Unequal Treatment: Racial and Ethnic Disparities in Miami-Dade Criminal Justice
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Analyzing data on all adult criminal defendants from 2010 to 2015, we examined individual and neighborhood racial and ethnic disparities across multiple decision points within Miami-Dade County’s criminal justice system: arrest, bond and pretrial detention, charging and disposition, and sentencing. Our analysis uncovered racial and ethnic disparities at each of these decision points. We also found disparities at every decision point that, regardless of ethnicity, resulted in disadvantages for Black defendants and neighborhoods while resulting in advantages for White defendants and neighborhoods.

This report demonstrates that race and ethnicity shape Miami-Dade County’s criminal justice system.

Race and ethnicity shape a person’s involvement in the criminal justice system and in the system’s outcomes.

Overrepresented. Black defendants (regardless of ethnicity) are overrepresented in Miami-Dade County’s criminal justice system relative to their population share.

Punitive. Black defendants who are Hispanic are overrepresented and experience the most punitive outcomes at nearly every decision point in the system.

Proportionate. White defendants who are not Hispanic are proportionately represented in the county’s criminal justice system relative to their population share and experience the least punitive outcomes at nearly every decision point in the system.

Underrepresented. White defendants who are Hispanic are the most underrepresented in the system relative to their population share.

Racial and ethnic disparities occur at all decision points in Miami-Dade County’s criminal justice system.

Arrest/Detention/Conviction. Black defendants, whether Hispanic or non-Hispanic, are disproportionately arrested and, once in the system, are more likely than White defendants to suffer:

- longer periods of pretrial detention
- greater rates of pretrial detention, conviction, and incarceration

Prison Terms. Black defendants who are not Hispanic are sentenced to longer prison terms than any other racial or ethnic group.

Disproportionate. Black defendants who are not Hispanic are disproportionately represented in Miami-Dade County’s criminal justice system. Relative to their share of the county population, these defendants experience:

- 2.2 times greater rates of arrest
- 2.3 times greater rates of pretrial detention
- 2.5 times greater rates of conviction
- 2.5 times greater rates of incarceration

Most Disproportionate. Black defendants who are Hispanic are even more disproportionately represented in the county’s criminal justice system. Relative to their share of the county population, these defendants experience:

- 4.0 times greater rates of arrest
- 4.5 times greater rates of pretrial detention
- 5.5 times greater rates of conviction
- 6.0 times greater rates of incarceration

Filtered Out. White defendants, whether Hispanic or non-Hispanic, are more likely to be filtered out of the system early through prosecutorial decisions not to file or to reduce or drop charges, resulting in lower rates of conviction and incarceration for White defendants overall relative to Black defendants overall.

Racial and ethnic disparities also occur at the neighborhood level.

Punishment Hotspots. When neighborhood is considered, these disparities persist. There are higher rates of arrest, pretrial detention, prosecution, conviction, and incarceration for defendants arrested in Black (Hispanic and non-Hispanic) neighborhoods, producing punishment “hotspots” in Black neighborhoods.

Geographic Funnel. These neighborhood disparities increase across each successive stage of the criminal justice system, thereby generating a “geographic funnel” for Black neighborhoods. This is especially true for Black Hispanic neighborhoods, although they represent a small fraction of neighborhoods in the county.
INTRODUCTION

Analysis of five years of criminal justice data reveals how race and ethnicity shape outcomes at every decision point in the system.

CONCERNS OVER RACIALLY disparate criminal justice outcomes are certainly not unique to Miami-Dade County. Racial and ethnic inequality in incarceration rates have risen dramatically over the past several decades in the United States, in large part driven by “tough on crime” policies such as three strikes, mandatory minimum sentencing, policies, and proactive policing (The Sentencing Project, 2017), as well as by strict drug enforcement.

As a result of these punitive policies, nationwide, Black men are currently imprisoned at a rate that is nearly six times greater than the rate of White men, and Black women are imprisoned at a rate about twice that of White women (The Sentencing Project, 2017). In the state of Florida, 48 percent of the state’s prison population is Black, compared with 16.8 percent of the overall population (Florida Department of Corrections, 2017; U.S. Census, 2017). Beyond these individual-level racial and ethnic disparities, high rates of arrests and incarceration have disproportionately impacted Black and Hispanic or Latino communities (Omori, 2017; Roberts, 2004).

For example, police agencies have targeted communities of color as part of public-order-maintenance policing policies, thereby creating crime “hotspots” (Geller & Fagan, 2010, Lynch, Omori, Rousseau, & Valaski, 2013). In many major cities, millions of dollars are spent by criminal justice agencies incarcerating and surveilling communities of color. Criminal justice spending is so concentrated in these minority neighborhoods that some scholars have termed them “million-dollar blocks” (Chicago’s Million Dollar Blocks, 2006).

The purpose of this report is to assess systematically and to what extent there are racial and ethnic disparities in Miami-Dade County’s criminal justice system. Drawing from data on all adult criminal defendants from 2010 to 2015, we examine racial and ethnic disparities at two different levels — individual and neighborhood — across multiple decision-making points within Miami-Dade County’s criminal justice system. We focus on four primary stages of the criminal justice system, which represent core sections of this report: (1) arrest; (2) bond and pretrial detention; (3) charging and disposition; and (4) sentencing outcomes.

While there are certainly other stages in the criminal justice system (and many decisions occur simultaneously), we focus on these particular decision-making points because they are especially important for determining the trajectory of a criminal case. Police act as gatekeepers for the criminal justice system, filtering defendants in and out of the courts by their decisions to arrest or not to arrest, while pretrial detention has been linked to charging and sentencing severity (Johnson, Ulmer, & Kramer, 2008; Rodriguez, 2010). Charging and disposition outcomes shape the type and severity of punishment a defendant receives, and sentencing decisions determine the makeup of incarcerated populations. In the following sections, we discuss these various stages of the criminal justice system and present original findings from analysis of the data provided by Miami-Dade County’s courts. We conclude by summarizing our findings and by generating key insights from them, as well as by suggesting areas needing further research.

Research Setting

Given its demographically diverse neighborhoods, large concentration of immigrants, varying levels of community economic investment and divestment, and criminal justice history, Miami-Dade County is a unique site to investigate racial and ethnic disparity in the criminal justice system. The county operates one of the largest and most racially and ethnically diverse criminal justice systems in the nation. Florida has the third-largest incarcerated population in the country (The Sentencing Project, 2017), and Miami-Dade County not only sends the largest population of inmates to Florida state prisons, but also it operates the eighth-largest jail system in the country (Miami-Dade County Corrections & Rehabilitation, 2016).

A large proportion of Miami-Dade County’s 2.6 million residents are Hispanics and/or foreign-born, with Blacks comprising a significant proportion of the county’s population. According to the 2010 U.S. Census, White non-Hispanics comprise only 14 percent of the county’s population, with White Hispanics (58.4 percent) and Black non-Hispanics (17.1 percent) representing...
Miami-Dade County is a gateway to the Americas, and roughly half of its population is foreign-born (U.S. Census, 2010b). Most people migrated from Latin America, especially Cuba, or the Caribbean. Given Miami-Dade County’s large Hispanic population and the representation of Hispanics in local governmental positions of power, including those within criminal justice agencies, the county is an important locale for examining the criminal justice treatment of Hispanics. Moreover, Miami’s large immigrant population, much of which is Black, allows for a more nuanced analysis of the interrelationship among immigration, race and ethnicity, and criminal justice.

Miami-Dade County is also characterized by the “new geography of inequality” (Kohn-Wood, Samson, & Braddock, 2015; Sassen & Portes, 1993). During the 1980s and 1990s, Miami had a large increase in the flow of goods, services, and investments from emerging Latin American markets, transforming it into a “global city” (Sassen & Portes, 1993). While these forces of economic globalization ushered in increased economic mobility for certain segments of Miami’s population, they also led to growing residential segregation and economic inequality (Kohn-Wood et al., 2015). Miami is among the most segregated cities in the United States (Lagana & Stubbs, 2011), and its increasing gentrification will likely fuel greater segregation in the coming years (Feldman & Delver, 2014).

Figure 2 and Figure 3 display the demographic composition of Miami-Dade County neighborhoods by quintile. The darker shaded areas refer to Census Tracts with higher levels of a particular demographic characteristic, such as the percentage of White non-Hispanic residents. In neighborhoods, the data allows for an examination of criminal justice outcomes in a wide range of geographic places within the county. Figure 2 shows that White non-Hispanics are concentrated in downtown Miami, Miami Beach, South Miami, Coral Gables, Homestead, and Cutler Bay. The right map shows the majority of White Hispanics, many of whom are Cuban or Cuban American (Aja, 2016), living in Little Havana, Miami Lakes, Hialeah, and other areas along the county’s east-west corridor and north of the airport. Their concentration represents both the growth of the Cuban community following their emigration from Cuba and the westward expansion of development into suburban communities. Figure 3 shows Black non-Hispanics concentrated north of the central business district, along the I-95 corridor in Overtown, Miami Gardens, Opa-locka, and in southern pockets near and alongside U.S. Route 1. Black Hispanics are mostly concentrated in Black non-Hispanic areas (Overtown, Miami Gardens, Opa-locka), although they also reside alongside White Hispanics in small pockets along the east-west corridor. This pattern suggests that race, rather than ethnicity, may be more important for explaining racial/ethnic segregation patterns among Black Hispanics.

The first map in Figure 4, which displays the percentage of immigrants per neighborhood, aligns fairly well with the White Hispanic population. The correspondence between these maps is not surprising, as the majority of immigrants in Miami-Dade County come from Cuba. The second map in Figure 4 displays the percent of households in poverty at the neighborhood level. With the exception of a few neighborhoods in the western and southwestern parts of the county, poverty rates are highest in Black neighborhoods. This pattern is consistent with other major United States cities such as New York and Chicago.

Data Overview

Data on cases of all adult criminal defendants in Miami-Dade County during a six-year period (2010-2015) was collected from the Miami-Dade Clerk of Courts for this report. Data from the Miami-Dade Clerk of Courts covers arrests from more than thirty law enforcement agencies across the county. The data set includes every misdemeanor, felony, and ordinance violation arrest that occurred in Miami-Dade County, tracking cases from arrest to their final disposition. Our sample is based on adults who were arrested and booked between January 1, 2010, and December 31, 2015.

