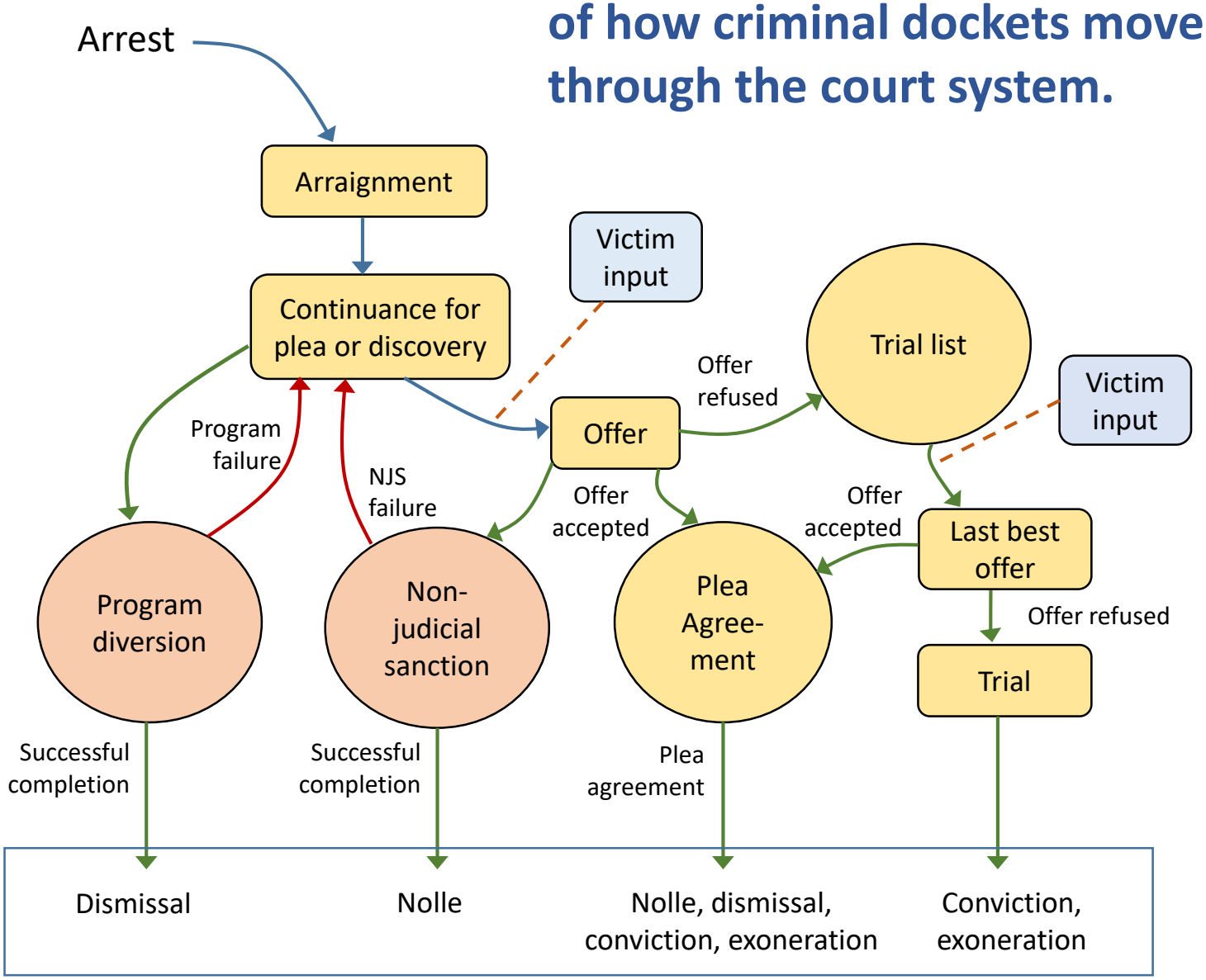
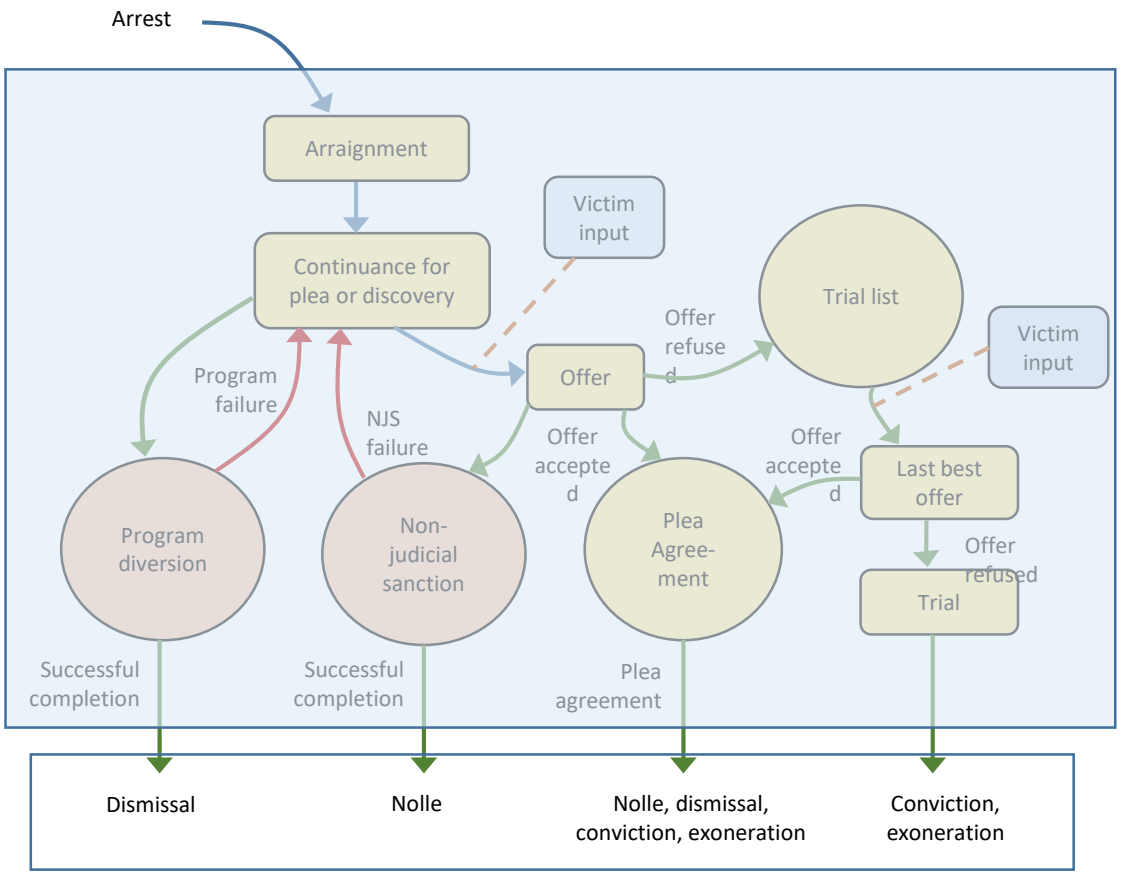
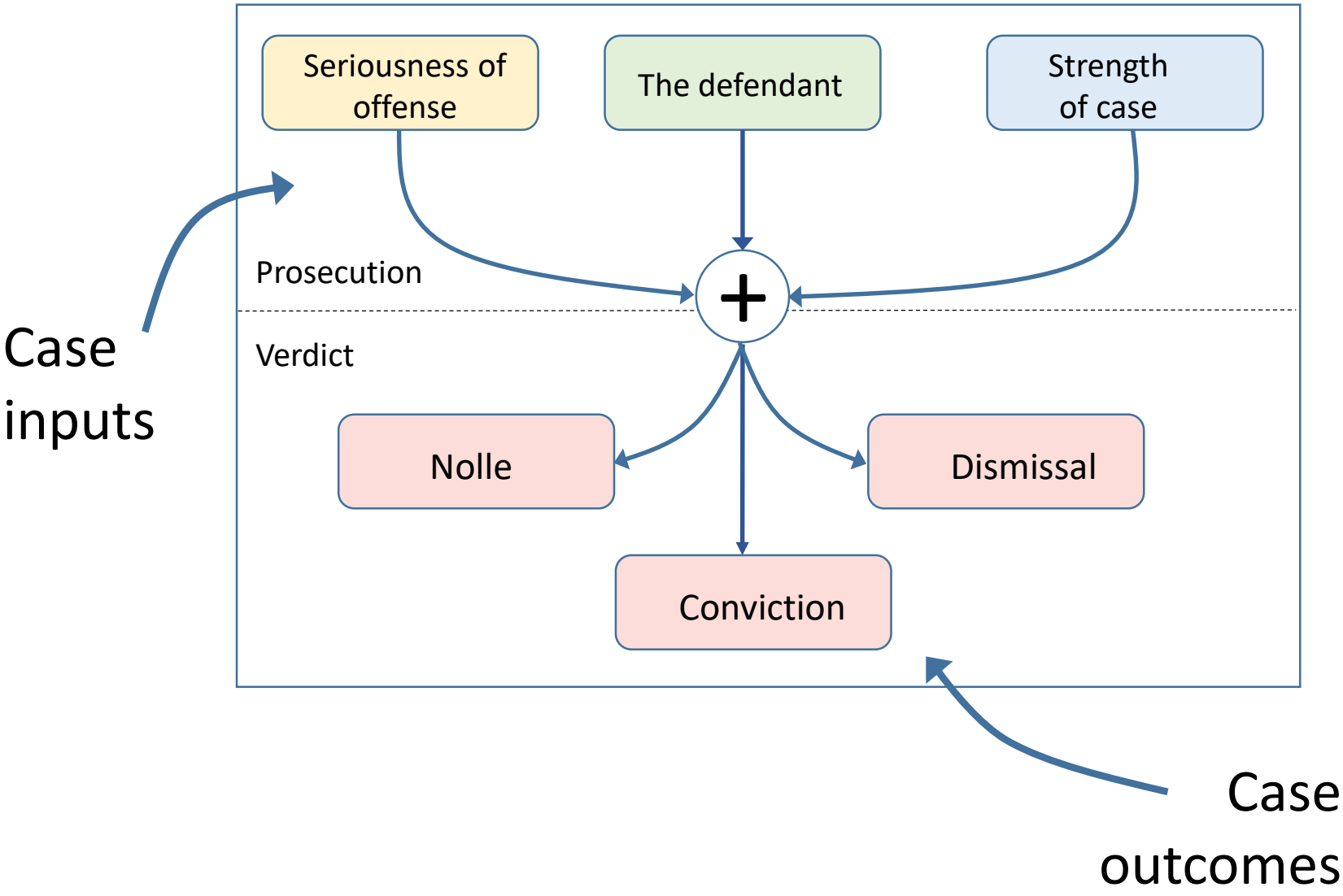
Criminal cases disposed in CT courts in 2019

Here we see a simplified schematic of how criminal dockets move through the court system.

