

**2019 SAC Grant Report:  
Felony Case Processing Trends in Oregon**

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State of Oregon Statistical Analysis Center

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As the Oregon SAC, the CJC is responsible for collecting, analyzing, and reporting public safety and criminal justice related statistics to Federal, State, and local levels of government, as well as facilitating the sharing of state-level information nationally.

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## 1. Introduction

This project is the first effort by the Oregon Criminal Justice Commission (CJC) and the Oregon Statistical Analysis Center (SAC) to analyze felony case processing trends in the state. Historically, the CJC has conducted case trend analysis at the post-conviction stage, but not at the earlier phases of felony cases. With this report the CJC adds to the understanding of felony cases by summarizing the trends and drivers of felony case processing in Oregon over a 20-year period. This analysis also further informs research regarding racial, ethnic, and other disparities in felony processing in Oregon. Previously, the CJC measured the racial and ethnic disparity at the conviction level and, specifically, for felony drug possession convictions. This report and the associated dashboard tools<sup>1</sup> provide additional perspectives on disparities at the charge, plea-bargain, and conviction level for all felony crimes.

The intended audience for this report includes legislators, the public, and other key state and local stakeholders (i.e., district attorneys, county commissioners, community corrections, judges, victim advocates, corrections, law enforcement, and treatment providers). Following this preliminary report, the CJC anticipates releasing a publication of felony case processing trends that includes a racial and ethnic disparity analysis. The current analysis is consistent with the Governor's office's focus on transparency and making data publicly available.

The CJC examined four case outcomes for each year from 1998-2017. First, the CJC calculated the proportion of cases that ended with a guilty plea on at least one charge for each group and year. This measures the proportion of cases where a plea deal was offered and accepted. Second, the CJC calculated the proportion of cases for which a conviction was realized for at least one charge. Third, the CJC measured the proportion of charges that resulted in a conviction, for both the set of all cases and the set of all cases excluding those that did not receive any conviction. Finally, the CJC calculated the proportion of convictions that were lower in severity than the most severe crime charged. The CJC examined these trends by sex, race, age, attorney type, and most severe charge groups, respectively.

Overall, the proportion of cases that concluded with at least one guilty plea<sup>2</sup> has increased over the study period 1998-2017. This upward trend holds across groups and subgroups. Some disparities exist between groups, especially between defendants that employed a private attorney compared to those that did not. Many of these patterns, however, vary by county. These differences may be due to divergent demographics across Oregon counties, but are also influenced by varied data keeping practices and case processing practices by county prosecutors. When exploring simple, statewide trends these combined dynamics may convey the appearance of a disparity where one may not actually exist.<sup>3</sup> Further, where disparities were observed these disparities are inconsistent over time<sup>4</sup>. Relatedly, the number of cases that closed with one or more charge convicted has also increased, but at a lower rate of increase than the proportion of cases with a guilty plea.

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<sup>1</sup> The associated dashboards for this project may be found on the CJC website. At time of writing, these dashboards are still under construction.

<sup>2</sup> With rare exception, this represents a plea deal.

<sup>3</sup> For example, if County A has a high Hispanic population relative to the rest of the state and County A's district attorney offers every defendant a higher rate of plea deals relative to the state, then the practices in County A may make the *state* look like it offers more plea deals to Hispanic defendants. This pattern may appear even though within County A all defendants are treated identically and in all counties except county A all defendants are treated equally.

<sup>4</sup> For example, the proportion of African-American defendants that received a lower severity conviction in the late 1990s was lower than for other race/ethnicity groups, but these rates declined over the period of analysis. See Figure 4.1.5.

Conversely, the proportion of all charges that resulted in a conviction and the proportion of cases that resulted in a less-severe conviction both remained flat or decreased slightly over the 20-year period of study. In both of these outcomes a disparity was found by attorney type. A larger proportion of cases defended by a public attorney resulted in a conviction than those defended by a private attorney. Similarly, cases handled by private attorneys resulted in obtaining lower-severity conviction more often than those represented by public defenders. All these patterns are explored in more detail below and on the CJC's dashboards.

In addition to examining broad trends over time the CJC also completed regression analyses to estimate the probability of receiving a plea deal, a conviction, and a lower severity conviction by year and by case characteristics. Overall, the trend and regression analyses provide a first step towards analyzing felony case processing in Oregon and most of these trends align with case processing findings in other states, but several questions regarding felony case processing in Oregon remain.

## **2. Literature Review**

Several extensive reviews of the literature on case processing have been completed in recent years. We review some key articles in this section, but interested readers are encouraged to turn to these articles for a more complete review (Johnson, King, and Spohn 2016; Kurlychek and Johnson 2019; Redlich, Wilford, and Bushway 2017).

