
Bethany R. Sager  
*Bowling Green State University*, bsager@bgsu.edu

Philip M. Stinson  
*Bowling Green State University*, stinspm@bgsu.edu

Chloe A. Wentzlof  
*Bowling Green State University*, cawentz@bgsu.edu

Follow this and additional works at: https://scholarworks.bgsu.edu/crim_just_pub

Part of the Criminology Commons, and the Criminology and Criminal Justice Commons

Repository Citation  
https://scholarworks.bgsu.edu/crim_just_pub/125
Bench vs. Jury Trials
Convictions and Sentencing Outcomes for Arrested Officers, 2005-2016

Bethany R. Sager
Philip M. Stinson
Chloe A. Wentzlof

Bowling Green State University

Academy of Criminal Justice Sciences
Las Vegas, NV
March 18, 2021

Support for this project was provided by the Wallace Action Fund of Tides Foundation. This research was also supported in part by the Center for Family and Demographic Research, Bowling Green State University, which has core funding from the Eunice Kennedy Shriver National Institute of Child Health and Human Development (P2CHD050959).
Background

- The federal government does not collect, analyze, nor disseminate data concerning crimes perpetrated by the police.

- **George Floyd Justice in Policing Act** – “This bill addresses a wide range of policies and issues regarding policing practices and law enforcement accountability. It increases accountability for law enforcement misconduct, restricts the use of certain policing practices, **enhances transparency and data collection**, and establishes best practices and training requirements” (H.R. 7120).
  - The legislation stalled in the Senate – No immediate plans of data collection by federal government

- Previous research is heavily reliant on special commissions, observational data, and is often limited to one jurisdiction or city.

- The public’s understanding is conditional on investigative journalism and sensationalized cases. The true breadth and depth of police crime may be misunderstood.

- Other independent entities such as Mapping Police Violence, Fatal Encounters, and the Washington Post collect and disseminate data about police encounters but these measures do not necessarily capture police crime.
Henry A. Wallace Police Crime Database

Purpose

The purpose of the Henry A. Wallace Police Crime Database is to improve policing and inform the public about crimes committed by nonfederal sworn law enforcement officers across the United States.

About Us

The Henry A. Wallace Police Crime Database is a research project of Philip Stinson and the Police Integrity Research Group at Bowling Green State University. The database provides summary information that is not otherwise aggregated or publicly available for approximately 13,000 criminal arrest cases of nonfederal sworn law enforcement officers (e.g., police officers, state troopers, deputy sheriffs) from the years 2005-2016.
The Henry A. Wallace Police Crime Database currently includes summary information on 13,214 criminal arrest cases from the years 2005-2016 involving 10,901 individual nonfederal sworn law enforcement officers, each of whom were charged with one or more crimes. The arrested officers were employed by 4,104 state, local, and special law enforcement agencies located in 1,648 counties and independent cities in all 50 states and the District of Columbia.
The Search by Location feature allows users to search the Henry A. Wallace Police Crime Database using the interactive heat map below. This feature includes summary information on 13,214 criminal arrest cases from the years 2009-2016 involving 18,901 individual nonfederal sworn law enforcement officers. Each arrest case was coded for the most serious offense charged (pursuant to the UCIR hierarchy of crime seriousness) as well as for every criminal offense charged against the arrested officer. The heat map provides users with the ability to search various crimes based on crime type, crimes charged, criminal case disposition, final adverse employment outcome, and year of arrest by location.
Arrested Officer Information:

- Arrested Officer: 00489N01922
- Age: 24
- Years of Service: 0
- Sex: M
- Arrested Officer Ethnicity: Unknown
- Arrested Officer Race: Unknown
- Rank: Officer/Deputy/Trooper

Arrested Officer's Employer:

- Employing Agency: Perrysburg Police Department
- Agency ID: 12424120
- City: Perrysburg
- County: Wood County
- State: OH
- Type of Agency: Municipal Police Department

Case Information:

