



CHARLESTON COUNTY CRIMINAL JUSTICE COORDINATING COUNCIL

MIDYEAR REPORT 2018

RACIAL & ETHNIC DISPROPORTIONALITY AND/OR DISPARITY
IN CHARLESTON COUNTY'S CRIMINAL JUSTICE SYSTEM



Charleston County Criminal Justice Coordinating Council
3831 Leeds Ave.
North Charleston, SC 29405
Phone: (843) 529-7307
www.cjcc.charlestoncounty.org

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A MESSAGE *from the* COMMUNITY REPRESENTATIVES

As ten diverse individuals representing varied segments of the Charleston County community, we are proud of the diligent and thorough work undertaken by the CJCC in analyzing and addressing racial and ethnic disproportionality and/or disparity (REDD) within our criminal justice system. A major question Community Representatives have had since the outset of this effort was what role does race play in Charleston's criminal justice system. The research included in this report provides data-informed insights into this critical question and lays out the next steps for addressing this pressing community issue.

The results to date are encouraging with trends indicating a decline in the overrepresentation of African Americans in our local criminal justice system. The report will inform much-needed, fact-based and data-guided discussions regarding the existence of disparity in the criminal justice system moving forward. Statistical analysis can quantify criminal justice results based on segments of the criminal justice population, for example by race, by gender, by age, by charge and by geographic area. However, statistics alone will not yield results or success. This report is a beginning that we hope will lead to increasingly active participation by local community stakeholders working in collaboration with criminal justice system leaders to implement actions which improve our local criminal justice system and further reduce REDD.

It is imperative that our community supports its CJCC in helping to improve the safety and well-

being of all of our citizens. Accountability and transparency continue to be critical as we work together to improve the local criminal justice system. To that end, the CJCC recently redesigned the CJCC webpage for easier navigation and improved information access. We as part of CJCC will continue our engagement efforts through open meetings, local media, and speaking engagements. As community representatives, we hope the transparency demonstrated by the CJCC encourages more community engagement and support for this important work.

We are also thrilled to announce (funding proposal pending) two important aspects of community engagement moving forward. First, a series of roundtables is planned to provide a forum for community members to share their unique life experiences, concerns, and priorities in improving criminal justice and public safety. Second, a dedicated REDD strategy, sponsored by the Solicitor and comprised of community stakeholders and system leaders, is planned. The effort will put the findings in this report to use, including selecting priority area(s), guiding intervention development and launch, and assessing REDD reduction impacts on an ongoing basis.

We are constantly impressed by the high level of cooperation and coordination between all justice agencies that is fostered by CJCC. We encourage continued enthusiastic community support for the CJCC. We are privileged to be a part of the CJCC.

“No one truly knows a nation until one has been inside its jails. A nation should not be judged by how it treats its highest citizens, but its lowest ones.” Nelson Mandela (*Long Walk to Freedom*, 1995)

ABOUT THE CRIMINAL JUSTICE COORDINATING COUNCIL

MISSION

The mission of the CJCC is to assist in making sustainable, data-driven improvements to Charleston County's criminal justice system (CJS) and thereby improve public safety and community well-being. The CJCC strives to achieve a local CJS that improves public safety, upholds justice, and cost-effectively uses taxpayer dollars.

OBJECTIVES

- Improve data systems for more efficient and effective data sharing and analysis.
- Institute mechanisms to sort high risk from low risk, and prioritize jail use accordingly.
- Ensure similarly situated individuals are consistently treated similarly and work to reduce racial and ethnic disproportionality and/or disparity (REDD) in the CJS.
- Enhance capacity to address root causes of behaviors that bring people into the CJS and reduce the likelihood of repeat offending.
- Expand options of law enforcement to inform discretionary decisions to use jail on low-level charges and improve police and community relations.
- Enhance the availability of effective treatment options in the community.
- Reform the management of pretrial populations to uphold justice (i.e., detention based upon risk for flight or danger, rather than one's ability to pay a monetary bond).
- Improve the timeliness of case processing in General Sessions, including assignment of counsel, receipt of discovery, and court scheduling practices.

Drawing on these objectives, the CJCC developed and began implementing a transformation plan with support from the John D. and Catherine T. MacArthur Foundation's Safety and Justice Challenge. The CJCC actively advances efforts through the work of diverse implementation teams with related expertise. As each of these strategies advances, the CJCC continues to learn, grow, and adapt to achieve its mission.

MEMBERSHIP

- Charleston County Council,
- Charleston County Sheriff's Office,
- Charleston Police Department,
- North Charleston Police Department,
- Mount Pleasant Police Department,
- Ninth Circuit Defender,
- Ninth Circuit Solicitor,
- Charleston County Clerk of Court,
- Judiciary, including Circuit, Magistrate and Municipal Court Leadership and the Chief Justice of the Supreme Court of South Carolina (ex-officio),
- Charleston Center,
- Charleston Dorchester Mental Health Center,
- Probation, Parole and Pardon Services,
- Victim Advocacy,
- Veterans Justice Outreach (Veterans Affairs)
- American Civil Liberties Union, and
- Ten diverse community representatives.

EXECUTIVE SUMMARY

OVERVIEW

The Charleston County Criminal Justice Coordinating Council (CJCC) remains steadfast in its commitment to **reducing racial and ethnic disproportionality and/or disparity (REDD)** and improving the local **criminal justice system (CJS)**. As part of the CJCC's commitment to accountability and transparency, this report provides the community a comprehensive look at REDD in Charleston's CJS. As noted in the CJCC's 2017 Annual Report, this report represents the culmination of the CJCC's initial efforts in a complex and challenging journey to reduce REDD and improve effectiveness, equity, and efficiency within the local CJS.

TERMINOLOGY

Although often used interchangeably in general discourse and in REDD-related literature, this report defines **disproportionality** and **disparity** to mean different things. **Disproportionality** refers to under- or overrepresentation of a group in the criminal justice system compared to their numbers in the general population. This report measures disproportionality in two ways. The first looks at absolute numbers of persons involved in the local CJS, typically converted into a **rate per 1,000 in the general population**. The second looks at the **relative rate index (RRI)**, i.e., comparing the rate for one group (black) to another group (white). An RRI of one indicates no disproportionality; the further an RRI is from one, the greater the disproportionality.

Disparity refers to differential treatment for people who are similar aside from their race or ethnicity. In other words, disparity indicates racial bias or discrimination. **Measurement for disparity requires advanced methods that are beyond the scope of this report; however, it is a planned future step.** It will require study specifically designed for disparity analysis. Such analysis will be resource intensive. For example, it necessitates control of variables to identify similarly situated individuals and statistics to assess for differential treatment by race or ethnicity.

REPORT ORGANIZATION

There are four main sections in this report.

1. The first section explores the array of racial and ethnic disproportionalities that exist locally and nationally. Socioeconomic factors such as disproportionalities in income, housing stability, educational attainment, and other objective measures of well-being are included. These factors are often exacerbated and reinforced through involvement in the CJS. In addition, this section includes key findings from the literature on the costs and consequences of REDD in the criminal justice system (e.g., public safety, legal, economic, and societal impacts); and a review of best practices in REDD reduction (e.g., increasing procedural justice, implicit bias training, and utilization of racial equity tools).
2. The next section provides in-depth disproportionality analysis and data visualizations for a variety

of local REDD trends within incarceration in the Sheriff Al Cannon Detention Center (SACDC), bookings, bonds, CJCC related strategies, as well as enhanced analysis by gender and age.

3. The third section includes a deeper dive into some of the highest areas of disproportionality in 2017, including a case study on the cumulative impacts of disproportionality from arrest to disposition.
4. The final section provides a summary of planned next steps (funding proposal pending). Consistent with best practices, the CJCC intends to launch a collaborative community member and system leader strategy sponsored by the Ninth Circuit Solicitor. This strategy team will determine which area(s) to prioritize for action, answer key questions generated from this report (e.g., what are the underlying causes, particularly where disproportionality is high, and is it disparity?), then develop and implement concrete interventions to help reduce REDD and improve the local CJS.

KEY DISPROPORTIONALITY FINDINGS

INCARCERATION TRENDS IN CHARLESTON COUNTY'S DETENTION CENTER

In 2017, the rate of incarceration in the SACDC per 1,000 adults in the Charleston County population was 10.19 among black individuals and 1.33 among white individuals. Incarceration in the SACDC in 2017 occurred 7.65 times as often for black individuals than white individuals. **Trends indicate rates of incarceration and disproportionality within incarceration declined between 2014 and 2017.** The declines in incarceration and disproportionality were most apparent among black females. Trends also indicate more disproportionality among males incarcerated than females.

INCARCERATION 2017						
	Black	White	Black Male	White Male	Black Female	White Female
Incarcerated per 1,000 Population	10.19	1.33	22.04	2.38	0.62	0.33
Change 2014-2017	-7%	-4%	-6%	-2%	-29%	-11%
	Black : White		Black : White (Males)		Black : White (Females)	
Relative Rate Index	7.65		9.26		1.86	
Change 2014-2017	-4%		-4%		-21%	

LOCAL BOOKINGS TRENDS

Efforts to curb jail use and corresponding disproportionality at booking are showing progress. **The CJCC's law enforcement effort to reduce jail bookings among five single, low-level target charges resulted in fewer uses of jail and less disproportionality.**

STRATEGY ONE TARGET CHARGE BOOKINGS 2017

	Black	White	Black Male	White Male	Black Female	White Female
Bookings per 1,000 Population	13.93	5.34	24.86	7.53	5.10	3.26
Change 2014-2017	-61%	-44%	-61%	-45%	-60%	-41%
	Black : White		Black : White (Males)		Black : White (Females)	
Relative Rate Index	2.61		3.30		1.57	
Change 2014-2017	-29%		-28%		-32%	

Similarly, efforts to reduce criminal bench warrant bookings have resulted in declining jail use and disproportionality.

STRATEGY THREE CRIMINAL BENCH WARRANT BOOKINGS 2017

	Black	White	Black Male	White Male	Black Female	White Female
Bookings per 1,000 Population	14	2.7	24.96	3.60	5.14	1.85
Change 2014-2017	-44%	-35%	-44%	-39%	-43%	-27%
	Black : White		Black : White (Males)		Black : White (Females)	
Relative Rate Index	5.18		6.94		2.78	
Change 2014-2017	-13%		-8%		-22%	

While rates of booking per 1,000 population and relative rate indexes declined since 2014, local bookings continue to have the highest amount of disproportionality among key decision points in the CJS. Other indicators of disproportionality at booking indicate varying trends by gender.

ALL LOCAL BOOKINGS 2017

	Black	White	Black Male	White Male	Black Female	White Female
Bookings per 1,000 Population	107.88	30.34	198.69	44.47	34.53	16.85
Change 2014-2017	-39%	-37%	-38%	-39%	-43%	-30%
	Black : White		Black : White (Males)		Black : White (Females)	
Relative Rate Index	3.56		4.47		2.05	
Change 2014-2017	-4%		+1%		-18%	

BOND SETTING TRENDS

The report looks more deeply into bonding practices within Charleston County’s Centralized Bond Court (CBC), which sets bond on Summary and General Sessions Court charges within the county (with the exception of North Charleston municipal charges set by North Charleston judges). **Consistently between 2014 and 2017, there is little to no disproportionality by bond type, personal recognizance (PR) and/or financial, in Summary-driven instances. Disproportionality also remains low in more serious, General Sessions-driven bond settings; however, it has increased slightly (1.10 in 2014 to 1.17 in 2017).**

Financial bonds are ordered at more expensive amounts for black defendants; however, trends indicate disproportionality in the average amount of financial bonds ordered is on the decline. Meanwhile the overall dollar amount of financial bonds ordered for white and black defendants are increasing, and average lengths of stay on financial bonds are mostly decreasing.

CBC BOND SETTING 2017

DISPROPORTIONALITY IN TYPE OF BOND SET

	Black : White	Black : White (Males)	Black : White (Females)
RRI Financial Bonds Summary	1.02	0.98	1.14
RRI PR Bonds Summary	0.99	1.01	0.97
RRI Financial Bonds General Sessions	1.17	1.16	0.98
RRI PR bonds General Sessions	0.79	0.80	1.05

FINANCIAL BOND AMOUNT ORDERED

	Black	White	Black : White RRI
Summary Average Cost	\$ 5,011	\$ 4,068	1.23
Change 2014-2017	+40%	+119%	-36%
General Sessions Average Cost	\$ 55,711	\$ 40,189	1.39
Change 2014-2017	+5%	+13%	-7%

FINANCIAL BOND LENGTH OF STAY (LOS)

	Black	White	Black : White RRI
Summary Average LOS	10.40 days	9.67 days	1.08
Change 2014-2017	-1%	+18%	-17%
General Sessions Average LOS	27.09 days	32.37 days	0.84
Change 2014-2017	-56%	-30%	-50% *

* Percent change calculated upon relative rates that went from above one to below one, i.e., from 1.32 (32% greater B:W) in 2014 to .84 (16% less B:W) in 2017.

2017 DEEPER DIVE

The report also looks more deeply into the highest areas of disproportionality at booking. An analysis of the top ten charges most frequently booked into the jail in 2017 indicated:

- The highest-rate charge for white defendants overall (per 1,000 population) is driving under influence (DUI) and the highest-rate charge for black defendants overall is simple possession marijuana.
- The charge with the most disproportionality is unlawful carrying of firearm, with an RRI of 13.56 for single-charge bookings.

The report further examines the highest single charge RRI, unlawful carry, to find out if/how the disproportionality changes at later points in the system through bond and disposition. This case study provides an early insight into the cumulative impacts of disproportionality as cases move through the system. Findings included:

- Bond setting for the single charge bookings of unlawful carry resulted in black defendants receiving financial bonds 2.62 times as often as white defendants did.
- On average, the cost of the financial bonds ordered were 1.37 times more expensive for black defendants than white defendants.
- Dispositions for these single charge bookings of unlawful carry among black defendants were still pending (1.21 times) or not convicted (1.19 times) as often as white defendants.

The high number of pending dispositions prevents drawing sweeping conclusions in the above data. The analysis indicates a need for further monitoring of this charge and other areas of disproportionality to identify the causes, and explore opportunities for intervention.

CONCLUSION

While poor individual choices and criminal acts are not excused by adverse social circumstances, it is instructive to understand the complex web of factors that surround disproportionality in the criminal justice system and the overall community in order to address such causes, reduce REDD, and ultimately improve public safety. The key findings contained in this report provide a more informed understanding of the current state of REDD in Charleston County's CJS, progress made, and areas for further improvement. Naturally, the findings raise a number of questions about what do moving forward.

This report is the beginning of the process in identification and monitoring REDD at major decision points in the system. There is a compelling need for comprehensive REDD analysis and collaborative community and CJS problem solving to reduce REDD. The next step will be to answer the key questions and develop concrete interventions that help to reduce REDD and improve the local CJS. This will continue to be a complex process and require broad and deep collaboration between community members and system leaders. Should the CJCC receive continued funding, it plans to launch a new strategy with system actors and community members dedicated to REDD reduction. In addition to community-wide efforts in other well-being indicator areas (e.g., housing, education and income), there are best practices included in this report future REDD reduction efforts can build upon (e.g., increasing procedural justice, implicit bias training, and utilization of racial equity tools). Please read the pages that follow and engage with us as we embark on the next stage of this important journey.

UNDERSTANDING RACIAL AND ETHNIC DISPROPORTIONALITY AND/OR DISPARITY

Throughout the United States and in Charleston County, people of color are overrepresented in the criminal justice system. The following review of relevant literature on racial and ethnic disproportionality and/or disparity (REDD) is included to introduce the reader to the causes and consequences of REDD. In addition, it outlines a recommended approach consistent with the current state of knowledge in reducing REDD to achieve greater racial equity and improved public safety.

Disproportionality and Disparity

Although often used interchangeably in general discourse and in REDD-related literature, this report defines disproportionality and disparity to mean different things. Disproportionality refers to under- or overrepresentation of a group in the criminal justice system compared to their numbers in the general population. Disparity refers to differential treatment for people who are similar aside from their race or ethnicity. In other words, disparity indicates racial bias or discrimination that serves no legitimate legal or safety purpose.

For example, the fact that African Americans are incarcerated 7.65 times the rate of whites indicates a disproportionate rate of incarceration in Charleston County. Disproportionality does not necessarily indicate disparity. Proving disparity is a complex process beyond the scope of this report, which looks at disproportionality. However, the lack of data on disparity should not preclude taking action to reduce disproportionality where possible while maintaining public safety. Identifying disproportionality is a crucial step in understanding the experiences of different population groups and charting a course to reduce REDD in the local criminal justice system.

Inequality and Inequity

Like disproportionality and disparity, the terms inequality and inequity are often used interchangeably yet have distinct meanings. Inequality refers to the differences that exist between individuals or groups. Inequity refers to differences that are unnecessary, unjust, and preventable. Inequality is a measure of differences, while inequity is a judgment that those differences should not exist in a fair society.¹

UNDERSTANDING CAUSES OF REDD

REDD is a complex, multifaceted problem, strongly related to the rise of mass incarceration and socioeconomic inequities stemming from historic and modern racially discriminate practices.² While poor individual choices and criminal acts cannot be excused by adverse social circumstances, it is instructive to understand the societal factors that surround disproportionality in the criminal justice system and overall community in order to address such causes, reduce REDD, and ultimately improve public safety.

REDD in the criminal justice system is one symptom of larger systemic inequities that plague communities of color across the nation and in Charleston County. In addition to criminal justice factors; education, poverty, homelessness, mental illness, and substance use disorders often exist in the context of overall social disadvantage, in which each condition alone and co-occurring with others increases risk of incarceration. In a reciprocal manner, incarceration makes it more likely for these conditions to arise or worsen, reducing a person's ability to reenter the community successfully and making it more likely he or she will return to jail or prison.³ A review of the various facets of this complex problem is below.