Nationwide, plea deal rates and prosecutorial power are both higher than ever before, but data to explore these patterns remains sparse (Johnson, King, and Spohn 2016). Kutateladze and Lawson (2018) examine whether plea bargains are beneficial to defendants. Looking specifically at misdemeanors, the authors find that private attorneys accept plea deals at a lower rate than public attorneys, with 99.6% of all misdemeanor cases ending in a plea. Importantly, they find that 40% of cases that go to trial result in an acquittal, suggesting that it could be in the defendant's best interest to go to trial even while attorneys push for the certainty of a plea deal. In a set of felony drug cases, other researchers find that the presence of evidence affects how punitive prosecutors are in their plea offers, but these effects decline with the addition of control variables. Notably, gender and race are not significant factors in decisions to offer a plea and the authors find divergent patterns with pleas that reduced the severity of the charges and pleas that reduced the sentence length (Kutateladze, Lawson, and Andiloro 2015). Other authors, however, find divergent propensities towards plea deals and different correlates of plea rates across race/sex groups (Metcalf and Chiricos 2018). Further, where sentencing guidelines are used and aimed at reducing prosecutorial/judicial sentencing discretion, the eliminated discretion likely shifts to charge reductions rather than sentence reductions (Piehl and Bushway 2007).

Professional role also plays a significant part in determining whether a courtroom actor is likely to offer or accept a plea deal. Examining the familiarity and similarity among courtroom actors, Metcalfe (2016) finds that familiarity and similarity between prosecutors and judges leads to both a higher propensity of offering plea deals and reduced times to disposition. Conversely, a defense attorney's familiarity with the other workgroup members leads to a higher propensity for going to trial. Through a survey that posed a hypothetical case to defense attorneys, judges, and prosecutors, Redlich, Bushway, and Norris (2016) find that the number of factors considered and the decision to plead varied across these groups. Defense attorneys considered significantly more factors than judges and prosecutors, as measured by through online reading. Defense attorneys also had at a lower rate of plea deals when compared to judges/prosecutors (82% compared to 92%), consistent with other research on this topic. Importantly, the researchers did not find differences among other characteristics of respondents (e.g., race, sex) beyond the differences found by professional role.

The type of defense attorney assigned or retained on a case also has an effect on how a case is processed. Previous research has found complex patterns between cases with privately retained attorneys compared to publicly retained attorneys, as opposed to a clear hierarchy of quality as may be presupposed (i.e., private attorneys yield clearly better outcomes for defendants). Hoffman, Rubin, and Shepherd (2005), for example, find that public defenders yield worse outcomes than private attorneys, but observed differences by case type. The authors observe a correlation between crime type/severity and whether a private attorney was retained. Other researchers found additional complexities. Evidence suggests that private attorneys *assigned* to indigent defendants perform worse than both public attorneys and privately *retained* attorneys. Researchers find that this disparity is likely due to the fee structure, or lack thereof, that incentivizes rapid plea deals (Cohen 2011; Agan, Freedman, and Owens 2018). Thus, attorney incentives likely drive the quality of representation.

The type of crime committed and the severity of the crime also have an impact on case processes. Alderden and Ullman (2012) find that there is a high attrition rate in sexual assault cases prior to the filing of charges. They find significant levels of police and prosecutorial discretion depending on the quality of evidence, sustained injuries, whether the victim was the defendant's intimate partner, and whether there are discrepancies in the victim's statement. If these patterns exist in Oregon as well this could impact the post-filing behavior of prosecutors.

Research has also shown complex patterns in criminal justice processing in the phases before and after the hearings of a case. The current analysis considers neither the period between the stopping and arresting stage and the first hearing nor the sentencing and punishment stages of a case. Nevertheless, there has been notable research on these phases of case processing as well. Researchers find "process discounts" in sentence guideline states, where downward sentence departures were found when the defendant plead guilty or waived a jury trial in favor of a bench trial (King et al. 2005). Others have also found disparities in type and scope of the sentencing outcome (e.g., Sutton 2013).

Researchers also explore pre-hearing patterns, in some places finding over-policing of minority groups and divergent policing practices depending on the characteristics of the police force in question (Tomic and Hakes 2008). A broad body of research has also explored the decision to stop, cite, search, and/or arrest individuals (e.g., Baumgartner et al. 2017; Grogger and Ridgeway 2006; Pierson et al. 2017; Pierson, Corbett-Davies, and Goel 2017; Ridgeway 2006; Simoiu, Corbett-Davies, and Goel 2017; Vito, Grossi, and Higgins 2017), all of which occurs prior to the data analyzed here.

### **3. Data Description**

The CJC received court case processing data from the Oregon Judicial Department for all 36 of Oregon's circuit courts from their Odyssey data system (referred to as "Odyssey data" from here on). This data set spans 22 separate flat files, roughly 50GB in total size, and spans cases from the late 1980s until present. These text files vary in content from basic demographics at the defendant level, to case level characteristics (e.g., charges, disposition), to complex text entry variables that serve as annotations to each hearing and substantive event for each case. There are, unfortunately, large inconsistencies in these data across multiple dimensions<sup>5</sup>. While the data stretches back to the 1980s by case-year, the data is only reliably consistent beginning in the mid-1990s. Despite these shortcomings the Odyssey data contains a rich set of case, charge, and event information previously unexplored in Oregon at a state level. After cleaning, the base data set contains about 4.1 million charge-level observations spanning 1.8 million cases.

