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DATE: March 17, 2020
TO: Rich Suey
Clark County SJC Coordinator
FROM: Spurgeon Kennedy
Justice Management Institute

RE: An Examination of Race and Ethnicity Trends in 2019 Criminal Cases

As part of its technical assistance to Clark County (Las Vegas), NV under the MacArthur Foundation's Safety and Justice Challenge, the Justice Management Institute (JMI) presents this analysis of charging, risk assessment, and bail decision procedures compared among the major racial/ethnic groups in the county's justice population. This analysis is meant not to identify areas of racial/ethnic disparity, but rather to inform the discussion among SJC stakeholders about possible areas of concern and appropriate collaborative responses.

Sample Demographics and Statistical Measures

Data here are from 28,306 adult criminal cases filed in Clark County in calendar year 2019. The sample includes six race/ethnic categories: "White," "Black," "Hispanic," "Asian," "Indian," and "Native Hawaiian, Pacific Islander."¹ Where race/ethnicity was known, Whites comprised 46.8 percent of the sample, Blacks 37.3 percent, Hispanics 11.3 percent, and Asians 3.8 percent. These groups comprise 99.2 percent of the sample and are the only groups studied here.

The mean age for sample defendant age was 33.5 years with 14 years the minimum age recorded and 89 years the oldest. Defendants aged 25-44 comprised 63 percent of the sample. Combining age and race/ethnicity data, White defendants between 35-44 years old (4,561 of 27,942 cases where race/ethnicity and age were known or 16.3%) made up the largest demographic group followed by Black defendants in the same age category (4,150 or 14.8%).

Males made up 75 percent of the sample where gender information was known (18,026 of 24,020). The percentage of male defendants within race/ethnicity groups ranged from 83.5 percent (Hispanic males) to 67 percent (White males). White females comprised 52.4 percent of all female defendants (641/1,202) while Asian females were the largest percentage of female defendants within any racial/ethnic group (29.3%). However, Asian females made up the smallest female defendant group (268 or 4.5%) and while Hispanic females were the smallest gender group within a specific race/ethnicity classification (424 of 2,847 or 14.9%).

¹ Race/ethnicity was unrecorded in four records. Fifty-two cases (0.2%) noted race/ethnicity as "Other."

Statistical Measures

JMI used two sets of statistical measures to determine the existence and strength of relationships between race/ethnicity and variables in the data sample. *Tests of significance* determined whether a relationship existed (for example, if race/ethnicity were related to charging decisions) or if the variables were independent of one another. The tests used here were *chi-square* for comparisons between variables and *analysis of variance* (ANOVA) for comparison of group means (for example, the average bail amount by race/ethnicity). JMI used the commonly accepted 0.05 threshold to identify relationships between variables.

Tests of association/correlation quantified the strength and direction of relationships; for example, whether race/ethnicity correlated strongly/weakly, positively/negatively to another variable. Given the differing types of data presented in the sample, JMI used measures recommended by IBM Statistics,[®] the software used for data analysis, to interpret strength of association/correlation the following association/correlation measures:

- Nominal (data distinguished by categories such as offense code or charge classification): Lambda measure.
- Ordinal (data categorized and in a specific order, such as risk assessment level and bail type): Gamma measure.
- Combination nominal and ordinal data: Lambda.
- Numeric variables: Pearson's r.

We also measured relationship strength on observed values recommended by IBM Statistics:

Strength of Association	Value of Test
None	0.00
Weak association	$\pm .01 - .09$
Moderate Association	$\pm .10 - .29$
Evident of strong association	$\pm .30 - .99$
Perfect association, strongest possible	± 1.00

Charging by Race/Ethnicity

The sample includes charge data defined by 19 "Classifications" and 10 "Offense Class Codes." Drugs (8,377 or 29.6%), Crimes Against Property (6,553, 23.2%), Crimes Against Persons (4,501, 15.9%), and Domestic Violence (5,293, 18.7%) offenses comprised 87.4 percent of sample charge classifications. Code B² (7,316 or 25.8%), Code E³ (6,618, 23.4%), Code M⁴ (5,952, 21%), and Code C⁵ (2,992, 10.6%) were the most frequent sample offense codes. Nearly 71 percent of cases were felonies, 21 percent misdemeanors, and 8.3 percent gross misdemeanors.

² These included Child Abuse and Neglect and certain Crimes Against Persons, Crimes Against Property, Domestic Violence, Drug, DUI, and Motor Vehicle offenses.

³ Drug charges made up 98 percent of this offense code. Also included were certain Crimes Against Property and Crimes Against Person offenses.