SOCIOECONOMIC, INDIVIDUAL, FAMILY, AND COMMUNITY FACTORS

Educational Attainment Gap

Those with low educational attainment are at risk of incarceration. Approximately **46 percent of jail inmates and 40 percent of state prisoners do not have a high school diploma** or GED, compared to 18 percent of the general population. Conversely, 22 percent of the general population graduates from college, but only 3 percent of jail inmates and 2 percent of state prisoners do so.⁴

The risk of incarceration based on low educational attainment is increasing, and African American men are most at risk. Between 1980 and 2008, the incarceration rate for black men without a high school diploma or GED rose from 10 percent to 37 percent.⁵ Education levels in state prisons vary significantly by race: 44 percent of black, 53 percent of Hispanic, and 27 of white inmates do not have a high school diploma or GED.⁶

The most common reasons for jail inmates to have dropped out of high school were behavior, academic problems, or lost interest.⁷ Since the 1990s, schools have adopted zero-tolerance discipline policies that penalize and often criminalize youthful behavior without regard to circumstances or mitigating factors. Schools increasingly rely on resource officers (police) and security technology to promote safety. Collectively, these practices result in disproportionate rates of suspension, expulsion, and/or arrest for students of color (primarily African Americans) and those who are poor or have a disability.⁸ This is commonly termed the "school-to-prison pipeline," in which disadvantaged students are pushed out of school and into the juvenile justice and, ultimately, the criminal justice system.⁹

Suspensions and expulsions reduce a student's likelihood of graduating high school.¹⁰ In the 2015-16 school year in the Charleston County School District, black students were suspended 6.6 times as often



Between 1980 and 2008, the incarceration rate for black men without a high school diploma or GED rose from 10 percent to 37 percent.⁵

African Americans in Charleston County graduate high school at rates 15% lower than whites.¹³

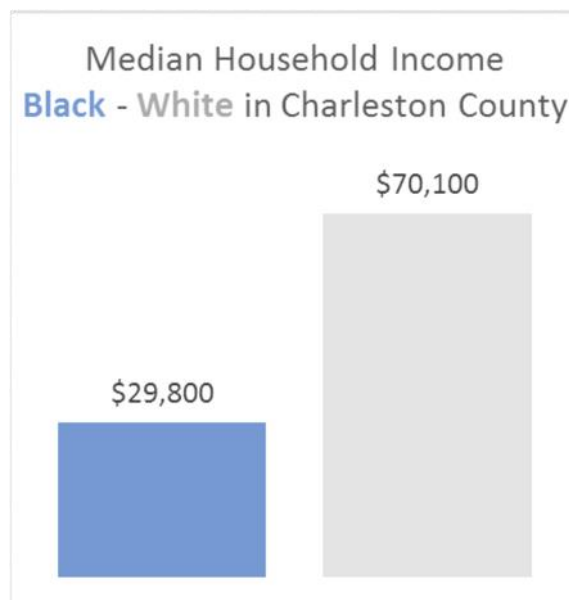
as white students in all grade levels.¹¹ Nearly 24 percent of black males and 12.6 percent of black females received suspensions. The school district has since implemented a Progressive Discipline Plan in order to help reduce racially disproportionate suspensions and arrests.¹²

In Charleston, 94.5 percent of whites have completed high school, and 51.2 percent have earned at least a bachelor’s degree. By contrast, 80.3 percent of African Americans have graduated high school, and 14.2 percent hold a bachelor’s degree or higher.¹³

Economic Disadvantage

Economic disadvantage is also related to incarceration. A recent national study examined the earnings of 2.9 million current or former state prisoners.¹⁴ The study found that in the three years prior to incarceration, 49 percent of working-age men were employed and median earnings were \$6,250, and 13 percent earned more than \$15,000. Males born into families in the bottom 10 percent of earners (below \$14,000) were almost 20 times more likely to be incarcerated than those from families in the top 10 percent (over \$143,000). **Nearly half of prisoners come from families with incomes in the bottom 20 percent, and 87 percent come from families in the bottom half.**

There are also economic differences in Charleston County. Median black household income is less than half the median for white households (\$29,800 and \$70,100 respectively).¹⁵ The U.S. Census Bureau reports that **29 percent of all African Americans live below poverty level, compared to 10.6 percent of whites.**¹⁶ For every one white child in poverty, six black children are living in poverty.¹⁷ Unemployment in South Carolina for the first quarter of 2018 was 3.2 times higher for blacks (8.8%) than whites (2.7%).¹⁸



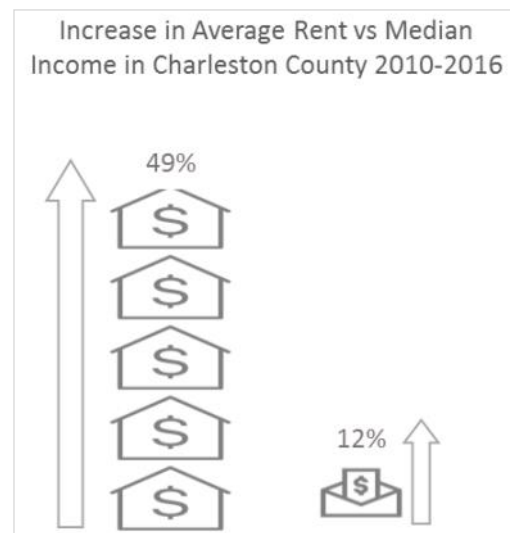
Homelessness and Housing Instability

Homelessness is 7.5 to 11.3 times more common among jail inmates than the general population.¹⁹ Jailed homeless persons are more likely than other inmates to be in jail for property offenses, have previous involvement in both violent and nonviolent crimes, suffer from mental illness and substance use disorders, be less educated, and be unemployed. Incarceration increases risk of future homelessness by weakening family ties, reducing job opportunities, and limiting access to public housing.²⁰

The Lowcountry Homeless Coalition’s 2017 “Point in Time Count” in Charleston reported 425 individuals experiencing homelessness, a number that may underrepresent the true number due to weather conditions at the time of the count. Of those counted, 50 percent were African American and 80 percent were male. More than 40 percent reported a mental health problem, 28 percent substance abuse, and 18 percent co-occurring substance and mental health problems.²¹

Homelessness is one aspect of housing instability. Others are high housing costs in proportion to income, poor housing quality, unstable neighborhoods, and overcrowding.²² Housing instability has numerous negative associations, particularly for children and adolescents: mental health problems that continue into adulthood, lowered ability to cope with stress, damaged parent-child relationships, substance use, poor school performance and lower graduation rates, and worse overall health across the lifespan.²³

Housing affordability is a widely recognized problem nationally and locally. It is estimated that more than half of poor renting families spend half their income on housing costs, and a quarter spend upwards of 70 percent.²⁴ Between 2010 and 2016 in Charleston County the average rent increased 49 percent while the median household income rose 12 percent.²⁵ **Over a third of homeowners and half of renters in the region are living in unaffordable housing.**²⁶



In 2016, with 16.5 evictions per 100 rentals, North Charleston had the highest eviction rate of any city in the U.S. with a population over 100,000: a total of 3,660 evictions, about 10 households per day. In the City of Charleston, the eviction rate was 5.57 percent for a total of 1,546 evictions, about 4 households per day.²⁷ Households at greatest risk of eviction are those with children, in high-crime areas, and having social network disadvantage (i.e., close friends and family with negative life circumstances such as incarceration, drug use, unemployment, and abusive relationships).²⁸ **In Charleston County, 21 percent of households—more than 30,000—have “severe housing problems”** (having at least one of the following: overcrowding, high housing costs, or lack of kitchen or plumbing facilities).²⁹

Mental Health and Substance Use Disorders

Mental health disorders occur nearly 2.5 times as often among jail inmates (44%³⁰) than in the general population (18%³¹). According to the Bureau of Justice Statistics (2011-2012), female jail inmates report mental health problems more often than males (68% and 41% respectively) and white inmates (57%) more often than black (36%). The most common disorders are major depressive (31%), bipolar (25%), anxiety (18%), and post-traumatic stress (16%). There is no statistically significant difference in the occurrence of property (50%) versus violent (48%) offenses among jail inmates with a history of mental health problems. Frequency of arrest is associated with a history of mental health problems. Among inmates arrested 11 times or more, 56 percent report mental health histories, compared to 31 percent of those with a single arrest.

Drug dependence or abuse (not including alcohol or nicotine) occurs over 12 times as often among sentenced jail inmates (63%) than the general population (5%).³² (Data in this paragraph refer to sentenced jail inmates, based on the most current report from the Bureau of Justice Statistics, 2007-2009). It is more prevalent for female (72%) than male (62%) and for white (72%) than black (57%) inmates. The most common drugs used are marijuana (64%), cocaine/crack (39%), stimulants including amphetamines and methamphetamine (24%), and hallucinogens including LSD, PCP, and ecstasy (23%). Seventy-four percent of drug offenses, 72 percent of property offenses, and 61 percent of violent offenses are committed by a person with drug dependence or abuse. Thirty-seven percent of inmates are on drugs at the time of their offense. Twenty-one percent commit their crime in order to obtain drugs or money for drugs.



Mental health disorders occur nearly 2.5 times as often among jail inmates³⁰ than the general population.³¹ Drug dependence or abuse occurs over 12 times as often among sentenced jail inmates than the general population.³²

Research shows that racial and ethnic minorities have less access to mental health care, are less likely to receive care, and are more likely to receive poor quality care when treated.³³ According to a report from Mental Health America,³⁴ South Carolina ranks 45th in overall mental health (including substance use disorders) compared to other states, based on 15 measures that evaluate prevalence of mental illness and access to care. South Carolina ranks 50th in access to care and has the highest rate of adults with any mental illness who are uninsured (23.8%).³⁵ Nearly 60 percent of adults with mental health problems in the state do not receive treatment.³⁶

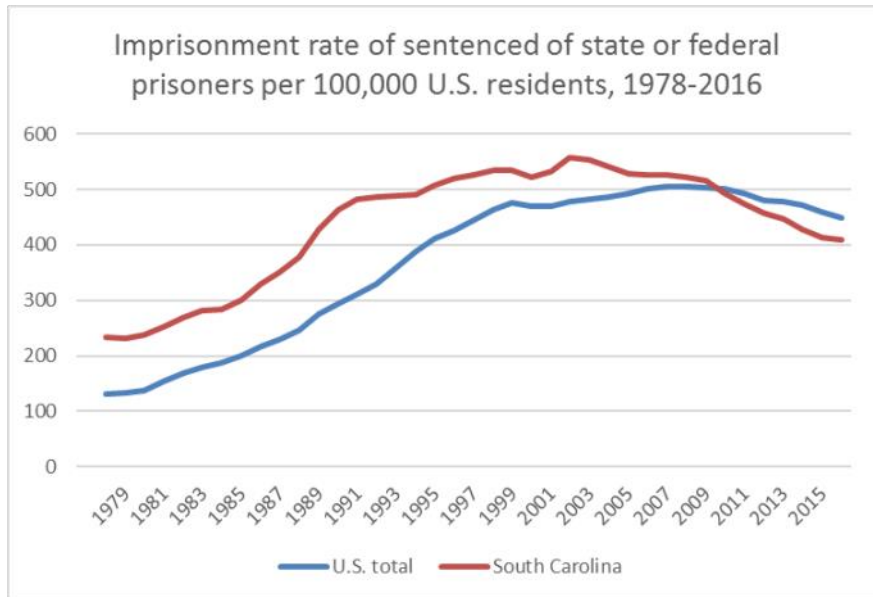
There is greater access to mental health care in Charleston County than in South Carolina as a whole, as indicated by provider-to-population ratio of 322:1 locally compared to 639:1 statewide.³⁷ However, access to care in Berkeley and Dorchester counties is more limited, with provider-to-population ratios of 1093:1 and 822:1 respectively.³⁸ This has implications for outcomes in Charleston County as individuals with untreated mental illness or substance use disorders may travel throughout the tri-county region and become involved in the Charleston County criminal justice system.

CRIMINAL JUSTICE SYSTEM FACTORS

Mass Incarceration

The era of mass incarceration in the U.S. began in the early 1970s, when an increasingly punitive political environment responded to a rise in crime and rapid social changes with harsher penalties.³⁹ The 1980s saw sharp increases in the number of drug arrests, disproportionately affecting people of color. In all offense categories, the likelihood of serving prison time after arrest increased, as did the length of sentences for both serious and less serious offenses.⁴⁰ The effect of these changes expanded the reach of the criminal justice system to unprecedented levels and placed more people under correctional control than ever before. Between 1970 and 2000, the rate of incarceration grew an average of 12 percent per year, reaching a total increase of 400 percent.⁴¹

In recent years, many states have begun to reform their criminal justice systems. South Carolina, for example, passed the Omnibus Crime Reduction and Sentencing Reform Act of 2010, which resulted in a 14 percent decrease in the state prison population.⁴² The U.S. correctional population fell to a 20-year low in 2016 and remains the highest in the world. Some 2.16 million adults are behind bars and over 6.6 million (one person out of 38) are under some form of correctional control, including jail, prison, probation, and parole.⁴³ **If the current downward trend continues, the country will not return to 1970s incarceration rates until 2166.**⁴⁴



Source: Bureau of Justice Statistics, National Prisoner Statistics Program, Oct. 2017.

Mass incarceration has taken the highest toll on communities of color. Incarceration is most prevalent for African-American and Hispanic men with low levels of education.⁴⁵ For a quarter century, African Americans have been incarcerated at a rate of nearly 7 to 1 compared to whites.⁴⁶ A black male born in 2001 has a one in three lifetime likelihood of imprisonment, while a white male has a one in 17 likelihood.⁴⁷ The net effect on black communities is that:

Every family, every household, every individual in these neighborhoods has direct personal knowledge of the prison – through a spouse, a child, a parent, a neighbor, a friend. Imprisonment ceases to be the fate of a few criminal individuals and becomes a shaping institution for whole sectors of the population.⁴⁸

Researchers attribute many of the differences in justice system involvement to a constellation of risk factors elevated among people of color, who trail whites on measures of objective well-being that support positive life outcomes, such as income, education, and health. Predominantly minority neighborhoods are often characterized by distressed conditions: low-performing schools, absence of organized recreation, little access to health care, including for substance use and mental illness, and high levels of poverty, violence, and disorder.⁴⁹

Against the backdrop of mass incarceration and measures of well-being, several other interrelated factors relate to REDD: variations in offending, implicit bias, the impact of “race-neutral” policies, and unequal resource allocation.⁵⁰

Variations in Offending

The majority of research indicates that legal differences (e.g., severity of crime) do not adequately account for REDD and that unexplained disparity has increased in the era of mass incarceration.⁵¹

Blumstein’s landmark study of 1979 data concluded that 20 percent of racial disparity in prison was unexplained by differential offending patterns, i.e., higher rates of serious violent crime convictions.⁵² He revisited the issue using 1991 data, and the percentage of unexplained disparity had increased to 25 percent.⁵³ A 2004 study found that—despite steady declines in violent crime convictions for African Americans—unexplained disparity had grown to nearly 40 percent. The researchers attribute this primarily to racial bias, selective drug policy enforcement, and harsher sentences for violent and drug offenses.⁵⁴

Numerous studies have examined specific charge categories, notably drug offenses and traffic stops, and found that in many cases despite offending at similar (or lower) rates than whites, racial minorities are treated more punitively. For example:

- Nationally, African Americans and whites use marijuana at similar rates and African Americans are arrested for it 2.5 times as often.⁵⁵
- A recent study of 18 million traffic stops in North Carolina found that black drivers, particularly young black men, are stopped, searched, and arrested at dramatically higher rates than whites; and discretionary searches turn up less contraband for black drivers than for white drivers.⁵⁶

Implicit Bias

Implicit bias is defined as “the attitudes or stereotypes that affect our understanding, actions, and decisions in an unconscious manner, involuntarily, without awareness or intentional control.”⁵⁷

Everyone possesses both favorable and unfavorable implicit biases, which are often at odds with consciously held beliefs. Research in recent years has exposed the significant role implicit bias plays in the criminal justice system.

Several empirical studies have found strong evidence of implicit “Afrocentric feature bias.”⁵⁸ The more stereotypically Afrocentric a person’s features appear, regardless of his or her race, the harsher their treatment in the legal system. Afrocentric features in men are associated with perceptions of aggressiveness and criminality, longer prison sentences, and higher likelihood of capital sentencing.⁵⁹ Implicit bias affects decision-making by police, prosecutors, judges, and jurors.⁶⁰

“Race-Neutral” Policies

A race-neutral policy is one designed to achieve purported aims without regard to the impact on specific racial or ethnic groups.⁶¹ Scholars characterize race-neutral policies as “colorblind” racism that perpetuates inequities by legislating more severe punishments based on traits or behaviors more prevalent among people of color.⁶² A well-known example is the federal 100:1 quantity ratio for crack versus powder cocaine that was in effect until 2010. This policy meant that much lower quantities of crack would trigger mandatory minimum sentences for both trafficking and simple possession. African Americans were disproportionately charged with crack offenses and as a result served longer sentences than whites, who more often were charged with powder cocaine offenses.⁶³

Other race-neutral policies that may disproportionately impact people of color include sentencing enhancements based on offense location (e.g., drug-free school zones); three-strikes laws; mandatory minimum sentences; and police priorities and approaches to enforcement.⁶⁴ Improper use of a risk assessment tool may introduce bias and lead to disparate outcomes. However, when properly researched, designed, validated, and applied, risk assessment tools can assist criminal justice practitioners in making fair decisions that minimize bias while protecting public safety.⁶⁵

Resource Allocation

Resource allocation refers to how public funding is spent to support public safety and community well-being. Resources generally include schools, health services, social services, and other public programs. Prevention programs, access to mental health and substance use treatment, and diversion programs can address underlying issues in order to reduce the likelihood of offending or re-offending and incarceration.⁶⁶ In the realm of the criminal justice system, resource allocations can be examined in terms of law enforcement, treatment, prevention, diversion, prosecution, public defense, courts and other aspects of the system with a direct or indirect impact on a community. Funding decisions can help a community to thrive, or aggravate existing inequities. For example, frequent police patrols can

deter crime and increase residents' feelings of safety. A heavy police presence may also lead to more arrests, increased REDD, and higher levels of social disorder as a result of residents churning into and out of jail. Similarly, funding decisions related to the courts, prosecution and public defense can help or hinder the administration of justice (e.g., quality representation, timeliness of case processing, jail population size, and case outcomes).

COSTS AND CONSEQUENCES

High levels of arrest and incarceration lead to significant costs and consequences to individuals, families, communities, and society as a whole. The disproportionate involvement of people of color can reduce public safety, contribute to a political and economic disadvantage, adversely influence public health, and perpetuate negative intergenerational outcomes.

Public Safety

Police effectiveness and, by extension, public safety depend heavily on citizen support and cooperation.⁶⁷ REDD can exacerbate the belief that law enforcement is racially biased, which erodes trust in police lawfulness and legitimacy. This reduces citizens' cooperation and prompts resistance to providing information to help solve crimes, serving as witnesses in court, or taking part in crime-reduction initiatives.⁶⁸ A recent national survey found that 74 percent of whites and 30 percent of African Americans view police favorably.⁶⁹ The Charleston Illumination Project's local survey likewise found that whites view police significantly more positively than African Americans.⁷⁰

Many police, in turn, feel demonized by the public, experience low morale, and operate less proactively. A national survey⁷¹ found that 93 percent of officers now worry more about their personal safety; 75 percent of officers under age 44 report being verbally abused in the past month; and 72 percent of officers are less willing to stop and question suspicious persons due to worries over excessive scrutiny and criticism. Such attitudes on the part of both the public and police may reduce public safety.

An additional aspect of public safety impacted by REDD is the social disorganization and subsequent increased crime rates resulting from high rates of arrest in predominantly minority communities. The locations most affected tend to have considerable poverty, unemployment, and racial segregation "with poor African American communities bearing the brunt of high rates of imprisonment."⁷² (Note that Charleston County has the highest level of non-white/white residential segregation in the state.⁷³) **Researchers posit that such areas become less safe over time because "concentrated incarceration in those impoverished communities has broken families, weakened the social control capacity of parents, eroded economic strength, soured attitudes toward society, and distorted politics; even after reaching a certain level, it has increased rather than decreased crime."**⁷⁴

Legal Outcomes

The initial decision to arrest can lead to profound differences in case outcomes. Being arrested (and booked) in lieu of receiving a citation (and released) gives a person a higher chance of remaining in jail pretrial.⁷⁵ This is especially true for lower-income defendants. People who cannot afford to pay for pretrial release and those who cannot afford a private attorney are more likely to remain in jail longer. Pretrial detention at the time of sentencing increases the likelihood of being sentenced to incarceration and receiving a more severe sentence.⁷⁶



Economic and Political Costs

Direct costs faced by arrested individuals include financial bonds, attorney fees, other legal fees and fines, loss of income, childcare and transportation expenses. These costs often prompt people to take plea agreements to avoid the prohibitive expense of contesting charges at trial.⁷⁷ People who plead guilty then must deal with the lifelong legal, political, economic, and social repercussions of having a criminal record.

Scholars such as Michelle Alexander have advanced the argument that today's criminal justice system functions in a similar manner as Jim Crow laws, stripping justice system-involved people of their rights:

Today it is perfectly legal to discriminate against criminals in nearly all the ways it was once legal to discriminate against African Americans. Once you're labeled a felon, the old forms of discrimination—employment discrimination, housing discrimination, denial of the right to vote, and exclusion from jury service—are suddenly legal. As a criminal, you have scarcely more rights, and arguably less respect, than a black man living in Alabama at the height of Jim Crow. We have not ended racial caste in America; we have merely redesigned it.⁷⁸

Approximately 1 in 40 Americans has lost the right to vote due to a felony conviction—a 400 percent increase from 1.17 million in 1976 to 5.85 million in 2010.⁷⁹ Nationally, 7.7 percent of African Americans and 1.8 percent of non-African Americans are disenfranchised from voting. One-quarter of the felony disenfranchised are currently incarcerated. And, the vast majority—over 4 million people—live and pay taxes in their communities as parolees, probationers, or former felons while banned from voting.