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<sup>5</sup> Data tracking practices changed over time, including a major data system update around 2016. There are also differences between counties in how they employ the data sets. For example, two counties may differ in how they define the "file date" or "plea date" and so may enter different dates in these fields.

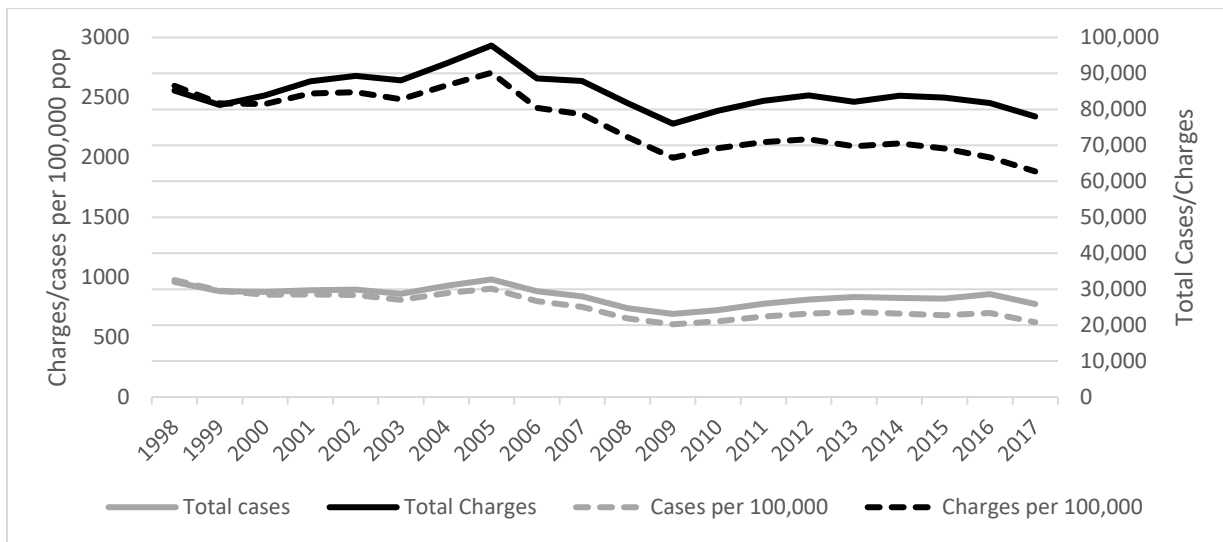
The preliminary analysis required several stages of data cleaning and processing to produce the final data set and then produce the results presented in this report and on the dashboards. First we trimmed the data, removing observations with file dates prior to 1998 or after 2017, misdemeanor cases, and any cases that do not have a status of “closed.” Second, we merged the Odyssey data with DOC records to fill in missing data, especially date of birth and race/ethnicity. Next we create several additional variables and collapse the data to the case level (See Appendix B).

#### 4. Analyses

The current analysis consists of a summary of Oregon’s felony case processing trends over 20 years and an initial statistical analysis to explore the marginal effects of various factors on the set of outcome measures. The outcomes considered in this analysis include: whether a case received a plea deal or not; whether there was a conviction on a case or not; and whether a conviction occurred for a lower severity crime than the most severe original charge. The explanatory variables included attorney category (public or private), race (indicators for Black, Hispanic, Asian, Native, and other), age and age squared, female, category of most severe charge (see Appendix B), case year, county, and case year-county interactions.

##### 4.1. Summary Trends in Felony Case Processing

Figure 4.1.1 - Total and Per Capita Cases and Charges



As shown in Figure 4.1.1, from 1998-2017 the total number of felony cases and the number of felony cases per capita in Oregon have remained relatively flat, declining slightly over the period. The number of charges per capita follows a similar pattern, but declined at a slightly faster rate than cases over this period. This pattern shows that fewer cases are being brought in total and relative to population growth, but further that the number of charges per case have declined over this period.

