California Prosecutorial and Judicial Race Data Questionnaire: Summary of Responses

February 2023

Executive Summary

AB 2542, the California Racial Justice Act of 2020 (Act or RJA), codified in Section 745 of the state's Penal Code, prohibits the state from seeking or obtaining a criminal conviction, or from imposing a sentence, based upon race, ethnicity, or national origin.[1] The Act allows an accused person to seek dismissal of pending charges, or vacatur of a conviction or sentence, through a claim alleging that a charge, conviction, or sentence was tainted by racial bias. The Act originally applied prospectively to cases in which judgment had not been entered prior to January 1, 2021. However, AB 256, the Racial Justice Act for All, enacted in 2022, extended the Act's protections to apply retroactively to most cases in which judgment was entered before January 1, 2021.[2]

The Racial Justice Act offers different pathways to demonstrating a violation. Some involve showing overt bias or animus, such as use of discriminatory language by a courtroom actor. Others allow for claims that arise from implicit bias. A central purpose of the Act was to respond to *McCleskey v. Kemp* (1987) 481 U.S. 279, in which a slim majority of the U.S. Supreme Court accepted racial disparities as "an inevitable part of our criminal justice system" and held that these disparities generally do not violate the Constitution in the absence of proof of discriminatory intent.[3] With the Racial Justice Act, California rejected the acceptance of racial disparities and sought to begin the process of reforming our unjust legal system. Under the Act, the law is violated when an accused person has been charged with or convicted of a more serious offense than similarly situated persons of other races, ethnicities, or national origins who commit similar offenses, and the evidence establishes that the prosecution more frequently sought or obtained convictions for more serious offenses against people who share the accused person's race, ethnicity, or national origin. The Act similarly forbids sentencing disparities arising from race, ethnicity, or nationality, including that of victims.

Racial Justice Act violations can occur at a number of different decision points, including the decision regarding which charges to bring, the convictions obtained, and in sentencing. Where claims of violations involve comparisons to the treatment of others, information about an accused individual's race, the race of the complainant or victim, and information about race, decisions, and outcomes in comparable cases can be critical to establishing a prima facie case that a violation has occurred. A lack of data on race in comparable cases can severely limit the ability of an accused or convicted person to support claims of racial bias. The same is true when agencies do not track or share data on key decisions made by the prosecutor, judge, or jury in comparable cases. This lack of critical information impedes implementation and diminishes the efficacy of the Racial Justice Act. Without access to data, the promise of the Act has the potential to ring hollow for many. Gauging the availability of RJA-relevant data is thus critical to understanding the landscape for potential claims that may be raised under the Act.

In order to assess the state of RJA-relevant data collection practices, the AB 3121 Reparations Task Force requested that the California Department of Justice Research Center (DOJRC) survey all 58 California Superior Courts and District Attorney Offices, as well as a select group of 11 of the largest

[1] Assem. Bill No. 2542 (2019-2020 Reg. Sess.).
[2] Assem. Bill No. 256 (2021-2022 Reg. Sess.) § 2, codified at Penal Code § 745(j) (specifying dates of the Act's applicability).
[3] *McCleskey v. Kemp* (1987) 481 U.S. 279, 312-13.

City Attorney offices regarding what data elements their agencies regularly collect when dealing with criminal cases. The 126 responding criminal justice agencies and courts completed an online questionnaire pertaining to data collected and maintained by their agency, with a focus on what racial data the agencies hold as well as data on factors that may involve prosecutorial or judicial discretion. This report describes and summarizes the findings. Notably, the DOJRC conducted the survey prior to the retroactive application of the Act and prior to implementation of AB 2418 (2021-22), the Justice Data Accountability and Transparency Act. The latter statute sought to mandate that agencies collect and transmit specified data, including data on the race of accused persons and victims, to the Department of Justice. These data collection and transmission requirements were set to commence in 2027. However, AB 2418 conditioned the operation of its provisions upon an adequate appropriation by the Legislature. As of the time of this Report's issuance, there has not been an appropriation to this effect. As set forth in Part VI, the Task Force's recommendations to the Legislature include full funding of AB 2418 and any further data collection, extraction, analysis, and dissemination that is needed for the Racial Justice Act to be implemented and applied without limitation. An unfunded or otherwise unfulfilled mandate will gravely undermine the law and risk the persistence of unacceptable racial bias in the criminal legal system.

Overall, in the absence of requirements like those set forth in AB 2418, there appears to be a large amount of discretion, and likewise variability, in what data elements are collected across California District Attorneys Offices, Superior Courts, and select City Attorney's offices and between counties. This lack of consistency and absence of data on key variables could present substantial challenges to presenting and evaluating claims of racial discrimination in the criminal justice system, and could increase the difficulty of sustaining claims of Racial Justice Act violations in some California counties more than others.

Several key takeaways are highlighted below:

1. **Case Management Systems:** Whether an office uses an electronic case management system can impact the ease with which records are extracted for evaluation. Almost all responding agencies (122 of 126; 97%) reported using a case management system (CMS) operated by a software program (119; 98%) with information retrievable via electronic query (114; 95%). Most Superior Courts (51; 88%), DA offices (37; 67%), and City Attorney offices (7; 78%) reported that their CMS began recording pertinent information during or before 2015. However, as noted below, a number of responding agencies reported that several key data points are recorded in case or court files, but not stored in the agency's CMS.

2. **Demographics of Accused Individual:** If an office does not collect data on the race of accused individuals, the lack of this data may severely limit the presentment and evaluation of claims and mask potential racial disparities. According to responding agencies, information related to the race of accused individuals is recorded in 97% of California counties (by Superior Courts [45; 78%], DA offices [46; 81%], or both). Neither Glenn nor Sacramento County Agencies reported collecting data

on accused individuals' race, which could present especially heightened challenges for Racial Justice Act violation claims in these counties. The accused individual's gender/sex is recorded by 98% of California counties, date of birth is recorded by 97% of California counties, and residence zip code is recorded by 93% of California counties.

3. **Demographics of Victim:** The race of the complainant or victim is an important variable when investigating claims that charges, sentences, or convictions were influenced not only by the accused individual's race, but also by the victim's race or the interplay between the two. Victim race data is collected by responding agencies in 74% of California counties (48). Victim demographic data, when collected, was largely collected by District Attorney Offices, with 75% or more of responding DA offices reporting the collection of victim race, gender, age, and residential zip code, compared to 16% or fewer Superior Courts.

4. **Arrests and Judicial Matters Data:** The decision to prosecute, filing charges, and release decisions may be influenced by the law enforcement charges (i.e., the charges specified by the law enforcement agency referring the accused individual) as well as the accused individual's prior criminal record. Agencies from 95% of California counties record law enforcement charges. For arrests, a vast majority of responding agencies record the date of arrest (88%), the arresting agency numbers (85%), and the law enforcement agency charges (80%). For matters, all agencies record the accused individual's name (100%) and nearly all record the corresponding court case number (98%). Over half of responding agencies (>50%) record prior criminal information (i.e., charges, convictions, and matters).

5. **Release on Own Recognizance, Bail, and Custody Data:** In order to determine whether there was racial bias in decisions to release an accused individual on their own recognizance, set bail, or hold someone without bail, data related to these decisions would need to be collected. Sixty-one percent (61%) of responding agencies record whether the court agreed to an own recognizance (OR) release and 72% reported recording whether the OR release was granted during the Accused Individual's arraignment or bail hearing. In total, there were six counties (10%) in which no agency reported collecting this data.

   Ninety-three percent (93%) of Superior Courts and 49% of District Attorney Offices reported recording whether bail was set, denied, or OR release granted. If bail was set, 90% of Superior Courts and 53% of District Attorney Offices recorded the amount imposed. Humboldt, Merced, and Placer County Superior Courts and 30% of District Attorney Offices reported not recording any data on the bail-related information requested.

   Fifty-four (54) counties (93%) collect data on whether a person was held in custody pre-plea. Most Superior Courts reported whether the accused individual was in custody pre-trial (83%) and pre-plea (84%). In comparison, just over one-half (51%) of DA offices reported recording this information.

About one-half of Superior Courts (52%) recorded whether or not detention orders were sought for the Accused Individual, compared to 25% of DA offices.

6. **Diversion Data:** Diversion programs allow some defendants to choose to complete treatment or education courses instead of serving jail time. Information on whether a diversion program was offered, when, and if it was accepted may be needed to investigate claims of racial bias in diversion program offers and sentencing more generally. Forty-one (41) California counties (71%) collect information on whether a diversion program was offered and 52 counties (90%) collect data on whether a diversion program was accepted.

   Approximately half of responding agencies reported collecting data on whether a diversion program was offered, driven by the large proportion of City Attorney Offices that collect this information (82%). A greater percentage of Superior Courts reported recording diversion acceptance-related information than DA offices. The most frequently recorded information by Superior Courts included whether diversion was completed (97%), whether diversion included prison, jail, or probation (86%), and the plea entered (79%).

7. **Decision to Prosecute Data:** Decisions to prosecute are made by the District or City Attorney's Office. To substantiate claims of racial bias in prosecution decisions, information on and justifications for charging or declining to charge may be important. Ninety-one (91%) of DA offices recorded prosecutorial declination information pertaining to the charges, and 93% record the name of the person(s) who declined to prosecute. Thirty-two percent (32%) of DA offices reported not recording reasons related to declining to prosecute. For City Attorney offices, 82% recorded the charges and 91% recorded the name of the person who declined to prosecute.

   Sixty-four percent (64%) of responding City Attorney Offices reported recording information on injuries to persons, financial losses, status of victim, and prior criminal history of the accused individual in decisions to prosecute, and 55% reported collecting this data in considering the level or severity of charges to file. Twenty-five DA offices (44%) reported not collecting any of these variables in their case management system but noted that this information is available in case/file notes and police reports.

8. **Plea Offer Data:** A plea offer, a reduced charge or sentence, can be made to resolve a case rather than taking a case to trial or going to verdict. To investigate claims of racial bias in plea offers, data on whether a plea offer was made, by whom, if there was a counter offer, what the offer was, or if it was accepted may be crucial. Over 55% of DA offices reported recording most of the information related to plea offers extended, though just under one-half reported recording whether a plea offer was made by the court (47%) and whether there was a counter offer (44%). About one-half or less of Superior Courts reported recording this information. Several DA offices stated that this information

is available in case/file notes, not in the CMS. Several Superior Courts reported that this information is contained in court minutes or a plea form (not in the CMS).

Nearly all (98%) Superior Courts reported recording information about plea offers accepted by accused individuals and the sentence in exchange for the plea offer. In comparison, 82% of DA offices recorded each count related to the plea offer and 75% recorded the sentence in exchange.

9. **Prosecution Outcome Data:** All Superior Courts reported recording this information for five of the options listed. A smaller percentage of Superior Courts reported recording information related to collateral consequences (88%), imposition (83%) and dismissal (79%) of special circumstances, and imposition (86%) and dismissal (91%) of enhancements.

Responses to the DOJRC's survey are set forth in further detail in the pages that follow. While the survey illuminated a range of data collections practices and variations that will be seen across the state, as with any survey, it is important to note the limits of the survey and the conclusions that can be drawn from responses. DOJRC's distillation of questionnaire responses relies on self-reporting by the surveyed offices and courts. Importantly, the survey methods and results also do not differentiate between data collected by CMS, through hard copy, or by other means, nor do they speak to issues such as the completeness or accuracy of the data collected across offices. The survey has been an important first step in assessing the state's readiness to implement the Racial Justice Act, but additional research will be needed for deeper analysis.

Questions that remain unanswered by the DOJRC's survey will be critical to assess going forward. Where RJA-relevant data is not recorded at all or is collected but without adequate attention to consistency, completeness, and accuracy, claims of racial disparities will be more difficult to raise and to evaluate. Concerns about Racial Justice Act enforcement will also arise where RJA-relevant data is recorded only in individual case files and is not entered into the CMS or otherwise readily retrievable. Where relevant data is not accessible, litigants, courts, and oversight bodies will face heightened barriers to fulfilling the Racial Just Act's mandate, and transparency and accountability will be compromised.

In view of the findings from the survey and in recognition of the challenge of ensuring full compliance with the Act, the Task Force has made a number of recommendations to the Legislature that are set forth in Part VI, Chapter 28.

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Data Collection

In support of the AB 3121 California Reparations Task Force, and at the direction of the Subpoena Advisory Committee, the DOJRC designed and distributed an online questionnaire assessing the administrative practices regarding race data collection of three types of California entities involved in the criminal justice system: Superior Courts, county District Attorney (DA) Offices, and City Attorney Offices. For District Attorney Offices and Superior Courts, the goal was to contact District Attorneys and court executive officers and presiding judges for all 58 California counties. For City Attorneys, 11 prosecuting offices were selected by the subpoena advisory committee members: Anaheim, Burbank, Hawthorne, Inglewood, Long Beach, Los Angeles, Pasadena, Redondo Beach, San Diego, Santa Monica, and Torrance. Participant contact information was obtained from Reparations Task Force members, the Judicial Council of California, and online web sites/searches.

The online questionnaire link was distributed to all participants via email on May 4, 2022. For the first round of data collection, the questionnaire was available online for completion from May 4 through June 12, 2022. Participation reminder emails were sent on May 9, May 16, May 23, May 27, and June 3, 2022. For agencies that received an extension through June 12, participation reminders were sent on June 7 and June 10, 2022.

For the second round of data collection, the DOJRC worked with the California Department of Civil Rights Enforcement Section (CRES) to contact non-responders and encourage participation. Table 1 summarizes the total number of questionnaires distributed and a count of the response types: complete or incomplete; as well as the percentage of completed surveys. The data presented in this report represent responses received as of January 1, 2023.

All 58 CA Superior Courts and all 11 City Attorney Offices contacted completed the Questionnaire[4]. Fifty-seven (57) of the 58 CA County District Attorney Offices completed the Questionnaire. Solano County DA Office did not complete the questionnaire.

Table 1. Criminal Justice Agencies by Questionnaire Completion Status

	All Potential Respondents	By Agency		
		City Attorney	District Attorney	Superior Court
Total Surveys Distributed	127	11	58	58
Complete	126	11	57	58

[4] It should be noted that results from the City Attorney offices should be interpreted with caution due to the small number. Small differences in frequency counts may produce large differences in percentages.

Percent Completed	99%	100%	98%	100%
Incomplete	1	NA	1	NA

Results

This section summarizes and describes findings for 24 close-ended questions posed to participating agencies. Responses are presented along 6 content areas: (1) Case Management Use, (2) Demographics, (3) Arrest & Matter Information, (4) Own Recognizance, Custody, and Bail, (5) Diversion, and (6) Prosecutorial Decision Making & Outcomes.

All Respondents are responses collapsed across agency type. "*[Q#]*" presented in brackets in the tables directs the reader to the full question in Appendix A. See Appendix A for more detailed counts for each agency and question, and Appendix B for an overview of affirmative responses by agency. All maps presented in this report were created using paintmaps.com.

Throughout the report, results are presented at the county level (ex. 58 counties record data element X). It is important to note that, for the purposes of this report, a county is considered to have collected a data element if the county's Superior Court and/or District Attorney's Office reported collecting an element. Responses from City Attorney's Offices are not considered when referring to the county. For Solano County, only the Superior Court's data collection is considered as the District Attorney's Office did not complete the survey.