In South Carolina, all convicted felons and some misdemeanants are barred from voting until full completion of their sentence, including parole or probation. According to the American Civil Liberties Union, this affects an estimated 48,522 South Carolina residents, nearly half of whom are on probation or parole. African Americans comprise 27 percent of the adult population in South Carolina and 64 percent of the disenfranchised.⁸⁰

Absent a felony conviction, arrest alone can lead to “chain of civil consequences”⁸¹ with continuous long-term collateral effects. Many noncriminal justice system actors rely on arrest records as monitoring, screening, or decision-making tools, particularly in the areas of employment, licensing, housing, social services, and immigration. This extends the impact of an arrest, reducing opportunities in a systemic manner and propagating a “complicated and poorly understood web of interactions with the criminal justice system.”⁸²

Intergenerational Effects

The impact of arrest and incarceration extends beyond the individual to his or her family. One study showed that children who witnessed the arrest of a household member were 57 percent more likely to have elevated posttraumatic stress symptoms compared to children who did not witness an arrest.⁸³

Children of incarcerated parents may experience shame and social stigma, weakened ties to the parent, loss of financial support, poor school performance, increased delinquency, increased risk of abuse and neglect, negative perceptions of police and the legal system, and intergenerational patterns of criminal behavior.⁸⁴

In 2007, 1.7 million children in the U.S. had a parent in prison (an 80 percent increase since 1991) — 1 in 15 black children, 1 in 42 Hispanic/Latino children, and 1 in 111 white children.⁸⁵ Although this report’s focus is Charleston’s local jail rather than state or federal prison, it is important to note that jail booking is the first step in what can be protracted involvement in the legal system.

Children of incarcerated parents may experience:

- shame and social stigma
- weakened ties to the parent
- loss of financial support
- poor school performance
- increased delinquency
- increased risk of abuse and neglect
- negative perceptions of police and the legal system
- intergenerational patterns of criminal behavior⁸⁴



Society-Wide Costs

The costs of criminal justice system involvement are borne by the arrested persons, their families, communities, and all taxpayers. According to a 2013 report by the Bureau of Justice Statistics, the U.S. spends approximately \$80 billion per year on corrections.⁸⁶ However, recent research has determined that **“for every dollar in corrections costs, incarceration generates an additional ten dollars in social costs. More than half of the costs are borne by families, children, and community members who have committed no crime.”**⁸⁷ The researchers estimate that when all social costs are considered, the **annual cost of incarceration is approximately \$1 trillion.**

Although high levels of incarceration are often justified as necessary to protect public safety by incapacitating offenders and deterring would-be offenders, research shows a weak relationship between higher incarceration and lower crime rates. Increased incarceration in the 1990s accounts for between 6 and 25 percent of crime reduction during that period (modestly reducing property crime but having no effect on violent crime). Since 2000, however, there has been almost no relationship between incarceration rates and crime rates.⁸⁸

Past a certain level, incarceration at scale provides little to no public safety benefit and leads to large public costs. It is quite possible to reduce incarceration while simultaneously lowering crime rates. In recent years, 35 states, including South Carolina, have safely decreased their prison populations while lowering crime rates and are projected to save billions of dollars.⁸⁹ **Since 2010, South Carolina’s crime rate has dropped 14 percent and its prison population has decreased 16 percent at a savings of \$491 million.**⁹⁰

BEST PRACTICES FOR REDUCING REDD

Much of what is known about best practices for reducing REDD in the justice system stems from the Office of Juvenile Justice and Delinquency Prevention’s (OJJDP) research on lowering “disproportionate minority contact” (i.e., REDD) among youth. **According to the OJJDP, there are five major steps needed to address REDD.**⁹¹

- 1) Identify and monitor REDD at major decision points in the system through the use of the Relative Rate Index to identify the extent of disproportionality at each point. This report and ongoing analysis by the CJCC accomplishes this step.
- 2) Assess the underlying causes of REDD in the community. Underlying causes may include differential offending patterns, indirect effects related to economic disadvantage, unmet needs for treatment and prevention, geographic factors, differences in processing or inappropriate decision making, and legislation and policies with a disproportionate impact.
- 3) The team working to address REDD must organize and prepare for local interventions
- 4) The team must prioritize, design, and launch interventions designed to address the underlying

causes as identified in step two. Interventions may be grouped broadly into three types:

- o Providing training and technical assistance to system practitioners (e.g., implicit bias training);
- o Reallocating resources to provide direct services to populations at risk and address accumulated disadvantage; and
- o Changing legislation and policies with a disparate impact.

5) Evaluate the effectiveness of the interventions and make adjustments as needed.

The Brennan Center for Justice at New York School of Law has issued a report with eight recommendations for reducing REDD in local jails.⁹² The recommendations are: (1) Reduce reliance on pretrial detention. (2) Divert low-level offenders from jail. (3) Create incentives and success measures to reduce racial disparities. (4) Create cross-departmental task forces to reduce racial disparities. (5) Require implicit bias training for all system actors. (6) Encourage prosecutors to prioritize serious and violent offenses. (7) Increase indigent representation in misdemeanor offenses. (8) Develop “bench cards” for judges to combat implicit bias and reduce unnecessary jail usage.

In addition to these recommended practices, increasing procedural justice and utilizing racial impact statements can influence overall incarceration rates as well as REDD.

Increase Procedural Justice

Procedural justice is characterized by perceptions of feeling heard, understood, respected; treated with neutrality, fairness, and helpfulness; and by understanding how decisions are made.⁹³ A large body of research supports the benefits of procedural justice in all areas of the criminal justice system, most notably the judiciary and law enforcement.⁹⁴ Perceptions of legitimacy improve people’s willingness to cooperate and accept decisions, even when those decisions do not benefit them.⁹⁵ Procedural justice increases belief in the legitimacy of individual system actors (e.g., police officers or judges) as well as the system as a whole⁹⁶ and has been shown to improve police-community relations.⁹⁷

Utilize a Racial Equity Tool

Use of a racial equity tool is a method of assessing and designing policies, practices, and budgets with the goal of racial equity at the forefront.⁹⁸ Racial equity tools help agencies address the mechanisms that perpetuate disparities, in order to create lasting structural changes. Utilizing a collaborative process with community input and transparency in decision-making, such a tool proactively integrates racial equity goals into agency operations to ensure that positive changes outlast good intentions and ad hoc initiatives. These tools include explicit statements of set outcomes, involve key stakeholders, determine the benefits and/or burdens, develop strategies to advance opportunity or minimize harm, track impacts over time, and report back lessons learned and/or unresolved.

SUMMARY

Reducing REDD is a complex process requiring broad and deep collaboration between community members and system leaders. Research discussed in this section indicates REDD contributes to reduced public safety and serious legal, economic and political repercussions. REDD puts children at risk of numerous harms, and REDD costs taxpayers unnecessarily without providing commensurate reductions in crime rates. Key areas to address in REDD reduction efforts are low-level arrests and pretrial detention, implicit bias, procedural justice, economic and educational disparities, housing instability, and mental health and substance use treatment. The analyses that follow provide a base for understanding the extent of REDD in Charleston County's criminal justice system.

While the CJCC's existing strategies and planned REDD reduction strategy address many of the best practice areas there is much more work to be done. For example, the CJCC's strategies to improve pretrial practices, reduce the number of low-level misdemeanants booked into jail, and the opening of the Tri-County Crisis Stabilization Center are showing progress.⁹⁹ In addition, other programs, such as the Telehealth/Mobile Crisis Unit, Crisis Intervention Training for law enforcement, and other community-wide efforts such as the Charleston Illumination Project, are also positive steps forward. To learn more about the CJCC's planned work to reduce REDD, please see the next steps section on page 52.

The primary framework used in this report for identifying levels of disproportionality is the relative rate index (RRI). The RRI is a comparison of the rate of the group of interest (black) to the rate of the reference group (white) at a point in the justice system (booking, bond setting, or disposition). The RRI is the standard measure used nationally to examine racial or ethnic disproportionality in the justice system. Widespread use of RRI originated in the juvenile justice system, and agencies such as the Office of Juvenile Justice and Delinquency Prevention¹⁰⁰ have published the majority of literature on RRI methodology.

The RRI for whites (as the reference group) is always one. An RRI greater than one shows that African Americans are affected more than whites at a given point; less than one, affected less than whites. The further from one in either direction, the larger the disproportionality. For example, if African Americans receive PR bonds less than whites, the RRI will be less than one, indicating disproportionate impact on African Americans.

It is important to note that there is no magic number for an acceptable RRI. It is only a measure of disproportionality, and a high or low RRI does not necessarily indicate racial bias or discrimination. The RRI provides guidance on where to focus efforts in reducing REDD. Identifying disproportionality is only the first step in a complex process that will ultimately require a community- and system-wide collaboration to achieve racial equity in the local criminal justice system. As noted in the table below, to measure disproportionality at each decision point, the RRI calculation utilizes the previous point's population as a base for rate calculations. Additional bases also provide further context or clarity where appropriate.

DECISION POINT/ STAGE IN THE SYSTEM	BASE FOR RATE
Incarceration Snapshot	Rate per 1,000 general population
Arrest/Booking	Rate per 1,000 general population
Bond Setting	Rate per 100 booked Rate/proportion per 100 bonds

Rates, Relative Rates and Measures of Change

There are two ways to measure progress in reducing REDD and incarceration in general. The first is to look at absolute numbers of persons incarcerated or booked into jail, typically converted into a rate per 1,000 population. The second is to look at the relative rate index, i.e., comparing the rate for one group (African American) to another group (white). In some cases, the relative rate comparison may not show a decrease even though the absolute involvement of people of both races has decreased. Examining changes in both rates and relative rates gives the most complete understanding of changes in the incarcerated or booked population.¹⁰¹

Example: Rates and Relative Rate Index

Rate: Local bookings per 1,000 population

- In 2014, for every 1,000 adult black men in Charleston County, 12.51 were booked into jail for trespassing.
- In 2014, for every 1,000 adult white men in Charleston County, 1.25 were booked into jail for trespassing.

Relative rate index (RRI): Standard measure used nationally to identify racial disproportionality

- $RRI = \text{Black rate} \div \text{White rate}$
- $RRI > 1$ means black people are affected more than white and an $RRI < 1$ means black people are affected less than white. The further from 1 the value, the greater the disproportionality.
 - In 2014: 12.51 [black rate] \div 1.25 [white rate] = 10.00 .
 - For every 1 white man booked for trespassing, 10 black men were booked. In other words, black men were booked 10 times as often as white men for trespassing in 2014.

Measures of change are also included, for example, the degree of change across years is calculated as a percentage of change (i.e., % change = (new figure – old figure)/old figure). Note on rounding: Data are shown to the hundredth decimal place, whereas rates and changes may be calculated without rounding.

Example: Measure of Change

- In 2014, the RRI for local bookings was 3.70. and in 2017, the RRI for local bookings was 3.56.
- Measure of change: $(3.56$ [new RRI] $- 3.70$ [old RRI]) / 3.70 [old RRI] = -4%
- In other words, the amount of disproportionality at booking fell 4% between 2014 and 2017.

The data utilized for analyses came from the data available in the CJCC's central data warehouse and its respective contributing sources (e.g., jail and court), and general population data from the US Census Bureau's American Community Survey (ACS) 1– Year estimates. Please see the appendix for more information about the data sources and system stages covered in this report.

INCARCERATION TRENDS

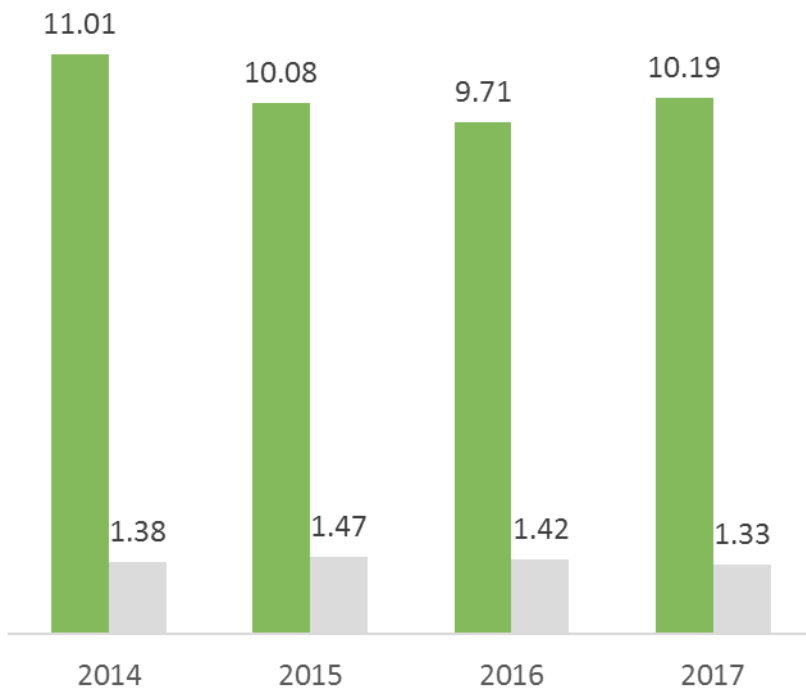
Disproportionality in incarceration is calculated utilizing monthly point-in-time snapshots of the entire population in the Sheriff Al Cannon Detention Center (SACDC) and averaging the population demographics for each year. The following key findings illustrated in the charts below provide overall disproportionality in incarceration trends in the SACDC between 2014 and 2017:

- In 2017, out of every 1,000 black adults in Charleston County, 10.19 were incarcerated, and out of every 1,000 white adults 1.33 were incarcerated.
- In 2017, for every one white individual incarcerated in the SACDC there were 7.65 black individuals incarcerated.
- **The amount of disproportionality in incarceration declined 4% between 2014 (7.97 black adults incarcerated to one white) and 2017 (7.65 black adults incarcerated to one white).**

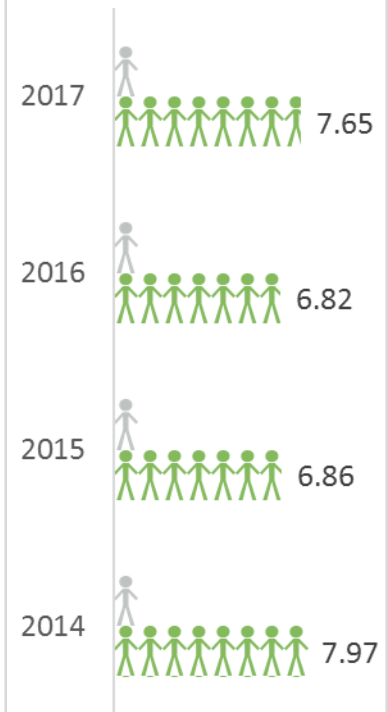
The following key findings illustrated in the charts below provide disproportionality in incarceration by gender and age in the SACDC between 2014 and 2017:

- In 2017, out of every 1,000 black men in Charleston County, there were 22.04 incarcerated, and out of every 1,000 white men, 2.38 were incarcerated.
 - The rate of incarceration for black men fell 6% between 2014 (23.54 per 1,000 in the county) and 2017 (22.04 per 1,000 in the county).
 - The rate of incarceration for white men fell 2% between 2014 (2.44 per 1,000 in the county) and 2017 (2.38 per 1,000 in the county).
- In 2017, for every one white man incarcerated in the SACDC there were 9.26 black men incarcerated, representing a 4% decline in disproportionality since 2014 (RRI of 9.66:1).
- In 2017, for every 1,000 black women in Charleston County, there were .62 incarcerated, and for every 1,000 white women .33 were incarcerated.
 - The rate of incarceration for black women fell 29% between 2014 (.87 per 1,000 in the county) and 2017 (.62 per 1,000 in the county).
 - The rate of incarceration for white women also declined, by 11% between 2014 (.37) and 2017 (.33).
- In 2017, for every one white woman incarcerated in the SACDC there were 1.86 black women incarcerated, representing a 21% decline in disproportionality since 2014 (RRI of 2.34:1).
- Among black men and women, ages 18-34 are incarcerated most.
- Among white men and women, ages 25-44 are incarcerated most.

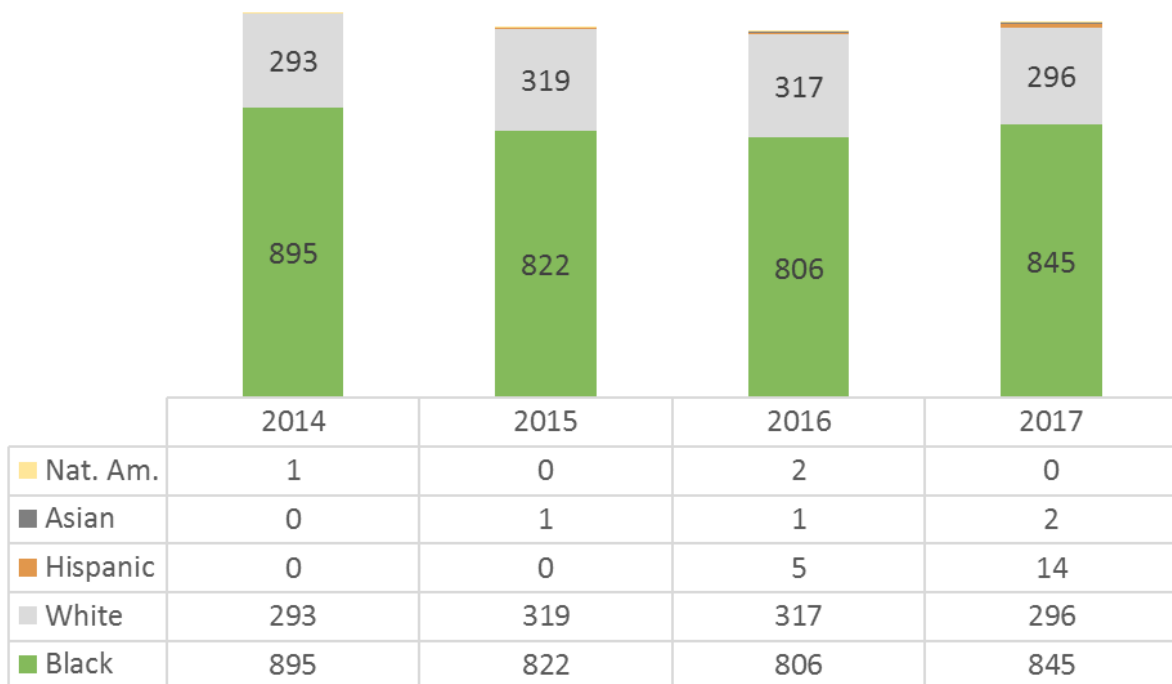
Monthly Average Incarceration Black - White Rate per 1,000 Population



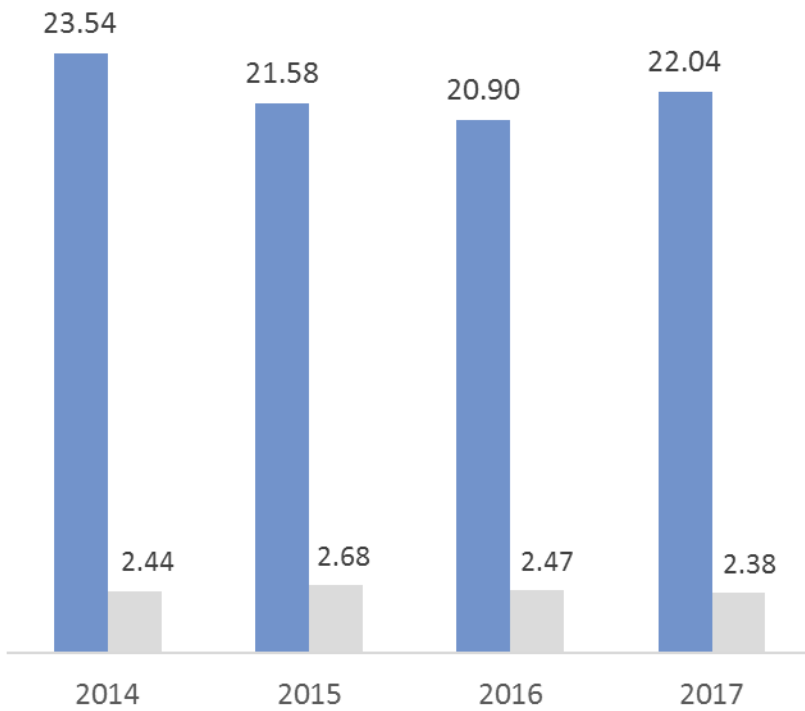
Monthly Average Incarceration B:W RRI



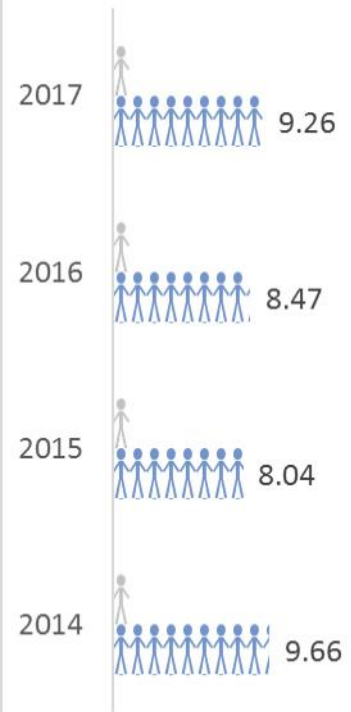
Monthly Average Incarceration Count by Race



