



# Research **C E N T E R**

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**Agenda Item 6.**  
**Subpoena Advisory Committee Report:**  
**Judicial Race Data Questionnaire Summary**

Presentation for the Task Force to Study Reparations Proposals for African Americans Public Hearing  
Randie C. Chance, Ph.D. and Tiffany Jantz, Ph.D.  
March 3, 2023

# Racial Justice Data Questionnaire: Background

- DOJ surveyed:
  - all 58 California Superior Courts and District Attorney offices;
  - select group of 11 City Attorney offices.

## City Attorney Offices Surveyed

- Anaheim
- Burbank
- Hawthorne
- Inglewood
- Long Beach
- Los Angeles
- Pasadena
- Redondo Beach
- San Diego
- Santa Monica
- Torrance

# Racial Justice Data Questionnaire: Background

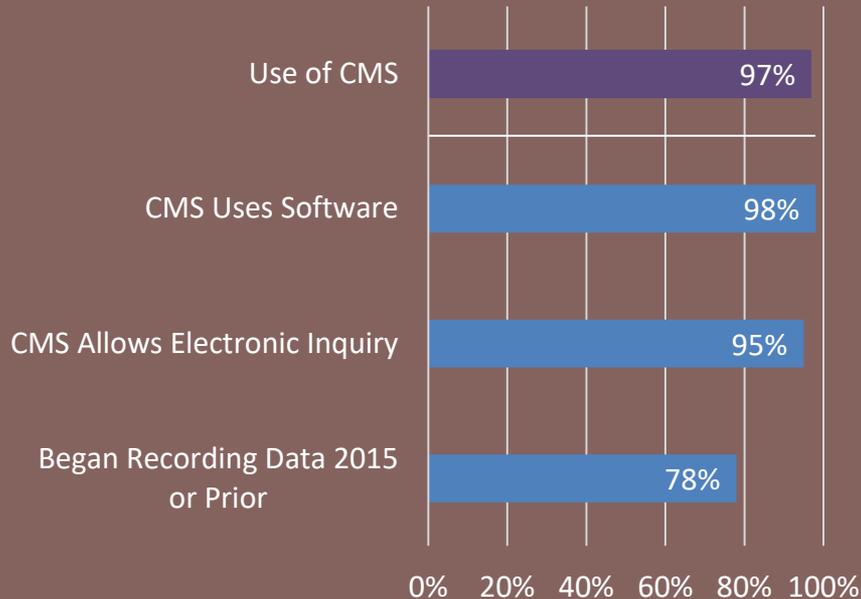
- Online questionnaire link was sent by email on May 4, 2022.
  - Extensions were provided to some agencies through June 12.
- Non-responders received follow up phone calls and e-mail made by DOJ staff to encourage participation.
  - This effort closed December 31, 2022.

# Racial Justice Data Questionnaire: Participation

	All Respondents	By Agency		
		City Attorney	District Attorney	Superior Court
Total Surveys Distributed	127	11	58	58
Complete	126	11	57	58
Percent Completed	99%	100%	98%	100%
Incomplete	1	NA	1	NA