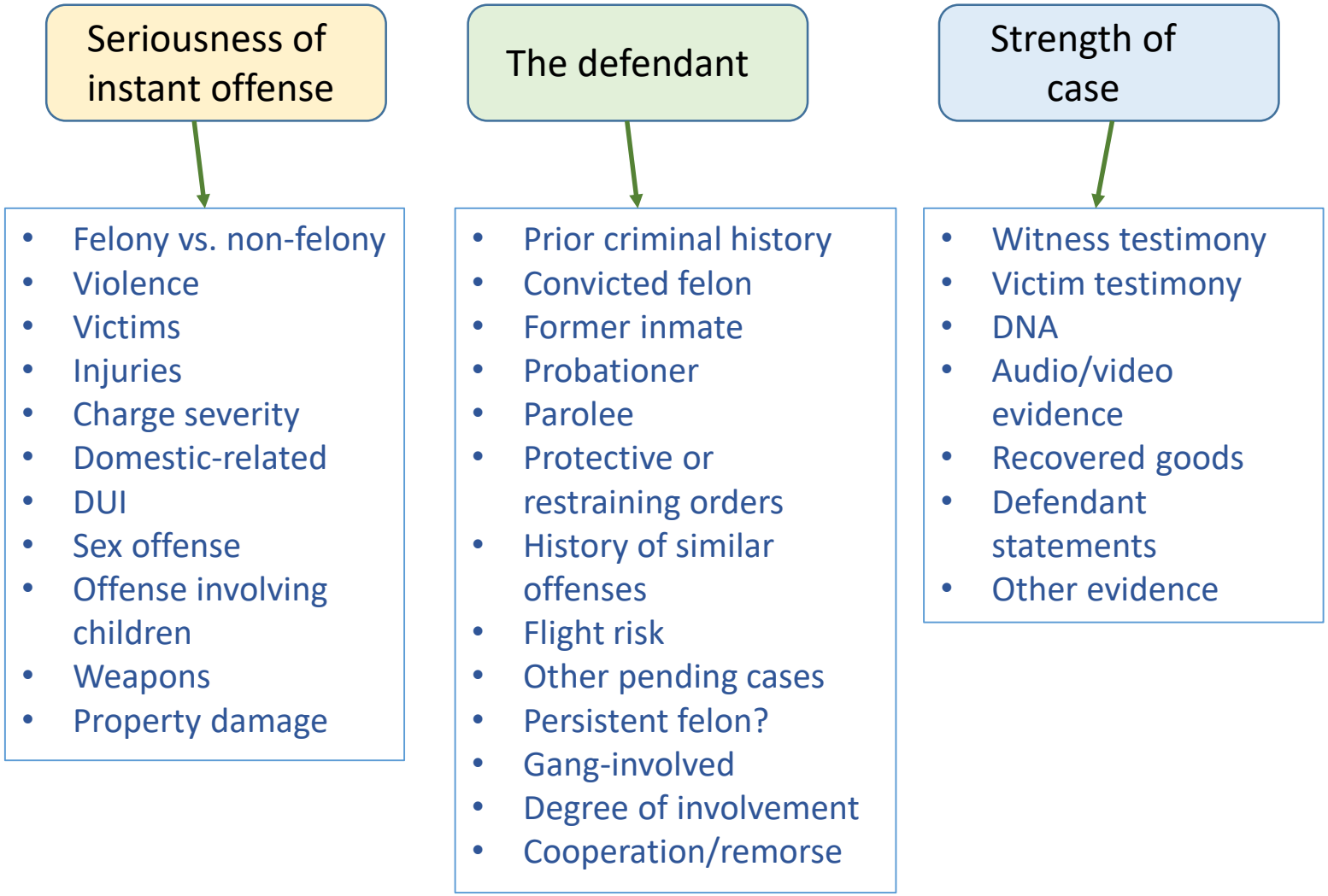




DCJ analyzed inputs and outputs for all 65,000+ criminal dockets disposed in CT courts in 2019.

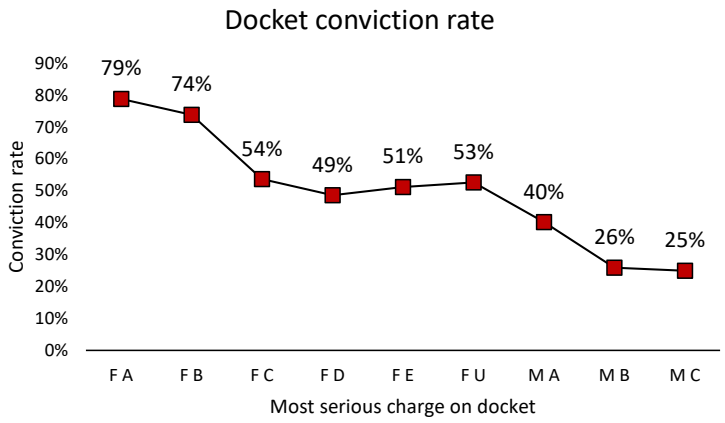

Seriousness of offense
The defendant
Strength of case
Prosecution
+
Verdict
Nolle
Dismissal
Conviction
Case inputs
Case outcomes

Case inputs


Seriousness of instant offense
Felony vs. non-felony
Violence
Victims
Injuries
Charge severity
Domestic-related
DUI
Sex offense
Offense involving children
Weapons
Property damage
The defendant
Prior criminal history
Convicted felon
Former inmate
Probationer
Parolee
Protective or restraining orders
History of similar offenses
Flight risk
Other pending cases
Persistent felon?
Gang-involved
Degree of involvement
Cooperation/remorse
Strength of case
Witness testimony
Victim testimony
DNA
Audio/video evidence
Recovered goods
Defendant statements
Other evidence

Seriousness of instant offense

- Felony vs. non-felony
- Violence
- Victims
- Injuries
- Charge severity
- Domestic-related
- DUI
- Sex offense
- Offense involving children
- Weapons
- Property damage



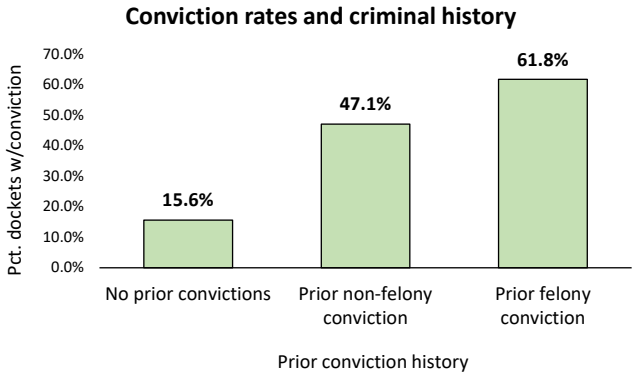
The graphic identifies some of the considerations that contribute to the seriousness of a criminal offense and the prosecutor's approach to the case.

The chart shows that in 2019, conviction rates generally dropped as the seriousness of the charges diminished.

A- and B-felony cases - the most serious offenses – have conviction rates over 70%. Misdemeanor conviction rates were generally under 40%.

The defendant

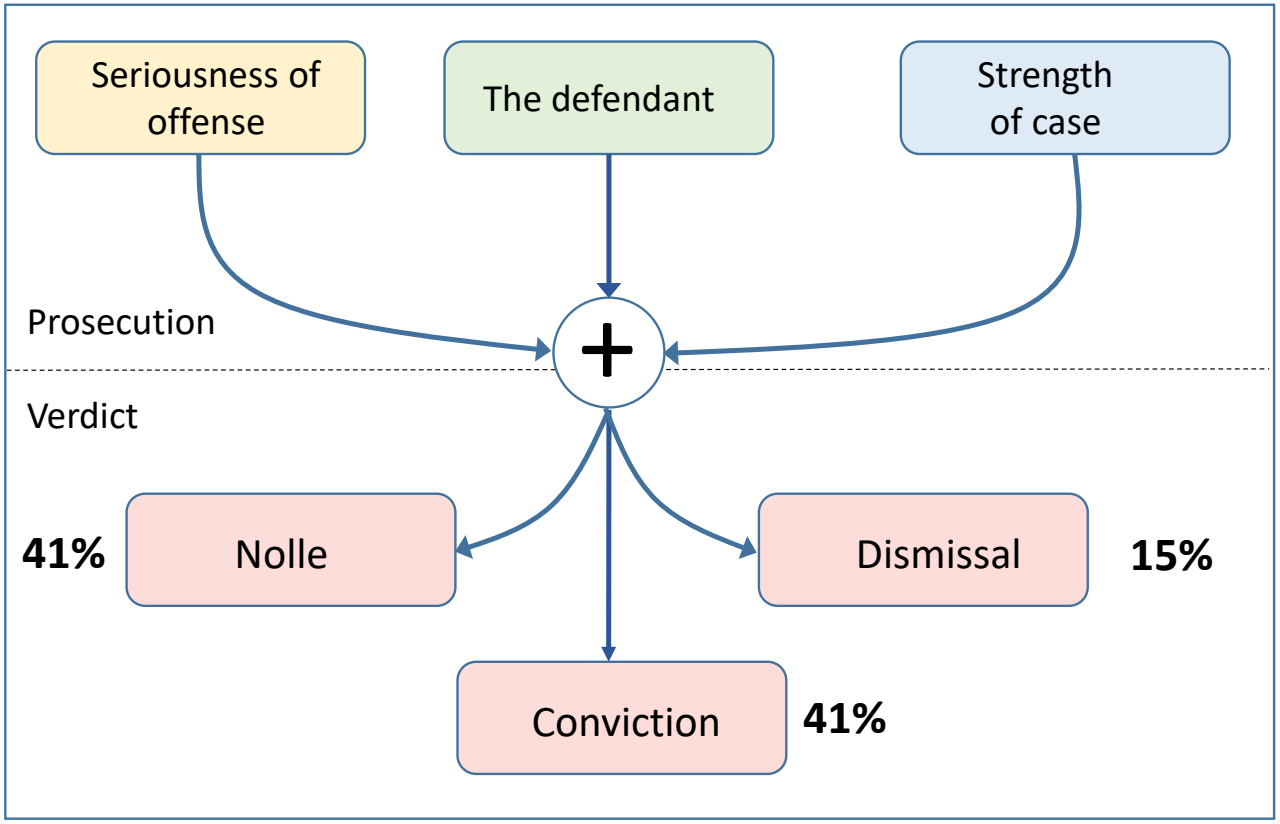
- Prior criminal history
- Convicted felon
- Former inmate
- Probationer
- Parolee
- Protective or restraining orders
- History of similar offenses
- Flight risk
- Other pending cases
- Persistent felon?
- Gang-involved
- Degree of involvement
- Cooperation/remorse



- There are many factors for prosecutors to consider when evaluating a person charged with a criminal offense.

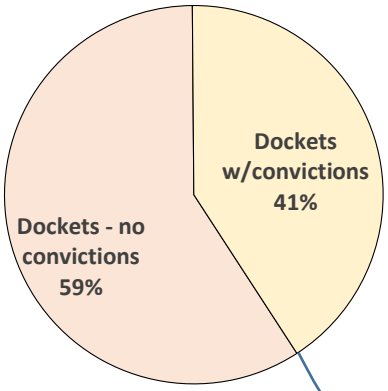
- Using completely new data that was made available by the Judicial Branch, we were able to determine that case outcomes – measured here by conviction rates – varied significantly based on the criminal history of the defendant.

We currently have no reliable data that would allow us to evaluate the strength of every case disposed in 2019.



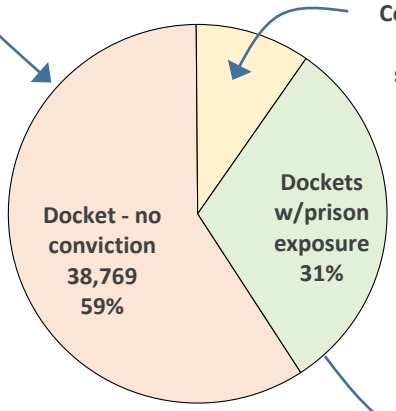
- Approximately 97% of all criminal dockets disposed in 2019 had one of three outcomes: nolle, dismissal or conviction on at least one count.
- There were 65,678 criminal dockets disposed in CT courts in 2019.

Less than 14% of dockets resulted in a prison sentence.

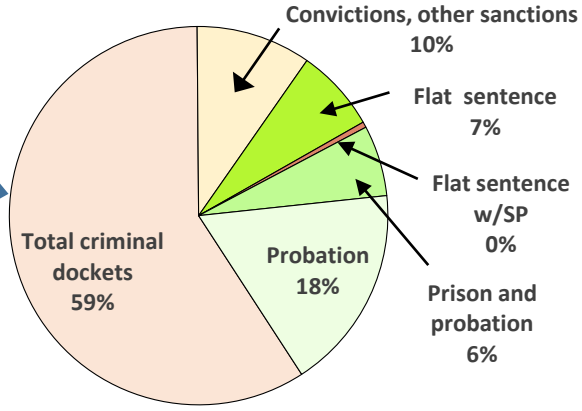


Of the 65,000 criminal cases disposed in 2019, only 41% resulted in a guilty verdict.

80% of cases with a conviction involved a sentence that included some direct or potential exposure to prison.



Over half of the sentences that involved some prison exposure saw the prison sentence suspended in lieu of probation.



Reflecting concern that the courts, in general, and prosecutors, in particular, were operating in a manner that produced racial and ethnic disparities in the criminal justice system, the state legislature passed SB 880.

In each of the last two years, OPM produced an analysis of court operations. This presentation, by DCJ, significantly expands on OPM's analysis using new data in an attempt to provide the legislature and the public with a fuller understanding of the state's court system.

Out of the DCJ's continuing concern over disparate criminal justice outcomes, our analysis of court operations put special emphasis on evaluating court outcomes on Connecticut's minority communities.

Docket conviction rates by race/ethnicity of defendant

Race/ethnicity of defendant	Criminal dockets	Conviction on docket	Docket dismissed	Docket nolled	Other verdict	Conviction rate
Black	19,342	8,970	2,193	7,726	453	46%
Hispanic	16,440	6,896	2,350	6,774	420	42%
White	28,218	10,442	5,286	11,687	803	37%
Total	**64,000**	**26,308**	**9,829**	**26,187**	**1,676**	**41%**

DCJ analyzed outcomes for over 65,000 criminal cases that were disposed in CT courts in 2019.

That analysis revealed that 41% of cases resulted in a conviction. When case outcomes were evaluated by the race and ethnicity of defendants, there was a marked difference in case-conviction rates in cases where the defendant was Black, Hispanic or White.

46% of dockets where the defendant was Black ended in conviction. This compared with a **37%** conviction rate for dockets with White defendants. Conviction rates on dockets with Hispanic defendants fell in the mid-range, **42%**.

