

Racial and Ethnic Fairness in the Missouri Court System



Special Research Report

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EXECUTIVE SUMMARY

In July 2021, the Missouri Supreme Court's Commission on Racial and Ethnic Fairness (CREF), led by Judge Lisa Hardwick and Judge Jon Gray, entered into an agreement with the Department of Criminology and Criminal Justice at Missouri State University to perform independent research examining statewide racial disparities, explicit and/or implicit bias, and current training and procedures used to address such issues in the Missouri court system.

The Missouri State University research team, led by Drs. Jennifer LaPrade and Ethan Amidon, designed a research plan, received approval from the Institutional Review Board (IRB) in September 2021, and began the data collection process in October 2021. This report presents details and results of the first phase of our research.

Data Collection

As part of this study, the research team collected over 6 million state criminal court records that ended in conviction. Furthermore, the research team collected 1,202 completed surveys from people who work in Missouri courts, and we conducted 49 in-depth interviews with Missouri court actors. The data collection period for the survey and interviews was completed in April 2022.

Official Records Results

Overall, the examination of the official court records revealed significant racial disparities across the state of Missouri and most of the 33 selected jurisdictions. More specifically, the results from these analyses indicated that the average Black percentage across most of the 12 outcomes examined in this study was over three times the size of the Black populations for the 33 jurisdictions.

We also found that there was considerable variation in terms of the magnitude of the Black disparities when examining each outcome across the selected jurisdictions. While these racial disparities could possibly be evidence of racial bias in Missouri Courts, these disparities could also be attributed to other factors, including law enforcement practices and/or broader societal issues.

Furthermore, the research team used the official court records to examine whether the percentage of Blacks convicted of criminal offenses changed after the City of Ferguson and the United States Department of Justice entered into a Consent Decree in April of 2016. This set of analyses focused on the same 12 sentencing outcomes across eight jurisdictions.

The results indicate that the percentage of Blacks decreased across nearly every sentencing outcome for the entire state of Missouri after the adoption of the Consent Decree. However, the findings also showed that the direction and magnitude of the change in the percent Black after the adoption of the Consent Decree varied based on the jurisdiction and sentencing outcome.

Perceptions & Experiences of Racial Bias

The research team also sent surveys to Missouri court actors to assess if there was a widespread perception that racial bias exists among those who work in the court system every day. As an example, survey respondents included judges, court clerks, court administrators, public defenders, and prosecutors. We found that 61% of people surveyed did not believe that racial bias was a problem in Missouri courts, while 26% agreed in some way that racial bias was a problem in Missouri courts.

When looking closer at groups of respondents, Black and Hispanic court actors and public defenders seemed to take a different view of Missouri courts than the overall survey population. For example, almost 70% of public defender respondents and 62% of Black and Hispanic respondents claimed that racial bias is a problem in Missouri courts, compared to 21% of all other court actors by position and 26% of all other races claiming racial bias is an issue. We saw this dichotomy repeatedly regarding perceptions of racial bias.

Furthermore, 32.2% of survey participants reported that they did not have great confidence that everyone is treated the same regardless of their race or ethnicity in the court where they work in some way and 26.6% of respondents said they were aware of specific incidents of racial bias in Missouri courts.

In our in-depth interviews, we heard details of specific incidents of racial bias in the courts. Many of those interview excerpts are listed in this report.

Workplace Racial Bias & Discrimination

Additionally, we asked respondents about their experiences and opinions regarding racial bias and discrimination in their court workplace. These results also show some evidence of racial bias. For example, approximately 19% of survey respondents said they had personally heard racial jokes or racially insensitive language in their workplace. Furthermore, 6.9% said they had felt discriminated against because of their race and/or ethnicity, and approximately 12% said they had witnessed racial or ethnic discrimination where they work in the courts.

Additionally, we found problems surrounding the reporting of incidents of bias and discrimination in the court system. For example, almost 20% of respondents indicated that they did not know how to report incidents of racial bias or discrimination. Furthermore, 22% of participants conveyed that they would not feel comfortable reporting such an incident.

Results from the in-depth interviews also indicate that none of the respondents who witnessed or experienced discrimination in the workplace indicated that anything happened after reporting the incident. Furthermore, several respondents claimed they were not aware of the proper methods for reporting these incidents.

Explicit & Implicit Bias

Our statewide survey also included several questions that examined the presence of explicit and implicit biases among respondents. Explicit bias is more of the overt, old-fashioned intolerance that people generally associate with racism. This can include derogatory terms and consciously treating someone differently because of their race/ethnicity. Studies show this type of racism is diminishing, but certainly still active in society. We used the Bayesian racism scale to measure explicit bias of survey respondents and found that approximately 10% to 15% of Missouri court workers responded to questions in ways that indicate explicit bias.

Studies show the more common form of racial and/or ethnic bias currently is implicit bias. This unconscious form of bias can stem from many potential factors, which can include the consumption of media images over the life course. This can also be a harmful form of bias because it has the potential to affect one's interactions with people of another race.

We examined the presence of implicit bias in the statewide survey using the Harvard Racial Implicit Association test, which is the most commonly used strategy to capture this concept by researchers. Overall, 63% of respondents completed the Harvard Racial Implicit Association test. The results for this test showed that 61.2% of Missouri court actors displayed a "strong" or "moderate" automatic preference for white people over Black people.

These results suggest that the majority of Missouri court actors who completed the test demonstrated the presence of some implicit biases. While researchers believe that most people harbor some implicit biases, these attitudes can have negative consequences when we unconsciously allow them to impact how we treat others. Therefore, to mitigate the potential negative consequences associated with implicit bias, awareness of this form of bias must be increased.

Diversity & Bias Training

Survey respondents and interviewees were also asked about their experiences with diversity and bias training in the workplace. The results show that 56.5% of participants reported that they were aware of diversity and/or racial bias training through their employer, and 48.3% of respondents indicated they had received such training through their employer in the last year. Furthermore, out of those respondents who indicated that they had received training through their employer, 49.1% of participants reported they found the training to be at least “slightly useful.” Only 4.7% of respondents indicated they did not find the training sessions to be helpful.

Additionally, nearly two-thirds of respondents reported that they think that the Missouri court system could do more in terms of promoting and/or offering diversity and/or bias training, and that they supported the use of these training sessions in their workplace.

In our qualitative interviews, we found respondents generally wanted more engaging and interactive training sessions, instead of the more static online versions that were offered through their employer. We also explore court actors’ suggestions on how to improve diversity and bias training for Missouri court employees.

Recommendations & Future Research

Overall, the results from this research demonstrate the presence of racial and ethnic bias in the Missouri Court system. However, the limitations associated with the data that are available to the research team prohibit us from directly examining the scope and depth of this racial bias. Additionally, we outline several recommendations at the end of the report, which include better data collection, more data transparency, improvements to training, and avenues for future research.

We welcome the opportunity to continue this research and assist the Missouri Court system as it gains insight on these important issues.

We commend the Commission on Racial and Ethnic Fairness (CREF) and the Missouri Supreme Court for striving to improve the courts to increase fairness and justice for all.

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THE ISSUE

There have been widespread reports of anecdotal racial and ethnic bias in the Missouri criminal justice system. The Commission on Racial and Ethnic Fairness (CREF) was established by the Supreme Court of Missouri to “review current practices and recommend measures to ensure fairness, impartiality, equal access and full participation for racial and ethnic minorities who seek redress in Missouri courts.”

To pursue this goal, CREF sought an independent group of academics and attorneys to conduct an examination of Missouri courts with regard “to the existence of explicit and implicit racial bias as manifested in current rules, customs, policies, practices and procedures.” CREF was especially concerned whether people of color, particularly Black residents, received fair treatment in the Missouri courts.

Missouri State University answered the call to perform this research, with Dr. Jennifer LaPrade and Dr. Ethan Amidon, faculty from the Department of Criminology and Criminal Justice, leading the project.

This research is not intended to shame anyone or bring negative attention to the Missouri courts. Instead, this research is intended to shine light on the scope and depth of potentially unfair treatment towards defendants, litigants, and employees of color.

The goal of this research is to improve fairness and justice for all in the Missouri court system.

DATA COLLECTION PROCEDURES

This section of the report provides an overview of the procedures used to obtain and collect the data associated with all three phases of the study. In this section, we discuss the steps used to gain access to the official Missouri Court records and the limitations contained within this dataset.

Next, we outline the strategies used to distribute the statewide survey to all Missouri Court employees, defense attorneys, and prosecutors. Finally, we highlight the data collection procedures used with the in-depth qualitative interview portion of the study.

Official State Court Records

One of the primary purposes behind the current study is to determine the extent of racial disparities in state criminal outcomes across jurisdictions in Missouri. To examine racial disparities in criminal cases, the research team made an official request to the State Judicial Records Committee for the Missouri court records that contained information on the disposition of these cases. After our request was approved, we received a dataset in December of 2021 that included all state criminal cases which resulted in a conviction across all Missouri criminal courts from 2010 (the earliest date that had data available) to 2021.

Table 1 contains information on the yearly total number of charges, cases, and individuals within the official court records database. Overall, there were approximately 5.9 million charges nested within 1.2 million cases from 2010 to 2021. Furthermore, the results in this table also show that there were slightly over one million individuals who were convicted of a criminal offense over the course of the study period.

In addition to the original database, the research team made another request to the State Judicial Records Committee for official records that did not result in conviction. We requested these additional records because this information would provide a clearer picture of the presence of racial disparities across the various stages associated with the prosecution of criminal cases. Our request for these records was approved, and we received the new dataset in September of 2022. A thorough examination of these records will appear in a future report.

Table 1: Total Number of Charges, Cases, and Individuals in Missouri Courts (2010 – 2021)

Year	Number of Charges	Number of Cases	Number of Individuals
2010	534,043	118,126	97,410
2011	533,974	113,775	94,263
2012	554,371	118,058	97,111
2013	560,205	118,566	97,012
2014	554,777	112,870	93,206
2015	530,265	107,067	88,463
2016	545,626	110,743	91,094
2017	546,558	110,192	90,166
2018	524,334	106,820	87,216
2019	436,155	97,456	79,820
2020	282,556	71,571	59,007
2021	325,185	83,751	67,555
Total	5,928,049	1,268,995	1,042,323

Although Missouri should be commended for maintaining a statewide database, there are several limitations within this database that prohibit us from directly examining whether criminal outcomes are the product of racial and/or ethnic biases on the part of courtroom actors. These limitations are further discussed below:

1. To truly examine the official court records for signs of racial and/or ethnic bias, the data must include all variables that shape courtroom actors' decision-making. While the official dataset includes a variety of information about each case, this dataset is also missing important variables that impact these outcomes, such as criminal history, offense severity, information about the victim(s), and specific details surrounding the defendant's criminal activity.
2. The research team also found that Hispanic individuals were frequently being coded as "white" in the official records. This information suggests that Hispanic individuals are likely severely undercounted in the criminal database, which could bias the results for this ethnic group. Although we include information for Hispanics when examining the results from the official court records, it is important to note that these findings must be taken with caution.
3. The dataset does not contain a unique identifier that would allow for users to differentiate between cases where the defendant was sentenced to death or sentenced to life in prison. Therefore, it is not possible at this time to examine racial differences in the imposition of death sentences using Missouri's official court records.

Due to the above limitations in the official database, any attempt to examine courtroom outcomes for racial and/or ethnic bias would produce inaccurate and misleading results.

Additionally, while the information in the statewide database allows for the examination of racial disparities across all criminal cases that ended in conviction, it is important to note that we will not be able to pinpoint the exact cause of the racial disparities with any certainty. For example, the presence of racial disparities in the official records could be attributed to racial and/or ethnic bias in the Missouri court system, but these disparities could also be attributed to considerations that are external to the court system, such as law enforcement practices or broader societal factors.

Table 2: Survey Respondent Characteristics	
Demographic Characteristics	Number of Respondents
Gender	1,200
Male	379 (31.6%)
Female	815 (67.9%)
Non-binary	6 (0.5%)
Race	1,200
White (Not Hispanic)	997 (83.1%)
Black/African American	124 (10.3%)
Hispanic/Latino	18 (1.5%)
Asian	8 (0.7%)
Native American	8 (0.7%)
Middle Eastern	5 (0.4%)
Other	40 (3.3%)
Position	1,199
Judge	161 (13.4%)
Public Defender	120 (10.0%)
Court Clerks/Court Reporter/Paralegal	357 (29.8%)
Manager/Administrator/Commissioner/Specialist	97 (8.1%)
Prosecutors	41 (3.4%)
Juvenile Officers	149 (12.4%)
Other	274 (22.9%)
Years of Experience working in MO courts	1,199
Less than 1 year	138 (11.5%)
1 – 3 years	208 (17.3%)
4 – 7 years	208 (17.3%)
8 – 12 years	153 (12.8%)
12 – 20 years	202 (16.8%)
More than 20 years	290 (24.2%)
Court most often worked in	1,135
Criminal Court	447 (39.4%)
Civil Court	284 (25.0%)
Both Criminal & Civil almost equally	404 (35.6%)

Survey Data

Due to the above limitations within the official records, the research team decided to distribute a statewide survey to capture Missouri Court employees' perspectives on racial bias in the court system and their experiences with discrimination in the workplace. Additionally, the survey sought to capture respondents' perspectives on the usefulness of diversity and/or bias training and their level of support for these training sessions. Finally, the research team used several survey questions and the Harvard Implicit Association Test to examine the presence of explicit and implicit biases among the survey participants.

All Missouri Court employees, which consisted of 5,380 circuit court employees and 954 municipal division employees, were invited through email to complete the survey between October and December of 2021. The survey was also sent to Missouri prosecutors (approximately 400) and public defenders (approximately 600) between December of 2021 and April of 2022. Overall, we collected 1,202 completed surveys from Missouri Court actors who worked in all 46 judicial circuits in the state. The response rate is approximately 16.4% of the intended population.

Table 2 contains demographic information for all respondents who completed the online survey. The results in this table indicated 67.8% of survey participants were female, while 31.5% of respondents were male. The results also show that 82.9% of respondents were white, 10.3% of participants were Black, and remaining 6.8% of respondents were Hispanic/Latino, Asian, Native American, Middle Eastern, or another race/ethnicity.

The statistics in Table 2 also indicate the largest positional group within the court system who participated in the survey was court clerks/court reporter/paralegal (29.8%) followed by judges (13.4%), juvenile officers (12.4%), public defenders (10.0%), managers/administrators/commissioners/specialists (8.1%), and prosecutors (3.4%). Additionally, these results indicate that 71.2% of respondents had been employed within the Missouri Court system for at least four years. Finally, Table 2 shows that 39.4% of respondents most often work in criminal courts, 25.0% of participants primarily work in civil courts, and 35.6% of respondents work in criminal and civil courts an equal amount.

Table 3: In-Depth Qualitative Interview Respondent Characteristics	
Demographic Characteristics	Number of Respondents
Gender	49
Male	20 (40.8%)
Female	29 (59.2%)
Race	49
White (Not Hispanic)	44 (89.8%)
Black/African American	3 (6.1%)
Asian	2 (4.1%)
Position	49
Judge	9 (18.4%)
Public Defender	12 (24.5%)
Court Clerks	11 (22.4%)
Court Administrators	7 (14.3%)
Other Court Workers	10 (20.4%)

In-Depth Interviews

In addition to the distribution of the statewide survey, the research team also sought to conduct in-depth qualitative interviews with Missouri Court employees. While there are several strengths associated with the use of the statewide survey, one of the most important limitations associated with this survey is that respondents are forced to answer questions using predetermined response categories, which restricts their ability to answer the questions as they see fit.

Additionally, it is often not practical to ask respondents to elaborate on their survey responses, which prohibits researchers from obtaining a deeper understanding of why participants answered questions a certain way. Based on these considerations, the research team constructed an interview guide that touched on several of the topics that were covered in the survey.

More specifically, respondents were asked about whether defendants/litigants and court employees were treated with respect, whether participants believed that racial disparities were a problem in their court, whether respondents had either witnessed or experienced racial discrimination in the workplace, and their perceptions on diversity and/or bias training.

As previously noted, one of the strengths associated with in-depth interviews is that participants are given the opportunity to frame their own responses to the questions and to provide an explanation for their answers. Therefore, this aspect of the study will be particularly helpful in obtaining a deeper understanding of respondents' experiences with discrimination in the workplace and their perspective on these events.

All Missouri Court employees, prosecutors, and public defenders were invited to participate in the in-depth qualitative interviews in the same email that contained the link to the online survey. The research team, with the assistance of eight attorneys at Shook, Hardy, & Bacon, conducted 49 interviews with participants from October 2021 to March 2022. These Zoom-based interviews lasted between 20 minutes to 1.5 hours, and the research team transcribed each audio file verbatim.

Demographic statistics for the respondents in the interview portion of the study are presented in Table 3. These statistics show that 59.2% of the participants were female, while 40.8% were male. The information within Table 3 also shows that 89.8% of the interviewees were white, 6.1% were Black, and 4.1% were Asian.

Finally, the largest positional group to participate in the interviews were public defenders (24.5%), followed by court clerks (22.4%), judges (18.4%), and court administrators (14.3%).

The remainder of this report will now examine the key results from the official records, the statewide survey, and the in-depth qualitative interviews.

OFFICIAL COURT RECORDS RESULTS

This section of the report presents three sets of results from the official records portion of this study. First, we examine racial disparities across several types of charges and sentencing outcomes for the state of Missouri and select jurisdictions from 2010 to 2021. Second, this section presents the difference in the percentage of Blacks across various sentencing outcomes before and after the City of Ferguson and the United States Department of Justice entered into a consent decree in April of 2016.

Racial Disparities for Select Sentencing Outcomes

As previously noted, the official records database that we received contained 5.9 million charges across all jurisdictions in Missouri from 2010 to 2021. Due to the size of the official records database, the research team determined that it would not be possible to provide a detailed examination of all 114 counties and one independent city across Missouri for the first report.

Instead, the research team, in collaboration with the Missouri Commission on Racial and Ethnic Fairness, used two methods for selecting 33 jurisdictions for an in-depth examination of the presence of racial disparities across several types of charges and sentencing outcomes.

The first method that was used to select jurisdictions for inclusion in this portion of the report involved choosing jurisdictions based on the size of the Black population. In order to calculate demographic information for each county and independent city, we averaged the results from the American Community Survey's (ACS) five-year estimates for 2010 to 2014 and 2015 to 2019 (see Appendix A). The demographic information for each jurisdiction that was used in this report ends in 2019 because records for later years were not available when the research team began analyzing the official records.

Furthermore, it is important to note that the demographic information for each jurisdiction was calculated using the racial/ethnic categories that were contained in the official records database. In other words, since the official dataset did not include categories for biracial defendants, we dropped these categories when calculating the racial/ethnic percentages for each jurisdiction using the ACS information. Based on a request from the Missouri Commission on Racial and Ethnic Fairness, we included all 23 jurisdictions that reported a Black population larger than 5.0%.

The second method that was used to select jurisdictions involved the random selection of 10 counties that reported a Black population between 1.0% and 5.0%. The research team included these additional counties since it is possible that racial disparities in sentencing could be just as pronounced, if not larger, in jurisdictions where Blacks comprise a relatively small segment of the population. Figure 1 shows a map of the jurisdictions used in this report, while Table 4 presents the 33 selected jurisdictions and the percentage of the population that are Black for each jurisdiction.

After selecting the jurisdictions to examine in this report, the research team then turned to the selection of charge types and sentencing outcomes to examine in these jurisdictions. The primary consideration when selecting the sentencing outcomes was to make sure that each outcome had a sufficient number of offenders who were convicted of certain crimes in order to have faith in the statistics for each jurisdiction. In other words, the research team sought to avoid examining outcomes that were based on a relatively small number of offenders because this information could be misleading.

After reviewing the official records, and in consultation with the Missouri Commission on Racial and Ethnic Fairness, the research team selected the following charge types and sentencing outcomes:

- All charges
- All felonies
- All misdemeanors
- Incarceration (Prison)
- Incarceration (Jail)
- Fine
- Suspended imposition of sentence
- Life sentence (This measure is only reported in the Appendix)¹

As previously mentioned, although the research team was originally interested in examining racial disparities in the impositions of death sentences, there is no indicator in the official database that notes whether an offender was sentenced to death. Therefore, we are not able to examine this sentencing outcome at this point in time.

¹ Out of the 33 Missouri jurisdictions included in this study, 22 jurisdictions had less than five total life sentences over the study period. Therefore, we only included this measure in the remaining 11 jurisdictions with more than five life sentences, as results with five or less could be misleading.

Figure 1: Shaded jurisdictions were included in our analysis of racial disparities.



Table 4: List of All Selected Jurisdiction by the Percentage of Black Residents*		
St. Louis City (48.3%)	Boone County (9.2%)	Buchanan County (5.1%)
Pemiscot County (27.5%)	Cape Girardeau County (7.5%)	Johnson County (4.5%)
Mississippi County (24.5%)	Pike County (6.6%)	Cass County (3.9%)
St. Louis County (24.2%)	Platte County (6.6%)	Greene County (3.2%)
Jackson County (24.1%)	Audrain County (6.0%)	Macon County (2.4%)
New Madrid County (16.0%)	Cooper County (5.9%)	Lafayette County (2.2%)
Cole County (11.8%)	Randolph County (5.9%)	Sullivan County (1.6%)
Scott County (11.6%)	Clay County (5.8%)	McDonald County (1.6%)
Pulaski County (11.2%)	Butler County (5.5%)	Warren County (2.0%)
Dunklin County (10.5%)	Howard County (5.5%)	Ste. Genevieve County (1.2%)
DeKalb County (10.2%)	Saline County (5.2%)	Webster County (1.1%)

*The percentage of Blacks within jurisdictional populations was calculated using the American Community Survey five-year estimates for 2010 to 2014 and 2015 to 2019.

Furthermore, the research team also examined the official records to select sentencing outcomes for specific crimes across the 33 jurisdictions. Similar to the selection of the other outcomes, the research team wanted to ensure that there were enough offenders across the selected jurisdictions so that the statistics for the sentencing outcomes for specific crimes were not based on a very small number of defendants. To achieve this goal, we first examined the frequency in which defendants were sentenced for all crimes across the study period.

After determining which crimes were occurring with the highest frequency across the state, the research team then consulted Missouri Charge Code manuals for the period from 2010 to 2021. In addition to ensuring that the sentencing outcomes examined in this report are not based on a small number of offenders, it was also important to determine whether specific crimes underwent significant alterations across the various iterations of the charge code manuals. Based on our review of the changes in charge codes across the study period, the research team selected the following five crimes:

- Possession of a controlled substance
- Armed criminal action
- Burglary (2nd degree)
- Domestic violence (2nd degree)
- Driving while intoxicated (DWI)

These specific crimes were selected because they both occurred at the highest frequency across the state and the charge codes for these offenses were directly comparable over the study period.

Appendix B contains racial/ethnic information for all of the charge types and sentencing outcomes across Missouri and the 33 jurisdictions. While we included information for whites, Blacks, Hispanics, Asian and Pacific Islanders, and American Indians and Alaskan Natives in these tables, we recommend that readers take the reported percentages for Hispanics, Asian and Pacific Islanders, and American Indians and Alaskan Natives with caution.

As previously noted, we heard when speaking with respondents that Hispanics were often coded as white in the official records database. Additionally, the percentages for Asian and Pacific Islander and American Indians & Alaskan Natives are frequently based on only a handful of offenders across the various jurisdictions. Based on these considerations, we primarily focus on Black racial disparities for the various charge types and sentencing outcomes in the body of this report.

Table 5: The Number of Jurisdictions for All Charge Types and Sentencing Outcomes by the Size of Black Disparities						
	Disparities: Less than 0%	Disparities: 0.1% to 99.9%	Disparities: 100.0% to 199.9%	Disparities: 200.0% to 299.9%	Disparities: 300.0%+	Total
All Charges	1 (3.0%)	6 (18.2%)	12 (36.4%)	10 (30.3%)	4 (12.1%)	33 (100.0%)
Felonies	2 (6.1%)	7 (21.2%)	9 (27.3%)	8 (24.2%)	7 (21.2%)	33 (100.0%)
Misdemeanors	1 (3.0%)	8 (24.2%)	11 (33.3%)	9 (27.3%)	4 (12.1%)	33 (100.0%)
Incarceration (Prison)	1 (3.0%)	8 (24.2%)	11 (33.3%)	6 (18.2%)	7 (21.2%)	33 (100.0%)
Incarceration (Jail)	2 (6.1%)	7 (21.2%)	7 (21.2%)	11 (33.3%)	6 (18.2%)	33 (100.0%)
Fine	2 (6.1%)	7 (21.2%)	12 (36.4%)	7 (21.2%)	5 (15.2%)	33 (100.0%)
Suspended Imposition of Sentence	2 (6.1%)	8 (24.2%)	14 (42.4%)	6 (18.2%)	3 (9.1%)	33 (100.0%)
Possession of a Controlled Substance	4 (12.1%)	15 (45.5%)	7 (21.2%)	5 (15.2%)	2 (6.1%)	33 (100.0%)
Armed Criminal Action	0 (0.0%)	3 (9.1%)	6 (18.2%)	4 (12.1%)	20 (60.6%)	33 (100.0%)
Burglary (2 nd degree)	3 (9.1%)	12 (36.4%)	10 (30.3%)	7 (21.2%)	1 (3.0%)	33 (100.0%)
Domestic Violence (2 nd degree)	0 (0.0%)	9 (27.3%)	6 (18.2%)	4 (12.1%)	14 (42.4%)	33 (100.0%)
DWI	5 (15.2%)	17 (51.5%)	6 (18.2%)	3 (9.1%)	2 (6.1%)	33 (100.0%)

Table 5 provides a global overview of the magnitude of Black racial disparities for each outcome across the 33 jurisdictions. In this table, we count the number of jurisdictions for each sentencing outcome that falls within the five specific Black disparity groupings. When calculating Black disparities, we divided the percentage of Blacks for each outcome by the percentage of Blacks in the overall jurisdictional population. Next, we subtracted one from the disparity percent before calculating the final percentage for each outcome and jurisdiction. As an example, a disparity of 100% indicates that the Black percentage for a specific sentencing outcome is twice the size of the overall Black jurisdictional population, a disparity of 200% indicates that an outcome is three times the size of the overall Black population, and so forth.

As the information in Table 5 indicates, 78.8% of jurisdictions (26 out of 33) reported Black racial disparities that were at least twice the size of the Black jurisdictional population for all charges. Additionally, only one jurisdiction reported a Black disparity less than 0.0% for this outcome, which indicates that Blacks were convicted at a rate that was less than their overall representation in the jurisdictional population.

The results in this table also show that there is considerable variation in the magnitude of jurisdictional Black racial disparities across the various charge types and sentencing outcomes. More specifically, this table indicates that the largest Black disparities in sentencing occurred when examining outcomes for armed criminal action and domestic violence (2nd degree).

As an example, 60.6% of the jurisdictions reported a Black racial disparity for armed criminal action that was four times the size of this minority group in the jurisdictional populations. Furthermore, 42.4% of jurisdictions reported a Black disparity for domestic violence that is four times the size of the Black population in those jurisdictions. Overall, the results in this table suggest that most jurisdictions reported Black disparities across the 12 charge types and sentencing outcomes.

Table 6 presents the specific size of Black disparities for Missouri and each of the selected jurisdictions across the various outcomes. This table also presents the percentage of individuals within the official database that are missing racial and/or ethnic information for each jurisdiction.

TABLE 6: The Percentage of Black Disparities for All Charge Types and Sentencing Outcomes by Jurisdiction (2010 – 2021)

Geographic Area	All Charges Percent	Felony Percent	Misdemeanor Percent	Incarceration (Prison) Percent	Incarceration (Jail) Percent
Missouri	+66.02	+101.25	+48.02	+99.30	+109.77
Audrain County	+200.45	+222.21	+189.19	+221.98	+234.48
Boone County	+289.82	+327.29	+271.36	+333.13	+288.51
Buchanan County	+196.24	+229.83	+173.75	+179.62	+245.19
Butler County	+139.93	+194.73	+97.41	+230.05	+173.50
Cape Girardeau County	+245.92	+292.48	+211.61	+280.82	+323.98
Cass County	+142.54	+140.17	+148.47	+129.75	+141.77
Clay County	+253.69	+162.52	+291.59	+150.53	+267.52
Cole County	+184.57	+205.69	+176.79	+197.97	+201.58
Cooper County	+258.20	+307.36	+256.89	+303.62	+267.21
DeKalb County	-32.31	-0.15	-43.87	+9.89	-36.78
Dunklin County	+129.15	+136.02	+122.75	+129.74	+141.23
Greene County	+255.12	+329.87	+219.06	+351.35	+284.18
Howard County	+258.32	+273.57	+259.47	+272.20	+276.15
Jackson County	+86.92	+102.64	+67.06	+111.17	+90.68
Johnson County	+203.43	+204.83	+211.26	+195.91	+251.47
Lafayette County	+468.39	+396.91	+530.43	+402.04	+499.09
Macon County	+359.82	+452.25	+322.38	+507.90	+382.36
McDonald County	+11.63	-32.84	+29.50	-40.82	-14.10
Mississippi County	+44.71	+42.62	+49.24	+43.55	+65.83
New Madrid County	+113.87	+93.21	+132.99	+87.56	+147.85
Pemiscot County	+58.38	+52.11	+64.37	+51.40	+81.03
Pike County	+100.30	+158.38	+57.23	+174.43	+118.40
Platte County	+280.04	+247.01	+293.17	+213.72	+214.16
Pulaski County	+43.08	+49.47	+41.32	+35.42	+59.04
Randolph County	+140.74	+158.94	+131.41	+163.59	+160.80
Saline County	+261.63	+269.92	+287.95	+287.51	+303.85
Scott County	+162.84	+182.59	+143.89	+158.35	+224.53
St. Louis City	+59.91	+62.61	+54.92	+68.84	+65.82
St. Louis County	+128.97	+115.21	+144.97	+121.07	+166.66
Ste. Genevieve County	+1215.37	+734.23	+1554.23	+496.18	+828.13
Sullivan County	+122.00	+31.93	+185.25	+41.07†	+96.59†
Warren County	+456.23	+450.33	+485.54	+445.02	+489.09
Webster County	+120.40	+71.01	+170.44	+88.48	+69.31
Average Sentence Percent**	+210.92	+201.97	+222.18	+195.24	+215.43

*NA indicates that zero Blacks were convicted of the crime over the study period.