As a result, the data set includes information on roughly 200,000 criminal defendants. It also includes individual defendant and case information, such as race, gender, and other defendant demographic; charges filed; bond information; disposition, and arrest location information. Criminal cases represent our unit of analysis rather than individual defendants. The reason that some defendants appear in the data set multiple times for different arrests. For more information on how the data was coded and analyzed, see

The Clerk of Courts office pulled the data for all cases in their case data set during this period, which includes cases that had been reviewed within the last three and, more recently, two years. After that time period, the cases are archived in a separate data set. Therefore, there are fewer cases from earlier years than from more recent years. The data set also excludes sealed or expunged cases, juveniles (unless they are booked as an adult felony case), or cases involving “protected class individuals” such as police or judges. We thank the Miami-Dade Clerk of Courts office for their cooperation in providing the data to us.

In some cases, this sample also includes juveniles treated as adults.

5 The methodological Appendix further discusses these excluded areas as well as other mapping decisions.
According to a report by the Brookings Institution, Haitian and Haitian-Americans (who are primarily Black) comprise about 4.2 percent of the county population. While defining defendant race and ethnicity includes Hispanic and non-Hispanic. Racial categories categorize defendants into four racial and ethnic categories. The Methodological Appendix has been used in previous criminological research, our data allows us to further explore whether outcomes differ among these racial/ethnic categories.

### Table 1. Defendant Characteristics by Race and Ethnicity

<table>
<thead>
<tr>
<th>Characteristic of Defendants</th>
<th>Total</th>
<th>White</th>
<th>Black</th>
<th>Hispanic</th>
<th>Non-Hispanic Hispanic Non-Hispanic Hispanic</th>
</tr>
</thead>
<tbody>
<tr>
<td>Male</td>
<td>83%</td>
<td>80%</td>
<td>84%</td>
<td>8%</td>
<td>87%</td>
</tr>
<tr>
<td>Age at arrest</td>
<td>35.56</td>
<td>37.39</td>
<td>35.74</td>
<td>34.38</td>
<td>36.12</td>
</tr>
<tr>
<td>U.S. citizen</td>
<td>77%</td>
<td>75%</td>
<td>60%</td>
<td>93%</td>
<td>83%</td>
</tr>
<tr>
<td>Homeless</td>
<td>3%</td>
<td>3%</td>
<td>2%</td>
<td>2%</td>
<td>2%</td>
</tr>
<tr>
<td>Prior arrests</td>
<td>4.07</td>
<td>3.82</td>
<td>3.07</td>
<td>4.70</td>
<td>5.92</td>
</tr>
<tr>
<td>Prior convictions</td>
<td>0.91</td>
<td>0.68</td>
<td>0.46</td>
<td>1.24</td>
<td>1.44</td>
</tr>
</tbody>
</table>

**Characteristics of the neighborhood of arrest**

- % White Non-Hispanic: 15% White Hispanic: 47% Black Hispanic: 2% Immigrant: 46% Poverty: 29%
- % Black Non-Hispanic: 28% Hispanic: 50% Black: 2%
- % Asian: 2% Black Hispanic: 2% Hispanic: 2%
- % Black Non-Hispanic: 28% Hispanic: 17% Non-Hispanic: 15%

Given that arrest form does not capture ethnic identity, we utilize the U.S. Census Hispanic Surname List to ascertain the Hispanic origin of each defendant. This method has limitations; but it has been validated in previous research. We have used data from previous criminological studies. The Methodological Appendix has been used in previous criminological research, our data allows us to further explore whether outcomes differ among these racial/ethnic categories.

**Non-Hispanic Hispanic, White non-Hispanics, and White Hispanics.** These racial/ethnic differences in criminal history may be due, in part, to racial/ethnic profiling in policing. Prior research in other locales finds that Black residents are more likely to be arrested for drug crimes despite the fact that drug-sale rates are fairly similar across racial and ethnic groups.

- % of cases are Asian: 0.14 percent. When these mean percentages are compared to the population shares of these two groups, opposite trends emerge. The mean percentage of Black Hispanic residents in the neighborhood of arrest (47 percent) is considerably greater than their share of the county population (58 percent). The opposite is true for the Black non-Hispanic population in the neighborhood of arrest. The mean percentage of Black non-Hispanic residents (28 percent) is considerably greater than their share of the county population (17 percent). The latter discrepancy may be due in part to the fact that defendants are disproportionately arrested in areas with larger Black non-Hispanic populations, thereby increasing the mean percentage of Black non-Hispanic residents among the neighborhoods in which they are arrested.

However, the differences in the mean percentage of residents in the neighborhood of arrest who are non-Hispanics, White non-Hispanics, and White Hispanics, in part due to the fact that these two groups comprise the largest populations in the county. Of all the arrests that occurred between 2010 and 2015, the mean percentage of residents in the neighborhood of arrest who are White Hispanic was 47 percent, while the mean percentage of Black non-Hispanic residents in the neighborhood of arrest was 29 percent (see “Total” column in Table 1). When these mean percentages are compared to the population shares of these two groups, opposite trends emerge. The mean percentage of Black Hispanic residents in the neighborhood of arrest (47 percent) is considerably greater than their share of the county population (58 percent). The opposite is true for the Black non-Hispanic population in the neighborhood of arrest. The mean percentage of Black non-Hispanic residents (28 percent) is considerably greater than their share of the county population (17 percent). The latter discrepancy may be due in part to the fact that defendants are disproportionately arrested in areas with larger Black non-Hispanic populations, thereby increasing the mean percentage of Black non-Hispanic residents among the neighborhoods in which they are arrested.

Additionally, Black defendants are more likely to be arrested in neighborhoods characterized by higher levels of poverty and lower median-household incomes. White defendants are more often arrested in neighborhoods with a larger immigrant population. However, for all defendants, regardless of race and ethnicity, the mean percentage of foreign-born residents in the neighborhood of arrest (46 percent) is slightly lower than the county-wide average (52 percent). This indicates that defendants are not disproportionately drawn from immigrant communities.

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1. Using the two methods together — relying on the A-form for racial identification and on Hispanic surnames for ethnic identification — may have unique limitations; but it has been validated in previous research. For more technical details on how defendants are categorized, see Baumer, 2013.

2. For example, out of all arrests booked, less than 0.05 percent of cases are Asian, 0.04 percent Indonesian, and 0.28 percent of “unknown” origin.

3. According to a report by the Brookings Institution, Haitian and Haitian-Americans (who are primarily Black) comprise about 4.2 percent of the county population (Solomon, 2015). While persons of Haitian ancestry represent a significant segment of Miami-Dade County’s Black population, our analysis does not separately consider the non-Hispanic component of the neighborhood and the number of defendants arrested in the neighborhood. As such, neighborhoods with a larger number of arrests are weighted more heavily in these calculations, and neighborhoods with a smaller number of arrests are weighted less.
**Key Findings**

**ARREST RATES.** In Miami-Dade County, Black people are arrested at higher rates than other groups. As a result, Black Hispanics comprise four times more of the arrested population than their share of the county population, and Black non-Hispanic arrestees comprise over two times more of the arrested population than their county population share.

**DISPARITIES.** Black people are disproportionately arrested, even for crimes committed in largely White neighborhoods, and neighborhoods with a large Black non-Hispanic population have higher arrest rates.

**LOW-LEVEL CRIMES.** The same disproportionality applies not only to felonies but also to arrests for low-level crimes. Furthermore, when White non-Hispanics are arrested, they are less likely to be initially charged with a felony, and more likely to be charged with a misdemeanor or ordinance violation.

**NUISANCE CHARGES.** While alcohol-related (e.g., drinking in public, disorderly intoxication) and homelessness-related (e.g., panhandling, loitering) nuisance charges are most common in the arrests of White non-Hispanics, Blacks who are Hispanic and non-Hispanic are more likely to be arrested for drug-related nuisance crimes.

**NUISANCE ARRESTS.** Nuisance-crime arrests are most prevalent in economically developing neighborhoods with large White non-Hispanic populations.

Policing represents the first point of contact with the criminal justice system, and this section examines the racial and ethnic breakdown of people who are arrested and booked by the police. In addition to looking at arrest rates across various racial/ethnic groups, we also look at the type of charges for each arrest. Charges are formal accusations of a crime, so multiple charges are often associated with a single arrest.

However, we mainly focus on the most severe charge as we believe that is a better indicator of the ultimate outcome of a case. While police select the charges to record as the basis for arrest, those charges may change upon the filing of the case in court. For misdemeanors, charges can be filed in court by the police or by the state attorney’s office. For a felony, charges must be filed by the state attorney’s office. Charges vary in severity, with the most-to-least severe charges ranging from capital felonies or life felonies to first-degree, second-degree, and third-degree felonies; first-degree and second-degree misdemeanors; and ordinance violations.

We examine arrests for nuisance crimes, which we define as low-level offenses such as panhandling, prostitution, alcohol charges, and minor drug offenses, as well as homelessness-related offenses. While many nuisance crimes may seem relatively minor in and of themselves, arrests for some low-level offenses can dramatically affect a defendant’s life because multiple convictions of such offenses can lead prosecutors to file subsequent charges for the same offense as felonies, thereby increasing the punishment severity.

Finally, we analyze arrests by racial and ethnic composition of neighborhoods where people are arrested, as well as by the arresting police agencies. Our results highlight patterns of racial and ethnic disparities in policing. Not only are Black Hispanics and Black non-Hispanics overrepresented among those arrested in Miami-Dade County, but arrests are concentrated in Black neighborhoods. Both Black Hispanics and Black non-Hispanics are disproportionately arrested by police for low-level crimes compared with White Hispanic defendants. When examining drug-related nuisance arrests, Blacks have the highest arrest rates, regardless of ethnicity.

On the other hand, nuisance-crime charges are heavily concentrated among the White non-Hispanic population and in neighborhoods containing relatively more White non-Hispanic residents. These findings demonstrate how unequal treatment is differentially distributed across racial and ethnic groups, and also demonstrate that Black Hispanics are especially disadvantaged.

