ASSESSING

AND MANAGING

YOUR JAIL POPULATION

A TOOLKIT FOR PRACTITIONERS

by
James Austin, Ph.D.

THE JFA Institute

jfa-associates.com

CALIFORNIANS
FOR SAFETY AND JUSTICE

LOCAL
SAFETY SOLUTIONS
PROJECT

safeandjust.org

TABLE OF CONTENTS

INTRODUCTION

In the context of changing criminal justice policies in California and ongoing budget challenges at the state and local level, more than ever local leaders need effective strategies to increase public safety and reduce costs at the same time.

With the October 2011 implementation of Public Safety Realignment (Assembly Bill 109) — the law that shifted responsibility from state prisons to counties for managing individuals convicted of non-violent, non-serious, non-sex offenses — local leaders are now taking a close look at county resources to determine the best strategies to effectively manage their additional responsibilities without over-burdening local jails.

Some counties experienced at- or exceeding-capacity jail pressures before Realignment; others have experienced steadily increasing jail population numbers since it began. Now the question facing all counties is: How can you ensure that you have sufficient jail bed space for individuals that pose a high risk to public safety, while effectively managing low-risk individuals through non-custodial supervision programs, so you can protect public safety and avoid spiraling costs?

Assessing your county jail population is a key first step to answering this question. A thorough assessment of local jail populations can help you predict future jail bed needs, identify opportunities to enhance the effective use of non-custodial supervision programs, increase jail safety and community safety, and reduce costs.

This toolkit is designed to help jail managers, county executives and community stakeholders better understand what factors are driving the size of their county jail population. It provides an overview of what data to collect, how to interpret it and how to apply it to local policies and programs to ensure safe, effective and efficient use of jail bed space. If you can effectively utilize the most expensive part of your local criminal justice system — the jails — it will increase safety and allow freed up resources to be reinvested into prevention strategies to combat the cycle of crime.

A Note About What You Will Need

Inside this toolkit are some examples of the types of tables and charts that could be produced to assess jail populations on a regular basis. Some of these examples are taken from a number of California jails that have already undergone or are currently undergoing such assessments. We also provide statewide trends that will help you compare your own trends with the overall state trends.

While much of the data or information that is required to do such analysis is descriptive in nature, it is important to locate staff that have some level of skill in spreadsheets and simple statistics in order to extract the data and convert it into tables and charts.

Comparing county statistics to state averages can help you identify which of the jail population drivers in your county are distinct, and which may be part of broader trends. It can also aid in analyzing the policy implications of those drivers; for example, it may indicate where you can look to other counties' best practices for possible solutions. However, we caution that there are limitations to the utility of comparing individual county statistics to statewide trends or to other counties. There are unique factors impacting the jail populations of many counties that are distinct from other counties and the state as a whole, and may be distinct from the examples included here.

THE DRIVERS OF JAIL POPULATIONS: ADMISSION NUMBERS AND LENGTH OF STAY

This toolkit underscores the important concept of variety in jail populations. Specifically, a jail population is actually a sum of sub-populations who vary by:

• The reason for which they are in jail;
• Their social, medical and mental health needs; and/or
• The risk they pose to public safety.

There are two key factors that drive jail populations: 1) the number of admissions; and 2) the length of stay (or LOS) of each admission. The key formula can be expressed as follows:

Jail Admissions x LOS = Jail Population

A major difference between the state prison population and jail populations is that, while both are driven by number admitted and length of stay, a comparatively large number of people are booked into county jails each year, but they are booked in for relatively short periods of time in custody (usually less than four weeks, with many released within a day or two). So, in county jails, there are large numbers of people going in and large numbers coming out relatively quickly.

For example, if a county books 100,000 people per year who spend an average of 21 days in custody before being released, the jail population on any given day will be about 5,550.

(100,000 admissions x 21 LOS) / 365 days = 5,550 people

Both of these two population drivers are the product of a number decisions made by various agencies in the local justice system: law enforcement, the courts, district attorneys and defense attorneys, and other correctional agencies. Because the number of people coming into jail and the length of time they spend in jail is the result of decisions made by numerous agencies, making programmatic or policy adjustments to reduce jail pressures must involve the coordination and collaboration of all of the local

agencies involved in criminal justice decisions. The most comprehensive of jail assessments would involve all the criminal justice decision-makers in the analysis and discussion throughout the process.

Figure A shows the various factors that serve to influence the size and attributes of the jail population that must be accommodated on a daily basis.
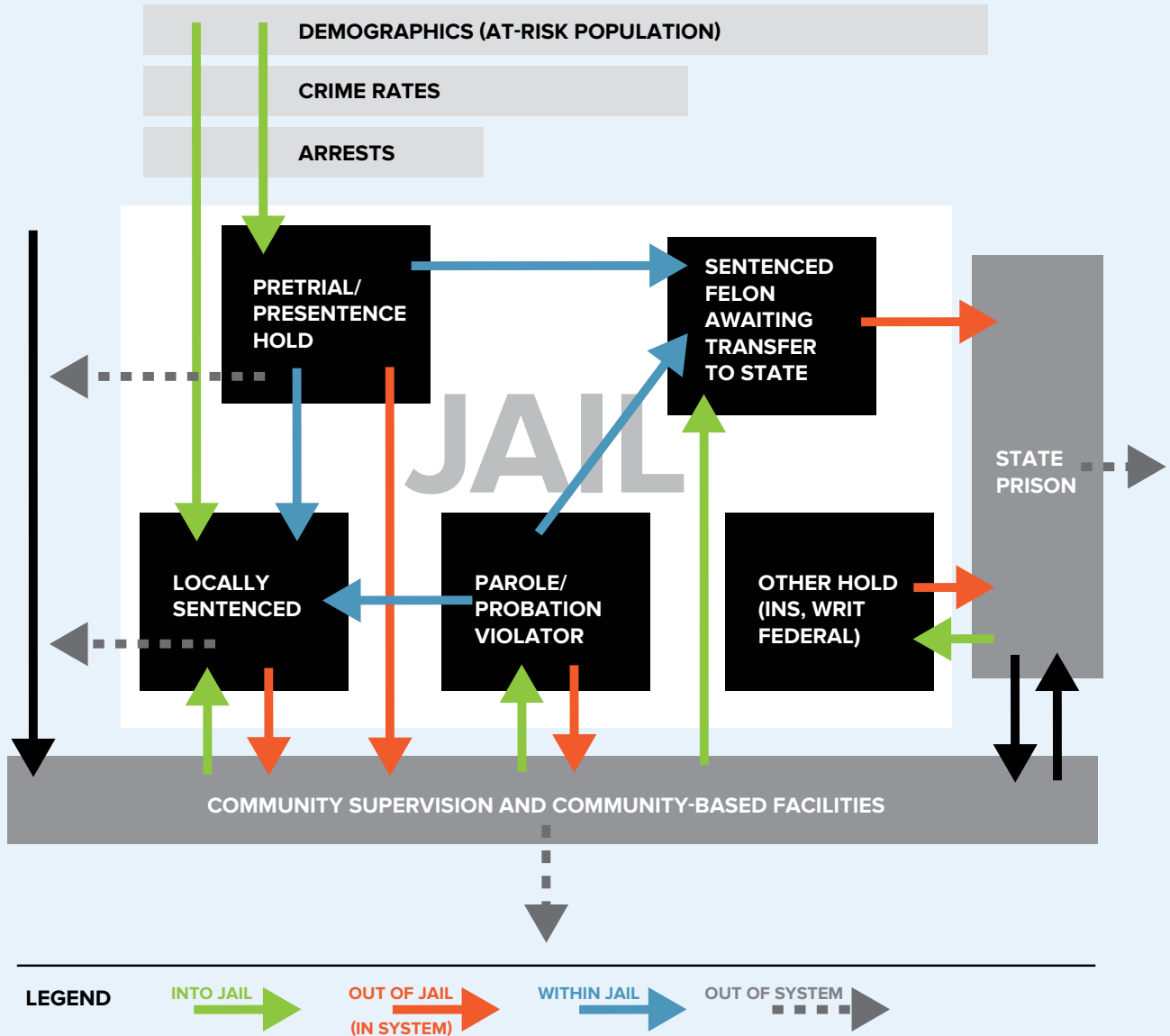
For example, the number of people booked into a jail each year is largely the result of the number of people arrested each year by law enforcement agencies. This number is also influenced by the type of crime(s) people are arrested for (e.g., felony versus misdemeanor, drug sale versus possession, etc.).

There are also other categories of people that can be booked into a jail, such as people:

• On probation, parole or post-release community supervision who have violated the terms of their supervision;
• From other jails or state prisons who are temporarily housed for various legal reasons (e.g., appeals of sentences, relieving crowding in another jail, etc.); and/or
• Without immigration documentation who may be awaiting deportation hearings.

How long a person remains in custody is largely the result of how quickly the court determines the charges filed against an individual, whether and when the court sets bail, whether it allows an individual to be released before trial without posting bail, the availability of non-custodial supervision programs, the disposition of the various charges, and the imposition of a jail sentence. These court decisions are again driven in part by the number and nature of the charges filed against defendant by the county district attorney's office.

FIGURE A. FLOW OF THE FACTORS THAT PRODUCE A JAIL POPULATION

DEMOGRAPHICS (AT-RISK POPULATION)

CRIME RATES

ARRESTS

JAIL

PRETRIAL/ PRESENTENCE HOLD

SENTENCED FELON AWAITING TRANSFER TO STATE

LOCALLY SENTENCED

PAROLE/ PROBATION VIOLATOR

OTHER HOLD (INS, WRIT FEDERAL)

STATE PRISON

COMMUNITY SUPERVISION AND COMMUNITY-BASED FACILITIES

LEGEND   INTO JAIL   OUT OF JAIL (IN SYSTEM)   WITHIN JAIL   OUT OF SYSTEM

WHAT DRIVES ADMISSION NUMBERS?

Now that we know the two factors that drive jail populations, we need to isolate each one to identify the factors that influence it. First, we will drill down on the various factors that impact the number of people admitted into the jail.

There are direct and indirect factors that impact how many people are booked into a jail system. Factors such as trends in county demographics, crime rates, jail admission rates and more impact the number of people coming in the door now and in the future. The following section provides key questions to ask for each of the factors that impact jail admission numbers.

