

THE STATE OF NEW HAMPSHIRE

HILLSBOROUGH, SS

SOUTHERN DISTRICT

STATE OF NEW HAMPSHIRE

v.

DALE HOLLOWAY

226-2019-CR-00814

OBJECTION TO APPLICABILITY OF EXTENDED TERM OF IMPRISONMENT:
RSA 651:6, II(a)

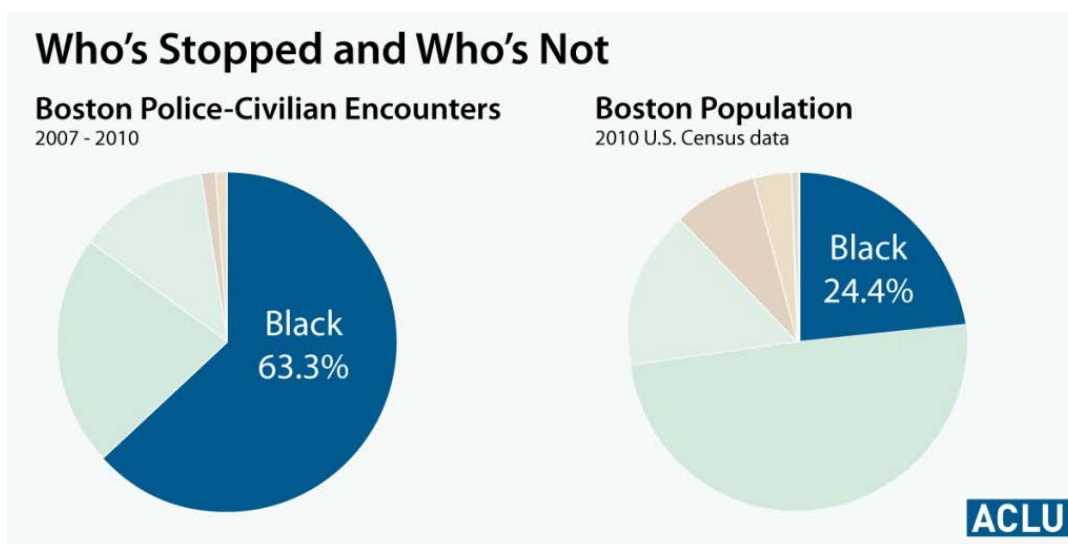
All truth passes through three stages. First, it is ridiculed. Second, it is violently opposed. Third, it is accepted as being self-evident. - Arthur Schopenhauer

The truth is that there are significant racial disparities in sentencing decisions in the United States. The truth is that Black and Latino offenders sentenced in state and federal courts face significantly greater odds of incarceration than similarly situated white offenders and receive longer sentences than their white counterparts in some jurisdictions. The truth is that Black male federal defendants receive longer sentences than whites arrested for the same offenses and with comparable criminal histories. The truth is that growing up being a victim of violence, abuse and over-policing has a devastating effect on persons like Dale Holloway and produces a criminal history that creates disparities between persons of color and similarly situated white persons. The truth is that policing in Massachusetts and New Hampshire is marked by a history of racial profiling and disparate treatment of persons of color. The truth is that repeat offender statutes, like the extended term statute, create racial disparities in sentencing. Mr. Holloway therefore moves to strike the notice filed by the State as the use of prior convictions carries with it the disparate treatment.

As grounds for this motion, it is stated:

History of Racial Discrimination in Massachusetts Policing

1. One of the convictions the State seeks to use against Mr. Holloway to obtain a longer sentence is a conviction for the crime of Armed Assault to Commit Murder that occurred in Boston Massachusetts in 2003. Despite strong evidence that Mr. Holloway acted in self-defense during that crime, he plead guilty to this crime that resulted in his serving more than a year in prison.
2. The Boston Police have a documented pattern of racial profiling of Black males. *Com. v. Warren*, 58 N.E.3d 333, 342, 475 Mass. 530, 539 (Mass.,2016). The study¹ that was the basis for this finding documented the following disparities in policing of Black males.



3. Disparities in policing are not confined to the Boston Police. A 2004 study found that police departments throughout Massachusetts engaged in racial profiling and racially disparate policing. *See Massachusetts Racial and Gender Profiling Study*, May 4, 2004, Northeastern University Institute on Race and Justice. Attachment 1.

¹ <https://www.aclum.org/en/ending-racist-stop-and-frisk#learn>

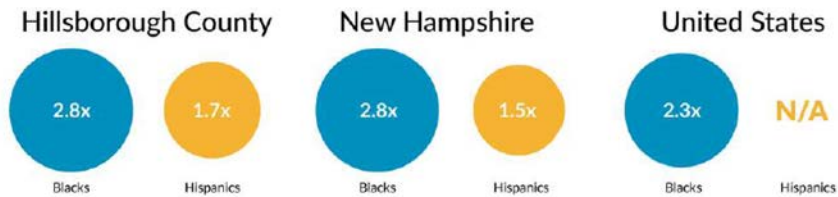
History of Racial Bias in New Hampshire Policing

4. New Hampshire is not immune from racial disparity in the criminal justice system. The most recent available data from 2014 compiled by The Sentencing Project shows that, in New Hampshire, the rate of Black people incarcerated is 1,040 per 100,000 Black people.² This compares to only 202 out of 100,000 White people. *Id.* The rate for Hispanic people is 398 out of 100,000. *Id.* Moreover, New Hampshire has Black/White imprisonment disparity ratio of 5.2 to 1 and a Hispanic/White ratio of 2 to 1. *Id.* A recent New Hampshire Public Radio study has further exposed racial disparities in arrests and jailing. *See* Emily Corwin, Data Shows Racial Disparities Increase at Each Step of N.H.'s Criminal Justice System, NHPR (Aug. 10, 2016) <https://www.nhpr.org/post/data-shows-racial-disparities-increase-each-step-nhs-criminal-justice-system#stream/0>. Data from this study shows that Black people have a 5 time greater chance of being jailed compared to White people—a statistic that is well above the United States average where Black people are 3.5 times more likely to be in jail than White people. *Id.*

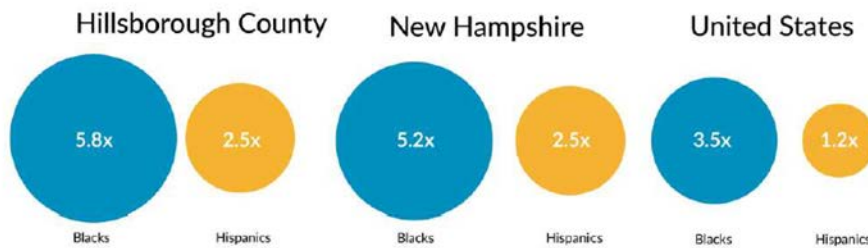
² *See* The Sentencing Project, New Hampshire Profile, <https://www.sentencingproject.org/the-facts/#map?dataset-option=SIR>

Black and Hispanic people are arrested and incarcerated at higher rates than whites in New Hampshire, and at more disproportionate rates than blacks and Hispanics nationwide.

LIKELIHOOD OF BEING ARRESTED COMPARED TO WHITES



LIKELIHOOD OF BEING IN JAIL COMPARED TO WHITES



Sources: County and state arrest data: NHDOS, 2014. National arrest rates: BJS Uniform Crime Reporting Program, 2012. National and state jail data: BJS survey of confined local jail inmates on Dec 31, 2013. County jail data: averages from four Hillsborough County jail censuses, taken at six-month intervals on 9/1/2014, 3/21/2015, 9/1/2015 and 3/21/2016.

(https://mediad.publicbroadcasting.net/p/nhpr/files/styles/x_large/public/201608/graphic_4-01_1.png)

- Equally disturbing is that Black people in New Hampshire have a 2.8 times greater chance of being arrested compared to White people. And in Hillsborough County — the most populous and diverse county in the state — African Americans are nearly 6 times more likely to be in jail than White people. *Id.*
- This state and national data correlates with disproportionately negative perceptions about police in Black communities and their relative power in police encounters. A 2014 national survey found that 70 percent of Black people felt that police departments do a poor job of treating racial and ethnic groups equally, whereas only 25 percent of White people reported the same. Carroll Doherty et al., Pew Research Center, *Few Say Police*

Forces Nationally Do Well in Treating Races Equally, 2 (Aug. 25, 2014).³ In another study, researchers identified three recurrent themes in Black participants’ descriptions of their experience and perception of the police. Participants believed that Black people have a right to be angry about their treatment by law enforcement, that law enforcement has a persistent fear of Black men, and that there is a need to restructure law enforcement training and education to address systemic bias. Michael Brooks et al., *Is There a Problem Officer? Exploring the Lived Experience of Black Men and Their Relationship with Law Enforcement*, 20 J. AFRICAN AM. STUD. 346, 352-53 (2016). Participants described their overall sentiment as hopelessness and a certainty that law enforcement will never view Black men as more than “symbolic assailants.” *Id.* at 350.

7. New Hampshire is not immune to this reality either. As detailed in the New York Times, Rogers J. Johnson—president of the Seacoast N.A.A.C.P.—recently told a conference group that New Hampshire’s problem “was ‘a lack of recognition as to the seriousness of this problem.’ He said that many people in New Hampshire view race as an issue in the South but not in the North.” Katharine Q. Seelye, *New Hampshire, 94 Percent White, Asks: How Do You Diversify a Whole State*, N.Y. TIMES, July 27, 2018.⁴ Reena Goldthree, a professor of African and African-American studies at Princeton University (and formerly of Dartmouth College), similarly addressed race as an issue in New Hampshire—specifically in the context of Black peoples’ interactions with police officers—and how it can go unrecognized: “I think it might be difficult of some of our

³ <https://www.people-press.org/2014/08/25/few-say-police-forces-nationally-do-well-in-treating-races-equally/>

⁴ <https://www.nytimes.com/2018/07/27/us/new-hampshire-white-diversify.html> (last visited Mar. 20, 2019).

white neighbors in New Hampshire to understand the depth of fears that African Americans often experience during encounters with police officers.”⁵

8. Similarly, a 2016 National Public Radio interview examined the unique experience of Lakeisha Phelps, who, at the time, was one of only two Black officers on Nashua, New Hampshire’s police force of more than 170. See Emily Corwin, *Black Officer Navigates ‘2 Incompatible Worlds’ on N.H. Police Force*, NPR, Oct. 12, 2016.⁶ Officer Phelps discussed how, after she was hired, she was racially profiled by her fellow officers: “[O]ne of the troopers would stop me, like, once every other night.” *Id.* Phelps also stated that “I absolutely know that I can get shot just because I’m black.” *Id.*
9. It is, in part, because of these experiences in New Hampshire and elsewhere that many Black parents are forced to give their children “The Talk.” See Ray Duckler, *Racism, More Subtle Here Than in Metro Areas, is Still Felt by Black Community*, CONCORD MONITOR, July 24, 2016.⁷; see also *Utah v. Strieff*, 136 S. Ct. 2056, 2070 (2016) (Sotomayor, J., dissenting) (“For generations, black and brown parents have given their children ‘the talk’—instructing them never to run down the street; always keep your hands where they can be seen; do not even think of talking back to a stranger—all out of fear of how an officer with a gun will react to them.”).

Mr. Holloway was not guilty of one of the crimes the State seeks to use to obtain an extended term sentence

⁵ Peter Biello & Cordelia Zars, *Police, Black Lives Matter, and Violence: A New Hampshire Perspective*, NHPR, July 8, 2016, <https://www.nhpr.org/post/police-black-lives-matter-and-violence-new-hampshire-perspective#stream/0> (last visited Mar. 20, 2019).

⁶ <https://www.npr.org/2016/10/12/497637765/black-officer-navigates-2-incompatible-worlds-on-n-h-police-force> (last visited Mar. 20, 2019).

⁷ <https://www.concordmonitor.com/If-you-re-black-in-NH-and-get-pulled-over-do-you-worry-You-bet-3518899> (last visited Mar. 20, 2019).

10. Mr. Holloway's conviction for Armed Assault to Commit Murder involved the stabbing of Tyree Herring on March 21, 2001 when Dale was a teenager. Tyree Herring, a confessed gang member, was at the Arcade on Washington Street in Boston at the time of the incident. Attachment 2. As Herring would later admit in grand jury testimony, he was trying to recruit a teenager named JoJo to join his gang just prior to his being stabbed by Holloway. *Id.* at 81. Herring admitted that he did this by physically assaulting JoJo and taking his jacket and other belongs. *Id.* Dale Holloway heard JoJo say, "No I don't want to get jumped into it," which Dale understood to mean that JoJo did not want to join the gang. *Id.* at 104.

11. Holloway addressed Herring, who Holloway knew as "Pooh," about his trying to pressure JoJo into joining his gang, "Why you messing with him, man...[h]e's a little dude and probably doesn't even know that." *Id.* at 103. Herring replied, "If you don't shut the fuck up and listen to what I just asked this nigger what I just said, then I'm gonna get up and start swinging on you." *Id.* In his statement to the police, Dale explained what happened next:

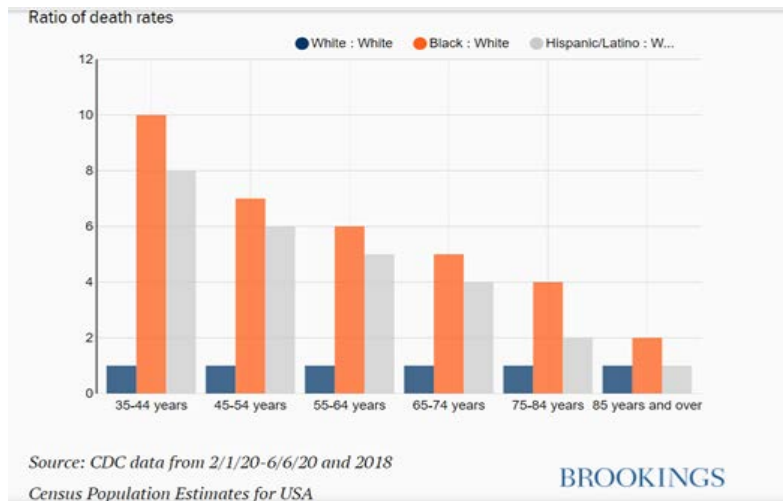
"Yo P, why don't you just leave him alone. He don't even want to be down." And the next thing happened was Pooh spoke from down to up, if I don't ask the kid what the fuck he just said, what the fuck Pooh just said, then Pooh was going to get up and start swinging on me. And at the same time Pooh was on his way up and he just pushed me and I leaned up against the kid and I stood back up and I said, "What's up? What's all that for? I thought we were supposed to be boys." And he just started swinging on me without even saying anything. and I started swinging back, and the fight just got a little crowded. Everybody was rowdy. I started getting claustrophobic from everybody crowding around me and I kind of scared for my life and J thought somebody else was going to stab me from behind or jump in, and I pulled out a little pocket knife that I had in my right pocket, and I used it. I'd say I used it about two times in order to get away from the situation I was in. *Id.* at 104.

12. Although Mr. Holloway’s attorney chose not to pursue a self-defense or defense of other defense, it is clear that Dale felt threatened when he stabbed Herring in 2001. Like many who are not guilty of the crimes alleged against him, Mr. Holloway chose to plead guilty:

[P]lea bargains are tied up with race... and [a]s prosecutors have accumulated power in recent decades, judges and public defenders have lost it. To induce defendants to plead, prosecutors often threaten “the trial penalty:” They make it known that defendants will face more-serious charges and harsher sentences if they take their case to court and are convicted.

Innocence Is Irrelevant, The Atlantic, September 2017 Issue. See Attachment 3.

13. The prosecution in this case has made a plea offer of 50 years in prison, an offer that both ignores Mr. Holloway’s history of physical and racial trauma as well as the life expectancy of Black males in this county. See Attachment 4. The life expectancy of a Black male in the United states is 72 years old.⁸ Black males also have a higher morbidity rate from COVID-19.⁹



14. The State’s offer also, suggests to the defendant that should he not accept their plea offer, they may ask for an even higher sentence. *Id.* This type a plea negotiation tactic is just

⁸ <https://www.cdc.gov/nchs/data/hus/2017/015.pdf>

⁹ <https://www.brookings.edu/blog/up-front/2020/06/16/race-gaps-in-covid-19-deaths-are-even-bigger-than-they-appear/>

another example of a prosecutor attempting to threaten a defendant with a “trial penalty” in the hopes of getting that person to give up their right to a trial. Additionally, the State’s filing of a notice of extended term, a statute that allows for longer sentences for repeat offenders, contributes to racial bias as research shows that these repeat offender statutes have a disparate impact on persons of color.¹⁰

Mr. Holloway suffers from Post Traumatic Stress Disorder, a condition resulting from his difficult childhood and exacerbated by his incarceration and experience with racial bias.

15. Mr. Holloway’s mother believes that one contributing factor to his Post-Traumatic Stress Disorder is beatings he suffered at the hands of his father, as well as the stabbing incident that happened when he was a teenager. Therefore, Holloway was suffering from PTSD during the March 2001 incident.
16. The conviction for the Arcade stabbing ultimately led to Mr. Holloway’s incarceration at MCI-Cedar Junction, also known as Walpole, when he was 20 years old. Dale’s mother observed that Dale’s PTSD symptoms only worsened when he went to Walpole.
Attachment 5. Mr. Holloway asserts that he suffered additional assaults at Walpole when he tried to renounce his gang affiliation with the Latin Kings. Attachment 2 at pg. 140.
17. “Three strikes and you’re out” and other habitual offender laws disproportionately affect people of color who are more likely to have criminal records. *Black Lives Matter: Eliminating Racial Inequality in the Criminal Justice System*, The Sentencing Project. February 3, 2015. See Attachment 6.

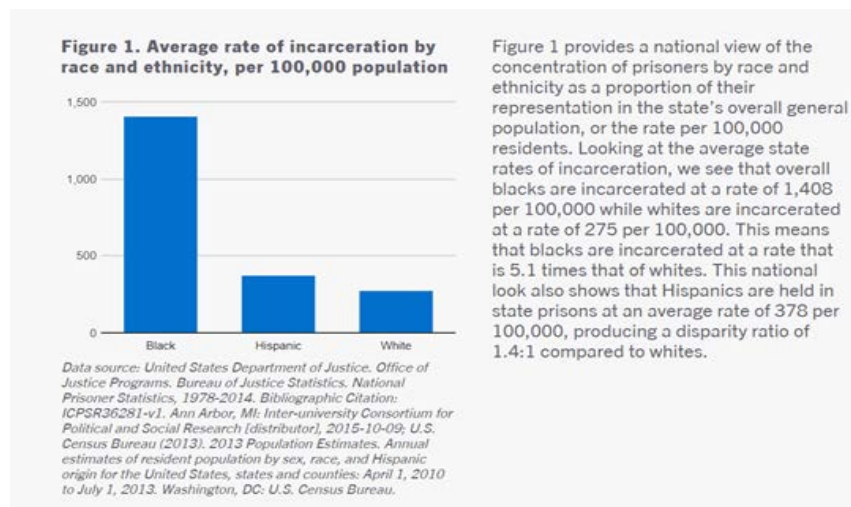
¹⁰ <https://www.aclu.org/other/10-reasons-oppose-3-strikes-youre-out>

18. Racial trauma must also be added to the mountain of trauma experienced by Mr.

Holloway. “Racial trauma can result from one to innumerable experiences of racism such as workplace discrimination or hate crimes, or it can be the result of repeated occurrences, such as racial profiling and micro-aggression.”¹¹

19. There are significant racial disparities in sentencing decisions in the United States.¹²

Sentences imposed on Black males in the federal system are nearly 20 percent longer than those imposed on white males convicted of similar crimes.¹³ Black and Latino offenders sentenced in state and federal courts face significantly greater odds of incarceration than similarly situated white offenders and receive longer sentences than their white counterparts in some jurisdictions.¹⁴ Black male federal defendants receive longer sentences than whites arrested for the same offenses and with comparable criminal histories.¹⁵



¹¹ <https://www.psychologytoday.com/us/blog/take-care-black-women/202006/racial-trauma-is-public-health-emergency>

¹² https://www.aclu.org/sites/default/files/assets/141027_iachr_racial_disparities_aclu_submission_0.pdf

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *Id.*

20. Excessive, long sentences for serious crime have had a disproportionate impact on people of color, especially African Americans, because they are more likely to have a prior record, either because of more frequent engagement in crime or because of more frequent engagement with law enforcement.¹⁶

Legal Precedence for Considering History of Race and Bias in Sentencing

21. Considering the effect of disparate policing at sentencing is not a new concept. *See* studies. *U.S. v. Leviner*, 31 F.Supp.2d 23, 33 (D.Mass.,1998). In *Leviner*, the Court held that the defendant’s criminal record did not accurately reflect the defendant because “[b]y counting the imprisonment that the defendant has received for the prior offenses, the system effectively replicates disparities in sentencing in the state system. *Id.* at 33.
22. The State of Utah has also recently codified rules that recognize the impact of racial bias, both implicit and explicit, in the criminal justice system and specifically sentencing. Minorities in Utah can now ask for a more lenient sentence if they can show that they have been affected by racial bias in the criminal justice system. *See* Attachment 7.
23. Race and its impact on a criminal defendant are relevant to sentencing. *Mahdi v. Stirling*, 2018 WL 4566565, at *35 (D.S.C., 2018).

Conclusion

24. This Court cannot ignore the fact that disparate and proactive policing of persons of color only “replicates” these disparities at sentencing. Ignoring this fact would violate Mr. Holloway’s equal protection rights as guaranteed by both the New Hampshire and federal constitution. Ignoring the fact that disparate and proactive policing disproportionately

¹⁶ <https://www.sentencingproject.org/publications/color-of-justice-racial-and-ethnic-disparity-in-state-prisons/>

disadvantages persons of color would be wrong and this Court should not repeat that wrong in this case:

Every judge must learn to live with the fact he or she will make some mistakes; it comes with the territory. But it is something else entirely to perpetuate something we all know to be wrong only because we fear the consequences of being right. *Jamison v. McClendon*, 2020 WL 4497723, at *29 (S.D.Miss., 2020); quoting *Ramos v. Louisiana*, 140 S.Ct. 1390, 1407 (2020)

WHEREFORE, Dale Holloway hereby requests this Honorable Court strike the Notice of Extended Term filed by the State.

Respectfully submitted,

Dale Holloway

By his attorneys,

Dated: August 11, 2020

By: /s/ Donna J. Brown
Donna J. Brown, NH Bar No. 387
95 Market Street
Manchester, NH 03101
(603) 669-4140
dbrown@wadleighlaw.com

CERTIFICATION

I hereby certify that a copy of this Motion has been e-filed to Catherine Devine and Brian Greklek-McKeon of the Hillsborough County Attorney's Office on this 11th day of August 2020.

/s/ Donna J. Brown
Donna J. Brown

ATTACHMENT 1

Massachusetts Racial and Gender Profiling Study

Final Report
May 4, 2004

Prepared by:

Dr. Amy Farrell
Associate Director, Institute on Race and Justice

Dean Jack McDevitt
Director, Institute on Race and Justice

Lisa Bailey
Assistant Director of Community Outreach, Institute on Race and Justice

Carsten Andresen
Research Associate, Center for Criminal Justice Policy Research

Erica Pierce
Research Associate, Center for Criminal Justice Policy Research



INSTITUTE ON RACE AND JUSTICE

ACKNOWLEDGEMENTS

This report is the result of the dedication of a large number of individuals who have worked hard to help produce one of the most comprehensive statewide studies of racial disparities in traffic enforcement to date. We would like to begin by thanking the Secretary of Public Safety, Edward Flynn, whose leadership and dedication to the issue has been instrumental in producing as fair and comprehensive of a study possible. We are particularly grateful to the work of Susan Prosnitz and Jane Wiseman for their representation of the Executive Office during our Working Group meetings and their efforts to support and provide guidance to this project.

The Massachusetts Racial and Gender Profiling Working Group has worked with us tirelessly to discuss difficult statistical questions, express their concerns and the concerns of the community, and where necessary to raise issues so that this report could be as fair and useful to both community members and police as possible. Jose Barros, Dudley Street Neighborhood Initiative; Christina Beaumud, Cambridge Police Department; Pastor Jeffrey Brown, Union Baptist Church; Albert Cardarelli, University of Massachusetts-Boston; Richard Cole, Office of the Attorney General; Jack Collins, Massachusetts Chiefs of Police Association; Kenneth Daddabbo, Massachusetts Minority State Police Officers Association; Chief Edward Davis, Lowell Police Department; Peter Didomenica, Massachusetts State Police; Barbara Dougan, Lawyers Committee for Civil Rights; King Downing, National Coordinator, ACLU; Jill Soffiyah Elijah, Harvard Law School; Denise Gonsalves, Cape Verdean Community Task Force; Ann Marie Harris, Salem State College; Jim Machado, Massachusetts Patrolmen's Association; Jorge Martinez, Project R.I.G.H.T.; Chief Kevin Mearn, Milton Police Department; Don Muhammead, Nation of Islam; Stacey Fortes-White, Suffolk County District Attorney's Office; Noel Richardson, La Alianza Hispana; John Roberts, ACLU; Carol Rose, ACLU; Renee Scott Grey; Debra Shopteese, Roxbury Defenders Service; Rev. Filipe Teixeira, Dioceses of St. Francis of Assisi, Michael Van, Lowell Juvenile Court; Samuel Williams, Youth Opportunity Boston; Carl Walters, Boston Police Department; Linda Wick, Office of Senator Rosenberg; Onyen Yong, Suffolk Country District Attorney's Office. In addition to the working group, Northeastern University was assisted by a statewide task force who provided leadership and feedback on the issue. A full list of the statewide task force is appended to this report.

The Legislators who sponsored this study have been full participants in this process and have assisted the working group and Northeastern University in many areas including answering the working group's questions about legislative intent. Particular thanks goes to the work of Senator Stanley Rosenberg, Senator Diane Wilkerson and Representative Byron Rushing.

Also we would like to acknowledge the support of many police and governmental officials who have worked with us over this period. During the course of the study, a number of law enforcement executives reached out to provide feedback on the data collection process and answer questions from the research team.

The report would not have been possible without the support of staff at the Institute of Race and Justice and the College of Criminal Justice at Northeastern University. The authors would especially like to thank the Dean of the College of Criminal Justice Jack Greene and those individuals who spent endless hours assisting with data entry, retrieving information,

participating in road surveys and conducting various analyses. We are particularly grateful to the work of Shea Cronin who oversaw much of the original project and devoted countless hours to data cleaning and analysis. In addition we would like to thank particular members of the Northeastern University staff Wendy Alexander, Danielle Dignan, Chris Eggiman, Jared Garland, Nghi Nguyen, Sasha O'Connell, Glenn Pierce, Jennifer Paniello, Tane Peterson, Jana Rumminger, Alan Saiz, Marion Sullivan, Matt White, and Mary Yee for all their hard work on the project.

Table of Contents

Introduction.....	1
National Debate About Racial and Gender Profiling	3
Data Collection as a Management Tool.....	5
Limitations of the Massachusetts Study.....	7
Summary Measures Design.....	9
Release of Preliminary Report.....	20
Summary of Findings.....	23
Issues to Consider.....	30
List of Tables	
Table 1: Summary Measures.....	10
Table 2: Distribution of Searches with Racial Disparity Across City Types.....	28
Appended Materials and Data Tables	
Instructions on Reading Tables.....	35
Summary Table.....	36
Residents Cited Compared to Resident Population Data.....	50
Citations Compared to Driving Population Estimate Data.....	63
Search Data.....	76
Warnings vs. Citation Data.....	89
Massachusetts Racial and Gender Profiling Task Force Members.....	102

INTRODUCTION

Questions about whether law enforcement officers stop, cite, and search motorists differently based on race or gender is one of the most troublesome issues facing contemporary law enforcement today. Truly effective policing can only be achieved when police both protect the members of their communities from crime and simultaneously respect civil liberties. Confronting the controversial issue of racial profiling is a necessary step toward building and enhancing effective police-community partnerships.

In response to national and local concerns about issues of racial and gender profiling the Massachusetts legislature passed Chapter 228 of the Acts of 2000 providing for data collection on traffic citations issued in the Commonwealth. The Act was intended to provide data necessary for a statewide assessment of racial and gender profiling with the overall aim of identifying and eventually eliminating any instances of profiling. One component of this Act required the Registry of Motor Vehicles (RMV) to record data on the race, gender, and search status of individuals receiving a written warning or citation.¹ The data collected by RMV between April 1, 2001 and June 30, 2003 provides the basis for the statewide analysis presented in this report.

Using data on traffic citations and written warnings collected by the RMV, this study examines the existence of racial and gender disparities in approximately 1.6 million traffic citations issued between April 1, 2001 and June 30, 2003.² It is important to note at the outset that research on racial profiling in traffic stops is a relatively new area of inquiry. Although numerous studies have begun to address questions of differential treatment in traffic stops, no absolute consensus exists about the best way to determine disparities.³ Racial disparities in citations can result from

¹ Due to resource limitations the RMV computerized data on written warnings only between April 1, 2001 and May 31, 2001.

² The original intent of the legislation was to conduct an analysis for one year. Northeastern University received data from the Registry of Motor Vehicles which covered a much larger time period. In consultation with the Executive Office of Public Safety and the Racial and Gender Profiling Working Group, Northeastern University conducted an analysis on all citations for the full time period that data was available in order to provide communities with the most information that was possible to assess any potential disparities in traffic citations. A breakdown of the racial demographic of citations by year is included in the technical report.

³ For an overview of the most common racial profiling analysis methods and benchmarks see: Lorie Fridell (2003) *By the Numbers: A Guide for Analyzing Race Data From Vehicle Stops*, Police Executive Research Forum.

a number of factors that social scientists are just beginning to understand. Bias on the part of an individual officer is one of several possible explanations for disparities in citations. Racial disparities can also be caused by departmental deployment decisions, targeted enforcement actions or by differential rates of traffic violations. Although there are limits to the types of questions that traffic citation data can answer, this study addresses four important questions that commonly arise in public concern over racial profiling:

1. Are non-white drivers who are residents in a community cited more often than their representation in the residential population would predict?
2. Are non-white drivers overall cited more often their representation in the population of people driving on the roadways would predict?
3. Once stopped are non-white drivers more likely to receive a citation than white drivers?
4. Once stopped are non-white drivers more likely to be subject to a search than white drivers?

While these questions do not represent the full set of inquiries that community members or law enforcement officials may have about the existence of racial profiling, they address the issues that we are most confident can be answered with the data that is available in this study. No statistical analysis can adequately address all the concerns about racial profiling that may exist in a local community. However, the analysis conducted in this report can serve as a very useful starting point for addressing concerns about racial profiling that may exist in communities throughout the state.

From the outset it is important to note that aggregate data, such as the data presented in this report, can indicate patterns of disparate traffic citation activity in a department but cannot identify the motives involved in individual traffic stops, citations or other enforcement decisions. Racial profiling involves an individual decision by a particular police officer – something that this report cannot measure. Social science cannot provide reliable explanations for what individual officers are thinking when they decide to stop or cite a particular motorist. Bias on the part of individual officers may be just one of many reasons that racial or gender disparities exist in traffic stops, citations or searches. For example, certain department enforcement strategies or

allocation of patrol resources – while perhaps race neutral on their face – may result in the disparate treatment of particular racial groups. In some communities, police commanders may assign a larger number of officers to a particular neighborhood because that neighborhood has more crime and thus an increased need for police services. It may then be the case that police assigned to this high crime area engage in traffic enforcement as part of their normal patrol activities and since there are more police working in this neighborhood, individuals who live, work or drive through this neighborhood are more likely to be stopped and cited than individuals who live in other neighborhoods. If the neighborhoods where police assign additional patrols are neighborhoods where people of color are more likely to live, then the deployment decision may result in racial disparities in traffic citations. While this report cannot determine whether disparities are caused by institutional practices or individual bias by officers, the report does identify whether certain groups are treated differently in traffic stop encounters based on a number of different measures.

Regardless of why they occur, racial disparities in traffic stops, citations and searches can impose serious costs on minority citizens as well as create societal costs on race relations which may influence how community members perceive the police in their community. As indicated in a previous news story and analysis by *The Boston Globe*, disproportionate traffic citations may result in increased insurance premiums for those targeted by the police.⁴ In addition to the individual financial costs, these kinds of disparities may erode the trust between the police and members of their local community. If members of certain communities perceive that they are targeted by the police, they may be reluctant to report crimes, and equally important, to work with police to solve the crimes that have been reported. This situation can have serious implications for the overall public safety of a community.

NATIONAL DEBATE ABOUT RACIAL AND GENDER PROFILING

Recently, there has been an increased public debate about the discretionary decisions officers make during traffic enforcement, including the decisions to stop, search and cite motorists. While a number of factors may influence an officer's decision to stop and search an individual, it has

⁴ Bill Dedman and Francie Latour (2003) "Speed Trap: Who Gets A Ticket, Who Gets A Break" *Boston Globe*, July 20, A1.

been suggested that some police officers inappropriately use race when making decisions about whom to stop, search or cite.⁵ Allegations of racial bias in traffic stops have become so common that the practice has been popularly labeled “driving while black” or “driving while brown.” Racial profiling is generally understood as the practice of targeting or stopping a pedestrian or motor vehicle based primarily on the person’s race, rather than any individualized suspicion.⁶ The popular understanding of the term racial profiling is derived from the “profile” of drug couriers developed by the Drug Enforcement Agency during the mid-1980s to interdict interstate drug trafficking. Although originally targeting particular types of stops, the term racial profiling has come to represent the full range of potential disparate treatment that can occur during a traffic stop.

In the context of vehicle stops, racially biased police actions often involve the use of a legitimate traffic violation in combination with race as the justification for a traffic stop. Although employing a traffic violation as a justification for pre-textual traffic stops is supportable under the Fourth Amendment doctrine of reasonable suspicion or probable cause,⁷ such action if practiced in a racially biased manner would constitute a violation of the Fourteenth Amendment’s guarantee of equal protection under the law.

National surveys have confirmed that a majority of Americans, regardless of race, believe that racial bias in police stops is a significant social problem. In a widely cited poll taken by the Gallop Organization in 1999, 59% of all Americans reported that they believed the practice known as racial profiling was widespread. The poll reported differences by race in this perception, with 56% of the white respondents believing that racial profiling was widespread and 77% of the African-American respondents responding that the practice was widespread. Although some suggested that the public’s acceptance of racial profiling would increase after the

⁵ Although there are numerous public claims of racial profiling for a general review of the issues see: Gary Webb (1999). “DWB.” *Esquire*, April, pp. 118-127; David Harris (2000). “Driving While Black” American Civil Liberties Union, and Ronald Weitzer (1999). “Citizens’ Perceptions of Police Misconduct: Race and Neighborhood Contexts” *Justice Quarterly*, 16: 819-846.

⁶ The statute in Massachusetts defines racial profiling as “the practice of detaining a suspect based on a broad set of criteria which casts suspicion on an entire class of people without any individualized suspicion of the particular person being stopped.” An Act Providing for the Collection of Data Relative to Traffic Stops (Section 1, Chapter 228 of the Acts of 2000).

⁷ *US v. Whren*, 517 U.S. 806 (1996)

attacks of September 11, 2001, recent polling data indicates that public concern about racial profiling remains strong overall and for some groups concern has actually increased. In a Gallup Poll taken in February 2003 responses were identical to the 1999 data with 59% of Americans believing the practice was widespread. For African-American respondents, however, the perception that racial profiling is widespread actually increased from 77% in 1999 to 85% in 2003.⁸

Similar questions about gender disparities in traffic stops have recently been given new attention. Following a number of highly publicized incidents of officers sexually abusing women following routine traffic stops, some have begun to question whether certain officers use their traffic enforcement powers disproportionately against female drivers.⁹ In fact, preliminary analysis from other jurisdictions indicates that young males may be disproportionately likely to be stopped, cited, and searched. At the present time there is little empirical evidence about how gender influences the discretionary decisions of police. Moreover, scholarship on profiling is only beginning to address the interactive effects of gender and race in an officer's decision to stop, cite, or search motorists.

DATA COLLECTION AS A MANAGEMENT TOOL

The controversy around racial and gender profiling in traffic stops has prompted local and state officials across the country to request information about the characteristics and demographics of those who are stopped and cited. Although traffic stops are the most frequent form of contact that law enforcement has with the citizenry, they are one area of policing where we have kept very little systematic information. A recent study by the Bureau of Justice Statistics indicates that traffic stops are the most common cause of police citizen interaction, reported three times more often than any other type of contact.¹⁰ Because they are such a common source of interaction, traffic stops have the potential to dramatically shape how individuals perceive the

⁸ Jack Ludwig (2003) "Americans See Racial Profiling As Widespread" Gallup Poll Tuesday Briefing, May 13, www.gallup.com.

⁹ Michael Luo (2001) "Officers May Face Federal Charges," *Newsday*, March 9.

¹⁰ Patrick Langan, Lawrence Greenfeld, Steven Smith, Matthew Dunrose and David Levin (2001). *Contacts Between Police and the Public: Findings from the 1999 National Survey*. Washington, D.C.: Bureau of Justice Statistics.

police and thus have been the national focus of much of the debate around racial profiling. Massachusetts is one of nine states who have collected or who are in the process of collecting state-wide data on racial disparities in traffic stop practices.¹¹

Today the collection and analysis of data on traffic enforcement is seen by many law enforcement agencies as simply a good management practice. Historically, most law enforcement agencies have not systematically collected or analyzed information about their traffic enforcement practices. Despite the limited information on traffic stops, police agencies have taken a leadership role among many public sector organizations when it comes to using data to organize and manage day-to-day operations of their organizations in many other areas. For example, police routinely analyze information on calls for service, incidents reported to the police and on arrests to determine where problems exist. In recent years police managers have used this information to identify the characteristics of problems as a tool for developing unique and focused strategies to address the problems. While this has been the practice in many police agencies when dealing with crime, few have conducted similar analyses of traffic enforcement information.

Most police agencies cannot identify where traffic stops are occurring, for what violations their officers are making traffic stops and most importantly who is being stopped in their jurisdiction. In light of the Justice Department finding cited above that traffic stops are the most common interaction between police and their community members many local police agencies have identified data on traffic stops as essential information which can allow them to manage their practices more efficiently. In fact the Commission on Accreditation for Law Enforcement (CALEA) has mandated collecting and analyzing information on traffic enforcement as a standard for all its member agencies. CALEA believes that analyzing information on all traffic stops is critical to professionalizing of law enforcement operations nationally.

¹¹ Other states requiring all jurisdiction to collect data include Connecticut, Missouri, Texas, Nebraska, Rhode Island, Utah, Illinois and Maryland.

LIMITATIONS OF THE MASSACHUSETTS STUDY

There are a number of limitations concerning the data collected in Massachusetts that affect the types of questions that this study can address and depth of the potential analysis. One of the most serious limitations in Massachusetts is that as prescribed in the enabling legislation information on the race and gender of drivers was only collected for traffic stops that resulted in a citation being issued. In all other statewide studies data is being collected on every traffic stop regardless of the outcome. Having only citation data limits our analysis in a number of ways. We do not have information across the whole study period on those individuals stopped who received a verbal warning and were told to go on their way. In other statewide studies of traffic stops, approximately one-half of the drivers stopped received a citation.¹² While there is much local variation in the likelihood of receiving a citation once stopped, it remains true that many drivers are stopped and do not receive any formal citation.

The absence of data on all traffic stops also limits our ability to fully identify racial disparities in searches. Some drivers are subject to searches as part of the traffic stop but it is possible that no traffic citation is issued. As a result we do not have any information on some number of traffic stops where searches occurred but no citation was written. If these kinds of traffic stops were more likely to happen to one racial or gender group more than another we would have no information on that disparity.

An additional limitation of the Massachusetts study is that due to an expressed prohibition in the legislation, no information was collected on the identity of the officers who issued the citations. It should be noted that the term profiling refers to the individual motivation of an officer to make a stop, issue a citation or search a vehicle. In Massachusetts our analysis cannot determine officer motives, and can only note aggregate trends in citations by jurisdictions. It may be the case that aggregate patterns of disparities for any given law enforcement agency are the

¹² For example in Rhode Island only 54% of all stops resulted in the issuance of a citation, for more information see: Amy Farrell, Jack McDevitt, Shea Cronin, Erica Pierce (2003) *Rhode Island Traffic Stop Statistics Final Report*. Submitted to Rhode Island Attorney General. In Connecticut 46% of all stops resulted in a formal citation, for more information see: Stephen Cox, Susan Pease, Daniel Miller and C. Benjamin Tyson (2001) *Report on Traffic Stop Statistics For the State of Connecticut, July 1, 2000 to June 30, 2001*. Submitted to the Office of the Chief State's Attorney.

cumulative result of the underlying motives of individual officers. It also may be the case that aggregate patterns of disparity are the result of institutional decisions about deployment or enforcement prerogatives of the department. Therefore, this study cannot determine if an individual officer is engaged in racial profiling, but rather determines whether there are patterns in the traffic citation and search activities in a department that result in racially disparate treatment and suggests areas where it would be necessary to gather more information to understand the underlying motivation of officers. This analysis also cannot identify those jurisdictions where a single officer is engaged in racial profiling but his or her behavior is not individually identified and may be masked by the enforcement activity of the majority of other officers in the department. Rooting out such individual level disparities is best addressed at the local agency level where the actions of an individual officer can be identified and addressed.

Although this study cannot evaluate the existence of bias on the part of any individual officers, it is important to note that the study relied on law enforcement officers to self-report the race and gender of drivers on the Massachusetts Uniform Citation.¹³ While we believe that the majority of officers completely and accurately recorded information about traffic citation activity to the best of their ability, it is important to note that the level of inaccurate information reported on citations is unknown. Following the release of the preliminary report some police agencies contacted Northeastern University and suggested that officers in their departments incorrectly specified whether or not a non-inventory search was conducted. It is impossible for us to determine the accuracy of the non-inventory search measure considering that some officers may have over-reported searches while others may have under-reported such activity.

Another significant limitation of the study stems from the lack of specific neighborhood or street-level information about the location of citations and written warnings. Citation and warning data received from the RMV only indicates the city or jurisdiction in which the citation or written warning was issued, with the exception of Boston where district level information is specified in the RMV data. The lack of specific neighborhood information limits our ability to determine if certain neighborhoods in a city have greater levels of disparity than others.

¹³ Through the Executive Office of Public Safety, a protocol was developed advising police departments and officers how to complete the revised Uniform Citation. The protocol instructs that the race of the driver is to be recorded based on upon the officer's perception at the time he or she decides to engage in a motor vehicle stop.

Additionally, we are unable to assess whether city-wide disparities may be explained by targeted traffic enforcement activities in particular neighborhoods or sections of a community.

One of the most unique aspects of the Massachusetts Racial and Gender Profiling legislation is that the mandate for data collection is broken down into two phases. In an attempt to minimize the burden to law enforcement agencies the Massachusetts Legislature decided to conduct an initial study of racial and gender disparities in traffic citations and then in a second phase, communities that had the appearance of engaging in a pattern of racial or gender profiling would be required to collect data on all traffic stops. This two-phase process has had a number of important implications. First the burden on all police departments in Massachusetts has indeed been minimal when compared to most other states collecting data on traffic enforcement. The uniform citation was modified to include a box to indicate whether or not a non-inventory search was conducted and a box to indicate the driver's gender. In addition, officers were advised as to the six race codes to be used in completing a box to indicate the driver's race.¹⁴ This information in addition to the information routinely collected on the uniform citation constitutes the data used for the analysis in the present study. In phase-two, departments, either voluntarily or as required by the statute, will collect significantly more information from which researchers, policymakers, department leaders and community members will be able to understand, monitor and reduce any disparities that cannot be explained by legitimate law enforcement factors.

SUMMARY MEASURES DESIGN

This study reviews data from over 366 law enforcement agencies in the Commonwealth of Massachusetts. Any study that attempts to review such a large number of jurisdictions and draw fair conclusions about the existence of a disparity must by definition treat each jurisdiction similarly. In this study we have analyzed the data for each jurisdiction using the same set of procedures and analytic rules. Unfortunately, the process of drawing conclusions about disparities across an entire state does not allow for the in-depth analysis that can and should occur in a particular community. This report is intended to highlight the main areas of concern, offer interpretations of different types of disparities and hopefully serve as a springboard for

¹⁴ Officers were instructed to identify drivers as White, Black, Hispanic, Asian, Native American or Middle Eastern.

more detailed analysis that can best be done at the community level between local police and members of their community.

Through the process of conducting preliminary analysis, receiving extensive comment from the working group and task force members, and reviewing comments received from community members and law enforcement across the state we identified four main areas of concern which could be measured by the data available in the Massachusetts study: 1) disparities in traffic citations given to residents, 2) disparities in traffic citations given to all drivers including those who drive through but do not reside in a particular community, 3) disparities in receiving a citation versus a written warning, and 4) disparities in the likelihood of being searched once cited. For each of these measures we established a comparative population (where necessary) and a threshold above which policymakers could conclude that racial disparities were most problematic. Each of the four summary measures will be described in more detail and we have provided a table that briefly outlines each summary measure (Table 1).

Table 1. Summary Measures

Measure	Data Source	Comparative Population	Threshold for Substantial Disparity
1. Citations of Residents	Only citations of residents	2000 Residential Census	Above Positive Statewide Median
2. Citations of All Drivers	All citations	Driving Population Estimate	Above Positive Statewide Median
3. Searches	All citations	None	Test of Statistical Significance
4. Warnings vs. Citations	Matched sample of written warnings and citations	None	Test of Statistical Significance

Measure One: Citations of Residents to Residential Population

To determine if racial disparities exist in traffic stops or citations it is critical to first develop an estimate of the demographics of populations who are driving on roads that are patrolled by the law enforcement agency in question. By themselves, the demographics of traffic stops or citations are difficult to interpret. For example, if after collecting data, a particular city discovers that 45% of its traffic citations are of Black drivers, that number by itself does not reveal very much. Instead, we would want to know the proportion of traffic stops compared to an

appropriate benchmark or base rate of those driving in that community. In Massachusetts the present study utilized two measures to determine the degree of disparity that exists in traffic citations across the state. First we compare the racial demographics of town residents who are cited against the residential population of that community. Second we compare the racial demographics of all traffic citations made by an agency (both citations of residents and citations of non-residents) to an estimate of the demographics of the driving population. This second measure is described in more detail in the section below.

The first measure, a comparison of citations of residents to the residential population assumes that the demographic of residential traffic citations should be similar to the demographics of the people who live in that community. We used the 2000 U.S. Census Bureau statistics of 18 individuals who are 18 years old and older to determine the racial and gender demographics of individuals who live in each community in Massachusetts. Some agencies such as colleges, universities and transportation police have no census population against which to compare the demographics of their citations. The comparative population numbers for these agencies are designated as not available (NA).

Measure Two: All Citations Compared to the Driving Population Estimate (DPE)

The second measure of disparity compares the race of all citations against an estimate of the racial breakdown of the driving population for each community in Massachusetts.¹⁵ The driving population is calculated using a sophisticated model to predict how strongly the residential population and the population of surrounding communities influence the driving population for each community.

Research in the field of transportation planning provides rich information about the influence of city characteristics on driving behavior. Transportation planners have created models to better estimate traffic flow in and out of communities in order to forecast the effect of traffic on road construction, maintenance and safety. Although transportation studies have not traditionally focused on the racial demographics of traffic patterns, we have used this literature as a starting

¹⁵ No driving population estimate calculations were conducted for the sex of the driving population demographics because the distribution of male and female residents is nearly identical in most Massachusetts communities.

point for understanding how populations of surrounding communities may influence the driving population in Massachusetts cities and towns.

The driving population estimate (DPE) begins with the assumption that cities and towns close to a particular city contribute more people to the driving population of the target city.¹⁶ Other factors besides distance, however, influence travel. Research on transportation has long shown that people will drive further if attractive features such as shopping, employment or entertainment exist in the target city.¹⁷ For example, the DPE model assumes that if distances were equal a driver is more likely to go to a city with some economic draw (e.g.: shopping, employment, entertainment) than a city without such draws. Fundamentally, the DPE seeks to measure the factors that both *push* drivers out of surrounding communities and *draw* drivers into target cities from surrounding communities.

The first step in creating the DPE is estimating the degree to which surrounding cities contribute to the driving population of the target city. To create the pool of contributing cities for each target city in Massachusetts we began with the assumption that the driving population of a jurisdiction is primarily influenced by communities that fall within a 30 minute drive time perimeter.¹⁸ Once we calculated the total population and demographic breakdown of each potential contributing city we determined how many people were eligible to be “*pushed*” from the cities. The factors that we used to measure “*push*” were 1) the percentage of people within the community who own cars, making them eligible to drive out of the city; 2) the percentage of people who drive more than 10 miles to commute to work based on the 2000 Journey To Work data provided by the 2000 United States Census Data; and 3) the travel time (in minutes) between the contributing city and the target city. These three factors were used in the following

¹⁶ J.D. Carroll (1955). “Spatial Interactions and the Urban-Metropolitan Description” *Traffic Quarterly*, April, 149-161; Lothlorien Redmond and Patricia Mokhtarian (2001). “The Positive Utility of the Commute: Modeling Ideal Commute Time and Relative Desired Commute Amounts” *Transportation*, 28: 179-205.

¹⁷ Raith, Michael (1996). “Spatial Retail Markets with Commuting Consumers” *International Journal of Industrial Organizations*, 14: 447-463.

¹⁸ James Anderson (1979). "A Theoretical Foundation for the Gravity Equation," *American Economic Review*, 69:106-116; K. Mikkonen-and M. Luoma (1999). The Parameters of the Gravity Model are Changing - How and Why?" *Journal-of-Transport-Geography*, 7(4): 277-283; Tim Schwanen and Martin Dijst (2002). “Travel-Time Ratios for Visits to the Workplace: The Relationship Between Commuting and Work Duration” *Transportation Research* 36: 573-592.

formula to determine how many people were “*pushed*” out of each contributing community toward our target city.

The second step in calculating the DPE was determining the level at which each city in Massachusetts draws in drivers from surrounding communities. People travel to or pass through cities to shop, to go out to dinner or see entertainment, to go to work, or to take care of other business. While there are certainly reasons to travel to or through every city in Massachusetts, certain cities exhibit relatively high degrees of draw compared to others. There can be innumerable factors that influence travel, but there are certain major economic and social indicators that can be measured using the same standard for every city. To determine the degree to which each city in Massachusetts “*draws*” in drivers from surrounding communities we created a measure of the relative economic and social attraction of each city. Five indicators were used to construct measures of “*draw*” in each target city: 1) percent of State employment, 2) percent of State retail trade, 3) percent of State food and accommodation sales, 4) percent of State recreation and amusement sales, and 5) percent of State average daily road volume. The average of these five measures was taken for each city to create a final ranking of the relative “*draw*” power for each city. A more in-depth explanation of the draw ranking for individual cities is found in the technical report.

The driving population estimate is meant to provide the best possible estimation of the racial demographics of drivers in Massachusetts communities. It was designed using principles from transportation planning and economic literature. This model was previously used in a statewide study of racial disparities in traffic stops in Rhode Island and has recently been used by the Prairie Village Kansas Police Department as a benchmark against which traffic stop data was compared.¹⁹ During the Rhode Island study, the model was field tested on different communities to determine how closely the racial demographics of the DPE matched the racial demographics of the roadways made through physical observation protocols. In two separate tests of the DPE

¹⁹ In the *2003 Bias-Based Policing Report* the Prairie Village Police Department compared the demographics of traffic from both the Driving Population Estimate model designed by Northeastern University and an observational traffic survey previous conducted for the city by the firm Bucher, Willis and Ratliff in 2000. The non-white driving population from the observational traffic survey was 15.8% non-white and the non-white population from the Driving Population Estimate model was 14.1% non-white. The department concluded that the Driving Population Estimate was a useful and reliable model for predicting the demographics of drivers in their community.

in different Rhode Island communities the model successfully predicted the racial breakdown of drivers for all racial groups within less than one percent when compared to physical observations of the roadways.²⁰ Although the DPE is still a relatively new form of benchmarking traffic stop data, the Police Executive Research Forum recently argued that the DPE is one of the most promising models for constructing estimates of traffic demographics for statewide studies of racial profiling.²¹ It is important to note that one of the limitations of the driving population estimate is that it may be less accurate at measuring driving populations for jurisdictions where a larger proportion of drivers travel over 30 minutes to work, shop or recreate in that community. This limitation would be particularly important when examining the data for jurisdictions that experience heavy driving volume of tourists for example that is demographically different from their resident drivers.

Traffic citations for the Massachusetts State Police are compared to the demographics of drivers observed on the roadways of each State Police Troop through a rolling observation survey protocol. The rolling road survey methodology used in Massachusetts was adapted from other methods used by researchers in Rhode Island, New Jersey, Maryland and North Carolina.²² The goal of the Massachusetts rolling road survey was to observe representative traffic demographics in each State Police Troop area (excluding Troop F, Logan Airport, since traffic was deemed too difficult to observe at that location). To determine such demographics we placed observers out on the roadways in cars to visually assess the racial make-up of drivers on particular roadways. A summary of the demographics of drivers for each State Police Troop Area was constructed as the benchmark against which to compare traffic citations from those Troops. Additional information about the roadway observation survey for the State Police can be found in the technical report.

²⁰ Farrell, et al., supra note 12.

²¹ Fridell, supra note 3, pg. 109.

²² For information on other uses of road survey methodology see: Matthew Zingraff, William Smith, and Donald Tomaskovic-Devey (2001). "North Carolina Highway Traffic and Patrol Study: "Driving While Black." *The Criminologist*, 25: 1-3; John Lamberth (2003). *Racial Profiling Study and Services: A Multijurisdictional Assessment of Traffic Enforcement and Data Collection in Kansas*. Washington D.C.: Police Foundation.

Creating a Threshold for Comparative Population Disparities

For the comparison of traffic citations of residents to census population and the comparison of traffic citations to the driving population estimate it is difficult to determine the appropriate threshold at which disparities become meaningful. Various standards have been used in other studies to draw conclusions about racial profiling based on comparisons between the demographics of those stopped and the demographics of those in the comparative population, but as a recent report by the Office of Community Oriented Policing (COPS) states “current research has failed to establish a consistent set of criteria to determine the nature and extent of racial profiling.”²³ As with other studies, we faced a problem of establishing a “bright line” above which the conclusion is that all departments are engaged in disparate citation practices that constitute racial profiling and below which all departments are not engaged in disparate citation practices.

In studies of disparity, regardless of topic area, it is generally inappropriate to conclude that any difference between the studied population and the comparative population automatically constitutes a meaningful disparity or racial bias. Such differences may be the result of real differences or may be a product of sampling or measurement error. Different studies rely on various thresholds above which they determine that observed differences are not solely attributable to error or chance. These thresholds differ dramatically depending on the type of sample used and the analytic methodology employed.

Studies of racial profiling nationwide have not been able to establish a uniform threshold for differences between the demographics of drivers stopped and the demographics of the comparison population. Although some studies have used differences in percent of 3% or 5%²⁴ and others have relied on ratios of varying amounts²⁵ to determine disparity, these levels were often arrived at haphazardly and as a result the conclusions have largely been overlooked.²⁶ Understanding the limitations of establishing definitive measure of racial profiling, we instead seek to simply identify disparities between the racial demographics of citations and racial

²³ Joyce McMahon, Joel Garner, Ron Davis and Amanda Kraus. *How to Correctly Collect and Analyze Racial Profiling Data: Your Reputation Depends on It!* Office of Community Oriented Policing, 2003. pg. 39

²⁴ Howard Greenwald, 2003. Sacramento Vehicle Stop Data Collection Report: 2001-2002.

²⁵ 2000 Annual Report on Missouri Traffic Stops, Office of the Attorney General.

²⁶ McMahon et al., *supra* note 17.

demographics of the census and/or driving population estimates for each jurisdiction and identify those agencies that have the greatest levels of disparity when compared to other Massachusetts law enforcement agencies. As a result, the statewide positive median (mid-point) for each measure of disparity was chosen as a threshold for comparisons of citations to residents or to the driving population estimate.²⁷

As with most studies of racial profiling, it is not possible to explain fully whether or not such disparities are justified or legitimate with the information that was made available through the Massachusetts citation data. It is important to remember that the existence of disparities may be attributable to officer bias, institutional bias, or differential law enforcement action in particular neighborhoods in response to crime control problems. *How much disparity is acceptable to a community is fundamentally a question that should be addressed by stakeholders and policy makers in each jurisdiction.* Our goal in this report is to identify jurisdictions with disparities above the statewide median and where we are most confident observed differences between groups are not due to error or chance.

Measure Three: Searches

The third summary measure examines the differences in the likelihood of being searched by race and gender. Nationwide, racial disparities in the likelihood of being searched once a vehicle is stopped have become one of the most persistent concerns in assessments of racial profiling. Racially disparate search rates have raised a great deal of concern both locally and nationally. In the mind of many motorists, searches transform a traffic stop from a potentially benign civil enforcement action to a more serious suspicion of criminal activity. Motorists of color report that once a search is instigated the traffic stop itself is viewed as only a pre-text to justify searching and harassing motorists.²⁸ Searches heighten the perception that law enforcement perceives particular motorists as potential criminals.

²⁷ The statewide median for disparity of non-white residents cited to non-white residents in the population was a difference in percent of 2.1 and the statewide median for disparities of non-white citations to the driving population was a difference in percent of 3.2.

²⁸ For numerous examples of such perceptions see David Harris, (2002). *Profiles in Injustice: Why Racial Profiling Can't Work*, New York: New Press.

An officer's decision to conduct a search during a traffic stop is limited by a number of legal protections. Most importantly, police searches of vehicles are protected by the Fourth Amendment doctrine that we are secure in our "persons, houses, papers and effects, against unreasonable searches and seizures."²⁹ Throughout the years the courts have clarified exactly how this phrase applies to the searches of motor vehicles. In a landmark decision in 1925, the Supreme Court reasoned that drivers of vehicles have a lower expectation of privacy than residents in a home and therefore police are not required to obtain a warrant prior to searching a vehicle.³⁰ While the court has clearly specified that in most instances the police are required to obtain a warrant prior to the search of a home, motor vehicle searches are subject to the "automobile exception" to the warrant requirement. Because automobiles are mobile, allowing for easier escape of valuable evidence or suspects, and because drivers expect regulations to govern their driving privileges, such as a driver's license, speed limits, and equipment regulations, vehicle searches are subject to a lower threshold of protection.³¹

In Massachusetts officers are required to identify on the uniform citation whether or not a non-inventory search of the motorists or motor vehicle occurred. Analysis was conducted on all citations to determine what proportion of white citations and what proportion of non-white citations resulted in a non-inventory search. Racial differences that are considered statistically significant are marked with asterisks (*). Statistical significance measures the probability that the observed differences are solely due to chance. Unlike the threshold problem we identified for measures one and two (described above as residents cited compared to resident population and all citations compared to the driving population estimate) a test of statistical significance is an appropriate and commonly accepted threshold for identifying substantial disparity in search analysis. For some jurisdictions the total number of citations or searches of particular groups is too small to conduct meaningful analysis. In these cases we report the proportion of drivers who are searched but do not conduct an analysis of disparity. Instead, the term IC is placed in the disparity column to indicate an insufficient number of cases for analysis. In this analysis any

²⁹ Fourth Amendment, United States Constitution

³⁰ *Carroll v. U.S.*, 267 U.S. 132 (1925).

³¹ Five basic legal thresholds govern the search of automobiles or persons following a lawful traffic stop. Searches may be conducted on the basis of individual consent, probable cause, reasonable suspicion, as an inventory for impounded vehicles, or incident to arrest. Only inventory searches which followed the impounding of a vehicle were excluded from the search category on the uniform citation.

agency that conducted less than 50 total searches over the 27 month period of the study or less than 50 citation of non-white motorists overall was identified as having an insufficient number of cases for analysis.

Measure Four: Warnings vs. Citations

Our final summary measure identified racial differences in those drivers who received written warnings versus those drivers who received citations. There are a number of reasons why the disposition of a traffic stop has received attention in the racial profiling context. The decision to write a citation or issue a written warning is an area in which officers possess a great deal of discretion. In deciding to make a stop, the officer confronts one decision with only two possible outcomes: pull the vehicle over or allow the driver to continue. In deciding on a disposition, the officer must choose from several outcomes. Therefore, it is possible that the same offense committed by five different people might result in five different dispositions. Such discretionary power may become a cause for concern when racial differences in stop dispositions are identified.

The officer's decision to write a written warning as opposed to a ticket has serious financial implications for the driver. The driver faces the immediate effects of the fine attached to the offense, which can be quite large in some cases. The driver may also have to deal for at least a couple of years with an increased insurance premium. Further, the penalties for a moving violation offense often follow a driver over state lines to affect his/her insurance premiums. The financial impact of citation and warning decisions in Massachusetts was highlighted in a *Boston Globe* series which examined racial disparities in traffic citations.³²

Another troublesome aspect of racial disparities in traffic stop dispositions involves the concern that official records of police action might be interpreted as a reflection of trends in driving behavior. If non-white drivers receive more traffic citations because of their race or ethnicity rather than differences in driving behavior, these practices may create a record that could be used in subsequent decisions by other governmental units. Social scientists and policy makers are just

³² Dedman and Latour, *supra* note 4.

now beginning to examine how differential driving records may have a race effect on other decisions made in the criminal justice system such as criminal sentencing.³³

The Massachusetts study was originally limited by a lack of information on written warnings. While the RMV initially computerized two months of data for April and May of 2001, due to funding limitations, they concluded shortly into the study that it was not financially possible to continue to computerize data on written warnings. Two months of data on written warnings would have been insufficient to serve as a basis for any reliable statistical analysis of racial or gender disparities disposition outcomes. With an additional \$150,000 that was appropriated by the legislature, the Registry of Motor Vehicles computerized a sample of 200,000 additional written warnings issued throughout the full study period. These warnings were then matched with citations from the original database we received from the RMV by date giving us a complete sample of all warnings and citations issued by a jurisdiction on sampled days. Due to the limitations of the sampling design we were only able to conduct reliable estimates of racial disparities in citations versus warnings for 142 of the 366 agencies in Massachusetts.³⁴ Although this limited sample design means that no analysis of disparities in dispositions could be conducted for some communities in Massachusetts, we are quite confident that the sample of 142 jurisdictions provides a reliable measure of the racial disparities that may exist between citations and warnings across the whole study period for these sampled jurisdictions. More detailed information about the matched sample design for written warnings is included in the technical report.

As with searches, the analysis of racial disparities in warnings versus citations does not have to rely on a comparative population. We can simply compare the proportion of drivers receiving a warning or citation by race. Therefore, a measure of statistical significance is used as the threshold to determine when observed racial differences in dispositions are not due to chance or error alone.

³³ Kevin Blackwell (2001). "Traffic Stops and Race: Its Effects on Criminal History" Paper Presented at the American Society of Criminology.

³⁴ In order to be included in the disposition outcomes measure a sufficient numbers of warnings had to be sampled from a jurisdiction to ensure a margin of error less than 5 at a 95% confidence level.

Reporting Disparities in All Four Summary Measures

In all four summary measures of disparity we utilize a comparison between white and non-white populations. While the non-white population group is comprised of multiple racial and ethnic groups (Black, Hispanic, Asian and Native American) we chose this more simplistic measure to help clarify instances of disparity. In response to specific concerns about disparate treatment of Black and Hispanic drivers and non-white male drivers raised by members of our working group and community meetings which following the release of the preliminary report we also conducted a separate analysis on Black citations compared to white citations, Hispanic citations compared to white citations and non-white male citations compared to white male citations. Although concern about disparate traffic citations of Asian drivers has been raised in many communities, statewide there were too few citations of Asian drivers to conduct a reliable analysis of disparities for citations, searches and warnings. If communities have a particular concern about Asian disparities they should refer to the technical report where statistics and disparities for all racial groups are individually reported.

For all four measures of disparity we present differences between groups using a measure of the difference in percent. For example, if 7.4% of the traffic citations in a particular jurisdiction were given to non-white drivers and that same jurisdiction had a 3.1% non-white driving population estimate, the difference in percent would be 4.3% (7.4% minus 3.1%). For purposes of further illustrating these differences we also calculated the disparities based on a ratio measure. Using the above example, a 7.4% non-white citation population is 2.39 times the jurisdiction's 3.1% non-white driving population estimate. Although both differences in percent and ratios are calculated in the report, we use the measures of difference in percent to determine whether or not disparities rise above our determined threshold.³⁵

RELEASE OF PRELIMINARY REPORT

In keeping with our goal of creating an open analytic process that included feedback from community members, law enforcement leaders and other stakeholders the Northeastern

³⁵ The Massachusetts Racial and Gender Profiling working group spent some time discussing the possibility of using both the median of ratios and the median of the differences in percent measures to draw thresholds. Although there are strengths and weaknesses of each measurement technique we determined that a measure of differences in percent was the most stable method for assessing disparity for a statewide study where the base rates of non-white residents and drivers vary vastly between communities.

University research team worked with the Executive Office of Public Safety and the Massachusetts Racial and Gender Profiling Working Group to release a preliminary report and begin a statewide dialogue about the issue of racial profiling. This represents the most extensive public discussion and comment process that has been attempted in any racial profiling study to date. In January 2004, Northeastern University released the preliminary report which identified levels of disparity in traffic citations and searches for all communities in Massachusetts. The goal of the preliminary report was to provide official statistics about the demographics of traffic citation data so that police departments and community members could review the information, offer comment about the analytic approach and on any potentially unaddressed sources of racial or gender disparity.

To solicit feedback from community members and law enforcement the preliminary report was posted on the Institute on Race and Justice website along with a comment box that allowed general readers to provide feedback on the findings or any concerns relevant to particular communities. Community members and law enforcement officials were invited to send us written comments about the report's methodology, analysis, findings and any specific concerns that the preliminary report raised in their particular community (Copies of these letters and a list of changes can be found in the technical report).

In addition to the public release of the report we conducted six regional community meetings aimed at bringing police and community members together to discuss the findings and offer comment (see the technical report for a more in-depth discussion of the community meeting organizational process and feedback). We also presented the report to members of the Massachusetts Chiefs of Police Association, regularly scheduled community meetings and special forums designed to address the issues of racial profiling in specific communities. The information and suggestions that we received from this comment period have been important for designing the final analysis presented in this report. For example, in some cases departments disagreed with the driving population estimates that were created for their community. Some agencies sent in updated information on road density, economic data for their community and information on the city employment which was integrated into our driving population estimate. In other cases departments conducted their own independent road survey observations. Although

the observational data submitted from departments was not used as the basis of our driving population estimate, this data was nonetheless useful in reviewing the reliability of the Driving Population Estimate and a notation has been placed next to these communities indicating that they have provided comment on our estimates. In other cases community members indicated that certain groups of drivers (young non-white males, Hispanic drivers, etc.) were targeted by the police in their communities. Such comments prompted us to utilize disparity measures that looked at individual racial group differences and the interactive effects of race and gender in our final analysis. Additionally, many community members spoke of being stopped in communities where they drive (but do not live). They discussed particular communities or roadways where they hesitate to drive for fear of being stopped. In response to this feedback we suggest that the driving population estimate is important method of measuring disparities that have been identified by non-resident drivers.

From the comments received as part of this process a number of themes emerged that can provide a context for the issues addressed in this report. Many community members expressed the opinion that regardless of the data collection outcomes, they perceive that the practice of stopping drivers based on their race or ethnicity is real, damaging, and something people from communities of color regularly experience. In addition, a number of those who spoke at community forums told of having to deal with this issue for generations and expressed a hope that this report will serve as a starting point for developing strategies aimed at reducing the practices in the locations where they have been identified.

Many of the law enforcement representatives who spoke expressed the firm belief that if the practice of stopping drivers based on their race or ethnicity was happening anywhere it was wrong and should be dealt with and eliminated. Law enforcement members suggested that they had not encountered such practices very often in their years serving as police officers and at times expressed frustration with allegations of bias because they felt it was not something they had observed or engaged in during their career. In addition, many law enforcement officials expressed a strong willingness to address such issues if they were brought to their attention and they had the appropriate tools to identify the sources of the problem.

These comments help illuminate the need for concrete information around which departments can begin to identify problems and respond to the concerns of the community. Without such tools the disconnect between community and law enforcement perceptions about this issue could unfortunately remain firmly entrenched.

While the process of receiving public comment about traffic citation disparities identified in the preliminary report was at times challenging we firmly believe that this feedback makes the Massachusetts Racial and Gender Profiling Report one of the strongest statewide reports on racial profiling to date. It was our goal from the outset to produce a fair, accurate and understandable report about the existence of racial and gender disparities in traffic citations. We believe that these elements are necessary for such a report if it is ever expected to help identify areas of concern and bring about real change.

SUMMARY OF FINDINGS

The goal of the Massachusetts Racial and Gender Profiling Study is unique. Unlike most studies which seek to provide descriptive information about the characteristics of traffic stops in a particular community or statewide, the Legislature specified that the Massachusetts study would identify communities that appear to have engaged in racial and gender profiling so that these communities can be required to collect additional information (such as information on all stops) in an effort to determine if the documented disparities are based on race or ethnicity. In most studies there is no legislatively or administratively mandated sanction that results from the findings in the study. This places an additional burden on policy makers such as the Secretary of Public Safety and the Attorney General as they attempt to make informed decisions about the degree of disparity necessary to prompt such additional action. This is fairly new territory for any state and thus Massachusetts policy makers are working in somewhat uncharted territory.

To provide the most accurate, fair and easily interpretable conclusions on the existence of disparities we have utilized multiple measures of disparity in an attempt to best identify those jurisdictions with patterns of racial disparity. The Massachusetts legislation called for a study

which would identify jurisdictions where the data suggests the appearance of racial profiling.³⁶ Although as we have indicated earlier in this report the Massachusetts data does not allow for definitive findings of racial profiling on the part of individual officers or within a department, we believe that the use of multiple measures of disparity allows conclusions to be drawn about the existence of patterns of racial disparity in traffic enforcement which may best help policymakers identify those jurisdictions that are in need of additional monitoring. In the following section we provide a brief overview of the results of each measure and then present final conclusions about the existence of disparity for all communities.

Gender Disparities

Overall we found that males were more likely to be cited than their representation in either the residential or the driving population estimate. Males were uniformly more likely to be subject to a search and to be cited than women. These findings were consistent across virtually all communities in Massachusetts. This report finds no indication that female drivers, in the aggregate, are more likely to be stopped, cited or subject to a search than their male counterparts. In fact, quite the opposite appears to be the case. Part of the legislative intent of including gender disparities in the analysis was to identify cases where female drivers were stopped and searched or harassed because they were a woman. Some high profile reports of sexual assault or harassment of women during traffic stops raise concern about this important issue.

Unfortunately, since these egregious events are presumed to be fairly rare and they most likely would not be documented by official citation records, this type of data may be inappropriate for measuring the actual frequency of such incidents. This issue could be much more accurately addressed by having traffic citation data that included officer identification. With this data departments or outside analysts could identify if certain groups of officers made disproportionately more stops of women than their similarly situated peers.

Measure One: Residents Cited Compared to Residential Population

The resident cited measure presents information about the degree to which residents of a jurisdiction are disproportionately stopped and cited by their local police agency. Statewide the

³⁶ An Act Providing for the Collection of Data Relative to Traffic Stops, Massachusetts Chapter 228 of the Acts of 2000.

average disparity between non-white residents cited and non-white residents in the census population was .06% with non-white residents being cited slightly more frequently than their representation in the residential population. Statewide the largest racial difference between citations to residents and residential population was for Black drivers (average disparity of 1.3%) and non-white male drivers (average disparity 2.2%). Although the statewide disparity is relatively low 18 communities in the state had extreme levels of disparity above 10% (See Resident Citation Tables in Appendix for detailed information).

Across the 366 agencies we found racial disparities of residents that rose above the statewide positive median in 141 communities or approximately 38% of Massachusetts jurisdictions.³⁷ This measure is useful because it only includes citations given to residents and is unaffected by people who drive through a community for work or other reasons. In these cases disparities are likely caused by disproportionate enforcement action against a group, potentially because of where they normally live or drive. Such disparities may be the result of deployment of officers to particular parts of towns which results in differential enforcement against one group of residents. Additional information, such as the location of the stop, would be useful for helping departments understand why non-white residents are disproportionately cited.

Measure Two: Citations Compared to the Driving Population Estimate

The comparison of all citations to the racial demographics of the driving population estimate is an important feature of this report. While comparing citations of residents to residential populations may be useful for evaluating the existence of certain types of bias, only the driving population estimate comparisons can measure the effect of bias against individuals traveling through communities in the Commonwealth. The concern that some law enforcement officers stop non-white drivers when they are perceived to be “out of place” is one of the most visible areas of concern in both the local and national dialogue about racial profiling.

³⁷ It is important to note that although statewide averages are given as a reference for all measures, the thresholds for resident citations and citations compared to the driving population estimate were based on the positive statewide median (mid-point) which is different than the overall statewide average. The positive statewide median is a more conservative estimate of the degree of disparities among those communities who had positive racial disparities.

Across the 366 agencies in the study, we found racial disparities in citations compared to the driving population estimate that rose above the statewide positive median in 56% or 201 communities. This measure suggests that racial disparities in traffic enforcement in Massachusetts affect out-of-town drivers more than residents, and that the perception of many in the community that they are more likely to be stopped when they drive through certain communities may in fact be true.

Statewide the average disparity between non-white drivers cited and non-whites in the driving population estimate was 2.6%. Very consistent disparities were found when Black citations (average disparity of 2.3%) and Hispanic citations (average disparity 2.2%) were compared to the driving population estimate.

Measure Three: Searches

Searches following a traffic citation are a relatively rare event in Massachusetts. Only 1.3% of all traffic citations resulted in a non-inventory search of the motorists or their vehicle statewide. Even though searches were a relatively rare event there are important racial differences in the likelihood of being searched that emerge from this analysis. Across the state, non-white drivers were more likely to be searched following a citation than white drivers (1.3% of white drivers searched compared to 1.8% of non-white drivers). Some level of racial disparity in searches was observed in 208 jurisdictions throughout the state. Although some agencies will be more likely to conduct searches due to organizational mandates and community needs, Table 3 illustrates that racial disparities in searches are found across all types of communities. While searches are clearly an issue that should be addressed by communities with large populations, as 100% of these communities have racial disparities in searches, however, 45% of the jurisdictions with the smallest populations (less than 10,000) have racial disparities in searches. As a result of these findings, racially disparate search practices should be taken seriously by all communities throughout the Commonwealth.

The finding that searches are conducted in only 1.3% of the stops resulting in a citation raises a number of important questions. This rate of searches is much lower than in most other research on racial disparities in traffic stops. For example, in Rhode Island searches were conducted in

7.9 % of the stops,³⁸ in Missouri searches were conducted in 7.9% of stops³⁹ and in Connecticut searches were conducted in 7% of the stops.⁴⁰ These statewide study estimates also include a large number of stops that did not receive a citation. The low number of searches in Massachusetts may be an indication of some data quality issues that should be addressed before additional data collection is implemented. Since in many studies racial disparities, searches are a significant area of concern, some discussion should take place among law enforcement leaders and community representatives about the optimal criteria for conducting searches as we move forward. This discussion should include the goals of searches, the productivity of searches and the impact of differential search rates on members of the community of color.

Since searching as part of a traffic stop is a relatively rare event, some communities with observed disparities actually conducted very few searches. Consequently, some communities with disparities had to be removed from the overall disparity analysis.⁴¹ Table 3 illustrates that smaller communities who had racial disparities in searches were less likely to be included in the final search analysis due to insufficient cases. In fact, for the smallest population type (under 10,000) only 12% of the jurisdictions with racial disparities in searches could be analyzed. Even after removing these cases, however, we found that non-white drivers were significantly more likely to be searched than white drivers in 40 of 87 jurisdictions.

³⁸ Farrell, et al., supra note 12.

³⁹ *2002 Annual Report of Missouri Traffic Stops*, Office of the Missouri Attorney General.

⁴⁰ Cox, supra note 11.

⁴¹ Jurisdictions with less than 50 searches or less than 10 citations of non-white drivers were removed from the analysis to address the problem of small numbers. The search tables in the appendix identify these jurisdictions with the designation IC for insufficient cases.

Table 2: Distribution of Searches with Racial Disparity Across City Types

Population Size	Number of Cities with Racial Disparity	% of Cities in Group with Disparity	Range of Disparity (Diff in %)	% with Sufficient Cases
100,000+	5	100%	0.43-1.17	100%
50,000-99,999	14	78%	0.14-6.72	100%
25,000-49,999	35	72%	0.08-6.72	37%
10,000-24,999	67	65%	0.05-10.02	25%
Under 10,000	87	45%	0.03-19.44	12%

From the data collected in Massachusetts it is impossible to determine whether or not a search occurred and a motorist was subsequently arrested, or whether a lawful arrest resulted in the search of a motorist or vehicle. In these later cases officers may have little discretion in the decision to search a motorist. To provide the most conservative estimate of any potential racial disparity in searches that arise from officer's discretionary decisions an analysis was also conducted on racial disparities in searches after all citations that had a corresponding arrest were removed from the database. After removing all citations with a corresponding arrest we found that non-white drivers were still significantly more likely to be searched than white drivers in 26 communities.

Measure Four: Warnings vs. Citations

Statewide, in our sample of warnings and citations 32.9% of all the stops resulted in a written warning and 67.1% of the stops resulted in a citation. When citations and warnings are analyzed by race we find that statewide non-white drivers were significantly more likely to receive a citation than white drivers (72% of non-white drivers receive citations compared to 65.9% of white drivers). This suggests that in some communities in Massachusetts officers may be more likely to use their discretion to give written warnings to white drivers rather than to non-white drivers. In fact out of the 142 communities that could be included in our sample of citations and warnings non-white drivers were significantly more likely to receive a citation in 58% or 83 of the communities.

While all drivers may be more likely to be cited for egregious violations of the law, differential behavior patterns do not appear to explain away racial differences in citation and warning rates. When examining only drivers who were cited for speeding violations 15 mph or less over the

posted speed limit, 73.6% of white drivers received a citation compared to 82.6% of non-white drivers - a statistically significant difference of 9%. Race differences still exist even when the most serious speeding offenses are isolated. For drivers cited for speeding over 15 miles per hour or more above the speed limit 81.6% of whites are cited compared to 86.8% of non-whites – a statistically significant difference of 5.2%). More sophisticated analysis could be done for each jurisdiction to determine whether or not the type of offense mediated the effect of race, however there is no indication from the statewide data that differential violation rates explain away racial differences in dispositions.

Summary Findings

As a final step to the analysis we identified whether disparities that fell above the specified threshold existed in any categories for the above four summary measures. If communities were found to have disparities in any single category that fell above the specified threshold of disparity for that category, then they were identified as having a disparity in that particular summary area. For example, if a jurisdiction had a statistically significant disparity in searches of Hispanics they would be identified as having a disparity on the summary measure of searches.

Once disparities were tabulated across all summary measures we identified the total number of summary areas in which communities had disparities. The summary table appended to this report, identifies disparities in a single category (non-white, Black, Hispanic, or non-white male) within each summary measure with an “*”. If any of the individual categories within a summary measure had disparities that fell above the specified threshold, an “X” was placed next to that summary measure. Communities in Massachusetts were then classified into two groups. First, communities with substantial disparity are defined as communities with disparities that fall above the defined threshold for at least one of the summary measures (marked with an X). Second, communities with minimal or no disparity are defined as those jurisdictions having either racial disparities on one or more measures that did not rise to the specified threshold or having no disparities across any of the summary measures.

In summary, **249** agencies were identified as having substantial racial disparity in one or more measures that fell above our specified threshold, **92** agencies were identified as having minimal or no disparities, and no measure of disparity could be calculated in **25** of the agencies.

This report provides much more information than simply the number of measures of disparity for each jurisdiction. The report provides information on the level of disparity for each of 16 individual race, ethnic and gender measures. This information can be very useful as departments begin to focus their efforts to understand and reduce areas of greatest disparity. Each department should review their individual information on disparity to determine the greatest areas of need and to help identify strategies that might be implemented to reduce disparities. For example, the report identifies if a particular jurisdiction has a disparity with citations to specific groups, such as Hispanic drivers or non-white males. In addition, a community may find that racial disparities do not appear in citations but do appear to be a problem with respect to searches.

The detailed level of information provided in this report will be extremely important as departments develop strategies to reduce the disparities that have been identified. If for example, citations to Black drivers are a problem area, a police agency might look to where and when these stops are occurring. Officers could then discuss the goals they are attempting to meet with stops in certain neighborhoods and supervisors can evaluate whether or not such stops are effectively meeting the goals of the department. In some cases the department may determine that they could better meet their goals using stop and search methods that do not produce racial disparities. By using the full analysis that is presented in the tables for this report and the larger technical report, local community members and police officials have a starting point to begin discussions about the most effective ways to address and reduce disparities in their community.

ISSUES TO CONSIDER

Based on the findings of the Massachusetts study, national research on the issue and recommendations from the Working Group and other stakeholders we offer the following set of issues to consider which provide guidance to those who must begin to formulate policies based on the findings in this report.

1. All law enforcement agencies, as a part of good professional police practices, should establish a system to collect and monitor data on all traffic stop activity.

Data on all traffic stops provides the only reliable way to determine if disparities exist in traffic enforcement and to determine if those communities with disparities are effectively reducing the disparities that have been identified. Consequently we believe that all communities in Massachusetts should join the thousands of other law enforcement agencies across the nation currently collecting information on all traffic stops.

By collecting and analyzing information on all traffic stops departments can apply the same analytic approach currently being utilized to understand and reduce crime to their efforts to make the roadways safer. Nationally over 6,000 law enforcement agencies have begun collecting data on all traffic stops. In addition, the Commission on Accreditation for Law Enforcement (CALEA) has mandated collecting and analyzing information on traffic enforcement for all its member agencies. CALEA believes that analyzing information on all traffic stops is critical to professionalizing of law enforcement operations nationally.

Understanding this need to collect detailed information on traffic stops, a number of Massachusetts law enforcement agencies including Boston Police Department, Cambridge Police Department, Lowell Police Department, Brookline Police Department, Provincetown Police Department and the MBTA Police have already either begun to collect information on all stops or have committed to begin such data collection regardless of the decision of the Secretary of Public Safety.

2. Following national models for traffic stop data collection, a uniform set of data elements to be collected on all stops should be identified. It is important that any new data collection system include information on officer identification and the location of the stop in the required data collection elements. Additionally a specific timetable for data collection, auditing and reporting should be established.

Creating a uniform process for data collection will guarantee that sufficient information is collected from all agencies to conduct a full analysis of disparities in traffic stop activity. Uniformity in the type of data collected is important because it allows departments to make

comparisons with the present study so that agencies can document progress in reducing any disparities that have been identified. Additionally, a uniform data collection system allows comparisons to be made across various agencies.

The collection of officer identification and location of the stop are two important elements of any new data collection process. In order to deal with disparities at the departmental level, command staff members and supervisors must be able to identify individual officers who may be causing disparities in parts of their community. This information could then become part of the ongoing monitoring process that would be implemented within each agency. Information on the traffic stop behavior of individual officers would also allow the department to begin to address questions of gender disparities in stop practices to determine if some officers are stopping larger number of female drivers compared to their similarly situated peers. Additionally, in response to the present study many law enforcement agencies have suggested that deployment decisions based on traffic safety may contribute to their overall community disparity. Without street, neighborhood or district information this question cannot be answered.

3. All local police agencies should begin or continue a conversation with members of their community about the existence of disparities in traffic stops, the goals of traffic enforcement and strategies to monitor and reduce such disparities.

This process has begun in some jurisdictions and was already ongoing in others. One challenge that has been identified by some communities is that many local police agencies, particularly those with very small non-white populations, have expressed frustration identifying members of their community who are concerned about this issue. We suggest that police departments utilize a broader definition of community than is typically used. This data supports the conclusion that in some communities non-resident drivers are more likely to be stopped and cited than resident drivers. Therefore, the affected population of drivers is much broader than only the residents of a particular community. As a result, police may need to expand their notion of community to include those who drive through the city or town for many purposes. In this definition of community, police officials may want to reach out to stores, churches, business, entertainment and other locations that may attract non-resident drivers. In addition police officials may have to develop partnerships with police departments from neighboring communities with a larger non-

white population to hold regional community meetings about the racial disparities identified in the report. It is interesting to note that most police departments who submitted feedback in the comment period could identify sources of non-white drivers driving to and through their jurisdiction. These sources might be the very groups that could be contacted to begin a conversation about traffic stop disparities.

4. Local community groups and representatives can assist departments that express a sincere willingness to work on the issue by gathering participants who could provide meaningful feedback to police agencies about the goals of traffic enforcement and the levels of disparity identified in the report.

While we recognize that certain members of the community may not feel comfortable coming forward to discuss the issue of racial profiling and others may not have faith in a dialogue process due to negative experiences with the police, it is important that community-police dialogues about this issue include as many voices as possible. In most cases this means ensuring that the voices of youth, non-English speaking populations, and other disenfranchised groups be represented and encouraged to participate in ongoing police-community discussions about the existence of racial disparities in traffic enforcement.

Appended Materials and Data Tables

Instructions on Reading Summary Tables

Overall Summary Table

The overall summary table summarizes the disparities found across multiple categories for each summary measure. For each agency an “*” is placed in each categories if the level of disparity falls above the specified threshold for that category. If no analysis could be conducted for that agency due to missing or insufficient data the category is marked with a “-.” If disparities fall above the specified threshold for any category within a summary measure an “X” is placed at the end of that summary measure. The jurisdictions listed in this table are grouped alphabetically by the total number of summary measures in which that jurisdiction was found to have a disparity.

Summary Measure 1: Residents Cited Compared to the Residential Population

Threshold for disparities marked with * = above the statewide median.

- Disparities in Non-White vs. White Resident Citations Compared to the Residential Population.
- Disparities in Black vs. White Resident Citations Compared to the Residential Population.
- Disparities in Hispanic vs. White Resident Citations Compared to the Residential Population.
- Disparities in Non-White Male vs. White Male Resident Citations Compared to the Residential Population.