Figure 4.1.2 - Proportion of Cases and Charges with a Conviction

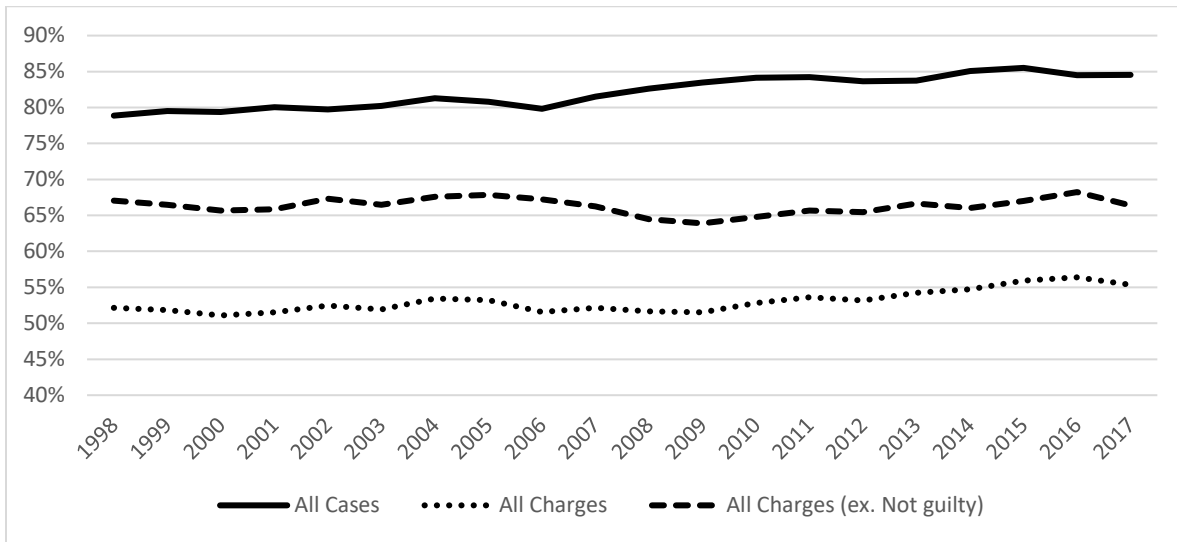


Figure 4.1.2 presents the proportion of cases and charges resulting in a conviction. Along with the declines in the total number of cases, charges, and charges per case, the proportion of cases receiving a conviction has increased slightly over the period of analysis from less than 80% in 1998 to around 85% in 2017. The proportion of *all charges* that have been convicted has, similarly, seen a modest upward trend over the period. When looking at cases excluding those with a Not Guilty outcome this modest increase disappears.

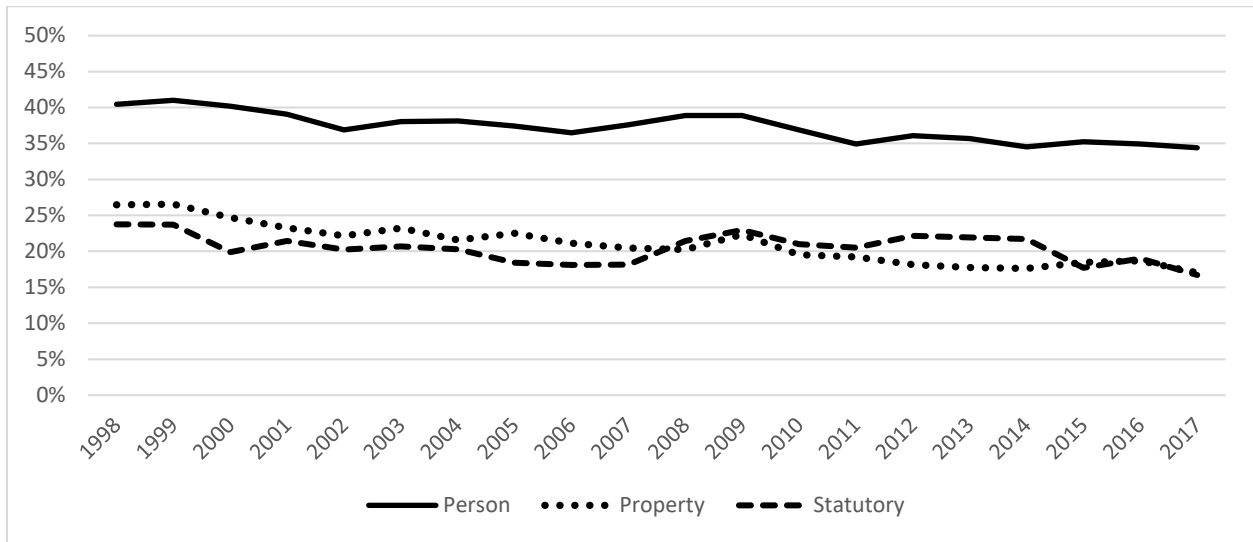
Figure 4.1.3 - Percent of Charges Receiving a Conviction



These trends diverge somewhat when we breakdown charges into broad crime categories. As shown in Figure 4.1.3, the proportion of person and property crimes that received a conviction outcome modestly declined over the period of analysis. Conversely, statutory crime charges' conviction proportion has vacillated over the period of analysis, but overall has increased from 75% to 80% over the period.



Figure 4.1.4 - Proportion of Cases Receiving a Less Severe Conviction (including no conviction) – By Crime Type



As shown in Figure 4.1.4, the proportion of cases receiving a lower severity conviction (or charge reduction) has steadily declined over this period across all crime types. But person crimes cases consistently stayed had between 15-20% higher rate of receiving lower severity convictions than both property and statutory cases. The downward trend across all these cases, however, may suggest that district attorneys have improved the accuracy of the initial charging process and thus avoid dropped charges.

