



COVID-19 and Adult Criminal Justice: *A Quantitative Look at Affected Systems*

The COVID-19 pandemic resulted in substantial disruptions to the components of the criminal justice system, as remote hearings and reduced physical capacity have impacted the way cases are progressing through the system from arrest to sentencing to custody. At this point, most evidence about the magnitude of these impacts is anecdotal or limited to a single component of the system. In December 2020, the Washington State Institute for Public Policy’s (WSIPP) Board of Directors approved a study to investigate criminal justice-related caseloads, outcomes, and movement through the system (e.g., time spent at each stage from arrest to sentencing) in the period before and after the start of the COVID-19 pandemic.

The **COVID-19 period** referred to in this report includes March of 2020 through December of 2020.

This report provides a high-level summary of the quantifiable impacts of COVID-19 on certain aspects of the adult criminal justice system in Washington. We do not describe detailed changes to criminal justice system operations.

Summary

The COVID-19 pandemic led to abrupt changes in the operations of the adult criminal justice system. In this report, WSIPP describes how the flow of individuals through the adult criminal justice system has changed since the start of the pandemic by system component and by type of offense.

In the ten months following the onset of the pandemic (March through December of 2020), several measures decreased significantly compared to the same period in 2019:

- Fingerprinted arrests by 48%,
- Court case filings by 23%,
- Court case dispositions by 33%,
- Jail bookings by 51%,
- Prison admissions by 44%, and
- Prison releases by 8%.

Cases filed were less likely to lead to disposition within three months, and the number of filings exceeded the number of dispositions by nearly 16,000 cases as compared to roughly 2,000 in the same period in 2019. The high level of filings in excess of dispositions represents additional work for the court in the coming years.

There are ongoing changes in policy due to COVID-19 as well as unrelated changes in policy and law that indicate the system may not soon return to pre-pandemic levels.

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This report is organized into three sections. [Section I](#) provides a brief discussion of the Washington State adult criminal justice system. [Section II](#) provides an analysis of criminal justice data at key stages across the system—before and after the onset of the COVID-19 pandemic. [Section III](#) discusses some additional changes to the criminal justice system since the end of calendar year 2020 and considerations for whether the system will return to processing the same number of individuals as it did before the pandemic.

Initial Criminal Justice COVID-19 Emergency Responses

Governor Inslee declared a state of emergency on February 29th, which was followed by a series of changes in the criminal justice system.[^] On March 20th, the Supreme Court declared a suspension of most in-person court proceedings until April 24th.^{*} On March 24th, the Department of Corrections (DOC) changed standards for supervision of individuals in the community, reducing in-person contacts.[#] In April the Governor issued an emergency proclamation to reduce the prison population to reduce transmission.[~] Jail facilities took steps to reduce transmission including not booking for certain types of arrests.^{**} Additional changes at the state and local levels continued through the summer, fall, and winter.

Notes:

[^] Inslee, J. (2020, February 29). [Washington State comprehensive emergency management plan](#). Office of the Governor.

^{*} Washington State Supreme Court (2020). [Amended order No. 2570-B-607](#).

[#] Department of Corrections. (2020, March 24). [Community corrections division reduces some supervision in response to COVID-19](#) [Press release].

[~] Inslee, J. (2020, April 15). [Reducing prison population](#). Office of the Governor.

^{**} Jenkins, A. (2020, April 24). [The COVID-19 crisis struck and Washington jails emptied out](#). NW News Network.

I. Washington State Adult Criminal Justice System Data

This section gives a simplified overview of the criminal justice system in Washington State and a description of the relationship between the system and the administrative data used in this report. For purposes of this report, we discuss only the adult criminal justice system.

A simplified figure describing the elements and the path of individuals through the system is displayed in [Exhibit 1](#).¹ The adult criminal justice system in Washington is composed of four main elements—police, courts, jails, and the Department of Corrections (DOC).

Individuals involved in the adult criminal justice system account for only a portion of all crimes committed. Not all crimes are reported to or identified by the police.

This report focuses on the movement of individuals and cases through the system once an arrest has been entered into a statewide system or charges have been filed.

When a crime is reported to police, police may make an arrest if an investigation determines that enough probable cause exists to arrest a suspect.

For the purposes of this report, a **fingerprinted arrest** is defined as an arrest that results in an entry into the Washington State Patrol (WSP) database.² Not all arrests are reported to WSP.

When an arrest is made an individual may be placed in pre-trial detention at a local detention facility (referred to as **jail** within this report). Jail data are maintained independently by each facility, with certain information aggregated into the statewide Jail Booking Reporting System (JBRS).³ The King County Department of Adult and Juvenile Detention Facilities jail data is not currently integrated into JBRS but was obtained separately and combined with the JBRS data for this report.⁴

Prosecutors in the state have the option to **file** charges with a court based on available evidence after a crime is reported to the police with or without an arrest and with or without pre-trial detention.⁵ Charges can be filed in **superior court** (generally for felonies)⁶ or courts of limited jurisdiction (district or municipal courts which generally handle misdemeanors).⁷

¹ See [Appendix IV](#) for a more detailed chart.

² The WSP maintains the fingerprint based system. The WSP is given the responsibility by [RCW 43.43.500](#) and under [RCW 43.43.735](#) all felonies and most gross misdemeanor arrests should result in fingerprinting and the creation of an arrest record. More discussion on WSP data can be found in [Appendix I](#).

³ Washington Association of Sheriffs & Police Chiefs. [Jail booking and reporting system \(JBRS\)](#).

⁴ See [Appendix I](#) for additional information.

⁵ There is no statewide database of referrals to prosecutors' offices.

⁶ [RCW 2.08.010](#).

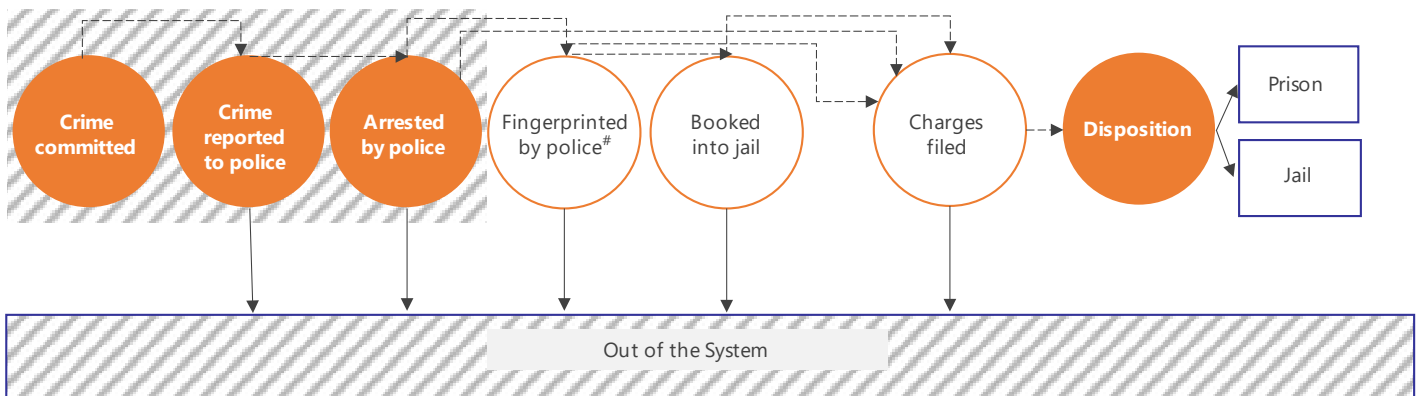
⁷ [RCW 3.66.060](#).

After charges are filed, the court reaches a verdict, referred to in this report as a **disposition**. The disposition of a charge includes a finding of guilt or innocence, a dismissal of the charge, or a deferral of the outcome. Charges proceed through the system within **cases**. A single case may include multiple charges, and dispositions may vary across charges.

If a guilty verdict is rendered by the court, the individual accused of the crime can be sentenced to local or state custody.⁸ Local custody sentences include incarceration in jail, court probation, or both. State custody sentences include incarceration in **prison**, state supervision, or both.

Exhibit 1

Simplified Overview of the Adult Criminal Justice System in Washington State



Notes:

Orange indicates the major processing points in the criminal justice system.

Solid lines represent a protentional final step in case processing.

Grey dashed areas indicates a point in the system where WSIPP does not have data.

* Only gross misdemeanors and felonies require a fingerprint.

⁸ Sentencing options are determined by law and vary across court jurisdictions. Other non-custodial sanctions, such as community service and legal financial obligations may be included in a final sentence. Superior courts sentence according to the presumptive sentencing guidelines regulated by the Sentencing Reform Act (Title 9 Chapter 94A

RCW). District courts sentence according to state (Title 9 RCW) and local laws. Some sentences may lead to incarceration but with credit for time served so the individual is released. Individuals who are sentenced to incarceration may serve the total sentence or be released early in some instances according to state regulations over earned time.

II. System Metrics

This section displays differences in the criminal justice system caseloads before and during the COVID-19 period. The caseload numbers created within each stage of the criminal justice system are shown by month. This section also provides metrics on the flow of individuals through the system.

Throughout this section, the shaded area on graphs represents the time after the start of the COVID-19 pandemic.

The metrics included in this report provide information on the differences in what types of crimes moved through the criminal justice system.

[Fingerprinted Arrests](#)

[Exhibit 2](#) shows the distribution of fingerprinted arrests by seriousness (felony/misdemeanor) and by type of crime (person, property, etc.) from January 2018 through December 2020.⁹ In total, during the COVID-19 period, fingerprinted arrests were 48% lower than the same months in 2019.¹⁰ Fingerprinted arrests for felonies fell 42% and fingerprinted arrests for misdemeanors fell 39%. Notably, fingerprinted arrests for the most serious felonies—offenses against persons—fell by a much smaller percentage, 5%.

⁹ Crimes are classified using WSIPP's law category classification system from of laws in the RCW. For more on our classification see [Appendix I](#). RCWs were generated from

Crime In Washington

The Washington Association of Sheriffs and Police Chiefs (WASPC) compiles the official statewide number of serious crimes reported to police as well as the reported statewide number of arrests. The 2020 *Crime in Washington* report states that among reporting jurisdictions serious crimes increased by 7.1% over the 2019 calendar year. Crimes against persons decreased by 4.7% while crimes against property increased by 13.8% from the prior year.[^] Reported arrests fell 19%.[#]

The system metrics that we analyze in this report are based only on fingerprinted arrests entered in the WSP database. Our arrest metric is a subset of the arrest number reported by WASPC and we discuss the implications in [Section III](#).