Summary Measure 2: All Citations Compared to the Driving Population Estimate

Threshold for disparities marked with * = above the statewide median.

- Disparities in Non-White vs. White Citations Compared to the Driving Population Estimate.
- Disparities in Black vs. White Citations Compared to the Driving Population Estimate.
- Disparities in Hispanic vs. White Citations Compared to the Driving Population Estimate.

Summary Measure 3: Searches

Threshold for disparities marked by * = statistically significant disparities.

IC indicates that departments had an insufficient number of searched upon which reliable analysis of disparities could be conducted.

- Disparities in Non-White Search Rates vs. White Search Rates
- Disparities in Black Search Rates vs. White Search Rates
- Disparities in Hispanic Search Rates vs. White Search Rates
- Disparities in Non-White Male Search Rates vs. White Male Search Rates

Summary Measure 4: Citations vs. Warnings

Threshold for disparities marked by * = statistically significant disparities.

- Disparities in Non-White Citation Rates vs. White Citation Rates
- Disparities in Black Citation Rates vs. White Citation Rates
- Disparities in Hispanic Citation Rates vs. White Citation Rates
- Disparities in Non-White Male Citation Rates vs. White Male Citation Rates

Summary Table of Disparities

Agencies with Disparity	1. Resident Citations				2. Driving Population				3. Search Disparities				4. Citations vs. Warnings				Overall
	Non-White	Black	Hispanic	NW Male	Non-White	Black	Hispanic	NW Male	Non-White	Black	Hispanic	NW no arrest	Non-White	Black	Hispanic	NW Male	
Barnstable	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Boston (All)	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Brookline																	
Cambridge		*			*	*	*	*	*	*	*	*	*	*	*	*	*
Framingham	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Leicester	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Lynn	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
New Bedford	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Peabody	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Quincy	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Springfield	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Stoughton	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
W. Bridgewater	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Waltham	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Worcester	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Abington																	
Andover ⁺																	
Arlington	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Auburn																	
Berlin			*		*	*	*	*	*	*	*	*	*	*	*	*	*
Braintree		*		*	*	*	*	*	*	*	*	*	*	*	*	*	*
Bridgewater																	
Brockton	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Canton	*	*		*	*	*	*	*	*	*	*	*	*	*	*	*	*
Chicopee			*		*	*	*	*	*	*	*	*	*	*	*	*	*
Dedham ⁺		*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Everett	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Falmouth	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*

⁺ Denotes that the agency presented Northeastern University with road survey data that differed from the Northeastern University driving population estimate used in this report.

Summary Table	1. Resident Citations				2. Driving Population				3. Search Disparities				4. Citations vs. Warnings				Overall
	Non-White	Black	Hispanic	NW Male	Non-White	Black	Hispanic	NW Male	Non-White	Black	Hispanic	NW no arrest	Non-White	Black	Hispanic	NW Male	
Fitchburg	*	*	*	*	X	*	*	*	X	-	*	-	*	*	*	*	3
Haverhill	*	*	*	*	X	*	*	*	X	*	*	X	*	-	*	-	3
Hudson	*	*	*	*	X	*	*	*	X	-	-	-	*	*	*	*	3
Lawrence	*	*	*	*	X	*	*	*	X	-	-	-	*	*	*	*	3
Leominster	*	*	*	*	X	*	*	*	X	-	-	-	*	*	*	*	3
Longmeadow	*	*	*	*	X	*	*	*	X	-	-	-	*	*	*	*	3
Lowell	*	*	*	*	X	*	*	*	X	*	*	X	*	*	*	*	3
Malden	*	*	*	*	X	*	*	*	X	*	*	X	*	*	*	*	3
Marlborough	*	*	*	*	X	*	*	*	X	*	*	X	*	*	*	*	3
Mattapoissett	*	*	*	*	X	*	*	*	X	*	*	X	*	*	*	*	3
Medway	*	*	*	*	X	*	*	*	X	-	-	-	*	*	*	*	3
Methuen	*	*	*	*	X	*	*	*	X	-	-	-	*	*	*	*	3
Milford	*	*	*	*	X	*	*	*	X	-	-	-	*	*	*	*	3
N. Adams	*	*	*	*	X	*	*	*	X	*	*	X	*	*	*	*	3
Needham	*	*	*	*	X	*	*	*	X	-	-	-	*	*	*	*	3
Northampton	*	*	*	*	X	*	*	*	X	-	-	-	*	*	*	*	3
Pittsfield	*	*	*	*	X	*	*	*	X	-	-	-	*	*	*	*	3
Randolph ⁺	*	*	*	*	X	*	*	*	X	-	-	-	*	*	*	*	3
Revere	*	*	*	*	X	*	*	*	X	-	-	-	*	*	*	*	3
Shrewsbury ⁺	*	*	*	*	X	*	*	*	X	-	-	-	*	*	*	*	3
Somerville	*	*	*	*	X	*	*	*	X	-	-	-	*	*	*	*	3
Southborough	*	*	*	*	X	*	*	*	X	*	*	X	*	*	*	*	3
State Police (All)	*	*	*	*	X	*	*	*	X	*	*	X	*	*	*	*	3
Taunton	*	*	*	*	X	*	*	*	X	*	*	X	*	*	*	*	3
Townsend	*	*	*	*	X	*	*	*	X	*	*	X	*	*	*	*	3
Wareham	*	*	*	*	X	*	*	*	X	*	*	X	*	*	*	*	3
Watertown ⁺	*	*	*	*	X	*	*	*	X	-	-	-	*	*	*	*	3
Westborough	*	*	*	*	X	*	*	*	X	-	-	-	*	*	*	*	3
Yarmouth	*	*	*	*	X	*	*	*	X	-	-	-	*	*	*	*	3
Adams	*	*	*	*	X	*	*	*	X	-	-	-	*	*	*	*	2

Summary Table	1. Resident Citations				2. Driving Population				3. Search Disparities					4. Citations vs. Warnings					Overall
	Non-White	Black	Hispanic	NW Male	Non-White	Black	Hispanic	NW Male	Non-White	Black	Hispanic	NW Male	NW no arrest	Non-White	Black	Hispanic	NW Male		
Amesbury	*	*	*	*	X	*	*	*	*	*	*	*	*	*	*	*	*	X	2
Amherst	*	*	*	*	X	*	*	*	*	*	*	*	*	*	*	*	*	*	2
Ashland	*	*	*	*	X	*	*	*	*	*	*	*	*	*	*	*	*	*	2
Athol	*	*	*	*	X	*	*	*	*	*	*	*	*	*	*	*	*	*	2
Avon	*	*	*	*	X	*	*	*	*	*	*	*	*	*	*	*	*	*	2
Belchertown	*	*	*	*	X	*	*	*	*	*	*	*	*	*	*	*	*	*	2
Bellingham	*	*	*	*	X	*	*	*	*	*	*	*	*	*	*	*	*	X	2
Belmont	*	*	*	*	X	*	*	*	*	*	*	*	*	*	*	*	*	X	2
Billerica	*	*	*	*	X	*	*	*	*	*	*	*	*	*	*	*	*	X	2
Bourne	*	*	*	*	X	*	*	*	*	*	*	*	*	*	*	*	*	X	2
Boxborough	*	*	*	*	X	*	*	*	*	*	*	*	*	*	*	*	*	*	2
Chatham	*	*	*	*	X	*	*	*	*	*	*	*	*	*	*	*	*	*	2
Chelsea	*	*	*	*	X	*	*	*	*	*	*	*	*	*	*	*	*	X	2
Cheshire	*	*	*	*	X	*	*	*	*	*	*	*	*	*	*	*	*	*	2
Chilmark	*	*	*	*	X	*	*	*	*	*	*	*	*	*	*	*	*	*	2
Clinton	*	*	*	*	X	*	*	*	*	*	*	*	*	*	*	*	*	*	2
Dennis	*	*	*	*	X	*	*	*	*	*	*	*	*	*	*	*	*	X	2
Dracut	*	*	*	*	X	*	*	*	*	*	*	*	*	*	*	*	*	*	2
Dudley	*	*	*	*	X	*	*	*	*	*	*	*	*	*	*	*	*	*	2
Dunstable	*	*	*	*	X	*	*	*	*	*	*	*	*	*	*	*	*	*	2
E. Bridgewater	*	*	*	*	X	*	*	*	*	*	*	*	*	*	*	*	*	X	2
E. Brookfield	*	*	*	*	X	*	*	*	*	*	*	*	*	*	*	*	*	*	2
Easton	*	*	*	*	X	*	*	*	*	*	*	*	*	*	*	*	*	*	2
Edgartown	*	*	*	*	X	*	*	*	*	*	*	*	*	*	*	*	*	*	2
Fairhaven	*	*	*	*	X	*	*	*	*	*	*	*	*	*	*	*	*	*	2
Fall River	*	*	*	*	X	*	*	*	*	*	*	*	*	*	*	*	*	X	2
Foxborough	*	*	*	*	X	*	*	*	*	*	*	*	*	*	*	*	*	X	2
Georgetown	*	*	*	*	X	*	*	*	*	*	*	*	*	*	*	*	*	*	2
Hanson	*	*	*	*	X	*	*	*	*	*	*	*	*	*	*	*	*	*	2
Harwich	*	*	*	*	X	*	*	*	*	*	*	*	*	*	*	*	*	*	2

Summary Table	1. Resident Citations					2. Driving Population					3. Search Disparities					4. Citations vs. Warnings					Overall
	Non-White	Black	Hispanic	NW Male		Non-White	Black	Hispanic	NW Male		Non-White	Black	Hispanic	NW Male	NW no arrest	Non-White	Black	Hispanic	NW Male		
Hatfield	*	*	*		X	*	*			X	-	-	-	-	-	-	-	-	-	-	2
Holbrook				*	X					X	-	-	-	-	-	-	-	-	-	-	2
Holyoke	*		*	*	X					X	-	-	-	-	-	-	-	-	-	-	2
Kingston	*	*	*	*	X					X	-	-	-	-	-	-	-	-	-	-	2
Lancaster	*	*	*	*	X				*	X	-	-	-	-	-	-	-	-	-	-	2
Lexington	*			*	X					X	-	-	-	-	-	*	-	-	*	-	2
Littleton	*		*		X				*	X	-	-	-	-	-	-	-	-	-	-	2
Marion ⁺	*	*		*	X				*	X	-	-	-	-	-	-	-	-	-	-	2
Mashpee	*	*		*	X				*	X	-	-	-	-	-	-	-	-	-	-	2
Maynard	*	*	*	*	X				*	X	-	-	-	-	-	-	-	-	-	-	2
Medford		*	*	*	X				*	X	-	-	-	-	-	-	-	-	-	-	2
Mendon		*	*	*	X				*	X	-	-	-	-	-	-	-	-	-	-	2
Millbury		*		*	X				*	X	-	-	-	-	-	-	-	-	-	-	2
Milton ⁺	*	*		*	X				*	X	-	-	-	-	-	-	-	-	-	-	2
Montague	*	*	*	*	X				*	X	-	-	-	-	-	-	-	-	-	-	2
N. Andover				*	X				*	X	-	-	-	-	-	*	-	*	*	-	2
Nantucket	*	*	*	*	X				*	X	-	-	-	-	-	-	-	-	-	-	2
Natick				*	X				*	X	-	-	-	-	-	*	-	*	*	-	2
Newton				*	X				*	X	-	-	-	-	-	*	-	*	*	-	2
Northbridge		*		*	X				*	X	-	-	-	-	-	-	-	-	-	-	2
Northborough	*		*	*	X				*	X	-	-	-	-	-	-	-	-	-	-	2
Norton		*		*	X				*	X	-	-	-	-	-	-	-	-	-	-	2
Norwood		*	*	*	X				*	X	-	-	-	-	-	-	-	-	*	*	2
Oak Bluffs		*	*	*	X				*	X	-	-	-	-	-	-	-	-	-	-	2
Oakham	*			*	X				*	X	-	-	-	-	-	-	-	-	-	-	2
Orange		*	*	*	X				*	X	-	-	-	-	-	-	-	-	-	-	2
Orleans	*	*	*	*	X				*	X	-	-	-	-	-	-	-	-	-	-	2
Paxton	*	*		*	X				*	X	-	-	-	-	-	-	-	-	-	-	2
Raynham		*	*	*	X				*	X	-	-	-	-	-	-	-	-	-	-	2
Rochester		*	*	*	X				*	X	-	-	-	-	-	-	-	-	-	-	2

Summary Table	1. Resident Citations				2. Driving Population				3. Search Disparities				4. Citations vs. Warnings				Overall		
	Non-White	Black	Hispanic	NW Male	Non-White	Black	Hispanic	NW Male	Non-White	Black	Hispanic	NW Male	NW no arrest	Non-White	Black	Hispanic		NW Male	
Rockland																			
Salem	*	*	*	*	X														
Salisbury																			
Sharon		*			X														
Shirley																			
Shutesbury		*			X														
Southbridge	*	*	*	*	X														
Sturbridge																			
Sturbridge																			
Sudbury					X														
Sutton		*			X														
Tewksbury																			
Tisbury	*	*	*	*	X														
Truro																			
Upton																			
W. Springfield																			
W. Tisbury					X														
Walpole																			
Ware		*			X														
Warwick	*	*	*	*	X														
Wayland		*	*	*	X														
Webster	*	*	*	*	X														
Wellesley																			
Weston		*	*	*	X														
Weymouth	*	*	*	*	X														
Wilmington																			
Winthrop					X														

Summary Table	1. Resident Citations				2. Driving Population				3. Search Disparities					4. Citations vs. Warnings				Overall
	Non-White	Black	Hispanic	NW Male	Non-White	Black	Hispanic	Hispanic	Non-White	Black	Hispanic	NW Male	NW no arrest	Non-White	Black	Hispanic	NW Male	
Acushnet					X				X					-	-	-	-	1
Aquinnah					X				X					-	-	-	-	1
Ashburnham					X				X					-	-	-	-	1
Ashby					X				X					-	-	-	-	1
Attleboro					X				X				X	-	-	-	-	1
Ayer					X				X					-	-	-	-	1
Bedford					X				X					-	-	-	-	1
Berkley					X				X					-	-	-	-	1
Bernardston					X				X					-	-	-	-	1
Beverly					X				X					-	-	-	-	1
Blackstone					X				X					*	*	*	*	1
Bolton					X				X					-	-	-	-	1
Boylston					X				X					-	-	-	-	1
Buckland					X				X					-	-	-	-	1
Carver					X				X					-	-	-	-	1
Charlton					X				X					-	-	-	-	1
Chelmsford					X				X					-	-	-	-	1
Chester					X				X					-	-	-	-	1
Clarksburg					X				X					-	-	-	-	1
Cohasset					X				X					-	-	-	-	1
Dartmouth					X				X					-	-	-	-	1
Douglas					X				X					-	-	-	-	1
Dover					X				X					-	-	-	-	1
E. Longmeadow					X				X					-	-	-	-	1
Erving					X				X					-	-	-	-	1
Franklin					X				X					-	-	*	*	1
Freetown					X				X					-	-	-	-	1
Gill					X				X					-	-	-	-	1
Gloucester					X				X					-	-	-	-	1

Summary Table	1. Resident Citations				2. Driving Population				3. Search Disparities				4. Citations vs. Warnings				Overall	
	Non-White	Black	Hispanic	NW Male	Non-White	Black	Hispanic	NW Male	Non-White	Black	Hispanic	NW Male	NW no arrest	Non-White	Black	Hispanic		NW Male
Tyngsborough					*	*	*	X	-	-	-	-	-	-	-	-	-	1
W. Brookfield					*	*		X	-	-	-	-	-	-	-	-	-	1
W. Newbury					*		*	X	-	-	-	-	-	-	-	*	-	1
Wakefield									-	-	-	-	-	-	-	*	X	1
Wellfleet									-	-	-	-	-	-	-	-	-	1
Wendell									-	-	-	-	-	-	-	-	-	1
Wenham									-	-	-	-	-	-	-	-	-	1
Westfield									-	-	-	-	-	-	-	*	-	1
Westwood									-	-	-	-	-	-	-	-	-	1
Whitman									-	-	-	-	-	-	-	-	-	1
Wilbraham									-	-	-	-	-	-	-	-	-	1
Winchendon									-	-	-	-	-	-	-	-	-	1
Windsor									-	-	-	-	-	-	-	-	-	1
Woburn									-	-	-	-	-	-	-	-	-	1
Wrentham									-	-	-	-	-	-	-	-	-	1

Summary Table	1. Resident Citations				2. Driving Population				3. Search Disparities					4. Citations vs. Warnings				
	Non-White	Black	Hispanic	NW Male	Non-White	Black	Hispanic	NW Male	Non-White	Black	Hispanic	NW Male	NW no arrest	Non-White	Black	Hispanic	NW Male	Overall
Agencies with Minimal or No Disparity																		
Acton																		0
Agawam																		0
AMTRAK	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Ashfield																		0
B&M Railroad	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Barre																		0
Becket																		0
Blandford																		0
Boxford																		0
Brewster																		0
Bridgewater SC	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Brimfield																		0
Brookfield																		0
Bunker Hill CC	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Burlington																		0
Carlisle																		0
Charlemont																		0
Chesterfield																		0
Colrain																		0
Concord																		0
Conway																		0
CSX	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Cummington																		0
Dalton																		0
Danvers																		0
Deerfield																		0
Dighton																		0
Duxbury																		0
Eastham																		0
Easthampton																		0

Summary Table	1. Resident Citations				2. Driving Population				3. Search Disparities				4. Citations vs. Warnings				Overall
	Non-White	Black	Hispanic	NW Male	Non-White	Black	Hispanic	NW Male	Non-White	Black	Hispanic	NW Male	Non-White	Black	Hispanic	NW Male	
Agencies with Minimal or No Disparity	-	-	-	-	Non-White	Black	Hispanic	NW Male	Non-White	Black	Hispanic	NW Male	Non-White	Black	Hispanic	NW Male	0
Egremont	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Environmental PD	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Essex	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Fernald State School	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Gardner	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Grafton	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Groton	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Gt. Barrington	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Halifax	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Hamilton	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Hanover	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Hardwick	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Harvard	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Hinsdale	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Hubbardston	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Leverett	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Leyden	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Ludlow	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
MA Maritime Police	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Manchester	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Marshfield	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Massasoit CC	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
MBTA	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Medfield	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Metro Police Lwr. Basin	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Metro Police Marine	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Middleton	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Monroe	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Monson	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Monterey	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0

Summary Table	1. Resident Citations				2. Driving Population				3. Search Disparities					4. Citations vs. Warnings				
	Non-White	Black	Hispanic	NW Male	Non-White	Black	Hispanic	NW Male	Non-White	Black	Hispanic	NW Male	NW no arrest	Non-White	Black	Hispanic	NW Male	Overall
Agencies with Minimal or No Disparity	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Mt Wachusett CC	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
N. Brookfield	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
N. Reading	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
New Braintree	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Newbury	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Norwell	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Norfolk	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Otis	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Oxford	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Pembroke	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Peru	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Petersham	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Phillipston	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Plainfield	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Plainville	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Plympton	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Princeton	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Provincetown	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Reading	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Registry of MV	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Rowe	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Rutland	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Sandisfield	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Savoy	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Sheffield	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Shelburne	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Somerville Housing Auth.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Southampton	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
State Fire Marshal	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Swansea	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0

Summary Table	1. Resident Citations				2. Driving Population				3. Search Disparities					4. Citations vs. Warnings				
	Non-White	Black	Hispanic	NW Male	Non-White	Black	Hispanic	NW Male	Non-White	Black	Hispanic	NW Male	NW no arrest	Non-White	Black	Hispanic	NW Male	Overall
Agencies with Minimal or No Disparity	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Templeton	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Templeton Dev. Cent.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Tolland	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Tufts University	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Tyringham	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Univ Of Mass Amherst	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Univ Of Mass Boston	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Univ Of Mass Dartmouth	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Univ Of Mass Lowell	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Univ Of Mass Worcester	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Uxbridge	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
W. Boylston	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
W. Stockbridge	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Wales	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Warren	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Washington	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Westfield SC	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Westford	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Westhampton	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Westminister	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Westport	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Whately	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Williamsburg	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Williamstown	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Winchester	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Worcester Co. Sheriff	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Worthington	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0

Boston Police Department Districts																	
Summary Table	1. Resident Citations				2. Driving Population				3. Search Disparities				4. Citations vs. Warnings				
	Non-White	Black	Hispanic	NW Male	Non-White	Black	Hispanic	NW Male	Non-White	Black	Hispanic	NW Male	Non-White	Black	Hispanic	NW Male	Overall
Boston (All)	*	*	*	X	-	-	-	*	*	*	X	*	*	*	*	X	3
Boston Area A	*	*	*	X	-	-	-	-	-	-	-	-	-	-	-	X	2
Boston Area B	*	*	*	X	-	-	-	*	*	*	X	*	*	*	*	X	3
Boston Area C	*	*	*	X	-	-	-	*	*	*	X	*	*	*	*	X	2
Boston Area D	*	*	*	X	-	-	-	*	*	*	X	*	*	*	*	X	3
Boston Area E	*	*	*	X	-	-	-	-	-	-	-	-	-	-	-	X	2
Boston Area F	*	*	*	X	-	-	-	-	-	-	-	-	-	-	-	X	2
Boston Area G	*	*	*	X	-	-	-	*	*	*	X	*	*	*	*	X	1
Boston Area H	*	*	*	X	-	-	-	*	*	*	X	*	*	*	*	X	3
Boston Area J	*	*	*	X	-	-	-	-	-	-	-	-	-	-	-	X	2
Boston Area K	*	*	*	X	-	-	-	-	-	-	-	-	-	-	-	X	2
Boston Area L	*	*	*	X	-	-	-	-	-	-	-	-	-	-	-	X	2
Boston Special OPS	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	X	2
Massachusetts State Police Units																	
State Police (All)	*	*	*	X	-	-	-	*	*	*	X	*	*	*	*	X	3
SP Other (All)	-	-	-	-	NA	NA	NA	*	*	*	X	*	*	*	*	X	2
SP Troop A (All)	*	*	*	X	*	*	*	*	*	*	X	*	*	*	*	X	4
SP Troop B (All)	*	*	*	X	*	*	*	*	*	*	X	*	*	*	*	X	3
SP Troop C (All)	*	*	*	X	*	*	*	*	*	*	X	*	*	*	*	X	3
SP Troop D (All)	*	*	*	X	*	*	*	*	*	*	X	*	*	*	*	X	2
SP Troop E (All)	-	-	-	-	*	*	*	*	*	*	X	*	*	*	*	X	1
SP Troop F (All)	-	-	-	-	NA	NA	NA	*	*	*	-	*	*	*	*	X	1
SP Troop H (All)	*	*	*	-	*	*	*	*	*	*	-	*	*	*	*	-	-
SP Troop I (All)	-	-	-	-	NA	NA	NA	*	*	*	-	*	*	*	*	-	-

1. Traffic Citations to Residents

Agency	Non-White Disparity (2.1)	Above Median (2.1)	Black Disparity (1.1)	Above Median (1.1)	Hispanic Disparity	Above Median (1.3)	Non-White Male Disparity	Above Median (1.9)
Abington	1.6		1.6	*	1.5	*	2.2	*
Acton	-1.2		0.1		1.1		0.4	
Acushnet	-2		0.2		-0.6		-0.7	
Adams	2		2.2	*	0.1		2.1	*
Agawam	-1.1		0.4		-0.2		0.6	
Amesbury	0.2		1.0		1.1		1.1	
Amherst	3.3	*	6.1	*	2.3	*	10.7	*
AMTRAK	-		-		-		-	
Andover	0.3		0.2		1.1		2.1	*
Aquinnah	-		-		-		-	
Arlington	1.8		2.9	*	-0.5		3.4	*
Ashburnham	-1.6		0.4		-0.8		-0.4	
Ashby	-2.2		-0.2		-0.8		-1.1	
Ashfield	-2.7		-0.8		-0.4		-1.6	
Ashland	2.9	*	1.3	*	5.7	*	5.2	*
Athol	2.1		2.0	*	1.2		2.7	*
Attleboro	-1.1		0.8		-0.2		0.7	
Auburn	0.5		0.2		-0.2		0.6	
Avon	1.3		3.1	*	0.1		3.3	*
Ayer	-3		-0.6		0.7		1.6	
B&M Railroad	-		-		-		-	
Barnstable	4.3	*	5.4	*	2.6	*	5.3	*
Barre	-2		-0.5		-0.5		-1.0	
Becket	-2.6		-0.7		-0.8		-1.1	
Bedford	-0.3		0.1		-0.6		0.6	
Belchertown	-0.5		1.6	*	-0.7		0.7	
Bellingham	-0.5		-0.3		0.4		0.6	
Belmont	1.5		-0.1		-0.5		1.5	
Berkley	-0.3		1.9	*	0.4		1.0	

1. Traffic Citations to Residents (continued) Agency	Non-White Disparity (2.1)	Above Median (2.1)	Black Disparity (1.1)	Above Median (1.1)	Hispanic Disparity (1.3)	Above Median (1.3)	Non-White Male Disparity	Above Median (1.9)
Berlin	-0.4		-0.2		1.7	*	0.8	
Bernardston	-1		-0.1		-0.4		-0.5	
Beverly	0.4		1.3	*	0.5		1.2	
Billerica	-1.2		-0.4		0.6		-0.1	
Blackstone	-1.4		0.0		-0.2		-0.3	
Blandford	-1.6		-0.5		-0.3		-0.9	
Bolton	-0.6		-0.1		-0.6		0.9	
Boston (All)	23.2	*	25.7	*	4.6	*	26.7	*
Bourne	0.7		3.7	*	-0.6		0.9	
Boxborough	4.2	*	0.3		4.7	*	6.6	*
Boxford	-1.9		-0.3		-0.7		0.5	
Boylston	-1.3		1.0		-0.5		0.3	
Braintree	0.7		2.6	*	0.3		2.4	*
Brewster	-0.2		0.1		0.3		0.8	
Bridgewater	-11.3		-1.4		-2.7		-6.6	
Bridgewater SC	-		-		-		-	
Brimfield	-2.8		-0.5		-1.1		-1.6	
Brookton	18.2	*	25.4	*	6.3	*	23.9	*
Brookfield	-0.3		0.3		0.7		0.8	
Brookline	-1.7		0.4		-1.3		2.6	*
Buckland	9.2	*	-0.3		-0.7		11.1	*
Bunker Hill CC	-		-		-		-	
Burlington	-5.3		1.1		0.2		-1.4	
Cambridge	2.1		11.3	*	-1.1		8.1	*
Canton	4.2	*	4.6	*	0.6		3.0	*
Carlisle	1.3		-0.2		-1.2		0.0	
Carver	-2.2		0.2		-0.7		-0.6	
Charlemont	-1.7		-0.3		-1.2		0.6	
Charlton	-1.2		0.3		-0.5		-0.1	
Chatham	2	*	2.0	*	1.0		2.6	*
Chelmsford	-0.1		-0.1		-0.6		1.2	

1. Traffic Citations to Residents (continued) Agency	Non-White Disparity	Above Median (2.1)	Black Disparity	Above Median (1.1)	Hispanic Disparity	Above Median (1.3)	Non-White Male Disparity	Above Median (1.9)
Chelsea	-8.7		-0.5		-3.5		8.3	*
Cheshire	0.3		1.5	*	-0.3		1.1	
Chester	-1.9		-0.1		-0.8		-1.2	
Chesterfield	-1.3		0.0		-0.1		-0.4	
Chicopee	0.8		0.6		1.6	*	1.8	
Chilmark	22.5	*	9.7	*	-0.7		3.8	*
Clarksburg	2.2	*	1.7	*	0.7		2.2	*
Clinton	1.1		0.4		3.4	*	3.3	*
Cohasset	0.2		1.2	*	-0.5		0.8	
Colrain	-1.8		-0.1		-0.8		-0.6	
Concord	-4.9		-2.4		-2.5		-5.2	
Conway	-1.9		-0.1		-1.0		-1.0	
CSX	-		-		-		-	
Cummington	-4.8		-0.7		-1.8		-2.3	
Dalton	-0.9		-0.1		-0.7		-0.1	
Danvers	-1.8		0.2		-0.5		-0.6	
Dartmouth	-7.8		0.9		-1.2		-4.0	
Dedham	2		3.2	*	0.2		3.6	*
Deerfield	-0.9		0.5		-0.2		0.8	
Dennis	2.4	*	4.0	*	0.4		3.5	*
Dighton	-1.3		0.8		-0.9		0.0	
Douglas	-0.8		0.3		0.2		-0.1	
Dover	0.9		-0.3		-1.1		0.7	
Dracut	-1.9		0.2		0.4		-0.3	
Dudley	0.3		0.2		1.5	*	1.2	
Dunstable	-1.3		-0.2		-0.6		-1.1	
Duxbury	-1.2		0.6		-0.6		0.1	
E. Bridgewater	-1.1		0.7		-0.4		0.4	
E. Brookfield	1.9		3.3	*	-0.8		-0.6	
E. Longmeadow	-1.3		-0.3		0.2		-1.1	
Eastham	-0.7		-1.2		0.7		-0.2	

1. Traffic Citations to Residents (continued) Agency	Non-White Disparity	Above Median (2.1)	Black Disparity	Above Median (1.1)	Hispanic Disparity	Above Median (1.3)	Non-White Male Disparity	Above Median (1.9)
Easthampton	0.4		1.1		-0.1		1.3	
Easton	-4.5		1.8	*	-1.3		-2.0	
Edgartown	6.3	*	3.0	*	7.9	*	6.0	*
Egremont	-		-		-		-	
Environmental PD	-		-		-		-	
Erving	-0.3		-0.2		2.2	*	1.2	
Essex	-1.1		-0.1		-0.8		0.1	
Everett	4.9	*	4.5	*	6.6	*	8.6	*
Fairhaven	-1.9		0.9		-0.4		-0.3	
Fall River	0.4		1.9	*	0.7		2.6	*
Falmouth	4.8	*	6.9	*	1.1		2.9	*
Fernald State School	-		-		-		-	
Fitchburg	20.9	*	4.3	*	17.2	*	23.9	*
Fitchburg SC	-		-		-		-	
Foxborough	2		1.8	*	0.8		31.6	*
Framingham	7.8	*	1.6	*	13.6	*	11.3	*
Franklin	-1.8		0.1		-0.7		-0.4	
Freetown	-2.4		0.5		-0.5		-0.6	
Gardner	1.3		0.8		1.2		0.8	
Georgetown	1.1		2.1	*	0.0		1.4	
Gill	0.0		-0.2		0.7		0.2	
Gloucester	1.4		1.0		1.9	*	2.1	*
Goshen	-1.1		0.0		-0.6		-0.7	
Grafton	-3.7		-0.8		-1.2		-1.6	
Granby	-2.6		-0.4		-1.1		-1.2	
Granville	1.3		-0.1		-0.7		-0.5	
Greenfield	0		1.6	*	0.9		2.0	*
Groton	-0.9		-0.4		0.3		0.6	
Groveland	0.5		0.5		0.8		1.0	
Gt. Barrington	-2.9		-1.1		-0.3		-0.4	
Hadley	1.8		0.9		0.4		1.8	

1. Traffic Citations to Residents (continued) Agency	Non-White Disparity (2.1)	Above Median (2.1)	Black Disparity (1.1)	Above Median (1.1)	Hispanic Disparity (1.3)	Above Median (1.3)	Non-White Male Disparity	Above Median (1.9)
Halifax	0		0.4		0.8		0.9	
Hamilton	-5.3		-0.4		-0.3		-2.4	
Hampden	-1.3		-0.2		-0.6		-0.5	
Hanover	-1.5		-0.3		-0.2		-0.2	
Hanson	1.3		3.3	*	-0.3		1.7	
Hardwick	-0.9		0.9		-0.8		0.1	
Harvard	-11.2		-5.0		-5.7		-9.2	
Harwich	3	*	5.1	*	1.0		4.6	*
Hatfield	2.4	*	1.7	*	1.9	*	1.8	
Haverhill	7.3	*	1.8	*	7.3	*	8.3	*
Heath	-		-		-		-	
Hingham	-1.3		0.1		-0.4		-0.2	
Hinsdale	-1		0.5		-0.3		-1.0	
Holbrook	-0.1		0.3		1.3		3.3	*
Holden	0.2		0.6		0.3		0.7	
Holland	-3.1		0.0		-1.0		-1.6	
Holliston	0.4		0.7		1.1		1.8	
Holyoke	9.5	*	1.1		10.0	*	18.2	*
Hopevale	-1.1		-0.5		0.6		-0.6	
Hopkinton	-2.6		-0.1		-1.0		-0.8	
Hubbardston	-		-		-		-	
Hudson	2.7	*	0.0		5.4	*	5.2	*
Hull	-0.4		0.8		0.2		0.5	
Huntington	-2.8		-0.4		-1.2		-1.5	
Ipswich	0.3		1.2	*	-0.3		0.9	
Kingston	3.2	*	2.0	*	2.2	*	3.0	*
Lakeville	-1.6		0.9		-0.7		-0.1	
Lancaster	9.2	*	11.8	*	-1.3		8.7	*
Lanesborough	-2.3		-0.7		-0.4		-1.0	
Lawrence	24.2	*	0.3		26.0	*	37.8	*
Lee	2		0.7		2.2	*	1.6	

1. Traffic Citations to Residents (continued) Agency	Non-White Disparity (2.1)	Above Median (2.1)	Black Disparity (1.1)	Above Median (1.1)	Hispanic Disparity (1.3)	Above Median (1.3)	Non-White Male Disparity	Above Median (1.9)
Leicester	2.9	*	3.6	*	0.4		2.3	*
Lenox	1.1		1.0		0.1		1.4	
Leominster	13.7	*	2.9	*	12.6	*	16.1	*
Leverett	-3.6		-0.3		-0.9		-1.0	
Lexington	4.5	*	0.3		-0.7		3.1	*
Leyden	-		-		-		-	
Lincoln	-3.3		-0.7		-1.9		-0.3	
Littleton	2.4	*	0.1		1.7	*	1.4	
Longmeadow	-0.9		1.2	*	-0.6		0.8	
Lowell	17.6	*	4.6	*	10.2	*	21.3	*
Ludlow	-9.5		-2.1		-5.8		-7.7	
Lunenburg	-1.5		0.5		-0.4		0.2	
Lynn	19.6	*	5.7	*	15.8	*	22.1	*
Lynnfield	-0.5		1.1		-0.6		1.4	
MA Maritime Police	-		-		-		-	
Malden	1.5		5.4	*	1.1		7.4	*
Manchester	-0.5		-0.1		-0.2		-0.1	
Mansfield	-1.6		0.7		-0.6		-0.1	
Marblehead	0		0.7		0.1		0.2	
Marion	3.9	*	10.2	*	-0.4		7.1	*
Marlborough	20.5	*	0.8		25.0	*	19.8	*
Marshfield	0.1		0.2		1.2		1.3	
Mashpee	13.4	*	16.5	*	-0.9		10.9	*
Massasoit CC	-		-		-		-	
Mattapoisett	-0.2		1.7	*	0.6		1.6	
Maynard	11.7	*	2.7	*	9.9	*	9.1	*
MBTA	-		-		-		-	
Medfield	-3.6		-0.6		-0.7		-1.7	
Medford	1		1.6	*	2.4	*	4.8	*

1. Traffic Citations to Residents (continued) Agency	Non-White Disparity (2.1)	Above Median (2.1)	Black Disparity (1.1)	Above Median (1.1)	Hispanic Disparity (1.3)	Above Median (1.3)	Non-White Male Disparity	Above Median (1.9)
Medway	2.8	*	2.4	*	1.3		3.1	*
Melrose	-1.9		1.1		-0.1		-1.1	
Mendon	1.9		1.7	*	1.6	*	1.1	
Merrimac	-1		-0.2		-0.6		0.0	
Methuen	13.5	*	0.5		14.6	*	13.3	*
Metro Police Lwr. Basin	-		-		-		-	
Metro Police Marine	-		-		-		-	
Middleborough	-0.9		1.6	*	-0.5		0.6	
Middleton	-7.5		0.2		-7.3		-8.2	
Milford	7.4	*	1.3	*	9.2	*	7.5	*
Millbury	-0.5		1.2	*	-0.4		0.6	
Millis	1.7		1.5	*	0.3		2.4	*
Millville	-0.8		-0.7		0.7		0.5	
Milton	12.1	*	14.7	*	0.3		13.8	*
Monroe	-		-		-		-	
Monson	-0.5		0.4		-0.5		0.6	
Montague	2.9	*	-0.3		3.9	*	4.0	*
Monterey	-3.2		-0.5		-1.4		-1.9	
Mt Wachusett CC	-		-		-		-	
N. Adams	2.1		4.1	*	-0.1		3.3	*
N. Andover	-1.9		-0.3		0.4		0.2	
N. Attleboro	-1.2		0.9		0.6		0.0	
N. Brookfield	-0.8		-0.7		-0.8		-0.4	
N. Reading	-1.8		0.1		-0.7		-0.3	
Nahant	-2.4		-0.3		-0.1		-0.7	
Nantucket	3.8	*	2.0	*	3.5	*	7.8	*
Natick	-2.5		-0.1		0.5		-0.4	
Needham	0.4		1.1		0.6		2.1	*
New Bedford	7	*	9.7	*	6.6	*	12.2	*
New Braintree	-1.2		0.0		-0.5		-0.8	
New Marlborough	-2.2		-1.0		-0.9		-1.2	

1. Traffic Citations to Residents (continued) Agency	Non-White Disparity (2.1)	Black Disparity (1.1)	Hispanic Disparity (1.3)	Non-White Male Disparity	Above Median (1.9)
New Salem	-4.0	-0.9	-0.6	-2.3	
Newbury	-1	-0.2	-0.5	-0.2	
Newburyport	-0.5	0.5	-0.4	0.2	
Newton	-4	-0.1	-1.4	-0.8	
Norfolk	-14	-5.3	-6.3	-13.0	
Northampton	-0.7	0.6	2.0	3.5	*
Northborough	2.5	-0.2	2.5	2.8	*
Northbridge	-2.3	2.0	-0.2	2.1	*
Northfield	1.4	1.2	1.3	2.2	*
Norton	-5	2.4	-0.3	0.0	
Norwell	-1.4	-0.1	-0.5	-0.7	
Norwood	1.5	2.9	2.6	1.9	
Oak Bluffs	2.1	6.2	2.4	5.9	*
Oakham	2.3	-0.4	-0.6	3.3	*
Orange	1.8	1.6	1.8	2.5	*
Orleans	2.2	0.0	3.2	3.1	*
Otis	-3.1	-0.6	-0.4	-1.3	
Oxford	0.6	0.2	0.9	1.6	
Palmer	-1	0.4	-0.2	-0.6	
Paxton	3.7	4.4	1.2	3.3	*
Peabody	5	0.9	6.6	5.9	*
Pelham	4.0	3.5	-1.0	4.4	*
Pembroke	-1.1	-0.5	-0.1	-0.6	
Pepperell	-2	-0.3	-0.2	-0.8	
Peru	-1.9	-0.2	-0.2	-1.0	
Petersham	-3.3	-0.4	-1.0	-1.5	
Phillipston	-	-	-	-	
Pittsfield	4.8	5.0	1.6	5.9	*
Plainfield	-2.3	0.0	-0.9	-1.6	
Plainville	-3	-0.7	-0.9	-1.3	
Plymouth	0.1	0.7	1.2	1.1	

1. Traffic Citations to Residents (continued) Agency	Non-White Disparity (2.1)	Above Median (2.1)	Black Disparity (1.1)	Above Median (1.1)	Hispanic Disparity (1.3)	Above Median (1.3)	Non-White Male Disparity	Above Median (1.9)
Plympton	-3		-0.9		-0.4		-1.4	
Princeton	-2.6		-0.2		-0.9		-1.2	
Provincetown	-6.9		-1.8		-1.1		-2.5	
Quincy	7.1	*	2.7	*	2.4	*	10.5	*
Randolph	13.2	*	17.7	*	1.0		17.9	*
Raynham	0.6		2.3	*	-0.2		0.9	
Reading	0.1		0.8		0.7		0.5	
Registry of MV	-		-		-		-	
Rehoboth	-0.6		0.6		-0.4		-0.2	
Revere	2.4	*	1.0		2.5	*	5.4	*
Rochester	-0.6		1.5	*	0.5		1.3	
Rockland	0.7		1.0		1.6	*	1.9	
Rockport	-0.7		-0.2		0.9		0.0	
Rowe	-		-		-		-	
Rowley	0.1		0.7		-0.2		0.1	
Royalston	3.6	*	0.0		4.2	*	4.2	*
Rutland	-1.6		0.9		-1.0		0.1	
S. Hadley	-3.5		0.4		-0.7		1.2	
Salem	13.1	*	2.2	*	13.2	*	12.8	*
Salisbury	0		0.7		0.0		0.8	
Sandisfield	-		-		-		-	
Sandwich	-1.3		0.8		-0.7		-0.6	
Saugus	-0.7		0.0		-0.2		0.2	
Savoy	-		-		-		-	
Scituate	1.5		3.4	*	-0.2		2.2	*
Seekonk	-0.8		0.6		0.1		0.0	
Sharon	-1.6		1.9	*	-0.9		0.6	
Sheffield	-0.1		0.7		-0.2		1.9	
Shelburne	-0.8		-0.2		1.3		0.4	
Sherborn	-2.9		-0.4		0.3		-0.8	
Shirley	-10		-0.5		-5.6		-9.0	

1. Traffic Citations to Residents (continued) Agency	Non-White Disparity Above Median (2.1)	Black Disparity Above Median (1.1)	Hispanic Disparity Above Median (1.3)	Non-White Male Disparity Above Median (1.9)
Shrewsbury	-0.4	1.5 *	2.3 *	1.6
Shutesbury	-0.6	4.7 *	-1.5	-0.4
Somerset	-1	0.5	-0.2	-0.2
Somerville	5.7 *	5.1 *	10.1 *	11.9 *
Somerville Housing Auth.	-	-	-	-
Southampton	-1.2	-0.2	-0.1	-0.1
Southborough	-0.8	0.0	0.6	1.1
Southbridge	4.6 *	1.8 *	5.2 *	9.9 *
Southwick	-2.1	0.3	-1.2	-0.9
Spencer	-1.1	-0.1	-0.2	-0.1
Springfield	22.3 *	12.5 *	12.2 *	27.9 *
State Fire Marshal	-	-	-	-
State Police (All)	4.4 *	4.3 *	2.7 *	-
Sterling	1	0.4	1.3	0.5
Stockbridge	2.7 *	-0.9	4.4 *	4.8 *
Stoneham	1.4 *	-0.7	5.1 *	3.4 *
Stoughton	3.7 *	4.4 *	2.9 *	5.8 *
Stow	-3.3	-0.4	-0.2	-0.9
Sturbridge	-2.2	0.0	-0.6	-0.7
Sudbury	0.1	1.0	0.1	1.3
Sunderland	5.8 *	3.2 *	1.4	8.8 *
Sutton	0.7	1.8 *	-0.2	1.9
Swampscott	0	0.3	0.5	0.7
Swansea	-1.3	0.4	-0.5	-0.4
Taunton	2.4 *	4.1 *	1.3	4.7 *
Templeton	-0.4	0.7	-0.7	0.0
Templeton Dev. Cent.	-	-	-	-
Tewksbury	-2.3	-0.2	-0.6	-1.2
Tisbury	8.5 *	3.1 *	9.9 *	10.7 *
Tolland	-3.1	-0.6	-1.2	-1.9
Topsfield	0.3	0.2	0.2	1.7

1. Traffic Citations to Residents (continued) Agency	Non-White Disparity Above Median (2.1)	Black Disparity Above Median (1.1)	Hispanic Disparity Above Median (1.3)	Non-White Male Disparity Above Median (1.9)
Townsend	0.4	1.7	-0.3	1.0
Truro	-2.5	0.5	-0.9	0.7
Tufts University	-	-	-	-
Tyngsborough	-1.8	-0.1	-1.0	0.3
Tyringham	-3.9	-0.4	-0.4	-1.8
Univ Of Mass Amherst	-	-	-	-
Univ Of Mass Boston	-	-	-	-
Univ Of Mass Dartmouth	-	-	-	-
Univ Of Mass Lowell	-	-	-	-
Univ Of Mass Worcester	-	-	-	-
Upton	-0.3	0.6	-0.6	0.0
Uxbridge	-1	0.4	0.2	-0.2
W. Boylston	-11.7	-5.7	-5.5	-11.2
W. Bridgewater	4.1	2.3	2.4	2.7
W. Brookfield	-2	-0.2	-0.7	-1.1
W. Newbury	-0.4	0.3	0.1	-0.7
W. Springfield	-0.5	0.8	0.8	2.1
W. Stockbridge	-2.1	-0.2	-0.7	-0.7
W. Tisbury	-1.6	1.0	-0.5	0.4
Wakefield	-2	0.5	-0.5	-0.5
Wales	-1.8	-0.4	-0.4	-0.6
Walpole	-2.1	-0.8	-0.5	-1.5
Waltham	9.8	5.1	8.7	13.3
Ware	0.2	1.5	0.3	0.4
Wareham	2.9	11.5	-0.5	6.6
Warren	-2.4	-0.4	-0.5	-1.0
Warwick	11.8	14.3	-0.5	13.4
Washington	-0.7	0.0	-0.5	-0.8
Watertown	0.8	1.4	0.4	2.1
Wayland	1.9	2.3	1.1	2.8
Webster	2.8	1.9	2.4	3.9

1. Traffic Citations to Residents (continued) Agency	Non-White Disparity (2.1)	Above Median (2.1)	Black Disparity (1.1)	Above Median (1.1)	Hispanic Disparity (1.3)	Above Median (1.3)	Non-White Male Disparity	Above Median (1.9)
Wellesley	-3.5		-0.5		-1.1		0.9	
Wellfleet	2		4.1	*	0.1		2.9	*
Wendell	0.3		0.9		-1.4		2.5	*
Wenham	-2.7		-0.5		-0.5		-1.2	
Westborough	-1.1		0.2		4.1	*	1.7	
Westfield	-1.7		0.5		-0.6		0.3	
Westfield SC	-		-		-		-	
Westford	-0.5		0.7		0.1		1.1	
Westhampton	-1.3		0.0		-0.5		-0.7	
Westminister	0.3		0.2		-0.1		-0.5	
Weston	-4.1		0.4		0.2		-1.4	
Westport	-1.2		0.7		-0.6		-0.3	
Westwood	-3.8		-0.4		-0.8		-1.8	
Weymouth	3.1	*	1.3	*	3.6	*	3.7	*
Whately	-2.5		-0.7		-1.1		-1.8	
Whitman	-0.1		0.5		0.5		0.6	
Wilbraham	-1.6		0.1		-0.6		-0.5	
Williamsburg	-0.4		0.7		-0.1		0.4	
Williamstown	-6.5		-0.4		-1.9		-1.1	
Wilmington	-1		0.4		0.4		0.1	
Winchendon	-0.5		1.6	*	-0.1		0.8	
Winchester	-1.4		0.0		-0.8		0.9	
Windsor	-0.9		0.0		0.0		-0.3	
Winthrop	1.9		1.0		2.1	*	2.3	*
Woburn	-0.5		2.1	*	1.6	*	1.6	
Worcester	13	*	8.7	*	7.0	*	15.7	*
Worcester Co. Sheriff	-		-		-		-	
Worthington	-2.3		-0.1		-0.9		-1.3	
Wrentham	0.4		0.6		1.1		1.8	
Yarmouth	2.6	*	3.3	*	1.5	*	3.3	*

1. Traffic Citations to Residents (continued) Agency	Non-White Disparity (2.1)	Above Median (2.1)	Black Disparity (1.1)	Above Median (1.1)	Hispanic Disparity	Above Median (1.3)	Non-White Male Disparity	Above Median (1.9)
Boston Police Department Districts								
Boston (All)	23.2	*	25.2	*	4.5	*	NA	NA
Boston Area A	1.2	*	4.2	*	2.9	*	NA	NA
Boston Area B	15.4	*	21.5	*	6.0	*	NA	NA
Boston Area C	-1.3	*	7.0	*	-2.5	*	NA	NA
Boston Area D	18.9	*	26.4	*	0.7	*	NA	NA
Boston Area E	20.0	*	13.1	*	10.3	*	NA	NA
Boston Area F	20.6	*	16.9	*	4.4	*	NA	NA
Boston Area G	-4.1	*	0.9	*	0.8	*	NA	NA
Boston Area H	22.2	*	29.0	*	2.0	*	NA	NA
Boston Area J	25.6	*	13.2	*	16.7	*	NA	NA
Boston Area K	0.3	*	1.9	*	1.1	*	NA	NA
Boston Area L	22.8	*	18.0	*	39.9	*	NA	NA
Boston Special OPS	NA		NA		NA		NA	NA
State Police								
State Police (All)	4.4	*						
SP Other (All)	NA							
SP Troop A (All)	5.1	*						
SP Troop B (All)	5.8	*						
SP Troop C (All)	5.9	*						
SP Troop D (All)	3.9	*						
SP Troop E (All)	NA							
SP Troop F (All)	NA							
SP Troop H (All)	3.6	*						
SP Troop I (All)	NA							
Average Overall	0.60		1.3		0.9		2.2	
Average Positive	4.39		2.4		3.0		4.4	
Median Overall	-0.50		0.5		-0.1		0.7	
Positive Median	2.1		1.1		1.3		1.9	

2. Driving Population Estimate

Agency	Number	Non-White Disparity	Above Median (3.2)	Black Disparity	Above Median (1.8)	Hispanic Disparity	Above Median (1.7)
Abington	1,941	5.0	*	5.2	*	2.8	*
Acton	3,547	-1.5		1.5		1.1	
Acushnet	996	3.4	*	4.9	*	0.9	
Adams	949	3.2		3.4	*	0.3	
Agawam	2,003	-1.4		-0.2		0.4	
Amesbury	3,963	1.8		1.4		1.6	
Amherst	2,323	-2.2		4.0	*	-1.4	
AMTRAK	4	-		-		-	
Andover ⁺	7,283	10.6	*	0.6		13.1	*
Aquinnah	93	-28.8		7.5	*	3.8	*
Arlington	2,901	6.5	*	5.2	*	3.0	*
Ashburnham	1,056	3.9	*	1.8		3.0	*
Ashby	723	7.1	*	3.4	*	3.2	*
Ashfield	380	-0.9		-0.3		0.1	
Ashland	1,145	5.4	*	2.1	*	7.7	*
Athol	929	2.7		1.6		1.9	*
Attleboro	12,249	-1.1		1.4		0.2	
Auburn	4,948	6.7	*	2.9	*	3.7	*
Avon	1,754	29.9	*	25.2	*	7.9	*
Ayer	2,704	-1.7		-0.6		1.8	*
B&M Railroad	68	-		-		-	
Barnstable	8,342	4.1	*	5.4	*	1.9	*
Barre	462	-0.1		-0.1		1.0	
Becket	301	2.7		1.6		1.5	
Bedford	3,298	0.4		0.4		0.3	
Belchertown	2,114	2.1		2.3	*	-1.0	
Bellingham	3,377	4.9	*	2.5	*	3.0	*
Belmont	4,767	2.4		3.1	*	1.1	

⁺ Denotes that the agency presented Northeastern University with road survey data that differed from the Northeastern University driving population estimate used in this report.

2. Driving Population Estimate							
Agency	Number	Non-White Disparity	Above Median (3.2)	Black Disparity	Above Median (1.8)	Hispanic Disparity	Above Median (1.7)
Berkeley	980	-3.6		0.4		-0.9	
Berlin	1,182	14.0	*	2.6	*	11.6	*
Bernardston	317	3.4	*	2.4	*	0.9	
Beverly	4,022	-1.4		0.5		0.4	
Billerica	5,418	2.2		-0.1		2.7	*
Blackstone	2,174	1.4		1.0		0.9	
Blandford	61	-1.6		-0.5		-0.3	
Bolton	653	11.0	*	3.0	*	7.5	*
Boston (All)	136,608	16.8	*	18.3	*	2.6	*
Bourne	1,327	0.3		3.7	*	-0.5	
Boxborough	1,301	4.9	*	2.2	*	6.5	*
Boxford	582	-0.7		-0.1		1.1	
Boylston	1,079	22.3	*	5.8	*	16.6	*
Braintree	2,840	3.4	*	4.8	*	1.2	
Brewster	763	0.6		0.9		0.9	
Bridgewater	3,745	-5.6		2.5	*	-1.2	
Bridgewater SC	351	-		-		-	
Brimfield	730	1.2		0.7		1.5	
Brockton	16,098	11.6	*	18.4	*	3.7	*
Brookfield	1,955	1.3		1.4		1.0	
Brookline	18,552	1.2		4.7	*	0.0	
Buckland	345	-0.4		0.6		1.0	
Bunker Hill CC	146	NA		NA		NA	
Burlington	5,445	-6.0		-0.1		-0.6	
Cambridge	11,505	1.7		6.8	*	0.4	
Canton	3,551	3.6	*	5.1	*	1.1	
Carlisle	903	0.9		1.5		0.1	
Carver	539	-0.2		2.0	*	-0.1	
Charlemont	547	-1.8		1.0		-1.0	
Charlton	2,481	7.6	*	2.0	*	6.3	*
Chatham	1,424	2.1		1.9	*	1.4	
Chelmsford	3,268	9.5	*	2.7	*	3.4	*

2. Driving Population Estimate							
Agency	Number	Non-White Disparity	Above Median (3.2)	Black Disparity	Above Median (1.8)	Hispanic Disparity	Above Median (1.7)
Chelsea	9,957	-10.5		1.1		-6.8	
Cheshire	486	3.6	*	3.5	*	0.3	
Chester	460	4.0	*	1.2		3.8	*
Chesterfield	442	-0.2		0.5		-0.1	
Chicopee	6,513	6.4	*	2.5	*	5.2	*
Chilmark	129	12.2	*	5.1	*	5.5	*
Clarksburg	219	1.9		0.8		0.7	
Clinton	893	3.9	*	2.4	*	3.9	*
Cohasset	1,308	2.4		2.1	*	0.4	
Colrain	178	-0.7		-0.1		-0.8	
Concord	5,889	-0.1		0.1		0.6	
Conway	184	-0.8		0.4		-1.0	
CSX	1	-		-		-	
Cummington	232	-1.4		0.6		-0.5	
Dalton	1,053	-0.2		0.8		-0.2	
Danvers	4,972	-1.8		0.5		0.2	
Dartmouth	2,897	-4.3		3.8	*	-1.0	
Dedham ⁺	5,224	8.4	*	8.8	*	2.6	*
Deerfield	902	0.3		1.0		0.2	
Dennis	3,160	4.0	*	4.9	*	1.1	
Dighton	381	0.4		1.2		0.4	
Douglas	1,795	3.7	*	1.1		2.6	*
Dover	527	4.4	*	1.6		4.4	*
Dracut	1,597	3.6	*	2.0	*	4.2	*
Dudley	1,524	5.3	*	1.6		4.3	*
Dunstable	1,094	3.3	*	1.9	*	2.1	*
Duxbury	876	-1.2		0.4		0.3	
E. Bridgewater	2,881	0.7		2.7	*	0.4	
E. Brookfield	681	5.3	*	3.2	*	0.8	
E. Longmeadow	1,095	5.0	*	4.3	*	1.5	

⁺ Denotes that the agency presented Northeastern University with road survey data that differed from the Northeastern University driving population estimate used in this report.

2. Driving Population Estimate							
Agency	Number	Non-White Disparity	Above Median (3.2)	Black Disparity	Above Median (1.8)	Hispanic Disparity	Above Median (1.7)
Eastham	3,316	2.0		0.8		1.0	
Easthampton	1,922	-1.7		0.6		-0.9	
Easton	1,747	0.1		6.1	*	0.0	
Edgartown	511	8.5	*	4.3	*	8.5	*
Egremont	1,338	0.7		0.9		0.4	
Environmental PD	2,050	NA		NA		NA	
Erving	1,076	1.2		0.9		0.8	
Essex	1,194	-1.4		0.2		-0.1	
Everett	8,007	6.1	*	5.8	*	5.6	*
Fairhaven	1,862	-0.1		2.6	*	0.4	
Fall River	22,681	-3.2		1.6		-1.5	
Falmouth	3,715	4.5	*	6.5	*	1.1	
Fernald State School	4	NA		NA		NA	
Fitchburg	3,515	14.2	*	3.3	*	12.3	*
Fitchburg SC	1	NA		NA		NA	
Foxborough	1,114	1.4		2.9	*	0.3	
Framingham	9,883	3.1		0.8		8.7	*
Franklin	2,725	-2.2		-0.3		0.1	
Freetown	2,791	0.4		3.5	*	-0.3	
Gardner	2,815	-2.1		0.3		-0.8	
Georgetown	863	6.1	*	2.7	*	4.4	*
Gill	1,320	3.2		1.9	*	1.4	
Gloucester	2,088	1.2		1.1		1.7	
Goshen	424	3.4	*	2.4	*	0.8	
Grafton	1,029	-2.7		0.3		-0.9	
Granby	1,271	5.1	*	2.9	*	2.5	*
Granville	161	2.7		3.6	*	-0.7	
Greenfield	2,672	-1.3		1.2		-0.2	
Groton	1,087	-0.1		0.4		0.7	
Groveland	2,563	5.4	*	1.1		4.2	*
Gt. Barrington	1,076	-2.8		-0.9		-0.5	

2. Driving Population Estimate							
Agency	Number	Non-White Disparity	Above Median (3.2)	Black Disparity	Above Median (1.8)	Hispanic Disparity	Above Median (1.7)
Hadley	1,494	8.6	*	3.2	*	2.8	*
Halifax	874	1.4		1.2		0.9	
Hamilton	1,095	-4.9		-0.4		0.1	
Hampden	1,291	2.9		2.1	*	0.9	
Hanover	3,558	-2.7		-0.2		0.3	
Hanson	2,521	2.6		2.7	*	1.3	
Hardwick	394	0.0		1.1		-0.3	
Harvard	557	-4.3		-1.4		-1.8	
Harwich	1,828	3.9	*	4.8	*	1.9	*
Hatfield	596	9.6	*	3.2	*	6.8	*
Haverhill	6,688	4.2	*	1.4		5.1	*
Heath	5	17.4	*	0.0		19.3	*
Hingham	2,907	0.7		0.0		3.0	*
Hinsdale	795	-0.5		0.2		0.2	
Holbrook	655	1.7		3.9	*	0.9	
Holden	2,222	1.9		2.1	*	1.2	
Holland	446	-1.1		0.9		-0.1	
Holliston	1,699	10.6	*	0.5		12.0	*
Holyoke	6,710	1.4		1.1		2.2	*
Hopedale	975	6.3	*	1.4		5.6	*
Hopkinton	2,871	3.5	*	1.5		3.3	*
Hubbardston	1,102	2.2		0.9		1.7	
Hudson	2,118	5.4	*	0.3		8.4	*
Hull	2,365	2.7		2.4	*	1.3	
Huntington	215	3.2		1.9	*	2.5	*
Ipswich	1,081	-2.1		0.2		-0.8	
Kingston	1,186	2.2		1.5		3.1	*
Lakeville	1,535	2.5		3.1	*	0.9	
Lancaster	1,460	-1.2		2.3	*	-1.1	
Lanesborough	547	4.6	*	3.7	*	1.1	
Lawrence	15,024	23.1	*	0.3		25.1	*

2. Driving Population Estimate							
Agency	Number	Non-White Disparity	Above Median (3.2)	Black Disparity	Above Median (1.8)	Hispanic Disparity	Above Median (1.7)
Lee	2,035	0.4		1.8		-0.7	
Leicester	2,153	10.5	*	4.8	*	6.7	*
Lenox	2,012	3.5	*	3.3	*	1.1	
Leominster	3,891	14.5	*	3.3	*	13.5	*
Leverett	1,010	-2.8		0.6		-1.1	
Lexington	4,716	1.7		1.6		0.7	
Leyden	196	-1.1		-0.4		0.1	
Lincoln	2,625	-1.1		-0.5		1.3	
Littleton	3,687	5.5	*	2.0	*	3.2	*
Longmeadow	1,194	1.9		2.0	*	1.7	
Lowell	12,884	12.2	*	3.6	*	7.6	*
Ludlow	1,397	-7.6		-1.2		-5.0	
Lunenburg	1,106	9.4	*	2.8	*	7.9	*
Lynn	21,641	12.7	*	4.1	*	11.8	*
Lynnfield	751	2.3		1.8		3.9	*
MA Maritime Police	5	NA		NA		NA	
Malden	4,999	-3.2		3.0	*	1.3	
Manchester	1,398	1.8		0.5		0.9	
Mansfield	3,027	-2.2		0.7		-0.3	
Marblehead	1,311	1.6		0.7		3.0	*
Marion ⁺	528	7.3	*	12.2	*	0.6	
Marlborough	9,531	15.9	*	1.4		19.3	*
Marshfield	2,974	-2.5		-0.8		0.7	
Mashpee	1,571	9.6	*	11.7	*	0.6	
Massasoit CC	460	NA		NA		NA	
Mattapoisett	952	6.5	*	5.2	*	2.9	*
Maynard	3,336	8.2	*	1.2		7.4	*
MBTA	1,477	NA		NA		NA	
Medfield	424	0.0		1.5		1.3	
Medford	6,515	2.4		2.4	*	2.6	*

⁺ Denotes that the agency presented Northeastern University with road survey data that differed from the Northeastern University driving population estimate used in this report

2. Driving Population Estimate							
Agency	Number	Non-White Disparity	Above Median (3.2)	Black Disparity	Above Median (1.8)	Hispanic Disparity	Above Median (1.7)
Medway	1,226	6.2	*	1.8		5.6	*
Melrose	1,524	0.1		1.9	*	0.6	
Mendon	3,717	2.0		1.2		2.3	*
Merrimac	641	5.5	*	0.9		3.9	*
Methuen	4,552	29.1	*	1.5		29.7	*
Metro Police Lwr. Basin	38	NA		NA		NA	
Metro Police Marine	4	NA		NA		NA	
Middleborough	4,789	-1.2		1.5		-0.2	
Middleton	1,939	-1.1		0.8		0.5	
Milford	2,041	3.8	*	1.7		5.4	*
Millbury	1,511	5.9	*	4.1	*	3.1	*
Millis	1,153	2.9		1.3		1.7	
Millville	491	2.0		-0.1		2.0	*
Milton+	2,160	40.3	*	37.9	*	5.5	*
Monroe	2	0.0		0.0		0.0	
Monson	1,111	1.4		1.0		0.8	
Montague	651	2.6		1.6		2.6	*
Monterey	633	-1.1		0.8		-0.8	
Mt Wachusett CC	2	NA		NA		NA	
N. Adams	1,735	1.8		3.1	*	0.0	
N. Andover	5,031	8.8	*	1.4		9.6	*
N. Attleborough	6,457	-0.3		0.4		1.4	
N. Brookfield	397	-0.3		1.0		-0.2	
N. Reading	767	0.0		0.9		0.7	
Nahant	1,016	6.3	*	5.1	*	3.4	*
Nantucket	1,263	1.5		0.2		3.0	*
Natick	10,734	5.6	*	2.2	*	6.1	*
Needham	1,695	2.4		1.7		3.2	*
New Bedford	7,731	5.1	*	7.7	*	5.2	*
New Braintree	150	0.8		1.3		0.2	

+ Denotes that the agency presented Northeastern University with road survey data that differed from the Northeastern University driving population estimate used in this report

2. Driving Population Estimate							
Agency	Number	Non-White Disparity	Above Median (3.2)	Black Disparity	Above Median (1.8)	Hispanic Disparity	Above Median (1.7)
New Marlborough	12	6.1	*	7.3	*	-0.9	
New Salem	771	7.3	*	2.6	*	2.3	*
Newbury	1,088	2.7		1.4		1.2	
Newburyport	3,197	-0.9		0.6		-0.6	
Newton	9,789	-3.8		0.1		-0.8	
Norfolk	733	-10.1		-4.2		-4.1	
Northampton	4,159	-2.5		0.5		-0.2	
Northborough	2,411	8.4	*	3.4	*	6.4	*
Northbridge	1,222	0.1		2.0	*	-0.1	
Northfield	1,799	2.9		1.6		0.9	
Norton	1,296	-4.2		2.2	*	0.2	
Norwell	1,413	-0.8		1.0		1.2	
Norwood	3,986	-2.9		1.4		0.2	
Oak Bluffs	1,969	-1.2		2.1	*	3.9	*
Oakham	332	3.2		1.4		1.8	*
Orange	538	2.9		2.1	*	1.7	
Orleans	1,240	2.4		1.5		1.9	*
Otis	282	0.8		1.2		1.0	
Oxford	1,186	1.7		1.6		1.3	
Palmer	2,564	-1.6		0.5		-1.1	
Paxton	973	1.4		2.1	*	0.6	
Peabody	7,591	8.4	*	1.8		9.5	*
Pelham	1,365	2.5		1.8		-0.6	
Pembroke	897	1.0		0.4		0.9	
Pepperell	1,147	1.3		0.6	*	1.9	*
Peru	95	-0.8		0.9		-0.2	
Petersham	709	0.2		1.3		0.1	
Phillipston	476	0.5		0.3		1.3	
Pittsfield	3,853	4.2	*	4.3	*	1.1	
Plainfield	12	-2.3		0.0		-0.9	
Plainville	1,381	-1.9		0.3		0.1	

2. Driving Population Estimate							
Agency	Number	Non-White Disparity	Above Median (3.2)	Black Disparity	Above Median (1.8)	Hispanic Disparity	Above Median (1.7)
Plymouth	3,668	1.0		1.4		1.5	
Plympton	956	-0.3		0.0		1.1	
Princeton	1,011	1.4		1.1		1.1	
Provincetown	707	-7.4		-3.2		-0.7	
Quincy	3,069	6.4	*	4.7	*	1.3	
Randolph ⁺	4,433	11.9	*	17.0	*	1.5	
Rayham	1,889	1.5		3.2	*	0.7	
Reading	909	0.4		1.2		0.8	
Registry of MV	1	NA		NA		NA	
Rehoboth	1,950	7.9	*	4.0	*	4.2	*
Revere	5,621	10.4	*	5.2	*	7.5	*
Rochester	771	1.7		2.7	*	1.2	
Rockland	3,629	-2.0		0.5		1.1	
Rockport	413	1.1		0.3		2.0	*
Rowe	3	-1.4		0.0		-1.4	
Rowley	1,442	4.6	*	1.2		3.6	*
Royalston	180	0.5		0.0		0.5	
Rutland	603	0.9		0.8		0.8	
S. Hadley	1,578	2.4		1.6		3.4	*
Salem	8,987	7.2	*	2.0	*	8.2	*
Salisbury	2,394	5.7	*	2.8	*	3.9	*
Sandisfield	18	-2.9		-0.6		-0.8	
Sandwich	974	1.1		2.3	*	0.2	
Saugus	2,973	1.3		1.9	*	1.4	
Savoy	70	-2.8		-0.8		-0.6	
Scituate	638	-1.7		1.3		-0.7	
Seekonk	4,068	1.9		3.7	*	0.6	
Sharon	1,770	0.5		2.3	*	1.8	*
Sheffield	1,408	1.6		1.2		0.7	

⁺ Department disagrees with NU driving population estimate based on independent road surveys of the driving population conducted by the department

2. Driving Population Estimate							
Agency	Number	Non-White Disparity	Above Median (3.2)	Black Disparity	Above Median (1.8)	Hispanic Disparity	Above Median (1.7)
Shelburne	773	-0.3		0.4		0.5	
Sherborn	1,805	4.9	*	2.0	*	5.4	*
Shirley	610	-2.4		2.1	*	-0.6	
Shrewsbury ⁺	6,528	9.9	*	5.5	*	8.2	*
Shutesbury	363	-1.4		2.6	*	-0.8	
Somerset	2,636	-0.4		1.6		-0.2	
Somerville	8,078	6.1	*	5.5	*	7.7	*
Somerville Housing Auth.	19	NA		NA		NA	
Southampton	679	-1.2		-0.5		0.2	
Southborough	2,007	12.0	*	1.8		12.2	*
Southbridge	2,627	-1.5		1.9	*	-0.7	
Southwick	877	0.8		1.0		0.7	
Spencer	2,522	-1.2		0.0		-0.3	
Springfield	19,523	18.1	*	9.6	*	10.7	*
State Fire Marshal	27	NA		NA		NA	
State Police (All)	358,777	7.0	*	3.0	*	3.8	*
Sterling	1,551	10.2	*	2.9	*	7.5	*
Stockbridge	119	0.2		-0.2		0.4	
Stoneham	863	-1.0		0.2		1.7	
Stoughton	4,129	4.1	*	7.0	*	1.5	
Stow	625	3.1		0.9		3.0	*
Sturbridge	4,415	2.9		1.7		2.3	*
Sudbury	2,756	5.7	*	0.6		7.1	*
Sunderland	1,070	-2.4		1.6		0.5	
Sutton	1,609	13.0	*	6.2	*	6.1	*
Swampscott ⁺	1,648	11.0	*	4.0	*	9.1	*
Swansea	2,991	-3.1		0.3		-1.2	
Taunton	3,244	2.1		4.9	*	0.7	
Templeton	847	0.1		1.1		-0.3	
Templeton Dev. Cent.	3	NA		NA		NA	

⁺ Denotes that the agency presented Northeastern University with road survey data that differed from the Northeastern University driving population estimate used in this report

2. Driving Population Estimate							
Agency	Number	Non-White Disparity	Above Median (3.2)	Black Disparity	Above Median (1.8)	Hispanic Disparity	Above Median (1.7)
Tewksbury	2,975	2.7		0.6		2.8	*
Tisbury	1,195	5.5	*	2.4	*	7.9	*
Tolland	50	0.9		1.4		0.8	
Topsfield	1,721	0.3		-0.1		1.9	*
Townsend	1,704	2.6		1.7		2.3	*
Truro	1,596	6.1	*	2.1	*	2.7	*
Tufts University	13	-		-		-	
Tyngsborough	1,741	6.9	*	2.2	*	2.4	*
Tyringham	88	-2.8		0.7		-0.4	
Univ Of Mass Amherst	2,287	-		-		-	
Univ Of Mass Boston	263	-		-		-	
Univ Of Mass Dartmouth	209	-		-		-	
Univ Of Mass Lowell	177	-		-		-	
Univ Of Mass Worcester	148	-		-		-	
Upton	1,810	3.7	*	1.8		2.5	*
Uxbridge	726	0.1		1.0		0.8	
W. Boylston	1,856	-1.6		-1.3		0.8	
W. Bridgewater	3,253	11.9	*	8.3	*	5.8	*
W. Brookfield	1,115	5.2	*	2.5	*	1.2	
W. Newbury	1,343	3.9	*	0.5		3.7	*
W. Springfield	3,076	2.4		2.0	*	2.7	*
W. Stockbridge	956	1.2		1.5		0.1	
W. Tisbury	372	4.0	*	4.4	*	1.1	
Wakefield	1,442	-1.7		1.1		0.1	
Wales	78	-1.8		-0.4		-0.4	
Walpole	2,188	-0.1		-0.1		2.0	*
Waltham	6,246	4.2	*	3.3	*	3.9	*
Ware	2,363	3.1		2.9	*	0.8	
Wareham	3,289	1.3		9.0	*	-0.9	
Warren	278	0.1		1.0		0.2	
Warwick	108	1.2		1.9	*	-0.5	
Washington	90	-0.7		0.0		-0.5	

2. Driving Population Estimate							
Agency	Number	Non-White Disparity	Above Median (3.2)	Black Disparity	Above Median (1.8)	Hispanic Disparity	Above Median (1.7)
Watertown ⁺	17,972	6.1	*	3.9	*	2.4	*
Wayland	1,301	5.1	*	1.1		6.5	*
Webster	1,202	3.3	*	1.9	*	2.3	*
Wellesley	7,060	3.5	*	3.3	*	3.0	*
Wellfleet	1,848	2.1		1.8		1.5	
Wendell	135	-1.6		0.8		-1.4	
Wenham	917	2.5		0.9		2.3	*
Westborough	3,614	2.9		2.2	*	5.2	*
Westfield	6,112	-2.9		0.7		-1.8	
Westfield SC	159	-		-		-	
Westford	3,611	0.9		1.0		1.7	
Westhampton	573	0.3		0.3		0.4	
Westminister	2,008	2.5		1.5		1.4	
Weston	2,787	4.7	*	2.7	*	6.9	*
Westport	2,527	-1.2		0.9		-0.4	
Westwood	612	-1.3		1.9	*	-0.2	
Weymouth	8,175	-2.6		0.1		0.9	
Whately	1,290	1.3		0.5		0.8	
Whitman	5,502	3.7	*	3.0	*	3.0	*
Wilbraham	2,380	2.4		2.9	*	0.7	
Williamsburg	1,622	1.5		1.3		0.4	
Williamstown	1,234	-3.7		0.3		-1.1	
Wilmington	4,235	2.0		1.1		2.8	*
Winchendon	931	0.0		1.8		-0.1	
Winchester	1,113	-1.3		1.5		0.3	
Windsor	315	3.2		2.2	*	1.0	
Winthrop	1,488	4.7	*	1.8		5.0	*
Woburn	8,103	-2.6		0.9		0.4	
Worcester	24,195	1.9		4.4	*	0.9	

⁺ Department disagrees with NU driving population estimate based on independent road surveys of the driving population conducted by the department

2. Driving Population Estimate							
Agency	Number	Non-White Disparity	Above Median (3.2)	Black Disparity	Above Median (1.8)	Hispanic Disparity	Above Median (1.7)
Worcester Co. Sheriff	341	-		-		-	
Worthington	169	0.1		1.1		0.3	
Wrentham	1,552	9.8	*	5.6	*	4.2	*
Yarmouth	3,169	4.1	*	5.0	*	1.7	
Average Overall		2.6		2.3		2.2	
Average Positive		4.8		2.6		3.1	
Median Overall		1.8		1.6		1.1	
Median Positive		3.2		1.8		1.7	
Massachusetts State Police Units							
Daytime Citations Only 6 A.M.-8:00 P.M							
State Police (All)	358,777	7.0	*	3.0	*	3.8	*
SP Troop A (All)	50,555	9.4	*	2.6	*	6.2	*
SP Troop B (All)	45,477	5.9	*	-0.3		6.1	*
SP Troop C (All)	61,304	7.3	*	1.4		5.4	*
SP Troop D (All)	45,683	-0.5		0.0		0.0	
SP Troop E (All)	89,204	4.0	*	3.5	*	1.3	
SP Troop F (All)	623	NA		NA		NA	
SP Troop H (All)	44,882	10.5		6.2	*	4.6	*
SP Troop I (All)	41	NA		NA		NA	
SP Other (All)	21,012	NA		NA		NA	

3. Search Disparities

Agency	Total Searched	Non-White % Diff	Non-White Ratio	Sig	Black Diff in %	Black Ratio	Sig	Hispanic Diff in %	Hispanic Ratio	Sig	Non-White Male Diff %	Non-White Male Ratio	Sig	Non-White Diff % No Arrest	Non-White Diff Arrest Ratio	No Sig
Statewide	19,506	0.5	1.4	*	0.7	1.5	*	0.7	1.5	*	0.5	1.3	*	0.7	1.4	IC
Abington	71	1.01	1.26		-0.2	1.0		3.4	1.9		0.6	1.1		0.6	2.2	IC
Acton	45	0.67	1.53	IC	0.4	1.3	IC	2.4	2.8	IC	0.7	1.4	IC	0.6	2.6	IC
Acushnet	22	1.92	1.85	IC	3.6	2.6	IC	-2.2	0.0	IC	2.5	2.0	IC	2.1	0.0	IC
Adams	21	-0.39	0.84	IC	0.4	1.2	IC	-2.4	0.0	IC	-0.5	0.9	IC	-0.9	0.0	IC
Agawam	27	0.73	1.55	IC	2.6	3.0	IC	-0.4	0.7	IC	1.0	1.6	IC	0.2	1.2	IC
Amesbury	122	5.34	2.79	*	3.0	2.0		7.1	3.4	*	6.2	2.9	*	4.0	3.4	*
Amherst	12	0.38	1.79	IC	0.1	1.2	IC	0.6	2.3	IC	0.3	1.4	IC	0.3	1.6	IC
AMTRAK	0	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA	IC
Andover	138	-1.29	0.45		-0.6	0.7		-1.3	0.4		-1.5	0.5		-0.4	0.6	IC
Aquinnah	0	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA	IC
Arlington	24	0.09	1.11	IC	-0.4	0.5	IC	1.4	2.6	IC	0.0	1.0	IC	-0.2	0.5	IC
Ashburnham	5	5.30	21.97	IC	10.3	41.6	IC	3.0	12.7	IC	6.5	19.6	IC	6.4	22.3	IC
Ashby	14	6.19	5.46	IC	10.6	8.6	IC	5.5	5.0	IC	6.6	6.0	IC	4.7	4.9	IC
Ashfield	5	-1.40	0.00	IC	-1.4	0.0	IC	-1.4	0.0	IC	-1.9	0.0	IC	-0.9	0.0	IC
Ashland	20	1.23	1.68	IC	-1.8	0.0	IC	2.8	2.5	IC	1.3	1.6	IC	0.0	1.0	IC
Athol	40	0.71	1.16	IC	0.8	1.2	IC	2.0	1.4	IC	0.9	1.2	IC	1.3	1.4	IC
Attleboro	78	0.63	2.06	*	1.1	2.8	*	0.6	2.0	*	0.7	1.8	*	0.1	1.5	IC
Auburn	56	1.60	2.37	*	2.4	3.0		1.9	2.6	*	1.6	2.1	*	1.1	2.4	*
Avon	14	-0.35	0.71	IC	0.0	1.0	IC	-1.2	0.0	IC	0.4	1.4	IC	-0.7	0.3	IC
Ayer	18	0.99	2.64	IC	1.2	3.0	IC	1.3	3.1	IC	1.0	2.7	IC	0.1	1.3	IC
B&M Railroad	1	-1.82	0.00	IC	-1.9	0.0	IC	-1.9	0.0	IC	-2.6	0.0	IC	0.0	0.0	IC
Barnstable	136	2.31	2.53	*	4.1	3.7	*	-1.1	0.3		2.7	2.4	*	2.2	3.0	IC
Barre	4	-0.96	0.00	IC	-1.0	0.0	IC	-1.0	0.0	IC	-1.3	0.0	IC	-0.5	0.0	IC
Becket	2	6.77	19.21	IC	-0.4	0.0	IC	13.9	37.9	IC	7.7	0.0	IC	7.3	19.3	IC
Bedford	66	0.28	1.14		1.4	1.7		3.9	3.0	*	-0.9	0.6		0.5	1.4	IC
Belchertown	13	1.29	2.37	IC	3.5	4.7	IC	-0.9	0.0	IC	1.4	2.1	IC	1.3	2.4	IC
Bellingham	73	-1.32	0.62		-0.5	0.9		-1.1	0.7		-0.7	0.8		-1.2	0.6	IC
Belmont	28	0.36	1.58	IC	0.2	1.3	IC	1.1	2.8	IC	0.8	2.6	IC	-0.2	0.6	IC
Berkley	18	-1.93	0.00	IC	-1.9	0.0	IC	-1.9	0.0	IC	-2.6	0.0	IC	-1.1	0.0	IC
Berlin	10	0.03	1.04	IC	-1.0	0.0	IC	0.4	1.5	IC	0.3	1.3	IC	-0.6	0.0	IC

3. Search																	
Agency	Total Searched	Non-White % Diff	Non-White Ratio	Sig	Black Diff in %	Black Ratio	Sig	Hispanic Diff in %	Hispanic Ratio	Sig	Non-White Male Diff %	Non-White Male Ratio	Sig	Non-White % No Arrest	Non-White Diff Arrest Ratio	Non-White No Arrest Ratio	Sig
Bernardston	8	-2.72	0.00	IC	-2.7	0.0	IC	-2.7	0.0	IC	-4.3	0.0	IC	-1.8	0.0	0.0	IC
Beverly	31	-0.87	0.40	IC	0.0	1.0	IC	-1.4	0.0	IC	-1.2	0.4	IC	0.1	1.2	1.2	IC
Billerica	40	-0.16	0.79	IC	-0.8	0.0	IC	0.2	1.3	IC	-0.2	0.8	IC	0.0	1.0	1.0	IC
Blackstone	10	0.64	2.43	IC	3.1	8.0	IC	-0.4	0.0	IC	0.8	2.5	IC	-0.2	0.0	0.0	IC
Blandford	0	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA	NA	IC
Bolton	8	-1.47	0.00	IC	-1.5	0.0	IC	-1.5	0.0	IC	-1.7	0.0	IC	-1.0	0.0	0.0	IC
Boston (All)	872	0.43	1.76	*	0.5	1.8	*	0.5	1.8		0.6	2.0		0.3	1.6	*	
Bourne	51	-2.91	0.30		-2.6	0.4		-4.2	0.0		-3.0	0.4		-2.9	0.0	0.0	IC
Boxborough	24	-0.04	0.98	IC	2.9	2.5	IC	-2.0	0.0	IC	-0.8	0.7	IC	0.0	1.0	1.0	IC
Boxford	4	4.81	7.41	IC	-0.8	0.0	IC	6.4	9.4	IC	7.6	12.1	IC	-0.5	0.0	0.0	IC
Boylston	10	0.32	1.30	IC	-1.1	0.0	IC	1.0	1.9	IC	0.2	1.2	IC	0.4	1.7	1.7	IC
Braintree	121	0.63	1.13		0.4	1.1		1.3	1.3		1.8	1.3		0.2	1.0	1.0	
Brewster	41	-2.43	0.60	IC	2.3	1.4	IC	-6.0	0.0	IC	-2.8	0.6	IC	-2.2	0.0	0.0	IC
Bridgewater	50	1.44	2.08	*	0.6	1.5		5.3	5.0	*	1.7	2.2	*	1.8	3.3	3.3	IC
Bridgewater SC	19	1.20	1.19	IC	-1.2	0.8	IC	-6.2	0.0	IC	1.6	1.2	IC	-1.3	0.0	0.0	IC
Brimfield	10	2.13	2.61	IC	-1.3	0.0	IC	3.9	4.0	IC	2.6	2.6	IC	3.2	3.9	3.9	IC
Brookton	460	1.75	1.77	*	2.0	1.9	*	1.1	1.5	*	1.9	1.7	*	0.6	1.5	*	IC
Brookfield	16	0.58	1.58	IC	-1.0	0.0	IC	3.6	4.6	IC	1.5	2.4	IC	0.9	2.3	2.3	IC
Brookline	111	0.84	2.48	*	1.9	4.2	*	0.9	2.5	*	1.1	2.4	*	0.3	1.8	1.8	*
Buckland	4	-1.24	0.00	IC	-1.2	0.0	IC	-1.2	0.0	IC	-1.0	0.0	IC	-1.3	0.0	0.0	IC
Bunker Hill CC	2	2.20	0.00	IC	2.4	0.0	IC	0.0	0.0	IC	3.3	0.0	IC	2.3	0.0	0.0	IC
Burlington	21	0.29	1.66	IC	0.5	2.2	IC	1.4	4.2	IC	0.1	1.3	IC	0.2	1.7	1.7	IC
Cambridge	110	1.17	2.84	*	1.6	3.4	*	1.9	3.9	*	1.5	3.0	*	0.4	2.0	2.0	*
Canton	49	2.79	2.57	IC	4.1	3.3	IC	0.4	1.2	IC	3.8	2.7	IC	1.5	2.3	2.3	IC
Carlisle	14	2.18	2.14	IC	14.7	8.5	IC	-2.0	0.0	IC	1.0	1.5	IC	1.2	2.2	2.2	IC
Carver	26	-0.38	0.93	IC	1.0	1.2	IC	-5.7	0.0	IC	0.2	1.0	IC	-3.3	0.0	0.0	IC
Charlemont	3	-0.60	0.00	IC	-0.6	0.0	IC	-0.6	0.0	IC	-0.9	0.0	IC	-0.6	0.0	0.0	IC
Charlton	48	1.02	1.49	IC	-2.1	0.0	IC	1.5	1.7	IC	1.9	1.8	IC	0.6	1.4	1.4	IC
Chatham	11	-0.84	0.00	IC	-0.8	0.0	IC	-0.8	0.0	IC	-1.1	0.0	IC	-0.6	0.0	0.0	IC
Chelmsford	37	0.75	1.69	IC	1.1	2.0	IC	1.0	1.9	IC	0.7	1.5	IC	0.7	1.7	1.7	IC
Chelsea	32	0.36	2.74	IC	0.6	3.6	IC	0.3	2.5	IC	0.4	3.0	IC	0.0	1.0	1.0	IC