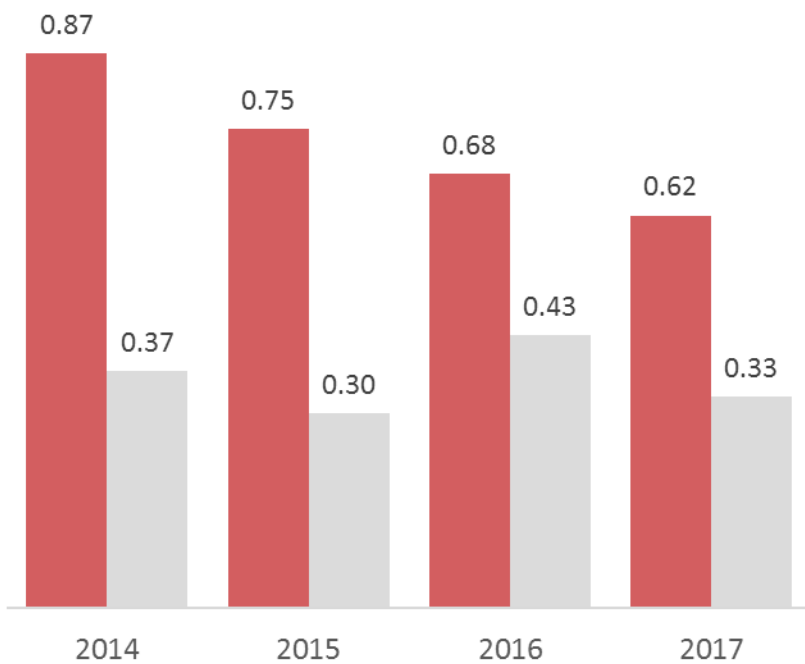
Male Monthly Average Incarceration
Black - White Rate per 1,000 Population



Male Monthly Avg Incarceration B:W RRI



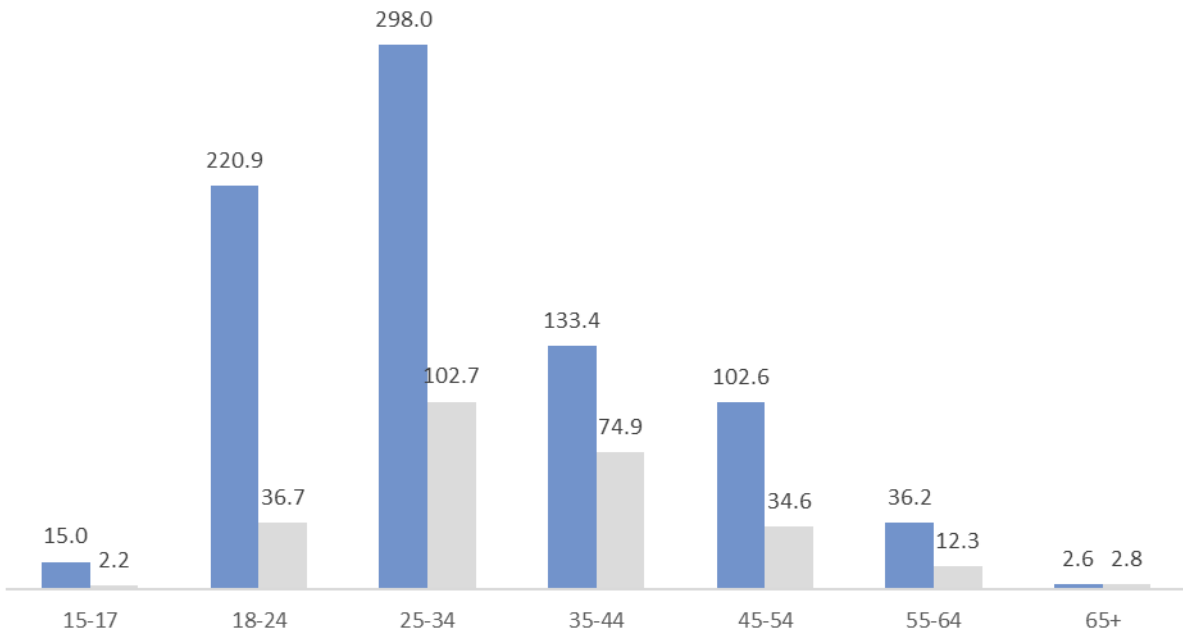
Female Monthly Average Incarceration
Black - White Rate per 1,000 Population



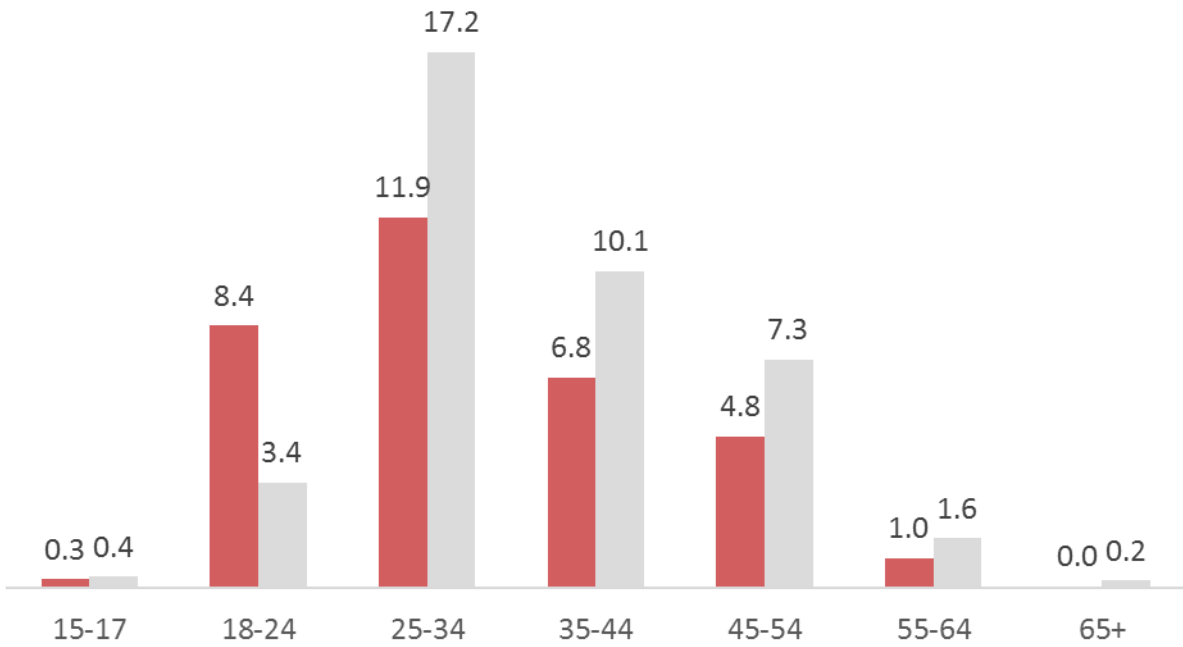
Female Monthly Avg Incarceration B:W RRI



Male Average Monthly Incarceration Count by Age Black - White (2014-2017 mean)



Female Average Monthly Incarceration Count by Age Black - White (2014-2017 mean)



In addition to looking at overall incarceration, it is important to understand disproportionality among the different local reasons why individuals enter the jail (i.e., booking). This section provides a more extensive understanding of various local booking trends overall as well as by gender between 2014 and 2017.

Local booking trends exclude non-local reasons for jail admission (Federal, Immigration, and Holds for other jurisdictions). The analysis includes:

- All local bookings
- CJCC Strategy One: target (single) charge bookings for five specific low-level, nonviolent offenses: simple possession marijuana, open container, trespassing, misdemeanor shoplifting, and public intoxication.
- CJCC Strategy Three: criminal bench warrant bookings (CBW)

ALL LOCAL BOOKINGS

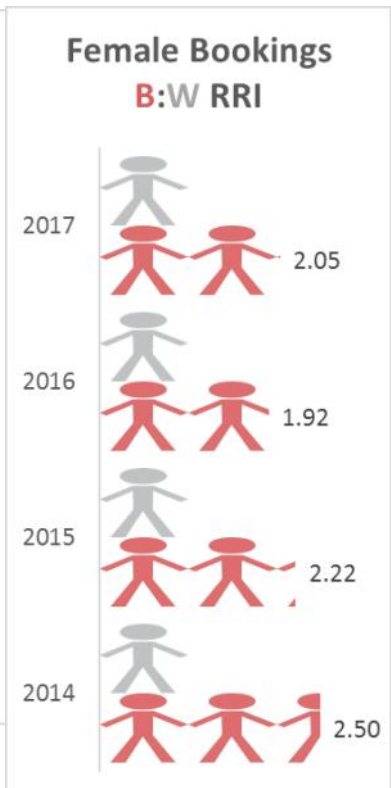
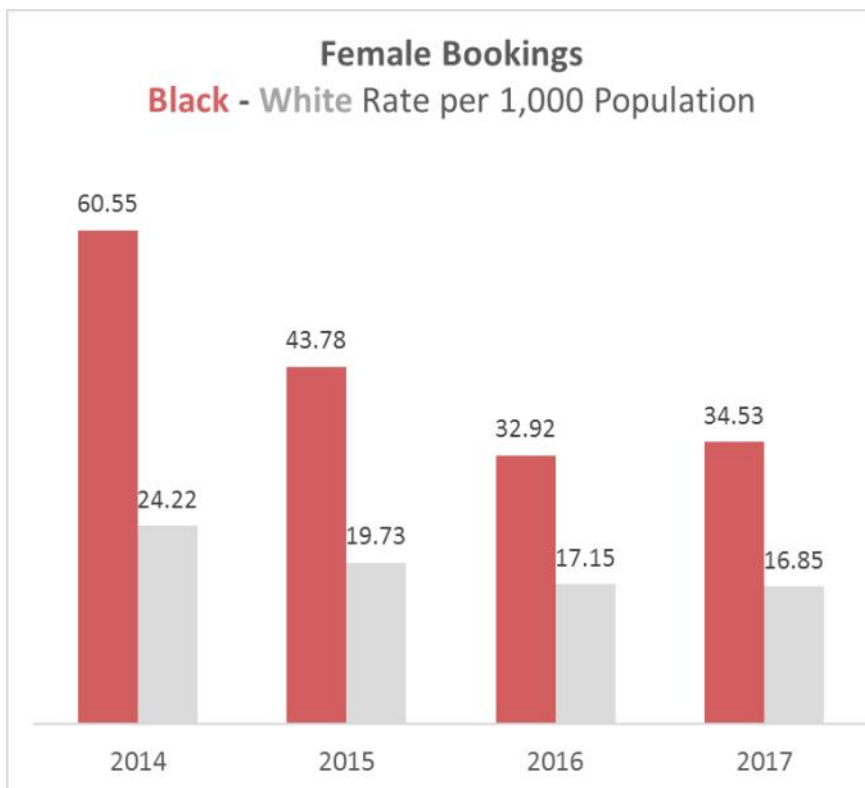
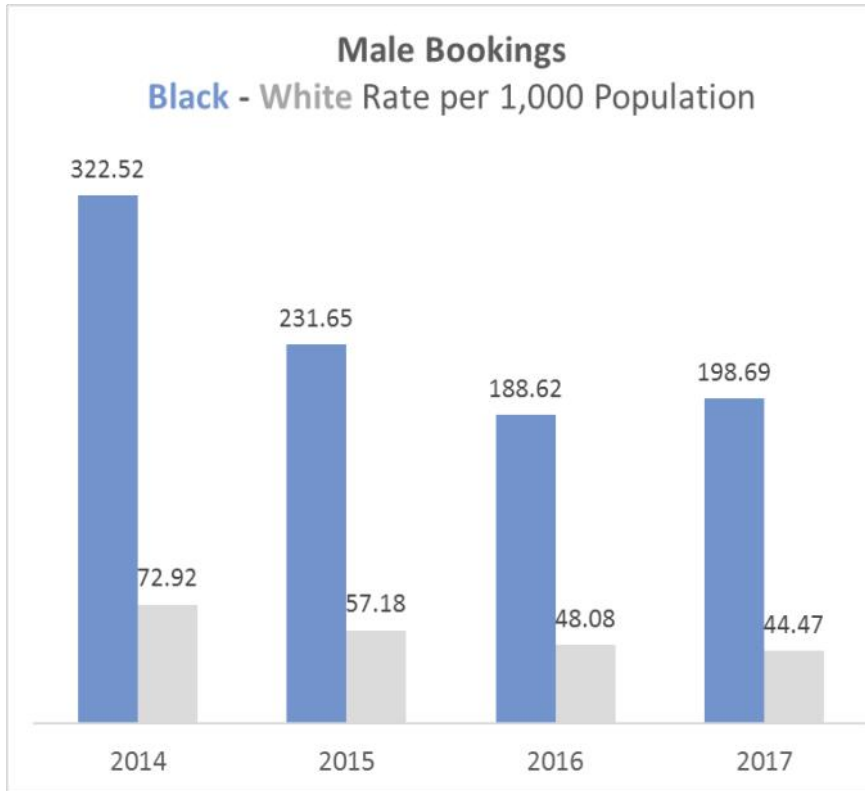
The rate of local bookings decreased for white and black adults between 2014 and 2017, as did disproportionality among all local bookings. Illustrated in the charts below are the following key disproportionality findings among local booking trends:

- In 2017, out of every 1,000 black adults in Charleston County, there were 107.88 booked into the SACDC, and out of every 1,000 white adults, there were 30.34 booked.
- The rate of black adult bookings declined 39% between 2014 (177.76 per 1,000) and 2017 (107.88 per 1,000). Similarly, the rate of white adult bookings declined 37% from 48.06 per 1,000 in 2014, to 30.34 per 1,000 in 2017.
- In 2017, black individuals were booked into the jail 3.56 times as often as white individuals were booked, representing a 4% decline since the peak in 2014 when the RRI was 3.70 black bookings to one white.



The rate of local bookings per 1,000 population declined for both males and females between 2014 and 2017. Illustrated in the charts that follow are the following key disproportionality findings by gender among local booking trends:

- In 2017, for every 1,000 black men in Charleston County there were 198.69 booked into the jail, and for every 1,000 white men, 44.47 were booked.
- Between 2014 and 2017, the rate of booking for black men declined by 38% (from 322.52 in 2014) and 39% for white men (from 72.92 in 2014).
- In 2017, out of every 1,000 black women in the county there were 34.53 booked into the jail, and out of every 1,000 white women 16.85 were booked.
- Between 2014 and 2017, the rate of booking for black women declined by 43% (from 60.55 in 2014) and 30% for white women (from 24.22 in 2014).
- **Disproportionality within local bookings for women decreased, for men it increased slightly.**
- In 2017, black men were booked into the jail 4.47 times as often as their white counterparts were, representing a 1% increase since 2014 when it was 4.42:1.
- In 2017, black women were booked into the jail 2.05 times as often as their white counterparts were, representing a decline of 18% since 2014 when the RRI was 2.50:1.



STRATEGY ONE: TARGET CHARGE BOOKINGS

Bookings for CJCC Strategy One-target (single) charges include five specific low-level, nonviolent offenses: simple possession marijuana, open container, trespassing, misdemeanor shoplifting, and public intoxication. The charts below illustrate the key findings for Strategy One target (single) charge bookings, overall, individually and by gender.

All Target Charges Combined

Out of every 1,000 adults in Charleston County, local bookings into the SACDC for all target (single) charges combined decreased between 2014 and 2017:

- In 2017, out of every 1,000 black adults in Charleston County 13.93 were booked into the jail on strategy one-target charges, and for every 1,000 white adults 5.34 were booked.
- The black rate fell by 61% from 35.34 in 2014 to 13.93 in 2017, and the white rate fell 44% from 9.58 in 2014 to 5.34 in 2017.
- **In 2017, the amount of disproportionality among target (single) charge bookings was 2.61 black adults to one white adult, representing a decline of 29% since 2014 when the RRI was 3.69:1.**

There was also a decline in disproportionality among target (single) charge bookings by gender:

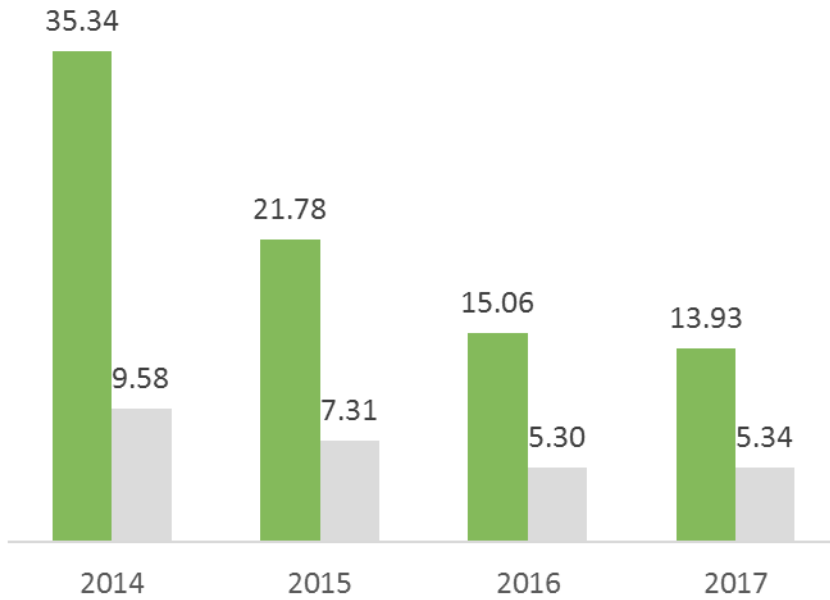
- Disproportionality among men fell 28% from 4.59 in 2014 to 3.30 in 2017; and 32% from 2.30 in 2014 to 1.57 in 2017 for women.
- The rate per 1,000 for black men fell 61% (63.15 in 2014 to 24.86 in 2017) and the rate for white men fell 45% (13.76 in 2014 to 7.53 in 2017).
- The rate for black women (per 1,000) fell 60% (12.83 in 2014 to 5.10 in 2017) and the rate for white women fell 41% (5.57 in 2014 to 3.26 in 2017).

Specific Target Charge Bookings

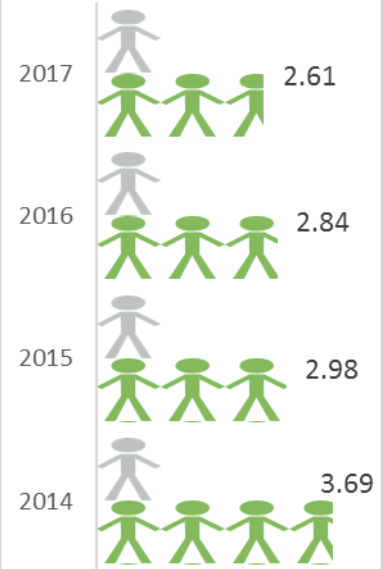
Across nearly every target charge, rates and disproportionality reduced between 2014 and 2017 with few exceptions that varied by gender. For example:

- Rates of shoplifting per 1,000 fell 53% for black men (7.07 to 3.92), 49% for white men (2.75 to 1.41), 70% for black women (6.59 to 1.98), and 58% for white women (3.20 to 1.34).
- Disproportionality in shoplifting decreased 28% (from 2.06:1 to 1.48:1) for women and 9% for men (from 2.57:1 to 2.34:1)
- Disproportionality in public intoxication also decreased, for women by 31% (.61 to .42) and for men by 30% (1.82 to 1.28). The rate of white women booked (per 1,000) for public intoxication increased 13% (.91 to 1.03) the rate for black women decreased 21% (.56 to .44).
- While rates per 1,000 for simple possession marijuana fell in all races and genders, disproportionality among men increased 21% (9.37 to 11.30), in the only target charge increase for men.
- Disproportionality among women decreased for all charges except trespassing and open container.

