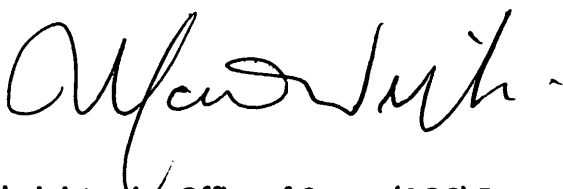Matthew A. Williams
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Analysis of Mississippi Administrative Office of Courts (AOC) Dataset on Criminal Dispositions 1994-2017 to Determine Demographics of Individuals Convicted of Certain Disfranchising Felonies

Purpose of Analysis

The purpose of this analysis is to estimate the total number and racial demographics of individuals convicted of disfranchising crimes in Mississippi from 1994-2017, excluding murder and rape, which were not part of the original list of disfranchising crimes in the 1890 Constitution.

Overall Results

Estimated Number of Individuals Convicted of
Disfranchising Crimes (Excluding Murder and Rape):   **43,903**

By Race:

American Indian: 0.06%
Asian: 0.15%
Black: 59.2%
Hispanic: 0.04%
White: 38.14%
Other: 0.30%
Unknown: 1.62%
No Data: 0.49%

Methodology

Data Source

Data reflecting the criminal dispositions in Mississippi from 1994-2017 is made available by the Mississippi Administrative Office of Courts (AOC). Data was made available via an electronic Excel spreadsheet file, herein the "AOC spreadsheet".[1]

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[1] Because Jefferson Davis County maintains its records in a different format, it is not included in the AOC spreadsheet. Data specific to Jefferson Davis County criminal dispositions was provided by AOC in a separate spreadsheet. Because of the different formatting and the absence of certain data in the Jefferson Davis County spreadsheet, results from that county are omitted from this analysis. The number of individuals reflected in the Jefferson Davis County is extremely small relative to the statewide totals.

Selection of Offense and Disposition Categories

For this analysis, the specific criminal dispositions that the Secretary of State has deemed to be reflective of a criminal conviction have been taken from a list provided by that office. These criminal dispositions are repeated in Appendix 1.

The specific offenses that have been determined by the Secretary of State to fall within the umbrella of the disenfranchising crimes were also taken from a list provided by that office. These offenses are repeated in Appendix 2.[2]

Removal of Murder and Rape from Offense Categories

Entries reflecting convictions for murder and rape were excluded from the population examined in this analysis. This was done at the request of counsel, who has explained that this analysis is focused on people convicted of the disenfranchising crimes that are still in effect from the original list in the 1890 Constitution. He has explained that murder and rape were not part of that original list but were added later in 1968. (He also explained that burglary was part of the original 1890 list but was removed by amendment in 1950). The murder-rape entries include all categories of capital murder, murder, rape, and statutory rape, as well as an offense category labeled "homicide; killing of an unborn quick child," all of which were included in the Secretary's list of specific offenses. Eliminating these various categories reduced the number of offense categories used to filter data in the AOC spreadsheet from 99 to 71. This list of all remaining offenses is contained in Appendix 3.

Omission of Individuals Convicted of Shoplifting

One of the offense categories in the Secretary of State's list is "Felony Shoplifting," which presumably falls under the umbrella of theft. However, there is no category of "felony shoplifting" in the AOC spreadsheet. Instead, there is only "shoplifting" which does not clearly differentiate between a felony and misdemeanor conviction.   Accordingly, shoplifting convictions are omitted from this analysis.

Filtering Stages

Two stages of filtering were applied as the first steps in narrowing data in the AOC spreadsheet. First, data in Column Y "Name of Sentencing Offense" of the AOC spreadsheet was filtered for the relevant offense categories (See Appendix 3).   This reduced the total number of rows in the spreadsheet from 690,976 to **161,066**. The resulting filtered list was transferred to an Excel workbook for further analysis.

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[2] The disenfranchising crimes listed in the current version of the Section 241 of the Mississippi Constitution are "murder, rape, bribery, theft, arson, obtaining money or goods under false pretense, perjury, embezzlement, or bigamy." The Secretary of State's list reflects specific offenses that the Secretary deems to fall within the crimes listed in Section 241.

