WISCONSIN SENTENCING COMMISSION

SENTENCING IN WISCONSIN

Snapshots of Information on Wisconsin Sentencing

February 17, 2006 Vol. 3, No. 1

Offender Ages by Race and Crime

Jenna Griffin, Research Analyst

The Data

This Snapshot is an extension of Commission research on Disproportionate Minority Representation in Wisconsin. The data used in this report came from the Wisconsin Circuit Court Consolidated Court Automation Programs (CCAP), augmented with data from Wisconsin Department of Corrections (DOC) in an attempt to surface all available data on race and ethnicity for individuals convicted and sentenced in Wisconsin. This data includes all individuals sentenced between February 1, 2003 and November 24, 2004. This report focuses on specific offenses, at tractable points in the criminal justice process, over an explicit range of time, and across pre-defined regions. An initial report from the Sentencing Commission expresses the importance of distinguishing among offense areas when exploring race, as this variable can be quite dynamic.[1] Racial disparity may be more apparent in some offense areas than in others.

The four offenses chosen here not only cover a broad range of criminal activity (violent, nonviolent, property, and drug offenses), but they also appear most frequently in the court system, and therefore offer meaningful sample sizes. Though three of the four categories represent combinations of offenses, each individual offenses was examined separately, and the differences were not striking.

The racial/ethnic groups studied were White (Non-Hispanic), Black (Non-Hispanic), Hispanic, and Other Minority. The category of Other Minority, combines American Indian and Asian/Pacific Islander, since the numbers of each individual group were quite small when looking at specific offenses. The category of Hispanic is also a combination of sorts. Since Race and Ethnicity are separate categories on current state forms, a Hispanic individual may be classified as any race (though the vast majority of Hispanic individuals are classified as white). In keeping with the methodology of the U.S. Census Bureau, all individuals of Hispanic ethnicity, regardless of race, are merged into the single category of Hispanic.

More detailed information on the data and category choices used in this snapshot can be found in the forthcoming Wisconsin Sentencing Commission report on disproportionate minority representation.

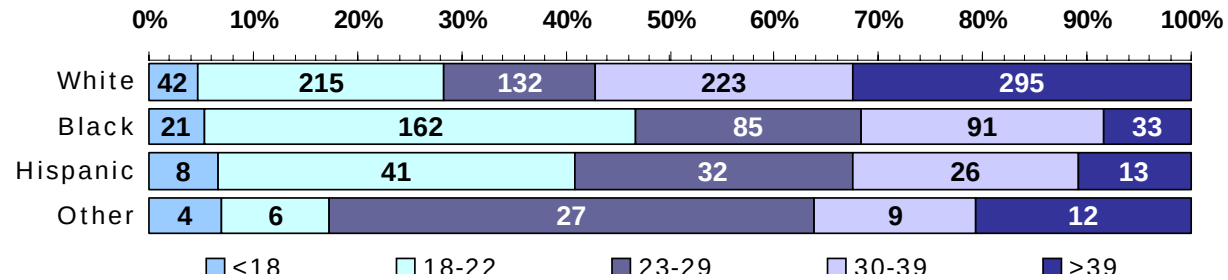
Patterns Across Age & Race

The charts on page two of this report contain summary information across the four pre-defined offenses, beginning with Sexual Assault of a Child. This offense area is distinctive in its offender mix of age and race. Unlike the other three offense areas, Sexual Assault of a Child has nearly twice as many white offenders as all other racial groups combined. Furthermore, among whites, there are more offenders over age 39, than in any other age group.