1. Case Management System Use

Case management systems are systems in which data on cases is recorded, stored, and analyzed. Whether an office uses an electronic case management system can impact the ease with which records are extracted for evaluation, which may, in turn, affect the difficulty of gathering information to substantiate a Racial Justice Act violation claim. As demonstrated in Table 2, almost all responding agencies (97%) reported that they use a case management system (CMS). Butte Superior Court selected "no" to using a CMS but clarified in open-text fields that they *do* use a CMS. Ergo, 100% of Superior Courts in California utilize a CMS. Kern County and Sierra County DA Offices and Hawthorne and Redondo Beach City Attorney Offices reported not using a CMS.

A majority of agencies who reported using a CMS (78%) also reported that they began recording data beginning 2015 or prior. For DA offices, an additional 7% reported that their CMS began recording data in 2016. Similarly, almost all agencies reported that their CMS uses a software program (98%), and that the CMS allows for electronic retrieval of information (96%).

Table 2. Case Management Use by Agency

Agency Response	**Superior Courts** n = 58	**DA Offices** n = 57	**City Attorney Offices** n = 11	**All Respondents** n = 126
Use a case management system (CMS) [Q3]	100% (58/58)	96 % (55/57)	82% (9/11)	97% (122/126)
Began recording data 2015 or prior* [Q5]	88 % (51/58)	67% (37/55)	78% (7/9)	78% (95/122)
CMS uses software program* [Q7]	98% (57/58)	96% (53/55)	100% (9/9)	98% (119/122)
Info retrievable via electronic inquiry** [Q9]	95% (54/57)	96 % (51/53)	100% (9/9)	95% (114/119)

*Note: n = total number of participants. * = Denominator used to calculate % is based on the number of affirmative responses for "Use a case management system (CMS)." ** = Denominator used to calculate % is based on number of affirmative responses for "CMS uses software program."*

2. Demographic Data Collected

Accused Individuals' Demographics Data

If an office does not collect data on the race of accused individuals, this may severely limit the ability to evaluate claims and answer questions about potential racial bias in prosecutorial, judicial, and jury decision making. Respondents were asked if their office collected data on accused individuals' and victims' demographics, such as their race, sex/gender, and age. Table 3 below summarizes the demographic information recorded by California criminal justice agencies for the accused individual. A majority of agencies recorded the accused individual's race, gender/sex, date of birth (DOB), and residence zip code. A smaller percentage recorded information about the accused individual's ethnicity. Most open-ended responses for "other" included the accused individual's height, weight, hair, and eye color.

Figures 1 presents an overview of agencies by county who reported recording the accused individual's race. As demonstrated below, Glenn and Sacramento (highlighted in magenta) were the only two California counties for which no agency reported recording accused individuals' race. For Southern and Central California, race data for the accused individual was primarily recorded by both Superior Courts and County District Attorney offices (highlighted in green), or Superior Courts only (highlighted in orange). For Northern California, race data was recorded by a mix of Superior Courts, County DA offices (highlighted in blue), or both.

Overall, 98% of California counties (either Superior Courts, DA offices, or both) recorded the accused individual's gender/sex and date of birth (DOB; See Appendix B for affirmative responses by county). Criminal justice agencies in 54 counties (93%) reported recording the accused individual's zip code (see Figure 2). District Attorney Offices in Sacramento, Sierra, and Sonoma counties and Sacramento Superior Court reported that they do not record any of the demographic options presented.[5]

Table 3. Accused Individual Demographic Information Collected by Agency Type

Accused Individual Demographics [Q16]	**Superior Courts** n = 58	**DA Offices** n = 57	**City Attorney Offices** n = 11	**All Respondents** n = 126
Race	78% (45)	81% (46)	64% (7)	78% (98)
Gender/Sex	95% (55)	91 % (52)	91% (10)	93% (117)
DOB	97% (56)	95% (54)	91% (10)	95% (120)
Residence Zip Code	81% (47)	68% (39)	82 % (9)	75% (95)
Ethnicity	31% (18)	26 % (15)	27 % (3)	29% (36)
Other	31% (18)	11% (6)	18 % (2)	21% (26)
None of the above	2 % (1)	5 % (3)	9 % (1)	3 % (4)

Note: n =total number of participants. Counts are in parentheses.

[5] Solano County DA did not complete the questionnaire.

Victims' Demographics Data

Criminal justice agencies were also asked about demographic data recorded pertaining to the victim. Victim race is an important variable when investigating claims that charges, sentencing, or other judicial decisions were influenced not only by the accused individual's race, but also by the victim's race or the interplay between the two. Overall, 41% of responding agencies representing 91% of California counties recorded victims race data (see Figure 3).

Table 4 below summarizes victim demographic information recorded by each type of agency. A larger proportion of DA offices recorded demographic information associated with the victim, compared to Superior Courts. Three-quarters (75%) of responding DA offices reported recording victim race and residence zip code, and 88% reported recording victim gender/sex and date of birth. A much smaller percentage recorded information about the victim's ethnicity (28%). In contrast, 78% of Superior Courts reported not collecting any of the victim demographic information listed.

Fifty counties (86%) reported recording the victim's gender/sex and date of birth. Forty-three counties (74%) recorded the victim's zip code (see Figure 4). Twenty-six percent (26%) of counties (15) do not record the victim's ethnicity.

Table 4. Victim Demographic Information Collected by Agency Type

Victim Demographic Information [Q25]	**Superior Courts** n = 58	**DA Offices** n = 57	**City Attorney Offices** n = 11	**All Respondents** n = 126
Race	5% (3)	75% (43)	55 % (6)	41% (52)
Gender/Sex	10% (6)	88% (50)	82 % (9)	52% (65)
DOB	12% (7)	88% (50)	82 % (9)	52% (66)
Residence Zip Code	16% (9)	75% (43)	73 % (8)	48% (60)
Ethnicity	3% (2)	28% (16)	18 % (2)	16% (20)
Other	9% (5)	7% (4)	9% (1)	8% (10)
None of the above	78% (45)	9% (5)	9% (1)	40% (51)

Note: n = total number of participants. Counts are shown in parentheses.

Figure 1. Accused Individual Race Data Recorded by County and Agency Type

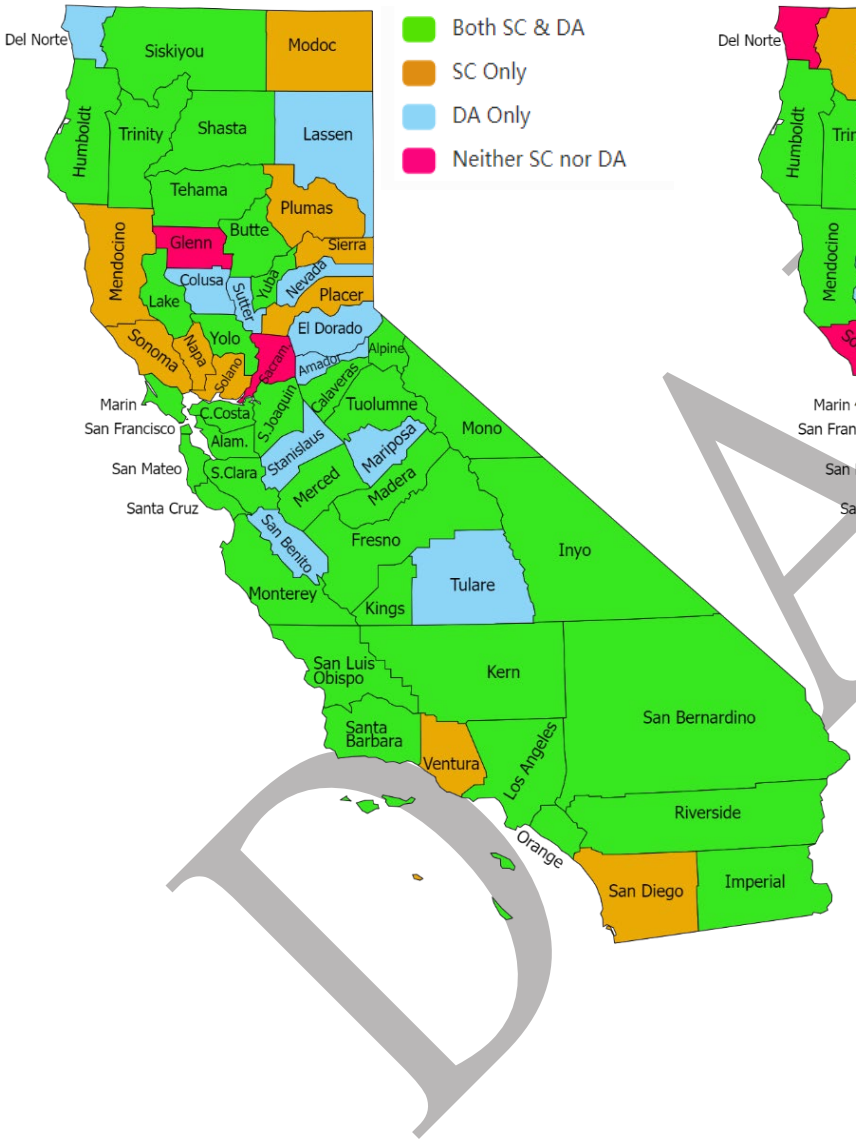
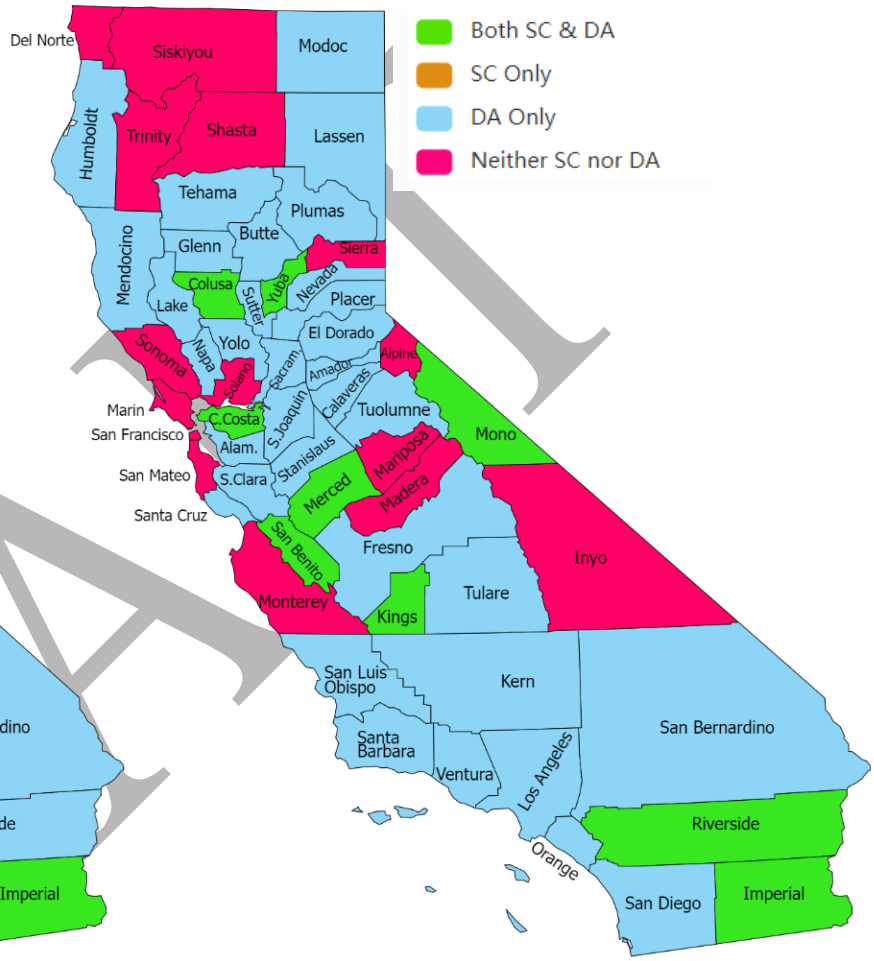


Figure 2. Accused Individual Residence Zip Code Data Recorded by County and Agency Type

Figure 3. Victim Race Data Recorded by County and Agency Type

Figure 4. Victim Residence Zip Code Data Recorded by County and Agency Type



3. Arrest & Judicial Matter Data Collected

Arrest Data

The decision to prosecute, the type of charges brought, and release decisions may be influenced by the law enforcement charges as well as the accused individual's prior criminal record. Respondents were asked whether they collected data on arrest and matter information, including law enforcement agency charges, and prior charges or convictions.

Tables 5 summarizes arrest information collected by California Superior Courts, District Attorney Offices, and responding City Attorney Offices. Three Superior Courts – Shasta, Sutter, and Yolo – and three DA offices – Alpine, Siskiyou, and Sonoma – reported that they do not record any of the options presented for arrests (See Figures 5 and 6).

Table 5. Arrest Information Collected by Agency Type

Arrest Information [Q13]	**Superior Courts** n = 58	**District Attorney** n = 57	**City Attorney** n = 11	**All respondents** n = 126
Date of Arrest	90% (52)	84% (48)	100% (11)	88% (111)
Arresting Agency Numbers	81% (47)	89% (51)	82% (9)	85% (107)
LEA charges	72% (42)	88% (50)	82% (9)	80% (101)
Court/Office Arrest Record ID	47% (27)	44% (25)	36% (4)	44% (56)
Zip Code	12% (7)	35% (20)	55% (6)	26% (33)
Other	26% (15)	11% (6)	18% (2)	18% (23)
None of the Above	5% (3)	5% (3)	0% (0)	5% (6)

Note: n = total number of participants. Counts are shown in parentheses.

Judicial Matter Data

For judicial matters, all responding agencies (100%) record the accused individual's name and most record court case number (98%). Over half of all agencies record prior criminal charges (52%; Fig. 7), matters (51%), and convictions (52%; Fig. 8). No agencies reported collecting "none of the above" data on judicial matters. See Table 6 for a summary of judicial matter data collected by agency.

