May 21, 2019

Task Force Meeting One

Spokane, Washington

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Vera Institute of Justice
Agenda

- Introductions & ground rules (9:00-9:20)
- Task force process & vision (9:20-9:45)
- Jails 101 (9:45-11:05)
- Data & policy questions (11:05-11:35)
- Challenge statements (11:35-12:00)
- Wrap up & next steps (12:00-12:10)
- Public comment (12:10-12:30)
Introductions & ground rules
Vera Institute of Justice

- Vera is an independent, nonpartisan, nonprofit organization.
  - Study & analyze problems in justice systems
  - Produce & utilize evidence to drive effective policies & practices
  - Pilot solutions
  - Engage diverse communities

- Vera’s Center on Sentencing and Corrections partners with state & local systems to advance justice policies that promote fairness & protect public safety.
  - Improve outcomes for justice-involved individuals by advancing access to high quality college education behind bars & reducing solitary confinement
  - Close incarceration’s front door by reducing the overuse of jails
Vera Institute of Justice

- Vera’s Center on Victimization and Safety works to improve access to healing services for all victims of crime:
  - Work with victim services, advocates, & culturally-specific organizations to ensure that people from communities with higher rates of victimization but less access to services get the help they need to to heal
    - People with disabilities & Deaf people
    - Incarcerated & formerly incarcerated people
    - People from other marginalized/under-served communities
Ground rules

- Approach meetings with creativity & collaboration to solve problems
- Engage in thoughtful, honest, & respectful dialog – debate is a productive part of problem-solving
- Everyone shares ownership & responsibility in this process
- Assume best intentions of all who are present
- Recognize this process will require self-reflection, partnership, & compromise
- Ask questions you have for Vera, as well as for each other
- Give all members an opportunity to weigh in
Ground rules

- Hold each other accountable to these rules & commitments made throughout the process
- Others?
Process & vision
Process

- Three phases over six months
  - Qualitative & quantitative data gathering & forecasting
  - Data sharing & collective analysis
  - Recommendations
- Proxies and voting
Vision

- 2-3 core values or principles central for you & your work
- 2-3 core values or principles under which this collaborative operates
- If Spokane’s criminal justice system were working ideally, what would it look like?
Jails 101

- Purposes of jail
- Impacts of jail
- Overview of Spokane trends
- Construction & cost considerations
Jails

- Jails are locally operated facilities:
  - Pretrial defendants
  - People with a sentence of 1 year or less for a misdemeanor conviction
  - People on holds for probation and other violations
  - Holds for other jurisdictions (U.S. Marshals, DOC)

- Jails are rarely long-term facilities:
  - National length of stay (2017) = 26 days
  - Local length of stay (current) = 18.5 days
Jails nationally

- 745,000 people in jail on any given day; 2/3 pretrial

- **8.2 million men & 2.5 million women** enter jail each year (17x prison admissions)

- Nationally, jail populations have risen sharply despite declining crime
Rising pretrial populations

U.S. jail population, by conviction status

![Graph showing the increase in pretrial and convicted in jail populations from 1970 to 2014. The pretrial population shows a steady increase, surpassing the convicted in jail population by 2010.]
Understanding your jail population

Number of people who enter jail (admissions)

+ How long they stay (length of stay)

= Size of your jail population

Admissions:
- New arrest/charge
- Warrant for failure to appear
- Warrant for probation violation
- Failure to comply with terms of program (e.g., drug court)
- Sentenced to jail for misdemeanor

Releases:
- Released on recognizance (OR)
- Paid bond
- Charges dismissed/never filed
- Transferred to prison, other jurisdiction
- Completed sentence; released on time served
6 local decision points influencing jail populations

1. Arrest & Booking
2. Charging
3. Pretrial Release/Bail
4. Case Processing
5. Disposition & Sentencing
6. Post-conviction

Admissions + Length of Stay
Impacts of jail
Who is most impacted by jail?

People of color:
- As compared to white people, black people are jailed at a rate 7x, Native Americans 4x, & Latinx 2x in Spokane

People living in poverty:
- Average annual income prior to incarceration is $19,000
- 47% of people in jail do not have a HS diploma/GED

People with disabilities:
- 40% of people in jail have a disability (compared to 12% of general public)

LGBT people:
- LGB people are incarcerated at 3x the rate for heterosexual people
Who is most impacted by jail?