⁴ Domestic Violence charges made up 85.6% of charges here as well as certain Crimes Against Persons, Crimes Against Property, Drug, DUI, Motor Vehicle, and Other Misdemeanor offenses.

⁵ Crimes Against Property accounted for 57.4% of offenses here as well as Crimes Against Persons, Domestic Violence, Drugs, Vulnerable Person Abuse, Other Felonies, Public Order, and Weapons offenses.

TABLE 1: Offense Code

		Frequency	Percent
Valid	No Data	1	.0
	A	518	1.8
	B	7316	25.8
	C	2992	10.6
	D	1928	6.8
	E	6618	23.4
	G	2336	8.3
	I	1	.0
	M	5952	21.0
	W	606	2.1
	Z	38	.1
	Total	28306	100.0

TABLE 2: Charge Classifications

		Frequency	Percent
Valid	Child Abuse and Neglect	400	1.4
	Contempt	72	.3
	Crimes Against Persons	4501	15.9
	Crimes Against Property	6553	23.2
	Domestic Violence	5293	18.7
	Drugs	8377	29.6
	Fugitive	596	2.1
	Motor Vehicle - DUI	615	2.2
	Motor Vehicle - Other	43	.2
	Motor Vehicle - Reckless Driving	12	.0
	Older/Vulnerable Person(s) Abuse	27	.1
	Other Felony	337	1.2
	Other Gross Misdemeanor	119	.4
	Other Misdemeanor	38	.1
	Probation Violation	6	.0
	Protection Order Violation	21	.1
	Public Order	231	.8
	Traffic	12	.0
	Weapons	1053	3.7
	Total	28306	100.0

White and Black defendants were the majority in all Charge Classifications and nine of ten Offense Code categories. Black defendants made up 37.3 percent of the sample group, but accounted for 51.4 percent of defendants charged with Weapons offenses, 50.1 percent charged as Fugitives, 48.6 percent charged with Other Misdemeanors, 43.7 percent charged with Contempt, 43 percent charged with Other Felonies, and 42.9 percent charged with Crimes Against Persons. As a group,

Black defendants were charged most often with Drugs (26.1%), Crimes Against Property (22.9%), Domestic Violence (18.6%), and Crimes Against Person (18.3%) classifications.

Whites were 46.8 percent of sample defendants but showed higher representations in Motor Vehicle-Other (57.1%) and Drugs (51.1%) charges. Charges for White defendants were most frequently in the Drugs (32.4%), Traffic (25%), Crimes Against Property (23.2%), and Domestic Violence (19.3%) classifications.

Hispanic defendants showed representation above their percentage in the sample population in Probation Violation (33.3%), Motor Vehicle-DUI (26.8%), Motor vehicle-Other (19%), and Contempt (18.3%) classifications. Charges for Hispanic defendants were most frequently in the Drugs (31.1%), Crimes Against Property (25.7%), Crimes Against Persons (15.4%), and Domestic Violence (13.5%) classifications.

Asian defendants comprised 3.8 percent of the sample but made up 41.7 percent of defendants charged with Older/Vulnerable Persons(s) Abuse, 18.2 percent of Motor Vehicle—Reckless Driving, 14.3 percent of Protection Order Violation, and 11 percent of Public Order charge types. Asian defendants were most often charged with Drugs (27.6%), Domestic Violence (24.7%), Crimes Against Property (20.4%), and Crimes Against Persons (14.2%).