GA court and Part A court outcomes

In Connecticut, most criminal cases are disposed in Geographic Area (GA) courts. A much smaller number of the most serious cases are transferred to Part A courts.

Looking at conviction rates by the type of court revealed a significant difference in conviction rates. While the overall docket-conviction rate in GA courts hovered around 40%, the conviction rate in Part A courts was 74%.

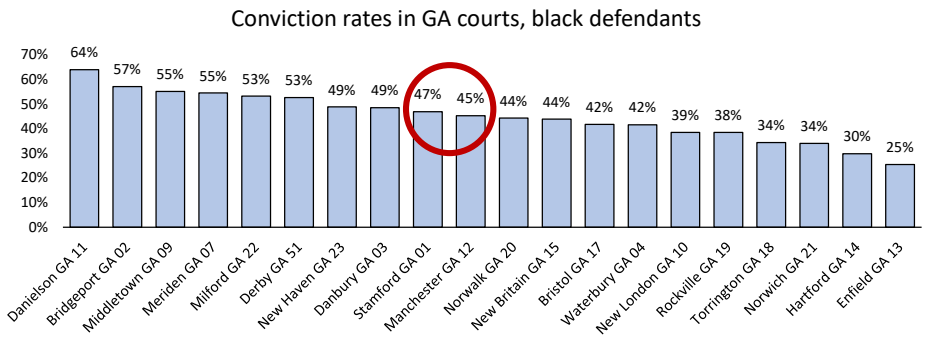
Conviction rates by court

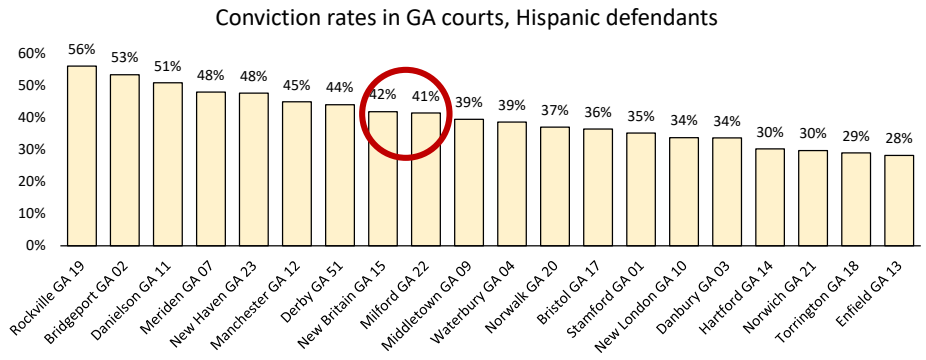
Race/ethnicity of defendant	Docket conviction rate	
	GA courts	Part A courts
Black	45%	77%
Hispanic	41%	75%
White	36%	71%
All defendants	**40%**	**74%**

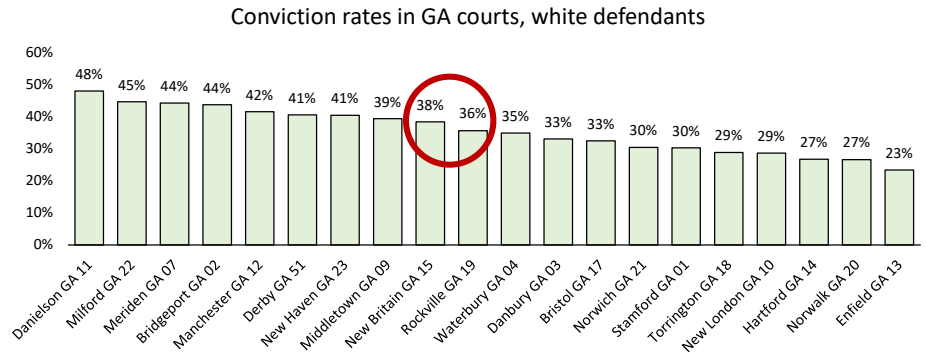
Evaluating conviction rates by the court level and the race/ethnicity of the defendant, we observed a similar distribution of conviction rates.

DCJ's challenge was to attempt to understand the factors that were driving these disparate outcomes.

Conviction rates in GA courts in 2019







The 46% Black conviction rate is a composite number.

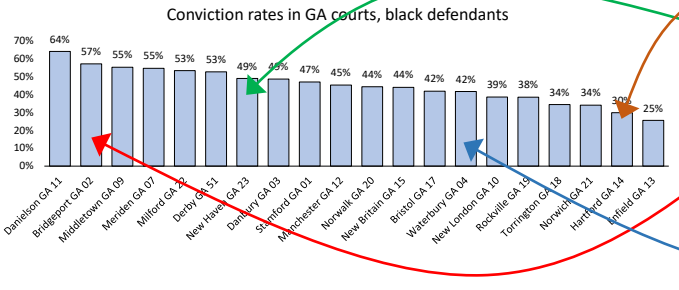
Looking across the state's GA courts, we observe that docket conviction rates for Black defendants ranged from 25% to over 60% in 2019, depending on the court.

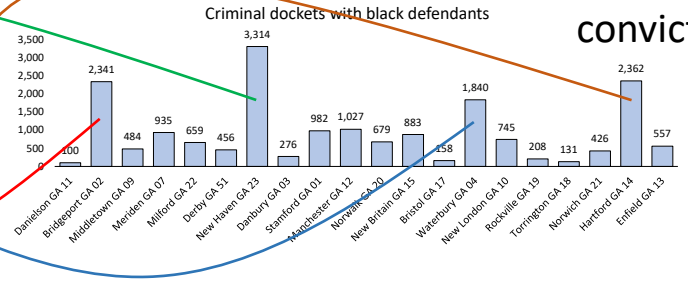
Similarly, conviction rates on dockets where the defendant was Hispanic ranged from 28% to 56%.

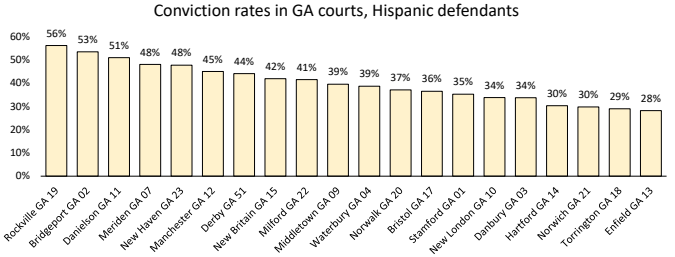
Among White defendants, the conviction rate ranged from 25% to 48%.

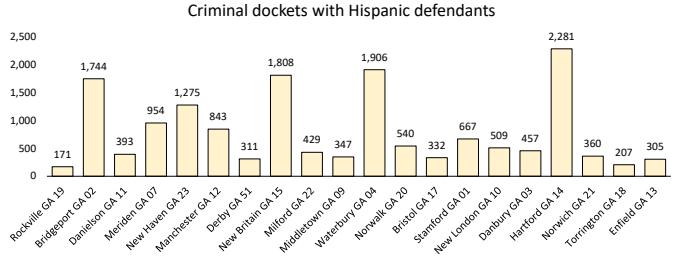
GA courts and court location

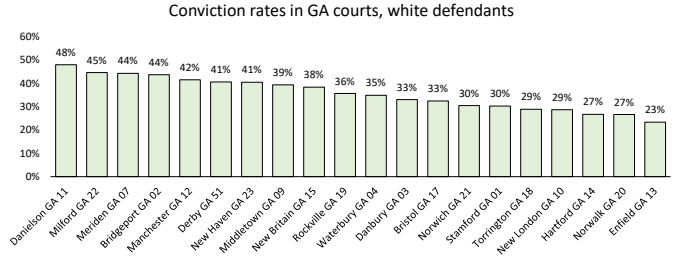
Court volumes were not correlated to conviction rates.

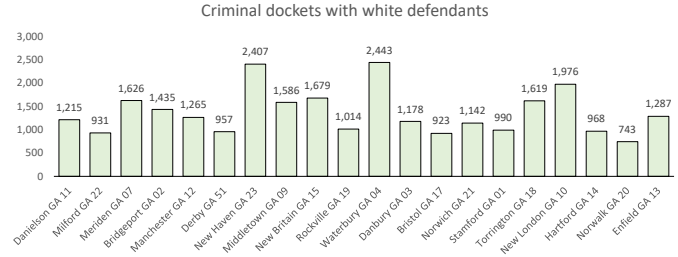










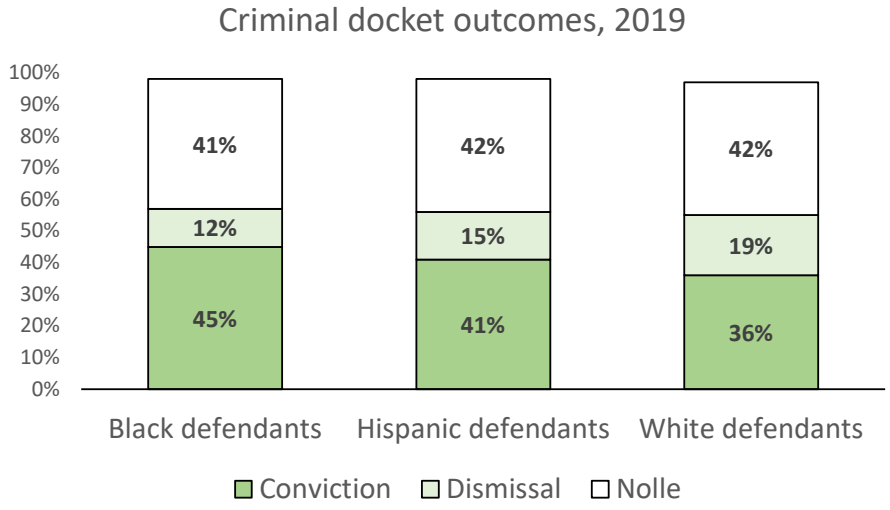


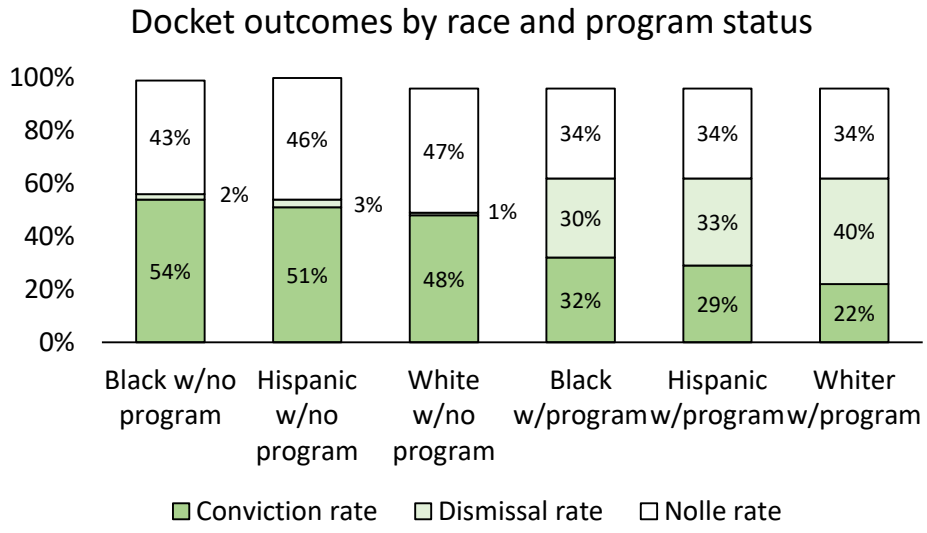
4 GA courts disposed 52% of the dockets where defendants were Black

4 GA courts disposed 48% of the dockets where defendants were Hispanic

4 GA courts disposed 31% of the dockets where defendants were White

The impact of pre-trial programs



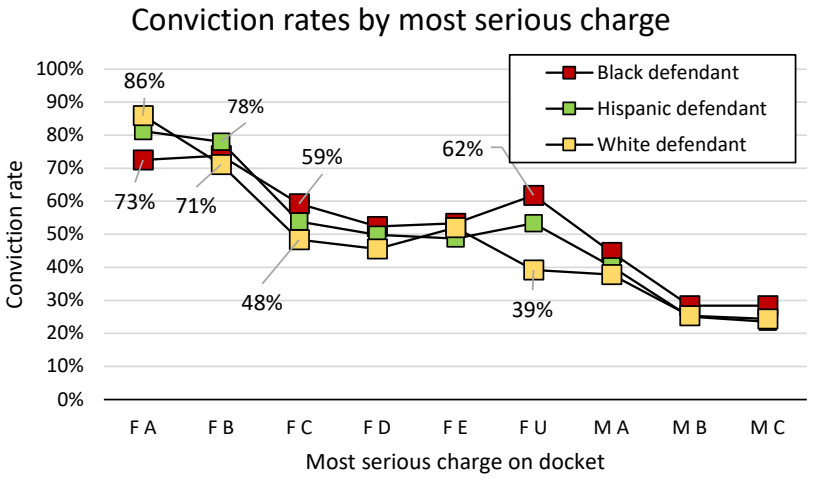


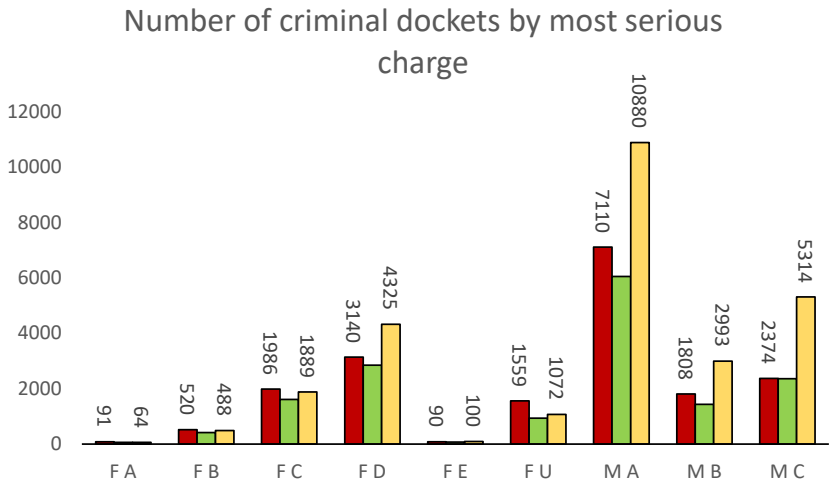
Since the percentage of nolled dockets was consistent across defendant groups, the other two docket outcomes – convictions and dismissals – were interconnected, i.e., as dismissals rose conviction rates dropped.