- Date of Arrest: 4/15/2005
- Most Serious Offense Charged: Weapons law violation
- Type of Crime: Violence-Related
- Officer's Duty Status During Crime: Off Duty
- Officer's Capacity During Crime: This crime was committed by officer in their individual capacity
- Arresting Agency: Arresting agency is not officer's employer

Case Status:

- Adverse Employment Outcome: Officer was suspended for a period of time
- Officer's employment was terminated
- Criminal Case Disposition: Unknown
- Pre Trial Release: Unknown
Methods

- Publically available data can be found on the Henry A. Wallace Police Crime Database ([https://policecrime.bgsu.edu](https://policecrime.bgsu.edu))
- The Police Integrity Research Group at Bowling Green State University is the only known research group with collects and disseminates data about police crime which occurs throughout the United States.
Methods

• We aim to capture criminal arrest cases of nonfederal sworn law enforcement officers within the United States since 2005.
  • Although we never claim to capture all cases, we do believe our methods capture the overall phenomenon of police crime.

• The Police Integrity Research Group utilizes Google Alerts™ which constantly crawl the Google News™ search engine to find cases of police crime.

• **Inclusion Criteria:**
  • The individual must be employed as a sworn nonfederal law enforcement officer:
    • At the time of their arrest and/or
    • At the time of commission of the crime(s)
  • The officer was arrested on/after January 1, 2005

• Once an officer/arrest has been identified, additional Google Alerts™ will be created to track the specific officer.

• Primary Unit of Analysis: Criminal Arrest Case
Identifying a Case

- Google Alerts and Google News Search Engine are utilized to identify a criminal arrest cases.
- News articles are printed and checked against our inclusion criteria for relevancy.
- This starts the beginning process of coding variables such as full name, officer’s employing agency, city, county, state, and date of arrest.
- Once approved by a supervisor, our research assistants will enter this criminal arrest case into our internal object-relational database system.
- Additional Google Alerts are created to track that specific officer and criminal arrest case.
Continuously Tracking Cases

- After a case is identified, we track the case through the criminal courts process.
- Using Google Alerts, we gather Google News articles about the officer and criminal arrest cases and store these documents with our internal object-relational database.
- Court records and news videos are also obtained and stored.
Coding a Case

- Once sufficient time has passed for the majority of cases to be concluded, we code each case on over 270 variables.
  - Variables include but are not limited to:
    - Offense variables, types of crime, criminal case outcomes and sentencing, employment outcome, officer and victim demographic, and agency characteristics
  - We utilize a data collection instrument (Unicom Intelligence Interviewer software) to code these cases. We have customized the survey instrument by building in logic and integrating it with our internal object-relational database system.
- Cases are coded by year of arrest. Once a full year is complete, inner-coder reliability and data cleaning processes are used to check for accuracy and consistency between coders.
- The year’s worth of criminal arrest cases are then added to our master dataset and made publically available through the Henry A. Wallace Police Crime Database.
- Currently, information about 2005 through 2016 criminal arrest cases are publically available and we are working on coding 2017 criminal arrest cases.
Strengths and Limitations

• **Limitations:**
  - Only captures criminal arrest cases – cases of police misconduct which do not result in a criminal charge are not included.
  - Our knowledge of these cases are limited to publically available information, news articles, and court records.
  - Using Google Alerts requires real-time data collection.

• **Strengths:**
  - There are no other comprehensive, nationally representative datasets of police crime within the United States.
  - Descriptive summary data which can inform the public of the breadth and depth of the problem.
  - Our data lend itself well to more advanced quantitative data analysis techniques such as, logistic regression, CHAID and CART decision trees algorithms, and other predictive models.
  - Using Google Alerts we have identified more cases than other more traditional methods.
Methods

- **Inclusion criteria for larger research project:**
  - Individual was a sworn nonfederal law enforcement officer within the United States at the time of arrest and/or the commission of the crime
  - Officer was arrested on or after January 1, 2005
  - Officer was arrested and/or criminally charged
  - Primary Unit of Analysis: Criminal Arrest Case

- **Inclusion criteria for this study:**
  - Meets all the criteria for larger research project
  - Officer was convicted by bench trial, jury trial, or plea deal
  - For the purpose of this presentation, data was limited to years 2005-2016
  - Primary unit of Analysis: Criminal Arrest Case
Of the 13,214 criminal arrest cases in our dataset, we have identified 6,480 convictions. Of the 6,480 convictions identified, there were 1,890 cases where the officer was tried by a jury and 538 cases which resulted from a bench trial.