Table 3: Charge Classification * Race/Ethnicity

		Race								
			Asian	Black	Hispa	India	Nativ	Other	White	Total
Child Abuse and Neglect	Count	1	7	149	57	0	1	0	175	390
	% within ReportingBucketClassification	0.3%	1.8%	38.2%	14.6%	0.0%	0.3%	0.0%	44.9%	100.0%
	% within Race	25.0%	0.7%	1.4%	1.8%	0.0%	1.6%	0.0%	1.3%	1.4%
Contempt	Count	0	2	31	13	0	0	0	25	71
	% within ReportingBucketClassification	0.0%	2.8%	43.7%	18.3%	0.0%	0.0%	0.0%	35.2%	100.0%
	% within Race	0.0%	0.2%	0.3%	0.4%	0.0%	0.0%	0.0%	0.2%	0.3%
Crimes Against Persons	Count	0	151	1903	487	24	10	9	1853	4437
	% within ReportingBucketClassification	0.0%	3.4%	42.9%	11.0%	0.5%	0.2%	0.2%	41.8%	100.0%
	% within Race	0.0%	14.2%	18.3%	15.4%	21.4%	16.1%	17.3%	14.2%	15.9%
Crimes Against Property	Count	0	216	2387	812	20	13	1	3027	6476
	% within ReportingBucketClassification	0.0%	3.3%	36.9%	12.5%	0.3%	0.2%	0.0%	46.7%	100.0%
	% within Race	0.0%	20.4%	22.9%	25.7%	17.9%	21.0%	1.9%	23.2%	23.2%
Domestic Violence	Count	0	262	1942	425	37	10	22	2521	5219
	% within ReportingBucketClassification	0.0%	5.0%	37.2%	8.1%	0.7%	0.2%	0.4%	48.3%	100.0%
	% within Race	0.0%	24.7%	18.6%	13.5%	33.0%	16.1%	42.3%	19.3%	18.7%
Drugs	Count	0	293	2719	981	21	23	10	4235	8282
	% within ReportingBucketClassification	0.0%	3.5%	32.8%	11.8%	0.3%	0.3%	0.1%	51.1%	100.0%
	% within Race	0.0%	27.6%	26.1%	31.1%	18.8%	37.1%	19.2%	32.4%	29.6%
Fugitive	Count	0	13	296	23	4	0	0	255	591
	% within ReportingBucketClassification	0.0%	2.2%	50.1%	3.9%	0.7%	0.0%	0.0%	43.1%	100.0%
	% within Race	0.0%	1.2%	2.8%	0.7%	3.6%	0.0%	0.0%	2.0%	2.1%
Motor Vehicle - DUI	Count	0	31	137	162	0	0	6	268	604
	% within ReportingBucketClassification	0.0%	5.1%	22.7%	26.8%	0.0%	0.0%	1.0%	44.4%	100.0%

Table 3: Charge Classification * Race/Ethnicity

		Race								
			Asian	Black	Hispa	India	Nativ	Other	White	Total
	% within Race	0.0%	2.9%	1.3%	5.1%	0.0%	0.0%	11.5%	2.0%	2.2%
Motor Vehicle - Other	Count	0	0	10	8	0	0	0	24	42
	% within ReportingBucketClassification	0.0%	0.0%	23.8%	19.0%	0.0%	0.0%	0.0%	57.1%	100.0%
	% within Race	0.0%	0.0%	0.1%	0.3%	0.0%	0.0%	0.0%	0.2%	0.2%
Motor Vehicle - Reckless Driving	Count	0	2	4	1	0	0	0	4	11
	% within ReportingBucketClassification	0.0%	18.2%	36.4%	9.1%	0.0%	0.0%	0.0%	36.4%	100.0%
	% within Race	0.0%	0.2%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Older/Vulnerable Person(s) Abuse	Count	0	10	6	1	0	0	0	7	24
	% within ReportingBucketClassification	0.0%	41.7%	25.0%	4.2%	0.0%	0.0%	0.0%	29.2%	100.0%
	% within Race	0.0%	0.9%	0.1%	0.0%	0.0%	0.0%	0.0%	0.1%	0.1%
Other Felony	Count	0	11	144	32	0	2	1	145	335
	% within ReportingBucketClassification	0.0%	3.3%	43.0%	9.6%	0.0%	0.6%	0.3%	43.3%	100.0%
	% within Race	0.0%	1.0%	1.4%	1.0%	0.0%	3.2%	1.9%	1.1%	1.2%
Other Gross Misdemeanor	Count	0	6	45	14	0	0	1	53	119
	% within ReportingBucketClassification	0.0%	5.0%	37.8%	11.8%	0.0%	0.0%	0.8%	44.5%	100.0%
	% within Race	0.0%	0.6%	0.4%	0.4%	0.0%	0.0%	1.9%	0.4%	0.4%
Other Misdemeanor	Count	0	1	18	8	0	0	0	10	37
	% within ReportingBucketClassification	0.0%	2.7%	48.6%	21.6%	0.0%	0.0%	0.0%	27.0%	100.0%
	% within Race	0.0%	0.1%	0.2%	0.3%	0.0%	0.0%	0.0%	0.1%	0.1%
Probation Violation	Count	0	0	1	2	0	0	0	3	6
	% within ReportingBucketClassification	0.0%	0.0%	16.7%	33.3%	0.0%	0.0%	0.0%	50.0%	100.0%
	% within Race	0.0%	0.0%	0.0%	0.1%	0.0%	0.0%	0.0%	0.0%	0.0%
Protection Order Violation	Count	0	3	7	0	1	0	0	10	21
	% within ReportingBucketClassification	0.0%	14.3%	33.3%	0.0%	4.8%	0.0%	0.0%	47.6%	100.0%
	% within Race	0.0%	0.3%	0.1%	0.0%	0.9%	0.0%	0.0%	0.1%	0.1%
Public Order	Count	0	25	79	28	2	1	0	92	227
	% within ReportingBucketClassification	0.0%	11.0%	34.8%	12.3%	0.9%	0.4%	0.0%	40.5%	100.0%
	% within Race	0.0%	2.4%	0.8%	0.9%	1.8%	1.6%	0.0%	0.7%	0.8%
Traffic	Count	3	0	5	1	0	0	0	3	12
	% within ReportingBucketClassification	25.0%	0.0%	41.7%	8.3%	0.0%	0.0%	0.0%	25.0%	100.0%
	% within Race	75.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Weapons	Count	0	28	534	104	3	2	2	365	1038
	% within ReportingBucketClassification	0.0%	2.7%	51.4%	10.0%	0.3%	0.2%	0.2%	35.2%	100.0%
	% within Race	0.0%	2.6%	5.1%	3.3%	2.7%	3.2%	3.8%	2.8%	3.7%
Total	Count	4	1061	10417	3159	112	62	52	13075	27942
	% within ReportingBucketClassification	0.0%	3.8%	37.3%	11.3%	0.4%	0.2%	0.2%	46.8%	100.0%
	% within Race	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