3. Search																	
Agency	Total Searched	Non-White % Diff	Non-White Ratio	Sig	Black Diff in %	Black Ratio	Sig	Hispanic Diff in %	Hispanic Ratio	Sig	Non-White Male Diff %	Non-White Male Ratio	Sig	Non-White % No Arrest	Non-White Diff Arrest Ratio	Non-White No Arrest Ratio	Sig
Cheshire	2	4.32	19.77	IC	-0.2	0.0	IC	24.8	108.3	IC	5.2	14.1	IC	0.0	0.0	0.0	IC
Chester	30	5.38	1.81	IC	-6.6	0.0	IC	9.2	2.4	IC	0.1	1.0	IC	5.9	2.0	2.0	IC
Chesterfield	11	-2.61	0.00	IC	-2.6	0.0	IC	0.0	0.0	IC	-3.0	0.0	IC	-1.5	0.0	0.0	IC
Chicopee	86	0.65	1.49		1.1	1.8		0.6	1.4		0.7	1.4		0.7	2.0	2.0	IC
Chilmark	13	9.13	1.95	IC	7.1	1.7	IC	4.7	1.5	IC	8.5	1.7	IC	8.7	7.7	7.7	IC
Clarksburg	0	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA	NA	IC
Clinton	27	-2.53	0.37	IC	-0.7	0.8	IC	-3.0	0.2	IC	-1.2	0.6	IC	-2.5	0.3	0.3	IC
Cohasset	13	1.25	1.77	IC	-1.6	0.0	IC	9.5	6.9	IC	1.5	1.7	IC	2.1	3.1	3.1	IC
Colrain	0	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA	NA	IC
Concord	44	0.27	1.37	IC	0.7	2.0	IC	0.4	1.5	IC	0.2	1.2	IC	0.0	1.0	1.0	IC
Conway	5	-2.78	0.00	IC	-2.8	0.0	IC	0.0	0.0	IC	-4.5	0.0	IC	-2.8	0.0	0.0	IC
CSX	0	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA	NA	IC
Cummington	4	-2.35	0.00	IC	-2.4	0.0	IC	-2.4	0.0	IC	-2.4	0.0	IC	-2.4	0.0	0.0	IC
Dalton	17	3.94	3.45	IC	6.1	4.8	IC	-1.6	0.0	IC	4.4	3.5	IC	-0.9	0.0	0.0	IC
Danvers	33	0.95	2.43	IC	0.2	1.3	IC	2.0	4.0	IC	0.8	2.2	IC	0.3	1.8	1.8	IC
Dartmouth	68	0.91	1.38		0.2	1.1		3.8	2.6		1.5	1.5		0.4	1.2	1.2	IC
Dedham	43	0.21	1.20	IC	0.1	1.1	IC	0.4	1.4	IC	-0.3	0.8	IC	0.2	1.3	1.3	IC
Deerfield	7	-0.88	0.00	IC	-0.9	0.0	IC	-0.9	0.0	IC	-1.0	0.0	IC	-0.4	0.0	0.0	IC
Dennis	45	0.33	1.23	IC	1.0	1.7	IC	-1.4	0.0	IC	0.5	1.3	IC	-0.3	0.6	0.6	IC
Dighton	17	-5.30	0.00	IC	-5.3	0.0	IC	-5.3	0.0	IC	-5.4	0.0	IC	-4.4	0.0	0.0	IC
Douglas	7	-0.83	0.00	IC	-0.8	0.0	IC	-0.8	0.0	IC	-0.6	0.0	IC	-0.5	0.0	0.0	IC
Dover	9	0.27	1.15	IC	-1.8	0.0	IC	-1.8	0.0	IC	0.0	1.0	IC	0.7	1.5	1.5	IC
Dracut	23	4.10	4.53	IC	1.1	1.9	IC	4.8	5.1	IC	3.2	3.7	IC	3.6	4.0	4.0	IC
Dudley	40	-0.22	0.94	IC	1.3	1.4	IC	-0.2	0.9	IC	-0.1	1.0	IC	0.0	1.0	1.0	IC
Dunstable	72	3.43	1.48		15.6	3.2	*	-3.6	0.5		4.7	1.6		2.8	2.8	2.8	IC
Duxbury	6	2.49	3.59	IC	-1.0	0.0	IC	6.7	7.9	IC	3.4	6.8	IC	3.6	10.0	10.0	IC
E. Bridgewater	14	2.27	7.43	IC	1.2	4.3	IC	5.6	17.0	IC	0.9	3.0	IC	2.3	24.0	24.0	IC
E. Brookfield	9	0.88	1.66	IC	3.0	3.2	IC	-1.3	0.0	IC	1.3	1.9	IC	1.9	3.1	3.1	IC
E. Longmeadow	11	-0.35	0.70	IC	0.3	1.2	IC	-1.2	0.0	IC	-0.3	0.8	IC	-0.7	0.0	0.0	IC
Eastham	12	-0.40	0.00	IC	-0.4	0.0	IC	-0.4	0.0	IC	-0.5	0.0	IC	-0.2	0.0	0.0	IC
Easthampton	12	0.95	2.63	IC	-0.6	0.0	IC	2.5	5.3	IC	1.4	2.6	IC	1.2	4.0	4.0	IC

3. Search																	
Agency	Total Searched	Non-White % Diff	Non-White Ratio	Sig	Black Diff in %	Black Ratio	Sig	Hispanic Diff in %	Hispanic Ratio	Sig	Non-White Male Diff %	Non-White Male Ratio	Sig	Non-White % No Arrest	Non-White Diff Arrest Ratio	Non-White No Arrest Ratio	Sig
Easton	14	0.85	1.75	IC	0.8	1.7	IC	1.4	2.3	IC	1.1	1.8	IC	0.0	1.0	1.0	IC
Edgartown*	68	2.21	1.14		5.9	1.4		-0.4	1.0		-0.3	1.0		5.2	1.7	1.7	IC
Egremont	1	-0.08	0.00	IC	-0.1	0.0	IC	-0.1	0.0	IC	-0.1	0.0	IC	0.0	0.0	0.0	IC
Environmental PD	24	1.22	1.99	IC	-1.2	0.0	IC	4.8	5.1	IC	0.7	1.6	IC	1.5	2.5	2.5	IC
Erving	4	-0.41	0.00	IC	-0.4	0.0	IC	-0.4	0.0	IC	-0.1	0.0	IC	-0.4	0.0	0.0	IC
Essex	31	3.22	1.93	IC	-3.4	0.0	IC	7.7	3.2	IC	3.0	1.8	IC	1.9	2.0	2.0	IC
Everett	78	0.14	1.14		-0.3	0.7		0.6	1.6		0.4	1.3		0.1	1.1	1.1	IC
Fairhaven*	58	5.81	2.77	*	6.9	3.1	*	5.0	2.5		5.7	2.4	*	3.2	2.4	2.4	IC
Fall River	138	1.28	3.09	*	1.1	2.8	*	1.9	4.1	*	1.5	2.7	*	0.9	4.0	4.0	*
Falmouth	42	0.66	1.60	IC	0.6	1.5	IC	1.5	2.4	IC	0.7	1.6	IC	-0.1	0.9	0.9	IC
Fernald State School	0	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA	NA	IC
Fitchburg	37	1.55	3.20	IC	-0.2	0.8	IC	2.2	4.1	IC	1.8	3.5	IC	0.7	2.2	2.2	IC
Foxborough	26	-0.96	0.68	IC	-1.1	0.6	IC	0.1	1.0	IC	-0.6	0.8	IC	0.1	1.1	1.1	IC
Framingham	73	0.47	1.69	*	1.0	2.4	*	0.4	1.7		0.6	1.7	*	0.2	1.5	1.5	IC
Franklin	43	2.38	2.47	IC	6.4	4.9	IC	-1.6	0.0	IC	2.0	2.0	IC	0.7	1.9	1.9	IC
Freetown	36	-0.70	0.62	IC	-1.1	0.4	IC	1.0	1.5	IC	-0.6	0.7	IC	-0.4	0.8	0.8	IC
Gardner	44	1.12	1.49	IC	-2.3	0.0	IC	4.6	3.0	IC	2.2	1.9	IC	0.6	1.5	1.5	IC
Georgetown	34	0.93	1.21	IC	-4.4	0.0	IC	4.0	1.9	IC	2.4	1.6	IC	2.7	2.0	2.0	IC
Gill	1	-0.08	0.00	IC	-0.1	0.0	IC	-0.1	0.0	IC	0.0	0.0	IC	-0.1	0.0	0.0	IC
Gloucester	44	0.72	1.30	IC	-2.4	0.0	IC	3.0	2.2	IC	-0.9	0.7	IC	-0.2	0.8	0.8	IC
Goshen	7	-1.98	0.00	IC	-2.0	0.0	IC	-2.0	0.0	IC	-2.5	0.0	IC	-1.2	0.0	0.0	IC
Grafton	23	-2.48	0.00	IC	-2.5	0.0	IC	-2.5	0.0	IC	-3.1	0.0	IC	-2.0	0.0	0.0	IC
Granby	18	-1.04	0.49	IC	0.7	1.3	IC	-2.0	0.0	IC	-1.3	0.5	IC	-0.6	0.6	0.6	IC
Granville	4	-3.74	0.00	IC	-3.8	0.0	IC	0.0	0.0	IC	-4.8	0.0	IC	-3.7	0.0	0.0	IC
Greenfield	38	0.38	1.25	IC	0.3	1.2	IC	0.8	1.5	IC	0.7	1.4	IC	0.1	1.1	1.1	IC
Groton	30	0.93	1.33	IC	5.5	3.0	IC	0.7	1.2	IC	1.1	1.4	IC	0.8	1.5	1.5	IC
Groveland	58	0.62	1.27		3.4	2.6		-0.4	0.8		0.6	1.2		1.6	2.1	2.1	IC
Gt. Barrington	7	3.30	5.70	IC	9.3	14.1	IC	-0.7	0.0	IC	4.9	15.9	IC	3.5	8.0	8.0	IC
Hadley	11	1.40	2.80	IC	3.1	4.9	IC	2.2	3.8	IC	2.1	4.1	IC	1.6	3.3	3.3	IC

* Submitted information to Northeastern University about error in search designation

3. Search																	
Agency	Total Searched	Non-White % Diff	Non-White Ratio	Sig	Black Diff in %	Black Ratio	Sig	Hispanic Diff in %	Hispanic Ratio	Sig	Non-White Male Diff %	Non-White Male Ratio	Sig	Non-White % No Arrest	Non-White Diff Arrest Ratio	Non-White No Arrest Ratio	Sig
Halifax	32	3.72	1.94	IC	-4.0	0.0	IC	5.1	2.3	IC	6.0	2.4	IC	2.7	2.7	2.7	IC
Hamilton	21	3.83	2.87	IC	-2.1	0.0	IC	2.9	2.4	IC	4.7	2.9	IC	4.7	4.4	4.4	IC
Hampden	23	1.66	1.96	IC	-1.7	0.0	IC	8.3	5.8	IC	2.6	2.2	IC	2.8	5.0	5.0	IC
Hanover	85	-0.94	0.68		0.4	1.1		-1.6	0.5		-1.7	0.5		0.5	1.5	1.5	IC
Hanson	39	0.60	1.32	IC	2.2	2.2	IC	-1.9	0.0	IC	1.3	1.6	IC	0.8	1.7	1.7	IC
Hardwick	3	-1.46	0.00	IC	-1.5	0.0	IC	0.0	0.0	IC	-2.0	0.0	IC	-1.0	0.0	0.0	IC
Harvard	12	1.38	1.56	IC	4.7	2.9	IC	1.2	1.5	IC	2.4	1.9	IC	1.6	4.2	4.2	IC
Harwich	14	1.95	4.12	IC	3.5	6.5	IC	-0.6	0.0	IC	2.3	3.9	IC	0.5	2.7	2.7	IC
Hatfield	9	-0.11	0.93	IC	-1.6	0.0	IC	0.7	1.4	IC	0.0	1.0	IC	-0.6	0.0	0.0	IC
Haverhill	156	2.06	1.96	*	2.6	2.2	*	2.3	2.0	*	2.7	2.2	*	1.2	1.7	1.7	*
Heath	0	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA	IC	0.0	NA	NA	IC
Hingham	144	-0.33	0.94		7.7	2.5		-3.9	0.3		-0.6	0.9		-0.6	0.6	0.6	IC
Hinsdale	5	-0.72	0.00	IC	-0.6	0.0	IC	-0.6	0.0	IC	-0.9	0.0	IC	-0.4	0.0	0.0	IC
Holbrook	11	0.85	1.49	IC	2.2	2.3	IC	-1.7	0.0	IC	1.6	2.2	IC	3.7	5.6	5.6	IC
Holden	36	6.50	1.77	IC	17.8	3.1	IC	-2.7	0.7	IC	6.1	1.6	IC	6.1	2.0	2.0	IC
Holland	11	8.74	4.68	IC	22.6	10.5	IC	-2.4	0.0	IC	10.1	5.2	IC	10.1	11.1	11.1	IC
Holliston	9	0.23	1.39	IC	-0.6	0.0	IC	0.4	1.7	IC	0.3	1.4	IC	-0.4	0.0	0.0	IC
Holyoke	144	0.55	1.21		-0.9	0.7		0.7	1.3		1.1	1.4		-0.3	0.8	0.8	
Hopedale	20	-1.12	0.51	IC	-2.3	0.0	IC	-0.7	0.7	IC	-0.7	0.7	IC	-1.0	0.0	0.0	IC
Hopkinton	69	-0.58	0.78		-1.1	0.6		-1.2	0.5		-0.9	0.7		-0.9	0.4	0.4	IC
Hubbardston	25	7.32	4.33	IC	7.8	4.5	IC	8.5	4.9	IC	5.4	2.9	IC	6.4	8.1	8.1	IC
Hudson	31	0.25	1.16	IC	4.9	4.1	IC	-0.2	0.9	IC	-1.5	0.2	IC	-0.2	0.7	0.7	IC
Hull	54	0.65	1.27		-0.7	0.7		2.0	1.8		1.0	1.3		0.9	2.0	2.0	IC
Huntington	4	-2.26	0.00	IC	-2.3	0.0	IC	-2.3	0.0	IC	-1.6	0.0	IC	-1.1	0.0	0.0	IC
Ipswich	24	3.62	2.60	IC	-2.3	0.0	IC	9.5	5.2	IC	3.8	2.2	IC	5.3	4.8	4.8	IC
Kingston	31	2.07	1.73	IC	10.1	4.6	IC	-2.8	0.0	IC	2.8	1.8	IC	-2.1	0.0	0.0	IC
Lakeville	14	0.37	1.36	IC	1.2	2.2	IC	-1.0	0.0	IC	0.2	1.2	IC	-0.4	0.0	0.0	IC
Lancaster	2	-0.26	0.00	IC	-0.3	0.0	IC	-0.3	0.0	IC	-0.2	0.0	IC	0.0	0.0	0.0	IC
Lanesborough	5	-1.02	0.00	IC	-1.0	0.0	IC	-1.0	0.0	IC	-1.1	0.0	IC	-0.7	0.0	0.0	IC
Lawrence	215	-0.39	0.79		-0.2	0.9		-0.4	0.8		-0.4	0.8		-0.1	0.9	0.9	
Lee	38	-0.93	0.53	IC	0.1	1.1	IC	-2.0	0.0	IC	-0.4	0.8	IC	-1.2	0.0	0.0	IC

3. Search																	
Agency	Total Searched	Non-White % Diff	Non-White Ratio	Sig	Black Diff in %	Black Ratio	Sig	Hispanic Diff in %	Hispanic Ratio	Sig	Non-White Male Diff %	Non-White Male Ratio	Sig	Non-White % No Arrest	Non-White Diff Arrest Ratio	Non-White No Arrest Ratio	Sig
Leicester	121	0.97	1.17		2.7	1.5		0.6	1.1		1.6	1.3		2.0	1.7		*
Lenox	10	0.28	1.52	IC	-0.6	0.0	IC	1.9	4.5	IC	0.3	1.4	IC	-0.3	0.0	IC	IC
Leominster	35	0.37	1.44	IC	0.5	1.6	IC	0.4	1.5	IC	0.2	1.2	IC	0.2	1.5	IC	IC
Leverett	1	-0.11	0.00	IC	-0.1	0.0	IC	-0.1	0.0	IC	-0.2	0.0	IC	0.0	0.0	IC	IC
Lexington	28	-0.09	0.85	IC	1.0	2.7	IC	0.0	1.0	IC	0.1	1.1	IC	0.0	1.0	IC	IC
Leyden	2	-16.67	0.00	IC	0.0	0.0	IC	0.0	0.0	IC	0.0	0.0	IC	0.0	0.0	IC	IC
Lincoln	34	2.03	2.86	IC	2.9	3.6	IC	2.3	3.1	IC	2.1	2.6	IC	0.8	1.9	IC	IC
Littleton	26	0.95	2.56	IC	0.3	1.5	IC	2.4	4.9	IC	0.7	1.8	IC	0.4	2.3	IC	IC
Longmeadow	7	2.21	6.86	IC	1.5	5.0	IC	1.6	5.3	IC	3.2	13.6	IC	0.9	5.5	IC	IC
Lowell	118	0.51	1.61	*	0.4	1.5		0.4	1.5		0.4	1.5		0.3	1.4	*	*
Ludlow	7	-0.66	0.00	IC	-0.7	0.0	IC	-0.7	0.0	IC	-0.8	0.0	IC	-0.4	0.0	IC	IC
Lunenburg	18	1.02	1.62	IC	-1.7	0.0	IC	2.3	2.4	IC	0.4	1.2	IC	0.5	1.5	IC	IC
Lynn	154	0.39	1.65	*	0.3	1.5		0.5	1.9	*	0.4	1.6	*	0.3	1.8	*	*
Lynnfield	3	1.83	4.32	IC	-0.6	0.0	IC	3.6	7.5	IC	2.4	7.7	IC	2.1	4.5	IC	IC
MA Maritime Police	0	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA	IC	IC
Malden	99	0.73	1.36		1.4	1.7	*	0.5	1.2		1.2	1.5		0.5	1.4		IC
Manchester	12	1.31	2.51	IC	-0.8	0.0	IC	4.0	6.0	IC	2.0	2.9	IC	-0.2	0.0	IC	IC
Mansfield	104	2.87	1.83	*	2.7	1.8		7.2	3.1		3.5	1.8	*	3.2	2.0	*	*
Marblehead	14	1.08	1.92	IC	-1.2	0.0	IC	0.5	1.5	IC	1.6	2.2	IC	1.1	3.8	IC	IC
Marion	22	2.08	1.50	IC	2.9	1.7	IC	-4.2	0.0	IC	3.0	1.7	IC	1.1	1.3	IC	IC
Marlborough	58	-0.27	0.62		-0.1	0.9		-0.3	0.6		-0.3	0.6		-0.2	0.5	IC	IC
Marshfield	76	-2.81	0.00		-2.8	0.0		-2.8	0.0		-3.3	0.0		-2.0	0.0		IC
Mashpee	66	1.64	1.38		1.0	1.2		-4.3	0.0		1.6	1.3		3.2	1.9		IC
Massasoit CC	11	4.05	3.93	IC	4.4	4.1	IC	4.5	4.2	IC	1.7	2.3	IC	4.2	4.0	IC	IC
Mattapoisett	55	-5.70	0.17		-5.0	0.3		-7.0	0.0		-8.1	0.0		-1.8	0.5		IC
Maynard	37	-0.10	0.92	IC	-0.1	0.9	IC	0.2	1.2	IC	0.0	1.0	IC	-0.6	0.5	IC	IC
MBTA	25	2.00	2.57	IC	2.7	3.1	IC	2.1	2.6	IC	2.2	2.7	IC	0.8	2.0	IC	IC
Medfield	2	-0.69	0.00	IC	-0.7	0.0	IC	-0.7	0.0	IC	-0.9	0.0	IC	-0.7	0.0	IC	IC
Medford	82	-0.23	0.87		0.1	1.0		-0.6	0.7		-0.5	0.8		-0.3	0.7		IC
Medway	13	-0.48	0.62	IC	-1.3	0.0	IC	-1.3	0.0	IC	-0.3	0.8	IC	-0.1	0.9	IC	IC
Melrose	25	-2.01	0.00	IC	-2.0	0.0	IC	-2.0	0.0	IC	-2.6	0.0	IC	-1.3	0.0	IC	IC

3. Search																	
Agency	Total Searched	Non-White % Diff	Non-White Ratio	Sig	Black Diff in %	Black Ratio	Sig	Hispanic Diff in %	Hispanic Ratio	Sig	Non-White Male Diff %	Non-White Male Ratio	Sig	Non-White Diff % No Arrest	Non-White Arrest Ratio	Non-White No Arrest Ratio	Sig
Mendon	25	0.84	2.22	IC	-0.7	0.0	IC	1.8	3.7	IC	1.3	2.6	IC	-0.4	0.0	0.0	IC
Merrimac	13	2.53	2.25	IC	-2.0	0.0	IC	5.1	3.5	IC	0.5	1.2	IC	1.9	3.4	0.0	IC
Methuen	177	-1.11	0.75		-1.1	0.8		-1.1	0.8		-1.2	0.8		-0.7	0.8	0.0	IC
Metro Police Lwr. Basin	0	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA	IC	0.0	NA	NA	IC
Metro Police Marine	0	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA	NA	IC
Middleborough	32	-0.30	0.59	IC	-0.1	0.9	IC	-0.7	0.0	IC	-0.2	0.7	IC	0.1	1.3	0.0	IC
Middleton	28	0.20	1.14	IC	1.8	2.2	IC	-0.8	0.4	IC	0.3	1.1	IC	0.1	1.1	0.0	IC
Milford	23	0.89	1.72	IC	-1.3	0.0	IC	1.1	1.9	IC	1.1	1.7	IC	0.7	1.8	0.0	IC
Millbury	6	0.20	1.43	IC	0.9	3.0	IC	-0.5	0.0	IC	0.1	1.2	IC	0.3	1.8	0.0	IC
Millis	2	-0.34	0.00	IC	-0.3	0.0	IC	-0.3	0.0	IC	-0.5	0.0	IC	0.0	0.0	0.0	IC
Millville	9	10.16	7.34	IC	-1.6	0.0	IC	16.6	11.3	IC	12.2	6.8	IC	13.7	23.8	0.0	IC
Milton	32	0.25	1.18	IC	0.3	1.2	IC	0.2	1.1	IC	0.1	1.1	IC	-0.2	0.9	0.0	IC
Monroe	0	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA	NA	IC
Monson	7	1.90	4.17	IC	5.3	9.8	IC	-0.6	0.0	IC	2.2	3.7	IC	2.6	9.7	0.0	IC
Montague	25	2.82	1.65	IC	2.8	1.6	IC	3.7	1.8	IC	4.0	1.8	IC	0.6	1.2	0.0	IC
Monterey	0	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA	IC	0.0	NA	NA	IC
Mt Wachusett CC	0	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA	NA	IC
N. Adams	149	10.02	2.11	*	10.8	2.2	*	12.8	2.4	*	8.8	1.8	*	5.1	2.2	0.0	*
N. Andover	49	0.41	1.41	IC	-1.0	0.0	IC	1.0	2.0	IC	1.0	2.2	IC	0.1	1.1	0.0	IC
N.Attleborough	73	0.89	1.77		0.1	1.1		1.3	2.1		0.6	1.4		0.6	2.5	0.0	IC
N. Brookfield	4	-1.36	0.00	IC	-1.4	0.0	IC	-1.4	0.0	IC	-1.4	0.0	IC	-1.5	0.0	0.0	IC
N. Reading	44	7.23	2.31	IC	-0.3	1.0	IC	15.3	3.8	IC	8.3	2.4	IC	3.0	2.3	0.0	IC
Nahant	52	-3.36	0.49		-0.3	1.0		-6.5	0.0		-4.9	0.3		-1.4	0.6	0.0	IC
Nantucket	13	-0.67	0.44	IC	-0.4	0.7	IC	-1.2	0.0	IC	-0.7	0.5	IC	-1.0	0.0	0.0	IC
Natick	25	0.10	1.43	IC	0.5	3.2	IC	0.0	0.9	IC	0.0	0.9	IC	-0.1	0.5	0.0	IC
Needham	19	-0.16	0.87	IC	2.2	2.7	IC	-1.2	0.0	IC	-0.3	0.8	IC	-0.3	0.7	0.0	IC
New Bedford	407	3.54	1.68	*	4.7	1.9	*	2.5	1.5	*	4.2	1.7	*	1.7	1.5	0.0	*
New Braintree	1	-0.75	0.00	IC	-0.8	0.0	IC	-0.8	0.0	IC	-1.2	0.0	IC	-0.7	0.0	0.0	IC
New Marlborough	0	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA	NA	IC
New Salem	2	-0.30	0.00	IC	-0.3	0.0	IC	-0.3	0.0	IC	-0.2	0.0	IC	-0.3	0.0	0.0	IC

3. Search																	
Agency	Total Searched	Non-White % Diff	Non-White Ratio	Sig	Black Diff in %	Black Ratio	Sig	Hispanic Diff in %	Hispanic Ratio	Sig	Non-White Male Diff %	Non-White Male Ratio	Sig	Non-White % No Arrest	Non-White Diff Arrest Ratio	Non-White No Arrest Ratio	Sig
Newbury	3	-0.37	0.00	IC	-0.4	0.0	IC	-0.4	0.0	IC	-0.5	0.0	IC	0.0	0.0	0.0	IC
Newburyport	21	2.09	4.06	IC	2.2	4.2	IC	3.2	5.7	IC	2.5	4.2	IC	-0.2	0.0	0.0	IC
Newton	53	0.81	2.56	*	1.3	3.5	*	2.3	5.3	*	1.2	2.6	*	0.5	2.7	2.7	IC
Norfolk	6	2.23	3.76	IC	-0.8	0.0	IC	5.9	8.2	IC	2.4	3.8	IC	3.3	9.3	9.3	IC
Northampton	96	1.71	1.78	*	-0.7	0.7		2.3	2.1		1.8	1.6		-0.5	0.4	0.4	IC
Northborough	17	0.05	1.07	IC	0.2	1.3	IC	0.3	1.4	IC	0.2	1.3	IC	0.0	1.0	1.0	IC
Northbridge	20	5.98	5.37	IC	4.5	4.3	IC	9.7	8.1	IC	7.0	5.6	IC	1.7	9.5	9.5	IC
Northfield	6	1.04	4.47	IC	3.7	13.4	IC	-0.3	0.0	IC	1.7	10.8	IC	-0.1	0.0	0.0	IC
Norton	53	-0.96	0.78		-2.6	0.4		3.0	1.7		-1.2	0.8		-2.9	0.0	0.0	IC
Norwell	15	1.22	1.93	IC	3.9	4.0	IC	-1.3	0.0	IC	1.2	1.6	IC	0.9	2.5	2.5	IC
Norwood	37	-0.28	0.72	IC	0.0	1.0	IC	-1.0	0.0	IC	0.1	1.1	IC	-0.3	0.6	0.6	IC
Oak Bluffs	23	0.07	1.05	IC	1.2	2.0	IC	-1.2	0.0	IC	-0.5	0.7	IC	0.1	1.3	1.3	IC
Oakham	2	-0.68	0.00	IC	-0.7	0.0	IC	-0.7	0.0	IC	-0.5	0.0	IC	-0.7	0.0	0.0	IC
Orange	18	-3.85	0.00	IC	-3.9	0.0	IC	-3.9	0.0	IC	-4.2	0.0	IC	-3.5	0.0	0.0	IC
Orleans	109	-0.94	0.91		-2.6	0.7		2.6	1.2		-1.4	0.9		2.2	1.6	1.6	IC
Otis	0	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA	IC	0.0	NA	NA	IC
Oxford	35	6.67	3.18	IC	7.3	3.4	IC	8.4	3.7	IC	4.6	2.4	IC	0.9	1.8	1.8	IC
Palmer	7	0.74	3.95	IC	1.8	8.3	IC	-0.3	0.0	IC	1.0	3.8	IC	-0.1	0.0	0.0	IC
Paxton	15	-1.71	0.00	IC	-1.7	0.0	IC	-1.7	0.0	IC	-1.9	0.0	IC	-1.2	0.0	0.0	IC
Peabody	103	0.61	1.41		0.3	1.2		0.8	1.6		1.0	1.7	*	0.4	1.4	1.4	IC
Pelham	0	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA	IC	0.0	NA	NA	IC
Pembroke	31	-3.92	0.00	IC	-3.9	0.0	IC	-3.9	0.0	IC	-4.9	0.0	IC	-1.6	0.0	0.0	IC
Pepperell	33	-0.89	0.70	IC	5.3	2.7	IC	-3.0	0.0	IC	-0.6	0.8	IC	0.5	1.3	1.3	IC
Peru	2	-2.50	0.00	IC	-2.5	0.0	IC	0.0	0.0	IC	0.0	0.0	IC	-2.5	0.0	0.0	IC
Petersham	23	-5.16	0.00	IC	-5.2	0.0	IC	-5.2	0.0	IC	-5.8	0.0	IC	-3.5	0.0	0.0	IC
Phillipston	5	5.27	6.38	IC	-1.0	0.0	IC	-1.0	0.0	IC	6.7	7.4	IC	-0.7	0.0	0.0	IC
Pittsfield	28	2.45	5.53	IC	2.2	5.0	IC	3.8	8.0	IC	2.6	4.4	IC	0.1	1.3	1.3	IC
Plainfield	0	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA	NA	IC
Plainville	15	4.02	5.10	IC	-1.0	0.0	IC	10.6	11.7	IC	4.6	4.8	IC	1.2	3.0	3.0	IC
Plymouth	66	-0.60	0.70		0.9	1.5		-2.0	0.0		-0.4	0.8		-0.3	0.7	0.7	IC
Plympton	60	6.72	2.06	IC	4.8	1.8	IC	2.8	1.4	IC	7.3	2.6	IC	6.6	2.0	2.0	IC

3. Search																	
Agency	Total Searched	Non-White % Diff	Non-White Ratio	Sig	Black Diff in %	Black Ratio	Sig	Hispanic Diff in %	Hispanic Ratio	Sig	Non-White Male Diff %	Non-White Male Ratio	Sig	Non-White % No Arrest	Non-White Diff Arrest Ratio	Non-White No Arrest Ratio	Sig
Princeton	1	-0.10	0.00	IC	-0.1	0.0	IC	-0.1	0.0	IC	-0.1	0.0	IC	-0.1	0.0	0.0	IC
Provincetown	13	0.51	1.25	IC	1.6	1.8	IC	-2.1	0.0	IC	0.4	1.2	IC	-1.5	0.0	0.0	IC
Quincy	112	-0.30	0.93	*	5.4	2.2	*	-1.2	0.7		-0.2	1.0		0.0	1.0	1.0	
Randolph	48	0.08	1.07	IC	0.2	1.2	IC	0.3	1.2	IC	0.2	1.2	IC	0.0	1.0	1.0	IC
Raynham	20	0.31	1.28	IC	0.0	1.0	IC	1.3	2.2	IC	0.5	1.4	IC	0.7	2.0	2.0	IC
Reading	33	-1.15	0.71	IC	-3.9	0.0	IC	3.5	1.9	IC	-0.9	0.8	IC	-2.0	0.0	0.0	IC
Registry of MV	0	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA	NA	IC
Rehoboth	59	0.55	1.18		1.9	1.6		0.3	1.1		1.5	1.5		0.8	1.3	1.3	IC
Revere	69	-0.17	0.88		-0.4	0.7		0.1	1.1		-0.2	0.9		0.0	1.0	1.0	IC
Rochester	29	7.40	3.00	IC	0.3	1.1	IC	18.5	6.0	IC	10.1	3.4	IC	4.1	2.6	2.6	IC
Rockland	23	0.56	1.90	IC	0.2	1.3	IC	1.3	3.3	IC	0.8	2.1	IC	-0.5	0.0	0.0	IC
Rockport	15	17.64	4.85	IC	-4.6	0.0	IC	20.4	5.4	IC	20.3	5.3	IC	20.1	5.1	5.1	IC
Rowe	0	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA	NA	IC
Rowley	70	-0.98	0.84		3.4	1.6		-2.3	0.6		-0.9	0.9		-0.6	0.9	0.9	IC
Royalston	9	-5.56	0.00	IC	0.0	0.0	IC	-5.6	0.0	IC	-6.8	0.0	IC	-5.2	0.0	0.0	IC
Rutland	8	-1.46	0.00	IC	-1.5	0.0	IC	-1.5	0.0	IC	-1.7	0.0	IC	-0.6	0.0	0.0	IC
S. Hadley	30	1.67	1.83	IC	-2.0	0.0	IC	4.3	3.1	IC	1.5	1.6	IC	0.6	1.7	1.7	IC
Salem	47	0.70	2.39	IC	0.4	1.8	IC	0.9	2.9	IC	0.8	2.1	IC	0.5	2.7	2.7	IC
Salisbury	112	2.87	1.51		-1.0	0.8		5.3	1.9	*	3.1	1.6		3.8	2.0	2.0	
Sandisfield	0	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA	NA	IC
Sandwich	47	1.64	1.29	IC	-1.7	0.7	IC	4.3	1.8	IC	-2.2	0.6	IC	3.1	2.2	2.2	IC
Saugus	22	1.44	2.90	IC	1.3	2.7	IC	2.4	4.2	IC	1.3	2.2	IC	1.0	2.7	2.7	IC
Savoy	0	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA	NA	IC
Scituate	19	3.48	1.95	IC	1.6	1.4	IC	21.3	6.8	IC	5.3	2.4	IC	-1.5	0.0	0.0	IC
Seekonk	23	1.15	3.40	IC	1.0	3.1	IC	1.8	4.8	IC	1.5	3.6	IC	0.6	2.5	2.5	IC
Sharon	9	-0.07	0.89	IC	-0.7	0.0	IC	1.2	2.7	IC	-0.2	0.8	IC	-0.4	0.0	0.0	IC
Sheffield	9	-0.82	0.00	IC	-0.8	0.0	IC	-0.8	0.0	IC	-0.8	0.0	IC	-0.4	0.0	0.0	IC
Shelburne	2	-0.30	0.00	IC	-0.3	0.0	IC	-0.3	0.0	IC	-0.2	0.0	IC	-0.3	0.0	0.0	IC
Sherborn	27	0.64	1.41	IC	-1.5	0.0	IC	2.1	2.3	IC	1.0	1.7	IC	0.7	1.6	1.6	IC
Shirley	10	-0.73	0.61	IC	0.4	1.2	IC	-1.9	0.0	IC	0.6	1.6	IC	0.5	1.5	1.5	IC
Shrewsbury	85	0.49	1.40		0.7	1.5		0.4	1.3		0.6	1.4		0.1	1.1	1.1	IC

3. Search																	
Agency	Total Searched	Non-White % Diff	Non-White Ratio	Sig	Black Diff in %	Black Ratio	Sig	Hispanic Diff in %	Hispanic Ratio	Sig	Non-White Male Diff %	Non-White Male Ratio	Sig	Non-White Diff % No Arrest	Non-White Arrest Ratio	Non-White No Arrest Ratio	Sig
Shutesbury	1	-0.30	0.00	IC	-0.3	0.0	IC	-0.3	0.0	IC	-0.5	0.0	IC	-0.3	0.0	0.0	IC
Somerset	28	-0.11	0.90	IC	-1.1	0.0	IC	1.9	2.7	IC	0.0	1.0	IC	0.6	1.9	1.9	IC
Somerville	80	-0.17	0.85		0.6	1.6		-0.6	0.5		-0.2	0.8		0.0	1.0	1.0	IC
Somerville Housing Auth.	0	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA	IC	0.0	NA	NA	IC
Southampton	18	1.63	1.60	IC	30.6	12.3	IC	-2.7	0.0	IC	1.8	1.6	IC	-1.1	0.0	0.0	IC
Southborough	53	3.06	2.45	*	1.1	1.5		4.2	3.1	*	3.8	2.5	*	2.6	3.4	3.4	IC
Southbridge	58	1.14	1.50		0.8	1.3		1.4	1.6		1.7	1.7		-0.6	0.5	0.5	IC
Southwick	12	-1.47	0.00	IC	-1.5	0.0	IC	-1.5	0.0	IC	-1.8	0.0	IC	-1.1	0.0	0.0	IC
Spencer	59	3.95	2.71	*	2.5	2.1		5.2	3.3	*	3.4	2.2		2.9	3.2	3.2	IC
Springfield	222	0.93	2.20	*	1.2	2.5	*	0.8	2.0	*	1.4	2.8	*	0.6	2.0	2.0	*
State Fire Marshal	0	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA	IC	0.0	NA	NA	IC
State Police (All)	5,869	1.01	1.92	*	1.2	2.1	*	1.5	2.3	*	1.1	1.8	*	0.8	1.9	1.9	*
Sterling	53	-0.90	0.76		-0.2	0.9		-1.5	0.6		-0.7	0.8		-0.7	0.7	0.7	IC
Stockbridge	0	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA	IC	0.0	NA	NA	IC
Stoneham	32	3.46	1.65	IC	21.5	5.2	IC	-1.7	0.7	IC	2.4	1.4	IC	5.6	2.2	2.2	IC
Stoughton	56	1.01	1.80	*	1.7	2.4	*	-0.6	0.6		0.7	1.4		0.8	2.0	2.0	IC
Stow	11	-0.55	0.85	IC	21.4	7.0	IC	-3.6	0.0	IC	-0.1	1.0	IC	1.8	2.1	2.1	IC
Sturbridge	77	0.72	1.33		1.7	1.8		0.1	1.1		0.2	1.1		0.2	1.2	1.2	IC
Sudbury	13	0.00	0.99	IC	-0.5	0.0	IC	-0.1	0.8	IC	-0.4	0.5	IC	0.1	1.5	1.5	IC
Sunderland	13	2.06	2.87	IC	1.6	2.4	IC	6.6	6.9	IC	1.4	2.2	IC	2.4	4.0	4.0	IC
Sutton	38	2.13	1.99	IC	0.8	1.4	IC	4.6	3.1	IC	2.0	1.7	IC	1.2	1.9	1.9	IC
Swampscott	44	0.26	1.09	IC	-0.9	0.7	IC	1.3	1.4	IC	0.8	1.3	IC	0.2	1.1	1.1	IC
Swansea	48	-0.54	0.71	IC	-1.8	0.0	IC	2.2	2.2	IC	-0.6	0.7	IC	-1.4	0.0	0.0	IC
Taunton	68	5.07	2.98	*	3.5	2.3	*	8.4	4.3		5.2	2.9	*	4.1	3.7	3.7	IC
Templeton	7	-0.97	0.00	IC	-1.0	0.0	IC	-1.0	0.0	IC	-1.0	0.0	IC	-0.6	0.0	0.0	IC
Templeton Dev. Cent.	0	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA	NA	IC
Tewksbury	223	6.72	1.58	*	-4.4	0.6		9.8	1.9		7.1	1.6	*	5.3	1.5	1.5	*
Tisbury	26	0.80	1.34	IC	1.3	1.6	IC	0.8	1.3	IC	1.1	1.4	IC	1.3	5.3	5.3	IC
Tolland	0	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA	NA	IC
Topsfield	13	0.25	1.28	IC	-0.9	0.0	IC	0.9	2.0	IC	0.3	1.3	IC	0.6	1.7	1.7	IC

3. Search																	
Agency	Total Searched	Non-White % Diff	Non-White Ratio	Sig	Black Diff in %	Black Ratio	Sig	Hispanic Diff in %	Hispanic Ratio	Sig	Non-White Male Diff %	Non-White Male Ratio	Sig	Non-White % No Arrest	Non-White Diff Arrest Ratio	Non-White No Arrest Ratio	Sig
Townsend	58	5.71	2.77	*	13.0	5.0	*	2.7	1.8		6.9	2.9	*	2.4	3.4		IC
Truro	17	-1.24	0.00	IC	-1.3	0.0	IC	-1.3	0.0	IC	-1.4	0.0	IC	-0.8	0.0		IC
Tufts Univ.	0	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA	IC	0.0	NA		IC
Tyngsborough	12	-1.16	0.00	IC	-1.2	0.0	IC	-1.2	0.0	IC	-1.3	0.0	IC	-0.9	0.0		IC
Tyringham	0	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA	IC	0.0	NA		IC
UMass Amherst	14	-0.05	0.93	IC	-0.7	0.0	IC	2.5	4.5	IC	0.1	1.1	IC	-0.1	0.8		IC
UMass Boston	5	0.39	1.22	IC	-0.4	0.8	IC	4.4	3.3	IC	-0.4	0.8	IC	1.4	2.6		IC
UMass Dartmouth	23	19.74	3.35	IC	14.8	2.9	IC	25.5	4.2	IC	21.2	3.5	IC	17.8	3.9		IC
UMass Lowell	8	0.95	1.20	IC	10.7	4.0	IC	2.2	1.6	IC	2.3	1.6	IC	1.1	1.2		IC
UMass Worcester	8	14.61	6.77	IC	5.7	3.2	IC	22.4	9.6	IC	18.8	10.0	IC	9.8	4.6		IC
Upton	22	-0.35	0.73	IC	1.2	1.9	IC	-1.3	0.0	IC	-0.4	0.8	IC	0.4	1.6		IC
Uxbridge	19	0.57	1.21	IC	-2.8	0.0	IC	2.5	1.9	IC	1.0	1.3	IC	-1.8	0.0		IC
W. Boylston	29	1.92	2.35	IC	2.7	2.9	IC	1.2	1.8	IC	3.2	2.7	IC	0.8	1.6		IC
W. Bridgewater	128	2.23	1.58	*	2.4	1.6	*	1.6	1.4		2.1	1.5		1.4	1.8	*	
W. Brookfield	19	-1.96	0.00	IC	-2.0	0.0	IC	-2.0	0.0	IC	-2.5	0.0	IC	-1.4	0.0		IC
W. Newbury	15	2.09	2.84	IC	-1.1	0.0	IC	-1.1	0.0	IC	0.8	1.6	IC	2.9	4.2		IC
W. Springfield	21	0.40	1.57	IC	-0.1	0.9	IC	0.7	2.0	IC	0.1	1.1	IC	0.0	1.0		IC
W. Stockbridge	4	-0.44	0.00	IC	-0.4	0.0	IC	-0.4	0.0	IC	-0.7	0.0	IC	-0.4	0.0		IC
W. Tisbury	9	-2.77	0.00	IC	-2.8	0.0	IC	-2.8	0.0	IC	-3.7	0.0	IC	-1.4	0.0		IC
Wakefield	22	0.76	1.48	IC	1.0	1.6	IC	1.3	1.8	IC	1.1	1.6	IC	2.3	5.6		IC
Wales	9	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA		IC
Walpole	33	-0.71	0.58	IC	0.0	1.0	IC	-0.8	0.5	IC	-0.8	0.6	IC	-0.4	0.6		IC
Waltham	59	0.47	1.47		0.4	1.4	*	1.1	2.0		0.9	1.9	*	-0.1	0.9		IC
Ware	30	0.00	1.00	IC	1.4	2.0	IC	-1.4	0.0	IC	0.4	1.3	IC	0.4	1.3		IC
Wareham	71	2.51	2.25	*	2.8	2.4		-2.0	0.0		2.7	2.2	*	1.6	2.2		IC
Warren	7	-3.30	0.00	IC	-3.3	0.0	IC	-3.3	0.0	IC	-4.1	0.0	IC	-2.8	0.0		IC
Warwick	2	-2.41	0.00	IC	-2.4	0.0	IC	0.0	0.0	IC	-3.4	0.0	IC	-2.5	0.0		IC
Washington	0	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA	IC	NA	NA		IC
Watertown	18	0.09	2.10	IC	0.2	4.3	IC	0.1	2.4	IC	0.1	1.7	IC	0.0	1.0		IC
Wayland	19	-2.04	0.00	IC	-2.1	0.0	IC	-2.1	0.0	IC	-2.3	0.0	IC	-0.6	0.0		IC
Webster	31	5.58	3.33	IC	0.6	1.3	IC	9.1	4.8	IC	7.4	3.6	IC	1.8	2.3		IC

3. Search																	
Agency	Total Searched	Non-White % Diff	Non-White Ratio	Sig	Black Diff in %	Black Ratio	Sig	Hispanic Diff in %	Hispanic Ratio	Sig	Non-White Male Diff %	Non-White Male Ratio	Sig	Non-White % No Arrest	Non-White Diff Arrest Ratio	Non-White No Arrest Ratio	Sig
Wellesley	28	0.20	1.54	IC	0.5	2.4	IC	0.3	1.8	IC	0.2	1.4	IC	0.2	3.0	3.0	IC
Wellfleet	30	0.41	1.23	IC	2.5	2.4	IC	-1.8	0.0	IC	0.7	1.4	IC	-0.5	0.0	0.0	IC
Wendell	7	15.24	4.20	IC	20.2	5.3	IC	0.0	0.0	IC	14.3	3.5	IC	15.8	4.8	4.8	IC
Wenham	12	10.18	9.19	IC	11.2	10.0	IC	14.5	12.6	IC	12.9	7.9	IC	5.9	6.9	6.9	IC
Westborough	25	0.13	1.15	IC	-0.9	0.0	IC	1.0	2.1	IC	0.3	1.2	IC	0.6	2.2	2.2	IC
Westfield	44	0.48	1.67	IC	0.9	2.2	IC	0.2	1.3	IC	0.4	1.5	IC	0.0	1.0	1.0	IC
Westfield SC	9	18.80	4.03	IC	18.8	4.0	IC	0.0	0.0	IC	41.9	6.2	IC	20.1	5.1	5.1	IC
Westford	40	-0.54	0.55	IC	2.3	2.9	IC	-1.2	0.0	IC	-0.6	0.6	IC	-0.6	0.3	0.3	IC
Westhampton	1	-0.18	0.00	IC	-0.2	0.0	IC	-0.2	0.0	IC	-0.3	0.0	IC	-0.2	0.0	0.0	IC
Westminster	28	-0.03	0.98	IC	0.8	1.5	IC	0.1	1.0	IC	-0.2	0.9	IC	-0.3	0.7	0.7	IC
Weston	6	0.69	5.09	IC	2.2	13.7	IC	-0.2	0.0	IC	0.9	4.8	IC	0.2	3.0	3.0	IC
Westport	63	0.75	1.26	IC	2.3	1.8	IC	0.5	1.2	IC	0.8	1.2	IC	-1.7	0.0	0.0	IC
Westwood	2	-0.40	0.00	IC	-0.4	0.0	IC	-0.4	0.0	IC	-0.6	0.0	IC	-0.2	0.0	0.0	IC
Weymouth	119	0.14	1.09	IC	1.4	1.9	IC	-0.5	0.7	IC	0.1	1.0	IC	0.5	1.6	1.6	IC
Whitman	63	-0.25	0.79	IC	0.3	1.3	IC	-0.8	0.4	IC	-0.1	0.9	IC	0.5	1.6	1.6	IC
Wilbraham	36	2.28	2.65	IC	2.8	3.0	IC	2.1	2.6	IC	2.7	2.7	IC	1.9	2.7	2.7	IC
Williamsburg	10	4.71	11.18	IC	3.5	8.6	IC	-0.5	0.0	IC	5.7	11.8	IC	4.9	17.3	17.3	IC
Williamstown	15	0.20	1.16	IC	-1.3	0.0	IC	-1.3	0.0	IC	-1.6	0.0	IC	0.7	1.7	1.7	IC
Wilmington	65	2.53	2.88	*	5.3	4.9	*	2.2	2.6	IC	2.5	2.6	*	0.8	1.9	1.9	IC
Winchendon	71	3.93	1.46	IC	10.5	2.2	IC	-2.3	0.7	IC	7.5	1.9	IC	5.7	2.7	2.7	IC
Winchester	46	-2.40	0.46	IC	-4.5	0.0	IC	-1.0	0.8	IC	-4.7	0.2	IC	0.0	1.0	1.0	IC
Windsor	7	7.74	4.42	IC	17.7	8.8	IC	-2.3	0.0	IC	9.6	4.3	IC	8.5	6.7	6.7	IC
Winthrop	12	-1.43	0.00	IC	-1.4	0.0	IC	-1.4	0.0	IC	-1.7	0.0	IC	-1.2	0.0	0.0	IC
Woburn	89	0.31	1.27	IC	-0.1	0.9	IC	0.9	1.7	IC	0.5	1.4	IC	-0.2	0.7	0.7	IC
Worcester	107	0.66	3.17	*	0.4	2.4	*	0.9	4.0	IC	0.8	3.1	*	0.3	4.0	4.0	IC
Worcester Co. Sheriff	4	0.42	1.41	IC	1.6	2.6	IC	0.1	1.1	IC	1.7	2.3	IC	0.4	1.4	1.4	IC
Worthington	1	-0.61	0.00	IC	-0.6	0.0	IC	-0.6	0.0	IC	-0.8	0.0	IC	0.0	0.0	0.0	IC
Wrentham	62	-1.11	0.74	IC	-0.1	1.0	IC	-1.7	0.6	IC	-1.9	0.6	IC	-0.2	0.9	0.9	IC
Yarmouth	40	1.32	2.01	IC	2.5	2.9	IC	-1.3	0.0	IC	0.8	1.5	IC	-0.2	0.7	0.7	IC

3. Search																
Agency	Total Searched	Non-White % Diff	Non-White Ratio	Sig	Black Diff in %	Black Ratio	Sig	Hispanic Diff in %	Hispanic Ratio	Sig	Non-White Male Diff %	Non-White Male Ratio	Sig	Non-White No Arrest %	Non-White No Arrest Ratio	Sig
Boston Districts																
Boston (All)	872	0.4	*		0.5	*		0.5			0.6			0.3		*
Boston Area A	51	-0.3			0.3			-1.2			-0.3			-0.1		IC
Boston Area B	102	0.8	*		1.2			-0.1			0.9		*	0.4		
Boston Area C	90	1.3	*		1.3			1.2	*		1.8		*	0.6		IC
Boston Area D	51	0.7	*		0.5			1.9	*		0.7		*	0.5		IC
Boston Area E	36	-1.0	IC		-0.2			-2.2	IC		-1.1		IC	-1.1		IC
Boston Area F	48	1.3	IC		1.1			1.2	IC		0.9		IC	0.8		IC
Boston Area G	126	3.1	*		2.6			3.9	*		3.0		*	2.0		*
Boston Area H	159	0.4	*		0.5			0.2			0.6		*	0.2		
Boston Area J	31	0.2	IC		0.3			0.1	IC		0.2		IC	0.2		IC
Boston Area K	21	-0.3	IC		-0.4			-0.1	IC		-0.2		IC	-0.3		IC
Boston Area L	112	0.0			0.0			-0.4			0.1			-0.1		
Boston Special OPS	44	0.1	IC		0.1			0.0	IC		0.1		IC	0.0		IC
State Police																
State Police (All)	5,869	1.0	*		1.2	*		1.5	*		1.1		*	0.8		*
SP Other	327	2.1	*		2.5	*		2.5	*		2.6		*	1.2		*
SP Troop A	1,199	0.9	*		1.2	*		1.3	*		1.1		*	0.8		*
SP Troop B	1,214	1.2	*		1.3	*		1.4	*		1.3		*	1.0		*
SP Troop C	1,567	1.1	*		1.5	*		1.5	*		1.1		*	0.9		*
SP Troop D	682	1.2	*		1.4	*		1.3	*		1.4		*	0.8		*
SP Troop E	150	0.1	*		0.2	*		0.0	IC		0.2		*	0.1		*
SP Troop F	12	0.5	IC		-1.3	IC		3.2	IC		0.7		IC	-0.3		IC
SP Troop H	717	1.1	*		1.4	*		1.3	*		1.2		*	0.9*		*
SP Troop I	1	3.0	IC		-3.3	IC		-3.3	IC		-4.0		IC	0.0		IC

4. Summary Table Citations vs. Warnings

Agency	Total Citations	Warnings	Non-White Disparity	Non-White Ratio	Sig.	Black Disparity	Black Ratio	Sig.	Hispanic Disparity	Hispanic Ratio	Sig.	NW Male Disparity	NW Male Ratio	Sig.
Statewide	807,791	542,195	265,596	6.1	1.1	4.1	1.1	*	9.3	1.2	*	4.7	1.1	*
Abington	932	348	584	9.6	1.2	9.0	1.2	*	17.6	1.5		8.8	1.2	
Acton	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Acushnet	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Adams	587	210	377	9.5	1.2	20.3	1.6		-18.6	0.5		1.0	1.0	
Agawam	1,253	454	799	6.1	1.1	14.3	1.4		4.7	1.1		3.5	1.1	
Amesbury	1,618	845	773	14.4	1.4	8.3	1.2	*	11.3	1.2		8.1	1.1	
Amherst	2,434	563	1,871	-4.1	0.9	-7.2	0.7		3.1	1.1		-3.1	0.9	
AMTRAK	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Andover	3,606	2,279	1,327	14.0	1.6	3.3	1.1	*	19.4	1.3	*	11.5	1.2	*
Aquinnah	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Arlington	2,659	709	1,950	10.3	1.2	15.2	1.6	*	14.9	1.6	*	10.5	1.4	*
Ashburnham	898	310	588	-7.0	0.9	-20.7	0.4		5.0	1.1		-14.7	0.6	
Ashby	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Ashfield	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Ashland	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Athol	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Attleboro	3,199	2,747	452	-1.0	0.9	-1.5	1.0		-0.6	1.0		-0.4	1.0	
Auburn	1,763	1,375	388	6.0	1.4	1.2	1.0	*	8.4	1.1		2.3	1.0	
Avon	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Ayer	1,508	597	911	-1.1	1.0	-5.9	0.9		7.9	1.2		6.1	1.1	
B&M Railroad	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Barnstable	5,512	3,015	2,497	4.5	1.1	3.2	1.1	*	6.4	1.1		0.7	1.0	
Barre	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Becket	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Bedford	2,181	1,081	1,100	5.1	1.1	-4.6	0.9		2.1	1.0		1.2	1.0	
Belchertown	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Bellingham	1,928	1,215	713	15.0	1.6	17.8	1.3	*	11.4	1.2	*	12.8	1.2	*
Belmont	4,285	2,216	2,069	3.7	1.1	5.5	1.1		13.5	1.3	*	3.6	1.1	
Berkley	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Berlin	226	142	84	21.1	2.1	-9.8	0.8	*	32.2	1.5	*	22.0	1.3	*

4. Citations & Warnings		Total	Citations	Warnings	Non-White Disparity	Non-White Ratio	Sig.	Black Disparity	Black Ratio	Sig.	Hispanic Disparity	Hispanic Ratio	Sig.	NW Male Disparity	NW Male Ratio	Sig.
Bernardston	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Beverly	1,364	808	556	5.7	1.2	-	5.7	1.1	-	12.4	1.2	-	4.6	1.1	-	
Billerica	2,593	1,635	958	17.3	1.8	*	0.6	1.0	*	24.6	1.4	*	12.9	1.2	*	
Blackstone	1,231	560	671	17.9	1.5	*	2.3	1.1	*	27.4	1.6	*	12.4	1.3	*	
Blandford	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Bolton	676	122	554	6.7	1.1	-	-2.3	0.9	-	16.0	1.9	-	4.4	1.2	-	
Boston (All)	92,879	55,668	37,211	11.0	1.3	*	10.1	1.2	*	12.2	1.2	*	10.0	1.2	*	
Bourne	1,174	347	827	69.5	70.5	-	0.7	1.0	-	20.5	1.7	-	0.5	1.0	-	
Boxborough	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Boxford	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Boylston	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Braintree	3,031	1,028	2,003	8.3	1.1	*	3.3	1.1	*	19.4	1.6	*	4.8	1.1	*	
Brewster	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Bridgewater	5,565	1,419	4,146	12.3	1.2	*	10.9	1.4	*	21.6	1.9	*	10.2	1.3	*	
Bridgewater SC	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Brimfield	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Brockton	6,982	5,495	1,487	-1.6	0.9	-	-0.7	1.0	-	-4.5	0.9	-	-0.7	1.0	-	
Brookfield	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Brookline	11,934	6,056	5,878	2.9	1.1	*	-2.8	0.9	*	7.1	1.1	*	1.9	1.0	*	
Buckland	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Bunker Hill CC	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Burlington	4,760	2,248	2,512	3.5	1.1	-	-4.8	0.9	-	9.9	1.2	-	-3.2	0.9	-	
Cambridge	12,446	5,245	7,201	6.0	1.1	*	5.6	1.1	*	8.4	1.2	*	4.6	1.1	*	
Canton	2,253	945	1,308	2.8	1.1	-	-1.7	1.0	-	18.3	1.4	*	-1.4	1.0	*	
Carlisle	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Carver	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Charlton	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Charlton	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Chatham	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Chelmsford	2,261	1,254	1,007	3.6	1.1	-	2.2	1.0	-	-1.0	1.0	-	2.8	1.0	-	
Chelsea	4,403	3,547	856	3.9	1.2	*	-2.7	1.0	*	5.5	1.1	*	3.2	1.0	*	

4. Citations & Warnings		Total	Citations	Warnings	Non-White Disparity	Non-White Ratio	Sig.	Black Disparity	Black Ratio	Sig.	Hispanic Disparity	Hispanic Ratio	Sig.	NW Male Disparity	NW Male Ratio	Sig.
Cheshire	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Chester	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Chesterfield	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Chicopee	3,818	2,145	1,673	11.9	1.4	*	12.5	1.2	*	11.7	1.2	*	9.2	1.2	*	
Chilmark	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Clarksburg	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Clinton	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Cohasset	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Colrain	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Concord	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Conway	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
CSX	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Cummington	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Dalton	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Danvers	3,574	1,537	2,037	0.6	1.0	-	0.1	1.0	-	2.6	1.1	-	-1.3	1.0	-	
Dartmouth	1,122	717	405	5.4	1.2	-	3.8	1.1	-	13.2	1.2	-	9.0	1.1	-	
Dedham	3,358	1,577	1,781	1.0	1.0	-	-1.8	1.0	-	9.2	1.2	*	-0.3	1.0	-	
Deerfield	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Dennis	1,975	770	1,205	3.9	1.1	-	2.0	1.1	-	13.5	1.3	-	1.3	1.0	-	
Dighton	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Douglas	1,225	391	834	0.4	1.0	-	-8.0	0.7	-	1.5	1.0	-	-11.5	0.7	-	
Dover	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Dracut	2,151	518	1,633	11.3	1.2	*	9.7	1.4	*	19.6	1.9	*	9.1	1.3	-	
Dudley	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Dunstable	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Duxbury	1,702	291	1,411	9.1	1.1	-	11.3	1.7	-	16.6	2.0	-	7.7	1.4	-	
E. Bridgewater	1,118	639	479	14.7	1.5	*	14.0	1.2	*	19.9	1.4	-	13.9	1.2	-	
E. Brookfield	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
E. Longmeadow	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Eastham	2,554	941	1,613	1.7	1.0	-	-1.7	1.0	-	-4.3	0.9	-	-0.4	1.0	-	
Easthampton	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

4. Citations & Warnings		Total	Citations	Warnings	Non-White Disparity	Non-White Ratio	Sig.	Black Disparity	Black Ratio	Sig.	Hispanic Disparity	Hispanic Ratio	Sig.	NW Male Disparity	NW Male Ratio	Sig.
Easton	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Edgartown	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Egremont	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Environmental PD	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Erving	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Essex	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Everett	2,644	1,870	774	-	4.6	1.2	*	-0.6	1.0	*	9.0	1.1	*	2.1	1.0	-
Fairhaven	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Fall River	9,801	8,527	1,274	-	1.5	1.1	-	-2.6	1.0	-	4.2	1.0	-	1.9	1.0	-
Falmouth	4,999	1,196	3,803	-	5.7	1.1	*	6.9	1.3	*	1.9	1.1	-	3.1	1.1	-
Fernald State School	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Fitchburg	2,428	917	1,511	-	9.9	1.2	*	-9.9	0.7	*	15.3	1.4	-	11.0	1.3	*
Foxborough	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Framingham	6,027	3,454	2,573	-	5.1	1.1	*	-4.1	0.9	*	9.7	1.2	-	5.0	1.1	*
Franklin	2,683	967	1,716	-	5.5	1.1	-	-6.2	0.8	-	16.7	1.5	-	8.3	1.2	-
Freetown	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Gardner	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Georgetown	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Gill	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Gloucester	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Goshen	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Grafton	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Granby	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Granville	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Greenfield	1,127	604	523	-	1.6	1.0	-	13.3	1.2	-	4.5	1.1	-	5.4	1.1	-
Groton	653	249	404	-	-0.7	1.0	-	-9.5	0.8	-	6.3	1.2	-	-7.0	0.8	-
Groveland	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Gt. Barrington	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Hadley	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Halifax	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Hamilton	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

4. Citations & Warnings		Total	Citations	Warnings	Non-White Disparity	Non-White Ratio	Sig.	Black Disparity	Black Ratio	Sig.	Hispanic Disparity	Hispanic Ratio	Sig.	NW Male Disparity	NW Male Ratio	Sig.
Hampden	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Hanover	1,685	990	695	-	0.2	1.0	-	-7.3	0.9	-	9.5	1.2	-	-0.3	1.0	-
Hanson	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Hardwick	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Harvard	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Harwich	1,146	330	816	-	4.4	1.1	7.1	7.1	1.2	-	-1.2	1.0	-	5.2	1.2	-
Hatfield	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Haverhill	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Heath	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Hingham	1,741	617	1,124	-	8.3	1.1	10.5	10.5	1.3	-	13.3	1.4	-	5.7	1.1	-
Hinsdale	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Holbrook	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Holden	1,794	646	1,148	-	3.6	1.1	6.9	6.9	1.2	-	14.3	1.4	-	-4.3	0.9	-
Holland	191	51	140	-	40.6	2.2	73.9	73.9	3.8	-	73.9	3.8	-	71.1	3.5	*
Holliston	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Holyoke	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Hopevale	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Hopkinton	1,231	649	582	-	1.5	1.0	-6.8	-6.8	0.9	-	5.3	1.1	-	-3.0	0.9	-
Hubbardston	576	247	329	-	5.4	1.1	-5.1	-5.1	0.9	-	24.1	1.6	-	3.8	1.1	-
Hudson	1,830	497	1,333	-	15.3	1.3	-7.8	-7.8	0.7	*	25.1	2.0	*	11.2	1.4	*
Hull	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Huntington	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Ipswich	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Kingston	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Lakeville	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Lancaster	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Lanesborough	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Lawrence	7,735	5,385	2,350	-	5.7	1.2	-1.8	-1.8	1.0	*	6.0	1.1	*	5.4	1.1	*
Lee	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Leicester	1,022	549	473	-	15.2	1.5	13.7	13.7	1.3	*	19.1	1.4	*	8.2	1.2	*
Lenox	1,738	719	1,019	-	6.1	1.1	4.7	4.7	1.1	-	18.2	1.4	-	1.0	1.0	-

4. Citations & Warnings		Total	Citations	Warnings	Non-White Disparity	Non-White Ratio	Sig.	Black Disparity	Black Ratio	Sig.	Hispanic Disparity	Hispanic Ratio	Sig.	NW Male Disparity	NW Male Ratio	Sig.
Leominster	1,541	762	779		8.7	1.2	*	1.4	1.0	*	12.7	1.3	*	11.2	1.2	*
Leverett	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
Lexington	2,344	1,379	965		11.8	1.4	*	0.6	1.0	*	4.1	1.1	-	9.3	1.2	*
Leyden	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
Lincoln	1,599	764	835		12.9	1.3	*	11.8	1.3	*	18.4	1.4	*	9.0	1.2	-
Littleton	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
Longmeadow	1,217	289	928		4.3	1.1	-	0.7	1.0	-	18.4	1.8	*	3.7	1.1	-
Lowell	4,073	3,291	782		-0.1	1.0	-	-4.0	1.0	-	3.2	1.0	-	-1.4	1.0	-
Ludlow	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
Lunenburg	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
Lynn	10,334	6,493	3,841		2.2	1.1	*	21.4	1.6	*	28.3	1.7	*	3.8	1.1	*
Lynnfield	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
MA Maritime Police	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
Malden	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
Manchester	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
Mansfield	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
Marblehead	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
Marion	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
Marlborough	4,227	2,489	1,738		12.1	1.4	*	8.6	1.2	*	14.8	1.3	*	9.4	1.2	*
Marshfield	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
Mashpee	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
Massasoit CC	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
Mattapoiset	776	178	598		6.6	1.1	-	-4.2	0.8	-	25.0	2.1	8	3.9	1.1	-
Maynard	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
MBTA	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
Medfield	518	88	430		8.3	1.1	-	16.5	2.0	-	8.2	1.5	-	3.6	1.2	-
Medford	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
Medway	1,582	311	1,271		21.6	1.4	*	24.5	2.4	*	22.1	2.2	*	21.5	2.0	*
Melrose	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
Mendon	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
Merrimac	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-

4. Citations & Warnings		Total	Citations	Warnings	Non-White Disparity	Non-White Ratio	Sig.	Black Disparity	Black Ratio	Sig.	Hispanic Disparity	Hispanic Ratio	Sig.	NW Male Disparity	NW Male Ratio	Sig.
Methuen		2,580	1,486	1,094	9.6	1.3	*	1.5	1.0	-	10.4	1.2	*	7.8	1.1	*
Metro Police Lwr. Basin		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Metro Police Marine		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Middleborough		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Middleton		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Milford		1,686	443	1,243	15.5	1.3	*	5.9	1.2	-	26.4	2.1	*	14.0	1.5	*
Millbury		415	226	189	13.1	1.4		13.3	1.2		21.6	1.4		18.7	1.3	
Millis		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Millville		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Milton		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Monroe		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Monson		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Montague		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Monterey		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Mt Wachusett CC		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
N. Adams		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
N. Andover		2,846	1,896	950	11.7	1.5	*	6.0	1.1	-	15.0	1.2	*	8.6	1.1	*
N. Attleborough		2,452	1,649	803	0.8	1.0		-19.5	0.7		10.4	1.2	*	-3.2	1.0	*
N. Brookfield		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
N. Reading		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Nahant		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Nantucket		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Natick		4,959	3,496	1,463	6.5	1.3	*	4.0	1.1	-	7.1	1.1	*	2.6	1.0	*
Needham		1,517	422	1,095	9.2	1.1	*	2.8	1.1	-	15.4	1.6	*	13.6	1.5	*
New Bedford		2,669	1,926	743	6.9	1.3	*	4.2	1.1	-	12.3	1.2	*	4.5	1.1	*
New Braintree		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
New Marlborough		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
New Salem		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Newbury		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Newburyport		1,961	782	1,179	13.9	1.3	*	-3.8	0.9	-	6.7	1.2	-	1.1	1.0	-
Newton		9,301	2,918	6,383	1.9	1.0		-4.9	0.8	-	6.3	1.2	*	2.9	1.1	*

4. Citations & Warnings		Total	Citations	Warnings	Non-White Disparity	Non-White Ratio	Sig.	Black Disparity	Black Ratio	Sig.	Hispanic Disparity	Hispanic Ratio	Sig.	NW Male Disparity	NW Male Ratio	Sig.
Norfolk	900	177	723		-1.5	1.0		-7.2	0.6		10.3	1.5		0.6	1.0	
Northampton	1,989	1,134	855		7.6	1.2	*	6.9	1.1		7.9	1.1		7.3	1.1	
Northborough	-	-	-		-	-	-	-	-		-	-		-	-	
Northbridge	2,137	326	1,811		2.0	1.0		-5.8	0.6		12.1	1.8		1.2	1.1	
Northfield	-	-	-		-	-		-	-		-	-		-	-	
Norton	840	308	532		-6.2	0.9		-1.6	1.0		-5.5	0.9		-4.4	0.9	
Norwell	-	-	-		-	-		-	-		-	-		-	-	
Norwood	3,259	1,192	2,067		9.4	1.2	*	6.3	1.2		19.5	1.5	*	9.8	1.3	*
Oak Bluffs	-	-	-		-	-		-	-		-	-		-	-	
Oakham	-	-	-		-	-		-	-		-	-		-	-	
Orange	-	-	-		-	-		-	-		-	-		-	-	
Orleans	-	-	-		-	-		-	-		-	-		-	-	
Otis	-	-	-		-	-		-	-		-	-		-	-	
Oxford	-	-	-		-	-		-	-		-	-		-	-	
Palmer	1,772	746	1,026		11.7	1.3	*	8.3	1.2		40.1	2.0	*	11.0	1.2	
Paxton	-	-	-		-	-		-	-		-	-		-	-	
Peabody	3,141	1,709	1,432		12.7	1.4	*	3.3	1.1		18.3	1.3	*	7.7	1.1	*
Pelham	-	-	-		-	-		-	-		-	-		-	-	
Pembroke	-	-	-		-	-		-	-		-	-		-	-	
Pepperell	1,105	275	830		4.8	1.1		-24.5	0.0		14.0	1.6		0.1	1.0	
Peru	-	-	-		-	-		-	-		-	-		-	-	
Petersham	-	-	-		-	-		-	-		-	-		-	-	
Phillipston	-	-	-		-	-		-	-		-	-		-	-	
Pittsfield	1,950	1,165	785		-2.2	0.9		-11.0	0.8		18.2	1.3	*	-1.1	1.0	
Plainfield	-	-	-		-	-		-	-		-	-		-	-	
Plainville	-	-	-		-	-		-	-		-	-		-	-	
Plymouth	5,211	1,373	3,838		8.4	1.1	*	4.2	1.2		23.1	1.9	*	8.8	1.3	*
Plympton	-	-	-		-	-		-	-		-	-		-	-	
Princeton	-	-	-		-	-		-	-		-	-		-	-	
Provincetown	364	149	215		12.6	1.3		13.3	1.3		-7.2	0.8		18.1	1.4	
Quincy	4,014	837	3,177		8.3	1.1	*	4.7	1.2		16.6	1.9	*	6.6	1.3	*

4. Citations & Warnings		Total	Citations	Warnings	Non-White Disparity	Non-White Ratio	Sig.	Black Disparity	Black Ratio	Sig.	Hispanic Disparity	Hispanic Ratio	Sig.	NW Male Disparity	NW Male Ratio	Sig.
Randolph	1,909	1,219	690		9.1	1.3	*	8.2	1.1	*	13.1	1.2	*	8.7	1.1	*
Raynham	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
Reading	1,995	164	1,831		5.3	1.1	-	4.0	1.5	-	5.8	1.7	-	4.5	1.4	-
Registry of MV	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
Rehoboth	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
Revere	2,973	2,133	840		19.3	2.5	*	17.9	1.3	*	21.2	1.3	*	15.6	1.2	*
Rochester	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
Rockland	1,769	1,032	737		14.1	1.5	*	5.6	1.1	*	29.0	1.5	*	13.5	1.2	*
Rockport	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
Rowe	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
Rowley	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
Royalston	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
Rutland	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
S. Hadley	489	253	236		12.2	1.3	-	17.3	1.7	-	-5.6	0.8	-	-3.5	0.9	-
Salem	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
Salisbury	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
Sandisfield	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
Sandwich	655	170	485		6.7	1.1	-	-4.0	0.8	-	-20.7	0.0	-	1.4	1.1	-
Saugus	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
Savoy	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
Scituate	454	93	361		-3.9	1.0	-	-29.1	0.5	-	2.8	1.0	-	-15.0	0.8	-
Seekonk	2,142	1,258	884		-12.5	0.8	-	-31.0	0.6	-	-31.0	0.6	-	-27.5	0.7	-
Sharon	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
Sheffield	227	181	46		-30.8	0.4	-	8.6	1.2	-	5.8	1.1	-	3.2	1.1	-
Shelburne	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
Sherborn	996	418	578		5.9	1.1	-	2.9	1.1	-	4.2	1.2	-	3.9	1.2	-
Shirley	489	105	384		4.5	1.1	*	11.9	1.2	*	22.7	1.5	*	10.2	1.2	*
Shrewsbury	3,444	1,763	1,681		15.6	1.4	*	4.1	1.1	*	27.1	1.8	*	6.8	1.2	*
Shutesbury	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
Somerset	2,056	681	1,375		11.8	1.2	*	0.0	1.0	*	6.8	1.1	*	3.0	1.0	*
Somerville	2,368	1,812	556		3.8	1.2	*	5.8	1.1	*	16.5	1.3	*	10.6	1.2	*

4. Citations & Warnings		Total	Citations	Warnings	Non-White Disparity	Non-White Ratio	Sig.	Black Disparity	Black Ratio	Sig.	Hispanic Disparity	Hispanic Ratio	Sig.	NW Male Disparity	NW Male Ratio	Sig.
Somerville Housing Auth.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Southampton	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Southborough	1,509	581	928		1.4	1.0	-3.4	0.9		*	9.5	1.2		-2.8	0.9	
Southbridge	950	584	366		-2.3	0.9	-6.2	0.9			1.5	1.0		-0.9	1.0	
Southwick	485	175	310		34.0	2.1	40.0	2.1		*	22.1	1.6		31.7	1.8	
Spencer	-	-	-		-	-	-	-		-	-	-		-	-	-
Springfield	10,471	6,409	4,062		10.8	1.3	7.6	1.1		*	13.9	1.2		9.6	1.2	*
State Fire Marshal	-	-	-		-	-	-	-		-	-	-		-	-	-
State Police (All)	346,137	297,615	48,522		-0.2	1.0	-2.0	1.0		-	0.2	1.0		-0.7	1.0	-
Sterling	-	-	-		-	-	-	-		-	-	-		-	-	-
Stockbridge	-	-	-		-	-	-	-		-	-	-		-	-	-
Stoneham	-	-	-		-	-	-	-		-	-	-		-	-	-
Stoughton	1,717	1,370	347		4.1	1.2	-1.8	1.0			14.8	1.2		2.8	1.0	*
Stow	-	-	-		-	-	-	-		-	-	-		-	-	-
Sturbridge	1,595	1,080	515		13.6	1.7	2.5	1.0		*	16.8	1.3		11.1	1.2	*
Sudbury	2,629	692	1,937		12.6	1.2	4.5	1.2		*	18.1	1.7		12.2	1.4	*
Sunderland	-	-	-		-	-	-	-		-	-	-		-	-	-
Sutton	-	-	-		-	-	-	-		-	-	-		-	-	-
Swampscott	-	-	-		-	-	-	-		-	-	-		-	-	-
Swansea	-	-	-		-	-	-	-		-	-	-		-	-	-
Taunton	1,342	816	526		3.4	1.1	4.2	1.1			2.5	1.0		1.6	1.0	-
Templeton	-	-	-		-	-	-	-		-	-	-		-	-	-
Templeton Dev. Cent.	-	-	-		-	-	-	-		-	-	-		-	-	-
Tewksbury	-	-	-		-	-	-	-		-	-	-		-	-	-
Tisbury	-	-	-		-	-	-	-		-	-	-		-	-	-
Tolland	-	-	-		-	-	-	-		-	-	-		-	-	-
Topsfield	-	-	-		-	-	-	-		-	-	-		-	-	-
Townsend	1,145	351	794		4.6	1.1	2.9	1.1			12.5	1.4		0.0	1.0	-
Truro	590	303	287		21.6	1.7	32.0	1.7		*	1.0	1.0		21.5	1.4	*
Tufts University	-	-	-		-	-	-	-		-	-	-		-	-	-
Tyngsborough	1,134	574	560		-1.1	1.0	-0.4	1.0		-	-0.4	1.0		3.3	1.1	-

4. Citations & Warnings		Total	Citations	Warnings	Non-White Disparity	Non-White Ratio	Sig.	Black Disparity	Black Ratio	Sig.	Hispanic Disparity	Hispanic Ratio	Sig.	NW Male Disparity	NW Male Ratio	Sig.
Tyringham	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Univ Of Mass Amherst	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Univ Of Mass Boston	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Univ Of Mass Dartmouth	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Univ Of Mass Lowell	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Univ Of Mass Worcester	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Upton	1,287	468	819	15.1	1.3	*	5.4	1.2	*	25.6	1.7	*	8.7	1.2	*	
Uxbridge	920	159	761	4.2	1.1		5.0	1.3		7.8	1.5		11.1	1.6		
W. Boylston	867	409	458	1.3	1.0		-1.7	1.0		9.5	1.2		-7.3	0.9		
W. Bridgewater	1,482	914	568	9.7	1.3	*	5.0	1.1	*	15.4	1.3	*	7.8	1.1	*	
W. Brookfield	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
W. Newbury	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
W. Springfield	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
W. Stockbridge	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
W. Tisbury	488	64	424	17.5	1.2	*	15.2	2.3	*	54.6	5.5	*	19.6	2.4	*	
Wakefield	1,122	372	750	14.4	1.3	*	17.4	1.5	*	34.1	2.0	*	26.7	1.7	*	
Wales	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Walpole	1,375	516	859	17.8	1.4	*	6.8	1.2	*	36.6	2.0	*	11.7	1.3	*	
Waltham	7,919	2,617	5,302	5.1	1.1	*	1.9	1.1	*	9.6	1.3	*	4.6	1.1	*	
Ware	663	345	318	4.1	1.1		12.3	1.2		5.1	1.1		1.5	1.0		
Wareham	-	-	-	-	-	-	5.3	1.1		1.5	1.0		3.0	1.0		
Warren	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Warwick	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Washington	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Watertown	8,799	6,018	2,781	5.7	1.2	*	4.4	1.1	*	9.9	1.1	*	3.3	1.0	*	
Wayland	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Webster	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Wellesley	4,618	2,207	2,411	9.0	1.2	*	4.0	1.1	*	12.4	1.3	*	7.3	1.1	*	
Wellfleet	1,371	571	800	-2.9	1.0		-12.8	0.7		13.9	1.3		-7.9	0.8		
Wendell	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Wenham	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

4. Citations & Warnings		Total	Citations	Warnings	Non-White Disparity	Non-White Ratio	Sig.	Black Disparity	Black Ratio	Sig.	Hispanic Disparity	Hispanic Ratio	Sig.	NW Male Disparity	NW Male Ratio	Sig.
Westborough	2,923	1,101	1,822		3.0	1.1		-5.1	0.9		10.1	1.3	*	5.1	1.1	
Westfield	2,730	1,410	1,320		6.8	1.2	*	5.1	1.1	*	7.8	1.2		5.8	1.1	
Westfield SC	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
Westford	2,284	1,021	1,263		3.4	1.1		-10.9	0.8		9.4	1.2		-3.5	0.9	
Westhampton	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
Westminster	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
Weston	1,781	812	969		3.2	1.1	*	8.0	1.2	*	14.8	1.3	*	3.0	1.1	
Westport	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
Westwood	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
Weymouth	5,109	2,797	2,312		9.1	1.2	*	6.7	1.1	*	8.0	1.1		6.8	1.1	*
Whately	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
Whitman	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
Wilbraham	1,507	619	888		-3.0	1.0		-1.0	1.0		-7.4	0.8		-9.0	0.8	
Williamsburg	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
Williamstown	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
Wilmington	3,081	1,394	1,687		2.2	1.0		2.2	1.0		7.7	1.2		1.9	1.0	
Winchendon	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
Winchester	1,678	325	1,353		2.4	1.0		-1.1	0.9		1.5	1.1		2.8	1.1	
Windsor	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
Winthrop	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
Woburn	3,815	2,465	1,350		2.2	1.1		-2.0	1.0		5.9	1.1		0.4	1.0	
Worcester	11,106	9,400	1,706		5.7	1.5	*	2.4	1.0	*	7.6	1.1	*	5.2	1.1	*
Worcester Co. Sheriff	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
Worthington	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
Wrentham	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-
Yarmouth	903	405	498		11.4	1.3	*	19.2	1.4	*	1.8	1.0	*	7.9	1.2	
Boston Police Department Districts																
Boston (All)	92,879	55,668	37,211	11.0	1.3	*	10.1	1.2	*	26.2	1.2	*	26.2		*	
District A1 and A15	5,513	2,431	3,082	3.1	1.1	*	5.6	1.1	*	0.9	1.0		0.9			
District B2	4,468	2,578	1,890	4.9	1.1	*	2.5	1.0	*	5.9	1.2	*	5.9			

4. Citations & Warnings		Total	Citations	Warnings	Non-White Disparity	Non-White Ratio	Sig.	Black Disparity	Black Ratio	Sig.	Hispanic Disparity	Hispanic Ratio	Sig.	NW Male Disparity	NW Male Ratio	Sig.
District B3	4,347	2,207	2,140	-1.7	1.0	*	-2.6	1.0			1.1		-2.6			
District D4	8,535	3,897	4,638	11.6	1.2	*	11.6	1.3	*		1.4	*	10.9			
District E5	8,364	773	7,591	1.3	1.0	*	4.3	1.5	*		1.9	*	3.7			
District C6	4,315	1,487	2,828	12.4	1.2	*	9.8	1.3	*		1.5	*	15.5			
District A7	NA	NA	NA	NA	NA	NA	NA	NA	NA		NA	NA	0.0			
District C11	8,905	5,127	995	5.2	1.3	*	4.0	1.1	*		1.1	*	4.5			
District E13	4,232	2,165	2,067	11.1	1.2	*	6.6	1.1	*		1.4	*	12.1			
District D14	6,386	2,361	4,025	7.3	1.1	*	-0.2	1.0	*		1.2	*	6.3			
District E18	5,799	4,002	1,797	7.5	1.3	*	5.4	1.1	*		1.2	*	9.2			
BPD Special Ops	32,015	26,454	5,561	2.4	1.2	*	0.3	1.0	*		1.1	*	2.5			

Massachusetts State Police Units

State Police (All)	346,137	297,615	48,522	-0.2	1.0		-2.0	1.0			1.0					
SP Other (All)	14,582	12,656	1,926	-1.8	0.9		-6.0	0.9			1.1	*				
SP Troop A (All)	53,629	48,026	5,603	1.2	1.1	*	-0.5	1.0			1.0	*				
SP Troop B (All)	49,228	39,904	9,324	0.3	1.0		-1.4	1.0			1.0					
SP Troop C (All)	64,418	54,459	9,959	-0.4	1.0		-2.8	1.0			1.0					
SP Troop D (All)	53,793	43,930	9,863	-1.6	0.9		-2.7	1.0			1.0					
SP Troop E (All)	66,546	60,152	6,394	-2.0	0.8		-3.0	1.0			1.0					
SP Troop F (All)	281	168	113	16.0	1.6	*	21.8	1.4			1.2					
SP Troop H (All)	43,630	38,320	5,310	-0.7	0.9		-2.2	1.0			1.0					
SP Troop I (All)	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

FULL TASK FORCE MEMBERS

Name	Title	Organization
Community:		
Lenny Alkins	President	NAACP-Boston Chapter
Mary Bonauto	Civil Rights Director	Gay and Lesbian Advocates and Defenders
Jeffrey Brown	Pastor & Founder	Union Baptist Church/Boston Ten-Point Coalition
Al Cardarelli	Professor	UMASS-Boston
Lee Charlton	President	NAACP - New Bedford Chapter
Ray Hammond	President	Boston Ten Point Coalition
Rob Leikind	Executive Director	Anti-Defamation League of New England
John T. Lu	Associate Justice	Boston Municipal Court Department
Jacinta Ma	Legal and Advocacy	Civil Rights Project at Harvard University
Ron Madnick	Executive Director	ACLU-Worcester, Massachusetts
Janina Mollett	President	NAACP- Springfield Chapter
William Newman	Executive Director	ACLU-Northampton, Massachusetts
John Reed	President	NAACP - Cape and Islands Chapter
Lisa Riddick	President	NAACP-Merrimack Valley Chapter
William Rodriguez	Executive	La Alianza Hispana and Director Co-Chair of Institute on Race and Justice Advisory Board
Carol Rose	Executive Director	ACLU- Massachusetts (Boston)
Martin Rosenthal	Attorney	Brookline, Massachusetts
Henry M. Thomas, III	President & CEO	Urban League of Springfield
Juan Vega	Executive Director	Center Latino Chelsea
Darnell L. Williams	President & Chief	Urban League of Eastern Massachusetts
Samuel Williams	Director of Transitional Employment	Youth Opportunity Boston and Co-Chair of Institute on Race & Justice Advisory Board
District Attorneys:		
Andrea Cabral	Sheriff	Suffolk County Sheriff
Dan Conley	District Attorney	Suffolk County District Attorney
Sandra Edwards	Assist. District Attorney	Plymouth County District Attorney
Michael O'Keefe	First Assistant	Cape and Islands District Attorney

Federal Government

Michael J. Sullivan US Attorney United States Attorneys Office

Law Enforcement:

Kelly Apt	Chief	New Bedford Police Department
Christina Beaumud	Legal Advisor	Cambridge Police Department
Joseph Carter	Chief	MBTA Police Department
Edward F. Davis, III	Chief	Lowell Police Department
Ann Marie Doherty	Superintendent	Boston Police Department
Paul Evans	Commissioner	Boston Police Department
John Finnegan	Chief	Barnstable Police Department
Tom Foley	Col.	Massachusetts State Police
Paula Meara	Chief	Springfield Police Department
Kevin Mearn	Chief	Milton Police Department
Merrick Association	President	Massachusetts Police Chiefs
Daniel C. O'Leary	Chief	Brookline Police Department
Peter Scott	Captain	Brookline Police Department
Ronnie Watson	Commissioner	Cambridge Police Department

Legislators

Stanley Rosenberg	Senator	Hampshire/Franklin District
Byron Rushing	State Representative	9 th Suffolk District
Reed Hillman	State Representative	1 st Hamden District
Diane Wilkerson	Senator	2 nd Suffolk District
		Commonwealth of Massachusetts

State Government Officials

Erin Devoney	Legal Council	Registry of Motor Vehicles
Kimberly Hinden	Registrar	Registry of Motor Vehicles
Mary Ann Mulhall	Director	Registry of Motor Vehicles and Merritt Rating Board

ATTACHMENT 2



**COMMONWEALTH OF MASSACHUSETTS
SUFFOLK COUNTY CRIMINAL
Public Docket Report**

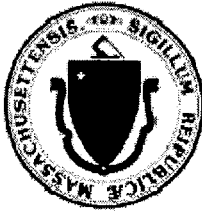
0184CR10467 Commonwealth vs. Holloway, Dale CKA Holloway, Jr., Dale

CASE TYPE: Indictment	FILE DATE: 05/24/2001
ACTION CODE: 265/18/F-0	CASE TRACK: I - Inventory
DESCRIPTION: ASSAULT TO ROB, ARMED c265 §18(b)	
CASE DISPOSITION DATE: 05/14/2003	CASE STATUS: Open
CASE DISPOSITION: Disposed by Plea	STATUS DATE: 05/24/2001
CASE JUDGE:	CASE SESSION: Criminal 1

DCM TRACK		
Tickler Description	Due Date	Completion Date

PARTIES	
Prosecutor Commonwealth	Private Counsel 550269 E Michael Sullivan Massachusetts Bar 171 Winter St Westwood, MA 02090 Work Phone (617) 943-5380 Added Date: 02/15/2006
Defendant Holloway, Dale 35 Cabot St. Brockton, MA 02302	

PARTY CHARGES					
#	Offense Date/ Charge	Code	Town	Disposition	Disposition Date
1	03/21/2001 ASSAULT TO ROB, ARMED c265 §18(b)	265/18/F-0		Guilty Plea	05/14/2003
2	03/21/2001 A&B WITH DANGEROUS WEAPON +60 c265 §15A(a)	265/15A/B-1		Guilty Plea	05/14/2003



**COMMONWEALTH OF MASSACHUSETTS
SUFFOLK COUNTY CRIMINAL
Public Docket Report**

EVENTS

Date	Session	Event	Result	Resulting Judge
06/04/2001	Magistrate's Session	Arraignment	Held as Scheduled	
07/11/2001	Magistrate's Session	Pre-Trial Conference	Held as Scheduled	
07/19/2001	Magistrate's Session	Pre-Trial Conference	Held as Scheduled	
08/01/2001	Magistrate's Session	Pre-Trial Conference	Rescheduled	
08/29/2001	Magistrate's Session	Pre-Trial Conference	Rescheduled	
09/04/2001	Magistrate's Session	Pre-Trial Conference	Rescheduled	
09/12/2001	Criminal 1	Bail Review	Rescheduled	
09/20/2001	Magistrate's Session	Bail Review	Held as Scheduled	
10/22/2001	Magistrate's Session	Hearing RE: Discovery Motion(s)	Held as Scheduled	
11/27/2001	Criminal 1	Lobby Conference	Rescheduled	
12/28/2001	Criminal 1	Lobby Conference	Rescheduled	
01/24/2002	Criminal 1	Lobby Conference	Rescheduled	
01/25/2002	Criminal 1	Lobby Conference	Rescheduled	
01/28/2002	Criminal 1	Lobby Conference	Held as Scheduled	
02/28/2002	Criminal 1	Hearing for Change of Plea	Rescheduled	
03/26/2002	Criminal 1	Hearing for Change of Plea	Canceled	
04/29/2002	Criminal 1	Trial Assignment Conference	Rescheduled	
06/04/2002	Magistrate's Session	Trial Assignment Conference	Held as Scheduled	
06/05/2002	Magistrate's Session	Hearing for Appearance / Appointment of Counsel	Held as Scheduled	
06/24/2002	Magistrate's Session	Hearing for Appearance / Appointment of Counsel	Rescheduled	
07/03/2002	Magistrate's Session	Hearing for Appearance / Appointment of Counsel	Held as Scheduled	
07/26/2002	Magistrate's Session	Hearing RE: Discovery Motion(s)	Held as Scheduled	
08/22/2002	Magistrate's Session	Hearing RE: Discovery Motion(s)	Held as Scheduled	
09/24/2002	Magistrate's Session	Status Review	Held as Scheduled	
10/11/2002	Magistrate's Session	Hearing RE: Discovery Motion(s)	Held as Scheduled	
11/06/2002	Criminal 1	Bail Review via Video Conference	Held as Scheduled	
11/19/2002	Magistrate's Session	Lobby Conference	Not Held	
11/19/2002	Criminal 1	Lobby Conference	Rescheduled	



**COMMONWEALTH OF MASSACHUSETTS
SUFFOLK COUNTY CRIMINAL
Public Docket Report**

12/16/2002	Criminal 1	Lobby Conference	Rescheduled
12/23/2002	Criminal 1	Lobby Conference	Held as Scheduled
01/08/2003	Criminal 1	Hearing for Change of Plea	Canceled
01/17/2003	Criminal 1	Lobby Conference	Held as Scheduled
02/03/2003	Criminal 1	Hearing for Change of Plea	Rescheduled
02/13/2003	Criminal 1	Hearing for Change of Plea	Not Held
02/27/2003	Criminal 1	Hearing for Change of Plea	Rescheduled
03/20/2003	Magistrate's Session	Trial Assignment Conference	Held as Scheduled
04/07/2003	Criminal 6	Hearing for Change of Plea	Not Held
04/07/2003	Criminal 1	Hearing for Change of Plea	Rescheduled
04/14/2003	Criminal 6	Hearing for Change of Plea	Rescheduled
04/14/2003	Criminal 1	Hearing for Change of Plea	Not Held
04/28/2003	Criminal 1	Hearing for Change of Plea	Rescheduled
05/14/2003	Criminal 1	Hearing for Change of Plea	Held as Scheduled
01/18/2005	Magistrate's Session	Violation of Probation Hearing	Held as Scheduled
02/15/2005	Criminal 1	Violation of Probation Hearing	Rescheduled
04/26/2005	Criminal 1	Violation of Probation Hearing	Not Held
06/09/2005	Magistrate's Session	Status Review	Held as Scheduled
07/07/2005	Criminal 1	Violation of Probation Hearing	Rescheduled
08/02/2005	Criminal 1	Violation of Probation Hearing	Held as Scheduled
09/08/2005	Criminal 1	Hearing for Sentence Imposition	Rescheduled
09/13/2005	Criminal 1	Status Review	Rescheduled
09/23/2005	Criminal 1	Status Review	Held as Scheduled
12/20/2005	Magistrate's Session	Initial Probation Surrender Hearing	Rescheduled
01/05/2006	Magistrate's Session	Initial Probation Surrender Hearing	Held as Scheduled
01/24/2006	Magistrate's Session	Hearing for Probation Report	Rescheduled
02/07/2006	Magistrate's Session	Hearing for Probation Report	Rescheduled
02/14/2006	Magistrate's Session	Hearing for Probation Report	Rescheduled
02/28/2006	Magistrate's Session	Hearing for Probation Report	Held as Scheduled
04/04/2006	Criminal 1	Final Probation Surrender Hearing	Rescheduled
05/16/2006	Criminal 1	Status Review	Held as Scheduled
05/25/2006	Criminal 1	Final Probation Surrender Hearing	Canceled



**COMMONWEALTH OF MASSACHUSETTS
SUFFOLK COUNTY CRIMINAL
Public Docket Report**

06/13/2006	Criminal 1	Final Probation Surrender Hearing	Rescheduled
07/18/2006	Criminal 1	Final Probation Surrender Hearing	Not Held
08/18/2006	Criminal 1	Violation of Probation Hearing	Held as Scheduled
09/26/2006	Criminal 1	Hearing for Sentence Imposition	Held as Scheduled

FINANCIAL SUMMARY

	Fees/Fines/Costs/Charge	Assessed	Paid	Dismissed	Balance
Total		0.00	0.00	0.00	0.00



**COMMONWEALTH OF MASSACHUSETTS
SUFFOLK COUNTY CRIMINAL
Public Docket Report**

INFORMATIONAL DOCKET ENTRIES			
Date	Ref	Description	Judge
05/24/2001	1	Indictment returned	
05/24/2001	2	Motion by Commonwealth for arrest warrant to issue; filed & allowed. Freemont-Smith, J.	
05/24/2001		Warrant on indictment issued	
05/24/2001		Warrant was entered onto the Warrant Management System May 24, 2001	
06/01/2001		Brought into court on special mittimus from Boston Municipal Court. Warrant recalled.	
06/01/2001		Committee for Public Counsel Services appointed	
06/01/2001		Bail set: \$50,000.00 Cash without prejudice. Bail warning read. Mittimus issued. Ford, AC/M - K. Dunn for P. Smyth, ADA - N. King, Court Reporter - D. Regan, Attorney.	
06/04/2001		Brought into court.	
06/04/2001		Deft arraigned before Court	
06/04/2001		Deft waives reading of indictment	
06/04/2001		RE Offense 1: Plea of not guilty	
06/04/2001		RE Offense 2: Plea of not guilty	
06/04/2001		Bail set on June 01, 2001 revoked	
06/04/2001		Bail set: \$150,000.00 Surety or \$15,000.00 cash without prejudice. Bail warning read. Mittimus issued.	
06/04/2001	3	Commonwealth files first notice of discovery certificate. Wilson, AC/M - P. Smyth, ADA - D. Culliane, Court Reporter - D. Regan, Attorney.	
07/19/2001	4	Commonwealth files third notice of discovery certificate. Walsh, AC/M - C. Bartoloni, ADA - W. Greenlaw, Court Reporter - D. Regan, Attorney.	
09/20/2001	5	Defendant not in court. Deft files request for bail reduction waived. Motions to be filed by 10/15/2001. Wilson, AC/M - D. Cullinan, Court Reporter - D. Regan, Attorney.	
01/28/2002	6	Defendant not in court. Commonwealth files sentencing memorandum. Lauriat, J - P. Smyth, ADA - M. McDonald, Court Reporter - D. Regan, Attorney.	
06/06/2002	7	Commonwealth files fourth notice of discovery certificate.	
07/03/2002	8	Deft files motion and affidavit for funds for evaluation of disability.	
07/03/2002		Motion (P#8) allowed up to \$1,500.00	
07/03/2002	9	Deft files motion and affidavit for funds for neuropsychologist.	
07/03/2002		Motion (P#9) allowed up to \$3,000.00. Wilson, AC/M - ERD - D. Regan, Attorney	



**COMMONWEALTH OF MASSACHUSETTS
SUFFOLK COUNTY CRIMINAL
Public Docket Report**

11/06/2002	Defendant appears on video at Nashua Street Jail. Hearing re: bail. After hearing, defendant's oral motion for reduction of bail is allowed.
11/06/2002	Bail set: \$50,000.00 with surety or \$5,000.00 cash bail. Bail Warning read. Mittimus issued. Special conditions: Defendant to enroll in bracelet monitoring program. Hines, J. - P. Smyth, ADA - P. Connelly, Court Reporter - D. Regan, Attorney
12/16/2002	Defendant not present. Hines, J. - P. Smyth, ADA - P. Connolly, Court Reporter.
12/23/2002	Defendant not present. Hines, J. - P. Smyth, ADA - P. Connolly, Court Reporter - D. Regan, Attorney.
01/08/2003	Defendant not present. Lauriat, J. - P. Smyth, ADA - A. McDonald, Court Reporter - D. Regan, Attorney.
01/17/2003	Defendant not present. Lauriat, J. - D. Regan, ADA - A. McDonald, Court Reporter - D. Regan, Attorney.
02/03/2003	Defendant not present. Lauriat, J. - A. McDonald, Court Reporter - S. McCauliffe for D. Regan, Attorney.
02/13/2003	Defendant not present. Lauriat, J. - P. Smyth, ADA - A. McDonald, Court Reporter - D. Regan, Attorney.
02/27/2003	Defendant not present. Lauriat, J. - P. Smyth, ADA - A. McDonald, Court Reporter - D. Regan, Attorney.
03/20/2003	Defendant not present. Wilson, AC/M - C. Bartoloni for P. Smyth, ADA - ERD - D. Regan, Attorney
04/07/2003	Defendant not present. Quinlan, J. - P. Smyth, ADA - A. McDonald, Court Reporter - D. Regan, Attorney.
04/28/2003	Defendant not present. Lauriat, J. - P. Smyth, ADA - A. McDonald, Court Reporter - D. Regan, Attorney.
05/14/2003	Defendant brought into Court. Deft offers to plead guilty to offenses #001 and #002. After hearing, Court accepts deft's offer. Deft pleads guilty.
05/14/2003	RE Offense 1: Guilty plea
05/14/2003	RE Offense 2: Guilty plea
05/14/2003	10 Waiver of defendants' rights, filed.
05/14/2003	Defendant warned per Chapter 278, Sec 29D of alien status. Commonwealth moves for sentencing.
05/14/2003	Defendant sentenced as to offense #001- M.C.I. Cedar Junction - Max: 2 1/2 years - Min: 2 years. Mittimus issued.
05/14/2003	Sentence credit given as per 279:33A: 510 days of said sentence.
05/14/2003	Victim-witness fee assessed: \$90.00
05/14/2003	Defendant warned per Chapter 22E Sec. 3 of DNA
05/14/2003	Notified of right of appeal under Rule 64
05/14/2003	Defendant sentenced as to offense #002 - 2 years - probation on and after sentence imposed on offense #001.