All Target (Single) Charge Bookings Black - White Rate per 1,000 Population

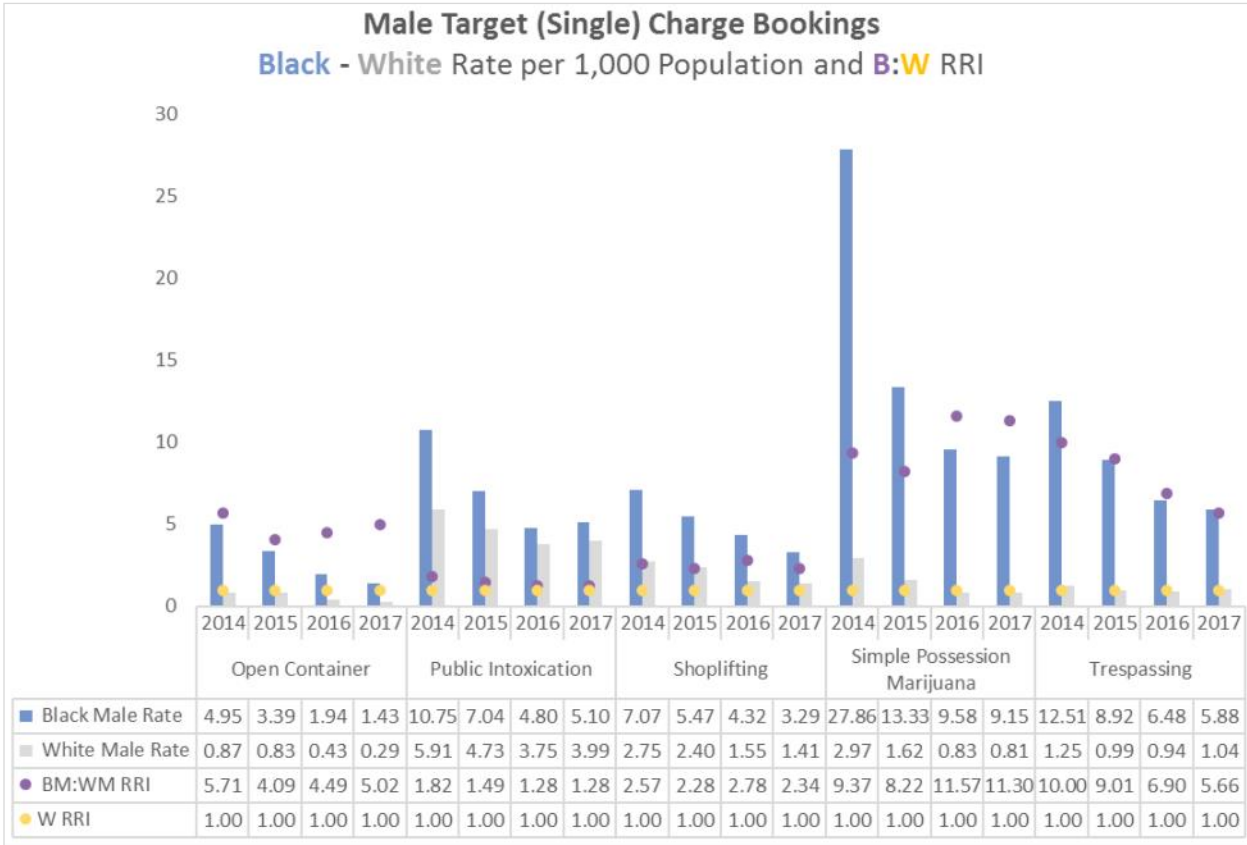
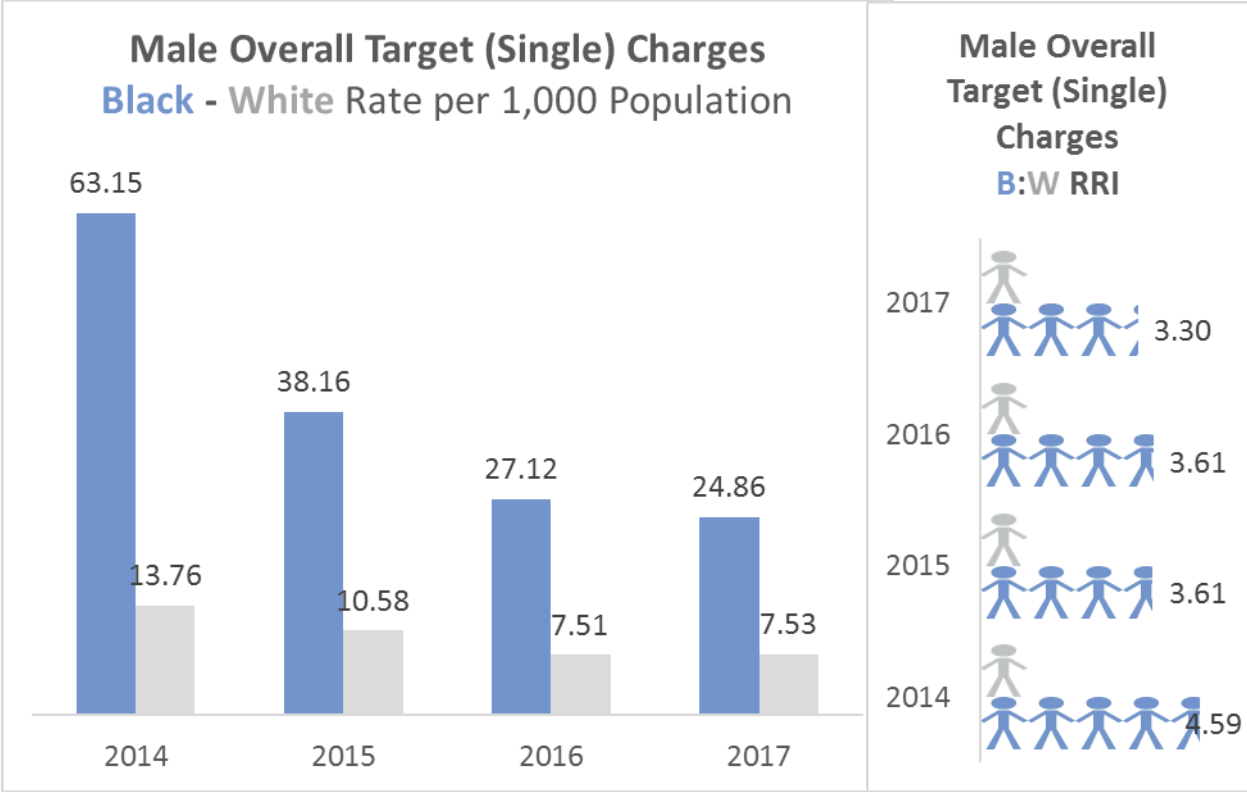


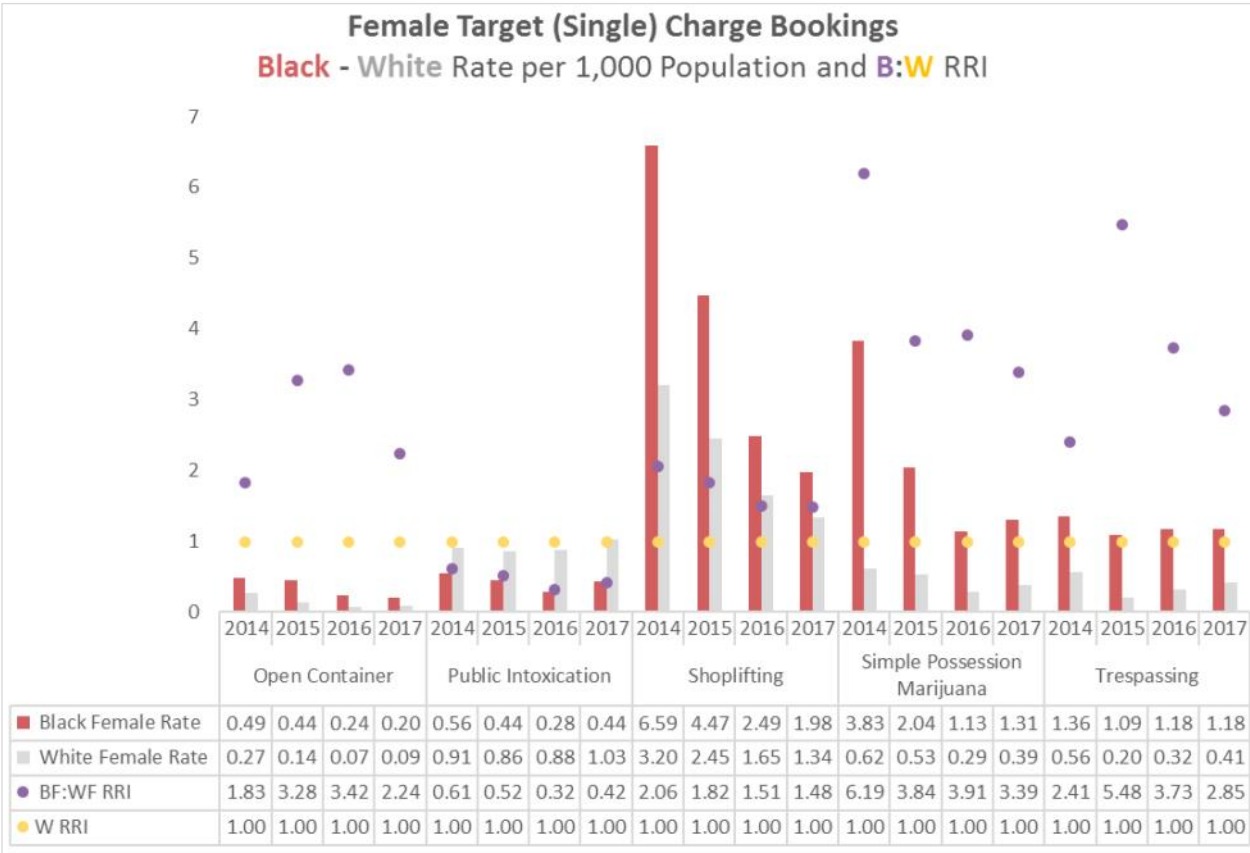
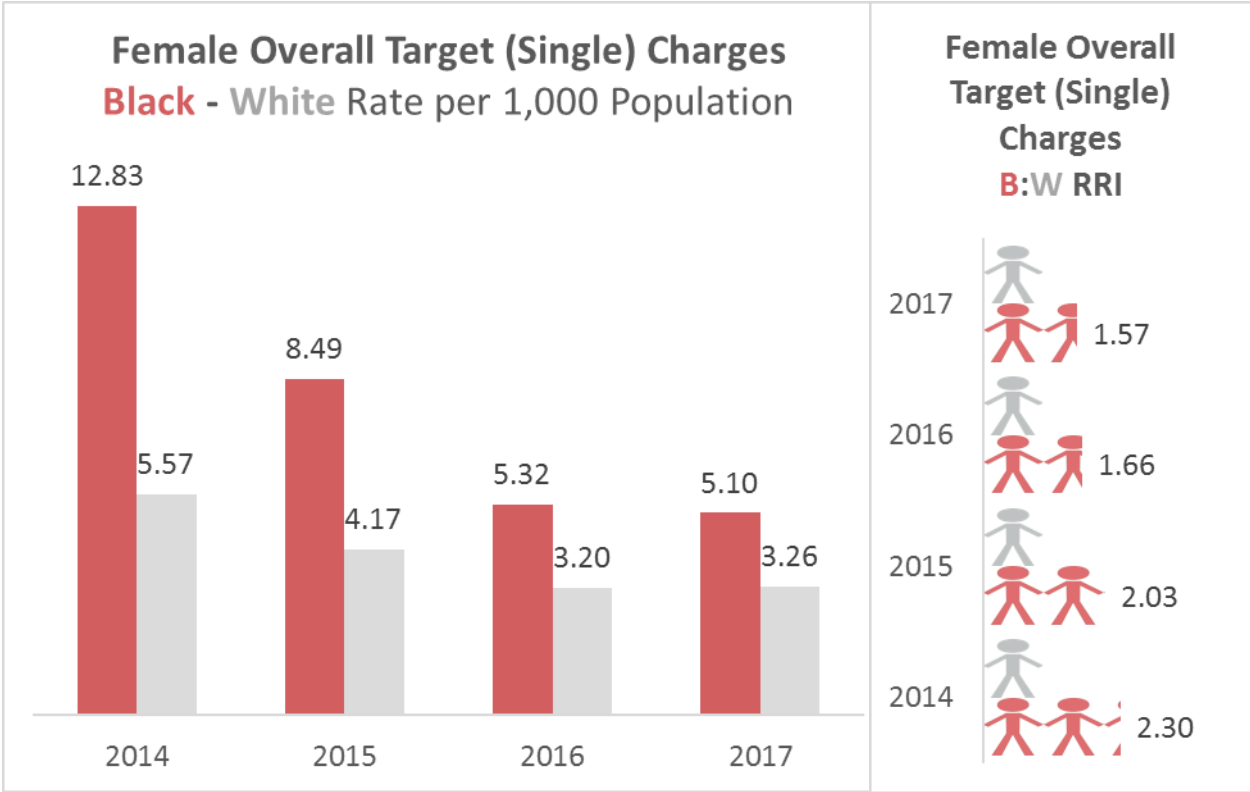
All Target (Single) Charge Bookings B:W RRI



Target (Single) Charge Bookings Black - White Rate per 1,000 Population and B:W RRI







CRIMINAL BENCH WARRANT BOOKINGS

Rates for all local criminal bench warrant bookings decreased between 2014 and 2017. Illustrated in the charts below are the key local criminal bench warrant booking findings by race and gender.

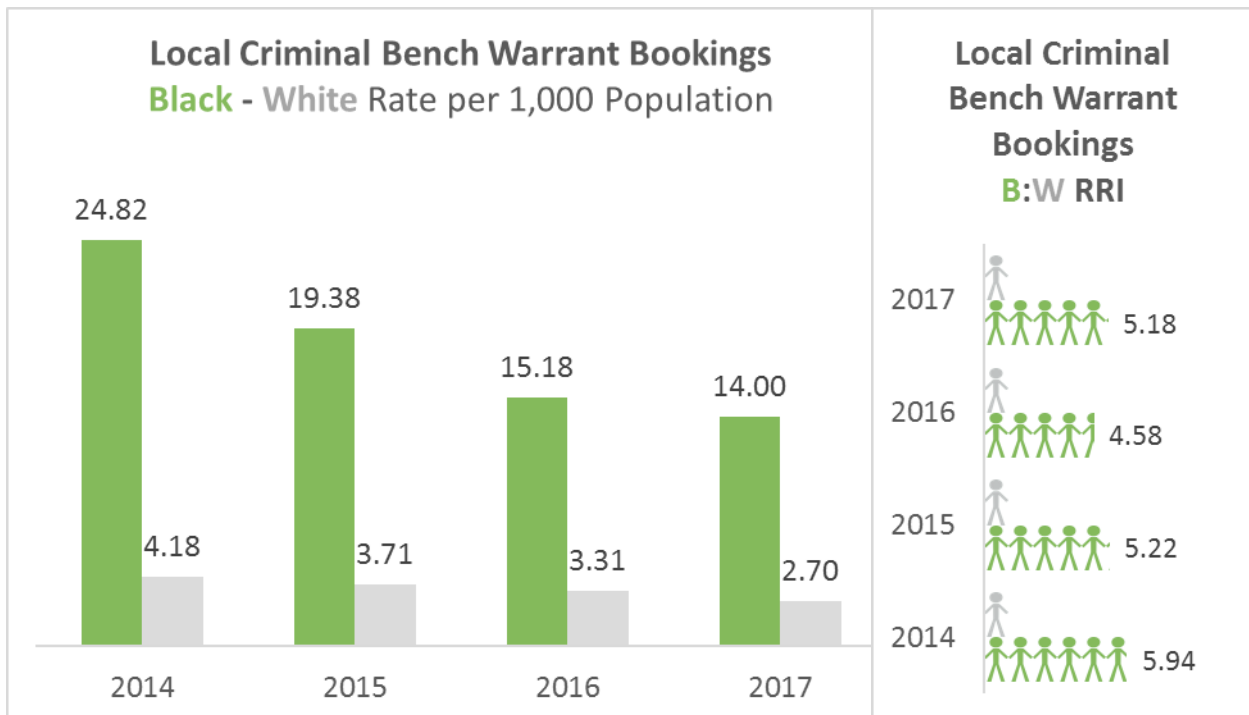
Overall Criminal Bench Warrant Booking Trends

- In 2017, out of every 1,000 black adults there were 14 booked into the SACDC on a criminal bench warrant, and 2.70 white adults booked per 1,000 white adults.
- The black rate of booking dropped 44% from 24.82 in 2014 to 14 in 2017; similarly, the white rate dropped 35% from 4.18 in 2014 to 2.70 in 2017.
- In 2017, black individuals were booked into the jail on criminal bench warrants 5.18 times for every one white individual, representing a 13% decrease in disproportionality since 2014 when the RRI was 5.94:1.

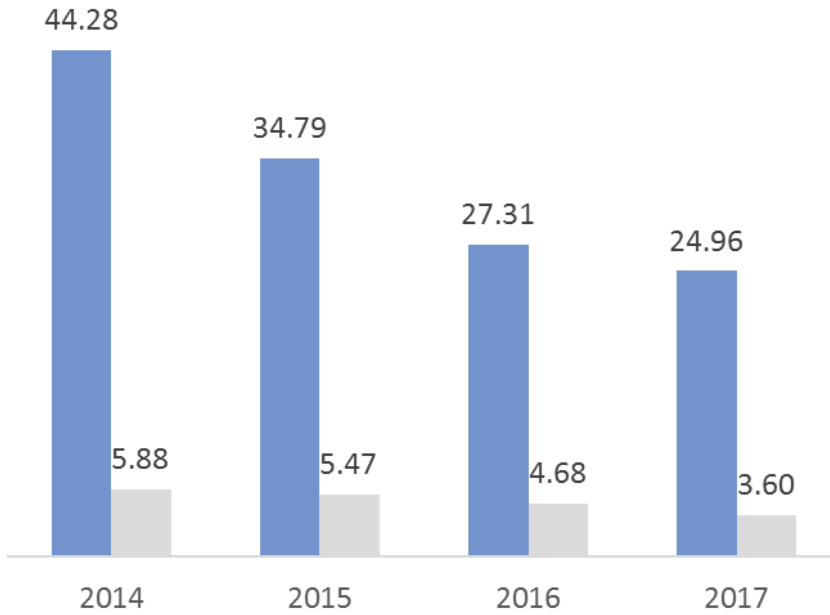
Criminal Bench Warrant Booking Trends by Gender

Disproportionality and rates per 1,000 among local criminal bench warrant bookings by gender also decreased between 2014 and 2017.