The five types of crime analyzed as part of this study are profit-motivated, drug-related, alcohol-related, violence-related, and sex-related. These are not mutually exclusive.

The five sentencing types we study in this dataset are probation, jail, prison, other, and unknown.

This study compares the differences in both felony and misdemeanor convictions between bench and jury trials.

The types of non-convictions measured in this data set are Nolle prosequi, dismissed by judge, pre-trial diversion, acquitted by judge, and acquitted by jury.
Conviction vs. Non-Conviction

Conviction status was unknown/missing for 3,479 of the 13,214 criminal arrest cases.

76% of convictions resulted from plea deals.
60% of cases that went before a bench resulted in a conviction

64% of cases that were tried by a jury resulted in a conviction
Officers were more likely to be convicted following a jury trial for all crime types except sex-related.
Misdemeanors vs. Felonies

The majority of bench trial convictions resulted from misdemeanor.

The majority of jury trial convictions resulted from felonies.
The sentence type most common following conviction by jury trial was prison (780).

The sentence type most common following conviction by bench trial was probation (122).
Plea Deals
Disposition

Disposition Type by Type of Crime

<table>
<thead>
<tr>
<th>Type of Crime</th>
<th>Unknown</th>
<th>Other Disposition Type</th>
<th>Plea Deal</th>
<th>Jury Trial</th>
<th>Bench Trial</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sex</td>
<td>459</td>
<td>383</td>
<td>1402</td>
<td>604</td>
<td>83</td>
</tr>
<tr>
<td>Violence</td>
<td>1720</td>
<td>1283</td>
<td>2154</td>
<td>1312</td>
<td>297</td>
</tr>
<tr>
<td>Profit</td>
<td>602</td>
<td>379</td>
<td>1515</td>
<td>345</td>
<td>81</td>
</tr>
<tr>
<td>Drug</td>
<td>262</td>
<td>130</td>
<td>709</td>
<td>157</td>
<td>39</td>
</tr>
<tr>
<td>Alcohol</td>
<td>1131</td>
<td>353</td>
<td>871</td>
<td>199</td>
<td>128</td>
</tr>
</tbody>
</table>
### Incarceration Sentence Lengths for Misdemeanor Convictions (in months)

<table>
<thead>
<tr>
<th></th>
<th>n</th>
<th>Median</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Drug-Related</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jury Trial</td>
<td>3</td>
<td>6.0</td>
<td>6.67</td>
<td>1.15</td>
<td></td>
</tr>
<tr>
<td>Bench Trial</td>
<td>7</td>
<td>3.0</td>
<td>3.09</td>
<td>2.60</td>
<td></td>
</tr>
<tr>
<td>Plea Deal</td>
<td>40</td>
<td>3.0</td>
<td>8.01</td>
<td>12.07</td>
<td></td>
</tr>
<tr>
<td><strong>Alcohol-Related</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jury Trial</td>
<td>22</td>
<td>2.8</td>
<td>3.82</td>
<td>3.75</td>
<td></td>
</tr>
<tr>
<td>Bench Trial</td>
<td>30</td>
<td>1.0</td>
<td>1.57</td>
<td>3.00</td>
<td></td>
</tr>
<tr>
<td>Plea Deal</td>
<td>121</td>
<td>0.3</td>
<td>2.25</td>
<td>1.22</td>
<td></td>
</tr>
<tr>
<td><strong>Sex-Related</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jury Trial</td>
<td>26</td>
<td>8.0</td>
<td>11.89</td>
<td>19.56</td>
<td></td>
</tr>
<tr>
<td>Bench Trial</td>
<td>13</td>
<td>6.0</td>
<td>8.85</td>
<td>8.90</td>
<td></td>
</tr>
<tr>
<td>Plea Deal</td>
<td>152</td>
<td>6.0</td>
<td>10.29</td>
<td>13.93</td>
<td></td>
</tr>
<tr>
<td><strong>Violence-Related</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jury Trial</td>
<td>78</td>
<td>3.5</td>
<td>8.78</td>
<td>27.07</td>
<td></td>
</tr>
<tr>
<td>Bench Trial</td>
<td>26</td>
<td>1.5</td>
<td>4.92</td>
<td>7.56</td>
<td></td>
</tr>
<tr>
<td>Plea Deal</td>
<td>244</td>
<td>6.0</td>
<td>7.94</td>
<td>12.17</td>
<td></td>
</tr>
<tr>
<td><strong>Profit-Motivated</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jury Trial</td>
<td>17</td>
<td>6.0</td>
<td>15.38</td>
<td>18.92</td>
<td></td>
</tr>
<tr>
<td>Bench Trial</td>
<td>6</td>
<td>3.2</td>
<td>4.22</td>
<td>2.83</td>
<td></td>
</tr>
<tr>
<td>Plea Deal</td>
<td>92</td>
<td>6.6</td>
<td>7.18</td>
<td>10.17</td>
<td></td>
</tr>
</tbody>
</table>
### Incarceration Sentence Lengths for Felony Convictions (in months)

