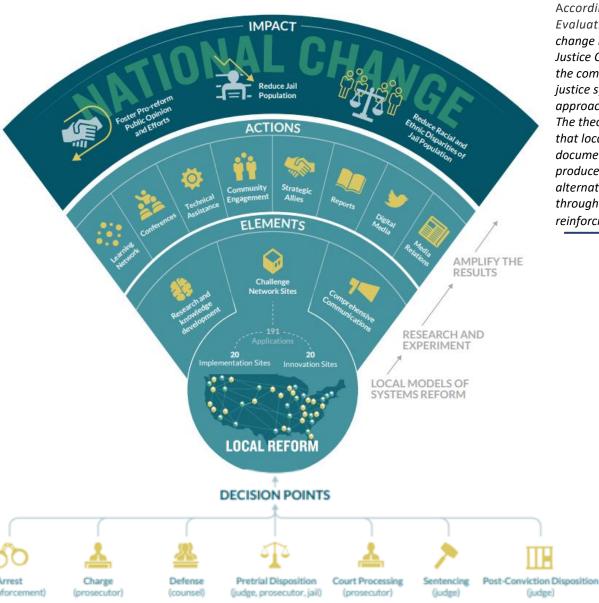Rate of Jail Booking for Top Offenses* *(May 2018-April 2019)*

Disparity in Rate of Jail Bookings for Top Offenses* *(May 2018-April 2019)*

		White	Black	Latino	API	Native American	Total
Unlawful Poss of Meth. (F)	Rate	3.7	14.6	4.0	0.9	7.3	4.1
	Disparity	1	4.0	1.1	0.2	2.0	
Crim Trespass (2nd Degree) (M)	Rate	2.5	12.2	1.6	1.0	5.0	2.8
	Disparity	1	4.9	0.6	0.4	2.0	
Parole Violation (F)	Rate	2.6	9.4	2.4	0.6	9.4	2.8
	Disparity	1	3.6	0.9	0.2	3.6	
DUI (M)	Rate	2.2	7.4	4.3	1.5	3.4	2.7
	Disparity	1	3.3	1.9	0.7	1.5	
Assault (4th Degree) (M)	Rate	1.4	8.4	1.7	0.8	5.5	1.8
	Disparity	1	5.9	1.2	0.6	3.9	
Theft (3rd Degree) (M)	Rate	1.6	5.4	1.3	0.4	5.8	1.7
	Disparity	1	3.5	0.8	0.2	3.7	
Harassment (M)	Rate	1.3	7.0	1.8	0.5	3.7	1.6
	Disparity	1	5.3	1.3	0.4	2.8	
Theft (2nd Degree) (M)	Rate	1.3	6.9	1.1	0.3	5.3	1.6
	Disparity	1	5.2	0.8	0.2	4.0	
Unlawful Possession of Heroin (F)	Rate	1.6	2.4	0.9	0.3	2.9	1.4
	Disparity	1.0	1.5	0.5	0.2	1.8	
Unauthorized use of a Vehicle (F)	Rate	1	4.2	1.8	0.4	4.2	1.4
	Disparity	1.0	3.6	1.6	0.4	3.7	

MacArthur Safety and Justice Challenge (SJC): Racial and Ethnic Disparities in Multnomah County

Seven Key Decision Points in Safety and Justice Challenge

The Safety and Justice Challenge is engaged in ongoing evaluation regarding the extent to which it is successful in reducing jail incarceration and racial and ethnic disparities. The evaluation tracks changes at seven key decision points in the criminal justice process: (1) arrest (2) prosecutorial charging, (3) assignment of counsel, (4) pretrial release, (5) case processing, (6) disposition or sentencing, and (7) postconviction process. The following section uses the data collected at these seven decision making points.

According to a recent SJC Evaluation[8], the theory of change behind the Safety and Justice Challenge acknowledges the complexity of local criminal justice systems and of the approaches to reforming them. The theory of change asserts that local reforms can be documented and spread to produce a national demand for alternative responses to crime through three (3) mutually reinforcing components.

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[8] Safety and Justice Challenge Evaluation Repot (2015-2017), Center for Courts and Corrections Research Division for Applied Justice Research RTI International. Available: https://www.macfound.org/media/files/RTI_Initiative_Report_2018_12_31_18_Final.pdf

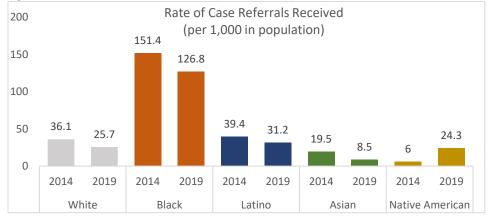## Decision Point 1: Arrest (Case Referrals Received by MCDA)

The first decision point focuses on the initial contact with law enforcement and the decision to arrest. Data on actual arrests was not available from Multnomah County. A proxy for arrest was used which represented the number of referrals received and reviewed by the Multnomah County District Attorney's Office (MCDA).
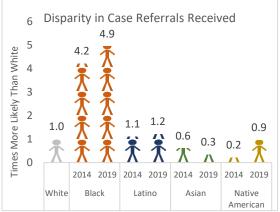
In 2018/19, people of color were more likely than White adults to have a case received for referral.
- For every 1,000 White adults in the Multnomah County population, there were 26 cases received;
- For every 1,000 Black adults in the Multnomah County population, there were 127 cases received;
- For every 1,000 Latino adults in the Multnomah County population, there were 31 cases received;
- For every 1,000 API adults in the Multnomah County population, there were 9 cases received;
- For every 1,000 Native American adults in the Multnomah County population, there were 24 cases received.

With the exception of Native American adults, the rate of case referrals received by MCDA decreased from 2014-2019 across most demographics. The rate decrease for White adults was greater than the rate decrease for Black and Latino adults which resulted in an increase in the relative likelihood of having a referral received for Black and Latino adults. For example, in 2014, Black adults were 4.2 times more likely to have a case referral received by MCDA; in 2019, they were 4.9 times more likely.