Race/ethnic groups split fairly evenly among Offense Code categories. Class B, E, and M were the main offense categories in each race/ethnic group. White defendants were the majority race/ethnic

group in Class A, B, C, E, G, M, and Z charges, while Blacks were the most frequent group in Class D and W charges.

TABLE 4—Offense Class Code by Race

			Asian	Black	Hispa	White	Total
OffenseClassCode	Count	0	0	0	0	1	1
	% within OffenseClassCode	0.0%	0.0%	0.0%	0.0%	100.0%	100.0%
	% within Race	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
A	Count	0	19	156	86	237	518
	% within OffenseClassCode	0.0%	3.7%	30.1%	16.6%	45.8%	100.0%
	% within Race	0.0%	1.8%	1.5%	2.7%	1.8%	1.8%
B	Count	1	235	2981	932	3019	7316
	% within OffenseClassCode	0.0%	3.2%	40.7%	12.7%	41.3%	100.0%
	% within Race	25.0%	22.1%	28.6%	29.5%	23.1%	25.8%
C	Count	0	92	1195	334	1293	2992
	% within OffenseClassCode	0.0%	3.1%	39.9%	11.2%	43.2%	100.0%
	% within Race	0.0%	8.7%	11.5%	10.6%	9.9%	10.6%
D	Count	0	68	856	174	800	1928
	% within OffenseClassCode	0.0%	3.5%	44.4%	9.0%	41.5%	100.0%
	% within Race	0.0%	6.4%	8.2%	5.5%	6.1%	6.8%
E	Count	0	247	1983	758	3528	6618
	% within OffenseClassCode	0.0%	3.7%	30.0%	11.5%	53.3%	100.0%
	% within Race	0.0%	23.3%	19.0%	24.0%	27.0%	23.4%
G	Count	0	79	864	264	1089	2336
	% within OffenseClassCode	0.0%	3.4%	37.0%	11.3%	46.6%	100.0%
	% within Race	0.0%	7.4%	8.3%	8.4%	8.3%	8.3%
I	Count	0	1	0	0	0	1
	% within OffenseClassCode	0.0%	100.0%	0.0%	0.0%	0.0%	100.0%
	% within Race	0.0%	0.1%	0.0%	0.0%	0.0%	0.0%
M	Count	3	306	2070	582	2829	5952
	% within OffenseClassCode	0.1%	5.1%	34.8%	9.8%	47.5%	100.0%
	% within Race	75.0%	28.8%	19.9%	18.4%	21.6%	21.0%
W	Count	0	13	299	25	260	606
	% within OffenseClassCode	0.0%	2.1%	49.3%	4.1%	42.9%	100.0%
	% within Race	0.0%	1.2%	2.9%	0.8%	2.0%	2.1%
Z	Count	0	1	13	4	19	38
	% within OffenseClassCode	0.0%	2.6%	34.2%	10.5%	50.0%	100.0%
	% within Race	0.0%	0.1%	0.1%	0.1%	0.1%	0.1%
Total	Count	4	1061	10417	3159	13075	28306
	% within OffenseClassCode	0.0%	3.7%	36.8%	11.2%	46.2%	100.0%
	% within Race	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