**COMMONWEALTH OF MASSACHUSETTS
SUFFOLK COUNTY CRIMINAL
Public Docket Report**

05/14/2003		Probation supervision fee assessed: \$50.00 per month or in lieu of that community service. Billings, J - P. Smythe, ADA - P. Pietrella, Court Reporter - D. Regan, Atty.
06/13/2003		Victim-witness fee paid as assessed in the amount of \$90.00.
12/23/2004	11	Probation files Notice of Surrender and hearing(s) for alleged violation(s) of probation to appear on 1/6/05.
01/18/2005		Defendant came into court. Surrendered by probation officer.
01/18/2005		Committee for Public Counsel Services appointed, pursuant to Rule 53
01/18/2005		Deft released on personal recognizance in the sum of \$100.00. Bail warning read.
01/18/2005		Continued to February 15, 2005 for hearing by agreement re: final surrender. Wilson, MAG - J. W. Mitchell, PO - ERD - Y. Acevedo, Attorney
02/15/2005		Defendant present in court, continued until April 26, 2005 for Final Surrender at request of defendant. Attorney out ill. Ball, J. - W. Mitchell, P.O. - A. McDonald, Court Reporter - S. Diner, Attorney.
04/26/2005		Defendant not present. Defendant not appearing.
04/26/2005		VTP warrant issued on WMS. Locke, J - W. Mitchell, PO - P. Connolly, CR
04/26/2005	12	Request filed by probation for a warrant.
04/26/2005		Request for VTP Warrant allowed. Warrant to issue.
05/02/2005		Notice of returned warrant without service.
06/09/2005		Defendant brought into court on a True Warrant. Surrendered by Probation Officer.
06/09/2005		VTP warrant recalled
06/09/2005		Appointment of Counsel Joseph M Griffin Jr, pursuant to Rule 53 for bail hearing only.
06/09/2005		Committee for Public Counsel Services appointed, pursuant to Rule 53
06/09/2005		Bail set: \$50,000.00 With Surety or \$5,000.00 Cash Without Prejudice. Bail Warning Read. Mittimus Issued.
06/09/2005		Continued until June 07, 2005 for Hearing re: Final Probation Surrender by agreement. Wilson, MAG - W. Mitchell, P.O. - J. Griffin, Attorney - ERD.
07/07/2005		Defendant not present. - Event not held. Continued to 8/2/05 by agreement. Hearing re: final surrender. Habe issued. Gaziano, J - M. O'Reilly, PO - C. Skeritt, CR - D. Regan, Atty
08/02/2005		Defendant brought into court. Hearing re: Final Surrender on #002, after hearing, deft is found in violation of his terms & conditions of Probation as set forth on the record.
08/02/2005		Continued to 9/8/2005 for hearing on Disposition by Order of Court
08/02/2005		Deft released on personal recognizance w/o surety in the sum of \$100.00. Bail warning read.
08/02/2005		Deft discharged. Special Mittimus to Dorchester Court



**COMMONWEALTH OF MASSACHUSETTS
SUFFOLK COUNTY CRIMINAL
Public Docket Report**

08/02/2005	13	Deft files sentencing memorandum in support of proposed disposition. Locke, J. - W. Mitchell, P.O. - C. Skeritt, Court Reporter - D. Regan, Attorney
09/08/2005		Defendant comes into court. Continued until 9/13/2005 by request of deft for hearing re: disposition re: probation. Locke, J - W. Mitchell, PO - P. Connolly, Court Reporter
09/13/2005		Defendant comes into court. Continued until 9/23/2005 by agreement for disposition hearing. Hamlin, J - E. Blake, Court Reporter - D. Regan, Attorney
09/23/2005		Defendant came into court. Hearing re: disposition.
09/23/2005		After hearing probation extended to 12/16/06 with conditions.
09/23/2005		Defendant is subject to the following special conditions: 1) enter and complete SAP program in Brockton 2) community service for 135 hours 3) clear up BMC warrant this date 09/23/05. Locke, J - W. Mitchell, PO - W. Greenlaw, Court Reporter - D. Regan, Attorney
12/08/2005	14	Probation files Notice of Surrender and hearing(s) for alleged violation(s) of probation to appear on 12/20/05.
12/20/2005		Defendant not present, continued until 1/5/2006 re: initial probation surrender. Wilson, Mag - W. Mitchell, P.O. - ERD
01/05/2006		Defendant came into court. Surrendered by Probation.
01/05/2006		Continued to 1/24/2006 for hearing on filing of probation report.
01/05/2006		Committee for Public Counsel Services appointed, pursuant to Rule 53
01/05/2006		Deft released on personal recognizance in the sum of \$100.00. Bail warning read. Wilson, Mag - W. Mitchell, P.O. - ERD - Y. Acevedo, Attorney
01/24/2006		Defendant came into court.
01/24/2006		Withdrawal of appearance requested by Denise M Regan, allowed.
01/24/2006		Continued to 2/7/2006 for hearing on filing of report. Deft retaining Attorney. Wilson, Mag - W. Mitchell, P.O. - ERD
02/07/2006		Defendant not present, continued until 2/14/2006 for filing of probation report at the request of probation officer. Wilson, MAG - W. Mitchell, PO - ERD
02/14/2006		Defendant brought into court
02/14/2006		Appointment of Counsel E Michael Sullivan, pursuant to Rule 53 (nac on file)
02/14/2006		Bail set: \$20,000.00 with surety or \$2,000.00 cash without prejudice. Bail warning read. Mittimus issued.
02/14/2006		Continued to 2/28/2006 for filing of probation report by agreement. Wilson, MAG - W. Mitchell, PO - ERD - E. Michael Sullivan, Attorney
03/01/2006		Defendant not present
03/01/2006	15	Probation files Amended Notice of Surrender and hearing(s) for alleged violation(s) of probation
03/01/2006	16	Agreed upon final surrender report filed



**COMMONWEALTH OF MASSACHUSETTS
SUFFOLK COUNTY CRIMINAL
Public Docket Report**

03/01/2006	17	Probation: request for summons filed and allowed.
03/01/2006	18	Probation: request for summons filed and allowed.
03/01/2006	19	Probation: request for summons filed and allowed.
03/01/2006		Continued to 4/4/2006 for final probation surrender hearing by agreement. (1 1/2 hrs) Wilson, MAG - W. Mitchell, PO - ERD - E. M. Sullivan, Attorney
03/02/2006		Summons issued Brockton Police Officer Kenneth Johnson, Bonnie King and Lisa King.
03/24/2006		Habe to issue to MCI Cedar Junction for 4/4/06 Vaughan, MAG
04/04/2006		Defendant brought into court - continued to 5/16/06 for status and also 5/25/06 for final surrender by agreement in J Session. Jail list. Habe issued.
04/04/2006	20	Notice of surrender and hearing for violations.
04/04/2006	21	Deft files Motion for funds for Psychologist/psychiatrist.
04/04/2006		Motion (P#21) allowed (Carol S Ball, Justice). - W. Mitchell, PO - B. Sutton, CR - E.M. Sullivan, Atty
05/16/2006		Defendant brought into court
05/16/2006		After hearing Defendant's oral motion to reduce bail is denied without prejudice.
05/16/2006		Continued to 6/13/06 at request of defendant re: final surrender. Habe issued. Cancel 5/25/06 date. Ball, J - W. Mitchell, PO - E. Blake, CR - E.M. Sullivan, Atty
06/13/2006		Defendant not present. Case continued until 7/18/2006 by order of Court for final probation surrender hearing. Note: continuance due to courtroom congestion; deft objecting. Ball, J - W. Mitchell, PO - ERD - E. M. Sullivan, Attorney
07/07/2006	22	Request for subpoena I filed.
07/07/2006		Motion (P#22) allowed.
07/07/2006	23	Request for subpoena II.
07/07/2006		Motion (P#23) allowed. Locke, J - W Mitchell, PO
07/11/2006		Summons Issued for witness: Lisa King 23 Raymond Ave Pembroke Ma, and Brockton Police Officer Kenneth Johnson. Mailed.
07/18/2006		Defendant not present.
07/18/2006		Continued to 8/18/2006 by agreement re: final surrender (J session) Re-issue two summons: Brassard, J - W Mitchell, PO - E.M. Sullivan Attorney - ERD.
07/24/2006		Summons issued to Lisa King, Pembroke, Ma. and Police Officer Kenneth Johnson, Brockton Police Department.
08/18/2006		Defendant brought into court. Final Surrender hearing as to #002. After hearing, defendant found in violation of terms and conditions of Probation.
08/18/2006	24	Probation Violation Finding of Disposition, filed.



**COMMONWEALTH OF MASSACHUSETTS
SUFFOLK COUNTY CRIMINAL
Public Docket Report**

08/18/2006		ORDERED: Deft committed for observation per 123:15(e) to Bridgewater State Hospital for a period of Forty (40) days for aid in sentencing. (Jeffrey A Locke, Justice)
08/18/2006		Continued to 9/26/2006 for hearing on (Jeffrey A Locke, Justice) - W. Mitchell, P.O. - ERD - E M. Sullivan, Attorney
09/26/2006		Sentence imposed: [text:sentence] ([case:judge])
09/26/2006		Defendant brought into court
09/26/2006	25	Report of Dr. Alexander Duncan Psyd re: Aid in sentencing request pursuant to MGL. Ch. 123 Section 15E filed. (in special file)
09/26/2006		Hearing re: disposition as to final probation surrender as to offense #002 after hearing, the Court Locke, J orders probtionary period imposed on May 14, 2003 be revoked and orders the defendant as follows:
09/26/2006		Defendant sentenced as to #002 MCI Cedar Junction - Maximum : three (3) years Minimum : Two and one half years: Mittimus issued.
09/26/2006		Sentence credit given as per 279:33A: 224 days.
09/26/2006		Notified of right of appeal under Rule 64. Locke, J - W. Mithcell, PO - C. Richards CR - E. M. Sullivan, Atty
09/26/2015		CKA alias created for party #1 Party Name: Dale Holloway Alias Name: Dale Holloway, Jr.

COMMONWEALTH OF MASSACHUSETTS

Suffolk

, ss.

SUPERIOR COURT

Indictment Nos.

2001 10/107

(001)
(002)

COMMONWEALTH

vs.

Dale Holloway

WAIVER OF DEFENDANT'S RIGHTS

I have discussed the above case(s) and my constitutional and other rights with my attorney. I understand that by entering my plea of guilty I will be giving up my right to a trial by a jury or to a trial before a judge; to confront, cross-examine, and compel the attendance of witnesses; to present evidence in my defense; to remain silent and refuse to be a witness against myself by asserting my privilege against self-incrimination; all with the assistance of my defense attorney, and to be presumed innocent until proven guilty beyond a reasonable doubt.

I have been advised by my attorney of the nature of the charge or charges to which I am entering my guilty plea. I also have been advised by my attorney of the nature and range of the possible sentence or sentences. I have been advised of the recommendation on sentencing to be made by the Prosecution.

My guilty plea is not the result of force, threats, assurance or promises. I have decided to plead guilty voluntarily and freely, rather than at the direction of or because of the recommendation of any other person.

I am satisfied that my defense attorney has represented me in an effective and in a competent manner. I have had enough time to speak with him or her regarding any possible defenses I may have to the above charges.

I am not now on or under the influence of any drug, medication, liquor or other intoxicant or depressant, which would impair my ability to fully understand the constitutional and statutory rights that I am waiving when I plead guilty.

5/14/03
Sted

RENUNCIA DEL ACUSADO A SUS DERECHOS

Yo, he discutido el(los) caso(s) arriba mencionado(s), así como mis derechos constitucionales y demás derechos con mi abogado. Entiendo que al someter una alegación de culpabilidad renuncio a mi derecho de que mi juicio se ventile ante un jurado o ante un juez; a carearme con los testigos; contra-interrogarlos y obtener la comparecencia compulsoria de los mismos; a presentar pruebas en mi propia defensa; a permanecer en silencio y rehusar testificar en mi contra, haciendo valer así mi derecho a no incriminarme; y de hacer todo esto con la asistencia de mi abogado y a gozar de la presunción de inocencia hasta que quede comprobada mi culpabilidad fuera de toda duda razonable.

Mi abogado(a) me ha informado de la naturaleza del cargo (o cargos) ante los cuales alego mi culpabilidad. Mi abogado me ha informado cuál (cuáles) es (son) el alcance de la posible sentencia o sentencias. También he sido informado de la recomendación de sentencia que hará la Fiscalía.

Mi declaración de culpabilidad no es resultado de fuerza, amenaza, garantía o promesas. He decidido declararme culpable libre y voluntariamente y no bajo la directiva o debido a la recomendación de alguna otra persona.

Estoy satisfecho(a) con que mi abogado(a) me ha representado de forma efectiva y capaz. He tenido tiempo suficiente para discutir con él(ella) cualesquiera defensas a las cuales yo hubiese podido recurrir en los cargos ya mencionados.

En este momento no estoy bajo la influencia de ninguna droga, medicamento, licor u otra sustancia intoxicante o depresiva, que me impida tener la capacidad de entender a cabalidad los derechos constitucionales y legales a los cuales renuncio mediante mi alegación de culpabilidad.

Filed 5/14/03

I have been advised by Judge Billings and I understand that if I am not a citizen of the United States, a conviction in the above case(s) could result in my deportation or exclusion from admission to the United States under federal immigration law and that I may be rejected as an applicant for citizenship in the United States.

Tal y como me informase el/la Hon. Juez _____ entiendo que si no soy ciudadano de los Estados Unidos, el que se me condene del(de los) cargo(s) arriba mencionados podria resultar en mi deportación o en el que se me excluya de ser admitido(a) a los Estados Unidos bajo las leyes federales de inmigración o en el que se me denegue la naturalización conforme a las leyes de los Estados Unidos y que mi solicitud a la ciudadanía de los Estados Unidos puede ser rechazada(a) ciudadano en los Estados Unidos.

I understand that I give up the right to any and all defenses, and objections which I could assert to the above case(s). I also understand that I give up my right to appeal the Court's denial of any motions to dismiss or to suppress or to the Court's acceptance of my plea of guilty to the above offenses and imposition of sentence upon me.

Entiendo que estoy renunciando al derecho de presentar cualquier defensa u objeciones que podria hacer valer a mi favor en el(los) caso(s) arriba mencionado(s). Entiendo además que renuncio a mi derecho a apelar la denegación de un Tribunal de cualesquiera mociones para desestimar o suprimir o el que un Tribunal acepte mi alegación de culpabilidad ante los cargos arriba mencionados y la imposición de una sentencia sobre mi persona.

5-14-03
Date/Fecha

Print Name of Defendant
Nombre del Acusado (letra de molde)
Dale E. Williams Jr.
Signature of Defendant
Firma del Acusado

8-6-82

DEFENSE ATTORNEYS'S APPROVAL

I have discussed this case and the plea recommendation with my client in detail and have advised the defendant of all matters within the scope of Massachusetts Rules of Criminal Procedure Rule 12, including, the constitutional and other rights of the accused, the factual basis for and the nature of the offense or offenses to which the guilty plea will be entered, possible defenses, and the consequences of the guilty plea. After explaining the above to the defendant, I am satisfied that the defendant has understood my explanation. Moreover, I am satisfied that the defendant is not under the influence of any drug, medication, liquor or other intoxicant which can impair the defendant's ability to fully understand all the constitutional, statutory and/or other rights the defendant would waive when we discussed the consequences of a plea of guilty to the above indictment(s).

I represent to the Court that the Defendant has signed this document in my presence.

5-14-03
Date

Dorine Kay
Attorney for Defendant
415070
BBO No.

SECRET 10467-001
INDICTMENT

Armed Assault to Murder
C. 265, §18 (b)

Commonwealth of Massachusetts

SUFFOLK, SS.

At the SUPERIOR COURT DEPARTMENT OF THE TRIAL COURT FOR CRIMINAL BUSINESS,

begun and holden at the CITY OF BOSTON, within and for the County of Suffolk, on the first Monday of May in the

year of our Lord two thousand one.

THE JURORS for the COMMONWEALTH OF MASSACHUSETTS on their oath present that

DALE HOLLOWAY JR.,

on March 21, 2001, being armed with a certain dangerous weapon, to wit: a Knife did assault Tyree Herring with intent

to murder him.

A TRUE BILL

Foreman of the Grand Jury
Richard Spinks

Assistant District Attorney
[Signature]

MAY 24 2001

Superior Court Department - Criminal Business

May, Sitting, 2001

Returned into said Superior Court by the Grand Jurors and ordered to be filed.

H. A. [Signature]

Clerk of Court

Commonwealth of Massachusetts

SUFFOLK, SS.

At the SUPERIOR COURT DEPARTMENT OF THE TRIAL COURT FOR CRIMINAL BUSINESS,
begun and holden at the CITY OF BOSTON, within and for the County of Suffolk, on the first Monday of May in the
year of our Lord two thousand one.

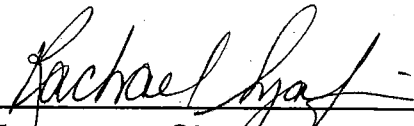
THE JURORS for the COMMONWEALTH OF MASSACHUSETTS on their oath present that

DALE HOLLOWAY JR.,

on March 21, 2001, did commit an assault and battery upon one Tyree Herring, by means of a certain dangerous weapon,
to wit: a Knife.

A TRUE BILL


Assistant District Attorney

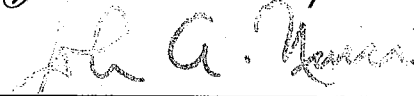

Foreman of the Grand Jury

MAY 24 2001

Superior Court Department - Criminal Business

May, Sitting, 2001

Returned into said Superior Court by the Grand Jurors and ordered to be filed.


Clerk Of Court

filed 1-28-02
6

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

SUPERIOR COURT DEPARTMENT
NO. 01/10467

COMMONWEALTH

v.

DALE HALLOWAY

COMMONWEALTH'S SENTENCING MEMORANDUM

Now comes the Commonwealth in the above-captioned matter and respectfully requests the Court to adopt its recommendation of seven to nine years committed. The defendant stands indicted for assault and battery with a dangerous weapon and assault with intent to murder. The indictments arise from a fistfight between the defendant and the victim on March 21, 2001. On this date, the defendant and Mr. Tyree Herring argued over Herring's verbal abuse of a third party. The defendant and Herring began to fight in side the Arcade on Washington St.. After a brief struggle, the defendant withdrew a knife from his pocket and stabbed Herring several times. After the defendant fled the Arcade, Herring collapsed outside the Arcade, his entrails spilling onto the sidewalk. Herring's stab wounds were described as "severe" by physicians at the Massachusetts Hospital, and Herring was listed in critical condition with a lacerated colon and lacerated bowel. Herring underwent a series of surgeries, remaining unconscious for nearly one week. Several witnesses observed the defendant running from the Arcade after he stabbed Herring. Not one witness observed the victim with a weapon.

Upon his arrest, the defendant made a statement to the police. The defendant stated that after stabbing Herring, he fled the scene and hid the knife in the Cathedral Housing Development in Boston. Based on this information, the police recovered the knife in the sewer at that location.

The defendant is a repeat violent offender. His record includes convictions, and committed time, for assault and battery by means of a dangerous weapon and assault and battery. He is currently on probation for the same charges. As a juvenile, the defendant was found delinquent of unarmed robbery, assault and batter, assault and battery by means of a dangerous weapon.

Based on the seriousness of the offense and the defendant's proclivity toward violent behavior, the Commonwealth is recommending a lengthy commitment to prison – seven years to nine years committed.

Respectfully Submitted
For the Commonwealth

RALPH C. MARTIN, II
DISTRICT ATTORNEY

By: 

Paul H. Smyth
Assistant District Attorney
One Bulfinch Place
Boston, MA 02114

SUFFOLK, SS

COMMONWEALTH OF MASSACHUSETTS
SUPERIOR COURT DEPARTMENT
NO. 01 - 10467

COMMONWEALTH

V.

DALE HOLLOWAY

DEFENDANT'S SENTENCING MEMORANDUM
IN SUPPORT OF PROPOSED DISPOSTION

1. Background.

Dale Holloway, age 20, spent his early years in a family where his father abused his mother, his siblings and him. At approximately age 5, his parents separated and his father took custody of Dale despite Mr. Holloway's history of abusing his family and drug dependency. After Dale, age nine, ran away from his father's home to his mother, he was allowed to live with his mother. He continued to see his father until a beating by his father caused Dale to cut off relations. Source of above: DYS records, client interview.

Testing by DYS at age 14 revealed that Dale suffered from impaired verbal skills. His performance IQ was 102 in contrast to a verbal IQ of 83. Although his potential performance is solidly in the average range of intelligence, his difficulty with language leads to misunderstanding and frustration. DYS records.

At age 15, Dale was stabbed over fifteen times during a robbery. He has lost substantial strength in his dominant right arm as a result. Medical records.

Both Dale's parents live in the area and have stabilized their lives. His mother and stepfather in Brockton are willing to take Dale into their home and cooperate with any requirements of the bracelet program and community corrections.

2. Incident

Dale is accused of stabbing Tyree Herring at the Arcade on Washington Street, Downtown Crossing. The injuries from the stabbing were life threatening. Fortunately, Mr. Herring recovered. Medical records attached.

Before the grand jury, Mr. Herring admitted that the defendant was trying to defend another individual named Jo-Jo (this person has not been identified) during the confrontation. Mr. Herring, a member of a gang, stated that he was attempting to get JoJo to join a gang by hitting him and ordering him to do pushups and "stuff." Herring had taken Jo-Jo's jacket and other belongings. Herring also stated that he was intoxicated. Grand jury records attached.

Police arrested Dale when he reported to his probation officer in Brockton District Court. He came a full statement to police where he admitted stabbing Herring after Herring turned on Dale when he verbally defended JoJo. Dale told the police that his arm was impaired and that he suspected that Herring was armed. Transcript prepared by defense counsel attached.

3. Proposed Disposition

The defendant requests that the court sentences him to 2 years to 2 years and a day on the assault with intent to murder charge and two years straight probation on the assault and battery with a dangerous weapon charge with Community Corrections level 4 as a condition. The director of Community Corrections in Tauton is willing to consider Dale as an applicant to the program.

The defendant requests that the court consider the following factors:

1. **His age.** The defendant is currently twenty years old. Given this young age, a lengthy state prison sentence would deny him an opportunity to develop the life skills that he needs to succeed in our society and would instead expose him to more experienced, older inmates. The relatively short sentence proposed by the defense would provide a deterrent to further criminal activity by giving him exposure to state prison before he began his probationary period.

2. **Circumstances of offense.** It is arguable that the defendant overstepped his right to self-defense by the alleged stabbing of Mr. Herring. However, the defendant found himself in threatening circumstances only after stepping in to attempt to end the harassment of another man. Mr. Herring, who was intoxicated, admitted that he was intimidating the other man into joining a gang. The defendant, who has only impaired use of his right arm, reacted quickly to the perceived threat of Mr. Herring. This alleged assault did not occur during any other criminal activity. There was no history of animosity between the defendant and Mr. Herring.

In addition, the defendant was arrested when he reported to his probation officer and fully cooperated with the police investigation.

3. **Available services: Bracelet Program** During the past year, the alternatives to incarceration have been increased by the free bracelet program, which allows probationers to be monitored during structured house arrest. The bracelet may be programmed to allow a probationer to attend work, programs, and other activities. If a probationer does not return home at the scheduled time, the probation department is immediately notified. For the defendant, this would

provide the structure that he lacked most of his childhood. If he were to stray from his probation requirements, the probation office would be able to take quick action.

4. **Available services: Community Corrections** Bob Horta, manager of The Tauton Community Corrections Center, [(508) 884-9189] stated that his program would consider the defendant for admission. Community Corrections offers a structured program of job counseling, anger management, and community service with the goal of slowly integrating the defendant into the work force. These are exactly the services that Dale needs. Given his young age and tumultuous background, he needs help establishing a stable life. The opportunity to work through the Community Corrections program with the added supervision of the bracelet provides his best opportunity for success.
5. **Consequences** The combination of the bracelet program with Community Corrections assures that the Court will be promptly notified of any violation of the defendant's conditions of probation. On many occasions, it permits the Court to intervene at the first sign of non-compliance before a probationer commits a new offense.

RESPECTFULLY SUBMITTED,

Denise Regan, attorney
Committee for Public Counsel Services
44 Bromfield Street
Boston, Massachusetts
(617) 988-8347

SUFFOLK, SS

COMMONWEALTH OF MASSACHUSETTS
SUPERIOR COURT DEPARTMENT
NO.

COMMONWEALTH

V.

DALE HOLLOWAY

ATTACHMENTS IN SUPPORT
DEFENDANT'S SENTENCING MEMORANDUM
IN SUPPORT OF PROPOSED DISPOSTION

1. Defendant's medical record. March 14, 1998.
2. Tyree Herring's discharge summary. April 18, 2001.
3. Grand jury testimony of Tyree Herring.
4. Completion certificate of Dale Holloway: Young Offenders Program
5. Certificate of Participation of Dale Holloway: Computer Program
6. Juvenile Record-Dale Holloway
7. CORI-Dale Holloway and Tyree Herring

Note: Defendant does not have access to Mr. Herring's juvenile record.

RESPECTFULLY SUBMITTED,

Denise Regan, attorney
Committee for Public Counsel Services
44 Bromfield Street
Boston, Massachusetts
(617) 988-8347

6-4-01
Filed

3

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

SUPERIOR COURT DEPARTMENT

NO. 01/10467

COMMONWEALTH

v.

DALE HALLOWAY

COMMONWEALTH'S FIRST NOTICE OF DISCOVERY CERTIFICATE

Now comes the Commonwealth in the above-captioned matter and respectfully states that it has provided counsel for the defendant with copies of the following discovery material:

1. Boston Police Incident Report CC# 010148007 dated 3/21/01 (Original report authored by Officer Hofferty; one page);
2. Boston Police Supplemental Report CC# 010148007 dated 3/21/01, authored by Officer Hofferty (two pages);
3. Boston Police Supplemental Report CC# 010148007, dated 3/21/01, authored by Officer Stephen Green (two pages);
4. Boston Police Supplemental Report CC# 010148007, dated 3/21/01, authored by Sergeant Detective Wyse (three pages);
5. Boston Police Supplemental Report CC# 010148007, dated 3/21/01, authored by Officer Fitzpatrick (one page);
6. Boston Police Supplemental Report CC# 010148007, dated 3/21/01, authored by Officer MacPherson (one page);
7. Boston Police Supplemental Report CC# 010148007, dated 3/25/01, authored by Detective Dorch (one page);
8. Boston Police Supplemental Report CC# 010148007, dated 3/26/01, authored by Detective Dorch (one page);
9. Boston Police Supplemental Report CC# 010148007, dated 4/26/01, authored by Officer Stanton (one page);
10. Boston Police Arrest Booking Form for Dale Halloway (one page; dated 4/26/01);
11. Arrest Warrant for Dale Halloway (W5480616) (one page);
12. Incident History Report for 3/21/01 (two pages);
13. Photographic Array viewed by Joseph George on 4/25/01 (GJ Exhibit #1)
14. Photographic Array viewed by Anne Marie Esemond on 4/25/01 (GJ Exhibit #2);
15. Photographic Array viewed by Alland Pierre on 4/26/01 (GJ Exhibit #5);

16. Photographic Array viewed by Pablo Paraguassu on 4/30/01 (GJ Exhibit #6);
17. Photographic Array viewed by Pablo Paraguassu on 3/21/01;
18. Photographic Array viewed by Jason Latimore on 5/1/01 (GJ Exhibit #7);
19. Photographic Array viewed by Daniel McNealy on 5/3/01 (GJ Exhibit #8);
20. Photographic Array viewed by Michelle Carter on 4/18/01 (GJ Exhibit #11);
21. Photographic Array viewed by Mylazia Johnson on 4/18/01 (GJ Exhibit #10)
22. Massachusetts General Hospital Discharge Summary (three pages; GJ Exhibit #9);
23. Photographic Array viewed by Tammie Tardiff on 3/21/01 (GJ Exhibit #15);
24. Suffolk County Jail Booking Sheet for Damon Bullock (one page; GJ Exhibit # 16);
25. Recorded Statement of Tammie Tardiff on 3/21/01 (seventeen pages);
26. Emergency Medical Services Report dated 3/21/01 (one page; GJ Exhibit #18);
27. Tape recording of Dale Halloway's statement on April 26, 2001 (GJ Exhibit #12; one cassette).

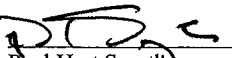
Respectfully Submitted
For the Commonwealth

RALPH C. MARTIN, II
DISTRICT ATTORNEY

By: 

Paul H. Smyth
Assistant District Attorney
One Bulfinch Place
Boston, MA 02114

I, Paul Hart Smyth, hereby certify that a copy of the above document was served to defendant's Counsel of record, Denise Regan, on 6/4/01.



Paul Hart Smyth
Assistant District Attorney

Commonwealth of Massachusetts

Suffolk, ss.

Superior Court for the
Transaction of Criminal Business
Case No. _____

Commonwealth

vs.

Dak Holloway
Motion to Withdraw
~~Notice of Appearance~~

To the Clerk of the above named court:

I move to withdraw

~~Enter my appearance as attorney for the defendant.~~

Date Jan 24, 2006
~~2005~~

Denise Ryan
Attorney of defendant

CPCS

Address

44 Bromfield St

Bosn

017-988-8347

Telephone Number

Filed
1/24/06

Withdrawal of Appearance

Rule 62

An attorney who has entered an appearance in behalf of a defendant in a criminal case in the Superior Court shall not, except by express leave of court, withdraw said appearance.

COMMONWEALTH OF MASSACHUSETTS

Suffolk
(COUNTY), SS.

SUPERIOR COURT
NO. 01-10467

COMMONWEALTH

v.

DALE E. HOLLOWAY

PROBATION VIOLATION FINDING OF DISPOSITION

I. FINDING ON ALLEGED VIOLATION

In the case(s) captioned above, the Court FINDS as follows:

- NO VIOLATION OF PROBATION FOUND.
- VIOLATION OF PROBATION FOUND. The probationer named above is found to have committed the following violation(s) of probation:

- Violated CRIMINAL LAW(s) namely: Bss. 1/DISTE. C&D.
- Failed to attend or complete the following PROGRAM as ordered: _____
- Failed to comply with the following TESTING REQUIREMENT(s) as ordered: _____
- Failed to make the following PAYMENT(s): \$ 710 in arrears
- Failed to REPORT as required by the probation officers as follows: _____
- Failed to comply with OTHER PROVISION(s) of the Order of Probation Conditions, namely: _____

This finding is based on PROBATIONER'S ADMISSION, or A HEARING and the preponderance of the credible evidence presented, specifically, the following TESTIMONIAL OR DOCUMENTARY EVIDENCE.

II. DISPOSITION (to be completed only upon a finding or violation)

- The Order of Probation Conditions is hereby vacated and probation is **TERMINATED**.
- The current conditions of probation are to be **CONTINUED** probationer admonished.
- The Order of Probation Conditions previously issued is hereby **MODIFIED** as follows:
[The probationer must sign a new Order.]

PROBATION REVOKED. The Order of Probation Conditions is hereby **REVOKED** for the following reason(s):

- New Offense
- The safety of the public and/or an individual person or persons.
- The seriousness of the new offense that has been proved by a preponderance of the evidence.
- The unlikelihood that the rehabilitative purpose of probation will be achieved.
- The probationer's record of previous violations. The recommendation of the probation department.
- The seriousness of the offense for which probation was ordered.
- Other: _____

SENTENCE IMPOSED AFTER PROBATION REVOCATION: _____

SO ORDERED

Justice of the Superior Court

DATE:



The Commonwealth of Massachusetts

Committee for Public Counsel Services

Public Defender Division

Trial Unit

44 Bromfield Street, Boston, MA 02108

Denise M. Regan
Attorney in Charge

Tel: (617) 482-6212 Fax: (617) 988-8484

January 13, 2003

hearing
1.17.03

Hon. Paul M. Lauriat
Suffolk Superior Court
90 Devonshire Street
Boston, MA 02109

Re: Commonwealth v. Dale Holloway
No. 01/10467

Dear Judge Lauriat:

Enclosed please find defendant's memorandum in support of proposed disposition.

Yours truly,

Denise Regan
Denise M. Regan

DMR:JHF
Enclosures

cc: Paul Smythe, ADA

plea 2.3.03

NOTICE OF ASSIGNMENT OF COUNSEL

ASSIGNMENT NUMBER
C 3917403-0

COMMONWEALTH OF MASSACHUSETTS



DATE OF ASSIGNMENT: **1-18-05**
NAME OF ASSIGNING JUDGE: **Wilson, MAG**

COURT DIVISION: **#481**
 JURY SESSION (Check Here)
SUPERIOR COURT
CRIMINAL BUSINESS
90 DEVONSHIRE STREET
ROOM # 607
BOSTON, MA 02109

NAME OF PERSON FOR WHOM COUNSEL ASSIGNED:
Dale Holloway

Juvenile (J) Adult (A) Language if not English: _____

DOCKET NO.	CRIMINAL CASES—ENTER OFFENSE CODE OR CHAPTER & SECTION WITH CHARGE			CHARGE
	OFFENSE CODE	CHAPTER	SECTION	
A 01-10461		265	15A	ABDLO
B				
C				
D				
E				
F				

- NON-CRIMINAL CASES**
- 1001 c.119, §523(C), 29
 - 1002 c.210, §3/DPW v.JKB
 - 1003 Civil Commat c.123, §7, 8
 - 1017 Wit of Apprehension c.123, §12(a)
 - 1018 Commitment of Alcoholics c.123, §35
 - 1019 Commitment/Guardianship of Mentally Retarded Persons c.201, §6A
 - 1004 Commitment Review
 - 1005 c.112, §12S
 - 1026 Commitment Appeal c. 123, §9(a)
 - 1007 SDP Review (c. 123A, §9)
 - 1008 CHINS (c.119, §39F)
 - 1009 Rogers
 - 1010 Spring/Saikewicz
 - 1011 Probate Crim. Contempt
 - 1012 Housing Contempt
 - 1013 Foster Care Review
 - 1014 Elderly Abuse
 - 1015 c. 201, §5, 14 Guardianship
 - 1016 C&P (c.119, §524, 29)
 - 1020 Disabled Persons (c.19C, §7) Petition for Protective Services

NEXT COURT DATE: **2/15/05**

FOR: Bench or Jury Trial (T) Probable Cause (C) Pre-Trial (P) Other (O)

INCARCERATION STATUS:
 Released
 Not Released
 Bail \$ **1000** *Personal*
 Serving Other Sentence
 Committed
 Not Applicable

POST-TRIAL CRIMINAL CASES ONLY
PURPOSE OF ASSIGNMENT

- Appeals Court or SJC (A)
- Sentence Appeal (S)
- Probation Surrender (P)
- Revise and Revoke (R)
- New Trial Motion (N)
- Other (O)

INDIGENCY DETERMINATION
The court has found the above-named person
 Indigent or Indigent but able to contribute \$ **150.00** or **1 1/2 days Comm Serv**
 The attorney or organization listed below is assigned to represent this person in this action.

CHECK ONE OF THE FOLLOWING:

Public Defender Division
Local Office # **11**
(See reverse side for address and telephone number.)

Student Attorney under Rule 3:03
Name of Program: _____

Attorney to be named by CPCS for Appeals Court/SJC/Murder Cases/ Rule 30 Motions/SDP Send to: CPCS
44 Bromfield Street,
Boston, MA 02108

Private Counsel Attorney
PLEASE PRINT BBO# _____
REQUIRED

NAME: FIRST _____ MIDDLE _____ LAST _____
STREET _____
CITY _____
STATE _____ ZIP _____
TELEPHONE _____
CRIMINAL CASE INFORMATION CONTACT: BAR ADVOCATE PROGRAM NO. _____
(SEE REVERSE SIDE FOR ADDRESS AND TELEPHONE NUMBER.)

Assignment For Purpose of Bail Hearing, Bail Review or Arraignment Only

AUTHORIZED SIGNATURE: **Robert P. Ciampa**
PRINT NAME: **ROBERT P. CIAMPA**

INSTRUCTIONS TO THE COURT

1. Forward white copy to Committee for Public Counsel Services, 44 Bromfield Street, Boston, MA 02108
2. Retain green copy for court file.
3. Remaining copies are color coded as follows: pink—client, blue—bar advocate program, goldenrod—attorney.

NOTICE OF ASSIGNMENT OF COUNSEL

ASSIGNMENT NUMBER
C 3917403-0

COMMONWEALTH OF MASSACHUSETTS



DATE OF ASSIGNMENT: 1-18-05
 NAME OF ASSIGNING JUDGE: Wilson, MAG.
 NAME OF PERSON FOR WHOM COUNSEL ASSIGNED: Dale Hallway
 Juvenile (J) Adult (A) Language if not English: _____

COURT DIVISION: **#481 SUPERIOR COURT CRIMINAL BUSINESS**
 90 DEVONSHIRE STREET
 ROOM # 607
 BOSTON, MA 02109
 JURY SESSION (Check Here)

DOCKET NO.	CRIMINAL CASES—ENTER OFFENSE CODE OR CHAPTER & SECTION WITH CHARGE			CHARGE
	OFFENSE CODE	CHAPTER	SECTION	
<u>01-10469</u>		<u>265</u>	<u>15A</u>	<u>ABDLW</u>

- NON-CRIMINAL CASES**
- 1001 c.119, §§23(C), 29
 - 1002 c.210, §3/DPW v. JKB
 - 1003 Civil Commit c.123, §7, 8
 - 1017 Writ of Apprehension c.123, §12(e)
 - 1018 Commitment of Alcoholics c.123, §35
 - 1019 Commitment/Guardianship of Mentally Retarded Persons c.201, §6A
 - 1004 Commitment Review
 - 1005 c.112, §12S
 - 1026 Commitment Appeal c. 123, §9(a)
 - 1007 SDP Review (c. 123A, §9)
 - 1008 CHINS (c.119, §39F)
 - 1009 Rogers
 - 1010 Spring/Saikewicz
 - 1011 Probate Crim. Contempt
 - 1012 Housing Contempt
 - 1013 Foster Care Review
 - 1014 Elderly Abuse
 - 1015 c. 201, §5, 14 Guardianship
 - 1016 C&P (c.119, §24, 29)
 - 1020 Disabled Persons (c.19C, §7) Petition for Protective Services

NEXT COURT DATE: 2/15/05
 FOR: Bench or Jury Trial (T) Pre-Trial (P)
 Probable Cause (C) Other (O)
INCARCERATION STATUS
 Released
 Not Released
 Bail \$ None
 Serving Other Sentence
 Committed
 Not Applicable

POST-TRIAL CRIMINAL CASES ONLY
 PURPOSE OF ASSIGNMENT:
 Appeals Court or SJC (A) Revise and Revoke (R)
 Sentence Appeal (S) New Trial Motion (N)
 Probation Surrender (P) Other (O)

INDIGENCY DETERMINATION
 The court has found the above-named person
 Indigent or Indigent but able to contribute \$ 150.00 or 1/2 days Comm. Serv.
 The attorney or organization listed below is assigned to represent this person in this action.

CHECK ONE OF THE FOLLOWING:

Public Defender Division
 Local Office # 11
 (See reverse side for address and telephone number.)
 Student Attorney under Rule 3:03
 Name of Program: _____
 Attorney to be named by CPCS for Appeals Court/SJC/Murder Cases/ Rule 30 Motions/SDP Send to: CPCS
 44 Bromfield Street,
 Boston, MA 02108

Private Counsel Attorney
 PLEASE PRINT BBO# _____
 REQUIRED
 NAME FIRST MIDDLE LAST
 STREET
 CITY
 STATE ZIP
 TELEPHONE
 CRIMINAL CASE INFORMATION CONTACT: BAR ADVOCATE PROGRAM NO. _____
 (SEE REVERSE SIDE FOR ADDRESS AND TELEPHONE NUMBER.)

Assignment For Purpose of Bail Hearing, Bail Review or Arraignment Only
 AUTHORIZED SIGNATURE: [Signature]
 PRINT NAME: Robert McNamee

INSTRUCTIONS TO THE COURT

1. Forward white copy to Committee for Public Counsel Services, 44 Bromfield Street, Boston, MA 02108
2. Retain green copy for court file.
3. Remaining copies are color coded as follows: pink—client, blue—bar advocate program, goldenrod—attor

NOTICE OF OUTSTANDING WARRANT

DOCKET NO.

SUCR0110467**Trial Court of Massachusetts**

CASE NAME

COMMONWEALTH v. DALE HOLLOWAY

FIRST FOUR COUNTS FOR WHICH THIS WARRANT WAS ISSUED

1. 265/15A/A - A&B WITH DANGEROUS WEAPON c265 §15A(b)

COURT

Suffolk County Superior Court
3 Pemberton Square
Room 1400
Boston, MA 02108

PERSON TO WHOM THIS NOTICE IS ISSUED

DALE HOLLOWAY
199 GARFIELD AVENUE
HYDE PARK, MA 02136

DATE OF BIRTH

08/06/1982

▲▲▲

YOU MUST IMMEDIATELY APPEAR
AT THE ABOVE COURT

▲▲▲

OFFENSE DATE

3/21/2001

PLACE OF OFFENSE

BOSTON

COMPLAINT DATE

5/24/2001

POLICE DEPARTMENT

BOSTON PD - AREA A-1

REASON FOR WARRANT

Defendant failed to appear for Probation Surrender Hearing.

WARRANT DATE

4/26/2005

TYPE OF WARRANT

DEFAULT

**THIS COURT HAS ISSUED A WARRANT FOR YOUR ARREST.
YOU ARE SUBJECT TO ARREST AT ANY TIME.**

In accordance with Mass. Gen. Laws c.276, §23A, you are hereby notified that this court has issued a warrant for your arrest for the reason indicated above. This warrant is presently outstanding and is available electronically to all police agencies. Under Massachusetts law, while this warrant remains outstanding, you may also be subject to the following consequences:

- **Suspension of drivers license.** Your drivers license will be suspended by the Registry of Motor Vehicles (G.L. c.90, §22[i]).
- **Suspension of public assistance.** You will be denied all financial and other public assistance benefits by the Department of Transitional Assistance (G.L. c.18 §2[f]).
- **Report to out-of-state police.** This warrant may be reported to Federal and state police and criminal justice agencies outside of Massachusetts, and to others authorized by statute (G.L. c.6 §§167-178B). You may be subject to arrest in other states.
- **Police access to other records about you.** In order to locate and apprehend you, police agencies may obtain access to identifying and locating information about you from the public assistance records of the Department of Transitional Assistance (G.L. c.22C, §36A; G.L. c.66, §17A) or the Commission for the Blind (G.L. c.66 §17A); or from the unemployment compensation payment records of the Division of Employment and Training (G.L. c.151A, §46[6]); or from wage reports or savings account reports to the Department of Revenue under G.L. c.62E (G.L. c.62E, §8).
- **Suspension of state tax refunds, unemployment compensation, and workers compensation.** After August 1, 2001, you will be denied any state tax refund (G.L. c.62C, §36), any unemployment compensation payments (G.L. c.151A, §25[i]), and any workers compensation payments (G.L. c.152 §7[3]) from the Commonwealth.
- **Suspension of professional licenses and permits.** After August 1, 2002, any professional license, certificate, permit or authorization issued by an agency or authority of the Commonwealth to engage in a profession, trade or business will be suspended.
- **\$75 fee if arrested.** If you are arrested on this warrant and it is a default warrant or a probation surrender warrant, you will be required to pay a \$75 default warrant removal fee (G.L. c.276, §30) to the court or perform one day of community service.

TO RESOLVE THIS WARRANT AND AVOID ARREST:

To resolve this warrant and avoid arrest, you must appear in person at the court listed above. Report first to the clerk-magistrate's office of the court, which is open Monday through Friday (except legal holidays) between 8:30 a.m. and 4:30 p.m. Come to the court as early in the day as possible. Usually you will have to appear before a judge who, in addition to any other action, may require you to post bail to guarantee your future appearance. You will be required to pay a \$50 warrant assessment fee (G.L. c.276, §31) to the court in cash or by certified check, unless there is a good reason why you cannot pay it now. If this warrant was issued because you owe the court money, you should be prepared to pay that amount also in cash or by certified check, unless there is a good reason why you cannot pay it now.

Even if you believe that this warrant was issued in error, **DO NOT IGNORE THIS NOTICE** or you may be arrested. Bring any relevant information you have to the court with you (e.g. payment receipts, proof of true identity, bail recognition form, etc.).

DATE NOTICE PRINTED

04/26/2005

DATE NOTICE MAILED, IF DIFFERENT

CLERK-MAGISTRATE

John Nucci

Atencion: Notificacion oficial del tribunal; si no entiende ingles, obtenga una traduccion.

CLERK'S MINUTES

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS

SUPERIOR COURT FOR THE TRANSACTION OF CRIMINAL BUSINESS

I

NO. SUCR 01-10467

COMMONWEALTH
VS.

Dale Holloway, Jr.

5/24/01

DATE 5/24/01 Motion of Commonwealth for warrant of arrest to issue filed and allowed.

Freeman, Smith, Jr.

Frank Barbo
ATTEST:

Assistant Clerk

warrant on indictment issued

*6/1/01 Brought into court. Special Mitt from B.M.C.
Warrant recalled. Court orders def to recognize in
the sum of \$50,000.00 Cash set up projudice.*

CPCS

to represent defendant pursuant
to Superior Court Rule 53, Statement
of Judges reasons filed.

BAIL WARNING READ

*Cont to 6/4/01 in cm Session
for arraignment by order of Court.*

Boord, JACM

P. Smith, ADA/AAG/P.C.

J. Grant, Atty.

N. King, C.R.

Attest: *R. Pelletier*
Assistant Clerk.



DATE

4/4/01

Brought into Court

Def. receives reading of Indictment's pleas
That Guilty to #001-#002

- After my court finishes all prior orders of Bail
Def. ordered to Recog in the Sum of \$150,000 w/ surety
for the alternative \$15,000 dollar cash w/o/p

Admons
Issued

BAIL WARNING READ

W

Continued to 7/11/01 at request of defendant/Counsel/by Agreement
by Order of Court

re P.T.C. (m.p.d.s)

W. Blom JACM
P. Smith ADA/AAG/P.C.
D. Regan Atty.
D. Williams C.R.
J. G. Long Assistant Clerk

3 Commenced Foot Notes of
Recovery Certificate, filed

Am

7/11/01 Not in Court

Continued to 7/19/01 at request of Defendant
Comm./ by Order of Court/By Agreement

Cal

re P.T.C.

W. Blom JACM
P. Smith ADA/AAG/P.C.
W. Cromlaw Atty. C.R.
J. G. Long Assistant Clerk

DATE

7/19/2001

Def't not in Court.

Continued to 8/1/01 at request of Defendant/
Comm. / by Order of Court / By Agreement

for PTC (on session).

Asst. - Eric S. Day
Asst. Clerk

Walsh Acm
C. Bartolin ADA
D. Regan Atty
W. Greenlaw CR

7/19/01

Commonwealth's 3rd Notice
4 If Discovery filed.

8/1/01 Not in Court

Continued to 8/29/01 at request of Defendant/
Comm. / by Order of Court / By Agreement

@ PTC (on session)

Wilson, JACM
P. Smythe, ADA/AAG/P.C.
Atty.
W. Greenlaw, C.R.
Asst. Clerk

8/29/01

Def't not in Court.

Continued to 9/4/01 at request of Defendant/
Comm. / by Order of Court / By Agreement

Hay @ P.T.C.

in cm session
Wilson, JACM
P. Smythe, ADA/AAG/P.C.
Atty.
D. Cullinan, C.R.
Asst. Clerk

DATE | Defendant not in Court.
 9/4/01 | Continued by agreement to 9/12/01
 Cal | for Bail hearing (fel list)
 Continued by agreement to 9/20/01
 for status. J Session

Food bill
 E Haran Atty
 J Culliver CK
 Attest Jona Haway
 Asst Clerk

9/12/01 | Defendant in Court
 Cal | Continued to 9/20/01 at request of Defendant
 Comm./by Order of Court/By Agreement High re bail

~~Mc Coy~~
~~O Smith~~ ADA/AAG
~~D Jegan~~ Atty.
~~C Jans~~
~~A Barlow~~ C.R.

(over)

DATE

9/20/01 Deft. not in Ct.
Deft's Request for bail reduction
waived

Hearing Re: Non Evidentiary Motions. - 10/23/01
10/15/01 to file motions.

M. Session

Wilson

ADAJAAG/P.C.

D. Regan, Atty.
A. Willinger, C.R.
Ford
Assistant Clerk

10-23-01

Deft not in Court

Continued to 11-27-01 by agr.

Lobby Conf in justice session

Send notice to atty D. Regan

Notice sent 10/23/01

Ford a/cm

C. Smith CR

P. Smyth a/cm

attest D. D. Qualls a/c

D. Regan atty

aw
aw

DATE

11-27-01 Dep NW in Court

Cont to 12-28-01 Lobby Conf.
By agreement

Cal
R

-(T) Session

Ball D
X

X
Connolly

Att: [Signature]

12-28-01 Not in Court

Cont to 1-24-02 By agreement

Cal
R

(T) Session (R) LOBBY Conf.

BALL, J. X ADA X ATTY D. COLLINS CR

Att: G. Fin
G/K MAGISTRATE

1-24-02 Dep Not in Court

Call
ll

Cont to 1-25-02 Johnny Curpa
by agreement

2nd Session -

Lawrence
P. Smyth

K. Connelley
for Joe Curpa

1-25-02 Dep Not in Court

Call
ll

Cont to 1-28-02 Johnny @ 9:00 AM
by agreement

2nd Session -

Lawrence
P. Smyth
D. Regan
K. Connelley

for Joe Curpa

28-02 Not in Court

Call
ll

to Comm. Files Sentencing Memorandum

After JoBBg Conf, Cont. to 2-28-02 By agreement

Change of Plea (5) Session

LAURIAT, J. P. Smyth ADA D. Regan Atty

M. McDonald CA ATTOR: A. J. A/c Mag.

2-28-02 - Dep Mr. de [unclear]

Jul Court to 3-26-02 Plea by agree
Court orders that a writ of Habeas Corpus issue to P. Smyth
for defendant for 3-26-02

Habe issued 2-28-02
1st Session = J. King
D. Reagan
W. King

3/26/02 - Dep Mr. de [unclear]
was for [unclear]

Aug Court to 4-29-02 MS(T) assign.
"by agree"

2nd Session - D. Reagan
P. Smyth
W. Breen
was for [unclear]

4/29/02 Dep Mr de Cass

Cal

Cms to 6-4-02 by T. Darrigan

by agreement

CM Session -

Brady J

P. A. Smith

William Fox

J. Stewart

M. Wright

with Joe [unclear]

15-15-2002

Duplicate Bail mitt sent to Plymouth County
Correctional via FAX + mail as requested -
(attest Embury and Clark)

6-4-02 Deft not in Court

Continued to 6/5/02 at request of Defendant
~~by Order of Court/By Agreement~~

CM Session by re course

Wilson, J/ACM

C. Bartolone, ADA/AAG/P.C.

B. Eisenberg, Atty.

E. D., C.R.

est. J. Vaughan
Assistant Clerk

6/3/02

Dept not in Court

Continued to 7/24/02 at request of Defendant
Comm./ by Order of Court/By Agreement High re counsel

~~Wilson~~ S/ACM

~~B. Smith~~ ADA/AAG/P

~~A. Stewart~~ Atty.

~~E.P.D.~~ C.R.

Attest: ~~Barbara~~
Assistant Clerk

6.6.02

7 Commonwealth's fourth notice of discovery certificate, filed.

6/24/02

Dept not in Court

Continued to 7/3/02 at request of Defendant
Comm./ by Order of Court/By Agreement High re counsel

Cal

em sen

~~Wilson~~ S/ACM

~~_____~~ ADA/AAG/P

~~A. Goldback~~ Atty.

~~E.P.D.~~ C.R.

Attest: ~~Barbara~~
Assistant Clerk

7/3/2002

Not in Court

Continued to 7/26/2002 for renewed discovery motions by agreement

Cal

8 Dept's motion and affidavit for funds for evaluation of disability filed and after hearing allowed up to \$1500.00

9 Dept's motion and affidavit for funds for neuropsychologist filed and allowed up to \$300.00

attn: Paul Nash

D. Regan ADA Atty.

Wilson S/ACM
Em CR

7/26/02

Deft notice Court

Continued by agreement to 8/22/02
(con) for non evidentiary mtgs.

[Handwritten signature]

Ford ACJM
P. Smyke ADA

ERD

Attest: R. Lawrence AC

8/22/02

Deft in Court

Continued to 9/24/02 at request of Defendant
Comm./ by Order of Court/By Agreement

[Handwritten signature]
Discovery

[Handwritten signature], JACM
[Handwritten signature], ADA/AAG/P.C.
[Handwritten signature], Atty.

[Handwritten signature], C.R.

Attest: *[Handwritten signature]*
Assistant Clerk

9/24/02 Deft. mtg in Court

Cont. to 10/10/02 of my
re. discovery at req. of
deft.

13

Ford ACJM
P. Smyke ADA
D. Regan Atty
ERD

Attest: R. Lawrence
ASST. CLERK

[Large handwritten mark]

10/11/02 Deft not in Court.
Cont to 11/19/02 in (J) Session
Hrg @ Lobby Conf by agreement.

Ford JACM
P Smyth ADA/AGPO
D Regan Atty.
ERD CR

Attest: [Signature]
Assistant Clerk

11/06/02 Deft. appears on video @ Nashua St. Jail.
Requiring Bail.
After hearing, defendant's oral motion for reduction
of bail allowed.

Deft. ordered to recognize in sum of \$50,000
surety or \$5,000 cash bail.

[Signature]

Mittimus Issued, Bail warning read.
Special cmd. Deft. to enroll in bracelet
monitoring program.

Hines J
P Smyth ADA
D Regan Atty
P Connolly CR
Attest: [Signature] Asst Clerk

11/19/02 Defendant not in Court.
Continued to December 16, 2002 for Lobby Conference by agreement
(Judge's session)

[Signature]

Hines J
X ADA
H Caplan for D. Regan, Atty
P. Connolly CR
Attest: [Signature]
Assistant Clerk

12/16/02 Defendant not in Court

Cal

Court to 12/23/02 of
Lobby conference at
req. of dept. (J. session)

Atty. Regan unavailable
Tait Aust

Hene, J

P. Smyth, MD

P. Connolly on

Atty. Regan

INSTRUCTION

12/23/02

Def not in Court.

Case continued to 1/8/03 for plea conference.

C.R. P. Connolly

Hene, J

Atty D. Regan

A.P.A. P. Smyth

William K. Welch

best Clerk

1/8/03

Defendant not in Court.

Continued to January 17, 2003 for Lobby Conference by agreement

(Judge's session)

Lounis

JACOB

G. Smyth

ADAM

P. Regan

Atty.

A. McDonald

C.R.

Haribeth Brady

1-17-03 Dep Not in Court

(JAIL LIST)

Court to 2-3-03 Plea - by agree

2nd session =

[Handwritten signature]

Fournier J

P. Smyth

D Regan

G Mc Donald

with Joe Power
[Handwritten signature]

2-3-03 Dep Not in Court

(JAIL LIST)

Court to 2-13-03 Plea - by agree

1st session =

[Handwritten signature]

Fournier J

X

G Mc Donald for D Regan

G Mc Donald

with Joe Power
[Handwritten signature]

2-13-03 Dep Not in Court

(JAIL LIST)

Court to 2-27-03 Plea - req of Court

1st session =

[Handwritten signature]

Fournier J

P. Smyth

D Regan

G Mc Donald

with Joe Power
[Handwritten signature]

227-03 - P41 not in Court

3-20-03

Court really re: (P) assign - by express

enforcement

Jaurak
P Smyth
D Reagan
A Mc Donald

Mr Joe Curran
Clerk

3/20/03 Deft not in Court

Continued to 4/7/03 at request of Defendant in (P) Session
Comm. by Order of Court/By Agreement

Hwy (P) Plea Wilson, JACM
Smith, ADA/AAG/PO
Reagan, Atty.
EPD, C.R.

Attest: R. P. [Signature]
Assistant Clerk

4/7/03 Deft not in Ct.

Continued to 4/14/03 at request of Defendant
Comm. by Order of Court/By Agreement

plea Session

paid post

Quilgan, JACM
Smith, ADA/AAG/PO
Reagan, Atty.
McDonald, C.R.

Attest: [Signature]
Assistant Clerk

4/14/03 Not in Court

Cont. to 4/28/03

(J) Session by agent

(re) agreed upon

Charge of Plea
(atty to call ahead for Halper - (a few days prior))

Jurat. J. P. Smyth ADA: D. Regan
Atty: COZ
to/c

Not in Court

Cont. to 5-14-03 (J) Jan

by agent

(re) Plea

Deft placed on Gal. Jst.

Rule

36

waives

Jurat

P. Smyth

D. Regan

A. McDonald

5/14/2003

Brought into Court
Def't offers to plead guilty
to offenses #001 and 002
after hearing Court accepts
Def't's offer. Defendant pleads
guilty

10 Dismisses of right from
Chen. Dismisses given

(10)

Re offense #001
Mcr. Cedar Junction May of Two
and Half Years. Men off Two
years. ^{Mittimus issued}
Def't deemed to have served

50 days of said sentence
waived off Right of Appeal under Rule 6
Court assesses def't \$900 K.A.P.
Notified that he has submit to
DNA testing

Re offense #002
Two years Probation on
and after sentence imposed on

offense #001
Court assesses def't 50.00 a month
Probation fee on in lieu of that
Community Service

R. Smythe ADA. Billings J.
D. Regan ASY. P. Pietrella Jr
Attis Caul Kaye

3/03

mtc

ASSESSMENT IN THE AMOUNT OF \$ 90.00 PAID TO THE
VICTIM/WITNESS ASSISTANCE FUND IN ACCORDANCE WITH M.G.L.
CHAPTER 268B, SEC. 6 *am*

2/23/04

M.P.

PROBATION OFFICERS NOTICE TO
DEFENDANT TO APPEAR ON
11/6/05 FOR A HEARING
ON SURRENDER, FILED

1/18/05 Comes into Court. Surrendered by Probation Officer

9-05
JAC
KSM

Public Counsel division
appointed to represent defendant.

Court orders Defendant
to recognize personally w/o
surety in sum of \$100.00.
Bail Warning Read.

\$ 150.00 Counsel fee assessed per
MGL Ch 211 Section D3 or
1/2 days Community Service

(Signature)

Continued to 2/15/05 at request of Defendant
Comm. /by Order of Court/By Agreement.

William J. Maguire J. MAG
Y. Reyes ADA/AAG/P.O.
(Signature) Atty.
(Signature) C.R.

Final Surrender (T. Fen)

Attest
(Signature)
Assistant Clerk

*2/15/05 Comes into Court
Court to 4/26/05 @ req of Def.
Final Surrender - J. Reyes
(Atty ill)*

of
...
...

*Ball of
W. Mitchell P.O.
J. Diner atty*

*A. McDonald CR
attest D.O. ...
etc.*

DATE

4-26-05 Defendant not in court

Defendant not appearing

VTD warrant to issue.

Application for warrant filed Locke JIMAG

VTD warrant

WOW/Don WMS

W. Mitchell, ADA/AAG/P.O.

P. Connolly, C.R.

Attest M. Seal

Assistant Clerk

5/2/05 Notice of Outstanding Warrant returned without Service filed.

6/9/05 Brought into Court on true warrant printout. Warrant recalled.

Warrant service fee \$75. - imposed, payable to City of Boston.

Court appoints Atty. J. Griffin (for default removal & bail hearing only) pursuant to Superior Court Rule 53. (a.2110 fee previously assessed)

Bail: \$50,000. - w/ surety OR \$5000. - cash, set w/o/p.

Bail warning given. Mitt Issued

Continued to 7/7/05 at request of Defendant Comm. by Order of Court/By Agreement.

for final surrender hearing. Jail lot.

Notice to Atty D. Regan. - Wilson Mag
(Notice sent 6/9/05)
Attest: [Signature] W. Mitchell P.O.
J. Griffin Atty
ERD

DATE

7/7/05 Deft not in court - event not held
continued to 8/2/05 by agreement
by @ final surrender (5)

~~Court orders that a Writ of Habeas Corpus issue to~~ Old Colony
~~for defendant for~~ 8/2/05

AD
H

Dabe valued

Gargano J
- M O'Sullivan PO
D. Regan Atty
C. Skeritt CL
attest James M. Parodi
Acu es

8/2/05 Brought into Court

- Hearing @ final Surrender on #002, after
hearing deft is found in violation after
Terms & Condition of Probation as set forth on
the record.

- Court orders case continued to 9/8/05 @
Depositions.

- Deft advised to Reem. Personally w/o Security in (P.O.)

- Reelblowing Road. Purchased Issues, Speed Mittell

13 Deft's Sentencing Memorandum in Support of Release/Resort for
W. Mitchell PO

D. Regan Atty

attest A. V. Gargano
Atty

back
C. Skeritt CL

9/8/05 Comes into court
Continued to 9/13/05 by request of Jeff
Locke, J.
W. Mitchell P.O.

+
P. Cassidy CR
after James M. Baskin
acc. 04

9/13/05 Comes into court
Continued to 9/23/05 by appealment
long @ disposition (2)

+
D. Reagon 2004
E. Blake CR
after James M. Baskin
acc. 9

9/23/05 Comes into court
long @ disposition; after hearing
Probation extended to 12/16/06 with
conditions.

- ① Enter & complete SAP program in Brooklyn
- ② Community Service for 135 hours
- ③ Clean up BMC warrant this date. 9/23/05

Locke, J.
W. Mitchell P.O.
D. Reagon 2004
W. Coleman CR
after James M. Baskin
acc. 2



12/1/05

14
PROBATION OFFICER [REDACTED] TO
DEFENDANT TO [REDACTED]
[REDACTED]

N.I.

12/20/05

Left mat in Court
Court to 1/5/06 @ req of probation in cm Session
Due to medical condition Initial Prob Surrender

[Signature]

Wilson Asst
W. Mitchell PO

ERD CR
R. Dellokum

1/5/06

Comes into court. Surrendered by Probation
Court 1/24/06 in cm Session filing of
Probation report, by agreement.

[Signature]

Court orders Defendant
to recognize personally w/o
surety in sum of \$100.00.
Bail Warning Read.

Court appoints Atty. CPES
to represent defendant
pursuant to Superior Court Rule 53.

\$ 150 Counsel fee assessed
MGL Ch 211 Section D3 or
2 days Community Servi

~~Wilson NCAR~~
~~W. Mitchell PO, A.D.A.~~
~~X. Devedo Atty.~~
ERD C.R.

Attest: R. Dellokum
Assistant Clerk

1/24/06

Comes into court. Surrendered by Probation
Atty D. Reagan files Mtn to withdraw - Allowed.
Court to 2/7/06 in cm Session filing of Report.
Left retaining Attorney, by agreement.

[Signature]

~~Wilson NCAR~~
~~W. Mitchell PO, A.D.A.~~
~~[Signature] Atty.~~
ERD C.R.

Attest: R. Dellokum
Assistant Clerk

DATE

2/7/06 Defendant not in Court.

Continued to 2/14/06 at request of Probation

(D) for filing of probation report. (cm)

Have issued

have to issue to Plymouth County HCL

Wilson, May
W. Mitchell, PO
P

ERD
att: Margaret H. Samuel
Asst. Clerk

Feb 14, 2006 Brought into Court.

Continued to 2/28/06 at request of Defendant

Comm. By Order of Court/By Agreement filing of Prob Report

cm

Draft ordered to recognize in the amount of \$20,000.00 surety or in the alternative of \$2,000.00 cash w/p pg. BWR.

with issued

Court appoints Atty. E.M. Sullivan to represent defendant pursuant to Superior Court Rule 53.

(D)

na p filed

Wilson May
W Mitchell A.D.A. - P.O.
E.M. Sullivan Atty.
ERD C.R.

Attest:

Margaret H. Samuel
Assistant Clerk

DATE

Feb 28, 2006 Dept not in Court.

judge Continued to 4/4/06 at request of Defendant
Comm. By Order of Court/By Agreement. Final Sum (1 1/2 hours)

Court orders that a Writ of Habeas Corpus issue to Alameda Ct Habeas
H.C. for defendant for 4/4/06 joined

(10) Amended Notice of Surrender and Hearings for
Alleged Violations of Probation
Joint Final Probation Surrender Hearing Report filed.
Request for Summons I, II and III each filed
and allowed.

Wilson Mag
W. Mitchell P.O.
E. M. Ballou
E.R.D. C.F.
Attest: [Signature]
Assistant Clerk

3/2/06 Summons issued to Brockton Police
Officer Kenneth Johnson, Lisa King
and Bonnie King.

3/24/06 Habeas issue to MET Colin Tucker
for 4/4/06
Vaughan mag
attest [Signature]
ac

[Signature]

one clerks
vs II

Commonwealth of Massachusetts
County of Suffolk
The Superior Court

WRIT OF HABEAS CORPUS FOR DEFENDANT

CRIMINAL DOCKET# SUCR2001-10467

RE: Commonwealth vs. Holloway, Jr., Dale

To: Superintendent,
Cedar Junction MCI (Walpole),
PO Box 100, Route 1A
Walpole MA 02081

or to the Sheriffs of our several counties, or their deputies, the Officers of the Court, hereinafter named,

GREETING:

WE COMMAND you that you have the body of
Dale Holloway, Jr. , (DOB) 08/06/1982) (PCF#)1836962) (hereinafter, Defendant) a/k/a (if any),

who is detained in said institution under your custody, as it is said, under safe and sure conduct, before the Superior Court, Department of the Trial Court, holden at Boston, in said County, for the transaction of criminal business, on: **04/04/2006; at: 09:30 AM in: Criminal 1 Ctrm 704 (Three Pemberton Square, Boston)**, then and there to appear for **Hearing: Final Probation Surrender** in said Court and from day to day thereafter until final disposition of the case and to do and receive what our said Justices shall then and there consider concerning him in this behalf; and have you there this writ.

Witness, Barbara J. Rouse, Esquire, Chief Justice of the Superior Court at Boston
this 24th day of March in the year of our Lord 2006.

.....
Assistant Clerk

RETURN

Suffolk, ss.

Date:

In obedience to this writ, I have the body of the within-named Dale Holloway, Jr. before the Court.

.....
Officer of the Court

PLEASE NOTE: Our records indicate that the above named defendant is located at your institution. If, however, he/she has been transferred please forward this habe immediately per Order of the Court
Barbara J. Rouse, Chief Justice of the Superior Court.

**Commonwealth of Massachusetts
County of Suffolk
The Superior Court**

WRIT OF HABEAS CORPUS FOR DEFENDANT

CRIMINAL DOCKET# SUCR2001-10467

RE: Commonwealth vs. Holloway, Jr., Dale

To: Superintendent,
Cedar Junction MCI (Walpole),
PO Box 100, Route 1A
So Walpole MA 02071

or to the Sheriffs of our several counties, or their deputies, the Officers of the Court, hereinafter named,

GREETING:

WE COMMAND you that you have the body of
Dale Holloway, Jr. , (DOB) 08/06/1982 (PCF#)1836962 (hereinafter, Defendant) a/k/a (if any),

who is detained in said institution under your custody, as it is said, under safe and sure conduct, before the Superior Court, Department of the Trial Court, holden at Boston, in said County, for the transaction of criminal business, on: **06/13/2006; at: 09:30 AM in: Criminal 1 Ctrm 704 (Three Pemberton Square, Boston),** then and there to appear for **Hearing: Final Probation Surrender** in said Court and from day to day thereafter until final disposition of the case and to do and receive what our said Justices shall then and there consider concerning him in this behalf; and have you there this writ.

Witness, Barbara J. Rouse, Esquire, Chief Justice of the Superior Court at Boston
this 16th day of May in the year of our Lord 2006.

.....
Assistant Clerk

RETURN

Suffolk, ss.

Date:

In obedience to this writ, I have the body of the within-named Dale Holloway, Jr. before the Court.

.....
Officer of the Court

PLEASE NOTE: Our records indicate that the above named defendant is located at your institution. If, however, he/she has been transferred please forward this habe immediately per Order of the Court
Barbara J. Rouse, Chief Justice of the Superior Court.

COA

**Commonwealth of Massachusetts
County of Suffolk
The Superior Court**

WRIT OF HABEAS CORPUS FOR DEFENDANT

CRIMINAL DOCKET# SUCR2001-10467

RE: Commonwealth vs. Holloway, Jr., Dale

To: Superintendent,
Cedar Junction MCI (Walpole),
PO Box 100, Route 1A
Walpole MA 02081


or to the Sheriffs of our several counties, or their deputies, the Officers of the Court, hereinafter named,

GREETING:

WE COMMAND you that you have the body of **Dale Holloway, Jr. , (DOB) 08/06/1982) (PCF#)1836962) (hereinafter, Defendant) a/k/a (if any),**

who is detained in said institution under your custody, as it is said, under safe and sure conduct, before the Superior Court, Department of the Trial Court, holden at Boston, in said County, for the transaction of criminal business, on: **05/16/2006; at: 09:30 AM in: Criminal 1 Ctrm 704 (Three Pemberton Square, Boston),** then and there to appear for **Conference: Status Review** in said Court and from day to day thereafter until final disposition of the case and to do and receive what our said Justices shall then and there consider concerning him in this behalf; and have you there this writ.

Witness, Barbara J. Rouse, Esquire, Chief Justice of the Superior Court at Boston this 4th day of April in the year of our Lord 2006.


.....
Assistant Clerk

RETURN

Suffolk, ss.

Date:

In obedience to this writ, I have the body of the within-named Dale Holloway, Jr. before the Court.

.....
Officer of the Court

PLEASE NOTE: Our records indicate that the above named defendant is located at your institution. If, however, he/she has been transferred please forward this habe immediately per Order of the Court
Barbara J. Rouse, Chief Justice of the Superior Court.

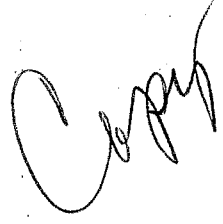
Commonwealth of Massachusetts
County of Suffolk
The Superior Court

WRIT OF HABEAS CORPUS FOR DEFENDANT

CRIMINAL DOCKET# SUCR2001-10467

RE: Commonwealth vs. Holloway, Jr., Dale

To: Sheriff,
Suffolk House of Correction (South Bay),
20 Bradston Street
Boston MA 02118



or to the Sheriffs of our several counties, or their deputies, the Officers of the Court, hereinafter named,

GREETING:

WE COMMAND you that you have the body of
Dale Holloway, Jr. , (DOB) 08/06/1982) (PCF#)1836962) (hereinafter, Defendant) a/k/a (if any),

who is detained in said institution under your custody, as it is said, under safe and sure conduct, before the Superior Court, Department of the Trial Court, holden at Boston, in said County, for the transaction of criminal business, on: **07/18/2006; at: 09:30 AM in: Criminal 1 Ctrm 704 (Three Pemberton Square, Boston),** then and there to appear for **Hearing: Final Probation Surrender** in said Court and from day to day thereafter until final disposition of the case and to do and receive what our said Justices shall then and there consider concerning him in this behalf; and have you there this writ.

Witness, Barbara J. Rouse, Esquire, Chief Justice of the Superior Court at Boston this 13th day of June in the year of our Lord 2006.

.....
Assistant Clerk

RETURN

Suffolk, ss.

Date:

In obedience to this writ, I have the body of the within-named Dale Holloway, Jr. before the Court.

.....
Officer of the Court

PLEASE NOTE: Our records indicate that the above named defendant is located at your institution. If, however, he/she has been transferred please forward this habe immediately per Order of the Court
Barbara J. Rouse, Chief Justice of the Superior Court.

*** TX REPORT ***

TRANSMISSION OK

TX/RX NO	0309	
CONNECTION TEL		96179616564
SUBADDRESS		
CONNECTION ID	SOUTH BAY	
ST. TIME	06/06 11:09	
USAGE T	00'29	
PGS. SENT	1	
RESULT	OK	

**Commonwealth of Massachusetts
County of Suffolk
The Superior Court**

WRIT OF HABEAS CORPUS FOR DEFENDANT

CRIMINAL DOCKET# SUCR2001-10467

RE: Commonwealth vs. Holloway, Jr., Dale

To: Sheriff,
Suffolk House of Correction (South Bay),
20 Bradston Street
Boston MA 02118

or to the Sheriffs of our several counties, or their deputies, the Officers of the Court, hereinafter named,

GREETING:

WE COMMAND you that you have the body of Dale Holloway, Jr., (DOB) 08/06/1982) (PCF#)1836962) (hereinafter, Defendant) a/k/a (if any),

who is detained in said institution under your custody, as it is said, under safe and sure conduct, before the Superior Court, Department of the Trial Court, holden at Boston, in said County, for the transaction of criminal business, on: **06/13/2006; at: 09:30 AM in: Criminal 1 Ctrm 704 (Three Pemberton Square, Boston)**, then and there to appear for **Hearing: Final Probation Surrender** in said Court and from day to day thereafter until final disposition of the case and to do and receive what our said Justices shall then and there consider concerning him in this behalf; and have you there this writ.

Witness, Barbara J. Rouse, Esquire, Chief Justice of the Superior Court at Boston this 6th day of June in the year of our Lord 2006.

Margaret H. Seal
Assistant Clerk

RETURN

Commonwealth of Massachusetts
County of Suffolk
The Superior Court

WRIT OF HABEAS CORPUS FOR DEFENDANT

CRIMINAL DOCKET# SUCR2001-10467

RE: Commonwealth vs. Holloway, Jr., Dale

To: Sheriff,
Suffolk House of Correction (South Bay),
20 Bradston Street
Boston MA 02118

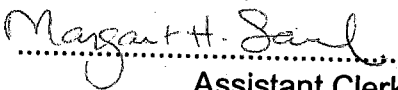
or to the Sheriffs of our several counties, or their deputies, the Officers of the Court, hereinafter named,

GREETING:

WE COMMAND you that you have the body of Dale Holloway, Jr. , (DOB) 08/06/1982) (PCF#)1836962) (hereinafter, Defendant) a/k/a (if any),

who is detained in said institution under your custody, as it is said, under safe and sure conduct, before the Superior Court, Department of the Trial Court, holden at Boston, in said County, for the transaction of criminal business, on: 06/13/2006; at: 09:30 AM in: Criminal 1 Ctrm 704 (Three Pemberton Square, Boston), then and there to appear for Hearing: Final Probation Surrender in said Court and from day to day thereafter until final disposition of the case and to do and receive what our said Justices shall then and there consider concerning him in this behalf; and have you there this writ.