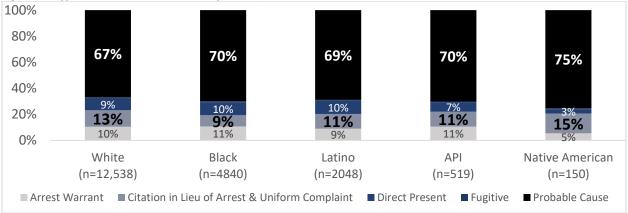**Figure 12: Rate of Case Referral Received (2014 and 2019)**

		White	Black	Latino	API	Native American	Other/ Unknown	Total
Adult Population	2014	475,876	34,552	56,101	51,537	6,012		624,078
	2019	487,859	38,169	65,611	61,165	6,175		658,979
Number of Referrals Received	2014	17,160	5,231	2,208	1,003	36	100	25,738
	2019	12,538	4,840	2,048	519	150	753	20,848
		-27%	-7%	-7%	-48%	317%	653%	-19%
Rate (per 1000 in population)	2014	36.1	151.4	39.4	19.5	6		41.2
	2019	25.7	126.8	31.2	8.5	24.3		31.6
	% change 2014-2019	-29%	-16%	-21%	-56%	305%		-23%
Disparity (times more likely than White)	2014	1	4.2	1.1	0.5	0.2		
	2019	1	4.9	1.2	0.3	0.9		
	% change 2014-2019		17%	9%	-40%	350%		

MacArthur Safety and Justice Challenge (SJC): Racial and Ethnic Disparities in Multnomah County

In 2019, Black adults with a case referral received by MCDA were less likely than White Adults to receive a citation in lieu of arrest. Whereas 13% of White adults referred received a citation in lieu of arrest, only 9% of Black adults did.

Figure 13: Type of Case Referral Received by MCDA (2019)

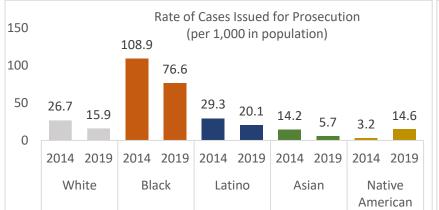| 2019*	White	Black	Latino	API	Native American	Other/ Unknown	Total
Total number of referrals received and reviewed by MCDA	12,538	4,840	2,048	519	150	753	20,848
Arrest Warrant	1,314	516	184	55	8	42	2,119
Citation in Lieu of Arrest & Uniform Complaint	1,575	415	231	59	23	38	2,341
Direct Present	1,094	468	206	38	5	440	2,251
Fugitive	167	57	14	3	1	5	247
Probable Cause	8,388	3,384	1,413	364	113	228	13,890

Decision Point 2: Prosecutorial Charging

The next decision point reflects prosecutorial charging. Data were collected on the number of cases issued for prosecution. The data can be approached two different ways. First, the data can be compared to the overall Multnomah County population. Second, the data can be compared to the number of cases received by MCDA.
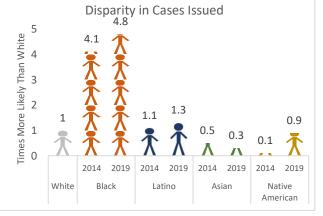
In 2018/19, people of color were more likely than White adults to have a case issued for prosecution.
- For every 1,000 White adults in the Multnomah County population, there were 16 cases issued;
- For every 1,000 Black adults in the Multnomah County population, there were 77 cases issued;
- For every 1,000 Latino adults in the Multnomah County population, there were 20 cases issued;
- For every 1,000 API adults in the Multnomah County population, there were 6 cases issued;
- For every 1,000 Native American adults in the Multnomah County population, there were 15 cases issued.

With the exception of Native American adults, the rate of cases issued decreased from 2014-2019 across most demographics. The rate decrease for White adults was greater than the rate decrease for Black and Latino adults which resulted in an increase in the relative likelihood of having a case issued for Black and Latino adults. For example, in 2014, Black adults were 4.1 times more likely to have a case issued; in 2019, they were 4.8 times more likely.

Figure 14: Rate and Disparity of Case Referral Issued for Prosecution (per 1, 000 adults in Multnomah County)

		White	Black	Latino	API	Native American	Other/ Unknown	Total
Adult Population	2014	475,876	34,552	56,101	51,537	6,012		624,078
	2019	487,859	38,169	65,611	61,165	6,175		658,979
Number of Cases Issued for Prosecution	2014	12,713	3,761	1,641	731	19	35	18,900
	2019	7,748	2,923	1,318	350	90	199	12,628
	% change 2014-2019	-39%	-22%	-20%	-52%	374%	469%	-33%
Rate (per 1000 in population)	2014	26.7	108.9	29.3	14.2	3.2		30.3
	2019	15.9	76.6	20.1	5.7	14.6		19.2
	% change 2014-2019	-40%	-30%	-31%	-60%	356%		-37%
Disparity (times more likely than White)	2014		4.1	1.1	0.5	0.1		
	2019		4.8	1.3	0.4	0.9		
	% change 2014-2019		17%	18%	-20%	800%		

In 2018/19, Black and Native American adults with cases received by MCDA were less likely than White adults to have their cases issued for prosecution; Latino and API adults were more likely to have their cases issued for prosecution.

- For every 1,000 cases for White adults received by MCDA, there were 618 issued for prosecution;
- For every 1,000 cases for Black adults received by MCDA, there were 604 issued for prosecution;
- For every 1,000 cases for Latino adults received by MCDA, there were 644 issued for prosecution;
- For every 1,000 cases for API adults received by MCDA, there were 674 issued for prosecution;
- For every 1,000 cases for Native American adults received by MCDA, there were 600 issued for prosecution;

With the exception of Native American adults, the rate of cases issued for prosecution per cases received and reviewed by MCDA decreased from 2014-2019 across most demographics.
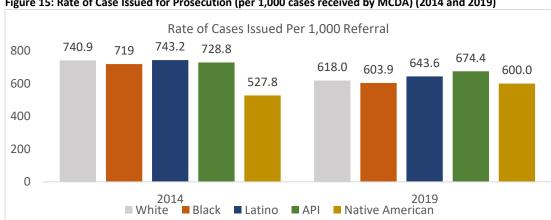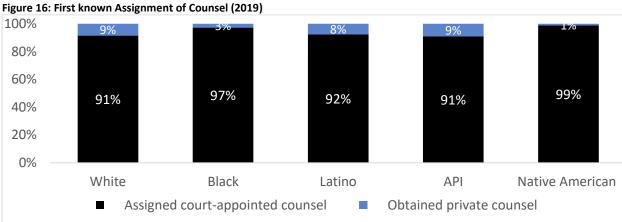
Figure 15: Rate of Case Issued for Prosecution (per 1,000 cases received by MCDA) (2014 and 2019)