1. Demographic Trends

The first area of assessment is the number of people in a county currently and the number that is predicted to be in the county in the future. Criminal justice decision-makers need to have a clear sense of demographic shifts that are happening in the local jurisdiction and how these may impact criminal justice system needs. While population growth in the decades to come may not impact your jail population today, it bears keeping in mind as you plan for the future.

Key Questions to Assess Demographic Trends

1. How much is your county population expected to grow over the next 10-20 years?
2. How does this growth compare with the state's projected growth?
3. How fast will your "at-risk population" (people most likely to be arrested and booked into the jail) grow over the next 10-20 years?
4. To what extent will your neighboring counties grow over the next 10-20 years?

Data Needs

California and many of its counties are expected to grow over the next two decades (and beyond), which will add to the demand on county services, including criminal justice systems. The extent to which the population is increasing, decreasing or stable can impact how many people are booked into jails each year.

You should look beyond the size of the expected population, since not everyone is as likely to be arrested and booked. For example, the very young do not go to adult jails, and the elderly are less likely to be arrested and booked. Criminologists have long noted that the two most important demographic factors for arrests are gender and age. More directly, the vast majority of arrests are of adult males ages 18-35.

A further complication is the fact that counties do not function in isolation from one another. Mass transit and transportation systems move people from other counties into nearby counties where they may be arrested. As you collect data, get forecasts of population growth and demographic changes in those nearby counties that may also contribute to the number of people arrested and booked in your jail.

Sources for Demographic Data Trends

You can locate estimates of your current and projected county populations from the California Department of Finance, which issues demographic-based forecasts for the state and each county by gender and age groups.[1] Many counties have their own estimates, which may be available to you, and local universities and colleges may have demographic estimates.

---

[1] To access these reports use the following link: www.dof.ca.gov/research/demographic/reports/view.php

FIGURE B. EXAMPLE OF DEMOGRAPHIC TRENDS — RIVERSIDE VERSUS SAN BERNARDINO
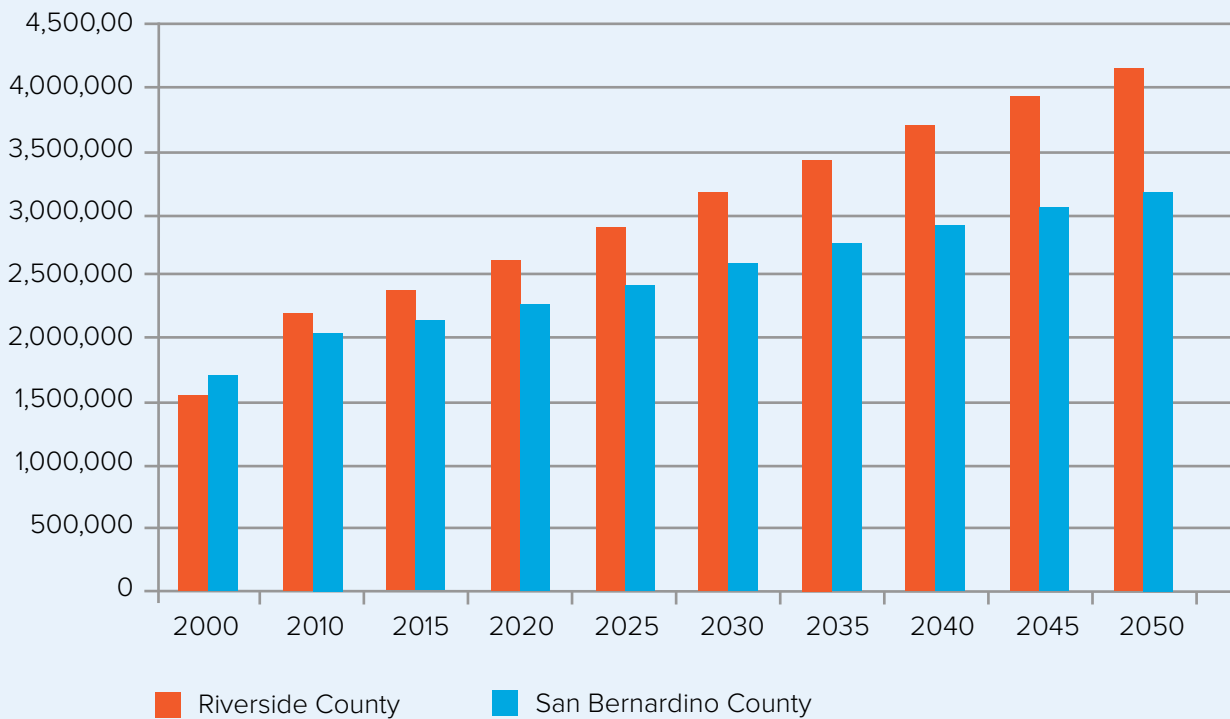
Examples of Demographic Trends

Figure B is a simple illustration of projected populations for San Bernardino and Riverside counties, two neighboring southern California counties. Today, the populations of San Bernardino and Riverside are roughly the same. Both are projected to grow over the next 40 years, but Riverside County is expected to grow significantly more, so that by 2050, Riverside is about 30-percent larger than its neighbor.

Table 1 is an example of the at-risk population for Santa Cruz County. Here the trend is not much, if any, growth for the higher-risk population that is arrested and booked into jails at a higher rate than other age and gender groups.

TABLE 1. DEMOGRAPHIC-BASED PROJECTIONS FOR MALES AGES 15-44, SANTA CRUZ COUNTY

	2000	2010	2020	2030	2040	2050
Total Males	256,695	268,016	287,480	304,465	318,413	333,083
Age						
15-19	10,061	9,059	9,011	10,220	10,269	10,569
20-24	10,666	9,996	8,810	10,209	10,858	10,739
25-29	9,313	9,898	8,846	8,865	10,016	10,065
30-34	9,988	10,650	9,376	8,259	9,623	10,272
35-39	10,290	9,658	10,240	9,240	9,249	10,394
40-44	10,780	10,944	11,119	9,928	8,779	10,129
Total	**61,098**	**60,205**	**57,402**	**56,721**	**58,794**	**62,168**

2. Crime Trends

After assessing general demographic trends, you will then need to assess another impact on the number of people admitted into county jails: crime trends. As with all of the data collection suggested in this toolkit, the more specific the information you can gather about crime trends, the more helpful it will be to both predict jail space needs but also to identify larger community issues that local government decision-makers can understand and address.

Key Questions to Assess Crime Trends

1. What is the current crime rate for the county, and how does it compare with California's rate?
2. How does it compare with other counties that are similar to yours with respect to demographics?
3. Are the crime rates increasing or decreasing — and for what specific crimes?

Data Needs

The number of crimes and the trends can have an impact on arrests and jail bookings. One source of information about crime rates is the Uniform Crime Reporting (UCR) system. The UCR system data is limited to only the following major crimes:

1. Crimes of Violence
   a. Murder
   b. Rape
   c. Robbery
   d. Assault

2. Non-violent Crimes
   a. Burglary
   b. Theft
   c. Arson
   d. Motor Vehicle Theft

Other more common crimes such as drug possession, drug sales and DUI are not covered under the UCR and will need to be collected from other data sources. Nonetheless, understanding the overall crime rate for your county for major crimes — and in comparison to other counties – can signal trends that impact jail population projections.

Other Sources for Reported Crime Data

The California Office of the Attorney General maintains reported crime data and rates per 100,000 people within a population for each county as well as the state. The Attorney General data tends to be a year old. If you want more current crime data, you will need to contact your local police agencies for the most current statistics. However, counties often have many law enforcement agencies serving the county, so it may be more efficient to sample only those police agencies that cover most of the crime being reported for the county. This set of agencies can be identified by looking at the Attorney General data that shows the number of reported crimes by each county law enforcement agency.

FIGURE C. CALIFORNIA CRIME RATES 1960-2010
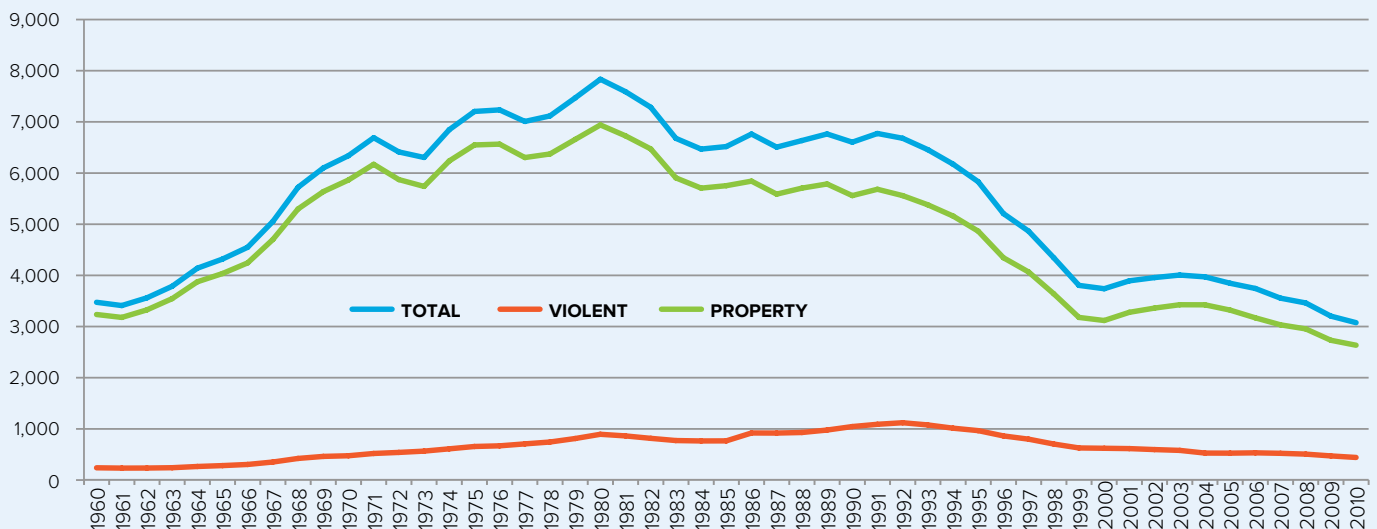
Examples of Reported Crime Trends

California crime rates have dropped dramatically over the past two decades. As shown in Figure C, the state's crime rate is now lower than what was in the 1960s.