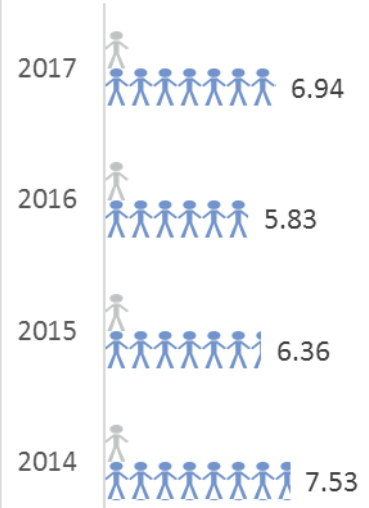
- The rate per 1,000 decreased 43% for black women (9.06 in 2014 to 5.14 in 2017) and 27% for white women (2.54 in 2014 to 1.85 in 2017). The rate declined 44% for black men (44.28 in 2014 to 24.96 in 2017) and 39% for white men (5.88 in 2014 to 3.60).
- The relative rate index also declined 22% for women, from 3.57 in 2014 to 2.78 in 2017; and declined 8% for men, from 7.53 in 2014 to 6.94 in 2017.



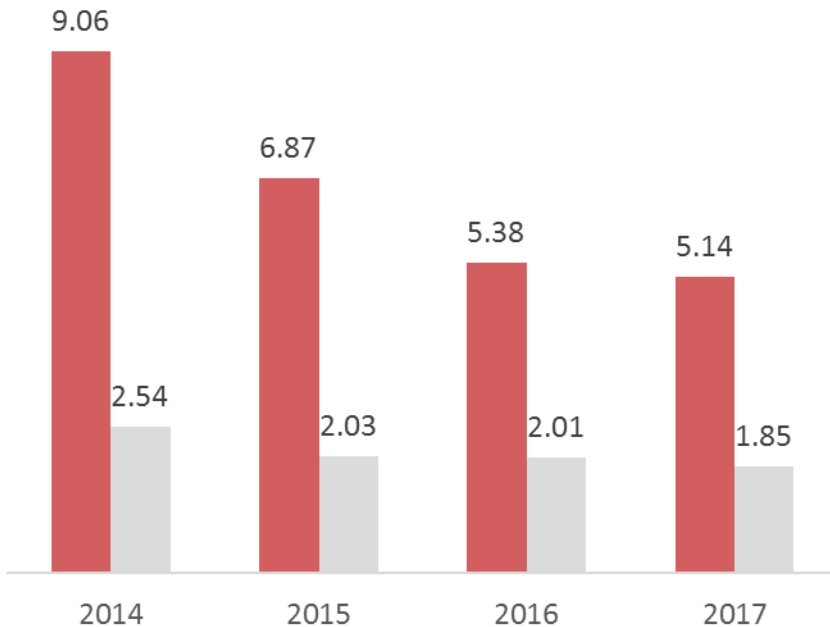
Male Criminal Bench Warrant Bookings (Local)
Black - White Rate per 1,000 Population



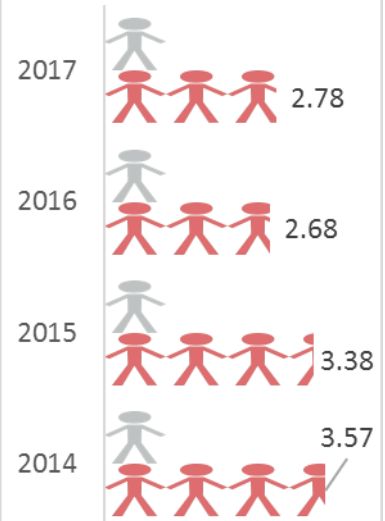
Male Criminal Bench Warrant Bookings (Local)
B:W RRI



Female Criminal Bench Warrant Bookings (Local)
Black - White Rate per 1,000 Population



Female Criminal Bench Warrant Bookings (Local)
B:W RRI



BOND TRENDS

Bond setting in Centralized Bond Court (CBC) occurs by law within 24 hours. The purpose of bond setting is for the judge to determine a person's risk of failing to appear for trial and risk to public safety during the pretrial period. The judge then sets a type of bond (e.g., financial or personal recognizance (PR)) with varying conditions that a person must meet before being released from jail pretrial or while out on bond (e.g., no contact with victim).

The analysis of disproportionality among bond trends is focused on bonds set in CBC which occur after being booked into the SACDC. The previous decision point (i.e., booking) in the system is used as the base population to help control for previous disproportionality found in the system (i.e., booking). Therefore, rate calculations for each type of bond based include:

- Rate per 100 bookings as the immediately preceding decision point in the process for General Sessions-driven bond setting.
- Summary-driven bond setting is calculated as a proportion per race by type of bond since there are numerous summary bookings that do not have a bond setting (e.g., sentencing and bond schedule and max fine releases).

Analysis includes:

- Bond types (PR or financial) by court level (General Sessions (GS) and Summary)
- Financial bond amounts ordered by court level (GS and Summary)
- Average length of stay for financial bonds by court level (GS and Summary).

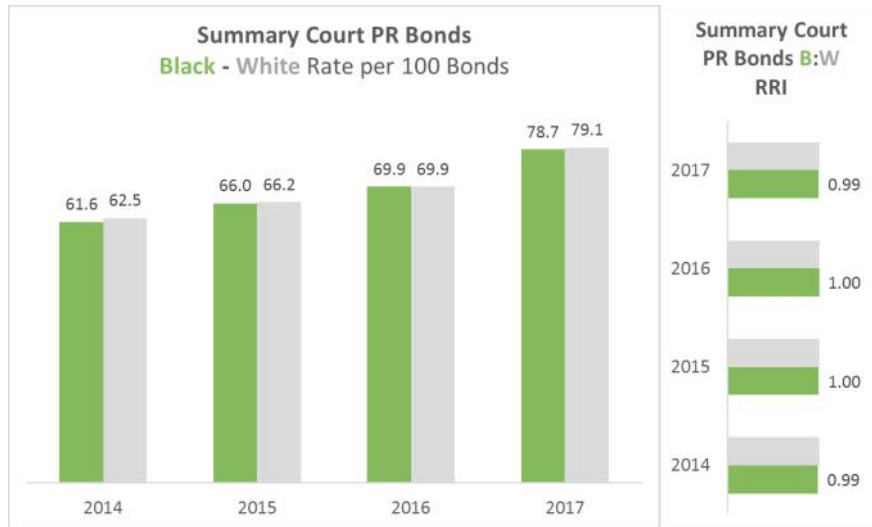
For more information on the bond analysis please see the appendix.

SUMMARY BOND SETTING

There is almost no disproportionality in Summary-driven bond types (PR or financial) by race and gender across recent years.

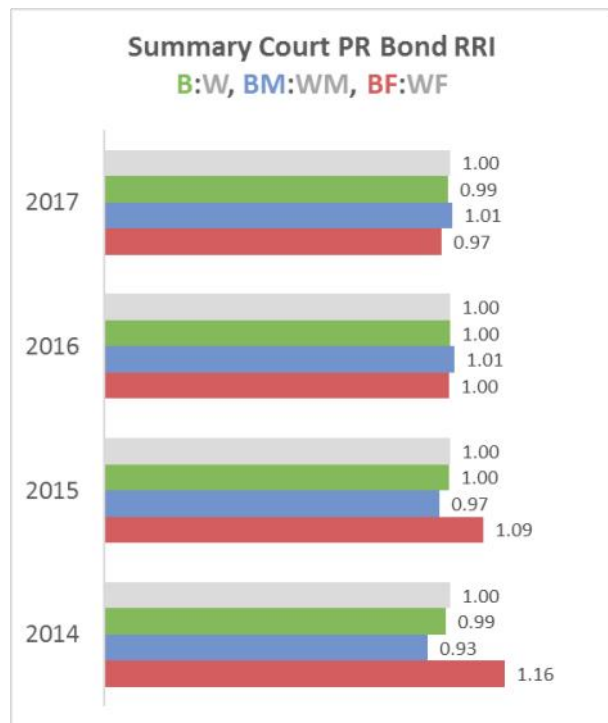
TYPE: PERSONAL RECOGNIZANCE BONDS

- There was **almost no disproportionality in PR Summary bonds in 2017** with a relative rate index of .99, the same as it was in 2014.
- In 2017, of every 100 Summary bonds set in CBC the black rate for PR bonds was 78.65 and the white rate was 79.11.



TYPE: PERSONAL RECOGNIZANCE BONDS BY GENDER

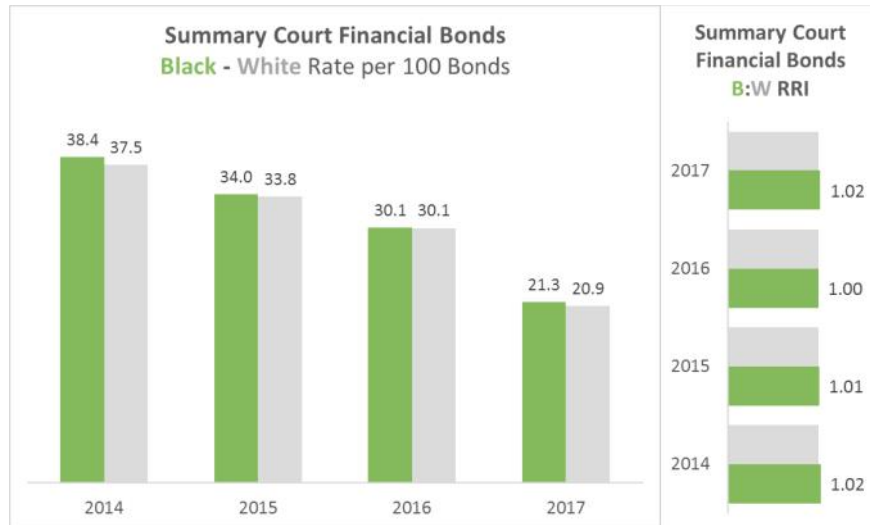
- Among **men**, there was also almost no disproportionality in PR summary bonds in 2017 with an RRI of 1.01, indicating less disproportionality than in 2014 when it was .93.
- Among **women**, disproportionality in PR summary bond setting in 2017 was also very low with an RRI of .97, indicating less disproportionality than in 2014 when it was 1.16.



SUMMARY BOND SETTING

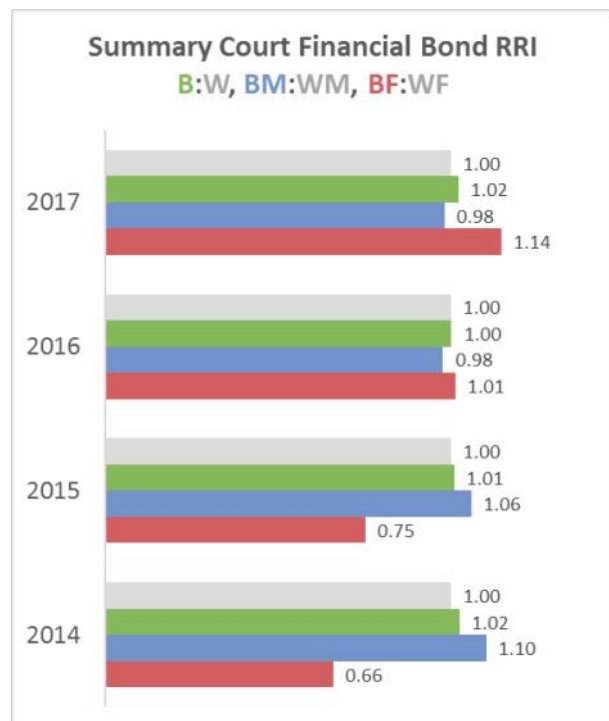
TYPE: FINANCIAL BONDS

- There was **almost no disproportionality in financial Summary bonds in 2017** with a relative rate index of 1.02, the same as it was in 2014.
- In 2017, of every 100 Summary bond sets in CBC the black rate for financial bonds was 21.35 and the white rate was 20.89.



TYPE: FINANCIAL BONDS BY GENDER

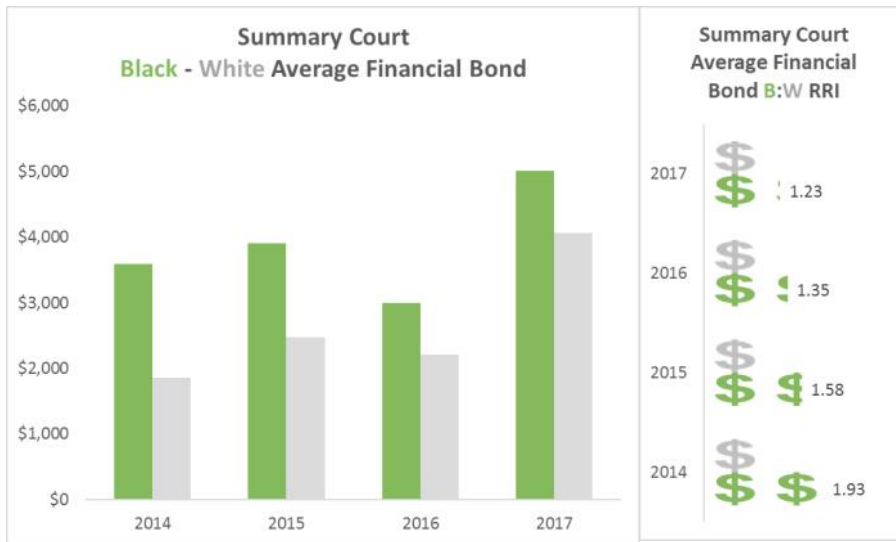
- Among **men**, there was also almost no disproportionality in financial summary bonds in 2017 with an RRI of .98, less disproportionality than in 2014 when it was 1.10.
- Among **women**, there was also low disproportionality in financial summary bonds in 2017, the RRI was 1.14, less disproportionality than in 2014 when it was .66.



SUMMARY BOND SETTING

FINANCIAL BONDS: DOLLAR AMOUNT

- **Disproportionality among the amount of financial bonds ordered declined 36% to 1.23:1 from 2014 when the RRI was 1.93:1.**
- The average amount of Summary-driven financial bonds ordered in 2017 was \$5,011 for black and \$4,068 for white defendants, more expensive than in 2014, \$3,588 for black and \$1,857 for white defendants.
- Disproportionality also declined for men and women (For averages by gender see appendix.)



FINANCIAL BONDS: LENGTH OF STAY

- Disproportionality also declined in the average length of stay (i.e., how long it takes to secure release on a financial bond) between 2014 and 2017.
- Between 2014 and 2017, the amount of disproportionality in length of stay declined 17% from 1.29 in 2014 to 1.08 in 2017. In addition, the average lengths of stay decreased by 1% for black (10.54 in 2014 to 10.40 in 2017) and increased by 18% for white (8.17 in 2014 to 9.67 in 2017).
- Disproportionality also declined for men and women (For averages by gender see appendix.)

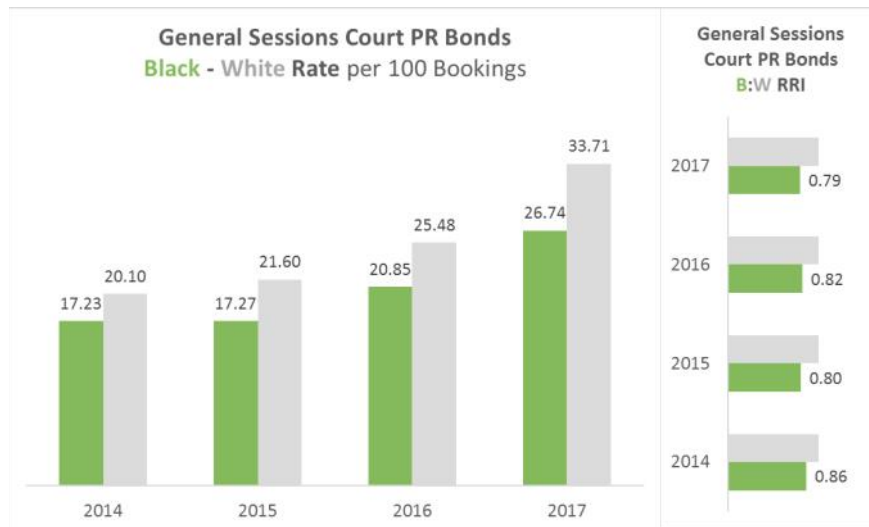


GENERAL SESSIONS BOND SETTING

In General Sessions (GS) driven bond setting, black and white defendants receive PR and financial bonds at similar rates across the years with low disproportionality; however, it increased slightly since 2014.

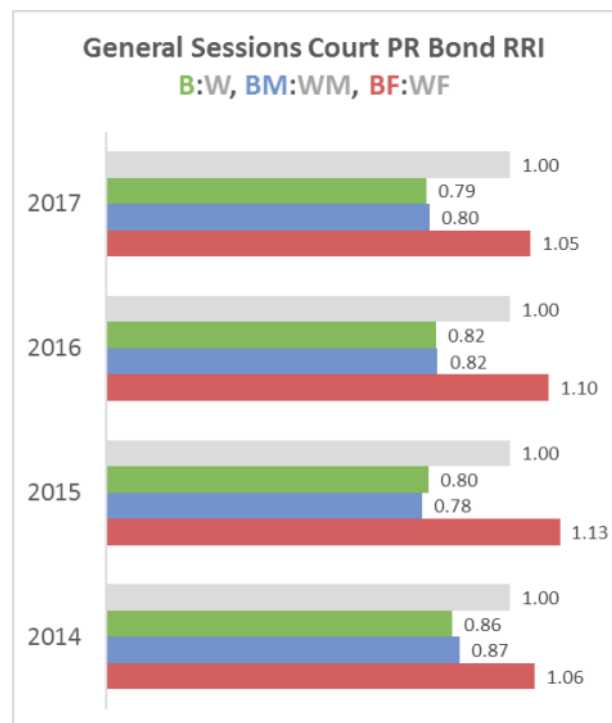
TYPE: PERSONAL RECOGNIZANCE BONDS

- In 2017 out of every 100 GS bookings the black rate of PR bond setting was 26.74 and the white rate was 33.71.
- In 2017, the amount of disproportionality among GS PR bond setting was .79 indicating black defendants receive PR bonds less often than white. In 2014, the RRI was .86.



TYPE: PERSONAL RECOGNIZANCE BONDS BY GENDER

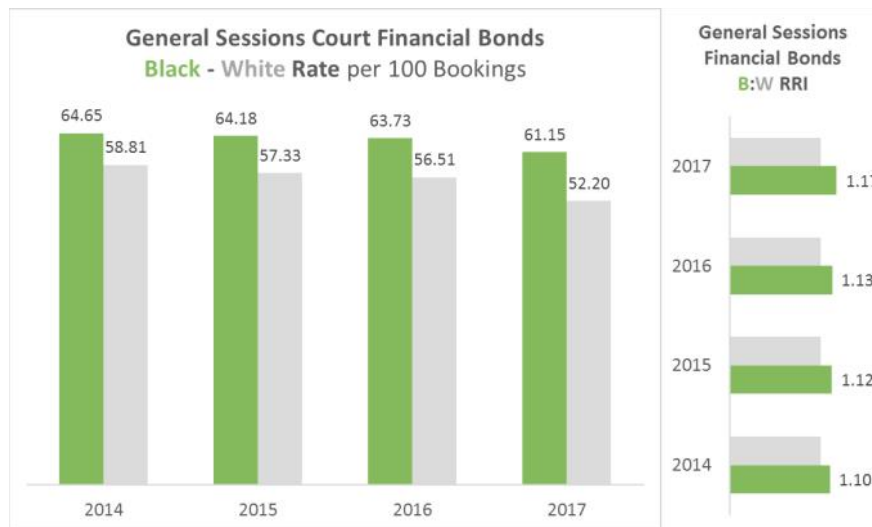
- Among **males**, disproportionality in 2017 was low with an RRI of .80.
- Among **females**, disproportionality in 2017 was also low with an RRI of 1.05.
- While low, the amount of disproportionality in PR bond setting increased some for males by from .87 in 2014 to .80 in 2017; and decreased slightly for females, 1.06 in 2014 to 1.05 in 2017.