Rate of Cases Issued Per 1,000 Referral

	White	Black	Latino	API	Native American	Other/ Unknown	Total
Number of Cases Received by MCDA 2014	17,160	5,231	2,208	1,003	36	100	25,738
2019	12,538	4,840	2,048	519	150	753	20,848
% change 2014-2019	-27%	-7%	-7%	-48%	317%	653%	-19%
Number of Cases Issued for Prosecution 2014	12,713	3,761	1,641	731	19	35	18,900
2019	7,748	2,923	1,318	350	90	199	12,628
% change 2014-2019	-39%	-22%	-20%	-52%	374%	469%	-33%
Rate (per 1000 cases received) 2014	740.9	719.0	743.2	728.8	527.8	350.0	734.3
2019	618.0	603.9	643.6	674.4	600.0	264.3	605.7
% change 2014-2019	-17%	-16%	-13%	-7%	14%	-24%	-18%
Disparity (times more likely than White) 2014	1	0.97	1.00	0.98	0.71		
2019	1	0.98	1.04	1.09	0.97		
% change 2014-2019		1%	4%	11%	37%		

Decision Point 3: Assignment of Counsel

Data were also collected on the first known assignment of counsel. This number can be compared to the number of cases accepted for prosecution. In 2019, people of color were more likely than White adults to have Court Appointed Counsel. Ninety-one percent of White adults had court appointed counsel compared to 97 percent of Black adults; 92 percent of Latino adults and 99 percent of Native American adults.

Figure 16: First known Assignment of Counsel (2019)

The likelihood of having court appointed counsel remained relatively consistent from 2014-2019 across demographics, with people of color consistently more likely to have been assigned court appointed counsel.
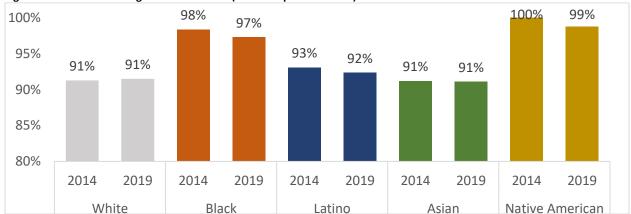
Figure 17: First known assignment of counsel (2014 compared to 2019)

		White	Black	Latino	API	Native American	Other/ Unknown	Total
Court Appointed Counsel	2014	8,972	2,847	1,084	508	16	20	13,447
	2019	5,895	2,399	988	265	78	142	9,767
Private Counsel	2014	859	48	81	49	-	4	1,041
	2019	548	67	82	26	1	15	739
Percent Court Appointed)	2014	91%	98%	93%	91%	100%	83%	93%
	2019	91%	97%	92%	91%	99%	95%	87%

MacArthur Safety and Justice Challenge (SJC): Racial and Ethnic Disparities in Multnomah County
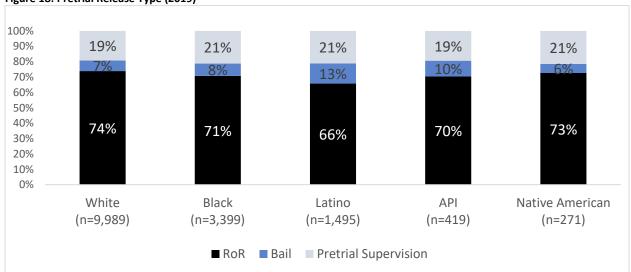
Decision Point 4: Releases from Jail (Pretrial)

Data were captured on all individuals released pretrial, along with how they were released. This data included the number released on their own recognizance (RoR), those released on bail, and those released to pretrial supervision.

In 2019, people of color were less likely than White adults to be released on RoR. Seventy-four percent of White adults were released on RoR compared to 71 percent of Black adults; 66 percent of Latino adults, 70 percent of Asian and Pacific Islander adults and 73 percent of Native American adults.
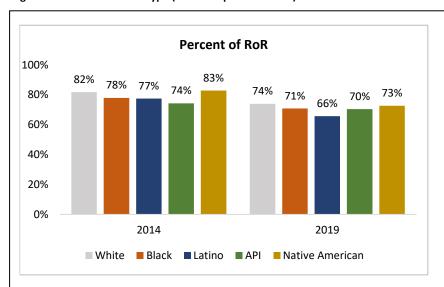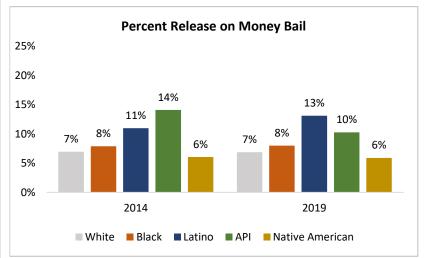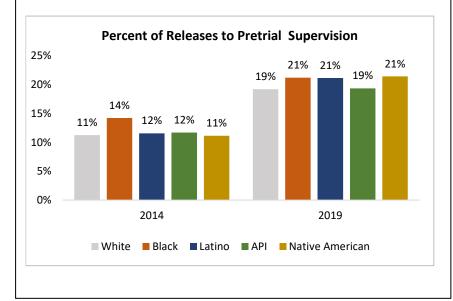
Figure 18: Pretrial Release Type (2019)

		White	Black	Latino	API	Native American	Other/ Unknown	Total
2014	Total Pretrial Releases	12,455	3,483	1,430	454	314	18	18,154
	RoR #	10,188	2,713	1,108	337	260	15	14,621
	RoR %	82%	78%	77%	74%	83%	83%	81%
	Bail #	867	275	157	64	19	-	1,382
	Bail %	7%	8%	11%	14%	6%	-	8%
	Pretrial Supervision #	1,400	495	165	53	35	3	2,151
	Pretrial Supervision %	11%	14%	12%	12%	11%	17%	12%
2019	Total Pretrial Releases	9989	3399	1495	419	271	106	15,679
	RoR #	7,385	2,407	983	295	197	80	11,347
	RoR %	74%	71%	66%	70%	73%	75%	72%
	Bail #	687	272	196	43	16	11	1,225
	Bail %	7%	8%	13%	10%	6%	10%	8%
	Pretrial Supervision #	1,917	720	316	81	58	15	3,107
	Pretrial Supervision %	19%	21%	21%	19%	21%	14%	20%

Figure 19: Pretrial Release Type (2014 compared to 2019)

Percent of RoR

Percent Release on Money Bail

Percent of Releases to Pretrial Supervision

In both 2014 and 2019, the vast majority of pretrial releases are RoR. In both 2014 and 2019, people of color (with the exception of Native American adults) released pretrial were less likely than White adults to be RoR. For example, in 2019, 74% of White adults released pretrial were RoR compared to 71% of Black adults released pretrial.