Our data does not provide information on the overall levels of crime in Washington.

Notes:

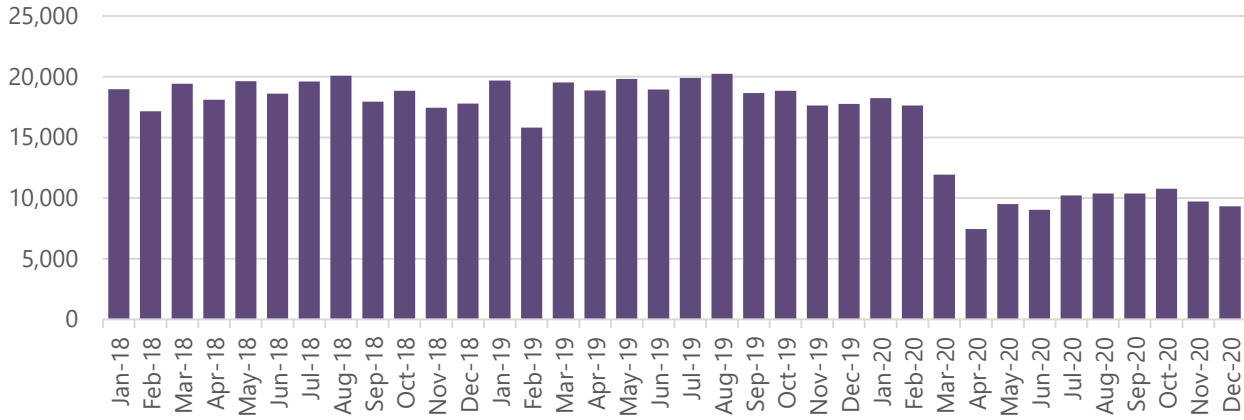
[^] WASPC. [Crime in Washington 2020 annual report](#). Lacey: WA.

[#] Change in arrest was calculated using the total number of arrests in the Crime in Washington 2020 report and the Crime in Washington 2019 report.

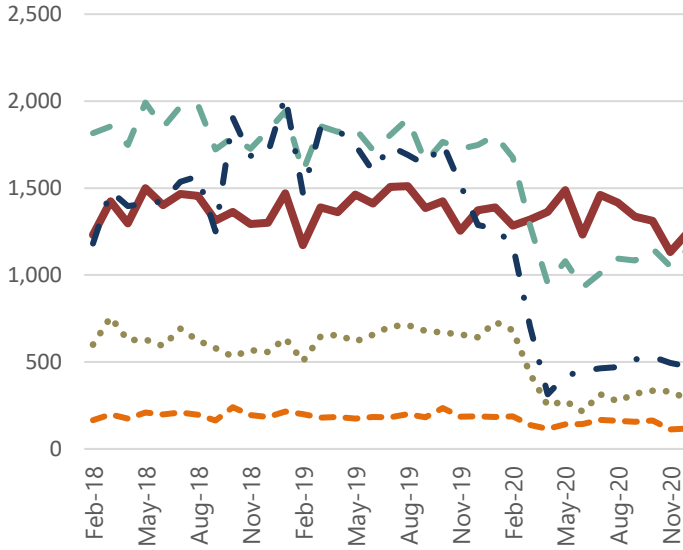
the charge code reported in the WSP fingerprinted arrest database.

¹⁰ This includes fingerprinted arrests for crimes not classified as misdemeanor or felony as described in [Appendix I](#).

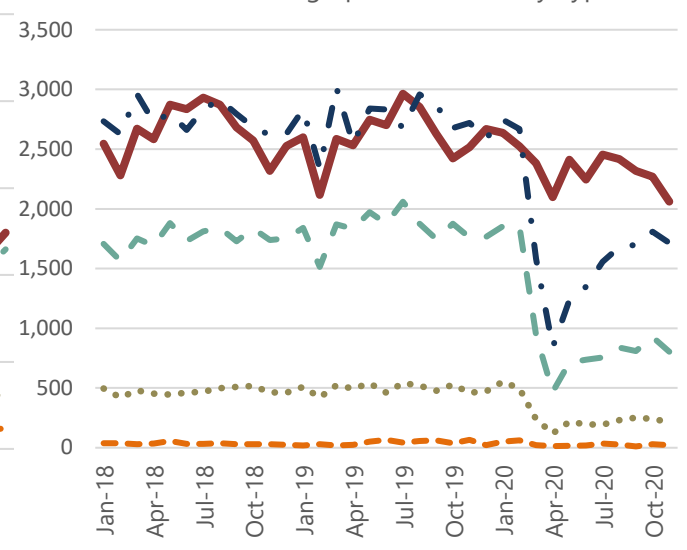
Exhibit 2
Fingerprinted Arrests, by Month



Felony Fingerprinted Arrest, by Type of Crime



Misdemeanor Fingerprinted Arrest, by Type of Crime



— Person
 - - - Sex
 - - - Property
 ••••• Drug
 - . . - Other

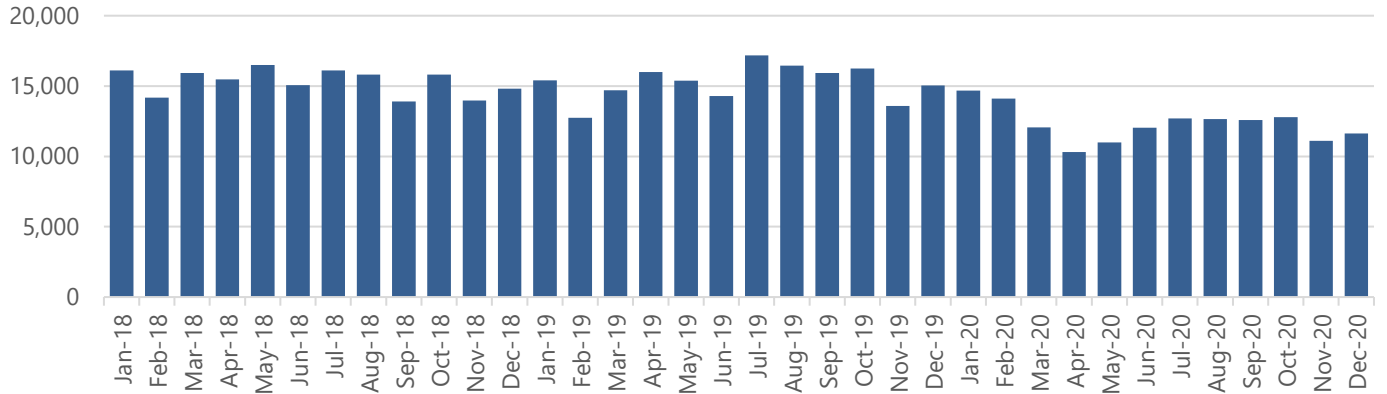
Court Filings

When prosecutors file one or more charges with a court, a record of the filing is created. [Exhibit 3](#) shows the change in the number of cases filed overall, for superior courts (which generally hear felony cases), and for courts of limited jurisdiction (district and municipal courts, which generally hear misdemeanor cases). In total, from March through December of 2020, case filings for felonies and misdemeanors fell by 23%.

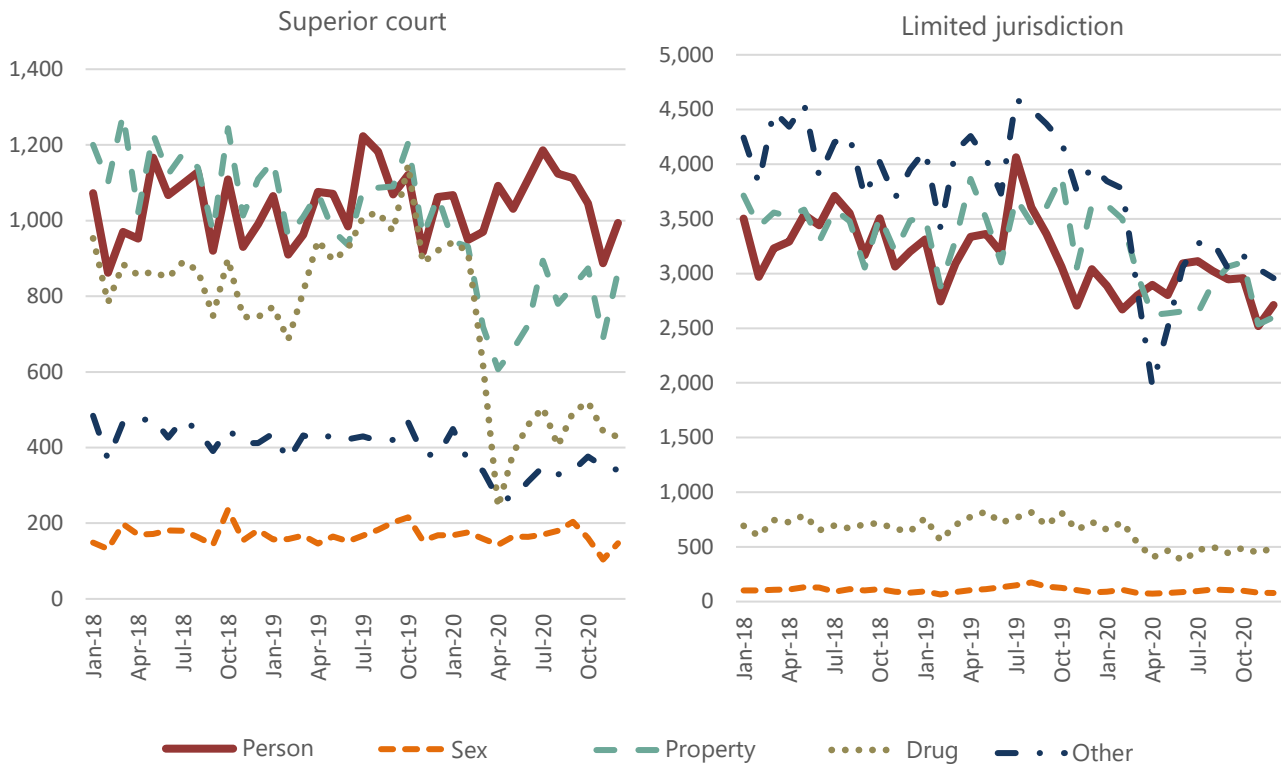
The number of filings varies by type of offense. In superior courts, case filings were 25% lower for the COVID-19 period of March through December of 2020 than the same period in the prior year. Prior to the onset of COVID-19, monthly changes in the number of filings followed a similar pattern across all crime types. However, we found varying degrees of change by type of offense during the spring of 2020. Specifically, superior court filings for crimes against persons decreased only 1% from the previous year while filings for sex crimes decreased 7% from the previous year. Filings for drug crimes were down 53% and filings for property crimes down 27%.