Figure D is a comparison of recent crime rates from 2000-2009 for San Bernardino County and the state of California. In terms of overall crime rates, the San Bernardino rate is slightly higher than the state rate but appears to be declining at about the same rate. With regard to the violent crime rate, the state rate and San Bernardino's rate have been virtually identical over the years. Table 2 shows the actual number of crimes reported to police and the resulting crime rate per 100,000 people for each year in San Bernardino.

FIGURE D. STATE VERSUS SAN BERNARDINO COUNTY CRIME RATES 2000-2009

- SAN BERNARDINO VIOLENT CRIME RATE
- SAN BERNARDINO PROPERTY CRIME RATE
- CALIFORNIA VIOLENT CRIME RATE
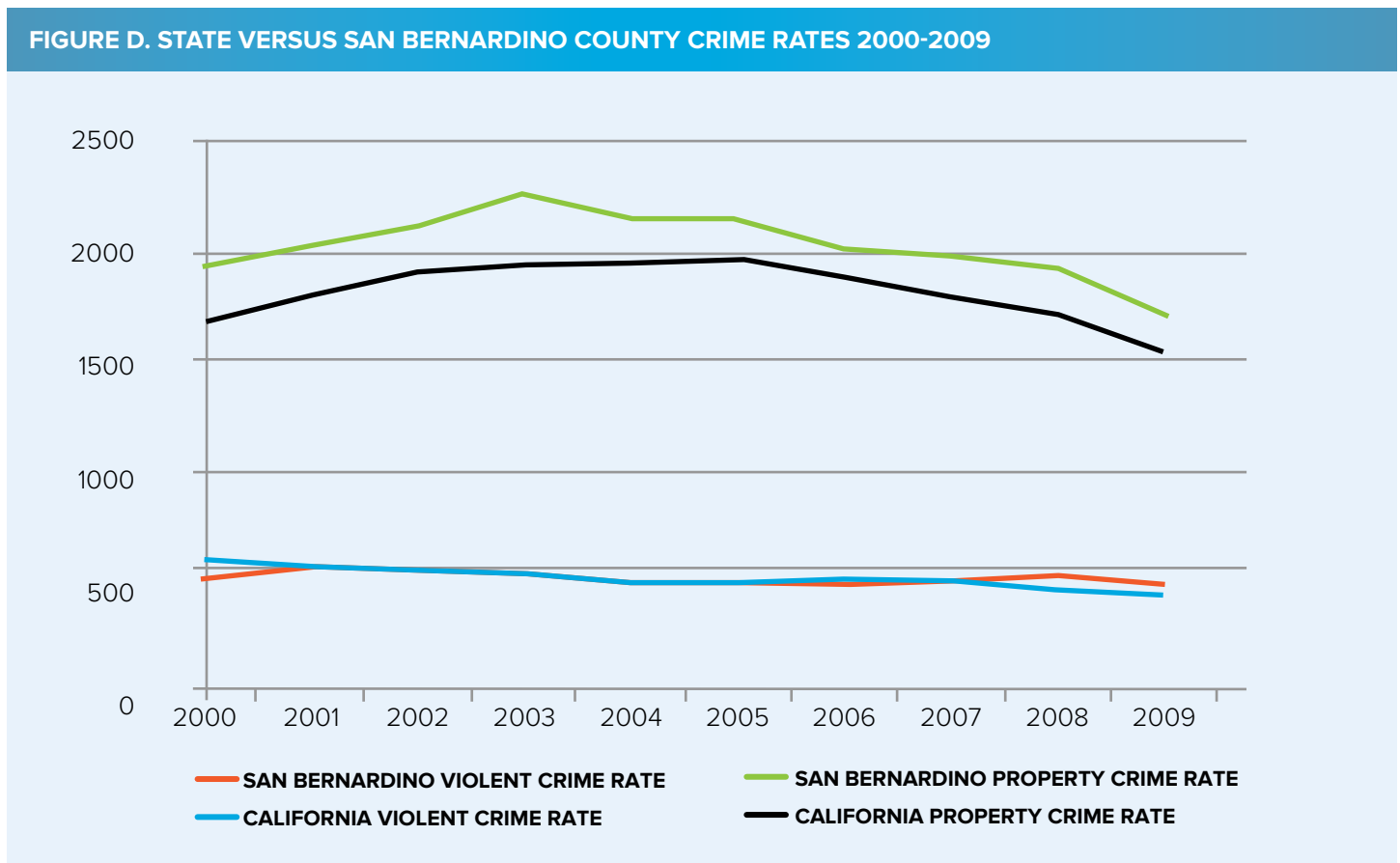- CALIFORNIA PROPERTY CRIME RATE

TABLE 2. SAN BERNARDINO COUNTY REPORTED CRIMES AND CRIME RATES: 2000-2009

	Violent Crimes	Property Crimes	Violent Crime Rate	Property Crime Rate
2000	9170	33079	526.3	1898.6
2001	1048	35466	568.9	2008.2
2002	9979	37948	550.8	2094.6
2003	10147	41771	542.8	2234.6
2004	9813	41271	508.3	2138.0
2005	9732	42570	492.0	2152.4
2006	9912	40381	491.6	2002.7
2007	10238	40220	502.0	1972.5
2008	10489	39596	509.0	1921.5
2009	10038	35314	486.2	1710.6

3. Adult Arrest Trends

While general population demographics and reported crime data have indirect effects on the size of a jail system, the most direct factor is the number of adults arrested each year. Patterns and practices related to who is arrested and for what crimes vary widely across counties and must be analyzed in detail to understand its impact on local jail populations.

Key Questions to Assess Adult Arrest Trends

1. How many adults are arrested each year for the past five years?
2. Which law enforcement agencies make the most arrests?
3. What are the trends in arrests by felony and misdemeanor crimes?
4. What are the demographics of people being arrested each year (gender, age)?

Data Needs

The type and level of crime (felony versus misdemeanor) impacts whether a person is booked in jail or released with a citation. Generally in California, most people arrested for traffic violations and other minor crimes are cited and released without being booked into a correctional facility. Most other misdemeanor and virtually all felony arrests do result in a jail booking – even if only for a few hours of detention. The gender and age of the person arrested may determine in what jail they are housed.

Those who stay in jail for longer periods of time have typically been arrested on felony crime charges. Because felonies are generally more serious crimes and have higher bail amounts, many people arrested for felony crimes have a more difficult time gaining pre-trial release and thus occupy the majority of jail space.

Recent research has shown that about seven out of 10 people in California jails are awaiting trial. These large percentages indicate how important it can be to analyze how a local jurisdiction manages pre-trial arrestees. Once information on who is being arrested and for what crimes has been gathered, counties will also need to assess local pre-trial arrestee management practices. The length of stay section below provides more detail on assessing pre-trial arrestees.

Sources for Adult Arrests

The California Attorney General's office is a very good source for county, nearby county and statewide historical arrest data. They have very detailed data for both felony and misdemeanor adult arrests (as well as juvenile arrest data). Those statistics, however, can be dated (usually a 1-2 year lag in reporting statewide- and county-level numbers). For more current data on who is arrested and for what crimes, contact local law enforcement agencies.

FIGURE E. ADULT FELONY ARRESTS – 2005-2010
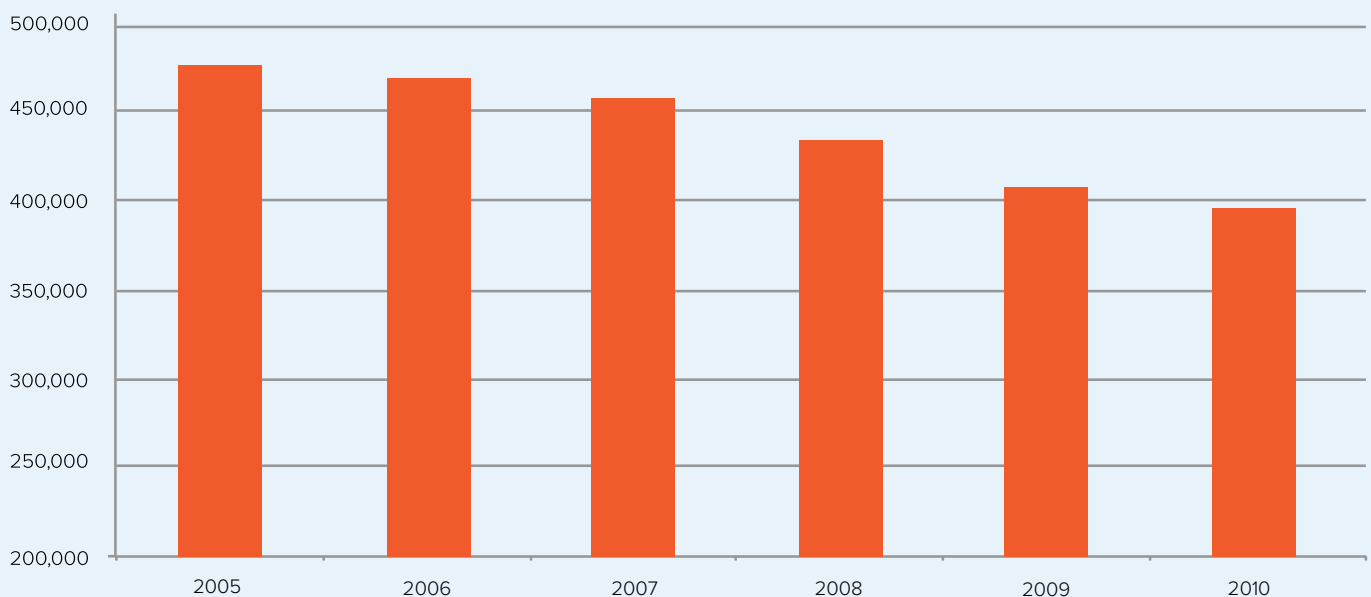
Examples of Adult Arrest Trends

Arrests in California – and in particular felony arrests – have been declining since 2005 (Figure E). This downward trend is consistent with the reduction in reported serious crimes as shown earlier.

Table 3 shows the total of misdemeanor arrests for California since 2000. The same table, as well as a table for felony arrests, is available from the Attorney General's website. What is noteworthy in the detailed misdemeanor table is that the number of these arrests is much larger than the felony arrests and has not declined over the past 10 years.