Table 6. Matter Information Collected by Agency Type

Matter Information [Q11]	**Superior Courts** n = 58	**District Attorney** n = 57	**City Attorney** n = 11	**All Respondents** n = 126
Name	100% (58)	100% (57)	100% (11)	100% (126)
Court Case #	98% (57)	98% (56)	100% (11)	98% (124)
Office Case ID	66% (38)	91% (52)	73% (8)	78% (98)
Prior Criminal Conviction	47% (27)	54% (31)	73% (8)	52% (66)

Prior Criminal Charges	47% (27)	54% (31)	73% (8)	52% (66)
Prior Criminal Matters	41% (24)	56% (32)	73% (8)	51% (64)
Zip Code	9% (5)	47% (27)	45% (5)	29% (37)
Field Investigation / Interview	14% (8)	9% (5)	36% (4)	13% (17)

Figure 5. Arresting Agency Numbers Collected by County and Agency Type

Figure 6. LEA Charges Data Collected by County and Agency Type

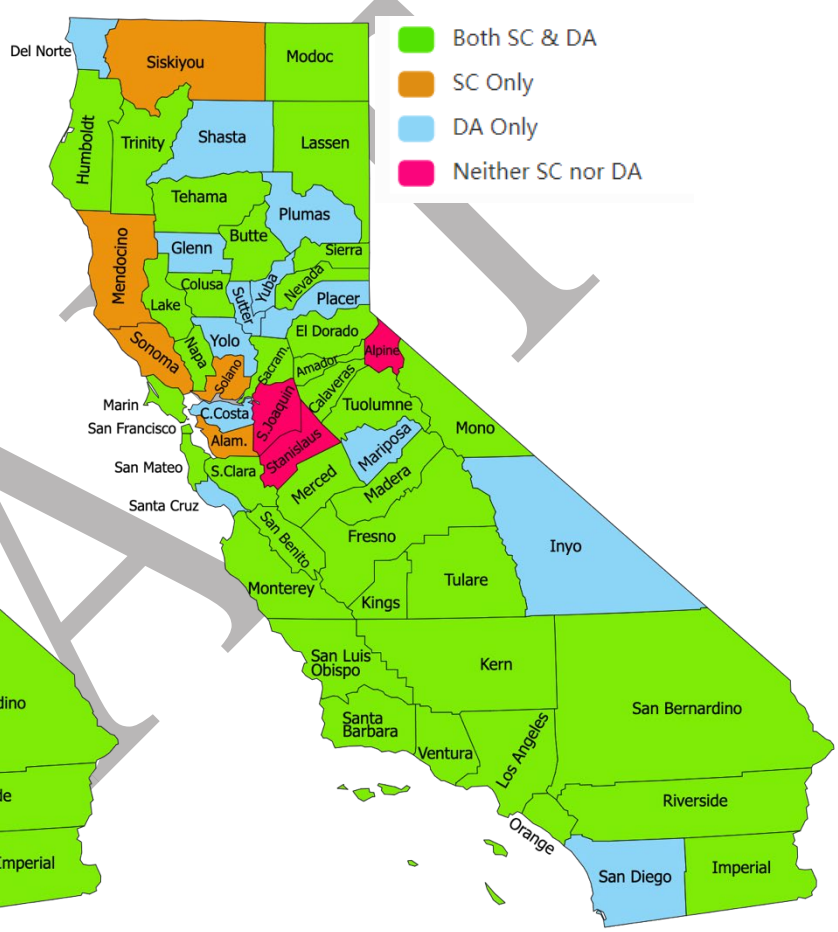


Figure 7. Prior Criminal Charges Data Collected by County and Agency Type

Figure 8. Prior Criminal Convictions Data Collected by County and Agency Type

4. Release and Custody Data Collected

Following an arrest and charge, accused individuals may be released on their own recognizance (OR) in which they are released from court custody without having to post bail, they may be released if they pay a cash bail, or they may remain in custody. In order to determine whether there was racial bias in decisions to release an accused individual on their own recognizance to await trial, require bail, or require custody, data on these decision points would need to be collected.

Released on Own Recognizance Data

Sixty-one percent (61%) of responding offices reported collecting data on agreement to OR release and 72% collect arraignment or bail hearing OR release data. Overall, a greater percentage of Superior Courts reported recording OR-related information than DA offices, however, several Superior Courts commented that OR-related information is captured in court proceeding minutes, not by the CMS. See Table 7 for a summary of OR-related information recorded by responding offices. Figures 9 and 10 summarize OR information recorded by DA Offices and Superior Courts by county.

Table 7. Own Recognizance Information Recorded by Agency Type

Own Recognizance Release for Accused [Q46]	**Superior Courts** n = 58	**DA Offices** n = 57	**City Attorney Offices** n = 11	**All Respondents** n = 126
Court/office agreed to OR release	84% (49)	39% (22)	55% (6)	61% (77)
Arraignment or bail hearing court OR release	93% (54)	51% (29)	73% (8)	72% (91)
Other	24% (14)	9% (5)	27% (3)	17% (22)
None of the above	3% (2)	46% (26)	18% (2)	24% (30)

Note: n = total number of participants. Counts are shown in parentheses.

Bail Data

As with OR information, a greater percentage of Superior Courts reported recording bail-related information than DA offices. The most frequently recorded bail information by Superior Courts included whether bail was set, denied, or OR release granted (93%), the amount of bail imposed (90%), whether the court imposed bail at an arraignment or bail hearing (88%), whether the Accused Individual appeared in custody, cited out, or bailed out (84%), and whether the Accused Individual bailed out of court-imposed bail (79%).

Superior Courts in Humboldt, Merced, and Placer counties reported “none of the above” for bail information. See Table 8 for counts and percentages of bail-related information recorded by City Attorney offices. Figure 11 and 12 summarize bail information recorded by DA Offices and Superior Courts by county.

Table 8. Bail Table Information Recorded by Agency Type

Bail Information Recorded [Q48]	**Superior Courts** n = 58	**DA Offices** n = 57	**City Attorney Offices** n = 11	**All Respondents** n = 126
LEA set bail pre-filing	31% (18)	18% (10)	27% (3)	25% (31)
Amount set by LEA	38% (22)	18% (10)	27% (3)	28% (35)
Prosecutor requested at arraignment or bail hearing	71% (41)	39% (22)	73% (8)	56% (71)
Court-imposed at arraignment or bail hearing	88% (51)	46% (26)	55% (6)	66% (83)
Amount requested	40% (23)	32% (18)	64% (7)	38% (48)
Amount imposed	90% (52)	53% (30)	64% (7)	71% (89)
Prosecutor requested at or above bail schedule	52% (30)	25% (14)	45% (5)	39% (49)
Bail set, denied, or OR release granted	93% (54)	49% (28)	73% (8)	71% (90)
Appeared in custody, cited out, bailed out	84% (49)	49% (28)	55% (6)	66% (83)
Bailed out of court-imposed bail	79% (46)	32% (18)	45% (5)	55% (69)
Other	7% (4)	5% (3)	0% (0)	6% (7)
None of the above	5% (3)	30% (17)	18% (2)	17% (22)

Note: n = total number of participants. Counts are shown in parentheses.

Custody Data

Similar to OR and bail information, a greater percentage of Superior Courts reported recording custody-related information than DA offices. The most frequently recorded custody information for Superior Courts included whether the Accused Individual was in custody pre-trial (83%) and pre-plea (84%). About half of Superior Courts (52%) recorded whether or not detention orders were sought for the Accused Individual.

Superior Courts in Del Norte, Humboldt, Los Angeles, Merced, Nevada, and Placer counties reported "none of the above" for custody information. See Table 9 for counts and percentages of custody-related information recorded by responding agencies.

Table 9. Custody Information Recorded by Agency Type

Custody Information Recorded [Q50]	**Superior Courts** n = 58	**DA Offices** n = 57	**City Attorney Offices** n = 11	**All Respondents** n = 126
In custody pre-trial	83% (48)	51% (29)	64% (7)	67% (84)
In custody pre-plea	84% (49)	51% (29)	55% (6)	67% (84)
Detention orders sought	52% (30)	25% (14)	45% (5)	39% (49)
Other	7% (4)	11% (6)	9% (1)	9% (11)
None of the above	10% (6)	42% (24)	27% (3)	26% (33)

Note: n = total number of participants. Counts are shown in parentheses.

Figure 9. Agreed to Release Own Recognizance (OR) Data by County and Agency

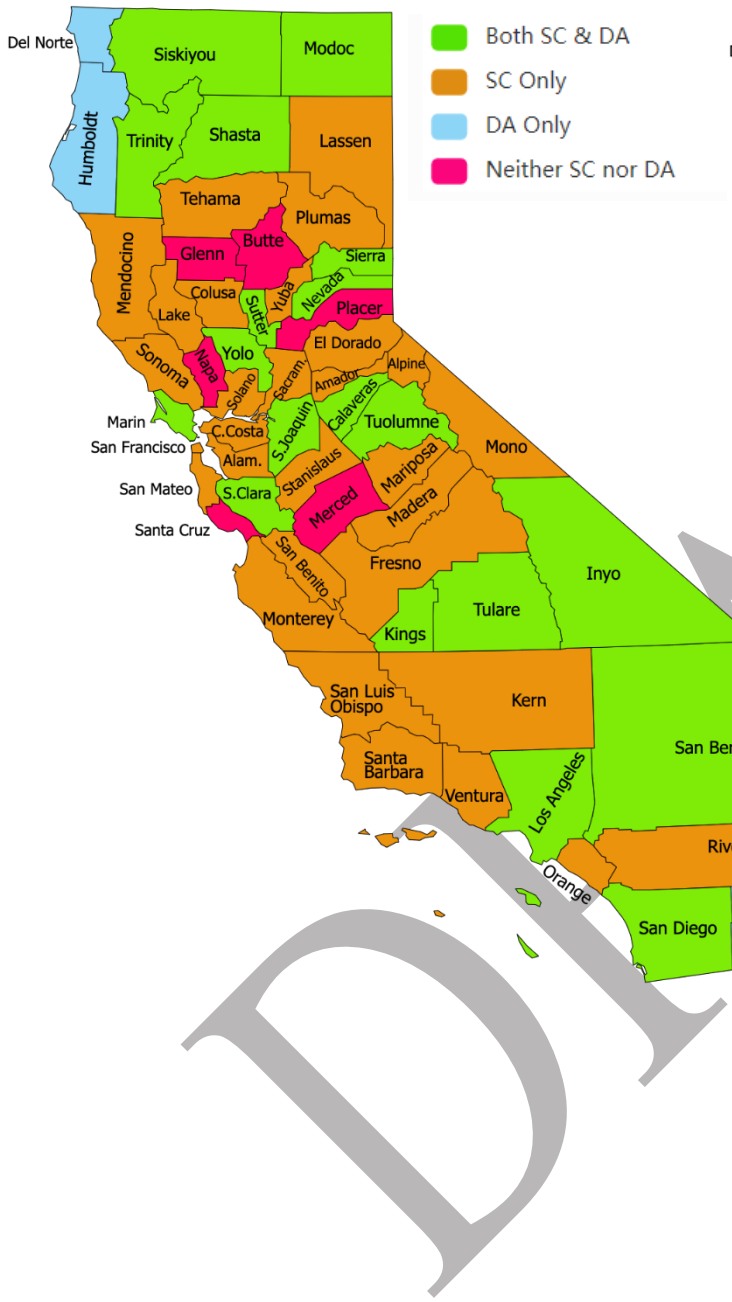


Figure 10. OR Released at Arraignment or Bail Hearing Data by County and Agency

Figure 11. In Custody Pre-Plea Data by County and Agency

Figure 12. Detention Orders Sought Data by County and Agency

5. Diversion Data Collected

Diversion programs allow some defendants to choose to complete treatment or education courses instead of serving jail time. Information on whether a diversion program was offered, when, and if it was accepted may be needed to investigate claims of racial bias in diversion program offers and sentencing more generally.

Diversion Offer Extended Data

The most frequently recorded information by Superior Courts was whether a diversion offer was accepted (79%) and the terms of the offer (78%). About one-half of DA offices reported recording this information along with whether a diversion offer was extended (56%), the date the diversion offer was extended (56%), and whether the diversion offer was extended pre- or post-plea (56%).

The least frequently recorded information was the reasons for the diversion offer for both DA offices (39%) and Superior Courts (38%). See Table 10 for counts and percentages of diversion-related information recorded by responding offices. See Figures 13 – 18 for an overview of responses by agency type and county.

Table 10. Information on Diversion Offers Extended to Accused Individuals

Diversion Offered [Q41]	**Superior Courts** n = 58	**DA Offices** n = 57	**City Attorney Offices** n = 11	**All Respondents** n = 126
Offer accepted	79% (46)	53% (30)	82% (9)	68% (85)
Terms	78% (45)	49% (28)	82% (9)	65% (82)
Pre- or post-plea	50% (29)	56% (32)	73% (8)	55% (69)
Date of offer	40% (23)	56% (32)	82% (9)	51% (64)
Diversion offered	40% (23)	56% (32)	82% (9)	51% (64)
Pre- or post-sentencing	40% (23)	35% (20)	73% (8)	41% (51)
Reasons for offer	38% (22)	39% (22)	73% (8)	41% (52)
None of the above	9% (5)	25% (14)	9% (1)	16% (20)
Other	3% (2)	9% (5)	27% (3)	8% (10)

Note: n = total number of participants. Counts are shown in parentheses.

Accepted Diversion Outcome Data

A greater percentage of Superior Courts reported recording diversion acceptance-related information than DA offices. The most frequently recorded information by Superior Courts included whether diversion was completed (97%), whether diversion included prison, jail, or probation (86%), and the plea entered (79%).

Del Norte and Santa Cruz Superior Courts reported that they do not record any information related to diversion offers accepted by the accused individual. See Figures 19 – 22 for an overview of responses by agency type and county. See Table 11 for counts and percentages of diversion-related information recorded by the agencies.

Table 11. Information Recorded for Diversion Offers Accepted by Accused Individuals

Diversion Offers Accepted [Q43]	**Superior Courts** n = 58	**District Attorney Offices** n = 57	**City Attorney Offices** n = 11	**All Respondents** n = 126
Diversion Completed	97% (56)	68% (39)	91% (10)	83% (105)
Prison / Jail / Probation Sentence	86% (50)	51% (29)	73% (8)	69% (87)
Plea Entered	79% (46)	58% (33)	82% (9)	70% (88)
Plea Withdrawal	76% (44)	44% (25)	73% (8)	61% (77)
In- or Out-patient	34% (20)	19% (11)	64% (7)	30% (38)
None of the Above	3% (2)	23% (13)	0% (0)	12% (15)
Other	5% (3)	5% (3)	18% (2)	6% (8)

Note: n = total number of participants. Counts are shown in parentheses.

Figure 13. Diversion Offered Data Recorded by County and Agency Type

Figure 14. Diversion Pre- or Post-Plea Data Recorded by County and Agency Type

Figure 15. Diversion Offer was Pre/Post-Sentencing Data by County and Agency

Figure 16. Diversion Offer was Accepted Data by County and Agency

Figure 17. Reasons for Diversion Offer Data by County and Agency

Figure 18. Terms of Diversion Data by County and Agency

Figure 19. Diversion Completed Data by County and Agency

Figure 20. Accused Individual Entered Plea when Diversion Began Data by County and Agency

Figure 21. Accused Individual Allowed to Withdraw Plea Upon Diversion Completion Data by County

Figure 22. Accused Individual was Sentenced to Prison/Jail or Probation Upon Diversion Completion Data by County and Agency

6. Prosecutorial Decision Making & Outcomes Data Collected

Decisions to prosecute are made by the District or City Attorney's Office. To substantiate claims of racial bias in prosecution decisions, information on declination to prosecute, reasons for the decision to decline or to prosecute, and the level of severity of the charges may be important.

Prosecutorial Declination Data

District and City Attorney Offices were asked to report information they recorded related to prosecutorial declination. Most prosecuting agencies reported recording information pertaining to the date of the decision, the name of the person who decided to decline to prosecute, and the charges involved. Fewer prosecuting agencies recorded decision makers' job titles. The Alpine County District Attorney's Office and the Hawthorne City Attorney's Office reported that they do not record any information related to decisions to decline to prosecute. Tables 12-15 summarize information related to decisions and reasons to decline to prosecute.

Table 12: Declination to Prosecute

Information Regarding Declination to Prosecute [Q30]	**District Attorney Offices** n = 57	**City Attorney Offices** n = 11	**All Respondents** n = 68
Date of Decision	96% (55)	82% (9)	94% (64)
Decision Maker Name	93% (53)	91% (10)	93% (63)
Charges	91% (52)	82% (9)	90% (61)
Decision Maker Job Title	58% (33)	64% (7)	59% (40)
Other	14% (8)	36% (4)	18% (12)
None of the Above	2% (1)	9% (1)	3% (2)

Table 13 summarizes information related to reasons to decline to prosecute (Tables 16-17). The most frequently recorded information by City Attorney offices included information pertaining to the victim's cooperation (82%) and other mitigating factors (82%).