**The average percent for all sentencing outcomes does not include statistics for Missouri in the calculations.

† This symbol indicated that the disparity percent was calculated based on less than 10 Black defendants.

TABLE 6: The Percentage of Black Disparities for All Charge Types and Sentencing Outcomes by Jurisdiction (2010 – 2021) Continued

Geographic Area	Fine Percent	Suspended Imposition of Sentence Percent	Possession of a Controlled Substance Percent	Armed Criminal Action Percent
Missouri	+22.96	+45.95	+44.05	+381.85
Audrain County	+146.01	+136.31	+118.55	+450.07
Boone County	+275.38	+258.89	+195.92	+650.95
Buchanan County	+123.70	+179.76	+91.80	+594.54
Butler County	+83.22	+100.36	+177.55	+511.75
Cape Girardeau County	+197.32	+171.73	+187.65	+765.32
Cass County	+193.58	+117.35	+48.27	+879.67
Clay County	+290.19	+238.69	+56.52	+495.05
Cole County	+162.76	+164.87	+73.54	+487.66
Cooper County	+238.79	+235.95	+110.25	+594.06
DeKalb County	-41.01	-74.94	-50.68	+145.48†
Dunklin County	+106.50	+119.75	+54.50	+368.42
Greene County	+179.07	+168.98	+291.53	+900.31
Howard County	+254.59	+211.02	+213.13	+679.64†
Jackson County	+57.80	+84.04	+80.30	+200.71
Johnson County	+264.33	+159.79	+164.26	+627.46
Lafayette County	+533.88	+298.18	+249.59	+1125.43
Macon County	+338.48	+303.33	+388.69	+656.32†
McDonald County	+51.27	-20.90	-75.08†	+157.70†
Mississippi County	+52.55	+20.94	-21.58	+156.08
New Madrid County	+126.70	+117.87	+27.05	+213.13
Pemiscot County	+39.56	+57.15	+3.29	+116.72
Pike County	+65.25	+54.81	+94.45	+140.68†
Platte County	+359.69	+192.42	+107.76	+510.97
Pulaski County	+36.93	+43.66	+0.63	+244.59
Randolph County	+111.87	+115.18	+73.07	+194.97
Saline County	+255.98	+209.00	+234.29	+416.56
Scott County	+148.68	+116.83	+58.62	+422.65
St. Louis City	-1.94	+49.48	+42.28	+90.50
St. Louis County	+132.60	+99.82	+27.26	+241.78
Ste. Genevieve County	+1614.39	+457.24	+546.59	+764.88†
Sullivan County	+165.45	+125.72	-16.51†	NA
Warren County	+498.95	+322.96	+230.72	+1400.75
Webster County	+279.32	+67.04	+47.03	+32.96†
Average Sentence Percent**	+222.48	+148.58	+116.10	+461.75

*NA indicates that zero Blacks were convicted of the crime over the study period.

**The average percent for all sentencing outcomes does not include statistics for Missouri in the calculations.

† This symbol indicated that the disparity percent was calculated based on less than 10 Black defendants.

TABLE 6: The Percentage of Black Disparities for All Charge Types and Sentencing Outcomes by Jurisdiction (2010 – 2021) Continued

Geographic Area	Burglary (2nd degree) Percent	Domestic Violence (2nd degree) Percent	DWI Percent	Missing Race & Ethnicity Percent
Missouri	+117.59	+147.19	-18.47	5.76
Audrain County	+39.51	+343.48	+93.70	0.79
Boone County	+356.08	+410.18	+103.41	1.85
Buchanan County	+224.06	+442.02	+108.01	2.18
Butler County	+66.64	+198.17	+48.26	8.76
Cape Girardeau County	+203.80	+501.19	+75.64	1.95
Cass County	+118.03	+31.74†	+82.35	13.16
Clay County	+185.12	+291.03	+165.29	1.01
Cole County	+185.85	+365.45	+35.82	8.85
Cooper County	+95.20†	+410.73	+160.78	3.01
DeKalb County	-62.23†	NA	-65.43	21.92
Dunklin County	+138.89	+114.05	+21.46	4.79
Greene County	+181.28	+605.14	+142.04	2.30
Howard County	+102.13†	+419.76†	+92.34	5.71
Jackson County	+134.14	+164.21	+16.14	1.11
Johnson County	+60.97	+306.76	+94.37	4.07
Lafayette County	+299.23	+467.67†	+216.71	6.03
Macon County	+219.97†	+1633.24	+211.27	5.23
McDonald County	NA	NA	-6.62	18.22
Mississippi County	-0.29	+65.90	+15.05	9.83
New Madrid County	+89.87	+74.32	+98.08	7.37
Pemiscot County	+28.75	+50.59	+11.91	6.06
Pike County	+56.51†	+124.13†	-35.10	6.11
Platte County	+268.98	+322.97	+85.75	3.81
Pulaski County	+25.91	+39.46	+34.18	5.73
Randolph County	+68.43	+211.07	+31.21	3.67
Saline County	+206.77	+254.85†	+154.63	1.35
Scott County	+112.51	+223.19	+29.03	11.06
St. Louis City	+58.80	+68.58	-24.82	0.39
St. Louis County	+162.98	+173.82	-14.71	0.27
Ste. Genevieve County	+134.55†	+577.48†	+364.31	3.90
Sullivan County	NA	NA	+242.78†	12.67
Warren County	+299.25	+893.15	+350.83	2.46
Webster County	-4.15†	+190.56†	+60.62†	5.70
Average Sentence Percent**	+122.96	+302.27	+90.89	5.80

*NA indicates that zero Blacks were convicted of the crime over the study period.

**The average percent for all sentencing outcomes does not include statistics for Missouri in the calculations.

† This symbol indicated that the disparity percent was calculated based on less than 10 Black defendants.

The results reported in the “All Charges” column provide an overview of the size of Black disparities for all of the jurisdictions. For instance, Missouri reported a Black disparity percent for all charges that was over 66.0% of the size of the Black population in the state. Additionally, the results in this column show that Ste. Genevieve County reported the largest disparity at slightly over 13 times the size of the Black population in this county, while DeKalb County was the only jurisdiction to report a negative disparity for all charges. Overall, the average disparity percentage across the 33 jurisdictions for all charges was slightly over 200%, which indicates that Blacks were, on average, being charged at a rate three times their representation across the 33 jurisdictional populations.

The results in Table 6 also show similar Black disparities when examining the specific charge types and sentencing outcomes. For example, the information in this table indicates that the overall average percentage of Blacks convicted of felonies and misdemeanors occurred at rate that was slightly over twice the size of this racial group in the jurisdictional populations. Furthermore, we see a similar pattern emerge when examining the average jurisdictional percentage for sentences that resulted in incarceration, fines, and the suspended imposition of sentence.

Table 6 also indicates that the largest variation in the overall jurisdictional averages occurs when examining the outcomes for specific crimes. For example, this table shows that the average Black disparity percent across all jurisdictions was about twice the size of this population for possession of a controlled substance, burglary (2nd degree), and DWI. In addition, the results in Table 6 show that Blacks were convicted of domestic violence (2nd degree) at a rate that was slightly over four times their representation in the overall population, and this racial group was convicted of armed criminal action at a rate that was nearly five-and-a-half times their representation in the selected jurisdictional populations.

Overall, the results in this table indicate that nearly every jurisdiction reported racial disparities across the various sentencing outcomes. Furthermore, these results show that there is substantial variation in the size of Black disparities both across the selected jurisdictions and outcomes.

The final column in Table 6 presents the percentage of cases with missing racial and/or ethnic information for each of the selected jurisdictions. The results in this column indicate that there is substantial variation across jurisdictions in terms of recording defendant’s race/ethnicity. As an example, St. Louis County reported the

least amount of missing information at 0.3%, while DeKalb County reported the highest amount of missing information at 21.9%.

The missing information is particularly important when interpreting the results contained in Table 6 because it is possible that the Black disparities across jurisdictions and outcomes might be even greater. For instance, DeKalb and McDonald Counties were the two jurisdictions that reported the most negative Black disparities for the various outcomes. However, these counties are also missing the most amount of racial/ethnic information across the selected jurisdictions. Therefore, it is possible that the differences in Black disparities between these two counties and the other selected jurisdictions would disappear if racial/ethnic information was recorded with greater accuracy in these two jurisdictions.

Preliminary Racial Disparities for Select Sentencing Outcomes Pre- and Post-Ferguson

The research team also used the official records database to determine whether the percentage of Blacks convicted of criminal offenses changed after the City of Ferguson and the United States Department of Justice entered into a consent decree in 2016. To examine this question, we calculated the percentage of Blacks for each of the charge types and sentencing outcomes for a select number of jurisdictions from 2010 to 2015 (pre-Ferguson) and 2016 to 2021 (post-Ferguson).

We selected the following five jurisdictions based on their proximity to the City of Ferguson: Franklin County, Jefferson County, St. Charles County, St. Louis City, and St. Louis County. These jurisdictions were selected because it is reasonable to expect that there could be potential spillover in terms of changes in sentencing outcomes during the later period. Furthermore, the research team also examined change scores for Blacks in Boone County, Greene County, and Jackson County. These three counties were selected based on the overall size of the jurisdictional population and the size of these jurisdictions' Black population.

Table 7 presents the change in the percentage of Blacks across the various outcomes when moving across the two time periods. The change in the percent Black was calculated by subtracting the Black percent for the 2016 to 2021 period from the Black percent for the 2010 to 2015 time period. The tables containing the original percentage breakdown for whites and Blacks across the selected jurisdictions and sentencing outcomes are presented within Appendix C.

TABLE 7: Change in the Percentage of Blacks for All Charge Types and Sentencing Outcomes Pre- to Post-Ferguson by Jurisdiction

	Missouri Percent	Boone County Percent	Franklin County Percent	Greene County Percent	Jackson County Percent
Type of Charge					
All Charges	-3.51	+0.21	+0.11	+0.54	-5.33
Felony	-4.98	-3.38	-0.09	+0.30	-5.49
Misdemeanor	-2.82	+1.62	+0.16	+0.60	-6.89
Sentencing Outcomes					
Incarceration (Prison)	-5.54	-6.48	-0.07	+0.56	-2.77
Incarceration (Jail)	-6.15	+1.80	-0.65	-0.30	-4.94
Fine	-0.77	+2.67	-0.28	+0.23	-5.35
Suspended Imposition of Sentence	-2.32	+1.62	+0.47	+1.46	-7.80
Specific Crimes					
Possession of a Controlled Substance	-7.99	-5.88	+0.56	+1.67	-10.39
Armed Criminal Action	-6.37	+5.17	-1.22	-0.95	-1.29
Burglary (2 nd degree)	-9.18	-10.84	-4.58	+1.25	-6.54
Domestic Violence (2 nd degree)	-3.88	-0.85	-5.53	-1.15	-0.37
DWI	+2.02	+6.01	+0.64	+1.65	-1.82

TABLE 7: Change in the Percentage of Blacks for All Charge Types and Sentencing Outcomes Pre- to Post-Ferguson by Jurisdiction Continued

	Jefferson County Percent	St. Charles County Percent	St. Louis City Percent	St. Louis County Percent
Type of Charge				
All Charges	+1.65	+3.18	-4.70	-6.32
Felony	+0.95	+0.46	-3.36	-4.03
Misdemeanor	+2.17	+5.26	-9.66	-7.12
Sentencing Outcomes				
Incarceration (Prison)	+1.57	+0.24	-2.75	-0.03
Incarceration (Jail)	+1.15	+1.91	-4.88	-12.53
Fine	+3.25	+4.33	+7.05	+0.47
Suspended Imposition of Sentence	+1.19	+2.59	-5.43	-4.63
Specific Crimes				
Possession of a Controlled Substance	+0.23	+1.63	-7.72	-7.00
Armed Criminal Action	+6.64	-3.62	+0.75	-0.32
Burglary (2 nd degree)	+1.11	+0.24	-6.36	-0.84
Domestic Violence (2 nd degree)	-1.10	-0.34	-2.92	+1.99
DWI	+2.26	+3.96	+3.59	+3.43

The results in Table 7 indicate that the change in the percentage of Blacks pre- and post-Ferguson varied based on the jurisdiction and outcome. For instance, the findings in this table show that there was a negative change score for nearly every sentencing outcome for the state of Missouri. The only instance at the state level where the Black percentage increased across the two time periods was in terms of DWIs.

The findings in Table 7 also show that there was considerable variation in the change scores for the jurisdictions that are located near the City of Ferguson. For example, this table shows that there was a negative change scores for at least seven of the 12 outcomes for Franklin County, St. Louis City, and St. Louis County. However, this table also shows that negative change scores occurred far less frequently in Jefferson (8.3%) and St. Charles (16.7%) Counties across the 12 outcomes.

Finally, the results in Table 7 show similar variation in the direction of the change scores for the three counties that were not located in close proximity to the City of Ferguson. The information in this table shows that Jackson County reported a decrease in the percentage of Blacks across all 12 charge types and sentencing outcomes after 2016. Furthermore, the results in this table show that there was a negative change score for Blacks in 41.7% of the outcomes in Boone County and 25.0% of the 12 outcomes in Greene County.

While these results suggest that there were a few important differences across jurisdictions and sentencing outcomes, it is important to note that these changes could be attributed to other factors that we are not able to account for in these analyses. Additionally, we were only able to examine a small number of jurisdictions in the first report, so it is currently unclear whether these patterns are mirrored across other jurisdictions or outcomes. Therefore, we recommend that these preliminary results be taken with caution until the research team is able to examine this question in greater detail.

Summary of Official Record Findings

Overall, the examination of the official court records revealed significant racial disparities across the state of Missouri and the selected jurisdictions. More specifically, the results from these analyses indicated that the average Black percentage across most of the 12 outcomes was over three times the size of the Black populations for the 33 jurisdictions.

We also found that there was considerable variation in terms of the magnitude of the Black disparities when examining each outcome across the selected jurisdictions. While these racial disparities could possibly be evidence of racial bias in Missouri Courts, these disparities could also be attributed to other factors, including law enforcement practices and/or broader societal issues.

Furthermore, the pre- and post-Ferguson analyses indicated that the percentage of Blacks decreased across nearly every sentencing outcome for the entire state of Missouri. However, the findings also showed that the direction and magnitude of the change scores varied across both jurisdictions and outcomes. More research is still needed to determine whether the results for these jurisdictions are similar to other counties in Missouri.

The next section of the report turns to the examination of survey and interview respondents' perceptions on how defendants and litigants are treated by the Missouri Court system.

FAIRNESS IN THE COURTS

Since the research team was not able to directly examine racial and/or ethnic bias using the official records, we used a statewide survey and in-depth interviews to examine Missouri Court actors' perceptions and experiences with racial bias and fairness. Our 1,202 survey respondents and 49 in-depth interview participants provided a wealth of knowledge, opinions, and experiences related to fairness and existence or non-existence of racial bias in the courts. This section will first present survey results that focus on whether respondents believed that defendants and litigants were being treated fairly by the court system. Next, we will go into more depth about specific incidents where defendants and litigants were treated unfairly by the court when presenting the result from the interviews.

Survey Results

In our survey, we asked respondents to share their views on whether all defendants and litigants were being treated fairly by the Missouri Court system. Table 8 contains the descriptive statistics for the five questions that were used to examine fairness in the courts. The results in this table show that approximately 61% of respondents said they "agreed or strongly agreed" or "somewhat agreed" with the statement, "I have a great deal of confidence that everyone is treated the same regardless of their race or ethnicity in the court where I work." However, slightly over 32% of participants reported that they disagreed to some degree with the previous statement. In a similar example, approximately 26% of respondents agreed on some level that racial bias was a problem in Missouri courts, while 61% indicated that they disagreed that racial bias is a problem.

Additionally, the results in Table 8 indicate that 26.5% of respondents disagreed to some degree with the statement "I am not aware of any specific evidence of racial bias in the court." We also found that slightly over 17% of respondents disagreed to some degree with the statement that court officials make decisions based on facts and not their personal opinion. Finally, nearly 17% of participants also disagreed on some level with the statement that court officials treat racial and/or ethnic minorities the same as White citizens. Although the results from these questions indicate that the majority of respondents felt people were treated fairly, it is important to note that bias can be unconscious and not accurately assessed by direct questions of respondents.

Table 8: Descriptive Statistics for Fairness in the Courts Questions	
Questions/Statements	Number of Respondents
Question/Statement #1: I have a great deal of confidence that everyone is treated the same regardless of their race or ethnicity in the court where I work.	1,202
Agree or Strongly Agree	595 (49.5%)
Somewhat agree	141 (11.7%)
Neither agree nor disagree	80 (6.7%)
Somewhat disagree	151 (12.6%)
Disagree or Strongly Disagree	235 (19.6%)
Question/Statement #2: Racial and/or ethnic bias is a problem in the court where I work.	1,201
Agree or Strongly Agree	152 (12.7%)
Somewhat agree	161 (13.4%)
Neither agree nor disagree	155 (12.9%)
Somewhat disagree	96 (8.0%)
Disagree or Strongly Disagree	637 (53.0%)
Question/Statement #3: I am not aware of any specific evidence of racial or ethnic bias in the court.	1,181
Agree or Strongly Agree	641 (54.3%)
Somewhat agree	103 (8.7%)
Neither agree nor disagree	123 (10.4%)
Somewhat disagree	108 (9.1%)
Disagree or Strongly Disagree	206 (17.4%)
Question/Statement #4: Court officials make decisions based on facts and law, not on their personal opinions.	1,201
Agree or Strongly Agree	772 (64.3%)
Somewhat agree	143 (11.9%)
Neither agree nor disagree	92 (7.7%)
Somewhat disagree	103 (8.6%)
Disagree or Strongly Disagree	91 (7.6%)
Question/Statement #5: Court officials treat racial and ethnic minorities the same as White citizens.	1,201
Agree or Strongly Agree	769 (64.0%)
Somewhat agree	110 (9.2%)
Neither agree nor disagree	116 (9.7%)
Somewhat disagree	81 (6.7%)
Disagree or Strongly Disagree	125 (10.4%)

Table 9: Descriptive Statistics for Fairness in Court Questions	
Questions	Number of Respondents
Question/Statement #1: I have a great deal of confidence that everyone is treated the same regardless of their race or ethnicity in the court where I work.	1202
Agree or Strongly Agree	595 (49.5%)
Somewhat agree	141 (11.7%)
Neither agree nor disagree	80 (6.7%)
Somewhat disagree	151 (12.6%)
Disagree or Strongly Disagree	235 (19.6%)
Percentage of Disagree (include Strongly & Somewhat) by Race	
Black + Hispanic (107 out of 145)	107 (73.8%)
All other Races (275 out of 1057)	275 (26.0%)
Percentage of Disagree (includes Strongly & Somewhat) by Position	
Public Defenders (92 out of 120)	92 (76.7%)
All other positions (283 out of 1082)	283 (26.2%)

Table 10: Descriptive Statistics for Fairness in Court Questions	
Question/Statement #2: Racial and/or ethnic bias is a problem in the court where I work.	1201
Agree or Strongly Agree	152 (12.7%)
Somewhat agree	161 (13.4%)
Neither agree nor disagree	155 (12.9%)
Somewhat disagree	96 (8.0%)
Disagree or Strongly Disagree	637 (53.0%)
Percentage of Agree (include Strongly & Somewhat) by Race	
Black + Hispanic (85 out of 145)	85 (58.6%)
All other Races (225 out of 1056)	225 (21.3%)
Percentage of Agree (includes Strongly & Somewhat) by Position	
Public Defenders (82 out of 120)	82 (68.3%)
All other positions (216 out of 1081)	216 (20.0%)

The results in the previous table appear to indicate that most respondents believed that defendants and litigants are treated fairly in their court. However, when breaking these answers down by race and position, there are two groups of individuals in the Missouri court system who are more likely to believe there are problems with racial and/ or ethnic bias and fair treatment in the court system, which includes Black and Hispanic employees and public defenders.

Table 9 presents the results when responses to the first survey question are disaggregated based on the characteristics noted above. The findings in this table show that almost 74% of Black and Hispanic respondents disagreed with the statement, “I have a great deal of confidence that everyone is treated the same regardless of their race or ethnicity in the court where I work,” compared to only 26% of individuals from all other races. Additionally, almost 77% of all public defenders disagreed with this statement, compared to approximately 26% of respondents who occupied all other positions in the courts.

Table 10 shows the results when responses to the second survey question are broken down by the race and/or ethnicity of the respondent and their position in the court. The results in this table indicate that approximately 59% of Black and Hispanic court workers agreed in some way with the statement that “Racial and/or ethnic bias is a problem in the court where I work,” while approximately 21% of individuals from other races agreed this statement. By position, approximately 68% of public defenders agreed that racial and or ethnic bias is a problem in their court, while almost 20% of participants who occupied all other positions in the court system reported the same responses.

In addition to the previously noted survey questions, we also asked respondents to rate the kind of treatment that individuals from various minority groups received in the courts compared to other groups. The results in Table 11 present the results for these questions. The findings in this table show that approximately 30.3% of respondents felt that Black defendants or litigants received somewhat worse, worse, or far worse treatment in Missouri courts in comparison to other groups. Furthermore, approximately 27% of respondents said Hispanic defendants or litigants received somewhat worse, worse, or far worse treatment in comparison to other groups. The findings in this table also show that participants believed that the following minority groups received at least somewhat worse treatment in comparison to other groups: Asians (9.5%), Muslims (19.1%), Native Americans (11.1%), men (12.4%), women (11.6%), and LGBTQ members (43.9%).

Table 11: In your opinion, what kind of treatment do each of the following receive in the court(s) where you work compared to other groups?					
	Better or Far Better	Somewhat Better	Same Treatment	Somewhat Worse	Worse or Far Worse
White	232 (20.3%)	139 (12.2%)	753 (66.0%)	12 (1.1%)	5 (0.4%)
Black	22 (2.0%)	51 (4.5%)	713 (63.2%)	185 (16.4%)	157 (13.9%)
Hispanic	14 (1.3%)	25 (2.4%)	731 (69.4%)	175 (16.6%)	108 (10.3%)
Asian	29 (3.1%)	46 (5.0%)	765 (82.4%)	64 (6.9%)	24 (2.6%)
Muslim	14 (1.6%)	17 (2.0%)	670 (77.3%)	86 (9.9%)	80 (9.2%)
Native American	15 (1.8%)	22 (2.6%)	706 (84.5%)	58 (6.9%)	35 (4.2%)
Men	92 (8.2%)	85 (7.6%)	804 (71.8%)	94 (8.4%)	45 (4.0%)
Women	63 (5.6%)	156 (13.9%)	771 (68.9%)	97 (8.7%)	33 (2.9%)
LGBTQ	27 (18.2%)	23 (15.5%)	33 (22.4%)	3 (2.0%)	62 (41.9%)

While responses to these questions indicate that a decent proportion of participants believed that certain groups are treated worse in comparison to others, most respondents indicated that they believed that each of the minority groups is treated the same as the other groups for nearly every question.

The results from the survey questions indicate that a relatively sizable number of respondents do not believe that defendants and litigants are treated fairly in their courts. For example, slightly over 30% of respondents generally disagreed with the statement that they have a great deal of confidence that everyone is treated the same regardless of race and/or ethnicity by the court system. We also found that slightly more than 17% of participants disagreed that court officials treat racial and/or ethnic minorities the same as Whites. Furthermore, we found that there were important differences across participants' race/ethnicity and their position in the court in terms of how respondents answered the survey questions. Finally, the results from these questions indicated that a considerable proportion of respondents believed that specific minority groups are treated at least somewhat worse than other groups.

Interview Results

We asked respondents in our in-depth interviews to share more details regarding their opinions and/or experiences with racial or ethnic bias in the court. First, we asked interviewees, "Do you believe that court employees treat all defendants and litigants fairly and with respect?" Responses to this question were split almost down the middle. For example, 55% of interview respondents reported that court employees do not always treat all defendants and litigants fairly and with respect, while 45% of participants said that court employees do treat these individuals fairly and with respect.

We provide a few examples below of what we heard from those who believed court employees were fair and respectful to defendants and litigants.

"Absolutely... Yes, we always try to very much impress that <defendants> are innocent until proven guilty. And don't get me wrong, that's very difficult sometimes when you're reading the old cases and you're going oh my goodness. But that never once changed how we would process the case or even how he would speak to somebody over the phone or through the window."

"Yes I do... Because I observe it. I have seen it, and I'm really proud of it. We've had people of all walks of life. I talk to people on the phone all the time. I don't know what their nationality is. I don't know what their race is sometimes...but we have gotten compliments of thank you for taking the time to help me."

"I think for the most part they do. I'm sure there are some people that feel disrespected. But for the most part, I don't see bailiffs or clerks or anybody calling people names or treating them any differently because they're a man or a woman, black or white. I think they try to treat everybody with respect."

"I think everybody here realizes that we are a service to the public, and I think that we try to make sure that people, as much as they can, have ease of access to the system itself. I think the leaders in the various offices have impressed upon people the importance that we are community servants and that it is important to treat people respectfully, and so I just feel like there's a culture of that here."

"Definitely... I don't think it would be tolerated at any level within the city or within the court if we did any different."

Overall, these respondents appeared to take pride in the fact that the courts where they work strive to treat all defendants and litigants the same.

However, we did hear from numerous respondents who believed there was a problem with fairness and respect in the courts. For example, we heard that there can be issues with some court employees acting in ways that the respondents believed were disrespectful to defendants or litigants. Here are a few instances where we heard that citizens were not being treated fairly or with respect in general:

"I've seen in the course of years of working in this building enough times of judges saying really unacceptable things to people who were charged. [They were] being really paternalistic, verging on racist. I think there might be some instances of not direct name calling, but sort of indirectly name calling. I'm in court almost every day and I see a lot of very respectful interactions. So it's, you know, somewhere in the middle on that where I wouldn't say definitively "yes" I feel that court employees treat people with respect. But I also wouldn't say "no" that does not happen here."

"No, I don't think all clerks [treat citizens with respect]. Some of them are very close minded. We deal with a lot of criminals, so those are the people coming to our windows for their criminal cases. There are some clerks who would very obviously feel like they were superior to criminals, even though they're considered innocent until proven guilty and they're there just trying to take care of whatever they did wrong. Some of them hide it better than others to the defendants, and then some of them are just really jerks, just rude to them."

"Our circuit clerk's office does not [treat people with respect]. There are certain people in that office that are rude, they're condescending, and they have no interest in helping anyone. It's all about them, and that's something that needs to be addressed with our clerk and the clerk's office."

These incidents suggest that there may be some issues in the Missouri Courts with employees treating all citizens fairly and with respect in general.

We also found that some respondents reported that they believed that a defendant's race was specifically related to whether they were treated fairly and with respect by the court system. We have included a few examples below when participants were answering our question about whether defendants and litigants were treated fairly and with respect in the Missouri Court system:

"I would say anyone of a perceivably lower socioeconomic status, anyone that would visibly read is like a poor person or minority, they just are not as warmly received as others."

"I've had the opportunity to see a few different judges on the stand for various things, and I've always been impressed with how respectfully they can treat someone. The circuit clerk staff for the most part is, but I do know that there's sometimes a little undercurrent of disrespect, and that can be a little troublesome. It's sometimes just a little bit snarky, you know, comments about someone's appearance or whatever. There have been a couple of instances of almost just well, it is, it's blatant racism."

"I can see where we unintentionally treat people differently, especially when tempers get high or people are really emotional like it is easy for us to be like that's too much...and that's making me uncomfortable, and especially when you're dealing with someone who has language difficulties, cultural differences, or racial differences. You can see those implicit biases coming out."

"Mostly, the exceptions would be in terms of name pronunciations. I don't see a belittling attitude here any longer, but I just think we could do somewhat better. They're just those inherent biases that are so unrecognizable until you just go, oh I didn't even realize that was a bias influenced thing. We don't really make fun of names of defendants as they come in anymore and that used to be like a major topic of conversation that's changed with a couple of good retirements."

"I witnessed a multitude of instances where defendants were treated poorly based on their race or their economic status, or both... In plea negotiations, our clients were treated differently than people who had money to get out of jail and hire an attorney."

These quotes indicate that respondents also believed that potential racial and/or ethnic biases could account for why some defendants and litigants were not treated fairly and with respect.

In addition to our questions about defendants and litigants' treatment in general, we also asked interviewees if they knew of any specific examples of where they believed a defendant or litigant being discriminated against based on their race or ethnicity. Approximately 49% of our in-depth interviewees provided examples of specific incidents they believed were the product of racial and/or ethnic biases on the part of court actors. These outcomes included harsher sentences and more pre-trial supervision/restrictions for people of color. While we present a few of these quotes below, a complete set of excerpts for all incidents of discrimination involving defendants or litigants can be found in Appendix D. Here are a few examples of these excerpts:

"I had a preliminary hearing with this client, a white woman, and she presented herself, very well. She looked very professional. She was facing a possession of drugs and the judge dismissed her case. I was shocked that it got dismissed, and I could just tell the way that judge interacted with my client, like the way he spoke and presented himself. He was so professional and nice and he just had such a different temperament with her. And I was like, this would never happen for one of my young Black male clients. There's no way a judge would dismiss this. So I think, honestly situations like that might help me notice it more because with most my clients, it's just such a battle all the time. Then I get a client like that, and it's just so easy. So, I think it's hard to just pinpoint any one example. I think you could just tell sometimes when who gets a break and who doesn't get a break."

"I <saw> an attorney...who was doing a bond argument in front of a judge, so I sat there, and watched three bond arguments. One of them involved a Hispanic defendant, charged with a domestic violence case,...he'd been in custody a year and doesn't get out, and it was...where the complaining witness was saying I'm not afraid, I'm fine, but he wasn't released. Then it went on to a White defendant who was charged with <crimes involving trying to get into a school and having duct tape and a knife>...and that person was released. And the only thing I could think of is like "here's a White guy who has some wealth," and there you go. I'm like you're really letting that guy out over this guy. It was shocking to see."

"<Black individuals> being charged with crimes that would be misdemeanors for white people... I do have vague thoughts of like this would have probably been a misdemeanor if this guy was White, instead of Black, stuff like that. It usually has to do with police interactions. Resisting arrest somehow seems to always be felonies if they're Black. I don't know. I don't have the numbers to prove that. It's just kind of an impression I feel."

