

## **Appendix A to An Analysis of Texas Jail Bookings: Methodology**

### **Data Collection**

Beginning in July 2017, Texas Appleseed requested jail booking data from Sheriff's Departments in the 25 largest counties in Texas through Open Records Requests pursuant to the Texas Public Information Act. We requested data from the 25 largest counties for two reasons: (1) because they represent 76% of the Texas population, and (2) because large counties likely have more resources and are more able to respond to large requests for information. We requested complete records for anyone booked into each county jail for 2015 and 2016, including:

- Booking number
- Name
- Address
- Age
- Race
- Sex
- Arrest date
- Arresting agency
- Warrant information
- Booking date
- Charges
- Charge level (i.e., Class A, B, or C Misdemeanor, 1st degree felony, etc.)
- Court
- Release date
- Release reason
- Bond type
- Bond amount
- Disposition

In April of 2018, we sent data requests again to include jail booking information for 2017. In total, we received some level of information from 18 counties. Two of these 18 counties (Dallas and Montgomery) did not provide updated information for 2017 jail bookings, but their data for 2016 jail bookings was complete and so they were used in the report. Most counties provided the information free of cost. However, wherever necessary and within reason, Texas Appleseed paid for modest processing fees such as hourly staff time. We had to cancel requests for a couple of counties due to high costs, for example, one county estimated the cost to produce such information would be \$1,170. Other counties either engaged the Texas Attorney General's office for clarification regarding their obligation to provide data or did not respond to the request at all.

## Processing the Data

The data that we received from counties varied in its completion and usability. Generally, we used any county data that provided booking number, offense, charge level, race or ethnicity, age, date of booking, date of release, and bond information. As a result, 10 counties were used in analyses. Two additional counties that lacked only charge level information were added onto analyses after additional processing (see below). Texas Appleseed hired a data consultant to clean and create a master spreadsheet combining all county data. The consultant standardized the data across counties, formatting data such as race/ethnicity and length of stay (i.e., booking date minus release date) uniformly across all files.

*Tarrant County and Jefferson County Additional Processing* Both Tarrant County and Jefferson County provided nearly complete data, but were missing charge level. In order to estimate charge level, the top 100 most common charges in Tarrant County and in Jefferson County were compared to the most common charges and charge level for all 10 other counties. We then manually coded the charges to match the most common charge level for all other counties (e.g., a charge of Possession of Marijuana <2 oz was most commonly charged as a Class B misdemeanor in the other 10 counties and so was charged as a Class B misdemeanor in the Tarrant County and Jefferson County datasets). In total, 72% of Tarrant County charges and 84% of Jefferson County charges were coded in this way.

*Leading Charge* To calculate leading charge, each charge level was ranked in order of severity (i.e., Misdemeanor C, Misdemeanor B, Misdemeanor A, unknown misdemeanor, state jail felony, felony 3, felony 2, felony 1, unknown felony, capital felony). Some charges were labeled as misdemeanors or felonies but did not have a level, these charges were classified as the most severe within misdemeanors if it was an unknown misdemeanor and just below capital felonies if it was an unknown felony. The highest charge per each booking was then used as the leading charge (i.e., if a booking event had 3 charges - misdemeanor A, misdemeanor C, and state jail felony, the leading charge would be a state jail felony). If a booking event had a missing charge level, the leading charge was categorized as missing. There were 22,321 bookings with a missing leading charge (7% of all bookings).

*Race and Ethnicity* Most counties provided at least some level of information on race, but only three counties provided information on ethnicity. Therefore, we were not able to calculate the rates of Hispanic jail bookings for many counties. As a result, any comparison between Black and Non-Hispanic White jail bookings were only conducted for the three counties that provided ethnicity and race data.

*Data Discrepancies* There were some data discrepancies that are important to note in this dataset. In McLennan County there appeared to be a large number of Class C

misdemeanor bookings as compared to other counties (McLennan had around 60% of their bookings as Class C misdemeanors, whereas other counties were closer to 30%). Upon further investigation of these bookings, it appeared that some charges were coded as Class C misdemeanor bookings but are likely not actually Class C misdemeanors. For example, there were a number of assault charges coded as Class C misdemeanors though they are all likely Class A misdemeanors. As a result, McLennan County data for charge level was not used in analyses that specify charge level, but the data is used for total bookings and count of offenses.

Similarly, in El Paso County anyone who had an out-of-state warrant was coded as a fugitive from justice and given a capital felony code. However, the actual charge that resulted in the out-of-state warrant may not have been for a capital felony.