Table 13: Reasons for Declination to Prosecute

Reasons for Declination to Prosecute [Q32]	**DA Offices** n = 57	**City Attorney Offices** n = 11	**All Respondents** n = 68
Victim's Cooperation	42% (24)	82% (9)	49% (33)
Other Mitigating Factors	28% (16)	82% (9)	37% (25)
Prior Criminal Record	23% (13)	55% (6)	28% (19)
Injuries to Persons	23% (13)	64% (7)	29% (20)
Police Misconduct	25% (14)	55% (6)	29% (20)
Financial Loss	19% (11)	55% (6)	25% (17)
Injuries to Accused Individual	19% (11)	64% (7)	26% (18)
Other	42% (24)	46% (5)	43% (29)
None of the Above	32% (18)	9% (1)	28% (19)

Table 14. City Attorney Reported Information for Declining to Prosecute

City	Date of decision to decline to prosecute	Name of the person who made the decision(s) to decline to prosecute	Job title of the person(s) who made the decision to decline to prosecute	The charge(s) for which there was a decision to decline to prosecute	Other	None of the above
Anaheim	✓	✓	✓	✓		
Burbank	✓	✓		✓	✓	
Hawthorne						✓
Inglewood	✓	✓	✓	✓		
Long Beach	✓	✓	✓	✓	✓	
Los Angeles		✓		✓	✓	
Pasadena	✓	✓	✓	✓		
Redondo Beach	✓	✓	✓	✓		
San Diego	✓	✓	✓	✓	✓	
Santa Monica	✓	✓		✓		
Torrance	✓	✓	✓			

Note: Checkmarks denote that the City Attorney Office for the corresponding county collect the variable

Table 15. County District Attorney Reported Information for Declining to Prosecute

County	Date of decision to decline to prosecute	Name of the person who made the decision(s) to decline to prosecute	Job title of the person(s) who made the decision to decline to prosecute	The charge(s) for which there was a decision to decline to prosecute	Other	None of the above
Alameda	✓	✓	✓	✓		
Alpine						✓
Amador	✓	✓	✓	✓		
Butte	✓	✓	✓	✓		
Calaveras	✓	✓		✓		
Colusa	✓			✓		

County	Date of decision to decline to prosecute	Name of the person who made the decision(s) to decline to prosecute	Job title of the person(s) who made the decision to decline to prosecute	The charge(s) for which there was a decision to decline to prosecute	Other	None of the above
Contra Costa	✓	✓	✓	✓		
Del Norte	✓	✓		✓		
El Dorado	✓	✓		✓		
Fresno	✓	✓		✓	✓	
Glenn	✓	✓	✓	✓	✓	
Humboldt	✓	✓	✓	✓		
Imperial	✓	✓				
Inyo	✓	✓	✓	✓		
Kern	✓	✓		✓		
Kings	✓	✓		✓		
Lake	✓	✓	✓	✓		
Lassen	✓	✓		✓		
Los Angeles	✓	✓	✓	✓		
Madera	✓	✓	✓	✓		
Marin	✓	✓	✓	✓		
Mariposa	✓			✓		
Mendocino	✓	✓	✓	✓		
Merced	✓	✓	✓	✓	✓	
Modoc	✓	✓	✓	✓		
Mono	✓	✓	✓	✓		
Monterey	✓	✓				
Napa	✓	✓	✓	✓	✓	
Nevada	✓	✓	✓	✓		
Orange	✓	✓		✓	✓	
Placer	✓	✓		✓		
Plumas	✓	✓	✓	✓		
Riverside	✓	✓	✓	✓		
Sacramento	✓	✓	✓	✓		
San Benito	✓	✓		✓		
San Bernardino		✓		✓		
San Diego	✓	✓	✓	✓		
San Francisco	✓	✓		✓		

County	Date of decision to decline to prosecute	Name of the person who made the decision(s) to decline to prosecute	Job title of the person(s) who made the decision to decline to prosecute	The charge(s) for which there was a decision to decline to prosecute	Other	None of the above
San Joaquin	✓	✓	✓	✓	✓	
San Luis Obispo	✓	✓		✓		
San Mateo	✓	✓	✓	✓		
Santa Barbara	✓	✓	✓	✓		
Santa Clara	✓	✓	✓	✓		
Santa Cruz	✓	✓		✓		
Shasta	✓	✓	✓	✓		
Sierra	✓					
Siskiyou	✓	✓		✓		
Sonoma	✓	✓		✓		
Stanislaus	✓	✓	✓	✓		
Sutter	✓	✓	✓	✓		
Tehama	✓	✓	✓	✓		
Trinity	✓	✓	✓		✓	
Tulare	✓	✓	✓	✓		
Tuolumne	✓	✓		✓		
Ventura	✓	✓	✓	✓		
Yolo	✓	✓	✓	✓	✓	
Yuba	✓	✓		✓		

Note: Checkmarks denote that the DA Office for the corresponding county collect the variable

Table 16. City Attorney Reported Reasons for Declining to Prosecute

City	Police misconduct	Injuries to persons involved	Injuries to the Accused Individual	Financial loss to persons involved	Prior criminal record of the Accused Individual	Victim's level of cooperation in prosecuting case	Any other mitigating factors	Other	None of the above
Anaheim	✓	✓	✓	✓	✓	✓	✓		
Burbank					✓	✓	✓	✓	
Hawthorne									✓
Inglewood	✓	✓	✓			✓	✓	✓	
Long Beach								✓	
Los Angeles						✓	✓	✓	
Pasadena	✓	✓	✓	✓	✓	✓	✓		
Redondo Beach	✓	✓	✓	✓	✓	✓	✓	✓	
San Diego		✓	✓	✓	✓	✓	✓		
Santa Monica	✓	✓	✓	✓	✓	✓	✓		
Torrance	✓	✓	✓	✓		✓	✓		

Note: Checkmarks denote that the City Attorney Office for the corresponding county collect the variable

Table 17. County District Attorney Reported Reasons for Declining to Prosecute

County	Police misconduct	Injuries to persons involved	Injuries to the Accused Individual	Financial loss to persons involved	Prior criminal record of the Accused Individual	Victim's level of cooperation in prosecuting case	Any other mitigating factors	Other	None of the above
Alameda						✓			
Alpine									✓
Amador									✓
Butte						✓		✓	
Calaveras						✓		✓	
Colusa									✓
Contra Costa								✓	

County	Police misconduct	Injuries to persons involved	Injuries to the Accused Individual	Financial loss to persons involved	Prior criminal record of the Accused Individual	Victim's level of cooperation in prosecuting case	Any other mitigating factors	Other	None of the above
Del Norte	✓					✓	✓	✓	
El Dorado									✓
Fresno								✓	
Glenn	✓					✓	✓	✓	
Humboldt	✓	✓	✓	✓	✓	✓	✓		
Imperial		✓	✓			✓			
Inyo									✓
Kern								✓	
Kings									✓
Lake									✓
Lassen									✓
Los Angeles									✓
Madera								✓	
Marin		✓	✓	✓	✓	✓	✓	✓	
Mariposa								✓	
Mendocino						✓			
Merced								✓	
Modoc									✓
Mono									✓
Monterey								✓	
Napa	✓	✓	✓	✓	✓	✓	✓		
Nevada	✓	✓	✓	✓	✓	✓	✓	✓	
Orange								✓	
Placer									✓
Plumas									✓
Riverside								✓	
Sacramento								✓	
San Benito								✓	
San Bernardino									✓
San Diego	✓	✓	✓	✓	✓	✓	✓		
San Francisco								✓	
San Joaquin	✓				✓	✓	✓		

County	Police misconduct	Injuries to persons involved	Injuries to the Accused Individual	Financial loss to persons involved	Prior criminal record of the Accused Individual	Victim's level of cooperation in prosecuting case	Any other mitigating factors	Other	None of the above
San Luis Obispo							✓	✓	
San Mateo									✓
Santa Barbara								✓	
Santa Clara	✓	✓	✓	✓	✓	✓	✓	✓	✓
Santa Cruz								✓	
Shasta	✓					✓	✓		
Sierra		✓		✓		✓			
Siskiyou								✓	
Sonoma	✓	✓	✓	✓	✓	✓	✓		
Stanislaus						✓			
Sutter	✓	✓	✓	✓	✓	✓	✓		
Tehama						✓			
Trinity	✓	✓			✓	✓			
Tulare					✓	✓	✓		
Tuolumne	✓	✓	✓	✓	✓	✓	✓		
Ventura									✓
Yolo	✓	✓	✓	✓	✓	✓	✓	✓	
Yuba									✓

Note: Checkmarks denote that the DA Office for the corresponding county collect the variable.

Decision to Prosecute Data

Table 18 summarizes information related to deciding charges to file against accused individuals. A much greater percentage of City Attorney offices reported recording this information than DA offices. Nearly two-thirds (64%) of City Attorney offices reported recording all information pertaining to deciding charges to file. Less than one-half of DA offices reported recording this information. Twenty-five DA offices (44%) selected "none of the above." Several DA offices stated that this information is available in case/file notes and police reports, not in the CMS.

Table 18: Charges to File by Agency Type

Charges to File [Q35]	District Attorney Offices n = 57	City Attorney Offices n = 11	All Respondents n =68
Conduct or Status Enhancements	49% (28)	64% (7)	51% (35)
Injuries	42% (24)	64% (7)	46% (31)
Prior criminal history	44% (25)	64% (7)	47% (32)
Victim Status	37% (21)	64% (7)	41% (28)
Financial loss	44% (25)	64% (7)	47% (32)
Victim's cooperation	35% (20)	64% (7)	40% (27)
None of the above	44% (25)	27% (3)	41% (28)
Other	9% (5)	9% (1)	9% (6)

Note: n = total number of participants. Counts are shown in parentheses.

Table 19 summarizes information related to considerations in deciding the level/severity of charges to file against Accused Individuals. A much greater percentage of City Attorney offices reported recording this information than DA offices. Across the board, more than half (55%) of City Attorney offices reported recording all information pertaining to considerations in deciding the level/severity of charges to file. Less than one-half of DA offices reported recording this information. Twenty-eight DA offices (49%) selected "none of the above." As with the prior question, several DA offices stated that this information is available in case/file notes, not in the CMS. See Tables 20 and 21 for an overview of affirmative responses by prosecuting offices.

Table 19: Level or Severity of Charges Filed by Agency Type

Level/Severity of Charges to File [Q38]	District Attorney Offices n = 57	City Attorney Offices n = 11	All Respondents n =68
Conduct or Status Enhancements	47% (27)	55% (6)	49% (33)
Injuries	44% (25)	55% (6)	46% (31)
Prior criminal history	42% (24)	55% (6)	44% (30)
Victim Status	40% (23)	55% (6)	43% (29)
Financial loss	40% (23)	55% (6)	43% (29)
Victim's cooperation	30% (17)	45% (5)	32% (22)
None of the above	49% (28)	36% (4)	47% (32)
Other	5% (3)	18% (2)	7% (5)

Note: n = total number of participants. Counts are shown in parentheses.

Table 20. City Attorney Information Related to Severity/Level of Charges

City	Injuries to persons	Financial loss to persons	Status of victim	Prior criminal history of Accused Individual	Victim's cooperation	Alleged conduct or status enhancements	None of the above
Anaheim	✓	✓	✓	✓	✓	✓	
Burbank	✓	✓	✓	✓	✓	✓	
Hawthorne	✓	✓	✓	✓		✓	
Inglewood	✓	✓	✓	✓	✓	✓	
Long Beach							✓
Los Angeles							
Pasadena	✓	✓	✓	✓	✓	✓	
Redondo Beach							✓
San Diego	✓	✓	✓	✓	✓	✓	
Santa Monica							✓
Torrance							✓

Note: Checkmarks denote that the City Attorney Office for the corresponding county collect the variable

Table 21. District Attorney Information Related to Severity/Level of Charges

County	Injuries to persons	Financial loss to persons	Status of victim	Prior criminal history of Accused Individual	Victim's cooperation	Alleged conduct or status enhancements	None of the above
Alameda	✓	✓	✓	✓		✓	
Alpine							✓
Amador							✓
Butte							✓
Calaveras							✓
Colusa							✓
Contra Costa							✓
Del Norte							✓
El Dorado	✓	✓	✓	✓		✓	
Fresno							✓

County	Injuries to persons	Financial loss to persons	Status of victim	Prior criminal history of Accused Individual	Victim's cooperation	Alleged conduct or status enhancements	None of the above
Glenn	✓			✓		✓	
Humboldt	✓	✓	✓	✓	✓	✓	
Imperial	✓	✓	✓	✓	✓	✓	
Inyo							✓
Kern							✓
Kings							✓
Lake							✓
Lassen							✓
Los Angeles							✓
Madera							✓
Marin	✓	✓	✓	✓	✓	✓	
Mariposa							
Mendocino	✓	✓	✓	✓	✓	✓	
Merced							✓
Modoc							✓
Mono							✓
Monterey	✓	✓	✓	✓		✓	
Napa	✓	✓	✓	✓	✓	✓	
Nevada	✓	✓	✓	✓	✓	✓	
Orange						✓	
Placer						✓	
Plumas							✓
Riverside							✓
Sacramento							✓
San Benito	✓	✓	✓	✓	✓	✓	
San Bernardino	✓	✓	✓	✓		✓	
San Diego	✓	✓	✓	✓	✓	✓	
San Francisco						✓	
San Joaquin	✓	✓	✓	✓	✓	✓	
San Luis Obispo	✓					✓	
San Mateo	✓	✓	✓	✓		✓	
Santa Barbara	✓	✓	✓	✓			
Santa Clara	✓	✓	✓	✓	✓	✓	
Santa Cruz							✓

County	Injuries to persons	Financial loss to persons	Status of victim	Prior criminal history of Accused Individual	Victim's cooperation	Alleged conduct or status enhancements	None of the above
Shasta	✓	✓	✓	✓	✓	✓	
Sierra							✓
Siskiyou							✓
Sonoma	✓	✓	✓	✓	✓	✓	
Stanislaus							✓
Sutter	✓	✓	✓	✓	✓	✓	
Tehama							✓
Trinity	✓	✓	✓	✓	✓	✓	
Tulare	✓	✓	✓	✓	✓	✓	
Tuolumne	✓	✓	✓	✓	✓	✓	
Ventura							✓
Yolo	✓	✓	✓	✓	✓	✓	
Yuba							✓

Note: Checkmarks denote that the DA Office for the corresponding county collect the variable

Plea Offers Data

A plea offer of a reduced charge or sentence can be made to resolve a case before trial or before a verdict is reached. To investigate claims of racial bias in plea offers, data on whether a plea offer was made, by whom, if there was a counter offer, what the offer was, or if it was accepted may be crucial.

All agencies were asked to report information that is recorded relating to plea offers extended to and accepted by Accused Individuals. Table 22 summarizes information related to plea offers extended recorded by City Attorney offices, DA offices, and Superior Courts. Generally speaking, a greater proportion of DA offices reported recording this information than Superior Courts. Around three-fifths of DA offices reported recording most of the information related to plea offers extended, though just under one-half reported recording whether a plea offer was made by the court (47%) and whether there was a counter offer (44%). Fourteen DA offices (25%) and 17 Superior Courts (29%) indicated that they do not not record any of the options listed pertaining to plea offers extended to Accused Individuals. Several DA offices stated that this information is available in case/file notes, not in the CMS. Several Superior Courts reported that this information is contained in court minutes or a plea form (not in the CMS).