Risk Classification by Race/Ethnicity

The Nevada Pretrial Risk (NPR) instrument is a state-validated assessment that gauges a defendant's likelihood of future court appearance and arrest-free behavior pending adjudication. The NPR uses 10 risk factors and classifies risk potential as "Low," "Moderate," or "High." Similar to other pretrial risk instruments,⁶ the NPR assesses most defendants at Low or Moderate levels. One-third of sample defendants were assessed as Low, 36.1 percent as Moderate, and 16.1 percent as High.⁷

Moderate level risk classifications were within 5.6 percentage points for Hispanic (46.9%), Black (43.5%), and White defendants (41.3%). However, 58.1 percent of Asian defendants scored as Low (the highest concentration of any race/ethnic group at any risk level) while 32.3 percent scored as Moderate. Asian (9.6%) and White defendants (15.3%) recorded the lowest percentages of High level scores while Hispanic (26.1 percent) and Black defendants (22.5%) logged the highest. While a chi-square measure found a significant relationship between the variables (the noted relationship was not due to chance), a corresponding measure of correlation found no relationship.

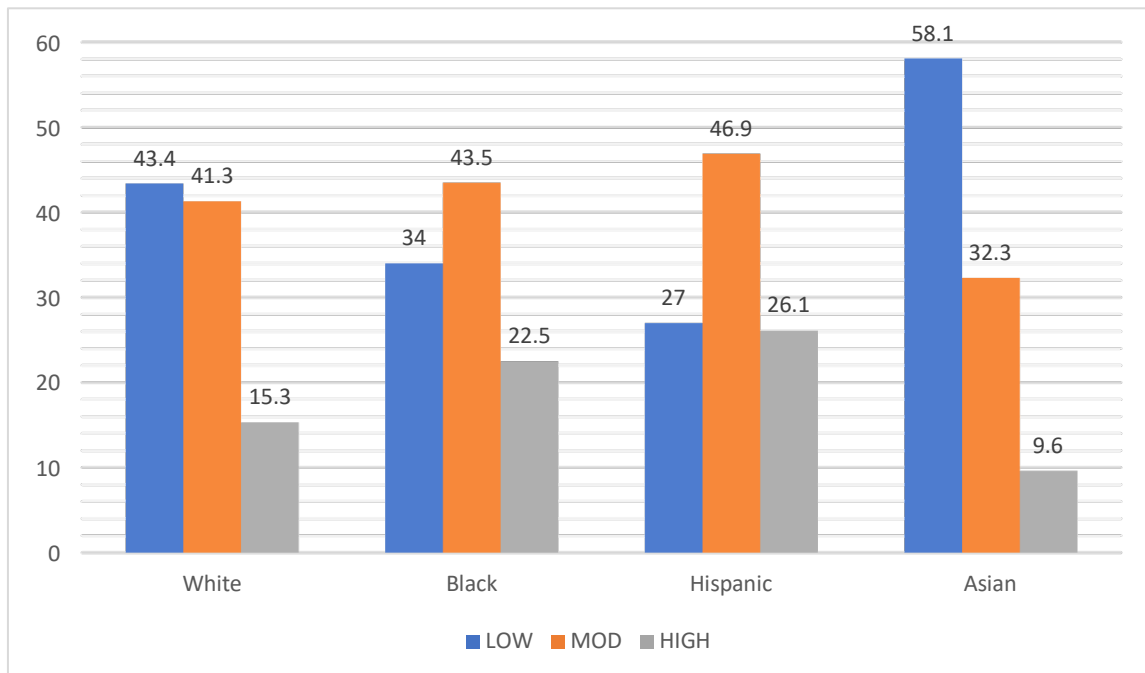


Figure 1: NPR Risk Levels by Major Racial/Ethnic Groups

The differences noted here do not mean the NPR treats certain racial/ethnic groups disparately. As the risk assessment science asserts, differences in assessment results may be consistent with

⁶ JMI compared Clark County NPR results to those of jurisdictions using the Public Safety Assessment (Harris County (Houston), TX, Allegheny County (Pittsburgh), PA, and Shelby County (Memphis), TN), the Virginia Pretrial Risk Assessment Instrument (Commonwealth of VA), the Indiana Pretrial Risk Assessment Instrument (13 pilot counties in Indiana), the Colorado Pretrial Assessment Tool (state of Colorado), and the El Paso Pretrial Risk Assessment (El Paso County (El Paso), TX).

⁷ Data show differences in risk levels by gender. For female defendants, 25.6 percent assessed at the Low level, 42.2 percent at Moderate and 20.4 percent at High. Male defendants scored 16 percent at Low, 39.6 percent at Moderate, and 34.5 percent at High.

differences in rates of court appearance and arrest-free behavior pending adjudication. The question of possible disparity can only be answered with a more comprehensive examination of the NPR that includes pretrial outcome metrics.