**Black defendants are disproportionately arrested, and Black neighborhoods experience higher arrest rates.**

12 For a violation of probation (VOP), the charge will be initiated by an arrest only if the allegation is of a new crime. It will be initiated by a probation officer filing the VOP on court if the allegation is of a violation of the terms of supervision. Our report does not separately examine VOPs because of data limitations. If the VOP is for a new crime, the case will most often be listed under the new arrest charge rather than as a violation of probation for the conviction for which probation was imposed.

13 More information about how we identified nuisance crimes and homelessness status is contained in the Methodological Appendix.

14 For example, driving with a suspended license (DWLS), and petty theft are considered “pretable” offenses, meaning that having multiple convictions for these offenses could lead to a felony charge and/or increased punishment (increased jail time, increased fines, etc.).
incidents are more common in neighborhoods with higher proportions of Black residents (Klingler, Rosenfeld, Loom, & Deckard, 2016). Taken together, this literature highlights how geographic variation in policing practices perpetuates racial and ethnic disparities in policing outcomes.

**Arrests**

Figure 5 compares the racial and ethnic composition of people who are arrested and the county’s population. White Hispanics comprise the only group that is underrepresented among arrestees, while White non-Hispanics are nearly even with their population share. These findings are in marked contrast to the results of several prior studies conducted in New York City, which indicate that Hispanics experience worse arrest outcomes than do White non-Hispanics (Geller & Fagan, 2010).

Our findings may differ from previous studies because we separate race and ethnicity. Additionally, the unique ethnic composition of Miami’s population — being a majority White Hispanic city — may create a less hostile environment for White Hispanic residents, an effect that does not appear to transfer to their Black Hispanic counterparts. In contrast, Black Hispanics are the most overrepresented group in arrest statistics, comprising four times more arrestees than their proportion in the county population. Black non-Hispanics are also highly disadvantaged, as they make up over two times more of the arrested population than their representation in the general population (38 percent of arrests versus 17 percent of the county population). These findings add to our understanding of how arrest outcomes are complicated by both race and ethnicity of individuals, suggesting that Hispanics face multiple disadvantages within the criminal justice system.

Figure 6 displays the severity of the maximum arrest charge in each case across racial and ethnic groups. White non-Hispanics are more likely than other racial and ethnic groups to be charged with a felony. On the other hand, with the exception of White non-Hispanics, at arrest about half of defendants receive a maximum charge that is a felony.

**Nuisance Crime Arrests**

Figure 7 reports findings on arrests for nuisance-crime charges. Overall, 35 percent of arrests are for nuisance crimes. However, this number varies slightly across racial and ethnic groups. The average number of nuisance-crime charges among White non-Hispanics and Black Hispanics is slightly higher than the overall average, while the number of nuisance-crime charges among White Hispanics and Black non-Hispanics is slightly lower than the average. When considering the average number of nuisance charges, a similar pattern is revealed.

Figure 8 provides further insight into the racial and ethnic distribution of nuisance charges by dividing them into subcategories, including drug-, alcohol-, homelessness-related, and others. The figures demonstrate that drug-related nuisance charges are most common in the arrests of Blacks, with 18 percent of arrests of Black non-Hispanics and 19 percent of arrests of Black Hispanics involving a charge of this type.

In contrast, only 14 percent of arrests
of White Hispanics and non-Hispanics involved a drug-related nuisance charge. It is unlikely that differential drug-usage rates explain these patterns as research in other locales suggests that all racial and ethnic groups use drugs at fairly similar rates (Alexander, 2012). Alcohol- and homelessness-related nuisance charges are most prevalent in the arrests of White non-Hispanics and, to a lesser extent, White Hispanics. This racial and ethnic distinction in the types of nuisance crimes that arrestees are charged with is important because punishments for drug-related charges are typically more severe than punishments related to alcohol use or homelessness.

**Arrests by Neighborhood**

Figure 9 and Figure 10 display the overall arrest rates per population as well as by nuisance and homelessness crimes per neighborhood. The overall arrest rates and crime-specific arrest rates are generally highest in neighborhoods that are Black Hispanic and Black non-Hispanic. This relationship appears especially strong in the area north of downtown Miami, which contains historically Black neighborhoods such as Overtown and Liberty City. At the same time, the White Hispanic parts of the city, east and northeast of downtown, are generally characterized by lower overall arrest rates and crime-specific arrest rates.

Nuisance-crime arrests appear to be clustered in communities of color but also in parts of the city that have been undergoing redevelopment and contain popular destinations for wealthier residents and visitors, such as Miami Beach, Bayfront Park, American Airlines Arena, and the Adrienne Arsht Performing Arts Center. This may be because the city has come under pressure from residents and business owners to keep these tourist areas free of “disorder” or “un在他liness” by more stringently policing nuisance-crimes. These neighborhood-level comparisons suggest that police enforcement in Miami-Dade County is concentrated in Black communities. These findings are consistent with recent media reports highlighting the over-policing of Black neighborhoods in Miami. For example, in the spring of 2017 the owner of a local market in the Overtown neighborhood filed for a restraining order against the City of Miami Police Department, citing harassment of her and her customers (Vassolo, 2017). Similar incidents have been documented in Miami Gardens, a largely Black city in north Miami-Dade County (Brennan & Weston, 2015). Incidents such as these suggest that it is important to consider not only who is most affected by policing but also where police interventions typically occur.

Neighborhood racial and ethnic patterns largely reflect those found at the individual level, with Black Hispanic neighborhoods experiencing the greatest concentration of arrests and White non-Hispanic neighborhoods experiencing the least. Figure 11 presents the percentage of nuisance-crime arrests by neighborhood. Nuisance charges appear to be most prevalent in White non-Hispanic neighborhoods. Figure 12 compares the average racial and ethnic composition of arrestees within the crime-scene neighborhood relative to the neighborhoods’ respective resident populations. In other words, Figure 12 shows the difference between the racial and ethnic composition of people arrested in each neighborhood compared with the neighborhoods’ racial and ethnic composition. This figure makes clear that Black Hispanics and Black non-Hispanics are acutely overrepresented among those arrested in White Hispanic and White non-Hispanic neighborhoods. This finding is consistent with prior research finding that Blacks are disproportionately stopped and arrested in White neighborhoods (Alpert et al., 2007; Carroll & Gonzalez, 2014; perhaps because they are seen as “out of place” in these areas and thus deemed more suspicious. Black Hispanics are similarly overrepresented among those arrested in neighborhoods with relatively larger Black non-Hispanic populations. To a lesser degree, White
Among police agencies in Miami-Dade County, suggesting that police agencies should not be treated monolithically. Despite this variation, White arrest rates are generally lower than Black arrest rates, regardless of the racial and ethnic composition of the city.

Figure 13 presents overall arrest rates (per 10,000 residents) for the top ten police agencies, which represent over 95 percent of all arrests in the county, and Figure 14 shows the percentage of those arrests based on nuisance charges. Because it is difficult to compare arrest outcomes for big and small cities, we present findings for the top ten agencies, as measured by population. All of the included cities have populations of more than over 40,000 residents.

Of the cities presented here, Coral Gables has the lowest arrest rate: 328 arrests per 10,000 residents. Coral Gables is one of the wealthiest areas of the county, with a largely White non-Hispanic population. Miami Beach has the highest arrest rate, exceeding the next highest (Miami) by more than 1,000 arrests per 10,000 residents. Many of these arrests are driven by low-level nuisance crimes, especially those related to alcohol or homelessness, which is not surprising given that Miami Beach has a large homeless population and is known for its nightlife, which draws many visitors (Homeless Trust, 2017). Moreover, the variation in arrest rates may be due in part to the hundreds of thousands of tourists who flock to the city each year. Accordingly, the actual number of people in Miami Beach at a given time is likely far greater than that represented by the resident population.

Miami has the second-highest arrest rate, as well as the second-highest percentage of arrests for nuisance crimes. Similar to Miami Beach, the Miami Police Department covers a downtown area, which contains major entertainment hubs, attracts significant numbers of visitors, and has a large homeless population (Homeless Trust, 2017). Although the ten agencies included in Figure 13 demonstrate wide variation in overall arrest rates, Figure 15 shows a racialized pattern of arrests that cuts through the actual number of people in Miami Beach is likely higher.

MINORITY REPORT
Considering the top ten police agencies in the county, Black Hispanics are overrepresented among those arrested. In contrast, Whites are under-represented.

The relative parity of arrest rates for Miami Gardens and North Miami likely stems from the fact that both cities are majority Black non-Hispanic. The magnitude of overrepresentation of Black Hispanics is relatively steady across agencies, ranging from 2.07 to 5.67 times their share of the population. The single outlier is Coral Gables, where the percentage of arrestees who are Black Hispanic is eight times more than in the general population. For Black non-Hispanics, the magnitude of this disparity is more varied, ranging from 1.17 in North Miami Beach to 23.09 in Hialeah. Moreover, the cities in which Black non-Hispanics are most overrepresented among those arrested all have White populations. One possible explanation of this pattern is that Black non-Hispanics are viewed as “out of place” in those cities and are consequently subject to heightened suspicion and proactive police activity (Alpert et al., 2007).
Race and ethnicity are factors in determining who is detained in jail pretrial and how much defendants must pay to get out on bond. Defendants, regardless of ethnicity, are more likely to be detained pretrial. | BOND AND PRETRIAL DETENTION

Key Findings

PRETRIAL DETENTION. Approximately 80 percent of defendants are detained pretrial. Just over four-fifths of those detained pretrial initially are ultimately released prior to disposition of their case, either on bond or on nonfinancial terms.

DETECTION BY RACE. Black defendants, regardless of ethnicity, are more likely to be detained pretrial. Black Hispanic defendants are detained at four and a half times the rate as their population share, and Black non-Hispanic defendants are detained at over twice the rate as their population share. This trend holds true for all crime types, suggesting that pretrial disparities are not the result of differential offending patterns by race and ethnicity.

DETECTION TIME. Black defendants, especially Black Hispanics, spend more time in pretrial detention than White defendants.

BOND. White Hispanic defendants have the highest bond amounts imposed, and Black defendants, especially Black Hispanic defendants, have the lowest average bond amounts.