In courts of limited jurisdiction, case filings were 23% lower from March through December of 2020 than the same period in 2019.

Exhibit 3 Court Case Filings



Court Case Filing, by Type of Crime



Note:
Case filing categorized as the most serious type of crime associated with that case.

Court Dispositions

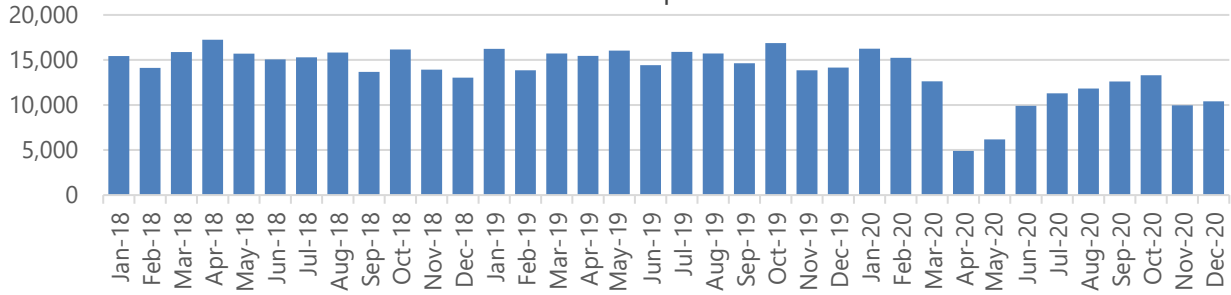
Total court case resolutions or dispositions, regardless of the filing date, decreased by 33% in the COVID-19 period compared to the previous year, as shown in [Exhibit 4](#). [Exhibit 4](#) also shows the distribution of court dispositions by type of crime separately for superior courts and courts of limited jurisdiction. While filings for crimes against people remained high as shown in [Exhibit 3](#), there was not a similar pattern in case dispositions, as dispositions for crimes against persons experienced a significant decrease.

When the number of new cases filed exceeds the number of cases disposed, court backlogs may occur if court practices do not change. From March 2020 through December 2020, filings in superior courts have exceeded dispositions by 7,636, almost double the number of filings in excess of dispositions compared to the previous two years. In courts of limited jurisdiction, filings exceeded dispositions by 8,210 from March through December of 2020. In contrast, there were *fewer* filings than dispositions by over 2,000 cases on average for the same period in the prior two years.

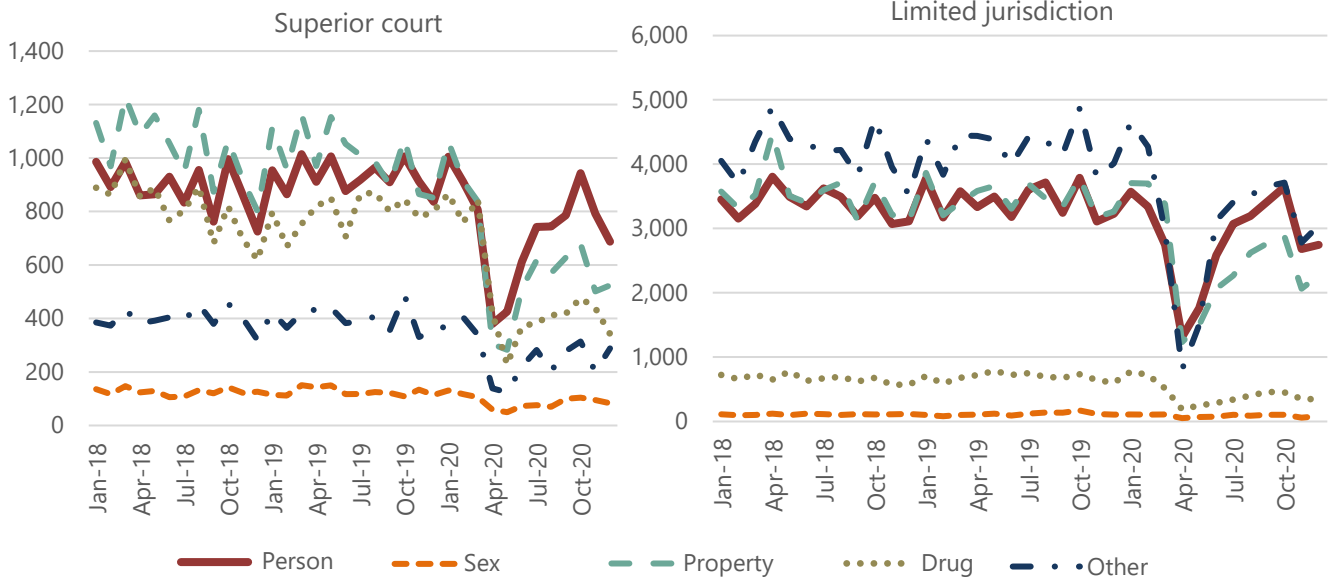
The type of outcome for cases that were disposed is shown in [Exhibit 4](#). Of the cases that were disposed in superior court, dismissals were more common in 2020 than in 2019 (30% vs. 21% in 2019). Of the cases that were disposed in courts of limited jurisdiction, dismissals were more common in 2020 as well (55% vs. 44% in 2019).

Exhibit 4

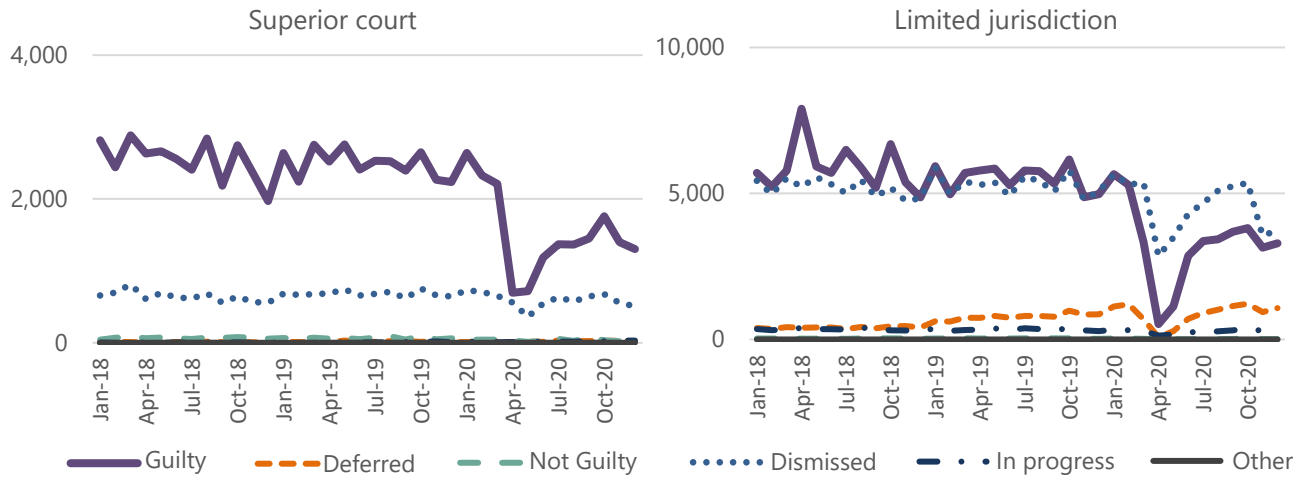
Court Case Dispositions



Court Case Disposition, by Type of Crime



Court Case Disposition, by Disposition Type



Note:

Case dispositions classified by the most serious disposition for a charge within a case.

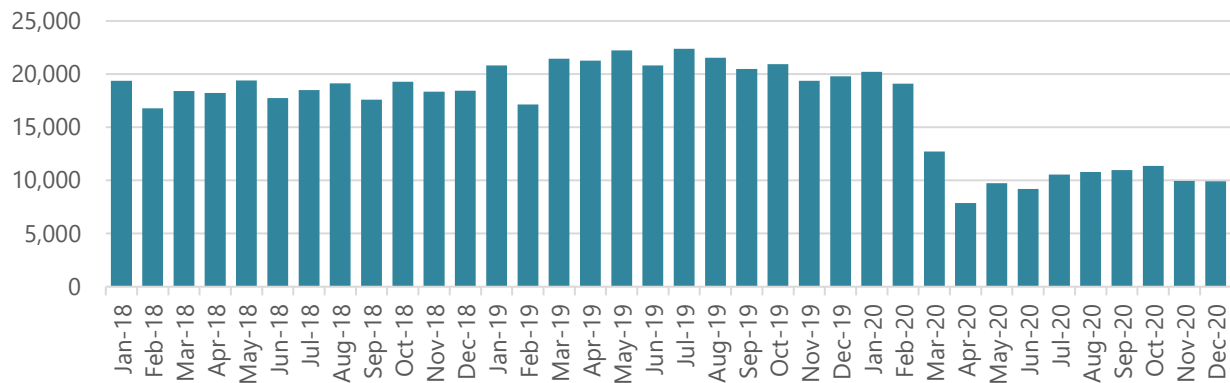
Jail Bookings

A person can go to jail for a number of reasons including pretrial detention, as a sanction for violating the terms of supervision, or to serve a local sanction (generally, a sentence to incarceration for a term of one year or less). The total number of jail admissions from March through December was down 51% from the same period in 2019.