TABLE 5—NPR Score by Gender

			Gender				
			F	M	U	Total	
NPRScore	Higher Risk	Count	219	528	3608	0	4355
		% within NPRScore	5.0%	12.1%	82.8%	0.0%	100.0%
		% within Gender	18.2%	8.8%	20.0%	0.0%	17.3%
	Low Risk	Count	345	2620	5200	2	8167
		% within NPRScore	4.2%	32.1%	63.7%	0.0%	100.0%
		% within Gender	28.7%	43.7%	28.8%	100.0%	32.4%
	Moderate Risk	Count	515	1879	6883	0	9277
		% within NPRScore	5.6%	20.3%	74.2%	0.0%	100.0%
		% within Gender	42.8%	31.4%	38.2%	0.0%	36.8%
NA	Count	123	965	2335	0	3423	
	% within NPRScore	3.6%	28.2%	68.2%	0.0%	100.0%	
	% within Gender	10.2%	16.1%	13.0%	0.0%	13.6%	
Total	Count	1202	5992	18026	2	25222	
	% within NPRScore	4.8%	23.8%	71.5%	0.0%	100.0%	
	% within Gender	100.0%	100.0%	100.0%	100.0%	100.0%	

Bail Decisions by Race/Ethnicity

The sample contains categories of bail types and bail amounts imposed. Where data were available (n=11,808 cases), defendants secured the following release types:

TABLE 6-Bail Types

BAIL TYPE	FREQUENCY	PERCENT
Own Recognizance	4,389	37.2%
Intensive Supervision	2,933	24.8%
Electronic Monitoring	2,428	20.6%
EM and Money Bail	1,947	16.5%
EM or Money Bail	111	0.9%

The data identify four bail types set at initial appearance or chambers calendar. Where bail type is known (n=8,000), 7,793 cases (97.4%) recorded the “Bail Reset-Cash or Surety” bail type and 202 cases (2.5%) were recorded as “Bail Stands-Cash or Surety.” Four cases—less than one percent of the sample with identified bail types—were recorded as “Bail Reset-Cash Only.” The mean sample bail amount was \$17,594.02, with 80 percent of bails set at \$20,000 or less.

Release Type by Race/Ethnicity

Own Recognizance and Intensive Supervision were the most frequent bail types across race/ethnicity groups. Black and White defendants were the majority of race/ethnic groups under each release type, though their percentages here were in line with their overall representation in the sample population. The one exception was in the Bail or EM-High Level release, where Blacks comprised 72.7 percent of defendants with this release. Black defendants also received 53.1 percent of defendants receiving Bail or EM-Medium Level, and 47.4 percent of defendants receiving Bail and EM-Low Level.

While statistically significant, the relationship between race/ethnicity and bail type produced no association.

Where money bail was involved, Cash or Surety bail was the dominant release type accounting by race/ethnicity group from 94.7 percent to 98 percent of financial releases.

Controls for confounding factors

Data allowed for testing the relationship between bail categories and race/ethnicity against potentially *confounding factors*—other variables that may explain or influence the observed relationship. Here, we selected NPR risk classifications and charge types as possible confounders, given that judicial officers may weigh these factors in bail decision-making.

Observed bail decisions across race/ethnicity often did not match assessed risk level. For example, 18.2 percent of Low level Hispanic defendants received an order of Bail and EM compared to 11.1 percent of Asian, 13.9 percent of Black and 14.7 percent of White defendants. While 55.9 percent of Low level-assessed Asian defendants secured Own Recognizance, only 41.7 percent of Black, 40.3 percent of Hispanic, and 46.7 of White defendants at this level did so. Among High level defendants, Hispanic (20.3%) and Black defendants (17.5%) were likelier to receive Bail and EM releases than White (10.5%) and Asian (13.8%) defendants. Asian defendants at this level also were more likely to secure Own Recognizance release (36.1%) than White (30.2%), Hispanic (27.6%), and Black (26%) defendants.

Tests for association found no affect by risk classification on bail categories and race/ethnicity.

Charge code appeared to match bail categories throughout race/ethnic categories. For example, 87.5 percent of Asian, 83.7 percent of Hispanic, 79.5 percent of Black, and 76 percent of White defendants charged with Class A offenses received a Bail and EM release. Of defendants charged with Class M offenses, 76.4 percent of Asian, 74.7 percent of White, 68.5 percent of Hispanic, and 64.3 percent of Black defendants secured nonfinancial release. However, correlation tests found no affect by charge on the bail type and race/ethnicity relationship.