When we disaggregated the outcomes to consider program participation among defendants, we observed a large shift in case outcomes. Convictions were significantly lower for defendants who were identified as having participated in a pre-trial program.

Nevertheless, the disparity between Black, Hispanic and White defendants persisted.

Conviction rates based on seriousness of charge



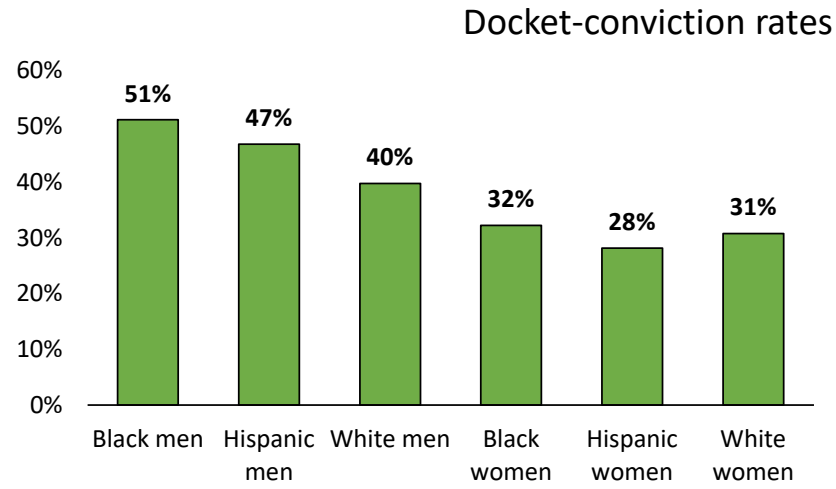


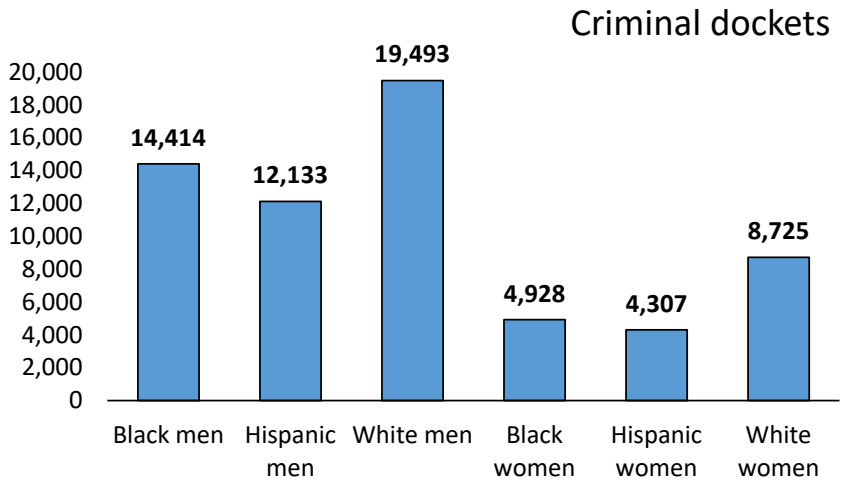
We evaluated conviction rates by analyzing outcomes based on the seriousness of the offense on the docket. Previously we observed that conviction rates rose according to the severity of the offense on a docket.

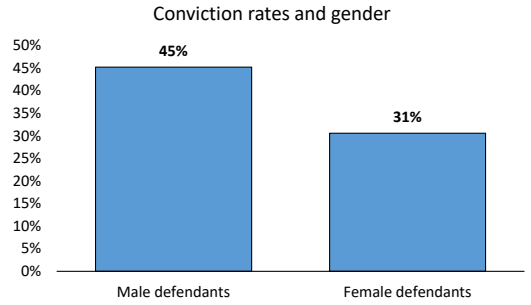
Here, once again, we observed that, on average, Black defendants experience higher conviction rates than their Hispanic and White peers. This was most obvious in U-felony cases.

The data also revealed that dockets featuring A-, B- or C-felonies were more likely to feature Black defendants.

Conviction rates and race and gender







We disaggregated conviction rate data by the race and gender of the defendant.

Overall, male defendants were significantly more likely to be convicted than female defendants.

The pattern in conviction rates by race and ethnicity was found to vary significant between men and women.

The analysis of court records provided us with consistent evidence of disparate outcomes. What the available data could not provide us with was an understanding of why we were observing these disparities.

As we searched for new sources of data, DCJ investigated the broader question of disparities in the state.

Some measures of disparity in CT

No.	Measure	Black	Hispanic	White	Asian
1	Youth under 18 in poverty	21,964	50,034	21,613	2,612
2	Percent of children in poverty	18.8%	21.1%	5.9%	7.7%
3	Population at risk of maltreatment, Ages 0 to 3	578	978	854	
4	Population at risk of maltreatment, Ages 0 to 3, rate per 1,000	32.85	25.97	9.76	
5	Population at risk of maltreatment, Ages 4 to 17	1,167	1,924	1,965	
6	Population at risk of maltreatment, Ages 4 to 17, rate per 1,000	16.32	15.71	4.77	
7	Number of towns where 50% of youth-in-poverty reside	3	4	22	11
8	Number of towns where 75% of youth-in-poverty reside	11	10	42	24
9	Infant mortality, deaths per 1,000	11.7	3.7	2.9	
10	Hospitaliztion rates per 10,000, population birth to 17, 2018	25.1	17.8	5.3	
11	Emergency room visits, adjusted per 10,000, birth to 18, 2018	192.0	160.5	35.5	
12	Percentage of children in single-parent families, 2019	65%	53%	20%	8%
13	Percentage of children in single-parent families, 2009	61%	53%	19%	11%
14	Chronic absenteeism rates, 2018-2019	15.2%	16.4%	6.7%	6.3%
15	Chronic absenteeism rates, 2018-2019, Hartford	22.1%	30.9%	9.9%	
16	Chronic absenteeism rates, 2018-2019, West Hartford	9.0%	13.3%	4.7%	

Some measures of disparity in CT (2)

No.	Measure	Black	Hispanic	White	Asian
17	Suspension rates, 2018-2019	14.0%	9.2%	4.1%	1.9%
18	Suspension rates, 2018-2019, Hartford	16.4%	11.7%	5.6%	
19	Suspension rates, 2018-2019, West Hartford	8.9%	8.5%	2.5%	
20	Pct. 11th and 12th graders meeting benchmarks on readiness exams	14.8%	19.8%	55.1%	
21	Pct. 11th and 12th graders meeting benchmarks, Hartford	9.4%	9.4%	53.9%	
22	Pct. 11th and 12th graders meeting benchmarks, West Hartford	34.7%	37.9%	77.8%	
23	High school graduation rates- 2018	80.2%	78.8%	93.9%	95.7%
24	Pct. HS students earning a college degree in 6 years, Class of 2013	25.6%	27.1%	59.6%	64.9%
25	Mastery test reading scores, 3rd graders, 2013, pct. at or above goal	32.7%	32.1%	69.4%	70.3%
26	Mastery test math scores, 3rd graders, 2013, pct. at or above goal	34.3%	38.6%	73.9%	78.5%
27	Mastery test writing scores, 3rd graders, 2013, pct. at or above goal	41.0%	39.1%	70.1%	77.0%
28	Mastery test reading scores, 8th graders, 2013, pct. at or above goal	55.1%	53.2%	86.3%	89.7%
29	Mastery test math scores, 8th graders, 2013, pct. at or above goal	37.4%	38.7%	77.2%	86.4%
30	Mastery test writing scores, 8th graders, 2013, pct. at or above goal	44.9%	42.9%	78.2%	85.1%
31	Racial/ethnic breakdown of juveniles admitted pre-trial, 2009	60.0%	38.0%	33.0%	0.2%
32	Racial/ethnic breakdown of juveniles admitted pre-trial, 2019	53.0%	37.0%	41.0%	3.4%

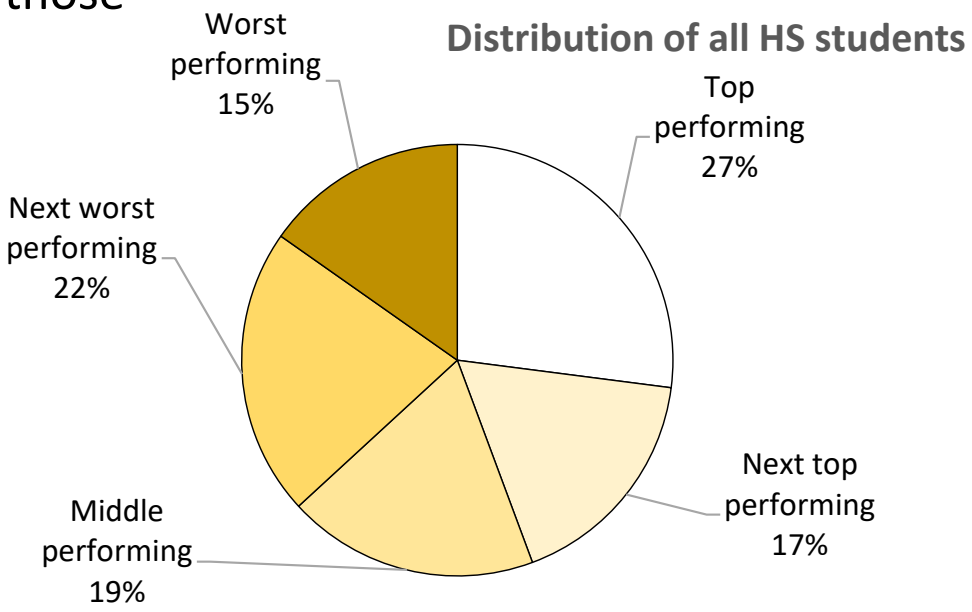
Some measures of disparity in CT (3)					
No.	**Measure**	**Black**	**Hispanic**	**White**	**Asian**
33	Change in the number of juveniles admitted pre-trial, 2009-2019	-34.6%	-28.0%	-8.4%	825.0%
34	Asthma hospitalization rates per 100,000 residcents, 2008	1619.0	1852.8	621.6	
35	Diabetes hospitalization rates per 100,000, 2008	411.4	274.5	95.8	
36	Owner occupancy rate, 2015 - 2019	39%	34%	72%	59%
37	Pct. Homicide victims killed by gunfire, 2014 - 2020	81%	64%	44%	
38	Pct. Statewide homicide victims, aged 15 to 30, 2014 - 2020	55%	25%	15%	
39	Pct.Statewide homicide victims, age 46 and older, 2014 - 2020	30%	13%	55%	
40	Homicide rate per 100,000 residents, 2014	11.7	5.4	1.1	
41	Pct. Ex-inmates, under 40, dying within 5 years of release, by homicide	60%	19%	4%	
42	Pct. Ex-inmates, under 40, dying within 5 years of release, by overdose	10%	35%	63%	

The data in these slides is sobering. The State of Connecticut is rife with economic and social disparities.

DCJ also looked at education data published by the State Department of Education.