GENERAL SESSIONS BOND SETTING

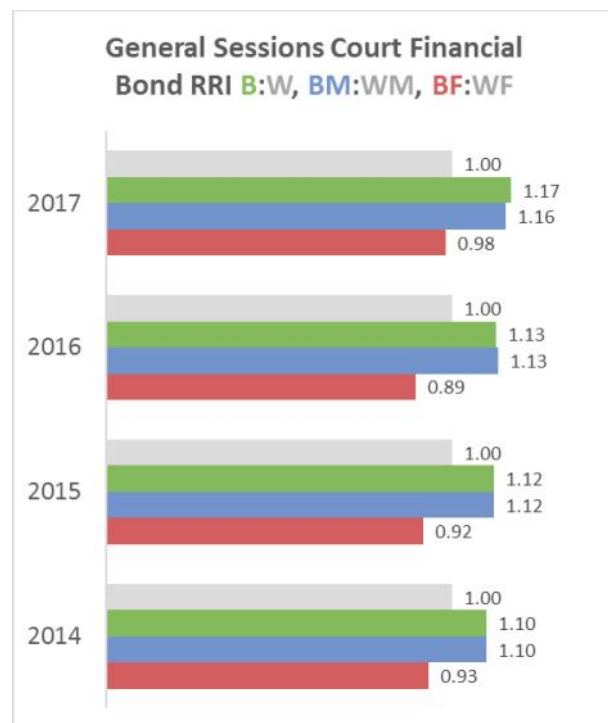
TYPE: FINANCIAL BONDS

- In 2017 out of every 100 GS bookings the black rate of financial bonds was 61.15 and the white rate was 52.20.
- In 2017, the amount of disproportionality in GS financial bonds was slightly above one at 1.17. In other words, black defendants received financial bonds 1.17 times as often as white defendants, increasing 6.65% since 2014 when it was 1.10.



TYPE: FINANCIAL BONDS BY GENDER

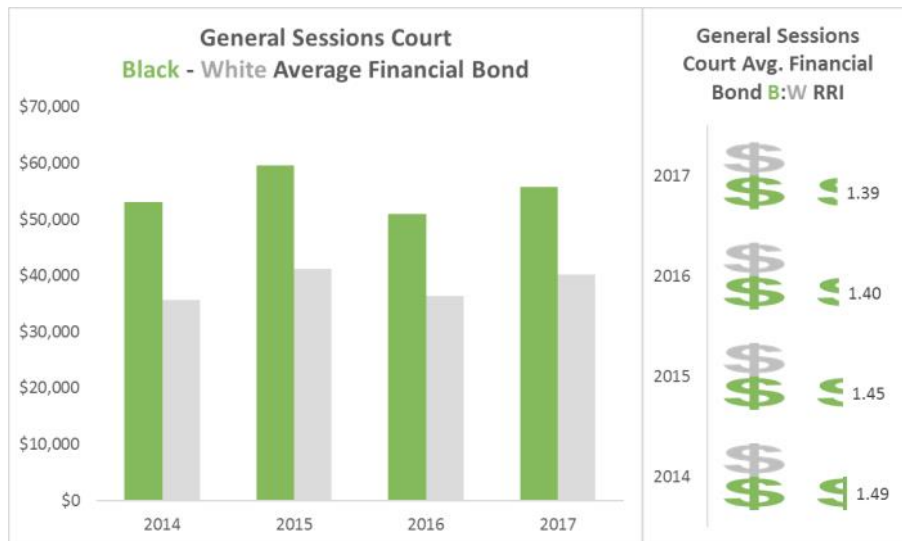
- Among **males**, disproportionality in 2017 was low with an RRI of 1.16.
- Among **females**, disproportionality in 2017 was also low with an RRI of .98.
- While low, the amount of disproportionality in financial bond setting increased slightly for males from 1.10 in 2014 to 1.16 in 2017; and slightly decreased for females from .93 in 2014 to .98 in 2017.



GENERAL SESSIONS BOND SETTING

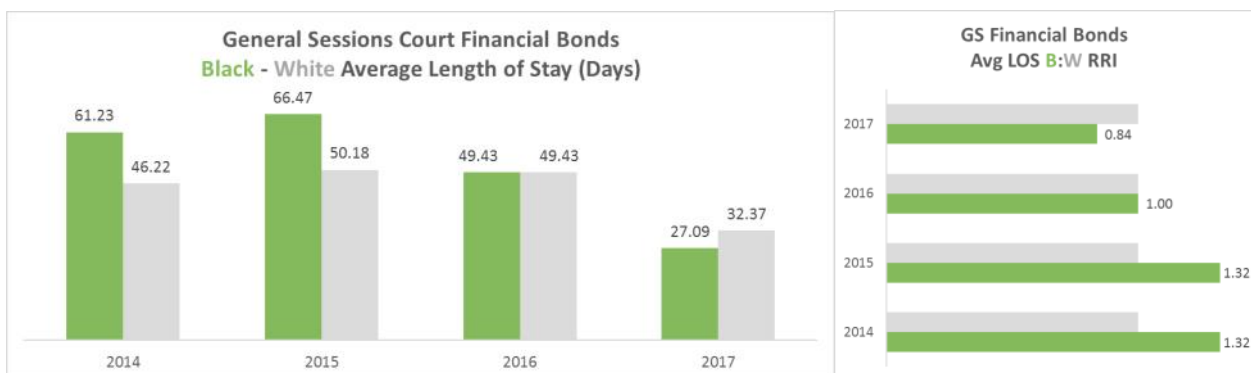
FINANCIAL BONDS: DOLLAR AMOUNT

- Disproportionality declined in the average amount of financial bonds ordered from 2014 to 2017.
- The average financial bond ordered in 2017 was \$55,711 for black defendants and \$40,189 for white defendants.
- The average amount ordered increased 5% for black (\$53,034 in 2014 to \$55,710 in 2017) and 13% for white (\$35,605 in 2014 and \$40,189 in 2017).
- Disproportionality among financial bonds was 1.39, indicating a decrease of 7% from 1.49 in 2014.
- Disproportionality also declined for men and women (For averages by gender see appendix.)



FINANCIAL BONDS: LENGTH OF STAY

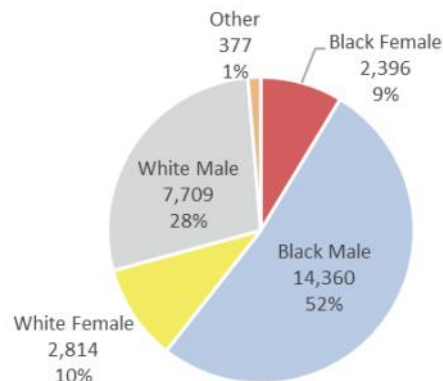
- Disproportionality in length of stay on financial bonds fell from 1.32 in 2014 to .84 in 2017.
- The average lengths of stay decreased by 56% for black (from 61.23 in 2014 to 27.09 in 2017) and decreased by 30% for white (from 46.22 in 2014 to 32.37 in 2017).
- Disproportionality in length of stay by gender varied, men increased and women decreased (For averages by gender see appendix.)



This section further examines the most frequently booked charges for 2017 to more deeply study the areas of highest disproportionality at booking. There were a total of 27,656 charges booked into jail, of which 98.6 percent were for black or white individuals. Charges for females comprised 19 percent and charges for males 81 percent. The groups with the largest share of charges were black males (52%) followed by white males (28%).

COUNT OF ALL 2017 CHARGES BY RACE/ETHNICITY AND GENDER				
Race/Ethnicity	Female	Male	Unknown	Grand Total
Black	2,396	14,360		16,756
White	2,814	7,709		10,523
Hispanic	33	225		258
Asian	14	61		75
Nat. Am.	1	35		36
Pac. Isl.		1		1
Unknown	1	5	1	7
Grand Total	5,259	22,396	1	27,656

Charges by Race & Gender (2017)



COUNT OF 2017 TEN MOST FREQUENT CHARGES				
Charge	Black Count	White Count	Other Count	Total Count
SIMPLE POSS OF MARIJUANA	1,136	423	13	1,572
DRIVING UNDER INFLUENCE (DUI)	331	969	23	1,323
PUBLIC INTOX	352	733	19	1,104
DRIVING UNDER SUSPENSION (DUS)	694	292	8	994
MAN, DIST ICE, CRACK, CRANK 1ST	556	180	1	737
UNLAWFUL CARRY FIREARM	626	91	1	718
SHOPLIFTING (MISDEMEANOR)	288	391	9	688
FAILURE TO PAY CHILD SUPPORT	481	133	2	616
POSS OF COCAINE 1ST OFF	445	143	12	600
THIRD DEGREE ASSAULT AND BATTERY	404	181	5	590

KEY FINDINGS

The table and graphs that follow provide a more in-depth look at the most frequently booked charges in 2017. It includes analysis of the top ten charges booked by race and gender, as well as further examination by single or multiple charge bookings.

- The highest-rate charge for black adults overall was simple possession marijuana. The rate (per 1,000 population) for single-charge bookings was 4.55; for multiple-charge bookings, 9.16; and for all bookings, 13.71.
- The highest-rate charge for white adults overall (per 1,000 population) was driving under influence (DUI). The rate for single-charge bookings was 2.97; for multiple-charge bookings, 1.37; and for all bookings, 4.35.
- The charge with the most disproportionality was unlawful carrying of firearm, with an RRI of 13.56 for single-charge bookings, 19.85 for multiple-charge bookings, and 18.47 for all bookings.
- For females, the highest RRIs were for driving under suspension (single-charge) at 4.63, third degree assault and battery (multiple-charge) at 10.71, and failure to pay child support (all bookings) at 4.10.
- For males, the highest RRIs were for unlawful carrying of firearm in all categories, (multiple-charge) at 24.14, (all bookings) at 22.72, and (single-charge) at 17.42. The next highest single charge RRIs were for simple possession of marijuana at 11.18, and bookings for manufacture or distribution of ice/crack/crank first offense at 13.34.

The table that follows shows the counts, rates and RRIs based on type of booking (single-charge, multiple-charge, and all bookings) for the ten most frequently booked charges. Booking rates and RRIs vary for the top charges depending on what type of booking is examined. For example, for simple possession marijuana, the B:W RRI for all bookings is 7.23. For single-charge bookings, the RRI is 8.03, and for multiple charge bookings the RRI is 6.89. Although disproportionality is high for each designation, the greatest disproportionality is for single-charge bookings, meaning that a black person is brought in 8.03 times as often as a white person for the single-charge of simple possession marijuana. Charts are also provided to illustrate the top RRIs for single and multiple charge bookings.

The report further examines the highest single charge RRI, unlawful carry, to find out if/how the disproportionality changes based on cumulative impacts as cases move through the system. This case study examines single-charge only bookings. Although this reduces the data set, a cleaner comparison of black-white outcomes is possible when multiple-charge bookings are eliminated. Findings include:

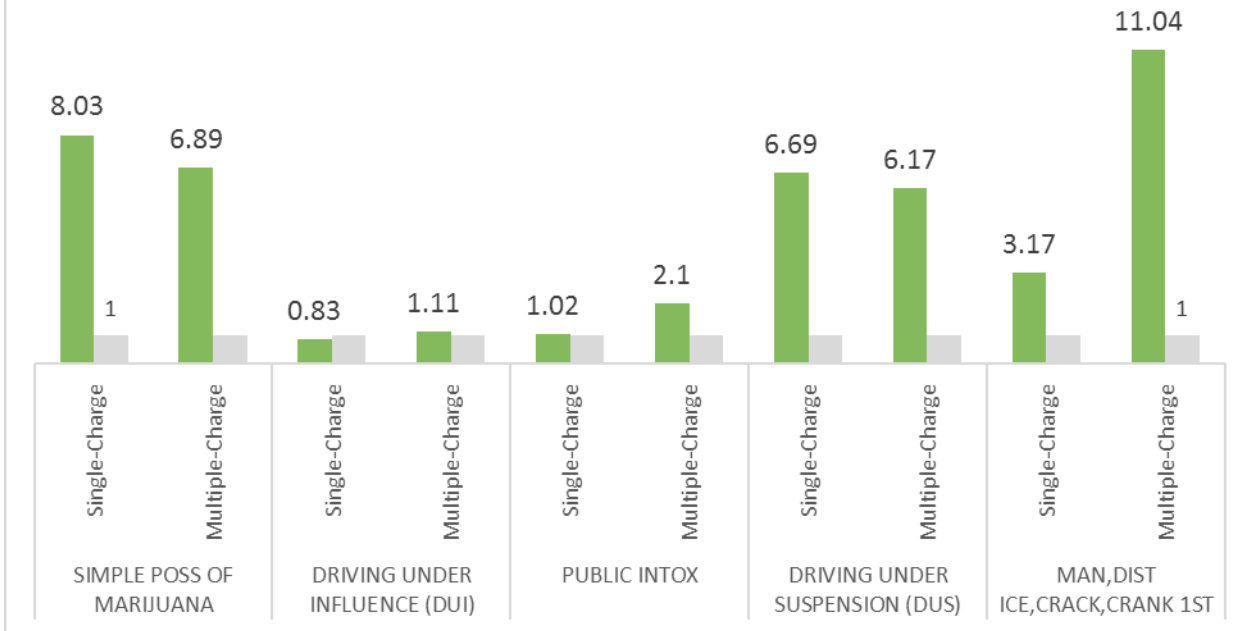
- Bond setting for the single charge bookings of unlawful carry resulted in black defendants receiving financial bonds 2.62 times as often as white defendants did.
- On average, the cost of the financial bonds ordered were 1.37 times more expensive for black defendants than white defendants.
- Dispositions for these single charge bookings of unlawful carry among black defendants were still pending (1.21 times) or not convicted (1.19 times) as often as white defendants.

The high number of pending dispositions prevents drawing sweeping conclusions in the above data. The analysis indicates a need for further monitoring of this charge and other areas of disproportionality to identify the causes, and explore opportunities for intervention.

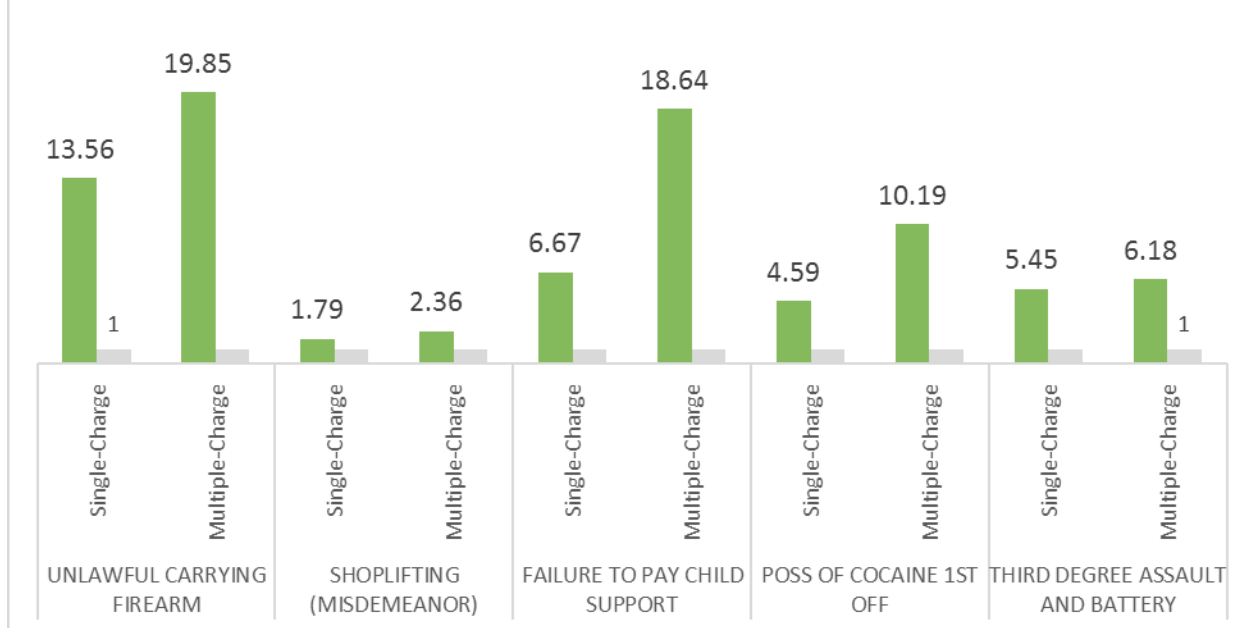
2017 TEN MOST FREQUENTLY BOOKED CHARGES

Booking Type	BLACK		WHITE		B:W RRI	BLACK FEMALE	WHITE FEMALE	BF:WF RRI	BLACK MALE	WHITE MALE	BM:W M RRI				
	Count	Rate	Count	Rate		Count	Rate		Count	Rate	Count	Rate			
SIMPLE POSSESSION OF MARIJUANA															
Single-charge	377	4.55	126	0.57	8.03	57	1.24	42	0.37	3.37	320	8.64	84	0.77	11.18
Multiple-charge	760	9.16	296	1.33	6.89	80	1.74	76	0.67	2.61	680	18.35	220	2.02	9.07
All bookings	1137	13.71	422	1.90	7.23	137	2.99	118	1.04	2.88	1000	26.99	304	2.80	9.65
DRIVING UNDER INFLUENCE (DUI)															
Single-charge	205	2.47	662	2.97	0.83	43	0.94	209	1.83	0.51	162	4.37	453	4.17	1.05
Multiple-charge	126	1.52	306	1.37	1.11	19	0.41	86	0.75	0.55	107	2.89	220	2.02	1.43
All bookings	331	3.99	968	4.35	0.92	62	1.35	295	2.59	0.52	269	7.26	673	6.19	1.17
PUBLIC INTOX															
Single-charge	209	2.52	550	2.47	1.02	20	0.44	117	1.03	0.42	189	5.10	433	3.98	1.28
Multiple-charge	143	1.72	183	0.82	2.10	20	0.44	34	0.30	1.46	123	3.32	149	1.37	2.42
All bookings	352	4.24	733	3.29	1.29	40	0.87	151	1.33	0.66	312	8.42	582	5.35	1.57
DRIVING UNDER SUSPENSION (DUS)															
Single-charge	294	3.55	118	0.53	6.69	72	1.57	41	0.36	4.36	222	5.99	77	0.71	8.46
Multiple-charge	400	4.82	174	0.78	6.17	53	1.16	40	0.35	3.29	347	9.36	134	1.23	7.60
All bookings	694	8.37	292	1.31	6.38	125	2.72	81	0.71	3.83	569	15.36	211	1.94	7.91
MANUFACTURE OR DISTRIBUTION OF ICE,CRACK,CRANK 1ST OFFENSE															
Single-charge	72	0.87	61	0.27	3.17	7	0.15	18	0.16	0.97	65	1.75	43	0.40	4.44
Multiple-charge	485	5.85	118	0.53	11.04	27	0.59	46	0.40	1.46	458	12.36	72	0.66	18.66
All bookings	557	6.72	179	0.80	8.36	34	0.74	64	0.56	1.32	523	14.11	115	1.06	13.34
UNLAWFUL CARRYING FIREARM															
Single-charge	101	1.22	20	0.09	13.56	6	0.13	4	0.04	3.73	95	2.56	16	0.15	17.42
Multiple-charge	525	6.33	71	0.32	19.85	15	0.33	9	0.08	4.14	510	13.76	62	0.57	24.14
All bookings	626	7.55	91	0.41	18.47	21	0.46	13	0.11	4.01	605	16.33	78	0.72	22.76
SHOPLIFTING (MISDEMEANOR)															
Single-charge	178	2.15	267	1.20	1.79	82	1.79	135	1.18	1.51	96	2.59	132	1.21	2.13
Multiple-charge	110	1.33	125	0.56	2.36	48	1.05	44	0.39	2.71	62	1.67	81	0.75	2.25
All bookings	288	3.47	392	1.76	1.97	130	2.83	179	1.57	1.80	158	4.26	213	1.96	2.18
FAILURE TO PAY CHILD SUPPORT															
Single-charge	246	2.97	99	0.44	6.67	21	0.46	18	0.16	2.90	225	6.07	81	0.75	8.15
Multiple-charge	236	2.85	34	0.15	18.64	17	0.37	5	0.04	8.45	219	5.91	29	0.27	22.16
All bookings	482	5.81	133	0.60	9.73	38	0.83	23	0.20	4.10	444	11.98	110	1.01	11.84
POSSESSION OF COCAINE 1ST OFFENSE															
Single-charge	77	0.93	45	0.20	4.59	13	0.28	13	0.11	2.48	64	1.73	32	0.29	5.87
Multiple-charge	368	4.44	97	0.44	10.19	26	0.57	25	0.22	2.58	342	9.23	72	0.66	13.94
All bookings	445	5.37	142	0.64	8.41	39	0.85	38	0.33	2.55	406	10.96	104	0.96	11.45
THIRD DEGREE ASSAULT AND BATTERY															
Single-charge	209	2.52	103	0.46	5.45	33	0.72	89	0.78	0.92	116	3.13	126	1.16	2.70
Multiple-charge	175	2.11	76	0.34	6.18	69	1.50	16	0.14	10.71	118	3.18	60	0.55	5.77
All bookings	384	4.63	179	0.80	5.76	102	2.22	105	0.92	2.41	234	6.32	186	1.71	3.69

Black:White RRIs for 2017 Top Charges
(Single- / Multiple-Charge Bookings)



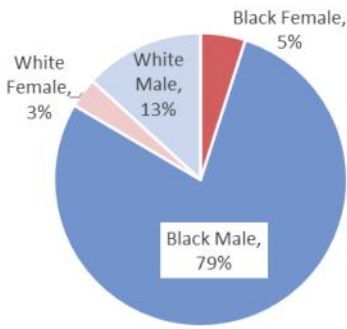
Black:White RRIs for 2017 Top Charges
(Single- / Multiple-Charge Bookings)



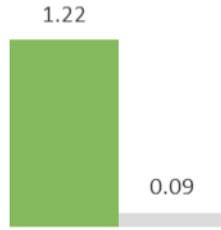
CASE STUDY: UNLAWFUL CARRYING OF FIREARM (2017 SINGLE-CHARGE BOOKINGS)

BOOKING

Percent of Bookings by Race/Gender



Black - White Booking Rate (per 1,000 pop.)