Figures 4.1.5 and 4.1.6 present data on the proportion of cases resulting in a less severe conviction. Figure 4.1.5 presents data on cases statewide, while Figure 4.1.6 presents the same information excluding Multnomah County. At the aggregated statewide level there appears to be differences between race/ethnic groups over time with regards to lower convictions, specifically for African Americans from 1998-2008 (Figure 4.1.5). These differences, however, largely disappear when we plot the statewide trends while excluding Multnomah County in Figure 4.1.6. This pattern persists because the African American population is highly concentrated in Multnomah County, which makes Multnomah County the predominant driver of the pattern for African American defendants in the state. This example highlights at least two important patterns when considering case processing trends in Oregon: First, the Portland metro area is much more diverse than the rest of the state. Second, the Portland metro area has a much larger population than many other counties in the state. Generally, these patterns require the statewide trends considered here to be considered in concert with county-specific trends.

Figure 4.1.5 - Proportion of Cases Receiving a Less Severe Conviction (including no conviction) – By Race/Ethnicity

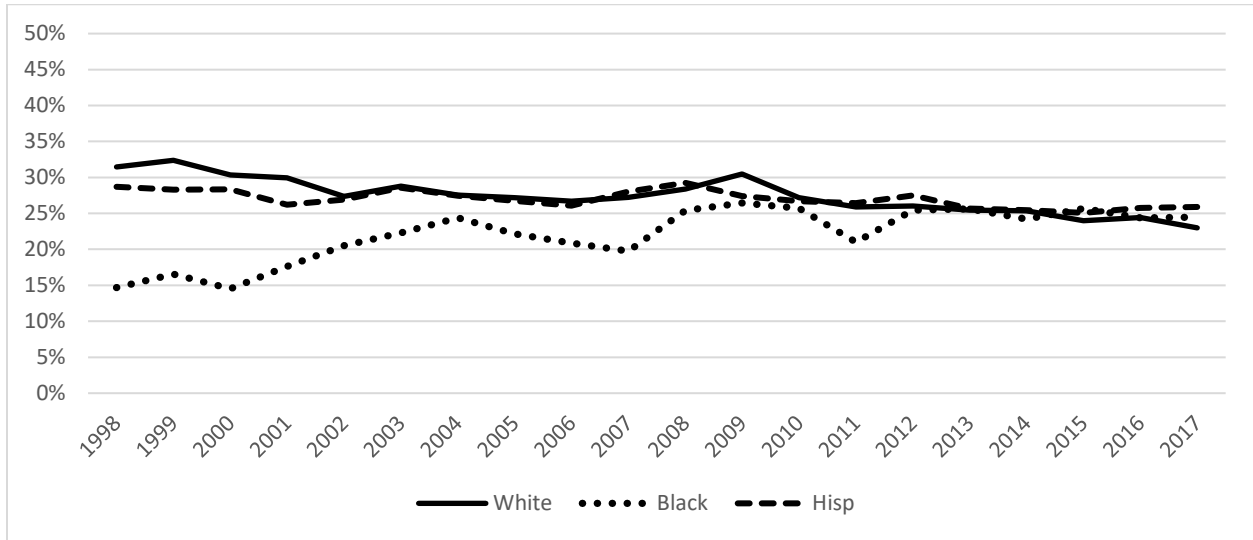
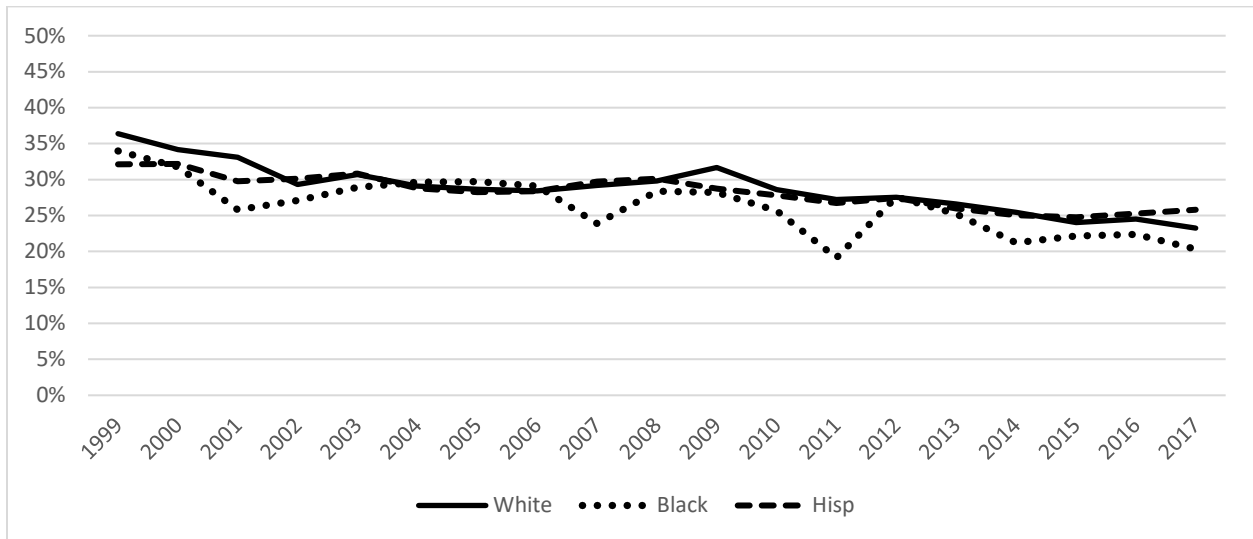
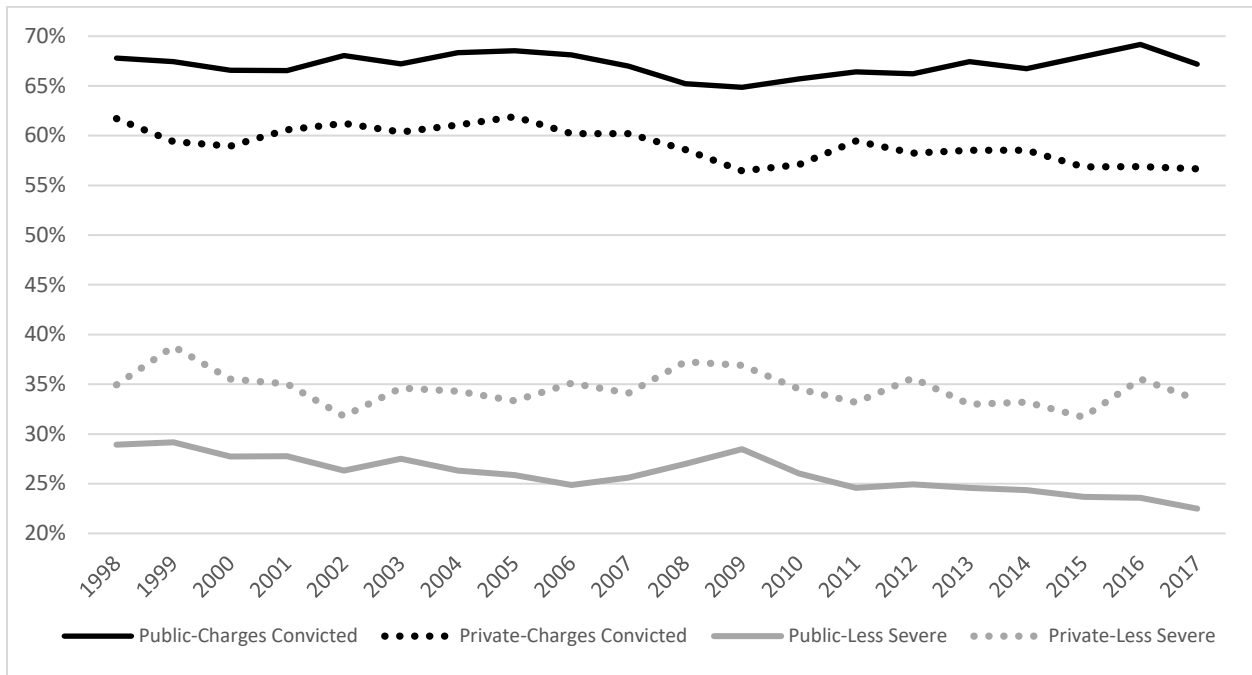