EDUCATION

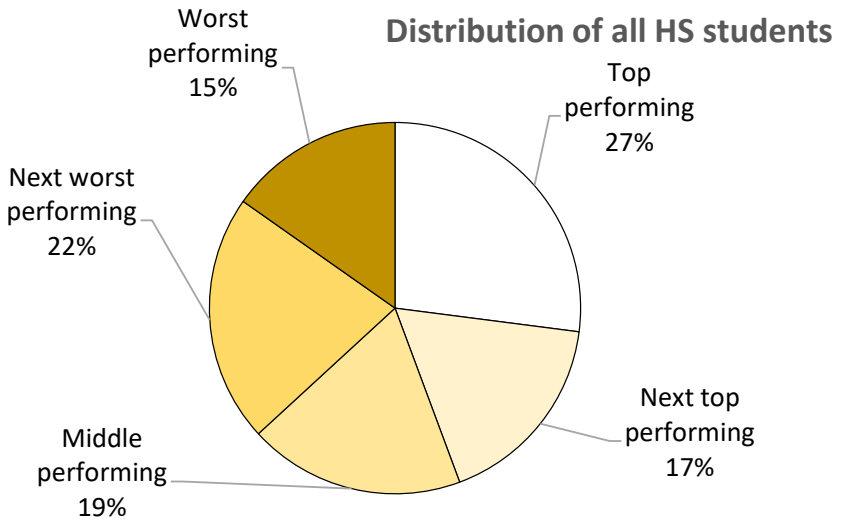
CT Department of Education (CTDE) publishes performance data on public high schools in the state. CTDE ranked these schools across a range of objective measures to assess how well students performed at those schools.

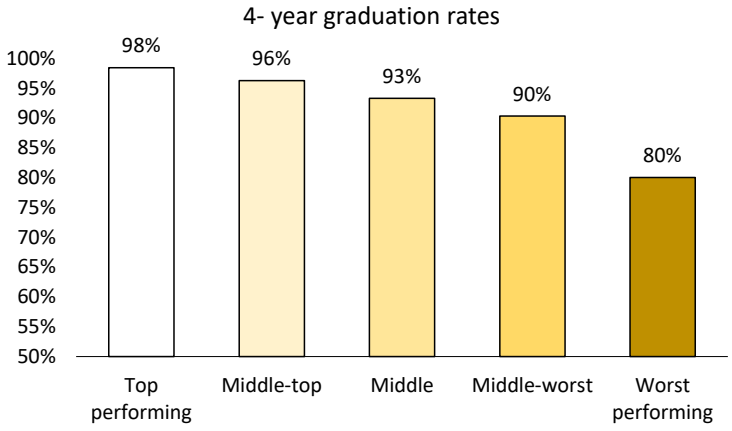


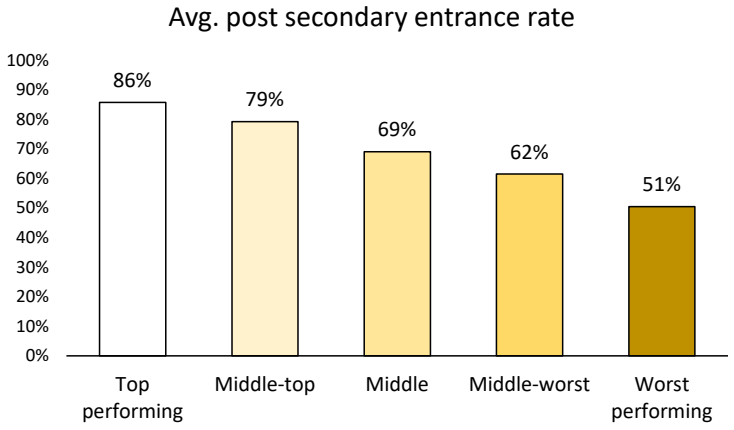
DCJ looked at data for the 180 largest public high schools in the state and then segmented them in to five groups, each with 36 schools.

In a practical sense, a high school's performance is a reasonable measure of how well most of its students are prepared for life as adults.

CTDE performance measures include: preparedness for post-secondary coursework, career readiness, 4-year graduation rates, post-secondary entrance rates.



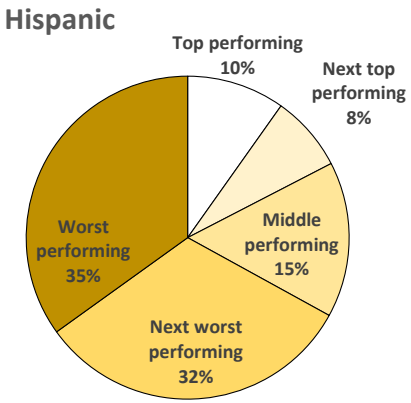


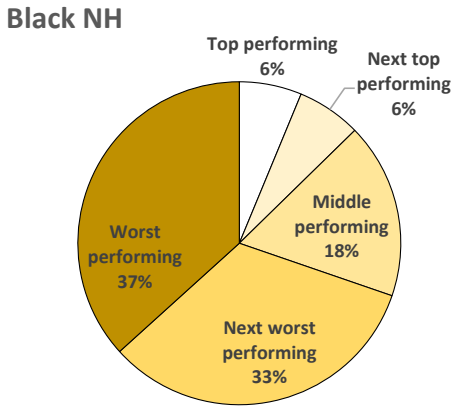


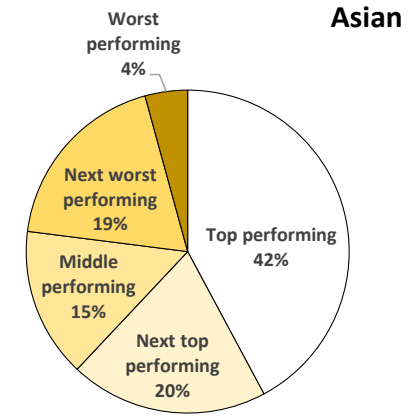
In 2018-2019, 67% of Hispanic high school students attended the 72 lowest performing public high schools.

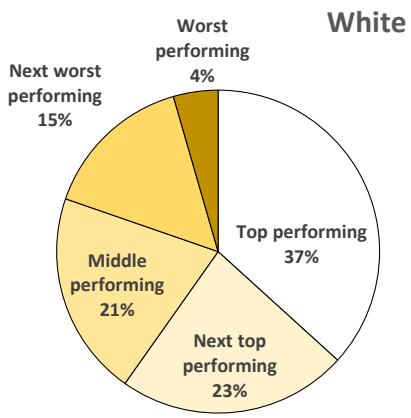
70% of Black high school students attended these same schools.

In contrast, only 23% of Asian high school students and 19% of White students attended those schools.





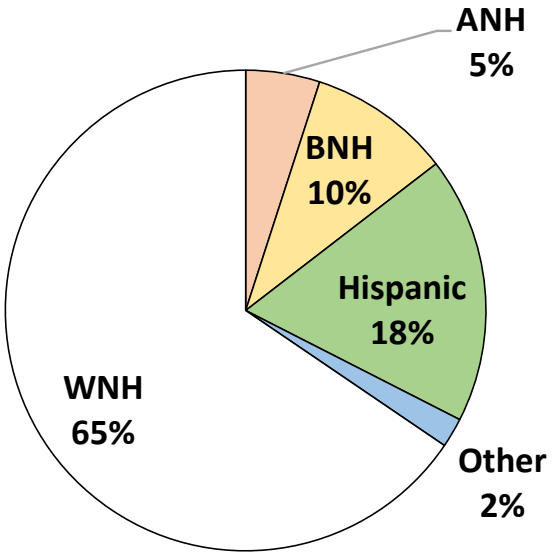




In contrast, while only 18% of Hispanic students and 12% of Black students attended the 72 best performing schools. 62% of Asian students and 60% of White students attended these top performing public high schools.

VICTIMIZATION

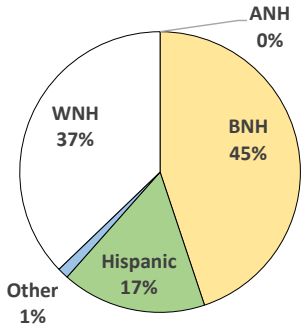
CT population 2020



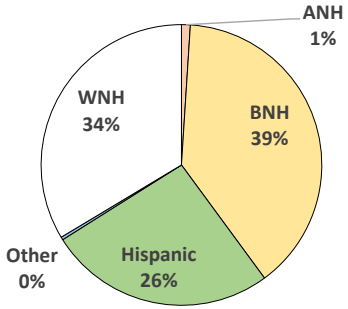
According to state NIBRS* data, 62% of murder victims in CT in 2019 were Black non-Hispanics (BNH) or and Hispanic. Similarly, 65% of aggravated assault victims and 56% of robbery victims were Black or Hispanic. It is estimated that these two groups make up only 18% of the state's population.

These victimization percentages contain a significant undercount of the impact of violent crime on minorities in the state since no data was reported by the city of Hartford or Meriden.

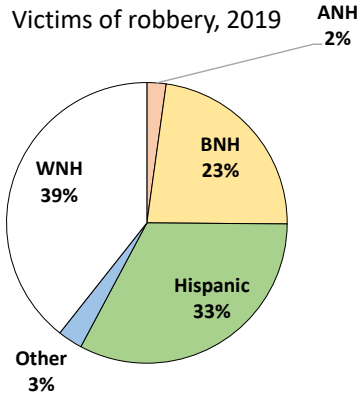
Murder and nonnegligent manslaughter victims



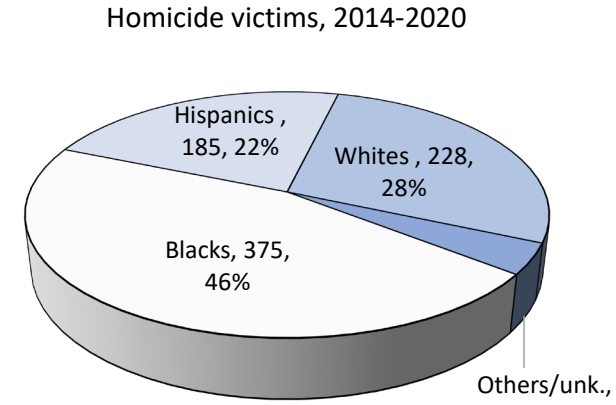
Victims of agravated assault



Victims of robbery, 2019



VICTIMIZATION



Source: CT OCME

Homicide victims, 2014 -2017

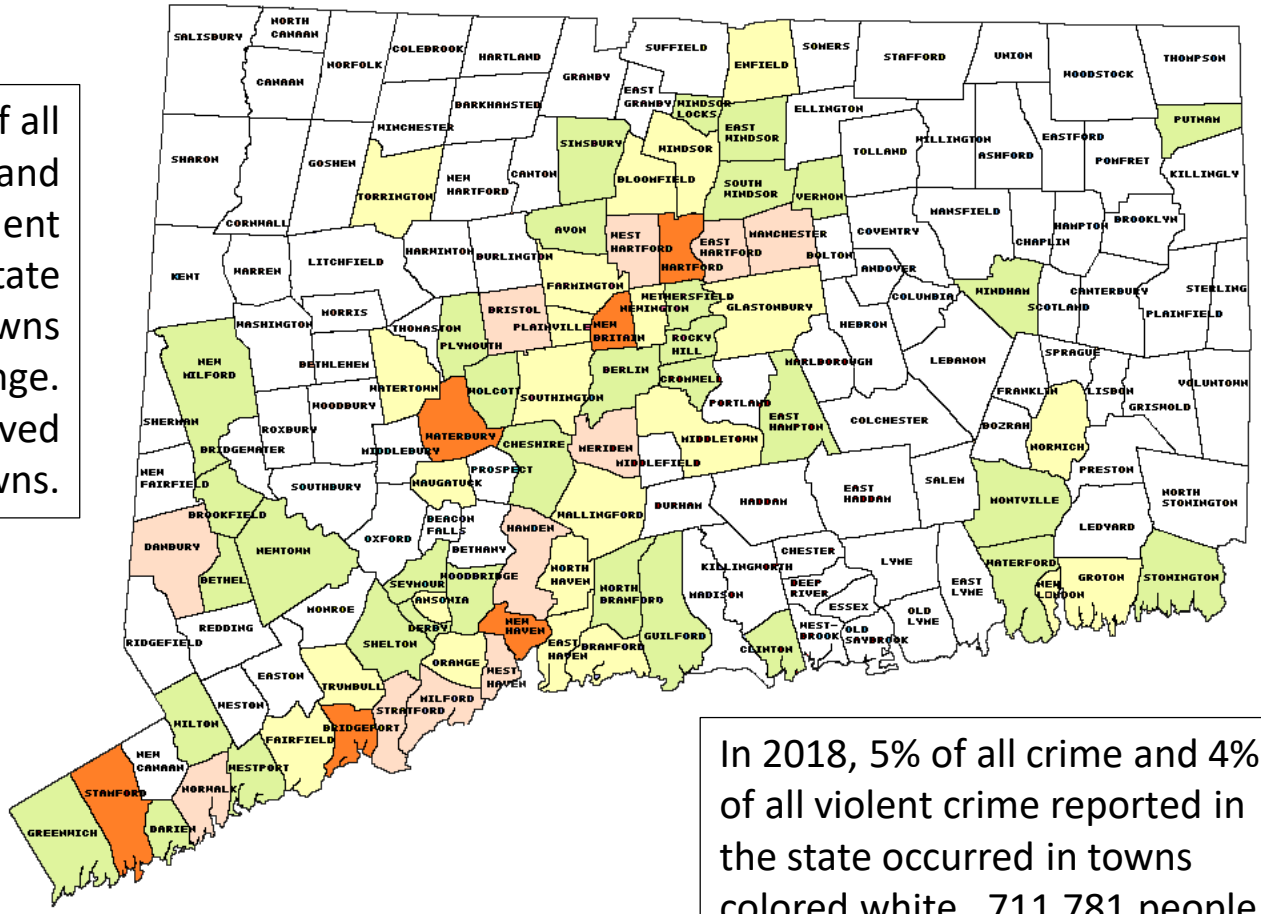
	UCR	OCME
White	46%	28%
Black	50%	46%
Hispanic	na	22%
Other/unknown	4%	4%

Between 2014 and 2020, 46% of state homicide victims were Black. Another 22% were Hispanic. Non-Hispanic Whites, who make up about 70% of the state's population, accounted for 28% of homicide victims.

