ADULT GENERAL DISPROPORTIONALITY REPORT
FISCAL YEAR 2019
CASELOAD FORECAST COUNCIL

Washington State Criminal Sentencing Task Force
April 16, 2020
Required by Engrossed Substitute Senate Bill 6032, the 2018 Legislature directed the CFC to submit an annual General Disproportionality Report containing the following information:

- Percentages based on total number of adult felony sentences by each crime category, distributed by race;
- Percentages based on total number of adult felony sentences reduced to misdemeanors in each crime category, distributed by race;
- Percentages of Washington State at-risk population (ages 18-54) by race;
- A list of felony offenses in each crime forecasting category; and
- Limitations in the data
Data Sources

➢ Caseload Forecast Council’s Sentencing Database
  o Race as contained in the CFC’s Adult Felony Sentence Database
    • State-wide felony sentences imposed in Fiscal Year 2019
    • An individual’s race is recorded as it is listed on the county’s Judgment and Sentence form

➢ Administrative Office of the Courts
  o Gross misdemeanor and misdemeanor data imposed in Fiscal Year 2019 was used to calculate percentages of reduced adult felony sentences

➢ Office of Financial Management
  o Washington State Race Distribution information is data from the 2019 OFM Population Forecast for 2018, excluding the category for two or more races as there is not a comparable group in the sentencing data
Disproportionality – The degree to which the demographic composition of adults who have been convicted of a felony differ from that of the general population.

Adult Sentencing Disproportionality Ratio Calculation:

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\text{Ratio} = \frac{\% \text{ racial group in sentencing}}{\% \text{ racial group in the Washington state population}}
\]

- A ratio lower than one means that a racial group’s proportion of the total felony sentences is lower than the racial group’s proportion of total WA state population.
- A ratio higher than one means that a racial group’s proportion of the total felony sentences is higher than the racial group’s proportion of total WA state population.
- A ratio equal to one means that the proportion of sentences to the total population is equal.
Summary Data

➢ Total FY 2019 adult felony sentences imposed: 24,257

➢ By Offense Type:
  - Property – 32.6%
  - Drugs – 27.9%
  - Assaults – 20.2%
  - Other felonies – 10.9%
  - Sex – 4.4%
  - Robbery – 1.9%
  - Fail to Register, Sex offense – 1.1%
  - Manslaughter – 0.4%
  - Murder 1 & 2 – 0.5%

➢ Racial Distribution: Adult Felony Sentences/State Population (OFM):
  - Caucasian – 73% (72%)
  - African American – 13% (3%)
  - Hispanic* – 8% (14%)
  - Native American – 3% (1%)
  - Asian/Native Hawaiian/Other Pacific Islander – 3% (9%)

*Hispanic is categorized as a race in CFC data, not as ethnicity
Trends in Disproportionality in Felony Sentencing Data

➢ African American/Native American:
  o Ratios higher than one in all categories

➢ Asian/Native Hawaiian/Other Pacific Islander & Hispanic
  o Ratios lower than one in all categories

➢ Caucasian:
  o Ratios close to one for all categories

* Categories: adult sentences vs. population, adult sentences vs. at-risk-age population, and felonies reduced to misdemeanor/gross misdemeanors
Racial Distribution - Adult Felony Sentences (all ages)

- Caucasian, 73.2%
- Hispanic, 7.9%
- Native American, 3.2%
- Asian and NHPI*, 3.1%
- African American, 12.6%

* Including Native Hawaiian and Other Pacific Islander
Crime Categories - Adult Felony Sentences (all ages)

- Drug, 27.9%
- Property, 32.6%
- Robbery, 1.9%
- Sex, 4.4%
- Other Felonies, 10.9%
- Murder 1 or 2, 0.5%
- Fail to Register (sex), 1.1%
- Manslaughter, 0.4%
- Assault, 20.2%

* Including Native Hawaiian and Other Pacific Islander
Comparison of all Ratios

* Including Native Hawaiian and Other Pacific Islander