Galveston County did not provide release date and so was not used in any length of stay calculations. Lastly, Fort Bend County provided data in PDF form. Data was scraped from PDFs into a spreadsheet, which resulted in some missing charge levels (~20% missing).

All data processing and analysis were conducted in R or Excel.

## Data Inventory

Sheriff's Department	Booking number	Charge	Charge level	Booking date	Release date	Race	Ethnicity	Gender	Notes
Bell County	X	X	X	X	X	X	X	X	
Collin County	X	X	X	X	X	X	X	X	
Dallas County (2016)	X	X	X	X	X	X		X	
El Paso County	X	X	X	X	X	X	X	X	Codes all out-of-state warrants as capital felonies
Fort Bend County	X	X	X	X	X	X		X	Had to scrape from PDFs resulting in some missing charge levels
Galveston County	X	X	X			X	X	X	
Hidalgo County	X	X	X	X	X	X		X	
Jefferson County	X	X	Imputed	X	X	X		X	
McLennan County	X	X	X	X	X	X	X	X	Codes charges as Class C misdemeanor when they are likely not
Montgomery County (2016)	X	X	X	X	X	X		X	
Tarrant County	X	X	Imputed	X	X	X		X	
Travis County	X	X	X	X	X	X		X	

**Appendix B to An Analysis of Texas Jail Bookings: Additional Tables**

**Top 10 Most Common Charges by County (2017\*)**

County/Rank	Charge	Count (%)
<b>Bell</b>		
1.	Motion to revoke probation	1,439 (7%)
2.	Driving with license invalid with previous conviction/suspension/without financial responsibility	1,351 (6%)
3.	Possession of marijuana <2oz	1,309 (6%)
4.	Assault causes bodily injury family member	1,179 (6%)
5.	Capias profine	1,179 (6%)
6.	Offense unknown	1,152 (5%)
7.	Blue warrant	664 (3%)
8.	Possession of controlled substance PG 1 <1g	597 (3%)
9.	Criminal trespass	594 (3%)
10.	Theft of property >=\$100 <\$750	577 (3%)
<b>Collin</b>		
1.	Possession of marijuana <2oz	3,351 (9%)
2.	Possession of controlled substance PG 1 <1g	2,079 (5%)
3.	Driving while intoxicated	1,820 (5%)
4.	Theft of property >=\$100 <\$750	1,039 (3%)
5.	Failure to maintain financial responsibility	1,034 (3%)

6.	Assault causes bodily injury family violence	832 (2%)
7.	No driver's license when unlicensed – Not CDL	798 (2%)
8.	Failure to appear	746 (2%)
9.	Driving while intoxicated with BAC $\geq 0.15$	735 (2%)
10.	Possession of controlled substance PG 3 $< 28g$	681 (2%)

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**Dallas\***

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1.	Possession of marijuana $< 2oz$	4,498 (5%)
2.	Possession of controlled substance PG 1 $< 1g$	3,379 (4%)
3.	Assault causes bodily injury family violence	3,065 (4%)
4.	Driving while intoxicated	2,392 (3%)
5.	Criminal trespass	2,374 (3%)
6.	Justice of the Peace – Fare Evasion	1,860 (2%)
7.	Theft of property $\geq \$100 < \$750$	1,694 (2%)
8.	Probation violation – possession of controlled substance PG 1 $< 1g$	1,558 (2%)
9.	Aggravated assault with deadly weapon	1,494 (2%)
10.	Failure to identify fugitive intent give false information	1,348 (2%)

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**El Paso**

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1.	TRF/DL/No or expired operating license	11,305 (5%)
2.	Possession of marijuana $< 2oz$	8,257 (4%)

3.	TRF/FTMFR – Failure to maintain financial responsibility	8,230 (4%)
4.	Driving while intoxicated	5,491 (2%)
5.	Driving while intoxicated BAC >=0.15	3,728 (2%)
6.	Intransit/illegal entry	3,587 (2%)
7.	Possession of controlled substance PG 1 <1g	3,299 (1%)
8.	Assault causes bodily injury family member	2,571 (1%)
9.	TRF/Regis/No or expired MV plates	2,371 (1%)
10.	WRT/Alcohol/Urbn dist open cont	2,263 (1%)

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**Fort Bend**

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1.	NA	1,794 (6%)
2.	Possession of marijuana <2 oz	1,786 (6%)
3.	DWI	774 (3%)
4.	Hold USM	660 (2%)
5.	FTA	591 (2%)
6.	Theft of property >=\$100 <\$75	571 (2%)
7.	Assault causes bodily injury fa	562 (2%)
8.	DWLI with previous conviction/suspension/w/o/F	460 (2%)
9.	DWLI	372 (1%)
10.	Failure to appear	346 (1%)