CT and the nation are getting more diverse. A significant issue we face is that the data that we keep on the race and ethnicity of victims is increasingly lacking.

We used OCME data here because UCR victimization data contains a consistent underreporting of crime victimization on minority communities.

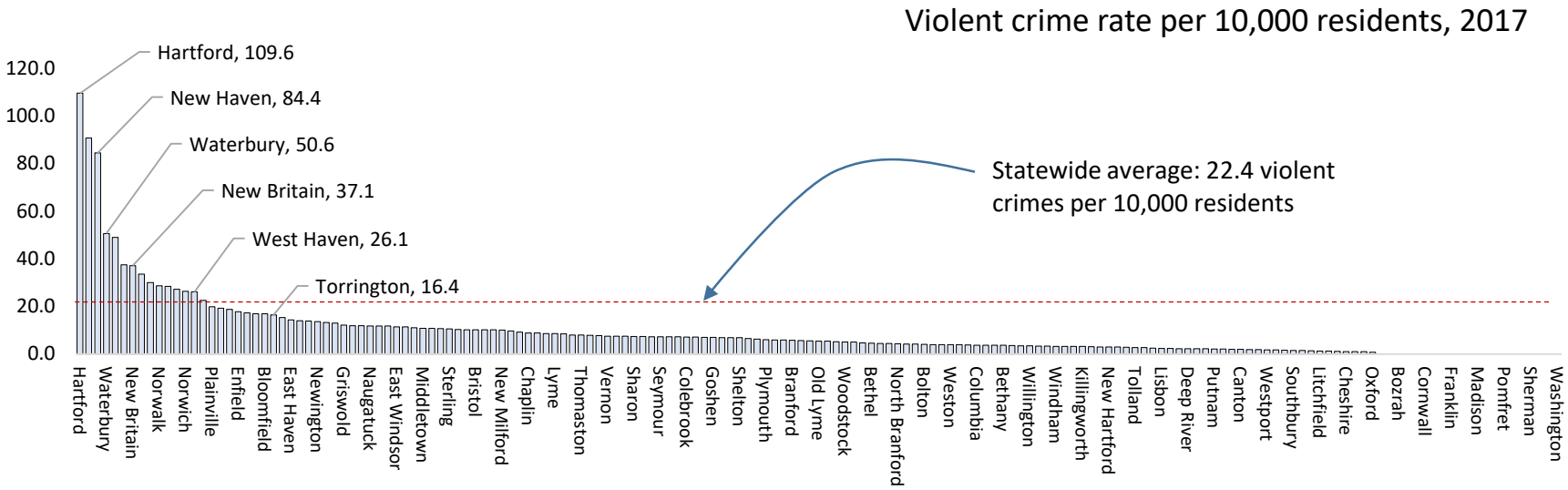
In 2018, 38% of all reported crime and 60% of all violent crime in the state occurred in towns colored orange. 716,207 people lived in these towns.



In 2018, 5% of all crime and 4% of all violent crime reported in the state occurred in towns colored white. 711,781 people lived in these towns.

53% of the state's Black non-Hispanic population and 49% of its Hispanic population lives in towns colored orange. Only 10% of the state's White non-Hispanics live in these towns.

Public safety and the incidence of crime varies considerable across the state



- According to UCR data, the statewide violent crime rate in CT was 22.4 violent crimes per 10,000 residents in 2017
- Although every violent crime is significant and serious, a small number of communities in the state exert and outsized impact on overall crime rates in the state.
- If the number of violent crimes reported in just 3 municipalities (Hartford, New Haven and Bridgeport) could be cut in half, the total statewide violent crime rate would drop by almost a quarter (22.4 to 17.2).

What if homicide rates were consistent across the state?

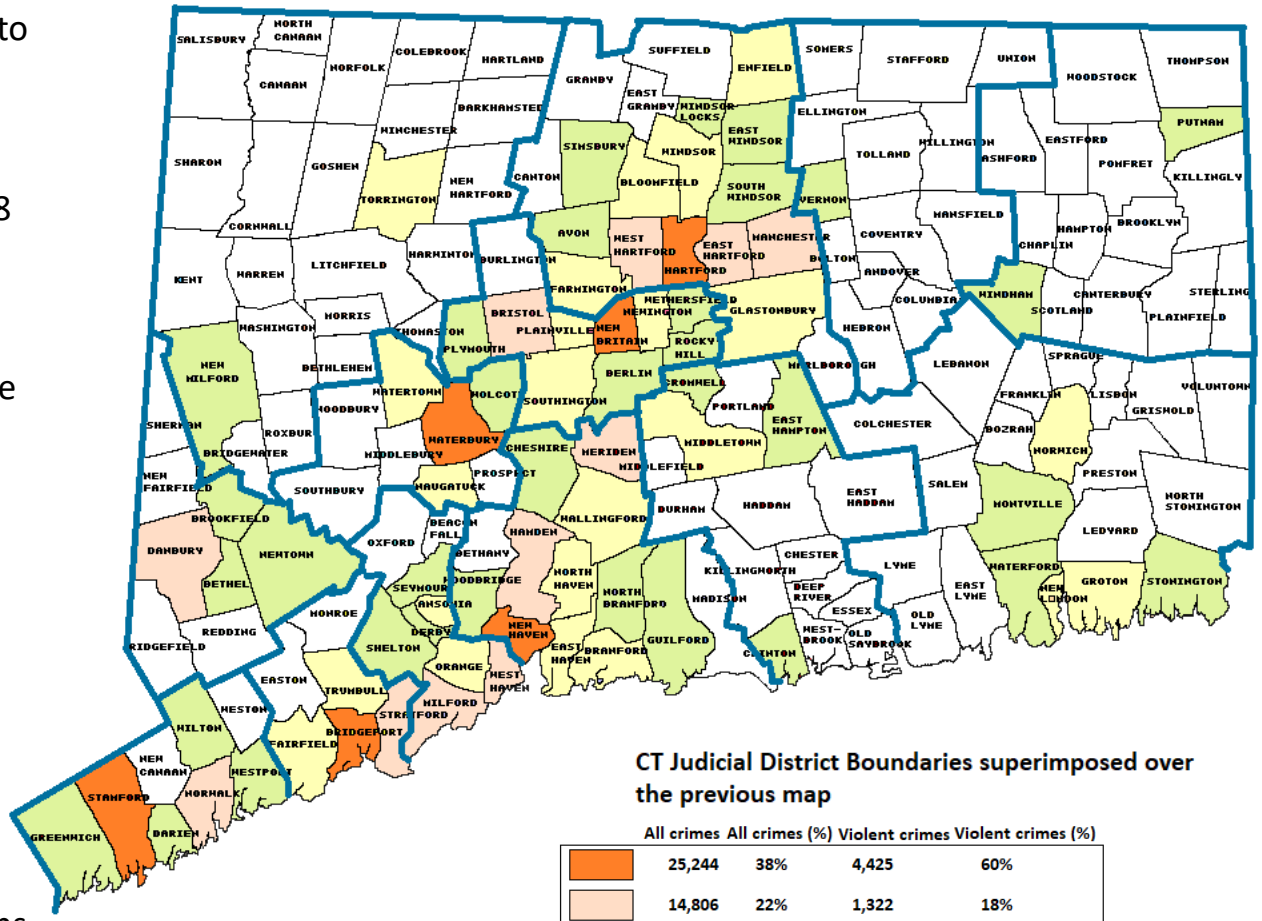
- In 2014, the statewide homicide rate per 100,000 residents was **2.9**.
- The homicide rate for Blacks in CT, in 2014, was **11.7** per 100,000 residents.
- For Whites, the homicide rate was **1.1** per 100,000.
- CT DPH estimated that CT had 3,596,677 residents in 2014.
- The OCME recorded 104 homicides in the state in 2014.
- Had the statewide homicide rate equaled the Black homicide rate in 2014, there would have been 421 homicides in CT instead of 104.
- Had the statewide homicide rate equaled the White homicide rate in 2014, there would have been 40 homicides instead of 104.

In terms of criminal justice, a one-size-fits-all model for CT does not work

The map to the right groups CT's 169 towns into five equally-sized groups based on population and the number of crimes reported in the FBI's 2018 Uniform crime Report.

We observe that the incidence of serious crime does not impact every community in the state equally.

The deep orange group includes 6 towns. The lighter orange group includes 11 towns. The group, colored yellow, includes 23 towns. 34 towns are coded light green. There are 95 towns in the final group.



CT Judicial District Boundaries superimposed over the previous map

All crimes	All crimes (%)	Violent crimes	Violent crimes (%)
25,244	38%	4,425	60%
14,806	22%	1,322	18%
14,555	22%	877	12%
6,209	13%	412	6%
3,435	5%	312	4%

In terms of criminal justice, a one-size-fits-all model for CT does not work

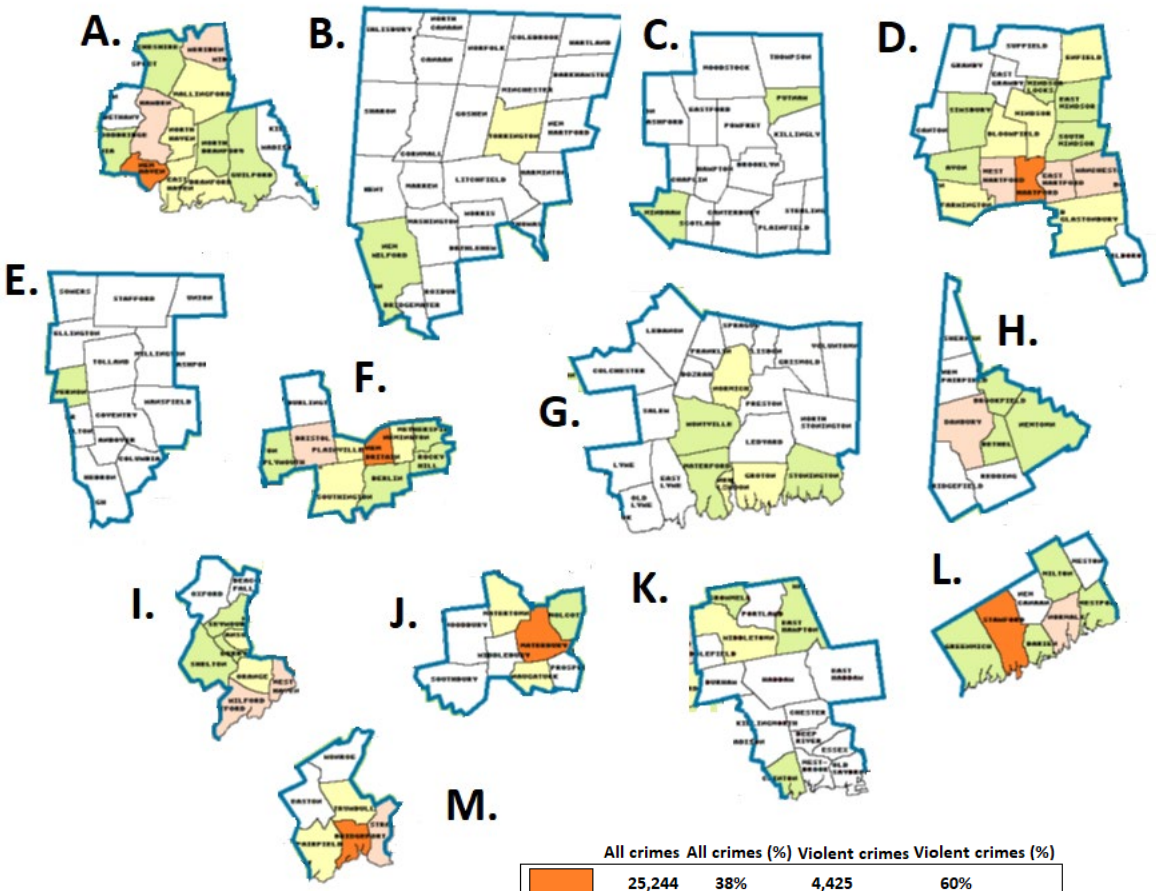
Here, the state's 13 Judicial Districts have been isolated and scattered.