# Case Management Systems: Ease of Retrieval

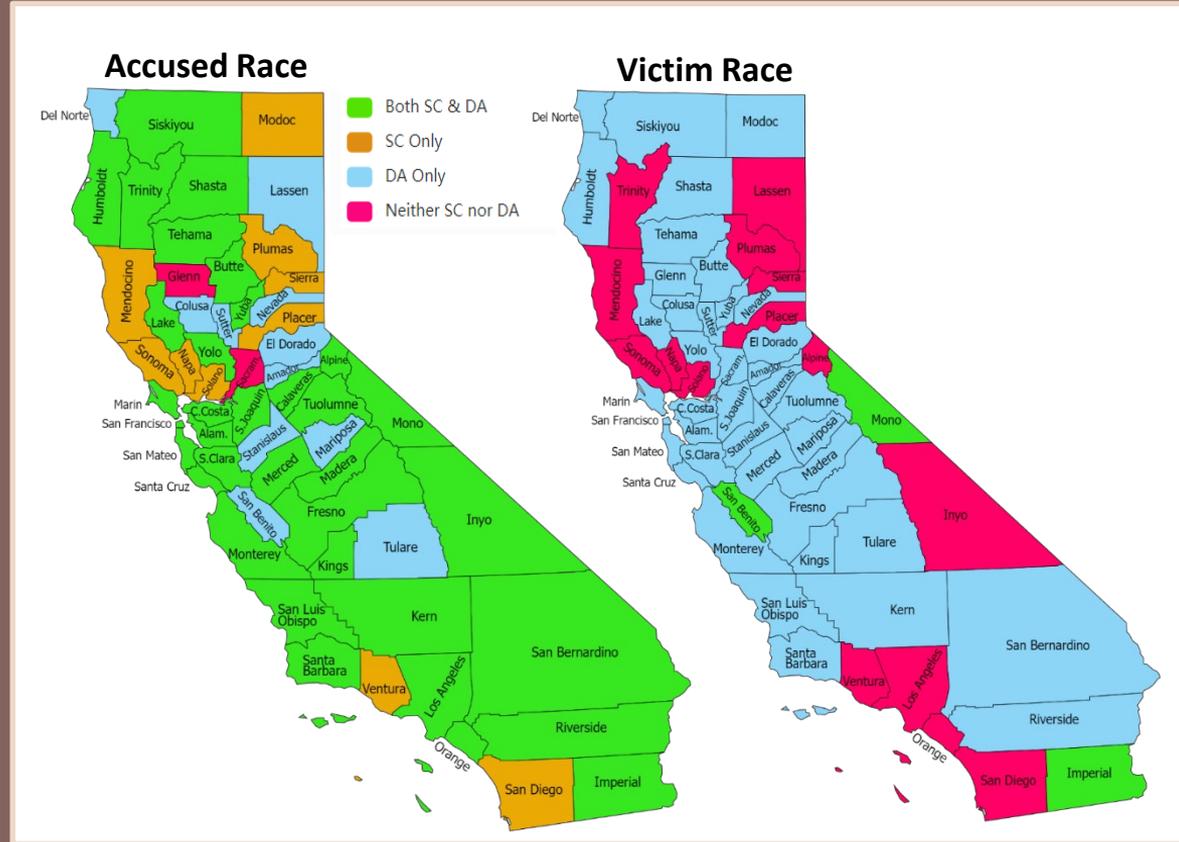
## Case Management Systems



- Almost all responding agencies (122) reported using a case management system (CMS).
- Kern County DA, Sierra County DA, and Hawthorne and Redondo Beach City Attorneys reported not using a CMS.
- Of those that use CMS, nearly all (114) allow for electronic inquiry and retrieval.
- 78% of offices began recording data in CMS in 2015 or prior; 22% of offices began collecting data 2016 or after.