NEIGHBORHOODS. Defendants arrested in Black neighborhoods are more likely than other groups to be detained pretrial and to be detained for longer periods of time.

This section reviews findings regarding bond and pretrial detention. In this report, we define a defendant as being detained pretrial if he or she spent at least one night in jail. After arrest, a defendant is either released from jail on a preset bond or generally appears before a judge at a bond hearing within forty-eight hours. At that point, a judge decides whether the defendant should be detained without bond, given a bond or released on nonfinancial conditions pending resolution of his or her case. Defendants may be detained without bond for any number of reasons, including, for example, being charged with a non-bondable offense or being charged with violating pretrial release conditions or probation. In determining whether to release a defendant on bond, impose other release conditions, or set bond amounts, a judge may consider a range of factors under the Florida Rules of Criminal Procedure. 3:131 (e.g., the nature of the offense charged, the defendant’s criminal history, family ties, time in the community, flight risk, and financial ability).

In theory, the payment of bond is meant to incentivize the accused defendant to appear back in court. Bonds are paid either by the defendant, friends, or family, or through a bondsman (to whom a fee is paid). In Miami-Dade, defendants are often not arrested but instead given a “promise to appear” in court; or, if they are arrested, they are generally released from pretrial detention either on a preset bond issued at the jail or after the bond hearing on nonfinancial conditions, which may include conditions to be administered through a pretrial release program. However, defendants who have lengthy criminal histories and are charged with low-level offenses are often detained pretrial overnight.

In addition to pretrial detention, this report considers release status, as it may play a role in shaping case outcomes. We identify five major categories of pretrial detention and release status: (1) not detained pretrial (never booked in jail or released from jail on the same day as the arrest); (2) initially detained and bond out (detained overnight or longer and later released through bond payment); (3) initially detained and released on nonfinancial/other conditions (detained overnight or longer but later released under the supervision of a pretrial release program or released on their own recognizance); (4) detained and denied bond (detained from arrest to disposition and denied bond); and (5) detained and held on bond until disposition (unable or unwilling to make bond so detained from arrest to disposition).

The vast majority of defendants (90 percent) in Miami-Dade County are detained pretrial at least overnight, although over four-fifths of these defendants initially detained pretrial are released prior to their case disposition. Racial and ethnic disparities exist among types of release, rates of pretrial detention, and bond amounts. Black defendants are detained and denied bond at higher rates than White defendants, regardless of ethnicity, and yet receive lower bond amounts. In contrast, White Hispanic defendants typically bond out at higher rates, yet have higher bond amounts. Pretrial detention rates in Miami-Dade County are higher in Black areas. The significance of release status is that it may play a role in shaping case outcomes.

Prior research suggests that racial disparities exist in pretrial decisions regarding bail/bond amount, detention, 17 Detention overnight shows up in our data as two consecutive dates of jail incarceration.

18 Even though many ordinance violations are non-arrestable offenses, we include ordinance violations in our analysis of pretrial detention because some of these offenses may be arrestable.

19 While bond hearings generally occur within 48 hours, most are often conducted before this deadline. Also, a defendant may be released earlier, before a hearing is even held, on a bond issued at the jail based on a schedule of standard preset bond amounts for different crimes.

20 Although many ordinance violations are non-arrestable offenses, we include ordinance violations in our analysis of pretrial detention because some of these offenses may be arrestable.

21 The category “detained and denied bond” includes defendants who did not have bond amounts listed, were held in jail until their cases were closed, or were charged with a non-bondable felony or with violating pretrial release conditions or probation.
and release. Black and Hispanic defendants are more likely to be detained pretrial (Bynum, 1982; Demuth, 2003; Demuth & Stuefensmeier, 2004; Katz & Sphohn, 1990)22 and are required to meet higher bail amounts than are White defendants (Schlesinger, 2005).23 Black-White racial disparities are greatest among defendants accused of violent crimes and lowest among defendants accused of drug crimes (Woolridge, Frank, & Goullette, 2016). Higher bail amounts make it more difficult for defendants to post bond and pretrial detention at the neighborhood level as well. Defendants from wealthy neighborhoods are given lower bail amounts (Stevenson, 2016) and are detained at lower rates (Heaton, May, & Stevenson, 2017; Woolridge et al., 2016). Studies show that neighborhood racial composition has a varied effect on the likelihood of pretrial detention. Woolridge et al. (2016) find that pretrial detention is more likely if a defendant is accused of committing a crime in a Black neighborhood. However, Williams and Rosenfeld (2016) do not find the same effect when defendants are accused of firearm offenses. Pretrial detention leads to more severe outcomes in later stages of the criminal justice system, particularly in sentencing (Johnson et al., 2008; Rodriguez, 2010; Sacks & Ackerman, 2014; Sphohn, 2008). Sacks and Ackerman (2014) report longer sentences for defendants who are detained than for defendants who are released on bail. This finding is similar to that of Sphohn (2008), who finds that Black defendants are more likely to be detained pretrial and are therefore more likely to receive longer prison sentences than are Whites.

**Figure 16. Pretrial Detention Defendant and County Populations by Race and Ethnicity**

<table>
<thead>
<tr>
<th>County Population</th>
<th>Miami-Dade County Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>White non-Hispanic</td>
<td>21.2%</td>
</tr>
<tr>
<td>White Hispanic</td>
<td>10.8%</td>
</tr>
<tr>
<td>Black non-Hispanic</td>
<td>11.5%</td>
</tr>
<tr>
<td>Black Hispanic</td>
<td>13.2%</td>
</tr>
</tbody>
</table>

**Figure 17. Pretrial Detention and Bond by Race and Ethnicity**

<table>
<thead>
<tr>
<th>Race/Ethnicity</th>
<th>Initially detained</th>
<th>Held or bond until disposition</th>
<th>Bonded out</th>
<th>Not detained</th>
</tr>
</thead>
<tbody>
<tr>
<td>White non-Hispanic</td>
<td>20%</td>
<td>40%</td>
<td>30%</td>
<td>10%</td>
</tr>
<tr>
<td>White Hispanic</td>
<td>15%</td>
<td>45%</td>
<td>35%</td>
<td>5%</td>
</tr>
<tr>
<td>Black non-Hispanic</td>
<td>25%</td>
<td>45%</td>
<td>30%</td>
<td>0%</td>
</tr>
<tr>
<td>Black Hispanic</td>
<td>30%</td>
<td>40%</td>
<td>30%</td>
<td>0%</td>
</tr>
</tbody>
</table>

22 While prior research in other locales finds that Hispanic defendants are disadvantaged at the pretrial detention stage, our findings suggest that in Miami-Dade County White Hispanic defendants are treated more similarly to White non-Hispanic defendants. This is most likely a function of the unique demographic profiles of Miami-Dade County with a large Hispanic population.

23 Our findings with respect to bail amounts in Miami-Dade County are markedly different. Here, Black defendants, who are from poorer neighborhoods, receive lower bond amounts, although they are detained at higher rates than Whites. We provide several potential explanations for this below.

24 As we discuss below, although Black defendants are given lower bond amounts, they are less likely to bond out.

**Figure 18. Pretrial Detention by Arrest Charge and Race and Ethnicity**

<table>
<thead>
<tr>
<th>Race/Ethnicity</th>
<th>Felony</th>
<th>Misdemeanor</th>
<th>Ordinance</th>
</tr>
</thead>
<tbody>
<tr>
<td>White non-Hispanic</td>
<td>50%</td>
<td>35%</td>
<td>15%</td>
</tr>
<tr>
<td>White Hispanic</td>
<td>60%</td>
<td>25%</td>
<td>15%</td>
</tr>
<tr>
<td>Black non-Hispanic</td>
<td>40%</td>
<td>45%</td>
<td>15%</td>
</tr>
<tr>
<td>Black Hispanic</td>
<td>30%</td>
<td>35%</td>
<td>35%</td>
</tr>
</tbody>
</table>

25 To avoid the undue influence of outliers, we cap the number of days in jail at forty because, if no charges have been filed after forty days, defendants must be released from jail.
unequal treatment: Racial and ethnic disparities in Miami-Dade criminal justice

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24 July 2018

unequal treatment: Racial and ethnic disparities in Miami-Dade criminal justice

In contrast, White Hispanic defendants spend about eight days in pretrial detention, and White non-Hispanic defendants spend about seven days in pretrial detention. These differences are likely driven in part by the higher rates of being detained and denied bond for Black defendants and by the higher rates of bonding out for White defendants.

Figure 22 through 24 summarize pretrial detention and bond statistics by neighborhood racial and ethnic composition. Pretrial detention occurs least often for defendants arrested in White neighborhoods and most often for defendants arrested in Black neighborhoods. Similar to our individual defendant findings, defendants arrested in Black Hispanic and non-Hispanic neighborhoods are slightly more likely to be denied bond than defendants arrested in White neighborhoods.

Financial release is generally less common than nonfinancial release, although there are racial and ethnic disparities at this decision point within the Miami-Dade criminal justice system. Defendants arrested in White Hispanic neighborhoods also experience the lowest percentage of nonfinancial release and the highest rates of bonding out. Consistent with our maps, the average bond amount is also highest for defendants arrested in White Hispanic neighborhoods.

While individual defendant findings indicate that both Black non-Hispanic and Black Hispanic defendants spend more time in pretrial detention, these patterns are slightly less dramatic at the neighborhood level. While defendants arrested in Black neighborhoods still spend the longest in pretrial detention, this average is closer to ten days for defendants arrested in Black Hispanic neighborhoods and nine and a half days for Black non-Hispanic neighborhoods.

Figure 19. Bond Amount by Race and Ethnicity

Figure 20. Pretrial Detention Time by Race and Ethnicity

Figure 21A. Pretrial Detention Rate

Figure 21B. Pretrial Detention Time

Figure 21C. Average Bond Amount

Figure 22. Pretrial Detention and Bond by Neighborhood

Figure 23. Bond Amount by Neighborhood

Figure 24. Pretrial Detention Time by Neighborhood

Footnotes:
26 Again, we cap the number of days in jail at forty to avoid the undue influence of outliers and because a defendant must be released from jail if no charges are filed after forty-one days.
CHARGING AND DISPOSITION

Race and ethnicity impact the severity of initial charges, whether charges are dropped, and the overall rate of conviction.