Looking at these 13 Districts and the color codes for crime in towns, we can predict:

a) Which 3 Judicial Districts have the heaviest volume of criminal caseloads?

b) Which 3 Districts have the smallest volume of criminal caseloads?

Would you expect arrests patterns to be consistent with crime incidence patterns?



All crimes	All crimes (%)	Violent crimes	Violent crimes (%)
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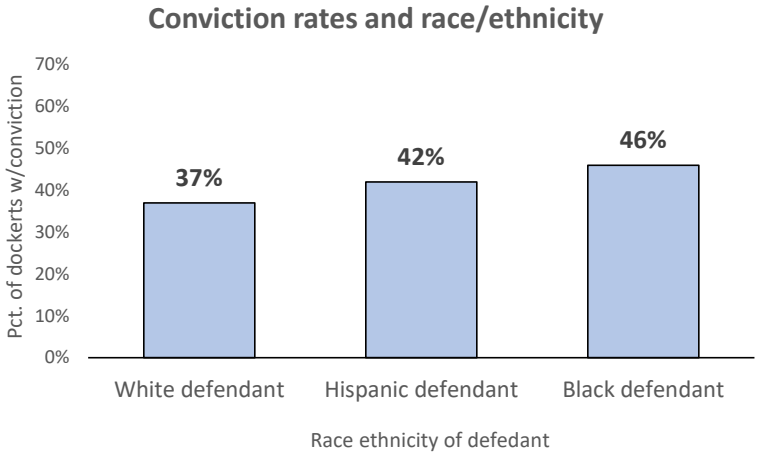
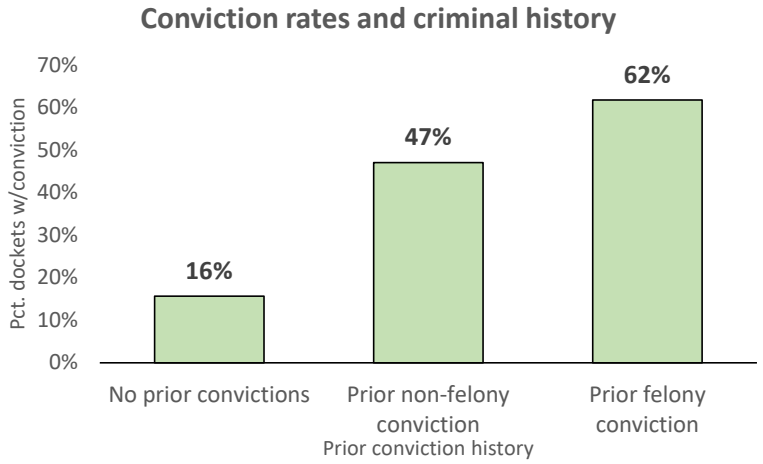
Because, with available data, we could not explain the disparity in outcomes between Black, White and Hispanic defendants we requested new data from the Court Support Services Division at the CT Judicial Branch.

Using this data, we were able - for the first time - to associate outcomes for each docket with the defendant's prior criminal history record. Applying this data to the operational data we had been using sheds a new light on how the system seems to operate.

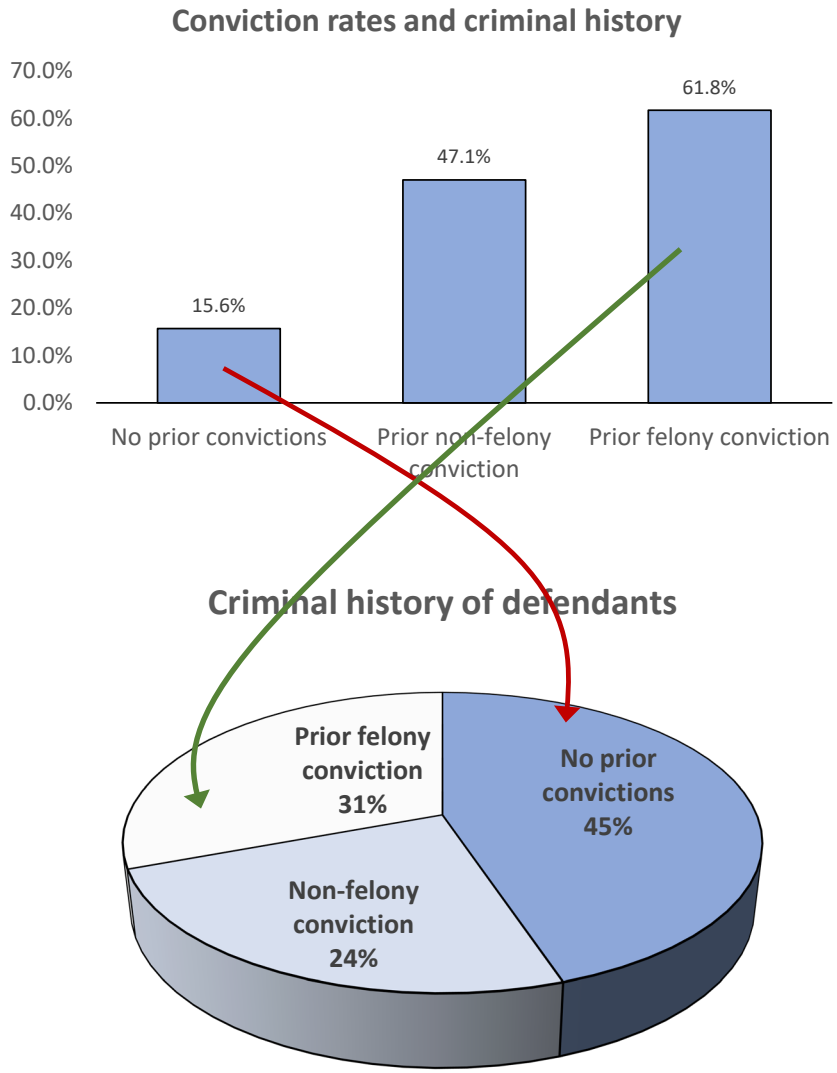




From our previous analysis we were able to determine court outcomes based on the race/ethnicity of the defendant and the offense. That allowed us to observe disparity in conviction rates but it did not provide any substantive information about why the rates were what they were.

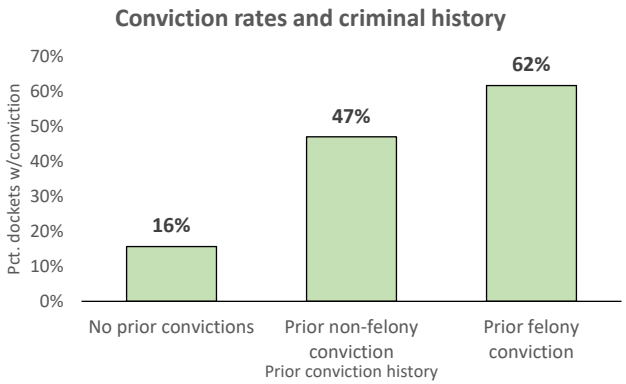
Using a completely new criminal history data set, we were able perform an analysis that gave us new insights into court outcomes. It revealed that the outcome disparities based on criminal history were significantly larger than those observed through the single dimension of race and ethnicity.

Conviction history and conviction rates



With the new data we were able to observe that aggregate conviction rates were actually a composite figure, reflecting the mix of defendants in a particular defendant pool.

Thus, the aggregate conviction rate for any group was based on the ratio of 1) persons with no prior criminal history 2) persons with a non-felony conviction history and 3) persons who had been convicted of a prior felony.

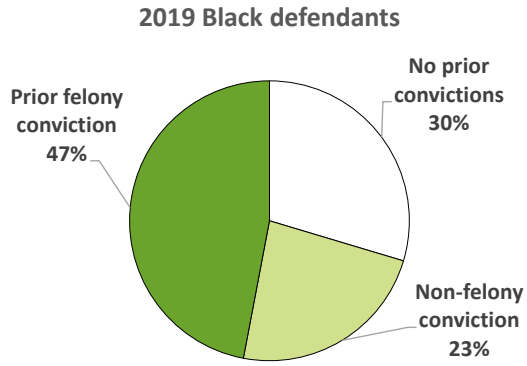


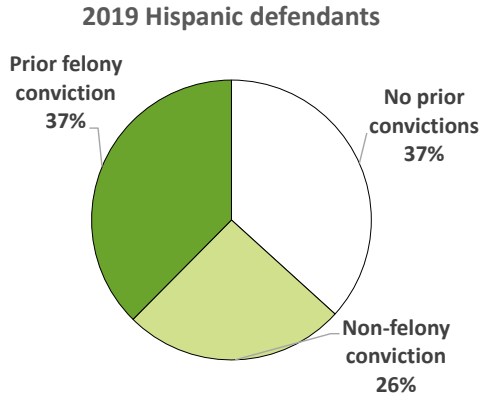
47% of Black defendants in 2019 had a prior felony conviction. This compares to 31% for Whites and 37% for Hispanics.

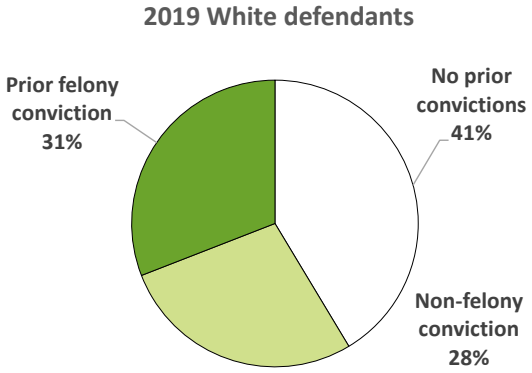
30% of Black defendants had no prior criminal history. Among Whites the figure was 41%; among Hispanics it was 37%

Criminal history of defendant pools, 2019

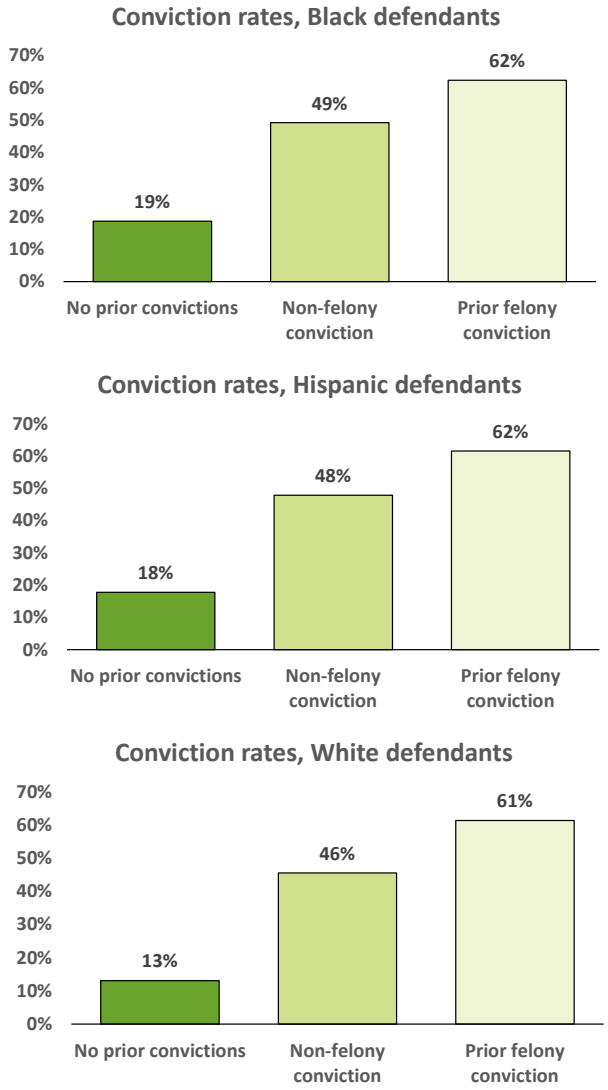
Defendant race/ethnicity	No prior record, %	No prior felony conviction, %	Prior felony conviction, %
Black	30%	23%	47%
Hispanic	37%	26%	37%
White	41%	28%	31%







