Arrests
Who Is Entering the System?
Black men are about 5 times more likely to be accused of a crime than white men on a per capita basis. Overall arrest rates are approximately 60 per 1,000 Black men and 12 per 1,000 white men.

Black men account for just 12% of the population in Charleston, but 53% of all 2019 General Sessions cases.

Dismissals
Whose Charges Are Being Dismissed?
Black men have a 21.4% likelihood of having their case dismissed, compared to 18.6% for white men, but had nearly twice as many dismissals. Arrest disparities play a role in the large racial differences in raw numbers of dismissals.

It takes over 6 weeks longer for Black men to have their case dismissed compared to white men.

Charge Severity Changes
Are Charges Being Increased or Reduced?
Black and white men have a similar likelihood of having their top charge increased from referral to disposition, 5.6% for Black men and 5.3% for white men.

Charge reductions are more common than increases, with the likelihood of top charge reduction from referral to disposition being 47.6% for Black men and 46.0% for white men.

Sentencing
Who Is Being Incarcerated?
Black and white men have similar likelihoods of being incarcerated after controlling for personal and case characteristics: 65.5% and 64.2%, respectively.

However, Black men accounted for 63.8% of cases but 67.6% of incarceration sentences, suggesting they are prosecuted for crimes more likely to result in a custodial sentence.

Conclusion
Where Do We Go From Here?
Prosecutors’ decisions occur downstream from the first step in criminal case processing—the arrest. Thus while we find little racial disparity in outcome likelihoods during prosecution, the large, raw racial disparity at arrest still results in large racial disparities in sentencing. While our calculated likelihoods are based on comparisons of hypothetically “similarly situated” individuals, in reality Black men are younger, come from lower-income neighborhoods, are arrested more frequently, and are charged with crimes that carry longer potential sentences.

Justice Innovation Lab is continuing to partner with the Ninth Circuit Solicitor’s Office on research aimed at identifying opportunities to reduce disparities in case resolution time and incarceration length. These include:

- Determining what drives differences in case resolution times between Black and white men.
- Analyzing which charges contribute most to differences in average incarceration length between Black and white men.
- Identifying office practices that might contribute to delays in resolving cases.
- Examining frequently dismissed charges to identify potential common elements.
- Publishing data analyses for the public’s review.