Witness, Barbara J. Rouse, Esquire, Chief Justice of the Superior Court at Boston this 6th day of June in the year of our Lord 2006.


Assistant Clerk

Suffolk, ss.

RETURN
Date:

In obedience to this writ, I have the body of the within-named Dale Holloway, Jr. before the Court.

.....
Officer of the Court

PLEASE NOTE: Our records indicate that the above named defendant is located at your institution. If, however, he/she has been transferred please forward this habe immediately per Order of the Court
Barbara J. Rouse, Chief Justice of the Superior Court.

Commonwealth of Massachusetts
County of Suffolk
The Superior Court

WRIT OF HABEAS CORPUS FOR DEFENDANT

CRIMINAL DOCKET# SUCR2001-10467

RE: Commonwealth vs. Holloway, Jr., Dale

To: Superintendent,
Cedar Junction MCI (Walpole),
PO Box 100, Route 1A
Walpole MA 02081

or to the Sheriffs of our several counties, or their deputies, the Officers of the Court, hereinafter named,

GREETING:

WE COMMAND you that you have the body of
Dale Holloway, Jr. , (DOB) 08/06/1982) (PCF#)1836962) (hereinafter, Defendant) a/k/a (if any),

who is detained in said institution under your custody, as it is said, under safe and sure conduct, before the Superior Court, Department of the Trial Court, holden at Boston, in said County, for the transaction of criminal business, on: **05/25/2006; at: 09:30 AM in: Criminal 1 Ctrm 704 (Three Pemberton Square, Boston),** then and there to appear for **Hearing: Final Probation Surrender** in said Court and from day to day thereafter until final disposition of the case and to do and receive what our said Justices shall then and there consider concerning him in this behalf; and have you there this writ.

Witness, Barbara J. Rouse, Esquire, Chief Justice of the Superior Court at Boston
this 4th day of April in the year of our Lord 2006.

.....
Assistant Clerk

RETURN

Suffolk, ss.

Date:

In obedience to this writ, I have the body of the within-named Dale Holloway, Jr. before the Court.

.....
Officer of the Court

PLEASE NOTE: Our records indicate that the above named defendant is located at your institution. If, however, he/she has been transferred please forward this habe immediately per Order of the Court
Barbara J. Rouse, Chief Justice of the Superior Court.

Probation Office
Suffolk Superior Court
3 Pemberton Sq. 11th fl.
Boston, MA 02108

COMMONWEALTH vs Dale Holloway
35 Cabot St.
Brockton, Mass. 02302

15

NOTICE OF SURRENDER AND HEARINGS FOR ALLEGED VIOLATION(S) OF PROBATION

You are hereby notified to appear in this Court at 9 am on **December 20, 2005** for a hearing on a charge that you have violated the terms and conditions of your probation imposed by this Court on **May 14, 2003** the following complaints (Docket Number (s) and Brief Description:

01-10467-002 ABDW

(Strike out (1) or (2) below, whichever is applicable.)

(1) This hearing will be to determine whether there is probable cause to believe you have committed a violation of your probation. If the Court so finds, there will be a subsequent hearing on the issue of revocation and imposition of additional sanctions. If you wish, both hearings may be held at the same time. The same judge may not sit on both hearings unless you expressly agree thereto. In this particular case, you have a right to both hearings, but may waive the preliminary hearing if you wish.

(2) This hearing will be a final hearing on the issue of whether your probation shall be revoked and additional sanctions imposed.

You have the following rights:

- (1) A right to legal counsel, and if your are unable to afford counsel, the Court will appoint counsel for you.
- (2) A right to be confronted by the person alleging you have violated the terms of your probation and to cross-examine that person as well as any other persons who testify against you.
- (3) A right to insist that all testimony be under oath.
- (4) A right to remain silent and not to be prejudiced thereby.
- (5) A right to testify on your own behalf, to produce witnesses and other evidence to support your denial of the alleged violation (s), or in a final revocation hearing to support the explanation or mitigation of any violation.

The notice of the alleged violation (s) of probation is as follows:

<u>Alleged Violation (s)</u>	<u>Date</u>	<u>Place</u>
1.) New offense BMC	10/25/05	Mal. Destruction of Property
2.) Failure to enter Brockton Salvation Army.		
3.) Failure to report as ordered.		
4.) Failure to perform C/S.		
5.) Failure to pay \$150.00 Counsel Fee.		
6.) Failure to pay DNA fee		

2/28/06 AMENDED SURRE. NEW OFFENSE BROCKTON D.C.

Do not fail to appear in Court at the time and place ordered above. You may then request a continuance if additional time is required to protect your rights.

Date: December 7, 2005

Signature: _____

Assent to Immediate Hearing

I, _____, having received the foregoing notice, hereby assent to an immediate hearing, this _____ day of _____.

Offender

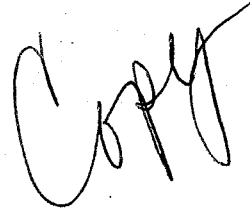
Commonwealth of Massachusetts
County of Suffolk
The Superior Court

WRIT OF HABEAS CORPUS FOR DEFENDANT

CRIMINAL DOCKET# SUCR2001-10467

RE: Commonwealth vs. Holloway, Jr., Dale

To: Sheriff,
Plymouth County Correctional Facility,
26 Long Pond Road
Plymouth MA 02360



or to the Sheriffs of our several counties, or their deputies, the Officers of the Court, hereinafter named,

GREETING:

WE COMMAND you that you have the body of
Dale Holloway, Jr. , (DOB) 08/06/1982) (PCF#)1836962) (hereinafter, Defendant) a/k/a (if any),

who is detained in said institution under your custody, as it is said, under safe and sure conduct, before the Superior Court, Department of the Trial Court, holden at Boston, in said County, for the transaction of criminal business, on: **04/04/2006; at: 09:30 AM in: Criminal 1 Ctrm 704 (Three Pemberton Square, Boston),** then and there to appear for **Hearing: Final Probation Surrender** in said Court and from day to day thereafter until final disposition of the case and to do and receive what our said Justices shall then and there consider concerning him in this behalf; and have you there this writ.

Witness, Barbara J. Rouse, Esquire, Chief Justice of the Superior Court at Boston
this 1st day of March in the year of our Lord 2006.

.....
Assistant Clerk

RETURN

Suffolk, ss.

Date:

In obedience to this writ, I have the body of the within-named Dale Holloway, Jr. before the Court.

.....
Officer of the Court

PLEASE NOTE: Our records indicate that the above named defendant is located at your institution. If, however, he/she has been transferred please forward this habe immediately per Order of the Court
Barbara J. Rouse, Chief Justice of the Superior Court.


Commonwealth of Massachusetts
County of Suffolk
The Superior Court

WRIT OF HABEAS CORPUS FOR DEFENDANT

CRIMINAL DOCKET# SUCR2001-10467

RE: Commonwealth vs. Holloway, Jr., Dale

To: Sheriff,
Plymouth County Correctional Facility,
26 Long Pond Road
Plymouth MA 02360



or to the Sheriffs of our several counties, or their deputies, the Officers of the Court, hereinafter named,

GREETING:

WE COMMAND you that you have the body of
Dale Holloway, Jr. , (DOB) 08/06/1982) (PCF#)1836962) (hereinafter, Defendant) a/k/a (if any),

who is detained in said institution under your custody, as it is said, under safe and sure conduct, before the Superior Court, Department of the Trial Court, holden at Boston, in said County, for the transaction of criminal business, on: **02/14/2006; at: 09:30 AM** in: **Clerk Magistrate Session Rm 705**, then and there to appear for **Hearing: Probation Report** in said Court and from day to day thereafter until final disposition of the case and to do and receive what our said Justices shall then and there consider concerning him in this behalf; and have you there this writ.

Witness, Barbara J. Rouse, Esquire, Chief Justice of the Superior Court at Boston this 7th day of February in the year of our Lord 2006.

.....
Assistant Clerk

RETURN

Suffolk, ss.

Date:

In obedience to this writ, I have the body of the within-named Dale Holloway, Jr. before the Court.

.....
Officer of the Court

PLEASE NOTE: Our records indicate that the above named defendant is located at your institution. If, however, he/she has been transferred please forward this habe immediately per Order of the Court
Barbara J. Rouse, Chief Justice of the Superior Court.

**Commonwealth of Massachusetts
County of Suffolk
The Superior Court**

Mittimus - To Common Jail in the County of Suffolk

CRIMINAL DOCKET# **SUCR2001-10467**

RE: Commonwealth v Holloway, Jr., Dale

To the sheriffs of our several Counties, their deputies, the officers of the Court and to the Keeper of the Jail in Suffolk County,

GREETINGS:

Whereas, by consideration of our Superior Court, holden at Boston within and for the County of Suffolk, on 11/06/02

Dale Holloway, Jr.

(a/k/a, if any:)

now in Custody of the Sheriff of our said County of Suffolk, for the crime of:

265:018:b.2	Assault, armed, intent to murder	03/21/2001
265:015A:b	Assault & battery, dangerous weapon	03/21/2001

was, on 11/06/02 in the year of our Lord, ordered by our said Court to be held in the custody of the Sheriff of the said County and committed to the Common Jail at **Boston** in said County, **with Fifty Thousand dollars (\$50,000) surety or Five Thousand dollars(\$5,000) cash**, and stand committed until the further order of the Court.

We therefore **COMMAND YOU**, the said Sheriff and Deputies, to remove the said **Dale Holloway, Jr.** to said jail, and we command you, the Keeper of said Jail, to receive the said **Dale Holloway, Jr.** to safely keep in and within the precincts of said Common Jail, pursuant to said order.

And for so doing, this shall be your warrant. And you are to make return of this warrant, with your doings therein, to the Office of the Clerk of our Superior Court, in Boston, as soon as may be.

Witness: Suzanne V. DelVecchio, Chief Justice of the Superior Court
6th day of November, 2002 at Boston, Massachusetts

.....
Assistant Clerk

RETURN

Suffolk, ss.

Date: _____

In obedience to this order, I have removed the within-named Dale Holloway, Jr. to the Common Jail in Suffolk County, and delivered said defendant, and a true and attested copy of this warrant to the Keeper thereof.

.....
Officer of the Court

8

SUFFOLK, SS

COMMONWEALTH OF MASSACHUSETTS
SUPERIOR COURT
NO.

01-10467

COMMONWEALTH

V.

DALE HALLOWAY

MOTION AND AFFIDAVIT FOR FUNDS
FOR EVALUATION OF DISABILITY

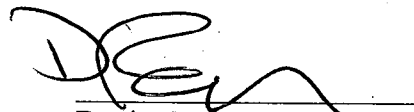
Now comes the defendant and respectfully moves this Court for funds in the amount of 1,500 dollars for the services of a physician or other medical specialist to evaluate the extent of defendant's disability to his arm and shoulder.

As grounds therefore, defense counsel states, upon knowledge, information and belief:

1. He is indigent.
2. He suffered severe injuries in an assault when he was fifteen, which limited the motion in one arm.
3. The services of a medical specialist are necessary for preparation of a possible defense of self-defense.

Signed under the pains and penalties of perjury, July 3, 2002.

*7/3/02
and other
up to \$1,500.00
attorney*



Denise Regan, attorney
Committee for Public Counsel Services
44 Bromfield Street
Boston, Massachusetts 02118
(617) 988-8347

NOTICE OF ASSIGNMENT OF COUNSEL

ASSIGNMENT NUMBER
C3917403-0

COMMONWEALTH OF MASSACHUSETTS



DATE OF ASSIGNMENT

1-18-05

NAME OF ASSIGNING JUDGE

Wilson, MAJ

COURT DIVISION

#431

JURY SESSION
(Check Here)

**SUPERIOR COURT
CRIMINAL BUSINESS
90 DEVONSHIRE STREET
ROOM # 607
BOSTON, MA 02109**

NAME OF PERSON FOR WHOM COUNSEL ASSIGNED

Dale Halloway

Juvenile (J) Adult (A) Language if not English _____

DOCKET NO.

CRIMINAL CASES—ENTER OFFENSE CODE OR CHAPTER & SECTION WITH CHARGE

OFFENSE CODE

CHAPTER

SECTION

CHARGE

01-10467

265 15A

ABDLO

B

C

D

E

F

NON-CRIMINAL CASES

- 1001 c.119, §§23(C), 29
- 1002 c.210, §3/DPW v.JKB
- 1003 Civil Commit c.123, §7, 8
- 1017 Writ of Apprehension c.123, §12(e)
- 1018 Commitment of Alcoholics c.123, §35
- 1019 Commitment/Guardianship of Mentally Retarded Persons c.201, §6A
- 1004 Commitment Review
- 1005 c.112, §12S
- 1026 Commitment Appeal c. 123, §9(a)
- 1007 SDP Review (c. 123A, §9)
- 1008 CHINS (c.119, §39F)
- 1009 Rogers
- 1010 Spring/Saikewicz
- 1011 Probate Crim. Contempt
- 1012 Housing Contempt
- 1013 Foster Care Review
- 1014 Elderly Abuse
- 1015 c. 201, §5, 14 Guardianship
- 1016 C&P (c.119, §§24, 29)
- 1020 Disabled Persons (c.19C, §7) Petition for Protective Services

THIS FORM IS NOT FOR GUARDIAN AD LITEM ASSIGNMENTS

NEXT COURT DATE

2/15/05

INCARCERATION STATUS

- Released
- Not Released
- Bail \$ *10000* *or* *No Bail*
- Serving Other Sentence
- Committed
- Not Applicable

POST-TRIAL CRIMINAL CASES ONLY
PURPOSE OF ASSIGNMENT

- Appeals Court or SJC (A)
- Sentence Appeal (S)
- Probation Surrender (P)
- Revise and Revoke (R)
- New Trial Motion (N)
- Other (O)

FOR:

- Bench or Jury Trial (T)
- Probable Cause (C)
- Pre-Trial (P)
- Other (O)

INDIGENCY DETERMINATION

The court has found the above-named person

Indigent

or

Indigent but able to contribute \$ *15000* *or* *1/2 days* *community service*

The attorney or organization listed below is assigned to represent this person in this action.

CHECK ONE OF THE FOLLOWING:

Public Defender Division

Local Office # 11

(See reverse side for address and telephone number.)

Student Attorney under Rule 3:03

Name of Program _____

Attorney to be named by CPCS for Appeals Court/SJC/Murder Cases/ Rule 30 Motions/SDP Send to: CPCS

44 Bromfield Street,
Boston, MA 02108

Private Counsel Attorney
PLEASE PRINT

BBO# _____

REQUIRED

NAME FIRST MIDDLE LAST

STREET

CITY

STATE

ZIP

TELEPHONE

CRIMINAL CASE INFORMATION CONTACT: BAR ADVOCATE PROGRAM NO. _____
(SEE REVERSE SIDE FOR ADDRESS AND TELEPHONE NUMBER.)

Assignment For Purpose of Bail Hearing, Bail Review or Arraignment Only

AUTHORIZED SIGNATURE

PRINT NAME

INSTRUCTIONS TO THE COURT

1. Forward white copy to Committee for Public Counsel Services, 44 Bromfield Street, Boston, MA 02108
2. Retain green copy for court file.
3. Remaining copies are color coded as follows: pink—client, blue—bar advocate program, goldenrod—attorney.

COPY

COPY

*** D U P L I C A T E M I T T I M U S ***

Commonwealth of Massachusetts

Suffolk, SS.

*Superior Court Department of
the Trial Court*

SUCR 2001-10467 - 001

To the Sheriff of said County of Suffolk, his Deputies, the Officers of the Court hereinafter named, and the Keeper of the Jail in Boston, in said County of Suffolk.

Greeting:

These are to command you the said Sheriffs and Officers in the name of the **Commonwealth of Massachusetts**, forthwith to convey and deliver into the custody of the Keeper of said Jail, the body of

DALE HOLLOWAY, Jr.,

who has this day been brought before the Superior Court Department of the Trial Court, for Criminal Business, holden at said Boston within and for the said County, to answer to an indictment found against him by the Grand Inquest for the body of the County of Suffolk, and presented at the May Sitting of said Court A.D. 2001 wherein he is charged with the crime of

ASSAULT WITH INTENT TO MURDER, BEING ARMED

alleged to have been committed in the County aforesaid, and said defendant being ordered to recognize in the sum of **ONE HUNDRED FIFTY THOUSAND (\$ 150,000.00) DOLLARS** with sufficient surety, or by the deposit of **FIFTEEN THOUSAND (\$ 15,000.00) DOLLARS CASH BAIL (WITHOUT PREJUDICE)** For his personal appearance before the said Court now holden within the City of Boston, and for the County aforesaid.

And to abide by the decree, sentence or order of said Court thereon, and personally appear at any subsequent time and sitting of said Court, to which said indictment may be continued, if now previously surrendered or discharged, and so from time to time and sitting to sitting until the final decree, sentence order or decree of said Court, and not depart without leave.

And the said defendant refusing to comply with the order to recognize as aforesaid, you the said Keeper, are hereby required to receive the said defendant into your custody in said Jail, and him there safely keep until recognize as aforesaid or be otherwise discharged by order of law.

Witness, **Suzanne V. Del Vecchio, Chief Justice of said Court** and the seal thereof, at Boston aforesaid, this fourth day of June in the year of our Lord two thousand two.

James T. Flanagan
Assistant Clerk

Suffolk, SS.

Boston,

2002

In obedience to the within order, I have conveyed the within-named defendant to the Jail in said County, and left a true and attested copy of this mittimus and my return thereon with the Keeper therein.

Deputy Sheriff
Officer of the Court within named

COPY

COPY

Commonwealth of Massachusetts
County of Suffolk
The Superior Court

Mittimus - To Common Jail in the County of Suffolk

CRIMINAL DOCKET# SUCR2001-10467

RE: Commonwealth v Holloway, Jr., Dale

To the sheriffs of our several Counties, their deputies, the officers of the Court and to the Keeper of the Jail in Suffolk County,

COPY

GREETINGS:

Whereas, by consideration of our Superior Court, holden at Boston within and for the County of Suffolk, on 06/01/2001

Dale Holloway, Jr.

(a/k/a, if any:)

now in Custody of the Sheriff of our said County of Suffolk, for the crime of:

265:018:b.2	Assault, armed, intent to murder	03/21/2001
265:015A:b	Assault & battery, dangerous weapon	03/21/2001

was, on 06/01/2001 in the year of our Lord, ordered by our said Court to be held in the custody of the Sheriff of the said County and committed to the Common Jail at Boston in said County, \$50,000.00 cash without prejudice, and stand committed until the further order of the Court.

We therefore **COMMAND YOU**, the said Sheriff and Deputies, to remove the said Dale Holloway, Jr. to said jail, and we command you, the Keeper of said Jail, to receive the said Dale Holloway, Jr. to safely keep in and within the precincts of said Common Jail, pursuant to said order.

And for so doing, this shall be your warrant. And you are to make return of this warrant, with your doings therein, to the Office of the Clerk of our Superior Court, in Boston, as soon as may be.

Witness: Suzanne V. DelVecchio, Chief Justice of the Superior Court 1st of June, 2001 at Boston, Massachusetts

.....
Assistant Clerk


RETURN

Suffolk, ss.

Date: _____

In obedience to this order, I have removed the within-named Dale Holloway, Jr. to the Common Jail in Suffolk County, and delivered said defendant, and a true and attested copy of this warrant to the Keeper thereof.

.....
Officer of the Court

NOTICE OF RECALL OF WARRANT	POLICE DEPARTMENT BOSTON PD AREA A-1	Trial Court of Massachusetts Suffolk Superior Court	
------------------------------------	---	--	---

NAME OF DEFENDANT HOLLOWAY, DALE 199 GARFIELD AVENUE HYDE PARK, MA 02136	DEF. DOB 08/06/1982	COURT Suffolk Superior Court 90 Devonshire Street Room 607 Boston, MA 02109
---	---------------------	---

DOCKET NUMBER SUCR0110467	DATE WARRANT ISSUED 05/24/2001	DATE WARRANT RECALLED 06/01/2001	REASON FOR RECALL <input type="checkbox"/> Case has been disposed of <input type="checkbox"/> Default removed and case continued to _____ <input type="checkbox"/> Other

TO THE DEFENDANT NAMED ABOVE:

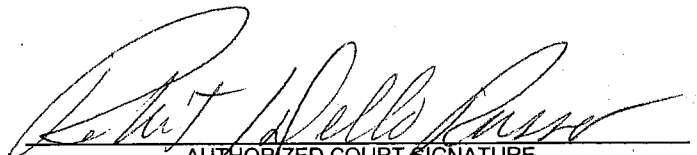
You are hereby notified that the court has recalled, without service, and cancelled the warrant(s) against you that are listed above.

This recall notice applies ONLY to the warrant(s) listed above which were issued and recalled on the date(s) listed above. It does NOT apply to any subsequent warrant(s) issued under the same case docket number(s).

KEEP THIS NOTICE ON YOUR PERSON AS EVIDENCE OF THE RECALL in the event that a law enforcement officer questions you about the above warrant(s).

If your case has not been fully disposed of and you have been released on bail or personal recognizance, your wilful failure to appear may result in the issuance of an additional criminal complaint punishable by up to one year imprisonment or up to a \$1,000 fine or both. See General Laws chapter 276, section 82A.

6/1/01
DATE


AUTHORIZED COURT SIGNATURE

WARRANT **SUCR0110467**

Suffolk Superior
NAME, ADDRESS AND ZIP CODE OF DEFENDANT
HOLLOWAY, DALE
199 GARFIELD AVENUE
HYDE PARK, MA 02136

DATE OF BIRTH	SEX	RACE	HEIGHT	WEIGHT	EYES	HAIR
08/06/1982	M	B	5'08"	165	BRO	BRO

C.C. #	SOCIAL SECURITY #
010148007	017-64-6130

DATE OF OFFENSE	PLACE OF OFFENSE
03/21/2001	BOSTON

COMPLAINANT	POLICE DEPARTMENT
	BOSTON PD AREA A-1

DATE OF COMPLAINT	RETURN DATE AND TIME
05/24/2001	

COUNT-OFFENSE
1 - 265/18/C ASSAULT TO MURDER, ARMED c265 §18(b)

on 03/21/2001, being armed with a dangerous weapon, A KNIFE, did assault TYREE HERRING with intent to murder such person, in violation of G.L. c.265, §18(b). (NO DISTRICT COURT FINAL JURISDICTION IN ADULT SESSION; must submit a DNA sample within 90 days of conviction pursuant to G.L. c.22E, §3.)

COUNT-OFFENSE
1 - 265/15A/A A&B WITH DANGEROUS WEAPON c265 §15A(b)

on 03/21/2001 did, by means of a dangerous weapon, a A KNIFE, assault and beat TYREE HERRING, in violation of G.L. c.265, §15A(b). (PENALTY: state prison not more than 10 years; or jail not more than 2½ years; or not more than \$1000. District Court has final jurisdiction under G.L. c.218, § 26.)

COUNT-OFFENSE

COUNT-OFFENSE

**Trial Court of Massachusetts
Suffolk Superior Court**



TO ANY AUTHORIZED OFFICER:
REASON FOR WARRANT

- Representation of prosecutor that defendant may not appear unless arrested.
- Defendant failed to appear after being summoned to appear.
- Defendant failed to appear after recognizing to appear.
- Defendant failed to pay court ordered monies in the amount of \$_____.
- Defendant failed to pay non-criminal motor vehicle fine in the amount of \$_____.
- Defendant failed to appear for Probation Surrender Hearing
- Other:

THE COURT HAS ORDERED THAT A WARRANT DEFAULT WARRANT ISSUE AGAINST THE ABOVE DEFENDANT

Therefore you are hereby commanded to arrest the above named defendant and bring the defendant forthwith before this court to answer to the offense(s) listed above and to be dealt with according to law.

FIRST JUSTICE

71 | DATE OF ISSUE

CLERK, MAGISTRATE/ASST. CLERK

2

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPERIOR COURT
No.

Commonwealth
v.

Dale Holloway

MOTION OF THE COMMONWEALTH FOR AN ARREST WARRANT

The Commonwealth moves that a warrant be issued for the arrest of the above-named defendant. In support of its motion the Commonwealth states:

1. The defendant is in custody at Nashua St. :

on this case;
 on another case pending in _____ County; or
 serving a sentence.

or

2. The defendant is not in custody, because:

the defendant posted bail in this case; or
 there are no pending proceedings regarding this defendant and the subject matter of this case.

and substantial reasons exist for the issuance of an arrest warrant, as follows:

NAME Dale Holloway
ALIAS _____
ADDRESS 199 Garfield Ave.
H.P.
D.O.B. 8/6/82 RACE B
M/F M HT 5'8" WGT 165
EYES brown HAIR brown
S.S.# 017 64 6130
POLICE Dorch ID# _____
DISTRICT & UNIT A-1
CC# 010148007
PCF# 183 6962

Respectfully Submitted,
Ralph C. Martin II
District Attorney

by [Signature]
Assistant District Attorney

DATED: 5/24/01

Commonwealth of Massachusetts
County of Suffolk
The Superior Court

COPY

COPY

Mittimus - To Common Jail in the County of Suffolk

CRIMINAL DOCKET# SUCR2001-10467

RE: Commonwealth v Holloway, Jr., Dale

To the sheriffs of our several Counties, their deputies, the officers of the Court and to the Keeper of the Jail in Suffolk County,

GREETINGS:

Whereas, by consideration of our Superior Court, holden at Boston within and for the County of Suffolk, on 06/04/2001

Dale Holloway, Jr.

(a/k/a, if any:)

now in Custody of the Sheriff of our said County of Suffolk, for the crime of:

265:018:b.2	Assault, armed, intent to murder	03/21/2001
265:015A:b	Assault & battery, dangerous weapon	03/21/2001

was, on 06/04/2001 in the year of our Lord, ordered by our said Court to be held in the custody of the Sheriff of the said County and committed to the Common Jail at Boston in said County, \$150,000.00 with surety or \$15,000.00 cash without prejudice, and stand committed until the further order of the Court.

We therefore **COMMAND YOU**, the said Sheriff and Deputies, to remove the said Dale Holloway, Jr. to said jail, and we command you, the Keeper of said Jail, to receive the said Dale Holloway, Jr. to safely keep in and within the precincts of said Common Jail, pursuant to said order.

And for so doing, this shall be your warrant. And you are to make return of this warrant, with your doings therein, to the Office of the Clerk of our Superior Court, in Boston, as soon as may be.

Witness: Suzanne V. DelVecchio, Chief Justice of the Superior Court 4th of June, 2001 at Boston, Massachusetts

James T. Flanagan
Assistant Clerk

RETURN

Suffolk, ss.

Date: 4 JUNE 2001

In obedience to this order, I have removed the within-named Dale Holloway, Jr. to the Common Jail in Suffolk County, and delivered said defendant, and a true and attested copy of this warrant to the Keeper thereof.

.....
Officer of the Court

COPY

COPY

7

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

SUPERIOR COURT DEPARTMENT
NO. 01/10467

COMMONWEALTH

v.

DALE HALLOWAY

COMMONWEALTH'S FOURTH NOTICE OF DISCOVERY CERTIFICATE

Now comes the Commonwealth in the above-captioned matter and respectfully states that it has provided counsel for the defendant with copies of the following

- 1. Four investigative reports written by Officer T. Stanton:
 - a. AnnMarie Isemond interview (4/25/01);
 - b. Alland Pierre interview (4/26/01);
 - c. Atta Ahmad Interview (4/19/01);
 - d. Dale Holloway Interview.

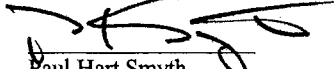
Please contact me with any questions or concerns.

Respectfully Submitted
For the Commonwealth

RALPH C. MARTIN, II
DISTRICT ATTORNEY

By: 
 Paul H. Smyth
 Assistant District Attorney
 One Bulfinch Place
 Boston, MA 02114

I, Paul Hart Smyth, hereby certify that a copy of the above document was served to defendant's Counsel of record, Attorney Denise Regan, on 6/4/02.


 Paul Hart Smyth
 Assistant District Attorney

Commonwealth of Massachusetts
County of Suffolk
The Superior Court

CRIMINAL DOCKET#: SUCR2001-10467

RE: Commonwealth v Holloway, Jr., Dale

Date: 9th day of June, 2005.

To: Suffolk Superior Court Probation Department

WARRANT FEE NOTICE

Please indicate which fee applies to this case, or if fee has been waived, or community service ordered in lieu of fees.

(Please place an "X" before the applicable paragraph)

- Recall of Default/Violation of Probation Warrant/No Arrest Assessment of Fee (MGL. Ch. 276, Sec. 30, Paragraph 1) \$50.00 Fee**

The Defendant, Dale Holloway, Jr., having voluntarily surrendered themselves before the court seeking removal of warrant, the Default/Violation of Probation Warrant is recalled without service. A fee of \$50.00 is assessed and when collected said fee is to be turn over to the Commonwealth of Massachusetts.


- Arrest on Default or Violation of Probation Warrant, Warrant Returned with Service Assessment of Fee (MGL. Ch. 276, Sec. 30, Paragraph 2) \$75.00 Fee**

The Defendant, Dale Holloway, Jr., having appeared before the Court by virtue of service of process (arrest on either a default or violation of Probation Warrant), the Court has assessed a fee of \$75.00 against the defendant, and when paid is to be transmitted to the Treasurer of the City/Town which as served the arrest process. Remit fee to Treasurer of **City of Boston**, Commonwealth of Massachusetts.

Fee waived _____ Reason(s) _____

Community Service Option: One day Community Service ordered in lieu of fee
\$ _____

Received by:  Suffolk
Superior Court Probation Department

NOTICE OF RECALL OF WARRANT		POLICE DEPARTMENT BOSTON PD - AREA A-1		Trial Court of Massachusetts Suffolk County Superior Court 	
NAME OF DEFENDANT HOLLOWAY, DALE 199 GARFIELD AVENUE HYDE PARK, MA 02136			DEF. DOB 08/06/1982	COURT Suffolk County Superior Court 3 Pemberton Square Room 1400 Boston, MA 02108	
DOCKET NUMBER SUCR0110467	DATE WARRANT ISSUED 04/26/2005	DATE WARRANT RECALLED 06/09/2005	REASON FOR RECALL		
			<input type="checkbox"/> Case has been disposed of <input type="checkbox"/> Default removed and case continued to _____ <input type="checkbox"/> Other		

TO THE DEFENDANT NAMED ABOVE:

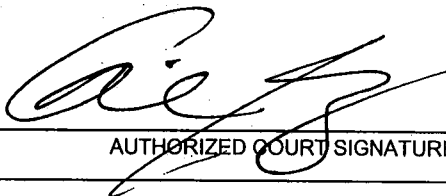
You are hereby notified that the court has recalled, without service, and cancelled the warrant(s) against you that are listed above.

This recall notice applies ONLY to the warrant(s) listed above which were issued and recalled on the date(s) listed above. It does NOT apply to any subsequent warrant(s) issued under the same case docket number(s).

KEEP THIS NOTICE ON YOUR PERSON AS EVIDENCE OF THE RECALL in the event that a law enforcement officer questions you about the above warrant(s).

If your case has not been fully disposed of and you have been released on bail or personal recognizance, your wilful failure to appear may result in the issuance of an additional criminal complaint punishable by up to one year imprisonment or up to a \$1,000 fine or both. See General Laws chapter 276, section 82A.

6/9/05
DATE


AUTHORIZED COURT SIGNATURE

Commonwealth of Massachusetts
County of Suffolk
The Superior Court

COPY

Copy

Mittimus - To Common Jail in the County of Suffolk

CRIMINAL DOCKET# SUCR2001-10467

RE: Commonwealth v Holloway, Jr., Dale

To the sheriffs of our several Counties, their deputies, the officers of the Court and to the Keeper of the Jail in Suffolk County,

GREETINGS:

Whereas, by consideration of our Superior Court, holden at Boston within and for the County of Suffolk, on 06/09/2005

Dale Holloway, Jr.

(a/k/a, if any:)

now in Custody of the Sheriff of our said County of Suffolk, for the crime of:

265:018:b.2	Assault, armed, intent to murder	03/21/2001
265:015A:b	Assault & battery, dangerous weapon	03/21/2001

was, on 06/09/2005 in the year of our Lord, ordered by our said Court to be held in the custody of the Sheriff of the said County and committed to the Common Jail at **Boston** in said County, **\$50,000.00 (Fifty Thousand Dollars) with surety or \$5,000.00 (Five Thousand Dollars Dollars) cash without prejudice**, and stand committed until the further order of the Court.

We therefore **COMMAND YOU**, the said Sheriff and Deputies, to remove the said **Dale Holloway, Jr.** to said jail, and we command you, the Keeper of said Jail, to receive the said **Dale Holloway, Jr.** to safely keep in and within the precincts of said Common Jail, pursuant to said order.

And for so doing, this shall be your warrant. And you are to make return of this warrant, with your doings therein, to the Office of the Clerk of our Superior Court, in Boston, as soon as may be.

Witness: Barbara J. Rouse, Chief Justice of the Superior Court
9th day of June, 2005 at Boston, Massachusetts

.....
Assistant Clerk

RETURN

Suffolk, ss.

Date: _____

In obedience to this order, I have removed the within-named Dale Holloway, Jr. to the Common Jail in Suffolk County, and delivered said defendant, and a true and attested copy of this warrant to the Keeper thereof.

.....
Officer of the Court

NOTICE OF ASSIGNMENT OF COUNSEL

ASSIGNMENT NUMBER
C 3919723-3

COMMONWEALTH OF MASSACHUSETTS



DATE OF ASSIGNMENT: 6/9/05
NAME OF ASSIGNING JUDGE: ACM Wilson

COURT DIVISION: #481
 JURY SESSION (Check Here)

NAME OF PERSON FOR WHOM COUNSEL ASSIGNED: Dale Holloway

**SUPERIOR COURT
CRIMINAL BUSINESS
90 DEVONSHIRE STREET
ROOM # 607
BOSTON, MA 02109**

Juvenile (J) Adult (A) Language if not English _____

DOCKET NO.	CRIMINAL CASES—ENTER OFFENSE CODE OR CHAPTER & SECTION WITH CHARGE			
	OFFENSE CODE	CHAPTER	SECTION	CHARGE
A <u>01-10469</u>		<u>26</u>	<u>13</u>	<u>ABDW</u>
B		<u>26A</u>	<u>15</u>	<u>Armed Assault / Int. Murder</u>
C				
D				
E				
F				

NON-CRIMINAL CASES	
<input type="checkbox"/> 1001 c.119, §§23(C), 29	<input type="checkbox"/> 1008 CHINS (c.119, §39F)
<input type="checkbox"/> 1002 c.210, §3/DPW v. JKB	<input type="checkbox"/> 1009 Rogers
<input type="checkbox"/> 1003 Civil Commit c.123, §7, 8	<input type="checkbox"/> 1010 Spring/Salkewicz
<input type="checkbox"/> 1017 Writ of Apprehension c.123, §12(e)	<input type="checkbox"/> 1011 Probate Crim. Contempt
<input type="checkbox"/> 1018 Commitment of Alcoholics c.123, §35	<input type="checkbox"/> 1012 Housing Contempt
<input type="checkbox"/> 1019 Commitment/Guardianship of Mentally Retarded Persons c.201, §8A	<input type="checkbox"/> 1013 Foster Care Review
<input type="checkbox"/> 1004 Commitment Review	<input type="checkbox"/> 1014 Elderly Abuse
<input type="checkbox"/> 1005 c.112, §12S	<input type="checkbox"/> 1015 c.201, §5, 14 Guardianship
<input type="checkbox"/> 1026 Commitment Appeal c. 123, §9(a)	<input type="checkbox"/> 1016 C&P (c.119, §§24, 29)
<input type="checkbox"/> 1007 SDP Review (c. 123A, §9)	<input type="checkbox"/> 1020 Disabled Persons (c.19C, §7) Petition for Protective Services

NEXT COURT DATE: 7/7/05

INCARCERATION STATUS
 Released
 Not Released
 Bail: \$ 5000 - cash No Bail
 Serving Other Sentence
 Committed
 Not Applicable

THIS FORM IS NOT FOR GUARDIAN AD LITEM ASSIGNMENTS

FOR:
 Bench or Jury Trial (T) Pre-Trial (P)
 Probable Cause (C) Other (O)
Final

POST-TRIAL CRIMINAL CASES ONLY PURPOSE OF ASSIGNMENT
 Appeals Court or SJC (A) Revise and Revoke (R)
 Sentence Appeal (S) New Trial Motion (N)
 Probation Surrender (P) Other (O)

INDIGENCY DETERMINATION
 The court has found the above-named person
 Indigent or Indigent but able to contribute \$ _____
 The attorney or organization listed below is assigned to represent this person in this action.

CHECK ONE OF THE FOLLOWING: (Default removal only)

Public Defender Division
 Local Office # 11
 (See reverse side for address and telephone number.)
 Student Attorney under Rule 3:03
 Name of Program _____
 Attorney to be named by CPCS for Appeals Court/SJC/Murder Cases/ Rule 30 Motions/SDP Send to: CPCS
 44 Bromfield Street,
 Boston, MA 02108

Private Counsel Attorney
 PLEASE PRINT
Joseph M. Griffin Jr.
 NAME FIRST MIDDLE LAST
101 Tremont St.
 STREET
Boston
 CITY
MA 02108
 STATE ZIP
(617) 742-1003
 TELEPHONE
 CRIMINAL CASE INFORMATION CONTACT: BAR ADVOCATE PROGRAM NO. _____
 (SEE REVERSE SIDE FOR ADDRESS AND TELEPHONE NUMBER.)

Assignment For Purpose of Bail Hearing, Bail Review or Arraignment Only

AUTHORIZED SIGNATURE
CONNIE S. WONG ACM
 PRINT NAME

INSTRUCTIONS TO THE COURT

1. Forward white copy to Committee for Public Counsel Services, 44 Bromfield Street, Boston, MA 02108
2. Retain green copy for court file.
3. Remaining copies are color coded as follows: pink—client, blue—bar advocate program, goldenrod—attorney.

NOTICE OF ASSIGNMENT OF COUNSEL

ASSIGNMENT NUMBER
C3919723-3

COMMONWEALTH OF MASSACHUSETTS



DATE OF ASSIGNMENT: 10/10/05 NAME OF ASSIGNING JUDGE: Arthur S. Wadsworth

COURT DIVISION: #481 JURY SESSION (Check Here)

NAME OF PERSON FOR WHOM COUNSEL ASSIGNED: [Handwritten Name]

**SUPERIOR COURT
CRIMINAL BUSINESS
90 DEVONSHIRE STREET
ROOM # 607
BOSTON, MA 02109**

Juvenile (J) Adult (A) Language if not English: _____

DOCKET NO.	CRIMINAL CASES—ENTER OFFENSE CODE OR CHAPTER & SECTION WITH CHARGE			CHARGE
	OFFENSE CODE	CHAPTER	SECTION	
A		261B	12	Aggravated Assault
B		261B	12	Aggravated Assault
C				
D				
E				
F				

- NON-CRIMINAL CASES**
- 1001 c.119, §23(C), 29
 - 1002 c.210, §3/DPW v.JKB
 - 1003 Civil Commit c.123, §7, 8
 - 1017 Writ of Apprehension c.123, §12(e)
 - 1018 Commitment of Alcoholics c.123, §33
 - 1019 Commitment/Guardianship of Mentally Retarded Persons c.201, §6A
 - 1004 Commitment Review
 - 1005 c.112, §12S
 - 1026 Commitment Appeal c. 123, §9(a)
 - 1007 SDP Review (c. 123A, §9)
 - 1008 CHINS (c.119, §39F)
 - 1009 Rogers
 - 1010 Spring/Saikewicz
 - 1011 Probate Crim. Contempt
 - 1012 Housing Contempt
 - 1013 Foster Care Review
 - 1014 Elderly Abuse
 - 1015 c. 201, §5, 14 Guardianship
 - 1016 C&P (c.119, §24, 29)
 - 1020 Disabled Persons (c.19C, §7) Petition for Protective Services

NEXT COURT DATE: 11/1/05

INCARCERATION STATUS

Released

Not Released - cash

Bail \$ 500 No Bail

Serving Other Sentence

Committed

Not Applicable

THIS FORM IS NOT FOR GUARDIAN AD LITEM ASSIGNMENTS

FOR:

Bench or Jury Trial (T) Pre-Trial (P)

Probable Cause (C) Other (O)

POST-TRIAL CRIMINAL CASES ONLY PURPOSE OF ASSIGNMENT

Appeals Court or SJC (A) Revise and Revoke (R)

Sentence Appeal (S) New Trial Motion (N)

Probation Surrender (P) Other (O)

INDIGENCY DETERMINATION

The court has found the above-named person Indigent or Indigent but able to contribute \$ _____

The attorney or organization listed below is assigned to represent this person in this action.

CHECK ONE OF THE FOLLOWING: (Defendant removed, assigned)

Public Defender Division

Local Office # 11

(See reverse side for address and telephone number.)

Student Attorney under Rule 3:03

Private Counsel Attorney

PLEASE PRINT [Handwritten Name] BBO# 155218 REQUIRED

NAME FIRST MIDDLE LAST

STREET

CITY

STATE ZIP

TELEPHONE

CRIMINAL CASE INFORMATION CONTACT: BAR ADVOCATE PROGRAM NO. _____ (SEE REVERSE SIDE FOR ADDRESS AND TELEPHONE NUMBER.)

Attorney to be named by CPCS for Appeals Court/SJC/Murder Cases/ Rule 30 Motions/SDP Send to: CPCS

44 Bromfield Street, Boston, MA 02108

Assignment For Purpose of Bail Hearing, Bail Review or Arraignment Only

AUTHORIZED SIGNATURE: [Handwritten Signature]

PRINT NAME: CONNIE S. WONG AC/PL

INSTRUCTIONS TO THE COURT

1. Forward white copy to Committee for Public Counsel Services, 44 Bromfield Street, Boston, MA 02108
2. Retain green copy for court file.
3. Remaining copies are color coded as follows: pink—client, blue—bar advocate program, goldenrod—attorney.

NOTICE OF ASSIGNMENT OF COUNSEL

ASSIGNMENT NUMBER

C 3918422-4

COMMONWEALTH OF MASSACHUSETTS



DATE OF ASSIGNMENT

2/14/06

NAME OF ASSIGNING JUDGE

Magistrate

COURT DIVISION

**#481
SUPERIOR COURT
CRIMINAL BUSINESS
90 DEVONSHIRE STREET
ROOM # 607
BOSTON, MA 02109**

JURY SESSION (Check Here)

NAME OF PERSON FOR WHOM COUNSEL ASSIGNED

Dan Holloway

Juvenile (J)

Adult (A)

Language if not English _____

DOCKET NO.

CRIMINAL CASES—ENTER OFFENSE CODE OR CHAPTER & SECTION WITH CHARGE

OFFENSE CODE

CHAPTER

SECTION

CHARGE

*FCR01-
A 10467*

265

18

homed ass w/ murder

B

265

15A

A+B DW

C

D

E

F

NON-CRIMINAL CASES

- 1001 c.119, §§23(C), 29
- 1002 c.210, §3/DPW v.JKB
- 1003 Civil Commit c.123, §7, 8
- 1017 Writ of Apprehension c.123, §12(e)
- 1018 Commitment of Alcoholics c.123, §35
- 1019 Commitment/Guardianship of Mentally Retarded Persons c.201, §6A
- 1004 Commitment Review
- 1005 c.112, §12S
- 1026 Commitment Appeal c.123, §9(a)
- 1007 SDP Review (c.123A, §9)
- 1008 CHINS (c.119, §39F)
- 1009 Rogers
- 1010 Spring/Saikewicz
- 1011 Probate Crim. Contempt
- 1012 Housing Contempt
- 1013 Foster Care Review
- 1014 Elderly Abuse
- 1015 c.201, §5, 14 Guardianship
- 1016 C&P (c.119, §§24, 29)
- 1020 Disabled Persons (c.19C, §7) Petition for Protective Services

THIS FORM IS NOT FOR GUARDIAN AD LITEM ASSIGNMENTS

NEXT COURT DATE *2/28/06*

INCARCERATION STATUS

- Released
- Not Released
- Bail \$ *None* No Bail _____
- Serving Other Sentence
- Committed
- Not Applicable

POST-TRIAL CRIMINAL CASES ONLY PURPOSE OF ASSIGNMENT

- Appeals Court or SJC (A)
- Sentence Appeal (S)
- Probation Surrender (P)
- Revise and Revoke (R)
- New Trial Motion (N)
- Other (O)

FOR:

- Bench or Jury Trial (T)
- Probable Cause (C)
- Pre-Trial (P)
- Other (O)

INDIGENCY DETERMINATION

The court has found the above-named person

Indigent

or

Indigent but able to contribute \$ _____

The attorney or organization listed below is assigned to represent this person in this action.

CHECK ONE OF THE FOLLOWING:

Public Defender Division

Local Office # *11*

(See reverse side for address and telephone number.)

Student Attorney under Rule 3:03

Name of Program _____

Attorney to be named by CPCS for Appeals Court/SJC/Murder Cases/ Rule 30 Motions/SDP Send to: CPCS

44 Bromfield Street,
Boston, MA 02108

Private Counsel Attorney
PLEASE PRINT

BBO# *550269*

REQUIRED

NAME FIRST MIDDLE LAST

STREET

CITY

STATE ZIP

TELEPHONE

CRIMINAL CASE INFORMATION CONTACT: BAR ADVOCATE PROGRAM NO. _____
(SEE REVERSE SIDE FOR ADDRESS AND TELEPHONE NUMBER.)

Assignment For Purpose of Bail Hearing, Bail Review or Arraignment Only

AUTHORIZED SIGNATURE

PRINT NAME

INSTRUCTIONS TO THE COURT

1. Forward white copy to Committee for Public Counsel Services, 44 Bromfield Street, Boston, MA 02108
2. Retain green copy for court file.
3. Remaining copies are color coded as follows: pink—client, blue—bar advocate program, goldenrod—attorney.

13

SUFFOLK, SS

COMMONWEALTH OF MASSACHUSETTS
SUPERIOR COURT DEPARTMENT

NO. 01 - 10467 - 001 + 2

COMMONWEALTH

V.

DALE HOLLOWAY

DEFENDANT'S SENTENCING MEMORANDUM
IN SUPPORT OF PROPOSED DISPOSTION

1. Background.

Dale Holloway, age 20 spent his early years in a family where his father abused his mother, his siblings and him. At approximately age 5, his parents separated and his father took custody of Dale despite a history of abuse and drug dependency. At age 9, After Dale ran away from his father's home to his mother, he was allowed to live with his mother. He continued to see his father until a beating by his father caused Dale to cut off relations. Source of above: DYS records.

Testing by DYS at age 14 revealed that Dale suffered from impaired verbal skills. His performance IQ was 102 in contrast to a verbal IQ of 83. Although his potential performance is solidly in the average range of intelligence, his difficulty with language leads to misunderstanding and frustration. DYS records.

At age 15, Dale was stabbed over fifteen times during a robbery. He has lost substantial strength in his dominant right arm as a result. Medical records.

Both Dale's parents live in the area and have stabilized their lives. His mother and stepfather in Brockton are willing to take Dale into their home and cooperate with bracelet.

2. Incident

Dale is accused of stabbing Tyree Herring, causing very serious injury. The stabbing occurred at the Arcade on Washington Street, Downtown Crossing. Mr. Herring admitted that the defendant was trying to defend another individual named Jo-Jo during the confrontation. Mr. Herring, a member of a gang, stated that he was attempting to get JoJo to join a gang by hitting him and ordering him to do pushups and "stuff." Herring had taken Jo-JO's jacket and other belongings. Herring also stated that he was intoxicated.

Police arrested Dale when he reported to his probation officer in Brockton District Court. He came a full statement to police where he admitted stabbing Herring after Herring turned on Dale after he defended JoJo. Dale told the police that his arm was impaired and that he suspected that Herring was armed.

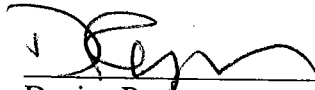
3. Proposed Disposition

The defendant requests that the court sentences him to 2 years to 2 years and a day on the assault with intent to murder charge and three years straight probation on the assault

M/O 8.2.05

and battery with a dangerous weapon charge with Community Corrections level 4 as a condition. Counsel has spoken to the director of Community Corrections in Tauton. He is willing to consider Dale as an applicant to the program.

RESPECTFULLY SUBMITTED,



Denise Regan, attorney
Committee for Public Counsel Services
44 Bromfield Street
Boston, Massachusetts
(617) 988-8347

4

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

SUPERIOR COURT DEPARTMENT
NO. 01/10467

COMMONWEALTH

v.

DALE HALLOWAY

COMMONWEALTH'S THIRD NOTICE OF DISCOVERY CERTIFICATE

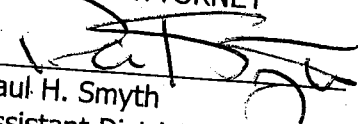
Now comes the Commonwealth in the above-captioned matter and respectfully states that it has provided counsel for the defendant with copies of the following

1. Grand Jury transcript for testimony taken May 23, 2001;
2. Grand Jury transcript for testimony taken May 21, 2001;
3. Grand Jury transcript for testimony taken May 24, 2001;
4. Six Investigative reports written by Detective Dorch:
 - a. AnnMarie Isemond interview (4/25/01);
 - b. Mylazia Johnson and Michelle Carter interviews (4/18/01);
 - c. Alland Pierre interview;
 - d. Pablo Paguasso interview (4/30/01);
 - e. Jason Latimore interview (5/1/01);
 - f. Joseph George interview;

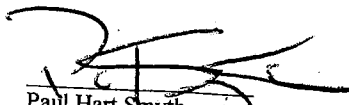
Please contact me with any questions or concerns.

Respectfully Submitted
For the Commonwealth

RALPH C. MARTIN, II
DISTRICT ATTORNEY

By: 
Paul H. Smyth
Assistant District Attorney
One Bulfinch Place
Boston, MA 02114

I, Paul Hart Smyth, hereby certify that a copy of the above document was mailed to defendant's Counsel of record, Attorney Denise Regan, on 7/19/01.



Paul Hart Smyth
Assistant District Attorney

Copy
**Commonwealth of Massachusetts
County of Suffolk
The Superior Court**

MITTIMUS TO Cedar Junction MCI (Walpole)

Docket #SUCR2001-10467-001

To the Sheriff of said County of **Suffolk**, his deputies, the Officers hereinafter named and the Superintendent of the **Cedar Junction MCI (Walpole)**

GREETING:

Whereas, by the consideration of the Superior Court Department of the Trial Court for Criminal Business, holden at **Boston** within and for the County of **Suffolk**, on the **14th day of May** in the year of our Lord **2003**.

Dale Holloway, Jr.

now in the custody of the Sheriff of said County of **Suffolk**, convicted of the crime(S) of: Chapter 265 Sect. 18(b) Armed Assault to Murder

for which crime the said **Dale Holloway, Jr.** was sentenced to be confined in the **Cedar Junction MCI (Walpole)** for a Maximum of Two and Half Years and a Minimum of Two Years.

The Court in imposing this sentence orders that the defendant **Dale Holloway, Jr.** be deemed to have served **510 DAYS** of said sentence in confinement awaiting disposition of this matter. **VICTIM/WITNESS FEE OF \$90.00 IMPOSED.**

We therefore, **command you**, the said Sheriff, Deputies and Officers of the Court to remove the said **Dale Holloway, Jr.** from the Jail in **Boston** the said County of **Suffolk**, to the **Cedar Junction MCI (Walpole)**, and **we command you**, the said Superintendent to receive the said **Dale Holloway, Jr.** and immediately thereon to cause the said **defendant** to be confined therein for a term of not exceeding Two and Half Years or less than Two Years as aforesaid.

WITNESS, Suzanne V. DeVecchio, Chief Justice of said Court and the seal thereof at **Boston** aforesaid, this **14th day of May** in the year of our Lord **2003**.

.....
Assistant Clerk

RETURN

Suffolk, SS.

Boston
2003

In obedience to the within warrant, I have conveyed the within named defendant to the **Cedar Junction MCI (Walpole)**, and delivered him to the Superintendent thereof with a copy of this warrant.

Deputy Sheriff, of said County
Officer of the Court named within.

NOTICE OF ASSIGNMENT OF COUNSEL

ASSIGNMENT NUMBER
C 918422-4

COMMONWEALTH OF MASSACHUSETTS



DATE OF ASSIGNMENT

2/10/06

NAME OF ASSIGNING JUDGE

Magistrate

COURT DIVISION

#481

JURY SESSION (Check Here)

NAME OF PERSON FOR WHOM COUNSEL ASSIGNED

Dan Hollaway

**SUPERIOR COURT
CRIMINAL BUSINESS
90 DEVONSHIRE STREET
ROOM # 607
BOSTON, MA 02109**

Juvenile (J) Adult (A) Language if not English

DOCKET NO.

CRIMINAL CASES—ENTER OFFENSE CODE OR CHAPTER & SECTION WITH CHARGE

OFFENSE CODE

CHAPTER

SECTION

CHARGE

A	10467	265	18	know loss w/ murder
B		265	15A	A+B DW
C				
D				
E				
F				

NON-CRIMINAL CASES

- | | |
|---|---|
| <input type="checkbox"/> 1001 c.119, §§23(C), 29 | <input type="checkbox"/> 1008 CHINS (c.119, §39F) |
| <input type="checkbox"/> 1002 c.210, §3/DPW v.JKB | <input type="checkbox"/> 1009 Rogers |
| <input type="checkbox"/> 1003 Civil Commit c.123, §7, 8 | <input type="checkbox"/> 1010 Spring/Saikewicz |
| <input type="checkbox"/> 1017 Writ of Apprehension c.123, §12(e) | <input type="checkbox"/> 1011 Probate Crim. Contempt |
| <input type="checkbox"/> 1018 Commitment of Alcoholics c.123, §35 | <input type="checkbox"/> 1012 Housing Contempt |
| <input type="checkbox"/> 1019 Commitment/Guardianship of Mentally Retarded Persons c.201, §5A | <input type="checkbox"/> 1013 Foster Care Review |
| <input type="checkbox"/> 1004 Commitment Review | <input type="checkbox"/> 1014 Elderly Abuse |
| <input type="checkbox"/> 1005 c.112, §12S | <input type="checkbox"/> 1015 c.201, §5, 14 Guardianship |
| <input type="checkbox"/> 1026 Commitment Appeal c.123, §9(a) | <input type="checkbox"/> 1016 C&P (c.119, §§24, 29) |
| <input type="checkbox"/> 1007 SDP Review (c.123A, §9) | <input type="checkbox"/> 1020 Disabled Persons (c.190, §7) Petition for Protective Services |

THIS FORM IS NOT FOR GUARDIAN AD LITEM ASSIGNMENTS

NEXT COURT DATE 2 28 106

INCARCERATION STATUS

- Released
 Not Released
 Bail \$ _____ No Bail _____
 Serving Other Sentence
 Committed
 Not Applicable

POST-TRIAL CRIMINAL CASES ONLY
PURPOSE OF ASSIGNMENT

- Appeals Court or SJC (A) Revise and Revoke (R)
 Sentence Appeal (S) New Trial Motion (N)
 Probation Surrender (P) Other (O)

INDIGENCY DETERMINATION

The court has found the above-named person

Indigent or Indigent but able to contribute \$ _____

The attorney or organization listed below is assigned to represent this person in this action.

CHECK ONE OF THE FOLLOWING:

Public Defender Division

Local Office # 11

(See reverse side for address and telephone number.)

Student Attorney under Rule 3:03

Name of Program

Attorney to be named by CPCS for Appeals Court/SJC/Murder Cases/ Rule 30 Motions/SDP Send to: CPCS
44 Bromfield Street, Boston, MA 02108

Private Counsel Attorney

PLEASE PRINT

BBO# 550269

REQUIRED

NAME FIRST MIDDLE LAST

200 State St. 1216/1

STREET

Boston

CITY

MA 02109

STATE ZIP

(617) 478-2067

TELEPHONE

CRIMINAL CASE INFORMATION CONTACT: BAR ADVOCATE PROGRAM NO. (SEE REVERSE SIDE FOR ADDRESS AND TELEPHONE NUMBER.)

Assignment For Purpose of Bail Hearing, Bail Review or Arraignment Only

AUTHORIZED SIGNATURE

PRINT NAME

INSTRUCTIONS TO THE COURT

1. Forward white copy to Committee for Public Counsel Services, 44 Bromfield Street, Boston, MA 02108
2. Retain green copy for court file.
3. Remaining copies are color coded as follows: pink—client, blue—bar advocate program, goldenrod—attorney.

COMMONWEALTH OF MASSACHUSETTS
COUNTY OF SUFFOLK
THE SUPERIOR COURT

Copy

MITTIMUS - TO COMMON JAIL IN THE COUNTY OF SUFFOLK

Suffolk, SS

Criminal Docket SUCR2001-10467

To the Sheriff of said County of Suffolk, his Deputies, the Officers hereinafter named and the Keeper of the Jail in Boston, in said County of Suffolk,

GREETING:

Whereas, by consideration our Superior Court, holden at Boston within and for the County of Suffolk, on 2/14/06

Dale Holloway, Jr.

now in the Custody of the Sheriff of our said County of Suffolk, for the crime of:

Armed Assault with into to Murder and ABDW

alleged to have been committed in the County aforesaid, and said defendant being ordered to recognize in the sum of by the deposit of **\$20,00,000. 00(Twenty Thousand) Dollars surety or \$2,000.00 (Two Thousand) Dollars cash, with out prejudice** for his personal appearance before the said Court now holden within the City of Boston and for the County aforesaid;

And to abide by the decree, sentence or order of said Court thereon, and personally appear at any subsequent time and sitting of said Court, to which said indictment may be continued, if now previously surrendered or discharged, and so from time to time and sitting to sitting until the final decree, sentence, or order of said Court, and not depart without leave;

And the said defendant refusing to comply with the order to recognize as aforesaid, you the said Keeper, are hereby required to receive the said defendant into your custody in said Jail, and her there safely keep until recognized as aforesaid or be otherwise discharged by order of law.

Witness, Barbara Rouse , Chief Justice of said Court and the seal thereof at Boston, aforesaid, this 14th day of February in the year of our Lord two thousand and six

Assistant Clerk

RETURN

Suffolk, SS

Boston, _____, 2006

In obedience to the within order, I have conveyed the within named Defendant to the Jail in said County, and left a true and attested copy of this mittimus and my return thereon with the Keeper therein.

Deputy Sheriff of said County;
Officer of the Court named within

*** TX REPORT ***

TRANSMISSION OK

TX/RX NO	4125	
CONNECTION TEL		919784056129
SUBADDRESS		
CONNECTION ID	MCI CONCORD	
ST. TIME	03/31 09:57	
USAGE T	00'29	
PGS. SENT	1	
RESULT	OK	

**Commonwealth of Massachusetts
County of Suffolk
The Superior Court**

WRIT OF HABEAS CORPUS FOR DEFENDANT

CRIMINAL DOCKET# SUCR2001-10467

RE: Commonwealth vs. Holloway, Jr., Dale

To: Superintendent,
Concord MCI,
PO Box 9106, 965 Elm Street
Concord MA 01742

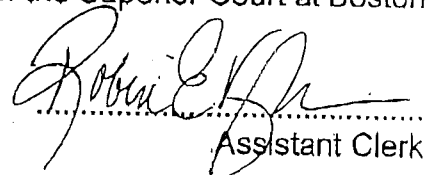
or to the Sheriffs of our several counties, or their deputies, the Officers of the Court, hereinafter named,

GREETING:

WE COMMAND you that you have the body of
Dale Holloway, Jr. , (DOB) 08/06/1982) (PCF#)1836962) (hereinafter, Defendant) a/k/a (if any),

who is detained in said institution under your custody, as it is said, under safe and sure conduct, before the Superior Court, Department of the Trial Court, holden at Boston, in said County, for the transaction of criminal business, on: **04/04/2006; at: 09:30 AM in: Criminal 1 Ctrm 704 (Three Pemberton Square, Boston), then and there to appear for Hearing: Final Probation Surrender** in said Court and from day to day thereafter until final disposition of the case and to do and receive what our said Justices shall then and there consider concerning him in this behalf; and have you there this writ.

Witness, Barbara J. Rouse, Esquire, Chief Justice of the Superior Court at Boston
this 31st day of March in the year of our Lord 2006.


Assistant Clerk

RETURN

Suffolk ss

Date:

Commonwealth of Massachusetts
County of Suffolk
The Superior Court

WRIT OF HABEAS CORPUS FOR DEFENDANT

CRIMINAL DOCKET# SUCR2001-10467

RE: Commonwealth vs. Holloway, Jr., Dale

To: Superintendent,
Concord MCI,
PO Box 9106, 965 Elm Street
Concord MA 01742

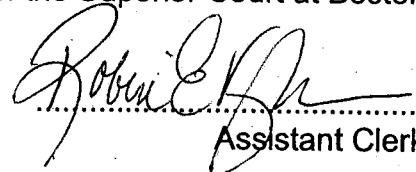
or to the Sheriffs of our several counties, or their deputies, the Officers of the Court, hereinafter named,

GREETING:

WE COMMAND you that you have the body of
Dale Holloway, Jr. , (DOB) 08/06/1982 (PCF#)1836962 (hereinafter, Defendant) a/k/a (if any),

who is detained in said institution under your custody, as it is said, under safe and sure conduct, before the Superior Court, Department of the Trial Court, holden at Boston, in said County, for the transaction of criminal business, on: **04/04/2006; at: 09:30 AM in: Criminal 1 Ctrm 704 (Three Pemberton Square, Boston),** then and there to appear for **Hearing: Final Probation Surrender** in said Court and from day to day thereafter until final disposition of the case and to do and receive what our said Justices shall then and there consider concerning him in this behalf; and have you there this writ.

Witness, Barbara J. Rouse, Esquire, Chief Justice of the Superior Court at Boston this 31st day of March in the year of our Lord 2006.


Assistant Clerk

RETURN

Suffolk, ss.

Date:

In obedience to this writ, I have the body of the within-named Dale Holloway, Jr. before the Court.

.....
Officer of the Court

PLEASE NOTE: Our records indicate that the above named defendant is located at your institution. If, however, he/she has been transferred please forward this habe immediately per Order of the Court
Barbara J. Rouse, Chief Justice of the Superior Court.

Commonwealth of Massachusetts
County of Suffolk
The Superior Court

Mittimus - To Common Jail in the County of Suffolk

CRIMINAL DOCKET# SUCR2001-10467

RE: Commonwealth v Holloway, Jr., Dale

To the sheriffs of our several Counties, their deputies, the officers of the Court and to the Keeper of the Jail in Suffolk County,

GREETINGS:

Whereas, by consideration of our Superior Court, holden at Boston within and for the County of Suffolk, on 06/01/2001

Dale Holloway, Jr.

(a/k/a, if any:)

now in Custody of the Sheriff of our said County of Suffolk, for the crime of:

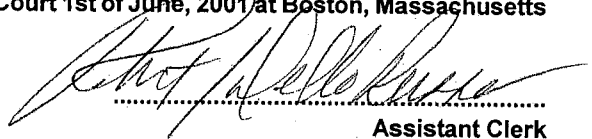
265:018:b.2	Assault, armed, intent to murder	03/21/2001
265:015A:b	Assault & battery, dangerous weapon	03/21/2001

was, on 06/01/2001 in the year of our Lord, ordered by our said Court to be held in the custody of the Sheriff of the said County and committed to the Common Jail at Boston in said County, \$50,000.00 cash without prejudice, and stand committed until the further order of the Court.

We therefore **COMMAND YOU**, the said Sheriff and Deputies, to remove the said Dale Holloway, Jr. to said jail, and we command you, the Keeper of said Jail, to receive the said Dale Holloway, Jr. to safely keep in and within the precincts of said Common Jail, pursuant to said order.

And for so doing, this shall be your warrant. And you are to make return of this warrant, with your doings therein, to the Office of the Clerk of our Superior Court, in Boston, as soon as may be.

Witness: Suzanne V. DeVecchio, Chief Justice of the Superior Court 1st of June, 2001 at Boston, Massachusetts

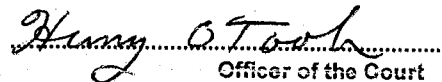

.....
Assistant Clerk

RETURN

Suffolk, ss.

Date: JUN 01 2001

In obedience to this order, I have removed the within-named Dale Holloway, Jr. to the Common Jail in Suffolk County, and delivered said defendant, and a true and attested copy of this warrant to the Keeper thereof.


.....
Officer of the Court

Commonwealth of Massachusetts
County of Suffolk
The Superior Court

Mittimus - To Common Jail in the County of Suffolk

CRIMINAL DOCKET# SUCR2001-10467

RE: Commonwealth v Holloway, Jr., Dale

To the sheriffs of our several Counties, their deputies, the officers of the Court and to the Keeper of the Jail in Suffolk County,

GREETINGS:

Whereas, by consideration of our Superior Court, holden at Boston within and for the County of Suffolk, on 06/04/2001

Dale Holloway, Jr.

(a/k/a, if any:)

now in Custody of the Sheriff of our said County of Suffolk, for the crime of:

265:018:b.2	Assault, armed, intent to murder	03/21/2001
265:015A:b	Assault & battery, dangerous weapon	03/21/2001

was, on 06/04/2001 in the year of our Lord, ordered by our said Court to be held in the custody of the Sheriff of the said County and committed to the Common Jail at Boston in said County, \$150,000.00 with surety or \$15,000.00 cash without prejudice, and stand committed until the further order of the Court.

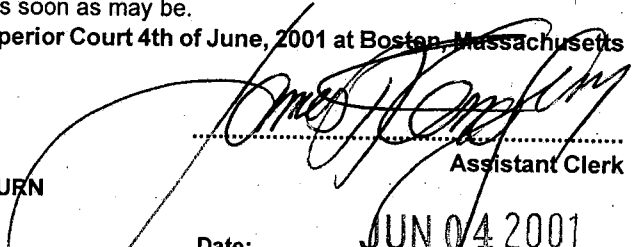
We therefore **COMMAND YOU**, the said Sheriff and Deputies, to remove the said Dale Holloway, Jr. to said jail, and we command you, the Keeper of said Jail, to receive the said Dale Holloway, Jr. to safely keep in and within the precincts of said Common Jail, pursuant to said order.

And for so doing, this shall be your warrant. And you are to make return of this warrant, with your doings therein, to the Office of the Clerk of our Superior Court, in Boston, as soon as may be.

Witness: Suzanne V. DelVecchio, Chief Justice of the Superior Court 4th of June, 2001 at Boston, Massachusetts

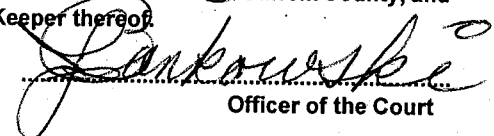
RETURN

Suffolk, ss.



 Assistant Clerk
 Date: JUN 04 2001

In obedience to this order, I have removed the within-named Dale Holloway, Jr. to the Common Jail in Suffolk County, and delivered said defendant, and a true and attested copy of this warrant to the Keeper thereof



 Officer of the Court

GENERAL
LAWRENCE R. MORETZ
TERRITORIAL COMMANDER



Kirk Womack
Bridging the Gap / T.E.E.N. Coordinator

DIVISIONAL COMMANDER
FAMILY SERVICES BUREAU
617-236-7233

Phone: 617-536-5260 x. 222
Fax: 617-236-0123
Email: kirkwo1@hotmail.com

The Salvation Army
South End Corps
1500 Washington Street
Boston, MA 02118

FOUNDED IN 1865 BY WILLIAM BOOTH

BOSTON SOUTH END CORPS

CENTER FOR WORSHIP AND SERVICE
1500 WASHINGTON STREET
P.O. BOX 180127
BOSTON, MASSACHUSETTS 02118-2015
TELEPHONE 617-536-5260
FAX 617-236-0799

April 3, 2006
To Whom It May Concern:

My name is Kirk Womack and I'm the "Bridging the Gap" / Teen Evening Enrichment Network Coordinator here at The Salvation Army South End Corps. I've known Dale Halloway for several years now and have watched him mature into a more positive role model for the youth of this community. Dale has volunteered as a coach for our Teen Program and has even been a guest speaker for our program as well. I personally have seen a drastic improvement in his ways and actions. Many of the youth look up to him for support and advice. He has always been one to explain to the youth some do's and don'ts. I want to offer any and all support to him in his time of need. Mr. Halloway has even kept in touch with the youth of the Bridging the Gap Program by writing letters to tell them that prison life is not a way of living. His four page letter touched many of them and got a lot of questions to be asked about what they can do to stay away from trouble. He still inspires them though he's not here in the physical form. He is a powerful speaker and I see him as one with great potential. Please feel free to contact me with any information in which will help him in this ordeal. If I can offer my programs as a means of support then I'll gladly do so. God bless.

Sincerely,

Kirk Womack BTG/T.E.E.N. Coordinator



Kirk Womack
Bridging the Gap / T.E.E.N. Coordinator

Phone: 617-536-5260 x. 222
Fax: 617-236-0123
Email: kirkwo1@hotmail.com

The Salvation Army
South End Corps
1500 Washington Street
Boston, MA 02118

file 8/18/06

34

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

SUPERIOR COURT
NO. 01-10467

COMMONWEALTH

v.

DALE HOLLOWAY JR.

PROBATION VIOLATION FINDING OF DISPOSITION

I. FINDING ON ALLEGED VIOLATION

In the case(s) captioned above, the Court FINDS as follows:

NO VIOLATION OF PROBATION FOUND.

VIOLATION OF PROBATION FOUND. The probationer named above is found to have committed the following violation(s) of probation:

1) 10/24/05 MIAL. DESTR. OF SPRAWLER IN HOLDING CELL
IN BOSTON PD

Violated CRIMINAL LAW(s) namely: COURT PEACEOFFICER

Failed to attend or complete the following PROGRAM as ordered: Failed to enter COURT ORDERED PROGRAM AT SALVATION ARMY.

Failed to comply with the following TESTING REQUIREMENT(s) as ordered: _____

Failed to make the following PAYMENT(s): _____

Failed to REPORT as required by the probation officers as follows: _____

Failed to comply with OTHER PROVISION(s) of the Order of Probation Conditions, namely: _____

This finding is based on PROBATIONER'S ADMISSION, or A HEARING and the preponderance of the credible evidence presented, specifically, the following TESTIMONIAL OR DOCUMENTARY EVIDENCE: Boston P.D. report and TRIAL COURT INCIDENT REPORTS, received after determination that they are reliable under COMMO. DURING; Letter To W. Army; Testimony of P/O William Mitchell

II. DISPOSITION (to be completed only upon a finding or violation)

- The Order of Probation Conditions is hereby vacated and probation is **TERMINATED**.
- The current conditions of probation are to be **CONTINUED** probationer admonished.
- The Order of Probation Conditions previously issued is hereby **MODIFIED** as follows:
[The probationer must sign a new Order.]

PROBATION REVOKED. The Order of Probation Conditions is hereby **REVOKED** for the following reason(s):

New Offense

The safety of the public and/or an individual person or persons.

The seriousness of the new offense that has been proved by a preponderance of the evidence.

The unlikelihood that the rehabilitative purpose of probation will be achieved.

The probationer's record of previous violations.

The recommendation of the probation department.

The seriousness of the offense for which probation was ordered.

Other:

SENTENCE IMPOSED AFTER PROBATION REVOCATION:

Dispo cont'd 9/26/06
123 15(e) E.U.A.

SO ORDERED

Justice of the Superior Court

DATE:

Probation Office
Suffolk Superior Court
3 Pemberton Sq. 11th fl.
Boston, MA 02108

COMMONWEALTH vs Dale Holloway
35 Cabot St.
Brockton, Mass. 02302

14

NOTICE OF SURRENDER AND HEARINGS FOR ALLEGED VIOLATION(S) OF PROBATION

You are hereby notified to appear in this Court at 9 am on **December 20, 2005** for a hearing on a charge that you have violated the terms and conditions of your probation imposed by this Court on **May 14, 2003** the following complaints (Docket Number (s) and Brief Description:

01-10467-002 ABDW

(Strike out (1) or (2) below, whichever is applicable.)

- (1) This hearing will be to determine whether there is probable cause to believe you have committed a violation of your probation. If the Court so finds, there will be a subsequent hearing on the issue of revocation and imposition of additional sanctions. If you wish, both hearings may be held at the same time. The same judge may not sit on both hearings unless you expressly agree thereto. In this particular case, you have a right to both hearings, but may waive the preliminary hearing if you wish.
- (2) This hearing will be a final hearing on the issue of whether your probation shall be revoked and additional sanctions imposed.

You have the following rights:

- (1) A right to legal counsel, and if your are unable to afford counsel, the Court will appoint counsel for you.
- (2) A right to be confronted by the person alleging you have violated the terms of your probation and to cross-examine that person as well as any other persons who testify against you.
- (3) A right to insist that all testimony be under oath.
- (4) A right to remain silent and not to be prejudiced thereby.
- (5) A right to testify on your own behalf, to produce witnesses and other evidence to support your denial of the alleged violation (s), or in a final revocation hearing to support the explanation or mitigation of any violation.

The notice of the alleged violation (s) of probation is as follows:

<u>Alleged Violation (s)</u>	<u>Date</u>	<u>Place</u>
1.) New offense BMC 10/25/05 Mal. Destruction of Property		
2.) Failure to enter Brockton Salvation Army.		
3.) Failure to report as ordered.		
4.) Failure to perform C/S.		
5.) Failure to pay \$150.00 Counsel Fee.		
6.) Failure to pay DNA fee		

W/DEADON

Do not fail to appear in Court at the time and place ordered above. You may then request a continuance if additional time is required to protect your rights.

Date: December 7, 2005

Signature: _____

[Handwritten signature]

Assent to Immediate Hearing

I, _____, this _____ day of _____, having received the foregoing notice, hereby assent to an immediate hearing.

Offender _____

SS _____

SUFFOLK SUPERIOR COURT

SUPERIOR COURT
DOCKET # 01-10467
COMMONWEALTH OF MASSACHUSETTS

COMMONWEALTH
VS

Dale Holloway

PURPOSE: JOINT FINAL PROBATION SURRENDER HEARING REPORT

I REASONS FOR VIOLATIONS: New offense BMC Mal Destruction of Property, Failure to enter Brockton Salvation Army, Failure to report as ordered, Failure to perform C/S, Failure to pay DNA fee, Failure to pay Counsel Fee. NEW OFFENSE BROCKTON D.C.

II WITNESSES AND/OR EVIDENCE:

PROBATION Surrender notice, Probation conditions, Police Report and Officer testimony

DEFENSE COUNSEL

[Signature]

III EXPECTED LENGTH OF HEARING: ~~15 minutes~~ 1-2 hours

IV RECOMMENDATIONS:
PROBATION 4 years State Prison

DEFENSE COUNSEL Reginald

JOINTLY SUBMITTED ON: January 24, 2006

BY:

[Signature]
PROBATION

[Signature]
DEFENCE COUNSEL

17

**THE COMMONWEALTH OF MASSACHUSETTS
SUPERIOR COURT FOR SUFFOLK COUNTY
PROBATION OFFICE**

3 PEMBERTON SQUARE, 11TH FLOOR
BOSTON, MA 02108

SANDY J. STILLWELL
CHIEF PROBATION OFFICER

TEL: (617) 788-7255
FAX: (617) 788-7277

Date: February 28, 2006

Suffolk Superior Court
Docket #: 01-10467

The Commonwealth of Massachusetts

Vs

Dale Holloway

Now comes the Suffolk Superior Court Probation Department and moves that the Court Subpoena into Court on behalf of the Probation Department the following:

**Lisa King
23 Raymond Ave.
Pembroke, Ma. 02359**

They are to appear before the Court on ~~MARCH 28, 2006~~ at 9:30 am at the Suffolk Superior Court First Session 7th Floor.

APRIL 4, 2006

William J. Mitchell
Probation Officer
Suffolk Superior Court

*Feb. 28, 2006 per mail received. Hearing date APRIL 4, 2006
1 1/2 hour hearing
Carter MJ*

18

**THE COMMONWEALTH OF MASSACHUSETTS
SUPERIOR COURT FOR SUFFOLK COUNTY
PROBATION OFFICE**

3 PEMBERTON SQUARE, 11TH FLOOR
BOSTON, MA 02108

SANDY J. STILLWELL
CHIEF PROBATION OFFICER

TEL: (617) 788-7255
FAX: (617) 788-7277

Date: February 28, 2006

Suffolk Superior Court
Docket #: 01-10467

The Commonwealth of Massachusetts

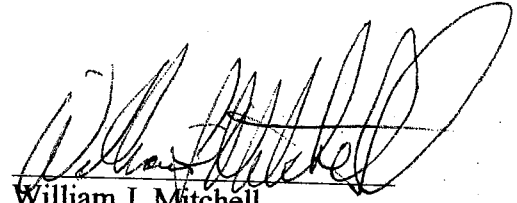
Vs

Dale Holloway

Now comes the Suffolk Superior Court Probation Department and moves that the Court Subpoena into Court on behalf of the Probation Department the following:

**Brockton Police Officer Kenneth Johnson
7 Commercial St
Brockton, Ma. 02302**

They are to appear before the Court on ~~HATE~~ APRIL 4, 2006 at 9:30 am at the Suffolk Superior Court First Session 7th Floor.


William J. Mitchell
Probation Officer
Suffolk Superior Court

*Feb. 28, 2006 filed and returned Henry date APRIL 4, 2006
1 1/2 hrs hearing
C. J. M. J.*

19

**THE COMMONWEALTH OF MASSACHUSETTS
SUPERIOR COURT FOR SUFFOLK COUNTY**

PROBATION OFFICE

3 PEMBERTON SQUARE, 11TH FLOOR
BOSTON, MA 02108

SANDY J. STILLWELL
CHIEF PROBATION OFFICER

TEL: (617) 788-7255
FAX: (617) 788-7277

Date: February 28, 2006

Suffolk Superior Court
Docket #: **01-10467**

The Commonwealth of Massachusetts

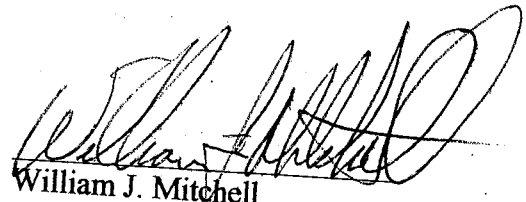
Vs

Dale Holloway

Now comes the Suffolk Superior Court Probation Department and moves that the Court Subpoena into Court on behalf of the Probation Department the following:

**Bonnie King
23 Raymond Ave.
Pembroke, Ma. 02359**

They are to appear before the Court on ~~MARCH 28, 2006~~ at 9:30 am at the Suffolk Superior Court First Session 7th Floor. APRIL 4, 2006


William J. Mitchell
Probation Officer
Suffolk Superior Court

Feb. 28, 2006
filed with record
1/12 bag beans
Henry due APRIL 4, 2006
WJ Mitchell

Certificate of Completion
YOUNG OFFENDERS PROGRAM
WINTER, 2002

This is to verify that

Dale Holloway

has completed a ten-week course on addictive behavior, anger management and making positive changes in one's life. Participants explored influences that led them to drug use, street life and other destructive behavior. They were also given tools to maintain sobriety and for growth in wholeness.

This course was made possible by a grant from the Harold Brooks Foundation to the S.O.A.R. Program at the Plymouth County Correctional Facility.

Peggy Patenaude April 8th 2002
Peggy Patenaude, Young Offenders Program Coordinator

Certificate of Participation

This certifies that

Dale Holloway

Plymouth County

has been awarded this certificate for
Computer Class

Date: April 9, 2002

Nancy Dawson
Instructor

Christie O'Leary
Program Administrator

Transcript of tape prepared by Attorney Denise Regan and legal intern

Kenneth Dorch: 5:15 p.m. The date is April 26th, 2001. The speaker is Detective Kenneth Dorch. Boston Police, assigned to Area 1. Presently, I'm at the Area 1 Police Station with Office Timothy Stanton of the Youth Violence Strike Force. And we are interviewing one Dale Holloway Jr. Dale, for the record please, could you identify yourself by giving your first name and spelling your last name.

Dale Holloway: [Spells it]

KD: What's your date of birth Dale?

DH: 8/6/82

KD: And where do you presently live?

DH: 199 Garfield Ave. in Hyde Park.

KD: And your social security number, sir. Do you know it?

DH: 017646130.

KD: Okay is it fair to say you've been arrested today, earlier today, in Brockton?

DH: Yes.

KD: By Office Stanton?

DH: Yes.

KD: And the reason you're here is to talk about the incident that took place at 545 Washington St., downtown Boston, on March 21st, 2001.

DH: Yes.

KD: And before going on tape today, we read you your rights.

DH: Yes.

KD: After you were arrested your rights were read to you. And I also gave you the opportunity to fill out a Boston Police Miranda warning form. where your name's here up top. Just for the record, I want you to go through everything that we did before asking you any questions. We read you your rights, and we asked you, before we ask you any questions you must understand your rights. You have the right to remain silent. Do you understand that?

DH: Yes.

KD: And did you initial that at the end.

DH: Yes.

KD: We also asked you, "Any thing you say can be used against you in a court of law or other proceedings." Did you initial after that, sir?

DH: Yes.

KD: We also asked you, "You have the right to talk to a lawyer for advice before we ask you any questions and to have him or her with you during questioning." Did you also initial that, sir?

DH: Yes.

KD: If you cannot afford a lawyer, and you want one, a lawyer will be provided for you by the Commonwealth without cost to you. Did you initial that, sir?

DH: Yes.

KD: We also asked you, "If you decide to answer questions now, without a lawyer present, you will still have the right to stop answering at any time until you talk to a lawyer." Did you understand and initial that, sir?

DH: Yes.

KD: Then on the bottom here it says, "I, Dale Holloway, Jr., have read and understand the above rights as explained to me by Detective Dorch and I am willing to make a statement at this time without a lawyer being present." Did you sign that on the bottom, sir?

DH: Yes I did.

KD: And you understand your rights.

DH: Yes I do.

KD: And the time we did that was at 4:40 p.m. We're conducting an ongoing stabbing investigation of a one Tyree Herring [sp?]. Were you present at the arcade at 545 Washington St. on March 21st of 2001.

DH: Yes I was.

KD: Can you tell me what time of the day that was.

DH: Well, I usually come back, in and out, just to find out which one of my friends was around, or who of my friends would be around. But then I back up to the corner mall and just, talk to females, or go back and shop. Some days it's different.

KD: On this particular day, do you have any idea what time it may have been when you were there?

DH: I was there about three times that day. I was there from 4:30 to 5, playing a couple of video games. I went back up to the corner mall, went and got my nose pierced, went and got an earring for my hair, for my outer [?] rainbows. And I came back to the arcade around 6:45, 7 o'clock.

KD: Were you with anybody when you came down that last time?

DH: No I wasn't.

KD: You were by yourself?

DH: Yes.

KD: Tell me what happened next. Did anything happen inside the arcade? In your own words.

DH: It was overcrowded and there was hardly any room to move, and I observed one of my friends, one of my good friends, and, and... I observed one of my friends arguing, so it brought my attention, so I crawled over to that scene just to be nosy. And I found that one of my friends, known as Tyree, or Pooh, was picking on somebody I had just met. So I just asked him what happened, like, like, "What happened? What's going on?" And Pooh told me that, nothing, he's just about to jump a man Crip, or something, and I say, hmm, uhh

KD: What was that again, please?

DH: He was about to jump him into some gang.

KD: Now, you have to speak legibly.

DH: [Raises voice] He was going to jump him into a gang.

KD: "Jump him into a gang." Okay. Into a Crip.

DH: Into a Crip, or, whatever. I felt as if he should peer pressure him about being into it so I spoke up on it. And I said, "Why you messing with him, man. He's a little dude and probably doesn't even know too much about all that." And he was trying to really bring me into it, so I wasn't feeling the whole conversation and he said—because we had back-and-forth conversation—said, "If you don't shut the fuck up and listen to what I just asked this nigger what I just said, then I'm going to get up and start swinging on you." At the same time when he was on his way out talking to me, he

didn't even look me in my eye. He just pushed me. And I fell back on the kid that he was talking to, which we was arguing over.

KD: All right, let me stop you here. Detective Dorch, again, for the record. You're saying that you were inside the arcade, and you heard some sort of argument between Pooh, whose known as Tyree Herring, and another person.

DH: Yes.

KD: And who is this other person?

DH: I have no name to give.

KD: Okay. Can you describe him please?

DH: Yes. He had on gray boots. Wait, a gray jean suit.

KD: How old is he about?

DH: I'd say he's about 17. At the most.

KD: And how about his complexion. White male, black male?

DH: Black male, light-skinned complexion.

KD: How tall was he?

DH: About six feet.

KD: And you're saying that Pooh was talking to this guy and he was asking him questions?

DH: He was pressuring him.

KD: When you say "pressuring him," what do you mean by "pressuring."

DH: Forcing him, without permission, without consent, without an answer. Forcing someone to join a gang.

KD: What gang was he trying to get him to join.

DH: I have not a clue. I was just commenting on... I overheard a conversation that I heard, which I didn't think Pooh would take very seriously, but...

KD: What did you hear?

DH: All I hear was, "No I don't want to get jumped into it," from the guy. It's all I heard.

KD: Okay, now tell again in your own words what happened next.

DH: Pooh screamed in my ear that if I don't ask— No, well, the next thing happened that I said, "Yo P, why don't you just leave him alone. He don't even want to be down." And the next thing happened was Pooh spoke from down to up, if I don't ask the kid what the fuck he just said, what the fuck Pooh just said, then Pooh was going to get up and start swinging on me. And at the same time Pooh was on his way up and he just pushed me and I leaned up against the kid and I stood back up and I said, "What's up? What's all that for? I thought we were supposed to be boys." And he just started swinging on me without even saying anything. and I started swinging back, and the fight just got a little crowded. Everybody was rowdy. I started getting claustrophobic from everybody crowding around me and I kind of scared for my life and I thought somebody else was going to stab me from behind or jump in, and I pulled out a little pocket knife that I had in my right pocket, and I used it. I'd say I used it about two times in order to get away from the situation I was in.