TABLE 3. DETAILED LISTING OF CALIFORNIA MISDEMEANOR ARRESTS – 2000-2010

Gender, offense and rate	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Total misdemeanor arrests	907,990	903,249	931,782	945,562	939,046	968,408	992,588	1,010,038	970,221	918,279
Male	726,337	717,804	735,144	740,855	734,511	761,260	776,979	787,143	748,774	698,498
Female	181,653	185,445	196,638	204,707	204,535	207,148	215,609	222,895	221,447	219,781
Manslaughter-vehicular	96	105	92	106	119	136	114	85	84	77
Assault and battery	84,372	84,936	86,413	85,602	87,001	89,199	91,150	93,794	91,932	88,037
Burglary	541	626	493	647	654	722	623	735	785	836
Petty theft	70,059	69,009	69,837	69,352	64,349	58,659	63,134	67,664	68,046	66,093
Other theft	4,392	4,619	4,914	4,737	4,694	4,688	4,751	5,148	4,754	4,286
Checks and access cards	782	829	762	802	808	843	891	664	599	485
Marijuana	48,495	47,251	48,181	46,931	47,380	51,838	57,995	61,388	61,164	54,849
Other drugs	76,570	78,901	86,374	93,267	99,921	96,090	91,646	79,858	73,454	74,333
Indecent exposure	1,827	1,702	1,555	1,528	1,541	1,452	1,423	1,403	1,383	1,313
Annoying children	979	987	922	903	887	895	907	805	777	773
Obscene matter	69	91	55	71	81	84	97	105	106	110
Lewd conduct	3,365	3,637	3,717	3,853	4,093	3,907	4,059	3,318	3,139	1,993
Prostitution	11,734	12,086	13,418	14,370	13,430	12,500	12,540	12,938	12,476	12,030
Contribute delinquency of minor	1,800	1,722	1,590	1,473	1,499	1,701	1,904	2,129	1,892	1,513
Drunk	106,443	100,095	98,613	99,795	96,801	107,024	115,239	122,802	116,199	107,714
Liquor Laws	27,816	28,402	30,396	26,116	21,554	21,622	21,349	19,927	18,056	17,282
Disorderly conduct	4,187	4,518	5,923	7,254	5,757	5,205	4,047	4,389	4,172	4,748
Disturbing the peace	17,282	17,344	17,396	17,695	17,342	17,034	16,759	15,424	13,751	12,576
Vandalism	17,950	16,729	15,649	15,289	16,367	18,617	18,441	17,322	15,127	13,188
Malicious mischief	687	728	694	724	620	553	552	556	530	536
Trespassing	18,310	18,366	18,104	17,051	17,574	17,367	17,150	16,261	15,459	15,297
Weapons	4,910	5,175	5,384	5,802	6,374	6,554	6,344	6,201	5,771	5,800
Driving under the influence	173,239	173,748	180,074	177,056	176,384	192,903	199,866	211,163	205,081	193,280
Hit-and-run	6,707	6,945	7,315	7,556	7,237	7,579	7,124	6,657	6,246	5,834
Selected traffic violation	25,163	25,054	25,174	24,879	24,061	23,924	22,597	22,230	20,556	18,344
Joy riding	204	197	305	321	391	424	336	276	224	173
Gambling	430	523	566	501	665	553	686	599	650	512
Nonsupport	181	239	205	144	104	166	140	77	57	46
Glue sniffing	472	343	360	534	708	1,358	1,439	1,915	1,558	1,407
City/county ordinance	61,075	56,420	63,196	69,713	70,404	69,324	71,131	71,689	69,456	65,316
FTA non-traffic	79,925	83,564	85,099	91,930	96,058	101,158	104,290	110,155	106,287	102,030
Other	57,928	58,358	58,976	59,560	54,188	54,329	56,864	52,361	50,450	47,468
Status offenses	40,013	35,620	32,220	30,740	30,998	36,496	36,036	33,999	30,190	27,594
Population - age 10 thru 69	26,745,137	27,302,433	27,815,344	28,357,204	28,809,579	29,236,911	29,558,540	29,910,167	30,250,590	30,585,515
Arrest rate per 100,000	3,395.0	3,308.3	3,349.9	3,334.5	3,259.5	3,312.3	3,358.0	3,376.9	3,207.3	3,002.3

Tables 4 and 5 take the same detailed data and collapse them to more generic categories for Riverside County. Riverside County's crime rate, like the state crime rate, has fallen from 2000-2009 — for example, its violent crime rate has fallen sharply from 607.8 to 342.4. But unlike the state trends, the number of felony arrests in that county has not been declining. This can be explained by the demographic trends, since Riverside County grew faster than the state of California from 2000-2009, and its arrest rate per 100,000 residents has declined. Nevertheless, the growing number of arrests will add pressure to the jail population. The County's misdemeanor adult arrests, unlike the state misdemeanor trends, have also been on the rise.

TABLE 4. RIVERSIDE COUNTY'S HISTORICAL FELONY ADULT ARRESTS – 2000-2009

Year	Male	Female	Total	Violent	Property	Drug	Sex	Other
2000	15,239	3701	**18,940**	5351	5646	5195	345	2403
2001	16,730	4009	**20,739**	5937	6355	5155	407	2885
2002	18,560	4511	**23,071**	6250	6744	6265	420	3392
2003	19,748	4953	**24,701**	6200	6926	7210	383	3982
2004	20,616	5191	**25,807**	5603	7197	7950	354	4703
2005	20,988	5294	**26,282**	5489	7447	8,073	349	4924
2006	22,043	5514	**27,557**	6134	7825	7567	416	5615
2007	20,971	5510	**26,481**	6078	7670	6425	395	5913
2008	19,375	5586	**24,961**	5940	7534	5684	475	5328
2009	18,785	5314	**24,099**	5825	7082	5881	479	4832

TABLE 5. RIVERSIDE COUNTY'S HISTORICAL MISDEMEANOR ADULT ARRESTS — 2000-2009

Year	Male	Female	Total	Assault & Battery	Petty Theft	Drunk in Public	DUI	Mari-juana	Other Drug
2000	27,099	6278	**33,377**	3095	2642	6094	7957	1700	3076
2001	26,589	6544	**33,133**	3707	2563	5689	7666	1616	3450
2002	27,580	6674	**34,254**	3730	2513	5874	8484	1570	4125
2003	27,660	7208	**34,868**	3876	2413	5254	8348	1874	4369
2004	26,798	7002	**33,800**	3673	2611	5291	8312	1769	4095
2005	27,020	6926	**33,946**	3394	2768	5774	8501	1729	4017
2006	29,548	7530	**37,078**	3740	2527	6903	9650	2143	3744
2007	31,309	8789	**40,098**	3869	3167	7017	10019	2536	3565
2008	30,919	9576	**40,495**	3851	3720	6489	10674	2960	2925
2009	30,593	9494	**40,087**	3680	3943	6799	10647	2748	2914

4. Jail Booking/Admission Trends

In addition to assessing adult arrest trends, counties need to assess jail booking and admission trends. While the majority of people going into jail have been arrested, there are other factors that can lead to a jail booking, such as transfers from other jails; people who violate the conditions of probation, parole or post-release community supervision; people who fail to appear for their scheduled court appearances; or people held in jail at the request of Immigration and Customs Enforcement (ICE). For each, it is important to get a full account of all bookings each month and track these trends on a regular basis. The trends in various types of admissions can provide clues about where energy may be best spent in managing the size of the jail population.

Key Questions to Assess Jail Booking/Admission Trends

1. What are the most recent trends in the number of jail bookings for the past five years?
2. How do these compare with population, crime and arrest trends?
3. In a given year, how many people are booked into the jail?
4. What are the types of crimes for which people are booked into the jail?

Data Needs

Counties will need to gather information and track data on all of the populations of people that enter into a jail each year, including transfers, violators, Failure to Appear (in court) and ICE holds.

Additionally, counties should calculate not just the number of admissions but also the number of individuals admitted to be able to identify the individuals who are booked multiple times in one year. These multiple bookings can have a disproportionate impact on total jail admissions and the size of the jail population.

Frequent Recidivists:

It is important for counties to be able to pinpoint individuals that are cycling in repeatedly to identify the underlying issues and assess possible alternate courses of intervention. These individuals may pose a very high cost to jails but often have mental health or addiction issues that cannot be met by the criminal justice system alone. The "frequent flyer" or "heavy user" assessment involves a deeper level of analysis. A cross section of county agencies would need to collaborate to share information about these individuals to be able to identify causes of the problem/s and determine a cross-agency response. A significant proportion of "heavy users" of jails may also turn up as frequent users of the public health system, possibly with a substance abuse or mental health diagnosis. Sharing information can help cut down on recurring stints in jail.

Seasonal Trends:

Finally, it is important to see if there are any seasonal trends in bookings. If the data is assembled on a monthly basis, one will usually detect peaks and valleys in the number of bookings that cause the jail population to rise and fall. Jail planners often use these fluctuations to compute a "peaking factor" that represents, in part, the percent of change in the jail population on a month-to-month basis. Peaking factor also takes into account the need to have some available bed space to account for the handling of special-needs housing areas (medical, mental health, protective custody and administrative segregation). It is usually set at 10 percent, which means that if the jail population averages 2,000 inmates, the bed capacity for the jail should be set at 2,200 to minimize crowding during peaking periods.

Sources for Jail Admissions Data and Examples of Booking Trends

There is no statewide data in California on the number jail admissions (or releases), so one can only look within their own jail system or neighboring counties to identify trends. Typically sheriff departments keep statistics on the number of bookings that occurred each month, and it is preferable to break that number out by demographic data such as gender and age. Figure F shows the trend in jail bookings for Santa Cruz County by gender. Consistent with its overall arrest trends, those numbers are going down.

Bookings are often closely correlated with the number of adult arrests, specifically misdemeanor arrests. Although, as noted below, most people arrested for a misdemeanor are quickly released and occupy a small proportion of the daily jail population. For that reason, it is more important to track the number of jail admissions that are for felonies.

