



Judicial Council of California

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Title

Judicial Council Report to the Legislature: Disposition of Criminal Cases According to Race and Ethnicity of the Defendant (Action Requested)

Summary

Since 2001 the Judicial Council's Office of Court Research has produced the report, *Disposition of Criminal Cases According to the Race and Ethnicity of the Defendant: 2017 Report to the California Legislature as Required by Penal Code Section 1170.45*, by analyzing the disposition of felony cases using data provided by the California Department of Justice. Doing so fulfills the requirements of Penal Code section 1170.45, which requires the Judicial Council to report annually on the disposition of criminal cases statewide according to the defendants' race and ethnicity. The 2017 report indicates that when grouping defendants according to the extensiveness of their prior criminal records and types of offense, the data show a complex pattern in the severity of sentences that defendants receive. When directly comparing defendant groups in the context of the severity of their criminal offenses and prior criminal histories, sentencing outcomes are variable and appear to be primarily associated with defendants' prior criminal record and offense type. Due to data limitations that are outlined in the report and also highlighted by the Criminal Justice Statistics Center (CJSC) of the California Department of Justice (DOJ), we encourage the reader to exercise caution in attempting to attribute causes for the observed differences in sentencing among racial/ethnic groups.

Recommendation

The Office of Court Research (OCR) recommends that the Judicial Council approve the report *Disposition of Criminal Cases According to the Race and Ethnicity of the Defendant: 2017 Report to the California Legislature as Required by Penal Code Section 1170.45*, and direct staff to transmit it to the Legislature.