In both 2014 and 2019, a small proportion of pretrial releases were releases on money bail.

In both 2014 and 2019, people of color (with the exception of Native American adults) released pretrial were more likely than White adults to be released on money bail. For example, in 2019, 7% of White adults released pretrial were released on money bail compared to 13% of Latino adults and 10% of API adults.

From 2014 to 2019, there was an increase in the proportion of pretrial releases that were released to pretrial supervision.

In both 2014 and 2019, people of color released pretrial were more likely than White adults to be released to pretrial supervision. For example, in 2019, 19% of White adults released pretrial were released to pretrial supervision compared to 21% of Black adults released pretrial.

Decision Point 5: Case Processing / "Diversion"

Data were collected on the number of individuals diverted. While many jurisdictions across the country consider diversion an alternative to formal case processing, in Multnomah County, for the purposes of data collection for the Safety and Justice Challenge, diversion includes cases that are processed through alternative courts.

Diversion data are compared to the total number of cases arraigned[9]. In 2018/19, people of color are less likely to be diverted than White adults. For example, White adults were 1.3 times more likely than Black adults to be diverted. In 2018/19:

- For every 1,000 White adults arraigned, 288 had their case diverted.
- For every 1,000 Black adults arraigned, 223 had their case diverted.
- For every 1,000 Hispanic adults arraigned, 248 had their case diverted.
- For every 1,000 Asian/Pacific Islander adults arraigned, 250 had their case diverted.
- For every 1,000 Native Americans, 273 had their case diverted.

The rate at which arraigned cases are diverted deceased from 2014-2019 for all groups except Native Americans.
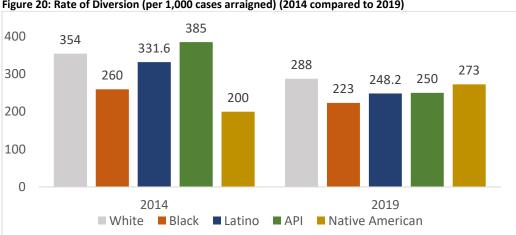
Figure 20: Rate of Diversion (per 1,000 cases arraigned) (2014 compared to 2019)

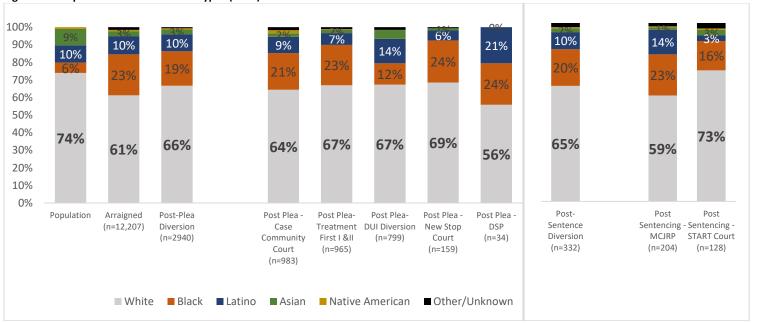|		White	Black	Latino	API	Native American	Other/ Unknown	Total
Number of Cases Arraigned	2014	10,003	2,983	1,324	574	10	30	14,924
	2019	7,519	2,862	1,273	340	88	191	12,273
	% change 2014-2019	-25%	-4%	-4%	-41%	780%	537%	-18%
Number of Cases Diverted	2014	3,644	774	439	221	2	13	5,093
	2019	2,163	639	316	85	24	49	3,276
	% change 2014-2019	-41%	-17%	-28%	-62%	1100%	277%	-36%
Rate (per 1000 cases arraigned)	2014	364.3	259.5	331.6	385	200		341.3
	2019	287.7	223.3	248.2	250	272.7		176.2
	% change 2014-2019	-21%	-14%	-25%	-35%	36%		-48%
Disparity (times more likely than White)	2014		0.7	0.9	1.1	0.5		
	2019		0.8	0.9	0.9	0.9		
	% change 2014-2019		14%	0%	-18%	80%		

[9] The diversion data only include programs the District Attorney collects data on; a small number of additional programs may be unrepresented.

Note: Diversion data include **only** cases diverted. Data on eligibility for diversion were unavailable. Thus, the analysis **cannot** tell us:

(1) Whether people of color are more or less likely than White people to be eligible for diversion;
(2) Whether eligible people of color are more or less likely than White people to be offered diversion; or
(3) Whether people of color offered diversion are more or less likely than White people to enroll/participate in diversion.

Figure 21: Proportion within Diversion Types (2019)

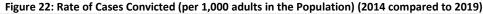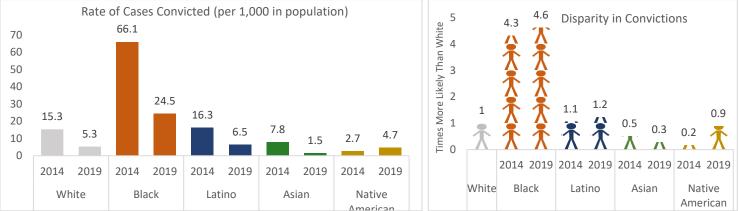|	White	Black	Latino	API	Native American	Other/ Unknown	Total
Total diverted (at any point from filing of charges on)	2,163	639	316	85	24	49	3,276
PRE PLEA – LEAD	3	1	-	-	-	-	4
POST PLEA -- DUII DIVERSION	538	97	111	40	1	12	799
POST PLEA – DSP	19	8	7	-	-	-	34
POST PLEA -- CASE COMMUNITY COURT	633	205	92	19	17	17	983
POST PLEA -- NEW STOP COURT	109	38	9	2	-	1	159
POST PLEA --TREATMENT FIRST I & II	646	222	65	17	4	11	965
POST SENTENCING – MCJRP	121	47	28	3	1	4	204
POST SENTENCING --START COURT	94	21	4	4	1	4	128

Decision Point 6: Disposition and Sentences

Data were collected on the number of cases convicted. These data were compared in two different ways. First, the data were compared to the overall Multnomah County population. Second, the data were compared to the total number of cases with dispositions.