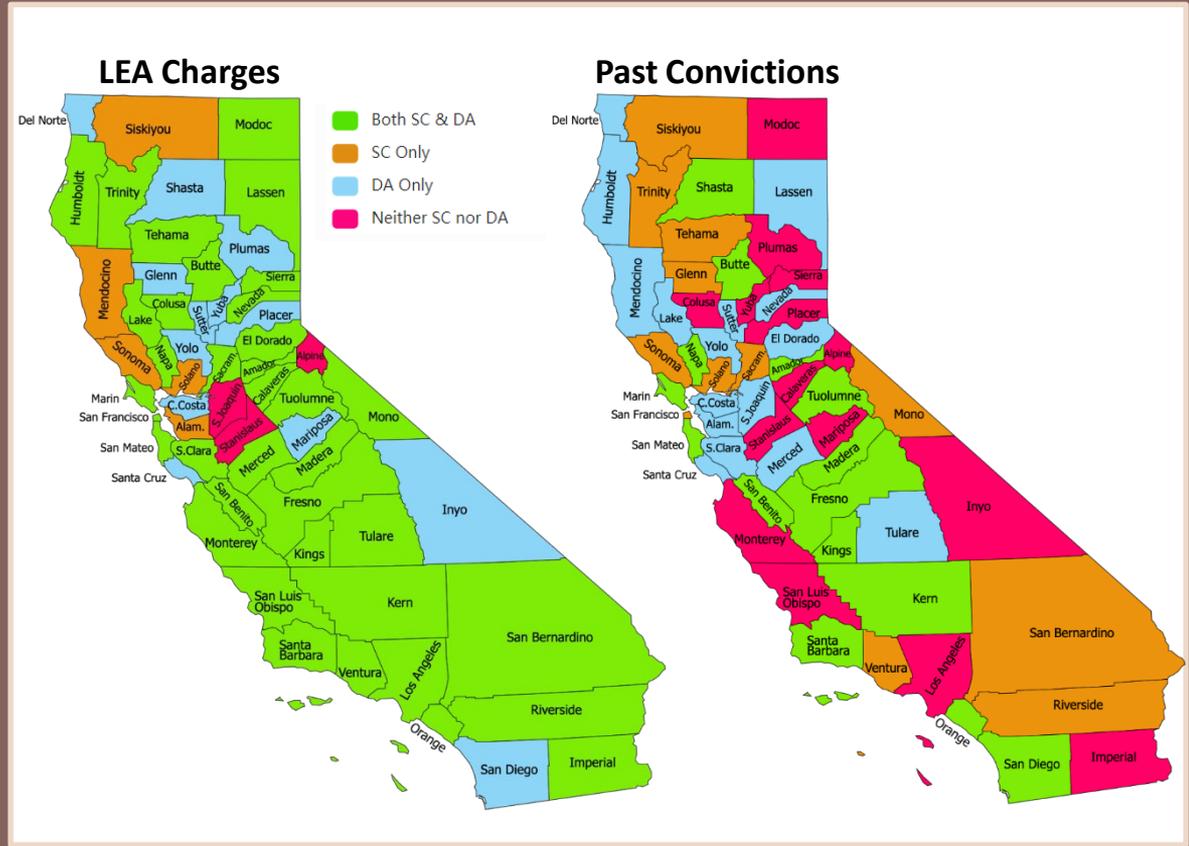
# Demographics Data: Race of Accused & Victim

- Race of accused individuals is recorded in 97% of counties (Superior Courts [78%], DA offices [81%]).
- Neither Glenn nor Sacramento County Agencies reported collecting data on accused individuals' race.
- Victim race data is collected by responding agencies in 74% of California counties (48).



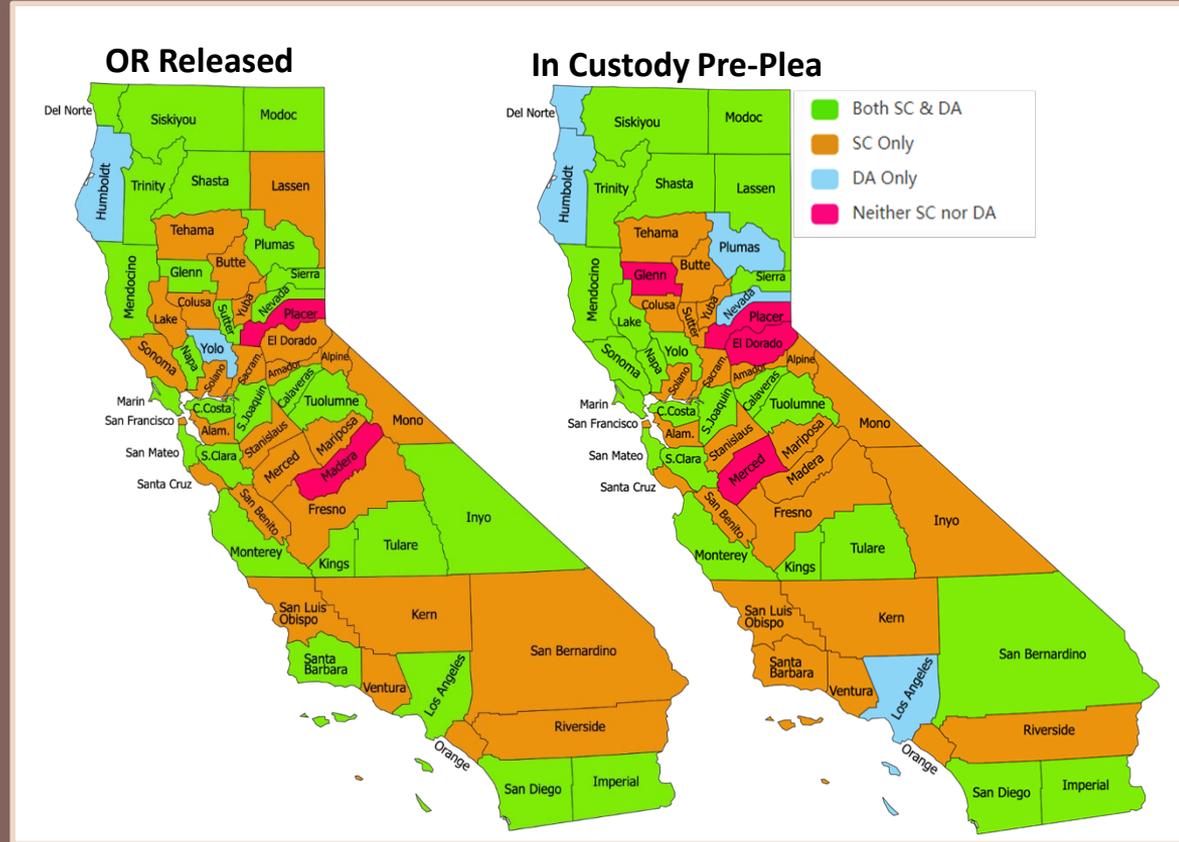
# Arrest & Matter Data: LEA Charges & Past Convictions