Table 7—Release Type by Race/Ethnicity

		Asian	Black	Hispa	White	TOTAL
Release Order - Bail AND	Count	16	280	113	273	705
Electronic Monitoring - High Level	% within ReleaseType	2.3%	39.7%	16.0%	38.7%	100.0%
	% within Race	1.5%	2.7%	3.6%	2.1%	2.5%
Release Order - Bail AND	Count	9	128	36	88	270
Electronic Monitoring - Low Level	% within ReleaseType	3.3%	47.4%	13.3%	32.6%	100.0%
	% within Race	0.8%	1.2%	1.1%	0.7%	1.0%
Release Order - Bail AND	Count	26	450	123	355	972
Electronic Monitoring- Medium Level	% within ReleaseType	2.7%	46.3%	12.7%	36.5%	100.0%
	% within Race	2.5%	4.3%	3.9%	2.7%	3.4%
Release Order - Bail OR Electronic Monitoring - High Level	Count	0	8	1	2	11
	% within ReleaseType	0.0%	72.7%	9.1%	18.2%	100.0%
	% within Race	0.0%	0.1%	0.0%	0.0%	0.0%
Release Order - Bail OR Electronic Monitoring - Low Level	Count	4	23	8	14	51
	% within ReleaseType	7.8%	45.1%	15.7%	27.5%	100.0%
	% within Race	0.4%	0.2%	0.3%	0.1%	0.2%
Release Order - Bail OR Electronic Monitoring - Medium Level	Count	2	26	7	13	49
	% within ReleaseType	4.1%	53.1%	14.3%	26.5%	100.0%
	% within Race	0.2%	0.2%	0.2%	0.1%	0.2%
Release Order - Electronic Monitoring - High Level	Count	8	113	33	106	267
	% within ReleaseType	3.0%	42.3%	12.4%	39.7%	100.0%
	% within Race	0.8%	1.1%	1.0%	0.8%	0.9%
Release Order - Electronic Monitoring - Low Level	Count	32	523	108	444	1125
	% within ReleaseType	2.8%	46.5%	9.6%	39.5%	100.0%
	% within Race	3.0%	5.0%	3.4%	3.4%	4.0%
Release Order - Electronic Monitoring - Medium Level	Count	28	466	111	415	1036
	% within ReleaseType	2.7%	45.0%	10.7%	40.1%	100.0%
	% within Race	2.6%	4.5%	3.5%	3.2%	3.7%
Release Order - Own Recognizance	Count	205	1613	475	1994	4389
	% within ReleaseType	4.7%	36.8%	10.8%	45.4%	100.0%
	% within Race	19.3%	15.5%	15.0%	15.3%	15.5%
Release Order - Own Recognizance with Intensive Supervision	Count	91	1152	356	1285	2933
	% within ReleaseType	3.1%	39.3%	12.1%	43.8%	100.0%
	% within Race	8.6%	11.1%	11.3%	9.8%	10.4%
Total	Count	1061	10417	3159	13075	28306
	% within ReleaseType	3.7%	36.8%	11.2%	46.2%	100.0%
	% within Race	100.0%	100.0%	100.0%	100.0%	100.0%

Bail Amounts by Race/Ethnicity

Mean bail amounts were comparable across race/ethnicity except for Asian defendants, whose mean amount was nearly \$10,000 more than Black and White defendants and over \$12,000 that of Hispanic defendants. Black and Hispanic defendants recorded the lowest standard deviation from the mean, suggesting less variance in bail amounts than White and Asian defendants. An ANOVA test for significance found a relationship between race and bail amounts but a test for association found no correlative strength between the two variables.

TABLE 8—Mean Bail Amounts by Race/Ethnicity

Race	Mean	N	Std. Deviation
Asian	28179.06	117	63387.417
Black	16100.40	1771	38245.063
Hispanic	18102.56	546	37526.870
White	18296.82	1728	54403.769
Total	17813.23	4257	46391.397

Control for Risk Level and Offense Code

The data showed an inverse relationship between assessed risk level and bail amount—Low level defendants had a higher mean bail (\$29,990.86) than Moderate (\$14,295.66) and High (\$10,157.43) level defendants. The mean Low level bail amount had a standard deviation twice that of other risk levels. This may suggest a greater number of money bails set at higher amounts may influence the average more here than at other risk levels or specific charges and circumstances may contribute to higher amounts at this level.