In 2018/19, people of color were more likely to have a case that resulted in conviction.
- For every 1,000 cases for White adults, there were 5.3 with a conviction.
- For every 1,000 cases for Black adults, there were 24.5 with a conviction.
- For every 1,000 cases for Latino adults, there were 6.5 with a conviction.
- For every 1,000 cases for API adults, there were 1.5 with a conviction.
- For every 1,000 cases for Native American adults, there were 4.7 with a conviction.

The rate of convictions (per 1,000 cases with a disposition) decreased from 2014 to 2019. For example, for every 1,000 Black adults with a disposition in 2014, 651 were convicted. For every 1,000 Black adults with a disposition in 2019, 536 were convicted.
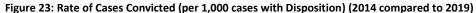
Figure 22: Rate of Cases Convicted (per 1,000 adults in the Population) (2014 compared to 2019)

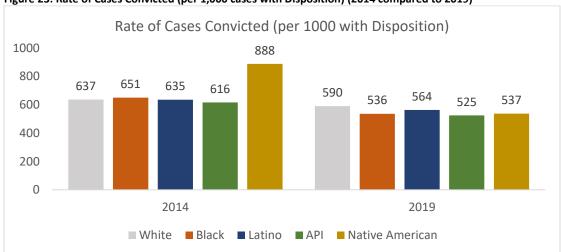|		White	Black	Latino	API	Native American	Other/ Unknown	Total
Adult Population	2014	475,876	34,552	56,101	51,537	6,012		624,078
	2019	487,859	38,169	65,611	61,165	6,175		658,979
Number of Cases Convicted	2014	7,284	2,283	912	401	16	13	10,909
	2019	2,591	934	428	93	29	56	4,131
	% change 2014-2019	-64%	-59%	-53%	-77%	81%	331%	-62%
Rate (per 1000 in population)	2014	15.3	66.1	16.3	7.8	2.7		17.5
	2019	5.3	24.5	6.5	1.5	4.7		6.3
	% change 2014-2019	-65%	-63%	-60%	-80%	76%		-64%
Disparity (Times more likely than White)	2014		4.3	1.1	0.5	0.2		
	2019		4.6	1.2	0.3	0.9		
	% change 2014-2019		7%	16%	-44%	409%		

In 2018/19, people of color with a disposition were less likely to have their case result in conviction.

- For every 1,000 cases for White adults with a disposition, 590 were convicted.
- For every 1,000 cases for Black adults with a disposition, 536 were convicted.
- For every 1,000 cases for Latino adults with a disposition, 564 were convicted.
- For every 1,000 cases for API adults with a disposition, 525 were convicted.
- For every 1,000 cases for Native American adults with a disposition, 537 were convicted.

The rate of convictions (per 1,000 cases with a disposition) decreased from 2014 to 2019. For example, for every 1,000 Black adults with a disposition in 2014, 651 were convicted. For every 1,000 Black adults with a disposition in 2019, 536 were convicted.

Figure 23: Rate of Cases Convicted (per 1,000 cases with Disposition) (2014 compared to 2019)

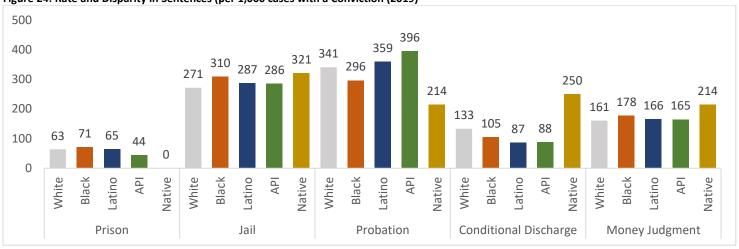|		White	Black	Latino	API	Native American	Other/ Unknown	Total
Number of Cases with Disposition	2014	11,439	3,508	1,436	651	18	27	17,079
	2019	4,391	1,741	759	177	54	130	7,252
	% change 2014-2019	-62%	-50%	-47%	-73%	200%	381%	-58%
Number of Cases Convicted	2014	7,284	2,283	912	401	16	13	10,909
	2019	2,591	934	428	93	29	56	4,131
	% change 2014-2019	-64%	-59%	-53%	-77%	81%	331%	-62%
Rate (per 1000 cases disposed)	2014	636.8	650.8	635.1	616	888.9	481.5	638.7
	2019	590.1	536.5	563.9	525.4	537	430.8	569.6
	% change 2014-2019	-7%	-18%	-11%	-15%	-40%	-11%	-11%
Disparity (Times more likely than White)	2014		1.02	1	0.97	1.4		
	2019		0.91	0.96	0.89	0.91		
	% change 2014-2019		-11%	-4%	-8%	-35%		

Data were also collected on sentencing. The sentences captured included prison, jail, probation, conditional discharge[10] and monetary judgment. The sentence was compared to the total number of dispositions.
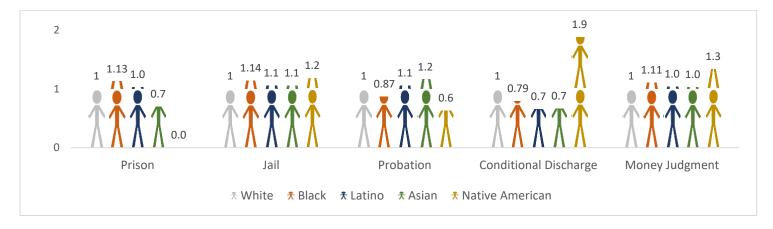
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[10] Although conditional discharge was a sentence type provided for analysis, this is a temporary status.

MacArthur Safety and Justice Challenge (SJC): Racial and Ethnic Disparities in Multnomah County

There are notable differences in sentence types, with people of color who are convicted more likely to receive a sentence that involves incarceration. For example, for every 1,000 White adults convicted, 63 were sentenced to prison; for every 1,000 Black adults convicted, 71 were sentenced to prison, making convicted Black adults 1.13 times more likely than convicted White adults to receive a sentence of prison.   Additionally, for every 1,000 White adults convicted, 341 were sentenced to probation; for every 1,000 Black adults convicted, 296 were sentenced to probation.