KD: How long have you known Pooh, or Tyree Herring?

DH: I'd say about three years, from Brockton to Boston.

KD: Do you actually know his first name?

DH: No I don't.

KD: You didn't know his first name?
 DH: No I didn't.
 KD: Does he know you?
 DH: He knows me by face and first name.
 KD: And how long has it been for, about, how many years?
 DH: I'd say about two years he's known my name and fa-- [stumbles] Well, three years he knew my face. About two years he knew my name.
 KD: What does he call you?
 DH: He calls me D, like everybody else. Just the first initial of my first name.
 KD: What else do they call you?
 DH: Dangerous D, or some people call me Danger. Some people call me D. Regular name.
 KD: That's just an alias.
 DH: It's just a sarcastic street name.
 KD: And this is how Pooh and everybody else knows you?
 DH: That's why they call him Pooh. It's just a street name or sometimes he'll be sarcastic... I'm not really dangerous. It's just a name. Actually, it's my stage name.
 KD: How far away from the door were you when this incident took place?
 DH: I'd say about five feet. Maybe even--- Like seven to ten feet from the door.
 KD: And you say the arcade was crowded. How many people would you say were inside at this time?
 DH: Over seventy-five. From front to back, from back to front.
 KD: How about the people in your immediate area?
 DH: I'd say about twenty-five to thirty people in my area. [uncl.] arcade games. Everything was wild. I just didn't know what to do, what to expect. Anything could have happened. Somebody could have pulled out a gun, or somebody else could have pulled out a knife. Anything could have happened, so I really...I freaked out and didn't know what to think. So the first thing that came to my mind was, "Pull at your weapon before anybody else pulls out theirs and then just disperse, just leave." When I pulled out my weapon he came charging at me and that's mainly the reason I pulled out my knife. Is because I didn't want him come after me, come attack me no more. So I pulled it out and I held it by the tip to say, "Hold on, come on. Why you keep coming after me?" And I had to get him like two times because he just kept on swinging and hitting me in my face and hitting me in my head, and I had no other resort.
 KD: You could have ran out of the place at that time, couldn't you? I probably could have, but if I would have ran, the whole crowd would have turned on me and everybody would have chased me, and it would have been a big...it just would have been a big mess for me. So either way I was in a situation.
 DH: Did you see Pooh, or Tyree—did you see him with a weapon?
 KD: No, I didn't.
 DH: Do you know if he had a weapon?
 KD: No I didn't.
 DH: Was there anything in his hands at all?
 KD: I think there was a bottle in his hand, a bottle of V&J.
 DH: He was fighting you with a bottle?

KD: Yes.

DH: Umm. To tell you the truth, I didn't feel anything because I think I have hypothermia, like, I don't know what that is, but I think that's what it's called. Hypothermia, you don't really feel nothing. I have no feeling in my arm. My nervous system is gone from my bicep being cut. I don't know. My is malfunctioned.

KD: There was no glass around the place.

DH: No glass. The bottle didn't break. I don't believe the bottle broke. But I know I got hit with something and I just—he kept hitting me in my head with something, and every time it hit me I just felt something hit me and I'm like, "Hold on, why am I getting hit?" And I just had to get out of there because I was tired of getting hit, tired of fighting. Every moment I got scarer and scarer, like I didn't know what to do, more scared, I didn't know what to do. So I just ran.

KD: You didn't see him with a weapon and you're trying to tell us now that he had a bottle or something in his hand.

DH: No, I didn't see anything in his hands, at all. He was highly intoxicated, so after awhile I just noticed a brown paper bag flying around in the air, so it was in his hands. I know it had to be in his hands because I can catch a picture of it. I totally forgot about that whole night because I try my hardest not to dream about anything like that, and not to remember that so it don't affect my future. But, as we're going about this day, I remember things coming back slowly.

KD: Now, what did you do after this altercation you guys had? What happened next?

DH: I quickly got on the bus and ran to the closest, my closest relative, which was my best friend. I just told him what happened. I told him I had to go back to my mother's house.

KD: Did you go to the bus or the train station.

DH: I went to the bus, the 49.

KD: And where'd you catch that at?

DH: On the highway in the back of Chinatown, on the side of Chinatown. I don't know which street it is.

KD: And when you left the arcade, which way did you go?

DH: I went towards Chinatown, orange line station.

KD: Did you take a right, did you take a left out the door, did you go straight across?

DH: I took a right.

KD: You took a right going towards Chinatown.

DH: Going towards Chinatown.

KD: Did you walk out, did you run out.

DH: I took a left after the old Chinatown train station, and then I took a right down that street.

KD: Did you leave with anyone?

DH: No, I didn't. I came by myself and I left by myself.

KD: Didn't anybody catch up with you--

DH: No.

KD: --that was present at the arcade during this altercation?

DH: No they didn't.

KD: And where did you go after wards? You went to a relative's house?

DH: I didn't go to a relative's house, I went to go look for relatives for me to talk to because I was under pressure and didn't know what to think. I needed somebody to talk to at the moment, and I went to my friend Harry's house.

KD: And he lives where?

DH: In the projects.

KD: Which one.

DH: Cathedral.

KD: Cathedral projects. What street is that on?

DH: Washington.

KD: Before you came on tape you said that you was on the back of Cathedral Projects, you came through the back. Would that be the, uh...

DH: No I was walking so I came through the front. As soon as the 49 dropped me off.

KD: So you came through the Washington St. side?

DH: Yes.

KD: Did you carry that knife that you had with you?

DH: Well, I was trying to close it while I was on the bus, but...

KD: You took it out of the arcade.

DH: Yes I did. I didn't drop it. I brought it somewhere safe that I could just throw it away so nobody else would be able to pick it up, or reuse it. It could just be disposed. I wasn't planning on holding it and giving it to the police or something. I wasn't thinking that way at the time. I wasn't even mentally stable to even think in that direction, like, "Hold this knife until the police get here." You know? I was probably just thinking, "Get rid of this knife because you're going to get in trouble," or, it's just, it won't close, and it's broken, or something like that. I wasn't thinking about dropping the knife.

KD: You said it wouldn't close?

DH: It wouldn't close.

KD: When you pulled it out of your pocket it was closed, right?

DH: Yes.

KD: But after you left the arcade, you couldn't close it?

DH: I couldn't close it. After I had assaulted Tyree with it, I couldn't use it no more, because it was jammed. Well, it was usable. It was jammed; I couldn't close it.

KD: So what did you do with it? With the knife now.

DH: I threw it in the sewer. I let it slide down the sewer in the projects. It's about, coming into the rotary.

KD: You're talking about Cathedral projects.

DH: Coming into the Cathedral projects rotary, through the backside, it's probably about three sewers going around the rotary. Right where the park starts.

KD: Where did you stay that night, after this incident? You went to Cathedral. Did you stay there?

DH: No I didn't. I went to Harry-Os and grabbed a slice of pizza, and got on the bus.

KD: Who's Harry?

DH: Harry-Os is right across the street on Main Street, I mean Washington Street.

KD: And you did what, sir?

DH: I got on a 49 bus, went to Dudley, got on a 42, and went to Forest Hills. Then I got on the 30 and the 21 to go to Ashmont, and got on the bat bus, went to Brockton.

KD: And where'd you go in Brockton?

DH: I went to my ex-girlfriend's house.

KD: And where does she live, and what's her name?

DH: She lives... I didn't even bump into her yet. I bumped into my other ex-girlfriend, Lisa, and she lived in Stoughton, but I wasn't able to stay at her mother's house, so we drove to Fall River, their house.

KD: What's Lisa's name?

DH: Lisa Fox.

KD: She lives in Stoughton?

DH: She lives in Stoughton. I don't know her address, but she has her own apartment in Fall River, and I stayed with her for that first day. And the next day I had an interview with Marshay [sp?] at the Prudential Center. I called in because I couldn't make it, I don't think. I really can't remember, but, I called in and told her I was going to make another appointment. So I stayed in Brockton that whole time, because Lisa usually drops me off in Brockton. She doesn't like driving to Boston because she works in Stoughton. I went to Brockton, and just stayed wherever I possibly could. Until the next Monday, because I had an interview on the next Monday.

KD: Do you know a person named Tammy?

DH: Yes I do.

KD: Did you have a conversation with her after this incident?

DH: Um, she kept leaving me messages on my pager, but I didn't talk to her for about two weeks after the incident.

KD: What was that conversation about?

DH: It was about her being pulled to the side by a police officer, or some detectives, or whatever happened between her and whoever down here. She told me that-- I don't know. I wasn't really concerned. I was just asking her if she had any money because I was hungry. And I hung up with her because my girlfriend was home and I couldn't talk to her on the phone. My girlfriend found out she left me messages on my pager, so she changed my voice mail and [uncl.]. So I really didn't want to talk to Tammy.

KD: Did you learn that she was down at the police station after this incident?

DH: Yes.

KD: You had a conversation with her about that?

DH: Not really.

KD: You were aware that she [uncl] some photographs, right?

DH: No, not really. I don't really know the way it happened, what really happened. All I know is, I was aware, through somebody else, that she talked to the police and I didn't really care because I knew that I would get a fair decision of being guilty or not guilty for the crime I was arrested for. The conversation with Tammy was never exposed about anything with case.

KD: Well, before we got on tape, you talked about—and I want you to answer yes or no... You had a conversation with us about how she [uncl] some photographs that she picked up—someone that was not you.

DH: That's the myth that I heard. That's the story that I heard.

KD: What did you hear? I'd like to hear that in your own words.

DH: There was this black girl that I had met, and I knew her, since I was down there. They call her Princess. And Princess told me that Tammy was talking to the police

and she pointed out the wrong suspect—as in, trying to let me get off. And said that she was doing it to help me get off because she didn't want to see me get locked up or something.

KD: Okay, so you talked to Princess about that.

DH: Princess came to me and told me about that.

KD: She talked to you about that?

DH: Yes.

KD: But you never talked to Tammy about that. Did you have a conversation with Tammy after Princess told you that, and you asked Tammy why she'd do that?

DH: Yes, I did. I said, "Tammy, Princess told me that you gave the police a different guy." And I was saying, "What'd you do that for? You should have just never said nothing because you're making yourself even more harder." I believe I did say that.

KD: Do you remember what her response was to that?

DH: No.

KD: Did she tell you why she did it?

DH: No. I changed the subject, I think. What I said to her was like, "Anyway, could I get some money? I'm hungry, I'm in Brockton, and I'm not coming to Boston." That's the last thing I said to her.

KD: Did she admit to doing that? Pointing out the wrong suspect.

DH: Yes, she did. And I cut her off in the middle of our conversation.

KD: Okay. Officer Stanton, do you have any questions?

Timothy Stanton: Yes I do. My name's Officer Timothy Stanton, presently assigned to the Youth Violence Strike Force. Dale, I just want to go over a conversation we had earlier. When you said that you met up with Eric, you are talking about Eric White, correct?

DH: Yes.

TS: And Eric does live in the Cathedral projects, correct?

DH: Yes.

TS: About four days after the incident—the stabbing with Tyre Herring—were you with Eric White?

DH: About four days, yes I was.

TS: Was Eric White arrested?

DH: Yes he was.

TS: Was he arrested with a handgun?

DH: Yes he was.

TS: Okay, that's the same Eric White, correct?

DH: Yes he is.

TS: And the police took your name and address on that date?

DH: No. they just took my name, date of birth, and social security number.

TS: Did you give them 35 Cabot St. in Brockton as an address?

DH: Yes.

TS: You say that you and Tyree have been boys since '98, and you knew a girl in Brockton and you guys used to hang out, smoke a little herb. You guys were pretty cool with each other, correct?

DH: Yeah. we kicked it every once in a while. I never really bump into him that much. We didn't, like, go hang in the same neighborhood.

TS: Every time you said recently that you had seen Pooh--
 DH: which was downtown, or Galleria Mall--
 TS: you'd give each other daps [?], say, "What's up?"
 DH: Probably sit there for a little while, holler at a couple of girls, and that was it.
 TS: When you say "holler," you are referring to attempting to pick up the girls, correct?
 DH: Well, talk to them.
 TS: Have you ever traded jewelry or clothing with Tyree?
 DH: Yes.
 TS: Okay, so you were pretty friendly with Tyree.
 DH: Yes I was.
 TS: No reason to fear Tyree.
 DH: No.
 TS: You say that you dropped a knife. Could you describe that knife for me/ the knife that you used when you got in an altercation with Tyree.
 DH: The knife was about six inches long with a black plastic handle, with a...
 TS: Could you tell me what you were wearing that night, the night of the altercation with Tyree.
 DH: All I remember was wearing black Timberland boots, Tommy Hillfiger swishy jeans that looked like a net on the outside.
 TS: Mesh?
 DH: Mesh.
 TS: A mesh fabric?
 DH: A mesh fabric. A leather jacket—a Pele Studio leather jacket.
 TS: Is that a waist-length or a three-quarter-length jacket? Goes past your waist?
 DH: Yeah, past my waist. With a split on both ends.
 TS: Do remember dropping anything during the fight?
 DH: Yes I do. I remember dropping my headband.
 TS: Did your headband have any writing on it?
 DH: Yes it did.
 TS: What was that writing?
 DH: 617.
 TS: What else did you drop?
 DH: I dropped my cell phone.
 TS: Do remember what kind of cell phone it was.
 DH: I think it was an Erickson.
 TS: What color was it?
 DH: All black with a leather case.
 TS: Did you drop anything else?
 DH: And I dropped a walkman headphone.
 TS: A walkman and headphones?
 DH: Just the walkman headphones.
 TS: Just the headphones.
 DH: Just the headphones.
 TS: But you still have the walkman?
 DH: I don't know what happened to the walkman.

TS: The altercation, the fight itself that you had with Pooh—did anyone break up that fight?

DH: No, they didn't.

TS: So no one touched you, no one grabbed you at all.

DH: No, not at all.

TS: No one chased after you?

DH: Well, they did start to run after me when I ran out the door but they stopped at the street, because I just ran too fast and I was already ahead of them.

TS: And since then have you stayed at 199 Garfield Ave. in Hyde Park.

DH: A couple of times, but I didn't really stay there because my sister has two kids of her own.

TS: Were you wearing a wave cap that night?

DH: No I wasn't.

TS: You weren't wearing a wave cap?

DH: No I wasn't.

TS: After you left, you said that you ran down Chinatown, towards Chinatown, you got on a bus.

DH: Yeah.

TS: And then from the bus you went to, and you spoke to Eric White.

DH: Yes.

TS: That's who you met up with that night?

DH: Yes.

TS: For how long after the incident did you meet up with Eric?

DH: It took me about five, maybe six minutes to get on the bus, waiting for the bus, then about five, six more minutes to get to the projects, which is about, which is on Washington Street.

[tape ends abruptly]

This is the second side of the tape. The time now is 5:50 pm and we are going to continue with this interview.

TS: Dale have you had anything to eat today.

DH: Yes, I have.

TS: What did you have?

DH: A egg and bacon omwich from Dun with half a ham and cheese sub

TS: What did you have something to drink

DH: A coca cola with an orange juice

TS: Where did you get that

DH: I got that from the two detectives that brought me in and the D.A.

TS: That would be myself, officer Stanton and detective Mike Adamson.

So you feel pretty comfortable, you had something to eat, something to drink

DH: Yes I do

TS: Be with you in one second. We'll go back to that night. The night, After you met up with Eric, you said did you stay at Cathderal that night?

DH: I did..

TS: Where did you stay in Catheral

DH: Did I stay there that night

TS: Yeah

DH: Excuse me Excuse me I misunderstood you.

TS: Okay

DH: No I didn't. I really actually got on the 49 after I came from Harrio's eating a slice of pizza. And I went to Forest Hill got on the 21 from Dudley. I got on the 21, I got on 42 from Dudley which took me to Forest Hill, got on the 21 from Forest Hills to Ashmont and got on the bat bus to take me to Brockton From Brockton I went to my exgirlfriend, I went to the payphone and paged my exgirlfriend. she came to pick me up. I couldn't stay at her mother's house so we had to go to her house in Fall River which made us come back early in the morning the next day in Brockton. And all through that day I was just looking for a job. So I just didn't have nowhere to go. I went straight to the mall. .

TS: Okay is there anything else you can remember from that night

DH: Well... All I remember is just a bunch, a bunch of people, a bunch of people.

TS: So you were, I mean you said you were friendly with Tyree, correct?.

DH: Yes

TS: Pooh

DH: Yes

TS: So were you friendly with his friends too

DH: It depends on who he friends was. you know, I really don't have any problems with anybody out here.

TS: So I mean have you had any other altercations down the arcade with any of Pooh's friends.

DH: No I haven't

TS: So you didn't have any reason to fear any of his friends either

DH: No I haven't

TS: Okay

DH: Do you have any other questions Detective Dorch.

KD: No, I don't have any questions How about yourself do you have anything at all.

TS: Nope

We are going to end this interview at 552.

Thank you Mr. Holloway.

1 Probation Office
Suffolk Superior Court
3 Pemberton Sq. 11th fl.
Boston, MA 02108

COMMONWEALTH vs Dale Holloway
Walpole State Prison

NOTICE OF SURRENDER AND HEARINGS FOR ALLEGED VIOLATION(S) OF PROBATION

You are hereby notified to appear in this Court at 9 am on **April 4, 2006** for a hearing on a charge that you have violated the terms and conditions of your probation imposed by this Court on **May 14, 2003** the following complaints (Docket Number (s) and Brief Description:

01-10467-002 ABDW

(Strike out (1) or (2) below, whichever is applicable.)

(1) This hearing will be to determine whether there is probable cause to believe you have committed a violation of your probation. If the Court so finds, there will be a subsequent hearing on the issue of revocation and imposition of additional sanctions. If you wish, both hearings may be held at the same time. The same judge may not sit on both hearings unless you expressly agree thereto. In this particular case, you have a right to both hearings, but may waive the preliminary hearing if you wish.

(2) This hearing will be a final hearing on the issue of whether your probation shall be revoked and additional sanctions imposed.

You have the following rights:

- (1) A right to legal counsel, and if you are unable to afford counsel, the Court will appoint counsel for you.
- (2) A right to be confronted by the person alleging you have violated the terms of your probation and to cross-examine that person as well as any other persons who testify against you.
- (3) A right to insist that all testimony be under oath.
- (4) A right to remain silent and not to be prejudiced thereby.
- (5) A right to testify on your own behalf, to produce witnesses and other evidence to support your denial of the alleged violation (s), or in a final revocation hearing to support the explanation or mitigation of any violation.

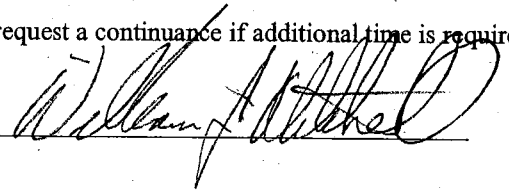
The notice of the alleged violation (s) of probation is as follows:

<u>Alleged Violation (s)</u>	<u>Date</u>	<u>Place</u>
AMENDED SURRENDER TO INCLUDE SURRENDER NOTICE 12-7-05		

1.) NEW OFFENSES 4/3/06 BROCKTON D.C. 0615CR001042 PROP MAL DES, A&B COURT OFFICER, ABDW, ABDW SHOD FOOT, DISRUPTION CRT PROC, A&B COURT OFFICER AND A&B

Do not fail to appear in Court at the time and place ordered above. You may then request a continuance if additional time is required to protect your rights.

Date: **APRIL 4, 2006**

Signature: 

Assent to Immediate Hearing

I, _____, having received the foregoing notice, hereby assent to an immediate hearing, this _____ day of _____.

Offender

Probation Office

Suffolk Superior Court
John W. McCormack Bldg. Address
90 Devonshire St. Tenth Fl.
Boston, MA 02109

COMMONWEALTH vs : DALE E. HOLLOWAY
14-16 MATTAPAN STREET ~~XXXX~~
MATTAPAN, Ma.
02126

NOTICE OF SURRENDER AND HEARINGS(S) FOR ALLEGED VIOLATION(S) OF PROBATION

You are hereby notified to appear in this Court at 9:00 a.m./p.m. on January 6, ~~19~~2005 for a hearing on a charge that you have violated the terms and conditions of your probation imposed by this Court on May 14, ~~19~~2003 on the following complaints (Docket Number(s) and Brief Description):
01-10467-002 A&B DW

(Strike out (1) or (2) below, whichever is inapplicable).

(1) This hearing will be to determine whether there is probable cause to believe you have committed a violation of your probation. If the Court so finds, there will be a subsequent hearing on the issue of revocation and imposition of additional sanctions. If you wish, both hearings may be held at the same time. The same judge may not sit on both hearings unless you expressly agree thereto. In this particular case, you have a right to both hearings, but may waive the preliminary hearing if you wish.

(2) This hearing will be a final hearing on the issue of whether your probation shall be revoked and additional sanctions imposed.

You have the following rights:

- (1) A right to legal counsel, and if you are unable to afford counsel, the Court will appoint counsel for you.
- (2) A right to be confronted by the person alleging you have violated the terms of your probation and to cross-examine that person as well as any other persons who testify against you.
- (3) A right to insist that all testimony be under oath.
- (4) A right to remain silent and not to be prejudiced thereby.
- (5) A right to testify on your own behalf, to produce witnesses and other evidence to support your denial of the alleged violation(s), or in a final revocation hearing to support the explanation or mitigation of any violation.

The notice of the alleged violation(s) of probation is as follows:

Alleged Violation(s)	Date	Place
New Offense, CSA POSS. DIST D(MARIJUANA) Failure to pay PSF monthly	11/16/04(#0407CR6990A)	DORCHESTER DIST. COURT

AMENDED SURRENDER TO BE FILED 7-7-05 TO INCLUDE FAILURE TO REPORT FOR INITIAL COURT HEARING ON 4-26-05 and FAILURE TO REPORT AS ORDERED.

Do not fail to appear in Court at the time and place ordered above. You may then request a continuance if additional time is required to protect your rights.

Date: Decembery 16, 2004

REVIEWED BY: [Signature]
Assent to Immediate Hearing

I, _____, having received the foregoing notice, hereby assent to an immediate hearing, this _____ day of _____

Offender

PO, WJM/tj

Probation Office

COMMONWEALTH vs : DALE E. HOLLOWAY JR.

Suffolk Superior Court

14-16 MATTAPAN STREET ~~Street~~

John W. McCormack Bldg. Address

MATTAPAN, Ma.

90 Devonshire St. Tenth Fl.

02126

Boston, MA 02109

NOTICE OF SURRENDER AND HEARINGS(S) FOR ALLEGED VIOLATION(S) OF PROBATION

You are hereby notified to appear in this Court at 9:00 a.m./p.m. on January 6, ~~19~~ 2005 for a hearing on a charge that you have violated the terms and conditions of your probation imposed by this Court on May 14, ~~192~~ 2003 on the following complaints (Docket Number(s) and Brief Description):
01-10467-002 A&B DW

(Strike out (1) or (2) below, whichever is inapplicable).

(1) This hearing will be to determine whether there is probable cause to believe you have committed a violation of your probation. If the Court so finds, there will be a subsequent hearing on the issue of revocation and imposition of additional sanctions. If you wish, both hearings may be held at the same time. The same judge may not sit on both hearings unless you expressly agree thereto. In this particular case, you have a right to both hearings, but may waive the preliminary hearing if you wish.

(2) This hearing will be a final hearing on the issue of whether your probation shall be revoked and additional sanctions imposed.

You have the following rights:

- (1) A right to legal counsel, and if you are unable to afford counsel, the Court will appoint counsel for you.
- (2) A right to be confronted by the person alleging you have violated the terms of your probation and to cross-examine that person as well as any other persons who testify against you.
- (3) A right to insist that all testimony be under oath.
- (4) A right to remain silent and not to be prejudiced thereby.
- (5) A right to testify on your own behalf, to produce witnesses and other evidence to support your denial of the alleged violation(s), or in a final revocation hearing to support the explanation or mitigation of any violation.

The notice of the alleged violation(s) of probation is as follows:

<u>Alleged Violation(s)</u>	<u>Date</u>	<u>Place</u>
New Offense, CSA POSS. DIST D(MARIJUANA) Failure to pay PSF monthly	11/16/04 (#0407CR6990A)	DORCHESTER DIST.COURT

Do not fail to appear in Court at the time and place ordered above. You may then request a continuance if additional time is required to protect your rights.

Date: Decembery 16, 2004

REVIEWED BY: [Signature] ACPO
Signature [Signature]

Assent to Immediate Hearing

I, _____, having received the foregoing notice, hereby assent to an immediate hearing, this _____ day of _____

PO, WJM/tj

Offender
SUFFOLK COUNTY
CRIMINAL BUSINESS
DEC 23 PM 2:04



The Commonwealth of Massachusetts

SUPERIOR COURT FOR SUFFOLK COUNTY

PROBATION OFFICE

JOHN W. McCORMACK U.S. POST OFFICE AND COURTHOUSE

90 DEVONSHIRE STREET, TENTH FLOOR BOSTON, MA 02109

WARRANT APPLICATION

Re. Case of Dale Holloway No. 01-10467-002

I respectfully recommend that the defendant be surrendered by the Court for the following reasons:

- 1.) New offense, Poss Class D Dorchester D.C., 2.) Failure to pay PSF, 3.) Failure to report as ordered. 4.) Failure to report to court on 4/26/05

Date April 26, 2005

[Signature] PROBATION OFFICER

RECOMMENDATION APPROVED: [Signature] ASST. CHIEF PROBATION OFFICER

SURRENDER APPROVED: [Signature] CHIEF PROBATION OFFICER

Date 26 April 2005

Issuance of warrant and return to Court on surrender authorized by Judge [Signature]

PROBATION OFFICER

ADDRESS: 57 Regent St Roxbury, Ma. 02119

DOB: 8/6/82 SEX: M RACE: Black

HT: 5'10 WT: 185 EYES: Br HAIR: Br

SS #: 017-64-6130 PCF # 1836962

ARRESTING POLICE DEPARTMENT: Boston Police

Commonwealth of Massachusetts
County of Suffolk
The Superior Court

WRIT OF HABEAS CORPUS FOR DEFENDANT

CRIMINAL DOCKET# SUCR2001-10467

RE: Commonwealth vs. Holloway, Jr., Dale

To: Superintendent,
Bridgewater State Hospital,
20 Administration Road
Bridgewater MA 02324

or to the Sheriffs of our several counties, or their deputies, the Officers of the Court, hereinafter named,

GREETING:

WE COMMAND you that you have the body of
Dale Holloway, Jr. , (DOB) 08/06/1982) (PCF#)1836962) (hereinafter, Defendant) a/k/a
(if any),

who is detained in said institution under your custody, as it is said, under safe and sure conduct, before the Superior Court, Department of the Trial Court, holden at Boston, in said County, for the transaction of criminal business, on: **09/26/2006; at: 09:30 AM in: Criminal 1 Ctrm 704 (Three Pemberton Square, Boston)**, then and there to appear for **Hearing: Sentence Imposition** in said Court and from day to day thereafter until final disposition of the case and to do and receive what our said Justices shall then and there consider concerning him in this behalf; and have you there this writ.

Witness, Barbara J. Rouse, Esquire, Chief Justice of the Superior Court at Boston
this 21st day of August in the year of our Lord 2006.

.....
Assistant Clerk

Suffolk, ss.

RETURN
Date:

In obedience to this writ, I have the body of the within-named Dale Holloway, Jr. before the Court.

.....
Officer of the Court

PLEASE NOTE: Our records indicate that the above named defendant is located at your institution. If, however, he/she has been transferred please forward this habe immediately per Order of the Court
Barbara J. Rouse, Chief Justice of the Superior Court.

Commonwealth of Massachusetts
County of Suffolk
The Superior Court

Mittimus - To Common Jail in the County of Suffolk

CRIMINAL DOCKET# SUCR2001-10467

RE: Commonwealth v Holloway, Jr., Dale

To the sheriffs of our several Counties, their deputies, the officers of the Court and to the Keeper of the Jail in Suffolk County,

GREETINGS:

Whereas, by consideration of our Superior Court, holden at Boston within and for the County of Suffolk, on 06/09/2005

Dale Holloway, Jr.

(a/k/a, if any:)

now in Custody of the Sheriff of our said County of Suffolk, for the crime of:

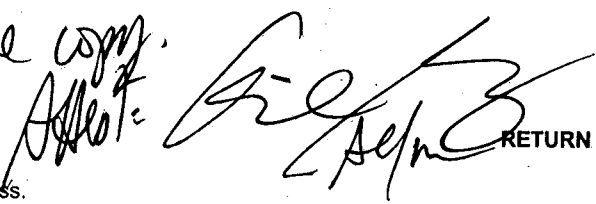
265:018:b.2	Assault, armed, intent to murder	03/21/2001
265:015A:b	Assault & battery, dangerous weapon	03/21/2001

was, on 06/09/2005 in the year of our Lord, ordered by our said Court to be held in the custody of the Sheriff of the said County and committed to the Common Jail at **Boston** in said County, \$50,000.00 (Fifty Thousand Dollars) with surety or \$5,000.00 (Five Thousand Dollars) cash without prejudice, and stand committed until the further order of the Court.

We therefore **COMMAND YOU**, the said Sheriff and Deputies, to remove the said **Dale Holloway, Jr.** to said jail, and we command you, the Keeper of said Jail, to receive the said **Dale Holloway, Jr.** to safely keep in and within the precincts of said Common Jail, pursuant to said order.

And for so doing, this shall be your warrant. And you are to make return of this warrant, with your doings therein, to the Office of the Clerk of our Superior Court, in Boston, as soon as may be.

Witness: Barbara J. Rouse, Chief Justice of the Superior Court
9th day of June, 2005 at Boston, Massachusetts

A true copy.
Attest: 

Assistant Clerk

Suffolk, ss.

Date: JUN 09 2005

In obedience to this order, I have removed the within-named Dale Holloway, Jr. to the Common Jail in Suffolk County, and delivered said defendant, and a true and attested copy of this warrant to the Keeper thereof.

Officer of the Court

SUCR01-10467-002
INDICTMENT

Assault and Battery by Means of a Dangerous Weapon
C. 265, §15A

Commonwealth of Massachusetts

SUFFOLK, SS.

At the SUPERIOR COURT DEPARTMENT OF THE TRIAL COURT FOR CRIMINAL BUSINESS,
begun and holden at the CITY OF BOSTON, within and for the County of Suffolk, on the first Monday of May in the
year of our Lord two thousand one.

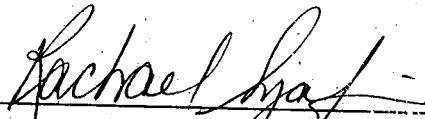
THE JURORS for the COMMONWEALTH OF MASSACHUSETTS on their oath present that

DALE HOLLOWAY JR.,

on March 21, 2001, did commit an assault and battery upon one Tyree Herring, by means of a certain dangerous weapon,
to wit: a Knife.

A TRUE BILL


Assistant District Attorney

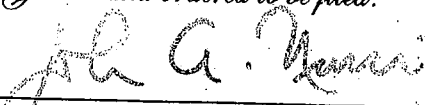

Foreman of the Grand Jury

MAY 24 2001

Superior Court Department - Criminal Business

MAy, Sitting, 2001

Returned into said Superior Court by the Grand Jurors and ordered to be filed.


Clerk Of Court

WARRANT

SUCR0110467

Suffolk Superior

NAME, ADDRESS AND ZIP CODE OF DEFENDANT

HOLLOWAY, DALE
199 GARFIELD AVENUE
HYDE PARK, MA 02136

DATE OF BIRTH	SEX	RACE	HEIGHT	WEIGHT	EYES	HAIR
08/06/1982	M	B	5'08"	165	BRO	BRO

C.C. #	SOCIAL SECURITY #
010148007	017-64-6130

DATE OF OFFENSE	PLACE OF OFFENSE
03/21/2001	BOSTON

COMPLAINANT	POLICE DEPARTMENT
	BOSTON PD - AREA A-1

DATE OF COMPLAINT	RETURN DATE AND TIME
05/24/2001	

COUNT-OFFENSE
 1 - 265/15A/A A&B WITH DANGEROUS WEAPON c265 §15A(b)

on 03/21/2001 did, by means of a dangerous weapon, a A KNIFE, assault and beat TYREE HERRING, in violation of G.L. c.265, §15A(b). (PENALTY: state prison not more than 10 years; or house of correction not more than 2½ years; or not more than \$5000 fine; or both such fine and imprisonment. District Court has final jurisdiction under G.L. c.218, § 26.)

**Trial Court of Massachusetts
 Suffolk County Superior Court**



TO ANY AUTHORIZED OFFICER:
 REASON FOR WARRANT

- Representation of prosecutor that defendant may not appear unless arrested.
- Defendant failed to appear after being summoned to appear.
- Defendant failed to appear after recognizing to appear.
- Defendant failed to pay court ordered monies in the amount of \$_____.
- Defendant failed to pay non-criminal motor vehicle fine in the amount of \$_____.
- Defendant failed to appear for Probation Surrender Hearing
- Other:

COUNT-OFFENSE

COUNT-OFFENSE

COUNT-OFFENSE

THE COURT HAS ORDERED THAT A WARRANT DEFAULT WARRANT ISSUE AGAINST THE ABOVE DEFENDANT

Therefore you are hereby commanded to arrest the above named defendant and bring the defendant forthwith before this court to answer to the offense(s) listed above and to be dealt with according to law.

FIRST JUSTICE
 WITNESS: Rouse, Barbara J.

DATE OF ISSUE
 01/22/2002

CLERK/MAGISTRATE/ASST. CLERK

Boston Police

Kathleen M. O'Toole, Commissioner

EXHIBIT
2001-10467
1
8/18/05

INCIDENT REPORT

ORIGINAL

STATUS: APPROVED

KEY SITUATIONS		COMPLAINANT NO.	RPT DIST.	CAD RA	RPT RA	CLEAR. DIST.		
OTHERS		050571335	D4	167	187			
UCR INCIDENT DESCRIPTION		UCR FINAL INCIDENT DESCRIPTION		STATUS	DATE OCCURRED FROM	DATE OCCURRED TO		
VANDALISM		VANDALISM			10/24/2005			
LOCATION OF INCIDENT				APT. NO.	DISPATCH TIME	TIME OCCURRED FROM	TIME OCCURRED TO	
650 HARRISON AV					12:00 AM	03:50 PM		
NEIGHBORHOOD		TYPE OF BUILDING		PLACE OF ENTRY	WEATHER	LIGHTING		
SOUTH END LOWER ROXBURY		POLICE STATION		N/A	CLOUDY	INSIDE - WELL LIT		
TYPE OF WEAPON/TOOL		SUSPECT MODE OF TRANSPORTATION		VICTIM'S ACTIVITY	SUSPECT RELATIONSHIP TO VICTIM			
UNKNOWN		CAR			N/A			
UNUSUAL ACTIONS AND STATEMENTS OF PERPETRATOR								
P S O N S	1 TYPE		NAME (LAST, FIRST, MI)		S.S. NO.	BOOKING NO.	DOCKET NO.	
	VICTIM		CITY OF BOSTON			0		
	ALIAS		ADDRESS		GENDER	RACE	DOB	AGE
			650 HARRISON AV, BOSTON MA 02118-0000					0
	HEIGHT	WEIGHT	BUILD	HAIR	EYES			
OCCUPATION				MARITAL STATUS	CONTACT #1	CONTACT #2		
SPECIAL CHARACTERISTICS (INCLUDING CLOTHING)								
P S O N S	2 TYPE		NAME (LAST, FIRST, MI)		S.S. NO.	BOOKING NO.	DOCKET NO.	
	REPORTER		PO KENNEDY, FRED			0		
	ALIAS		ADDRESS		GENDER	RACE	DOB	AGE
			650 HARRISON AV, BOSTON MA 02118-0000					0
	HEIGHT	WEIGHT	BUILD	HAIR	EYES			
OCCUPATION				MARITAL STATUS	CONTACT #1	CONTACT #2		
					(617)-343-4250			
SPECIAL CHARACTERISTICS (INCLUDING CLOTHING)								
P S O N S	3 TYPE		NAME (LAST, FIRST, MI)		S.S. NO.	BOOKING NO.	DOCKET NO.	
	WITNESS		PO MADEIRA, LOUIS			0		
	ALIAS		ADDRESS		GENDER	RACE	DOB	AGE
			650 HARRISON AV, BOSTON MA 02118-0000					0
	HEIGHT	WEIGHT	BUILD	HAIR	EYES			
OCCUPATION				MARITAL STATUS	CONTACT #1	CONTACT #2		
					(617)-343-4250			
SPECIAL CHARACTERISTICS (INCLUDING CLOTHING)								
P S O N S	4 TYPE		NAME (LAST, FIRST, MI)		S.S. NO.	BOOKING NO.	DOCKET NO.	
	OFFENDER		HOLLOWAY, DALE		017-64-6130	20050180104		
	ALIAS		ADDRESS		GENDER	RACE	DOB	AGE
			18 MATTAPAN ST, MATTAPAN MA 02126-0000		MALE	BLACK NON-HISPANIC	08/08/1982	23
	HEIGHT	WEIGHT	BUILD	HAIR	EYES			
	5-08	160	MEDIUM	BLACK	BROWN			
OCCUPATION				MARITAL STATUS	CONTACT #1	CONTACT #2		
SPECIAL CHARACTERISTICS (INCLUDING CLOTHING)								
BLK SWEATSHIRT, GREY SWEATPANTS								

STATUS	TYPE OF PROPERTY	SERIAL	BRAND NAME - DESCRIPTION	MODEL	VALUE
DESTROYED / DAMAGED / VANDALIZED	STRUCTURES-OTHER		- SPRINKLER SYSTEM		\$0.00

NARRATIVE AND ADDITIONAL INFORMATION:

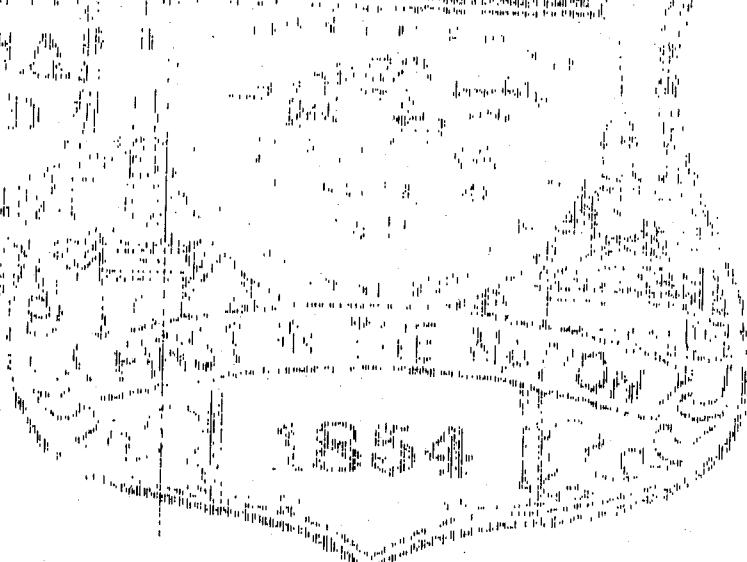
ABOUT 15:50HRS ON MONDAY 10/24/05, OFFICERS KENNEDY/MADEIRA(DK01D UNIT) ALONG WITH SGT HAMILTON (PATROL SUPERVISOR) RESPONDED TO A FIRE ALARM INSIDE DISTRICT-4 POLICE STATION AT 650 HARRISON AV. ON ARRIVAL OFFICERS HEARD THE ALARM SOUNDING AND OBSERVED WATER POURING FROM THE SPRINKLER SYSTEM LOCATED INSIDE CELL#19. OFFICERS IMMEDIATELY REMOVED THE OCCUPANT/SUSPECT (DALE HALLOWAY) FROM THE CELL. SUSPECT AT THIS TIME CONTINUALLY STATED TO OFFICERS "THIS IS YOUR FAULT FOR LOCKING ME UP". OFFICERS OBSERVED THAT THE SPRINKLER HEAD WAS PROTRUDING FROM THE CASING, CAUSING OFFICERS TO BELIEVE THAT IT WAS TAMPERED WITH. THE BOSTON FIRE DEPARTMENT RESPONDED AND SHUT OFF THE FLOW OF WATER, WHICH WAS FLOODING THE CELL BLOCK. SUSPECT ORIGINALLY BEING HELD ON TWO DEFAULT WARRANTS (REFER TO CC#S 050177937, 040622409) AND SUBSEQUENTLY CHARGED WITH MALICIOUS DESTRUCTION OF PROPERTY (OVER) FOR DAMAGING THE SPRINKLER SYSTEM.

UNIT ASSIGNED	SHIFT	REPORTING OFFICER'S NAME	REPORTING OFFICER'S ID	PARTNER'S ID
DK01D	2	KENNEDY, FREDERICK P	11249	11430

SPECIAL UNITS NOTIFIED (REPORTING)

DATE OF REPORT	TIME COMPLETED	APPROVING SUPERVISOR NAME	APPROVING SUPERVISOR ID
10/24/2005	04:38 PM	MCGOLDRICK, KEVIN J	10588

TRICKER



Boston Police Department Arrest/Booking Sheet

Booking: 20050180104



Boston Police Department Arrest Booking Form

Report Date: 10/25/2005 06:35:03 AM
Booking Status: Verified
Printed By User:

District: 04

UCR Code: 0802

Court of Appearance: Boston Municipal Court

Master Name: HALLOWAY, Dale E Jr

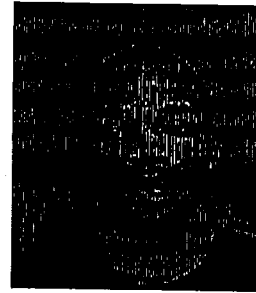
Age: 23

Location of Arrest: Washington/Traveler

Booking Name: HOLLOWAY, Dale

Alias:

Address: 18 Mattapan ST MATTAPAN MA 02126 US



Charges:

Assault and Battery (265-13A) (Docket#:0501CR004208);Bmc
Possession W/I to Distribute, Class D, Drugs (94C-32C) (Docket#:0407CR006990);Dorchester

Booking Number: 05-01801-04

Incident Number: 050177937

CR Number: 008827-95

Booking Date: 10/24/2005 14:47

Arrest Date: 10/24/2005 14:35

RA Number:

Personal information fields including Sex, Race, Date of Birth, Place of Birth, Height, Weight, Build, Eye Color, Hair Color, Complexion, Occupation, Employer/School, Social Sec Number, Operators License, State.

Medical and physical examination fields including Phone Used, Examined at Hospital, Examined by EMS, Scars/Marks/Tattoos, Breathalyzer Used, Clothing Desc.

Arresting and booking officer information including names, IDs, and unit numbers.

Cautions, Booking Comments, and Visible Injuries fields.

Person notified information including Address, Relationship, Phone, and Juv Prob Officer.

Bail information including Bail Set By, Bailed By, and Amount.

Checklist fields including BOP Check, Suicide Check, and BOP Warrant.

SUFFOLK, SS

COMMONWEALTH OF MASSACHUSETTS
SUPERIOR COURT
NO.

01-10467

COMMONWEALTH

v.

DALE HALLOWAY

MOTION AND AFFIDAVIT FOR FUNDS
FOR NEUROPSYCHOLOGIST

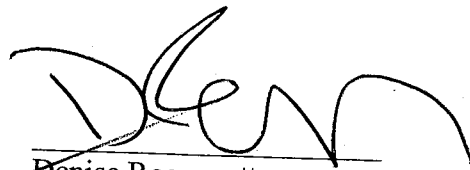
Now comes the defendant and respectfully moves this Court for funds in the amount of 3,000 dollars for the services of Dr. Rinn, a neuropsychologist.

As grounds therefore, defense counsel states, upon knowledge, information and belief:

1. He is indigent.
2. He suffered severe injuries in an assault when he was fifteen.
3. He was diagnosed with serious learning disabilities while in school.
4. The Commonwealth intends to offer a statement allegedly by the defendant in its case in chief.
5. The defendant is charged with a specific intend crime.
6. The services of a neuropsychologist are necessary for preparation of a defense.

Signed under the pains and penalties of perjury, July 3, 2002.

*7/3/02 filed
and with her account
up to \$3900.00
with [unclear]*



Denise Regan, attorney
Committee for Public Counsel Services
44 Bromfield Street
Boston, Massachusetts 02118
(617) 988-8347

CLERK'S MINUTES

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS

SUPERIOR COURT FOR THE TRANSACTION OF CRIMINAL BUSINESS

II

NO. SUCR: 01-10467

COMMONWEALTH

VS.

Dale Hollaway, Jr.

DATE

4/4/06

Brought into court.

Court to 5/16/06 for Status.

and also 5/25/06 for final Surrender in (J) Session. jail list

and Habe to MCI Cedar Junction.

Nature of surrender and req for visitation

Mtn for funds for

Psychologist / Psychiatrist

Filed & Allowed

Dike

Both dates

Bell

M. Mitchell

Ed. Sullivan

B. Sutton

Attest *Capella*

Assistant Clerk

JMAG
ADA/AGP.O.
Atty.
C.R.

5-16-06

Brought into Court

Mr. Hy - Dept's oral motion to reduce bail is denied w/o/j.

(Cancel 5-25-06 date)

Court to 6-13-06 ^B req of Dept

(J) Sur @ Hotel Sureside

Habe to: MEI Cesar Torres

Bell, J. W. Mitchell P.O.

E. M. Sullivan Atty

K. Blahy cr ^{Att: DJP}
(Habe issued) _{A/K}

6/6/06

Court orders habe to issue to South Bay for defendant's appearance on 6/13/06.

(Habe issued)

Wilson, May
Att: Margaret J. ...
Asst. Clerk

6/13/06

Defendant not in Court
Continued by Order of the Court to 7/18/06
for Hearing re: Final Probation Surrender (J)
Note: Continuance due to Courtroom Congestion Defendant objecting.

(Signature)

Court orders that a Writ of Habeas Corpus issue to South Bay for defendant for 7/18/06
Bell J. W. Mitchell ADA P.O.
E. M. Sullivan Atty.
ERN CR

7/7/06	22 Request for subpoena I filed and allowed.
23	Request for subpoena II filed and allowed.
W.M.W.	W. Mitchell, P.O. Locke J. West. Woods 1st. Flk
7/11/06	Summons Issued to: Lisa King 23 Raymond Ave Pembroke, Ma and Brockton Police Officer Kenneth Johnson. Mailed.
7/18/06 W.M.W. Cal	Jett not in court Continued to 8/18/06 by agreement by @ final summary (5) Take to H.O.C. South Bay En 8/18/06 notice to E.M. Sullivan re-issue (2) summonses Prassan, J. W. Mitchell P.O. E.M. Sullivan via telephone 10/27/06 enb Jett issued to for Bay & faxed attest C. Kallal acu
7/24/06	Summons issued to Lisa King Pembroke, Ma and Police Officer Kenneth Johnson, Brockton Police Dept.

8/18/06 Brought into Court F.S. hearing as to #002. after hearing left found in violation of terms and conditions of Probation

3rd Probation violation finding of disposition, filed Court orders defendant committed to Bridgewater State Hospital for a period of forty (40) days for aid in sentencing pursuant to MGL 123 Sec 15E continued to 9/26/06 by order of the Court by @ disposition

Writ to issue to Bridgewater State Hospital for 9/26/06

[Handwritten initials]

Mittimus issued

W. Mitchell P.O.

E. M. Sullivan 007

ENC

Writ issued + copy enclosed 8/21/06 C. Kell

ack

9/26/06

Brought into Court.

for special file

2nd Report of Dr. Alexander Durson PsyD re: Aid in Sentencing Request pursuant to MGL Ch 123, Section 15E. Filed Hearing re: Disposition as to final probation surrender as to offense 002. After hearing, the Court finds & orders Probationary period imposed on May 14, 2003 be revoked and orders the defendant sentenced as follows:

As to Offense 002 - MCD Cedar Junction Maximum - Three (3) Years Minimum - Two and One Half Years. Mittimus framed

Days Credit - 224 Days

9/26/66

continued

Defendant notified of right to appeal to the Appellate Division

Locke J.

W. Mitchell P.O. A.D.A.

E. H. Sullivan Atty.

C. Richards C.R.

Attest

Sharybeth Brady
Assistant Clerk

[Handwritten mark]

Request for Subpoena I

23

THE COMMONWEALTH OF MASSACHUSETTS

SUPERIOR COURT FOR SUFFOLK COUNTY

PROBATION OFFICE

3 PEMBERTON SQUARE, 11TH FLOOR
BOSTON, MA 02108

SANDY J. STILLWELL
CHIEF PROBATION OFFICER

TEL: (617) 788-7255
FAX: (617) 788-7277

Date: July 6, 2006

Suffolk Superior Court
Docket #:01-10467

The Commonwealth of Massachusetts

Vs

Dale Holloway

Now comes the Suffolk Superior Court Probation Department and moves that the Court Subpoena into Court on behalf of the Probation Department the following:

Brockton Police Officer Kenneth Johnson
Brockton Police Dept
7 Commercial St.
Brockton, Mass. 02302

They are to appear before the Court on July 18, 2006
at 9:30 am at the Suffolk Superior Court First Session 7th Floor.

7-7-06
Filed & Allowed
Locke J.
(Signature)

(Signature)

William J. Mitchell
Probation Officer
Suffolk Superior Court

M-15 sub for
x 1.0/05

Request for Subpoena II 23

THE COMMONWEALTH OF MASSACHUSETTS

SUPERIOR COURT FOR SUFFOLK COUNTY

PROBATION OFFICE

3 PEMBERTON SQUARE, 11TH FLOOR
BOSTON, MA 02108

SANDY J. STILLWELL
CHIEF PROBATION OFFICER

TEL: (617) 788-7255
FAX: (617) 788-7277

Date: July 6, 2006

Suffolk Superior Court
Docket #:01-10467

The Commonwealth of Massachusetts

Vs

Dale Holloway

Now comes the Suffolk Superior Court Probation Department and moves that the Court Subpoena into Court on behalf of the Probation Department the following:

Lisa King
23 Raymond Ave.
Pembroke, Mass. 02359

They are to appear before the Court on July 18, 2006
at 9:30 am at the Suffolk Superior Court First Session 7th Floor.

7-7-06

*Sted & allowed
Locke, J.
(Signature)*

(Signature)
William J. Mitchell
Probation Officer
Suffolk Superior Court

*Miss Mitchell
8/18/06*

COMMONWEALTH OF MASSACHUSETTS
SUPERIOR COURT PROBATION CONTRACT

Docket No.(s) 01-10467

TO: Dale Holloway

DATE: 9-23-05

You have been placed on probation for the period to
Unless otherwise excused, you are required to return to court as directed when a report on your probation
progress will be made.

If you fail to comply with any of the following conditions of probation now placed on you by this court,
you may be ordered to appear again in court, after due notice, and the court may change the conditions,
extend the period of probation or impose sentence. If you should fail to appear you may be defaulted and a
warrant for your arrest may be issued.

CONDITIONS OF PROBATION

(Strike out conditions not imposed by the Court)

1. You must obey local, state and federal laws and court orders.
2. You must report to your assigned Probation Officer at such time and place as he/she requires.
3. You must notify the Probation Officer immediately of a change of address or employment.
4. You must not leave the Commonwealth without the express permission of the Probation Office. You shall execute an agreement to waive extradition forthwith.
5. You shall not have any direct or indirect contact with the victim(s) nor reside in the same house or apartment with the victim(s) unless approved by the Court.
6. You shall either pay the probation fee as determined by the Probation Department or pursue community services as ordered by the Court.
7. You shall inform the Probation Department of any new arrest or notice of criminal charge(s) within 24 hours of arraignment thereon.
8. You shall submit to substance abuse, alcohol evaluation, testing (including random) and outpatient treatment if deemed appropriate by the probation department or inpatient treatment if ordered by the Court and agree to a release of any confidential privileged information applicable thereto to the Probation Department.
9. You may be visited by a Probation Officer at home, school or your place of employment with or without notice.
10. You shall work, seek employment or participate in educational programs/training to the satisfaction of your Probation Officer.
11. You shall not receive, possess, control or transport any non-prescription drugs, weapon, explosive, firearm, or ammunition.
12. You shall participate in literacy, basic education, or high school equivalency classes, counseling programs and testing as directed by the Probation Department.
13. You shall pay a victim/Witness fee of \$90.00 unless waived by the court.
14. Probation to begin upon release, you must report to probation office within 24 hours.

SPECIAL CONDITIONS OF PROBATION

- 1.) PROBATION EXTENDED 6 MONTHS to end on 12-16-06.
- 2.) 150.00 I.C.F.
- 3.) ENTER SALVATION ARMY PROGRAM IN BROCKTON
- 4.) complete 135 hours of community service in lieu of PSF.
- 5.) 90 VWF

The Court hereby ORDERS the probationer to adhere to the conditions set forth above.

I have read and understand the above conditions of probation and agree to observe them.
I acknowledge receipt of a copy of these conditions.

[Signature]
JUSTICE, SUPERIOR COURT

[Signature]
Probationer

[Signature]
Witness (Probation Officer)

OFFICE ADDRESS: Suffolk Superior Probation

90 Devonshire St. (10th Flr.)
Boston, MA 02109





Suffolk Superior Court,

This letter is in support of Dale E. Holloway, Jr. Mr. Holloway was a client of The Work Place and worked primarily with Rosalyn Dyer and myself. Upon his release from prison he became a member of The Work Place and began the job searching process with us.

The job search process involves attending workshops on, "Understanding Your C.O.R.I.", Resume Writing, Cover Letter Writing, Job Searching Techniques, and Introduction to the Internet. Mr. Holloway attended all these workshops and completed the required work. In addition, he set up weekly sessions with his job developer. These sessions were to help him find meaningful employment. Mr. Holloway attended all the appointments scheduled, on time and always prepared. He was sent on several interviews and did well from the employer's point of view, however his Criminal Record was a major stumbling block. Even though the process was disappointing, Mr. Holloway continued to make his appointments with The Work Place, and attend interviews.

If you have any questions regarding this process, please feel free to contact me at 617-737-0093 X3015. Thank you for your time and consideration.

Sincerely,

Cyndy Chapin

Job Developer - The Work Place

F. S. / Trg.
Suffolk, ss.

No. 01-10467
Superior Court for Criminal Business

Commonwealth of Massachusetts

DALE HOLLOWAY
v.

8/18/06

LIST OF EXHIBITS

- Exh # 1 Copy of B.P.D. incident report (P.O.)
- Exh # 2 Copy of Brockton T. Ct. Sec Dept. incident report (P.O.)
- Exh # 3 Copy of incident report in courtroom entryway (P.O.)
- Exh # 4 Copy of Probation contract (P.O.)
- Exh # 5 Copy of Letter from Salvation Army (D)

Exh # _____

Exh # _____

Exh # _____

Exh # _____

Exh # _____

Exh # _____

Exh # _____

Exh # _____

Exh # _____

Exh # _____

Exh # _____

Exh # _____

Exh # _____

FS Hrg.

Docket No. 01-10467

COMMONWEALTH

DALE Holloway

WITNESSES WHO TESTIFIED FOR THE COMMONWEALTH

WITNESSES WHO TESTIFIED FOR THE DEFENDANT

8/18/06 PATRICIA GARCIA - def's mother

JUDGE

Locke

~~ASSISTANT DISTRICT ATTORNEY~~

W. Mitchell P.O.

ATTORNEY FOR THE DEFENDANT

E. Michael Sullivan

CONVICTED UNDER GENERAL LAWS, CHAPTER , SEC.

LAWRENCE R. MURETZ
TERRITORIAL COMMANDER



PROVISIONAL COMMANDER
FAMILY SERVICES BUREAU
617-236-7233

THE SALVATION ARMY

FOUNDED IN 1865 BY WILLIAM BOOTH

BOSTON SOUTH END CORPS
CENTER FOR MENTOR AND SERVICE
1500 WASHINGTON STREET
P.O. BOX 152487
BOSTON, MASSACHUSETTS 02118-0248
TELEPHONE 617-536-5222
FAX 617-536-0792



April 3, 2006
To Whom It May Concern:

My name is Kirk Womack and I'm the "Bridging the Gap" / Teen Evening Enrichment Network Coordinator here at The Salvation Army South End Corps. I've known Dale Hallway for several years now and have watched him mature into a more positive role model for the youth of this community. Dale has volunteered as a coach for our Teen Program and has even been a guest speaker for our program as well. I personally have seen a drastic improvement in his ways and actions. Many of the youth look up to him for support and advice. He has always been one to explain to the youth some do's and don'ts. I want to offer my and all support to him in his time of need. Mr. Hallway has even kept in touch with the youth of the Bridging the Gap Program by writing letters to tell them that prison life is not a way of living. His four page letter touched many of them and got a lot of questions to be asked about what they can do to stay away from trouble. He still inspires them though he's not here in the physical form. He is a powerful speaker and I see him as one with great potential. Please feel free to contact me with any information in which will help him in this ordeal. I'll can offer my programs as a means of support then I'll gladly do so. God bless.

Sincerely,

Kirk Womack BTG/T.E.E.N. Coordinator



Kirk Womack
Bridging the Gap / T.E.E.N. Coordinator

Phone: 617-536-5260 x. 222
Fax: 617-536-0123
Email: kirk@tseccorps.org

The Salvation Army
South End Corps
1500 Washington Street
Boston, MA 02118

The Salvation Army is a world-wide evangelical Christian church, human service agency, and non-profit corporation.

Commonwealth of Massachusetts

Vs.

DALE HOLLOWAY

Suffolk, ss.

Superior
Court

2001-10467-002

**ORDER OF COMMITMENT FOR OBSERVATION OF A
CRIMINAL DEFENDANT FOUND GUILTY (In Violation of Terms of Probation)**
(Under Section 15(e), Chapter 123, General Laws)

Whereas, on 08/18/2006 the Court finds that a period of observation as to the mental condition of the defendant would aid the Court in sentencing and that strict security is required.*

Therefore, it is ORDERED that said defendant be committed to the Bridgewater State Hospital for observation for a period not to exceed forty (40) days.

And, therefore, the Court Officers or other officers duly authorized are hereby commanded to remove the said defendant to the Bridgewater State Hospital and to make return of this warrant with their doings thereon to the Clerk of this Court as soon as may be.

Furthermore, the Court Officers or other officers duly authorized are further commanded to return said defendant to this Court at the end of the period of observation.

During said period of in-patient observation it is ORDERED that a qualified physician or physicians examine said defendant and promptly report to this Court an opinion supported by clinical findings as to the mental condition of the defendant, to assist the court in sentencing.

Witness my hand and seal at BOSTON,

Jeffrey Locke, Associate Justice of the
Superior Court Department.

Attest: _____ Assistant Clerk

THIS COMMITMENT ORDER EXPIRES

September 26th, 2006 _____

RETURN(if applicable)

I, _____ Court Officer, hereby certify that I have on this _____ day
of _____ delivered the above-named _____ to the _____
_____ Hospital, together with a copy of this order.

_____, Court Officer

COMMONWEALTH OF MASSACHUSETTS
The Superior Court
Judges' Lobby
72 Belmont Street, Brockton MA 02301
Tel. (508) 588-8250

September 12, 2008

Honorable Maura Hennigan
Clerk for Criminal Business
Suffolk Superior Court
Three Pemberton Square
Boston, MA. 02108

Re: **Commonwealth v. Dale Holloway**
Docket No. 01-10467

Dear Ms. Hennigan:

Enclosed please find a letter sent to me in Brockton from the above-named defendant, seeking additional jail credits. I have treated the letter as a motion to correct the mittimus and indorsed it accordingly. Kindly docket and distribute to the parties.

Thank you for your attention to same.

Very truly yours,



Jeffrey A. Locke
Associate Justice

To: Honorable Judge, Jeffrey A. Locke

From: Dale E. Holloway Jr., DO# W88385 / # A94028

Date: July 1, 2008

fail to demonstrate a right to further credits.
A.G. &

Holla, your Honor -- "Happy Independence Day"

I AM CURRENTLY SERVING THE 2 1/2 - 3 year (state) sentence for my violation(s) of probation. I truly appreciate your leniency in the judgement. (9/26/06) for my girlfriend was pregnant and my family was concerned about my future. My son has turned 2 years old on June 15, this year...

However, I was found guilty on (two) separate charges and sentenced to serve 1 year and 2 1/2 years (from & after) in the county, pending appeals.

But, so far -- I have achieved the following: G.E.D./DIPLOMA, and completed several programs

including alternatives to violence (6-weeks), relapse prevention (8-weeks), and fatherheart (6-weeks) --

also, I recently "denounced" the (Latin King) gang

I was active with before, for my chancee. Unfortunately, I was recently attacked for that reason and am currently administered to Seerecreation (SHU), where I am being denied an opportunity to earn any good time. So, I ask of you for the jail credit from 6/9/05 through 8/2/05 where I was held for (53 days) then released by you on a personal recognizance.

I respectfully await your reply and/or decision on this request -- Thank you!!!

D. Holloway Jr.

229 days jail credit and defendant wife

08 SEP 15 AM 11:47
SUPERIOR COURT
FOR CENTRAL DISTRICT OF WASH.

ATTACHMENT 3

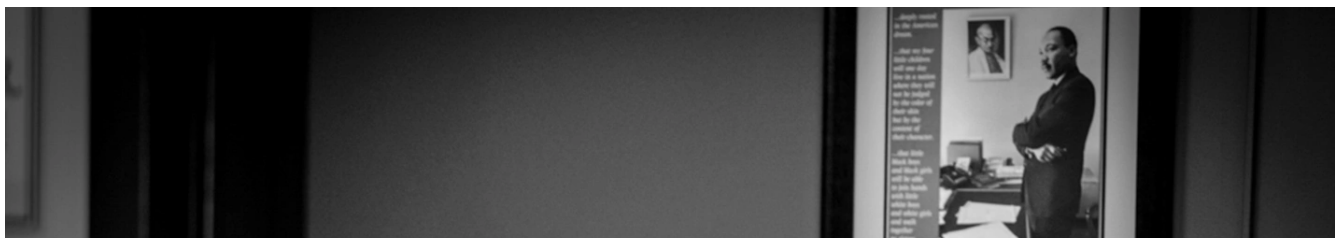
More in This Series

[See Project](#)

Innocence Is Irrelevant

This is the age of the plea bargain—and millions of Americans are suffering the consequences.

EMILY YOFFE SEPTEMBER 2017 ISSUE





Shanta Sweatt (left) and her attorney, the public defender Ember Eyster, in Eyster's Nashville office (NINA ROBINSON)

IT HAD BEEN a long night for Shanta Sweatt. After working a 16-hour shift cleaning the Tennessee Performing Arts Center, in Nashville, and then catching the 11:15 bus to her apartment, she just wanted to take a shower and go to sleep. Instead, she wound up having a fight with the man she refers to as her “so-called boyfriend.” He was a high-school classmate who had recently ended up on the street, so Sweatt had let him move in, under the proviso that he not do drugs in the apartment. Sweatt has a soft spot for people in trouble. Over the years, she had taken in many of her two sons’ friends, one of whom who had been living with them since his early teens.

containing a total of about 25 grams—a weight equivalent to about six packets of sugar. There was also marijuana paraphernalia in the apartment. When the officer showed the baggies to her, Sweatt immediately knew they had to belong to her boyfriend, who—in addition to having just been smoking in her home—had past drug convictions.

Sweatt, 36 years old, left high school in 11th grade, but she has the kind of knowledge of the law that accrues to observant residents of James A. Cayce Homes, a housing project in East Nashville. “I’m the lease owner,” she told me. “Whatever was there, I would get blamed.” It seemed useless to her to say that the drugs must have belonged to her absent boyfriend, who had a common name and no fixed address. She believed that this would result in the police pinning the crime on her sons. Her 17-year-old was at school, but her 18-year-old, who worked on the cleaning crew with her, was home, along with the friend of his who lived with them. Sweatt told me, “I’ve seen that where I lived: The parents said no, so everyone in the house gets charged. I’m not going to let my children go down for someone else’s mistake. A parent should take ownership of what happens in the house.” So she made a quick and consequential decision. To protect her sons, she told the police that the marijuana belonged to her. “I said it was mine, and me and my homegirls were going on vacation to California. I said we were going to take the marijuana with us—I heard it was legal there—and we were going to smoke for a week or two, then come back to normal life.”

Sweatt told me this two months after her arrest. She and I were sitting in a conference room at the Metropolitan Public Defender’s Office, in downtown Nashville. She was dressed for work in a black sweatshirt, sweatpants, and sneakers. A large ring of keys attached to her belt bespoke her responsibilities as a janitorial supervisor at the arts center, just a few blocks away. I asked how she had come up with such a specific story on the spot. “It’s a dream,” she said. “I heard California is more lively, more fun, than Nashville. The beaches are pretty. The palm trees.” For a moment she looked as if she

could actually see the surf. She was born and raised in East Nashville and has spent almost her entire life within the same few square miles. She had no plans to vacation in California, or anywhere else. “All I do is work and take care of my sons,” she said.

The police seemed to believe her story (the arrest warrant noted her upcoming trip) and drove her downtown, where they put her in a holding room. By 1 o’clock that afternoon, her bail had been set at \$11,500. To be released, she needed to get \$1,150 to a bail bondsman. She contacted a friend, and they each paid half. (“That’s gone,” she says.) She assumed she’d be out in time to get to work that evening, but the money didn’t clear until almost nine, minutes before she was to be sent to jail in shackles. A court date was set for January. Sweatt was facing serious charges with serious consequences, and she was advised to get an attorney.

The fallout began even before the court rendered judgment in her case. Under the rules of the housing agency, her arrest prompted her eviction, which scattered her family. Sweatt moved into a cheap motel, and her sons moved in with her mother, although she still managed to see them every day. She tried to get enough money together to hire what she calls “a regular lawyer,” meaning a private attorney, but failed. So in January she turned to the public defender’s office—a choice that many people in her situation make reluctantly. That’s because of the common misperception, I was told by Dawn Deaner, the head of the office, that public defenders are nothing more than “public pretenders” who are “paid to plead [their clients] guilty.”

Sweatt’s case was assigned to a lawyer named Ember Eyster. At their first meeting, Sweatt felt reassured. As she put it to me, “Ember wears a dress that says, *I’m going to take you down!*” During their 75-minute discussion, Eyster asked Sweatt what her goals were, and Sweatt responded with a big one: no incarceration. She couldn’t bear the idea of being away from her boys. At Eyster’s request, Sweatt gathered her time sheets from

work and dropped them off at Eyster's office. Eyster planned to use them as evidence that Sweatt was too busy mopping the floors at the arts center day and night to be a drug trafficker.

The next time Eyster and Sweatt saw each other was two weeks later, in court. Sweatt had been charged with a Class D felony, which carried a two-to-12-year prison sentence, and a misdemeanor related to the paraphernalia. Exactly what punishment she would face depended largely on how the district attorney's office weighed several factors. First, there was her confession. Second, there was the police account of the circumstances of the arrest. Third, there was the fact that she lived within 1,000 feet of an elementary school, which meant it was possible that the charges against her would be "enhanced." Finally, there was the fact that she already had a criminal history. In years past, she had pleaded guilty to several minor misdemeanors (most for driving with a suspended license) and one felony. The felony conviction resulted from her involvement in a 2001 robbery at a Jack in the Box. As Sweatt tells it, friends had discussed committing a robbery at the restaurant, where she worked, and then surprised her by actually carrying one out. She was arrested and pleaded guilty to a charge of "facilitation," and in exchange got three years of probation. "I have never gotten into trouble since," she told me, "except for driving without a license." She now relies on the bus.

Eyster believed that Sweatt was innocent of the drug charges against her. "This is a hardworking woman who lived in a heavily policed community for 10 years," she told me. "If she were a drug dealer, she would have already been evicted. She doesn't have a history of drug use." But the idea of taking this case to trial was a nonstarter. The best path forward, Eyster decided, was to humanize Sweatt to the prosecutor—hence those time sheets—and then try to negotiate a plea bargain. In exchange for a guilty plea, the prosecutor might not recommend a prison sentence.

The strategy worked. The prosecutor reduced the charge from a felony to a Class A misdemeanor and offered Sweatt a six-month suspended sentence (meaning she wouldn't have to serve any of it) with no probation. Her paraphernalia charge was dismissed, and her conviction would result in a fine and fees that totaled \$1,396.15.

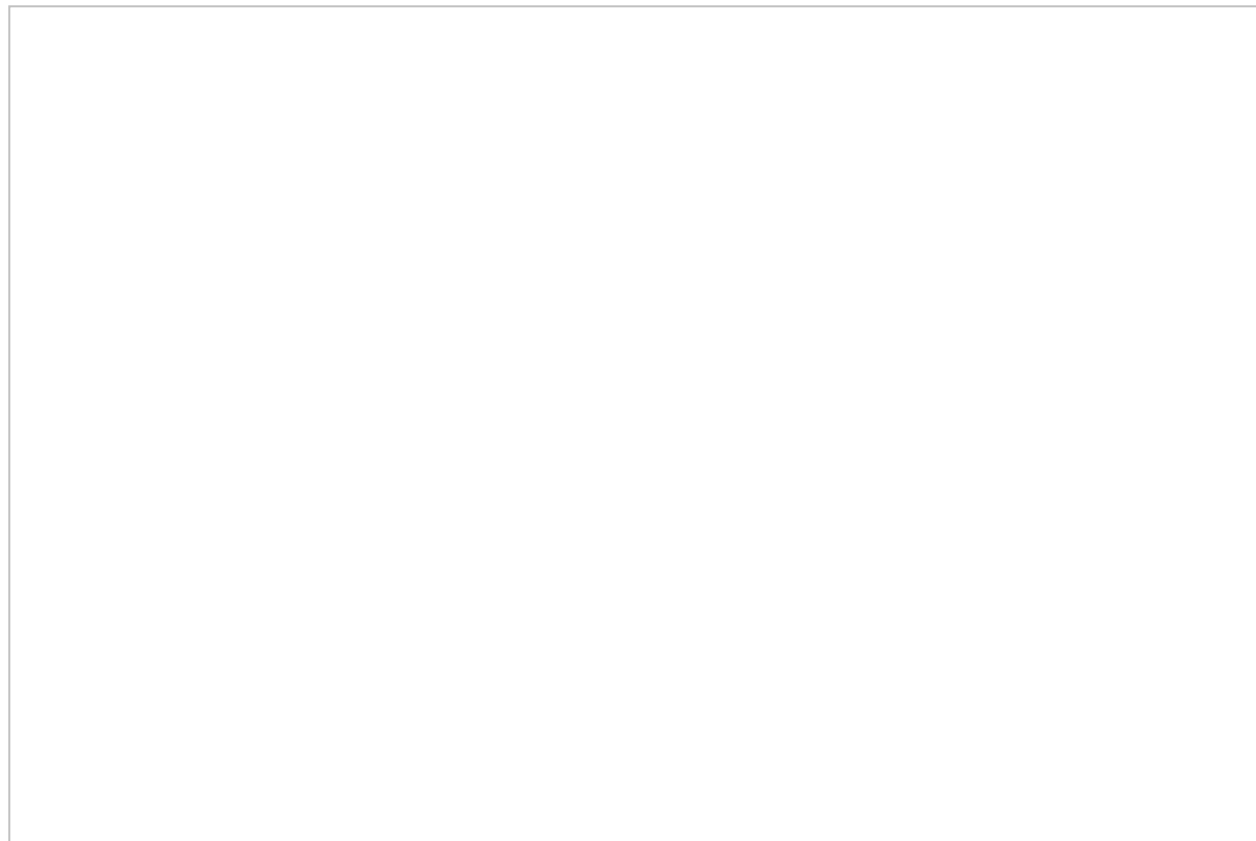
Upon hearing the news, Sweatt embraced Eyster and wept with joy. Then she stood before the judge and pleaded guilty to a crime she says she did not commit.

THIS IS THE AGE of the plea bargain. Most people adjudicated in the criminal-justice system today waive the right to a trial and the host of protections that go along with one, including the right to appeal. Instead, they plead guilty. The vast majority of felony convictions are now the result of plea bargains—some 94 percent at the state level, and some 97 percent at the federal level. Estimates for misdemeanor convictions run even higher. These are astonishing statistics, and they reveal a stark new truth about the American criminal-justice system: Very few cases go to trial. Supreme Court Justice Anthony Kennedy acknowledged this reality in 2012, writing for the majority in *Missouri v. Frye*, a case that helped establish the right to competent counsel for defendants who are offered a plea bargain. Quoting a law-review article, Kennedy wrote, “ ‘Horse trading [between prosecutor and defense counsel] determines who goes to jail and for how long. That is what plea bargaining is. It is not some adjunct to the criminal justice system; it is the criminal justice system.’ ”

Ideally, plea bargains work like this: Defendants for whom there is clear evidence of guilt accept responsibility for their actions; in exchange, they get leniency. A time-consuming and costly trial is avoided, and everybody benefits. But in recent decades, American legislators have criminalized so many behaviors that police are arresting millions of people annually—almost 11 million in 2015, the most recent year for which figures are available. Taking to trial even a significant proportion of those who are

charged would grind proceedings to a halt. According to Stephanos Bibas, a professor of law and criminology at the University of Pennsylvania Law School, the criminal-justice system has become a “capacious, onerous machinery that sweeps everyone in,” and plea bargains, with their swift finality, are what keep that machinery running smoothly.

Because of plea bargains, the system can quickly handle the criminal cases of millions of Americans each year, involving everything from petty violations to violent crimes. But plea bargains make it easy for prosecutors to convict defendants who may not be guilty, who don't present a danger to society, or whose “crime” may primarily be a matter of suffering from poverty, mental illness, or addiction. And plea bargains are intrinsically tied up with race, of course, especially in our era of mass incarceration.





Shanta Sweatt and her two sons in front of the James A. Cayce Homes, where she was arrested
(Nina Robinson)

As prosecutors have accumulated power in recent decades, judges and public defenders have lost it. To induce defendants to plead, prosecutors often threaten “the trial penalty”: They make it known that defendants will face more-serious charges and harsher sentences if they take their case to court and are convicted. About 80 percent of defendants are eligible for court-appointed attorneys, including overworked public defenders who don’t have the time or resources to even consider bringing more than a tiny fraction of these cases to trial. The result, one frustrated Missouri public defender complained a decade ago, is a style of defense that is nothing more than “meet ’em and greet ’em and plead ’em.”

According to the Prison Policy Initiative, 630,000 people are in jail on any given day, and 443,000 of them—70 percent—are in pretrial detention. Many of these defendants are facing minor charges that would not mandate further incarceration, but they lack the resources to make bail and secure their freedom. Some therefore feel compelled to take whatever deal the prosecutor offers, even if they are innocent.

Writing in 2016 in the *William & Mary Law Review*, Donald Dripps, a professor at the University of San Diego School of Law, illustrated the capricious and coercive nature of plea bargains. Dripps cited the case of Terrance Graham, a black 16-year-old who, in 2003, attempted to rob a restaurant with some friends. The prosecutor charged Graham as an adult, and he faced a life sentence without the possibility of parole at trial. The prosecutor offered Graham a great deal in exchange for a guilty plea: one year in jail and two more years of probation. Graham took the deal. But he was later accused of participating in another robbery and violated his probation—at which point the judge imposed the life sentence.

What's startling about this case, Dripps noted, is that Graham faced two radically different punishments for the same crime: either be put away for life or spend minimal time behind bars in exchange for a guilty plea. In 2010, the Supreme Court ruled, in *Graham v. Florida*, that the punishment Graham faced at trial was so cruel and unusual as to be unconstitutional. The Court found that a juvenile who did not commit homicide cannot face life without parole.

Thanks in part to plea bargains, millions of Americans have a criminal record; in 2011, the National Employment Law Project estimated that figure at 65 million. It is a mark that can carry lifetime consequences for education, employment, and housing. Having a record, even for a violation that is trivial or specious, means a person can face tougher charges and punishment if he or she again encounters the criminal-justice system. Plea

bargaining has become so coercive that many innocent people feel they have no option but to plead guilty. “Our system makes it a rational choice to plead guilty to something you didn’t do,” Maddy deLone, the executive director of the Innocence Project, told me. The result, according to the late Harvard law professor William J. Stuntz, who wrote extensively about the history of plea bargains in *The Collapse of American Criminal Justice* (2011), is a system that has become “the harshest in the history of democratic government.”

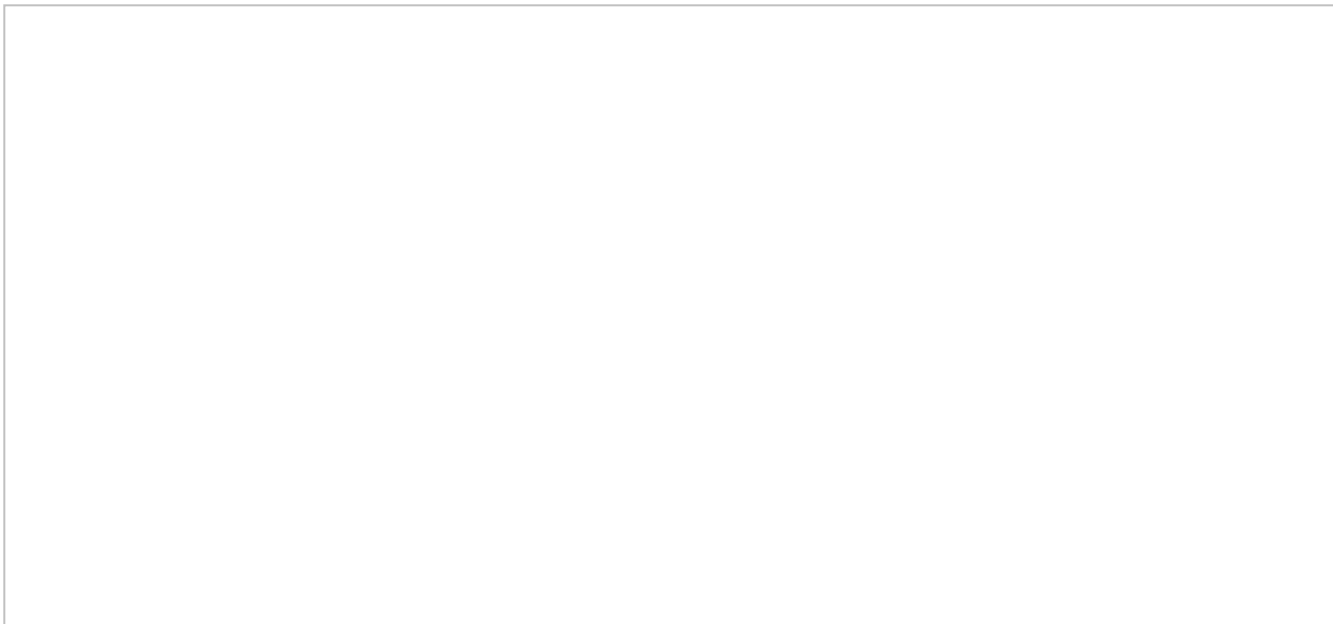
TO LEARN MORE about how plea bargaining works in America today, I went to Nashville, where Shanta Sweatt entered her plea. A blue county in a red state, Davidson County, which includes Nashville, has a population of about 680,000. According to District Attorney Glenn Funk, Nashville–Davidson County handles about 100,000 criminal cases a year, 70 percent of which are misdemeanors, 30 percent felonies. Last year, attorneys in the public defender’s office dealt with 20,000 misdemeanors and 4,900 felony cases. Of all the defendants processed in Nashville–Davidson County last year, only 86 had their cases resolved at trial.

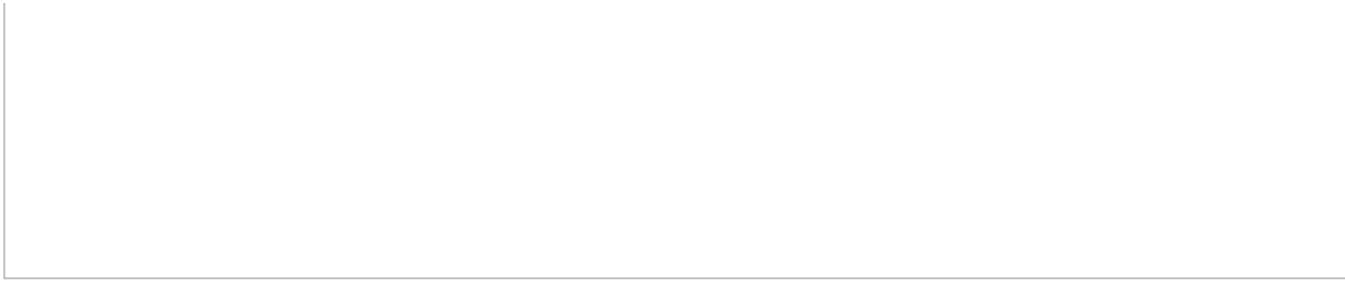
During my week in Nashville, I attended hearings at the courthouse on a full range of cases. I sat in on the plea discussions between an assistant district attorney and two public defenders. I observed a public defender in conversation with jailed defendants facing felony charges. I saw justice meted out courtroom by courtroom, often determined in part by the attitude, even the mood, of the prosecutor. My experience may not have been representative, but over the course of five days, I saw few defendants who had harmed someone else. Those who were facing felony charges had been arrested for drug offenses; some were clearly addicts with mental-health problems.

I started with the misdemeanor-citation docket, which covers the lowest-level offenses. The defendants on the courtroom benches were white, black, and Latino. Sartorial

guidelines were posted on the doors: no “see-through blouses,” no “exposed underwear,” no “sagging pants.” Ember Eyster, Shanta Sweatt’s attorney, was at the courthouse, but very few of the defendants in court that day had requested the services of a public defender or were accompanied by a lawyer.

Misdemeanors are lesser offenses than felonies and are supposed to result in limited penalties. In Tennessee, Class A misdemeanors are sometimes referred to as 1129s: convictions that carry a maximum sentence of 11 months and 29 days. Many people convicted of misdemeanors are given probation or a suspended sentence or simply “time served”—that is, the amount of time they spent waiting in jail for their case to be heard because they couldn’t make bond. The most-minor offenses can result in being required to take a class or do community service. Getting put through the system often also means accruing fines, fees, and court costs, which in a single case can run to more than \$1,000. The punishments are not designed to be severe, or to create long-lasting consequences. But for many people they do.





Nashville–Davidson County’s courthouse, in downtown Nashville (Nina Robinson)

Millions of people each year are now processed for misdemeanors. In a 2009 report titled “Minor Crimes, Massive Waste,” the National Association of Criminal Defense Lawyers described a system characterized by “the ardent enforcement of crimes that were once simply deemed undesirable behavior and punished by societal means or a civil infraction punishable by a fine.”

In Nashville, I was struck by how many people were in court because they had been picked up for driving with a suspended license. It’s a common practice, I learned, for states to suspend the licenses of people who have failed to pay court costs, traffic fines, or child support. In 2011, for example, Tennessee passed a law requiring the suspension of licenses for nonpayment of certain financial obligations. Both Glenn Funk, who must enforce this law, and Dawn Deaner, the head of the public defender’s office, agree that it’s absurd, in part because the scheme is almost perfectly designed to prevent the outcome it seeks. If people stop driving when their licenses are suspended, they may no longer be able to reliably get to work, which means they risk losing their jobs and going deeper into debt. As a result, many people whose licenses have been suspended drive anyway, putting themselves in constant jeopardy of racking up misdemeanor convictions. It is common for defendants charged with such minor infractions to represent themselves, even if they don’t understand the consequences of pleading guilty, and even if there might be some mitigating circumstances that an attorney could argue

on their behalf. Plead guilty to enough suspended-license misdemeanors, and a subsequent charge can be a felony.

Funk, who was elected in 2014, has stopped routinely jailing defendants arrested for driving with a suspended license. “Most of the time, driver’s licenses are revoked because of poverty,” he told me. “I want people to have a license. It gives them ownership in society.” Deaner told me that about two-thirds of the people listed on the citation docket are on there because of a driver’s-license violation. And once their names are on the docket, the system strongly encourages them to plead guilty. “It’s a hamster wheel of bureaucracy,” she said, “that does no one any good.”

PLEA BARGAINS DIDN’T exist in colonial America. Law books, lawyers, and prosecutors were rare. Most judges had little or no legal training, and victims ran their own cases (with the self-evident exception of homicides). Trials were brief, and people generally knew one another. By the 19th century, however, our modern criminal-justice system was coming into its own: Professional prosecutors emerged, more defendants hired lawyers to represent them, and the courts developed more-formal rules for evidence. Trials went from taking minutes or hours to lasting days. Calendars became clogged, which gave judges an incentive to start accepting pleas. “Suddenly, everybody operating inside the system is better off if you have these pleas,” Penn’s Stephanos Bibas told me.

The advantages of plea bargains became even clearer in the latter part of the 20th century, after the Supreme Court, under Chief Justice Earl Warren, issued a series of decisions, between 1953 and 1969, that established robust protections for criminal defendants. These included the landmark *Gideon v. Wainwright* and *Miranda v. Arizona* decisions, the former of which guaranteed the Sixth Amendment right to counsel in felony cases (since expanded to some misdemeanor cases), and the latter of which

required that police inform those in their custody of the right to counsel and against self-incrimination. The Court's rulings had the inevitable effect of making trials lengthier and more burdensome, so prosecutors began turning more frequently to plea bargains. Before the 1960s, according to William J. Stuntz, between one-fourth and one-third of state felony charges led to a trial. Today the figure is one-twentieth.

The legal system provides few rules and protections for those who take a deal. In what has been described as one of the Court's earliest plea-bargain decisions, *Brady v. United States* (1970), the justices found that guilty pleas were acceptable as long as certain conditions were met, among them the following: Defendants had to have competent counsel; they had to face no threats, misrepresentations, or improper promises; and they had to be able to make their plea "intelligently."