Table 22. Information Recorded for Plea Offers Extended to Accused Individuals by Agency Type

Plea Offers Extended [Q53]	**Superior Courts** n = 58	**DA Offices** n = 57	**City Attorney Offices** n = 11	**All Respondents** n = 126
Offer accepted	53% (31)	60% (34)	100% (11)	60% (76)
Sentence if accepted	50% (29)	65% (37)	82% (9)	60% (75)
Reduction to severity of charges	55% (32)	58% (33)	73% (8)	58% (73)
Counts, priors, enhancements dismissed	48% (28)	58% (33)	73% (8)	55% (69)
Counts, priors, enhancements admitted	45% (26)	61% (35)	73% (8)	55% (69)
Reduction to charging enhancements	48% (28)	56% (32)	64% (7)	53% (67)
Offered by prosecutor	31% (18)	65% (37)	100% (11)	52% (66)
Date	22% (13)	56% (32)	73% (8)	42% (53)
Made by court	24% (14)	47% (27)	64% (7)	38% (48)
Counteroffer	12% (7)	44% (25)	55% (6)	30% (38)
None of the above	29% (17)	25% (14)	0% (0)	25% (31)
Other	5% (3)	7% (4)	9% (1)	6% (8)

Note: n = total number of participants. Counts are shown in parentheses.

Table 23 summarizes information related to plea offers accepted recorded. A greater proportion of Superior Courts reported recording this information than DA offices, with almost all reporting recording each count related to the plea offer (98%) and the sentence in exchange for the plea offer (98%). Fifty-two Superior Courts (90%) reported recording the date the Accused Individual accepted a plea offer. A few Superior Courts indicated that this information is available in minute orders, not in the CMS. Del Norte Superior Court indicated that it does not record any of the options provided.

Table 23. Information Recorded for Plea Offers Accepted by Accused Individuals

Plea Offers Accepted [Q55]	**Superior Courts** n = 58	**District Attorney Offices** n = 57	**City Attorney Offices** n = 11	**All Respondents** n = 126
Each count	98% (57)	82% (47)	82% (9)	90% (113)
Sentence in exchange	98% (57)	75% (43)	91% (10)	87% (110)
Date	90% (52)	70% (40)	91% (10)	81% (102)
None of the above	2% (1)	14% (8)	9% (1)	8% (10)
Other	7% (4)	7% (4)	9% (1)	7% (9)

Note: n = total number of participants. Counts are shown in parentheses.

Prosecution Outcomes Data

All agencies were asked to report information recorded related to prosecutorial outcomes. Table 24 summarizes this information. In almost all cases, a greater proportion of Superior Courts reported recording information related to prosecutorial outcomes than DA offices. Additionally, 100% of Superior Courts reported recording this information for five domains. A smaller percentage of Superior Courts reported recording information related to collateral consequences (88%), imposition (83%) and dismissal (79%) of special circumstances, and imposition (86%) and dismissal (91%) of enhancements. Except for collateral consequences, the proportion of DA offices which collected each domain of prosecutorial outcomes came close to that of Superior Courts. See Tables 25 and 26 for an overview of select responses by City Attorney and DA offices.

Table 24. Prosecutorial Outcome Information Recorded by Agency Type

Prosecutorial Outcomes [Q58]	**Superior Courts** n = 58	**District Attorney Offices** n = 57	**City Attorney Offices** n = 11	**All respondents** n = 126
Dismissal of charges	100% (58)	93% (53)	91% (10)	96% (121)
Charges of conviction	100% (58)	93% (53)	91% (10)	96% (121)
Probation	100% (58)	89% (51)	82% (9)	94% (118)
Prison/Jail sentence	100% (58)	88% (50)	82% (9)	93% (117)
Sentences	100% (58)	86% (49)	91% (10)	93% (117)
Dismissal of enhancements	91% (53)	84% (48)	64% (7)	86% (108)
Imposition of enhancements	86% (50)	81% (46)	73% (8)	83% (104)
Collateral consequences	88% (51)	53% (30)	82% (9)	71% (90)
Imposition of special circumstances	83% (48)	79% (45)	0% (0)	74% (93)
Dismissal of special circumstances	79% (46)	81% (46)	0% (0)	73% (92)
None of the above	0% (0)	4% (2)	0% (0)	2% (2)
Other	3% (2)	5% (3)	9% (1)	5% (6)

Note: n = total number of participants. Counts are shown in parentheses.

Table 25. City Attorney Prosecutorial Outcome Information

City	Charges of conviction	Dismissal of charges	Sentence	Dismissal of enhancements	Imposition of enhancements	Dismissal of special circumstances	Imposition of special circumstances	Collateral consequences	Prison/Jail Sentence	Probation	None of the above
Anaheim	✓	✓	✓	✓	✓			✓	✓	✓	
Burbank	✓	✓	✓	✓	✓			✓	✓	✓	
Hawthorne	✓	✓	✓	✓	✓				✓	✓	
Inglewood	✓	✓	✓	✓	✓			✓	✓	✓	
Long Beach	✓	✓	✓		✓			✓			
Los Angeles			✓					✓	✓	✓	
Pasadena	✓	✓	✓	✓	✓			✓	✓	✓	
Redondo Beach	✓	✓	✓	✓	✓			✓	✓	✓	
San Diego	✓	✓	✓	✓	✓			✓	✓	✓	
Santa Monica	✓	✓	✓					✓	✓	✓	
Torrance	✓	✓									

Note: Checkmarks denote that the City Attorney Office for the corresponding county collect the variable

Table 26. County District Attorney Prosecutorial Outcome Information

County	Charges of conviction	Dismissal of charges	Sentence	Dismissal of enhancements	Imposition of enhancements	Dismissal of special circumstances	Imposition of special circumstances	Collateral consequences	Prison/Jail Sentence	Probation	None of the above
Alameda	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Alpine											✓
Amador	✓	✓	✓	✓	✓	✓	✓		✓	✓	
Butte	✓	✓		✓	✓	✓	✓		✓	✓	
Calaveras	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Colusa	✓	✓	✓	✓		✓			✓	✓	
Contra Costa	✓	✓	✓	✓	✓	✓	✓		✓	✓	
Del Norte	✓	✓	✓	✓	✓			✓	✓	✓	
El Dorado	✓	✓	✓						✓	✓	

County	Charges of conviction	Dismissal of charges	Sentence	Dismissal of enhancements	Imposition of enhancements	Dismissal of special circumstances	Imposition of special circumstances	Collateral consequences	Prison/Jail Sentence	Probation	None of the above
Fresno	✓	✓		✓	✓	✓	✓				
Glenn	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Humboldt	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Imperial	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Inyo	✓		✓	✓	✓	✓	✓		✓	✓	
Kern	✓	✓	✓	✓	✓	✓	✓		✓	✓	
Kings	✓	✓	✓	✓	✓	✓	✓		✓	✓	
Lake	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Lassen	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Los Angeles	✓	✓	✓	✓	✓	✓	✓		✓	✓	
Madera											
Marin	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Mariposa	✓	✓	✓						✓	✓	
Mendocino	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Merced	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Modoc	✓	✓	✓	✓		✓	✓	✓	✓	✓	
Mono	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Monterey	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Napa	✓	✓	✓	✓	✓	✓	✓		✓	✓	
Nevada	✓	✓	✓	✓	✓	✓	✓	✓		✓	
Orange	✓	✓	✓	✓	✓	✓	✓		✓	✓	
Placer	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Plumas	✓	✓	✓						✓	✓	
Riverside	✓	✓	✓	✓	✓	✓	✓		✓	✓	
Sacramento	✓	✓		✓	✓	✓	✓				
San Benito	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
San Bernardino	✓	✓	✓						✓	✓	
San Diego	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
San Francisco		✓	✓						✓	✓	
San Joaquin	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
San Luis Obispo	✓	✓		✓	✓	✓	✓		✓	✓	
San Mateo	✓	✓	✓	✓	✓	✓	✓		✓	✓	
Santa Barbara	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Santa Clara	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	

County	Charges of conviction	Dismissal of charges	Sentence	Dismissal of enhancements	Imposition of enhancements	Dismissal of special circumstances	Imposition of special circumstances	Collateral consequences	Prison/Jail Sentence	Probation	None of the above
Santa Cruz	✓	✓		✓	✓						
Shasta	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Sierra	✓	✓	✓						✓	✓	
Siskiyou	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Sonoma	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Stanislaus	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Sutter	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Tehama	✓	✓	✓	✓	✓	✓	✓		✓	✓	
Trinity	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Tulare	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Tuolumne	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Ventura											✓
Yolo	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Yuba	✓	✓	✓	✓	✓	✓	✓		✓	✓	

Note: Checkmarks denote that the DA Office for the corresponding county collect the variable

Appendix A:

Questionnaire & Frequencies

Below are the prompts to which the participants responded as well as tables summarizing the resulting counts where appropriate.

Introduction

Thank you for your cooperation in completing this survey.

California's Reparations Task Force was established pursuant to AB 3121 to study and develop reparations proposals for descendants of enslaved African Americans and to address the lingering negative effects of the institution of slavery and discrimination on living African Americans.

With respect to addressing the lingering effects of discrimination, the California Legislature has recently declared "…[i]t is the intent of the Legislature to eliminate racial bias from California's criminal justice system because racism in any form or amount, at any stage of a criminal trial, is intolerable, inimical to a fair criminal justice system, is a miscarriage of justice under Article VI of the California Constitution, and violates the laws and Constitution of the State of California. Implicit bias, although often unintentional and unconscious, may inject racism and unfairness into proceedings similar to intentional bias."

The Task Force is grateful for the assistance of the California judiciary and California prosecutors in promoting the integrity of the prosecutorial and judicial process. Please complete the survey by **Friday, June 3, 2022**.

If you have any questions, need assistance regarding the survey, or would like additional time to complete the survey, please contact Department of Justice Research Supervisor, Dr. Tiffany Jantz at Tiffany.Jantz@doj.ca.gov.

Identifying Information

1) Please select the County for which you are responding

2) Full name, position, and email address of person(s) responding. Information for at least one person is required.

	First Name	Last Name	Position	Email Address
Person 1				
Person 2				
Person 3				
Person 4				
Person 5				

Glossary of Terms

For the purposes of this Information Request, the following capitalized terms have the following meanings:

"**Accused Individual**" means defendant in a misdemeanor or felony filing, minors in a juvenile petition or delinquency proceeding, or if there is no court filing (e.g.: because the prosecuting agency declined to prosecute), the person that the law enforcement agency identified as committing a crime (i.e. arrested and booked, cited to come to court, or otherwise accused in a police report).

"**Case Management System**" means any computerized (i.e., operated through a software program) or manual (e.g. paper files) case management systems, methods, and tools in use by your office.

"**Juvenile Process**" means all juvenile 601 petitions, all juvenile 602 petitions, and all other juvenile delinquency proceedings.

"**Matter(s)**", means any criminal proceeding or Juvenile Process, including, instances where a law enforcement agency submitted a report to the prosecuting agency for consideration of criminal charges and the prosecuting agency declined to prosecute.

"**Person Most Qualified**" means the person(s) on behalf of your office most qualified to provide the requested information known by, or reasonably available to, such person(s).

"**Record(s)**" is broadly defined as all paper documents, databases, emails, videos, audio recordings, text messages, social media, or other electronic records within your possession or control. If any question below asks about the information that your office "records" or has "recorded", such words mean the capture of such information in any Record.

Record Management

The following questions ask you to provide general information regarding the systems or processes in use by your office to record and retrieve information from Records of Matter(s).

3) Our office uses a Case Management System to record information for each Accused Individual involved in any Matter. *

( ) Yes

( ) No

Table 15. Use Case Management System to Record Information

Agency	Frequency		
	All Potential Respondents	*Yes*	*No*
All respondents	*126*	121	5
Superior Courts	*58*	57	1

District Attorney	*57*	55	2
City Attorney	*11*	9	2

Logic: Hidden unless: #3 Question "Our office uses a Case Management System to record information for each Accused Individual involved in any Matter. " is one of the following answers ("No")

4) Please explain how your office records and retrieves information for each Accused Individual involved in a Matter: *

_____

Logic: Hidden unless: #3 Question "Our office uses a Case Management System to record information for each Accused Individual involved in any Matter. " is one of the following answers ("Yes")

5) Our Case Management System began recording information in the following year (select one):*

Table 16. Case Management System: Starting Year

Agency	Frequency									
	All Potential Respondents	Prior to 2015	2015	2016	2017	2018	2019	2020	2021	2022
All respondents	121	84	11	5	4	2	6	4	4	1
Superior Courts	57	45	6	1	1	0	1	2	0	1
District Attorney	55	32	5	4	3	1	5	2	3	0
City Attorney	9	7	0	0	0	1	0	0	1	0

6) Our office began recording information for each Accused Individual involved in any Matter in the following year (select one):*

Logic: Show/hide trigger exists. Hidden unless: #3 Question "Our office uses a Case Management System to record information for each Accused Individual involved in any Matter. " is one of the following answers ("Yes")

7) Does your office use a computerized Case Management System operated by a software program?*

( ) Yes

( ) No

Table 17. Case Management System Operated by Software Program

Agency	Frequency

	All Potential Respondents	*Yes*	*No*
All respondents	122	119	3
Superior Courts	*58*	57	1
District Attorney	*55*	53	2
City Attorney	*9*	9	0

Logic: Hidden unless: #7 Question "Does your office use a computerized Case Management System operated by a software program?" is one of the following answers ("Yes")

8) What is the brand name (i.e., popular name as marketed by the developer) of the software program?*

Table 18. District Attorney Office Case Management System Software Distribution

DA Office CMS Software Name	Count	% of Total
Prosecutor by Karpel	28	53%
Locally developed/Custom built/Other	12	23%
eProsecutor by Journal Technologies	7	13%
Damion	2	4%
Ciberlaw	2	4%
Odyssey	1	2%
Crimes	1	2%

Table 19. City Attorney Office Case Management System Software Distribution

City Attorney CMS Software Name	Count	% of Total
Prosecutor by Karpel	3	33%
Justware by Journal Technologies	2	22%
CityLaw	2	22%
Locally developed/Custom built	2	22%

Table 20. Superior Court Case Management System Software Distribution

Superior Court CMS Software Name	Count	% of Total
Odyssey by Tyler Technologies*	27	47%
eCourt by Journal Technologies	17	30%
Locally developed/Custom built	5	9%
Central Square by One Solution	3	5%
Full Court Enterprise by Justice Systems	2	4%
C-Track	1	2%
Contexte by Avenu	1	2%
Multiple**	1	2%

** Mariposa County Superior Court reported that they currently use SunGard Public Sector & JALAN [Central Square] but that a CMS by Tyler Technologies will be incorporated in 2022. ** The Marin Superior Court reported using CJIS, Juris, Beacon and Onbase.*

Logic: Hidden unless: #7 Question "Does your office use a computerized Case Management System operated by a software program?" is one of the following answers ("Yes")

9) Does the software program used in your office's computerized Case Management System enable you to retrieve information through an electronic query?*

( ) Yes

( ) No

Table 21. Retrieve Information via Electronic Query

Agency	Frequency		
	All Potential Respondents	*Yes*	*No*
All respondents	119	114	5
Superior Courts	57	54	3
District Attorney	53	51	2
City Attorney	9	9	0

Logic: Hidden unless: #7 Question "Does your office use a computerized Case Management System operated by a software program?" is one of the following answers ("No")

10) Please explain how you retrieve information for Accused Individual(s) involved in any Matter: *

_____

Matter & Arrest Information

11) Matter Information: Our office records the following information of an Accused Individual involved in a Matter (select all that apply):*

[ ] Name of each Accused Individual

[ ] Court case number(s)

[ ] Your office's case ID for each Matter

[ ] Zip code of the location where the alleged crime occurred

[ ] Prior criminal charges

[ ] Prior criminal Matters

[ ] Prior criminal convictions

[ ] Police Officer Field Investigation or Field Interview Card information (meaning any compilation of notes or observances on a subject encountered by law enforcement whether arrested or not)

[ ] If your office records information other than those listed above, please specify: _____*

[ ] None of the above

Table 22. Matter Information

Agency	Frequency										
	All Potential Respondents	Name	Court Case #	Office Case ID	Prior Crim Conviction	Prior Crim Charges	Prior Crim Matters	Zip Code	Field Invest/ Interview	Other	None of the above
All Respondents	126	126	124	98	66	66	64	37	17	32	0
Superior Courts	58	58	57	38	27	27	24	5	8	16	0
District Attorney	57	57	56	52	31	31	32	27	5	13	0
City Attorney	11	11	11	8	8	8	8	5	4	3	0

12) If your office does not record information regarding one or more of the options listed above, please explain why this information is not recorded. If you indicated that your office records all Matter-related information listed above, please write "N/A."