Figure 24: Rate and Disparity in Sentences (per 1,000 cases with a Conviction (2019)
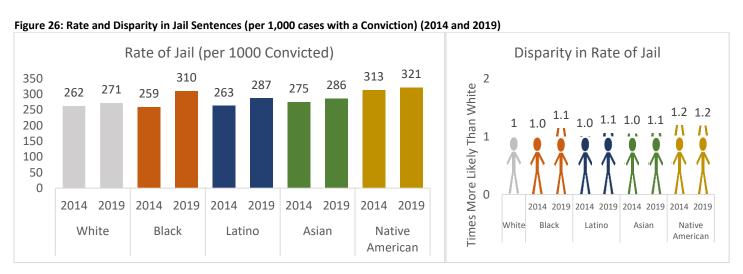
Changes in Prison Sentence

The proportion of convicted adults who are subject to prison increased for White adults from 2014 to 2019 and decreased for people of color. For example, in 2014, for every 1,000 White adults convicted, 54 (5.4%) received a prison sentence. In 2019, for every 1,000 White adults convicted, 63 (6.3%) received a prison sentence. In 2014, for every 1,000 Black adults convicted, 88 (8.8%) received a prison sentence. In 2019, for every 1,000 Black adults convicted, 71 (7.1%) received a prison sentence. Likewise, the relative likelihood of receiving a prison sentence for people of color decreased from 2014 to 2019. For example, in 2014, sentenced Black adults were 1.6 times more likely than White adults to receive a prison sentence. In 2019, Black adults were 1.1 times more likely.

Figure 25: Rate and Disparity in Prison Sentences (per 1,000 cases with a Conviction) (2014 and 2019)

Changes in Jail Sentence

The proportion of convicted adults who are subject to jail increased from 2014 to 2019. For example, in 2014, for every 1,000 Black adults convicted, 259 (26%) received a jail sentence. In 2019, for every 1,000 Black adults convicted, 310 (31%) received a jail sentence. The relative likelihood of receiving a jail sentence increased for people of color from 2014 to 2019. In 2014, sentenced Black adults were slightly less likely than convicted White adults to receive a jail sentence. In 2019, convicted Black adults were 1.1 times more likely than White adults to receive a jail sentence.

Figure 26: Rate and Disparity in Jail Sentences (per 1,000 cases with a Conviction) (2014 and 2019)
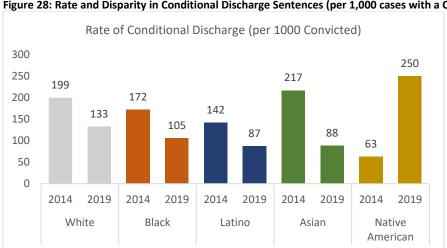
Changes in Probation Sentence

The proportion of convicted adults who are received a probation sentence increased for White, Latino and API adults, but decreased for Black and Native American adults. For example, in 2014, for every 1,000 Black adults convicted, 341 (34%) received a probation sentence. In 2019, for every 1,000 Black adults convicted, 296 (29.6%) received a probation sentence. Likewise, the relative likelihood of receiving a probation sentence increased from 2014 to 2019 for Latino and API adults and decreased for Black and Native American adults.
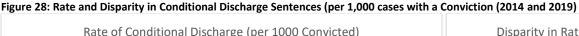
Figure 27: Rate and Disparity in Probation Sentences (per 1,000 cases with a Conviction (2014 and 2019)

Changes in Conditional Discharge Sentences

The proportion of convicted adults with a conditional discharge decreased from 2014 to 2019, with the exception of Native American adults. For example, in 2014, for every 1,000 Black adults convicted, 172 (17.2%) received a conditional discharge. In 2019, for every 1,000 Black adults convicted, 105 (10.5%) received conditional discharge. The relative likelihood of receiving a conditional discharge decreased for people of color from 2014 to 2019, with the exception of Native American adults.
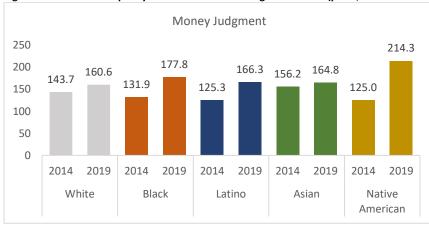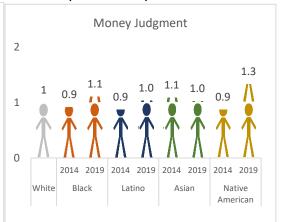
Figure 28: Rate and Disparity in Conditional Discharge Sentences (per 1,000 cases with a Conviction (2014 and 2019)

Changes in Money Judgement Sentences

The proportion of convicted adults with a money judgement increased from 2014 to 2019. For example, in 2014, for every 1,000 Black adults convicted, 132 (13%) received a money judgement. In 2019, for every 1,000 Black adults convicted, 179 (17%) received a money judgement. The relative likelihood of receiving a money judgement increased for people of color from 2014 to 2019, with the exception of API adults.

Figure 29: Rate and Disparity in Conditional Discharge Sentences (per 1,000 cases with a Conviction (2014 and 2019)

		White	Black	Latino	API	Native American	Other/ Unknown	Total
Number of Cases Convicted		2014	7,284	2,283	912	401	16	13	10,909
		2019	2,528	911	415	91	28	24	4,029
		% change 2014-2019	-64%	-59%	-53%	-77%	81%	331%	-62%
Number of Sentences	Prison	2014	394	199	115	20	2		730
		2019	160	65	27	4			256
		% change 2014-2019	-59%	-67%	-77%	-80%			-65%
	Jail	2014	1,900	588	237	109	5	1	2840
		2019	686	282	119	26	9	9	1131
		% change 2014-2019	-64%	-52%	-50%	-76%	80%	800%	-60%
	Probation	2014	2,369	772	301	116	6	5	3569
		2019	861	270	149	36	6	23	1345
		% change 2014-2019	-64%	-65%	-50%	-69%	0%	360%	-62%
	Conditional Discharge	2014	1,444	389	128	86	1	1	2049
		2019	336	96	36	8	7	5	488
		% change 2014-2019	-77%	-75%	-72%	-91%	600%	400%	-76%
	Money Judgement	2014	1,041	299	113	62	2	4	1521
		2019	406	162	69	15	6	7	665
		% change 2014-2019	-61%	-46%	-39%	-76%	200%	75%	-56%
Rate (Per 1000 convicted)	Prison	2014	54.4	87.8	127.5	50.4	125.0	0.0	67.3
		2019	63.3	71.4	65.1	44.0		0.0	63.5
		% change 2014-2019	16%	-19%	-49%	-13%			-6%
	Jail	2014	262.2	259.4	262.7	274.6	312.5	83.3	262.0
		2019	271.4	309.5	286.7	285.7	321.4	375.0	280.7
		% change 2014-2019	3%	19%	9%	4%	3%	350%	7%
	Probation	2014	326.9	340.5	333.7	292.2	375.0	416.7	329.2
		2019	340.6	296.4	359.0	395.6	214.3	958.3	333.8
		% change 2014-2019	4%	-13%	8%	35%	-43%	130%	1%