Second, data in Column U "Disposition" of the Excel workbook was filtered for the relevant 22 disposition categories (See Appendix 1). This reduced the total number of rows in the workbook from 161,066 to **76,534.** The resulting filtered list was transferred to a second sheet in the Excel workbook for further analysis.

Creation of a Unique Identifier for De-Duplication

The spreadsheet provided by the AOC duplicates some individuals. For example, a particular individual may be listed multiple times if he was convicted of multiple counts, or if multiple entries were made to reflect different stages of his case (such as conviction and sentencing), or if he was convicted of different crimes at different times. The AOC spreadsheet does not include a unique identifier or code for each individual.

To prevent duplication and potential error in results of this analysis, an Excel formula was created to de-duplicate the list.

Three data elements from the AOC spreadsheet were selected to use in combination as unique personally identifying information: Column D "Last Name", Column E "First Name", and Column J "Date of Birth". All of the rows in the AOC spreadsheet results used for this analysis contained data for last and first names, and approximately 96.4% retained data for date of birth.

Example of Unique Identifier: *"SMITHJOHN01/01/90"*

After a unique identifier was created for individuals, an Advanced Filter was applied to Column K "Unique ID". Data was "filtered in-place" for "unique records only" to generate a list of unique individuals. This Advanced Filter function is designed to search for unique records while filtering out duplicate references to the unique record. Therefore, if the unique individual *"SMITHJOHN01/01/90"* appears 6 times in the AOC spreadsheet, it will be counted only once after applying an Advanced Filter for Unique Records Only. To double check that the "filter in-place" function produced an accurate de-duplication result, Excel Advanced Filter also provides a function that allows the user to copy "unique records only" to a different location in the spreadsheet, thus extracting the list rather than filtering it in place. This process produced the same de-duplication result.[3] These steps were repeated a second time in a separate spreadsheet to reproduce results.

Results of De-duplication

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[3] Lacking any other data that is both unique to individuals and ubiquitous, last name, first name and date of birth presents the best option. However, errors may exist. For instance, if a name or date of birth is entered correctly for one entry and incorrectly for another entry of the same individual, the individual would be counted more than once. Or if a person is listed under two different names for different events, he would be counted more than once. Individuals who coincidentally share the same last name, first name and date of birth may be undercounted.

The total number of rows prior to the de-duplication process is **76,534.**

After the process of creating a unique identifier and eliminating duplication of such identifiers, the total estimated number is **43,903.**

Individuals without a Date of Birth Listed

A total of 2,734 entries in the AOC spreadsheet contain no date of birth and a significant share of these entries lack racial demographic data. Of the 2,734 entries, 791 are black, 630 are white, 1157 are unknown, 147 are blank for race, and 9 are other races. Because of the difficulty of de-duplication, and the absence of racial data for many of these entries, those have not been de-duplicated and have been omitted from the analysis.

Results of Analysis

Using the methodology described in this report, below is the total estimated number and racial demographics of people convicted in Mississippi from 1994 – 2017 of the disenfranchising crimes from the original 1890 list that remain in effect today:

Estimated Number of Disenfranchised Individuals: 43,903

Data for unique individuals includes ethnicity, as provided in the AOC spreadsheet. The results are as follows:

American Indian: 0.06%
Asian: 0.15%
Black: 59.2%
Hispanic: 0.04%
White: 38.14%
Other: 0.30%
Unknown: 1.62%
No Data: 0.49%

Appendix 1. List of Mississippi Secretary of State Disposition Categories **N = 22**
Expungement of Records
Found Guilty By Verdict of Judge/Jury
Guilty Plea Accepted
Guilty Plea After Commencement

House Arrest/Intensive Supervision
Intensive Supervised Probation
Nolo Contendere
Petition to Revoke (Ruling on)
Probation Completed
Probation Ordered, Modified or Continued
Regimented Inmate Discipline
Resentenced
Restitution
Revocation of Probation or Suspended Sen
Rid Review
Sentence Entirely Suspended
Sentenced to Death
Sentenced to Incarceration
Sentenced to Life
Sentenced to Time Served
Sentencing Deferred
Shock Probation