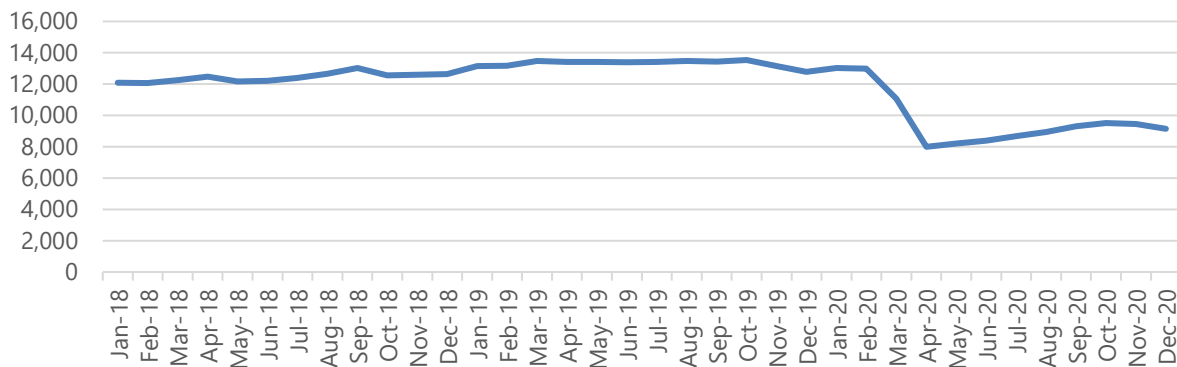
The average daily population (ADP) in jail facilities is a combination of the number of entrants and the length of stay for those incarcerated. Overall, the ADP in jails was down 32% from March to December 2020 compared to the same ten-month period in 2019. Jail admissions dropped by a greater percentage than the ADP and the average length of stay in a facility increased.

Exhibit 5

Jail Bookings, by Month



Jail Average Daily Population



Department of Corrections (DOC) Custody (Prison)

Overall, longer-term admissions to DOC facilities, frequently as a result of a new court sentence, in March to December 2020 fell 44% compared to the same period in the previous year.¹¹ The Department of Corrections initially increased releases from secure facilities.¹² From March through December, DOC releases for individuals finishing a term of confinement for a prison sentence declined by 8% compared to the same period in the previous year.¹³

In addition to those longer-term admissions, individuals under DOC community supervision can be returned to a DOC facility if they violate the terms of their supervision. [Exhibit 6](#) displays the ADP for the institutional population (labeled as “non-violators”) and for those in a facility (these terms are frequently served in local jails) because of a violation of the terms of supervision (labeled as “violators”).¹⁴

The overall population of those incarcerated under DOC custody fell by 13% over the COVID-19 period in comparison to 2019. The ADP for those sentenced to incarceration was down 8% from 2019 for the March through December period, while the ADP from community custody supervision violations was down 53% for the 2020 COVID-19 period.

¹¹ DOC admissions for non-violations include sentencing for a new crime, as well as instances such as revokes of a alternative programing such as DOSA or a return to a facility.

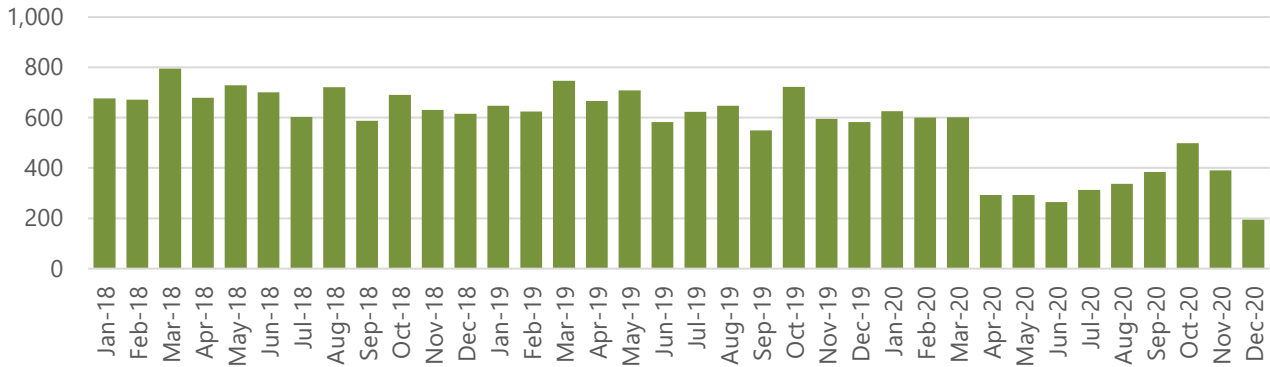
¹² DOC. [COVID-19 frequently asked questions \(FAQ\)](#).

¹³ These calculations exclude individuals who were released following confinement related to a violation of the terms of community supervision rather than an initial prison sentence.

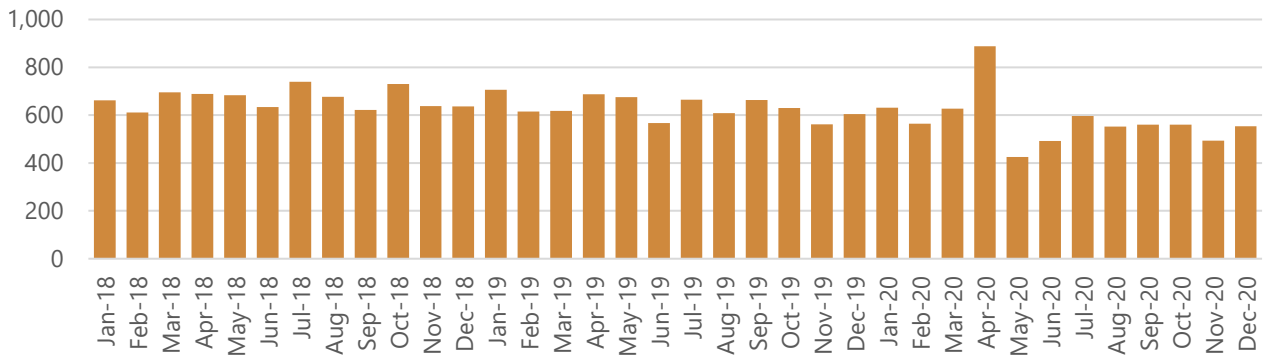
¹⁴ Under DOC swift and certain sanctions for violations of the terms of supervision are eligible to be served in local confinement such as jails. Jail ADP calculations overlap to a significant degree with the violator ADP presented here.

Exhibit 6

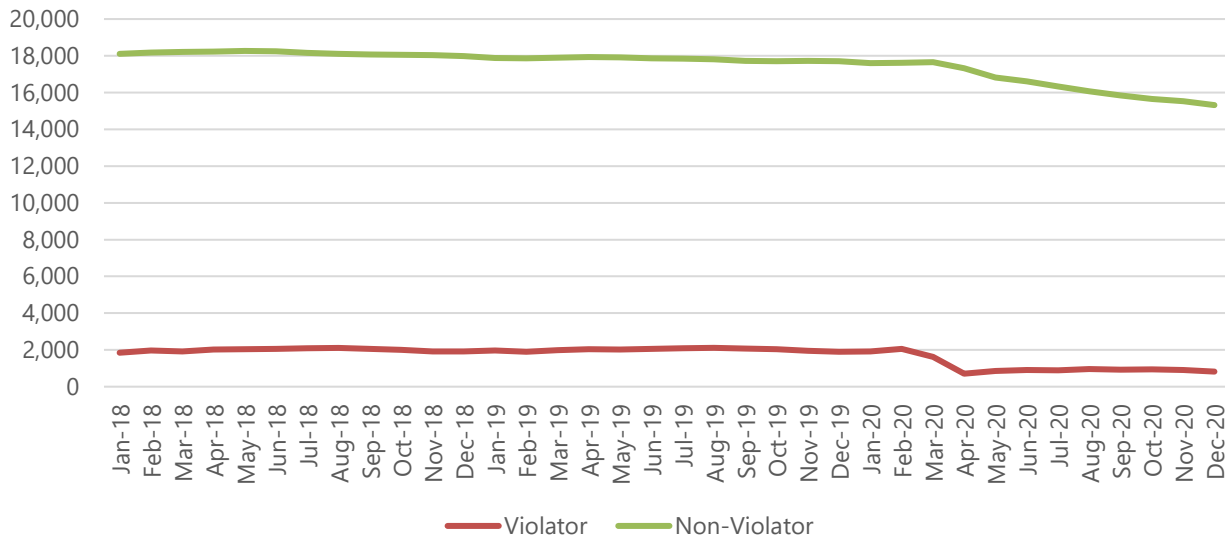
DOC Prison Admissions



DOC Prison Releases



DOC ADP, by Violator Status



Flow of People through the System

Previous exhibits showed the decreased caseloads for the different parts of the criminal justice system in the 2020 COVID-19 period. COVID-19 impacted all components of the system simultaneously and some impacts, such as an expected change in prison admissions because of decreased arrests during the COVID-19 period, will not be fully incorporated into the prison admission numbers running through the calendar year. Before the pandemic, cases frequently spent well over three months in the courts without a disposition. Jury trials were proceeding only in some parts of the state at some points in time during the COVID-19 period which may have extended the amount of time cases spent in the courts before being disposed.

Exhibit 7 presents some numbers on the change of timing within the system. Numbers are calculated from March—to correspond with the start of the COVID-19 pandemic—through September—to allow 90 days of follow-up time. We differentiate between felony and misdemeanor cases as defined in the fingerprinted arrest data.

We linked fingerprinted arrests to court case filings to examine how frequently fingerprinted arrests resulted in charges being filed. The percentage of fingerprinted arrests that lead to filings within three months (90 days) remained steady for felony fingerprinted arrests and fell for misdemeanor fingerprinted arrests (fingerprinted arrests and generally required only for felonies and gross misdemeanor arrests).

We then examined differences in the likelihood that cases filed during the COVID-19 period were disposed within three months, or what we isolate as “near term dispositions.” Court filings were less likely to result in a near-term disposition for the COVID-19 period in 2020 than in previous years. The decrease was relatively similar for filings for charges of felony and misdemeanor crimes.

Exhibit 7

Near-term Metrics

Measure of timing	March through Sept—		
	2018	2019	2020
Felony			
Fingerprinted arrests matched to court filing within 90 days*	50%	50%	50%
Filings leading to a disposition within 90 days^	41%	39%	31%
Misdemeanor			
Fingerprinted arrests matched to court filing within 90 days*	55%	62%	51%
Filings leading to a disposition within 90 days^	38%	41%	29%

Notes:

* As classified as a felony or misdemeanor in WSIPP’s classification of RCWs associated with WSP charge codes for fingerprinted arrest.

^ As classified as a felony or misdemeanor in WSIPP’s classification of court data RCWs.

III. 2021 and Beyond

The data used in this report includes the end of the 2020 calendar year. In 2021, COVID-19 restrictions are being phased out. The COVID-19 pandemic is not over, and an increase in COVID-19 cases could result in new emergency measures or additional changes to the operations of the criminal justice system. The administrative data do provide some evidence that there is an ongoing backlog at different points in the system.