Figure 4.1.6 - Proportion of Cases Receiving a Less Severe Conviction (including no conviction) – By Race/Ethnicity, Excluding Multnomah County



Finally, a small but notable difference in efficacy is found between attorney types. As shown in Figure 4.1.7, cases where the defendant retained a private attorney resulted in a lower proportion of charges convicted than public attorneys by 5-10%, depending on the year. Similarly, cases with private attorneys also had a higher proportion of charges reduced to a less severe crime at the conviction stage than public attorneys, again by around 5-10% depending on the year.

Figure 4.1.7 - Percent of Charges Convicted and Percent of Cases Receiving a Less-Severe Sentence (including no conviction) – By Attorney Category



#### 4.2 Multivariate Trends for Felony Case Processing

In addition to the trends presented above, the CJC also conducted regression analysis that estimates the proportion of cases that result in each outcome when holding a range of case characteristics constant at their average value. These variables include age, sex, and race of the defendant as well as the most serious charge category, the county of the proceedings, and the year of the case. For example, Table 4.2.1 presents the differences in estimated average outcome by case year. Each year, age, sex, race, etc. is set at the average value of the full sample for each factor and then compares the impact of just changing the year in the prediction regression. The CJC does not report the full regression results here, but instead distills the binary outcome regressions down to the impact of each variable *while holding all other variables constant at their average value*. The regressions presented are simple, logistic regressions that do not account for complex interactions between variables, endogenous variables, and so on. Thus, the results should not be viewed as *causal*, but rather as a slightly more sophisticated measure of correlations. Further, the estimates provided here are incapable of describing why these patterns exist, as they merely depict the patterns themselves.

Table 4.2.1 shows that the estimated plea deal rate has increased steadily over the period of study, increasing 15% from roughly 66% to 81% from 1998 to 2017. Overall conviction rates also increased over this period, but at a much slower rate than plea deals. This suggests more cases are being convicted overall, which is likely due to plea deals, and some proportion of cases that once would have gone to trial and received a guilty verdict were instead resolved with a plea deal. Lower severity convictions, however, did not parallel this steady upward trend found with plea deals and convictions.