13) Our office records the following information for arrests (select all that apply):*

[ ] Arresting agency number(s)

[ ] Your office's arrest record ID for the Accused Individual

[ ] Zip code of the location where the Accused Individual was arrested

[ ] Date of arrest

[ ] The charge(s) specified by the law enforcement agency referring the Accused Individual, including the top charge by the law enforcement agency referring the Accused Individual

[ ] If your office records arrest information other than those listed above, please specify such arrest information: _____*

[ ] None of the above

Table 23. Arrest Information

Agency	Frequency							
	All Potential Respondents	Date of Arrest	Arresting Agency Numbers	LEA charges	Court/Office Arrest Record ID	Zip Code	Other	None of the above
All respondents	126	111	107	101	56	33	23	6
Superior Courts	58	52	47	42	27	7	15	3
District Attorney	57	48	51	50	25	20	6	3
City Attorney	11	11	9	9	4	6	2	0

14) If your office does not record information regarding one or more of the options listed above, please explain why this information is not recorded. If you indicated that your office records all arrest-related information listed above, please write "N/A."

15) Please identify the name and title(s) of the Person Most Qualified to respond to questions about Matter and arrest data recorded by your office.*

Demographic Information

16) Demographic Information: Our office records the following demographic information of the Accused Individual (select all that apply):*

[ ] Race

[ ] Ethnicity/Ancestry

[ ] Country of origin (nationality)

[ ] Gender/Sex

[ ] Date of birth

[ ] Zip code of the Accused Individual's last known place of residence

[ ] If your office records demographic information of the Accused Individuals other than that listed above, please specify such demographic information:

_____*

[ ] None of the above

Table 24. Accused Individual Demographic Information

Agency	Frequency								
	All Potential Respondents	DOB	Gender/ Sex	Race	Residence Zip Code	Ethnicity/ Ancestry	Country of Origin	Other	None of the above

All respondents	126	120	117	98	95	36	10	26	5
Superior Courts	58	56	55	45	47	18	3	18	1
District Attorney	57	54	52	46	39	15	3	6	3
City Attorney	11	10	10	7	9	3	4	2	1

17) If your office does not record information regarding one or more of the options listed above, please explain why this information is not recorded. If you indicated that your office records all demographic information listed above, please write "N/A."

Logic: Show/hide trigger exists. Hidden unless: #16 Question "Demographic Information: Our office records the following demographic information of the Accused Individual (select all that apply):" is one of the following answers ("Race")

18) How does your office determine the Accused Individual's race (select all that apply)?*

[ ] The Accused individual provides this information to our office (the Accused individual self-reports this information to our office)

[ ] The referring law enforcement agency provides this information to our office

[ ] This information is determined from California driver's license and ID card data

[ ] This information is obtained through criminal offender record information (CORI)

[ ] If your office determines the race of the Accused Individual in a way other than as listed above, please specify how such determination is made:

_____ *

Table 25. How is the Accused Individual's Race Determined?

Agency	Frequency						
	All Potential Respondents	Referring LEA	Prosecutor's Office	California ID	CORI	Accused Self Reports	Other
All respondents	98	82	NA	22	18	3	6
Superior Courts	45	31	36	7	4	3	4
District Attorney	46	44	NA	12	12	0	2
City Attorney	7	7	NA	3	2	0	0

Logic: Hidden unless: #18 Question "How does your office determine the Accused Individual's race (select all that apply)?" is one of the following answers ("The Accused individual provides this information to our office (the Accused individual self-reports this information to our office)")

19) You indicated that the Accused Individual self-reports information about their race to your office. What is the position title of the person who elicits this information from the Accused Individual? *

_____

Logic: Hidden unless: #18 Question "How does your office determine the Accused Individual's race (select all that apply)?" is one of the following answers ("The Accused individual provides this information to our office (the Accused individual self-reports this information to our office)")

20) You indicated that the Accused Individual self-reports information about their race to your office. When is this information elicited from the Accused Individual? (select all that apply):*

[ ] Before the first court appearance

[ ] After the first court appearance

[ ] Before the Accused Individual is appointed counsel

[ ] After the Accused Individual is appointed counsel

Table 26. When does the Accused Individual Self-Report Race?

Agency	Frequency				
	All Potential Respondents	Before 1st court appearance	After 1st court appearance	Before counsel appointed	After counsel appointed
Superior Courts	3	3	2	1	1

Logic: Show/hide trigger exists. Hidden unless: #18 Question "How does your office determine the Accused Individual's race (select all that apply)?" is one of the following answers ("The Accused individual provides this information to our office (the Accused individual self-reports this information to our office)")

21) Based on your knowledge, how does an Accused Individual provide information about their race to your office (select all that apply):*

[ ] Verbally

[ ] In writing

[ ] Choosing from a set of pre-set categories

[ ] Other - Please specify (Required): _____*

Table 27. How does the Accused Individual Self-Report Race?

Agency	Frequency				
	All Potential Respondents	Verbally	In writing	Pre-existing categories	Other

Superior Courts	3	2	0	0	2

Logic: Hidden unless: #21 Question "Based on your knowledge, how does an Accused Individual provide information about their race to your office (select all that apply):" is one of the following answers ("Choosing from a set of pre-set categories")

22) You indicated that an Accused Individual provides information about their race to your office by choosing from a set of pre-set categories. Please specify those pre-set categories: *

_____

Logic: Hidden unless: #18 Question "How does your office determine the Accused Individual's race (select all that apply)?" is one of the following answers ("The referring law enforcement agency provides this information to our office")

23) Based on your knowledge, please explain how the referring law enforcement agency determines the Accused Individual's race:

_____

24) Please identify the name and title(s) of the Person Most Qualified to respond to questions about demographic data recorded by your office for Accused Individuals.*

25) Our office collects the following demographic information for the victim involved in a Matter (select all that apply):*

[ ] Race

[ ] Ethnicity/Ancestry

[ ] Gender/Sex

[ ] Date of birth

[ ] Zip code of the victim's last known place of residence

[ ] If your office records demographic information of the victim other than that listed above, please specify such demographic information: _____*

[ ] None of the above

Table 28. Victim Demographic Information

Entity Type	Frequency

	All Potential Respondents	DOB	Gender/ Sex	Residence Zip Code	Race	Ethnicity/ Ancestry	None of the above	Other
All respondents	126	66	65	60	52	20	51	10
Superior Courts	58	7	6	9	3	2	45	5
District Attorney Offices	57	50	50	43	43	16	5	4
City Attorney Offices	11	9	9	8	6	2	1	1

26) If your office does not record information regarding one or more of the options listed above, please explain why this information is not recorded. If you indicated that your office records all demographic information listed above, please write "N/A."

Logic: Show/hide trigger exists. Hidden unless: #25 Question "Our office collects the following demographic information for the victim involved in a Matter (select all that apply):" is one of the following answers ("Race")

27) How does your office determine the victim's race (select all that apply)?*

[ ] The victim provides this information to our office (the victim self-reports this information to our office)

[ ] The referring law enforcement agency provides this information to our office

[ ] This information is determined from California driver's license or ID card data

[ ] Medical examiner, coroner, or medical report

[ ] If your office determines the race of the victim in a way other than as listed above, please specify how such determination is made: _____*

Table 29. How is the Victim's Race Determined?

Agency	Frequency						
	All Potential Respondents	California ID	Referring LEA	Victim Self Reports	Prosecutor's Office	Medical Examiner	Other
All respondents	52	12	48	15	2	16	2
Superior Courts	3	1	2	0	2	0	0
District Attorney Offices	43	9	40	13	NA	15	2
City Attorney Offices	6	2	6	2	NA	1	0

Logic: Hidden unless: #27 Question "How does your office determine the victim's race (select all that apply)?" is one of the following answers ("The referring law enforcement agency provides this information to our office")

28) Based on your knowledge, please explain how the referring law enforcement agency determines the victim's race:

_____

29) Please identify the name and title(s) of the Person Most Qualified to respond to questions about demographic data collected by your office for victims involved in a Matter.*

Declination to Prosecute (DA & City Attorney offices only)

30) Our office records the following information regarding decisions to decline to prosecute (select all that apply):*

[ ] Date of decision to decline to prosecute

[ ] Name of the person who made the decision(s) to decline to prosecute

[ ] Job title of the person(s) who made the decision to decline to prosecute

[ ] The charge(s) for which there was a decision to decline to prosecute

[ ] If your office records information other than as listed above regarding decisions to decline to prosecute, please specify such information:

_____*

[ ] None of the above

Table 30. Declination to Prosecute

Agency	Frequency						
	All Potential Respondents	Date of decision	Decision Maker Name	Charges	Decision Maker Job Title	Other	None of the above
All respondents	68	64	63	61	40	12	2
District Attorney Offices	57	55	53	52	33	8	1
City Attorney Offices	11	9	10	9	7	4	1

31) If your office does not record information regarding one or more of the options listed above, please explain why this information is not recorded. If you indicated that your office records all declination to prosecute information listed above, please write "N/A."

_____

32) Our office records information regarding the reasons to decline to prosecute Accused Individual(s) (select all that apply):*

[ ] Police misconduct involved in the case

[ ] Injuries to persons involved

[ ] Injuries to the Accused Individual

[ ] Financial loss to persons involved

[ ] Prior criminal record of the Accused Individual

[ ] Victim's level of cooperation in prosecuting case

[ ] Any other mitigating factors that were considered (e.g., seriousness of offense, whether restitution was already made, whether treatment or classes were completed, community service)

[ ] If your office records reasons to decline to prosecute other than as listed above regarding decisions to decline to prosecute, please specify such reasons:
_____*

[ ] None of the above

Table 31. Declination to Prosecute

Agency	Frequency									
	All Potential Respondents	Victim's cooperation	Other mitigating factors	Prior criminal record	Injuries to persons	Police Misconduct	Financial loss	Injuries to Accused Individual	Other	None of the above
All Respondents	68	33	25	19	20	20	17	18	29	19
District Attorney Offices	57	24	16	13	13	14	11	11	24	18
City Attorney Offices	11	9	9	6	7	6	6	7	5	1

33) If your office does not record information regarding one or more of the options listed above, please explain why this information is not recorded. If you indicated that your office records all information listed above regarding reasons to decline to prosecute Accused Individuals, please write "N/A."

_____

34) Please identify the name and title(s) of the Person Most Qualified to respond to questions about declination to prosecute data recorded by your office.*

Charges Filed (DA & City Attorney offices only)

35) Our office records the following information in deciding charges to file against Accused Individual(s) (select all that apply):*

[ ] Injuries to persons

[ ] Financial loss to persons

[ ] Status of victim (e.g., victim is law enforcement, child, spouse)

[ ] Prior criminal history of Accused Individual

[ ] Victim's cooperation

[ ] Alleged conduct or status enhancements

[ ] If your office records information other than as listed above regarding your office's decision to file charges, please specify such information: _____*

[ ] None of the above

Table 32. Charges to File

Agency	Frequency								
	All Potential Respondents	Conduct or Status Enhancements	Prior criminal history	Financial loss	Injuries	Victim Status	Victim's Cooperation	None of the above	Other
All respondents	68	35	32	32	31	28	27	28	6
District Attorney Offices	57	28	25	25	24	21	20	25	5
City Attorney Offices	11	7	7	7	7	7	7	3	1

36) If your office does not record information regarding one or more of the options listed above, please explain why this information is not recorded. If you indicated that your office records all information listed above regarding decisions on charges to file, please write "N/A."

_____

37) Our office records the following information regarding considerations in deciding the level/severity of charges to file against Accused Individual(s) (select all that apply):*

[ ] Injuries to persons

[ ] Financial loss to persons

[ ] Status of victim (e.g., victim is law enforcement, child, spouse)

[ ] Prior criminal history of Accused Individual

[ ] Victim's cooperation

[ ] Alleged conduct or status enhancements

[ ] If your office records information other than as listed above regarding your office's decision as to the level/severity of the charges to file, please specify such information:
_____*

[ ] None of the above

Table 33. Level/Severity of Charges to File

Agency	Frequency								
	All Potential Respondents	Conduct or Status Enhancements	Injuries	Prior criminal history	Victim Status	Financial loss	Victim's cooperation	None of the above	Other
All respondents	68	33	31	30	29	29	22	32	5
District Attorney Offices	57	27	25	24	23	23	17	28	3
City Attorney Offices	11	6	6	6	6	6	5	4	2

38) If your office does not record information regarding one or more of the options listed above, please explain why this information is not recorded. If you indicated that your office records all information listed above regarding considerations in the level/severity of charges to file, please write "N/A."

_____

39) Please identify the name and title(s) of the Person Most Qualified to respond to questions about charge-related data recorded by your office.*

_____

Diversion Programs

40) List all diversion programs in which your office participates or has access to and describe the type of diversion:*

_____

41) Our office records the following information regarding diversion offers <u>extended</u> to Accused Individual(s) (select all that apply):*

[ ] Whether diversion was offered

[ ] Date of diversion offer

[ ] Whether the diversion was pre- or post-plea

[ ] If the diversion offer was post-plea, whether the diversion offer was pre-sentencing (sentencing was put over for a future date) or post-sentencing (court sentenced the Accused Individual and ordered that at a future date the sentence would be vacated if the Accused Individual completed the diversion successfully)

[ ] Whether a diversion offer was accepted

[ ] Reason(s) for diversion offer (e.g., mental health services, drug addiction)

[ ] The terms of diversion (e.g., obey all laws, complete treatment program, complete community service, pay restitution)

[ ] If your office records information other than as listed above regarding offers of diversion, please specify such information: _____*

[ ] None of the above

Table 34. Diversion Offers Extended

Agency	Frequency									
	All Potential Respondents	Offer accepted	Terms	Pre- or post-plea	Date of offer	Diversion offered	Pre- or post-sentencing	Reasons for offer	None of the above	Other
All respondents	126	85	82	69	64	64	51	52	20	10
Superior Courts	58	46	45	29	23	23	23	22	5	2
District Attorney Offices	57	30	28	32	32	32	20	22	14	5
City Attorney Offices	11	9	9	8	9	9	8	8	1	3

42) If your office does not record information regarding one or more of the options listed above, please explain why this information is not recorded. If you indicated that your office records all information listed above regarding diversion offers extended to Accused Individuals, please write "N/A."