The WASPC Crime in Washington report described in [Section I](#) reported an increase in crimes reported to the police. Despite the increase in reported crime, fewer individuals come into contact with the criminal justice system at the points of fingerprinted arrests, courts, jails, and prisons. Many aspects of the system were operating at decreased capacity due to COVID-19.

Individuals who were arrested for similar crimes were less likely to be fingerprinted in the COVID-19 period. Fingerprinting is frequently done at the local jail; reduced jail capacity due to COVID-19 concerns may have changed the rate at which people were fingerprinted and entered in the WSP arrest database, which formed the basis of our fingerprinted arrest measure. The decrease in fingerprinted arrests was greater than that of overall non-fingerprinted arrests reported by WASPC. Although the data systems use different definitions of arrests, the decrease from the calendar year 2019 to the calendar year 2020 of fingerprinted arrests (34%) was significantly greater than the decrease of total arrests between the 2019 and 2020 WASPC reports (19%).¹⁵ The rates at which crimes are reported and which arrests are fingerprinted may shift as pandemic restrictions lift.

Since the start of the COVID-19 pandemic total court filings exceeded court dispositions by nearly 16,000 cases, compared to about 2,000 cases in the same months in the prior year. The disproportionate rate of filings to dispositions may increase as prosecutors begin filing charges for arrests or referrals received during the pandemic if courts do not simultaneously increase the rate of case dispositions.

However, courts have changed some practices including the introduction of a new remote filing system for courts of limited jurisdiction¹⁶ and allowing remote hearings and testimony in some instances.¹⁷ If these practices continue, they could increase system efficiency by making it easier to file and increasing scheduling flexibility.

¹⁵ This number was calculated by comparing the total arrests in the Crime in Washington 2020 report to the Crime in Washington 2019 report.

¹⁶ NWSidebar. (2021, March 17). [Statewide electronic filing is on the way to Washington courts.](#)

¹⁷ Washington Courts BJA Court Recovery Task Force [Meeting Packet](#) (2021, June 9)

In addition to the backlogs facing the courts due to the COVID-19 related shutdowns, the Washington State Supreme Court decision in *The State of Washington vs. Blake* in February 2021 is expected to significantly impact caseloads.¹⁸ The decision in *State vs. Blake* ruled that the law prohibiting the possession of illicit substances was unconstitutional. The legislature passed a new law for misdemeanor drug possession that will apply to future cases.¹⁹ Felony drug possession cases from the time period in this study are no longer proceeding through the system, although they are included in the numbers in this report. Separately from caseloads for new crime, DOC estimates that the *State vs. Blake* decision has created the need to revisit over 18,000 sentences for those currently in DOC custody. The state legislature has to date appropriated \$44.5 million for counties to handle the increased workload.²⁰

Other changes, such as the recent ruling in Thurston County Superior Court in *Pierce et al. v. DOL* on license suspensions, could reduce court caseloads generally; however, those types of offenses (e.g., driving with a suspended license and other traffic offenses) are outside the scope of this report.²¹

The Department of Corrections is also projected to make significant changes in its supervision policy. DOC has not returned to pre-pandemic supervision operations. A return to pre-pandemic operations would likely increase the number of bookings for violations.²² However, the Caseload Forecast Council forecasts ADP for violations (frequently served in local jails) will not return to pre-pandemic levels due to downward revisions to the state's penalties for violation of the terms of supervision.²³

Taken together, it is difficult to predict the unique impact that the COVID-19 pandemic and associated changes will have on future criminal justice operations. The components of the criminal justice system are reacting to the shifts in operations from COVID-19. Police officers, prosecutors, judges, court administrators, detention facility staff, and DOC staff among others can make decisions about individuals involved in the criminal justice system that may have impacts on the backlog. At the same time, concurrent changes resulting from supreme court decisions and other agency and legislative changes may moderate the courts' ability to quickly address COVID-19-related backlogs. As statewide restrictions ease, and courts begin to resume normal operations, additional data will need to be examined to accurately assess the potential short- and long-term impacts of the COVID-19 pandemic on Washington's criminal justice system operations.

¹⁸ Collins, F. (2021, March 29). [The status of drug possession in Washington State](#). MRSC.

¹⁹ [Engrossed Senate Bill 5476, Chapter 311, Laws of 2021](#).

²⁰ [Engrossed Substitute Senate Bill 5092, Chapter 334, Laws of 2021](#).

²¹ [Pierce et al. v. DOL](#).

²² Caseload Forecast Council. (2021 June 16). [Common schools enrollment](#).

²³ [Ibid.](#)

Acknowledgments

We would like to thank Lijian He, Lauren Knoth, and Paige Wanner for their assistance and support within WSIPP.

This report pulled together many disparate datasets and would not have been possible without guidance and assistance in acquisition and interpretation. Thank you to the Administrative Office of the Courts and especially Kevin Cottingham; Keri-Anne Jetzer at the Office of Financial Management; Dawn Breen, Mike West, and Steven Larsen from the King County Dept. of Adult and Juvenile Detention; Pete Lund at Looking Glass Analytics; Joan L. Smith at WASPC; Nicole Carpenter and Deborah Collinsworth at WSP; and Dr. Courtney Bagdon-Cox at DOC.

Additionally, WSIPP would like to thank Elizabeth Dehlbom at the Caseload Forecast Council and Keri-Anne Jetzer for providing comments, and Andrew Peterson at the Washington State Center for Court Research for assistance with data acquisition.



Appendices

COVID-19 and Adult Criminal Justice: A Quantitative Look at Affected Systems

Appendices	
I.	Data Processing18
II.	Results by Race.....22
III.	Results by County.....28
IV.	Criminal Justice System Map.....30

I. Data Processing

Data Sources

Arrest Data

WSIPP receives data from Washington State Patrol (WSP) on an annual basis. Arrest data are collected by individual law enforcement agencies and submitted to a statewide database housed by the WSP capturing records of arrest and prosecution (“RAP” sheets). The system is fingerprint-driven, so arrests without a fingerprinting event are not included in the WSP data system. Not all arrests for a felony or misdemeanor will have a fingerprint taken.²⁴

We used the arrest table as the basis for our analysis. Information in the arrest database is entered at the charge level. Statistics reported are at the level of person-arrest date, meaning a person is counted once for each day they have an arrest.

Arrests are classified by the charge code associated with the arrest. WSIPP used the WSP crosswalk table to associate those charge codes with the Revised Code of Washington (RCWs), and the RCWs were then classified into WSIPP’s standard crime categories.²⁵ When there was more than one charge associated with each person’s arrest, WSIPP classified the arrest based on the most serious crime category associated with the person’s arrest. [Exhibit A1](#) displays further information on the classification of crimes.

For some instances, a person had multiple arrests on the same day that were associated with more than one originating county. In these instances, we selected the county associated with the most charges. In the ten instances of a tie, WSIPP randomly assigned one of the counties.

²⁴ Drake, E., Harmon, L., & Barnoski, R. (2007). *Washington State criminal records audit for adult felonies: Final report*. Olympia: Washington State Institute for Public Policy.

²⁵ 1,100 of 1,339 arrest charge codes were classified this way. Arrests receiving classification occasionally resulted in more than one law category being associated with a specific RCW. When this occurred, we took the most frequent link. More on our RCW assumptions are discussed in the RCW section of this Appendix.

Court Data

Individual courts in Washington collect and maintain data on all charges filed and disposed in their court. In most courts, these data are entered into a statewide database maintained by the Administrative Office of the Courts (AOC). Within the period of the current study, King County Superior Court (starting April 2019) and King County District Court (starting November 2020) changed their data management systems and now submit data to the AOC Electronic Data Repository, which is not yet integrated into the AOC data systems. Most of the court data in this report come from WSIPP's processing of quarterly data received from AOC into WSIPP's Criminal History Database (CHD) which includes adult and juvenile court records for superior courts and district courts, with the exception of more recent King County records. AOC provided WSIPP a charge-level dataset and a linked person-information dataset drawn from the King County Court submission to WSIPP. WSIPP combined our standard CHD created from standardized exports from AOC with the additional King County data after aggregating the data to the case level. WSIPP's CHD contains person-level information as well. We deduplicated the person-level information for King County and the CHD by matching on demographic variables (name, date of birth, race, gender) using the Link King software.²⁶ Dispositions are categorized at the case level in a hierarchy of convicted, deferred, not guilty, dismissed, in progress, and other. Dispositions are categorized into crime categories based on the most serious charge filed in the case.

For this report, we report only cases with a charge WSIPP considers to be a misdemeanor or felony. That decision is reflected in all tables in the body of the report. The table below shows the change in filings for all types of cases. See the "Categorizing Crimes" section on the following page for more information.

Exhibit A1

Filings based on

Crime classification	10-month period March – December		
	2018	2019	2020
NOT INCLUDED			
Non-criminal	617,279	596,529	371,785
Criminal traffic (CT)	54,104	53,386	40,562
Criminal miscellaneous	4,007	4,060	4,575
Unclassified	4,512	4,829	4,723
INCLUDED			
Misdemeanor	109,618	111,246	85,065
Felony	42,896	42,722	33,049

Notes:

Criminal traffic examples include driving with a suspended license, hit and run, and failure to comply.

Non-criminal examples include traffic infractions such as speeding, operating motor vehicle without liability insurance, and failure to pay fare.

²⁶ Campbell, K.M. *Rule your data with The Link King. Paper 020-30*. Software available at: <http://the-link-king.party/>.

Jail Data

Jail data are collected by individual local facilities. Certain information is collected in a statewide database maintained by WASPC called the Jail Booking and Reporting System (JBRS). We received jail data from two sources. Most of the data in the state came from the Office of Financial Management Statistical Analysis Center, which receives information from the JBRS. JBRS data was supplemented with information from the King County Department of Adult and Juvenile Detention. Both data sources provide booking-level as well as person-level information. We consolidated duplicate person entries by matching on demographic variables (name, social security number, date of birth, race, gender) using the Link King software. Individuals may be admitted to more than one facility in a day (e.g., sheriff's office and detention facility). Numbers in this report are at the level of person-day, or one booking per person, per day. We set the release date equal to the booking date in two instances: if a person did not have a release date but the release status variable indicated they had been released or if they had been booked at another facility prior to the release date.

