JAIL DATA, RISK ASSESSMENT & LOCAL RESEARCH

Pretrial Decision-Making and Detention Center Populations Roundtable

Todd R. Clear
Rutgers University

Three topics

Local assessment

Ability of a jurisdiction to use data to identify strategies that would reduce jail population

Risk-based decision-making

What "risk" means, in practice, and how assessing it can help reduce jail populations

Local research agenda

What drives incarceration rates in Montana

IRON LAW OF PRISON AND JAIL POPULATIONS

The Population is created by

(1) How many people go there
and
(2) How long they stay

Jail "Stress Test" Purposes

Purpose 1: determine what is driving jail population (*Iron Law* model of jail population)

Purpose 2: give jurisdiction a chance to explore options for reducing jail population

Purpose 3: provide data to inform strategies

Stress Test Strategy

Draw representative exit jail sample
- Slice of time
- Type of exit

Estimate jail impact of different exit groups

Select sample for detailed review
- Highest impact cases
- Complete process history

Discuss cases, looking for ways to reduce jail population
- Divert from jail
- Reduce length of stay

Stress Test Data: Case 1

Release Category	Number	Average Length of Stay (days)	Percent of Releases from Main Jail	Calculated ADP
Total	7,865	40.1	-	863
CBCC/Work release	277	94.8	-	72
Electronic monitoring	176	151.8	-	73
Total Main Jail	7,412	35.4	100.0%	718
Bonded out	2,974	8.9	40.1%	72
Released on recognizance	1,439	6.1	19.4%	24
Transport to other agency	1,280	119.2	17.3%	418
Time or sentence served	1,127	50.9	15.2%	157
Court ordered	562	30.1	7.6%	46
Administrative release	14	11.2	0.2%	0
Charges dropped/dismissed	11	11.2	0.1%	0
Escaped/walk away	4	19.2	0.1%	0
Other	1	0.1	0.0%	0

Stress Test Data: Case 2

Release Category	Number	Average Length of Stay (days)	Percent of Releases	Calculated ADP	Sample
Total	4,578	16.4	100.0%	206	
Bond posted	1,414	3.5	30.9%	14	
Own recognizance	774	4.3	16.9%	9	
Released to requesting agency	671	45.1	14.7%	83	40
Sentence served	469	10.9	10.2%	14	5
Transport by other agency	318	67.1	6.9%	58	10
Court ordered	327	19.0	7.1%	17	5
Release per P/O	279	9.2	6.1%	7	
Book and release	154	0.1	3.4%	0	
Not filed	79	2.5	1.7%	1	
72-Hour hold	52	2.9	1.1%	0	
Transport to Prison	24	45.0	0.5%	3	
Other	17	0.9	0.4%	0	

Main Routes to Jail Reduction

Divert from jail entirely
- Push release decision earlier
- Expand capacity for release

Move cases through system faster
- Reduce continuances
- Reduce time between hearings

Reduce sentences
- Earned release
- Supervised release

Manage jail policy/practice
- CJCC
- Jail review committee

Risk

Inevitably, "risk" is an issue in jail reform

What "risk" means

- Obvious: risk of "what"?
- Subtle: group *not* individual

What a "risk score" means

The Public Safety Assessment (PSA)

PSA (Public Safety Assessment)

Age at current arrest

Current violent offense and <21 yrs. old

Pending charge at the time of the offense

Prior conviction (misdemeanor or felony)

Prior violent conviction

Prior failure to appear in the past two years

Prior sentence to incarceration

PSA Score Outcomes

PSA score	FTA %	Arrest %	Violence %
1	7.5	3.9	<1.0
2	9.7	6.8	<1.0
3	13.9	10.9	<1.0
4	19.8	15.1	<1.0
5	26.5	19.7	3.0
6	32.1	26.3	>3.0
Base rate	14.8	10.6	1.1

Return to the *Iron Law*

Who goes to jail?

Usual strategy: "divert" low risk into program

PSA score	FTA %	Arrest %	Violence %
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Base	*14.8*	*10.6*	*1.1*

Return to the *Iron Law*

How long do they stay?