FIGURE F. TRENDS IN SANTA CRUZ JAIL BOOKINGS 2007 - 2012
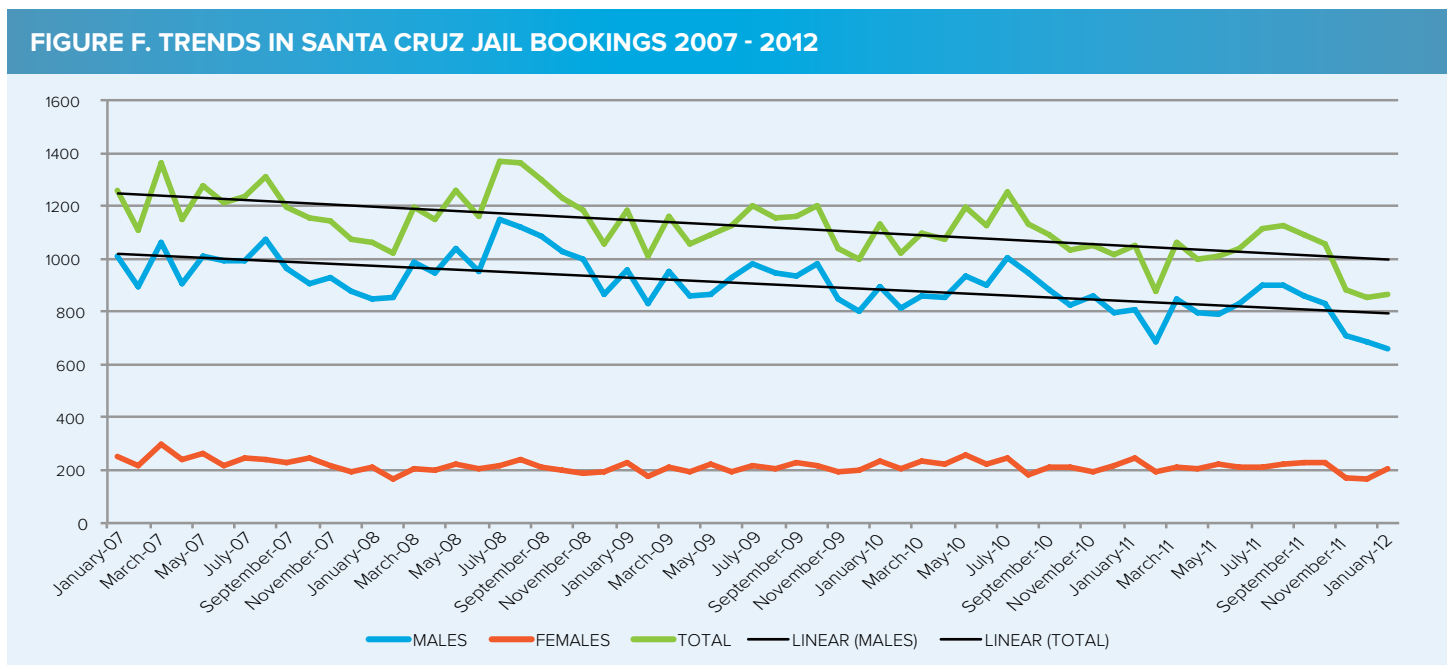
5. Sentencing

The final — and major — decision point that impacts jail admissions is sentencing. Most jails today consist of people who are awaiting trial, with a smaller but significant number who have been sentenced to the jail. This trend is now changing with the implementation of Public Safety Realignment. Since it shifts responsibility for people convicted of non-violent, non-serious, non-sex offenses to counties, not state prisons, the number of sentenced individuals in county jails is going up.

Many people found guilty of felonies and misdemeanors are either placed on county probation supervision or sent to state prison. Over the last few years, California has made successful investments in evidence-based probation strategies and incentives to reduce probation violations. As Realignment shifts more individuals onto the county probation rolls, counties can strengthen and expand these approaches to reduce the number of repeat violators from showing up in county jails.

Another group of people is released and credited for the time served while awaiting their court hearing. The last major possible sentencing outcome is a jail sentence that requires the person to serve time incarcerated in the jail as part of their punishment.

Key Questions to Assess Sentencing Trends

1. What percentage of cases result in a sentence to the jail versus probation or state prison?
2. How do the county's statistics compare with other counties and with the state's rate?
3. What are these same trends for the AB 109 cases?

Data Needs

These data must come from the Superior and Municipal courts in your county. The Attorney General's office provides year-by-year comparisons of the key dispositions by each county. These data are being provided by each county's court system, so one can get these and more current data from the local courts.

Examples of Sentencing Analysis

Table 6 shows the dispositions of California cases that started out as felony arrests and were charged in 2010. About one-third of these charges do not result in a felony conviction. These cases are either dismissed by the court or the charges are subsequently reduced to the misdemeanor level. The percentage of dropped or reduced charges is significant to a jail, since many of these people are restricted from other forms of pre-trial release due to the nature of the crime.

TABLE 6. DISPOSITIONS OF FELONY CASES IN CALIFORNIA — 2010

Disposition	%
Not Convicted or Reduced to Misdemeanor	33%
Convicted	67%
Prison	14%
Probation	9%
Probation with Jail	39%
Jail	3%
Fine	1%
Other	1%

As Table 6 indicated, the other important statistic is the percentage of cases that result in a prison term (14 percent). The vast majority of people arrested for a felony (86 percent) do not go to state prison. Instead many receive a jail sentence followed by county probation supervision. Misdemeanor convictions can receive a maximum sentence of a year in county jail.

WHAT DRIVES LENGTH OF STAY?

The other half of the jail population equation is length of stay (LOS). As with bookings, how much time a person spends in custody has a dramatic impact on the current and future size of the jail population. And just as the number of bookings is the product of several factors, so too is the LOS statistic.

1. Charging and Pre-trial Decisions

When booked in a jail, the defendant has been charged with a crime that justifies the detention. Soon after booking (usually within 24 hours), there is an arraignment hearing where the prosecutor must file formal charges against the defendant. Charges are then reviewed by a judge, who makes the final decision on what charges are proper and what corresponding bail amounts will be for each charge. The charge and bail decisions by the court have much to do with whether a person remains in custody or is released.

There are a few ways a defendant can be released from the jail. First, they can post the bail with the court (either using their own resources or via a bail bondsmen). They also can receive a citation release or release on own recognizance. The use of a risk assessment tool at the point of booking or soon thereafter can help identify individuals who do not pose a public safety or flight risk and thus may be considered for release on their own recognizance (OR), without requiring bail.

An OR generally requires some form of reporting to a supervising agency. Many California counties have limited pre-trial supervising agencies despite the wide recognition that such agencies can have a significant impact on pre-trial populations. The participation of these agencies in pre-trial release decision-making takes on greater significance with the recognition that the largest portion of the jail population are those in pre-trial status who have been unable to secure release shortly after being booked.

Another major determinate of LOS for pre-trial cases is how long it takes for the criminal charges to be disposed of by the court(s). This is especially relevant for people unable to secure pre-trial release. Final dispositions of criminal charges can be delayed by lack of available courtroom space, or continuances requested by the prosecutor or defense counsel. There can also be delays related to having multiple charges filed where different judges are assigned to each charge.

Key Questions to Assess Charging and Pre-trial Decisions

1. What proportion of people in the county jail are able to secure pre-trial release?
2. How does this number compare to the state average?
3. How much bail is typically required for the main crimes that people are charged with in your county?
4. How do those bail amounts compare with the amounts required for the same crimes in other counties in California?
5. How many people are being released on their own recognizance and/or transferred to pre-trial, non-custodial supervision programs?
6. What are the charges facing this group? Is there a subsection of this group that would be likely to succeed in pre-trial supervision?

Data Needs

Information about standard bail amounts can be found in bail schedules on each county's superior court website. Information about the existence and capacity of county pre-trial supervision programs may be found by contacting county supervising agencies.

The average length of stay of people who are not released before trial can be calculated using data from the jail information system. Information about the charges facing this group can be obtained from the jail information system as well.

Example of Charging and Pre-trial Decision Analysis

Figure G shows the percentage of people awaiting trial in jails across California and in six specific California county jails. There is a range from 35 percent of people in the Trinity County Jail awaiting trial to a high of around 90 percent in Fresno and Yuba counties. Counties with an above average percentage of un-sentenced individuals in their jails may have people in their jail populations who could be served by an expanded pre-trial community supervision program. However, it is important to assess the proportion of the jail population who might be eligible to participate. A pre-trial supervision program can effectively serve individuals with a range of risk factors — the intensity of supervision should be linked to risk, with low-risk individuals receiving passive supervision, or none at all, and higher-risk individuals receiving active supervision.

FIGURE G. PERCENTAGE OF UN-SENTENCED INMATES, OCTOBER 2010 - SEPTEMBER 2011
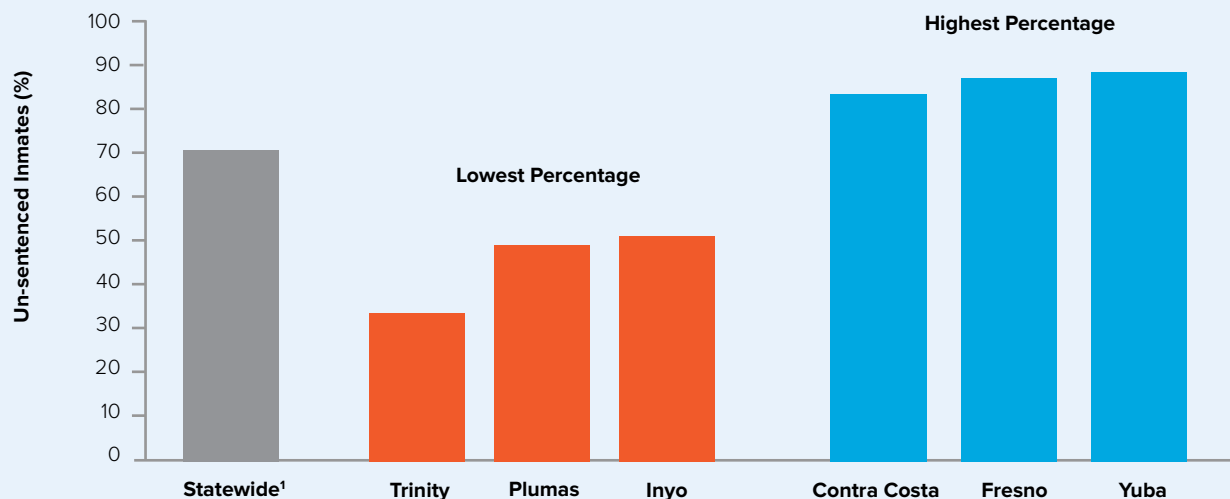
Capacity Challenges in California's Jails, Public Policy Institute of California, 2012, using data from Jail Profile Survey, October 2010–September 2011.