**People with behavioral health needs:**

- 68% of people in jail meet the clinical definition for substance use disorder

- 15% of men & 32% of women in jail have a serious mental illness (compared to 5% of the general public)

**Victims of crime:**

- 86% of women in jail have survived sexual violence & 77% have survived partner violence

- A study in Boston found 1/4 returning citizens had been shot or stabbed
Jail’s limitations

- 18.5-day average LOS: short window to provide substantive treatment & rehabilitation services
- Jail is not a therapeutic setting, limiting the effectiveness of even the best programming
- Even a short stay in jail disrupts what is going right in one’s life & places burdens on family & community
- Pretrial detention leads to worse criminal justice & safety outcomes
- Collateral consequences (~900 in WA State) can last a lifetime
Victims advocate for rehabilitation, not increased incarceration

- **60%** of victims prefer shorter prison sentences & increased spending on prevention/rehabilitation
- **83%** of victims prefer more investment in mental health treatment instead of prisons & jails; **73%** preferred investment in drug treatment
- By a margin of **15:1**, victims support investing in education & schools over incarceration

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Unpacking these findings

People from marginalized communities (the same that touch jail) are more likely to be victims of crimes:

- Low income people (annual household income <$25,000)
- LGBTQ people
- People with disabilities & Deaf people
- Immigrants
- People of color
- Formerly incarcerated people

Victims of violence who received assistance from a victim service agency (2010-2015):

- Reported crime to police: **13%**
- Did not report: **5%**
Spokane County jail population
Jail data analysis

- **Admissions**
  - All bookings into the jail.
  - Admissions can show the scale of even short-term incarceration.
  - Admissions analyses highlight opportunities for alternatives to jail.

- **Length of Stay (LOS)**
  - An individual’s time in jail prior to release.
  - Pretrial lengths of stay are impacted by many factors, including bail & case processing.

- **Average Daily Population (ADP)**
  - The people in jail on an average day.
  - Determined by admissions & LOS, the ADP is largely composed of people who stay longer.
Data sources

- Bureau of Justice Statistics
  - Historical jail admissions & population, 1970 – 2015

- Monthly aggregated data reports
  - November 2015 – January 2019

- Jail administrative data (preliminary JFA analysis)
  - All people who passed through the jail May 2017 – April 2018
Historical jail population

- In 2015, Spokane County jails had an average daily population of 834.

- Relative to the 2015 population size, this is a rate of 259 people in jail per 100,000 county residents.

Source: U.S. Bureau of Justice Statistics
The jail incarceration rate increased 64 percent from 1970 - 2015

Source: U.S. Bureau of Justice Statistics
But the increase has not been consistent

Source: U.S. Bureau of Justice Statistics
Fluctuations in jail incarceration rate

- The jail incarceration rate dropped 46 percent from 2005 to 2011.

Source: U.S. Bureau of Justice Statistics

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Incarceration rate, 1970 - 2015

Source: U.S. Bureau of Justice Statistics
January 2019 jail population

- ADP in January 2019 was 919.
  - This includes 150 people held on contract.
- Average LOS was 16 days.

Source: Monthly jail population reports (Jan. 2019)
Majority of 1/31/2019 jail population was pretrial

Source: Monthly jail population reports (Jan. 2019)

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150 people were held on contract

Source: Monthly jail population reports (Jan. 2019)

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American Indian, Black, & Latinx people were overrepresented

Source: Monthly jail population reports (Jan. 2019)

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Incarceration rates by race

<table>
<thead>
<tr>
<th>Race</th>
<th>Rate</th>
</tr>
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<tbody>
<tr>
<td>American Indian</td>
<td>915.0</td>
</tr>
<tr>
<td>Asian/Pacific Islander</td>
<td>79.8</td>
</tr>
<tr>
<td>Black</td>
<td>1533.3</td>
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<tr>
<td>Latinx</td>
<td>458.1</td>
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<tr>
<td>White</td>
<td>224.2</td>
</tr>
</tbody>
</table>

Source: Monthly jail population reports (Jan. 2019)

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Black & Latinx people had longer average LOS