Usual strategy: release "low risk"

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The "Risk Principle" & the "Net"

<u>Risk principle</u>: interventions work best when applied to higher risk groups

<u>Net widening</u>: Jail will get more use when interventions tap low risk

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Four Takeaways

1. The Iron Law of Jail Populations
2. Be data driven (need Montana PSA study)
3. Focus on higher risk not lower risk
4. Avoid the net

LOCAL RESEARCH PRIORITIES

1. Connection between jail rates and prison rates
2. Iron Law and prison populations
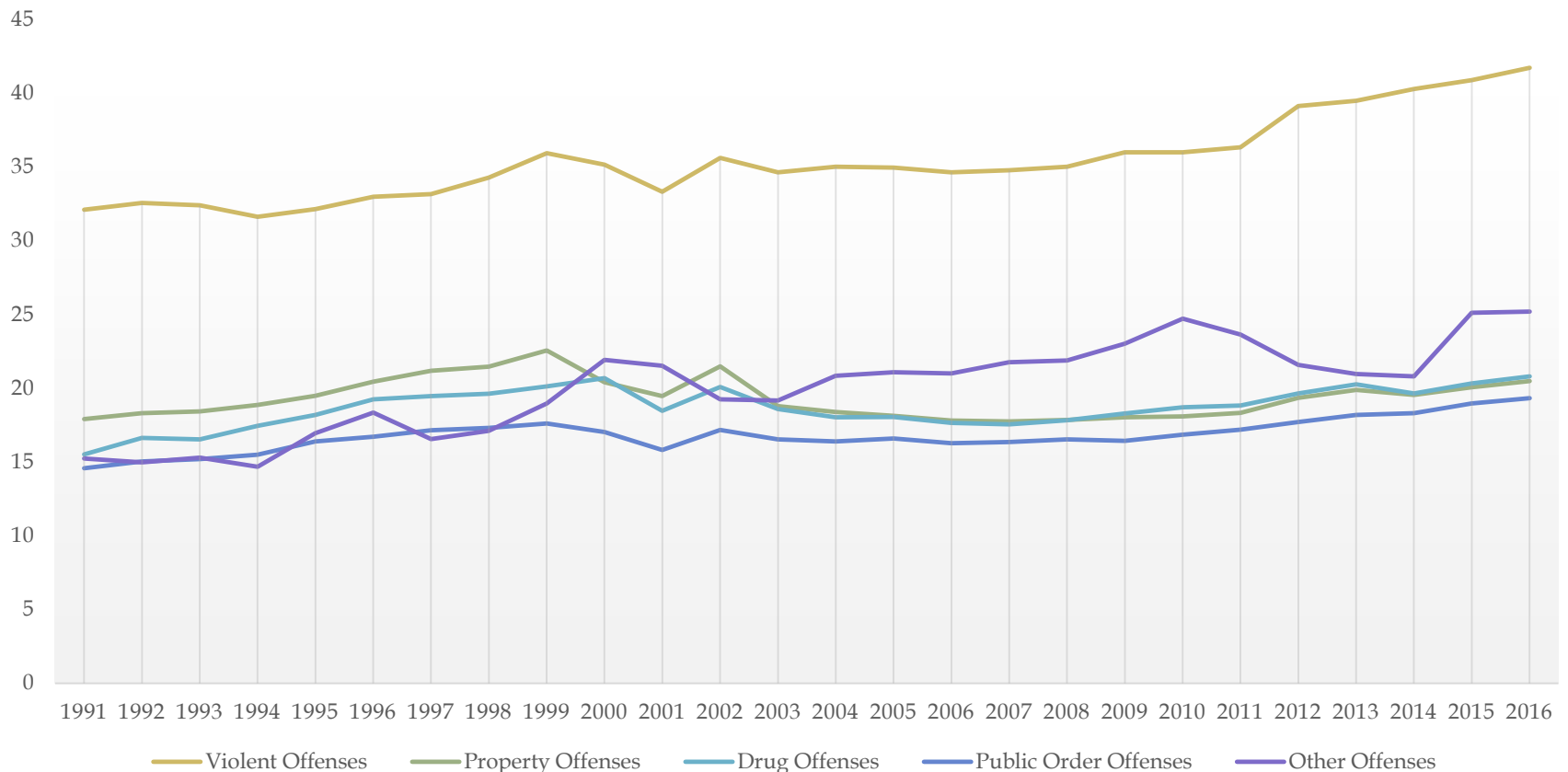3. Public safety implications of various options