"My client, I think he was 18 at the time, and caught a 60-year sentence, when realistically you know he should be somewhere between 15 and 20 years. There was really nothing that justified that and I felt it was because he was Black. His plea counsel also felt that way, you know, if it was a White guy, he wouldn't have caught that much time. It's a case that still bothers me because I was able to get him some years off his sentence but, you know, his life is over. I firmly believe he was treated differently because he was African American."

These respondents believed that the defendants or litigants described were treated differently by Missouri Court employees because of their race and/or ethnicity.

Furthermore, we also asked those who shared specific instances of discrimination whether they believed that these occurrences were a one-time situation or whether these incidents occurred regularly. Here are a few examples of what we heard:

"It happens in smaller ways fairly frequently. Like judges, just the way they speak to defendants, the people I represent. But the way they speak to the criminal defendants, I think it is sometimes pretty disrespectful in an unwarranted way. Like when people are struggling to understand, or when people don't understand, even just the decorum of the courtroom, you know, they get real offended. And it's like, you're a judge, you've been around this for years. Not only that, you probably understood it even growing up better than this person who is encountering the court system for the very first time. Can we educate before we become disrespectful and condescending to people?"

"I mean, pretty much every day. I see these hearings almost every day."

"I would say, it's been more recent, it's probably been about the past two years that this has come up. I would say that you see something like this probably once a month."

"Infrequently, but enough that I know it shouldn't have happened. Even though it was like just a couple of times, it was a couple of times too many."

"I wouldn't say overly often. Again, we're not very diverse in our area, so the opportunity doesn't always arise. But it feels like when there is diversity in the courtroom, it never tends to go the standard procedure... Prosecutors, judges, [and] sometimes attorneys."

These responses suggest that racial and/or ethnic discrimination against defendants and litigants were not isolated incidents in these courts.

Overall, our interviews showed that many people who work in Missouri courts believed there was no bias or discrimination towards defendants and litigants. However, about half of court actors interviewed believed racial and ethnic bias was a problem and they provided specific examples of those incidents. Furthermore, those who shared bias incidents told us they were not just one-time occurrences, but instead at least somewhat regular occurrences.

Summary of Fairness in the Courts

While we could not directly measure racial and ethnic bias in the official court records due to data limitations, in our survey and interview results we did find some evidence of racial and ethnic bias. The majority of those surveyed did not believe racial and ethnic bias exists or that defendants/litigants of color were treated differently. However, a closer examination revealed that a majority of Black and Hispanic respondents and public defenders do believe there is a problem with racial and/or ethnic bias in the court system. Furthermore, our interviews detailed some incidents of racial and ethnic bias. Although the survey and interviews revealed some racial and ethnic bias, it is important to note that we cannot accurately assess the scope and depth of that racial bias in the courts with this data.

The next section continues examining court actors' experiences with racial and/or ethnic bias in the court system. However, the next section focuses more specifically on respondents' experiences with discrimination in the workplace.

FAIRNESS IN THE WORKPLACE

This section of the report presents results from surveys and interviews regarding fairness in the workplace. Overall, we found that some Missouri court actors believed that court workers of color are treated differently, but a majority of respondents believed everyone is treated the same. We also heard specific incidents of workplace discrimination in our in-depth interviews.

Survey Results

We asked survey respondents about any workplace racial bias and/or discrimination they had experienced or witnessed during their time working in the Missouri court system. Table 12 contains descriptive statistics for 12 questions that focused on respondents' perceptions and experiences with unequal treatment and discrimination in the workplace. The results in this table show some evidence that Missouri Court actors have witnessed or experienced discrimination in the workplace; however, the majority of Missouri court actors did not believe racial and ethnic bias was a problem in their workplace.

The results in Table 12 show that there was some variation in responses to the questions that focused on whether everyone is treated fairly in the workplace. For example, 85.8% of respondents reported that they "agreed or strongly agreed" or "somewhat agreed" with the statement that they are treated with respect at work. Only 9.6% of respondents indicated some level of disagreement with this statement. Furthermore, 48.5% of respondents reported some level of agreement with the statement "the employees at the circuit court where I work are racially and/or ethnically diverse."

We also found that slightly over 60% of participants indicated some level of agreement with the statement that racial and/or ethnic differences between people are valued where they work. Finally, a little more than 63% of respondents showed some level of agreement with the statement that opportunities for promotion exist for minorities and non-minorities at their work, and close to 58% of participants indicated that they agreed that job performance ratings are equally applied regardless of race and/or ethnicity.

Table 12: Descriptive Statistics for Workplace Issues	
Questions/Statements	Number of Respondents
Question/Statement #1: At the court where I work, I am treated with respect.	1,144
Agree or Strongly Agree	824 (72.0%)
Somewhat agree	158 (13.8%)
Neither agree nor disagree	52 (4.5%)
Somewhat disagree	66 (5.8%)
Disagree or Strongly Disagree	44 (3.8%)
Question/Statement #2: The employees at the circuit court where I work are racially and/or ethnically diverse.	1,145
Agree or Strongly Agree	394 (34.4%)
Somewhat agree	162 (14.1%)
Neither agree nor disagree	150 (13.1%)
Somewhat disagree	126 (11.0%)
Disagree or Strongly Disagree	313 (27.3%)
Question/Statement #3: Racial and ethnic differences among people are valued in the circuit court where I work.	1,141
Agree or Strongly Agree	570 (49.9%)
Somewhat agree	128 (11.2%)
Neither agree nor disagree	311 (27.3%)
Somewhat disagree	61 (5.3%)
Disagree or Strongly Disagree	71 (6.2%)
Question/Statement #4: I have personally heard racial jokes or racially insensitive language used at the circuit court where I work.	1,143
Agree or Strongly Agree	114 (10.0%)
Somewhat agree	98 (8.6%)
Neither agree nor disagree	101 (8.8%)
Somewhat disagree	60 (5.2%)
Disagree or Strongly Disagree	770 (67.4%)
Question/Statement #5: In the last 12 months, I have personally heard racial jokes or racially insensitive language used at the circuit court where I work.	1,141
Agree or Strongly Agree	85 (7.4%)
Somewhat agree	62 (5.4%)
Neither agree nor disagree	85 (7.4%)
Somewhat disagree	65 (5.7%)
Disagree or Strongly Disagree	844 (74.0%)

Table 12: Descriptive Statistics for Workplace Issues Continued	
Questions/Statements	Number of Respondents
Question/Statement #6: I have felt discriminated against because of my race and/or ethnicity at the circuit court where I work.	1,141
Agree or Strongly Agree	44 (3.9%)
Somewhat agree	34 (3.0%)
Neither agree nor disagree	85 (7.4%)
Somewhat disagree	29 (2.5%)
Disagree or Strongly Disagree	949 (83.1%)
Question/Statement #7: In the last 12 months, I have felt discriminated against because of my race and/or ethnicity at the circuit court where I work.	1,141
Agree or Strongly Agree	35 (3.1%)
Somewhat agree	23 (2.0%)
Neither agree nor disagree	91 (8.0%)
Somewhat disagree	24 (2.1%)
Disagree or Strongly Disagree	968 (84.8%)
Question/Statement #8: I have witnessed racial or ethnic discrimination at the circuit court where I work.	1,141
Agree or Strongly Agree	70 (6.1%)
Somewhat agree	72 (6.3%)
Neither agree nor disagree	114 (10.0%)
Somewhat disagree	35 (3.1%)
Disagree or Strongly Disagree	850 (74.5%)
Question/Statement #9: If I had a complaint or problem with my job arising from what I perceive as a racial or ethnic bias, I know how to report that complaint at the circuit court where I work.	1,143
Agree or Strongly Agree	704 (61.6%)
Somewhat agree	123 (10.8%)
Neither agree nor disagree	92 (8.0%)
Somewhat disagree	48 (4.2%)
Disagree or Strongly Disagree	176 (15.4%)
Question/Statement #10: If I had a complaint or problem with my job arising from what I perceive as a racial or ethnic bias, I would feel comfortable reporting that complaint at the circuit court where I work.	1,140
Agree or Strongly Agree	661 (58.0%)
Somewhat agree	122 (10.7%)
Neither agree nor disagree	110 (9.6%)
Somewhat disagree	70 (6.1%)
Disagree or Strongly Disagree	177 (15.5%)

Table 12: Descriptive Statistics for Workplace Issues Continued	
Questions/Statements	Number of Respondents
Question/Statement #11: Opportunities for promotion exist equally for both minorities and non-minorities at my work	1,100
Agree or Strongly Agree	600 (54.5%)
Somewhat agree	91 (8.3%)
Neither agree nor disagree	273 (24.8%)
Somewhat disagree	46 (4.2%)
Disagree or Strongly Disagree	90 (8.2%)
Question/Statement #12: Job performance ratings are equally applied to minorities and non-minorities.	1,100
Agree or Strongly Agree	591 (53.8%)
Somewhat agree	55 (5.0%)
Neither agree nor disagree	360 (32.7%)
Somewhat disagree	41 (3.7%)
Disagree or Strongly Disagree	53 (4.8%)

The results in Table 12 also show that a decent proportion of respondents had either witnessed or experienced discrimination in their workplace. For example, approximately 19% of survey respondents agreed that they had personally heard racial jokes or racially insensitive language in their workplace. We also found that 12.8% of respondents agreed that they had heard these comments within the last 12 months. Additionally, approximately 7% of survey respondents agreed that they had felt discriminated against because of their race and/or ethnicity in the court where they work, and 5.1% of participants agreed that they experienced this type of discrimination in the last 12 months. We also found that approximately 12% of participants reported that they agreed that they had witnessed racial and/or ethnic discrimination where they work in the courts.

Additionally, the results in Table 12 indicate that reporting the above-mentioned incidents seems to be an issue in the Missouri Court system. For instance, almost 20% of respondents indicated some level of disagreement with the statement that they know how to report problems associated with racial and/or ethnic bias in the workplace. We also found that slightly over one-fifth of respondents reported some level of disagreement with the statement that they would feel comfortable reporting complaints about discrimination in the workplace.

The results from the survey indicate that some Missouri Court actors reported that they either experienced or witnessed unequal treatment and/or discrimination in the workplace. In particular, nearly one-tenth of all respondents reported that they had either heard the use of insensitive language in the workplace or that they directly experienced discrimination at their jobs. Furthermore, nearly one-fifth of all respondents indicated that they either did not know how to report instances of discrimination in the workplace or that they did not feel comfortable making complaints about these events.

Interview Results

We asked interviewees to provide examples of workplace racial discrimination they witnessed or experienced. While most respondents said they did not have any examples of discrimination in the workplace, approximately 20% of interview respondents believed there was racial discrimination at their job, and they provided the research team with specific examples of these incidents. Please see Appendix D for a complete list of excerpts involving workplace discrimination from the in-depth

qualitative interviews. We provide a few of these excerpts below for illustrative purposes.

"It was an attorney... and he was Jewish. He was wearing his Yamaka, and one of the clerks made snide remarks about that she did not like Jews. And she let it be known to her co-workers."

"I feel in our office, all the African Americans are treated inferior, I mean based on our education and our experience. So I would say, everybody that's African American, and the office is predominantly African American, has been treated worse than the small amount of White employees... I think [in terms of] promotional activity. And myself...I had an opportunity to <get promoted> and they decided that the best person for the position was not myself, even though the person they chose has less experience."

"And one of the clerks that was hired to work under <a supervisor> was a lady of color, and I do feel like she was treated a little bit harshly by this supervisor. And probably just because, I mean she grew up in the same small town I did, there's a lot of racism there. And I think that it wasn't intentional on her part, I think it's just a part of her personality because that's how she was raised. And I do feel like she, you know, like if she'd make a mistake, it was more of a big deal than if someone else would make a mistake, the same mistake you know. And I don't think that it was an intentional bias, but I do think it was definitely a bias that she had."

"I've only worked with one racial minority attorney, a Black male. He was always stopped by the bailiffs even though he was in a suit and clearly an attorney, even after they knew, he would be stopped, pulled over on the Courthouse Square by cops leaving court. He was talked about openly when he wasn't there and [they talk about how his] clients are treated differently, in different manners. He's the only [one] actually. That's terrible now that I think about it, he is the only non-White attorney I've seen in any of these courtrooms in all these years, that's sad. I had a judge pull me into chambers to gripe about him when normally, that had never happened."

Overall, 14 interview respondents shared their experiences with discrimination in the workplace.

We also asked participants about whether they officially reported incidents of discrimination that they witnessed in their workplace. If participants indicated that they did report the incident, the research team also asked them about the outcome after reporting the event. For respondents who did not report the incident, the primary reasons we heard for not reporting it were that they were pessimistic

about the event being resolved or they reported fear of retaliation. Here are a few examples of situations where the interview participants did not report an incident of discrimination.

"I don't feel confident that anything could or would be done about it...I think it goes back to that thing, you know, there's almost certainly nothing anybody can do about it. It feels like I would maybe be creating more trouble for myself than it would be worth because there wouldn't be a response to that in a meaningful way. Like, you can't change that judge's decision and that judge is not going to change."

"No. I didn't [report the incident]. I was new and I didn't know what kind of blowback that would [be involved with it]. And so, I did not."

The nine respondents who indicated that they did not report incidents involving discrimination said that they were hesitant to do so because they did not think that making an official complaint would rectify the situation.

Among respondents who did report incidents of discrimination in the workplace, these participants conveyed to the research team that nothing official was done to address the problem. Here are a few examples of respondent's stories involving making official complaints of racial discrimination in the workplace:

"Who would I report it to? The HR lady wouldn't even do anything [the last time]. She took their side of course. She didn't want to hear what I had to say."

"The attorney <who was the victim in the racially-motivated incident> spoke to city administrators and the judge and prosecutor...Nothing happened."

"There's been attempts at filing complaints, but they don't go very far... I've heard nothing back or I was told to let it go."

"I have not felt comfortable doing so. I mean, I did bring it up to my supervisor and it wasn't well received by that person. I also did not bring it up to my boss because I didn't want to lose my job. So, until I feel really secure in my spot, I don't actually want to piss someone off. I have yet to see an effectively rolled out third party system for reporting that didn't end up devolving into some kind of retaliation. Not even things that have happened to me, but just things I've witnessed in all my years in the workforce."

"They just ignore it. I mean they're in charge, they have the authority, you can't really go after them legally because they're the courts, so they just will allow me to rant and rave and just continue doing what they've been doing."

Out of the five respondents who reported the incident of racial discrimination in the workplace, none of them reported that the situation was resolved to their satisfaction.

The results from the in-depth interviews provided more detailed information about specific incidents involving discrimination in the workplace. These findings showed that 20% of interview respondents directly witnessed or experienced discrimination in the workplace. Among these respondents, we heard about numerous specific incidents involving discrimination in the workplace. We also found during these interviews that respondents who witnessed or experienced discrimination in the workplace were pessimistic about the likelihood that the situation would be resolved, or they feared retaliation for reporting the event. In situations where respondents did report the incident, none of these individuals indicated that official steps were taken to address these issues.

Summary of Fairness in the Workplace

Overall, while the majority of survey and interview respondents did not believe there was racially motivated discrimination in the workplace, there was a decent proportion of respondents from both aspects of the study that did report witnessing or experiencing racial and/or ethnic discrimination at their job. For instance, slightly over 85% of survey respondents agreed on some level that they were treated fairly at work, while 9.6% of participants disagreed with this statement.

We also found that close to one-tenth of all survey respondents had heard racially insensitive language or directly experienced discrimination in the workplace. Furthermore, most of these individuals reported that they witnessed or experienced these incidents within the last year. The results from the survey also indicated that nearly 20% of respondents either did not know how to report incidents involving racial discrimination in the workplace or that they did not feel comfortable doing so.

The results from the interview portion of the study also showed that 20% of interview respondents indicated that they had directly witnessed or experienced incidents of discrimination in the workplace. While the incidents highlighted in these interviews appear to suggest that these experiences are not uncommon, due to the relatively small number of individuals who participated in the in-depth interviews, we are not able at this time to determine how frequently these exact types of incidents occur across all jurisdictions and courts in the state.

Furthermore, the results from the interviews indicated that respondents who witnessed or experienced discrimination in the workplace were hesitant to officially report these incidents. The primary reason that participants noted for their hesitation was that they feared retaliation from colleagues or that no official steps were taken regarding their past complaints. These results suggest that the Missouri Court system will need to take active steps to address these reporting issues if they hope to encourage court actors to make official complaints about discrimination in the workplace with greater frequency.

The next section of the report covers survey and interview respondents' experiences with diversity and/or bias training in the workplace.

EXPLICIT AND IMPLICIT BIAS IN THE COURTS

This section of the report presents the results from the instruments that examined explicit and implicit biases in the statewide survey. While there is no perfect method for capturing these concepts, the research team relied on instruments that have been widely used to examine the presence of explicit and implicit biases in the literature. The results from the two instruments show the presence of some explicit and implicit bias among the survey respondents.

Explicit Bias

Explicit bias the more overt, old-fashioned racism that people generally associate with racism, that can include derogatory terms and consciously mistreating someone because of their race. We examined explicit bias using the Bayesian Racism Scale, which was designed to capture whether respondents believe that it is rational to discriminate against racial and/or ethnic minorities based on stereotypes about these groups.

The Bayesian Racism scale consists of five questions that focus on whether respondents believe that it is appropriate to make decisions about one's safety based on racial and/or ethnic stereotypes. Table 13 contains descriptive statistics for all five questions in this scale. The results in this table indicate that close to a fifth of the respondents showed some level of support for the use of racial and/or ethnic stereotypes to inform decision-making across four of the five statements.

As an example, the results in Table 13 show that 21.7% of participants with valid responses indicated that they "agreed or strongly agreed" or "somewhat agreed" with the statement "If your personal safety is at stake, it is sensible to avoid members of ethnic groups known to behave more aggressively."

Additionally, 26.3% of respondents reported some level of agreement with the statement "Law enforcement officers should pay particular attention to those social groups more heavily involved in crime, even if this means focusing on members of particular ethnic groups." Finally, the results in this table show that respondents primarily disagreed with the second statement, which focused on whether it would be appropriate to strictly rely on someone's race to form an impression of them.

Table 13: Descriptive Statistics for Explicit Bias Questions	
Questions/Statements	Number of Respondents
Question/Statement #1: If your personal safety is at stake, it is sensible to avoid members of ethnic groups known to behave more aggressively.	1,075
Agree or Strongly Agree	106 (9.9%)
Somewhat agree	127 (11.8%)
Neither agree nor disagree	199 (18.5%)
Somewhat disagree	89 (8.3%)
Disagree or Strongly Disagree	554 (51.5%)
Question/Statement #2: When the only thing you know about someone is their race, it makes sense to use your knowledge of their racial group to form an impression of them.	1,079
Agree or Strongly Agree	8 (0.7%)
Somewhat agree	30 (2.8%)
Neither agree nor disagree	107 (9.9%)
Somewhat disagree	85 (7.9%)
Disagree or Strongly Disagree	849 (78.7%)
Question/Statement #3: Law enforcement officers should pay particular attention to those social groups more heavily involved in crime, even if this means focusing on members of particular ethnic groups.	1,078
Agree or Strongly Agree	122 (11.3%)
Somewhat agree	162 (15.0%)
Neither agree nor disagree	172 (16.0%)
Somewhat disagree	91 (8.4%)
Disagree or Strongly Disagree	531 (49.3%)
Question/Statement #4: It is always wrong to avoid someone because members of their racial group are more likely to commit violent crimes.	1,077
Agree or Strongly Agree	582 (54.1%)
Somewhat agree	110 (10.2%)
Neither agree nor disagree	143 (13.3%)
Somewhat disagree	79 (7.3%)
Disagree or Strongly Disagree	163 (15.2%)
Question/Statement #5: Some racial and/or ethnic groups are more violent than others.	1,079
Agree or Strongly Agree	93 (8.6%)
Somewhat agree	118 (10.9%)
Neither agree nor disagree	264 (24.5%)
Somewhat disagree	64 (5.9%)
Disagree or Strongly Disagree	540 (50.0%)

Overall, the results from the survey showed that nearly a fifth of all respondents reported some level of agreement with four out of the five statements contained within the Bayesian Racism Scale. These results indicate that a relatively substantial percentage of respondents believe that it is acceptable to use racial and/or ethnic stereotypes under certain conditions to inform decision-making over safety. However, it is also important to note that we cannot determine at this time whether respondents are willing to use similar stereotypes to inform their workplace decision-making.

Implicit Bias

Recent studies show that the more common form of bias is implicit bias. The American Psychological Association defines Implicit bias as a negative attitude, of which one is not consciously aware, against a specific social group, such as race or gender. This can be a very dangerous form of bias because it has the potential to unconsciously affect our interactions with people of another race in significant ways.

The most common method for researchers to test for implicit bias is the Harvard Racial Implicit Association test. This computerized test is a widely used to measure the strength of associations between concepts (e.g., White people, Black people) and evaluations (e.g., good, bad). During the test, respondents are required to quickly sort words into categories that are on the left- and right-hand side of the computer screen using two keys on the keyboard. The primary purpose of the test is to determine whether respondents prefer Whites or Blacks based on the speed and accuracy in which they make the requested associations. Out of 1202 survey respondents, 757 (63.0%) completed the Harvard Racial Implicit Association test. The results from this test indicate that 86% of Missouri court actors harbor some implicit biases.

Table 14 provides descriptive statistics for the seven outcomes for the Harvard Implicit Association Test. Specifically, 61.2% of Missouri court actors displayed a “strong” or “moderate” “automatic preference for White people over Black people.” When a “slight” automatic preference for White people is also considered, over three- quarters of respondents demonstrate some form of preference for Whites over Blacks. Furthermore, the results showed that 10.4% of participants reported at least a slight automatic preference for Black people over White people. Finally, the information in Table 14 shows that 14% of respondents indicated no automatic preference for one race over the other.

Table 14: Statistics for The Harvard Implicit Association Test	
Harvard Implicit Association Test Results:	Number of Respondents
Respondent displayed Strong Automatic Preference for White people over Black people	250 (33.0%)
Respondent displayed Moderate Automatic Preference for White people over Black people	214 (28.3%)
Respondent displayed Slight Automatic Preference for White people over Black people	108 (14.3%)
Respondent displayed Strong Automatic Preference for Black people over White people	14 (1.8%)
Respondent displayed Moderate Automatic Preference for Black people over White people	37 (4.9%)
Respondent displayed Slight Automatic Preference for Black people over White people	28 (3.7%)
Respondent displayed No Automatic Preference between Black and White people	106 (14.0%)

The results from the Harvard Implicit Association Test showed that nearly two-thirds of participants indicated a moderate or strong automatic preference for White people over Black people. Based on these results, it is possible that the unconscious automatic preferences identified in this test could impact court actors' approach to their decision-making responsibilities. However, it is also important to note that we have no method for establishing at this time how frequently or to what extent these implicit biases might shape courtroom outcomes or interactions among coworkers.

Summary of Explicit and Implicit Bias in the Courts

The results from the Bayesian Racism Scale indicated that nearly 20% of respondents reported some level of agreement with the notion of using racial stereotypes to inform decision-making about their safety. While these results suggest that a decent proportion of respondents believed that it is acceptable to use racial stereotypes to inform decision-making over safety, these data do not establish whether participants also believed that it is appropriate to use these stereotypes to inform their decisions in the workplace.

The results from the Harvard Implicit Association Test showed that three-quarters of respondents showed at least a slight automatic preference for White people. Furthermore, only 14% of respondents showed no automatic preference for one race over the other. Based on the results for this test, it is reasonable to expect that these unconscious preferences could shape court actors' approach to executing their workplace responsibilities. However, similar to the case with explicit biases, we do not currently have the data necessary to begin to assess how frequently or to what degree these biases shape a range of different workplace outcomes. Additional research is still needed to address these questions.

DIVERSITY & BIAS TRAINING

This section of the report examines Missouri court employees' responses to the survey and interview questions that focused on diversity and/or bias training. The first part of this section examines participants' responses to ten training-oriented questions in the survey. Next, this section will delve deeper into certain survey questions by examining participants' answers to a few of the training-oriented questions based on their position in the court system, their race/ethnicity, and the racial composition of the circuit in which they work. Finally, we will examine the major training-oriented themes that emerged during our in-depth qualitative interviews with court employees.

Survey Results

This section examines participants' responses to ten training-oriented questions that were included in the statewide survey. Table 15 includes the training questions and descriptive statistics for all of participants' responses to these questions.

According to the results in this table, 59.6% of participants reported that they were aware of diversity and/or racial bias training through their employer, and 50.9% of respondents indicated that they had received such training through their employer in the last year. Furthermore, out of those respondents who indicated that they had received training through their employer, 91.2% of participants reported that they found the training to be at least "slightly useful." Only 8.8% of respondents indicated that they did not find the training sessions to be helpful.

In addition to asking participants about their direct experiences with training in the workplace, respondents were asked several questions that focused on their perceptions of diversity and/or racial bias training in general. As noted in Table 15, 70.2% of respondents indicated either "yes" or "probably yes" when asked whether the Missouri court system should do more to offer and/or promote diversity and/or bias training, and 29.9% of participants indicated "no" or "probably no" when answering this question.

Additionally, 79.7% of respondents indicated that they "agreed" or "somewhat agreed" with the statement "I support diversity and/or racial and ethnic bias training in my workplace," while 7.8% of respondents either "disagreed" or "somewhat disagreed" with the statement. The results for the previous two questions appear encouraging as over two-thirds of respondents reported that

Table 15: Descriptive Statistics for Survey Training Questions	
Questions/Statements	Number of Respondents
Question/Statement #1: Are you aware of any diversity and/or racial bias training offered by your employer?	1,139
Yes	679 (59.6%)
No	460 (40.4%)
Question/Statement #2: In the last 12 months, have you received training by your current employer on diversity or racial or ethnic bias?	1,142
Yes	581 (50.9%)
No	561 (49.1%)
Question/Statement #3: If you have received training from your current employer on racial and/or ethnic bias, how useful was the training?	648
Extremely useful	58 (9.0%)
Very useful	164 (25.3%)
Moderately useful	242 (37.3%)
Slightly useful	127 (19.6%)
Not useful at all	57 (8.8%)
Question/Statement #4: Do you believe the Missouri court system should do more to offer and promote diversity and/or racial and ethnic bias training?	1,132
Yes	345 (30.5%)
Probably yes	449 (39.7%)
Probably no	172 (15.2%)
No	166 (14.7%)
Question/Statement #5: I support diversity and/or racial and ethnic bias training in my workplace.	1,142
Agree	711 (62.3%)
Somewhat agree	198 (17.4%)
Neither agree nor disagree	144 (12.6%)
Somewhat disagree	36 (3.2%)
Disagree	53 (4.6%)

Table 15: Descriptive Statistics for Survey Training Questions Continued	
Questions/Statements	Number of Respondents
Question/Statement #6: I'd like to learn more about diversity and/or racial and ethnic bias training in my workplace.	1,141
Agree	381 (33.4%)
Somewhat agree	233 (20.4%)
Neither agree nor disagree	339 (29.7%)
Somewhat disagree	68 (6.0%)
Disagree	120 (10.5%)
Question/Statement #7: Diversity and/or racial and ethnic bias training is a waste of my time at my workplace.	1,141
Agree	74 (6.5%)
Somewhat agree	84 (7.4%)
Neither agree nor disagree	200 (17.5%)
Somewhat disagree	203 (17.8%)
Disagree	580 (49.9%)
Question/Statement #8: Diversity and/or racial and ethnic bias training in the workplace further divides us.	1,141
Agree	80 (7.0%)
Somewhat agree	136 (11.9%)
Neither agree nor disagree	236 (20.7%)
Somewhat disagree	120 (10.5%)
Disagree	569 (49.9%)
Question/Statement #9: Racism is not really a big problem anymore.	1,142
Agree	40 (3.5%)
Somewhat agree	63 (5.5%)
Neither agree nor disagree	155 (13.6%)
Somewhat disagree	210 (18.4%)
Disagree	674 (59.0%)
Question/Statement #10: I believe I may have some racial and/or ethnic biases.	1,141
Agree	64 (5.6%)
Somewhat agree	236 (20.7%)
Neither agree nor disagree	253 (22.2%)
Somewhat disagree	137 (12.0%)
Disagree	451 (39.5%)

they think that the Missouri court system could do more in terms of promoting/offering diversity and/or bias training, and that they supported the use of these training sessions in their workplace.

The results in Table 15 also show that 53.8% of respondents indicated that they “agreed” or “somewhat agreed” that they would like to learn more about diversity or bias training in the workplace. Furthermore, Table 15 shows that 67.7% of respondents “disagreed” or “somewhat disagreed” that diversity and bias training is a waste of time, and 60.4% of participants “disagreed” or “somewhat disagreed” that training in the workplace further divides employees.

Similar to previous questions, most of the participants’ responses showed that they wanted to learn more about diversity and/or bias training and that they did not believe that the training sessions further aggravated preexisting differences between employees.

The final two training-oriented questions in Table 15 examine respondents’ perceptions on the problem of racism in general and whether they believe that they themselves harbor racial and/or ethnic biases. Only 9.0% of respondents indicated that the “agreed” or “somewhat agreed” with the statement “racism is no longer a big problem.”

Additionally, 26.3% of respondents indicated that they “agreed” or “somewhat agreed” with the statement “I believe I may have some racial and/or ethnic biases,” while 51.5% of participants reported that they “disagreed” or “somewhat disagreed” with this statement. Although responses to the training questions show that the majority of participants supported diversity and/or bias training in the workplace, the low percentage of respondents who appear to be open to the notion that they harbor some racial/ethnic biases could potentially hamper their ability to fully absorb the material covered during the training sessions.

Disaggregating the Survey Results

This section further examines responses to the survey training questions by disaggregating them based on the respondent’s position in the court, their race/ethnicity, and the racial composition of the circuit in which they work. In order to better understand the factors that shape respondents’ participation in diversity and/or bias training in the last 12 months, their answers to this question were broken down by their position in the court system. Since there were 94 unique responses to our question about respondents’ position in the court, we collapsed this information into five categories for presentation purposes.