The risk level control also showed greater differences by race/ethnicity in mean bail amounts as risk levels decrease. Low level Asian defendants had mean bail amounts more than \$10,000 above those of Hispanic and White defendants and almost \$18,000 more than Black defendants. However, variance in mean bail amounts by race/ethnicity reduced to less than \$4,000 at the Moderate level and just over \$2,500 at the High level. A measure of association found no real effect on bail amount and race/ethnicity by risk level.

TABLE 9—Bail Amount by Race Controlled for NPR Level

Race	NPRScore	Mean	N	Std. Deviation
Asian	UNK	14000.00	2	15556.349
	Higher Risk	10113.33	15	13766.152
	Low Risk	43087.72	57	81509.044
	Moderate Risk	15377.91	43	39679.346
	Total	28179.06	117	63387.417
Black	UNK	9907.03	128	16425.752
	Higher Risk	10970.48	420	33280.997
	Low Risk	25287.56	394	55814.073
	Moderate Risk	15289.26	829	31403.390
	Total	16100.40	1771	38245.063
Hispa	UNK	9984.29	35	17020.830
	Higher Risk	8385.81	155	14412.534
	Low Risk	32692.80	118	62396.388
	Moderate Risk	18390.76	238	31021.194
	Total	18102.56	546	37526.870
	Total	4944.44	9	3358.240
White	UNK	16680.42	120	47691.105
	Higher Risk	9963.46	312	37196.748
	Low Risk	31005.43	599	79147.888
	Moderate Risk	11383.64	697	27133.824
	Total	18296.82	1728	54403.769
Total	UNK	12595.19	291	33155.875
	Higher Risk	10157.43	908	32038.764
	Low Risk	29990.86	1225	69690.217
	Moderate Risk	14295.66	1833	30459.221
	Total	17813.23	4257	46391.397

A control for Offense Code showed similar mean bail amount patterns for Asian and White and for Black and Hispanic defendants. Asian and White defendants recorded the highest mean bail amounts for Class A, Class B, and Class D offenses while Black and Hispanics saw higher means for Class A, Class B, and Class C charges. Asian defendants recorded higher mean bail amounts for Class A, B, D, and E, and M offenses while Hispanic defendant had the highest mean total for Class C charges. As with other control variables, a measure of association test found no effect on bail amount and race/ethnicity.

The risk level/offense code control also highlights the direct relationship between those variables: 52.1 percent of defendants charged with Class A offenses scored Low and 31.9 percent scored as Moderate. With Class B-charged defendants, 32.5 percent of Class B-charged defendants were assessed as Low and 38.4 percent were Moderate. By comparison, 48.3 percent of defendants in the Class M category were Low and 24 percent were Moderate.

Table 9—Bail Amount and Race Controlled for Offense Class Code

Race	OffenseClassCode	Mean	N	Std. Deviation
Asian	A	83000.00	10	150040.735
	B	36428.57	49	62537.988
	C	9621.43	14	6861.731
	D	27857.14	7	35816.330
	E	19754.17	12	33356.882
	G	2087.50	8	1905.959
	M	5794.12	17	11579.965
	Total	28179.06	117	63387.417
Black	A	69294.44	90	99101.267
	B	19101.96	869	35313.324
	C	10627.53	227	23311.588
	D	10257.14	98	16739.687
	E	5006.47	139	23092.933
	G	3070.81	161	5379.866
	M	4407.26	186	6157.638
	Z	250000.00	1	.
	Total	16100.40	1771	38245.063
Hispa	A	58400.00	50	84715.611
	B	18884.71	255	31082.033
	C	18532.89	76	23765.709
	D	11675.00	20	21588.420
	E	1921.11	45	1532.025
	G	3060.20	49	2796.854
	M	5200.00	50	10412.659
	Z	10000.00	1	.
	Total	18102.56	546	37526.870
White	A	61979.73	148	92569.846
	B	22139.70	723	64568.566
	C	12957.28	261	34602.968
	D	15605.49	91	32121.648
	E	1770.96	167	2883.968
	G	3008.47	183	4278.928
	M	4494.44	153	6872.805
	Z	50500.00	2	70003.571
	Total	18296.82	1728	54403.769
Total	A	64059.29	312	93700.868
	B	20803.92	1937	49082.792
	C	13020.70	604	28951.960
	D	13164.98	217	25424.586
	E	3681.73	364	15908.144
	G	3002.09	406	4551.021

Table 9—Bail Amount and Race Controlled for Offense Class Code

Race	OffenseClassCode	Mean	N	Std. Deviation
	M	4614.77	413	7277.360
	Z	90250.00	4	115500.000
	Total	17813.23	4257	46391.397