_____

43) Our office collects the following information regarding diversion <u>accepted</u> by Accused Individual(s)(select all that apply):*

[ ] Whether diversion was completed

[ ] Whether the Accused Individual entered a plea at the time diversion began

[ ] Whether diversion was in-patient or out-patient

[ ] Whether the Accused Individual was allowed to withdraw the plea upon successful completion of the diversion

[ ] Whether the Accused Individual was sentenced to prison/jail or probation upon unsuccessful completion of the diversion

[ ] If your office records information other than as listed above regarding accepted diversion offers, please specify such information: _____*

[ ] None of the above

Table 35. Diversion Offers Accepted

Agency	Frequency							
	All Potential Respondents	Diversion completed	Prison/Jail/ Probation sentence	Plea entered	Plea withdrawal	In- or Out-patient	None of the above	Other
All respondents	126	105	87	88	77	38	15	8
Superior Courts	58	56	50	46	44	20	2	3
District Attorney Offices	57	39	29	33	25	11	13	3
City Attorney Offices	11	10	8	9	8	7	0	2

44) If your office does not record information regarding one or more of the options listed above, please explain why this information is not recorded. If you indicated that your office records all information listed above regarding diversions accepted by Accused Individuals, please write "N/A."

_____

45) Please identify the name and title(s) of the Person Most Qualified to respond to questions about diversion data recorded by your office for Accused Individuals.*

	First Name	**Last Name**	**Title(s)**	**Email Address**
Person Most Qualified				

Release, Bail, and Custody

46) Our office records the following information regarding OR release for Accused Individual(s) (select all that apply):*

[ ] Whether your office agreed to an OR release

[ ] Whether the court released the Accused Individual OR at arraignment or at any bail hearing

[ ] If your office records information other than as listed above regarding OR release, please specify such information: _____*

[ ] None of the above

Table 36. OR Release for Accused Individuals

Agency	Frequency				
	All Potential Respondents	Arraignment or bail hearing court OR release	Office agreed to OR release	None of the above	Other
All respondents	126	91	77	30	22
Superior Courts	58	54	49	2	14
District Attorney Offices	57	29	22	26	5
City Attorney Offices	11	8	6	2	3

47) If your office does not record information regarding one or more of the options listed above, please explain why this information is not recorded. If you indicated that your office records all information listed above regarding OR release for Accused Individuals, please write "N/A."

_____

48) Our office records the following information regarding bail extended to Accused Individual(s) (select all that apply):*

[ ] Whether the law enforcement agency referring the Accused Individual set bail pre-filing

[ ] The amount of bail set by the law enforcement agency referring the Accused Individual

[ ] Whether your office requested bail at arraignment or at any subsequent bail hearings

[ ] Whether the court imposed bail at arraignment or at any subsequent bail hearings

[ ] Bail amount requested

[ ] Bail amount imposed

[ ] Whether your office requested bail at or above the bail schedule

[ ] Whether bail was set, bail was denied, or OR release was granted

[ ] Whether the Accused Individual was brought to court in custody, cited out to come to court on his/her own, or bailed out at the jail and came to court on his/her own

[ ] Whether the Accused Individual bailed out if the court imposed bail

[ ] If your office records information other than as listed above regarding bail, please specify such information: _____*

[ ] None of the above

Table 37. Bail Extended

Agency	Frequency						
	All Potential Respondents	Amount imposed	Bail set, denied, or OR release granted	Court-imposed at arraignment or bail hearing	Appeared in custody, cited out, bailed out	Bailed out of court-imposed bail	Prosecutor requested at arraignment or bail hearing
All respondents	126	89	90	83	83	69	71
Superior Courts	58	52	54	51	49	46	41
District Attorney Offices	57	30	28	26	28	18	22
City Attorney Offices	11	7	8	6	6	5	8

49) If your office does not record information regarding one or more of the options listed above, please explain why this information is not recorded. If you indicated that your office records all information listed above regarding bail extended to Accused Individuals, please write "N/A."

Table 37b. Bail Extended (cont'd)

Agency	Frequency						
	All Potential Respondents	Prosecutor requested at or above bail schedule	Amount requested	Amount set by LEA	LEA set bail pre-filing	None of the above	Other
All respondents	126	49	48	35	31	22	7
Superior Courts	58	30	23	22	18	3	4
District Attorney Offices	57	14	18	10	10	17	3
City Attorney Offices	11	5	7	3	3	2	0

50) Our office records the following information regarding custody of Accused Individuals (select all that apply):*

[ ] Whether detention orders were sought

[ ] Whether the Accused Individual was in custody pre-plea

[ ] Whether the Accused Individual was in custody pre-trial

[ ] If your office records information other than as listed above regarding bail, please specify such information: _____*

[ ] None of the above

Table 38. Custody of Accused Individuals

Agency	Frequency					
	All Potential Respondents	In custody pre-trial	In custody pre-plea	Detention orders sought	None of the above	Other
All respondents	126	84	84	49	33	11
Superior Courts	58	48	49	30	6	4
District Attorney Offices	57	29	29	14	24	6
City Attorney Offices	11	7	6	5	3	1

51) If your office does not record information regarding one or more of the options listed above, please explain why this information is not recorded. If you indicated that your office records all information listed above regarding custody of Accused Individuals, please write "N/A."

_____

52) Please identify the name and title(s) of the Person Most Qualified to respond to questions about bail, release, and custody data collected by your office.*

	First Name	**Last Name**	**Title(s)**	**Email Address**
Person Most Qualified				

Plea Offers

53) Our office records the following information regarding plea offers <u>extended</u> to Accused Individuals (select all that apply):*

[ ] Whether a plea bargain was offered by the prosecuting agency

[ ] Whether the court made a plea offer (i.e. whether there was an offer from the court for an open plea)

[ ] Date each plea offer was extended to the Accused Individual

[ ] Whether there was a counteroffer

[ ] Whether the plea offer was accepted

[ ] Counts/priors/enhancements that would be dismissed or stricken in exchange for the Accused Individual's plea

[ ] Counts/priors/enhancements that would be admitted in exchange for the Accused Individual's plea

[ ] Sentence that would be imposed in exchange for the plea (e.g. diversion, probation, (the terms and conditions for diversion or probation), prison/jail sentence (the terms and conditions for the same; e.g. credits applied))

[ ] Reductions to severity of charges offered (i.e., infraction, misdemeanor, felony)

[ ] Reductions to charging enhancements

[ ] If your office records information other than as listed above regarding plea offers extended to Accused Individual(s), please specify such information:
_____*

[ ] None of the above

Table 39a. Plea Offers Extended

Agency	Frequency						
	All Potential Respondents	Offer accepted	Sentence if accepted	Reduction to severity of charges	Counts, priors, enhancements dismissed	Counts, priors, enhancements admitted	Reduction to charging enhancements
All Respondents	126	76	75	73	69	69	67
Superior Courts	58	31	29	32	28	26	28
District Attorney Offices	57	34	37	33	33	35	32
City Attorney Offices	11	11	9	8	8	8	7

Table 39b. Plea Offers Extended (cont'd)

Agency	Frequency						
	All Potential Respondents	Offered by prosecutor	Date	Made by court	Counter-offer	None of the above	Other
All Respondents	126	66	53	48	38	31	8
Superior Courts	58	18	13	14	7	17	3
District Attorney Offices	57	37	32	27	25	14	4
City Attorney Offices	11	11	8	7	6	0	1

54) If your office does not record information regarding one or more of the options listed above, please explain why this information is not recorded. If you indicated that your office records all information listed above regarding plea offers extended to Accused Individuals, please write "N/A."

55) Our office records the following information regarding plea offers <u>accepted</u> by Accused Individuals (select all that apply):*

[ ] Date plea offer was accepted

[ ] Each count the Accused Individual pled to, including the penal code and severity (misdemeanor, felony), priors/enhancements admitted

[ ] Sentence the court imposed in exchange for the plea (e.g., diversion, , probation, (the terms and conditions for diversion or probation), prison/jail sentence (the terms and conditions for the same; e.g. credits applied))

[ ] If your office records information other than as listed above regarding plea offers accepted by Accused Individual(s), please specify such information:

_____*

[ ] None of the above

Table 40. Plea Offers Accepted

Agency	Frequency					
	All Potential Respondents	Each count	Sentence in exchange	Date	None of the above	Other
All respondents	126	113	110	102	10	9
Superior Courts	58	57	57	52	1	4
District Attorney Offices	57	47	43	40	8	4
City Attorney Offices	11	9	10	10	1	1

56) If your office does not record information regarding one or more of the options listed above, please explain why this information is not recorded. If you indicated that your office records all information listed above regarding plea offers accepted by Accused Individuals, please write "N/A."

_____

57) Please identify the name and title(s) of the Person Most Qualified to respond to questions about plea offer data recorded by your office.*

	First Name	Last Name	Title(s)	Email Address
Person Most Qualified				

Outcomes

58) Our office records the following information on the outcomes of prosecution (select all that apply):*

[ ] Charges of conviction

[ ] Dismissal of charges

[ ] Sentences

[ ] Dismissal of enhancements

[ ] Imposition of enhancements

[ ] Dismissal of special circumstances

[ ] Imposition of special circumstances

[ ] Collateral consequences as a result of the sentence (e.g., driver's license suspension; sex offender registration; domestic violence protective order prohibiting ownership, possession, or using a gun)

[ ] Whether the sentence resulted in a prison/jail sentence

[ ] Whether the sentence resulted in probation

[ ] If your office records information other than as listed above regarding the outcomes of prosecution of Accused Individual(s), please specify such information:

_____ *

[ ] None of the above

Table 41a. Prosecution Outcomes

Agency	Frequency						
	All Potential Respondents	Dismissal of charges	Charges of conviction	Probation	Prison/Jail sentence	Sentences	Dismissal of enhancements
All respondents	126	121	121	118	117	117	108
Superior Courts	58	58	58	58	58	58	53
District Attorney Offices	57	53	53	51	50	49	48
City Attorney Offices	11	10	10	9	9	10	7

Table 41b. Prosecution Outcomes (cont'd)

Entity Type	Frequency						
	All Potential Respondents	Imposition of enhancements	Collateral consequences	Imposition of special circumstances	Dismissal of special circumstances	None of the above	Other
All Respondents	126	104	90	93	92	2	6
Superior Courts	58	50	51	48	46	0	2
District Attorney Offices	57	46	30	45	46	2	3
City Attorney Offices	11	8	9	0	0	0	1

59) If your office does not record information regarding one or more of the options listed above, please explain why this information is not recorded. If you indicated that your office records all information listed above regarding prosecution outcomes, please write "N/A."

_____

60) Please identify the name and title(s) of the Person Most Qualified to respond to the above question.*

	First Name	Last Name	Title(s)	Email Address
Person Most Qualified				

PDF Copy of Responses

61) If you would like to receive a PDF copy of your responses, please enter your email address below. Please skip this question if you do not want a PDF copy of your responses emailed to you.

_____

Appendix B:

Affirmative Responses by Agency

This appendix provides an overview of selected responses from all three agencies surveyed: City Attorney offices, District Attorney offices, and Superior Courts. District Attorney offices and Superior Courts were divided into three California Regions: Northern, Central, and Southern. Table 42 shows which counties were assigned to each region.

Table 42. Counties Contained in California Regions

California Region	County
Northern	Alameda, Alpine, Amador, Butte, Calaveras, Colusa, Contra Costa, Del Norte, El Dorado, Glenn, Humboldt, Lake, Lassen, Marin, Mendocino, Modoc, Mono, Napa, Nevada, Placer, Plumas, Sacramento, San Francisco, San Joaquin, Shasta, Sierra, Siskiyou, Solano, Sonoma, Sutter, Tehama, Trinity, Tuolumne, Yolo, Yuba, Tulare
Central	Fresno, Inyo, Kings, Madera, Mariposa, Merced, Monterey, San Benito, San Mateo, Santa Clara, Santa Cruz, Stanislaus
Southern	Imperial, Kern, Los Angeles, Orange, Riverside, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, Ventura

Twenty questionnaire response options were selected for inclusion based on their importance and whether they were pertinent to all three agencies. Table 43 shows the response as it appears in the questionnaire and its corresponding label in subsequent tables.

Table 43. Table Labels with Corresponding Questionnaire Response Content

Table Label	Questionnaire Response
Accused Individual Name	Name of each Accused Individual
Court Case Number	Court case number(s)
Prior Criminal Charges	Prior criminal charges
Arresting Agency Number	Arresting agency number(s)
Date of Arrest	Date of arrest
LEA Charges	The charge(s) specified by the law enforcement agency referring the Accused Individual, including the top charge by the law enforcement agency referring the Accused Individual.
Acc Ind Race	Accused Individual Race
Acc Ind Ethnicity/Ancestry	Accused Individual Ethnicity/Ancestry
Acc Ind Country of Origin	Accused Individual Country of origin (nationality)
Acc Ind Gender/Sex	Accused Gender/Sex
Victim Race	Victim Race

Table Label	Questionnaire Response
Victim Ethnicity/Ancestry	Victim Ethnicity/Ancestry
Victim Gender/Sex	Victim Gender/Sex
Diversion Offered	Whether diversion was offered.
Diversion Accepted	Whether a diversion offer was accepted.
Diversion Withdrawal	Whether the Accused Individual was allowed to withdraw the plea upon successful completion of the diversion.
Arraignment Bail Court	Whether the court imposed bail at arraignment or at any subsequent bail hearings.
Agency Plea Offer	Whether a plea bargain was offered by the prosecuting agency.
Court Plea Offer	Whether the court made a plea offer (i.e. whether there was an offer from the court for an open plea).
Prison/Jail Sentence	Whether the sentence resulted in a prison/jail sentence.

Tables 44 – 50 display the crosstabulations of agency and questionnaire responses. A check mark indicates that the agency responded affirmatively to the response option.