Appendix 2. List of Mississippi Secretary of State Disenfranchising Offense Categories N = 99
Arson - Church/School Building (State-Supported)
Arson - Dwelling or Outbuilding
Arson - Insured Property
Arson - Personal Property
Arson - Structure, Not Dwelling or School
Arson - Timber, Woods, Meadow, Marsh
Arson: Attempt, Aid or Induce to Burn (4th Degree)
Bad Checks: Evidence/Presumption of fraudulent intent (Indictment)
Bad Checks: Penalties (Sentence)
Bad Checks: Fraudulently Deliver Insufficient Instrument (Indictment)
Bigamy
Bribery of Acting or Prospective Officer, Trustee, Agent
Bribery of Witness to Commit Perjury
Bribery, Commercial: Give/Offer/Accept Value to Influence Action
Bribery, Juror: Acceptance/Offer to Influence Outcome
Bribery: Acceptance by Officer, Agent, Trustee
Bribery: Legislator Accepting/Agreeing to Accept
Bribery: Participant in Professional/Amateur Game or Athletic Contest
Bribery: Rewarded to Compound/Conceal Crime w/Less than Life Penalty

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Bribery: Rewarded to Compound/Conceal Crime w/Life/Death Penalty
Bribery/Influencing: Legislator
Capital Murder
Capital Murder of a peace officer
Capital Murder: by contract
Capital Murder: by individual under sentence of life imprisonment
Capital Murder: by use or detonation of explosive device
Capital Murder: of elected official
Capital Murder: on educational property
Capital Murder: while engaged in felonious abuse/batter of a child
Capital Murder: with or without design in commission of other felony
Carjacking
Carjacking, Armed: Taking Vehicle by Use of Weapon
Carjacking: Taking Vehicle from One s Possession by Force
Counterfeit/forged documents: Sale/exchange guilty of forgery
Elections: Bribery of Elector or Election Officer
Embezzlement by Agent/Officer/Trustee of Company or Private Individual
Embezzlement or Fraud Committed by Public Official (Penalty)
Embezzlement: Entrusted Public Property/Funds Converted for Own Use
Embezzlement: Fraudulent Accounting by Public Officer (Penalty)
Embezzlement: Money on Deposit; Property in Trust/Received on Contract
Extortion: Collection of Fees for Unrendered Services (felony)
Extortion: of Property of another valued at $500 or more
False Pretenses: Fraudulent Representation of Evidence of Debt
False Pretenses: Obtain/Deliver Goods Previously Encumbered (Indict.)
False Pretenses: Procure Thing of Value by Fraudulent Representation
False Pretenses: Produce Child with Intent to Intercept Inheritance
False Pretenses: Registering Animal Falsely; Giving False Pedigree
Felony Shoplifting
Forgery - Penalty (Sentence)
Forgery: Counterfeit/Altered Stock Certificates, Security (Indictment)
Forgery: Failure of Corporate Officer to Maintain Accurate Accounts
Forgery: False Certification of Instrument or Conveyance
Forgery: Making/uttering instrument in own name as act of another
Forgery: Owning Counterfeit Foreign Coinage (Indictment)
Forgery: Owning Counterfeit US Coins (Indictment)
Forgery: Possession Counterfeit Bank Notes w/Intention to Utter
Forgery: Possession counterfeit gold/silver coins w/intent to utter
Forgery: Possession of Counterfeit Printing Plates of Tender
Forgery: Signature Purporting to be Agent/Officer of Corporation
Grand Larceny