**Table 4.2.1. Regression Results Reporting Fitted Proportions of Cases with Each Outcome by Year**

Case Year	Plea Deal %	Conviction %	Lower Severity % (of convicted)
1998	66.3%	77.3%	15.7%
1999	66.9%	77.6%	16.1%
2000	67.9%	77.4%	15.0%
2001	68.8%	77.5%	14.8%
2002	70.4%	77.2%	13.7%
2003	73.5%	78.1%	14.0%
2004	73.9%	78.0%	13.6%
2005	74.1%	77.9%	13.7%
2006	75.4%	77.9%	14.5%
2007	76.9%	79.4%	15.2%
2008	77.3%	80.4%	16.1%
2009	78.4%	80.8%	16.6%
2010	79.6%	81.5%	15.5%
2011	79.8%	81.9%	15.3%
2012	79.5%	81.6%	15.7%
2013	80.0%	82.0%	15.6%
2014	81.6%	83.3%	15.7%
2015	82.0%	83.9%	15.4%
2016	81.2%	83.0%	15.5%
2017	81.9%	83.4%	14.8%

*NOTE:* All control variables held constant at their average values

The CJC also explored the estimated margins across attorney type, race, sex, and crime category (Table 4.2.2). The rates at which plea deals were attained varied across several groups, but whether the magnitudes of these estimated differences are substantial requires further, future research. Estimated plea deals did increase over the period of study, but there was also a distribution across crime category, with Driving Offenses and Reckless Behavior receiving the most plea deals and Obstructing Justice and Failure to appear receiving the lowest. Demographic and attorney type breakdowns had, by comparison, notably lower differences between groups for the plea deal outcome. Conviction proportions had similar relatively minor differences across groups.

Lower severity convictions had more variance among groups when compared to the plea deal and convictions outcomes. Unsurprisingly, crime categories that have several classifications (e.g., Robbery) have high levels of lower severity convictions as prosecutors are able to offer deals with a lower severity within the same category. A consistent pattern across the three outcomes, however, is the disparity between private attorneys and public defenders. A case with a public defender results in a higher proportion of plea deals and higher rates of convictions, whereas private attorneys are associated with lower severity convictions in most cases. These results are consistent with the trends presented above. While these regression results control for more factors than the basic trend analysis, these results are not fully robust to the fact that cases with Private Attorneys tend to be fundamentally different than those with a Public Defender.

**Table 4.2.2. Regression Results Reporting Fitted Proportions of Cases with Each Outcome by Year**

		Plea Deal %	Conviction%	Lower Severity % (of convicted)
<i>Attorney Type</i>	Private	74.2%	78.8%	18.9%
	Public Defender	77.2%	81.6%	14.8%
<i>Race</i>	White	75.9%	80.2%	15.0%
	Black	75.7%	81.4%	14.9%
	Hispanic	74.0%	78.2%	15.2%
	Asian	78.2%	83.7%	17.3%
	Native	78.1%	83.8%	14.6%
<i>Sex</i>	Male	75.4%	80.2%	14.9%
	Female	76.0%	78.8%	15.6%
<i>Crime Category</i>	Sex	72.2%	82.1%	23.8%
	Robbery	73.8%	83.2%	32.5%
	Attempt Crime/Crim Conspir	82.6%	88.5%	24.6%
	Other	76.2%	81.2%	25.7%
	Assaultive/Disord Cond	70.0%	76.1%	24.8%
	Drug-Manuf/Del/Sale	76.7%	79.7%	13.7%
	Weapon Offense	75.4%	80.4%	11.1%
	missing	77.2%	82.4%	8.2%
	Driving Off/Reckless Behav	83.4%	87.8%	15.0%
	Obstruct Justice/Govt Admin	69.2%	74.3%	9.3%
	Theft Prop Crime	77.4%	81.6%	11.7%
	Fraud/Forgery	77.5%	79.9%	7.6%
	Escape/Resist Arrest/Police Interfer	80.1%	84.1%	8.4%
	Drug Poss	72.1%	72.8%	2.4%
	Fail To Appear	69.3%	71.9%	1.7%

*NOTES:* All control variables held constant at their average values.  
See Appendix B for a detailed description of the crime categories used in this analysis.

## 5. Discussion

Overall, plea deals and convictions have both increased in Oregon from 1998-2017, but the level of lower severity convictions has remained relatively constant with slight variations in rates. A plausible explanation is that prosecutors became better able to identify weaker cases and plead these at a lower charge before letting these go to trial, which would keep the lower severity conviction rate constant while increasing plea deals and convictions. But verifying this explanation is beyond the scope of the current project.

The lack of large, divergent results across demographic groups is consistent with the prior research. This suggests that, if or where disparities exist in case processing, these disparities are likely stronger at the policing/arresting phase and/or in the sentencing phase. These questions are also left for future research.

Similarly, the small but notable difference between outcomes by attorney type is consistent both with prior research findings and with preconceived notions regarding different types of defense attorney. Prior research has found complex patterns predicting when a private attorney is assigned to or hired on a case. The current data and analysis is ill-equipped to explore this question in Oregon. These basic metrics may, however, be useful criteria by which to begin to evaluate the efficacy of Oregon’s public defender system.