Table 3. City Attorney Offices by City and Selected Questionnaire Responses

City	Accused Individual Name	Court Case Number	Prior Criminal Charges	Arresting Agency	Date of Arrest	LEA Charges	Acc Ind Race	Acc Ind	Acc Ind Country of Origin	Acc Ind Gender/Sex	Victim Race	Victim Ethnicity/Ancestry	Victim Gender/Sex	Diversion Offered	Diversion Accepted	Diversion Withdrawal	Arraignment Bail Court	Agency Plea Offer	Court Plea Offer	Prison/Jail Sentence
Anaheim	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Burbank	✓	✓	✓	✓	✓	✓				✓				✓	✓	✓	✓	✓	✓	✓
Hawthorne	✓	✓	✓		✓	✓								✓	✓	✓		✓	✓	✓
Inglewood	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓
Long Beach	✓	✓		✓	✓	✓	✓			✓	✓		✓	✓	✓			✓		
Los Angeles	✓	✓	✓		✓	✓	✓	✓	✓	✓			✓					✓		✓
Pasadena	✓	✓	✓	✓	✓	✓				✓			✓	✓	✓	✓	✓	✓	✓	✓
Redondo Beach	✓	✓	✓	✓	✓	✓	✓			✓	✓		✓	✓	✓	✓	✓	✓	✓	✓
San Diego	✓	✓	✓	✓	✓		✓		✓	✓	✓		✓	✓	✓	✓	✓	✓		✓
Santa Monica	✓	✓		✓	✓	✓				✓			✓	✓	✓	✓	✓	✓	✓	✓
Torrance	✓	✓		✓	✓		✓			✓	✓		✓					✓		

Table 4. California Northern Region District Attorney Offices by County and Selected Questionnaire Responses

County	Accused Individual Name	Court Case Number	Prior Criminal Charges	Arresting Agency	Date of Arrest	LEA Charges	Acc Ind Race	Acc Ind	Acc Ind Country of Origin	Acc Ind Gender/Sex	Victim Race	Victim Ethnicity/Ancestry	Victim Gender/Sex	Diversion Offered	Diversion Accepted	Diversion Withdrawal	Arraignment Bail Court	Agency Plea Offer	Court Plea Offer	Prison/Jail Sentence
Alameda	✓	✓	✓	✓			✓			✓	✓	✓	✓	✓	✓	✓		✓	✓	✓
Alpine	✓	✓					✓	✓	✓	✓										
Amador	✓	✓		✓	✓	✓	✓			✓	✓		✓				✓			✓
Butte	✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓	✓							✓
Calaveras	✓	✓		✓	✓	✓	✓			✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Colusa	✓	✓		✓	✓	✓	✓			✓	✓		✓	✓						✓
Contra Costa	✓	✓	✓	✓		✓	✓	✓		✓	✓	✓	✓		✓			✓	✓	✓
Del Norte	✓	✓		✓	✓	✓	✓			✓	✓		✓				✓	✓		✓
El Dorado	✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓	✓							✓
Glenn	✓	✓		✓		✓					✓		✓	✓	✓	✓		✓		✓
Humboldt	✓	✓	✓	✓	✓	✓	✓			✓	✓		✓	✓	✓	✓	✓	✓	✓	✓
Lake	✓	✓	✓	✓	✓	✓	✓			✓	✓		✓		✓			✓		✓
Lassen	✓	✓	✓	✓	✓	✓	✓			✓			✓	✓	✓	✓	✓	✓		✓
Marin	✓	✓	✓	✓	✓	✓	✓			✓	✓		✓	✓	✓	✓	✓	✓	✓	✓
Mendocino	✓	✓	✓	✓	✓					✓			✓	✓	✓	✓	✓	✓	✓	✓
Modoc	✓	✓		✓	✓	✓		✓		✓	✓	✓	✓				✓	✓		✓
Mono	✓	✓		✓	✓	✓	✓			✓	✓		✓	✓	✓			✓	✓	✓

County	Accused Individual Name	Court Case Number	Prior Criminal Charges	Arresting Agency	Date of Arrest	LEA Charges	Acc Ind Race	Acc Ind	Acc Ind Country of Origin	Acc Ind Gender/Sex	Victim Race	Victim Ethnicity/Ancestry	Victim Gender/Sex	Diversion Offered	Diversion Accepted	Diversion Withdrawal	Arraignment Bail Court	Agency Plea Offer	Court Plea Offer	Prison/Jail Sentence
Napa	✓	✓	✓	✓	✓	✓						✓	✓				✓	✓	✓	✓
Nevada	✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Placer	✓	✓		✓	✓	✓		✓		✓		✓	✓							✓
Plumas	✓	✓		✓	✓	✓				✓			✓	✓	✓	✓		✓		✓
Sacramento	✓	✓		✓		✓					✓	✓	✓							
San Francisco	✓	✓		✓	✓	✓	✓	✓		✓	✓	✓	✓							✓
San Joaquin	✓	✓	✓	✓	✓		✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Shasta	✓	✓	✓	✓		✓	✓			✓	✓		✓	✓	✓			✓	✓	✓
Sierra	✓	✓			✓	✓											✓	✓		✓
Siskiyou	✓	✓					✓			✓	✓		✓	✓	✓		✓	✓	✓	✓
Solano *																				
Sonoma	✓	✓												✓	✓	✓		✓		✓
Sutter	✓	✓	✓	✓	✓	✓	✓			✓	✓		✓	✓	✓	✓	✓	✓	✓	✓
Tehama	✓			✓	✓	✓	✓			✓	✓		✓					✓		✓
Trinity	✓	✓		✓	✓	✓	✓	✓		✓				✓		✓	✓	✓	✓	✓
Tuolumne	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Yolo	✓	✓	✓	✓	✓	✓	✓			✓	✓		✓	✓	✓	✓	✓	✓	✓	✓
Yuba	✓	✓		✓	✓	✓	✓			✓	✓		✓	✓						✓

*The Solano County District Attorney Office did not complete a questionnaire.

Table 5. California Central Region District Attorney Offices by County and Selected Questionnaire Responses

County	Accused Individual Name	Court Case Number	Prior Criminal Charges	Arresting Agency	Date of Arrest	LEA Charges	Acc Ind Race	Acc Ind	Acc Ind Country of Origin	Acc Ind Gender/Sex	Victim Race	Victim Ethnicity/Ancestry	Victim Gender/Sex	Diversion Offered	Diversion Accepted	Diversion Withdrawal	Arraignment Bail Court	Agency Plea Offer	Court Plea Offer	Prison/Jail Sentence
Fresno	✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓	✓							
Inyo	✓	✓		✓	✓	✓	✓			✓										✓
Kings	✓	✓	✓	✓	✓	✓	✓			✓	✓		✓	✓	✓	✓	✓	✓	✓	✓
Madera	✓	✓	✓	✓	✓	✓	✓			✓	✓		✓							
Mariposa	✓	✓		✓	✓	✓	✓			✓	✓		✓					✓		✓
Merced	✓	✓	✓	✓	✓	✓	✓			✓	✓		✓							✓
Monterey	✓	✓		✓	✓	✓	✓			✓	✓		✓			✓	✓	✓	✓	✓
San Benito	✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓	✓		✓	✓		✓	✓	✓
San Mateo	✓	✓	✓		✓	✓	✓			✓	✓		✓	✓	✓	✓	✓	✓	✓	✓
Santa Clara	✓	✓	✓	✓	✓	✓	✓			✓	✓		✓	✓	✓	✓	✓	✓	✓	✓
Santa Cruz	✓	✓	✓	✓	✓	✓	✓			✓	✓		✓					✓		
Stanislaus	✓	✓		✓	✓		✓			✓	✓		✓	✓	✓	✓				✓
Tulare	✓	✓	✓	✓	✓	✓	✓			✓	✓		✓	✓	✓		✓	✓	✓	✓

Table 6. California Southern Region District Attorney Offices by County and Selected Questionnaire Responses

County	Accused Individual Name	Court Case Number	Prior Criminal Charges	Arresting Agency	Date of Arrest	LEA Charges	Acc Ind Race	Acc Ind	Acc Ind Country of Origin	Acc Ind Gender/Sex	Victim Race	Victim Ethnicity/Ancestry	Victim Gender/Sex	Diversion Offered	Diversion Accepted	Diversion Withdrawal	Arraignment Bail Court	Agency Plea Offer	Court Plea Offer	Prison/Jail Sentence
Imperial	✓	✓		✓	✓	✓	✓			✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Kern	✓	✓	✓			✓	✓			✓	✓		✓		✓	✓	✓	✓	✓	✓
Los Angeles	✓	✓		✓	✓	✓	✓	✓		✓				✓			✓			✓
Orange	✓	✓	✓	✓	✓	✓	✓			✓					✓	✓				✓
Riverside	✓	✓		✓	✓	✓	✓			✓	✓		✓		✓					✓
San Bernardino	✓	✓	✓	✓	✓	✓	✓			✓	✓		✓	✓				✓	✓	✓
San Diego	✓	✓	✓	✓	✓	✓				✓			✓	✓	✓	✓	✓	✓	✓	✓
San Luis Obispo	✓	✓	✓	✓	✓	✓	✓			✓	✓		✓	✓						✓
Santa Barbara	✓	✓	✓	✓	✓	✓	✓			✓	✓		✓	✓						✓
Ventura	✓	✓		✓	✓	✓		✓	✓	✓			✓	✓					✓	

Table 7. California Northern Region District Superior Courts by County and Selected Questionnaire Responses

County	Accused Individual Name	Court Case Number	Prior Criminal Charges	Arresting Agency	Date of Arrest	LEA Charges	Acc Ind Race	Acc Ind	Acc Ind Country of Origin	Acc Ind Gender/Sex	Victim Race	Victim Ethnicity/Ancestry	Victim Gender/Sex	Diversion Offered	Diversion Accepted	Diversion Withdrawal	Arraignment Bail Court	Agency Plea Offer	Court Plea Offer	Prison/Jail Sentence
Alameda	✓	✓			✓	✓	✓	✓	✓	✓					✓	✓	✓			✓
Alpine	✓	✓		✓	✓		✓			✓				✓	✓	✓	✓	✓	✓	✓
Amador	✓	✓	✓	✓	✓	✓		✓		✓				✓	✓	✓	✓			✓
Butte	✓	✓		✓	✓	✓	✓			✓				✓	✓	✓	✓			✓
Calaveras	✓	✓			✓	✓	✓			✓				✓	✓	✓	✓	✓		✓
Colusa	✓	✓			✓	✓				✓			✓		✓		✓			✓
Contra Costa	✓	✓		✓	✓		✓			✓							✓			✓
Del Norte	✓	✓		✓	✓									✓						✓
El Dorado	✓	✓				✓				✓					✓	✓	✓		✓	✓
Glenn	✓	✓	✓	✓	✓					✓					✓	✓	✓	✓		✓
Humboldt	✓	✓		✓	✓	✓	✓			✓						✓				✓
Lake	✓	✓		✓	✓	✓	✓			✓					✓	✓	✓			✓
Lassen	✓	✓			✓	✓		✓		✓				✓	✓	✓	✓	✓	✓	✓
Marin	✓	✓	✓		✓	✓	✓			✓				✓	✓	✓	✓		✓	✓
Mendocino	✓	✓		✓	✓	✓	✓			✓					✓	✓				✓
Modoc	✓	✓		✓	✓	✓	✓			✓					✓	✓	✓			✓
Mono	✓	✓	✓	✓	✓	✓	✓			✓	✓		✓	✓	✓		✓	✓	✓	✓

County	Accused Individual Name	Court Case Number	Prior Criminal Charges	Arresting Agency	Date of Arrest	LEA Charges	Acc Ind Race	Acc Ind	Acc Ind Country of Origin	Acc Ind Gender/Sex	Victim Race	Victim Ethnicity/Ancestry	Victim Gender/Sex	Diversion Offered	Diversion Accepted	Diversion Withdrawal	Arraignment Bail Court	Agency Plea Offer	Court Plea Offer	Prison/Jail Sentence
Napa	✓	✓	✓	✓	✓	✓	✓			✓					✓	✓	✓			✓
Nevada	✓	✓		✓	✓	✓		✓		✓							✓			✓
Placer	✓	✓					✓	✓		✓					✓					✓
Plumas	✓	✓		✓	✓		✓			✓						✓	✓			✓
Sacramento	✓	✓	✓	✓	✓	✓								✓	✓	✓	✓	✓	✓	✓
San Francisco	✓	✓	✓	✓	✓	✓	✓			✓					✓	✓	✓			✓
San Joaquin	✓	✓		✓	✓		✓	✓		✓					✓	✓	✓			✓
Shasta	✓	✓	✓				✓			✓					✓	✓	✓	✓		✓
Sierra	✓	✓		✓	✓	✓	✓			✓					✓		✓	✓		✓
Siskiyou	✓	✓	✓	✓	✓	✓	✓	✓		✓			✓		✓	✓	✓			✓
Solano	✓	✓		✓	✓	✓	✓	✓		✓					✓	✓	✓			✓
Sonoma	✓	✓	✓	✓	✓	✓	✓			✓				✓	✓	✓	✓	✓	✓	✓
Sutter	✓	✓								✓				✓	✓	✓	✓	✓		✓
Tehama	✓	✓	✓	✓	✓	✓	✓			✓				✓	✓	✓	✓	✓		✓
Trinity	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓				✓	✓	✓	✓		✓	✓
Tuolumne	✓	✓	✓	✓	✓	✓	✓			✓				✓	✓		✓	✓	✓	✓
Yolo	✓	✓	✓				✓			✓					✓	✓				✓
Yuba	✓	✓		✓	✓		✓	✓	✓	✓				✓	✓	✓	✓	✓	✓	✓

Table 8. California Central Region District Superior Courts by County and Selected Questionnaire Responses

County	Accused Individual Name	Court Case Number	Prior Criminal Charges	Arresting Agency	Date of Arrest	LEA Charges	Acc Ind Race	Acc Ind	Acc Ind Country of Origin	Acc Ind Gender/Sex	Victim Race	Victim Ethnicity/Ancestry	Victim Gender/Sex	Diversion Offered	Diversion Accepted	Diversion Withdrawal	Arraignment Bail Court	Agency Plea Offer	Court Plea Offer	Prison/Jail Sentence
Fresno	✓	✓	✓	✓	✓	✓	✓	✓		✓					✓	✓	✓			✓
Inyo	✓	✓		✓	✓		✓			✓					✓		✓	✓		✓
Kings	✓	✓	✓	✓	✓	✓	✓	✓		✓				✓	✓		✓			✓
Madera	✓	✓	✓	✓	✓	✓	✓			✓						✓	✓			✓
Mariposa	✓	✓		✓						✓						✓	✓			✓
Merced	✓	✓		✓	✓	✓	✓	✓		✓						✓				✓
Monterey	✓	✓		✓	✓	✓	✓			✓			✓	✓	✓	✓	✓		✓	✓
San Benito	✓	✓	✓	✓	✓	✓				✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
San Mateo	✓	✓	✓	✓	✓	✓	✓	✓		✓					✓	✓				✓
Santa Clara	✓	✓		✓	✓	✓	✓			✓				✓	✓	✓	✓			✓
Santa Cruz	✓			✓	✓		✓			✓							✓			✓
Stanislaus	✓	✓		✓	✓										✓		✓			✓
Tulare	✓	✓		✓	✓	✓		✓		✓							✓			✓

Table 9. California Southern Region District Superior Courts by County and Selected Questionnaire Responses

County	Accused Individual Name	Court Case Number	Prior Criminal Charges	Arresting Agency	Date of Arrest	LEA Charges	Acc Ind Race	Acc Ind	Acc Ind Country of Origin	Acc Ind Gender/Sex	Victim Race	Victim Ethnicity/Ancestry	Victim Gender/Sex	Diversion Offered	Diversion Accepted	Diversion Withdrawal	Arraignment Bail Court	Agency Plea Offer	Court Plea Offer	Prison/Jail Sentence
Imperial	✓	✓	✓	✓	✓	✓	✓			✓	✓	✓	✓	✓	✓	✓	✓			✓
Kern	✓	✓	✓	✓	✓	✓	✓			✓					✓	✓	✓			✓
Los Angeles	✓	✓		✓	✓	✓	✓	✓		✓					✓	✓	✓			✓
Orange	✓	✓	✓	✓	✓	✓	✓	✓		✓				✓	✓	✓	✓	✓	✓	✓
Riverside	✓	✓	✓	✓	✓	✓	✓			✓					✓	✓	✓			✓
San Bernardino	✓	✓	✓	✓	✓	✓	✓			✓				✓	✓	✓	✓	✓	✓	✓
San Diego	✓	✓	✓		✓		✓			✓						✓	✓			✓
San Luis Obispo	✓	✓		✓	✓	✓	✓	✓		✓				✓	✓	✓	✓	✓		✓
Santa Barbara	✓	✓	✓	✓	✓	✓	✓			✓							✓			✓
Ventura	✓	✓	✓	✓	✓	✓	✓			✓					✓	✓	✓			✓