This seemed eminently fair. But crime had already started to increase sharply. The rise provoked a get-tough response from police, prosecutors, and legislators. As the rate of violent crime continued to accelerate, fueled in part by the crack epidemic that started in the '80s, the response got even tougher. By the 1990s, the U.S. had entered what Donald Dripps calls "a steroid era in criminal justice," which continued even though violent crime peaked by 1992 and began its now-historic decline. In the late 20th century, legislators passed mandatory-minimum-sentence and "three strikes" laws, which gave prosecutors an effective bludgeon they could use to induce plea bargains. (Some "three strikes" laws result in life imprisonment for a third felony; hundreds of people in California received this punishment for shoplifting. California reformed its three-strikes legislation in 2012 to impose such punishments only for serious or violent felonies.)

The growth of the system took on a life of its own. "No one sets out to create bloated criminal codes," I was told by David Carroll, the executive director of the Sixth

Amendment Center, which protects the right to counsel. “But once they exist, vast resources are spent to justify them.” In response to the crime wave, the United States significantly expanded police forces to catch criminals, prosecutor’s offices to charge them, and the correctional system to incarcerate them. Legislators have added so many acts to criminal codes that in 2013, Neil Gorsuch—now on the Supreme Court, but then an appellate judge—publicly raised concerns. In a speech sponsored by the Federalist Society, he asked, “What happens to individual freedom and equality—and to our very conception of law itself—when the criminal code comes to cover so many facets of daily life that prosecutors can almost choose their targets with impunity?”

ONE MORNING IN NASHVILLE, I sat at the prosecutor’s table with Emily Todoran, an assistant district attorney, and Ryann Casey and Megan Geer, two young public defenders. (Geer has since left for a private criminal-defense firm.) Before us was a two-inch stack of paperwork that included police reports on everyone who had been picked up the night before, for a variety of misdemeanor violations. None of those arrested had made bond (“Basically, it’s all homeless offenses,” Geer said), so everyone whose case was being assessed was waiting in jail.

Police officers have wide discretion in deciding whether a person is breaking the law, and they sometimes arrest people for such offenses as sleeping in public and sitting too long on a bench. One case involved a woman whose crime seemed to have been, in the words of the officer who filed the report, “walking down the road around 1:30 a.m.” with “no legitimate reason.” Casey told me before this meeting that she hoped to get all such cases dismissed. “Walking down the street!” she said. “Imagine if it was you.”

Ember Eyster told me it’s sometimes possible to get misdemeanor cases dismissed with a bit of investigation. Maybe a trespassing charge doesn’t hold up, for example, because the property owner hadn’t posted a NO TRESPASSING sign. But this takes time, and

clients who can't make bond have to sit in jail until the job is done. It's a choice few are willing to make for the small chance of avoiding a conviction. Many clients tell Eyster as soon as they meet her that they want to plead guilty and get time served.

The choice makes sense under the circumstances. But anybody who makes it is incurring a debt to society that's hard, sometimes impossible, to repay. Those with a conviction in the United States can be denied public housing, professional licenses, and student loans. Many employers ask whether job applicants have been convicted of a crime, and in our zero-tolerance, zero-risk society, it's rational to avoid those who have.

People with a misdemeanor conviction who get picked up for another minor offense are more likely to face subsequent conviction—and that, according to Issa Kohler-Hausmann, an associate professor of law and sociology at Yale, is part of a deliberate strategy. Kohler-Hausmann made this case in a provocative 2014 *Stanford Law Review* article, “Managerial Justice and Mass Misdemeanors,” about the rise of misdemeanor arrests in New York City, which occurred even as felony arrests fell. Authorities, she argued, tend to pay “little attention” to assessing “guilt in individual cases.” Instead, they use a policy of “mass misdemeanors” to manage people who live in “neighborhoods with high crime rates and high minority populations.” These defendants, she wrote, are moved through the criminal-justice system with little opportunity to make a case for themselves. They are simply being processed, and the “mode of processing cases” is plea bargaining. (This year, New York City settled a federal class-action lawsuit against it for issuing hundreds of thousands of unjustified criminal summonses.)

Sitting at the prosecutor's table that morning, I watched Todoran, Casey, and Geer read from the police reports and make deals. Such a ritual takes place, in one form or another, in the courts of each of the country's more than 3,000 counties, which make up what the Fordham University law professor John Pfaff has described in his book

Locked In as “a vast patchwork of systems that vary in almost every conceivable way.” We know little about what happens in these negotiations. Trials leave copious records, but many plea bargains leave little written trace. Instead, they are sometimes worked out in hurried hallway conversations—or, as I witnessed, in brief courtroom conferences.

CASEY: He was lying across a sidewalk over a vent, because it was cold.

TODORAN: Dismiss it. You’ve got to sleep somewhere.

CASEY: This one is for standing in front of a liquor store.

TODORAN: Dismiss. For so many of these things, a few hours in jail is punishment enough.

GEER: This defendant was found in a car with marijuana and 0.7 grams of crack.

TODORAN: I guess we’ll do time served.

CASEY: This man was at Tiger Mart. He was warned to leave earlier, and then came back.

TODORAN: Thirty days suspended and stay away from Tiger Mart.

CASEY: This case, an officer heard him yelling and cussing and arrested him by the rescue mission.

TODORAN: Dismiss.

GEER: This is my favorite—the woman who was walking down the road.

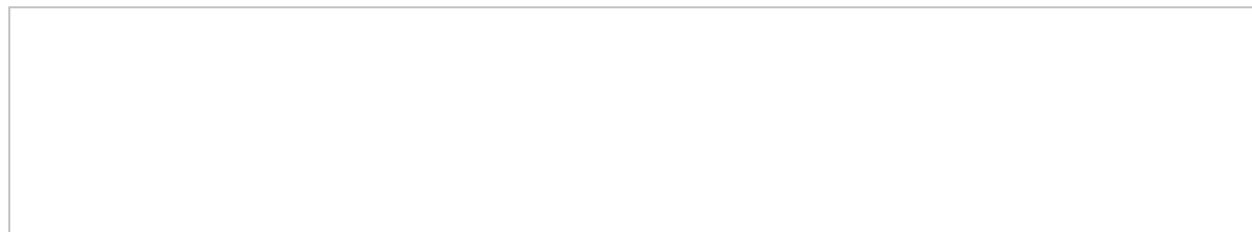
TODORAN: Dismiss.


For many of the cases, Todoran was making her decision in less than a minute. I felt I was watching justice dispensed at the pace of speed dating.

CRITICS ON THE left and the right are coming to agree that our criminal-justice system, now so reliant on plea bargaining, is broken. Among them is Jed S. Rakoff, a United

C States district judge for the Southern District of New York, who wrote about the abuses of plea bargains in 2014, in *The New York Review of Books*. “A criminal justice system that is secret and government-dictated,” he wrote, “ultimately invites abuse and even tyranny.” Some critics even argue that the practice should be abolished. That’s what Tim Lynch, the former director of the Project on Criminal Justice at the libertarian Cato Institute, believes. The Framers adopted trials for a reason, he has argued, and replacing them with plea bargains—for convenience, no less—is unconstitutional.

But plea bargains aren’t going away, so reformers have practical suggestions for improving them. Bibas wants a “consumer-protection model.” Shoppers, he told me, have more safeguards when making a credit-card purchase than defendants do when pleading guilty. He wants pleas to clearly explain several things: exactly what defendants are pleading to, what obligations (classes, probation) defendants are incurring, what the consequences of their failing to follow through would be, and what potential effects a guilty plea could have on their lives. He has also suggested a “cooling off” period before a defendant takes a plea in serious cases. Stuntz suggested giving those who plead guilty the same protections that are offered in the military system of justice. Before accepting a plea, military judges conduct inquiries to ensure that pleas were not made under duress, and that the facts support them. This, Stuntz argued, would shift some power from prosecutors back to judges and make pleas more legitimate, which in turn would produce “a large social gain.”





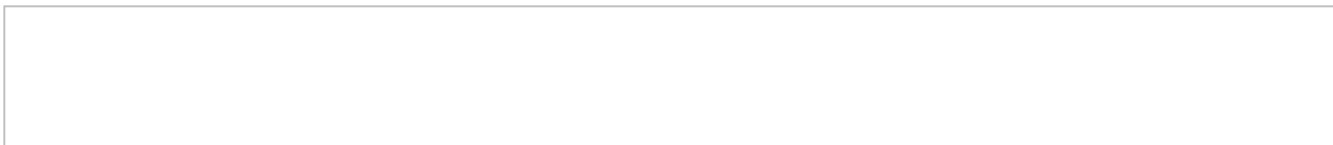
Ember Eyster believed that Shanta Sweatt was innocent, but the idea of taking her case to trial was a nonstarter (Nina Robinson).

No amount of tinkering, however, will matter much unless Americans stop trying to use the criminal-justice system as a tool for managing social ills. “Why are these cases being pumped into the system in the first place?” Bibas said to me. He’s not alone in asking. Across the country, in red states and blue states, reformist state and district attorneys have recently been elected on platforms of rolling back harsh sentencing, reducing the enforcement of marijuana laws, and knocking down crimes from felonies to misdemeanors. And change is happening. Last year, for example, the New York City Council passed legislation that made offenses such as public drinking and urination civil rather than criminal violations, and thus subject largely to tickets and fines.

Paring back our criminal code and eliminating many mandatory minimum sentences will be crucial to reform. In the long-running War on Drugs, the government has regularly prosecuted people for possessing small amounts of illegal substances, or for merely possessing drug paraphernalia. Often, on the basis of no evidence beyond a police officer's assertion, officials have charged and prosecuted defendants for the more serious crime of "intent to sell." But during Prohibition, when the manufacture, transport, and sale of alcohol were federal crimes, Americans were not arrested by the millions and incarcerated for drinking. And they certainly didn't plead guilty to possessing martini glasses and other drinking paraphernalia.

To break the cycle, the United States will need to address the disparity in funding for the two sides of its legal system. According to Fordham's John Pfaff, of the \$200 billion spent on all criminal-justice activities by state and local governments in 2008, only 2 percent went to indigent defense. But the system needs more than just money, says Jonathan Rapping, who in 2014 won a MacArthur genius grant for his work as the founder of Gideon's Promise, which trains and supports public defenders around the country—including those in Nashville. What's necessary, Rapping argues, is a new mind-set. Defenders need to push back against the assumption that they will instantly plead out virtually every client, rubber-stamping the prosecutor's offer. Ember Eyster did ultimately negotiate a plea bargain for Shanta Sweatt, but in doing so she pushed back, using all the tools at her disposal to ensure that Sweatt was not incarcerated.

The U.S. should also reform the bail system. We are holding people in jail simply because they lack the funds to secure their own release.





The public-housing complex from which Shanta Sweatt was evicted after her arrest. She now lives in a motel, apart from her sons (Nina Robinson).

Making these sorts of changes would allow authorities at the federal, state, and local levels to allocate more resources to the underlying social problems that drive so many arrests. But reform will not be easy. Even though crime rates remain near historic lows nationally, Donald Trump's administration has professed a desire to return to the days of "law and order." U.S. Attorney General Jeff Sessions has announced, for instance, that he wants federal prosecutors to use maximum possible charges for crimes and to enforce mandatory minimums, which would result in harsh plea bargains. Almost all crime is handled not by the federal government but by the states, but with both the president and the country's highest law-enforcement official inflaming public fears,

advocates for change worry about the fate of the reform efforts set in motion during Barack Obama's administration.

The United States is experiencing a criminal-justice crisis, just not the one the Trump administration talks about. By accepting the criminalization of everything, the bloat of the criminal-justice system, and the rise of the plea bargain, the country has guaranteed that millions of citizens will not have a fair shot at leading ordinary lives.

BEFORE I LEFT NASHVILLE, I visited Shanta Sweatt at the Tennessee Performing Arts Center. It's an enormous building of glass and concrete with multiple stages. Sweatt gave me a tour that started in the basement. As we made our way to the upper floors and the theaters, she gestured toward the banks of restrooms that she has to keep sparkling. "Thirty-eight stalls for women," she said. "Thirty-eight stalls for men."

Sweatt is still struggling with the consequences of her arrest. "If it weren't for my boys," she told me, "I would have given up a long time ago." At the time of her arrest, she told her employers about her situation, and they rallied to support her. "They stood behind me. They said, 'I got prayers for you.'" Because she wasn't incarcerated, Sweatt was able to keep her job, and her dream is that one day she might be able to buy a house, which would allow her to live together again with her sons. In her mind's eye, the house has three bedrooms, two bathrooms, and a yard, and it promises her and her family privacy and freedom. "Police mess with you in the projects," she said. "You get off the bus, they follow you. They don't mess with you in a house. I want to live like an average Joe."

This article is part of our project "The Presence of Justice," which is supported by a grant from the John D. and Catherine T. MacArthur Foundation's Safety and Justice Challenge.

We want to hear what you think about this article. Submit a letter to the editor or write to letters@theatlantic.com.

Listen to the audio version of this article:



Feature stories, read aloud: [download the Audm app for your iPhone.](#)

When Sweatt got home that night, early in November of last year, she realized that her boyfriend had been smoking marijuana, probably in front of the kids. She was furious, words were exchanged, and he left. Sweatt finally crawled into bed after midnight, only to be awakened at about 8:30 in the morning by an insistent knock at the door. She assumed that her boyfriend was coming to get his stuff and get out of her life.

When she opened the door, police officers filled the frame, and more were waiting at her back door. She could see that squad cars were swarming the parking lot. “There were 12 to 15 cars,” she told me. “For us.” An officer asked whether they could enter. As a resident of public housing, she wasn’t sure whether she had the right to say no. (She did.) But she was certain that if she refused them, they would come back. She had nothing to hide, so she let them in. “I didn’t get smart or give them a rough time,” she said. “I cooperated.”

Sweatt, who is black, didn’t know what had led the police to her door. Their report says a complaint had been made about drug dealing from the apartment. After entering, they began systematically searching her apartment. One officer yanked open a junk drawer in her bedroom dresser, and inside he found small baggies of marijuana,

ATTACHMENT 4

Hillsborough County Attorney

State of New Hampshire

30 Spring St., Nashua, New Hampshire 03060

Telephone (603) 594-3255

Fax (603) 594-3257

NICOLE SCHULTZ-PRICE, ESQ.

KENT E. SMITH, ESQ.

FIRST ASSISTANTS

MICHAEL CONLON, ESQ.
COUNTY ATTORNEY



MERRILL BEAUCHAMP
DIRECTOR, VICTIM/WITNESS PROGRAM

June 8, 2020

Donna Jean Brown, Esquire
Wadleigh, Starr & Peters, P.L.L.C.
95 Market Street
Manchester, NH 03101

Brian Lee, Esquire
51 W. Union Street
Goffstown, NH 03045

RE: State v. Dale Holloway

Docket No. 226-2019-CR-00814 & 216-2019-CR-1856

Dear Attorneys Brown & Lee:

The State offers the following sentence recommendations on a negotiated disposition to resolve the cases in both the Northern and Southern District. Upon the defendant's plea of guilty to the following charge(s):

South: 226-2019-CR-814

1678542 – Attempted Murder (Bishop)

- 40 to life, stand committed;
- Waiver of 651:20;
- Waiver of 651-A:22-a.

1678544 – First Degree Assault (ext term on Claire Mullen)

- 10 to 20, stand committed, concurrent with above;
- Same waivers.

167854 – Simple Assault (Mark Castiglione)

- 12 months, stand committed, concurrent with above.

1678544 – Felon in Possession

- 3 ½ to 7 all suspended for 5 years from date of release, consecutive to above;
- No contact w/ S.C., C.M. and M.C

North: 216-2019-CR-1856

1681207 – First Degree Assault (ext term subarachnoid hemorrhage)

- 10 to 20, stand committed, consecutive to 1678542 & 1678544;
- Same waivers.

1712796 – Assault by Prisoner, 2nd degree Assault (ext term fx nasal bone)

- 10 to 20, all suspended 5 years from date of release, consecutive to sc time;
- Same waivers;
- No contact with M.D.

This offer is made without prejudice to the State's right to request that the Court impose the sentence that the State feels is just should your client fail to accept this offer. This offer may not be used in any sentencing hearing unless it is a negotiated plea. Additionally, please note that your client does not have a constitutional right to specific enforcement of an executory plea bargain. Mabry v. Johnson, 467 U.S. 504 (1984); State v. O'Leary, 128 N.H. 661 (1986).

Please respond as soon as you have had an opportunity to discuss this offer with your client.

Sincerely,

/s/ Catherine M. Devine
/s/ Brian Greklek-McKeon

Catherine M. Devine
Brian Greklek-McKeon
Assistant County Attorneys

CMD/cmd

ATTACHMENT 5

FREYLER INVESTIGATIONS L.L.C.

PHONE: (603) 7034523

EMAIL: Freylerinvestigations@Gmail.com

Interview Report

Date: 12/12/19

State v. Dale Holloway

Charge: AM

Docket#: 226-2019-CR-00814

To: Attorney Donna Brown and Brian Lee

Interviewer/Report writer: William Freyler

Re: Patricia Garcia, 549 Lake Avenue, Manchester, NH

Date, time and place of interview: 12/12/19, 11:00 A.M., in person interview at 549 Lake Avenue, Manchester, NH

On 12/12/19 at 11:00 AM I met with Patricia (Pat) Garcia for a prearranged interview regarding Dale Holloway. When I first spoke with Pat, I told her my name was William Freyler and I was an investigator working with Dale's Attorneys, Donna Brown and Brian Lee. I told Pat I wanted to speak with her about Dale's current case. Pat stated she understood and agreed to do an interview.

I began by asking Pat to tell me about Dale's childhood. Pat said she lived in Brocton, Massachusetts while Dale was growing up with his brother and sister. Dale's father was addicted to drugs and physically abusive when Dale was younger. The abuse and drugs got to the point where Pat moved out and filed for divorce and full custody. The court awarded full custody to Pat after Dale came home, from a fresh beating one day while at a visitation with his father. Pat went down to the court with Dale the same day and showed the bruises to the judge. She said the judge awarded her full custody and at that point Dale's father was out of the picture.

I asked Pat how old Dale was when this happened, and she said around six or seven years old maybe. Growing up, Pat described Dale as a, "pain in the ass", but not a violent or unhappy child. Pat told me Dale's upbringing in her eyes was happy. She described Dale as a person that had unfortunately been at the wrong place at the wrong time in life. Pat said Dale never stole or lied and was brutally honest. Pat laughed at that point and said she would choose Dale over her other children if she had to at the moment.

I asked Pat to tell me more about Dale being in the wrong place at the wrong time. She then described an incident when Dale was around twelve or so. He was running around with a group of friends in Boston. One of Dale's friends grabbed a fruit from a woman on the street and threw it to another friend in their group. Everyone proceeded to throw the fruit, but Dale was not

FREYLER INVESTIGATIONS L.L.C.

PHONE: (603) 7034523

EMAIL: Freylerinvestigations@Gmail.com

part of it. While Dale was standing to the side the fruit was thrown to him. Dale did not throw the fruit and the woman approached him. The woman then hit Dale and Dale hit the woman back. This resulted in charges against Dale at a young age and Pat said she remembered it having an impact on Dale, because he felt he had done nothing wrong and was punished anyways. Pat described another incident where Dale mooned a bus, and the police were involved in that too.

Pat said Dale was always difficult to handle when he was younger. She attributed this mostly to the abuse by Dale's father. Pat told me Dale would act out and it got to the point where she sought help. Pat went to CHINS, but said she misunderstood their services when she went. Pat was just looking for a big brother or something along those lines for Dale and thought CHINS provided that service. From their CHINS involvement snow balled and it eventually led to Dale being put in placement.

Pat said she was very upset the direction everything went in after she contacted CHINS and thought the system getting involved only hurt Dale's potential. Pat told me she feels as though she and Dale did not spend enough time together when he was growing up and wishes she could have been there more.

Pat told me at the age of 17 or so Dale was stabbed while on the subway with a group of friends. The wounds Dale sustained were very serious and he almost died. After that Dale had PTSD like symptoms and would wear heavy coats even in the summer as protection, just in case anyone tried to stab him again. Dale was paranoid of people after the stabbing and would act "weird." Pat said Dale was always a little different, but after the abuse by his father and being stabbed it only made him more paranoid.

Not long after being stabbed on the subway Dale was charged with an assault and sent to prison. Pat said she did not have much information about the charges or contact with Dale when he was in prison. Dale has never spoken much about it with her. Pat said Dale did say he got the tattoos so he could survive in prison and mentioned it being very difficult. Pat said when Dale got out of prison his PTSD symptoms were even worse. Despite his PTSD and some issues with women in his life that resulted in criminal charges, Dale was doing well. Dale's whole family was caught off guard when the church shooting allegations happened because Dale had been doing so well.

Pat stated Dale is not a violent person and would give you the shirt off his back. I asked Pat if she was aware of any gangs Dale may have been associated with and she laughed. Pat said Dale puts on a front and it's all in the name of his music and girls. Pat told me Dale never came from any of the tough neighborhoods or was ever around any gang activity. Pat said and as far as rap music, it was never played in her house and she does not know where his

FREYLER INVESTIGATIONS L.L.C.

PHONE: (603) 7034523

EMAIL: Freylerinvestigations@Gmail.com

taste in music comes from, but said Dale was always into different things than anyone else around him.

Next, I asked Pat if she saw Dale the day of the alleged shooting at the church. Pat told me Dale slept over her house in addition to about twenty plus other people the day before the alleged shooting. There were so many people sleeping at her apartment because the service for her husband Louis was the next day and she had a large family. Everyone wanted to be in the same place to go to the service. The day of Louis's service Pat said she did not see Dale much, but mentioned her son, James Merritt (857-261-0698) coming up to her and asking her about Dale. James asked Pat if she had seen Dale's eyes that day and she said no. James told her Dale, "looked crazy." James then told Pat he was afraid Dale was going to do something.

Pat said the next thing she knew, she was being told Dale was arrested for a shooting at a church. I asked Pat if she could back up and tell me about Dale the days leading up to the alleged shooting. Pat said Dale was very upset about Louis's death. Dale saw Louis as a father and even called him his dad. Pat said Dale was like their bodyguard and always paranoid about people. Pat described a time at a water park where Dale was with her and Louis. While walking together Dale went ahead and ushered people out of the way telling them to make room for his mother and father. Pat said she told Dale to cut it out and thought he was being ridiculous.

So, when Louis was killed Dale "flipped out." In the days leading up to Louis's service, Dale was extremely paranoid. Pat said she had to keep her blinds closed and Dale was always watching over her and checking the windows. If she wanted to go anywhere, Dale drove her. Pat said Dale's paranoia and behavior were driving her nuts and he was acting like he had to protect her from an imminent threat at all times.

I asked Pat if Dale mentioned Louis's service to her and she said yes. Dale was really upset about a lot of things. Initially, on October 1st (date of Louis's murder) Mark Castiglione, the father of Brandon Castiglione, who was the man accused of murdering Louis, came over to her house. Pat said Mark and his family were friends from the church and there to console her. Pat said she wanted them there and did not have a problem with it, but Dale had a big problem with it. Dale was very cautious around Mark and watched him like a hawk. Dale told Pat several times that day he did not want Mark and his family there because he did not trust them.

Dale was also very upset about the fact Mark was having his wedding service at the same church, the same day and directly preceding Louis's funeral. This meant people who were celebrating Mark's wedding moments before, were then going to also participate in Louis's funeral. Dale was very upset and thought it was inappropriate for people to be celebrating one moment and then mourning the next, let alone a person Dale believed had

FREYLER INVESTIGATIONS L.L.C.

PHONE: (603) 7034523

EMAIL: Freylerinvestigations@Gmail.com

something to do with the murder. Pat described Dale as fixated on the ceremonies and brought it up many times leading up to the day of the funeral.

I asked Pat if she could tell me what she thought about Mark's involvement. Pat said Mark and his family are her friends. Pat said the day of Louis's murder, Fran who is Mark's mother, called her. Mark had just called Fran because he could not reach Louis on his phone, who was painting at his (Mark's) house. Mark asked Fran to call Pat to see if she had spoken with him. Pat said she had not spoken with Louis and told Fran she would try to call him. Pat then tried unsuccessfully to contact Louis by calling him, which was odd because he always had his phone on him. Pat said that was around noon time and she still had the text message to check if necessary. Pat said later that day around 5:30 or 6:00 PM the police came and notified her of Louis's murder. Dale then called her around 6:15 PM. Pat said she still had all of this information on her phone.

I asked Pat if she had any interactions with Brandon prior to the murder and she said yes. Brandon had been to their house before and Louis had even brought Brandon shooting. Louis had told Pat he had a dream that Brandon was going to shoot him and did not trust him. Pat said she did not trust Brandon either and asked Louis why he would continue to take him shooting if he felt unsafe around him. Louis told Pat it was okay and he would keep an eye on him, but Pat still questioned why he would put himself in that scenario. I asked Pat if Dale was aware of this information and she said no, she purposely kept it from him at the time because of how paranoid he already was.

I asked Pat why Brandon would want to kill Louis. Pat said Brandon had been caught dealing drugs and using bitcoin as currency to facilitate the sales. Louis, Pat, and Mark were all aware of this and discussed it at her (Pat's) house. Pat said she also knew Brandon did not want Mark to get married, but she was not sure what the connection to Louis would be. I asked Pat if Dale was present for the times Mark and his family were at her house and she said yes, which is how he knew about the drug sales and why he was paranoid and thought Mark and Brandon were in on the murder. I asked Pat if the police had interviewed her yet about either case and she said no and thought it was odd and was waiting for someone to contact her. I asked Pat if she was aware of any guns Dale may have owned. Pat told me as far as she knew Dale did not own any guns and she and her family were still trying to figure out where he got a gun in the first place. I asked Pat if she or her family noticed any signs from Dale leading up to the alleged shooting at the church and she said no. Dale voiced his dislike for Mark and how he thought he was involved and claimed he found articles online showing Mark and his family were dangerous people. Dale never said he was going to do anything though and simply did not want them around his family.

FREYLER INVESTIGATIONS L.L.C.

PHONE: (603) 7034523

EMAIL: Freylerinvestigations@Gmail.com

I asked Pat if the police were aware of any of the information, she just told me and she said she hasn't been interviewed by them or told anything really, so no. I asked Pat if she had any records from when Dale was younger and she said no. I asked Pat if she noticed any mental health issues when Dale was younger or saw signs of any potential issues. Pat told me Dale was always different and looking back he definitely showed signs of PTSD and paranoia, but she never saw it as a mental health disorder and only recognizes it more now. Pat mentioned Dale had a box of papers upstairs that may contain records or helpful information, but she has not gone through it.

I asked Pat if she could go through the box and let me know if there was anything else that seemed like it would be helpful for Dale's case. I also asked Pat to gather a list of family members and people with information about Dale, she thought would be willing to speak with me and to gather various photographs from Dale's life. Pat agreed and said she would try to have it ready within a week. At that point I had no more questions for Pat. I thanked her for her time and told her I would contact her in a week to follow up on the names, records and photographs.

-End report

ATTACHMENT 6

Sentencing Policy (<https://www.sentencingproject.org/issues/sentencing-policy/>)



Incarceration (<https://www.sentencingproject.org/issues/incarceration/>)

Felony Disenfranchisement (<https://www.sentencingproject.org/issues/felony-disenfranchisement/>)

Racial Disparity (<https://www.sentencingproject.org/issues/racial-disparity/>)

Drug Policy (<https://www.sentencingproject.org/issues/drug-policy/>)

Juvenile Justice (<https://www.sentencingproject.org/issues/juvenile-justice/>)

Women (<https://www.sentencingproject.org/issues/women/>)

Collateral Consequences (<https://www.sentencingproject.org/issues/collateral-consequences/>)

PUBLICATIONS

SHARE



Black Lives Matter: Eliminating Racial Inequity in the Criminal Justice System

FEBRUARY 03, 2015

Nazgol Ghandnoosh, Ph.D. (<https://www.sentencingproject.org/staff/nazgol-ghandnoosh/>)

Like an avalanche, racial disparity grows cumulatively as people traverse the criminal justice system. This report identifies four key features of the criminal justice system that produce racially unequal outcomes and showcases initiatives to abate these sources of inequity in adult and juvenile justice systems around the country.

DOWNLOAD PDF  ([HTTPS://WWW.SENTENCINGPROJECT.ORG/WP-CONTENT/UPLOADS/2015/11/BLACK-LIVES-MATTER.PDF](https://www.sentencingproject.org/wp-content/uploads/2015/11/black-lives-matter.pdf))

SENTENCING POLICY ([HTTPS://WWW.SENTENCINGPROJECT.ORG/ISSUES/SENTENCING-POLICY/](https://www.sentencingproject.org/issues/sentencing-policy/))

INCARCERATION ([HTTPS://WWW.SENTENCINGPROJECT.ORG/ISSUES/INCARCERATION/](https://www.sentencingproject.org/issues/incarceration/))

FELONY DISENFRANCHISEMENT ([HTTPS://WWW.SENTENCINGPROJECT.ORG/ISSUES/FELONY-DISENFRANCHISEMENT/](https://www.sentencingproject.org/issues/felony-disenfranchisement/))

RACIAL DISPARITY ([HTTPS://WWW.SENTENCINGPROJECT.ORG/ISSUES/RACIAL-DISPARITY/](https://www.sentencingproject.org/issues/racial-disparity/))

DRUG POLICY ([HTTPS://WWW.SENTENCINGPROJECT.ORG/ISSUES/DRUG-POLICY/](https://www.sentencingproject.org/issues/drug-policy/))

JUVENILE JUSTICE ([HTTPS://WWW.SENTENCINGPROJECT.ORG/ISSUES/JUVENILE-JUSTICE/](https://www.sentencingproject.org/issues/juvenile-justice/))

WOMEN ([HTTPS://WWW.SENTENCINGPROJECT.ORG/ISSUES/WOMEN/](https://www.sentencingproject.org/issues/women/))

COLLATERAL CONSEQUENCES ([HTTPS://WWW.SENTENCINGPROJECT.ORG/ISSUES/COLLATERAL-CONSEQUENCES/](https://www.sentencingproject.org/issues/collateral-consequences/))

Like an avalanche, racial disparity grows cumulatively as people traverse the criminal justice system. This report identifies four key features of the criminal justice system that produce racially unequal outcomes and showcases initiatives to abate these sources of inequity in adult and juvenile justice systems around the country.



(<http://www.sentencingproject.org/wp-content/uploads/2015/11/Congressional-walkout-BEST.png>)
Photo by Brendan Smialowski of Getty Images, showing Congressional staff during a walkout at the Capitol in December 2014.

Table of Contents:

Executive Summary

I. Uneven Policing in Ferguson and New York City

II. A Cascade of Racial Disparities Throughout the Criminal Justice System

III. Causes of Disparities

a. Differential crime rates

b. Four key sources of unwarranted racial disparities in criminal justice outcomes

IV. Best Practices for Reducing Racial Disparities

a. Revise policies and laws with disparate racial impact

b. Address implicit racial bias among criminal justice professionals

c. Reallocate resources to create a fair playing field

d. Revise policies that exacerbate socioeconomic inequalities and redirect public spending toward crime prevention and drug treatment

V. Implementation Strategies and Metrics for Success

VI. Conclusion

Executive Summary

“Every time you see me, you want to mess with me,” Eric Garner told the group of approaching New York City police officers. As they wrestled him to the ground to arrest him for selling untaxed loose cigarettes, an officer placed Garner in a chokehold and maintained his grip despite Garner’s pleas for air. One hour later, Garner was pronounced dead. The unarmed black man’s death and the white officer’s non-indictment despite videotape evidence have heightened concerns about police practices and accountability. In the wake of the fatal police shooting of unarmed teenager Michael Brown in Ferguson, Missouri, and that officer’s non-indictment, a growing number of Americans are outraged and demanding change.

“Black lives matter” has become a rallying cry in light of evidence that the criminal justice system is failing to uphold this basic truth. Official data, although woefully inadequate,¹⁾The actual number of police killings was about 45% higher than the FBI’s tally for the nation’s 105 largest police departments between 2007 and 2012, see: Barry, R. & Jones, C. (2014). Hundreds of Police Killings Are Uncounted in Federal Stats (<http://www.wsj.com/articles/hundreds-of-police-killings-are-uncounted-in-federal-statistics-1417577504>). *The Wall Street Journal*. See also: Fischer-Baum, R. (2014). Nobody Knows How Many Americans The Police Kill Each Year

(<http://fivethirtyeight.com/features/how-many-americans-the-police-kill-each-year/>). *FiveThirtyEight Politics*; Klinger, D. (2014). On the Problems and Promise of Research on Lethal Police Violence: A Research Note. *Homicide Studies*, 16(1), 78–96. show that over half of those killed by police in recent years have been black or Latino.²Bureau of Justice Statistics (2011). Arrest-Related Deaths, 2003-2009—Statistical Tables (<http://www.bjs.gov/content/pub/pdf/ard0309st.pdf>). (p. 6, Tbl. 6). In recent years, police officers have killed African American teenage boys at 21 times the rate of their white counterparts, according to an analysis of the FBI Supplementary Homicide Report, see: Gabrielson, R., Jones, R., & Sagara, E. (2014). Deadly Force, in Black and White (<http://www.propublica.org/article/deadly-force-in-black-and-white>). ProPublica. Officers involved in these killings are rarely indicted, much less convicted, for excessive use of force.³McKinley, J. & Baker, A. (2014). Grand Jury System, With Exceptions, Favors the Police in Fatalities (<http://www.nytimes.com/2014/12/08/nyregion/grand-juries-seldom-charge-police-officers-in-fatal-actions.html>). *The New York Times*. And official responses to recent protests have spurred further controversy: militarized police forces disrupted public assemblies in Ferguson,⁴Gibbons-Neff, T. (2014). Military Veterans See Deeply Flawed Police Response in Ferguson (<http://www.washingtonpost.com/news/checkpoint/wp/2014/08/14/military-veterans-see-deeply-flawed-police-response-in-ferguson>). *The Washington Post*. and New York City’s police union blamed pro-reform politicians and nonviolent protesters for the killing of two officers by a mentally unstable man.⁵Goldenberg, S., Pazmino, G., & Paybarah, A. (2014). Police Union Declares War on de Blasio After Murder of Officers (<http://www.capitalnewyork.com/article/city-hall/2014/12/8558996/police-union-declares-war-de-blasio-after-murder-officers>). Capital. Note that police deaths in the line of duty are at a historical low, see: Federal Bureau of Investigation (2014). FBI Releases 2013 Statistics on Law Enforcement Officers Killed and Assaulted, 2014 (<http://www.fbi.gov/sandiego/press-releases/2014/fbi-releases-2013-statistics-on-law-enforcement-officers-killed-and-assaulted>); National Law Enforcement Officers Memorial Fund (2014). Preliminary 2014 Law Enforcement Officer Fatalities Report (<http://www.nleomf.org/assets/pdfs/reports/Preliminary-2014-Officer-Fatalities-Report.pdf>). Washington, D.C.

The criminal justice system’s high volume of contact with people of color is a major cause of African Americans’ disproportionate rate of fatal police encounters, as well as of broader perceptions of injustice in many communities. This briefing paper identifies four key features of the justice system that contribute to its disparate racial impact, and presents recent best practices for targeting these inequities drawn from adult and juvenile justice systems around the country. In many cases, these practices have produced demonstrable results.

Policing is by no means the only stage of the justice system that produces racial disparity. Disadvantage accumulating at each step of the process contributes to blacks and Latinos comprising 56% of the incarcerated population, yet only 30% of the U.S. population.⁶U.S. Census Bureau (2014). State and County QuickFacts (<http://quickfacts.census.gov/qfd/states/00000.html>); Carson, E. (2014). Prisoners in 2013. Bureau of Justice Statistics (<http://www.bjs.gov/content/pub/pdf/p13.pdf>). (p. 8, Tbl. 7); Minton, T. & Golinelli, D. (2014). Jail Inmates at Midyear 2013—Statistical Tables (<http://www.bjs.gov/content/pub/pdf/jim13st.pdf>). Bureau of Justice Statistics. (p. 6, Tbl. 2). The roots of this disparity precede criminal justice contact: conditions of socioeconomic inequality contribute to higher rates of some violent and property crimes among people of color. But four features of the justice system exacerbate this underlying inequality, and jurisdictions around the country have addressed each one through recent reforms.

Many ostensibly race-neutral policies and laws have a disparate racial impact. Police policies such as “broken windows” and stop, question, and frisk have disproportionately impacted young men of color. Prosecutorial policies, such as plea bargain guidelines that disadvantage blacks and Latinos compound these disparities, as do sentencing laws that dictate harsher punishments for crimes for which

people of color are disproportionately arrested.

One reform to address this source of disparity in policing is the significant retrenchment of “stop and frisk” in New York City after a court ruled that the policy violated the constitutional rights of blacks and Latinos. Recent legislation reducing the sentencing disparity between the use and distribution of crack versus powder cocaine in California, Missouri, and at the federal level are examples of efforts to tackle sentencing inequalities.

Criminal justice practitioners’ use of discretion is – often unintentionally – influenced by racial bias.

Racial disparities in traffic stops have diminished on a nationwide basis in recent years, but persist in many jurisdictions. Police officers are more likely to stop black and Hispanic drivers for investigative reasons. Once pulled over, people of color are more likely than whites to be searched, and blacks are more likely than whites to be arrested. In jurisdictions like Ferguson, these patterns hold even though police have a higher “contraband hit rate” when searching white versus black drivers. Prosecutors and judges also often treat blacks and Hispanics more harshly in their charging and sentencing decisions.

The Vera Institute of Justice’s work with prosecutors’ offices around the country is one initiative addressing bias in charging decisions by monitoring outcomes and increasing accountability. Similarly, judges in Dorchester, Massachusetts, have worked with police and prosecutors to develop guidelines to reduce racial disparities in charging enhancements for people arrested for drug crimes in a school zone.

Key segments of the criminal justice system are underfunded, putting blacks and Latinos – who are disproportionately low-income – at a disadvantage.

Most states inadequately fund their indigent defense programs. Pretrial release often requires money bond, which can be prohibitive to low-income individuals and increases the pressure on them to accept less favorable plea deals. Many parole and probation systems offer supervision with little support. Public drug treatment programs are also underfunded, thereby limiting treatment and sentencing alternatives for low-income individuals.

New Jersey’s recently overhauled bail laws, which will increase nonmonetary release options, is an effort to create a more even playing field for low-income individuals. In Illinois, the expansion of alternative community programs has helped to nearly halve reliance on secure detention for youth.

Criminal justice policies exacerbate socioeconomic inequalities by imposing collateral consequences on those with criminal records and by diverting public spending.

A criminal conviction creates a barrier to securing steady employment, and those with felony drug convictions are disqualified from public assistance and public housing in many areas. In addition, allocating public resources to punitive programs comes at the expense of investments in crime prevention and drug treatment programs. Because of their higher rates of incarceration and poverty, people of color

are disproportionately affected by these policy choices.

A key development in this area is California's reclassification of a number of low-level offenses from felonies to misdemeanors under Proposition 47 in 2014. This initiative is intended to reduce prison admissions and to spare many low-level offenders the collateral consequences of a felony conviction. The law also redirects a portion of state prison savings – estimated to be \$150-\$250 million annually – to crime prevention and drug treatment programs.

Recent high-profile killings by police officers demonstrate the need for better police practices and improved accountability. They also underscore the need for revising policies that place people of color under greater police scrutiny and that lead to their disadvantage throughout the criminal justice system. To address this crisis of confidence, especially among people of color, criminal justice practitioners and policymakers should seize this opportunity to adopt and expand upon existing best practices for promoting racial equity at all levels of the justice system.

This briefing paper is organized as follows: Section I examines racial disparities in policing in Ferguson, Missouri, and New York City. Section II compares these patterns with nationwide trends and relates them to disparate outcomes at later stages of the criminal justice process. Section III examines the causes of blacks' and Latinos' overrepresentation in the justice system, including differential crime rates and the four sources of inequities in the justice system. Section IV presents best practices from around the country for reducing racial disparities created by these four sources. Section V explores strategies for implementation and evaluation. Section VI concludes by reviewing recent achievements and highlighting the need for further reforms.

*This report largely focuses on the experiences of African Americans / blacks, Latinos / Hispanics, and whites in the justice system. These are the populations for whom the most research and data are available. Nationwide data and research that include Asian Americans and American Indians are more limited: reports often aggregate these groups into one category, labeled "other." Existing research suggests that many of the trends described in this report hold for American Indians, for sub-groups of Asian Americans, and for other communities of color.⁷ Franklin, T. W. (2013). Sentencing Native Americans in US Federal Courts: An Examination of Disparity. *Justice Quarterly*, 30(2), 310–339; Wu, J. & Kim, D. (2014). The Model Minority Myth for Noncitizen Immigration Offenses and Sentencing Outcomes. *Race and Justice*, 4(4), 303–332; The Muslim American Civil Liberties Coalition, The Creating Law Enforcement Accountability and Responsibility Project, ENDNOTES & The Asian American Legal Defense and Education Fund (2013). *Mapping Muslims: NYPD Spying and its Impact on American Muslims* (<http://www.law.cuny.edu/academics/clinics/immigration/clear/Mapping-Muslims.pdf>). New York, NY.*

I. Uneven Policing in Ferguson and New York City

Black and white Americans experience different policing practices. They encounter the police at different rates and for different reasons, and they are treated differently during these encounters.

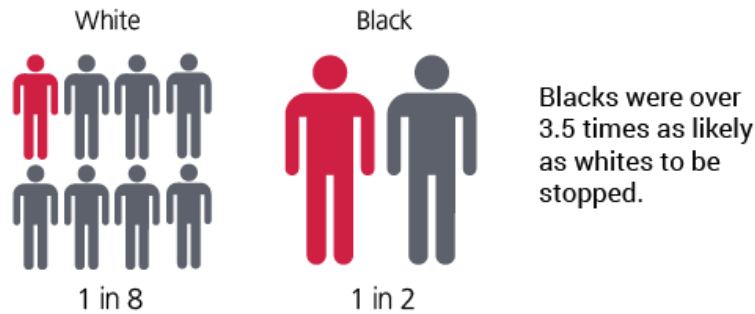
Officers' racially biased use of discretion — either intentional or unintentional — is one cause of racial disparities in police contact that are not explained by differences in crime rates. Another cause is formal police policies such as “stop and frisk” and “broken windows” policing. Designed to target minor violations with the rationale of circumventing serious crimes, these policies place people of color under greater scrutiny. Officer Darren Wilson stopped Michael Brown for jaywalking. Officer Daniel Pantaleo and his colleagues approached Eric Garner for selling untaxed cigarettes. Disproportionate police contact with people of color in these two very different jurisdictions set the context for these tragic deaths.

Ferguson, Missouri

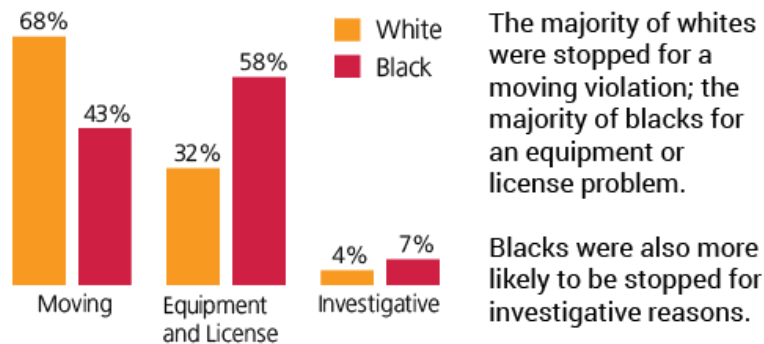
Figure 1. Ferguson traffic stops, 2013: Population stopped and reason for stop

(<http://www.sentencingproject.org/wp-content/uploads/2015/11/figure-1-ferguson-traffic-stops-2013-population-stopped-and-reason-for-stop.png>)

Population stopped



Reason for stop



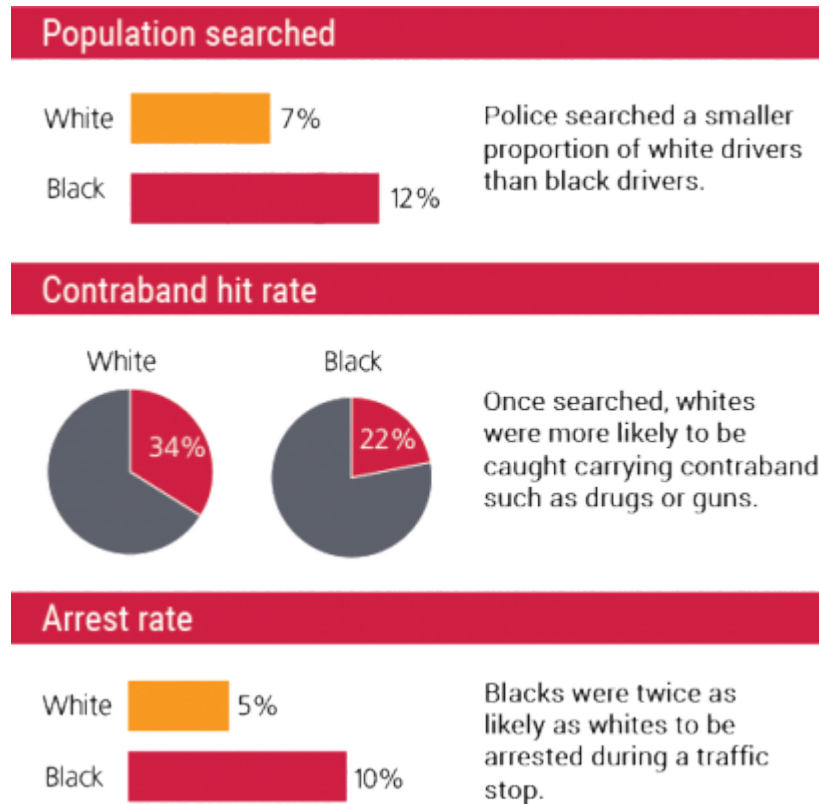
Source: Office of the Missouri Attorney General (2014). *Racial Profiling Data/2013: Ferguson Police Department* (<http://ago.mo.gov/docs/default-source/public-safety/2013agencyreports.%20pdf?sfvrsn=2>). Note: Because data are based on stops and not drivers, drivers with multiple stops are counted multiple times. Reasons for stops exceed 100% because some stops were made for multiple reasons.

A suburb of St. Louis, Missouri, Ferguson had a population of just over 21,000 in 2013. Though African Americans comprised 63% of the city's driving-age population in that year, they accounted for 86% of drivers stopped by Ferguson police.⁸⁾Office of the Missouri Attorney General (2014). *Racial Profiling Data/2013: Ferguson Police Department* (<http://ago.mo.gov/docs/default-source/public-safety/2013agencyreports.pdf?sfvrsn=2>). Note that data limitations prevent calculating these figures for unique stops: drivers with multiple stops are counted multiple times. That amounted to almost one stop for every two black adults in Ferguson, versus just over one stop for every eight white adults.

Ferguson police cited various reasons for stopping black and white drivers. The majority of white drivers (68%) were stopped for a moving violation while the majority of black drivers (57%) were stopped for a license or equipment problem (41% and 16%, respectively). Research has shown that although blacks are more likely than whites to have vehicle code violations, this difference does not account for their disproportionate rates of stops for non-moving violations.⁹⁾Epp, C. R., Maynard-Moody, S., & Haider-Markel, D. P. (2014). Pulled

Over: How Police Stops Define Race and Citizenship. Chicago, IL: The University of Chicago Press (pp. 58–69). Investigative stops – one of the most discretionary reasons for traffic stops – accounted for 7% of stops among black drivers in Ferguson, compared to 4% of stops among white drivers.

Figure 2. Ferguson traffic stops: Population searched, contraband hit rate, and arrest rate, 2013



([http://www.sentencingproject.org/wp-content/uploads/2015/11/figure-2-](http://www.sentencingproject.org/wp-content/uploads/2015/11/figure-2-ferguson-traffic-stops-pop-searched-contraband-hit-rate-arrest-rate-e1457035373825.png)

[ferguson-traffic-stops-pop-searched-contraband-hit-rate-arrest-rate-e1457035373825.png](http://www.sentencingproject.org/wp-content/uploads/2015/11/figure-2-ferguson-traffic-stops-pop-searched-contraband-hit-rate-arrest-rate-e1457035373825.png))

Source: Office of the Missouri Attorney General (2014). *Racial Profiling Data/2013: Ferguson Police Department* (<http://ago.mo.gov/docs/default-source/public-safety/2013agencyreports.pdf?sfvrsn=2>).

After making a stop, Ferguson police searched 12% of black drivers in contrast to 7% of white drivers. Despite – or as a result of – the high rate of stops and searches for black drivers, police had a lower “contraband hit rate” when searching black drivers compared to white drivers. They found contraband – primarily drugs and sometimes weapons – on 22% of black drivers who were searched and on 34% of white drivers who were searched.

Yet blacks were twice as likely as whites to be arrested during a traffic stop (10% versus 5%). Two factors account for this disparity. First, by searching such a high proportion of black drivers, officers found contraband on a similar share of black drivers as white drivers (but on a smaller proportion of black drivers that they searched). The more influential factor, though, was that black drivers were more likely to have arrest warrants compared to their white counterparts. Black drivers were more likely to have these warrants in part because of unpaid fines related to their disproportionate exposure to traffic enforcement.

Municipalities such as Ferguson may have a fiscal incentive to focus law enforcement efforts on traffic violations and petty offenses. Court fines and fees have become a major source of revenue for certain municipal governments in St. Louis County – primarily those serving largely black populations with a high poverty rate.¹⁰Better Together (2014). Public Safety – Municipal Courts (<http://www.bettertogetherstl.com/wp-content/uploads/2014/10/BT-Municipal-Courts-Report-Full-Report1.pdf>). St. Louis, MO; Downs, R. (2014). ArchCity Defenders: Meet the Legal Superheroes Fighting for St. Louis' Downtrodden (<http://www.riverfronttimes.com/2014-04-24/news/arch-city-defenders-st-louis-public-advocacy/full>). *Riverfront Times*; Balko, R. (2014). How Municipalities in St. Louis County, Mo., Profit from Poverty (<http://www.washingtonpost.com/news/the-watch/wp/2014/09/03/how-st-louis-county-missouri-profits-from-poverty>). *The Washington Post*. Court fines and forfeitures accounted for 20% of Ferguson's operating revenue in 2013.¹¹Maciag, M. (2014). Skyrocketing Court Fines Are Major Revenue Generator for Ferguson (<http://www.governing.com/topics/public-justice-safety/gov-ferguson-missouri-court-fines-budget.html>). *Governing*. To ensure collection of these court fines and fees, these municipalities have issued a high rate of arrest warrants. Ferguson outpaced all other cities in the region with more than 1,500 warrants per 1,000 people in 2013 – about four times the rate for the city of St. Louis.¹²Robles, F. (2014). Ferguson Sets Broad Change for City Courts (<http://www.nytimes.com/2014/09/09/us/ferguson-council-looks-to-improve-community-relations-with-police.html>). *The New York Times*. See also: ArchCity Defenders (2014). Municipal Courts White Paper (<http://s3.documentcloud.org/documents/1279541/archcity-defenders-report-on-st-louis-county.pdf>). St. Louis, MO.

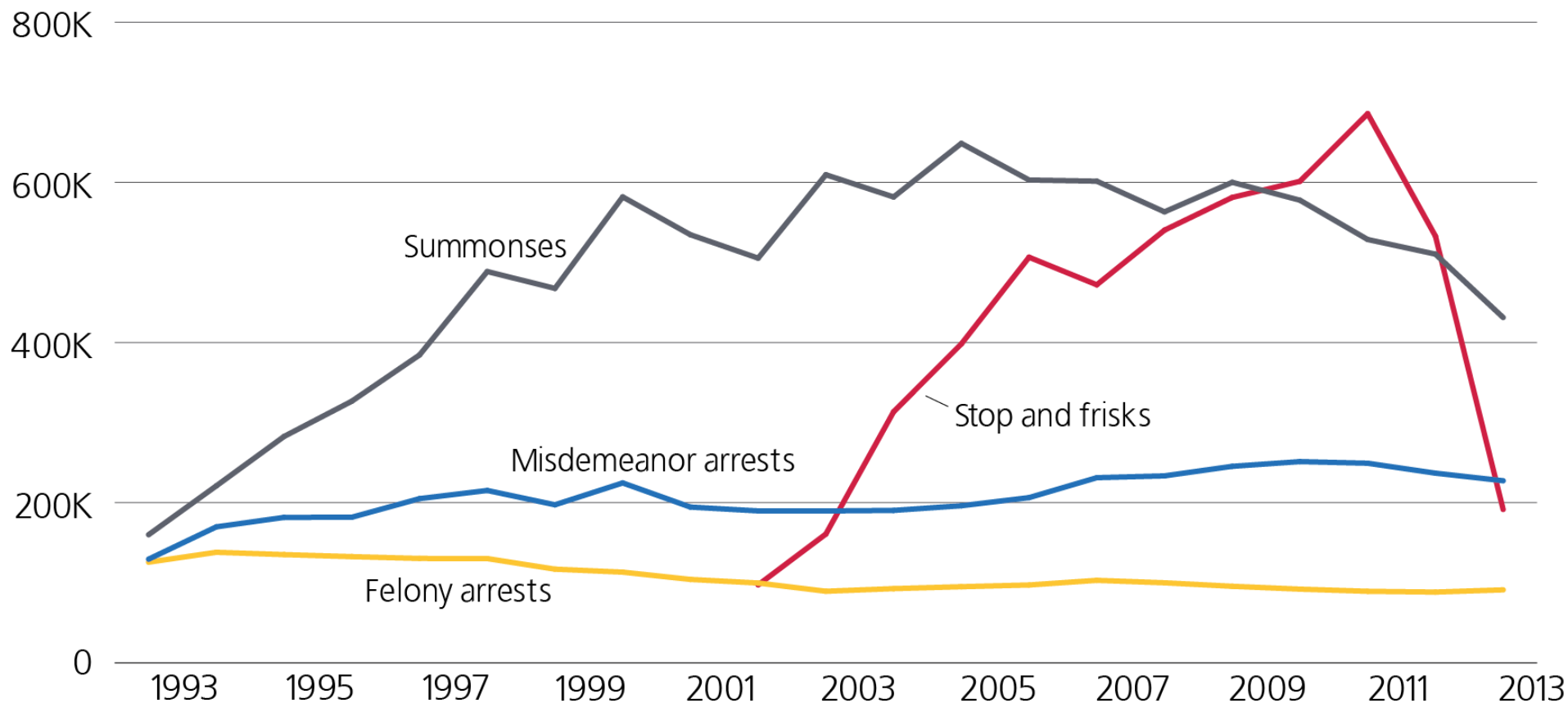
In the aftermath of protests in late summer 2014, the city of Ferguson announced reforms to cap the amount of revenue generated from such tickets.¹³Robles (2014), note 12 above. But that promise was short-lived. In December 2014, Ferguson's finance director announced plans to increase revenues from fines to fill a budget deficit from its most recent fiscal year.¹⁴Smith, K. (2014). Ferguson to Increase Police Ticketing to Close City's Budget Gap (<http://www.bloomberg.com/news/2014-12-12/ferguson-to-increase-police-ticketing-to-close-city-s-budget-gap.html>). *Bloomberg*.

Officer Darren Wilson stopped Michael Brown for jaywalking. Officer Daniel Pantaleo and his colleagues approached Eric Garner for selling untaxed cigarettes. Disproportionate police contact with people of color in these two very different jurisdictions set the context for these tragic deaths.

New York City

Policing in New York City took a dramatic turn in the 1990s under mayor Rudy Giuliani, with the launch of order-maintenance strategies known as “broken windows” and “quality of life” policing. These approaches seek to promote public safety by clamping down on petty offenses and neighborhood disorder.¹⁵ Kelling, G. & Wilson, J. (1982). Broken Windows (<http://www.theatlantic.com/magazine/archive/1982/03/broken-windows/304465/>). *The Atlantic*. On the missing link between perceptions of disorder and crime victimization rates, see: Harcourt, B. & Ludwig, J. (2006). Broken Windows: New Evidence from New York City and a Five-City Social Experiment. *University of Chicago Law Review*, 73(1), 271–321. For evidence of a link, see: Skogan, W. (1990). *Disorder and Decline: Crime and the Spiral of Decay in American Neighborhoods*. Berkeley, CA: University of California Press. For a critique, see: Harcourt, B. (2009). *Illusion of Order: The False Promise of Broken Windows Policing*. Cambridge, MA: Harvard University Press. On how order-maintenance of policing can disrupt informal order maintenance, see: Duneier, M., & Carter, O. (1999). *Sidewalk*. New York, NY: Farrar, Straus and Giroux. With Michael Bloomberg as mayor (2002-2013) and Raymond Kelly as police commissioner, the police also embarked on a campaign to stop, question, and frisk primarily male residents of neighborhoods populated by low-income people of color – areas thought to have higher crime rates. Many of these “stop and frisk” encounters were initiated with little legitimate rationale: officers noted “furtive movements” as the reason for 44% of stops between 2003 and 2013.¹⁶ Dunn, C., LaPlante, S., & Carnig, J. (2014). Stop-and-Frisk Black Lives Matter: Eliminating Racial Inequity in the Criminal Justice System 29 During the Bloomberg Administration (2002-2013) (http://www.nyclu.org/files/publications/08182014_Stop-and-Frisk_Briefer_2002-2013_final.pdf). New York, NY: New York Civil Liberties Union. (p. 3). While deemphasizing felony arrests,¹⁷ Austin, J. & Jacobson, M. (2013). How New York City Reduced Mass Incarceration: A Model for Change? (http://www.brennancenter.org/sites/default/files/publications/How_NYC_Reduced_Mass_Incarceration.pdf) New York, NY: Vera Institute of Justice. these policies dramatically increased the volume of arrests for misdemeanor offenses, of summonses for violations of the administrative code (such as public consumption of alcohol, disorderly conduct, and bicycling on the sidewalk), and of investigative police encounters with innocent people.

Figure 3. Summonses, misdemeanor arrests, stop and frisks, and felony arrests since 1993



(<http://www.sentencingproject.org/wp-content/uploads/2015/11/figure-3-summonses-misdemeanor-arrests-stop-and-frisks-and-felony-arrests-since-19933.png>)

Source: Ryley, S., Bult, L., & Gregorian, D. (2014). Exclusive: Daily News Analysis Finds Racial Summons for Minor Violations in 'Broken Windows' Policing (<http://www.nydailynews.com/new-york/summons-broken-windows-racial-disparity-garner-article-1.1890567>). New York Daily News.

Note: Stop and frisks are shown beginning in 2002, the year in which these data became readily available

Men of color have borne the brunt of these policies. Men have been over four times as likely as women to be arrested for a misdemeanor in New York City since 1980.¹⁸ Chauhan, P., Fera, A. G., Welsh, M. B., Balazon, E., & Misshula, E. (2014). Trends in Misdemeanor Arrests in New York (http://www.jjay.cuny.edu/web_images/10_28_14_TOCFINAL.pdf). New York, NY: John Jay College of Criminal Justice. (pp. 25–7). Between 2001 and 2013, 51% of the city's population over age 16 was black or Hispanic. Yet during that period, 82% of those arrested for misdemeanors were black or Hispanic, as were 81% of those who received summonses.¹⁹ Data retrieved from Chauhan et al. (2014), note 18 above; Ryley, S., Bult, L., & Gregorian, D. (2014) Exclusive: Daily News Analysis Finds Racial Disparities in Summons for Minor Violations in 'Broken Windows' Policing (<http://www.nydailynews.com/new-york/summons-broken-windows-racial-disparity-garner-article-1.1890567>). New York Daily News. Note that individuals with multiple arrests and summonses are counted multiple times in this

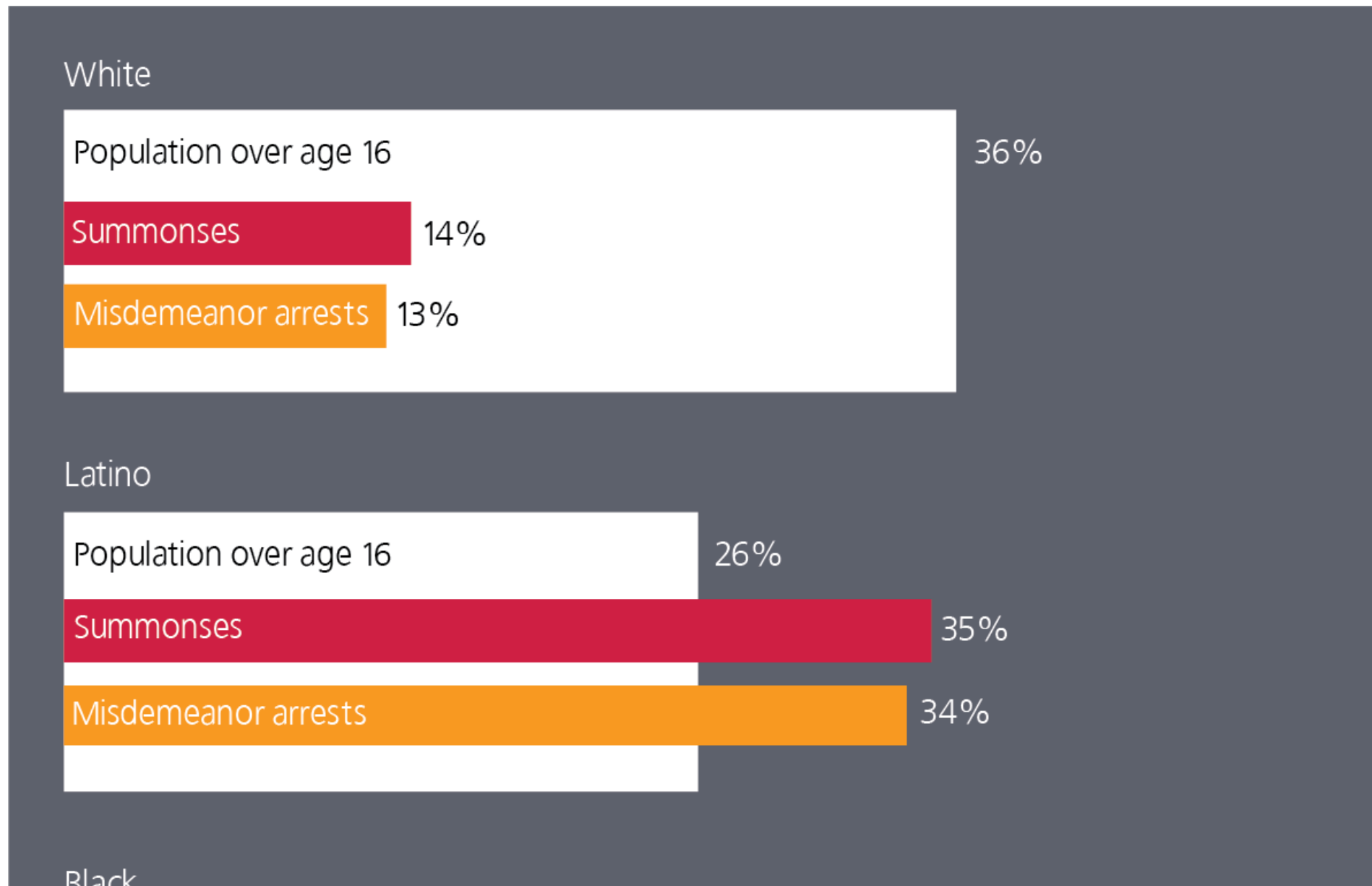
calculation. Approximately 80% of all misdemeanor arrests were unique arrests in recent years, see: Chauhan et al. (2014), note 18 above (p. 16). The racial composition of stop and frisks was similar.²⁰New York Civil Liberties Union (2014). Stop-and Frisk Data (<http://www.nyclu.org/content/stop-and-frisk-data>). New York, NY.

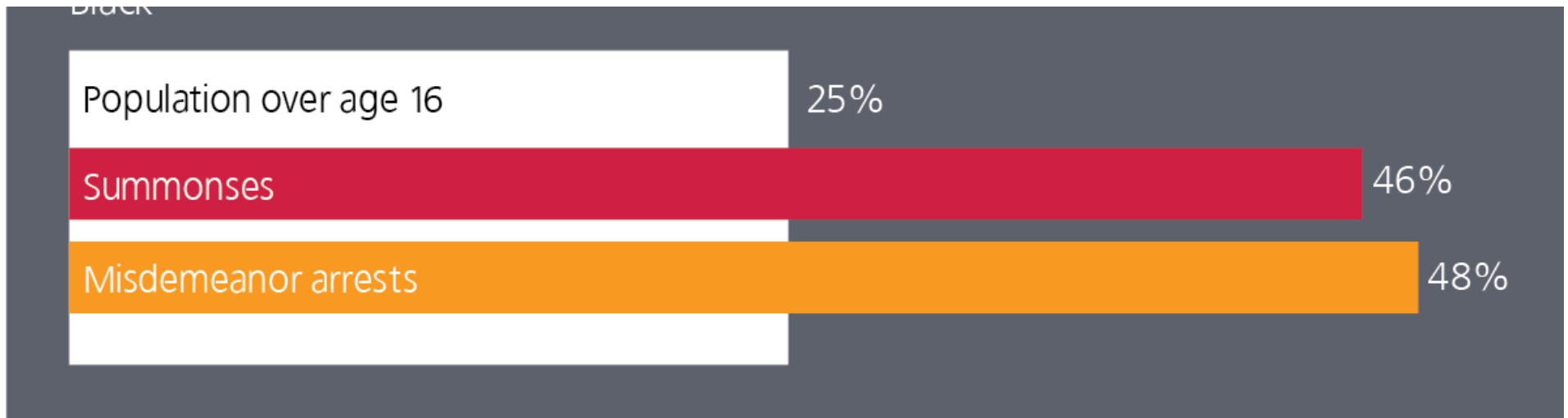
Commissioner William Bratton played a crucial role in implementing “broken windows” policies when he led the city’s transit police in 1990 and during his first tenure as police commissioner under Mayor Rudy Giuliani, from 1994 to 1996. Now reappointed, Bratton and Mayor Bill de Blasio remain committed to this style of order-maintenance policing, with Bratton touting its efficacy and explaining that its racial disparities result from targeting communities and populations with higher violent crime rates.²¹Bratton, W. & Kelling, G. (2014). The Assault on ‘Broken Windows’ Policing (<http://www.wsj.com/articles/william-bratton-and-george-kelling-the-assault-on-broken-windows-policing-1418946183>). *The Wall Street Journal*; Bratton, W. & Kelling, G. (2014). Why We Need Broken Windows Policing (http://www.city-journal.org/2015/25_1_broken-windows-policing.html). *City Journal*. In response to the outcry following Garner’s death, Bratton has announced plans to retrain officers on appropriate use of force during these encounters.

Yet research shows that order-maintenance strategies have had only a modest impact on serious crime rates. New York City experienced a dramatic crime drop during its period of rising misdemeanor arrests and summonses: the city’s homicide rate declined by 73% between 1990 and 2000.²²Baumer, E. & Wolff, K. (2014). Evaluating Contemporary Crime Drop(s) in America, New York City, and Many Other Places. *Justice Quarterly*, 31(1), 5–38. But this was not unique; other large cities including Seattle and San Diego have achieved similar reductions in crime since their crack-era crime peaks.²³Baumer & Wolff (2014), note 22 above. Although an early study found that New York City precincts with higher levels of misdemeanor arrests experienced greater drops in serious crimes,²⁴Kelling, G. & Sousa, W. (2001). Do Police Matter? An Analysis of the Impact of New York City’s Police Reforms (http://www.manhattan-institute.org/pdf/cr_22.pdf). New York, NY: Center for Civic Innovation at the Manhattan Institute. a flawed research design makes this conclusion unreliable²⁵Zimring, F. (2007). *The Great American Crime Decline*. New York, NY: Oxford University Press (p. 155); Harcourt & Ludwig (2006), note 15 above. and few other studies have reached the same conclusion.²⁶See, for example: Messner, S. et al. (2007). Policing, Drugs, and the Homicide Decline in New York City in the 1990s. *Criminology*, 45(2), 385–414. More recent studies have found that high misdemeanor arrest volume,²⁷Cerdá, M., et al. (2009). Misdemeanor Policing, Physical Disorder, and Gun-Related Homicide: A Spatial Analytic Test of “Broken-Windows” Theory. *Epidemiology*, 20(4), 533–41. high summons volume,²⁸Rosenfeld, R., Fornango, R., & Rengifo, A. (2007). The Impact of Order-Maintenance Policing on New York City Homicide and Robbery Rates: 1988-2000. *Criminology*, 45(2), 355–384. and other factors,²⁹Zimring, F. (2007), note 25 above (p. 151); see also Zimring, F. (2012). *The City That Became Safe: New York’s Lessons for Urban Crime and its Control*. New York, NY: Oxford University Press. have had only a modest association or no association at all³⁰Harcourt & Ludwig (2006), note 15 above; Greenberg, D. (2013). Studying New York City’s Crime Decline: Methodological Issues. *Justice Quarterly*, 31(1), 154–188. Another study finds that “situational prevention strategies” rather than misdemeanor arrests helped to lower crime, see: Braga, A. A. & Bond, B. J. (2008). Policing Crime and Disorder Hot Spots: A Randomized Controlled Trial. *Criminology*, 46(3), 577–607. with the city’s violent crime drop. “Stop and frisk” activity has also been shown to have no impact on precincts’ robbery and burglary rates.³¹Rosenfeld, R. & Fornango, R. (2014). The Impact of Police Stops on Precinct Robbery and Burglary Rates in New York City. *Justice Quarterly*, 31(1), 96-122. Therefore, while order-maintenance policing demands a substantial share of public funds, there is limited evidence to support its efficacy and great cause for concern about its impact.³²Police Reform Organization Project (2014). *Over \$410 Million a Year: The Human and Economic Cost of Broken-Windows Policing* (<http://www.policereformorganizingproject.org/cost-broken-windows-policing/>). New York, NY; Schneiderman, E. (2013). *A Report on*

Arrests Arising from the New York City Police Department's Stop-and-Frisk Practices (http://www.ag.ny.gov/pdfs/OAG_REPORT_ON_SQF_PRACTICES_NOV_2013.pdf). New York State Office of the Attorney General; Ghandnoosh, N. (2014). Race and Punishment: Racial Perceptions of Crime and Support for Punitive Policies (/publications/race-and-punishment-racial-perceptions-of-crime-and-support-for-punitive-policies). Washington, D.C.: The Sentencing Project. (pp. 33–5).

Figure 4. Racial composition of New York City population, summonses, and misdemeanor arrests, 2001-2013





(<http://www.sentencingproject.org/wp-content/uploads/2015/11/figure-4-rev-racial-composition-of-NYC-pop-summonses-misdemeanor-arrests7.png>)

Source: Data retrieved from Chauhan, P., Fera, A. G., Welsh, M. B., Balazon, E., & Misshula, E. (2014). *Trends in Misdemeanor Arrests in New York* (http://www.jjay.cuny.edu/web_images/10_28_14_TOCFINAL.pdf). New York, NY: John Jay College of Criminal Justice. (pp.25–7); Ryley, S., Bult, L., & Gregorian, D. (2014). *Exclusive: Daily News Analysis Finds Racial Summons for Minor Violations in ‘Broken Windows’ Policing* (<http://www.nydailynews.com/new-york/summons-broken-windows-racial-disparity-garner-article-1.1890567>). *New York Daily News*.

Note: Summons and misdemeanor arrest data are based on incidents rather than individuals: individuals with multiple arrests and summonses are counted multiple times. Summons data did not include age breakdown and are drawn from approximately 30% of cases that provided race information.

II. A Cascade of Racial Disparities Throughout the Criminal Justice System

In recent years, nearly equal proportions of blacks, whites, and Latinos in the United States have reported being stopped by the police while on foot or in their cars.³³⁾Langton, L. & Durose, M. (2013). *Police Behavior during Traffic and Street Stops, 2011* (<http://www.bjs.gov/content/pub/pdf/pbtss11.pdf>). Bureau of Justice Statistics. (p. 3); Eith, C. & Durose, M. R. (2011). *Contacts Between Police and the Public, 2008* (<http://www.bjs.gov/content/pub/pdf/cpp08.pdf>). Bureau of Justice Statistics. (p. 7). But the causes and outcomes of these stops still differ by race, and staggering racial disparities in rates of police stops persist in certain jurisdictions.³⁴⁾Cole, D. (1999). *No Equal Justice: Race and Class in the Criminal Justice System*. New York, NY: The New Press (pp. 34–8). These disparities snowball as individuals traverse the criminal justice system.

Blacks were 31% more likely and Hispanics were 6% more likely than whites to report a recent traffic stop in 2011, although in other recent years a similar proportion of blacks, Latinos, and whites have reported experiencing these stops.³⁵⁾Langton & Durose (2013), note 33 above; Eith & Durose (2011), note 33 above. Ferguson and New York are two of many jurisdictions where traffic and pedestrian stops still differ significantly by race. A recent investigation of the rates at which the Boston Police Department observed, stopped, interrogated, frisked, or searched individuals without making an arrest found that blacks comprised 63% of these police-civilian encounters between 2007 and 2010, although they made up 24% of the city’s population.³⁶⁾American Civil Liberties Union Foundation of Massachusetts

Compared to nationwide trends, Ferguson’s and New York’s racial disparities in policing are in some ways representative and in others anomalous.

(2014). *Black, Brown and Targeted*

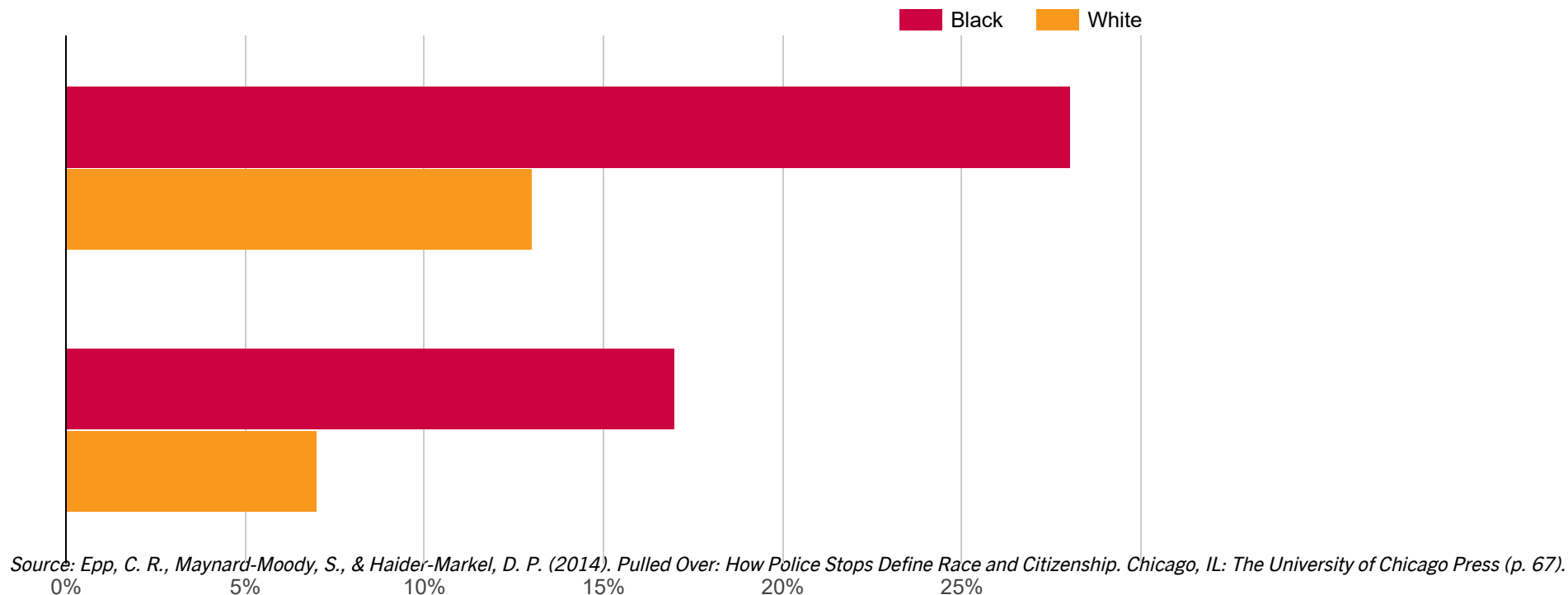
(https://www.aclum.org/sites/all/files/images/education/stopandfrisk/black_brown_and_targeted_online.pdf). Boston, MA; on traffic stops in Chicago, see: American Civil Liberties Union of Illinois (2014). *CPD Traffic Stops and Resulting Searches in 2013* (<http://www.aclu-il.org/wp-content/uploads/2014/12/Report-re-CPD-traffic-stops-in-2013.pdf>). Chicago, IL. Similar trends have led approximately 20 cities across the country to enter into consent decrees or memoranda of understanding with the Department of Justice to reduce excessive force and/or protect the public’s civil rights, and several other cities are currently under investigation.³⁷Domanick, J. (2014). *Police Reform’s Best Tool: A Federal Consent Decree* (<http://www.thecrimereport.org/news/articles/2014-07-police-reforms-best-tool-a-federal-consent-decree>). *The Crime Report*; Eckholm, E. (2014). *As Justice Department Scrutinizes Local Police, Cleveland Is Latest Focus* (<http://www.nytimes.com/2014/06/18/us/justice-department-examining-local-police-turns-focus-to-cleveland.html>). *The New York Times*; Susman, T. & Queally, J. (2014). *Federal Monitor Ordered for Newark Police for Civil Rights Violations* (<http://www.latimes.com/nation/nationnow/la-na-nn-newark-federal-monitor-20140722-story.html#page=1>). *Los Angeles Times*.

A closer look at the causes of traffic stops reveals that police are more likely to stop black and Hispanic drivers for discretionary reasons. A study of police stops between 2003 and 2004 in Kansas City distinguished between “traffic-safety stops” (reactive stops used to enforce traffic laws or vehicle codes) and “investigatory stops” (proactive stops used to investigate drivers deemed suspicious).³⁸Epp, Maynard-Moody, & Haider-Markel (2014), note 9 above (pp. 6–9, 59). This study is based on drivers’ reports of officers’ reasons for the stop and traffic-safety stops were defined to include: speeding at greater than seven miles per hour, suspicion of driving under the influence of drugs or alcohol, running a red light, reckless driving, and random roadblock checks for driving under the influence. Investigatory stops were defined to include: failure to signal a turn or lane change, malfunctioning light, driving too slowly, stopping too long, expired license tag, check for valid license or to conduct warrant check, and no justification given for the stop. See also Epp, C. & Maynard-Moody, S.

(2014). *Driving While Black*

(http://www.washingtonmonthly.com/magazine/january_february_2014/ten_miles_square/driving_while_black048283.php). *Washington Monthly*. For nationwide data, see: Langton & Durose (2013), note 33 (p. 4). The authors found that rates of traffic-safety stops did not differ by the driver’s race, but rates of investigatory stops did, and did so significantly. While these differences persisted for all ages, they were sharpest among drivers under age 25: among these drivers, 28% of black men had experienced an investigatory traffic stop, as had 17% of black women, 13% of white men, and 7% of white women.

Figure 5. Rates of investigatory traffic stops among Kansas City drivers under age 25, 2003-2004



Class differences did not fully explain this racial disparity: black drivers under age 40 were over twice as likely as their white counterparts to experience investigatory stops for both the highest- and lowest-valued cars. Traffic-safety stops, the researchers concluded, are based on “how people drive,” whereas investigatory stops are based on “how they look.”

Once arrested, people of color are also likely to be charged more harshly than whites; once charged, they are more likely to be convicted; and once convicted, they are more likely to face stiff sentences – all after accounting for relevant legal differences such as crime severity and criminal history.

Nationwide surveys also reveal disparities in the outcomes of police stops. Once pulled over, black and Hispanic drivers were three times as likely as whites to be searched (6% and 7% versus 2%) and blacks were twice as likely as whites to be arrested during a traffic stop.³⁹⁾Langton & Durose (2013), note 33 above; Eith & Durose (2011), note 33 above (p. 7). These patterns hold even though police officers generally have a lower “contraband hit rate” when they search black versus white drivers.⁴⁰⁾Harris, D. (2012). Hearing on “Ending Racial Profiling in America,” Testimony of David A. Harris (<http://www.aila.org/content/fileviewer.aspx?docid=39289&linkid=245580>). United States Senate Judiciary Committee, Subcommittee on the Constitution, Civil Rights, and Human Rights. (p. 8).

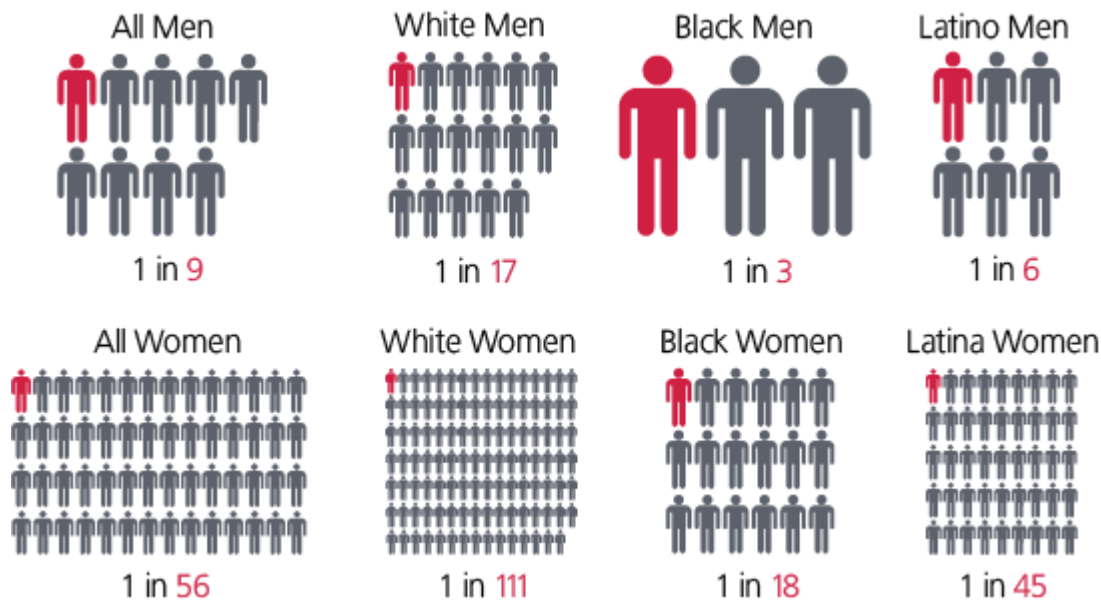
A recent investigation of all arrests – not just those resulting from traffic stops – in over 3,500 police departments across the country found that 95% of departments arrested black people at a higher rate than other racial groups.⁴¹⁾Heath, B. (2014). Racial Gap in U.S. Arrest Rates: ‘Staggering Disparity.’ (<http://www.usatoday.com/story/news/nation/2014/11/18/ferguson-black-arrest-30>) The Sentencing Project rates/19043207/) *USA Today*. The cumulative effect of these policies is that 49% of African American men reported having been arrested by age 23, in contrast to 38% of their non-Hispanic white counterparts.⁴²⁾Brame, R., Bushway, S. D., Paternoster, R., & Turner, M. G. (2014). Demographic Patterns of Cumulative Arrest Prevalence by Ages 18 and 23. *Crime & Delinquency*, 60(3), 471–486. The next section of this briefing paper will examine how much of this disparity stems from differential crime rates.

The nature of police encounters also differs substantially for people of color compared to whites. Several surveys conducted between 2002 and 2008 have shown that Hispanics were up to twice as likely and blacks were up to three times as likely as whites to experience physical force or its threat during their most recent contact with the police.⁴³⁾Eith & Durose (2011), note 33 above (pp. 6, 12). More broadly, when a 1999 Gallup survey asked Americans about perceptions of police brutality in their neighborhoods, 58% of people of color said police brutality took place in their area, in contrast to only 35% of whites.⁴⁴⁾Gillespie, M. (1999). One Third of Americans Believe Police Brutality Exists in Their Area (<http://www.gallup.com/poll/4003/one-third-americans-believe-police-brutality-exists-their-area.aspx>). Gallup. Police officers’ greater use of discretion when stopping people of color suggests that differences in drivers’ behavior alone are unlikely to account for disparities in use of force.

People of color are therefore more likely than whites to be arrested – in part due to differences in crime rates but also due to differences in police policies and use of discretion. Once arrested, people of color are also likely to be charged more harshly than whites; once charged, they are more likely to be convicted; and once convicted, they are more likely to face stiff sentences – all after accounting for relevant legal differences such as crime severity and criminal history.⁴⁵⁾National Research Council (2014). *The Growth of Incarceration in the United States: Exploring Causes and Consequences* (http://www.nap.edu/openbook.php?record_id=18613). Washington, D.C.: The National Academies Press. (pp. 93–4); The Sentencing Project (2013). *Report of The Sentencing Project to the United Nations Human Rights Committee: Regarding Racial Disparities in the United States Criminal Justice System*. Washington, D.C; see also Crutchfield, R., Fernandes, A., & Martinez, J. (2010). Racial and Ethnic Disparity and Criminal Justice: How Much is Too Much? *The Journal of Criminal Law & Criminology*, 100(3), 903–932; Bucerius, S. & Tonry, M. (2014). *The Oxford Handbook of Ethnicity, Crime, and Immigration*. New York, NY: Oxford University Press. (p. 166). A recent comprehensive scholarly review conducted by the National Research Council concluded that:

Blacks are more likely than whites to be confined awaiting trial (which increases the probability that an incarcerative sentence will be imposed), to receive incarcerative rather than community sentences, and to receive longer sentences. Racial differences found at each stage are typically modest, but their cumulative effect is significant.⁴⁶⁾National Research Council (2014), note 45 above (pp. 93–4).