<table>
<thead>
<tr>
<th>Category</th>
<th>n</th>
<th>Median</th>
<th>X</th>
<th>Std. Dev.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Drug-Related</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jury Trial</td>
<td>106</td>
<td>153.5</td>
<td>309.93</td>
<td>466.61</td>
</tr>
<tr>
<td>Bench Trial</td>
<td>13</td>
<td>28.0</td>
<td>92.12</td>
<td>131.08</td>
</tr>
<tr>
<td>Plea Deal</td>
<td>433</td>
<td>42.0</td>
<td>64.92</td>
<td>68.26</td>
</tr>
<tr>
<td><strong>Alcohol-Related</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jury Trial</td>
<td>73</td>
<td>120.0</td>
<td>283.42</td>
<td>336.06</td>
</tr>
<tr>
<td>Bench Trial</td>
<td>8</td>
<td>44.0</td>
<td>71.13</td>
<td>68.25</td>
</tr>
<tr>
<td>Plea Deal</td>
<td>103</td>
<td>36.0</td>
<td>70.66</td>
<td>124.47</td>
</tr>
<tr>
<td><strong>Sex-Related</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jury Trial</td>
<td>365</td>
<td>144.0</td>
<td>306.80</td>
<td>357.80</td>
</tr>
<tr>
<td>Bench Trial</td>
<td>23</td>
<td>48.0</td>
<td>64.65</td>
<td>70.38</td>
</tr>
<tr>
<td>Plea Deal</td>
<td>775</td>
<td>60.0</td>
<td>99.44</td>
<td>122.67</td>
</tr>
<tr>
<td><strong>Violence-Related</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jury Trial</td>
<td>596</td>
<td>144.0</td>
<td>276.58</td>
<td>348.32</td>
</tr>
<tr>
<td>Bench Trial</td>
<td>43</td>
<td>36.0</td>
<td>90.24</td>
<td>123.28</td>
</tr>
<tr>
<td>Plea Deal</td>
<td>881</td>
<td>54.0</td>
<td>96.99</td>
<td>121.37</td>
</tr>
<tr>
<td><strong>Profit-Motivated</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jury Trial</td>
<td>196</td>
<td>60.0</td>
<td>162.80</td>
<td>332.60</td>
</tr>
<tr>
<td>Bench Trial</td>
<td>26</td>
<td>54.0</td>
<td>140.10</td>
<td>170.45</td>
</tr>
<tr>
<td>Plea Deal</td>
<td>840</td>
<td>34.0</td>
<td>56.00</td>
<td>69.24</td>
</tr>
</tbody>
</table>
Sentencing Type