Homicide; killing of an unborn quick child
Larceny, Grand: of a church valued at $500 or more
Larceny, Grand: of an Individual, Property Valued at $500 or more
Larceny, Grand: Vehicle of Another
Larceny: Livestock
Larceny: Timber
Larceny: Under Lease/Rental Agreement
Murder
Murder: Deliberate act to effect death
Murder: Deliberate design to effect death of unborn child
Murder: During commission of dangerous act, without premeditation
Murder: During commission of other felony, without premeditation
Murder/Capital Murder: indictment may include lesser included offense
Murder/Homicide/Capital Murder (Defined/Indictment)
Murder/Homicide/Capital Murder (Penalty)
Perjury: Defined - Swear to/Testify Falsely Under Oath (Indictment)
Perjury: Penalty
Perjury: Subornation (Procurement of Witness to Commit Perjury)
Pleadings, process & other court papers, licenses, or wr. instruments
Rape, Statutory; Sexual Intercourse or Rape of Child under age of 16
Rape, statutory: >=18 and < 21 (Sentencing Statues)
Rape; Carnal Knowledge of Unmarried Person over 14, under 18
Rape: Assault w/Intent to Ravish Female of Previous Chaste Character
Rape/Sexual Intercourse by use of Substance to Render Victim Helpless
Receiving Stolen Property (Felony)
Robbery (Penalty)
Robbery, Armed: Use of Deadly Weapon
Robbery: Taking Person Property by Fear/Violence (Indictment)
Shoplifting - Aiding/Abetting Minor by Person >=18
Statutory rape >= 13 and < 18 (sentencing statute)
Statutory rape 18 or older (sentencing statute)
Statutory rape 21 or older (sentencing statutes)
Statutory rape; person >17 intercourse w/child
Statutory rape; perpetrator any age
Weapon, Stolen: Possession, Sale, etc.
Weapon, Stolen: Possession, Sale, etc. - First offense
Weapon, Stolen: Possession, Sale, etc. - Second, etc., Trafficking
Weapon, Stolen: Possession, Sale, etc. - Two or more weapons
Weapon, Stolen: Used in commission of other crime(s)

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Appendix 3. List of Offense Categories Included in Analysis (excludes murder and rape categories) N = 71
Arson - Church/School Building (State-Supported)
Arson - Dwelling or Outbuilding
Arson - Insured Property
Arson - Personal Property
Arson - Structure, Not Dwelling or School
Arson - Timber, Woods, Meadow, Marsh
Arson: Attempt, Aid or Induce to Burn (4th Degree)
Bad Checks: Evidence/Presumption of fraudulent intent (Indictment)
Bad Checks: Penalties (Sentence)
Bad Checks: Fraudulently Deliver Insufficient Instrument (Indictment)
Bigamy
Bribery of Acting or Prospective Officer, Trustee, Agent
Bribery of Witness to Commit Perjury
Bribery, Commercial: Give/Offer/Accept Value to Influence Action
Bribery, Juror: Acceptance/Offer to Influence Outcome
Bribery: Acceptance by Officer, Agent, Trustee
Bribery: Legislator Accepting/Agreeing to Accept
Bribery: Participant in Professional/Amateur Game or Athletic Contest**
Bribery: Rewarded to Compound/Conceal Crime w/Less than Life Penalty
Bribery: Rewarded to Compound/Conceal Crime w/Life/Death Penalty
Bribery/Influencing: Legislator
Carjacking
Carjacking, Armed: Taking Vehicle by Use of Weapon
Carjacking: Taking Vehicle from One s Possession by Force
Counterfeit/forged documents: Sale/exchange guilty of forgery
Elections: Bribery of Elector or Election Officer
Embezzlement by Agent/Officer/Trustee of Company or Private Individual
Embezzlement or Fraud Committed by Public Official (Penalty)
Embezzlement: Entrusted Public Property/Funds Converted for Own Use
Embezzlement: Fraudulent Accounting by Public Officer (Penalty)
Embezzlement: Money on Deposit; Property in Trust/Received on Contract
Extortion: Collection of Fees for Unrendered Services (felony)
Extortion: of Property of another valued at $500 or more
False Pretenses: Fraudulent Representation of Evidence of Debt
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False Pretenses: Registering Animal Falsely; Giving False Pedigree

Felony Shoplifting**
Forgery - Penalty (Sentence)
Forgery: Counterfeit/Altered Stock Certificates, Security (Indictment)
Forgery: Failure of Corporate Officer to Maintain Accurate Accounts
Forgery: False Certification of Instrument or Conveyance
Forgery: Making/uttering instrument in own name as act of another
Forgery: Owning Counterfeit Foreign Coinage (Indictment)**
Forgery: Owning Counterfeit US Coins (Indictment)
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Larceny: Livestock
Larceny: Timber
Larceny: Under Lease/Rental Agreement
Perjury: Defined - Swear to/Testify Falsely Under Oath (Indictment)
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Weapon, Stolen: Possession, Sale, etc. - Second, etc., Trafficking
Weapon, Stolen: Possession, Sale, etc. - Two or more weapons
Weapon, Stolen: Used in commission of other crime(s)