We calculated the average daily population (ADP) by counting a person once per day, even if they appear in multiple facilities. When a person is booked into facilities in multiple counties on the same day, we assign the county of the first booking.

Prison Data

WSIPP receives information from the Department of Corrections Offender Management Network Information (OMNI) data system.²⁷ For this report, we used data capturing admissions and releases from prison facilities, including whether the admission was associated with an individual who violated their terms of community custody.

Coding Decisions

Linking Arrest Data to Court Data

To establish a link between arrests and court records we first perform a person level match with demographic variables (name, date of birth, race, gender) using the Link King software. An arrest and a court case were considered a match if either: there was a person match and the process control number (PCN) was the same or there was a match on person, county, and case number.²⁸ Data were considered linked if any arrest charge within a person-arrest matched to a court case (50%).

Categorizing Crimes

Currently, WSIPP categorizes crimes from the RCW into law categories ranging from 1 to 142. These classifications separate offenses based on whether they are a felony or misdemeanor and assign each RCW to a general crime category such as property or drug. Offenses within a general crime category are further disaggregated into subcategories. For example, property crimes are subcategorized into trespass, destruction, auto theft/vehicle prowl, theft/fraud/larceny, domestic violence-related offenses, fire setting, and other. A full list of WSIPP's law categories is available upon request.

²⁷ This material utilizes data from the Department of Corrections (WADOC). The views expressed here are those of the author and do not necessarily represent those of the WADOC or other data contributors. Any errors are attributable to the author.

²⁸ Court case numbers in the WSP database do not contain court information. The match on court case number was done stripping the court information out of the AOC court case number.

Arrest Classifications

We classified arrests based on the RCW associated with the charge level crime code entered in the WSP database. We used the Washington State Patrol Criminal Justice Information Act Code Book to crosswalk to RCW.²⁹ We matched these RCWs to WSIPP's law categories using WSIPP's RCW crosswalk file and a hierarchy of seriousness. When more than one law category matched to an RCW, we defaulted to the most frequent match followed by the match associated with the most serious crime. Arrests were aggregated to the person-date level by the most serious law category associated with the arrest on a given day.

Court Classifications

WSIPP's CHD classifies charge-level RCW's into law categories using a court level (superior vs. court of limited jurisdiction) specific RCW crosswalk file. For the King County information provided separately, WSIPP classified the charge RCW into law categories using a court level (superior vs. court of limited jurisdiction) specific RCW crosswalk file. When more than one law category matched to an RCW, we defaulted to the most frequent match followed by the match associated with the most serious crime. We aggregated charges to the case level based on the most serious law category associated with each case.

Categorizing Race

Race is reported differently by different criminal justice system components. In the court system and DOC data where Hispanic ethnicity is coded as a separate binary variable (e.g., yes, or no), we present counts by race by Hispanic status. In the arrest data and jail data, results are presented by race only.³⁰ We classify race using a single race variable. If individuals had more than one race variable reported in the system, we selected racial classifications in the following order: 1) Black/African American, 2) Asian/Pacific Islander/Native Hawaiian, 3) American Indian/Alaskan Native, and 4) White.

²⁹ [Governor's Interagency Work Group Executive Committee for the Implementation of Criminal Justice Information Act CJA-Code Book](#). This method was chosen as a large number of arrests in the WSP database did not have an associated RCW.

³⁰ WSP data does not contain information on ethnicity. Ethnicity information is available inconsistently for jail facilities.

II. Results by Race

We investigated whether the changes in the indicators in the post-COVID-19 period differed by race. The exhibits below show the percent change in caseloads measured within racial groups. For example, the first red column (second from the left) on [Exhibit A2](#) shows the percent change from 2018 to 2019 in the number of fingerprinted arrests of White individuals, while the second red column (eighth from the left) shows the percent change from 2019 to 2020 in the number of fingerprinted arrests of White individuals. These exhibits are reported separately by Hispanic status when possible, as discussed in the Categorizing Race paragraph on the previous page. This separation can result in relatively small categorizations. When the numerator or denominator of the percent change calculation for a column is less than 100 that column is noted with the character 'N'.

For the most part, caseloads fell by a similar percentage for each racial group during the COVID-19 period. The main exception was the comparatively larger decrease in DOC releases of Black individuals.

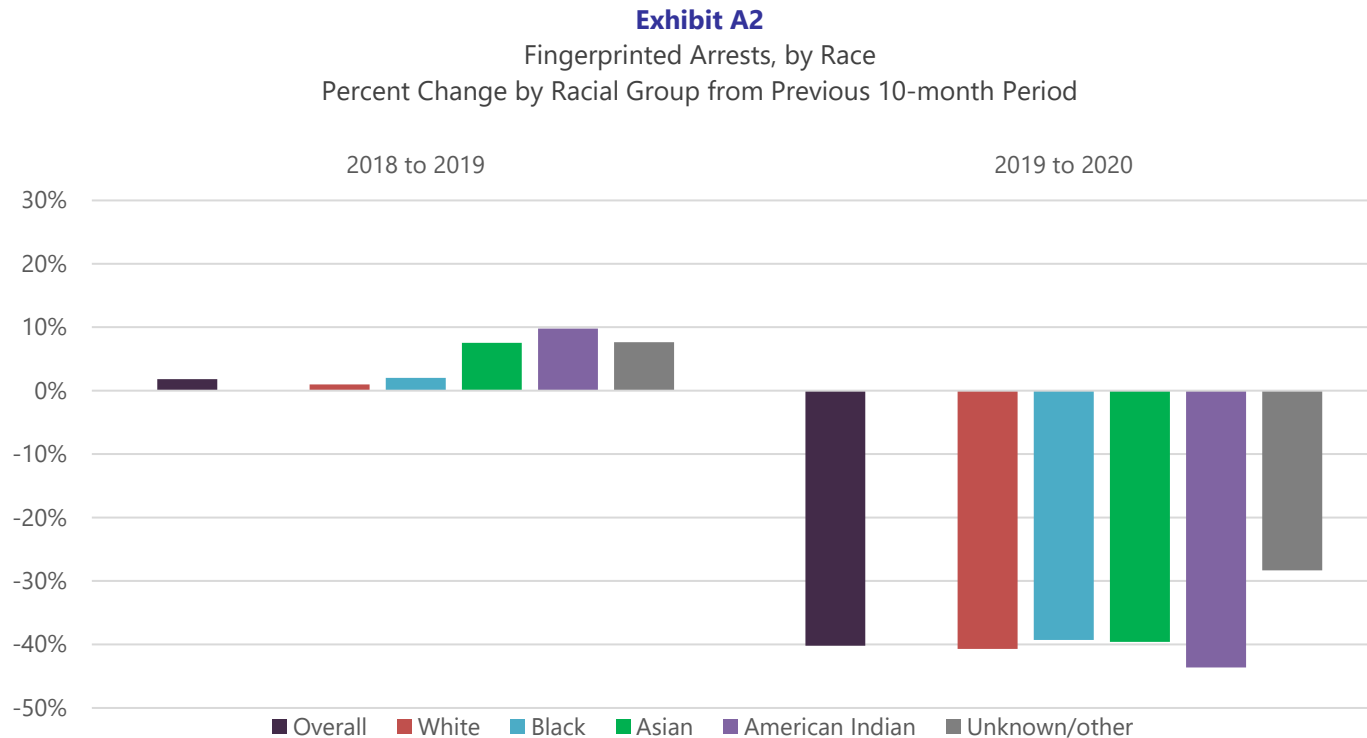


Exhibit A3

Jail Bookings, by Race
Percent Change by Racial Group from Previous 10-month Period

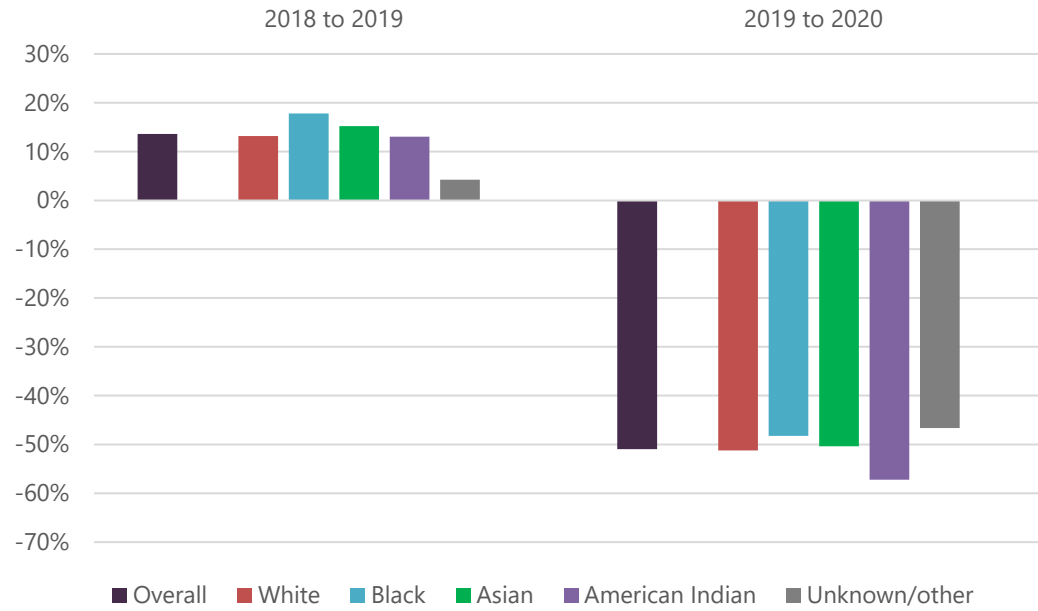


Exhibit A4

Court Case Filings, by Race by Hispanic Status
Percent Change by Racial Group from Previous 10-month Period