<table>
<thead>
<tr>
<th>Group</th>
<th>LOS</th>
</tr>
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<tbody>
<tr>
<td>Black</td>
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</tr>
<tr>
<td>Latinx</td>
<td>18</td>
</tr>
<tr>
<td>White</td>
<td>15</td>
</tr>
<tr>
<td>American Indian</td>
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<tr>
<td>Asian/Pacific Islander</td>
<td>4</td>
</tr>
</tbody>
</table>

*Source: Monthly jail population reports (Jan. 2019)*
2017 Release Cohort

- All individuals released from jail in 2017
  - 19,494 total

Source: Preliminary JFA analysis

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Release reasons & LOS

Source: Preliminary JFA analysis
Many OR’d after less than 2 days

Source: Preliminary JFA analysis

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People with cases dismissed spent over a month in jail, on average

Source: Preliminary JFA analysis

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People spent 11 days in jail, on average, before bonding out.

Source: Preliminary JFA analysis
Jail population by charge

Source: Preliminary JFA analysis
Average LOS was 18.5 days

- Felony: 37.5 days
- Hold - US Marshall: 35.9 days
- Misdemeanor: 7.2 days
- Hold - Other: 4 days
- Hold - Community custody: 2.6 days
- Unknown charge: 0.3 days

*Source: Preliminary JFA analysis*
Construction & cost considerations
Why do counties build?

- Overcrowding
- Desire for better space & services
- Financial considerations
What are the risks?

- Causes of overcrowding remain unaddressed
  - Salt Lake County, UT: filled 21 days after opening
  - Tipton County, TN: intended to serve for 15 years, filled in 2
  - Orange County, FL: more capacity → more beds filled
What are the risks?

“In many cases, arrest decisions, prosecution policies, and sentencing practices are all impacted, to some extent, by the knowledge that the jail is full. As new and additional jail beds become available, these policies and practices can change, resulting in even greater demands for jail capacity. This is why many new jail facilities are either full when they open, or fill up much quicker than had been predicted.”

Source: Jail Assessment for Codington County, SD
What are the risks?

- Services far better suited to the community
  - Tulsa County, OK: new “therapeutic” mental health units resemble solitary confinement
  - Meanwhile, the state has only 800 community-based mental health treatment beds
What are the risks?

“We’re not a mental health hospital....[and although] we’re doing our best to give people treatment they need...we’re still a jail, and we can’t change that.”

Source: Jail Administrator for Tulsa County Jail
Construction costs in context

Figure 1: Breakdown of total reported jail costs from surveys

- Total employee costs include salaries, fringe benefits, and pension contributions.
- Capital costs include capital expenditures and debt service.
- All other costs include non-personnel expenses such as contracts, supplies, and utilities.

Source: Vera Institute, Price of Jails
Construction costs in context

The impact of staffing can be more acute for smaller jails than for larger ones because the high ratio of inmates to staff found in large jails cannot be realized easily, if at all, in smaller jails. When one considers the challenge of separating different classifications (especially by gender) and the variety of possible surveillance approaches available, the impact of design on staff efficiency and costs becomes readily apparent.

Source: BJA, Jail Design Guide
Costs directly tied to incarceration rates

Johnson County is about the same size as Bernalillo County.

Jail is more expensive in Johnson County.

Source: Vera Institute, Price of Jails
Costs directly tied to incarceration rates

Staffing ratio is lower.
Salaries are higher.

BUT

Fewer are incarcerated in Johnson County.

SO

693 inmates
(121 PER 100,000)

2,496 inmates
(369 PER 100,000)

Source: Vera Institute, Price of Jails
Costs directly tied to incarceration rates

Taxpayers in Johnson County spend less on the jail.

| TOTAL ANNUAL COST | $49 million ($82 per resident) | $78 million ($113 per resident) |

*Source: Vera Institute, Price of Jails*
Data & policy questions
Key questions

- Does anything surprise you about the trends?
- What do you want to know more about?
- Where would examples be helpful?
- What is the purpose of jail incarceration in Spokane?
Local challenges
Challenges

- Challenge statements should be defined as a **specific problem**, not in a way that presumes a solution:
  
  - “County X needs to introduce a pretrial risk assessment” is not an appropriate challenge statement.
  
  - In contrast, “Pretrial detention decisions in County X do not systematically take into account objective indicators of risk of flight or rearrest.”
Next steps

- Community town halls
- Quantitative data analysis & forecasting
- Jail town halls (with IRB approval)
- Meeting #2 tentatively week of July 29
Thank you!