Table 16: Whether Participants had Received Diversity and/or Bias Training in the last 12 Months by Position in the Court

	Yes	No	Total
Judges	134 (83.8%)	26 (16.3%)	160 (100.0%)
Prosecutors & defense attorneys	160 (78.4%)	44 (21.6%)	204 (100.0%)
Court personnel	218 (35.9%)	390 (64.1%)	608 (100.0%)
Support personnel	56 (40.6%)	82 (59.4%)	138 (100.0%)
Other	10 (37.0%)	17 (63.0%)	27 (100.0%)
Total	578 (50.8%)	559 (49.2%)	1,137 (100.0%)

As the results in Table 16 show, 83.8% of judges and 78.4% of attorneys reported having participated in diversity and/or bias training in the last 12 months. However, there was far more variation in responses to this question by the other court employees. For instance, 35.9% of court personnel, 40.6% of support personnel, and 37.0% of respondents who held other positions associated with the court reported that they had attended training in the last 12 months. The results in this table indicate that respondents' position in the court plays a large role in shaping whether they had recently participated in diversity and/or bias training in the workplace.

Additionally, we further explored whether respondents' perceptions of diversity and/or bias training differed based on their race/ethnicity. Table 17 includes the results when responses to a question about whether the Missouri court system should do more to support diversity and/or bias training is broken down by race/ethnicity. Due to the relatively small number of respondents who reported that they were American Indian, Asian, Hispanic, Middle Eastern, or another race/ethnicity, we primarily focus on the results for white and Black respondents.

As the findings in this table show, nearly 90% of Black respondents indicated "yes" or "probably yes" when asked about whether the court system should do more to promote training in the workplace, while 67.5% of white participants reported the same responses. These results indicate that there are some racial differences between white and Black respondents in terms of their belief that the court system should do more to promote diversity and/or bias training.

Table 18 contains the results when participants' responses to a question about whether they would support diversity and/or bias training in the workplace is broken down by race/ethnicity. The findings in this table show that slightly over 91% of Black respondents "agreed" or "somewhat agreed" with the statement "I support diversity and/or racial and ethnic bias training in my workplace," while 78.1% of white participants reported these two responses to the statement. Similar to the previous question, the results in Table 18 indicate that there are some racial differences between white and Black respondents in terms of their level of support for diversity and/or bias training in the workplace.

Table 17: Whether Respondents Thought Missouri Courts Should Do More to Promote Diversity and/or Bias Training by Race/Ethnicity					
	Yes	Probably Yes	Probably No	No	Total
American Indian	0 (0.0%)	6 (75.0%)	1 (12.5%)	1 (12.5%)	8 (100.0%)
Asian	1 (14.3%)	5 (71.4%)	0 (0.0%)	1 (14.3%)	7 (100.0%)
Black	82 (71.9%)	20 (17.5%)	4 (3.5%)	8 (7.0%)	114 (100.0%)
Hispanic	9 (52.9%)	3 (17.6%)	1 (5.9%)	4 (23.5%)	17 (100.0%)
Middle Eastern	4 (80.0%)	1 (20.0%)	0 (0.0%)	0 (0.0%)	5 (100.0%)
White	236 (25.0%)	402 (42.5%)	162 (17.1%)	145 (15.3%)	945 (100.0%)
Other	12 (35.3%)	11 (32.4%)	4 (11.8%)	7 (20.6%)	34 (100.0%)
Total	344 (30.4%)	448 (39.6%)	172 (15.2%)	166 (14.7%)	1,130 (100.0%)

Table 18: Whether the Respondent Would Support Diversity and/or Bias Training in the Workplace by Race/Ethnicity

	Disagree	Somewhat Disagree	Neither Agree nor Disagree	Somewhat Agree	Agree	Total
American Indian	1 (14.3%)	1 (14.3%)	0 (0.0%)	1 (14.3%)	4 (57.1%)	7 (100.0%)
Asian	0 (0.0%)	0 (0.0%)	1 (14.3%)	2 (28.6%)	4 (57.1%)	7 (100.0%)
Black	6 (5.3%)	1 (0.9%)	3 (2.6%)	13 (11.4%)	91 (79.8%)	114 (100.0%)
Hispanic	0 (0.0%)	1 (5.9%)	0 (0.0%)	4 (23.5%)	12 (70.6%)	17 (100.0%)
Middle Eastern	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	5 (100.0%)	5 (100.0%)
White	40 (4.2%)	32 (3.4%)	137 (14.3%)	173 (18.1%)	573 (60.0%)	955 (100.0%)
Other	6 (17.1%)	1 (2.9%)	3 (8.6%)	5 (14.3%)	20 (57.1%)	35 (100.0%)
Total	53 (4.6%)	36 (3.2%)	144 (12.6%)	198 (17.4%)	709 (62.2%)	1,140 (100.0%)

Furthermore, we also explored participants' responses to the two previous questions based on the demographic composition of the circuit in which they worked. Table 19 examines whether respondents believed that the Missouri court system should do more to promote diversity and/or bias training based on whether they reported working in a circuit where Black residents comprised more/less than 5% of the overall circuit population.

The results in this table show that nearly 80% of respondents who worked in a circuit where more than 5% of the population is Black reported "yes" and "probably yes" to the question, while slightly over 60% of respondents from circuits with smaller Black populations reported the same answers. The findings in this table show that employees who worked in more racially diverse circuits were more likely to believe that the court system should do more to promote diversity and/or bias training.

Finally, we examine respondents' level of support for diversity and/or bias training in the workplace based on the racial composition of their circuit. The results in Table 20 show that 85.7% of respondents who worked in circuits where Black residents comprised more than 5% of the overall population reported that they "agreed" or "somewhat agreed" with the statement "I support diversity and/or racial and ethnic bias training in my workplace." The findings in this table also show that 72.9% of respondents who reported working in circuits with less than 5% of Blacks in the overall population indicated that exact same answers.

While there appears to be a somewhat sizable difference across location in terms of whether respondents believed that the court system should do more to promote diversity and/or bias training, the difference across location was slightly smaller when examining respondents' level of support for diversity and/or bias training in the workplace. Overall, these results indicate that there were a few important differences in terms of participants' responses to certain training-oriented questions based on their position in the court, their race/ethnicity, and the racial composition of their circuit.

Qualitative Interview Results

Several training-oriented questions were also posed to respondents during our in-depth qualitative interviews with Missouri court employees. While the training-oriented questions in the survey were able to provide a general picture of respondents' perceptions on diversity and/or bias training in the workplace,

Table 19: Whether Respondents Thought Missouri Courts Should Do More to Promote Diversity Training by Composition of Circuit

	Yes	Probably Yes	Probably No	No	Total
Works in a circuit with over 5% Black residents	205 (42.5%)	177 (36.7%)	60 (12.4%)	40 (8.3%)	482 (100.0%)
Does not work in a circuit with over 5% Black residents	96 (18.6%)	217 (42.1%)	92 (17.8%)	111 (21.5%)	516 (100.0%)
Total	301 (30.2%)	394 (39.5%)	152 (15.2%)	151 (15.1%)	998 (100.0%)

Table 20: Whether the Respondent Would Support Diversity Training in the Workplace by Composition of Circuit						
	Disagree	Somewhat Disagree	Neither Agree nor Disagree	Somewhat Agree	Agree	Total
Works in a circuit with more than 5% Black residents	15 (3.1%)	13 (2.7%)	41 (8.5%)	74 (15.4%)	339 (70.3%)	482 (100.0%)
Does not work in a circuit with over 5% Black residents	31 (5.9%)	20 (3.8%)	91 (17.4%)	107 (20.5%)	274 (52.4%)	523 (100.0%)
Total	46 (4.6%)	33 (3.3%)	132 (13.1%)	181 (18.0%)	613 (61.0%)	1,005 (100.0%)

participants were forced to answer these questions using predetermined response categories and they were not permitted to elaborate on their responses. Therefore, responses to the in-depth qualitative portion of the study will yield more detailed information about what aspects of the training sessions they found to be most useful, what aspects of the sessions could be improved, and the reasons behind whether they support diversity and/or bias training in the workplace.

The results from the in-depth interviews showed that 77.6% of participants reported that training opportunities were provided through their employer, while 22.4% of respondents were not aware of diversity and/or bias training in their workplace. Furthermore, out of the 38 respondents who indicated that their employer offered diversity and/or bias training, 86.8% of these participants reported that attendance at the training sessions was required. Additionally, 87.9% of respondents who participated in the training sessions reported that they were expected to attend them on either an annual or biannual basis, while 12.1% indicated that they had only received diversity and/or bias training once during their new employee orientation.

Consistent with the results in the survey, we found respondents' position in the court system played a large role in determining who was required to attend diversity and/or bias training in the workplace. While the results from this portion of the study are very similar to those reported in the survey, our interviews with respondents indicated that where one worked also played a role in determining who participated in training. As an example, four court clerks indicated that they were required to attend training through their municipality/county, while another seven clerks reported that diversity and/or bias training was not required by their employer. These results suggest that both employees' position within the court and where their court is located play an important role in determining whether respondents were required to participate in diversity and/or bias training.

The results also show that most of the respondents who participated in diversity and/or bias training found these sessions to be useful. More specifically, 61.8% of participants indicated that they thought that the training sessions were useful, while 20.6% reported that they found the usefulness of the training sessions to be mixed. A few themes emerged based on participants' responses to this question.

The first major theme surrounding the perceived usefulness of training was that participants believed that these sessions helped them to improve their decision-making on the job and their ability to communicate with their clients. For instance,

a judge reported that they found the mindfulness training sessions to be helpful when determining the appropriate sentence because “I’ve got to be able to list all those factors that go into my decision and to weed out any improper factors in it.” One defense attorney indicated that they found the training sessions to be useful because the sessions helped them to better understand their clients. This respondent noted that:

“[W]here we work, it’s 99% Caucasian, but some of the things that we learn as far as biases and stuff like that can be relevant to even regular criminal cases. Just seeing the situation from our clients’ perspective and seeing how society treats people differently and being able to recognize that and identify with our clients and stuff like that. So, it’s good for just general communication and representing the whole person, rather than just a criminal charge and trying to get the best outcome.”

Another attorney reported that they found the training to be useful because it reminds them to be careful what they say around colleagues because “I may have made some off-hand comment that I didn’t even think about, you know, it just keeps you self-aware. None of us are perfect.” Overall, fourteen respondents indicated that they believed that attendance at these sessions was helpful because it strengthened their decision-making on the job and their ability to communicate with their clients.

The second major theme associated with why participants found diversity and/or bias training to be useful was that these sessions helped them to reflect on and challenge their own personal biases. One public defender reported that the sessions help to “...open your eyes up to some things depending on your own biases. Even though you think that you don’t have them, they’re still there.” A court administrator also indicated that the training sessions helped them because:

“...we do have assumptions of people, we don’t want to, but we do, and I think it’s important to recognize that. I’ve been through another training where you talked about our implicit biases and what you think. It was more than just race. It was like people covered in tattoos or facial piercings, and all that kind of stuff and how you’re dressed. I think that it was just so impactful. It kind of did make me see things differently, so yeah, maybe if the city did something like that, that’ would be kind of interesting.”

In contrast to the first theme that focused on the benefits of training in terms of employment, the three respondents who reported the second theme appeared to believe that they personally benefited from the training sessions in terms of challenging their own biases.

The third major theme that was reported by participants highlighted how the specific methods that were used to convey the diversity and/or bias material were helpful. While the previous two themes focused on the different ways that the participants believed that the sessions were useful to themselves, this theme focuses on how a particular approach to the training sessions was viewed to be helpful. There were two minor themes associated with the third theme. The first minor theme was that participants found training sessions where minorities shared their experiences with the criminal justice system to be useful. One judge reported that a session consisting of a panel of African American judges was particularly impactful because:

"I had no idea they'd had that kind of experience, and you wouldn't know it from talking to them until they were given the opportunity to talk about it. I think it's good that they're doing that and that the rest of us are able to see that. Hopefully, we'll take that to heart and keep it in mind when we're dealing with other folks of color."

A public defender also indicated that they found the conditions that some minority public defenders were working under to be "appalling." This participant went on to describe why they believed that the panel sessions that were conducted by minorities were helpful:

"...nobody's ever come up and asked me if they can touch my hair and like invade my personal space because I just look so exotic to them. I can see where that kind of bullshit would become exhausting, especially the amount that they were saying it was occurring. So that was eye opening..."

The three respondents who reported this theme believed that in-person panels were particularly helpful because they assisted them with developing a better understanding of how minorities experienced the criminal justice system.

The second minor theme reported by participants was that diversity and/or bias training that was framed in terms of how the brain operates was perceived to be particularly effective. One judge reported the following:

"I'll remember [the speaker] until the day I die just because she was that impressive of a speaker. The topic itself focused on the neuroscience of bias, which I think made that topic much less intimidating because we were talking about everybody's brains and how you [have a] microprocessor in your skull... I never really thought of my brain as a microprocessor that's processing 40 billion pieces of information and filtering only 10,000 [pieces] to me that I really need in that snap second to make that decision. That to me, just from a topic approach, seemed to be a better way to introduce somebody to that topic than some of the other trainings."

Another judge elaborated on why they believed that diversity and/or bias training sessions that focus on how the brain operates are particularly helpful:

"It's very valuable when you're in the court system, whether you're a lawyer who's trying to win a case in front of a jury or a judge who's trying to make a decision and you don't want to jump to a conclusion. Maybe I've seen the thing they're talking about a bunch of times, but I shouldn't just assume that this is just like it. I should keep my mind open. I think it's very valuable to be reminded that we might be jumping to conclusions on things, and we should not do that, especially for judges. That's super important, and I think it's probably good to be reminded of that on a fairly regular basis for the same reason that, you know, you read the Bible again. It helps to read it again every once in a while to remind you what you did."

The two respondents who reported this theme believed that framing the training sessions in terms of how the brain operates was a particularly effective method for presenting the diversity and/or bias training material.

Although most of the respondents reported that they found the diversity and/or bias training to be helpful, there were a few respondents who did not believe that these sessions were useful. Among these respondents, the most consistent response highlighted the use of online training modules. For example, one court administrator indicated that they considered the online training video to be "nothing" because there was no speaker or discussion among colleagues surrounding the topic. A juvenile officer also reported that their training was:

"...generic, basic bias and cultural sensitivity training. In my opinion, it solely exists to check a box, so it's not very in-depth and it's not very informative. It's not like it's really getting into the nitty gritty and really challenging people. It's more of like a 30,000-foot view, definitions and things like that, but it is not getting you [to the point of] how to combat it or how specifically be anti-racist. It's like I said, it's just kind of that cultural awareness check-a-box training."

Another court administrator agreed with the previous sentiment regarding the use of online diversity and/or bias training:

"I think anything virtual tends to lose people's interest pretty quickly, and so I think information is not retained, just more like I have to know enough to get to the next part of the training. I would think something away from a person's desk and in-person would be a better avenue for training than just sitting at their same desk on their same computer."

Although these three respondents did not find the diversity and/or bias training they attended to be helpful, their primary complaint was about the quality of the

training sessions, as opposed to believing that covering the topic in general was not useful.

There were also three respondents that offered unique assessments of why they did not find the diversity and/or bias training they attended to be useful. One judge reported that they believed that the heavy emphasis placed on race during the sessions overshadowed the overall message of treating people fairly. This respondent noted that “there's so much putting people in boxes at these trainings [sessions] and then focusing on that. It takes away from the general proposition of just treat everybody fairly and respectfully.” A public defender also believed that the usefulness of the training sessions was conditional on the participant’s willingness to keep an open mind. This respondent noted that:

“I should say they're as useful as any other training that you sit through. I think it has to be something that each individual person has recognized as an issue for it to be helpful. I think, this is going to sound bad, most of the white guys, you know, and maybe a lot of the white women too, they don't [believe that they] have these biases, so there's no point in listening to it. So, I don't know how it could be more helpful unless each person has recognized it's an issue. I don't know, maybe Oprah can come up with something.”

Finally, one administrative assistant indicated that they did not believe that the training was useful because they personally did not “see people in terms of their race,” so the sessions did not resonate with them.

In addition to examining the perceived usefulness of diversity and/or bias training, respondents were also asked how they would potentially improve these training sessions. The results show that 69.0% of respondents who participated in these training sessions indicated that they believed that there were specific ways in which they could be improved. A few themes emerged during our conversation with respondents about how these training sessions could be improved.

The first major theme on how to improve diversity and/or bias training involved suggestions on how speakers could improve their approach to conveying the material to participants. Within this theme, we found several minor themes in terms of respondents’ suggestions for improving the training sessions. One of the minor themes that emerged was that speakers needed to tailor their approach to specific positions and locations within the Missouri court system. A few respondents indicated that while they found the training sessions to be informative, the content covered in the presentations did not have a direct impact

on their daily routines. For example, one court administrator reported that they believed that the diversity and/or bias training needed to be “job centered,” and that these sessions should focus on:

“Why is your role important? What does this mean in someone's life? The “this is how you effectively and efficiently do your job, and part of doing that job is this component of diversity, equity, and inclusion.” So, [we view training] as a component in a larger spectrum.”

A public defender also reported that they had attended training sessions that covered topics that were not pertinent to their job responsibilities. This respondent conveyed the following regarding their experiences with this session:

“I do think that there has been a heavy emphasis in legal training in the last two years on minority issues, which I think is important, but it also is not very helpful in my work, because as I said, I have very small number of minority clients. It's a very small number of individuals. A juvenile training [session] I went to this year was almost entirely about minority juveniles. That's awesome for somebody working in St. Louis, but I have literally never represented a minority juvenile ever. So, I think it's important. I think it is helpful, and I think we need to learn it. But do you think that I also need to learn other things because its relevance and its impact on my clients is not as great as it is in an urban setting?”

The three respondents who reported this minor theme all suggested that tailoring the content of the diversity and/or bias training specifically to employees' position and location within the court system would improve the effectiveness of the training sessions.

Another minor theme that emerged when discussing how speakers could improve their approach to diversity and/or bias training was that they needed to avoid a heavy-handed approach that portrays all white individuals as racially or ethnically biased. One judge indicated that speakers needed to take the political ideologies of their audience members into account:

“...if you're going into a conservative, white area in Missouri, beating them over the head with implicit bias issues is probably not the best approach. You still have to get into those areas, but it's a matter of how do you get that topic out there in a fashion that people will listen. I think that's the hardest component that speakers struggle with is that it comes off very heavy-handed for those who are not inclined to drink that Kool-Aid to begin with. You can always bring a horse to water; you just can't get them to drink. So, I think that the well-produced ones, like I said, they've figured out how to introduce the topic in a way that you understand where we're going, but I'm coming in from the side. I'm not going to hit you head on.”

Another judge indicated that they found aspects of the training sessions to be off-putting because:

"I think there's a little too much, you know, you're a white male and you're a bad person, if you understand what I mean. Or you're white, so you just can't understand that. That kind of snooty attitude isn't right for anybody...They paint everybody with this big brush, and I think that does a disservice. That's what you're trying to teach [and it] is exactly what you are doing. You're painting white males with that brush, and you're accusing a white male of doing it to you. So, that's how I think it could be handled better for what it's worth."

The three respondents that conveyed this suggestion believed that the training sessions would be more effective if they avoided the inclusion of material that could be perceived as demonizing white people.

In addition to the two previous minor themes, there were several respondents who offered unique suggestions on how speakers could improve their approach to diversity and/or bias training. One public defender reported that they believed that there needed to be more panel sessions where minority speakers lead the discussion because:

"I think it would be kind of cool if we just had a panel of people in our workplace, or even clients who are racial minorities and ethnic minorities just talk about their experiences and the specific events that have happened to them where they've felt outright aggressions or microaggressions, or things like that. I think when we hear those specific stories, it really drives things home. I think that would be good, but I think we're doing a pretty good job still."

Furthermore, another public defender indicated that they would prefer the inclusion of more statistics in the presentation to help underscore the key points that are being conveyed, while one volunteer coordinator believed that the training sessions needed to continue to incorporate best practices in their approach to the topic.

An additional unique suggestion on how to improve speakers' approach to diversity and/or bias training was the use of small breakout sessions. The primary reason a public defender suggested using small groups to discuss the material is that it

would allow for the consolidation of potential troublemakers into one group. They went on to explain that small groups would be helpful because:

"You can have conversations where people are less defensive because they're not in front of a huge group of people.... But I would like to be like "hey, all of you who think that you're great and have no work to do [on bettering yourselves], you can go over here and do that group. That's just my personal opinion."

Finally, a juvenile officer reported that training sessions could be improved if the presenters did more to challenge their audiences' preconceived notions. For instance, this participant indicated that the training sessions needed to:

"...push people outside their comfort zone and really [make them] understand the systemic issues and how they impact every piece of someone's life, rather than just [convey] definitions. It is the same rhetoric that's been around for 20 years [and it] makes people just kind of roll their eyes at this point because they know it already, but they're just here because they have to be."

Overall, ten respondents indicated that the training sessions could be improved by changing the speakers' approach to conveying the diversity and/or bias material.

The second major theme surrounding the improvement of diversity and/or bias training involved the use of in-person presentations that incorporated a discussion component. All of the respondents who reported this theme indicated that they received diversity and/or bias training through an online module. One court clerk indicated that they would like the sessions to be:

"Maybe a little more interactive, but I think the other thing to improve on them would be a little less basic. Some of them were very entry level. It was almost like something that you would see a high school student having to take. So, I guess up it a little bit, as compared to being quite so basic."

One court administrator also commented that a live speaker would be helpful because they could clear up any ambiguity surrounding the material conveyed during the training sessions. This participant noted that:

"[I]f you want to offer a video, fine, but have a video and an actual trainer there to have a discussion....I don't know if it's proper to say "Black" or are you supposed to say "mixed." Are you supposed to say "African American?" Are you supposed to say "Latino" or "Hispanic?" You don't know. People don't know."

The six respondents who reported this theme indicated that the training sessions would benefit from a live speaker that guides a discussion on the diversity and/or bias material.

The last training-oriented question focused on whether respondents would support diversity and/or bias training for all Missouri court employees. This question was primarily posed to respondents who either had not participated in diversity and/or bias training in the workplace or those participants who reported training was not offered regularly at their job. The results indicate that sixteen of the respondents who answered this question reported that they would unconditionally support requiring diversity and/or bias training for all employees, while one participant indicated that their support for requiring the training sessions was conditional.

There was one dominant theme that emerged when discussing why participants would support requiring diversity and/or bias training for all Missouri court employees. More specifically, most respondents indicated that they would support the training sessions for all employees because they believed that these sessions would assist them when interacting with their colleagues, defendants/litigants, and the broader community. For example, an administrative assistant reported that they would support this training because:

"I personally don't know everything, and I don't want to ever say something that hurts someone. I don't ever want to do something that hurts someone... So, it's about bridging a gap in education here. We need to be educated on the things that hurt other cultures and why they hurt other cultures...."

A court clerk also expressed the importance of using education to combat bias among court employees. This respondent reported that "I think that there's always going to be a level of bias in humans. It's inevitable, but education and exposure are the two easiest ways to overcome and start to change things." Furthermore, another court clerk indicated that they would support diversity and/or bias training because they thought that it would help open court employees' eyes to the experiences of minorities. They noted that:

"I just think that people need to think outside of their own personal experiences a little more here. I mean that's probably like a worldwide issue, but I think that people need to try to understand more people and try to learn more about other people that are not the same as them."

Additionally, a public defender indicated that failure to provide training to all court employees is problematic because those who are required to participate in training

are only a small portion of the court employees who interact with the public. They further elaborated on this position:

"I think that in our society, which it's unfortunate that it is this way, racial minorities and people of low socioeconomic status often overlap, which means that the people who are working in the court systems are more privileged [and they] are less racially and ethnically diverse. They, you know, judges can have training and attorneys can have training, but if the people who are interacting [with the public] on a daily basis don't have that training, there's going to be a gap there."

Overall, 15 respondents indicated that requiring training for all employees would be beneficial in terms of enhancing their ability to communicate effectively with both their coworkers and members of the broader community.

Finally, there were two unique responses to our question about why respondents would support requiring diversity and/or bias training for all employees. The first unique response was that diversity and/or bias training needed to be required based on the number of complaints that have been filed in their court. The pre-trial release coordinator who reported this unique reason indicated that they supported the adoption of training for all employees "...because you have a lot of people making legitimate complaints about the way they've been treated and the lack of inclusion."

The second unique response was reported by a pretrial services coordinator who indicated conditional support for requiring diversity and/or bias training in the workplace. This participant reported that their support was conditional on the court system's commitment to developing and deploying high quality training. They went on to discuss why they were skeptical of requiring training for all employees:

"That's really hard because, like it sounds good, but I'm skeptical of the actual impact and whether it's just like check-a-box, or if it's actually quality, substantive, and evidence-based trainings that will have an impact on people's actual behavior. I'm just not confident that it would actually happen."

This respondent expressed reservations about supporting required training for all employees until they saw a strong commitment by the Missouri court system to providing employees with high quality training opportunities.

Summary of the Training Results

The results from the statewide survey indicated that slightly over half of all respondents reported participating in diversity and/or bias training in the last 12 months, and over 90% of survey respondents who participated in the training sessions found them to be at least “slightly useful.” Furthermore, over 80% of respondents indicated that they supported diversity and/or bias training in their workplace, and slightly over 70% of participants reported that the Missouri Court system could do more to promote/offer these training sessions.

While most respondents appeared to support the inclusion of diversity and/or bias training in the workplace, the relatively low percentage of respondents who believed that they harbor racial and/or ethnic biases could hamper their ability to absorb the material covered during the training sessions.

Furthermore, to obtain a better understanding of survey participants’ answers to the training questions, we disaggregated responses to certain questions based on several considerations. The results from these analyses showed that there are important differences in responses to the training questions based on the respondent’s position in the court, their race/ethnicity, and the racial composition of their circuit.

The results from the in-depth interviews showed that nearly 80% of respondents reported that their workplace offers diversity and/or bias training, and that most of these respondents were required to attend these sessions on an annual or biannual basis. Similar to the results from the survey, the findings from the interviews showed that attendance at diversity and/or bias training varied by one’s position in the court.

Furthermore, the results from the interviews indicated that participation in diversity and/or bias training also was dependent on the county or municipality in which the respondent was located. Finally, the results from the in-depth qualitative interviews yielded important insight into what aspects of the training sessions participants found to be useful, the potential methods that respondents would use to improve these training sessions, and the reasons why interview participants believed that diversity and/or bias training should be required for all Missouri Court employees.

RECOMMENDATIONS

Overall, we can say with certainty that Black disparities in cases ending in criminal conviction are widespread across the 33 jurisdictions that were examined in this report. Furthermore, the results from the survey and in-depth interviews with respondents showed evidence of bias and discrimination in the Missouri Court system.

While these results are problematic, it is important to note that this research continues to this day and that there are many facets associated with the official records portion of this study that have yet to be fully investigated. Therefore, we recommend that readers take the results from this study with some caution until the research team is able complete its assessment of the official records across all jurisdictions in Missouri.

Although this research is still ongoing, we have compiled a list of recommendations that are based on both our direct experiences with the official records database and the results from the survey and interview portion of the study. The research team anticipates that we will continue to further refine and broaden these recommendations as this study progresses into later phases.

However, we are confident that the following recommendations are pertinent and could potentially have an immediate impact on a few of the issues that were reported in this report. Based on our results, we recommend that the following changes be considered by the court system when moving forward:

1. **Collect additional data.** To fully examine racial bias in official state records, we need more data. Ideally, datasets will include all variables that are used in making sentencing decisions. If we have these variables, we are better able to isolate race and determine if it is, in itself, a factor in prosecutorial, judicial, and jury decision-making. This information should include:
 - a. Defendant criminal history
 - b. Severity of crime
 - c. Weapon(s) used
 - d. Victim characteristics
 - e. Death sentences
 - f. Any mitigating factors
 - g. Any aggravating factors

2. **Ensure the collection of accurate racial data.** The results from the official records section of the report indicated that there was considerable variation in the amount of missing racial and ethnic data across the selected jurisdictions. Furthermore, our conversations with respondents indicated that Hispanics were frequently being coded as white. Therefore, reducing the amount of missing or incorrect information would help to yield more precise estimates as to the size of racial and/or ethnic disparities across jurisdictions and court outcomes. We also recommend gathering racial and ethnic information from litigants in civil cases.
3. **Collect and report all pre-trial data.** This information includes racial demographics and all phases of the pre-trial processes. More specifically, we recommend the collection of the following pieces of information:
 - a. Bail decisions
 - b. Pre-Trial Detention
 - c. Charging Decisions, including charge reductions and armed criminal action
 - d. Cases dismissed
4. **Have regular independent reviews of state court records.** Part of the process associated with collecting court data should include examining and analyzing the data on a regular basis. Cooperating with independent researchers will likely yield stronger research designs, analyses, and conclusions.
5. **Make these reports regularly available to the public to increase transparency and accountability in the court system.** In addition to examining the official records on a regular basis, we also recommend making the reports generated using these records available to the public. For instance, the District Attorney's office in Kansas City has made their court outcomes publicly available on their website. We suggest that other jurisdictions, and the Missouri Court system, consider making a similar commitment to transparency with their records.
6. **Provide a safe and secure mechanism for racial and ethnic bias incident reporting.** According to the results of our surveys and interviews, some participants who witnessed or experienced racial bias or discrimination did not know how to report incidents and/or did not feel comfortable reporting these incidents. Additionally, the respondents who did report these incidents expressed that they did not believe their concerns were taken seriously. Therefore, it is important to create a safe and secure statewide racial bias incident reporting mechanism.