Key Findings

Charging. The severity of charges decreases more significantly from arrest to filing versus filing to final charges, highlighting patterns of over-charging by police departments. However, racial disparities in arrest-charge severity still carry through to racial disparities in filing and final charge.

Conviction. A higher percentage of cases with Black defendants result in conviction, regardless of ethnicity. Black Hispanic defendants are convicted at a rate that is over five and half times higher than their share of the county population, and Black non-Hispanic defendants are convicted at a rate that is two and a half times higher than their population share.

Plea Bargaining. This is driven by higher rates of plea bargaining for all cases in our data set among Black non-Hispanic and especially Black Hispanic defendants and by lower rates of nolle prosses decisions for Black defendants.

Drug Offenses. Black defendants are more likely to be charged and convicted of drug offenses than are White defendants.

This section presents charging decisions across three different points in the criminal justice process: the initial charges at arrest (arrest charge); the charges filed by the prosecutor (filing charge); and then if the defendant is convicted, the final charge of conviction at disposition (final charge). Therefore, charging is not a “stage” in itself, but rather represents decisions made at multiple stages by multiple criminal justice actors.

For felonies, initial arrest charges are written up by the police, and after reviewing the case in a profiling conference, the state attorney’s office decides which charges, if any, to move forward with at the filing stage. In misdemeanor cases, the police initially decide which charges to bring, and prosecutors often use the arrest form itself as the filing charging document. In both felony and misdemeanor cases, the state attorney’s office can decide not to file whatever charges were put forward by the police (called “no file” or “no action”). In addition to deciding whether to file charges initially (or not), the state attorney’s office can subsequently decide to discontinue prosecution (called “nolle prosses,” which is the shortened term for nolle prosequi).27 If a defendant’s case results in a conviction, generally through a guilty plea (and rarely through a trial), his or her final charge is the charge of conviction. If a conviction arises from a plea bargain, this results from negotiations in felony cases between the prosecutor and the defense attorney and, in most misdemeanor cases, between the prosecutor and the defendant (as most misdemeanors do not have counsel).28 Nolle prosses often occur upon the completion of a pretrial diversion program, which is typically given only to defendants with less serious charges and no criminal history.

Although there can be multiple charges in a case, we examine the most severe charge filed because we believe that the severity of the most serious charge is a better indicator of the ultimate outcome of a case than the number of separate charges. There are six categories of charge severity, in order of highest to lowest severity as follows: (1) life- or capital-felony and first-degree felonies; (2) second-degree felonies; (3) third-degree felonies; (4) first-degree misdemeanors; (5) second-degree misdemeanors; and (6) ordinance violations.

This section also examines the disposition or outcome of cases. We include seven substantive disposition categories, including: (1) no file or no action (the prosecution declined to file charges); (2) nolle prosses (the prosecution decided to drop the case after initially filing charges); (3) dismissal (charges were filed by the prosecutor but were later dismissed by the judge); (4) acquittal (the defendant was not convicted at trial); (5) plea (the defendant was convicted by entering a guilty plea); (6) guilty trial (the defendant was convicted at trial); and (7) adjudication withheld (the defendant received a with- hold-of-adjudication disposition by plea or judge’s decision).29 Adjudication withhold dispositions technically do not give defendants formal criminal “convictions” on their records. However, these dispositions carry significant collateral consequences.30 They are most commonly given to first-time offenders, who are often sentenced to probation or jail time.

For these reasons, we consider adjudication withhold dispositions as a separate disposition category, and we include them as such in the sentencing section. Strictly speaking, no files / no actions, nolle prosses, dismissals, acquittals, as well as withhold adjudications, are not considered convictions, whereas pleas (to something other than an adjudication withhold) and guilty trial verdicts are considered convictions.

Overall, the data show a major reduction in severity of charges from the arrest stage to the filing and final disposition stages for all racial and ethnic groups. In fact, in 21 percent of all cases, the prosecutor declines to file charges at all (no file / no action).

27 While “nolle prosequi” is the formal Latin term for this decision, we opt for the term “nolle prosses” because the latter is colloquially used to describe this process in Miami-Dade County.
28 Defendants in misdemeanor and ordinance violation cases who do not have legal representation can be particularly adversely impacted by prosecutorial decisions for Black defendants.
29 While “nolle prosequi” is the formal Latin term for this decision, we opt for the term “nolle prosse” because the latter is colloquially used to describe this process in Miami-Dade County.
30 We recognize that dismissals by a judge are rather rare events in Miami-Dade County.
31 For example, a defendant who receives a withhold of adjudication is counted as having a conviction for purposes of immigration violations, public housing section 8 vouchers, student loans, sentencing enhancements under federal law, or sex-offender registration requirements.
suggesting over-charging in a substantial number of criminal cases. White non-Hispanics are charged with the least severe crimes at all three stages compared with the other racial and ethnic groups, and they are disproportionately convicted of ordinance violations at a higher rate than the other racial/ethnic groups. In contrast, Black defendants tend to be charged and convicted of more serious crimes, and they are disproportionately convicted at much higher rates compared with their relative county population share. Black defendants are significantly more likely to enter a plea deal and less likely to have their cases no filed / no actiond than are White defendants, regardless of ethnicity. Black defendants are also disproportionately convicted of ordinance violations (Stith, 2008). Prosecutors have significant discretion during the initial charging process (nolle prossed) than are White defendants, regardless of ethnic-

Figure 25. Crime Severity Charges by Race and Ethnicity

Figure 26. Crime Type by Race and Ethnicity

Figure 27. Convicted Defendant and County Populations by Race and Ethnicity

Figure 28. Disposition by Race and Ethnicity in Conviction Rates
despite the presence of fewer felony charges in White non-Hispanic cases, by relatively higher rates of ordinance violations, and by less serious misdemeanor charges than other groups. Black defendants are charged with a larger proportion of serious crimes and, in particular, more serious felony charges at arrest than White Hispanic defendants, but these tend to be reduced in filings and final charges. This could be attributable to the fact that Black defendants are more often arrested for drug charges, many of which are pared down by prosecutors upon the filing of charges in court or ultimately reduced at disposition as a result of plea bargains. The disparity in sentencing for the most serious crime. Black Hispanics and Black non-Hispanics are more likely to be charged with drug crimes, which does not change substantially at the stage of final conviction. White Hispanic and, to a lesser degree, Black non-Hispanic defendants are charged with violent crimes at a higher rate throughout the process. White non-Hispanics are more likely to be charged with “other” crimes, such as ordinance violations.

Figure 27 compares the racial and ethnic composition of cases that result in a conviction relative to the county’s population. Black defendants are significantly overrepresented among those convicted relative to their proportion of the county population. This is especially true for Black Hispanics, whose representation among those convicted is over five and a half times their proportion in the county population. In contrast, White Hispanic defendants are under-represented in convictions by about half relative to their proportion of the county population. This figure suggests that any observed disparities at the sentencing stage may be partially due to disparities in conviction rates.

Figure 28 illustrates more specific dispositions by race and ethnicity. Over half the cases in our data set exit the system as a result of the prosecution deciding to no file / no action or to nolle prosses the case. White defendants receive a substantially higher rate of nolle prosses — almost 10 percent higher than that received by Black defendants, to a lesser degree, Black non-Hispanic defendants are more likely to be charged with drug crimes, which does not change substantially at the stage of final conviction. White Hispanic and, to a lesser degree, Black non-Hispanic defendants are charged with violent crimes at a higher rate throughout the process. White non-Hispanics are more likely to be charged with “other” crimes, such as ordinance violations.

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Figure 25 displays crime severity at each charging stage by race and ethnicity for the most serious charge. The percentage of cases with more serious charges decreases significantly from arrest to filing rather than from filing to final charge. This is particularly the case for felonies, which comprise about half of the arrest charges but are reduced to about one-third of the filing charges. In part, this may be because felony defendants have counsel who are likely to negotiate for reduced charges. Racial disparities in filing and final charging severity are largely driven by arrest charges. Figure 25 suggests that White non-Hispanic defendants are charged with less serious crimes throughout the process. This is evidenced in the presence of fewer felony charges in White non-Hispanic cases, by relatively higher rates of ordinance violations, and by less serious misdemeanor charges than other groups. Black defendants are charged with a larger proportion of serious crimes (and, in particular, more serious felony charges) at arrest than White Hispanic defendants, but these tend to be reduced in filings and final charges. This could be attributable to the fact that Black defendants are more often arrested for drug charges, many of which are pared down by prosecutors upon the filing of charges in court or ultimately reduced at disposition as a result of plea bargains. Figure 25 displays four crime categories at each stage of charging for the

Figure 27 displays crime severity charges by Race and Ethnicity

Figure 26 displays crime type by Race and Ethnicity

Figure 28 illustrates more specific dispositions by race and ethnicity. Over half the cases in our data set exit the system as a result of the prosecution deciding to no file / no action or to nolle prosses the case. White defendants receive a substantially higher rate of nolle prosses — almost 10 percent higher than that received by Black
Charging by Neighborhood

Figure 29 displays the percentage of cases resulting in specific charging decisions and dispositions at the neighborhood level. Neighborhoods with larger White populations in the southwestern part of Miami-Dade County have the highest proportion of defendants with maximum felony charges at disposition. Similarly, neighborhoods with the highest proportion of cases that are nolle prosed are concentrated in downtown Miami and in White areas in the southwestern part of Miami-Dade County such as Coral Gables, Kendale, and Palmetto Bay. In contrast, neighborhoods with the highest proportion of defendants with maximum felony charges at disposition are more likely to be charged with property crimes, whereas defendants arrested in White neighborhoods are more likely to be charged with property crimes. In addition, defendants arrested in White non-Hispanic neighborhoods are more likely to be arrested for low-level offenses such as ordinance violations than are those arrested in other neighborhoods. Accordingly, defendants arrested in those White non-Hispanic areas are generally convicted of less serious crimes. While there are also shifts in terms of crime types from the arrest to subsequent stages (filing and final disposition), the severity of charges is reduced significantly for all neighborhoods from the arrest to the final disposition, defendants arrested in neighborhoods with a higher concentration of White non-Hispanic residents have a higher percentage of ordinance and misdemeanor charges, although this neighborhood disparity decreases at final disposition.