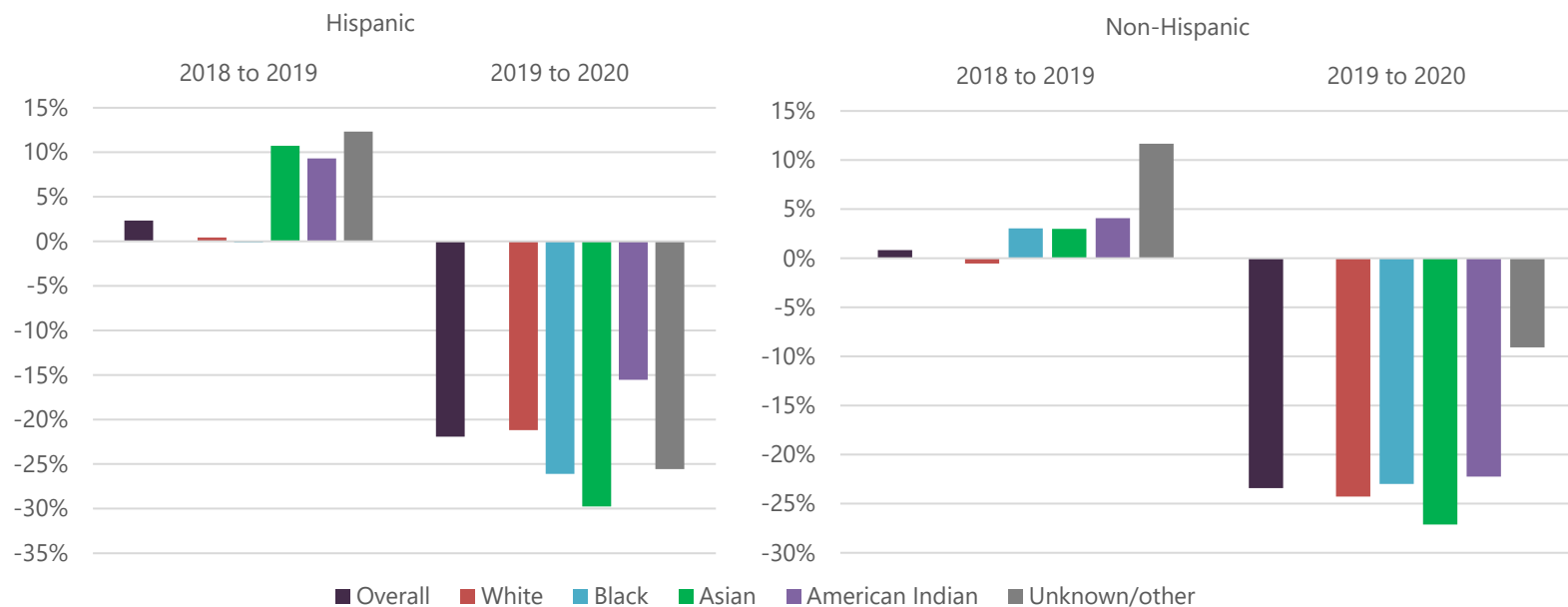


Exhibit A5

Court Case Dispositions, by Race by Hispanic Status
Percent Change by Racial Group from Previous 10-month Period

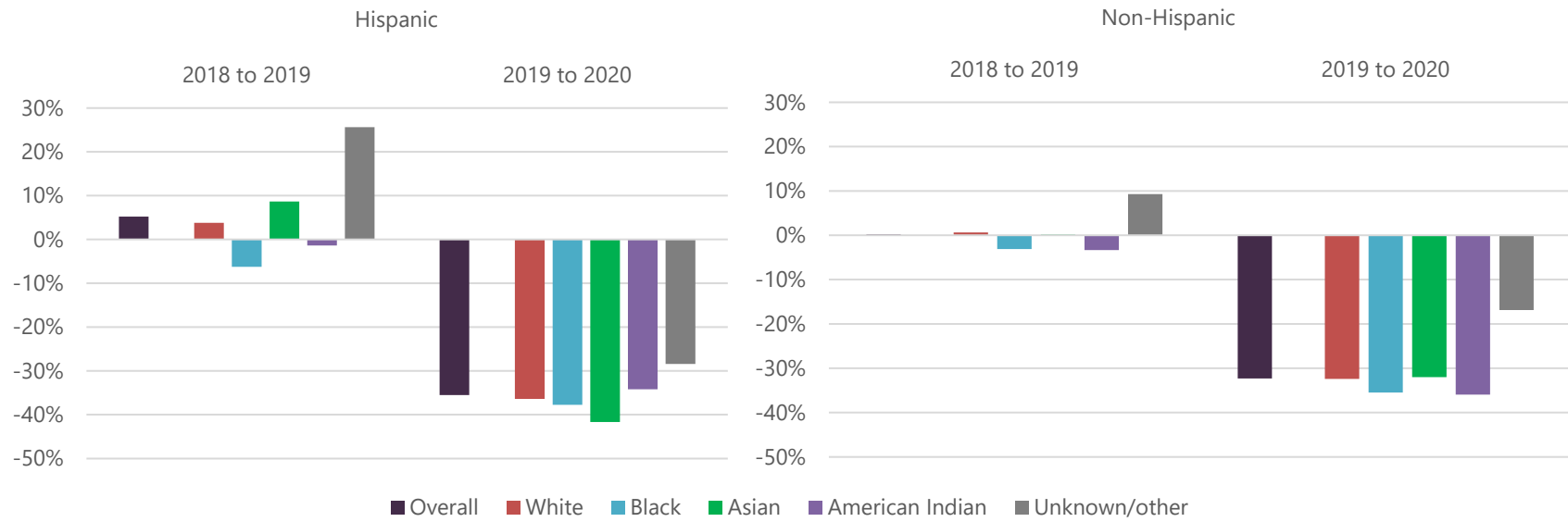
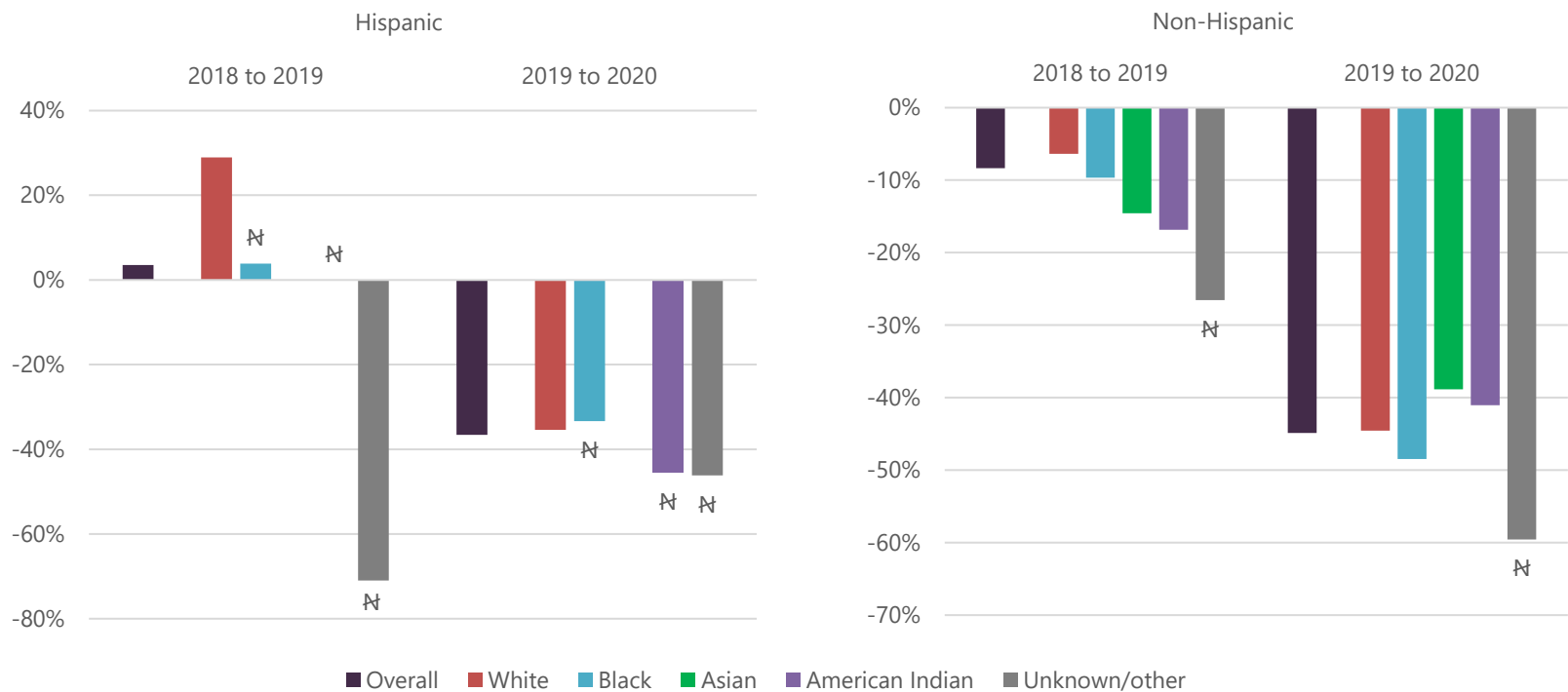


Exhibit A6

DOC Admissions, by Race Percent Change by Racial Group from Previous 10-month Period