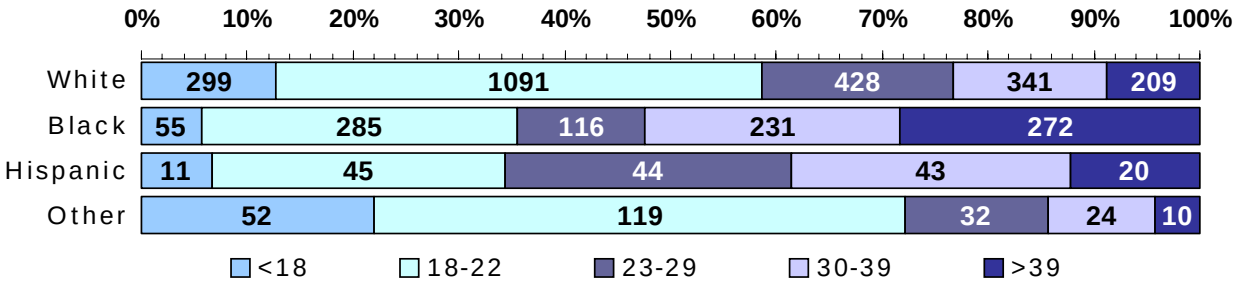
The next offenses are Burglary and Robbery. In general, younger offenders commit the majority of property crimes. This is true in our sample of convicted burglars; however, while the majority of White and Other Minority burglars are under 22, and the majority of Blacks and Hispanic burglars are over 22. In the sample it seems that Blacks and Hispanics do not "age out" of burglary as quickly as Whites and other minorities. This is the opposite of the drug offenses in the sample. On the whole, drug offenders are older than robbers or burglars, and Hispanic and Black offenders appear to age out of drug offenses more quickly than White or Other Minority offenders. The sample also shows a significantly smaller portion of offenders under the age of 18 in the drug offense category. The following charts contain percentages of offenders across offense categories by race and age.

1 Lisa Mueller, Michael Connelly and Jim Pingel, *Race and Sentencing in Wisconsin: A Monograph Series — Report Number One: The State and National Landscape* (Madison, WI: Wisconsin Sentencing Commission, 2004).

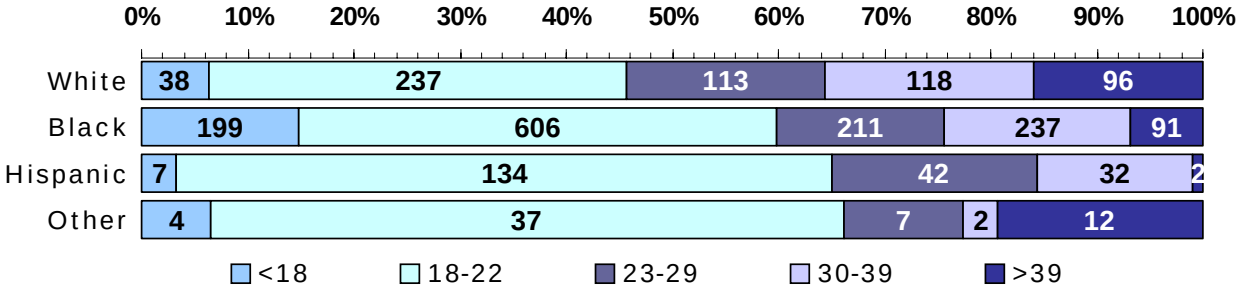
1st and 2nd Degree Sexual Assault of a Child (§948.02)



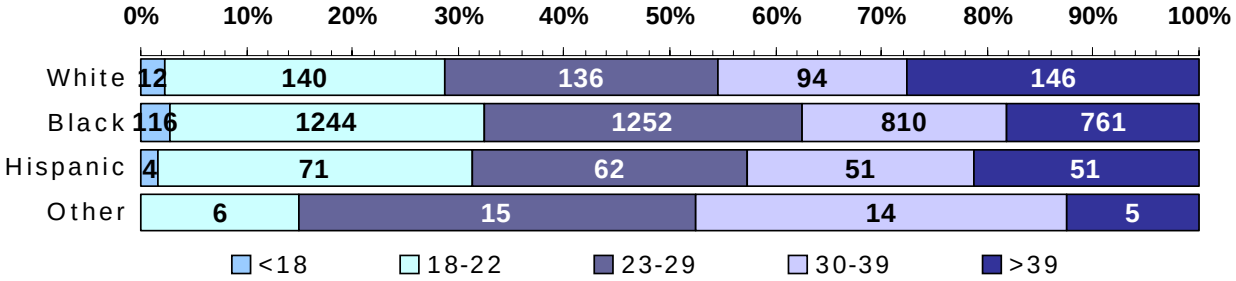
Burglary (§943.10)



Robbery & Armed Robbery (§943.32)



Drugs (§961.41)



The Wisconsin Sentencing Commission periodically publishes "Sentencing in Wisconsin" to provide the public, state courts, and policymakers data on state sentencing practices. For other publications, or more information about the Commission, see its website, http://wsc.wi.gov