7. **Make sure people who report racial and bias incidents feel heard.** We also heard from a number of respondents that they did not believe that court officials were concerned with their experiences with discrimination in the workplace. The perception that superiors do not care about their employees can further increase frustration and trauma related to an individual's experiences with racial bias and discrimination. One judge during our interviews reported that defendants and/or litigants primarily wanted the opportunity to tell their story and feel heard during their day in court. We believe that employees who experience discrimination in the workplace are also seeking these goals during the reporting process as well.
8. **Make interpreters available statewide.** In our interviews, we also heard that non-English speakers who came to the court sometimes did not have a way to communicate with anyone. To increase fairness, the state should ensure that interpreters are available in all jurisdictions.
9. **Increase procedural justice in the courts.** We heard from a number of respondents that defendants and litigants who come to Missouri courts were sometimes treated with disrespect and a condescending attitude, particularly if they were a person of color and/or appeared economically disadvantaged. Procedural justice training for everyone who directly interacts with defendants and litigants can increase respect and fairness in Missouri courts, as well as potentially create more positive court outcomes and have a better overall relationship with the community.
10. **Make regular diversity and bias training mandatory for all people working in the courts.** While we found that judges and attorneys were required to participate in yearly diversity and/or bias training sessions based on their continuing education requirements, court actors in other positions reported far less frequent experiences with these training sessions. In order to ensure that all court employees who interact with the public have received diversity and/or bias training, we recommend that all court actors should receive regular mandatory training. Additionally, most of the respondents who participated in the survey portion of the study showed signs of implicit and/or explicit biases, which indicates the need for additional training requirements for all court employees.
11. **Consider diversity and bias training for jurors.** We heard reports of jury members not treating defendants of color fairly. One method for potentially addressing this issue would be to extend diversity and/or bias training to jury members before the start of a trial.

12. **Make diversity and bias training more engaging, in-person, and interactive.** None of the respondents that we spoke with reported that they found required online diversity and/or bias training modules to be helpful. Therefore, we recommend that the Missouri Court system consider requiring a live speaker as a mandatory aspect of diversity and/or bias training. We also heard from a few interview respondents that they believed that training sessions that were specifically tailored to participants' position in the court system would be particularly effective.
13. **Create an ongoing education system that focuses on the consequences that incarceration has on individuals, families, and communities.** A wide body of literature outside of the court system has documented the effect that a criminal record and being incarcerated has on defendants, their families, and the broader community. All courtroom decision-makers should receive regular education on the consequences associated with exercising their decision-making responsibilities.
14. **Utilize alternatives to incarceration wherever possible.** While this phase of the research could not identify the cause of Black sentencing disparities, these disparities appear to be widespread across the selected jurisdictions. To mitigate the effects of possible systemic bias on people of color, alternatives to incarceration should be used wherever possible, which include treatment courts, restorative justice programs, and probation.
15. **Continue partnering with independent researchers to examine issues of racial and ethnic bias in Missouri courts.** A considerable amount of additional research still needs to be performed in this area to fully examine the presence and extent of racial and/or ethnic bias in the Missouri Court system. For example, areas such as juvenile court records and probation/parole should also be examined. Additionally, we believe that any progress associated with implementing new initiatives to address these issues in the court system should be monitored and evaluated by independent researchers.

The research team anticipates continuing to work with the Commission on Racial and Ethnic Fairness to identify specific policies and procedures that would need to be changed to begin implementing these recommendations.

CONCLUSION

Examining statewide racial disparities and racial/ethnic bias is a large undertaking. Therefore, a full examination of this complex question must occur in phases. Overall, the results from our initial report show that there are significant Black disparities in criminal cases that end in conviction across the 33 selected jurisdictions and the state of Missouri. Furthermore, the results from the statewide survey and in-depth interviews indicated evidence of discrimination and bias in the Missouri Court system. However, based on all of the previously noted limitations associated with this study, we are unable to determine the scope or severity of these issues at this time.

In our analysis of the official court records, we found that the overall average percentage of Blacks convicted of felonies and misdemeanors occurred at a rate that was slightly over three times the size of this racial group in the jurisdictional populations. Additionally, on average, Blacks were convicted of domestic violence (2nd degree) at a rate that was slightly over four times their representation in the overall population, and this racial group was convicted of armed criminal action at a rate that was nearly five-and-a-half times their representation in the selected jurisdictional populations. The results from these analyses indicated that nearly every jurisdiction reported racial disparities across the various sentencing outcomes. We did find some slight improvements in racial disparities when comparing pre-Ferguson Black disparities with post-Ferguson disparities across eight jurisdictions and the state of Missouri. However, additional research is needed to broaden the scope of the pre- and post-Ferguson analyses beyond the selected jurisdictions.

Due to our inability to directly examine the presence of bias using the official records, we used surveys and interviews to capture Missouri court workers' perceptions and experiences with discrimination and bias in the workplace. While most respondents did not believe racial and/or ethnic bias was a problem in the court system, approximately 32% of survey respondents believed it was a problem. Additionally, 45% of interview respondents believed bias was an issue in the courts, and these individuals shared their experiences with the research team. The results from the Bayesian Racism Scale and the Harvard Implicit Association Test also showed some evidence that respondents harbored both explicit and implicit biases. However, based on the limitations associated with these data, we are unable at this time to determine whether these biases are impacting how these respondents are exercising their decision-making responsibilities in the courts.

Finally, the research team examined diversity and bias training and found that slightly over half of all respondents reported participating in diversity and/or bias training in the last 12 months. Additionally, over 90% of survey respondents who participated in the training sessions found them to be at least “slightly useful.” We also found that over 80% of respondents indicated that they supported diversity and/or bias training in their workplace, and slightly over 70% of participants reported that the Missouri Court system could do more to promote/offer these training sessions. Finally, the results from the in-depth qualitative interviews yielded important insight into what aspects of the training sessions participants found to be useful, the potential methods that respondents would use to improve these training sessions, and the reasons why interview participants believed that diversity and/or bias training should be required for all Missouri Court employees.

We welcome the opportunity to continue this research and help the Missouri Court system gain insight on these important issues.

We commend the Commission on Racial and Ethnic Fairness (CREF) and the Missouri Supreme Court for striving to improve the courts to increase fairness and justice for all.

APPENDIX A

Table A1: The Percentage of Black Residents Within All Jurisdictions in the State of Missouri*

Geographic Area Name	Average Black Percent	Geographic Area Name	Average Black Percent	Geographic Area Name	Average Black Percent
MISSOURI (STATE)	11.70	Grundy County	0.47	Pettis County	3.10
Adair County	2.43	Harrison County	0.70	Phelps County	2.28
Andrew County	1.09	Henry County	1.39	Pike County	6.61
Atchison County	0.50	Hickory County	0.16	Platte County	6.55
Audrain County	6.00	Holt County	0.86	Polk County	0.94
Barry County	0.14	Howard County	5.50	Pulaski County	11.20
Barton County	0.27	Howell County	0.26	Putnam County	0.33
Bates County	1.11	Iron County	1.48	Ralls County	1.00
Benton County	0.27	Jackson County	24.07	Randolph County	5.85
Bollinger County	0.37	Jasper County	2.05	Ray County	1.37
Boone County	9.18	Jefferson County	0.91	Reynolds County	1.52
Buchanan County	5.11	Johnson County	4.49	Ripley County	0.39
Butler County	5.52	Knox County	0.86	St. Charles County	4.53
Caldwell County	0.67	Laclede County	0.57	St. Clair County	0.82
Callaway County	4.18	Lafayette County	2.20	Ste. Genevieve County	1.23
Camden County	0.60	Lawrence County	0.31	St. Francois County	4.50
Cape Girardeau County	7.51	Lewis County	3.49	St. Louis County	24.24
Carroll County	1.17	Lincoln County	1.90	Saline County	5.24
Carter County	0.33	Linn County	0.48	Schuyler County	0.59
Cass County	3.93	Livingston County	2.48	Scotland County	0.43
Cedar County	0.15	McDonald County	1.62	Scott County	11.60
Chariton County	2.39	Macon County	2.40	Shannon County	0.26
Christian County	0.69	Madison County	0.69	Shelby County	1.48
Clark County	0.40	Maries County	0.30	Stoddard County	1.43
Clay County	5.80	Marion County	4.60	Stone County	0.13
Clinton County	1.74	Mercer County	0.48	Sullivan County	1.64
Cole County	11.75	Miller County	0.36	Taney County	1.05
Cooper County	5.91	Mississippi County	24.46	Texas County	2.41
Crawford County	0.32	Moniteau County	3.23	Vernon County	0.67
Dade County	0.47	Monroe County	3.22	Warren County	2.00
Dallas County	0.04	Montgomery County	1.16	Washington County	2.07
Daviess County	0.66	Morgan County	1.09	Wayne County	0.51
DeKalb County	10.18	New Madrid County	15.97	Webster County	1.06
Dent County	0.46	Newton County	0.95	Worth County	0.28
Douglas County	0.11	Nodaway County	2.72	Wright County	0.51
Dunklin County	10.47	Oregon County	0.17	St. Louis city	48.32
Franklin County	0.95	Osage County	0.42		
Gasconade County	0.51	Ozark County	0.11		
Gentry County	0.65	Pemiscot County	27.45		
Greene County	3.21	Perry County	0.50		

*The percentage of Blacks within jurisdictional populations was calculated using the American Community Survey five-year estimates for 2010 to 2014 and 2015 to 2019.

APPENDIX B

TABLE B1: Missouri Demographics and Select Charge Types and Sentencing Outcomes (2010 – 2021)

	White Percent	Black Percent	Hispanic Percent	Asian and Pacific Islander Percent	American Indian & Alaskan Native Percent
Geographic Area					
Missouri*	81.89	11.70	4.06	1.97	0.38
Type of Charge					
All Charges	78.63	19.43	1.40	0.44	0.10
Felony	75.01	23.55	1.10	0.25	0.09
Misdemeanor	80.48	17.32	1.57	0.52	0.11
Sentencing Outcomes					
Incarceration (Prison)	75.46	23.32	0.92	0.21	0.09
Incarceration (Jail)	73.66	24.55	1.39	0.29	0.12
Fine	82.91	14.39	1.89	0.69	0.11
Suspended Imposition of Sentence	81.42	17.08	1.02	0.39	0.09
Specific Sentences					
Life Sentence	49.93	46.99	2.66	0.28	0.14
Specific Crimes					
Possession of a Controlled Substance	82.17	16.86	0.71	0.19	0.08
Armed Criminal Action	41.68	56.39	1.62	0.27	0.04
Burglary (2 nd degree)	73.72	25.46	0.59	0.18	0.05
Domestic Violence (2 nd degree)	69.31	28.93	1.38	0.22	0.17
DWI	87.91	9.54	1.88	0.56	0.11

*Demographic information was calculated using the American Community Survey five-year estimates for 2010 to 2014 and 2015 to 2019.

TABLE B2: Audrain County Demographics and Select Charge Types and Sentencing Outcomes (2010 – 2021)

	White Percent	Black Percent	Hispanic Percent	Asian and Pacific Islander Percent	American Indian & Alaskan Native Percent
Geographic Area					
Audrain County*	<i>90.54</i>	<i>6.00</i>	<i>2.99</i>	<i>0.26</i>	<i>0.21</i>
Type of Charge					
All Charges	80.10	18.03	1.71	0.14	0.02
Felony	79.41	19.34	1.13	0.07	0.05
Misdemeanor	80.30	17.35	2.16	0.19	0.00
Sentencing Outcomes					
Incarceration (Prison)	80.05	19.32	0.53	0.10	0.00
Incarceration (Jail)	78.19	20.07	1.57	0.13	0.04
Fine	82.40	14.76	2.70	0.14	0.00
Suspended Imposition of Sentence	84.66	14.18	1.05	0.11	0.00
Specific Sentences					
Life Sentence	--	--	--	--	--
Specific Crimes					
Possession of a Controlled Substance	85.79	13.12	1.09	0.00	0.00
Armed Criminal Action	64.08	33.01	1.94	0.00	0.97
Burglary (2 nd degree)	90.70	8.37	0.93	0.00	0.00
Domestic Violence (2 nd degree)	72.58	26.61	0.81	0.00	0.00
DWI	85.30	11.62	2.91	0.17	0.00

*Demographic information was calculated using the American Community Survey five-year estimates for 2010 to 2014 and 2015 to 2019.

-- This symbol indicates that there were five or less life sentences imposed over the study period.

TABLE B3: Boone County Demographics and Select Charge Types and Sentencing Outcomes (2010 – 2021)

	White Percent	Black Percent	Hispanic Percent	Asian and Pacific Islander Percent	American Indian & Alaskan Native Percent
Geographic Area					
Boone County*	<i>82.79</i>	<i>9.18</i>	<i>3.40</i>	<i>4.44</i>	<i>0.19</i>
Type of Charge					
All Charges	61.75	35.77	1.70	0.65	0.14
Felony	58.53	39.20	1.53	0.58	0.16
Misdemeanor	63.34	34.07	1.77	0.69	0.13
Sentencing Outcomes					
Incarceration (Prison)	58.53	39.74	1.18	0.38	0.17
Incarceration (Jail)	61.40	35.65	2.16	0.66	0.18
Fine	62.95	34.44	1.81	0.73	0.08
Suspended Imposition of Sentence	65.14	32.93	1.01	0.87	0.05
Specific Sentences					
Life Sentence	62.50	25.00	6.25	0.00	6.25
Specific Crimes					
Possession of a Controlled Substance	70.96	27.15	1.14	0.63	0.12
Armed Criminal Action	29.19	68.90	1.44	0.48	0.00
Burglary (2 nd degree)	56.44	41.85	1.50	0.22	0.00
Domestic Violence (2 nd degree)	51.37	46.81	1.52	0.00	0.30
DWI	77.03	18.66	3.20	1.07	0.04

*Demographic information was calculated using the American Community Survey five-year estimates for 2010 to 2014 and 2015 to 2019.

TABLE B4: Buchanan County Demographics and Select Charge Types and Sentencing Outcomes (2010 – 2021)

	White Percent	Black Percent	Hispanic Percent	Asian and Pacific Islander Percent	American Indian & Alaskan Native Percent
Geographic Area					
Buchanan County*	86.99	5.11	6.32	1.24	0.34
Type of Charge					
All Charges	82.07	15.14	2.19	0.41	0.20
Felony	81.11	16.85	1.66	0.19	0.19
Misdemeanor	82.71	13.99	2.53	0.57	0.20
Sentencing Outcomes					
Incarceration (Prison)	83.88	14.29	1.52	0.15	0.17
Incarceration (Jail)	78.98	17.64	2.60	0.57	0.21
Fine	84.19	11.43	3.39	0.91	0.08
Suspended Imposition of Sentence	83.22	14.29	1.90	0.33	0.27
Specific Sentences					
Life Sentence	57.69	26.92	15.38	0.00	0.00
Specific Crimes					
Possession of a Controlled Substance	88.91	9.80	0.93	0.21	0.16
Armed Criminal Action	58.07	35.48	6.45	0.00	0.00
Burglary (2 nd degree)	81.79	16.56	0.99	0.66	0.00
Domestic Violence (2 nd degree)	69.23	27.69	3.08	0.00	0.00
DWI	83.48	10.63	4.18	1.41	0.31

*Demographic information was calculated using the American Community Survey five-year estimates for 2010 to 2014 and 2015 to 2019.

TABLE B5: Butler County Demographics and Select Charge Types and Sentencing Outcomes (2010 – 2021)

	White Percent	Black Percent	Hispanic Percent	Asian and Pacific Islander Percent	American Indian & Alaskan Native Percent
Geographic Area					
Butler County*	<i>91.32</i>	<i>5.52</i>	<i>1.94</i>	<i>0.70</i>	<i>0.52</i>
Type of Charge					
All Charges	85.87	13.25	0.83	0.04	0.01
Felony	83.02	16.28	0.68	0.02	0.00
Misdemeanor	88.05	10.91	0.97	0.06	0.02
Sentencing Outcomes					
Incarceration (Prison)	81.14	18.23	0.59	0.04	0.00
Incarceration (Jail)	83.90	15.11	0.99	0.00	0.00
Fine	88.77	10.12	1.05	0.03	0.03
Suspended Imposition of Sentence	88.15	11.07	0.72	0.07	0.00
Specific Sentences					
Life Sentence	--	--	--	--	--
Specific Crimes					
Possession of a Controlled Substance	84.16	15.33	0.51	0.00	0.00
Armed Criminal Action	64.14	33.79	2.07	0.00	0.00
Burglary (2 nd degree)	90.80	9.21	0.00	0.00	0.00
Domestic Violence (2 nd degree)	83.53	16.47	0.00	0.00	0.00
DWI	90.62	8.19	1.06	0.13	0.00

*Demographic information was calculated using the American Community Survey five-year estimates for 2010 to 2014 and 2015 to 2019.

-- This symbol indicates that there were five or less life sentences imposed over the study period.

TABLE B6: Cape Girardeau County Demographics and Charge Types and Select Sentencing Outcomes (2010 – 2021)

	White Percent	Black Percent	Hispanic Percent	Asian and Pacific Islander Percent	American Indian & Alaskan Native Percent
Geographic Area					
Cape Girardeau County*	<i>88.44</i>	<i>7.51</i>	<i>2.27</i>	<i>1.63</i>	<i>0.15</i>
Type of Charge					
All Charges	72.60	25.98	1.09	0.26	0.08
Felony	69.42	29.47	0.88	0.11	0.12
Misdemeanor	74.99	23.40	1.25	0.32	0.05
Sentencing Outcomes					
Incarceration (Prison)	70.73	28.60	0.43	0.10	0.15
Incarceration (Jail)	66.68	31.88	1.24	0.16	0.09
Fine	75.97	22.33	1.24	0.43	0.04
Suspended Imposition of Sentence	78.54	20.40	0.88	0.11	0.06
Specific Sentences					
Life Sentence	27.27	63.64	0.00	9.09	0.00
Specific Crimes					
Possession of a Controlled Substance	77.76	21.60	0.44	0.05	0.15
Armed Criminal Action	34.56	64.98	0.46	0.00	0.00
Burglary (2 nd degree)	76.39	22.81	0.27	0.27	0.27
Domestic Violence (2 nd degree)	53.71	45.14	1.14	0.00	0.00
DWI	85.06	13.19	1.44	0.26	0.05

*Demographic information was calculated using the American Community Survey five-year estimates for 2010 to 2014 and 2015 to 2019.

TABLE B7: Cass County Demographics and Select Charge Types and Sentencing Outcomes (2010 – 2021)

	White Percent	Black Percent	Hispanic Percent	Asian and Pacific Islander Percent	American Indian & Alaskan Native Percent
Geographic Area					
Cass County*	<i>90.44</i>	<i>3.93</i>	<i>4.35</i>	<i>0.81</i>	<i>0.47</i>
Type of Charge					
All Charges	88.63	9.52	1.56	0.17	0.13
Felony	89.02	9.43	1.39	0.07	0.09
Misdemeanor	87.99	9.76	1.75	0.32	0.19
Sentencing Outcomes					
Incarceration (Prison)	89.42	9.02	1.43	0.07	0.07
Incarceration (Jail)	87.97	9.49	2.11	0.10	0.34
Fine	86.06	11.53	2.20	0.17	0.06
Suspended Imposition of Sentence	90.05	8.53	1.11	0.25	0.06
Specific Sentences					
Life Sentence†	83.33	0.00	16.67	0.00	0.00
Specific Crimes					
Possession of a Controlled Substance	92.91	5.82	1.12	0.08	0.08
Armed Criminal Action	61.54	38.46	0.00	0.00	0.00
Burglary (2 nd degree)	89.88	8.56	1.56	0.00	0.00
Domestic Violence (2 nd degree)	92.24	5.17	2.59	0.00	0.00
DWI	90.86	7.16	1.87	0.11	0.00

*Demographic information was calculated using the American Community Survey five-year estimates for 2010 to 2014 and 2015 to 2019.

† This symbol indicates that the percentages were calculated based on less than 10 total defendants.

TABLE B8: Clay County Demographics and Select Charge Types and Sentencing Outcomes (2010 – 2021)

	White Percent	Black Percent	Hispanic Percent	Asian and Pacific Islander Percent	American Indian & Alaskan Native Percent
Geographic Area					
Clay County*	<i>84.76</i>	<i>5.80</i>	<i>6.74</i>	<i>2.37</i>	<i>0.34</i>
Type of Charge					
All Charges	75.19	20.51	2.73	1.43	0.13
Felony	82.01	15.23	1.93	0.73	0.10
Misdemeanor	72.72	22.71	2.87	1.56	0.14
Sentencing Outcomes					
Incarceration (Prison)	83.43	14.53	1.49	0.48	0.08
Incarceration (Jail)	75.41	21.32	2.53	0.61	0.14
Fine	71.27	22.63	3.57	2.38	0.15
Suspended Imposition of Sentence	76.96	19.64	2.14	1.11	0.15
Specific Sentences					
Life Sentence	61.54	30.77	7.69	0.00	0.00
Specific Crimes					
Possession of a Controlled Substance	89.13	9.08	1.37	0.43	0.00
Armed Criminal Action	61.06	34.51	2.21	2.21	0.00
Burglary (2 nd degree)	81.91	16.54	1.55	0.00	0.00
Domestic Violence (2 nd degree)	75.26	22.68	2.06	0.00	0.00
DWI	80.45	15.39	2.70	1.28	0.19

*Demographic information was calculated using the American Community Survey five-year estimates for 2010 to 2014 and 2015 to 2019.

TABLE B9: Cole County Demographics and Select Charge Types and Sentencing Outcomes (2010 – 2021)

	White Percent	Black Percent	Hispanic Percent	Asian and Pacific Islander Percent	American Indian & Alaskan Native Percent
Geographic Area					
Cole County*	<i>83.70</i>	<i>11.75</i>	<i>2.78</i>	<i>1.38</i>	<i>0.39</i>
Type of Charge					
All Charges	64.68	33.43	1.68	0.18	0.03
Felony	62.85	35.91	1.09	0.10	0.06
Misdemeanor	65.30	32.52	1.95	0.21	0.02
Sentencing Outcomes					
Incarceration (Prison)	63.94	35.00	0.87	0.12	0.07
Incarceration (Jail)	62.86	35.43	1.49	0.19	0.03
Fine	65.89	30.87	3.02	0.18	0.04
Suspended Imposition of Sentence	67.61	31.11	1.14	0.13	0.00
Specific Sentences					
Life Sentences	--	--	--	--	--
Specific Crimes					
Possession of a Controlled Substance	78.26	20.39	1.36	0.00	0.00
Armed Criminal Action	29.03	69.03	1.94	0.00	0.00
Burglary (2 nd degree)	66.05	33.58	0.37	0.00	0.00
Domestic Violence (2 nd degree)	44.60	54.68	0.72	0.00	0.00
DWI	80.95	15.96	2.94	0.16	0.00

*Demographic information was calculated using the American Community Survey five-year estimates for 2010 to 2014 and 2015 to 2019.

-- This symbol indicates that there were five or less life sentences imposed over the study period.

TABLE B10: Cooper County Demographics and Select Charge Types and Sentencing Outcomes (2010 – 2021)

	White Percent	Black Percent	Hispanic Percent	Asian and Pacific Islander Percent	American Indian & Alaskan Native Percent
Geographic Area					
Cooper County*	<i>91.52</i>	<i>5.91</i>	<i>1.78</i>	<i>0.46</i>	<i>0.33</i>
Type of Charge					
All Charges	76.85	21.17	1.26	0.60	0.12
Felony	74.64	24.08	0.75	0.47	0.06
Misdemeanor	76.51	21.10	1.50	0.74	0.16
Sentencing Outcomes					
Incarceration (Prison)	75.01	23.86	0.73	0.34	0.06
Incarceration (Jail)	77.19	21.71	0.62	0.40	0.09
Fine	76.41	20.03	2.28	1.06	0.23
Suspended Imposition of Sentence	79.10	19.86	0.52	0.47	0.05
Specific Sentences					
Life Sentence	--	--	--	--	--
Specific Crimes					
Possession of a Controlled Substance	85.28	12.43	0.77	1.34	0.19
Armed Criminal Action	56.41	41.03	2.56	0.00	0.00
Burglary (2 nd degree)	88.46	11.54	0.00	0.00	0.00
Domestic Violence (2 nd degree)	69.81	30.19	0.00	0.00	0.00
DWI	83.00	15.42	1.19	0.20	0.20

*Demographic information was calculated using the American Community Survey five-year estimates for 2010 to 2014 and 2015 to 2019.

-- This symbol indicates that there were five or less life sentences imposed over the study period.

TABLE B11: DeKalb County Demographics and Select Charge Types and Sentencing Outcomes (2010 – 2021)

	White Percent	Black Percent	Hispanic Percent	Asian and Pacific Islander Percent	American Indian & Alaskan Native Percent
Geographic Area					
DeKalb County*	<i>86.10</i>	<i>10.18</i>	<i>2.32</i>	<i>0.83</i>	<i>0.58</i>
Type of Charge					
All Charges	91.71	6.89	1.02	0.23	0.15
Felony	88.63	10.17	1.00	0.10	0.10
Misdemeanor	92.82	5.72	1.06	0.22	0.18
Sentencing Outcomes					
Incarceration (Prison)	87.91	11.19	0.90	0.00	0.00
Incarceration (Jail)	92.33	6.44	0.96	0.00	0.27
Fine	92.51	6.01	1.00	0.31	0.17
Suspended Imposition of Sentence	95.82	2.55	1.16	0.23	0.23
Specific Sentences					
Life Sentence	--	--	--	--	--
Specific Crimes					
Possession of a Controlled Substance	94.98	5.02	0.00	0.00	0.00
Armed Criminal Action	75.00	25.00	0.00	0.00	0.00
Burglary (2 nd degree)	96.15	3.85	0.00	0.00	0.00
Domestic Violence (2 nd degree)	100.00	0.00	0.00	0.00	0.00
DWI	94.37	3.52	2.11	0.00	0.00

*Demographic information was calculated using the American Community Survey five-year estimates for 2010 to 2014 and 2015 to 2019.

-- This symbol indicates that there were five or less life sentences imposed over the study period.

TABLE B12: Dunklin County Demographics and Select Charge Types and Sentencing Outcomes (2010 – 2021)

	White Percent	Black Percent	Hispanic Percent	Asian and Pacific Islander Percent	American Indian & Alaskan Native Percent
Geographic Area					
Dunklin County*	82.58	10.47	6.39	0.34	0.22
Type of Charge					
All Charges	73.56	23.98	2.37	0.04	0.05
Felony	73.66	24.70	1.53	0.03	0.08
Misdemeanor	73.19	23.31	3.48	0.02	0.00
Sentencing Outcomes					
Incarceration (Prison)	74.43	24.04	1.40	0.00	0.13
Incarceration (Jail)	71.57	25.25	3.19	0.00	0.00
Fine	72.88	21.61	5.37	0.14	0.00
Suspended Imposition of Sentence	75.07	23.00	1.94	0.00	0.00
Specific Sentences					
Life Sentence	--	--	--	--	--
Specific Crimes					
Possession of a Controlled Substance	82.97	16.17	0.80	0.00	0.07
Armed Criminal Action	50.00	49.02	0.98	0.00	0.00
Burglary (2 nd degree)	73.97	25.00	1.06	0.00	0.00
Domestic Violence (2 nd degree)	71.60	22.40	4.40	0.00	1.60
DWI	82.70	12.71	4.44	0.00	0.15

*Demographic information was calculated using the American Community Survey five-year estimates for 2010 to 2014 and 2015 to 2019.

-- This symbol indicates that there were five or less life sentences imposed over the study period.

TABLE B13: Greene County Demographics and Select Charge Types and Sentencing Outcomes (2010 – 2021)

	White Percent	Black Percent	Hispanic Percent	Asian and Pacific Islander Percent	American Indian & Alaskan Native Percent
Geographic Area					
Greene County*	<i>90.76</i>	<i>3.21</i>	<i>3.57</i>	<i>1.98</i>	<i>0.48</i>
Type of Charge					
All Charges	86.91	11.40	1.09	0.51	0.09
Felony	84.62	13.80	1.10	0.40	0.09
Misdemeanor	88.03	10.25	1.07	0.57	0.09
Sentencing Outcomes					
Incarceration (Prison)	83.87	14.49	1.18	0.37	0.09
Incarceration (Jail)	85.81	12.34	1.25	0.51	0.10
Fine	89.16	8.96	1.23	0.59	0.06
Suspended Imposition of Sentence	89.91	8.64	0.72	0.61	0.13
Specific Sentences					
Life Sentence	72.86	22.86	4.29	0.00	0.00
Specific Crimes					
Possession of a Controlled Substance	86.34	12.57	0.87	0.16	0.06
Armed Criminal Action	64.88	32.12	3.00	0.00	0.00
Burglary (2 nd degree)	89.89	9.03	0.86	0.22	0.00
Domestic Violence (2 nd degree)	75.47	22.64	1.53	0.24	0.12
DWI	89.92	7.77	1.39	0.80	0.13

*Demographic information was calculated using the American Community Survey five-year estimates for 2010 to 2014 and 2015 to 2019.

TABLE B14: Howard County Demographics and Select Charge Types and Sentencing Outcomes (2010 – 2021)

	White Percent	Black Percent	Hispanic Percent	Asian and Pacific Islander Percent	American Indian & Alaskan Native Percent
Geographic Area					
Howard County*	<i>91.90</i>	<i>5.50</i>	<i>1.48</i>	<i>0.35</i>	<i>0.79</i>
Type of Charge					
All Charges	79.12	19.70	0.89	0.19	0.11
Felony	78.08	20.54	1.07	0.11	0.21
Misdemeanor	79.16	19.76	0.84	0.18	0.06
Sentencing Outcomes					
Incarceration (Prison)	78.85	20.46	0.46	0.23	0.00
Incarceration (Jail)	78.11	20.68	0.97	0.12	0.12
Fine	79.33	19.49	0.73	0.36	0.09
Suspended Imposition of Sentence	82.26	17.10	0.48	0.00	0.16
Specific Sentences					
Life Sentence	--	--	--	--	--
Specific Crimes					
Possession of a Controlled Substance	81.97	17.21	0.82	0.00	0.00
Armed Criminal Action	57.14	42.86	0.00	0.00	0.00
Burglary (2 nd degree)	88.89	11.11	0.00	0.00	0.00
Domestic Violence (2 nd degree)	71.43	28.57	0.00	0.00	0.00
DWI	89.43	10.57	0.00	0.00	0.00

*Demographic information was calculated using the American Community Survey five-year estimates for 2010 to 2014 and 2015 to 2019.

-- This symbol indicates that there were five or less life sentences imposed over the study period.