Figure 30 depicts general crime types across the criminal justice system at the neighborhood level. Defendants arrested in Black neighborhoods are more likely to have their cases nolle prossed than those from White neighborhoods. This pattern is driven by the fact that defendants arrested in Black neighborhoods are more likely to be charged with property crimes than those arrested in White neighborhoods. Racial and ethnic disparities in Miami-Dade criminal justice are significantly from the arrest stage to arrest disposition type by race and ethnicity. This pattern is driven by the fact that defendants arrested in Black neighborhoods are more likely to have their cases nolle prossed than those from Black neighborhoods.

Hispanic and Black non-Hispanic defendants. This higher rate of nolle prosses for White defendants may reflect higher rates of participating in pretrial diversion — which is typically available only to defendants with less serious charges and no criminal history — because the usual reward for successfully completing a diversion program is the entry of a nolle prosses.31 The fact that Black defendants are less likely to have their cases nolle prossed likely drives racial disparities in conviction rates. In contrast, Black defendants (both Hispanic non-Hispanic) are much more likely to be convicted through a plea deal compared with White defendants (both Hispanic and non-Hispanic). Black Hispanic defendants are slightly less likely to have their cases resolved through an adjudication without than are the other groups, which may be due to crime severity and/or criminal history.32 Other outcomes, including trials as well as dismissals granted by judges, are rare for all groups.

31 According to Table 1, White defendants have less serious criminal histories than Black defendants do. In light of the racial/ethnic disparities in arrests, we have identified in this report (see text after Table 1) that it is possible that a defendant’s criminal history may be partially a function of his or her race/ethnicity due to racial/ethnic profiling.
Race and ethnicity affect who gets credit time-served, diversion, or probation, and who goes to jail or prison and for how long.

**Key Findings**

**INCARCERATION.** Black Hispanic defendants serve jail or prison sentences at a rate over six times greater than their share of the county population, and Black non-Hispanic defendants are incarcerated at a rate about two and a half times greater than their county population share.

**PROBATION.** Black defendants are also less likely to receive probation sentences and are also slightly more likely to receive credit for time served compared with White defendants.

**TIME SERVED.** Credit time served is the most common sentence for all defendants, followed by probation.

**LONG SENTENCES.** Black non-Hispanic defendants receive the longest prison sentences. Black non-Hispanics, on average, are sentenced to prison sentences that are between ten months and a year longer than sentences received by any other group.

**NEIGHBORHOODS.** Defendants arrested in Black Hispanic neighborhoods are the most likely to be incarcerated, producing pockets of incarceration-generating areas within the county.

This section analyzes the sentences of defendants who are convicted or who receive an adjudication-withhold disposition. We examined five types of sentences: (1) prison; (2) jail; (3) probation; (4) diversion; and (5) credit for time served and fines. We define incarceration as any sentence remanding defendants to a state prison or a county jail.

Prison sentences are sentences of incarceration of a year or more, to be served in a state prison. Jail sentences are sentences of less than a year to be served in a county jail. In addition, there are several types of sentences that do not involve incarceration, including probation, in which defendants are placed under supervision in the community for a defined period of time, and diversion or participation in a rehabilitation program. Credit for time served is a sentence for the amount of time a defendant has already served in jail in pretrial detention awaiting final disposition of his or her case.

The findings in this section suggest that Black Hispanic and Black non-Hispanic defendants receive more severe sentences than any other group. Specifically, Black Hispanic defendants are most overrepresented in terms of receiving a prison or a jail sentence compared with their representation in the county population (in that they are incarcerated at six times the rate of their population share). But Black non-Hispanic defendants receive the longest prison sentences compared with all other groups by at least ten months. At the neighborhood level, we find that prison sentence lengths are highest in Black Hispanic communities.

**ThE LITERATURE REVIEW.**

Nationwide, Black men are currently imprisoned at a rate that is nearly six times greater than the rate of White men, and Black women are imprisoned at about twice the rate of White women (The Sentencing Project, 2017). In Florida (Herald Tribune, 2016) and elsewhere (Spohn, 2000), Black and Hispanic defendants face considerably greater chances of incarceration than White defendants and receive longer sentences than their White counterparts (Spohn, 2000). Similar patterns have been found in other states and at the federal level (Steffensmeier, Painter-Davis, & Ulmer, 2010; U. S. Sentencing Commission, 2014), with Black defendants receiving 20 percent longer sentences (ACLU, 2014; U. S. Sentencing Commission, 2014). Differences in offense severity cannot explain these racial and ethnic differences (Baumer, 2013; Sutton, 2013). Intersectional dynamics are also at work, with minority defendants being viewed as fitting stereotypical descriptions of a “dangerous offender” (i.e., young, male, violent offender, etc.) receiving harsher punishments (Doerner & Demuth, 2010; Kautt & Spohn, 2002; Spohn & Holleran, 2000; Spohn & Sample, 2008).

Such disparities are often compounded from earlier decisions, with defendants who are detained pretrial receiving harsher punishments (Demuth, 2003; Rodriguez, 2010; Woolridge et al., 2016). Most of these studies focus on carceral sentences (prison/jail) or sentence length (Baumer, 2013; Ulmer, 2012); fewer studies have examined other sentencing outcomes such as probation, fines, and variant punishments.

Racial and ethnic disparities in sentencing have also been found at the neighborhood level. In many urban areas, incarcerated offenders are disproportionately drawn from a small number of Black and Hispanic communities suffering from economic disadvantage and racial-residential segregation, producing incarceration “hotspots” and “million-dollar blocks” due to the high cost of incarceration (Clear, 2008; Sampson, 2015).

**CONSISTENT WITH PRIOR RESEARCH**

In line with research from other locales, we find incarceration rates concentrated in economically disadvantaged and racially segregated areas, producing incarceration “hot spots.”

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33 Defendants who accept plea deals for credit time served have often already been in jail for long periods of time (in some cases, for as many as two years).
probation is the second most common sentence. Black defendants (and, in particular, Black Hispanic defendants) are more often sentenced to prison or jail compared with White defendants.

In contrast, White non-Hispanic defendants are sentenced to less severe sentences, in that they are relatively less likely to be sentenced to incarceration and more likely to be sentenced to probation compared with Black defendants. White Hispanic defendants are less likely to be sentenced to credit time served and more likely to be sentenced to probation compared with all other groups.

Figure 35 displays average sentence length by race and ethnicity. The mean

Sentencing

Figure 33 compares the racial/ethnic proportion of incarcerated defendants to county demographics overall. Black non-Hispanics comprise the largest proportion of those incarcerated (43 percent) overall, but Black Hispanic defendants are the most overrepresented relative to their population. Black Hispanic defendants are incarcerated at a rate over six times greater than their proportion of the county population, and Black non-Hispanic defendants are incarcerated at a rate over two and a half times greater than their county population share.

White Hispanics represent the largest population in the county but are underrepresented in the incarcerated population. Relative to Figure 5, which compares the population of arrestees with the county population, Black Hispanic and Black non-Hispanic defendants comprise a larger percentage of incarcerated defendants, and White Hispanic defendants comprise a smaller percentage of incarcerated defendants. This suggests that disproportionate treatment based on race and ethnicity increases disparities as defendants move through the criminal justice system, producing accumulating disparities. Figure 34 reflects sentence type by race and ethnicity. Credit time served is the most common sentence overall, and
neighborhoods to the north of downtown Miami and in the southwestern parts of the county near Florida City and Homestead. The average prison sentence length is also highest in these Black neighborhoods, but average jail and probation sentence lengths are higher in Whiter areas in the southwest such as Kendall and Palmetto Bay. These maps highlight the concentration of punitive sentences in Black neighborhoods, producing punishment “hotspots” in the county.

Given the high costs of incarceration, these patterns suggest that the state likely spends millions of dollars annually on incarcerating defendants from specific Miami-Dade County neighborhoods, which is why some scholars have termed them “million dollar blocks” (Chicago’s Million Dollar Blocks, 2006).

Figure 36 and Figure 37 display the spatial distribution of sentencing outcomes. Higher rates of prison, jail, and probation are concentrated in the Black neighborhoods. To illustrate sentencing type and sentence lengths at the neighborhood level, at the neighborhood level, defendants arrested in Black Hispanic neighborhoods (regardless of the individual defendant’s race and ethnicity) are the most disadvantaged in terms of sentencing outcomes. While less pronounced than the individual-level findings, defendants arrested in Black Hispanic neighborhoods are slightly more likely to be incarcerated compared with defendants arrested in other types of neighborhoods.

In contrast to the individual-defendant findings however, which suggest that Black non-Hispanic defendants receive the longest average prison sentences, defendants arrested in Black Hispanic neighborhoods are sentenced to the longest prison sentences in contrast to the individual-defendant findings however, which suggest that Black non-Hispanic defendants receive the longest average prison sentences, defendants arrested in Black Hispanic neighborhoods are sentenced to the longest prison sentences. In contrast, defendants arrested in White non-Hispanic neighborhoods (regardless of the individual defendant’s race and ethnicity) are relatively less likely to be sentenced to prison, and they are more likely to be sentenced to credit time served. These defendants also are sentenced to the shortest prison, jail, and probation sentences compared with defendants arrested in other types of neighborhoods. This suggests that defendants arrested in White non-Hispanic neighborhoods may be more likely to be charged with or convicted of low-level offenses.

Figure 38 and Figure 39 illustrate sentencing type and sentence lengths at the neighborhood level. At the neighborhood level, defendants arrested in Black Hispanic neighborhoods (regardless of the individual defendant’s race and ethnicity) are the most disadvantaged in terms of sentencing outcomes. While less pronounced than the individual-level findings, defendants arrested in Black Hispanic neighborhoods are slightly more likely to be incarcerated compared with defendants arrested in other types of neighborhoods.

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SUMMARY OF FINDINGS AND CONCLUSION

Black people are overrepresented in Miami-Dade’s criminal justice system, along with cases drawn from Black neighborhoods.

We find cumulative ethnic and racial disparities that systematically disadvantage Blacks in Miami-Dade County.