The assessment is conducted using a risk assessment tool. The information collected and analyzed depends on the tool selected. Some of the factors that are commonly considered in a risk assessment are:

• Prior criminal history
• Prior failures to appear
• Current charge
• Employment
• Ties to family and community

Studies have shown that prior criminal history and prior failures to appear are the most correlated to pre-trial risk. However, significant factors can vary between jurisdictions. When adopting an existing tool or developing a new one, each jurisdiction should track pre-trial release outcomes and complete its own analysis of which factors relate most directly to pre-trial risk. This type of ongoing data collection and analysis can help ensure that the pre-trial program is achieving its goals of cost-effectively returning defendants to court, and protecting public safety.

2. Sentencing

Sentencing was discussed earlier as a driver of jail admissions, but sentencing for both felonies and misdemeanors is also a driver of length of stay. Public Safety Realignment is increasing the proportion of people who are serving out felony sentences in county jails, and those people may have a longer length of stay than has been typical in the past. Understanding the sentencing trends in your county may help

you prepare for changing infrastructure needs in your jail.

Key Questions to Assess Sentencing Trends

1. For people who are sentenced to jail, what are the lengths of jail sentences, and how many individuals receive credit for time served in pre-trial status?
2. How do the county's statistics compare with other counties and with the state's rate?
3. What are these same trends for the AB 109 cases?

Example of Sentencing Analysis

Realignment increases the number of individuals being sentenced to local jail time and therefore impacts county jail populations. So far those increases vary substantially by county. Under the law, local jurisdictions can sentence people who have committed non-serious, non-violent, non-sex offenses to a "full" or "blended" jail term. The latter means that only some proportion of the sentence must be served in the jail, with the remainder served in the community under some form of supervision.

As shown in Table 7, there is much variation in this practice. Los Angeles is rarely using the blended sentence and has historically sent many of these people to state prison prior to AB 109. Consequently its jail population is now, under Realignment, rising and will peak at about 21,000 (from a low of 15,000). Conversely, San Francisco sent very few people to state prison prior to AB 109 and is using blended sentences at a much higher rate. Its jail population has remained stable.

TABLE 7. USE OF AB 109 BLENDED SENTENCE FOR LOS ANGELES, SAN FRANCISCO AND STATEWIDE

Indicator	Los Angeles		San Francisco		Statewide	
	N	%	N	%	N	%
Post-release Community Supervision Releases	5,441	100%	237	100%	22,477	100%
Absconded	450	8%	18	8%	1,581	7%
1170h Sentences						
Projected	4,206	130%	108	131%	13,221	112%
Actual	**5,471**	**100%**	**142**	**100%**	**14,775**	**100%**
Jail Only	4,389	80%	79	56%	10,687	72%
Split Sent	256	5%	61	43%	3,138	21%
Supervision Only	826	15%	2	1%	946	6%

3. Length of Stay Analysis by Method of Release

An analysis of the length of stay by method of release is a comprehensive way to begin to identify what factors may be lengthening the amount of time different populations are staying in the county jail.

Key LOS Questions

1. What is the current LOS, and how has it been changing over the past few years?
2. What are the key methods of release and the LOS associated with each method of release?
3. What are the differences in LOS by offense and gender?

Data Needs

In order to answer these and other key questions on LOS, a new form of data is required that can only be secured from the jail's information system. The data should reflect all of the jail releases that have occurred in the past year or two. One does not need to go back too far to assess how long people are spending in the jail — and for what reasons. And since the majority of people are released within a few weeks, just looking at the past year of releases is generally sufficient to understand what factors are driving the LOS.

Examples of LOS Analysis by Methods of Release

Statewide LOS data do not exist, so each county will have to rely on its statistics and analysis. Moreover, very few counties are routinely tracking their LOS by the methods of release or the drivers of the LOS.

In general, the overall LOS in jails is relatively shorter than in prison systems. For state prisons, the LOS is measured in months or years, while for jails the LOS is measured in days. Even more striking is the distribution of the LOS: A very large percentage of people booked in jail are released within three days, and if people do not get out of jail in that time frame, they are likely to remain in custody for several weeks or months.

This distribution of the jail LOS is graphically portrayed in Figure H. This chart is based on the total number of jail bookings for Los Angeles County, which operates the nation's largest jail system. Each year, the L.A. County Sheriff's Department records about 140,000 bookings for its main jail system. Actually, there are about 400,000 admissions to the entire detention system, but about 260,000 are released at the numerous jail sub-stations and never get to the main jail.

The other major takeaway from this chart is that in order to lower a jail population, reforms would have to target people who are not released quickly, which tends to be people charged with the more serious felony crimes who have higher bail amounts. These facts become more transparent when we study a snapshot of the jail's daily population instead of admissions.

The other key table to create is one that shows the LOS by the key methods of release, which gives two critical pieces of information in one table:

- The primary methods by which inmates are being released from jail (which show the forms of release that are used the most and least); and
- The amount of time taken to release an inmate by these same methods of release.
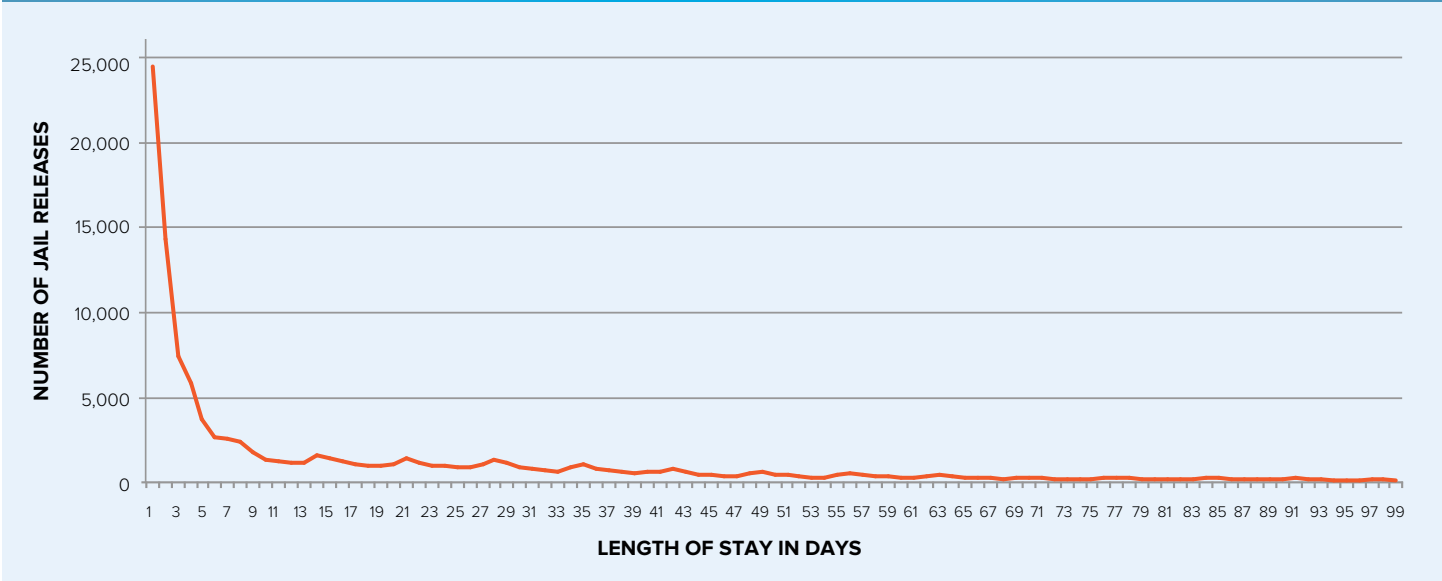
In Table 8, for Santa Cruz County, the primary methods of release are people posting bail, release on one's own recognizance and 849 (b) releases (public intoxication only). These release methods are used most often for persons charged with misdemeanors (where bail amounts are lower and the charges less serious). The OR and 849(b) releases have a very short LOS as compared to people released as a sentenced inmate. So for Santa Cruz to try to further lower its jail population, it would have to focus, at least in part, on the smaller number of people who are eventually getting sentenced and have the longer LOS.

TABLE 8. SANTA CRUZ COUNTY JAIL RELEASES DEMOGRAPHICS — FEBRUARY 2011 - JANUARY 2012

Release Reason	Releases	%	Average LOS-Days
	11,422	100%	15.9
Pre-trial Releases			
Own recognizance	2,715	24%	0.4
849	2,433	21%	0.3
Bail/bond	1,189	10%	3.1
Sheriff order/ER	300	3%	6.2
Court order	532	5%	9.2
Pre-trial services	398	3%	3.2
Dismissed/no file	238	2%	15.0
Sentenced Releases			
Time served	716	6%	48.2
Probation	359	3%	15.8
Conditional sentence	316	3%	7.5
Five-day early	297	3%	75.4
Sentenced — program	207	2%	44.9
CDCR	402	4%	58.2
To other agency	530	5%	43.8
Other releases	790	7%	34.9

ANOTHER WAY TO ASSESS JAIL POPULATIONS: SNAPSHOT OF THE CURRENT JAIL POPULATION

The last "view" of the jail is the one that represents what is referred to as the daily jail population. In many ways it is the cumulative result of all of the factors and decisions made by law enforcement and the courts that produce a jail population. While the flow of the jail is rapid and dynamic, ultimately the daily population can often appear to be quite stable. Knowing the attributes of the current jail population helps decision-makers discover what kinds of resources (both security and programmatic) need funding and deployment on a regular basis.

Key Current Jail Population Questions

1. What is the county's incarceration rate, and how does it compare with other counties and the state?
2. What have been the historic trends in the jail population for the past few years, and how do those trends compare with other counties and the statewide jail population?
3. What are the attributes of the jail population with regard to demographics, legal status, custody classification, risk assessment and current charges?