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## Galveston

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1.	Municipal hold – GPD	2,784 (10%)
2.	Possession of marijuana <2 oz	1,303 (5%)
3.	Driving with license invalid with previous conviction/suspension/without financial responsibility	876 (3%)
4.	Assault causes bodily injury family violence	869 (3%)
5.	Possession of controlled substance PG 1 <1g	727 (3%)
6.	Driving while intoxicated	690 (2%)
7.	Criminal trespass	551 (2%)
8.	Possession of marijuana <2oz, M	451 (2%)
9.	Assault causes bodily injury family violence, M	448 (2%)
10.	Theft of property >=\$100<\$750	425 (2%)

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## Hidalgo

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1.	Driving while intoxicated	3,190 (9%)
2.	Possession of marijuana <2oz	2,793 (8%)
3.	Theft of property >=\$100<\$750	1,165 (3%)
4.	Possession of controlled substance PG 1 <1g	1,046 (3%)
5.	Possession of controlled substance PG3 <28g	934 (3%)
6.	Resist arrest search or transport	793 (2%)
7.	Possession of controlled substance PG2-A <=2oz	719 (2%)



8.	Driving while intoxicated 2 <sup>nd</sup>	651 (2%)
9.	Driving while intoxicated 3 <sup>rd</sup> or more	645 (2%)
10.	Assault causes bodily injury	637 (2%)

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**Jefferson**

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1.	Failure to appear	2,348 (8%)
2.	Driving – no driver’s license	1,923 (6%)
3.	Public intoxication	1,535 (5%)
4.	Failure to maintain financial responsibility	1,521 (5%)
5.	Marijuana – possession class B	1,091 (4%)
6.	Speeding	940 (3%)
7.	Possession of controlled substance Pen GRP 1 SJ	840 (3%)
8.	Trespassing – class B	807 (3%)
9.	City ordinance	756 (2%)
10.	Driving while license invalid	737 (2%)

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**McLennan**

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1.	Parole violation	656 (2%)
2.	Public intoxication – CM	363 (1%)
3.	CPF – VPTA	298 (1%)
4.	Criminal trespass – BM	252 (1%)
5.	Immigration detainer	217 (1%)

5.	Warrant – DWLI	217 (1%)
7.	CPF – FTA	151 (0.4%)
8.	DWI – BM	149 (0.4%)
9.	Warrant – FTA/Bail jumping	144 (0.4%)
9.	Warrant – FTA/VPTA	144 (0.4%)

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**Montgomery\***

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1.	Capias profine/misd	1,401 (6%)
2.	Possession of marijuana <2oz	1,144 (5%)
3.	Order of arrest/felony	1,120 (5%)
4.	Driving while intoxicated	1,033 (4%)
5.	Failure to appear	704 (3%)
6.	Possession of controlled substance PG 1 <1g	620 (3%)
7.	Order of arrest/misdemeanor	617 (3%)
8.	Liquor violation class C	598 (3%)
9.	Violate promise to appear	519 (2%)
10.	Failure to appear Class C	497 (2%)

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**Tarrant**

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1.	Possession of marijuana U/2	7,414 (8%)
2.	Possession of controlled substance U/1G – PG1	4,480 (5%)
3.	Driving while intoxicated	3,889 (4%)

4.	Assault bodily injury – FM	3,741 (4%)
5.	Theft property \$100-\$750	2,880 (3%)
6.	Parole violation	2,759 (3%)
7.	Aggravated assault deadly weapon	1,885 (2%)
8.	Possession of controlled substance 1-4 PG1	1,884 (2%)
9.	Criminal trespass	1,869 (2%)
10.	Theft <\$2,500 – 2 more previous	1,729 (2%)

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**Travis**

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1.	Driving while intoxicated	5,630 (7%)
2.	Traffic offense multiple	5,143 (7%)
3.	Possession of marijuana <2oz	4,658 (6%)
4.	Driving with license invalid with previous co/sp/wo FR	4,146 (5%)
5.	Public intoxication	3,814 (5%)
6.	Assault bodily injury family member	3,179 (4%)
7.	Possession of controlled substance PG1 <1g	2,540 (3%)
8.	Traffic offense single	2,183 (3%)
9.	Out of county misdemeanor	2,175 (3%)
10.	Possession of drug paraphernalia	2,062 (3%)

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\*Dallas and Montgomery Counties reflect 2016 charges, given that 2017 data was not provided.