



Racial and Ethnic Disparities (RED) Report on the criminal justice system in Multnomah County

Background

What is the RED Report?

The report includes data from agencies in Multnomah County about the jail population and at various points throughout the criminal justice system. These points represent key moments in a person's journey through the system when decisions by those working within the system will affect outcomes for that individual.

The data are presented using the Relative Rate Index (RRI) which compares each racial and ethnic group to a reference group. In this case, the reference group is whites. This allows comparisons to be made to identify where and to what extent disparities exist. Data are also compared to the overall population of each racial and ethnic group in Multnomah County as recorded in the census.

What does the report not cover?

The report doesn't address what has caused the disparities that it identifies. It also does not consider what policy or other solutions may help to address these disparities. It provides a starting point for the County by demonstrating where and to what extent disparities exist within our criminal justice system. This report is not the full release of the research it was based on, making it impossible to understand the underlying data points.

Understanding the report

The report compares the experiences of the following racial and ethnic groups:

- Whites
- Blacks
- Hispanics
- Asian/Pacific Islanders
- Native Americans

It provides data on their experience at seven decision points:

1. Referrals to the DA's office¹
2. Arraignment/Prosecutorial charging
3. Assignment of court appointed counsel

¹ Used as a proxy for arrests

4. Pretrial release
5. Cases diverted/continued
6. Sentencing
7. Post-conviction supervision (probation and parole)

Key findings

- The report shows that at every stage the system is either producing or perpetuating a disparity for most communities of color
- This disparity is most acute for African Americans
- There are four areas where the disparity is being exacerbated the most for African Americans. These are:
 - Referrals to the DA's office (Blacks 440% more likely to be referred for prosecution and they are less likely to receive a cite in lieu of arrest)
 - Cases diverted (Blacks diverted at a 29% lower rate)
 - Sentencing – specifically prison sentences (Blacks 700% more likely to be referred to jail or prison)
 - Post conviction supervision – specifically probation/parole revocations (Blacks 750% more likely to be referred to jail or prison)

You need to know

- It's unclear from the report how reliable the demographic information on people in our criminal justice system is. It will be important to understand who is determining and recording the race or ethnicity of an individual in the system
- The full impact of decisions at the DA's office may be masked in this report. This is because prosecutors successfully plea bargain the vast majority of cases, giving them a substantial impact on sentencing decisions. This is particularly true of Oregon where sentencing structures such as mandatory minimums reduce judicial discretion
- This report only covers one point in time. To understand whether efforts to address racial disparities are bearing fruit, we need to see continued monitoring of the criminal justice system
- This report only covers Multnomah County. We also need to know what is happening in other counties of Oregon.
- We can't see the raw data that lies behind the report. It will be important to figuring out what's happening to be able to see how racial disparities vary by type of crime, for example