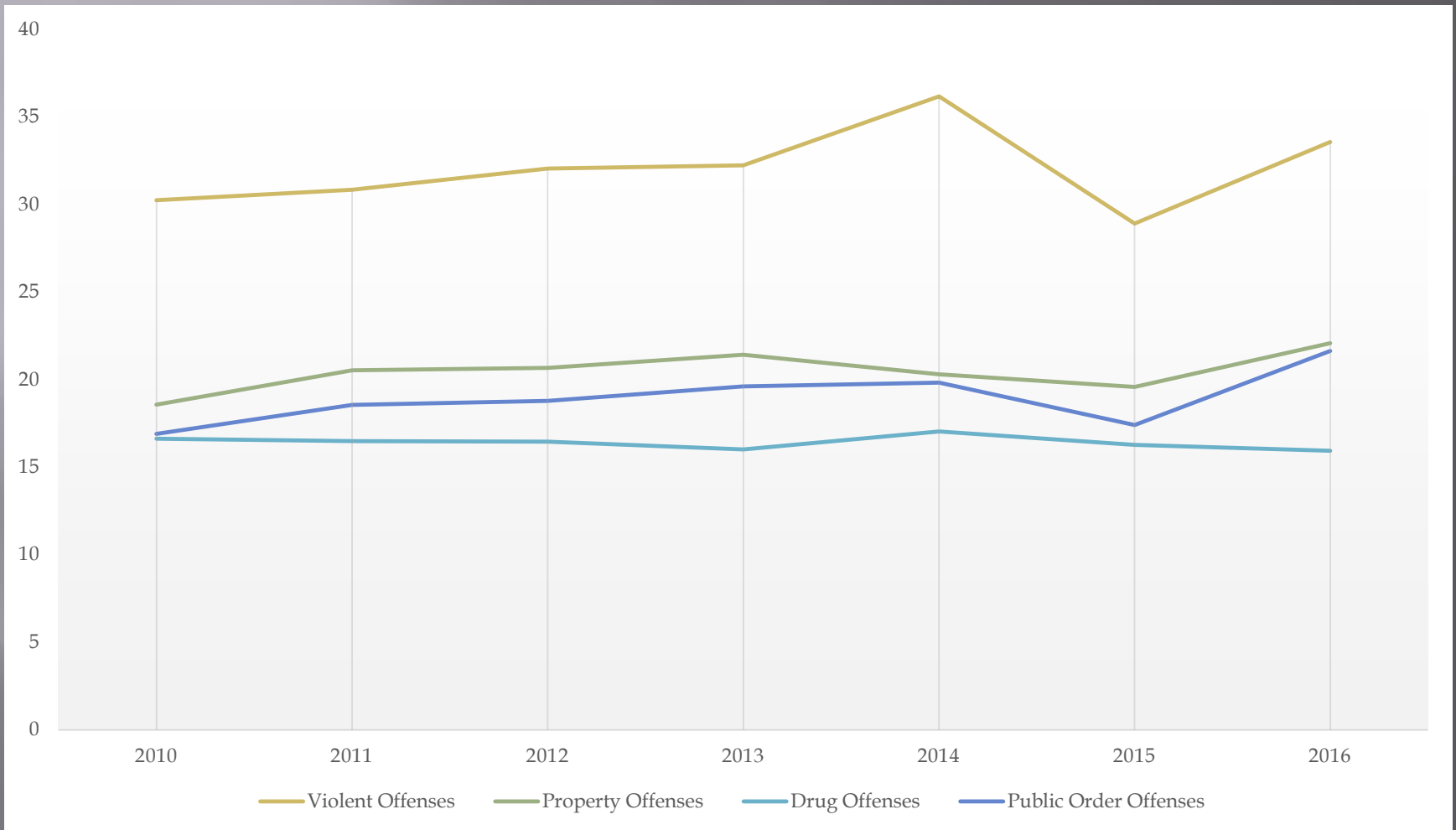
JAIL-PRISON CONNECTION

State	Prison	Jail	Change
Montana	450	250	- 1%
North Dakota	289	251	- 5%
South Dakota	590	290	0
Wyoming	574	296	+ 10%
Idaho	594	306	- 5%
US	489	111	- 9%

National LOS Changes, 1991-2016

National Mean Time Served by Year Released:
All Offenses

Legend: Violent Offenses — Property Offenses — Drug Offenses — Public Order Offenses — Other Offenses

Montana LOS 2010-2016

Montana Questions

1. What has happened to LOS across different offense categories?

2. How does jail/probation/parole impact prison rate? (34% are "violators")

3. What do public safety models look like for varies population reduction strategies?