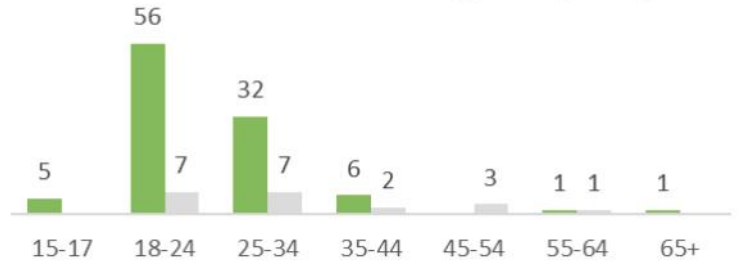


Relative Rate at Booking



There were 121 single-charge bookings for unlawful carrying of firearm, of which the majority were bookings of black males. For every booking of a white person, there were 13.56 bookings of black people. The most frequently booked age groups were 18-24 and 25-34.

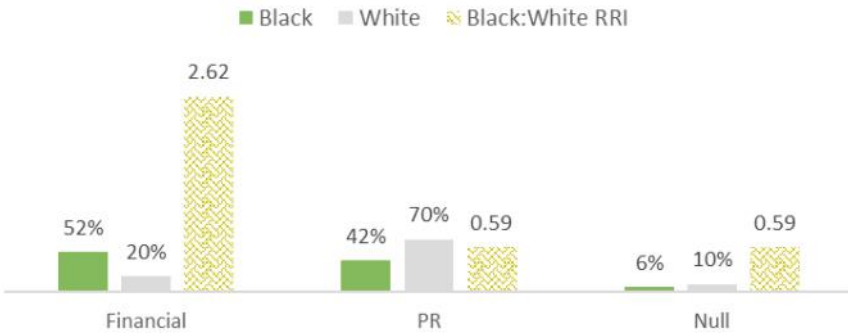
Black - White Count of Age Frequency



Source: SACDC

BOND

Percent of Bond Type

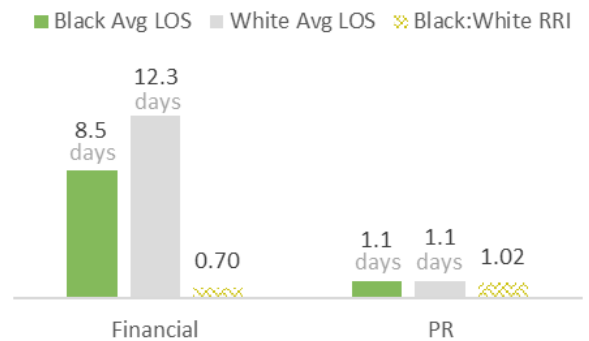


Average Financial Bond Amount

Black	\$ 15,425
White	\$ 11,250
B:W	1.37

Black defendants receive financial bonds at 2.62 times the rate of white defendants and PR bonds at 0.59 times the rate of white defendants. The average bond amount ordered for black is 1.37 times the average amount for white. And, the average length of stay is the same for black and white on PR bonds, and less days for black than white on financial bonds (0.70 RRI).

Average Length of Stay (Days) by Bond Type

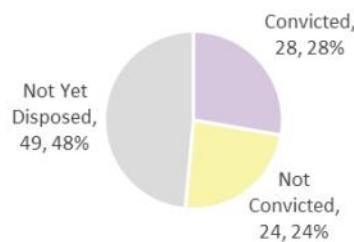


DISPOSITION

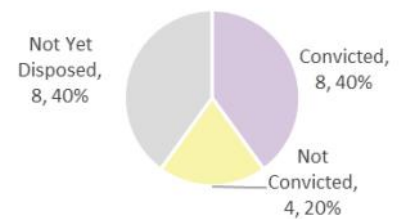
Blacks were convicted at 0.69 times the rate of whites and not convicted at 1.19 times the rate of whites. Black cases were not yet disposed at 1.21 the rate of white cases.

Disposition	Black %	White %	B:W
Convicted	28%	40%	0.69
Not Convicted	24%	20%	1.19
Not Yet Disposed	48%	40%	1.21

Black Dispositions



White Dispositions



LIMITATIONS

The data used in this report depended upon the data available within the data sources at the time of analysis and the quality of the data therein. Known limitations include:

- There is potential data “noise” from data entry errors within each reporting agency.
- There is variation across agencies in recording Hispanic ethnicity. Greater consistency at data entry would enable future analysis of outcomes for the local Hispanic population.
- Future analysis will benefit from larger numbers of cases that have reached disposition in order to develop a more informed understanding of impacts from arrest through disposition and sentencing.
- This report utilizes bond data only for bonds that go through Centralized Bond Court. Future analysis would benefit from including bond data from North Charleston Municipal Court.
- Financial bond amounts ordered by bond judges are analyzed in this report; however, the data are limited to what the judge orders. This data does indicate the amount defendants ultimately pay to secure release.
- Classification of bookings by charge severity or by most severe charge is beyond current data capabilities; this is an important area for further analysis.
- This report presents basic descriptive statistics of rates and relative rates. There is ample opportunity for further investigation using more advanced methods and studies designed for disparity analysis.

NEXT STEPS

Continuing on the CJCC’s journey to reduce racial and ethnic disproportionality and/or disparity (REDD) in the local criminal justice system, the CJCC recently submitted a proposal for funding to create a specifically dedicated strategy that will expand REDD reduction efforts. The strategy team will complete the REDD reduction toolkit and build on the compelling need for additional work indicated by the findings in this report. This strategy will be sponsored by the Ninth Circuit Solicitor and include a dedicated working group consisting of a diverse array of stakeholders, inclusive of community members and agency staff. The workgroup will move efforts beyond the analysis in this report into concrete interventions. The group will systematically assess reasons for REDD at each decision point adding expanded analysis where needed, set priorities, create an intervention plan, launch the plan, and evaluate the impact. Collectively, these activities are anticipated to help reduce REDD and contribute to the safety and well-being of the Charleston community. The CJCC has also submitted a proposal for funding to help deepen community engagement efforts in a coordinated and collaborative manner. The CJCC plans to utilize those funds to dive more deeply into community engagement activities, grow partnerships with related efforts around the community, and help to achieve a more equitable, efficient, and effective criminal justice system.

EXPLANATION OF SYSTEM STAGES

BOOKING

The analysis examines “local” bookings only as a proxy for arrest and jail use driven by local system actors, and excludes non-local bookings classified as immigration, federal, or holds (ICE/FED/HOLD). Bookings are analyzed at the “effective booking” level because for every booking, there can be several associated charges, and an individual person can be booked multiple times in a year. Effective bookings are classified as either Summary Court-driven or General Sessions Court-driven. General Sessions Court (GS) handles more serious charges. Summary Court, broadly speaking, handles less serious charges. Therefore, the effective booking classification is GS-driven if the booking has any GS-level charges and Summary-driven if the booking has only Summary-level charges.

BOND

Bond setting in Centralized Bond Court occurs by law within 24 hours. The purpose of bond setting is for the judge to determine a person’s risk of failing to appear for trial and risk to public safety during the pretrial period. The judge then sets a type of bond (e.g., financial or personal recognizance) with varying conditions that a person must meet before being released from jail pretrial or while out on bond (e.g., no contact with victim).

Nearly all GS charges go through Centralized Bond Court (CBC) with the exception of a small handful of charges that by law have 30 days for bond to be set in Circuit Court. Most Summary charges also go through CBC. The exception is North Charleston Summary charges, which have bond set in North Charleston Municipal Court. Therefore, for the purposes of this report and its related focus on CBC bond activity, Summary-driven bond rates exclude North Charleston Summary charges.

Bonds are classified as either “effective financial” or “effective personal recognizance” (PR). When a booking contains multiple charges, the bond judge will set a bond for each charge in a booking. Some of those bonds may require money (financial), and some may not require money (PR) for a person to release from jail pretrial. If a booking has any financial bonds set, it is classified as an effective financial bond. If the booking’s charges have only PR bonds set, it is classified as an effective PR bond. Thus, the effective bond ordered establishes the combination of conditions required to secure release, and the total amount ordered when financial.

Not every booking has an associated bond. For example, bookings for bench warrants or upon sentencing do not get a bond. Therefore, jail data relevant for bond analysis is limited to confinement reasons of physical arrest, arrest on warrant, and probation violation. Other confinement reasons, of which bench warrants are the largest share, are excluded from the analysis: bench warrant, detainer, grand jury indictment, post-conviction, sentenced on family court charges, transfer from another facility, weekender, and unknown.

An additional factor in certain Summary-driven bookings is that people can pay the maximum fine for

their charges at the jail in order to release shortly after booking. These people do not have a bond hearing, and data on the people paying the maximum fine are unavailable.

SOURCES OF DATA

The criminal justice data in the analysis section of this report were provided through the CJCC's centralized data warehouse and its related databases unless noted otherwise.

CJCC DATA SOURCES

- Law Enforcement: Charleston County Sheriff's Office, Charleston Police Department, North Charleston Police Department, Mount Pleasant Police Department, and the Officer Tool Database (OTD)
- Summary Courts: Charleston County Magistrates (CMS-Mag), Charleston Municipal Court, North Charleston Municipal Court, and Mount Pleasant Municipal Court
- General Sessions: Charleston County Clerk of Court (CMS-GS), Ninth Circuit Solicitor, Charleston County (PbK), Ninth Circuit Defender, Charleston County (DD)
- Jail: Charleston County Sheriff's Office, Sheriff Al Cannon Detention Center (SACDC)
- Pretrial: Pretrial Services Database (PSD)

Working with numerous information systems is extremely challenging. Variances among the different systems occur and the data continually change as cases and individuals move through the system and/or expungements occur. Nonetheless, the cooperation and collaboration among the various agencies has made it possible to generate data-guided efforts to improve local criminal justice system on a deeper level than was previously possible.

POPULATION DATA

Data for white and African-American adults (age 18+) in Charleston County come from the US Census Bureau's American Community Survey (ACS) 1-Year Estimates for 2014, 2015, and 2016. Because 2017 figures were not available when this report was prepared, 2016 figures are used to calculate 2017 rates. The table below provides the counts per category from the ACS data.

CHARLESTON COUNTY POPULATION DATA (AGES 18+)			
	2014	2015	2016
Black Total	81,265	81,524	82,927
Black Females	44,905	44,994	45,874
Black Males	36,360	36,530	37,053
White Total			
White Females	108,282	110,671	113,946
White Males	103,873	106,060	108,717
White Total	212,155	216,731	222,663

Source: U.S. Census Bureau. 2014, 2015, and 2016 American Community Survey 1-Year Estimates. factfinder.census.gov

DEMOGRAPHIC FOCUS

The Charleston County population consists of 64.6 percent non-Hispanic white, 27.3 percent African American, 5.1 percent Hispanic or Latino, and 3.8 percent other (Asian, Native American, Pacific Islander, and two or more races). While the Hispanic population in particular represents a growing portion of the population, this report focuses on black/white disproportionality for two reasons. First, Hispanic ethnicity data is not recorded consistently in all local data systems. Some systems capture ethnicity data separately from race, while others use Hispanic as a race category. This inconsistency is an area of concern to address moving forward because it may result in underrepresentation of Hispanics in the data. Second, and relatedly, 99 percent of the jail population is recorded as either black or white. Therefore, analysis of disproportionality among other groups (Hispanic) would result in artificially lowering disproportionality ratios when compared to black/white disproportionality.

AVERAGE BOND AMOUNT AND LENGTH OF STAY BY GENDER

SUMMARY-DRIVEN BONDS

Financial Bond Amount by Gender

- Among male defendants in 2017, the average cost was \$5,651 for black and \$4,592 for white, resulting in an RRI of 1.23. Since 2014, the average amount for males increased 57% for black men (from \$3,590 in 2014) and 145% for white men (from \$1,872) while disproportionality decreased 36% from 1.92 in 2014.
- Among female defendants, the average cost was \$1,911 for black women and \$1,830 for white, women resulting in an RRI of 1.04. Since 2014, the average amount decreased 46% for black women (from \$3,569 in 2014) and increased 2% for white women (from \$1,791) while disproportionality decreased 48% from 1.99 in 2014.

Financial Bond Length of Stay by Gender

- In 2017 among male defendants, the average length of stay was 10.51 days for black men, decreasing 3% from 11.03 in 2014, and 10.51 days for white men, increasing 21% from 8.72 in 2014. The amount of disproportionality decreased 15% from 1.27 in 2014 to 1.08 in 2017.
- In 2017 among female defendants, the average length of stay was 6.13 days for black women, declining 9% from 6.77 in 2014, and 6.10 days for white women, increasing 5% from 5.80 in 2014. The amount of disproportionality decreased 14% from 1.17 in 2014 to none in 2017 (RRI of 1).

SUMMARY-DRIVEN AVERAGE FINANCIAL BOND AMOUNT BY GENDER				
	2014	2015	2016	2017
Black Male	\$ 3,590	\$ 4,262	\$ 3,189	\$ 5,651
White Male	\$ 1,872	\$ 2,674	\$ 2,329	\$ 4,592
<i>BM:WM RRI</i>	<i>1.92</i>	<i>1.59</i>	<i>1.37</i>	<i>1.23</i>
Black Female	\$ 3,569	\$ 1,618	\$ 1,766	\$ 1,911
White Female	\$ 1,791	\$ 1,643	\$ 1,658	\$ 1,830
<i>BF:WF RRI</i>	<i>1.99</i>	<i>0.98</i>	<i>1.07</i>	<i>1.04</i>
SUMMARY-DRIVEN FINANCIAL BONDS AVERAGE LENGTH OF STAY BY GENDER				
	2014	2015	2016	2017
Black Male	11.03	12.42	9.19	11.31
White Male	8.72	6.10	7.44	10.51
<i>BM:WM RRI</i>	<i>1.27</i>	<i>2.04</i>	<i>1.23</i>	<i>1.08</i>
Black Female	6.77	2.71	5.42	6.13
White Female	5.80	4.59	4.68	6.10
<i>BF:WF Rate</i>	<i>1.17</i>	<i>0.59</i>	<i>1.16</i>	<i>1.00</i>

GENERAL SESSIONS-DRIVEN BONDS

Financial Bond Amount by Gender

- Among male defendants, the average amount in 2017 was \$57,594 for black and \$43,356 for white, resulting an RRI of 1.33. Since 2014, the average amount for males increased 6% for black (from \$54,274 in 2014) and 16% for white (from \$37,250) while disproportionality decreased 9% from 1.46 in 2014.
- Among female defendants, the average amount in 2017 was \$35,061 for black and \$29,728 for white, resulting an RRI of 1.18. Since 2014, the average amount decreased 14% for black women (from \$40,637 in 2014) and decreased 1% for white women (from \$29,964 in 2014) while disproportionality decreased 13% from 1.36 in 2014.

Financial Bond Length of Stay by Gender

- In 2017 among male defendants, the average length of stay was 27.79 days for black men, declining 57% from 64.84 in 2014, and 34.10 days for white men, declining 32% from 50.19 in 2014. The amount of disproportionality decreased from 1.29 in 2014 to .81 in 2017.
- In 2017 among female defendants, the average length of stay was 19.74 days for black women, declining 22% from 25.18 in 2014, and 27.04 days for white women, declining 17% from 32.60 in 2014. The amount of disproportionality increased from .77 in 2014 to .73 in 2017.

GENERAL SESSIONS-DRIVEN AVERAGE FINANCIAL BOND AMOUNT BY GENDER				
	2014	2015	2016	2017
Black Male	\$54,274	\$62,718	\$53,244	\$57,594
White Male	\$37,250	\$42,617	\$38,966	\$43,356
<i>BM:WM RRI</i>	1.46	1.47	1.37	1.33
Black Female	\$40,637	\$29,377	\$25,305	\$35,061
White Female	\$29,964	\$36,457	\$27,177	\$29,728
<i>BF:WF RRI</i>	1.36	0.81	0.93	1.18
GENERAL SESSIONS-DRIVEN FINANCIAL BONDS AVERAGE LENGTH OF STAY BY GENDER				
	2014	2015	2016	2017
Black Male	64.84	71.07	51.88	27.79
White Male	50.19	55.59	52.48	34.10
<i>BM:WM RRI</i>	1.29	1.28	0.99	0.81
Black Female	25.18	21.14	22.92	19.74
White Female	32.60	32.50	39.00	27.04
<i>BF:WF RRI</i>	0.77	0.65	0.59	0.73

UNLAWFUL CARRY CASE STUDY DATA

SINGLE-CHARGE ONLY BOOKINGS 2017

COUNT OF BOOKINGS							
Age	Black			White			Grand Total
	Female	Male	Total	Female	Male	Total	
15-17	1	4	5	0	0		5
18-24	2	54	56	2	5	7	63
25-34	1	31	32	0	7	7	39
35-44	2	4	6	1	1	2	8
45-54	0	0	0	1	2	3	3
55-64	0	1	1	0	1	1	2
65+	0	1	1	0			1
<i>Grand Total</i>	6	95	101	4	16	20	121

COUNT OF BONDS BY TYPE							
Bond Type	Black			White			Grand Total
	Female	Male	Total	Female	Male	Total	
Financial	2	51	53		4	4	57
PR	4	38	42	2	12	14	56
Null/Unclassified		6	6	2		2	8
<i>Grand Total</i>	6	95	101	4	16	20	121

AVERAGE FINANCIAL BOND AMOUNT							
Average	Black			White			Grand Total
	Female	Male	Total	Female	Male	Total	
	\$ 11,250	\$ 15,588	\$ 15,425	n/a	\$ 11,250	\$ 11,250	\$ 15,132

AVERAGE LENGTH OF STAY (DAYS) BY BOND TYPE							
Bond Type	Black			White			Grand Total
	Female	Male	Total	Female	Male	Total	
Financial	1.0	8.8	8.5	n/a	12.3	12.3	8.8
PR	0.8	1.1	1.1	0.0	1.3	1.1	1.1
<i>Grand Total</i>	0.8	5.2	5.0	0.0	4.0	3.2	4.7

COUNT OF DISPOSITIONS BY TYPE							
Disposition	Black			White			Grand Total
	Female	Male	Total	Female	Male	Total	
Convicted	2	26	28	1	7	8	36
Not Convicted	3	21	24	0	4	4	28
Not Yet Disposed	1	48	49	3	5	8	57
<i>Grand Total</i>	6	95	101	4	16	20	121

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