TABLE B15: Jackson County Demographics and Select Charge Types and Sentencing Outcomes (2010 – 2021)

	White Percent	Black Percent	Hispanic Percent	Asian and Pacific Islander Percent	American Indian & Alaskan Native Percent
Geographic Area					
Jackson County*	<i>64.46</i>	<i>24.07</i>	<i>9.03</i>	<i>2.08</i>	<i>0.36</i>
Type of Charge					
All Charges	51.91	44.99	2.54	0.51	0.06
Felony	48.37	48.77	2.49	0.32	0.05
Misdemeanor	56.52	40.21	2.44	0.76	0.07
Sentencing Outcomes					
Incarceration (Prison)	46.69	50.83	2.15	0.30	0.03
Incarceration (Jail)	51.35	45.89	2.50	0.23	0.03
Fine	58.03	37.98	2.92	0.98	0.10
Suspended Imposition of Sentence	52.78	44.30	2.28	0.55	0.10
Specific Sentences					
Life Sentence	21.88	78.13	0.00	0.00	0.00
Specific Crimes					
Possession of a Controlled Substance	54.26	43.40	2.03	0.25	0.07
Armed Criminal Action	23.48	72.38	3.80	0.30	0.07
Burglary (2 nd degree)	42.62	56.35	0.81	0.16	0.05
Domestic Violence (2 nd degree)	33.43	63.59	2.47	0.44	0.07
DWI	68.43	27.95	2.75	0.79	0.08

*Demographic information was calculated using the American Community Survey five-year estimates for 2010 to 2014 and 2015 to 2019.

TABLE B16: Johnson County Demographics and Select Charge Types and Sentencing Outcomes (2010 – 2021)

	White Percent	Black Percent	Hispanic Percent	Asian and Pacific Islander Percent	American Indian & Alaskan Native Percent
Geographic Area					
Johnson County*	<i>89.07</i>	<i>4.49</i>	<i>4.13</i>	<i>1.78</i>	<i>0.53</i>
Type of Charge					
All Charges	84.50	13.64	1.25	0.56	0.06
Felony	84.67	13.70	1.06	0.46	0.11
Misdemeanor	84.10	13.99	1.28	0.61	0.02
Sentencing Outcomes					
Incarceration (Prison)	85.30	13.30	0.92	0.39	0.10
Incarceration (Jail)	82.41	15.80	1.35	0.39	0.06
Fine	80.88	16.37	1.76	0.90	0.09
Suspended Imposition of Sentence	86.97	11.68	0.86	0.44	0.06
Specific Sentences					
Life Sentence†	66.67	33.33	0.00	0.00	0.00
Specific Crimes					
Possession of a Controlled Substance	85.83	11.88	1.62	0.41	0.27
Armed Criminal Action	65.39	32.69	1.92	0.00	0.00
Burglary (2 nd degree)	91.92	7.23	0.85	0.00	0.00
Domestic Violence (2 nd degree)	79.57	18.28	1.08	1.08	0.00
DWI	89.16	8.74	1.51	0.60	0.00

*Demographic information was calculated using the American Community Survey five-year estimates for 2010 to 2014 and 2015 to 2019.

† This symbol indicates that the percentages were calculated based on less than 10 total defendants.

TABLE B17: Lafayette County Demographics and Select Charge Types and Sentencing Outcomes (2010 – 2021)

	White Percent	Black Percent	Hispanic Percent	Asian and Pacific Islander Percent	American Indian & Alaskan Native Percent
Geographic Area					
Lafayette County*	<i>94.36</i>	<i>2.20</i>	<i>2.72</i>	<i>0.51</i>	<i>0.21</i>
Type of Charge					
All Charges	84.51	12.52	2.44	0.35	0.19
Felony	86.13	10.94	2.44	0.35	0.14
Misdemeanor	83.16	13.88	2.39	0.34	0.24
Sentencing Outcomes					
Incarceration (Prison)	85.96	11.06	2.41	0.39	0.19
Incarceration (Jail)	84.53	13.19	2.04	0.12	0.12
Fine	82.62	13.96	2.81	0.39	0.24
Suspended Imposition of Sentence	89.27	8.77	1.48	0.38	0.11
Specific Sentences					
Life Sentence	--	--	--	--	--
Specific Crimes					
Possession of a Controlled Substance	89.82	7.70	2.17	0.32	0.00
Armed Criminal Action	73.02	26.98	0.00	0.00	0.00
Burglary (2 nd degree)	90.66	8.79	0.55	0.00	0.00
Domestic Violence (2 nd degree)	86.11	12.50	1.39	0.00	0.00
DWI	90.33	6.97	2.36	0.34	0.00

*Demographic information was calculated using the American Community Survey five-year estimates for 2010 to 2014 and 2015 to 2019.

-- This symbol indicates that there were five or less life sentences imposed over the study period.

TABLE B18: Macon County Demographics and Select Charge Types and Sentencing Outcomes (2010 – 2021)

	White Percent	Black Percent	Hispanic Percent	Asian and Pacific Islander Percent	American Indian & Alaskan Native Percent
Geographic Area					
Macon County*	<i>95.16</i>	<i>2.40</i>	<i>1.33</i>	<i>0.57</i>	<i>0.54</i>
Type of Charge					
All Charges	87.64	11.05	0.75	0.31	0.24
Felony	85.93	13.28	0.49	0.18	0.12
Misdemeanor	88.24	10.15	0.94	0.38	0.30
Sentencing Outcomes					
Incarceration (Prison)	84.73	14.61	0.16	0.33	0.16
Incarceration (Jail)	87.04	11.60	1.00	0.14	0.22
Fine	87.77	10.54	0.99	0.47	0.24
Suspended Imposition of Sentence	89.32	9.70	0.49	0.29	0.20
Specific Sentences					
Life Sentence	--	--	--	--	--
Specific Crimes					
Possession of a Controlled Substance	87.97	11.75	0.00	0.28	0.00
Armed Criminal Action	81.82	18.18	0.00	0.00	0.00
Burglary (2 nd degree)	92.31	7.69	0.00	0.00	0.00
Domestic Violence (2 nd degree)	54.17	41.67	4.17	0.00	0.00
DWI	90.87	7.48	0.68	1.02	0.00

*Demographic information was calculated using the American Community Survey five-year estimates for 2010 to 2014 and 2015 to 2019.

-- This symbol indicates that there were five or less life sentences imposed over the study period.

TABLE B19: McDonald County Demographics and Select Charge Types and Sentencing Outcomes (2010 – 2021)

	White Percent	Black Percent	Hispanic Percent	Asian and Pacific Islander Percent	American Indian & Alaskan Native Percent
Geographic Area					
McDonald County*	<i>81.19</i>	<i>1.62</i>	<i>11.85</i>	<i>2.87</i>	<i>2.47</i>
Type of Charge					
All Charges	89.26	1.81	5.47	2.89	0.57
Felony	91.31	1.09	4.86	1.50	1.24
Misdemeanor	89.58	2.09	5.09	2.82	0.42
Sentencing Outcomes					
Incarceration (Prison)	91.48	0.96	4.31	1.82	1.44
Incarceration (Jail)	88.82	1.39	5.49	3.47	0.83
Fine	86.93	2.45	6.51	3.70	0.41
Suspended Imposition of Sentence	92.24	1.28	4.29	1.94	0.25
Specific Sentences					
Life Sentence	--	--	--	--	--
Specific Crimes					
Possession of a Controlled Substance	93.15	0.40	3.23	1.61	1.61
Armed Criminal Action	93.75	4.17	0.00	2.08	0.00
Burglary (2 nd degree)	93.80	0.00	4.65	0.78	0.78
Domestic Violence (2 nd degree)	92.86	0.00	2.38	0.00	4.76
DWI	88.13	1.51	5.61	4.21	0.54

*Demographic information was calculated using the American Community Survey five-year estimates for 2010 to 2014 and 2015 to 2019.

-- This symbol indicates that there were five or less life sentences imposed over the study period.

TABLE B20: Mississippi County Demographics and Select Charge Types and Sentencing Outcomes (2010 – 2021)

	White Percent	Black Percent	Hispanic Percent	Asian and Pacific Islander Percent	American Indian & Alaskan Native Percent
Geographic Area					
Mississippi County*	<i>72.90</i>	<i>24.46</i>	<i>2.04</i>	<i>0.08</i>	<i>0.53</i>
Type of Charge					
All Charges	63.43	35.40	1.00	0.16	0.02
Felony	64.81	34.89	0.27	0.04	0.00
Misdemeanor	61.61	36.51	1.59	0.25	0.04
Sentencing Outcomes					
Incarceration (Prison)	64.47	35.11	0.33	0.08	0.00
Incarceration (Jail)	58.62	40.56	0.58	0.25	0.00
Fine	60.31	37.31	2.08	0.24	0.06
Suspended Imposition of Sentence	69.86	29.58	0.56	0.00	0.00
Specific Sentences					
Life Sentence	--	--	--	--	--
Specific Crimes					
Possession of a Controlled Substance	80.56	19.18	0.26	0.00	0.00
Armed Criminal Action	37.36	62.64	0.00	0.00	0.00
Burglary (2 nd degree)	75.61	24.39	0.00	0.00	0.00
Domestic Violence (2 nd degree)	59.42	40.58	0.00	0.00	0.00
DWI	70.22	28.14	1.64	0.00	0.00

*Demographic information was calculated using the American Community Survey five-year estimates for 2010 to 2014 and 2015 to 2019.

-- This symbol indicates that there were five or less life sentences imposed over the study period.

TABLE B21: New Madrid County Demographics and Select Charge Types and Sentencing Outcomes (2010 – 2021)

	White Percent	Black Percent	Hispanic Percent	Asian and Pacific Islander Percent	American Indian & Alaskan Native Percent
Geographic Area					
New Madrid County*	<i>82.06</i>	<i>15.97</i>	<i>1.68</i>	<i>0.04</i>	<i>0.25</i>
Type of Charge					
All Charges	65.29	34.15	0.50	0.02	0.04
Felony	68.64	30.85	0.51	0.00	0.00
Misdemeanor	62.22	37.20	0.50	0.04	0.04
Sentencing Outcomes					
Incarceration (Prison)	69.80	29.95	0.25	0.00	0.00
Incarceration (Jail)	59.87	39.58	0.56	0.00	0.00
Fine	62.78	36.20	0.88	0.10	0.05
Suspended Imposition of Sentence	64.81	34.79	0.36	0.00	0.05
Specific Sentences					
Life Sentence	--	--	--	--	--
Specific Crimes					
Possession of a Controlled Substance	79.38	20.29	0.33	0.00	0.00
Armed Criminal Action	50.00	50.00	0.00	0.00	0.00
Burglary (2 nd degree)	69.68	30.32	0.00	0.00	0.00
Domestic Violence (2 nd degree)	72.17	27.84	0.00	0.00	0.00
DWI	67.57	31.63	0.80	0.00	0.00

*Demographic information was calculated using the American Community Survey five-year estimates for 2010 to 2014 and 2015 to 2019.

-- This symbol indicates that there were five or less life sentences imposed over the study period.

TABLE B22: Pemiscot County Demographics and Select Charge Types and Sentencing Outcomes (2010 – 2021)

	White Percent	Black Percent	Hispanic Percent	Asian and Pacific Islander Percent	American Indian & Alaskan Native Percent
Geographic Area					
Pemiscot County*	<i>69.98</i>	<i>27.45</i>	<i>2.43</i>	<i>0.03</i>	<i>0.11</i>
Type of Charge					
All Charges	55.32	43.47	1.10	0.06	0.05
Felony	57.54	41.75	0.63	0.00	0.07
Misdemeanor	53.42	45.12	1.35	0.08	0.04
Sentencing Outcomes					
Incarceration (Prison)	57.74	41.55	0.65	0.00	0.06
Incarceration (Jail)	49.82	49.69	0.45	0.00	0.05
Fine	58.93	38.31	2.54	0.17	0.06
Suspended Imposition of Sentence	55.77	43.13	1.00	0.07	0.03
Specific Sentences					
Life Sentence	--	--	--	--	--
Specific Crimes					
Possession of a Controlled Substance	70.87	28.35	0.58	0.00	0.19
Armed Criminal Action	38.79	59.48	1.72	0.00	0.00
Burglary (2 nd degree)	64.66	35.34	0.00	0.00	0.00
Domestic Violence (2 nd degree)	57.33	41.33	1.33	0.00	0.00
DWI	68.36	30.72	0.92	0.00	0.00

*Demographic information was calculated using the American Community Survey five-year estimates for 2010 to 2014 and 2015 to 2019.

-- This symbol indicates that there were five or less life sentences imposed over the study period.

TABLE B23: Pike County Demographics and Select Charge Types and Sentencing Outcomes (2010 – 2021)

	White Percent	Black Percent	Hispanic Percent	Asian and Pacific Islander Percent	American Indian & Alaskan Native Percent
Geographic Area					
Pike County*	<i>90.22</i>	<i>6.61</i>	<i>2.18</i>	<i>0.34</i>	<i>0.65</i>
Type of Charge					
All Charges	86.19	13.24	0.47	0.05	0.05
Felony	82.16	17.08	0.61	0.05	0.10
Misdemeanor	89.15	10.39	0.41	0.06	0.00
Sentencing Outcomes					
Incarceration (Prison)	81.30	18.14	0.37	0.09	0.09
Incarceration (Jail)	84.66	14.44	0.90	0.00	0.00
Fine	88.82	10.92	0.17	0.09	0.00
Suspended Imposition of Sentence	89.11	10.23	0.60	0.00	0.06
Specific Sentences					
Life Sentence	--	--	--	--	--
Specific Crimes					
Possession of a Controlled Substance	86.12	12.85	0.51	0.26	0.26
Armed Criminal Action	84.09	15.91	0.00	0.00	0.00
Burglary (2 nd degree)	89.66	10.35	0.00	0.00	0.00
Domestic Violence (2 nd degree)	83.33	14.82	1.85	0.00	0.00
DWI	94.72	4.29	0.99	0.00	0.00

*Demographic information was calculated using the American Community Survey five-year estimates for 2010 to 2014 and 2015 to 2019.

-- This symbol indicates that there were five or less life sentences imposed over the study period.

TABLE B24: Platte County Demographics and Select Charge Types and Sentencing Outcomes (2010 – 2021)

	White Percent	Black Percent	Hispanic Percent	Asian and Pacific Islander Percent	American Indian & Alaskan Native Percent
Geographic Area					
Platte County*	84.18	6.55	5.87	3.15	0.26
Type of Charge					
All Charges	70.09	24.88	3.58	1.39	0.07
Felony	73.62	22.72	2.60	1.04	0.02
Misdemeanor	68.81	25.74	3.87	1.50	0.08
Sentencing Outcomes					
Incarceration (Prison)	76.25	20.54	2.30	0.91	0.00
Incarceration (Jail)	75.98	20.57	2.66	0.70	0.09
Fine	63.44	30.10	4.87	1.52	0.08
Suspended Imposition of Sentence	76.77	19.15	2.34	1.70	0.05
Specific Sentences					
Life Sentence	92.31	7.69	0.00	0.00	0.00
Specific Crimes					
Possession of a Controlled Substance	83.53	13.60	1.72	1.15	0.00
Armed Criminal Action	56.67	40.00	3.33	0.00	0.00
Burglary (2 nd degree)	71.35	24.16	3.37	1.12	0.00
Domestic Violence (2 nd degree)	67.69	27.69	4.62	0.00	0.00
DWI	83.35	12.16	2.82	1.67	0.00

*Demographic information was calculated using the American Community Survey five-year estimates for 2010 to 2014 and 2015 to 2019.

TABLE B25: Pulaski County Demographics and Select Charge Types and Sentencing Outcomes (2010 – 2021)

	White Percent	Black Percent	Hispanic Percent	Asian and Pacific Islander Percent	American Indian & Alaskan Native Percent
Geographic Area					
Pulaski County*	73.47	11.20	11.10	3.32	0.91
Type of Charge					
All Charges	81.23	16.03	1.92	0.69	0.13
Felony	80.83	16.75	1.81	0.52	0.08
Misdemeanor	81.10	15.83	2.03	0.86	0.18
Sentencing Outcomes					
Incarceration (Prison)	82.73	15.17	1.47	0.58	0.05
Incarceration (Jail)	79.88	17.82	1.86	0.34	0.11
Fine	82.06	15.34	1.71	0.76	0.14
Suspended Imposition of Sentence	80.36	16.10	2.52	0.79	0.24
Specific Sentences					
Life Sentence†	87.50	12.50	0.00	0.00	0.00
Specific Crimes					
Possession of a Controlled Substance	87.80	11.28	0.74	0.19	0.00
Armed Criminal Action	58.23	38.61	1.90	1.27	0.00
Burglary (2 nd degree)	83.39	14.11	1.88	0.63	0.00
Domestic Violence (2 nd degree)	79.38	15.63	4.38	0.63	0.00
DWI	79.50	15.03	3.76	1.25	0.46

*Demographic information was calculated using the American Community Survey five-year estimates for 2010 to 2014 and 2015 to 2019.

† This symbol indicates that the percentages were calculated based on less than 10 total defendants.

TABLE B26: Randolph County Demographics and Select Charge Types and Sentencing Outcomes (2010 – 2021)

	White Percent	Black Percent	Hispanic Percent	Asian and Pacific Islander Percent	American Indian & Alaskan Native Percent
Geographic Area					
Randolph County*	<i>91.02</i>	<i>5.85</i>	<i>1.98</i>	<i>0.60</i>	<i>0.56</i>
Type of Charge					
All Charges	84.97	14.07	0.56	0.25	0.16
Felony	84.05	15.14	0.50	0.18	0.13
Misdemeanor	85.47	13.53	0.58	0.24	0.18
Sentencing Outcomes					
Incarceration (Prison)	83.90	15.41	0.44	0.15	0.10
Incarceration (Jail)	83.76	15.24	0.48	0.28	0.24
Fine	85.98	12.38	0.93	0.43	0.29
Suspended Imposition of Sentence	86.48	12.58	0.61	0.20	0.13
Specific Sentences					
Life Sentence	--	--	--	--	--
Specific Crimes					
Possession of a Controlled Substance	89.42	10.12	0.23	0.00	0.23
Armed Criminal Action	82.76	17.24	0.00	0.00	0.00
Burglary (2 nd degree)	89.12	9.85	0.52	0.00	0.52
Domestic Violence (2 nd degree)	79.55	18.18	1.14	0.00	1.14
DWI	91.22	7.67	0.61	0.40	0.10

*Demographic information was calculated using the American Community Survey five-year estimates for 2010 to 2014 and 2015 to 2019.

-- This symbol indicates that there were five or less life sentences imposed over the study period.

TABLE B27: Saline County Demographics and Select Charge Types and Sentencing Outcomes (2010 – 2021)

	White Percent	Black Percent	Hispanic Percent	Asian and Pacific Islander Percent	American Indian & Alaskan Native Percent
Geographic Area					
Saline County*	<i>83.22</i>	<i>5.24</i>	<i>9.87</i>	<i>1.46</i>	<i>0.20</i>
Type of Charge					
All Charges	76.18	18.96	3.58	1.17	0.10
Felony	76.71	19.40	3.02	0.80	0.07
Misdemeanor	74.29	20.34	3.85	1.38	0.14
Sentencing Outcomes					
Incarceration (Prison)	75.78	20.32	3.17	0.68	0.06
Incarceration (Jail)	72.84	21.17	4.29	1.64	0.06
Fine	75.81	18.66	3.85	1.54	0.14
Suspended Imposition of Sentence	79.09	16.20	3.57	1.14	0.00
Specific Sentences					
Life Sentence	--	--	--	--	--
Specific Crimes					
Possession of a Controlled Substance	79.89	17.53	2.17	0.41	0.00
Armed Criminal Action	64.58	27.08	6.25	2.08	0.00
Burglary (2 nd degree)	83.22	16.08	0.00	0.70	0.00
Domestic Violence (2 nd degree)	76.74	18.61	4.65	0.00	0.00
DWI	78.21	13.35	6.30	2.02	0.13

*Demographic information was calculated using the American Community Survey five-year estimates for 2010 to 2014 and 2015 to 2019.

-- This symbol indicates that there were five or less life sentences imposed over the study period.

TABLE B28: Scott County Demographics and Select Charge Types and Sentencing Outcomes (2010 – 2021)

	White Percent	Black Percent	Hispanic Percent	Asian and Pacific Islander Percent	American Indian & Alaskan Native Percent
Geographic Area					
Scott County*	<i>85.41</i>	<i>11.60</i>	<i>2.21</i>	<i>0.45</i>	<i>0.34</i>
Type of Charge					
All Charges	68.53	30.50	0.81	0.06	0.11
Felony	66.41	32.79	0.70	0.03	0.08
Misdemeanor	70.51	28.30	0.94	0.09	0.16
Sentencing Outcomes					
Incarceration (Prison)	69.15	29.98	0.81	0.00	0.06
Incarceration (Jail)	61.58	37.66	0.73	0.00	0.04
Fine	69.79	28.85	0.97	0.14	0.24
Suspended Imposition of Sentence	74.00	25.16	0.61	0.08	0.15
Specific Sentences					
Life Sentence	--	--	--	--	--
Specific Crimes					
Possession of a Controlled Substance	80.76	18.41	0.67	0.00	0.17
Armed Criminal Action	38.55	60.64	0.80	0.00	0.00
Burglary (2 nd degree)	74.32	24.66	1.03	0.00	0.00
Domestic Violence (2 nd degree)	61.72	37.50	0.78	0.00	0.00
DWI	83.20	14.97	1.49	0.11	0.23

*Demographic information was calculated using the American Community Survey five-year estimates for 2010 to 2014 and 2015 to 2019.

-- This symbol indicates that there were five or less life sentences imposed over the study period.

TABLE B29: St. Louis City Demographics and Select Charge Types and Sentencing Outcomes (2010 – 2021)

	White Percent	Black Percent	Hispanic Percent	Asian and Pacific Islander Percent	American Indian & Alaskan Native Percent
Geographic Area					
St. Louis City*	<i>44.36</i>	<i>48.32</i>	<i>3.94</i>	<i>3.18</i>	<i>0.20</i>
Type of Charge					
All Charges	22.34	77.27	0.12	0.25	0.02
Felony	21.15	78.58	0.10	0.17	0.01
Misdemeanor	24.56	74.86	0.17	0.38	0.04
Sentencing Outcomes					
Incarceration (Prison)	18.19	81.59	0.09	0.14	0.00
Incarceration (Jail)	19.61	80.13	0.11	0.13	0.03
Fine	51.57	47.38	0.65	0.39	0.00
Suspended Imposition of Sentence	27.24	72.23	0.12	0.38	0.03
Specific Sentences					
Life Sentence	8.33	91.67	0.00	0.00	0.00
Specific Crimes					
Possession of a Controlled Substance	31.13	68.75	0.02	0.10	0.00
Armed Criminal Action	7.46	92.05	0.19	0.30	0.00
Burglary (2 nd degree)	22.85	76.74	0.05	0.37	0.00
Domestic Violence (2 nd degree)	17.59	81.46	0.63	0.32	0.00
DWI	62.56	36.33	0.37	0.65	0.09

*Demographic information was calculated using the American Community Survey five-year estimates for 2010 to 2014 and 2015 to 2019.

TABLE B30: St. Louis County Demographics and Select Charge Types and Sentencing Outcomes (2010 – 2021)

	White Percent	Black Percent	Hispanic Percent	Asian and Pacific Islander Percent	American Indian & Alaskan Native Percent
Geographic Area					
St. Louis County*	68.76	24.24	2.83	4.04	0.13
Type of Charge					
All Charges	43.25	55.51	0.71	0.48	0.06
Felony	47.04	52.17	0.37	0.40	0.02
Misdemeanor	38.87	59.38	1.09	0.56	0.10
Sentencing Outcomes					
Incarceration (Prison)	45.78	53.59	0.33	0.30	0.01
Incarceration (Jail)	34.67	64.64	0.41	0.21	0.07
Fine	40.90	56.38	1.76	0.84	0.11
Suspended Imposition of Sentence	50.42	48.44	0.50	0.59	0.05
Specific Sentences					
Life Sentence	18.27	81.73	0.00	0.00	0.00
Specific Crimes					
Possession of a Controlled Substance	68.59	30.85	0.14	0.41	0.01
Armed Criminal Action	16.43	82.85	0.44	0.29	0.00
Burglary (2 nd degree)	35.81	63.75	0.26	0.19	0.00
Domestic Violence (2 nd degree)	32.25	66.38	0.87	0.50	0.00
DWI	77.27	20.68	1.17	0.82	0.08

*Demographic information was calculated using the American Community Survey five-year estimates for 2010 to 2014 and 2015 to 2019.

TABLE B31: Ste. Genevieve County Demographics and Select Charge Types and Sentencing Outcomes (2010 – 2021)

	White Percent	Black Percent	Hispanic Percent	Asian and Pacific Islander Percent	American Indian & Alaskan Native Percent
Geographic Area					
Ste. Genevieve County*	<i>96.59</i>	<i>1.23</i>	<i>1.07</i>	<i>1.09</i>	<i>0.03</i>
Type of Charge					
All Charges	83.07	16.18	0.58	0.17	0.00
Felony	89.28	10.26	0.41	0.05	0.00
Misdemeanor	78.75	20.35	0.66	0.25	0.00
Sentencing Outcomes					
Incarceration (Prison)	92.48	7.33	0.19	0.00	0.00
Incarceration (Jail)	87.79	11.42	0.71	0.09	0.00
Fine	78.01	21.09	0.68	0.23	0.00
Suspended Imposition of Sentence	92.71	6.85	0.31	0.13	0.00
Specific Sentences					
Life Sentence	--	--	--	--	--
Specific Crimes					
Possession of a Controlled Substance	91.90	7.95	0.00	0.15	0.00
Armed Criminal Action	89.36	10.64	0.00	0.00	0.00
Burglary (2 nd degree)	97.12	2.89	0.00	0.00	0.00
Domestic Violence (2 nd degree)	88.90	8.33	2.78	0.00	0.00
DWI	93.32	5.71	0.85	0.12	0.00

*Demographic information was calculated using the American Community Survey five-year estimates for 2010 to 2014 and 2015 to 2019.

-- This symbol indicates that there were five or less life sentences imposed over the study period.

TABLE B32: Sullivan County Demographics and Select Charge Types and Sentencing Outcomes (2010 – 2021)

	White Percent	Black Percent	Hispanic Percent	Asian and Pacific Islander Percent	American Indian & Alaskan Native Percent
Geographic Area					
Sullivan County*	<i>78.91</i>	<i>1.64</i>	<i>18.40</i>	<i>0.34</i>	<i>0.71</i>
Type of Charge					
All Charges	86.01	3.64	10.28	0.07	0.00
Felony	87.99	2.17	9.84	0.00	0.00
Misdemeanor	84.68	4.68	10.53	0.11	0.00
Sentencing Outcomes					
Incarceration (Prison)	88.90	2.32	8.80	0.00	0.00
Incarceration (Jail)	84.23	3.23	12.55	0.00	0.00
Fine	84.57	4.36	10.90	0.18	0.00
Suspended Imposition of Sentence	87.85	3.70	8.44	0.00	0.00
Specific Sentences					
Life Sentence	--	--	--	--	--
Specific Crimes					
Possession of a Controlled Substance	90.41	1.37	8.22	0.00	0.00
Armed Criminal Action	66.67	0.00	33.33	0.00	0.00
Burglary (2 nd degree)	88.90	0.00	11.11	0.00	0.00
Domestic Violence (2 nd degree)	100.00	0.00	0.00	0.00	0.00
DWI	80.63	5.63	13.75	0.00	0.00

*Demographic information was calculated using the American Community Survey five-year estimates for 2010 to 2014 and 2015 to 2019.

-- This symbol indicates that there were five or less life sentences imposed over the study period.

TABLE B33: Warren County Demographics and Select Charge Types and Sentencing Outcomes (2010 – 2021)

	White Percent	Black Percent	Hispanic Percent	Asian and Pacific Islander Percent	American Indian & Alaskan Native Percent
Geographic Area					
Warren County*	<i>93.94</i>	<i>2.00</i>	<i>3.31</i>	<i>0.52</i>	<i>0.24</i>
Type of Charge					
All Charges	87.72	11.12	0.96	0.18	0.02
Felony	87.80	11.00	1.07	0.13	0.00
Misdemeanor	87.18	11.71	0.90	0.18	0.04
Sentencing Outcomes					
Incarceration (Prison)	88.41	10.90	0.55	0.16	0.00
Incarceration (Jail)	87.44	11.78	0.59	0.16	0.04
Fine	86.87	11.97	0.89	0.25	0.03
Suspended Imposition of Sentence	90.19	8.46	1.18	0.17	0.00
Specific Sentences					
Life Sentence	--	--	--	--	--
Specific Crimes					
Possession of a Controlled Substance	92.89	6.61	0.34	0.17	0.00
Armed Criminal Action	65.00	30.00	5.00	0.00	0.00
Burglary (2 nd degree)	90.61	7.98	0.94	0.47	0.00
Domestic Violence (2 nd degree)	79.41	19.85	0.74	0.00	0.00
DWI	89.26	9.01	1.56	0.17	0.00

*Demographic information was calculated using the American Community Survey five-year estimates for 2010 to 2014 and 2015 to 2019.

-- This symbol indicates that there were five or less life sentences imposed over the study period.

TABLE B34: Webster County Demographics and Select Charge Types and Sentencing Outcomes (2010 – 2021)

	White Percent	Black Percent	Hispanic Percent	Asian and Pacific Islander Percent	American Indian & Alaskan Native Percent
Geographic Area					
Webster County*	<i>96.01</i>	<i>1.06</i>	<i>1.97</i>	<i>0.48</i>	<i>0.48</i>
Type of Charge					
All Charges	96.71	2.33	0.55	0.29	0.12
Felony	97.61	1.81	0.36	0.16	0.07
Misdemeanor	96.01	2.86	0.71	0.24	0.18
Sentencing Outcomes					
Incarceration (Prison)	97.46	2.00	0.24	0.18	0.12
Incarceration (Jail)	96.96	1.79	0.62	0.31	0.31
Fine	94.55	4.02	0.65	0.65	0.14
Suspended Imposition of Sentence	97.39	1.77	0.65	0.15	0.04
Specific Sentences					
Life Sentence	--	--	--	--	--
Specific Crimes					
Possession of a Controlled Substance	98.11	1.56	0.11	0.11	0.11
Armed Criminal Action	97.18	1.41	1.41	0.00	0.00
Burglary (2 nd degree)	98.48	1.02	0.00	0.00	0.51
Domestic Violence (2 nd degree)	95.39	3.08	0.00	1.54	0.00
DWI	97.35	1.70	0.95	0.00	0.00

*Demographic information was calculated using the American Community Survey five-year estimates for 2010 to 2014 and 2015 to 2019.