Multiple Stages

Examining multiple stages in Miami-Dade’s system allows a more nuanced analysis that sheds light on how racial and ethnic disparities may be carried across multiple stages.
Racial and ethnic disparities exist at every stage of Miami-Dade County’s criminal justice system. Disparities in final disposition and sentencing are driven by early arrest and charging decisions, in which exercise of discretion is greatest.

EXERCISE OF DISCRETION

Racial and ethnic disparities exist at every stage of Miami-Dade County’s criminal justice system. Disparities in final disposition and sentencing are driven by early arrest and charging decisions, in which exercise of discretion is greatest.

Thus, across multiple stages of the system, Black defendants become even more disproportionately overrepresented. For example, Black non-Hispanic defendants increase from about 38 percent of arrestees to 43 percent of those incarcerated, and Black Hispanic defendants increase from about 8 percent of arrestees to 12 percent of those incarcerated. These findings are consistent with research in other settings (Kutateladze, Andiloro, Johnson, & Spohn, 2014; Stolzenberg, D’Alessio, & Eitle, 2013; Sutton, 2013). The opposite is true for White defendants, who tend to be filtered out of the system at a relatively higher rate through no file/no action and nolle prosse decisions, ultimately leading them to have lower conviction and incarceration rates. Across the various stages we analyzed, the proportion of defendants who are White non-Hispanic decreases from about 19 percent of arrestees to 14 percent of those incarcerated, and White Hispanic defendants decrease from about 25 percent to 20 percent.

White Hispanic defendants are often arrested for relatively serious crimes, particularly when compared with White non-Hispanic defendants, yet both groups show a pattern of cumulative advantage as they progress through the system. As a result of various funneling mechanisms, White defendants are less likely to be incarcerated than Black defendants, and even when they are incarcerated they receive shorter sentences than Black defendants. These findings underscore the importance of examining multiple stages and the cumulative effect of those stages across the criminal justice process rather than simply looking at a single criminal justice stage or outcome. Patterns of cumulative racial and ethnic disparity exist at the neighborhood level as well, although the patterns are less dramatic than at the individual level. In part, this is due to the White Hispanic population in Miami-Dade County, which is reflected in Figure 4. Across the criminal justice process, the concentration of cases originating in Black Hispanic and Black non-Hispanic neighborhoods increases slightly from arrest to sentencing. The overrepresentation of Black defendants in general and the intersection of individual and neighborhood race and ethnicity help to explain these findings.

As Figure 12 in the Arrest section illustrates, Black people are disproportionately arrested, even in largely White areas. While Black arrest rates are highest in areas with a larger Black population, a disproportionate rate of Black people is also arrested in largely White neighborhoods. One potential explanation for this is that Black people are viewed as “out of place” in white neighborhoods, supporting the idea of a “geographic funnel” occurring within the criminal justice system. This may be reflected in the prevalence of arrests for low-level nuisance crimes occurring in economically developing neighborhoods with large White non-Hispanic populations.

The biggest exception to this “geographic funnel” effect appears to be in Miami Beach, which has a high nuisance-crime arrest rate, but a relatively lower incarceration rate. This is likely due to the fact that Miami Beach has a large number of homeless individuals and visitors flowing into its neighborhood who are being arrested yet not convicted for low-level offenses (especially alcohol- and homelessness-related crimes), but who are not being counted in the denominator as they do not live in the city. While Black defendants are more likely to have been arrested or convicted of a crime, prior criminal history and crime severity do not adequately explain away these individual and neighborhood racial/ethnic disparities to examine whether racial and ethnic disparities in outcomes exist despite factors such as crime severity and prior criminal history, we performed multiple regression analyses on our outcomes that included: other defendant demographics, such as gender and U.S. citizenship, current and prior case characteristics, such as prior record, offense severity, and number of charges; and social contextual factors, such as neighborhood racial/ethnic composition and police agency. In these multiple-regression analyses, we still found stark racial and ethnic disparities even after controlling for other factors.

Broader Implications

This study documents racial and ethnic disparities at every stage of Miami-Dade County’s criminal justice system. It finds overall that the racial and ethnic disparities in final disposition and sentencing are driven by early arrest and charging decisions. Other studies note that these early decisions represent the points along the criminal justice continuum at which the exercise of discretion is the greatest (Fagan, et al., 2009; Pfaff, 2017). Proactive police stops — the proverbial “stop and frisk” — for example, are highly discretionary (Fagan, et al., 2009). In these data, Black defendants are more likely to be arrested for drug-related crimes, especially drug-related nuisance charges, both of which tend to be the result of proactive policing (Lynch, et al., 2013). This suggests that some of the racial and ethnic disparity in the Miami-Dade County’s criminal justice system may be driven by the racial profiling of Blacks for low-level drug offenses. Future research might...
Further collect and analyze traffic-stop (and in particular, traffic-stop location) data in the county to further examine proactive police stops.

We found similar patterns in Miami-Dade’s criminal justice system with respect to early charging and prosecutorial decisions. In fact, the greatest changes in charging in the county occur between arrest and filing charges, and they appear to occur in cases with less serious crimes. Additionally, over half of all county arrests are ultimately not prosecuted, suggesting that police are engaging in aggressive tactics resulting in many more arrests than prosecutable offenses.

These findings indicate that prosecutors in Miami-Dade have wide-ranging discretion in filing charges, choosing whether or not to move forward with charges and negotiating plea later down the line, particularly for lower-level crimes. Such a conclusion comports with previous research (Pfaff, 2017), which finds wide discretion in prosecutorial decisions. Prior studies also point to the limited data available about prosecutors’ decisions, which is certainly the case in this study. Future research might also collect more information about these early prosecutorial decisions.

Our findings raise concerns about the deleterious effects of mass criminal justice processing for the Black residents of Miami-Dade County. The criminal justice system is both a mirror and an engine of broader racial and ethnic disparities within the United States. Furthermore, exposure to the criminal justice system, especially incarceration, has been linked to higher levels of disease or chronic illness, joblessness, and mental illness (Alexander, 2012; Wakefield & Uggen, 2010). Individuals with a prior record are also subject to a number of “collateral consequences,” including losing the ability to vote, to obtain public housing, and to access other forms of public assistance as well as de facto barriers to employment (Alexander, 2012).

For example, an estimated 1.6 million Floridians are currently disenfranchised because of a felony record, which is more than any other state by raw numbers and more than 25 percent of all disenfranchised felons nationally (Uggen, Larson, & Shannon, 2016). Moreover, higher rates of arrests among Black defendants and in Black neighborhoods mean that many Black residents are ensnared in Miami-Dade County’s criminal justice system, even if these charges are ultimately not prosecuted.

As a result, large numbers of the county’s Black population may unnecessarily develop an arrest record and spend time in local jails for crimes that may or may not actually be prosecuted. An arrest record could also have negative consequences, even in the absence of a conviction. Furthermore, not only are Black defendants more likely to be detained pretrial, but also they are detained pretrial for longer periods of time. This means that Black defendants are likely subject to greater financial hardships such as lost wages, lost employment, and lost housing.

Due to patterns of residential racial and ethnic segregation in Miami-Dade County, similar concerns arise in the neighborhood context. Because arrest and incarceration rates are higher in Black neighborhoods, the negative effects of mass incarceration may also be disproportionately borne by these areas. In addition to incapacitating large numbers of minorities, the “collateral consequences” of mass incarceration often change the community structure itself (Clear, Rose, & Ryder, 1998; Western, 2006). This includes damages to social networks, damages to families, and other community-level harms (Clear, 2008; Roberts, 2004).

For example, mass incarceration leads to deterioration of the local economy by removing young adults from the labor force (Clear et al., 2001). Not only does this impact the individual defendant and his or her family through loss of employment, but local businesses also experience financial losses from the removal of their employees and potential customers. Furthermore, social networks between people that might serve as referrals to new jobs are negatively impacted.

In other words, the “collateral consequences” of mass incarceration serve to weaken communities with already few resources, further increasing racial and ethnic inequality. In turn, the destabilization of Black neighborhoods because of mass policing and incarceration can actually increase crime in these areas, further perpetuating criminal justice system involvement (Clear, 2008; Roberts, 2004; Wiley & Ebenschen, 2016). Moreover, mass incarceration, especially among Black men, tears apart Black families (Sykes & Pettit, 2014).

Taking all these factors together, the social and economic well-being of Black residents in Miami-Dade County is diminished because of their greater contact with the criminal justice system, likely contributing to intergenerational racial and ethnic disparities in the region.

Conclusion

Overall, our results indicate that racial and ethnic disparities at later stages of the criminal justice process are shaped by earlier arrest, pretrial, and charging decisions. We find that Black Hispanic and Black non-Hispanic defendants are treated more punitively than White Hispanic and White non-Hispanic defendants at multiple stages of the criminal justice process. Moreover, racial and ethnic disparities accumulate as defendants move through the criminal justice system, producing an increasingly unequal pool of defendants at each phase. In Miami-Dade County, racial and ethnic disparity permeates criminal justice, shaping the trajectory of a case from arrest to sentencing.
Race and Ethnicity Measures

We employ four racial and ethnic groups throughout this report: White non-Hispanic, Black non-Hispanic, and Black Hispanic. Data on defendant race comes from the Miami-Dade County Clerk of Courts and is based on information supplied in the arrest form. For the purposes of this study, define defendants as Black if they are listed as “Black” in the Clerk of Courts’ data or White if they are listed as “White” in the Clerk of Courts’ data set.

Although there are limitations associated with government-generated racial categories, such as this approach is commonly used in the related literature (for a discussion, see Baumer, 2013). Because Miami-Dade County clerical agencies do not collect information on ethnicity, we use the U.S. Census Bureau’s Hispanic Surname List to ascertain Hispanic origin (Word, Coleman, Nunziata, & Kominski, 2008). This is a common approach for accurately identifying ethnicity based on surnames in the social sciences, including criminal justice studies (Beckett et al., 2006), with validation studies finding a strong correlation between Hispanic ethnicity, we use the U.S. Census origin based on self-reporting and the Miami-Dade County Clerk of Courts’ data set. Places do not collect information on ethnicity based on self-reporting and the Miami-Dade County Clerk of Courts’ data set. However, it should be noted that our charging coding scheme is based on the Florida penal structure (Office of the State Courts Administrator, 2016), which range from one (least severe) to eight (most severe).