Figure 6. Lifetime likelihood of imprisonment for those born in 2001



([http://www.sentencingproject.org/wp-](http://www.sentencingproject.org/wp-content/uploads/2015/11/figure-6-lifetime-likelihood-of-imprisonment1.png)

[content/uploads/2015/11/figure-6-lifetime-likelihood-of-imprisonment1.png](http://www.sentencingproject.org/wp-content/uploads/2015/11/figure-6-lifetime-likelihood-of-imprisonment1.png))

Source: Bonczar, T. (2003). *Prevalence of Imprisonment in the U.S. Population, 1974-2001* (<http://www.bjs.gov/content/pub/pdf/piusp01.pdf>). Bureau of Justice Statistics. (p.1).

If recent trends continue, one of every three black teenage boys can expect to go to prison in his lifetime, as can one of every six Latino boys – compared to one of every seventeen white boys.⁴⁷ Bonczar, T. P. (2003). *Prevalence of Imprisonment in the U.S. Population, 1974-2001* (<http://www.bjs.gov/content/pub/pdf/piusp01.pdf>). Bureau of Justice Statistics. Smaller but still substantial racial and ethnic disparities also persist among women.

New York's and Ferguson's racial disparities in policing are therefore representative of many aspects of police-citizen encounters around the country. Moreover, policing is not the only stage of the justice system that produces unwarranted racial disparity. Disadvantage accumulates throughout the criminal justice process and contributes to the disproportionate presence of blacks and Latinos in prisons, jails, and under community supervision. The next section presents a closer examination of the causes of these racial disparities.

III. Causes of Disparities

Like an avalanche, racial disparity grows cumulatively as people traverse the criminal justice system.

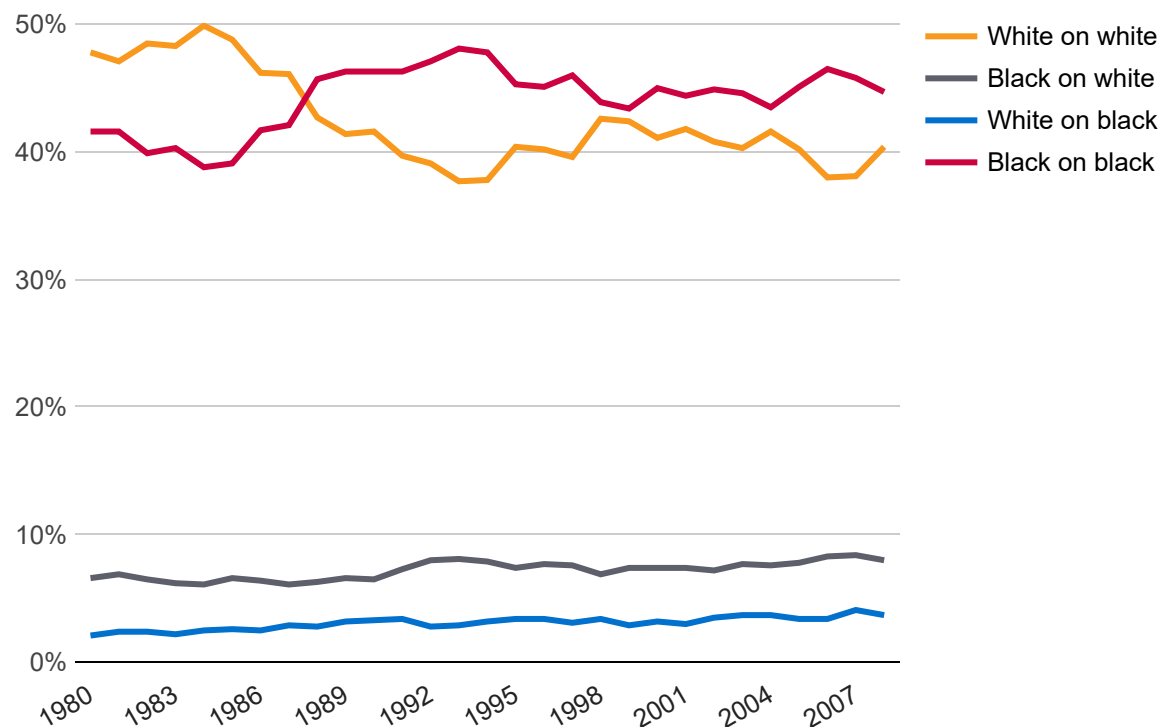
The roots of this disparity precede criminal justice contact: conditions of socioeconomic inequality contribute to higher rates of certain violent and property crimes among people of color. But four features of the justice system exacerbate this underlying disparity:

First, a variety of **ostensibly race-neutral criminal justice policies** in fact have a disparate racial impact. Second, **implicit racial bias** leads criminal justice practitioners to punish people of color more severely than whites. Third, **resource allocation decisions** disadvantage low-income defendants, who are disproportionately people of color. Finally, **criminal justice policies exacerbate socioeconomic inequalities** by imposing collateral consequences on those with criminal records and by diverting public spending away from preventative measures. This section first examines the role of differential crime rates before discussing inequities created by the criminal justice system.

Differential Crime Rates

People of color are more likely than whites to experience **economic disadvantage** that is compounded by **racial inequality**. These forces erode economic and social buffers against crime and contribute to higher rates of certain violent and property crimes – but not drug offenses – among people of color.

Figure 7. Homicides by race of offender and victim, 1980-2008

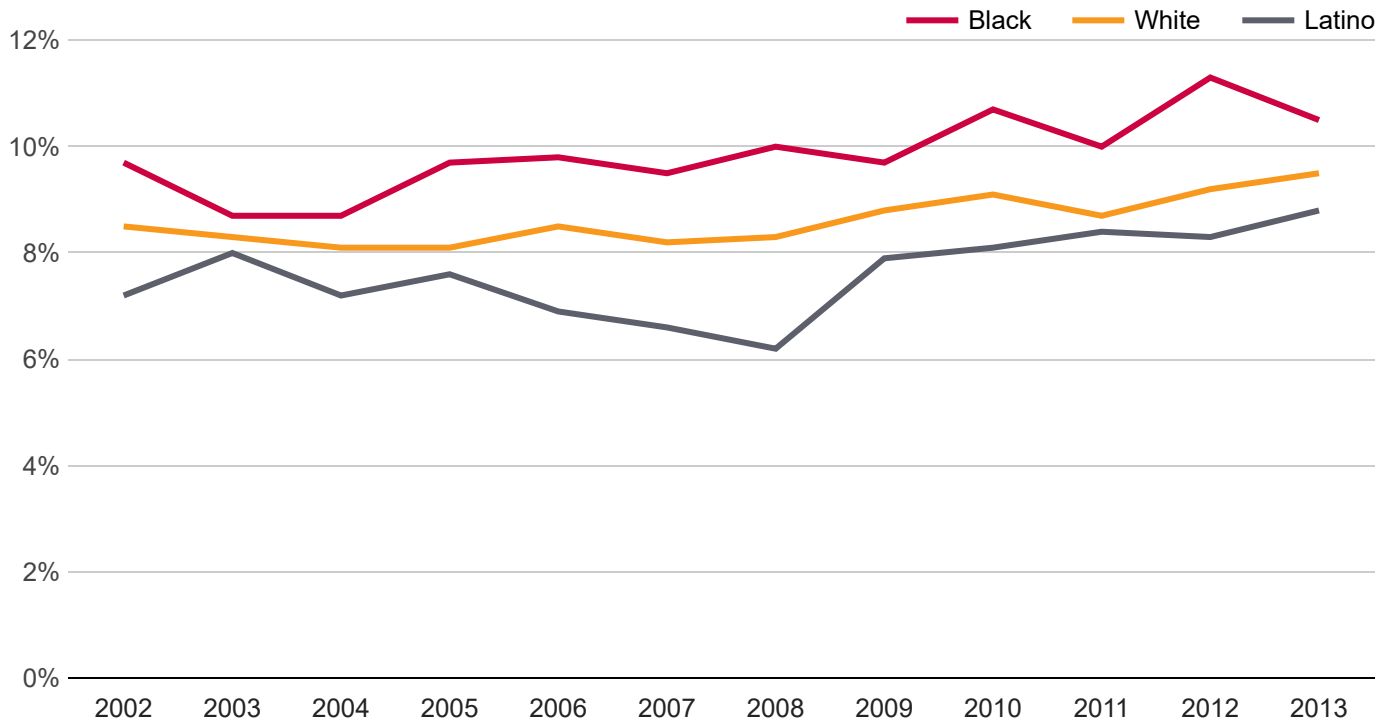


Source: Cooper, A. & Smith, E. L. *Homicide Trends in the United States, 1980-2008* (<http://www.bjs.gov/content/pub/pdf/htus8008.pdf>). Bureau of Justice Statistics. (p. 13, Figure 19).

- Blacks and Latinos constituted half of the jail population in 2013.⁴⁸Minton & Golinelli (2014), note 6 above (p. 7, Tbl. 3). In 2002, 44% of people in jail **lacked a high school degree**. In the month prior to their arrest, 29% were **unemployed**, and 59% reported earning less than \$1000/month.⁴⁹James, D. (2004). Profile of Jail Inmates, 2002 (<http://www.bjs.gov/content/pub/pdf/pji02.pdf>). Bureau of Justice Statistics.
- Higher rates of geographically concentrated socioeconomic disadvantage contribute to higher rates of certain violent and property crimes among African Americans.⁵⁰Peterson, R. & Krivo, L. (2012). *Divergent Social World: Neighborhood Crime and the Racial-Spatial Divide*. New York, NY: Russell Sage Foundation; Sampson, R. J., Morenoff, J. D., & Raudenbush, S. W. (2005). Social Anatomy of Racial and Ethnic Disparities in Violence. *American Journal of Public Health*, 95(2), 224–232. In 2012, African Americans represented 13% of the U.S. population. But African Americans comprised 39% of arrests for **violent crimes** (49% for murder and nonnegligent manslaughter) and 29% of arrests for **property crimes**. Information gathered from victimization surveys and self-reports of criminal offending suggest that, especially for certain violent crimes and to a lesser extent for property crimes, the race of those arrested resembles those of the people who have committed these crimes.⁵¹See Sampson, R. J. & Lauritsen, J. L. (1997). Racial and Ethnic Disparities in Crime and Criminal Justice in the United States. *Crime and Justice*, 21, 311–374 (pp. 318–30); D’Alessio, S. & Stolzenberg, L. (2003). Race and the Probability of Arrest. *Social Forces*, 81(4), 1381–1397; Felson, R., Deane, G., & Armstrong, D. (2008). Do Theories of Crime or Violence Explain Race Differences in Delinquency? *Social Science Research*, 37(2), 624–641. Blacks and Hispanics are also more likely than whites to be **victims** of property and violent crimes.⁵²Bureau of Justice Statistics (2010). *Criminal Victimization in the United States, 2008 Statistical Tables* (<http://www.bjs.gov/content/pub/pdf/cvus08.pdf>). (TbIs. 16, 17 – note that figures do not distinguish by ethnicity and therefore include a sizeable proportion of Hispanics as whites); Bureau of Justice Statistics (2013). *Criminal Victimization, 2012* (<http://www.bjs.gov/content/pub/pdf/cv12.pdf>). (Tbl. 7). The overall homicide rate for blacks was 6.2 times higher than for whites in 2011.⁵³Smith, E.L. & Cooper, A. (2011). *Homicide in the U.S. Known to Law Enforcement, 2011* (<http://www.bjs.gov/content/pub/pdf/hus11.pdf>). Bureau of Justice Statistics. (p. 4 – note figures do not distinguish by ethnicity and therefore include a sizeable proportion of Hispanics as whites).
- Drug offending** does not differ substantially by race. Surveys by federal agencies show that both recently and historically, whites, blacks, and Hispanics have used illicit drugs at roughly **similar rates**.⁵⁴Johnston, L. D., O’Malley, P. M., Bachman, J. G., & Schulenberg, J. E. (2012). *Monitoring the Future: National Survey Results on Drug Use, 1975-2012* (http://www.monitoringthefuture.org/pubs/monographs/mtf-vol1_2012.pdf). Ann Arbor, MI: The University of Michigan Institute for Social Research. (TbIs. 4-5, 4-6, and 4-7); U.S. Department of Health and Human Services (2013). *Results from the 2013 Survey on Drug Use and Health: Summary of National Findings* (<http://www.samhsa.gov/data/sites/default/files/NSDUHresultsPDFWHTML2013/Web/NSDUHresults2013.pdf>). (Figure 2.12); Johnston, L.D., O’Malley, P.M., Bachman, J.G., & Schulenberg, J.E. (2013). *Demographic Subgroup Trends among Adolescents for Fifty-One Classes of Licit and Illicit Drugs 1975-2012* (<http://www.monitoringthefuture.org/pubs/occpapers/mtf-occ79.pdf>). Ann Arbor, MI: The University of Michigan Institute for Social Research. (Figure 6). Many studies also suggest that drug users generally purchase drugs from people of the same race or ethnicity as them.⁵⁵Beckett, K., Nyrop, K., & Pfingst, L. (2006). Race, Drugs, and Policing: Understanding Disparities in Drug Delivery Arrests. *Criminology*, 44(1), 105–37 (pp. 16–7); Riley, K. J. (1997). *Crack, Powder Cocaine, and Heroin: Drug Purchase and Use Patterns in Six Major U.S. Cities* (<https://www.ncjrs.gov/pdffiles/167265.pdf>). National Institute of Justice. (pp. 15–16). Socioeconomic inequality does lead people of color to disproportionately use and sell drugs

outdoors, where they are more readily apprehended by police. But disparities in drug arrests are largely driven by the factors described later in this section.

Figure 8. Illicit drug use in past month among persons aged 12 or older, by race/ethnicity, 2002-2013



Source: U.S. Department of Health and Human Services (2013). Results from the 2013 Survey on Drug Use and Health: Summary of National Findings (<http://www.samhsa.gov/data/sites/default/files/NSDUHresultsPDFWHTML2013/Web/NSDUHresults2013.pdf>). (Figure 2.12).

How much of the racial disparity in the prison population stems from crime rates, and how much is produced by the criminal justice system? In recent decades, a number of leading scholars, including Alfred Blumstein and Michael Tonry, have sought to quantify these effects. Over various time periods, these studies concluded that between 61% and 80% of black overrepresentation in prison is explained by higher rates of arrest (as a proxy for involvement in crime).⁵⁶ Tonry, M. & Melewski, M. (2008). The Malign Effects of Drug and Crime Control Policies on Black Americans. *Crime and Justice*, 37(1), 1–44 (p. 18); Blumstein, A. (1993). Racial Disproportionality of U.S. Prison Populations Revisited. *University of Colorado Law Review*, 64, 743–760; Langan, P. A. (1986). Racism on Trial: New Evidence to Explain the Racial Composition of Prisons in the United States. *Journal of Criminal Law and Criminology*, 76(3), 666–683; Blumstein, A. (1982). On the Racial Disproportionality of United States’ Prison Populations. *Journal of Criminal Law and Criminology*, 73, 1259–1281. Some of the decline in the proportion of black arrests is caused by the growth of the Latino population, see: Steffensmeier, D., Feldmeyer, B., Harris, C. T., & Ulmer, J. T. (2011). Reassessing Trends in Black Violent Crime, 1980-2008: Sorting Out the “Hispanic Effect” in Uniform

Crime Reports Arrests, National Crime Victimization Survey Offender Estimates, and U.S. Prisoner Counts. *Criminology*, 49(1), 197–251 (pp. 201, 219–22); see also Snyder, H. N. Arrest in the United States, 1980-2009 (<http://www.bjs.gov/content/pub/pdf/aus8009.pdf>). Bureau of Justice Statistics. The remainder might be caused by racial bias, as well as other factors like differing criminal histories.⁵⁷⁾Unwarranted racial disparity in arrests and convictions contributes to people of color being more likely to have prior criminal records, see: Brown, M. K., Carnoy, M., Duster, T., & Oppenheimer, D. B. (2003). *Whitewashing Race: The Myth of a Color-Blind Society*. Berkeley, CA: University of California Press (pp. 139–47); Mauer, M. (2006). *Race to Incarcerate*. New York, NY: The New Press (pp. 141–2). Several important nuances, described next, help to interpret these results.

Estimates of the extent to which differential crime rates account for disparities in imprisonment rates vary significantly by offense type and geography. In comparing the demographics of the prison population with arrestees, these studies have shown that the least racial disparity exists for the most serious offenses and that the most exists for the least serious offenses (for which arrest rates are also poor proxies for criminal involvement). This is because criminal justice practitioners can exercise greater discretion with less serious crimes. Scholars have also noted that there is wide variation among states in the degree to which arrest disparities explain incarceration disparities.⁵⁸⁾See for example, Crutchfield, R. D., Bridges, G. S., & Pitchford, S. R. (1994). Analytical and Aggregation Biases in Analyses of Imprisonment: Reconciling Discrepancies in Studies of Racial Disparity. *Journal of Research in Crime and Delinquency*, 31, 166–182.

The overall conclusion of these studies is that racial differences in criminal offending explain a substantial, but incomplete, portion of the racial differences in the prison population for non-drug crimes. If racial differences in crime rates do not fully account for the high proportion of African Americans in prisons, what else is driving this disparity?

Four Key Sources of Unwarranted Racial Disparities in Criminal Justice Outcomes

1. Disparate racial impact of ostensibly race-neutral policies and laws

Myriad criminal justice policies that appear to be race-neutral collide with broader socioeconomic patterns to create a **disparate racial impact**. **Policing policies** and **sentencing laws** are two key sources of racial inequality.

Police policies that cast a wide net in neighborhoods and on populations associated with high crime rates disproportionately affect people of color, as described in Sections I and II. Consequently, people of color are more likely to be arrested even for behavior that they do not engage in at higher rates than whites. This greater level of scrutiny also contributes to higher rates of recidivism among people of color.

- Almost 1 in 3 people arrested for **drug law violations** is black, although drug use rates do not differ by race and ethnicity.⁵⁹⁾Federal Bureau of Investigation (2014). *Crime in the United States 2013* (<http://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2013/crime-in-the-u.s.-2013/tables/table-43>); see works cited in note 55 above. An ACLU report found that blacks were 3.7 times more likely to be arrested for marijuana possession than whites in 2010.⁶⁰⁾Edwards, E., Bunting, W., Garcia, L. (2013). *The War on Marijuana in Black and White* (https://www.aclu.org/sites/default/files/field_document/1114413-mj-report-rfs-rel1.pdf). New York, NY: American Civil Liberties Union. This disparity expands at later stages of the criminal justice system so that 57% of people in state prisons for drug offenses are people of color, even though whites comprise over two-thirds of drug users, and are likely a similar proportion of

sellers.⁶¹Carson, E. (2014), note 6 above (p. 16, Tbl. 14); Mauer, M. (2009). The Changing Racial Dynamics of the War on Drugs (/publications/the-changing-racial-dynamics-of-the-war-on-drugs). Washington, D.C.: The Sentencing Project. (p. 8, Tbl. 3).

Myriad criminal justice policies that appear to be race-neutral collide with broader socioeconomic patterns to create a disparate racial impact.

Sentencing laws that are designed to more harshly punish certain classes of offenses, or to carve out certain groups from harsh penalties, also often have a disparate impact on people of color. This occurs because of how sentencing laws interact with broader racial differences in our society and within the criminal justice system.

- **Drug-free school zone laws** mandate sentencing enhancements for people caught selling drugs near school zones. The expansive geographic range of these zones coupled with high urban density has disproportionately affected residents of urban areas, and particularly those in high-poverty areas – who are largely people of color.⁶²Porter, N. & Clemons, T. (2013). Drug-Free Zone Laws: An Overview of State Policies (/publications/drug-free-zone-laws-an-overview-of-state-policies). Washington, D.C.: The Sentencing Project. A study in New Jersey found that 96% of persons subject to these enhancements in that state were African American or Latino. All 50 states and the District of Columbia have some form of drug-free school zone law.
- **Diversion programs** and **alternative courts** disproportionately bar people of color from alternatives to incarceration because they frequently disqualify people with past convictions.⁶³Orr, C. H., et al. (2009). America’s Problem-Solving Courts: The Criminal Costs of Treatment and the Case for Reform (<https://www.nacdl.org/WorkArea/linkit.aspx?LinkIdentifier=id&ItemID=20217>). Washington, D.C.: National Association of Criminal Defense Lawyers; see also O’Hear, M. (2009). Rethinking Drug Courts: Restorative Justice as a Response to Racial Injustice. *Stanford Law & Policy Review*, 20(2), 463–500.
- **“Three strikes and you’re out”** and other **habitual offender** laws disproportionately affect people of color who are more likely to have criminal records.

Figure 9. Racial disparities in marijuana use in past month and marijuana possession arrests, 2010

Usage rates

1.3



Blacks used marijuana at 1.3 times the rate of whites.

Arrest rates

3.7



Blacks were arrested for marijuana possession at 3.7 times the rate of whites.

(<http://www.sentencingproject.org/wp-content/uploads/2016/03/figure-9-marijuana-disparities-RGB.png>)

Source: Edwards, E. Bunting, W. Garcia, L. (2013). *The War on Marijuana in Black and White* (https://www.aclu.org/sites/default/files/field_document/1114413-mj-report-rfs-rel1.pdf). New York, NY: American Civil Liberties Union. (p. 47); U.S. Department of Health and Human Services (2011). *Results from the 2010 Survey on Drug Use and Health: Detailed Tables* (<http://store.samhsa.gov/product/Results-from-the-2010-National-Survey-on-Drug-Use-and-Health-NSDUH-Mental-Health-Findings/SMA11-4667>). (Tbl. 1.28B).

2. Racial bias among criminal justice professionals

While most white Americans no longer endorse overt and traditional forms of **prejudice** associated with the era of Jim Crow racism – such as beliefs about the biological inferiority of blacks and support for segregation and discrimination – a nontrivial proportion continue to express negative cultural stereotypes of blacks.⁶⁴ Many whites also endorse individualistic rather than structural accounts of racial inequality and reject Black Lives Matter: Eliminating Racial Inequity in the Criminal Justice System 31 ameliorative public policies, see: Bobo, L. (2001). Racial Attitudes and Relations at the Close of the Twentieth Century. In Smelser, N. J., Wilson, W. J., & Mitchell, F. (eds.) *America Becoming: Racial Trends and Their Consequences*, 1, 264–301. Washington, D. C.: National Academy Press (p. 269); Bobo, L. D., Charles, C. Z., Krysan, M., & Simmons, A. D. (2012). The Real Record on Racial Attitudes. In Marsden, P. V. (ed.) *Social Trends in American Life: Findings from the General Social Survey since 1972*, pp. 38–83. Princeton, NJ: Princeton University Press (Figure 11). Even more common among most white Americans, and many people of color, is **implicit racial bias**: unintentional and unconscious racial biases that affect decisions and behaviors. Psychological experiments have shown that these biases are pervasive in our society, and are

held even by people who disavow overt prejudice.⁶⁵Greenwald, A. G., McGhee, D. E., & Schwartz, J. L. K. (1998). Measuring Individual Differences in Implicit Cognition: The Implicit Association Test. *Journal of Personality and Social Psychology*, 74(6), 1464–80 (p. 1474); Blair, I. V., et al. (2013). An Assessment of Biases Against Latinos and African Americans Among Primary Care Providers and Community Members. *American Journal of Public Health*, 103(1), 92–98. Implicit racial biases also permeate the work of criminal justice professionals and influence the deliberation of jurors.⁶⁶Rachlinski, J. J., Johnson, S. L., Wistrich, A. J., & Guthrie, C. (2009). Does Unconscious Racial Bias Affect Trial Judges? *Notre Dame Law Review*, 84(3), 1195–1246 (p. 1210); Eisenberg, T. & Johnson, S. L. (2004). Implicit Racial Attitudes of Death Penalty Lawyers, *DePaul Law Review*, 1545–55 (pp. 1546–51); Mitchell, T. L., Haw, R. M., Pfeifer, J. E., Meissner, C. A. (2005). Racial Bias in Mock Juror Decision-Making: A Meta-Analytic Review of Defendant Treatment. *Law and Human Behavior*, 627–28; Sommers, S. R. & Ellsworth, P. C. (2003). How Much Do We Really Know about Race and Juries? A Review of Social Science Theory and Research, *Chicago-Kent Law Review*, 997–1031.

Studies of criminal justice outcomes also reveal that implicit biases influence the decisions of criminal justice professionals.

In **experimental research** such as video simulated shooter studies, subjects are asked to quickly identify and shoot armed suspects, or to press another button to not shoot unarmed suspects. Participants more quickly and accurately decided to shoot an armed target when that person was African American, but more quickly and accurately chose not to shoot if the unarmed target was white.⁶⁷Correll, J., Park, B., Judd, C. M., & Wittenbrink, B. (2002). The Police Officer's Dilemma: Using Ethnicity to Disambiguate Potentially Threatening Individuals. *Journal of Personality and Social Psychology*, 83(6), 1314–1329. See also Payne, K. B. (2001). Prejudice and Perception: The Role of Automatic and Controlled Processes in Misperceiving a Weapon. *Journal of Personality and Social Psychology*, 81(2), 181–192; Eberhardt, J. L., Goff, P. A., Purdie, V. J., & Davies, P. G. (2004). Seeing Black: Race, Crime, and Visual Processing. *Journal of Personality and Social Psychology*, 87(6), 876–93. When researchers conducted this study with a predominantly white group of Denver-based **police officers**, they found that the officers were less likely than the general public to mistakenly shoot at black unarmed suspects.⁶⁸Correll, J., Park, B., Judd, C. M., Wittenbrink, B., Sadler, M. S., & Keesee, T. (2007). Across the Thin Blue Line: Police Officers and Racial Bias in the Decision to Shoot. *Journal of Personality and Social Psychology*, 92(6), 1006–23; Sadler, M. S., Correll, J., Park, B., & Judd, C. M. (2012). The World Is Not Black and White: Racial Bias in the Decision to Shoot in a Multiethnic Context. *Journal of Social Issues*, 68(2), 286–313. However, officers more quickly shot at armed black suspects than at armed white suspects. The researchers concluded that while these officers exhibited bias in their speed to shoot, their experience and training reduced bias in their decision to shoot.⁶⁹See also: Correll, J., et al. (2014). The Police Officer's Dilemma: A Decade of Research on Racial Bias in the Decision to Shoot. *Social and Personality Psychology Compass*, 8(5), 201–213.

Studies of **criminal justice outcomes** also reveal that implicit biases influence the decisions of criminal justice professionals. Researchers have analyzed the extent to which implicit bias affects the work of **police officers, prosecutors, judges, and other members** of the courtroom work group.

- **Police:** As described in Sections I and II, many jurisdictions continue to experience significant racial disparities in police stops. Police have been more likely to pull over people of color for what researchers call **investigatory stops**. Once pulled over, blacks and Hispanics were three times as likely as whites to be **searched**, and blacks were twice as likely as whites to be **arrested** during a traffic stop.
- **Prosecutors:** Prosecutors are more likely to charge people of color with crimes that carry heavier sentences than whites.⁷⁰Starr, S. B. & Rehavi, M. M. (2013). Mandatory Sentencing and Racial Disparity: Assessing the Role of Prosecutors and the Effects of. *The Yale Law Journal*, 123(2), 2-80; Crawford, C., Chiricos, T., & Kleck, G. (1998). Race, Racial Threat, and Sentencing of Habitual Offenders. *Criminology*, 36(3), 481–512. Federal prosecutors, for example, are twice as likely to charge African Americans with offenses that carry **mandatory minimum sentences** than otherwise-similar whites. State prosecutors are also more likely to charge black rather than similar white defendants under habitual offender laws.
- **Judges:** Judges are more likely to **sentence** people of color than whites to prison and jail and to give them **longer sentences**, even after accounting for differences in crime severity and criminal history.⁷¹See for example, Steffensmeier, D. & Demuth, S. (2000). Ethnicity and Sentencing Outcomes in U.S. Federal Courts: Who is Punished More Harshly? *American Sociological Review*, 65(5), 705–729; Steffensmeier, D. & Demuth, S. (2001). Ethnicity and Judges' Sentencing Decisions: Hispanic-Black-White Comparisons. *Criminology*, 39(1), 145–178; Spohn, S. C. (2000). Thirty Years of Sentencing Reform: The Quest for a Racially Neutral Sentencing Process. *Criminal Justice*, 3, 427–501. In federal cases, the sentencing disparities between **noncitizens** and **citizens** are even larger than those between people of color and whites.⁷²Light, M. T., Massoglia, M., & King, R. D. (2014). Citizenship and Punishment: The Salience of National Membership in U.S. Criminal Courts. *American Sociological Review*, 79(5) 825–847. The race penalty, research from the 1990s revealed, is harshest for certain categories of people and offenses: it particularly affects men and the young, and is more pronounced for **less serious offenses**. In effect, young black men are perceived as being more dangerous because of their race and socioeconomic characteristics.
- **Other members of the courtroom work group:** Unconscious racial bias has been found in many other corners of the criminal justice system. A study in Washington state found that in narrative reports used for sentencing, **juvenile probation officers** attributed the problems of white youth to their social environments but those of black youth to their attitudes and personalities.⁷³Hoytt, E. H., Schiraldi, V., Smith, B. V., & Ziedenberg, J. (2001). *Reducing Racial Disparities in Juvenile Detention* (2001) (<http://www.aecf.org/m/resourcedoc/aecf-Pathways8reducingracialdisparities-2001.pdf>). Baltimore, MD: Annie E. Casey Foundation. **Defense attorneys** may exhibit racial bias in how they triage their heavy caseloads.⁷⁴Rapping, J. A. (2013). Implicitly Unjust: How Defenders Can Affect Systemic Racist Assumptions. *New York University Journal of Legislation and Public Policy*, 16(4), 999–1048 (pp. 1022–42). Racially diverse **juries** deliberate longer and more thoroughly than all-white juries, and studies of capital trials have found that all-white juries are more likely than racially diverse juries to sentence individuals to death.⁷⁵Sommers, S. R. (2006). On Racial Diversity and Group Decision Making: Identifying Multiple Effects of Racial Composition on Jury Deliberations. *Journal of Personality and Social Psychology*, 90(4), 597–612; Bowers, W. J., Sandys, M., & Brewer, T. W. (2004). Crossing Racial Boundaries: A Closer Look at the Roots of Racial Bias in Capital Sentencing When the Defendant is Black and the Victim is White. *DePaul Law Review*, 53(4), 1497–1538. Studies of **mock jurors** have even shown that people exhibited skin-color bias in how they evaluated evidence: they were more likely to view ambiguous evidence as indication of guilt for darker skinned suspects than for those who were lighter skinned.⁷⁶Levinson, J. D. & Young, D. (2010). Different Shades of Bias: Skin Tone, Implicit Racial Bias, and Judgments of Ambiguous Evidence. *West Virginia Law Review*, 307–350. Finally, an investigation of disparities in **school discipline** – including rates of out-of-school suspensions and police referrals – led the Departments of Education and Justice to declare that the

substantial racial disparities in school discipline “are not explained by more frequent or more serious misbehavior by students of color,” but suggest racial discrimination.⁷⁷)Civil Rights Division, U.S. Department of Justice & Office for Civil Rights, U.S. Department of Education (2014). Dear Colleague Letter: Nondiscriminatory Administration of School Discipline (<http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201401-title-vi.pdf>).

3. Resource allocation decisions that disadvantage low-income people

Key segments of the criminal justice system are **underfunded**, leading to worse outcomes for low-income defendants, who are disproportionately people of color. Moreover, many criminal justice policies and practices **disadvantage** people with **limited resources**.

- Over 60% of people in jail are being detained prior to trial.⁷⁸)Minton & Golinelli (2014), note 6 above (p. 1). **Pretrial detention** has been shown to increase the odds of conviction, and people who are detained awaiting trial are also more likely to accept less favorable plea deals, to be sentenced to prison, and to receive longer sentences. Seventy percent of pretrial releases require **money bond**, an especially high hurdle for low-income defendants, who are disproportionately people of color.⁷⁹)Jones, C. E. (2013). “Give Us Free”: Addressing Racial Disparities in Bail Determinations. *New York University Journal of Legislation and Public Policy*, 16(4), 919–62 Blacks and Latinos are more likely than whites to be denied bail, to be set a higher money bond, and to be detained because they cannot pay their bond. They are often assessed to be higher safety and flight risks because they are more likely to experience socioeconomic disadvantage and to have criminal records. Implicit bias also contributes to people of color also faring worse than comparable whites in bail determinations.
- Most states inadequately fund their indigent defense programs. While there are many high-quality **public defender** offices, in far too many cases indigent individuals are represented by public defenders with excessively **high caseloads**, or by **assigned counsel** with **limited experience** in criminal defense.
- Certain policies disadvantage **lower income individuals**, who are disproportionately people of color. Examples include **risk assessments** that give preference to employed people, or **probation or parole requirements** to report at locations where there is little public transportation.
- Due to limitations in **publicly funded treatment options**, there are fewer sentencing alternatives available to low-income defendants, who cannot afford to pay for treatment programs as an alternative to confinement.
- **Community supervision** and **reentry** programs are underfunded, with too many parole and probation systems offering supervision with little support.

4. Criminal justice policies that exacerbate socioeconomic inequalities

Because the criminal justice system is an institution that primarily reacts to – rather than prevents – crime, it is ill-equipped to address many of the underlying causes of crime. But mass incarceration’s hold on vast **public resources and the obstacles** erected for people with criminal records further erode the economic and social buffers that prevent crime.

The best practices described in the following section are drawn from the following sources, unless otherwise stated: The Sentencing

- Reentry is obstructed by the **collateral consequences** of a criminal conviction. A criminal record creates overwhelming odds against securing steady employment.⁸⁰Pager, D. (2007). *Marked: Race, Crime, and Finding Work in an Era of Mass Incarceration*. Chicago, IL: University of Chicago Press. Moreover, those with felony drug convictions are disqualified from receiving federal cash assistance, food stamps, and publicly subsidized housing in many areas.⁸¹Mauer, M. & McCalmont, V. (2013). *A Lifetime of Punishment: The Impact of the Felony Drug Ban on Welfare Benefits* (/publications/a-lifetime-of-punishment-the-impact-of-the-felony-drug-ban-on-welfare-benefits). Washington, D.C.: The Sentencing Project. Combined with heightened surveillance, these obstacles contribute to three of four people released from prison arrested within 5 years, and half being re-imprisoned.⁸²Durose, M., Cooper, A., & Snyder, H. (2014). *Recidivism of Prisoners Released in 30 States in 2005: Patterns from 2005 to 2010* (<http://www.bjs.gov/content/pub/pdf/rprts05p0510.pdf>). Bureau of Justice Statistics. For a discussion of the potential criminogenic effects of high levels of incarceration, see: National Research Council (2014), note 45 above (pp. 288–97).
- Excessive spending on criminal justice programs limits public funds that can be allocated to **crime prevention** and **drug treatment**. Because of their higher rates of incarceration, victimization, and poverty, people of color are disproportionately affected by these shortcomings in policy.

These four features have created an unequal justice system. They contribute to blacks' and Latinos' high rates of contact with the police and disadvantage them throughout the criminal justice process. Excessive levels of control and punishment, particularly for people of color, are not advancing public safety goals and are damaging families and communities.⁸³See for example: Goffman, A. (2014) *On the Run: Fugitive Life in an American City*. Chicago, IL: The University of Chicago Press; Rios, V. M. (2011) *Punished: Policing the Lives of Black and Latino Boys*. New York, NY: New York University Press; Wakefield, S. & Wildeman, C. (2011). *Mass Imprisonment and Racial Disparities in Childhood Behavioral Problems*. *Criminology & Public Policy*, 10, 791–817; Braman, D. 2004. *Doing Time on the Outside: Incarceration and Family Life in Urban America*. Ann Arbor, MI: University of Michigan Press; Western, B. (2002). *The Impact of Incarceration on Wage Mobility and Inequality*. *American Sociological Review*, 67, 526–546. Consequently, although people of color experience more crime than whites, they are less supportive than whites of punitive crime control policies.⁸⁴Ghandnoosh (2014), note 32 above.

Project (2008). *Reducing Racial Disparity in the Criminal Justice System: A Manual for Practitioners and Policymakers* (/publications/reducing-racial-disparity-in-the-criminal-justice-system-a-manual-for-practitioners-and-policymakers). Washington, D.C. (pp. 11–57); Hoytt, E. H., Schiraldi, V., Smith, B. V., & Ziedenberg, J. (2001). *Reducing Racial Disparities in Juvenile Detention* (<http://www.aecf.org/m/resourcedoc/aecf-Pathways8reducingracialdisparities-2001.pdf>) (2001). Baltimore, MD: Annie E. Casey Foundation; Shoenberg, D. (2012). *Innovation Brief: Reducing Racial and Ethnic Disparities in Pennsylvania* (<http://www.modelsforchange.net/publications/351>). Chicago, IL: MacArthur Foundation; National Association of Counties (2011).

Juvenile Detention Reform: A Guide for County Officials, Second Edition (<http://www.aecf.org/m/resourcedoc/aecf-JuvDetentionReformForCountyOfficials-2011.pdf>); New York University Journal of Legislation and Public Policy (<http://www.nyuajlp.org/issues/volume-16-number-4/>) (2013). 16(4).]

IV. Best Practices for Reducing Racial Disparities

Jurisdictions around the country have implemented reforms to address these sources of inequality. This section showcases best practices from the adult and juvenile justice systems. In many cases, these reforms have produced demonstrable results.

1. Revise Policies and Laws with Disparate Racial Impact

Through careful data collection and analysis of racial disparities at various points throughout the criminal justice system, police departments, prosecutor's offices, courts, and lawmakers have been able to identify and address sources of racial bias.

Revise policies with disparate racial impact: Seattle; New York City; Florida's Miami-Dade and Broward County Public Schools; Los Angeles Unified School District.

- After criticism and lawsuits about racial disparities in its drug law enforcement, some precincts in and around Seattle have implemented a **pre-booking diversion strategy**: the **Law Enforcement Assisted Diversion program**.⁸⁵⁾Knafo, S. (2014). Change Of Habit: How Seattle Cops Fought An Addiction To Locking Up Drug Users (http://www.huffingtonpost.com/2014/08/28/seattle-lead-program_n_5697660.html?1409235508). *The Huffington Post*; Law Enforcement Assisted Diversion (<http://leadingcounty.org>). The program gives police officers the option of transferring individuals arrested on drug and prostitution charges to social services rather than sending them deeper into the criminal justice system.
- Successful litigation and the election of a mayor with a reform agenda effectively curbed “**stop and frisk**” policing in New York City.⁸⁶⁾Bostock, M, & Fessenden, F. (2014). ‘Stop-and-Frisk’ Is All but Gone From New York (<http://www.nytimes.com/interactive/2014/09/19/nyregion/stop-and-frisk-is-all-but-gone-from-new-york.html>). *The New York Times*. Mayor Bill de Blasio vowed that his administration would “not break the law to enforce the law” and significantly curbed a policy that was described by a federal judge as one of “indirect racial profiling.”⁸⁷⁾Press Office of the Mayor of New York City (2014). Mayor de Blasio Announces Agreement in Landmark Stop-And-Frisk Case (<http://www1.nyc.gov/office-of-the-mayor/news/726-14/mayor-de-blasio-agreement-landmark-stop-and-frisk-case#/0>); Goldstein, J. (2013). Judge Rejects New York's Stop-and-Frisk Policy (<http://www.nytimes.com/2013/08/13/nyregion/stop-and-frisk-practice-violated-rights-judge-rules.html>). *The New York Times*. Thus far, the reform has not had an adverse impact on crime rates.⁸⁸⁾Bostock & Fessenden (2014), note 86 above. In a related effort to address disparities in enforcement, the New York City Police Department stated it would **no longer make arrests for possession of small amounts of marijuana** but would instead treat these cases as non-criminal offenses subject to a fine rather than jail time.⁸⁹⁾Goldstein, J. (2014). Marijuana May Mean Ticket, Not Arrest, in New York City (http://www.nytimes.com/2014/11/10/nyregion/in-shift-police-dept-to-stop-low-level-marijuana-arrests-officials-say.html?_r=0). *The New York Times*. Yet experts worry that this policy does not go far enough to remedy unfair policing practices and may still impose problematic consequences on those who are ticketed.⁹⁰⁾Sayegh, G. (2014). Bratton and de Blasio's Small Step on Pot

(<http://www.nydailynews.com/opinion/gabriel-sayegh-bratton-de-blasio-small-step-pot-article-1.2007158>). *New York Daily News*; Editorial Board (2014). The Problem with New York's Marijuana Policy (<http://www.nytimes.com/2014/11/12/opinion/the-problem-with-new-yorks-marijuana-policy.html?smid=tw-share>). *The New York Times*; Thompson, K. (2014). Will Pot Pack New York's Courts? (<http://www.nytimes.com/2014/11/22/opinion/will-pot-pack-new-yorks-courts.html>) *The New York Times*.

- Several school districts have enacted **new school disciplinary policies** to reduce racial disparities in out-of-school-suspensions and police referrals. Reforms at Florida's Miami-Dade and Broward County Public Schools have cut school-based arrests by more than half in five years and significantly reduced suspensions.⁹¹Smiley, D. & Vasquez, M. (2013). Broward, Miami-Dade Work to Close the 'School-to-Prison Pipeline.' (<http://www.miamiherald.com/news/local/community/miami-dade/article1957319.html>) *Miami Herald*. In Los Angeles, the school district has nearly eliminated police-issued truancy tickets in the past four years and has enacted new disciplinary policies to reduce reliance on its school police department.⁹²Watanabe, T. (2013). LAUSD Issuing Far Fewer Truancy Tickets, Report Says (<http://articles.latimes.com/2013/nov/03/local/la-me-truancy-tickets-20131104>). *Los Angeles Times*; Medina, J. (2014). Los Angeles to Reduce Arrest Rate in Schools (<http://www.nytimes.com/2014/08/19/us/los-angeles-to-reduce-arrest-rate-in-schools.html>). *The New York Times*. School officials will now deal directly with students who deface property, fight, or get caught with tobacco on school grounds. Several other school districts around the country have begun to implement similar reforms.

Revise laws with disparate racial impact: Federal; Indiana; Illinois; Washington, D.C.

- The Fair Sentencing Act (FSA) of 2010 reduced from 100:1 to 18:1 the weight disparity in the amount of **powder cocaine versus crack cocaine** that triggers federal mandatory minimum sentences. If passed, the Smarter Sentencing Act would apply these reforms retroactively to people sentenced under the old law. California recently eliminated the crack-cocaine sentencing disparity for certain offenses, and Missouri reduced its disparity. Thirteen states still impose different sentences for crack and cocaine offenses.⁹³Porter, N. & Wright, V. (2011). Cracked Justice (/publications/cracked-justice). Washington, D.C.: The Sentencing Project.
- Indiana amended its **drug-free school zone sentencing laws** after the state's Supreme Court began reducing harsh sentences imposed under the law and a university study revealed its negative impact and limited effectiveness. The reform's components included reducing drug-free zones from 1,000 feet to 500 feet, eliminating them around public housing complexes and youth program centers, and adding a requirement that minors must be reasonably expected to be present when the underlying drug offense occurs. Connecticut, Delaware, Kentucky, Massachusetts, New Jersey, and South Carolina have also amended their laws.⁹⁴Porter & Clemons (2013), note 62 above.
- Through persistent efforts, advocates in Illinois secured the repeal of a 20-year-old law that required the **automatic transfer** to adult court of 15- and 16-year-olds accused of certain drug offenses **within 1,000 feet of a school or public housing**. A broad coalition behind the reform emphasized that the law was unnecessary and racially biased, causing youth of color to comprise 99% of those automatically transferred.
- Following a campaign that emphasized disparate racial enforcement of the law, a ballot initiative in Washington, D.C. may **legalize possession of small amounts of marijuana** in the district.⁹⁵Sebens, S. (2014). Voters Give Nod to Legal Marijuana in Oregon, Alaska, and Washington, D.C (<http://www.reuters.com/article/2014/11/05/us-usa-elections-marijuana-idUSKBN0I013620141105>). Reuters.

Address upstream disparities: New York City; Clayton County, GA.

- The District Attorney of Brooklyn, New York informed the New York Police Department that he would **stop prosecuting minor marijuana arrests** so that “individuals, and especially young people of color, do not become unfairly burdened and stigmatized by involvement in the criminal justice system for engaging in non-violent conduct that poses no threat of harm to persons or property.”⁹⁶Clifford, S. & Goldstein, J. (2014). Brooklyn Prosecutor Limits When He'll Target Marijuana (<http://www.nytimes.com/2014/07/09/nyregion/brooklyn-district-attorney-to-stop-prosecuting-low-level-marijuana-cases.html>). *The New York Times*.
- Following a two-year study conducted in partnership with the Vera Institute of Justice, Manhattan's District Attorney's office learned that its **plea guidelines** emphasizing **prior arrests** created racial disparities in plea offers. The office will conduct implicit bias training for its assistant prosecutors, and is being urged to revise its policy of tying plea offers to arrest histories.⁹⁷Kutateladze, B. (2014). Race and Prosecution in Manhattan (<http://www.vera.org/pubs/special/race-and-prosecution-manhattan>). New York, NY: Vera Institute of Justice; Editorial Board (2014). How Race Skews Prosecutions (<http://www.nytimes.com/2014/07/14/opinion/how-race-skews-prosecutions.html>). *The New York Times*.
- Officials in Clayton County, Georgia reduced **school-based juvenile court referrals** by creating a system of graduated sanctions to **standardize** consequences for youth who committed low-level misdemeanor offenses, who comprised the majority of school referrals. The reforms resulted in a 46% reduction in school-based referrals of African American youth.

Anticipate disparate impact of new policies: Iowa; Connecticut; Oregon; Minnesota.

- Iowa, Connecticut, and Oregon have passed legislation requiring a **racial impact analysis** before codifying a new crime or modifying the criminal penalty for an existing crime. Minnesota's sentencing commission electively conducts this analysis. This proactive approach of **anticipating disparate racial impact** could be extended to local laws and incorporated into police policies.

Revise risk assessment instruments: Multnomah County, OR; Minnesota's Fourth Judicial District.

- Jurisdictions have been able to reduce racial disparities in confinement by documenting racial bias inherent in certain **risk assessment instruments (RAI)** used for criminal justice decision making. The development of a new RAI in Multnomah County, Oregon led to a greater than 50% reduction in the number of youth detained and a near complete elimination of racial disparity in the proportion of delinquency referrals resulting in detention. Officials examined each element of the RAI through the lens of race and **eliminated known sources of bias**, such as references to “gang affiliation” since youth of color were disproportionately characterized as gang affiliates often simply due to where they lived.
- Similarly, a review of the **RAI** used in consideration of pretrial release in Minnesota's Fourth Judicial District helped reduce sources of racial bias. Three of the nine indicators in the instrument were found to be **correlated with race**, but were not **significant predictors** of pretrial offending or failure to appear in court. As a result, these factors were removed from the instrument.

2. Address Implicit Racial Bias Among Criminal Justice Professionals

In its comprehensive review of implicit racial bias research, the Kirwan Institute for the Study of Race and Ethnicity concludes that “education efforts aimed at raising awareness about implicit bias can help debias individuals.”⁹⁸Staats, C. (2014). *State of the Science: Implicit Bias Review 2014* (<http://kirwaninstitute.osu.edu/wp-content/uploads/2014/03/2014-implicit-bias.pdf>). Columbus, OH: Kirwan Institute. (pp. 20–1, 25–6, 33–6); Staats, C. (2013). *State of the Science: Implicit Bias Review 2013*. (http://www.kirwaninstitute.osu.edu/reports/2013/03_2013_SOTS-Implicit_Bias.pdf) Columbus, OH: Kirwan Institute. (pp. 53–63). Their review describes a number of debiasing strategies shown to reduce implicit racial bias in both experimental and non-experimental settings. These include providing exposure to counter-stereotypic imagery, increasing inter-racial contact and diversity, and monitoring outcomes to increase accountability. This section examines recent proposals to reduce bias in policing, as well as how jurisdictions have mitigated the negative impact of implicit bias in later stages of the justice system by establishing objective guidelines to standardize decision making, ensuring that decision-makers have access to the most complete information possible, and providing training on racial bias.

Address bias and excessive use of force among police officers: Connecticut; Maryland; Wisconsin; Austin, TX.

In addition to **reducing excessive police contact**, police departments must also improve the nature of this contact to **curb excessive use of force**. Because of their training and experience, police officers are less likely than the general public to mistakenly shoot at black unarmed suspects in experimental settings, and exhibit less bias in their response times.⁹⁹See notes 68 and 69 above. But it is unclear how these lab-based outcomes translate to real-world scenarios. Simulation studies have underscored the challenges in using officer training – especially exposure to counter-stereotypic imagery – to reduce racial bias in police officers’ response times.¹⁰⁰Sim, J., Correll, J., & Sadler, M. (2013). Understanding Police and Expert Performance: When Training Attenuates (vs. Exacerbates) Stereotypic Bias in the Decision to Shoot. *Personality and Social Psychology Bulletin*, 39(3), 291–304. Research on many recently proposed reforms to reduce racial bias in policing has been limited and mixed:

- Many police departments have struggled to **recruit and retain persons of color** in their ranks. Underrepresentation of people of color presents a barrier to building relationships with the communities they are sworn to serve.¹⁰¹Dewan, S. (2014). Mostly White Forces in Mostly Black Towns: Police Struggle for Racial Diversity (<http://www.nytimes.com/2014/09/10/us/for-small-police-departments-increasing-diversity-is-a-struggle.html>). *The New York Times*. See also: Ashkenas, J. & Park, H. (2014). The Race Gap in America’s Police Departments (<http://www.nytimes.com/interactive/2014/09/03/us/the-race-gap-in-americas-police-departments.html>). *The New York Times*. Survey data suggest that black officers may be more mindful than white officers of biased policing. A majority of black officers believe (and a majority of white officers disagree) that police treat whites better than people of color, and agree that police are more likely to use force against people of color than against whites.¹⁰²Weisburd, D. & Greenspan, R. (2002). Police Attitudes Toward Abuse of Authority: Findings From a National Study (<https://www.ncjrs.gov/pdffiles1/nij/181312.pdf>). National Institutes of Justice: Research Brief. (pp. 9–10). Yet a diverse police force alone is unlikely to remedy community-police relations. Studies have reached **conflicting conclusions** about the relationship between the race of officers and their likelihood of having used force.¹⁰³McElvain, J. & Kposowa, A. (2008). Police Officer Characteristics and the Likelihood of Using Deadly Force. *Criminal Justice and Behavior*, 35(4), 505–521; Alpert, G. & Dunham, R. (2000). Analysis of Police Use-of-Force Data (<https://www.ncjrs.gov/pdffiles1/nij/grants/183648.pdf>). Washington, D.C.: National Institute of Justice; Geller, W. & Karales, K.

(1981). Shootings of and by Chicago Police: Uncommon Crises. Part I: Shootings by Chicago Police (<http://www.jstor.org/stable/1143256>). *The Journal of Criminal Law and Criminology*, 72(4), 1813–1866.

- Some jurisdictions in the United States and abroad offer improved models for preventing excessive use of force, investigating claims, and ensuring police accountability. Connecticut, Maryland, and Wisconsin have passed laws requiring **special prosecutors** to handle cases of police misconduct in order to address the potential conflict of interest when local district attorneys prosecute the law enforcement officials with whom they work daily.¹⁰⁴Congressional Research Service (2014). Special Prosecutors: Investigations and Prosecutions of Police Use of Deadly Force (<http://www.fas.org/sgp/crs/misc/specpro.pdf>); Jawando, M. & Parsons, C. (2014). 4 Ideas That Could Begin to Reform the Criminal Justice System and Improve Police-Community Relations (<https://www.americanprogress.org/issues/civil-liberties/report/2014/12/18/103578/4-ideas-that-could-begin-to-reform-the-criminal-justice-system-and-improve-police-community-relations/>). Washington, D.C.: Center for American Progress; Alcindor, Y. (2014). Wis. bill mandates rules for officer-involved deaths (<http://www.usatoday.com/story/news/nation/2014/04/26/wis-bill-mandates-rules-for-officer-involved-deaths/8178905/>). *USA Today*. France and Spain have similar laws, requiring independent investigating magistrates for cases involving police use of deadly force.¹⁰⁵Winston, A. (2014). How Special Prosecutors Can Help Bring Police to Justice (<http://www.businessweek.com/articles/2014-12-11/how-special-prosecutors-can-help-bring-police-to-justice>). *Bloomberg Businessweek*. Given the considerable leeway given to police on when to use force within the “objectively reasonable” standard set forth by the Supreme Court,¹⁰⁶Alpert, G. & Smith, W. (1994). How Reasonable Is the Reasonable Man?: Police and Excessive Force. *Journal of Criminal Law and Criminology*, 85(2), 481–501. It is important to create clear guidelines that **curb excessive use of force**. Germany, for example, provides strict limitations on the use of force for petty offenses.¹⁰⁷Ayres, I. & Markovits, D. (2014). Ending Excessive Police Force Starts with New Rules of Engagement (http://www.washingtonpost.com/opinions/ending-excessive-police-force-starts-with-new-rules-of-engagement/2014/12/25/7fa379c0-8a1e-11e4-a085-34e9b9f09a58_story.html). *The Washington Post*. A case study of the Austin Police Department recommends a use of force policy that contains clear deadly force and less-lethal force guidelines, extensive police training in all force options, and an early warning system for identifying problem officers.¹⁰⁸Delgado, R. (2011). An Ideal Use of Force Model For Law Enforcement: An Assessment of the Austin Police Department (http://www.academia.edu/1193696/An_Ideal_Use_of_Force_Model_For_Law_Enforcement_An_Assessment_of_the_Austin_Police). Applied Research Projects, Texas State University-San Marcos. Once officers are deemed unqualified by their commanders, a process should be established to **remove problem officers and prevent those with a history of misconduct from transferring to other departments**.¹⁰⁹Dexheimer, E. & Plohetski, T. (2014). Town’s Police Force Highlights Struggle to Track Cops With a History (<http://www.mystatesman.com/news/news/towns-police-force-highlights-struggle-to-track-co/nfyfnf/#efb78a35.unknown.735371>). Austin America-Statesman. In addition, an independent **civilian review board** with the power to discipline officers should be established to oversee complaints filed by the public.
- There is currently growing interest in the potential for **body cameras** worn by officers to reduce their excessive use of force and increase accountability. Following the fatal police shooting in Ferguson, Missouri, President Obama has pledged to allocate \$75 million to the purchase of 50,000 body cameras.¹¹⁰Office of the Press Secretary (2014). Fact Sheet: Strengthening Community Policing (<http://www.whitehouse.gov/the-press-office/2014/12/01/fact-sheet-strengthening-community-policing>). The White House. **Research** on the effectiveness of these cameras, however, is both **limited and mixed**. There is some evidence that body cameras can reduce use of force by police, assaults on officers, and citizen complaints, by changing either police or citizen behavior.¹¹¹White, M. (2014). Police Officer Body-Worn Cameras: Assessing the Evidence

(<https://ojpdiagnosticcenter.org/sites/default/files/spotlight/download/Police%20Officer%20Body-Worn%20Cameras.pdf>). Washington, D.C.: Office of Community-Oriented Policing Services. Diagnostic Center, Office of Justice Programs; Ariel, B., Farrar, W. A., & Sutherland, A. (2014). The Effect of Police Body-Worn Cameras on Use of Force and Citizens' Complaints Against the Police: A Randomized Controlled Trial. *Journal of Quantitative Criminology*; Fossi-Garcia, C. & Lieberman, D. (2014). Investigation of 5 Cities Finds Body Cameras Usually Help Police (<http://fusion.net/story/31986/investigation-of-5-cities-finds-body-cameras-usually-help-police/>). Fusion. Yet as the non-indictment of NYPD officer Daniel Pantaleo for Eric Garner's death suggests, video footage of excessive police force does not ensure accountability. Meanwhile, this technology has raised concerns that body cameras may intrude on citizen privacy and exacerbate trauma among victims of crimes and accidents. Yet a number of civil rights organizations, including the American Civil Liberties Union, have generally expressed support for the use of body cameras, provided that they are governed by strict privacy policies.¹¹² Lovett, I. (2013). In California, a Champion for Police Cameras (<http://www.nytimes.com/2013/08/22/us/in-california-a-champion-for-police-cameras.html?pagewanted=all>). *The New York Times*. This year, Los Angeles will become the first major U.S. city to implement body camera technology widely.¹¹³ Mather, K. & Winton, R. (2014). LAPD's Plan for 7,000 Body Cameras Comes with Challenges (<http://www.latimes.com/local/lanow/la-me-ln-lapds-plan-for-7000-body-cameras-comes-with-challenges-20141216-story.html#page=1>). *Los Angeles Times*.

Eliminate racial disparities in charging decisions: Milwaukee County, WI; Mecklenburg County, NC; San Diego County, CA.

- The Vera Institute of Justice's Prosecution and Racial Justice program has worked with various jurisdictions to reduce unwarranted racial and ethnic disparities caused by **prosecutorial decision making**. In Milwaukee, prosecutors previously filed drug paraphernalia charges against 73% of black suspects but only 59% of white suspects.¹¹⁴ Davis, A. J. (2013). In Search of Racial Justice: The Role of the Prosecutor (<http://www.nyuylpp.org/wp-content/uploads/2014/01/Davis-In-Search-of-Racial-Justice-16nyujlpp821.pdf>). *New York University Journal of Legislation and Public Policy*, 16(4), 821–52. The prosecutor's office was able to eliminate these disparities by **reviewing data** on outcomes, **stressing diversion** to treatment or **dismissal**, and requiring attorneys to consult with supervisors prior to filing such charges.

Establish objective criteria and guidelines for decision making: Dorchester, MA; Multnomah County, OR; Saint Louis County, MN.

- In Dorchester, 52% of people of color arrested in a school zone for a drug crime received an enhanced charge, while only 15% of whites received such a charge. Based on these findings, judicial leadership worked with police and prosecutors to develop **guidelines** to more fairly handle **school zone cases**.
- Similarly, Multnomah County instituted a "**sanctions grid**" for probation violations that minimized **staff inconsistencies**, while encouraging youth sanctions other than secure detention. The changes resulted in an immediate reduction in the detention population and were part of a broader effort that largely eliminated the racial disparity in the proportion of referrals resulting in detention.
- When making bail determinations in Saint Louis County, Minnesota, judges did **not have access to a defendant's bail report**, which contained important personal background information, and relied exclusively on the name of the person arrested, the current charge, and the person's prior criminal history in the state. Local officials perceived the system to be biased against people of color, releasing

whites on their own recognizance twice as often as other racial groups, and imposing money bond on African Americans more often and in a greater amount than on whites. Racial disparities remained even when controlling for offense severity level, number of felony charges, and the defendant's criminal history. Changes were made so that in all felony cases, judges only made bail determinations once a bail report had been provided. The judges also received training on best practices in making bail determinations.

Address potential bias among jurors: Northern District of Iowa; North Carolina.

- U.S. District Court Judge Mark W. Bennett spends 25 minutes **discussing implicit bias** with the potential jurors in his court.¹¹⁵Kang, J., et al. (2012). Implicit Bias in the Courtroom (<http://www.uclalawreview.org/pdf/59-5-1.pdf>). UCLA Law Review, 59, 1124–1186 (pp. 1181–4). He shows video clips that demonstrate bias in hidden camera situations, gives specific instructions on avoiding bias, and asks jurors to sign a pledge. Although the impact of this approach has not been measured, mock jury studies have shown that increasing the salience of race and making jurors more conscious of their biases reduces biased decision making.¹¹⁶Sommers, S. R. & Ellsworth, P. C. (2001). White Juror Bias: An Investigation of Prejudice Against Black Defendants in the American Courtroom. Psychology, Public Policy, and Law, 7(1), 201–229.
- North Carolina's **Racial Justice Act** enabled commutation of death sentences based on statistical evidence that race had played a role in sentencing. Four death sentences were commuted to life without parole. But as a result of divisive state politics on the issue, the legislature subsequently repealed the law.

3. Reallocate Resources to Create a Level Playing Field

Investing in alternatives to incarceration and limiting the financial outlays required from defendants have helped to reduce the disadvantage of low-income people of color in the criminal justice system.

Increase pretrial release: New Jersey; Cook County, IL.

- In 2014, New Jersey reformed its bail system to **emphasize risk assessment over monetary bail** in pretrial release decisions. Previously, all defendants were detained based on their ability to post bail, regardless of their risk level. The new set of laws, which includes a constitutional amendment approved by voters, expands judicial discretion to set the terms of pretrial release and provides judges with **broader nonmonetary pretrial release options**. Judges may now release lower-risk indigent individuals who cannot afford bail and may deny pretrial release for high-risk individuals.¹¹⁷American Civil Liberties Union of New Jersey (2014). ACLU-NJ Hails Passage of NJ Bail Reform as Historic Day for Civil Rights (<https://www.aclu.org/criminal-law-reform/aclu-nj-hails-passage-nj-bail-reform-historic-day-civil-rights>). Newark, NJ. All defendants will undergo a risk assessment before their bail hearing and monetary bail may only be set if it is determined that no other conditions of release will assure their appearance in court. In addition, the legislation established time limits to ensure more speedy trials and guarantees defendants the right to counsel at their pretrial detention hearings.¹¹⁸New Jersey Senate Bill 946 (2014). 216th Session (http://www.njleg.state.nj.us/2014/Bills/PL14/31_.PDF).
- Appointed counsel is under-resourced and often struggles to **gather information supporting pretrial release** to present at custody or bail hearings. The Cook County Public Defender's Office established the Detention Response Unit in 1996 to improve case outcomes

for youth of color. The unit consisted of two paralegals who interviewed detained youth prior to their custody hearings. The paralegals helped add a larger social narrative to the court process by checking on community ties and stressing to families the importance of attending the custody hearing.

Establish alternatives to incarceration for low-income individuals: Berks County, PA; Illinois; Rock County, WI; Union County, NC.

- In Berks County, PA, officials were able to reduce the number of youth in secure detention – most of whom were youth of color – by 67% between 2007 and 2012 in part by **increasing reliance on alternatives**. These included non-secure shelters for youth who cannot safely return home but did not require locked detention, evening reporting centers, electronic monitoring, and expanded use of evidence-based treatment programs. Because many of these youth had committed technical violations of their probation terms, this broader range of alternatives made it possible to keep them out of detention without harming public safety.
- In 2004, Illinois **expanded alternative community programs** and decreased reliance on detention. By 2007, detentions had been reduced by 44% across the state's four pilot sites. The sites created a wide variety of programs, including Aggression Replacement Training, Functional Family Therapy, a community restorative board, teen court, and substance abuse treatment. For every \$1 spent on the programs, \$3.55 in incarceration costs were avoided.
- Other jurisdictions have reduced the proportion of youth of color in detention by **adopting graduated sanctions** for probation violations. In Rock County, WI, graduated sanctions and incentives for probation violators, such as Aggression Replacement Training and evening reporting, helped drop the percentage of youth of color in the total detention population from 71% to 30%. Similarly, in Union County, NC, the use of graduated sanctions for youth who violated probation helped to decrease the representation of youth of color in the total detention population by 32%.

Offer Spanish language resources: Maricopa County, AZ; Santa Cruz County, CA

- Maricopa County significantly improved outcomes in the Driving Under the Influence (DUI) Court, by creating a separate **Spanish-speaking court**. The court achieved an 88% graduation rate, higher than the 66% rate for participants in English-speaking DUI court. Graduates of the DUI court have to complete at least 20 weeks of treatment, education, and counseling, reach 6 months of sobriety, and be attending school or employed.
- Santa Cruz County's probation department addressed difficulties of communicating with Latino families by increasing the number of Spanish-speaking staff to match the proportion of such youth at the detention center. The department also doubled the number of youth diversions by **creating programs** to meet the needs of Latino youth, designing programs to meet regional needs across the county, and **expanding bilingual staff** at a local community provider. Overall, these efforts helped lead to a 25% reduction in the average daily detention population, and a simultaneous 22% reduction in the Latino representation in the juvenile hall population.

4. Revise Policies that Exacerbate Socioeconomic Inequalities and Redirect Public Spending Toward Crime Prevention and Drug Treatment

While the criminal justice system is not well-positioned to address the socioeconomic inequality that contributes to differential crime rates, it should not aggravate these conditions.¹¹⁹⁾Criminal justice professionals and lawmakers can also help to advance effective crime-prevention programs include the following: The Sentencing Project (2013). Ending Mass Incarceration: Social Interventions that Work (/publications/ending-mass-incarceration-social-interventions-that-work). Washington, D.C. Advocates have had success in downsizing and redirecting criminal justice spending, increasing utilization of existing resources, and limiting the collateral consequences of criminal convictions.

Expand and maximize utilization of available community resources: California; Pima County, AZ.

- California voters in November 2014 approved Proposition 47, which reclassifies a number of low-level offenses from felonies to misdemeanors.¹²⁰⁾California Secretary of State (2014). Prop 47: Criminal Sentences. Misdemeanor Penalties. Official Voter Information Guide (<http://www.voterguide.sos.ca.gov/en/propositions/47/analysis.htm>). This allows 10,000 incarcerated individuals to petition to have their sentences reduced. Moreover, a significant portion of projected state prison savings each year will be allocated to preventing crime from happening in the first place. This includes **investments in mental health and substance abuse treatment**, programs to reduce **school truancy** and **prevent dropouts**, and support for **victim services**.
- Officials and community groups in Pima County, AZ, helped to increase the utilization of community resources by creating geocoded maps to identify communities with high proportions of youth referred to detention and then developing **community asset maps** to find available program services for at-risk youth in those areas.

Limit the collateral consequences of criminal convictions: Numerous states and localities.

- A criminal record is a **strong barrier to employment**, and therefore to successful reentry. In 2012, the **Equal Employment Opportunity Commission** warned employers that they may be liable under Title VII of the Civil Rights Act of 1964 if they uniformly administer “a criminal background check that disproportionately excludes people of a particular race, national origin, or other protected characteristic” when it is not related to the job or necessary for the business.¹²¹⁾U.S. Equal Employment Opportunity Commission (2012). EEOC Enforcement Guidance: Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964 (http://www.eeoc.gov/laws/guidance/arrest_conviction.cfm). On related enforcement struggles, see: Hall, B. (2013). EEOC’S Campaign Against Criminal Background Checks Takes Recent Hits (<http://www.employerlawreport.com/2013/10/articles/eo/eocsc-campaign-against-criminal-background-checks-takes-recent-hits/#axzz2i0SMS500>). Employer Law Report; and Berrien, J. (2013). What You Should Know: EEOC’s Response to Letter from State Attorneys General on Use of Criminal Background Checks in Employment (http://www.eeoc.gov/eeoc/newsroom/wysk/criminal_background_checks.cfm). Washington, D.C.: U.S. Equal Employment Opportunity Commission. To reduce barriers to employment for those with criminal records, many jurisdictions have passed laws or issued administrative orders to “**Ban the Box**” – or remove the question about conviction history from initial job applications and delay a background check until later in the hiring process.¹²²⁾National Employment Law Project (2015). Ban the Box: Resource Guide. New York, NY (<http://www.nelp.org/page/-/SCLP/Ban-the-Box-Fair-Chance-State-and-Local-Guide.pdf?nocdn=1>). Twelve states – including Maryland, Illinois, and California – and 60 cities – including Atlanta and New York City – have passed these reforms. More broadly, 41

states and the District of Columbia have enacted some form of legislation to reduce collateral consequences.¹²³Subramanian, R., Moreno, R., & Gebreselassie, S. (2014). *Relief in Sight? States Rethink the Collateral Consequences of Criminal Conviction, 2009-2014* (<http://www.vera.org/sites/default/files/resources/downloads/states-rethink-collateral-consequences-report-v3.pdf>). New York, NY: Vera Institute of Justice.

- Advocates have been urging states to end denial of **federal cash assistance and food stamp benefits** for people convicted in state or federal courts of felony drug offenses. These bans primarily affect low-income women of color.¹²⁴Mauer & McCalmont (2013), note 81 above. The 1996 Personal Responsibility and Work Opportunity Reconciliation Act that created the ban also permitted states to **opt out or modify** its terms. To date, 13 states have fully opted out of the cash assistance ban and nine from the food stamp ban. Others have opted out in part through smaller changes, such as making access dependent on type of drug offense or enrollment in treatment.
- In recent years, advocates have worked to address **housing insecurity** for persons with convictions. In 2011, the federal **Department of Housing and Urban Development** began urging public housing agencies to relax admission policies in an effort to help people released from prison reunite with their families.¹²⁵Donovan, S. & Henriquez, S. (2011). Letter to PHA Executive Director (http://www.asca.net/system/assets/attachments/4359/HUD_letter_6.23.11.pdf?1333657583). U.S. Department of Housing and Urban Development. Litigation underway in Kansas City and New York City strives to address exclusionary housing policies in the **private rental market**.¹²⁶Navarro, M. (2014). Lawsuit Says Rental Complex in Queens Excludes Ex-Offenders (<http://www.nytimes.com/2014/10/31/nyregion/lawsuit-says-rental-complex-in-queens-excludes-ex-offenders.html>). *The New York Times*.
- Since 1997, 23 states, including New Mexico, Rhode Island, and Virginia, have enacted reforms to expand **voter eligibility** for people with felony convictions.¹²⁷Porter, N. (2010). *Expanding the Vote: State Felony Disenfranchisement Reform, 1997-2010* (/publications/expanding-the-vote-state-felony-disenfranchisement-reform-1997-2010). Washington, D.C.: The Sentencing Project. Felony disenfranchisement policies have had a disproportionate impact on communities of color, with black adults four times more likely to lose their voting rights than the rest of the adult population.¹²⁸Chung, J. (2014). *Felony Disenfranchisement: A Primer* (/publications/felony-disenfranchisement-a-primer). Washington, D.C.: The Sentencing Project.

V. Implementation Strategies and Metrics for Success

Policymakers and practitioners can draw on lessons from these reforms to develop successful implementation strategies and sound evaluation metrics.¹²⁹For an elaboration of these points, see Mauer, M. & Ghandnoosh, N. (2014). *Incorporating Racial Equity into Criminal Justice Reform*. Washington, D.C.: The Sentencing Project. (pp. 1–4, 14–19).

All key decision-makers and interested parties – policymakers, practitioners, community groups, and formerly incarcerated individuals – should be included in the development and implementation of reforms. This collective approach can identify sources of disparity, develop solutions and weigh their costs, carry out implementation, and establish monitoring and accountability practices. Institutionalizing reforms in this way can also ensure that they are sustainably funded and implemented. In addition, public education can expand demand and support for reforms.

Analyzing the impact of reforms to address racial disparity within the justice system requires not only access to comprehensive data, but

A key question is whether an initiative should be designed to reduce the total number of people of color in the justice system (in absolute count or as a rate) or the relative ratio of racial disparity (a comparison of rates of contact with the justice system).

also a framework for measuring success. A key question is whether an initiative should be designed to reduce the *total number* of people of color in the justice system (in absolute count or as a rate) or the *relative ratio of racial disparity* (a comparison of rates of contact with the justice system). These are both laudable goals, but with potentially very different outcomes. Just as it is possible to reduce the absolute level of imprisonment without reducing racial disparity (for example, if both white and black incarceration rates were equally reduced), so is it possible to reduce racial disparities without affecting incarceration levels (for example, if the white incarceration rate rose while the black incarceration rate remained constant).

A recent study of the juvenile justice system illustrates these dynamics. The National Council on Crime and Delinquency analyzed data from five geographically diverse counties engaged in juvenile justice reform in the period 2002–2012, a period when the number of juveniles in residential placement nationally declined by about 40%. The study found that of the juveniles placed in secure confinement during this period, the proportion who were youth of color increased from 12.4% in 2002 to 22.3% in 2012. While it is troubling that the racial disparity has increased, there are nonetheless far fewer African Americans (and whites) behind bars. From the perspective of reducing the consequences of criminal justice control over people of color, such a development has been constructive overall.

VI. Conclusion

Despite substantial progress in achieving racial justice in American society over the past half century, racial disparities in the criminal justice system have persisted and worsened in many respects. Among African American men born just after World War II, 15% of those without a high school degree were imprisoned by their mid-30s.¹³⁰ National Research Council (2014), note 45 above (pp. 67–8). For those born in the 1970s, 68% were imprisoned by their mid-30s.

The country has made progress on these issues in recent years. New York and other large states have significantly reduced their prison populations¹³¹ Mauer, M. & Ghandnoosh, N. (2014). *Fewer Prisoners, Less Crime: A Tale of Three States* (/publications/fewer-prisoners-less-crime-a-tale-of-three-states). Washington, D.C.: The Sentencing Project; Greene, J. & Mauer, M. (2010). *Downscaling Prisons: Lessons from Four States* (/publications/downscaling-prisons-lessons-from-four-states). Washington, D.C.: The Sentencing Project. and the juvenile justice system has reduced youth confinement and detention by over 40% since 2001.¹³² See Sickmund, M., Sladky, T. J., Kang, W., & Puzanchera, C. (2013). *Easy Access to the Census of Juveniles in Residential Placement* (<http://www.ojjdp.gov/ojstatbb/ezacjrp/>). Pittsburgh, PA: National Center for Juvenile Justice. The racial gap in incarceration rates has begun to narrow¹³³ Mauer (2009), note 61 above. and police departments in many cities are increasingly diverse.¹³⁴ Bureau of Justice Statistics (2010). *Local Police Departments, 2007* (<http://www.bjs.gov/content/pub/pdf/lpd07.pdf>). (p. 14, Figure 9). The Garner case has

sensitized many white Americans to problems in the justice system, with 47% of whites nationwide and half in New York City stating that the officer should have been indicted.¹³⁵Pew Research Center (2014). Sharp Racial Divisions in Reactions to Brown, Garner Decisions (<http://www.people-press.org/2014/12/08/sharp-racial-divisions-in-reactions-to-brown-garner-decisions/>). Washington, D.C; Blain, G. (2014). Nearly Two-Thirds of New Yorkers Believe Officer Daniel Pantaleo Should be Charged in the Death of Eric Garner: Poll (<http://www.nydailynews.com/new-york/two-thirds-new-yorkers-wanted-charges-eric-garner-case-article-1.2043869>). *New York Daily News*. Finally, proper enforcement of the recently reauthorized Death in Custody Reporting Act can ensure accurate data on future police use of lethal force.¹³⁶Editorial Board (2014). The Country Should Know How Many People Die in Police Custody (http://www.washingtonpost.com/opinions/the-country-should-know-how-many-people-die-in-police-custody/2014/12/23/99a343f2-86fc-11e4-a702-fa31ff4ae98e_story.html). *The Washington Post*.

But demonstrators have echoed Garner’s final words – “I can’t breathe” – and the message attributed to Brown – “hands up, don’t shoot” – in public protests because there is much left to do.

As proven by the jurisdictions highlighted in this report, reforms can improve criminal justice outcomes by targeting the four key causes of racial disparity: disparate racial impact of laws and policies, racial bias in the discretion of criminal justice professionals, resource allocation decisions that disadvantage low-income people, and policies that exacerbate socioeconomic inequalities. We must now expand the scale and increase the speed of these efforts.

Footnotes [+]

DOWNLOAD PDF  ([HTTPS://WWW.SENTENCINGPROJECT.ORG/WP-CONTENT/UPLOADS/2015/11/BLACK-LIVES-MATTER.PDF](https://www.sentencingproject.org/wp-content/uploads/2015/11/black-lives-matter.pdf))

SENTENCING POLICY ([HTTPS://WWW.SENTENCINGPROJECT.ORG/ISSUES/SENTENCING-POLICY/](https://www.sentencingproject.org/issues/sentencing-policy/))

INCARCERATION ([HTTPS://WWW.SENTENCINGPROJECT.ORG/ISSUES/INCARCERATION/](https://www.sentencingproject.org/issues/incarceration/))

FELONY DISENFRANCHISEMENT ([HTTPS://WWW.SENTENCINGPROJECT.ORG/ISSUES/FELONY-DISENFRANCHISEMENT/](https://www.sentencingproject.org/issues/felony-disenfranchisement/))

RACIAL DISPARITY ([HTTPS://WWW.SENTENCINGPROJECT.ORG/ISSUES/RACIAL-DISPARITY/](https://www.sentencingproject.org/issues/racial-disparity/))

DRUG POLICY ([HTTPS://WWW.SENTENCINGPROJECT.ORG/ISSUES/DRUG-POLICY/](https://www.sentencingproject.org/issues/drug-policy/))

JUVENILE JUSTICE ([HTTPS://WWW.SENTENCINGPROJECT.ORG/ISSUES/JUVENILE-JUSTICE/](https://www.sentencingproject.org/issues/juvenile-justice/))
WOMEN ([HTTPS://WWW.SENTENCINGPROJECT.ORG/ISSUES/WOMEN/](https://www.sentencingproject.org/issues/women/))
COLLATERAL CONSEQUENCES ([HTTPS://WWW.SENTENCINGPROJECT.ORG/ISSUES/COLLATERAL-CONSEQUENCES/](https://www.sentencingproject.org/issues/collateral-consequences/))

Related Posts

NEWS



JULY 20, 2020

State Advocacy News: Emergency Sessions Offer Pathway to Justice Reform

(<https://www.sentencingproject.org/news/state-advocacy-news-emergency-sessions-offer-pathway-justice-reform/>)

Nearly one third of states have convened emergency sessions in response to COVID-19 or policing issues. Special or emergency sessions may offer criminal justice reform coalitions an opportunity to advance decarceration priorities, address racial disparities, and challenge collateral consequences.

LIFE SENTENCES ([HTTPS://WWW.SENTENCINGPROJECT.ORG/ISSUES/LIFE-SENTENCES/](https://www.sentencingproject.org/issues/life-sentences/))

SENTENCING POLICY ([HTTPS://WWW.SENTENCINGPROJECT.ORG/ISSUES/SENTENCING-POLICY/](https://www.sentencingproject.org/issues/sentencing-policy/))

INCARCERATION ([HTTPS://WWW.SENTENCINGPROJECT.ORG/ISSUES/INCARCERATION/](https://www.sentencingproject.org/issues/incarceration/))

FELONY DISENFRANCHISEMENT ([HTTPS://WWW.SENTENCINGPROJECT.ORG/ISSUES/FELONY-DISENFRANCHISEMENT/](https://www.sentencingproject.org/issues/felony-disenfranchisement/))

RACIAL DISPARITY ([HTTPS://WWW.SENTENCINGPROJECT.ORG/ISSUES/RACIAL-DISPARITY/](https://www.sentencingproject.org/issues/racial-disparity/))

NEWS



JULY 09, 2020

Race & Justice News: School Districts Defund the Police

(<https://www.sentencingproject.org/news/race-justice-news-school-districts-defund-police/>)

School districts across the nation defund the police, California disproportionately excludes Black and Latinx jurors, US protests for George Floyd spark global activism, and more in *Race & Justice News*.

SENTENCING POLICY ([HTTPS://WWW.SENTENCINGPROJECT.ORG/ISSUES/SENTENCING-POLICY/](https://www.sentencingproject.org/issues/sentencing-policy/))

RACIAL DISPARITY ([HTTPS://WWW.SENTENCINGPROJECT.ORG/ISSUES/RACIAL-DISPARITY/](https://www.sentencingproject.org/issues/racial-disparity/))

JUVENILE JUSTICE ([HTTPS://WWW.SENTENCINGPROJECT.ORG/ISSUES/JUVENILE-JUSTICE/](https://www.sentencingproject.org/issues/juvenile-justice/))

OUR ISSUES

Sentencing Policy (<https://www.sentencingproject.org/issues/sentencing-policy/>)

Incarceration (<https://www.sentencingproject.org/issues/incarceration/>)

Racial Disparity (<https://www.sentencingproject.org/issues/racial-disparity/>)

Drug Policy (<https://www.sentencingproject.org/issues/drug-policy/>)

Juvenile Justice (<https://www.sentencingproject.org/issues/juvenile-justice/>)

Felony Disenfranchisement (<https://www.sentencingproject.org/issues/felony-disenfranchisement/>)

THE FACTS

Criminal Justice Facts (<https://www.sentencingproject.org/criminal-justice-facts/>)

State-by-State Data (<https://www.sentencingproject.org/the-facts/>)

TAKE ACTION

Overview (</actions>)

Donate (<https://www.sentencingproject.org/donate/>)

Women (<https://www.sentencingproject.org/issues/women/>)

Collateral Consequences (<https://www.sentencingproject.org/issues/collateral-consequences/>)

ABOUT US

Overview (<https://www.sentencingproject.org/about-us/>)

Events (</events>)

Staff & Board (</staff>)

Employment & Internships (<https://www.sentencingproject.org/employment-internships/>)

Annual Reports & Newsletters (<https://www.sentencingproject.org/annual-reports-newsletters/>)

Contact Us (<https://www.sentencingproject.org/contact/>)

State Contacts (<https://www.sentencingproject.org/state-contacts/>)

QUICK LINKS

All News (</?filter=news>)

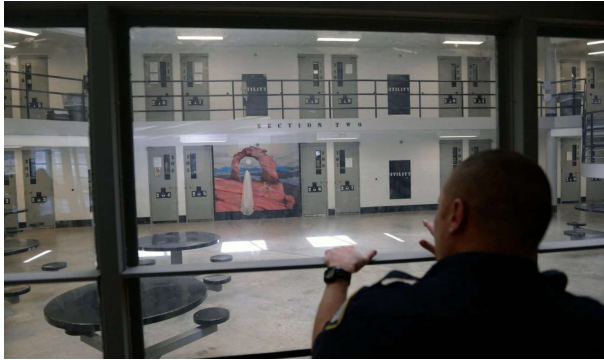
All Publications (</?filter=publications>)

Contact Us (<https://www.sentencingproject.org/contact/>)

Donate (<https://www.sentencingproject.org/donate/>)

ATTACHMENT 7

Utah offenders can now raise issues of race and bias at their sentencing



(Al Hartmann | Tribune file photo) A Utah State Corrections officer looks through glass at a wing of cells in the Oquirrh unit at the Utah State Prison in Draper in 2014.



By Jessica Miller

Published: July 25
Updated: July 25, 2020

Minorities who have been charged with crimes in Utah can now argue that they should get a more lenient sentence if they can show they have been affected by racial bias in the criminal justice system.

The Utah Sentencing Commission approved the new guideline in January — but it doesn't appear that many defense attorneys have tried to make the argument in court yet.

At a sentencing hearing, judges generally look at many factors, such as a defendant's age or their criminal history. Now, defense attorneys can also bring up racial issues as they argue for leniency.

Marshall Thompson, who now works with the Board of Pardons, was the director of the sentencing commission when members first debated the rule last fall. He said recently that, though it's a small tweak, he hopes it will have a positive impact in

addressing racial inequities in Utah.

“If police or anyone else in the criminal justice system displayed some bias in a specific case, a sentencing judge could mitigate the sentence,” he said. “Just knowing that you could be held accountable for racial bias at sentencing will hopefully bring some improvements, even if it isn’t ultimately argued in court.”

The move came after state data showed a troubling trend: Despite sweeping criminal justice reforms passed by Utah legislators in 2015, the percentage of racial minorities among new prisoners was on the rise.

The 2015 legislation, intended to reduce a bloated prison population and emphasize rehabilitation, did help some offenders — but they were mostly white people.

Data showed in the year before the reform, 34% of new prisoners were ethnic minorities. Three years later, that jumped to more than 43%.

It dipped slightly the following year, but the number alarmed Utah officials and prompted the rule change that would allow judges to take a defendant’s race into account when deciding punishment.

The guidelines say someone must convince a judge that the offender’s minority group is overrepresented in Utah’s prison, and there is some reason to believe that bias — whether conscious or unconscious — affected the case.

It should be assumed that all bias is unconscious, the guideline states, meaning that someone did not intend to treat someone differently because of race. But the guideline notes that even if a bias wasn’t intentional, it still has the same damaging effect.

University of Utah law professor Shima Baradaran Baughman said the guideline is a good idea in theory, saying some judges might be sympathetic to the argument that racial bias contributed to someone’s arrest and conviction. But it could backfire with a judge less swayed by the new rule.

“This could be one step we take in Utah — among many other needed steps — to ensure racial parity in criminal justice,” Baughman said.

SUBSCRIBE DONATE NEWSLETTERS

The law professor noted implicit racial bias is “an everyday part of life,” and that extends to the criminal justice system. The clearest case of bias, she said, is with an arrest: Studies have shown that police are more likely to arrest people of color for crimes committed at roughly the same rate by white people, like drugs or speeding.

“These initial interactions with police can lead to a criminal record that then enters more people of color into the criminal justice system,” Baughman said. “Once people of color enter the criminal justice system — with an arrest or conviction — it is difficult for them to get a fair shake.”

Baughman said she and other academics have proposed removing racial identification from police reports, so prosecutors are blind to race when making charging decisions. That practice is already being used in the San Francisco district attorney’s office.


When Utah’s rule change was proposed last year, some involved in the state’s criminal justice system expressed concern that it doesn’t provide enough guidance. There’s concern that it will be impossible for a defense attorney or overworked public defender to actually prove bias in the courtroom. And some asked: Would it be unfair to treat minorities differently and punish them less harshly than white people for the same crimes?

Jason Groth, with the American Civil Liberties Union of Utah, said the proposed change addresses the symptoms of racial bias but doesn’t address the root causes. There should be more data publicly available, he said, not just about who ends up in prison. Are people of color arrested more often in certain neighborhoods? Do white people get better plea deals than minorities? That’s the data that should be used, he said, in deciding policy changes to address racial disparities. But that kind of data is not readily available in many Utah police stations and prosecutor offices.


Absent that information, Groth predicts it may be tough for a defense attorney to successfully argue that their client was treated differently because of unconscious bias.

SUBSCRIBE DONATE NEWSLETTERS

“Implicit bias is going to be extremely hard to show without data analysis,” he said. “It’s really hard to figure out what’s going on in someone’s brain.”




FEATURED COMMENTS



67
MelloVox

So the people in prison were unjustly convicted based on race and committed no crime ?



90
dan76

'It should be assumed that all bias is unconscious, the guideline states, meaning that someone did not intend to treat someone differently because of race.'
Interesting.

[View all 16 comments](#)



jmiller@sltrib.com

 Follow @jm_miller

[Donate to the newsroom now.](#)