MacArthur Safety and Justice Challenge (SJC): Racial and Ethnic Disparities in Multnomah County

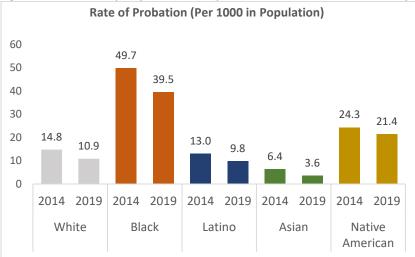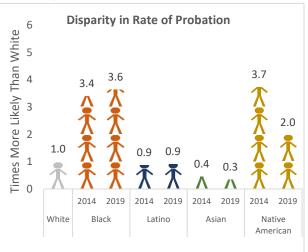|									
	Conditional Discharge	2014	199.3	171.6	141.9	216.6	62.5	83.3	189.0
		2019	132.9	105.4	86.7	87.9	250.0	208.3	121.1
		% change 2014-2019	-33%	-39%	-39%	-59%	300%	150%	-36%
	Money Judgement	2014	143.7	131.9	125.3	156.2	125.0	333.3	140.3
		2019	160.6	177.8	166.3	164.8	214.3	291.7	165.1
		% change 2014-2019	12%	35%	33%	6%	71%	-13%	18%
Disparity (Times More Likely Than White)	Prison	2014	1	1.6	2.3	0.9	2.3		
		2019	1	1.1	1.0	0.7			
		% change 2014-2019		-30%	-56%	-25%			
	Jail	2014	1	1.0	1.0	1.0	1.2		
		2019	1	1.1	1.1	1.1	1.2		
		% change 2014-2019		15%	5%	1%	-1%		
	Probation	2014	1	1.0	1.0	0.9	1.1		
		2019	1	0.9	1.1	1.2	0.6		
		% change 2014-2019		-16%	3%	30%	-45%		
	Conditional Discharge	2014	1	0.9	0.7	1.1	0.3		
		2019	1	0.8	0.7	0.7	1.9		
		% change 2014-2019		-8%	-8%	-39%	500%		
	Money Judgement	2014	1	0.9	0.9	1.1	0.9		
			1	1.1	1.0	1.0	1.3		
				21%	19%	-6%	53%		

Decision Point 7: Post – Conviction Supervision / Probation

Data were captured on the number of individuals on probation in 2019 as well as the number of probation violations resulting in a jail stay.

For all demographics, the likelihood of being placed on probation decreased from 2014 to 2019. However, because the decrease was greater for White adults, there was an increase in the relative likelihood of probation for Black adults.

Figure 30: Rate and Disparity of Probation (per 1,000 Adults in Multnomah County (2014 and 2019)
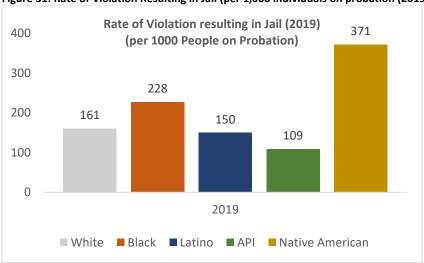

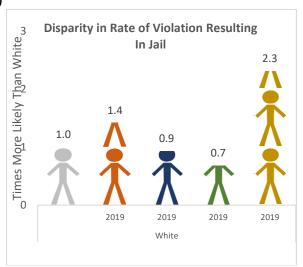|		White	Black	Latino	API	Native American	Other/ Unknown	Total
Adult Population	2014	475,876	34,552	56,101	51,537	6,012		624,078
	2019	487,859	38,169	65,611	61,165	6,175		658,979
Number of Individuals on Probation	2014	7,031	1,716	729	331	146	8	9,961
	2019	5,298	1,507	641	221	132	19	7,818
	% change 2014-2019	-25%	-12%	-12%	-33%	-10%	138%	-22%
Rate (per 1000 adults in the population)	2014	14.8	49.7	13.0	6.4	24.3		16.0
	2019	10.9	39.5	9.8	3.6	21.4		11.9
	% change 2014-2019	-26%	-21%	-25%	-44%	-12%		-26%
Disparity (Times more likely than White)	2014		3.4	0.9	0.4	1.6		
	2019		3.6	0.9	0.3	2.0		
	% change 2014-2019		8%	2%	-23%	20%		

Black and Native American adults on Probation were more likely than White adults on probation to have a violation that resulted in jail. In 2019:

- For every 1,000 White adults on probation, 161 had a violation that resulted in jail.
- For every 1,000 Black adults on probation, 228 had a violation that resulted in jail.
- For every 1,000 Latino adults on probation, 150 had a violation that resulted in jail.
- For every 1,000 API adults on probation, 109 had a violation that resulted in jail.
- For every 1,000 Native Americans adults on probation, 371 had a violation that resulted in jail.

Figure 31: Rate of Violation Resulting in Jail (per 1,000 individuals on probation (2019)

	White	Black	Latino	API	Native American	Other/ Unknown	Total
Number of Individuals on Probation	5,298	1,507	641	221	132	19	7,818
Number of violations resulting in jail stay	**851**	**343**	**96**	**24**	**49**	**5**	*1,368*
Rate (per 1000 adults on population)	160.6	227.6	149.8	108.6	371.2	263.2	175.0
Disparity (Times more likely than White)		1.4	0.9	0.7	2.3		

In 2019, the vast majority of jail bookings that were a result of probation violations were for technical violations (across all demographic groups)[11]. Black, API and Native American adults admitted for a probation violation were more likely than White adults to have a new arrest/conviction; Latino adults admitted were more likely than White adults to have a technical violation. In 2019:
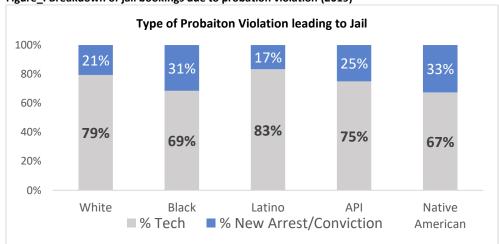
- For every 100 White adults booked into jail due to a probation violation, 79 were due to a technical violation.

