



CITY OF TACOMA

University of Washington

Evans School of Public Policy & Governance

PUBPOL 608E: Capstone Project Seminar

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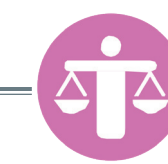
“In my experience, bias applies largely against the poor.” —Defense Attorney

Initial Findings

Our findings suggest that racial disparities exist for multiple sentencing outcomes in the City of Tacoma Municipal Court. Depending on the presiding official, Native American defendants were more likely than similarly situated White defendants to incur higher fines and serve jail time, and less likely to have their fines reduced from the citation. Similarly, depending on presiding official, Black and Asian defendants were more likely than similarly situated White defendants to incur higher citation costs.

Anecdotally, while socioeconomic disparities are most common, they are intimately linked to racial disparities. Based on our interviews, various incidents of racial and socioeconomic biases, including microaggressions, have occurred within the Tacoma Municipal Court system, as well as and from other actors in the Tacoma criminal justice system, including police officers. Barriers to fair outcomes include: the courtroom in which defendants find themselves;

ADDRESSING IMPLICIT BIAS IN THE PROSECUTION OF CASES



Introduction

Racial, mental health, and socioeconomic-related disparities are well-documented in the criminal justice system, and can occur at many decision points from initial arrest to incarceration and probation for misdemeanor offenses. Explicit bias, implicit bias, or the implementation of laws and practices with disparate effects can exacerbate these disparities. In addition, prosecutors and judges have a large amount of discretion in charging and sentencing, especially for misdemeanors, and court actor implicit bias can affect these decisions.

The Tacoma City Prosecutor’s Office requested that we examine racial, mental health and income-related disparities, and the presence of implicit bias within the Tacoma

Municipal Court system. In particular, the City Attorney’s Office requested that we:

- 1. Quantify racial disparities** in sentencing outcomes for misdemeanor cases in Tacoma Municipal Court.
- 2. Provide a qualitative assessment of disparities and biases** due to race, mental health and socioeconomic status.
- 3. Examine implicit bias** among prosecutors and defense attorneys.
- 4. Provide recommendations to the City Attorney’s Office and the City of Tacoma** that address racial, mental health, and socioeconomic related disparities, and implicit bias in the Tacoma Municipal Court.

Methods & Approach

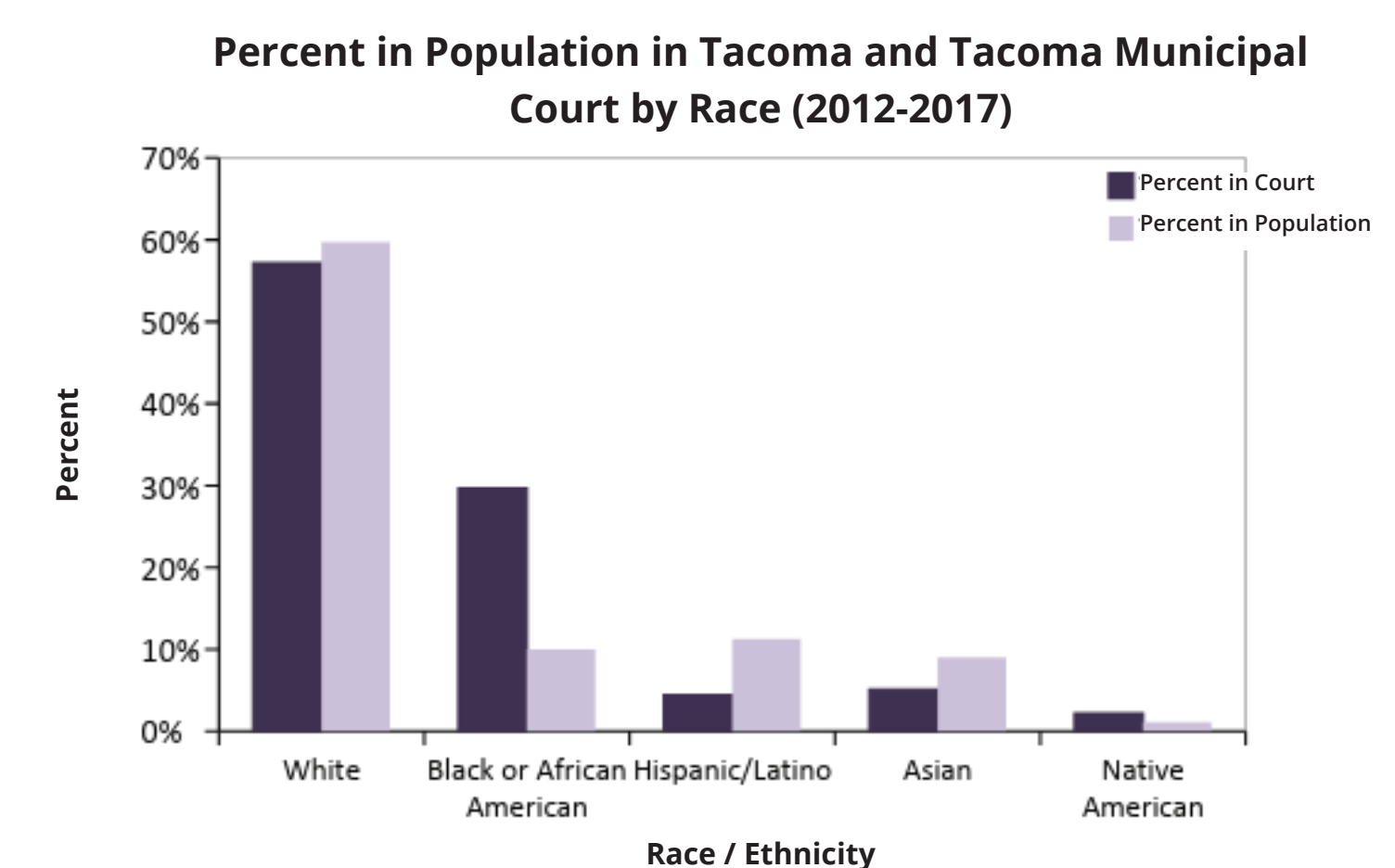
We used three methods in our project analysis:

Quantitative analyses to examine the effect of race on the quantity of a fine imposed, jail time, the odds of having a charge dismissed or amended, a guilty conviction, and the odds of having fines decreased or increased.

Semi-structured interviews with prosecutors and defense attorneys to gain insight into their perceptions of racial, mental health, and socioeconomic disparities and biases in charging and sentencing, as well as barriers to achieving ‘fair’ charging, sentencing, and post-disposition outcomes.

“It’s a known fact that our criminal system in general tends to...be one that is racist by criminalizing the activities of people of color, in particular Black males.” —Prosecutor

The Implicit Association Test (IAT) to assess prosecutor and defense attorney’s implicit bias or strengths of automatic associations between White and Black names and good and bad words.



differing philosophies of fairness among the attorneys and the judges; and the inability to post bail, pay court fines and fees, and afford treatment.

Based on our findings from the Implicit Association Test, the City Attorney’s Office has an overall moderate preference for distinctive White names and the Department of Assigned Counsel has an overall slight preference for distinctive White names, demonstrating that the implicit bias of prosecutors and defense attorneys in Tacoma is consistent with broader patterns that have been observed nationally.