Convictions on dockets

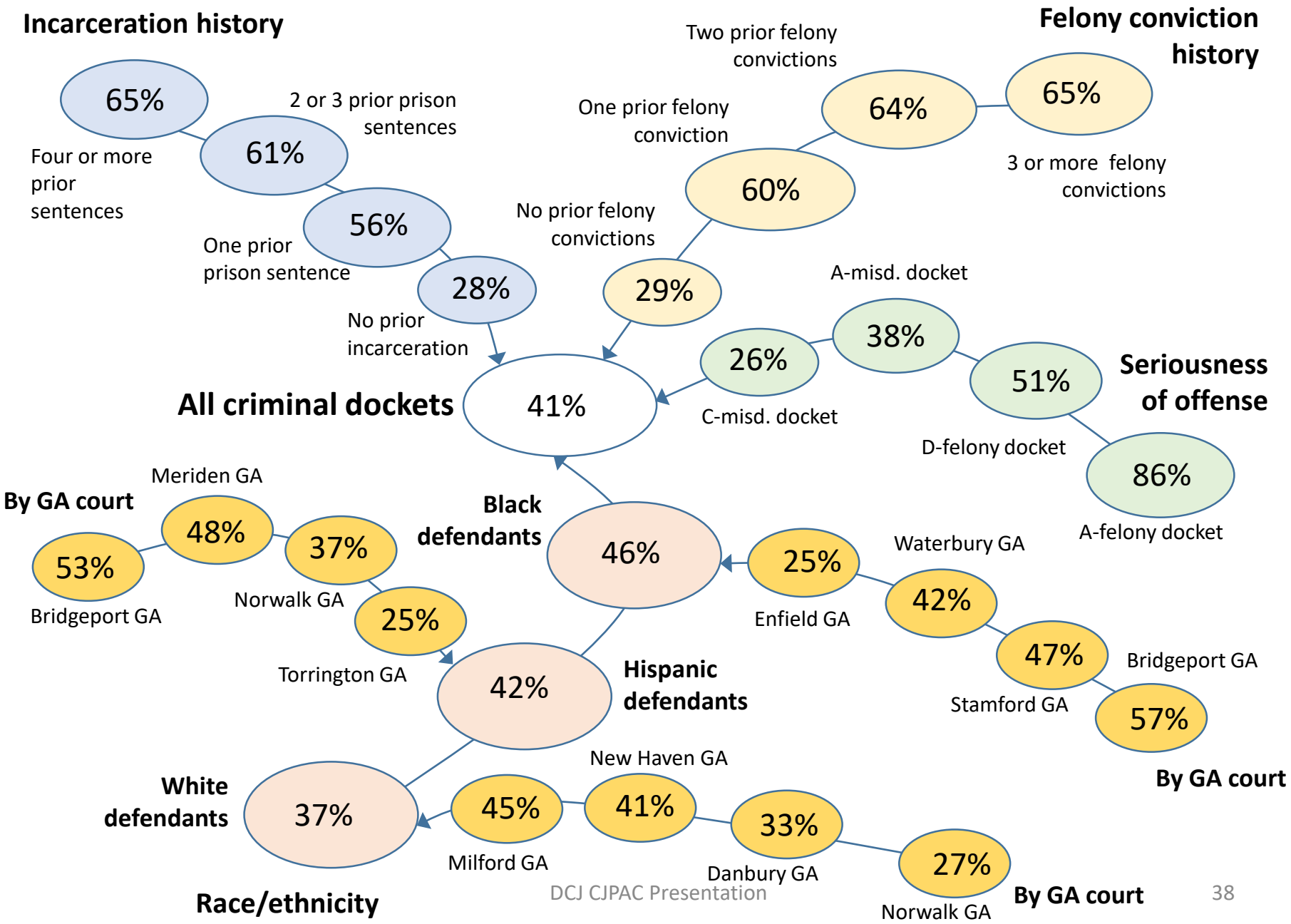


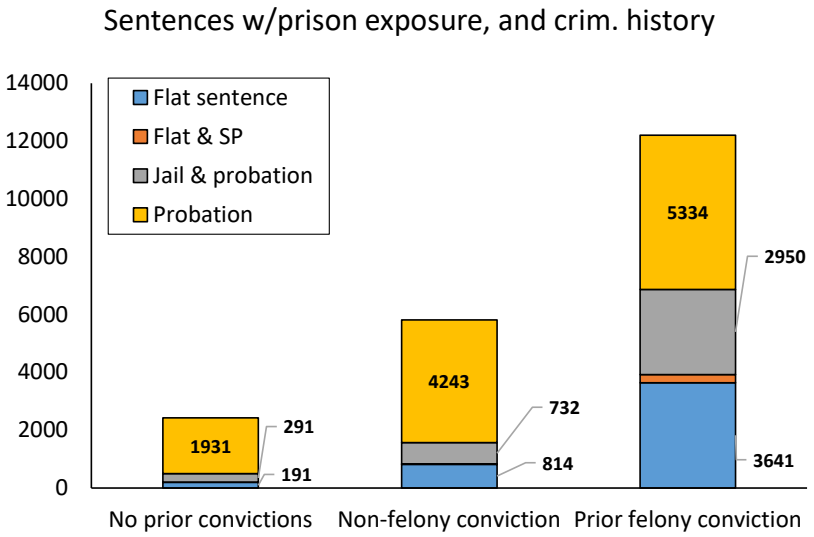
Among all defendants with prior criminal histories, conviction rates were relatively consistent across race and ethnicity

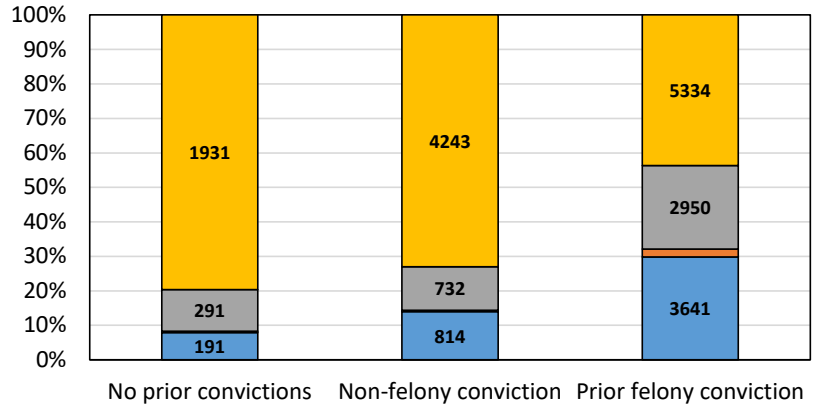
The only significant difference we observed in conviction rates was among defendants who had no prior convictions. Here, once again, Black and Hispanic defendants had higher conviction rates than Whites. In the next year we will focus on this group to try to unravel this observed disparity.

On a positive note, the difference in conviction rates among this no-prior-criminal-history group explains almost all observed system-wide disparity.

41% of criminal dockets in CT in 2019 contained a conviction







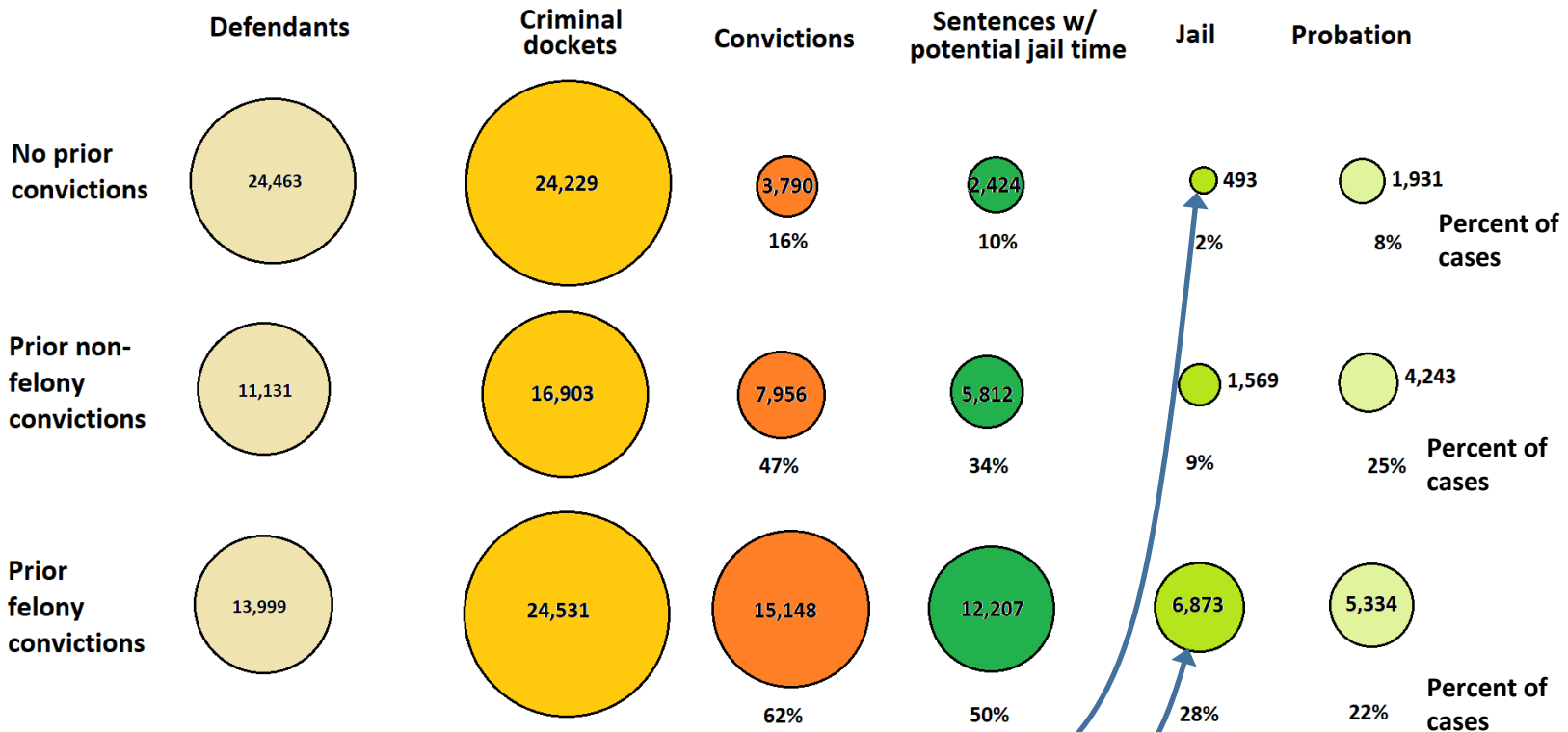
The charts to the left show two different views of the same data. Again we observe that sentence-severity is highly correlated with the criminal history of the defendant.

59.7% of all defendants who were convicted and sentenced to a sanction involving prison, had formerly been convicted of a felony. Only 11.9% of persons with no prior convictions had these types of sentences and 80% percent of these people were placed on probation in lieu of prison.

Sentences involving prison and criminal history

	Flat Sentence	Flat & special parole	Jail & probation	Probation	Total Cases
No prior convictions	191	11	291	1,931	2,424
Non-felony conviction	814	23	732	4,243	5,812
Prior felony conviction	3,641	282	2,950	5,334	12,207

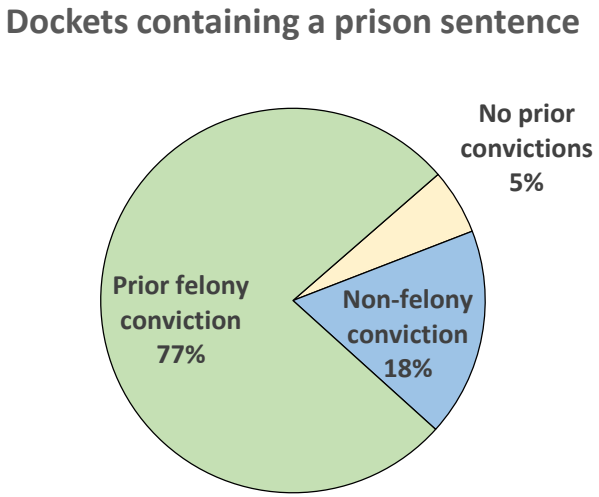
Who goes to prison



28% of criminal dockets where the defendant was a felon resulted in some jail time. Contrast that against the 2% of criminal dockets where the defendant had no prior convictions.

Who goes to prison

In 2019, 77% of criminal dockets that stipulated a term of incarceration featured a defendant with a prior felony conviction history.



Defendants with no prior conviction history accounted for just 5% of the criminal cases that resulted in a prison sentence.

Division of Criminal Justice
Office of the Chief State's Attorney
Richard J. Colangelo, Jr.

https://portal.ct.gov/DCJ