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[11] Technical violations of probation and parole encompass a large range of behaviors that vary in severity and risk to public safety, including failure to pay supervision fees, failure to attend treatment, possession of a firearm or absconding from supervision. The specific violation behavior that resulted in a jail stay was not captured within the current data.

- For every 100 Black adults booked into jail due to a probation violation, 69 were due to a technical violation.
- For every 100 Latino adults booked into jail due to a probation violation, 83 were due to a technical violation.
- For every 100 API adults booked into jail due to a probation violation, 75 were due to a technical violation.
- For every 100 Native American adults booked into jail due to a probation violation, 67 were due to a technical violation.

Figure_: Breakdown of jail bookings due to probation violation (2019)

	White	Black	Latino	API	Native American	Other/ Unknown	Total
Number of violations resulting in jail stay	**851**	**343**	**96**	**24**	**49**	**5**	*1,368*
Technical Violation	676	235	80	18	33	4	1,046
New Arrest/ Conviction	175	108	16	6	16	1	332
% Technical	79%	69%	83%	75%	67%	80%	76%
% New Arrest/ Conviction	21%	31%	17%	25%	33%	20%	24%

Conclusion and Next Steps

Having worked in over 100 jurisdictions over two decades, BI continues to see racial and ethnic disparities similar to those in this report. The prevalence and persistence of these disparities undermines the notion of "justice" in our criminal legal system.   Given the disparities in Multnomah County highlighted in this report, it is incumbent upon local stakeholders to seek a better understanding of why people of color continue to be systematically harmed by justice system involvement at rates that are disproportionate to their white counterparts.

This analysis should be viewed only as a starting point for stakeholders to "dig deeper" and develop reform strategies that promote equity and reduce the racial and ethnic disparities outlined in this report. As a next step in Multnomah County's disparity reduction efforts, BI recommends that stakeholders continue to develop capacity to answer key questions that BI was unable to answer in this report due to data limitations. Appendices A and B provide additional guidance.

The racial and ethnic disparities that exist in the justice system today are symptoms of a system that, from its inception, was a tool of social control for people of color and that continues to disproportionately harm people of color. Applying a data driven process to gain insight into potential system reforms must be understood within this context. Fundamentally, the process must be guided by the "north star" of improving opportunities and life outcomes for people of color.

Appendix A: BI's Strategy for Using Data to Reduce Racial and Ethnic Disparities

The following three steps for using data to reduce racial and ethnic disparities must take place in the right context. A collaborative body consisting of system and community stakeholders must regularly review and deliberate on the data. System stakeholders should share data with community members in order to increase transparency, and allow community partners to provide insight around system improvements. As a whole, the collaborative body must become skilled in posing and answering new data-related questions in order to drive their disparity reduction efforts forward. Training for collaborative members in how to use data is often helpful.

Step 1: Understand the extent of disparities.
During the initial step, a jurisdiction must identify whether and to what extent disparities exist at various decision making points throughout their criminal justice system. BI suggests that jurisdictions consider multiple metrics (not only the Relative Rate Index in isolation) to understand the extent of disparities. Throughout this report, we have included raw numbers, proportions, rates and relative rates (which we also call the "disparity gap") to identify disparities.

Step 2: Select target populations, dig deeper, and implement changes to policy and practice.
In BI's experience, stakeholders can achieve significant reductions in R.E.D. by implementing policy solutions that focus on specific target populations. The solutions for each target population vary, but the work to reduce disparities become more feasible when focusing on discrete populations. Analysis should focus on structural barriers, particularly policies and practices that may unintentionally exacerbate inequities. A systems analysis helps stakeholders identify solutions by considering the context in which internal policies result in barriers to positive outcomes for people of color in contact with the justice system.

Step 3: Measure progress in the implementation of strategies to reduce R.E.D.
Once new policies and practices are implemented or piloted (or existing ones modified), measuring progress is critical. Without clear objectives and a process in place to measure progress, stakeholders will not be able to fully understand whether a specific strategy is having the intended impact. Monitoring interventions is also useful in order to document success and share strategies with others in the field. BI recommends monitoring specific target populations as well as broader metrics such as raw numbers and rates of system contact. As changes in each target population become apparent, the process for selecting additional target populations and developing new strategies to reduce disparities begins again. Stakeholders should institutionalize a process of utilizing data as part of the reform work.

Appendix B: Example of Identifying a Target Population: Decision Point Mapping

BI uses multiple strategies to identify a "target population" for reducing justice system involvement for people of color.

The table below may be helpful in identifying a target population through a decision point mapping process. Decision point analysis identifies key decision makers, those decision makers' options, policy and practice around those decision-making options, and key indicators to determine whether policy or practice may contribute to disparities.

In the hypothetical example below, the decision-making point analyzed is arrest. A jurisdiction seeking to discover whether disparities exist at the point of arrest must first identify which decision makers have authority over the decision to arrest. In the example, identified decision makers include: law enforcement, probation, and sheriff.

The table suggests collecting data on law enforcement's available options and the policies and practices associated with those options. The same process that was applied in exploring policies and practices for law enforcement agencies' options may be used to identify disparate treatment in other key decision-making points in the justice system.

		Decision Point Analysis: Hypothetical Example			
		Arrest	Pretrial Jail Screen	Detention Hearing	Filing Decision
Data To Consider	Decision Makers	Law Enforcement Probation Sheriff			
	Decision-making Options	Divert Arrest: Cite and Release Arrest: Transport to Custody			
	Policy	**All first time, non-person misdemeanor charges shall be diverted.**			
	Practice	Not all eligible arrestees are diverted.			
	Statistics	**What proportion of arrested adults are eligible for diversion?** • 54% of arrested White adults were eligible for diversion • 33% of arrested Black adults were eligible for diversion • 51% of arrested Latino adults were eligible for diversion **What proportion of adults eligible for diversion are diverted?** • 76% of eligible White adults were diverted • 42% of eligible Black adults were diverted • 59% of eligible Latino adults were diverted			

Digging Deeper with goal of increasing eligibility for Black Adults:
• What makes Black adults less likely to be eligible for diversion?
• What does an analysis of arrested offenses reveal? Are Black adults more likely to be arrested for felony offenses?
• Is there a higher proportion of prior justice system involvement? How long ago? What was the resolution?
• What else?

Digging Deeper with goal of increasing the proportion of eligible adults diverted.
• Do certain neighborhoods have a lower rate of diverting eligible people arrested?
• Do certain officers/precincts have a lower rate of diverting eligible people arrested?
• What else?

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