We first determined the most serious charge at three stages: (arrest, filing, and final charge) using the offense type and degree. With the exception of county/city ordnances, Florida offenses are broken down into misdemeanors and felonies based on degree. County and city ordinances vary by jurisdiction and are typically punishable by fines. First-degree misdemeanors are punishable by jail terms of up to one year and fines up to $1,000, while second-degree misdemeanors can result in a maximum jail term of sixty days and a fine up to $500. Florida does not have third-degree misdemeanors.

Capital felonies are punishable by death, whereas life felonies are punishable with a maximum sentence of life in prison without the possibility of parole. First-degree felonies are punishable by up to thirty years in prison, whereas second-degree felonies are punishable by up to fifteen years in prison, fifteen years of probation, or a $10,000 fine. Third-degree felonies are punishable by up to three years in prison, five years of probation, and a $5,000 fine. For each case, we determined the most serious charge at three stages: (arrest, filing, and final charge) using the offense type and degree. There were two sentencing levels: degree and range, and county/city ordinance violations to the most serious capital felony charges. From most severe to least severe, they are: capital/life felony, first-degree felony; second-degree felony; third-degree felony; first-degree misdemeanor, and second-degree misdemeanor; and ordinance violations.

In the data, some felony and misdemeanor charges are based on the degree, in which case we placed them at the bottom of their respective felony and misdemeanor levels. We then matched the penal-code statute for each charge to the sentencing-guide level based on the Florida Offense Severity Ranking and Sentencing Scheme (Office of the State Courts Administrator, 2016), which range from one (least severe) to eight (most severe).
Figure 43a. High percent neatly fit into one of the aforementioned crime categories as "other crimes", these include crimes such as forgery or fraud, public-order offenses, and city and county ordinance violations.

Figure 43b. High percent

Neighborhood Maps and Figures

We use the term “neighborhood” throughout the report rather than Census Tract because “neighborhood” is more colloquially understood. Neighborhood-level racial and ethnic composition comes from the 2010 U.S. Census Tracts. We linked arrest locations to U.S. Census data by geocoding the addresses to Census Tracts using Geographic Information Software. Based on the arrest-location address, census-based measures of neighborhood racial and ethnic composition were constructed. Consistent with prior academic research (Sampson et al., 2002), neighborhoods were created using Census Tracts, which represent geographic units of between 1,200 and 8,000 people (U.S. Census, 2010a).

Neighborhood measures were then used to create quantile maps. Case-level data on defendants was aggregated up to the Census Tract level to construct rates for criminal justice outcomes per one thousand residents (e.g., arrest rate, incarceration rate, etc.). For example, the arrest rate for Census Tract 107 is calculated as follows: rate equals (number of arrestees/number population total) times 1,000. Applying this formula, the arrest rate for Census Tract 107 is 34 arrests per 1,000 people.

ArcMap GIS was used to construct quantile maps of Census Tract rates and racial/ethnic demographics.

We excluded analysis areas with small populations, which could produce artificially high rates. Such areas are rural (in or near the Everglades), with the exception of the neighborhoods encompassing these local airports: Miami International, Opa-locka, and Miami Executive airports. Quantile maps divide the data into four equal groups, falling along the distribution of the data as follows: “High,” “High-medium,” “Medium-low,” and “Low.” The corresponding maps display these quantiles with the higher quantiles in darker colors than the lower quantiles.

Table 2 shows the quantile breakdowns by neighborhood race and ethnicity. The exact percentages for the “High” quantile category vary across racial and ethnic groups, as the distribution depends on their county population share. For example, the “High” quantile for percentage of White non-Hispanic ranges from 22 percent to 100 percent, while the “High” quantile for percentage of White Hispanic ranges from 70 percent to 96 percent. The interval for “High % White Hispanic” is much wider than the “High % White Hispanic” and starts at a lower range, as the former represents a smaller proportion of the county population.

In contrast, “High % Black non-Hispanic” neighborhoods are concentrated in the northeastern areas of Aventura and Miami Beach as well as the southwestern regions of Coral Gables, Kendall, and Palmetto Bay. “High % White Hispanic” neighborhoods are concentrated in the northwestern region of the county in Doral, Hialeah, Westchester, and Little Havana.

Table 2. Quantile Breakdowns by Neighborhood Race and Ethnicity

<table>
<thead>
<tr>
<th>Percentage</th>
<th>Low quantile</th>
<th>Medium-low quantile</th>
<th>High-medium quantile</th>
<th>High quantile</th>
</tr>
</thead>
<tbody>
<tr>
<td>% White non-Hispanic</td>
<td>0.0-3.3</td>
<td>3.3-8.5</td>
<td>8.5-22.7</td>
<td>22.7-100.0</td>
</tr>
<tr>
<td>% White Hispanic</td>
<td>0.0-28.8</td>
<td>28.8-41.7</td>
<td>41.7-69.6</td>
<td>69.6-96.2</td>
</tr>
<tr>
<td>% Black non-Hispanic</td>
<td>0.0-1.8</td>
<td>1.8-7.5</td>
<td>7.5-17.5</td>
<td>17.5-48.6</td>
</tr>
<tr>
<td>% Black Hispanic</td>
<td>0.0-0.5</td>
<td>0.5-1.6</td>
<td>1.6-3.9</td>
<td>3.9-13.7</td>
</tr>
</tbody>
</table>

Summary statistics for Census Tracts listed in the darker colors (i.e., fourth quantile) on the race/ethnicity quantile maps.

Figure 42 and Figure 43 show the neighborhoods in the fourth quantile that are considered “High” for a particular racial and ethnic group. For example, neighborhoods considered “High % White non-Hispanic” are concentrated in the northeastern areas of Aventura and Miami Beach as well as the southwestern regions of Coral Gables, Kendall, and Palmetto Bay. “High % White Hispanic” neighborhoods are concentrated in the northwestern region of the county in Doral, Hialeah, Westchester, and Little Havana.

Police Agency Rates

To examine agency differences in policing we combined arrests for all crimes (i.e., felonies, misdemeanors, and ordination violations) and then calculated race-ethnicity specific arrest rates for each agency per ten thousand residents. We present arrest rates, rather than raw arrest numbers, as the latter may be misleading if the agencies’ population is not taken into account.

For example, Miami Gardens may arrest more Black people than Coral Gables because 77 percent of Miami Gardens residents are Black, while only 3 percent of Coral Gables residents are Black. Thus, it is necessary to take into account each agency’s population to determine if agency differences are attributable to differences in policing behaviors or to the city/area population. Race-ethnicity specific rates were constructed by aggregating case-level data at the agency level and merging it with city population measures from the U.S. Census. For example, the Black non-Hispanic arrest rate for Miami Gardens is calculated as follows: rate = (# Black non-Hispanic arrests / # Black non-Hispanic residents) x 10,000. Applying this formula, the Black non-Hispanic arrest rate for Miami Gardens is 754.9377 per 10,000 residents (5936/78629 x 10,000). The one exception to this rate construction method pertains to the Miami-Dade Police Department (MDPD), because that agency polices multiple places and unincorporated areas in the county. The MDPD also contracts to provide policing to multiple municipalities: Miami Lakes, Palmetto Bay, and Cutler Bay. To address this complexity, we created an estimate of the population in unincorporated areas of Miami-Dade County for each racial and ethnic group by summing up all the population statistics for all cities within the county and subtracting that sum.
from the total county population. We then added in the populations from Miami Lakes, Palmetto Bay, and Cutler Bay to obtain the estimate for the population that the MDPD polices.

Nuisance Crimes

For nuisance crimes, lawyers in the ACLU of Florida Greater Miami Chapter identified low-level types of charges and other minor offenses that pose little if any threat to public safety and can be construed as “disorderly behaviors.” Those include crimes relating to homelessness, minor traffic offenses (e.g., driving with license suspended), prostitution, low-level drug crimes (including marijuana possession, but not other types of drug possession), alcohol (with the exception of driving under the influence), gambling, and possession of burglary tools without a burglary charge.

The research team then coded these nuisance crimes as homeless individuals who are arrested, booked, and released the same day were therefore not considered detained pretrial. While some prior research has focused on pretrial detention from case initiation until the final disposal (e.g., Demuth, 2003), we utilized a broader definition to capture the fact that detention varies in the number of days any number of days can have deleterious effects. Defendants detained, even for relatively short periods of time, may face repercussions at work, including employment termination. And for those with children or dependents, a short stint of detention can significantly affect their ability to provide care.

In addition to coding whether a defendant was detained pretrial, we included the number of additional categories of release status. Defendants who are held in jail for less than one night are considered “not detained.” Defendants are included in the “initially detained and bonded out” category if they are detained for at least one night, issued a bond amount, and released from jail before their case is closed. Defendants with bond amounts of $0 who are released from jail before their cases are closed are coded as “initially detained and released on nonfinancial or other conditions.” This category includes defendants who are released on their own recognizance (ROR) and/or defendants enrolled in pretrial services that monitor and supervise defendants prior to their court proceedings (PTS).

The following category, “detained and denied bond,” includes defendants who did not have bond amounts listed, were held in jail until their cases were closed or were charged with a non-bondable felony or were requiring pretrial release conditions or probation. In other words, defendants in this category did not qualify for bond because of the charges against them or other consideration (like prior criminal history or undocumented immigration status) and were consequently detained for their final disposition. This category may also include defendants charged while on probation for previous charges and who were consequently detained until their case was closed.

“Detained, finally held on bond until disposition” includes defendants who were assigned a bond but were continuously held until disposition because the defendant could not pay the bond or refused to do so.

Pretrial Detention

For our purposes, defendants were coded as being “detained pretrial” if they spent at least one night in jail (which is reflected in two consecutive dates of jail incarceration in our data). Defendants who are arrested, booked, and released the same day were therefore not considered detained pretrial. While some prior research has focused on pretrial detention from case initiation until the final disposal (e.g., Demuth, 2003), we utilized a broader definition to capture the fact that detention varies in the number of days any number of days can have deleterious effects. Defendants detained, even for relatively short periods of time, may face repercussions at work, including employment termination. And for those with children or dependents, a short stint of detention can significantly affect their ability to provide care.

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