Current Jail Population Data Needs

Measuring the current jail population involves probably the most easily accessible county information. Jail managers are constantly reporting and measuring their jail populations. Such data also exist at the state level. For many years, the California Department of Corrections and Rehabilitation (CDCR) has been conducting a quarterly survey of all county jail populations and recording that date by gender and legal status. That survey allows a county to track not only the total jail population but also these same numbers by legal status and gender – all by county. Note that the website for this survey has changed from the CDCR to the Board of State and Community Corrections (BSCC).

Figure I shows the type of data that one can get from the BSCC website. Figure J shows trends in the California jail populations since 2002. These data can be secured and analyzed for each county over the same time period. Note that the jail population began to decline in 2007 and reached a low of about 71,000 in 2011. That trend has now reversed itself as a result of AB 109.

Another necessary level of analysis is a detailed profile of the jail population, which can be done by creating a data file of the current population that contains a wide variety of data elements that will interest most local decision-makers. Table 9 shows what such a table might look like based on a recent study of the San Francisco County jail system. A number of key facts emerged from that survey, such as that the vast majority are people in jail awaiting trial are charged with felonies. Thus, from a policy perspective, any efforts to reduce the jail population in that county would have to focus on the pre-trial felony cases. One can then look more closely at the felony cases with respect to what the precise charges are (shown in Table 10).

Additionally jail mangers may want to assess trends in mental health, drug addiction and other recidivism risk factors to see whether there are emerging trends or trouble spots that other county agencies should be aware of or might assist in addressing.

FIGURE I. CORRECTIONS STANDARDS AUTHORITY JAIL PROFILE SURVEY — JANUARY TO MARCH 2012

COUNTY JAIL POPULATIONS

ADP [a]	73,857 [b]
Holding Areas	1,267
Average "Under the Roof" [c]	75,124 [d]
Highest One Day Count	78,796 [e]

COUNTY JAIL POPULATIONS

Felony		60,826
Misdemeanor		13,031
	Total	73,857
Non-Sentenced Males		41,994
Non-Sentenced Females		5,161
Sentenced Males		22,674
Sentenced Females		4,028
	Total	73,857
Maximum Security Inmates		23,388
Medium Security Inmates		31,692
Minimum Security Inmates		18,777
	Total	73,857

INMATES FROM OTHER JURISDICTIONS

Housed on Federal Contract		3,992
Housed on Contract with CDC		468
From Other Counties on Contract		17
Awaiting Transport		1,189
	Total	5,666

SPECIAL USE BEDS

Medical Beds	855
Mental Health Beds	3,462

RELEASED PER MONTH DUE TO LACK OF SPACE

Pre-trial Release		7,745 [f]
Early Release		5,021 [f]
	Total	12,766

INMATES WITH 2 AND 3 STRIKES

2 Strike Inmates		2,784 [g]
3 Strike Inmates		1,054 [g]
	Total	3,838

UNSERVED WARRANTS

|		
Felony Warrants		228,345 [g]
Misdemeanor Warrants		1,399,448 [g]
	Total	1,627,793

OTHER JAIL PROFILE SURVEY VARIABLES

Bookings Per Month	86,861 [f]
Juveniles in Custody	0 [f]
Criminal / Illegal Aliens	9,595
Assaults On Staff	245

a. The Average Daily Population for all jurisdictions (excluding Type I's) does not include inmates in holding areas.

b. Unless otherwise indicated, the numbers reported are the average across the days in the quarter.

c. "Under the Roof" is the sum of the Average Daily Population plus the average daily number of inmates in Holding Areas.

d. Totals may not be the exact sum of the subtotals due to rounding.

e. The sum of all Highest One Day inmate population counts from all jurisdictions.

f. These data are collected on a monthly basis, this figure is an average of the total numbers collected each month during this quarter.

g. These data are one-day snapshots collected at the end of the quarter.

AVERAGE DAILY POPULATION

| 10 Year Summary									
2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
75,096	75,243	76,887	79,705	81,104	83,184	82,397	80,866	73,445	71,018
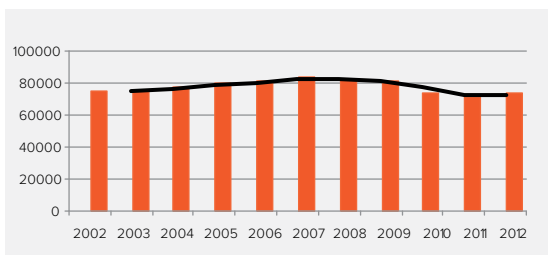
QUARTERLY RESULTS

	Q1	Q2	Q3	Q4	Average
2011	71,090	69,515	71,293	72,161	71,018
2012	73,857				73,857

The Average Daily Population (ADP) of 73,857 for the first quarter of 2012 reflects a 2.4% increase over the fourth quarter of 2011. The ADP for the first quarter of 2012 is 3.9% higher than the first quarter of 2011. This reflects a third consecutive quarterly increase in ADP.

NON-SENTENCED ADP

| 10 Year Summary									
2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
47,053	49,121	50,715	53,357	54,585	56,571	56,232	54,589	52,059	49,708
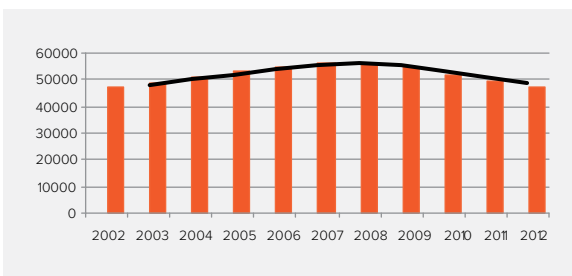
QUARTERLY RESULTS

	Q1	Q2	Q3	Q4	Average
2011	50,726	49,269	50,396	48,457	49,708
2012	47,155				47,155

The Non-Sentenced ADP was 47,155 for the first quarter of 2012 reflecting a decrease of 2.7% from the fourth quarter of 2011 and a decrease of 7% from the first quarter of 2011.

SENTENCED ADP

10 Year Summary									
2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
28,043	26,121	26,171	26,347	26,519	26,613	26,165	26,277	21,386	21,310
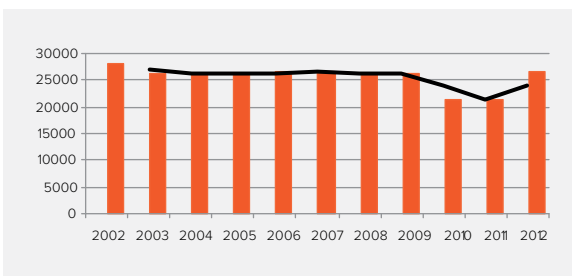
QUARTERLY RESULTS

	Q1	Q2	Q3	Q4	Average
2011	20,363	20,245	20,897	23,702	21,310
2012	26,703				26,703

The Sentenced ADP was 26,703 for the first quarter of 2012 reflecting an increase of 12.7% over the fourth quarter of 2011 and an increase of 31.1% over first quarter of 2011. This increase is attributed to AB 109 Realignment.

TABLE 9. SAN FRANCISCO COUNTY JAIL POPULATION — MARCH 12, 2012

Demographic	N	%	Avg. stay so far (days)	Demographic	N	%	Avg. stay so far (days)
Base	1,594		153.3	**Base**	1,594		153.3
Gender				**Race**			
Female	169	10.6%	115.7	Asian	73	4.6%	190.7
Male	1,425	89.4%	157.8	Black	902	56.6%	157.2
Charge Severity Level				White	546	34.3%	187.8
Felony	1,485	93.2%	157.5	Other	73	4.6%	137.4
Misdemeanor	45	2.8%	28.3	**Bond Category**			
Other/Unknown*	64	4.0%	144.3	None	982	61.6%	150.5
Current Age				$2,000 & under	2	0.1%	35.8
19 & younger	58	3.6%	119.3	$2,001 - $5,000	26	1.6%	26.3
20-24	245	15.4%	208.7	$5,001 - $10,000	10	0.6%	32.9
25-29	198	12.4%	172.5	$10,001 - $20,000	138	8.7%	87.9
30-39	397	24.9%	139.8	$20,001 - $50,000	218	13.7%	70.6
40-49	412	25.8%	117.4	Over $50,000	218	13.7%	311.8
50-59	242	15.2%	168.1				
60+	42	2.6%	184.5				

TABLE 10. MOST SERIOUS CHARGE FOR CURRENT FELON POPULATION IN THE SAN FRANCISCO JAIL — MARCH 12, 2012

Most Serious Charge	N	%	Avg. stay so far (days)
Homicide	150	10.1%	534.4
Sex	49	3.3%	412.3
Assault	378	25.4%	175.1
Robbery	148	10.0%	156.5
Drug sale	270	18.1%	56.0
Drug possession	44	3.0%	18.6
Weapons	16	1.1%	179.8
Burglary	174	11.7%	81.1
Theft/fraud/forgery	54	3.6%	90.9
Other prop.	31	2.1%	27.8
DUI	5	0.3%	42.4
Other non-violent	25	1.7%	97.7
Fel. warrant	137	9.2%	26.4

FROM ASSESSMENT TO ACTION: PUTTING IT ALL TOGETHER

This toolkit underscores to local county officials that there are specific factors behind all jail populations. These factors are the result of many decisions made by various criminal justice officials regarding whom to arrest for what crimes, who will be charged for what crimes, how long it will take courts to dispose of the cases, and what sentences are given. There is much variation within and between counties on these major decision points, so understanding the nature of these decisions and their consequences is the first step in assessing the population of the local jail.

Once you have gathered basic information about your county's jail population drivers, it can be instructive to do a comparative analysis between counties, in order to develop some initial conclusions about how various drivers may be impacting your jail population differently.

Table 11 below shows comparisons between Bay Area counties based on some of the drivers discussed in the toolkit. The drivers do not always relate to each other in the ways people might expect. For example, note that crime rates (number of serious crimes per 100,000 people) vary among the six Bay Area counties. But these variations in crime rates do not seem to be linked to prison disposition rates.

Table 12 shows the rates of imprisonment, probation and jail per 100,000 people. What is striking is Contra Costa's overall low rate of people under some form of correctional supervision (699 per 100,000 people) versus the other five counties. Much of the reason for this low rate is that county's low rate of probation violations.