- Agencies from 95% of counties record law enforcement charges.
- Alpine, San Joaquin, and Stanislaus County agencies reported not collecting LEA charges.
- Neither DA nor Superior Court in 26% of counties reported recording data on past convictions.



# Release & Custody Data

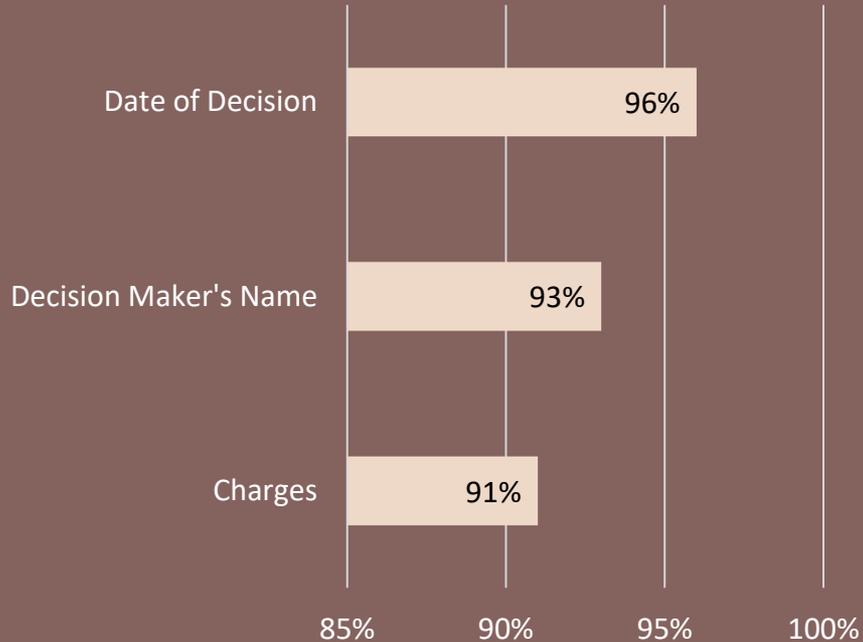
- Agencies from 97% of counties record whether the court released the accused on their own recognizance (OR) at arraignment or bail hearing.
- 93% of Superior Courts and 53% of DAs collect data on whether bail was set, denied, or OR release was granted.
- Agencies from 93% of counties record whether the accused was held in custody pre-plea.