-- This symbol indicates that there were five or less life sentences imposed over the study period.

Appendix C

TABLE C1: Missouri Demographics and Select Charge Types and Sentencing Outcomes (Pre- and Post-Ferguson)

	White Percent 2010 - 2015	White Percent 2016-2021	Black Percent 2010-2015	Black Percent 2016 - 2021
Geographic Area				
Missouri*	81.89	81.89	11.70	11.70
Type of Charge				
All Charges	77.01	80.51	21.05	17.54
Felony	72.54	77.57	26.00	21.01
Misdemeanor	79.23	82.08	18.56	15.74
Sentencing Outcomes				
Incarceration (Prison)	72.79	78.50	25.92	20.38
Incarceration (Jail)	71.26	77.55	26.89	20.74
Fine	82.49	83.33	14.78	14.01
Suspended Imposition of Sentence	80.44	82.66	18.10	15.78
Specific Crimes				
Possession of a Controlled Substance	77.47	85.55	21.50	13.51
Armed Criminal Action	38.07	45.03	59.70	53.33
Burglary (2 nd degree)	70.11	79.42	29.03	19.85
Domestic Violence (2 nd degree)	67.26	71.38	30.86	26.98
DWI	88.73	86.78	8.70	10.72

*Demographic information was calculated using the American Community Survey five-year estimates for 2010 to 2014 and 2015 to 2019.

TABLE C2: Boone County Demographics and Select Charge Types and Sentencing Outcomes (Pre- and Post-Ferguson)

	White Percent 2010 - 2015	White Percent 2016-2021	Black Percent 2010-2015	Black Percent 2016 - 2021
Geographic Area				
Boone County*	82.79	82.79	9.18	9.18
Type of Charge				
All Charges	61.74	61.76	35.67	35.88
Felony	56.49	60.43	40.95	37.57
Misdemeanor	64.00	62.43	33.40	35.01
Sentencing Outcomes				
Incarceration (Prison)	54.90	62.20	42.96	36.48
Incarceration (Jail)	62.03	60.24	35.01	36.82
Fine	64.62	61.54	32.98	35.66
Suspended Imposition of Sentence	65.78	64.54	32.08	33.70
Specific Crimes				
Possession of a Controlled Substance	65.93	73.52	31.04	25.16
Armed Criminal Action	32.96	26.45	65.91	71.07
Burglary (2 nd degree)	52.38	61.22	46.83	35.98
Domestic Violence (2 nd degree)	50.31	52.41	47.24	46.39
DWI	79.45	73.45	16.24	22.24

*Demographic information was calculated using the American Community Survey five-year estimates for 2010 to 2014 and 2015 to 2019.

TABLE C3: Franklin County Demographics and Select Charge Types and Sentencing Outcomes (Pre- and Post-Ferguson)

	White Percent 2010 - 2015	White Percent 2016-2021	Black Percent 2010-2015	Black Percent 2016 - 2021
Geographic Area				
Franklin County*	96.69	96.69	0.95	0.95
Type of Charge				
All Charges	95.35	95.30	3.77	3.87
Felony	95.33	95.29	4.14	4.05
Misdemeanor	95.36	95.33	3.66	3.82
Sentencing Outcomes				
Incarceration (Prison)	95.46	95.57	3.99	3.92
Incarceration (Jail)	94.80	95.60	4.61	3.96
Fine	94.78	95.52	3.81	3.53
Suspended Imposition of Sentence	96.34	95.62	3.03	3.50
Specific Crimes				
Possession of a Controlled Substance	96.95	96.33	2.79	3.34
Armed Criminal Action	93.07	94.29	6.93	5.71
Burglary (2 nd degree)	94.31	99.60	4.98	0.40
Domestic Violence (2 nd degree)	88.07	93.84	11.01	5.48
DWI	97.52	97.29	1.52	2.17

*Demographic information was calculated using the American Community Survey five-year estimates for 2010 to 2014 and 2015 to 2019.

TABLE C4: Greene County Demographics and Select Charge Types and Sentencing Outcomes (Pre- and Post-Ferguson)

	White Percent 2010 - 2015	White Percent 2016-2021	Black Percent 2010-2015	Black Percent 2016 - 2021
Geographic Area				
Greene County*	90.76	90.76	3.21	3.21
Type of Charge				
All Charges	86.92	86.91	11.16	11.70
Felony	84.36	84.92	13.67	13.96
Misdemeanor	88.13	87.92	9.98	10.58
Sentencing Outcomes				
Incarceration (Prison)	83.74	84.04	14.25	14.80
Incarceration (Jail)	85.44	86.26	12.47	12.17
Fine	89.03	89.33	8.86	9.09
Suspended Imposition of Sentence	90.50	89.10	8.01	9.47
Specific Crimes				
Possession of a Controlled Substance	86.89	85.67	11.82	13.49
Armed Criminal Action	64.31	65.57	32.55	31.60
Burglary (2 nd degree)	89.79	90.02	8.48	9.73
Domestic Violence (2 nd degree)	74.61	76.46	23.18	22.03
DWI	90.63	89.25	6.92	8.56

*Demographic information was calculated using the American Community Survey five-year estimates for 2010 to 2014 and 2015 to 2019.

TABLE C5: Jackson County Demographics and Select Charge Types and Sentencing Outcomes (Pre- and Post-Ferguson)

	White Percent 2010 - 2015	White Percent 2016-2021	Black Percent 2010-2015	Black Percent 2016 - 2021
Geographic Area				
Jackson County*	64.46	64.46	24.07	24.07
Type of Charge				
All Charges	49.25	54.87	47.51	42.18
Felony	45.52	51.01	51.63	46.14
Misdemeanor	53.39	61.33	42.93	36.04
Sentencing Outcomes				
Incarceration (Prison)	45.42	48.47	51.98	49.21
Incarceration (Jail)	49.32	54.82	47.72	42.78
Fine	55.24	61.52	40.36	35.01
Suspended Imposition of Sentence	49.42	57.34	47.61	39.81
Specific Crimes				
Possession of a Controlled Substance	48.89	59.37	48.72	38.33
Armed Criminal Action	21.33	25.56	73.03	71.74
Burglary (2 nd degree)	40.46	47.26	58.43	51.88
Domestic Violence (2 nd degree)	33.15	33.76	63.76	63.39
DWI	67.08	69.74	28.88	27.05

*Demographic information was calculated using the American Community Survey five-year estimates for 2010 to 2014 and 2015 to 2019.

TABLE C6: Jefferson County Demographics and Select Charge Types and Sentencing Outcomes (Pre- and Post-Ferguson)

	White Percent 2010 - 2015	White Percent 2010 - 2015	Black Percent 2010-2015	Black Percent 2010-2015
Geographic Area				
Jefferson County*	<i>96.21</i>	<i>96.21</i>	<i>0.91</i>	<i>0.91</i>
Type of Charge				
All Charges	95.18	93.68	4.13	5.78
Felony	95.04	94.20	4.34	5.29
Misdemeanor	95.25	93.25	4.02	6.20
Sentencing Outcomes				
Incarceration (Prison)	95.34	93.82	4.12	5.68
Incarceration (Jail)	94.75	93.58	4.67	5.81
Fine	95.35	92.34	3.88	7.13
Suspended Imposition of Sentence	95.83	94.78	3.40	4.59
Specific Crimes				
Possession of a Controlled Substance	96.08	96.00	3.39	3.62
Armed Criminal Action	93.42	85.95	6.58	13.22
Burglary (2 nd degree)	96.52	94.58	3.48	4.58
Domestic Violence (2 nd degree)	88.89	89.44	10.26	9.16
DWI	96.95	94.91	2.12	4.39

*Demographic information was calculated using the American Community Survey five-year estimates for 2010 to 2014 and 2015 to 2019.

TABLE C7: St. Charles County Demographics and Select Charge Types and Sentencing Outcomes (Pre- and Post-Ferguson)

	White Percent 2010 - 2015	White Percent 2016-2021	Black Percent 2010-2015	Black Percent 2016 - 2021
Geographic Area				
St. Charles County*	89.65	89.65	4.53	4.53
Type of Charge				
All Charges	79.46	76.76	18.50	21.68
Felony	78.57	78.18	19.99	20.46
Misdemeanor	79.68	75.12	18.04	23.30
Sentencing Outcomes				
Incarceration (Prison)	79.35	79.25	19.55	19.79
Incarceration (Jail)	80.28	78.23	18.34	20.24
Fine	74.43	71.69	22.10	26.42
Suspended Imposition of Sentence	83.35	80.82	15.04	17.62
Specific Crimes				
Possession of a Controlled Substance	89.68	88.26	9.13	10.75
Armed Criminal Action	48.06	50.27	51.16	47.54
Burglary (2 nd degree)	81.46	81.66	18.10	18.35
Domestic Violence (2 nd degree)	74.74	74.50	23.16	22.82
DWI	90.90	87.61	7.17	11.13

*Demographic information was calculated using the American Community Survey five-year estimates for 2010 to 2014 and 2015 to 2019.

TABLE C8: St. Louis City Demographics and Select Charge Types and Sentencing Outcomes (Pre- and Post-Ferguson)

	White Percent 2010 - 2015	White Percent 2016-2021	Black Percent 2010-2015	Black Percent 2016 - 2021
Geographic Area				
St. Louis City*	44.36	44.36	48.32	48.32
Type of Charge				
All Charges	20.88	25.65	78.71	74.01
Felony	19.99	23.34	79.74	76.38
Misdemeanor	22.27	32.04	77.12	67.46
Sentencing Outcomes				
Incarceration (Prison)	17.27	20.12	82.47	79.72
Incarceration (Jail)	18.44	23.21	81.32	76.44
Fine	54.44	49.16	43.55	50.60
Suspended Imposition of Sentence	25.54	31.14	73.89	68.46
Specific Crimes				
Possession of a Controlled Substance	28.56	36.15	71.36	63.64
Armed Criminal Action	7.67	7.24	91.70	92.45
Burglary (2 nd degree)	21.18	27.20	78.50	72.14
Domestic Violence (2 nd degree)	16.36	19.51	82.60	79.68
DWI	63.52	60.87	35.03	38.62

*Demographic information was calculated using the American Community Survey five-year estimates for 2010 to 2014 and 2015 to 2019.

TABLE C9: St. Louis County Demographics and Select Charge Types and Sentencing Outcomes (Pre- and Post-Ferguson)

	White Percent 2010 - 2015	White Percent 2016-2021	Black Percent 2010-2015	Black Percent 2016 - 2021
Geographic Area				
St. Louis County*	68.76	68.76	24.24	24.24
Type of Charge				
All Charges	41.16	47.54	57.58	51.26
Felony	45.52	49.40	53.75	49.71
Misdemeanor	37.03	44.18	61.21	54.10
Sentencing Outcomes				
Incarceration (Prison)	45.76	45.79	53.61	53.57
Incarceration (Jail)	31.51	43.76	67.87	55.34
Fine	40.91	40.89	56.25	56.72
Suspended Imposition of Sentence	48.81	53.40	50.07	45.44
Specific Crimes				
Possession of a Controlled Substance	64.84	72.08	34.48	27.48
Armed Criminal Action	16.60	16.19	82.99	82.66
Burglary (2 nd degree)	35.58	36.40	63.98	63.14
Domestic Violence (2 nd degree)	33.33	31.38	65.28	67.27
DWI	78.41	75.19	19.47	22.89

*Demographic information was calculated using the American Community Survey five-year estimates for 2010 to 2014 and 2015 to 2019.

Appendix D

This appendix lists more excerpts from our in-depth interviews with people who work in the Missouri Court system, specifically detailing their opinions and experiences of racial and/or ethnic bias in the courts. The first section details specific experiences and opinions of bias regarding defendants and litigants. The second section deals specifically with workplace bias and discrimination.

Defendant/Litigant Bias and Discrimination

"In a preliminary hearing, a white woman, and she presented herself very well. She looked very professional. She was facing a possession of drugs, basically, and the judge dismissed her case. I mean, it was a stupid case. There was a small amount of drugs, and he basically dismissed it because the amount was so small. But it was shocking, shocking. I was shocked that it got dismissed [because] I could just tell the way that judge interacted with my client... The way he spoke and presented himself was so professional and nice, and he just had such a different temperament with her. And I was like, this would never happen with one of my young black male clients. There's no way a judge would dismiss this. So I think, honestly, situations like that might help me notice it more because, with most my clients, it's just such a battle all the time. Then I get a client like that, and it's just so easy. So, I think it's hard to just pinpoint any one example. I think you could just tell sometimes [by looking at] who gets a break and who doesn't get a break."

"I think maybe a jury might have returned a verdict that probably had some [racial bias] in its deliberation and verdict... Maybe you hear something from a juror, or the result just kind of makes you wonder a little bit about... I've seen it multiple different ways—not just a White juror against the Black defendant. I've seen it the other way, such as a Black juror may be in favor of a Black defendant or against a White defendant. I mean, there's never anything direct, although sometimes in voir dire questioning, I've had some jurors admit that they couldn't be fair because they have a bias against the Blacks, [Asians], or Hispanics. That's always refreshing for somebody to say that. But sometimes you just sense. And you know that they're the kind of jurors who are doing their own sense of justice in a way. They're not following the law although they say they're gonna follow the law, and then they do whatever."

"We had a criminal defendant that was Black, who...was screened for treatment court and deemed eligible, but was not allowed to be in the treatment court. When asked why, the prosecutor couldn't give any good reason. She just felt that it wasn't the right fit... I have no reason to believe it happened for any other reason than because of racial bias. I see multiple people a day and our treatment court criteria is objective. It's a series of assessments to make sure that we're being objective in how we process someone and their eligibility, and so the plea agreement should have been pretty standard, and it just wasn't."

"I've seen where a probation and parole officer has said that the client was threatening and all sorts of other things. And then the judge talks about the client's size, and that he needs to be careful because he's clearly intimidating and threatening. But the client is no bigger than his attorney next to him, maybe 5'5" and 125lbs. But he's a Black man."

"I know specifically that [one] client was given essentially a better deal... The prosecutor made it pretty clear that there was no [sympathy] regarding [the crime] because it was a Black on Black crime. And so because of that, I believe he said something along the lines of 'if they want to kill each other then that's fine.' So obviously in a situation like that, it benefits your client, but it's sad why [it does]. So we knew that with that prosecutor, if there was a crime like that, we were probably going to get a better deal. So we always kind of cashed in on that, so to speak, but that also makes you feel kind of gross."

"I saw an attorney...who was doing a bond argument in front of a judge, so I sat there, and watched the bond arguments. One of them involved a Hispanic defendant, charged with a domestic violence case... He'd been in custody for a year and hadn't got out... The complaining witness was saying 'I'm not afraid, I'm fine,' but he wasn't released. Then, it went on to a White defendant who was charged with [crimes involving trying to get into a school and having duct tape and a knife], and that person was released. And the only thing I could think of is, here's a White guy who has some wealth, and there you go. I'm like, you're really letting that guy out over this guy. It was shocking to see."

"There was a probation violation case, where the state was seeking to revoke [probation on] a Black individual based on things that were said in a rap. The individual was a rapper—as if somehow music people write or rap songs people write are their true intentions about what they're going to do rather than just expressions. But the judge in fact, revoked the probation. [The individual] was young, like 19/20. But they revoked this kid's probation based on a rap that he recorded...which the court said there's a propensity. I was just like, if a White kid wrote a country song about driving his truck and wanting to get drunk, [that wouldn't have happened]. I just didn't see how that was anything but a sort of racial bias about expression and super White judge. And really to me, it just fell flat. And then they tried to say that he was safer in prison. So I've seen things that strike me as really unfair. I don't even think a judge would hear me about why that's so troubling."

"Personally, it's the dangerous, subtle ways that [racial bias] stick out the most to me. It's the conditions given to someone who had a plea of guilty that would not normally be given to a White person, which possibly would set them up for a higher percentage of future failure on community supervision. I think every public defender has had an experience where they've had someone sentenced to prison that is a person of color, and they think in their mind, 'that is not similar to the outcome that I received on this person who was White in a somewhat similar circumstances.' I think every public defender who's practiced for at least a year would be able to tell you."

"I think people are more cautious, but they make more subconscious comments, like calling a Black man threatening just because he's a Black man. He's standing there and he's not doing anything; he's not threatening. I did have a case with a young Black client, and our first jury panel had... one Black man...and a Black woman, and the jury hung, [which means] they couldn't reach a verdict. The two Black people on the panel thought my client was not guilty. In the second trial, the judge and prosecutor made sure not a single Black person was on that jury panel. I'm not kidding—they did everything they could to make sure no Black people were on that panel. He was tried by an all-White jury and found guilty. So, I don't think a judge or prosecutor would be quite as blatant as to make comments like the staff did down in rural Missouri, but they will show by their actions that they do not care about Black defendants."

"There was a case where a juvenile committed a serious law violation...he was African American, had a strong family support system, and no criminal or delinquency history, no abuse history, completely empty record as far as the juvenile court is concerned...involved in sports, good academics. Just made a bad decision. And normally in those situations we would move forward with formal action because it is such a high felony, but we would not keep them in detention. We would say, if there was a support system in place, we would allow that juvenile to return home and be monitored, and just work with the deputy juvenile officer as the case moves forward. Then keep them as much in the community and keep those social bonds in place as much as possible, especially because of the lack of delinquency history. But this was handled completely differently by judiciary. They demanded that the juvenile be detained. The juvenile was painted as a criminal from the get-go, and there was even a discussion and almost demand of certifying this juvenile as an adult to stand trial, even though there was no history... The juvenile officer requested that the juvenile be released on a GPS monitor, so that they could return home and be with their family and their community. There was a lot of pushback, but then eventually the juvenile was allowed to be released on that monitor. Normally that monitor, depending on how long the case takes to move forward, they would stay maybe a month on the monitor and they would step down. The request to step down was denied multiple times, and the juvenile ended up staying on the monitor for almost 4 months—even though there were no violations, no concerns, and he adhered to all the conditions that were put in place and followed every directive given by the deputy officer. This was such a blatant different treatment that staff after court hearings would discuss it and say... 'if this kid was White, this would never have happened.'"

"There is a more paternal and maternalistic approach to people of color in the system especially young ones. I think we see frequently probation revocations and how those are viewed, and how you treat someone that hasn't done what you've asked. The manifestation of mental health in someone that's a person of color versus someone that is White. The manifestation of drugs or a substance use issue in someone that is White versus someone that is Black. What the requirements that come along with those things are, that's what stands out to me."

"The ones that really stick with me are the fight to get some kind of community supervision. I think the presentation to the client tends to be more opportunistic, like 'hey, this is an opportunity for you,' when they're a White person versus a person of color. But also, there seems to be a view that people of color need more services in order to be successful, and that ends up with people being required to do more. When you require someone to do more, and they are already starting from a place where they are an indigent client, you are saying to them, 'I'm going to give you more opportunities to screw up,' as opposed to, 'I want you to succeed, let's keep this as limited as possible with what is just absolutely necessary.'"

"We were in court and older woman, who appeared to be Hispanic...was being sentenced for drug trafficking. She had pounds and pounds and pounds of multiple drugs, driving from Mexico through all these states. She was allowed to plead to an SIS probation, which is never a thing. The judge treated her with so much respect, saying how this was just such a horrible thing that happened to her, and she was allowed to skip a lot of the rules in order to be done with her case. Then in the next instance, a young Black male, 17 or 18, was up for sentencing, who had a very small amount of meth—I mean, personal use at best. He was sent to prison. [Even though he had] no criminal history and it was his first time offense, he was sent to prison on a seven-year sentence. And there were so many of us attorneys in the courtroom that, after that one, several spoke out to the judge in open court about how ridiculous [this was]. Here's this person, who in federal court would have gotten a life sentence for the amount of drugs, walking away with all these concessions and freedom. And then here's a 17-year-old Black kid whose life is ruined for single use of meth. And the judge just got up and left the bench. And so I mean, it's an unusual situation because she was also Hispanic, but that would have happened had she been White also. I think Black individuals are treated overwhelmingly different than even our Hispanic clients or Micronesian clients."

"[Black individuals] being charged with crimes that would be misdemeanors for white people... I do have vague thoughts of 'this would have probably been a misdemeanor if this guy was White instead of Black,' stuff like that. It usually has to do with police interaction. Resisting arrest somehow seem to always be felonies if they're Black. I don't have the numbers to prove that; it's just kind of an impression I feel."

"My client, who was 18 at the time, caught a 60-year sentence, when realistically he should be somewhere between 15 and 20 years. There was really nothing that justified that, and I felt it was because he was Black. His plea counsel also felt that way. If it was a White guy, he wouldn't have caught that much time. It's a case that still bothers me because I was able to get him some years off his sentence, but his life is over. He's basically in prison for the rest of his life. He may be parole-eligible at his mid-50s, but that's from the age of 18 and up to 55 years in prison. What life really is there left? And the kind of socialization [in prison] is not conducive to a productive life outside of prison either. I firmly believe he was treated differently because he was African American."

"I would say, partly, the staffing here is almost entirely white non-Hispanic, so there is very little diversity amongst staff. Then they influence how the work is done. While there's tons of trainings that people have gone through, training only does so much for life experience. And then the other piece, like I said, is that denial, that pushback of the problem, and saying that their decisions are not based on race. Well, individually, that may be true. But there is a systemic issue that has not been addressed and continues to not be addressed because of that denial of the problem."

"I think it starts with our very poor education system and our disinvestment in certain communities and neighborhoods and goes to over policing certain areas where you're more likely to be caught doing something in one place versus another because that area has more officers. And then you end up with really serious overrepresentation of primarily Black community members here in the courts. So, I don't think it starts here. I think it starts way, way, way back. I think it's just like a problem embedded in our city at this point."

"I don't feel like employees that are working here are racist or anything like that. There may be some, but they hide it well. There are more Blacks in the court system. That's who visits the courthouse most. Yeah, whenever I would sit in the courtroom, the majority of the gallery would be Black individuals or Hispanic. You get a lot of Hispanics for the DWIs. I'd say there's a higher percentage of minorities in the courts than out in the general population... It might sound bad, but lower class, your class obviously [matters]. I don't see as many ritzy rich people. Richie rich Jim, 48 years old, with all the money in the world, coming in for a marijuana charge or for driving while revoked. I don't, I don't really see that as often as the ones that are in trouble a lot. I see more of the poor crowds who are struggling to pay their court costs instead of using mommy and daddy's money like some people. The richie rich ones, they have mommy and daddy's money, so they get bonded out and they get to go do more crimes... Unfortunately, that's the case. I don't think the poor, the lower class, have the resources. And they just don't have the home life. They don't know better."

"Probably 90% of my clients were African American. I just feel like racial disparities had an effect on their whole lives. I think a lot of stuff goes to education, and when kids aren't getting good education, it's just a snowball effect. I felt like the African American kids were just starting out in a worse position because the schools didn't seem that good. And then you would have kids that would say, 'oh yeah, I graduated high school,' but they couldn't read. You know they'd be defendants. You'd be having a discussion with them, and clearly they couldn't read well, couldn't communicate well, and didn't understand what you were saying. So I think it started there, and then maybe that even goes even further back. Maybe their parents had a bad education, which caused [that situation]. It was very systemic from a lot of avenues."

"Within the last week, I had someone call and ask if anyone *hablas español* (speaks Spanish). No, no one, no one in the office. There was no way to get that person an interpreter on the line or anything, so that immediately takes someone and cuts them off from the system. I don't think there's a Spanish translation on our website on anything. You would think that, at a state level, there would be access to those things and that the state would have resources in place where we could even call in and offer an in-between translator or something, but there is no resource for that."

"If I go down to the other judge's court that sees the criminal things, I'll end up going through the area where a lot of the people are [sitting]. Then I will see Hispanic members of the community and Latino or Black members of the community that magically don't make it upstairs. And that's odd because I can't foresee them not needing ex partes, divorce papers, complaint [titles], and written possession paperwork to the same degree that their Caucasian counterparts do. It doesn't make sense that we don't see them upstairs, but they are downstairs [where criminal matters are held]. And so they're only getting exposed to one part of the legal system. I can't imagine how many people don't even ask for help because they don't think they could get it in the first place, when they're just as deserving and entitled to the help as any other person."

"We don't have a large population of Black individuals in our general population, and Hispanic probably even more so. But definitely, there is, or appears to be, some bias, as far as bond requests, release from jail, plea agreements, entry into treatment court, and those types of thing. Personal bias, I think, is a lot of it. Just a general thinking that these people are more dangerous and therefore need to be left in jail awaiting disposition. [For the] Hispanic population, I would say language barrier is some of that—just feeling like they can't be trusted because we don't know what they're saying."

"In the criminal system, it starts with law enforcement, and it starts with the community. So if you have an area where people live that are high crime areas, then that's where they're going to make arrests, and those are the people that you're going to see in criminal courts. There is a disparity, but some of that is caused because that's where the crime is at. When you're arresting people in an area where it's largely a Black population, then that's the population you're going to have in criminal court."

"You see that a disproportionate number of these low-level charges are happening to Black and Latino defendants. They are much more likely to be charged with these kind of lower level crimes. Their court cases last longer because they usually can't afford attorneys. So they either have to take a long time to get an attorney, or they get arrested for a warrant because they needed to work and couldn't make it to court. Or they had a warrant issued initially on the case, get picked up, and then, because they can't afford their bond, they can't get out. Whenever I'm looking through court dockets or in the courtroom, it does feel like you see a higher number of defendants who are of minorities. Just looking around you can see it."

"I do believe Caucasian youth from wealthy communities are less likely to be presented to the detention center by law enforcement. Police will certainly send the police report for legal screening, but may be less likely to actually bring the youth to detention. I think continued diversity education is the key to addressing racial disparity and overcoming confirmation bias, and that includes the judiciary, legal officers, police officers, clinical services, court staff, community mentors, or anyone who works within this system. Program funding has to be extensive and sustainable for court-involved youth and their families. Behavior change does not occur in six months. Not when an individual is attempting to overcome such tremendous and often lifelong barriers. I believe adult incarceration should focus on behavior change, education, and providing opportunity for skill development, so that when a person is released, that person has a real chance for rehabilitation when reintroduced to the community."

"I think crime is more rampant in some of our poorer communities, so I think that is some of the nexus for why we see more Latinos and more minorities on our criminal dockets. Generally, that is where the crime is the highest, so those areas are flooded with police."

"There are officers and other people out there that will pick on people because they're Black. And I don't know whether that's just because that's the way it always was or what, but you know it's something you got to unlearn if you've grown up with that. I probably had some bad racial attitudes myself, but I think I learned not to have them. It took me a while, but I think I probably learned. And I think anybody can do that, but it's just sometimes hard for them. I think some of it is historical, and some of it is that people just don't know. They don't give each other a chance for it not to be that way...I've seen some uncomfortable stuff, and it's just the fact that people have grown up with that and that was the way they were raised."

"I believe the cause of those racial disparities is primarily over policing of non-White communities."

"Court systems don't run on an open house sort of agenda. More Black people are arrested and brought into the court system than White people. You get the pool of people that you see in the system—in the criminal law area—more dependent on law enforcement and the prosecutor's office than the judges. It's not a racial based system once you get to the courtroom...If you want to solve the disparity, if you want more equal law enforcement arrests, that's got to happen somewhere besides in the courtroom... Now, I think every judge committed to fairness and the system surviving and thriving needs to work outside of the courtroom to try to dispel disparities. You can do that through education [and] by working with law enforcement. There are many ways to get that done—you just can't do it in the courtroom."

"I think over 90% of those that are confined are African American. I think that the court looks at it as the nature of the beast that African Americans are more violent, less disciplined, and less reliable than those White defendants."

"Yes, there's a larger proportion of Black defendants that are charged. Some for valid reasons and some for kind of artificial reasons."

"My clients are overwhelmingly Black and Brown. I don't have many White clients. I think there's a certain benefit of the doubt that is given to White people. [They] are people who do things like present themselves well, and I think a judge or a prosecutor or whoever can just relate to them more because they look similar. I think it's easier for them to say, 'Well, you did this one sweet thing, but you'll still be fine.' Then I think there's the reverse of that, where I don't think anyone's necessarily consciously trying to be racist or anything like that, but I just think it's so much easier to write other people off by what they look like—what they're wearing and obviously race. People who are poor and black and if they have any priors, it's easier to write them off."

"Especially with the number of men held in custody, the number of men charged, number of men in poverty who are clients, it's overwhelmingly that more people of color are incarcerated and charged. From beginning to end, systemically, I would say, that is an issue...I think sentencing-wise you're better off generally with a White defendant than you are with a Black defendant. People perceive a Black defendant to be more dangerous the same way people walking on the street may think a Black man is more dangerous."

"Police like to say they just go where the crime is, but the truth is, anyone, especially White people, will recognize that they and their friends have committed very similar crimes on a regular basis [but] are not constantly arrested and charged. Black populations are definitely overrepresented in the criminal system, way overrepresented."

"Our juror makeup never reflects our community, and that is a huge problem. We would object to a jury panel because it's not a representative community, and the judges don't care and go forward with the panel anyways. That's problematic. We even had a juror stand up and say that he doesn't see a lot of people who look like my client, who was a young Black man, and that doesn't seem like a fair trial. I think we should be doing something to actively change it so that Black jurors are actually tried by a 50/50 jury at a minimum. That would be amazing. But they should be tried by a jury of their peers because there is such a cultural difference of living in America as a White woman than a Black woman, a huge difference. And that should be used when having a jury decide your fate."

"The county jail is disproportionately filled with Black man and Latino men. They make up the vast majority of the population in that county jail despite not making up the majority of the population in the county. I think that the police, in particular, are more [of] a problem when it comes to race than the court system."

"Well, it really starts with policing. I think policing has racial disparity in it, which leads to when police reports get over to the prosecutor's office. What's charged has racial disparity in it as far as just, percentage-wise, the amount of people of racial minorities and ethnic minorities getting charged as well as the level of charge. I think people of racial minorities are overcharged to a larger degree than White individuals. I mean, that's not always true and definitely speaking of generalities, but then when it comes to bonds. I think you can look up our jail's statistics, and the number, the statistics on the racial minorities who are being held in custody is disproportional to the people who are charged with crimes."