Sentencing Types Following Jury Trials

- Probation: 66%
- Jail: 15%
- Prison: 14%
- Unknown: 4%
- Other: 1%

Sentencing Type Following Bench Trials

- Probation: 39%
- Jail: 24%
- Prison: 18%
- Unknown: 18%
- Other: 1%

Sentencing Type Following Plea Deals

- Probation: 36%
- Jail: 34%
- Prison: 11%
- Unknown: 11%
- Other: 36%
Regions

UNITED STATES CENSUS REGIONS
Regions

Conviction Rates by Region

Northeastern | Midwestern | Southern | Western
---|---|---|---
Bench | Jury

(BG SU) Police Integrity Research Group
Bowling Green State University
### Case disposition by Region

<table>
<thead>
<tr>
<th>Region</th>
<th>Convicted</th>
<th>Not Convicted</th>
<th>Rate</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Northeastern</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jury Trial</td>
<td>234</td>
<td>152</td>
<td>60.6</td>
<td>386</td>
</tr>
<tr>
<td>Bench Trial</td>
<td>85</td>
<td>67</td>
<td>55.9</td>
<td>152</td>
</tr>
<tr>
<td>Plea Deal</td>
<td>961</td>
<td>0</td>
<td>100.0</td>
<td>961</td>
</tr>
<tr>
<td><strong>Midwestern</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jury Trial</td>
<td>229</td>
<td>110</td>
<td>67.5</td>
<td>339</td>
</tr>
<tr>
<td>Bench Trial</td>
<td>77</td>
<td>61</td>
<td>55.7</td>
<td>138</td>
</tr>
<tr>
<td>Plea Deal</td>
<td>1,247</td>
<td>0</td>
<td>100.0</td>
<td>1247</td>
</tr>
<tr>
<td><strong>Southern</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jury Trial</td>
<td>487</td>
<td>270</td>
<td>64.3</td>
<td>757</td>
</tr>
<tr>
<td>Bench Trial</td>
<td>134</td>
<td>74</td>
<td>64.4</td>
<td>208</td>
</tr>
<tr>
<td>Plea Deal</td>
<td>1,910</td>
<td>0</td>
<td>100.0</td>
<td>1910</td>
</tr>
<tr>
<td><strong>Western</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jury Trial</td>
<td>269</td>
<td>139</td>
<td>65.9</td>
<td>408</td>
</tr>
<tr>
<td>Bench Trial</td>
<td>27</td>
<td>13</td>
<td>67.5</td>
<td>40</td>
</tr>
<tr>
<td>Plea Deal</td>
<td>820</td>
<td>0</td>
<td>100.0</td>
<td>820</td>
</tr>
</tbody>
</table>
Future Research

- A selection bias appears to be present within these data. Bench trials are often limited to misdemeanor cases or particularly gruesome cases in which the offender may wish for a judge to serve as the trier of fact.
- A few convicted law enforcement officers with lengthy sentences might skew the sentence lengths. Any interpretation of these values should account for this bias.
- To further account for differences in sentence lengths between jury trials, bench trials, and plea deals, it may be useful to explore the impact of officer demographics, such as race and sex, as well as criminal history, and number of charges on which an officer is convicted.
- The interpretations of these findings are limited by the sample size.
Key Takeaways from Our Data

- There are no noticeable differences in conviction rates for bench and jury trials between regions.
- For all five crime types, sentence lengths were highest following jury trial convictions, as compared to bench trial convictions.
- Following convictions by jury trial, officers were 68% likely to be sentenced to prison; following plea deal convictions, officers were 34% likely to be sentenced to prison; following bench trial convictions, officers were only 18% likely to receive a prison sentence.
- For all five crime types for both felonies and misdemeanors, officers were most likely to be convicted by plea deal. In this study, 76% of the criminal arrest cases resulted from plea deal convictions.
- Following felony bench trial convictions, sex-related crimes had the lowest average sentence length. Following felony plea deal and jury trial convictions, profit-motivated crimes had the lowest-average sentence length.
Thank you!

Henry A. Wallace Public
Police Crime Database

https://policecrime.bgsu.edu/

Police Integrity Research Group
Twitter: @bgsuPoliceCrime
Instagram: @bgsuPoliceCrime

Philip Stinson
stinspm@bgsu.edu
Twitter: @philstinson