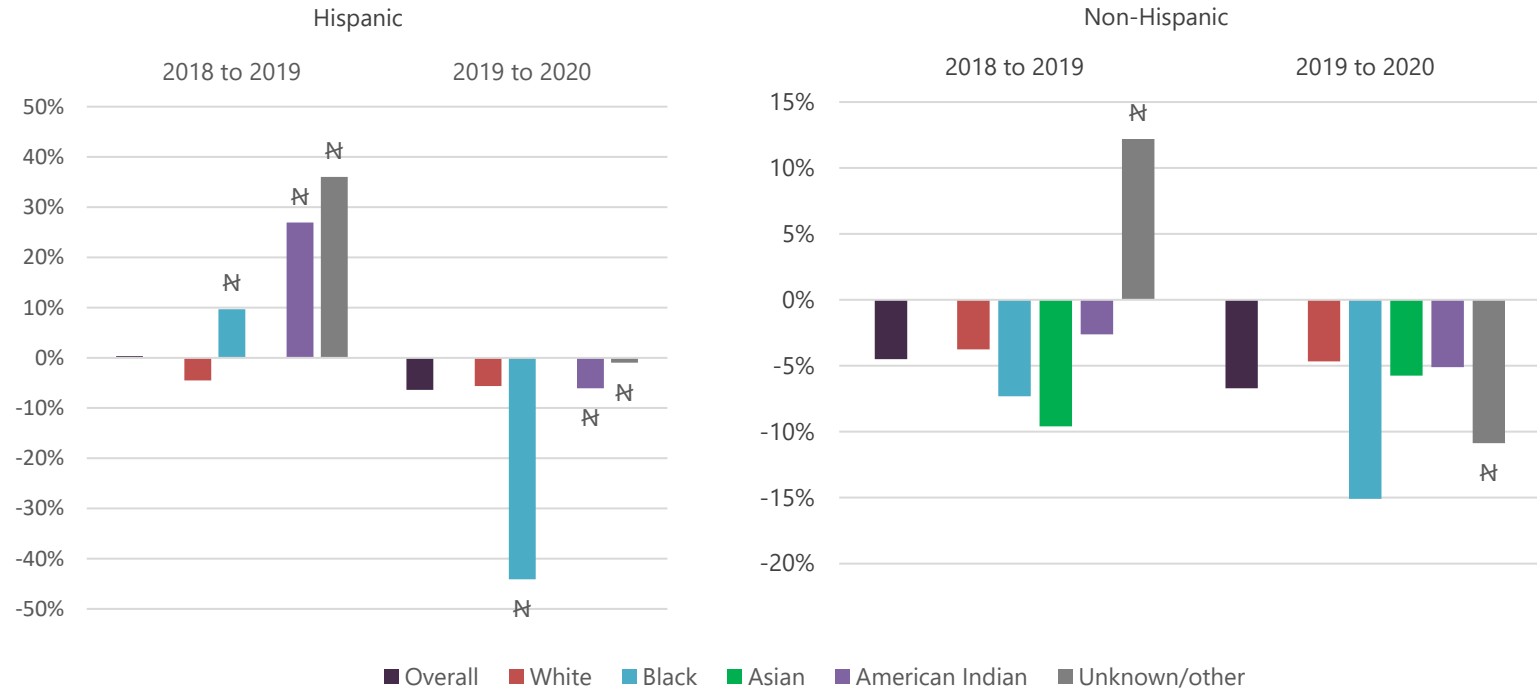


Note:

Ⓝ denotes n less than 100.

The percent change for individuals identified as Asian and Hispanic has been suppressed due to small sample size.

Exhibit A7
DOC Releases, by Race



Note:

N denotes n less than 100.

The percent change for individuals identified as Asian and Hispanic has been suppressed due to small sample size.

III. Results by County

County	Percent change in COVID-19-period compared to prior year in aggregate number of:						
	Arrests	Superior court		Court of limited jurisdiction		Jail bookings	DOC admissions
		Court filings	Court dispositions	Court filings	Court dispositions		
Adams	-35%	-6%	-11%	-13%	-7%	-28%	Suppressed
Asotin	-49%	-35%	-24%	-16%	-18%	-61%	36%
Benton	-33%	-3%	-38%	-11%	-36%	-65%	-43%
Chelan	-35%	-22%	-31%	-30%	-46%	-52%*	-25%
Clallam	-35%	-20%	-34%	-36%	-41%	-48%	-45%
Clark	-45%	-33%	-45%	-31%	-32%	-57%	-42%
Columbia	-39%	-38%	-16%	24%	-4%	-39%	Suppressed
Cowlitz	-14%	-12%	-56%	-5%	-55%	-49%	-64%
Douglas	-30%	21%	-47%	-15%	-14%	-52%*	Suppressed
Ferry	11%	24%	-55%	36%	-16%	-54%	Suppressed
Franklin	-32%	-23%	-37%	-16%	-26%	-44%	-33%
Garfield	-50%	-45%	0%	-52%	-3%	-65%	Suppressed
Grant	-31%	-31%	-46%	-4%	-16%	-60%	-38%
Grays Harbor	-35%	-41%	-38%	-6%	-17%	-41%	-24%
Island	-35%	-23%	-43%	-18%	-25%	-46%	-28%
Jefferson	-50%	-19%	-15%	-29%	-5%	-53%	Suppressed
King	-37%	-17%	-33%	-31%	-40%	-50%	-49%
Kitsap	-28%	-17%	-49%	-19%	-22%	-37%	-56%
Kittitas	-28%	0%	-33%	-10%	-25%	-53%	-42%
Klickitat	-37%	-44%	-46%	-14%	-42%	-70%	Suppressed
Lewis	-20%	2%	-21%	-4%	-12%	-41%	-21%
Lincoln	-16%	12%	-13%	20%	-14%	-52%	Suppressed
Mason	-35%	5%	-40%	-8%	-29%	-27%	-58%
Okanogan	-32%	-22%	-11%	-26%	-36%	-67%	-14%
Pacific	-43%	-29%	-52%	-10%	-23%	-61%	-50%
Pend Oreille	-13%	21%	13%	-5%	15%	-53%	Suppressed
Pierce	-60%	-48%	-48%	-32%	-24%	-61%	-56%
San Juan	-34%	-78%	-56%	-7%	-11%	^	Suppressed
Skagit	-46%	-49%	-45%	-29%	-39%	-40%	-46%
Skamania	-30%	-21%	-7%	25%	-39%	-34%	Suppressed
Snohomish	-34%	-25%	-39%	-16%	-32%	-36%	-48%
Spokane	-34%	-37%	-36%	-16%	-5%	-30%	-37%
Stevens	-12%	1%	-42%	-19%	-26%	-38%	-39%

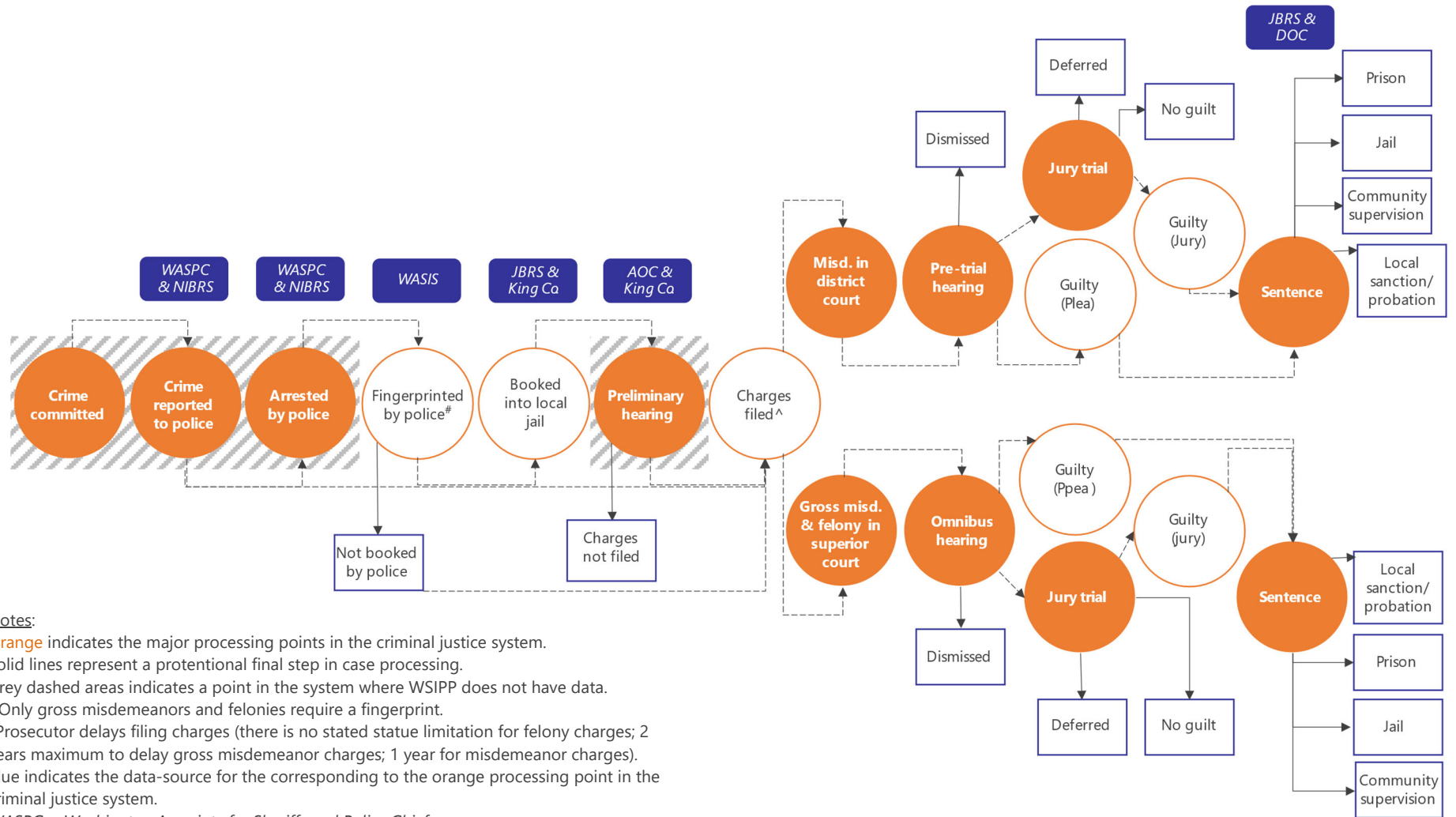
County	Percent change in COVID-19-period compared to prior year in aggregate number of:						
	Arrests	Superior court		Court of limited jurisdiction		Jail bookings	DOC admissions
		Court filings	Court dispositions	Court filings	Court dispositions		
Thurston	-61%	-40%	-48%	-17%	-30%	-54%	-47%
Wahkiakum	-15%	28%	-58%	4%	2%	-56%	Suppressed
Walla Walla	-25%	9%	10%	-17%	-3%	-30%	-10%
Whatcom	-30%	3%	-39%	-34%	-44%	-53%	-39%
Whitman	-32%	-9%	-1%	-25%	-11%	-43%	Suppressed
Yakima	-33%	-15%	-41%	-7%	-32%	-89%	-49%

Notes:

^San Juan County transfers to Yakima County.

*Douglas and Chelan counties use the same jail facility—the number is reported twice.

IV. Criminal Justice System Map



Notes:

- Orange indicates the major processing points in the criminal justice system.
- Solid lines represent a protentional final step in case processing.
- Grey dashed areas indicates a point in the system where WSIPP does not have data.
- # Only gross misdemeanors and felonies require a fingerprint.
- ^Prosecutor delays filing charges (there is no stated statue limitation for felony charges; 2 years maximum to delay gross misdemeanor charges; 1 year for misdemeanor charges).
- Blue indicates the data-source for the corresponding to the orange processing point in the criminal justice system.
- WASPC = Washington Associate for Sheriffs and Police Chiefs
- NIBRS = National Incident-Based Reporting System
- WASIS = Washington State Identification System
- JBRS = Jail Booking and Reporting System
- King Co. = King County
- AOC = Administrative Office of the Courts
- DOC = Department of Corrections

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