"For a long time, there were disproportionate filings where the police would arrest somebody for possession with intent to distribute marijuana. And it was a misdemeanor amount of marijuana, meaning it was under 30 grams. But it was in multiple baggies, typically two or three. And so instead of charging them with the misdemeanor, they would charge them with the felony of possession with intent to distribute. I don't think I ever had a White client that was charged with that, but I did with Black individuals. And it was always those facts; it was a misdemeanor amount of weed, but it was in two or three bags [because] they had just recently purchased. They didn't have any other evidence. There were no ledgers, there was no massive amounts of cash, there were no text messages indicating that they were out to sell. It was just multiple baggies of marijuana—a misdemeanor level—but [they were] felony charged with intent to distribute. So I thought that was extremely racist."

"There was a young Black man. He was 17, so he was charged as an adult. He was in the foster care system and ran away. An officer tried to detain him because he ran away, but legally, [the officer] really had no authority to do so. He ran off, and the cop caught him and grabbed him by his arm. But when the cop did that, he caught him over a fence and ended up tearing up his arm pretty bad. Kid got charged with resisting arrest and with assault on a law enforcement officer. He was in jail and nobody would post his bond. The prosecutor gave me a misdemeanor offer that I conveyed to him, and he said he would take it. But it was a SES, which means there would be a conviction on his record for the misdemeanor and place him on probation. The judge saw the facts of the case and wouldn't take the plea. He said, 'I'm not going to put a young Black man on probation for resisting arrest on an SES, where it's going to be on his record forever. I'm going to do an SIS.' And that's what he did. My client took that, but also, I probably could have fought that a lot harder. But my client was in jail, was 17, and didn't want to be in jail, but had no means to bond out. And they wouldn't release him on his own recognizance because he was a young Black man with no home."

"I recently did a jury trial, [where] the defendant was Black. In the entire jury pool that we had called—I think there were 100 or maybe a little over—there was one person of color, and then she wasn't picked. Now, we did get a not-guilty verdict, but at the time, I did make an argument that he did not have a jury of his peers. And he got fortunate and I was glad to see that. But it is something that I constantly do have to think about."

"We know that Black and Brown folks are more likely to be arrested. Even though they're committing drug offenses at approximately the same rates that white people are. They're more likely to be arrested for it."

"We have judges and prosecutors who are openly biased. I don't know what the answer is [to solve this issue]. And the sad part is that most of their electorate is probably fine with them being that way."

"The prosecutors act like they don't have any control over bad cops, but they do. They don't have to file every case that walks in the door. If you have a bad cop, you make a list of those bad cops, and you refuse to accept reports from those cops. I do think prosecutors specifically within the court system can make a difference. But...for instance, [because] the FOP, the fraternity of police, have such a huge political sway, prosecutors instead feel like they have to make sure police are always happy and do what the police want. For example, a White law enforcement officer who shot a Black woman—they gave her restorative justice and dismissed her case. They haven't done restorative justice with a single other person within the system, so again, [they are] rewarding law enforcement, not holding them accountable."

"I don't know if the court system really includes power over the prosecutors. Prosecutors are sort of their own entity. But I look at the judges as being that [position in the middle that regulate some prosecutorial discretion]; they're the accountability for the prosecutors. They do have power to change certain things like bonds or to not bind charges that are overcharged. They definitely have power to be a stop gap, and to hold [the prosecutors] accountable. They are not exercising that power as much as I think they should."

"I think they need to have significantly more training for all employees that is taken seriously and is mandatory. I think the vast majority of encounters I have with employees and management—[they] would not even admit that there's an issue or that they have any biases. Same with the gender issue. They would just be, 'oh my gosh, no, that's not a problem.' I think they can't or won't recognize it, so I think mandatory training that's taken seriously, which is more than just an hour here and there, [is necessary]."

"[Can] I think of a couple cases off hand where my client got hammered because he's Black? Yeah, I absolutely can. Is that happening with every single African American or Latino clients? No. But has it certainly happened with some? Absolutely. You know where it's like...if this person was White and the judge was able to really identify with them on a personal level, would they have given this 18-year-old 60 years? The answer's no."

"If you're White, middle class or upper middle class, and commit a crime, part of what judges are going to be looking at is your ability to make something of your life and not become a recidivist. And if you've had that background, typically, you're going to be a good candidate for probation or deferred sentencing, and they would keep it off your record or at least keep you out of prison. On the flip side, if you grew up poor—whether you're Black, White, Hispanic, Latino—you're not right when it comes the time for sentencing. Can this person really make something of their life? Are they going to be a recidivist? The answer for that, a lot of times, is going to be no because you've got somebody [who have] committed a couple of petty crimes—maybe some drug crimes or property crimes. So you know they're going to have a history. Then they are not going to have high school education, are going to have dropped out of high school, and they're not going to have a lot of family support."

"Talking about the court system as a whole, prosecutor's office absolutely could refuse cases. Judges at the associate circuit level, I think they're a little hesitant or something to use [their power]. Like, they're judges and they have a lot of power. They could just say, 'hey, there's no probable cause here to continue this case,' and just dismiss it. They have that power, but they're hesitant to use that power. And I don't know where that comes from—if they're worried about getting reelected, or if they dismiss a case, and then God forbid, some of that defendant goes out and commits another crime and then people get mad at you as a judge or the media publishes stuff about you as a judge, like, 'oh, we're letting all these criminals loose' and stuff like that. But yeah, absolutely."

"African American kids who have very limited delinquency history. But because they either commit a serious felony or a felony involving stolen cars, [they are detained]. We've actually been directed by judiciary that, if any juvenile is accused of tampering with a vehicle or anything like that, they must be detained. No matter what their history were, no matter what [support system they had], they must be detained, which, again, unfairly impacts kids of color just because of the population dynamics and the demographics. Then they are being detained in our facility, having to go to court, and then kind of getting the book thrown at them by judiciary."

"There was a young Black youth who had a significant trauma history of abuse and neglect from parents, and he had been bounced around foster homes. As he got older, he started committing law violations, and there was a perception—because he was large in stature—that he was more violent. Whereas, if it was a White youth who had a smaller stature, there would be a lot more sympathy given because of the trauma history. But with this juvenile, everyone kind of just said, 'it was a violent kid, and he was such a big kid he could do so much damage.' That case still sticks in my mind a lot."

"Sometimes, not in open court but prior to the defendant coming in, a defense attorney will make fun of their own client as a banter back and forth with the judge as kind of a precursor to what's going to happen. That kind of thing."

"I've seen judges specifically really talk down to people of color in the courts... This is so complicated because I'm thinking of both White judges and some of our Black judges who talk to people a certain way. I've got all sorts of different pieces of things I've witnessed that are coming to mind. I think a pattern could be boiled down to there's a lot of paternalistic tones and words and sort of questioning of people. Like, 'Well, do you really have the support you say you have at home? Do you really?' or 'Is this...' I don't know, I don't know... Yeah, yeah, definitely. And I think the affluence is maybe the biggest piece of this. ...When somebody has money, you can tell that the whole thing is going to go differently, whether they're Black or White, because they will have a really fancy private attorney hired very early. That attorney will know the judge. The judge will speak very respectfully to that person, and they're probably going to be released from jail. Even if it's a murder charge—which, I'm not saying it's wrong, but it's just you can see how these will go. Whereas, you see somebody who has the same charges, who is clearly struggling in life and has a public defender, [who] is not going to get the same treatment and is probably going to be held a lot longer. And [they are] just sort of doubted about their ability to do well while they're on release."

"When I have seen a person of color come in, if I am free or if I am available, I have tried to interject and help them because of how I've seen the behavior and attitude [of my co-worker]. Just the things that are said by the receptionist, like referring to how people wear their pants or the things they wear on their head. You get the general impression that she's probably not the biggest fan of anyone that's not Caucasian. So, when I have seen someone that isn't [Caucasian], I have tried to go up to help so that they have someone that is warm and receptive and helpful to assist them."

"I've witnessed, in the last few years, words or phrases that aren't appropriate, that are derogatory towards a particular race. And then when pointed out, [the people making the comment did] not particularly accept it as inappropriate. One particular example would have been in an open court. While a defendant was explaining a financial situation, a judge used the term 'sitting in high cotton.' The defendant didn't particularly like that and was brave enough to ask the judge not to use that term with them. But it wasn't accepted appropriately by the judge... It was received [as if] they were joking, so [the judge made] just kind of an excuse instead of an apology. It was more of like, 'oh don't take it so seriously, I didn't mean it like that, we're just joking,' kind of deal."

"Most people who don't speak English, I see [racial bias] more there. And I'm not just talking about Hispanics. I think a lot of times it's just, I don't know, and I don't want to say ignorance because it is not the right word. I just don't know that people understand how it feels when you don't understand [what someone who comes from another country is] saying. So sometimes I think prosecutors get frustrated with people who don't speak English. Or if they have thick accents, that's another thing. It makes me crazy."

"The most recent incident was an incident where the defendant was brought to court in jail garb and not allowed to dress in street clothes for their court appearance. And I believe that that was either economically or racially motivated."

"[The bias] is definitely toward those who are different than ourselves. But, primarily, it's difficult to understand [Latinos], and the masks have made that worse."

"Because the system is so taxed, that ability to meet the ideal with regard to resources and investigation tools and background tools impacts the people that are in the system the most. With regard to disparity, there are more minorities in the criminal justice system than there are Caucasians. So—however you would fit that within your question mark—that's my honest opinion. I never saw a situation where I thought it was an obvious ethnic or racial bias. What I did see is... let's say there are six Black people for every four Caucasians that come through. If the system is underfunded, that's going to impact the minorities more than the other people."

"We don't have a lot of White defendants coming through, and usually when we do, they go by the system. I think with the African American defendants, it's addressed more [as if] that's just the nature of their personality, the tendencies to not follow the law. It really does seem like that they are guilty before they're innocent."

"It's been many years, and I remember being kind of irritated over this. Our public defender was being offered mainly to African American individuals, and it was assumed that a White person or any other race could automatically afford an attorney. Personally, I thought that was really wrong because you might appear dressed and put together, and it might appear like you can afford stuff, but [you] can't. So I remember just feeling and not being happy about that. If it's going to be offered to some people, it needs to be offered to everybody. There were differences in fines or punishments that were being given out. ...it wasn't consistent. So I did have a talk regarding that because I thought everything needs to be the same across the board for fairness reasons. But also when it comes to administrative reasons, once you start typing it in and you're putting on the books, that's when you really notice it. Maybe I wasn't noticing it while it's being said because I'm doing other things in court. But then I put it in and say, wait a minute, this person has a marijuana charge and they're charged \$50 with core costs. And this person is charged \$300. Why is that?"

"I have not specifically really seen anything [in the courtroom] other than sometimes when the circuit clerks will kind of make some casual racist type comments."

"Judicial discretion is broad. If you work in a jurisdiction like I do as someone who has said no [and disagreed with] judges, they gang up and punish you. They'll reach out to the Court of Appeals. All the judges network and they all talk to each other, so, sadly, whistleblowers are usually the ones who end up losing their jobs and end up being punished."

"As far as the judge in that jurisdiction [is concerned], I believe he was harsher on sentencing. We had a client who had some pretty basic charges. It wasn't anything major and no one got hurt. We did a bench trial because we felt like the questions were legal questions, but the judge of course found him guilty anyway and then ran his time consecutively. Based on what I've seen in [that judges' other sentencing decisions], it didn't make sense. I felt like it was because that gentleman was Black."

"I had a Black female client who was accused of some things. I reviewed discovery, which included video evidence. We had surveillance video from the store in question, and we had body cameras of the police officers. She was charged with assault, but basically, she had gone through the store knocking things over like she had lost her temper. She never actually assaulted anyone. But the way the probable cause statement was written was, she assaulted this person by pouring this toxic liquid on them, she threw things all over the store, she destroyed this, destroyed that, and then allegedly had assaulted the police officer when they were trying to arrest her. Video evidence did not back up the probable cause statement at all, including the assault on the police officer and resisting arrest. So she ended up with an offer that she decided to take. It was a much, much, much improved [deal compared to] what she was charged with, and I think would have been even better if she had let me take it to trial. But you've got someone in jail and they want to get out. At the plea, the judge sees an angry Black woman, and he went in and added a bunch of conditions to the probation, including [banishing] her from any Walmart in the United States. And it was kind of one of those things where [the judge doesn't] even know. I got this deal because the evidence didn't back this up. And so he has no idea. All he sees is an angry Black woman. She had no criminal history."

"People just make horrible comments. ...the court clerk made comments to me about even a fellow attorney who was Black... People are saying things, like calling my clients animals and talking about them in ways that I'm just shocked. Even prosecutors and sheriff would make comments about how if the client died of an overdose we would all be better off without them. Just really horrible comments."

"A lot of the people around this area are still extremely racist. And a lot of them don't even realize it. It's more that it's an 'us vs. them' mentality and those people are different. We have a lot of Hispanic workers in the area, and they will work on the farms. And I feel almost like it was that plantation mentality, where it's like, 'well, those people are less than us because they come here just to work.' So there was a lot of racism built in the community."

"[Unfair racial treatment] happens pretty much every day. I see these incidents in hearings almost every day."

"The situation of bonds is the one that keeps coming to my mind. But I think [racial bias is present] also sometimes in the way the court addresses individuals. People of different ethnicities or racial backgrounds might have different ways of speaking and different language that they use. I think sometimes our judges can infer disrespect when it's not intended. [For example], there was a judge and a person who wasn't actually my client, but I was just in the courtroom observing. I was astounded. I texted one of my colleagues about it because I really felt like [the judge] was treating her in a racist manner, not necessarily intentionally. She was entering a plea. I felt like she was more reserved—she clearly was not super happy that she was pleading guilty to a felony, which I don't know many people that would be. But he ended up stopping the guilty plea and chastising her about not being thankful enough for the favor he was doing for her to accept the plea deal that the prosecutor had announced. So he stopped the plea and chastised her in an open court in front of everyone for her mannerisms. She had not said or done anything that I would think was disrespectful. But she was a Black woman, and he chastised her in open court, and I really think it was based on a lack of empathy, a lack of understanding for the position that she was in, and inferring that disrespect from her mannerisms when it really wasn't any disrespect intended. She's just not happy that she has a felony. I mean, can you not relate to that? And he didn't even accept her plea that day. He made her leave—and I haven't seen it so I don't know if she's already finally been able to enter her guilty plea—but even after she left, her attorney was like, 'judge, I apologize on her behalf.' I was just infuriated. I almost stood up and said something, but she wasn't my client, I wasn't a party, and that wouldn't have helped anyone. But it was disgusting."

"I had a client six years ago who had failed to appear for a trial. He was picked up, and from start to finish, he was treated as a more violent person, even though he had never made any outbursts physically in court. He was restrained in court in a manner that is never used, as far as number of bailiffs, number of handcuffs, chains, and monitoring. There were threats to have him shackled during trial, even though he had never made any outwardly physical—I mean, he was verbally angry—but he had never made any physical threats or actions. The bailiffs treated him as if he was a top security threat. They yelled at him—I mean, he yelled at them too—but they treated him like a caged animal from start to finish. His behavior would not have necessitated that level. He was outspoken, he was angry, he had been gone on a violent offense, but his actions this time around did not necessitate that level of hostility from the employees, the court personnel, and the jailers. I believe that was solely because he was Black."

"I think it goes into the implicit bias that is fed into by media. [The media depiction] that it's a big Black man so he's scary and threatening, and people not being able to step back and see that bias happening. They just kind of roll with it and think that it's true."

"We're not very diverse in our area, so the opportunity doesn't always arise [for racial bias]. But it feels like when there is diversity in the courtroom, it never tends to go the standard procedure... Prosecutors, judges, sometimes attorneys."

"I remember one time where I think one of the clerks was speaking with a Caucasian couple and they asked to speak with someone who was more like them. She did come and get me, not because I was more like them, but because she needed help with the situation. That was strictly a racial thing. So I think occasionally they will be treated different by the public, but I really don't see anybody getting treated any differently by management, the judges... I know that I'm White. I know that there's probably stuff that I don't see, so I'm not going to say it's not happening. At this point, I just can't think of anything. I'm not naive enough to think that it's not happening."

"[There was] an African American young man on an athletics team. He got injured, so he can no longer be on the team. It was essentially a college-athlete-career-over kind of injury. He comes from a disadvantaged background, and he's not in a good place mentally or emotionally. He's also away from home for the first time in his life, on his own. And the thing that he identified himself with as an athlete is now gone forever. So he's not in a good place. He pled guilty [to breaking into his teammates' homes with a BB gun and stealing]. A prosecutor made a choice to charge him with what's called armed criminal action in Missouri, which basically means you commit a felony when having a dangerous instrument or deadly weapon with you. A BB gun qualifies. And what comes with that, though, is an automatic sentence of three years flat in DOC. So you cannot get probation on those charges, and the prosecutor was not willing to budge on that charge. And frankly, the judge did not want it to go like that either, but the judge has no control over the charging. The judge wanted to give the guy probation and told him that and said, 'But I have to give you three years on this,' which is what he got. So you take this person, who's clearly in a screwed up state, who's willing to take responsibility for what they did, somebody who can be rehabilitated, and they throw him in prison for three years during a very, very important time in their life. And all of [his promise] now gets flushed down the toilet and all that. And now, [let's say] he'd been a White kid from a middle class family on an athletic scholarship who did the exact same thing. Do I think that that prosecutor would have refused to budge on that armed criminal action charge? No, I think a White kid in that situation would have gotten probation. I think it comes down to that ability to identify with the person and see some of yourself in that person. The prosecutor, for whatever reason, just couldn't see that. Well, and again, it's not like a mystery—it was a kid who was African American."

"The judge just decided that a particular defendant didn't get to wear street clothes. I don't know why in particular that individual was chosen, so I don't know for sure that it was racially motivated. I just know that public defender's clients get treated a lot worse than everybody else."

"I've been here 30 years. I've got a lot of incidents, but all in all, I think that they assume that an African American can be confined much easier than a White person."

"[Unfair racial treatment] happens in smaller ways fairly frequently. [For example,] just the way [the judges] speak to the criminal defendants, I think it's sometimes pretty disrespectful in an unwarranted way. Like when people are struggling to understand or when people don't understand even just the decorum of the courtroom, [the judges] get real offended. You're a judge and have been around this for years. Not only that, you probably understood it even growing up better than this person who is encountering the court system for the very first time. Can we educate [ourselves] before we become disrespectful and condescending to people?"

"I can't say that I could ever prove any discrimination. ...when you say that a Black man is threatening even though he's just standing there, I can't prove that you're being discriminatory. So, no, I haven't reported anything. I certainly told people in my office, like when we talked about the treatment of White victims being better than the treatment of Black victims. It's certainly something we have talked about in our office. We've noticed openly. I one time said to a prosecutor that my client felt like he was getting treated differently because he was Black. That prosecutor lost his mind on me in court and said I was calling him a racist, and he wouldn't talk to me anymore. And I was like, 'I didn't call you a racist. I told you what I observed, which was my client's not getting a better deal and he's Black. And this White guy with the same case is getting a better deal. I'm asking you why that is.'"

"I think the biggest thing is that pro se litigants have a hard time navigating the court system and don't understand what the court can and can't do. So there are limitations that don't have to be limitations. And those fall disproportionately on people of color and poor people because that's the population that we serve. And people who have language barriers. It should be more accessible. It could be a lot more accessible. Things are in legal jargon when they should be in a lot simpler language, and there could be more resources online. The courts' website is not set up for people with disabilities. But it's a lot of money, so we haven't done it yet."

"I witnessed a judge in open court. And [the defendant] also happened to be Black and was very feminine. He would often wear makeup and paint his nails. He was on probation with this judge, and so sometimes he would violate [his probation] and would have to come into court. I would watch the judge and the prosecutor openly laugh and mock him in court, so I think that there's a lot of ignorance surrounding that and open discrimination."

"One of the White judges here recently said out loud that they may be the only White person that knows what it's like to be Black. I thought that was one of the most ridiculous things I've ever heard a human being say. There used to be a judge here who would frequently tell young clients of color that if they didn't stop what they were doing they would wind up dead or pregnant. And these were always said to young men of color, as if to say that they were destined to be raped in prison. And there was some also homophobic undertones to that comment. Those are two [episodes] that stick out."

Workplace Bias and Discrimination

"I definitely think judges treat [a Black female attorney] a lot differently...I think judges might not acknowledge or give them a chance to speak as much. Just little things, like showing respect, I think. I wouldn't say that about every judge, but I definitely think there's some judges out there in general. Just not as much respect given."

"I had a Black colleague who, when he first appeared in court, a private attorney turned around and looked at him and goes, 'Is this my client?' It never dawned on him that this person that's beyond the bar right next to you could also be a lawyer."

"Sometimes, I get the sense that there's a good old boys club going on. And that actually is almost directly with actual judges, specifically white males. Getting things like a clerkship or an internship is literally based on their last name. [If] they had a grandfather who was a judge or they are related to someone, their last name is literally getting them that job... For me...it's just honestly walking down the hall here and looking at the colors. It's 90% white."

"There are 15% of African Americans within the United States, but there's a lack of representation in the courts. The only way that we can kind of change that mold is to start to hire more African Americans and help them fit in that mold as well. And I think when we look at our courts, we're never going to understand the racial bias if we never bring that culture and the percentage [up] to help them see that. Together we can make a change. But the more we keep that door closed, and the more we keep minorities out of that door, the more we're going to continue on with this systemic bias."

"There was a Jewish attorney and he was wearing his Yamaka. One of the clerks made snide remarks that she did not like Jews. And she let it be known to her co-workers. But when an attorney appeared wearing the Yamaka, she made a remark. Along the lines of ethnicity, I would also hear comments, not loud ones, about not speaking English."

"I worked with a Black attorney, and the judges used to order lunch for the jury when the jury goes out in a trial. [The Black attorney] came back and the judge said to him, 'I assume you want chicken?' And I was like oh my God. But a lot is being old and... people were very openly racist even in professional settings for a really long time. And the progression has gone away from that, which I think is great. There has been progress."

"[One court I worked in] was in a predominantly African American community, and they treated non-African Americans differently than they treated African Americans... People had their timesheets, and they would get a promotion. Other people would be fired for something similar. It's like what is trying to be addressed today. And I think this interview brings up issues of past behaviors with one race against the other. Which I agree we can't deny that happened in history, but now it's almost role reversal."

"I do have a colleague who is an immigrant, who has communication skills that are not as good as we'd like. That has set different people off or maybe complain about how they responded to something. And the response or the way it's told to me is that the complaining person is using an accent to complain. So that tells me that there's a little bit of bias."

"Where I worked at previously, I was always treated as if I was an outsider. I was White, and most of the people that I dealt with were Black and Hispanic. They always thought I was the mean White lady that was not going to be very nice to them. And then my job was to make sure that they didn't leave that way. It's hard and you take it personally, but you have to remember that they're just looking at what they see and what they're told for most of their lives. It was just my job to find a different way around it, and I did. By the time I left I feel like I had done a good job, and they weren't so afraid of City Hall and the court anymore."

"I think more so. Especially with the push for DEI right now, I think it's more of an issue of 'what boxes do we need checked?' Maybe that has kind of swung the other way. I can't say that it has served anyone negatively, but I've certainly seen where potentially there could have been a more qualified candidate, but because they didn't meet a certain checkbox, they weren't put in that position...Now more than ever."

"I have a friend who is a Black attorney. Basically, a [court personnel] had touched my friend's hair, which apparently in the Black community, especially maybe Black women, that is actually something that's very painful. People don't normally come up to me and touch my hair."

"In our office, all the African Americans are treated inferior. Everybody that's African American—and I would say the office is predominantly African American—has been treated worse than those small number of White employees. ...I think promotional activity. And myself...I had an opportunity to [get promoted], but they decided that the best person for the position was not myself, even though the person they chose has less experience."

"One of the clerks that was hired to work under her was a lady of color. I do feel like she was treated a little bit harshly by this supervisor—and probably just because [this supervisor] grew up in the same small town I did. There's a lot of racism [in that town]. I think that it wasn't intentional on her part. I think it's just a part of her personality because that's how she was raised. And I do feel like if [the lady of color] would make a mistake, it was more of a big deal than if someone else made the same mistake. I don't think that it was an intentional bias, but I do think it was definitely a bias that [the supervisor] had."

"Judges treat [Black attorneys] a lot differently than they treat [White attorneys]. I think there's more. I think it's a gender thing too. I think other women in our offices have noticed similar things."

"White men as lawyers get it better. Most of the judges are White men. And I think they get immediately more credibility than Black men or women as a whole do."

"A female colleague of color was [mistaken] with another female colleague of color by a judicial officer at a time in their career where that was inexplicable. There are number of times this person had been in front of this other person...and both attorneys had been in front of this specific judicial officer. It shouldn't happen."

"I've only worked with one racial minority attorney in our counties—a Black male—and it was startling how some judges were...overly compensating not to appear to have a problem with him. Things that would normally get a response or something from a judge were just not. He was always stopped by the bailiffs, even though he was in a suit and clearly an attorney. Even after they knew, he would be stopped, pulled over on the Courthouse Square by cops leaving court. He was talked about openly when he wasn't there. Clients treated him in different manners. He's the only—actually, that's terrible now that I think about it. He is the only non-White attorney I've seen in any of these courtrooms in all these years. That's sad. I had a judge pull me into chambers to gripe about him, when normally, that had never happened."

"There was only one Black male attorney that has ever worked here. He was negotiating with the prosecutor and they got into some sort of squabble. The Black male attorney who works in my office walks out to the main lobby and just kind of off the cuff says, 'Is he always an ass like that?' And the prosecutor stormed out of his office and hit the panic button, which calls the police straight up to the prosecutor's office. The officers all thought that he was overreacting, being ridiculous. Even his boss ended up admonishing him for it. He eventually quit. But yeah, I have definitely treated that particular prosecutor far worse and said way worse things to him, and he never treated me like that or anybody else. He never to our knowledge ever hit that button before. But a Black man had the audacity to call him an ass, and he felt that he needed to hit a panic button, [which is] pretty ridiculous, in my opinion. One of the most disgusting things I've ever seen a lawyer do to another lawyer or anybody."

"I've absolutely heard of [incidents where people are] going into court and all the White male attorneys get waived on through security. Then African Americans, also in a suit and also an attorney, have to go through security."

"I have heard that African American colleagues feel they are set aside."

"[A respondent told of an incident where the respondent was passed over for a promotion due to being White and needing a minority in that position.] That was a tough pill for me to swallow. As a White male and a father of White males, I certainly don't want any of my sons treated that way—the same way that any African American mother or father would not want their sons and daughters treated negatively on anything on the basis of race."

"I didn't know that I was called the colored girl. I didn't know that until after I was leaving. There was a collective number of incidents that may have contributed to a person not liking you based on your race. Ultimately, I think, I wear my hair in different ways, and one lady said, 'Your hair looks like a mop. I don't like it when you wear those types of dreads or braids or something like that. I like it when it's straight.' Or the type of food that you might eat. And you kind of take it with a grain of salt initially because they're not all at the same time. But I think that it really came to a head as I approached coming to the Administrative Office and just kind of got that look, 'You? How could you be able to go there?' And it was like, oh, wow. ...Or I'm calling you into a meeting every day because you did something wrong. But you later find out there was a level of bias there."

"I've tried to advance beyond [my current position] a few times and didn't get much traction. I kind of felt maybe that's because I'm a white male, not a woman. I'm not minority, where I've seen people get that nod. I don't quarrel with it. I understand that's the way it is, too. But I think deep down, I have been here. I have the experience. I've done the work and did the service. So in that sense, I felt that there's times where that's not fair."

"I've felt discrimination due to my religion, but not for race or ethnicity."

"One of the stories that a lady told me when she was training me. She told me that her opinion of her former Black coworkers was that they had kids every five years so they could stay on welfare and keep getting money from the children's fathers, even though they worked in the same place that she did and somehow were making the same money she did. Then there is one African American child advocate who comes in regularly, and the same lady calls her 'girl' sometimes. She also told me about the judge that used to shame female lawyers in his court who didn't dress to his standard and then made hilarious comments sexualizing them to the staff after they were gone... Yeah, so those are some of the things that that woman said to me. I stopped recording it after a while."

"I asked an individual here about my son joining cub scouts. And he was like, 'I don't believe we have any colored cub scouts around here.' And I was like, 'colored?'...I could only see a bias within this person after that. And the people that he worked closely with, as far as management was concerned, they were not seen in too much of a different light because of some of the things that they did after that."

"I think they need to have significantly more training for all employees that is taken seriously and it's mandatory. I think the vast majority of encounters I have with employees and management, would not even admit that there's an issue, or that they have any biases, or same with the gender issue, they would just be oh my gosh no that's not a problem. I think they can't or won't recognize it, so I think mandatory training that's taken seriously that's more than just an hour here and there."

"It's always hard to prove you were discriminated against. It's always difficult because that's just a basic human interaction kind of thing. But I think that when you see a lack of diversity within your organization, when you see that certain things aren't catered to come along with your culture, or you kind of feel like you're in this bubble by yourself and there is no room for you to really talk about the issues that you're facing. I come from an impoverished environment full of African Americans, so some of my situations, I think, are a lot different than a lot of the other people, but I think that minorities understand those differences quite well. But because we don't have a larger number of minorities, it really can't be expressed just because you know there's power in numbers. But if there's a lack of numbers, then there's a lack of understanding. I think our country as a whole has adapted to a systemic way of how racism really is, and because of that systemic racism, it makes it harder when you're working for an organization that doesn't open the door or try to adapt to the culture of those minorities. When those doors don't seem like they're open for everyone, it makes it seem like they're part of the systemic change that America adapted after slavery. And it's a little heartbreaking, but you look forward to what might be. We had Ferguson that happened, so you see the Supreme Court taking initiatives, so maybe there will be change. So I just look forward to that day where things just look a lot better for minorities."

"I have not specifically really seen anything other than, not in the courtroom, but other than sometimes like I said, the circuit clerks will kind of make some casual racist type comments."

"I believe the <supervisor in my office> is showing and shown retaliatory actions toward the African American staff by isolation, misinformation, segregating and adverse actions."

"In our office, all the African Americans are treated inferior. Everybody that's African American, and I would, the office is predominantly African American, has been treated worse than those small amount of White employees."