There are a few significant limitations in the current analysis. The data used for this analysis is subject to human error in entry and idiosyncrasies in case data tracking across courts. Researchers, thus, chose not to present results at smaller levels of aggregation due to the potential for data integrity issues. Likewise,

while the trends presented from the data at the aggregate level produce useful insights into felony case processing trends in Oregon, readers should not place significant stock in the precision of the measures presented here. The trends over time and differences between groups are likely to hold, but the specific levels should be considered estimates due to the likely high level of noise in the data. Finally, the Oregon Judicial Department made a major upgrade to this court data in 2018. This analysis intentionally examined data prior to this change, so as not to conflate data tracking practices with actual data trends. Future efforts to track case processing data will need to account for this transition.

## **6. Conclusion**

There were several main trends in Oregon's felony case processing from 1998-2017. Plea deal rates and conviction rates both steadily increased over this period, but the rate of charge reductions at the conviction stage has remained relatively constant. Privately retained attorneys were associated with better case outcomes than public attorneys, on average. Some minor differences were found among race and sex groups. The metrics developed in this report may help to inform policy discussions regarding case processing and Oregon's public defender system.

Several areas of further research questions remain unanswered. The current analysis did not balance case characteristics across attorney type, race/ethnic group, or sex, but rather controlled for these factors in a basic regression model. Without more rigorous exploration it is difficult to say, for example, whether the cases represented by private attorneys are fundamentally different in kind than those represented by public defenders in Oregon. These patterns are suggested by prior research and anecdotal accounts, but cannot be completely confirmed in the current analysis. Similar differences might be present among race/ethnic, sex, and other groupings. The current analysis, however, is an initial foray into case processing trends in Oregon that can serve as a jumping off point for future, more rigorous analyses.

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## Appendix B – Variables constructed for this analysis

**Attorney Category** – Some cases have different attorneys at different stages of the case. If a defendant had a private attorney at the conclusions of a case then the case is coded as “Private,” whereas if the final attorney retained was not public then the case is coded as “Public.”

**Conviction Proportion** – Total number of convictions divided by the total number of charges, by case.

**Lower Severity** – DOC assigns severity scores to each crime classification by ORS number. A lower score is more severe. If the lowest severity charge is lower than the lowest severity convicted charge for a case then that case is flagged by this variable. This is only generated for cases that received at least one conviction.

**Most Severe Charge Crime Category** – Categories are based on the ongoing categorization research of Chris Henning. The severity is determined by taking the average sentence issued as logged in the DOC data set across all ORS #s within each category and then ranking these categories from longest incarceration sentence to lowest average incarceration sentence. This results in the following order of crime categories from most severe to least severe:

1. Sex – Sexual-Noncomply, Sexual Offense, Sexual-Other
2. Robbery
3. AttemptCrime/CrimConspir – Criminal Conspiracy, Solicitation, Attempt
4. Other - Alcohol, Arson, ContemptCourt, Drugs-Other, FalseInfo Other, Fish/Hunt/AnimalOffenses, Gambling/SportRelated, Garbage/Litter/EnviOff, Kidnapp/CustodyInterfer, License/Rgulatory/Records, Mistreatment/Neglect, Other, Sexual-Prostitution
5. Assaultive/DisordCond - Assault/Menacing, DisorderlyConduct, Intimidation/Coercion/Harassment
6. Drug-Manuf/Del/Sale – Drug Delivery, Manufacture, Sale
7. WeaponOffense – Weapon Offense
8. Missing
9. DrivingOff/RecklessBehav – Driving Offense or Reckless Endangerment
10. ObstructJustice/GovtAdmin – Obstructing Justice and Government Administration crimes
11. TheftPropCrime - Burglary, Criminal Mischief/Graffiti/Property Damage, Theft, Theft Of/From MotorVehicle
12. Fraud/Forgery – Forgery, Counterfit, Fraud
13. Escape/ResistArrest/PoliceInterfer – Elude Police/Resist Arrest, Escape, False Info to Police, Interfere-Police
14. DrugPoss – Drug Possession
15. FailToAppear – Failure to Appear

**Plea Deal** – A case is logged as having a plea deal if the final plea on one or more charges on a case is coded as “Guilty”, “No Contest”, “Admit”, “Lesser Charge”, “Conditional Guilty”, or “Conditional No Contest”

**Race** – Criminal justice system race data in Oregon is known to be inaccurate for a set of individuals due to data gathering processes, especially for individuals who identify as Hispanic. We use a race correction algorithm that determines the most likely race for an individual by linking US Census data and a US mortgage data base to individual’s first name, last name, and location. If the individual is

logged as White or Unknown in the database, but the algorithm says they are most likely to be Hispanic, then we change that individual's race/ethnicity to Hispanic. Only in these two specific situations do we change the race/ethnicity.<sup>6</sup>

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<sup>6</sup> For more details, see the CJC white paper on this topic, which can be found here:  
<https://www.oregon.gov/cjc/CJC%20Document%20Library/RaceCorrectionTechDocFinal-8-6-18.pdf>