

Data set problems and limitations

Caseload Forecast Council data limitations can impact proportionality analysis and mask disparities. For example,

- The CFC obtains data from county sentencing forms. But Washington’s 39 counties do not all use the same forms and inconsistently identify race and ethnicity. AEJG supports Washington State Supreme Court’s Gender and Justice Commission’s call for “legislative changes, changes to and standardization of the [sentencing] forms, education and outreach to courts to support more standardized and complete data collection, changes to coding methodologies and internal documentation of coding methodologies, and needed updates to CFC databases.”¹
- Washington’s counties have no “consistency related to who identifies an individual’s race and ethnicity.”²
- The CFC does not have a “codebook clearly outlining how data from various [sentencing] forms used by counties across the state are coded.”³ This codebook would assist the work of AEJG and outside researchers.
- CFC data does not include granular racial categories and does not include “Native Hawaiian” and “Other Pacific Islander” in its dataset.
- CFC data does not enable users to identify multiracial individuals.
- CFC data does not capture nonbinary gender categories.

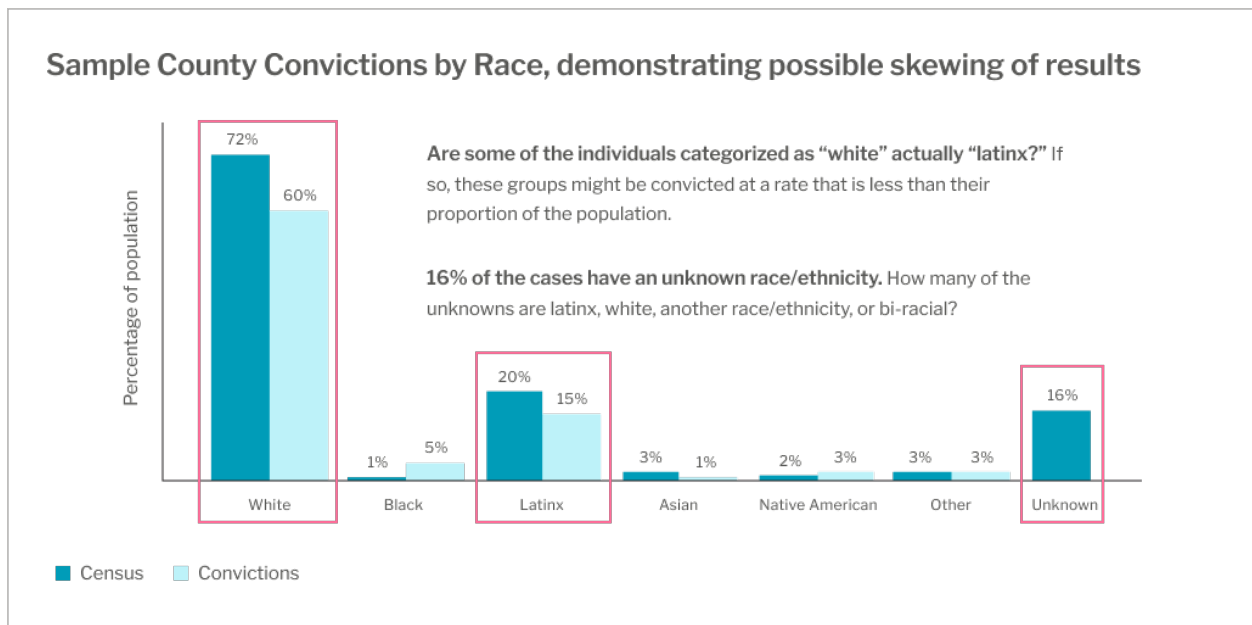
¹ Washington State Supreme Court Gender and Justice Commission, “2021 Gender Justice Study: Select Recommendations,” available at <https://app.leg.wa.gov/committeeschedules/Home/Document/236295>.

² *Id.*

³ *Id.*

- CFC data does not include all sentence enhancements.
- According to information provided in September, 2022, the CFC supplements its data with that maintained by the Washington State Patrol and Administrative Office of the Courts. If there are conflicts in these data sets, the CFC defaults to its own data.
- CFC data through FY23 codes “Hispanic/Latinx” as a race instead of ethnicity. Both AEJG⁴ and Washington’s Gender and Justice Commission⁵ have highlighted this problem and called for better data to make disproportionality, or the lack thereof, more transparent. The CFC has now announced its intent to begin coding and reporting Hispanic as an ethnicity starting with FY24.⁶

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⁵ Gender and Justice Commission, *Incarceration of Women in Washington State: Multi-Year Analysis of Felony Data*, October 2020, https://www.courts.wa.gov/subsite/gjc/documents/47_GJS_IncarcerationofWomeninWA.pdf.

⁶ Adult General Disproportionality Report for Fiscal Year 2023, https://cfc.wa.gov/sites/default/files/Publications/AdultDisproportionalReport_FY2023_0.pdf.