# Prosecution Decisions Data: Declination

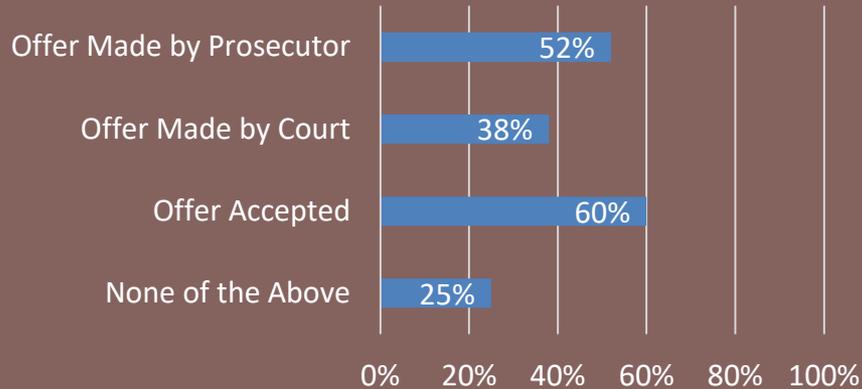
## Decline Prosecute Data: DA Office



- Alpine and San Bernardino DA Offices reported not collecting the date of the decision to decline prosecution.
- Alpine, Imperial, Monterey, Sierra, and Trinity County DA Offices reported not collecting data on the charges associated with the decision to decline.
- Alpine County DA reported not collecting any of these variables regarding declining to prosecute.

# Prosecution Decisions Data: Plea Offer Made & Accepted

Plea Offer Made:  
All Respondents



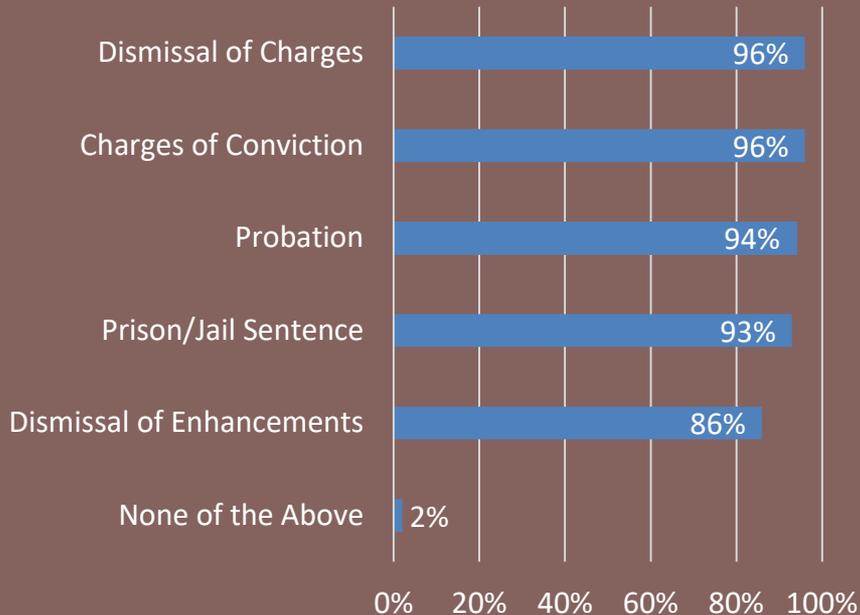
Plea Offer Accepted:  
All Respondents



- A greater portion of DA and City Attorney Offices collect plea offer data made compared to Superior Courts; the reverse is true for plea offer acceptance data.
- One quarter of responding offices reported collecting none of the plea offers made data.

# Prosecution Outcomes Data

## Prosecution Outcomes: All Respondents



- All Superior Courts collected dismissal of charges, charges of conviction, probation and prison/jail sentence data.
- Alpine and Ventura County DAs reported not collecting any of the prosecution outcomes data elements.

# Survey Conclusions

- In the absence of requirements for consistent data collection, 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 bringing certain Racial Justice Act claims in some California counties more than others.

# Survey Limitations

- Initial survey- can only speak to what information is recorded by what offices as reported by those offices
- The survey results and methods DO NOT:
  - Differentiate between data collected by CMS, through hard copy, or by other means;
  - Speak to the accessibility, quality, or completeness of the data collected across offices;
  - Speak to the categories or detail of data included;
  - Verify the accuracy of the data reported by survey respondents.



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