TABLE 11. COMPARISONS IN CRIME RATES AND PRISON DISPOSITION RATES FOR BAY AREA COUNTIES

Attribute	Santa Cruz	Napa	Contra Costa	San Francisco	Santa Clara	Alameda	State
County Population 2010	272,092	139,748	1,079,160	859,658	1,890,909	1,582,420	38.8 mil
Crime Rate 2010	3,544	2,496	3,262	4,556	2,406	3,867	2,970
Violent Rate 2010	483	466	401	676	247	662	422
Property Rate 2010	3,061	2,030	2,861	3,880	2,159	3,205	2,548
Prison Disposition Rate 2009	10%	14%	13%	17%	14%	11%	20%

TABLE 12. COMPARISONS IN RATES OF PROBATION, JAIL AND STATE PRISON FOR BAY AREA COUNTIES — 2011

Rates per 100,000	Santa Cruz	Napa	Contra Costa	San Francisco	Santa Clara	Alameda	State
Total Corrections	**1,414**	**2,238**	**699**	**1,257**	**1,356**	**1,639**	**1,711**
Jail Rate	155	191	134	172	182	225	186
Probation Rate	930	1,571	270	728	637	927	803
State Incarceration Rate	205	270	183	173	286	266	420
Probation Revocation Rates	23%	40%	5%	10%	25%	39%	39%

Choosing Your Jail Population

While some factors that drive a jail population are well beyond the immediate control of decision-makers, many are not. Demographic and crime rate trends are more difficult to control and regulate. Serious crimes must be addressed and reduced to ensure public safety, but most crimes are not serious, have no victim and fall within the legal category of misdemeanors. Yet it is these less serious crimes that represent the vast majority of people booked in jail systems. Many spend little time incarcerated, but others may remain in custody for several weeks. So it's a fair question for counties to examine who comes to jail and for what reasons.

Similarly, county officials must review the LOS question. The vast majority of bookings are released very quickly, but if one remains in custody for as much as a week, the data suggest that that person will remain in custody for several weeks. At times, very modest changes in policy can produce substantial reductions in the jail population.

Augmenting Non-custodial Supervision Options

Once a county has completed a detailed assessment of the jail population, including a detailed understanding of the drivers of the number of people being admitted and the drivers of length of stay, the county can then identify sub-populations that may be suitable for placement in a non-custodial supervision program. Most California counties have some form of non-custodial supervision program, however, the strength and capacity of these programs vary widely. The benefit of completing a detailed jail assessment is that it can point to areas where these programs need to be implemented, expanded or strengthened. Here is a snapshot of the non-custodial supervision options that may be useful to develop or expand:

1. Pre-trial Supervision: Pre-trial supervision can serve as alternative to bail for certain defendants, thus reducing the number of people in jail because they have not made bail. Effective pre-trial supervision uses a risk-assessment tool to determine whether defendants may be safely released, and may be as simple as making pre-trial defendants eligible for existing supervision programs previously available only to sentenced inmates. It can also include low-intensity supervision such as appearance reminders or periodic reporting. A number of California counties are currently considering or implementing pre-trial supervision programs. As an example, the Solano County Sheriff has developed an Alternatives to Custody Program for pre-trial low- to medium-risk individuals that includes a risk assessment and may require including Voice ID, alcohol monitoring, electronic monitoring and GPS.

2. Electronic Monitoring: Electronic Monitoring is an alternative to physical confinement within a jail, where an individual serves out her sentence or awaits trial at home, wearing an electronic bracelet or other monitoring device so that her movements may be tracked. An individual participating in electronic monitoring may be able to maintain employment and family relationships, which evidence shows can help that person stay out of trouble in the future. Electronic monitoring provides a cost-effective, structured and monitored environment for lower-risk individuals while preserving jail space for more high-risk individuals. As part of its Realignment plans, Kern County is instituting both pre and post-adjudication electronic monitoring as a non-custodial option.

3. Expanded Use of Split Sentencing: As discussed above in the section on sentencing as a driver of LOS, a split (or blended) sentence requires that individuals serve part of their sentence in jail and finish the rest in some form of non-custodial supervision program. San Francisco's extensive use of split sentences has been one factor that has helped it to maintain a stable jail population during the first year of Realignment.

4. Day Reporting Centers: Day reporting is a program that monitors sentenced and/or un-sentenced individuals closely with frequent check-ins, ongoing drug and alcohol testing, and intensive case management. Day reporting centers can also be a service hub, offering life skills and employment readiness classes, mental and behavioral health services and substance abuse treatment. Day reporting centers can provide supervision to individuals who are completing a split sentence, those sentenced to day reporting only, or to certain defendants to reduce a jail's pre-trial population. Napa County created a day reporting center in 2000 to address overcrowding in its jail and has seen its pre-trial detention rate drop below the state average.

5. Substance Abuse Treatment: As substance abuse is common among frequent recidivists, robust treatment programs can help stop the revolving door of county jails. A 2006 study by researchers with the Bureau of Justice Statistics showed that 75-80 percent of state prisoners nationally are in need of substance abuse treatment but only 13-15 percent receive any. Participation in outpatient substance abuse treatment as a condition of release from jail can be an effective way of reducing jail population in the short term as well as potentially reducing recidivism in the future. Some residential substance abuse treatment programs, as well the outpatient options, are less expensive than housing an individual in jail.

6. Mental Health Treatment: Untreated mental illness leads to a revolving door in corrections. Helping connect people with serious mental illness with treatment programs can help manage jail population in the short and long term. Orange County's Community Court helps reduce the time mentally ill individuals spend in jail by placing people in community mental health treatment programs that make it possible for low-risk individuals to be released early from jail. It also addresses related problems by providing a one-stop location for comprehensive mental health, housing and substance abuse treatment services.

Involving the Community and Using Community Assets and Resources

Since virtually all people booked and released from jail will return to the same communities, it makes sense for criminal justice and public policy officials to involve those communities in efforts to reduce jail populations. "Community involvement" can take on several forms,

including informing the public (e.g., through public hearings) on jail issues such as costs, crowding, violence, etc.

Additionally, an array of community-based programs can be used to assist people released from jail avoid the circumstances that lead to recidivism, such as programs that offer assistance in housing, medical and mental health care, and drug treatment. Availability of such services can have a positive impact on decisions to release people from custody. Specifically, courts may be more likely to release someone before their trial date if they believe that high-quality supervision and treatment programs are available and will be utilized.

Analyzing the addresses of people booked into jail will likely show patterns of concentration, which can alert county officials to refocus their preventive resources in those communities with higher risks of arrest and incarceration rates.

Ongoing Data Monitoring

Finally, the examples cited come from studies that were funded by the federal government or foundations. Unfortunately, counties set aside little – if any – resources to constantly monitor and evaluate their jail populations and the factors behind those populations. The best way to prevent jail over crowding is through constant monitoring and evaluating the very factors that can cause it to rise and fall. In order to do this, the county will need to develop a professional research and planning capability that can routinely track demographic, crime, arrest, court processing and jail population trends. Such a unit should also have the means to forecast current and alternative criminal justice options that are and/or will impact public safety, the size and costs of the local jail system.

CONCLUSION

This toolkit is intended to provide an overview of the key drivers of jail populations and how those populations can be effectively managed to make the most efficient use of public dollars while ensuring the safety of our local communities. California's county jail system is facing historic challenges, but changes in state policy present

opportunities for counties to create new models or enhance existing practices to better manage jail populations. There are organizations that can help your county conduct an analysis of your jail population and identify opportunities to reduce jail populations safely. Information about two of them is provided on the following page.

ABOUT JFA INSTITUTE

jfa-associates.com

For years, the JFA Institute has managed the Corrections Options Technical Assistance (COTA) program for the U.S. Department of Justice, Bureau of Justice Assistance. Through the program, JFA has provided technical assistance to Florida, Kansas, Nevada, Texas, Ohio, Rhode Island and Alaska, and is currently working with other states and counties, including in California. Assistance has ranged in type from establishing reliable prison population projections to designing risk-assessment instruments and evaluating the effectiveness of treatment programs.

The JFA Institute also facilitates presentations, workshops and task forces for state and municipal agencies, such as working with the Council on State Governments to help states design strategies and implement policies that are more effective at treating the mentally ill; working with the Texas State Department of Criminal Justice to rethink its uses of state prison resources; helping the Travis County (Austin, TX) Community Supervision and Corrections Department reorganize one of the largest probation systems in the country; and, providing technical assistance and facilitating policy group discussions to help Louisiana re-design its correctional system in the aftermath of the Katrina storm disaster.

ABOUT CALIFORNIANS FOR SAFETY AND JUSTICE'S
LOCAL SAFETY SOLUTIONS PROJECT

safeandjust.org

Partnering with experts from across the country, the Local Safety Solutions Project aims to give direct support to counties building innovative approaches to increase safety and reduce justice system costs.

The Local Safety Solutions Project does this through:
a. **Toolkits**, like this one, on topics that can help counties identify areas to enhance risk management and save resources;
b. **Trainings** on developing low cost strategies to enhance justice system effectiveness; and

c. **Education** for local leaders and community members to help counties adopt best practices and to expand support for best practices among diverse stakeholders.

We would love your feedback! We are planning an updated online version of this toolkit. Please contact the Local Safety Solutions Project (info@safeandjust.org) if you have suggestions or questions about the toolkit.

Drivers of Jail Admissions

Demographic Trends

1. How much is your county population expected to grow over the next 10-20 years?
2. How does this growth compare with the state's projected growth?
3. How fast will your "at-risk population" (people most likely to be arrested and booked into the jail) grow over the next 10-20 years?
4. To what extent will your neighboring counties grow over the next 10-20 years?

Crime Trends

1. What is the current crime rate for the county, and how does it compare with California's rate?
2. How does it compare with other counties that are similar to yours with respect to demographics?
3. Are the crime rates increasing or decreasing — and for what specific crimes?

Adult Arrest Trends

1. How many adults are arrested each year for the past five years?
2. Which law enforcement agencies make the most arrests?
3. What are the trends in arrests by felony and misdemeanor crimes?
4. What are the demographics of people being arrested each year (gender and age)?

Jail Booking/Admission Trends

1. What are the most recent trends in the number of jail bookings for the past five years?
2. How do these compare with population, crime and arrest trends?
3. In a given year, how many people are booked into the jail?
4. What are the types of crimes for which people are booked into the jail?

Sentencing

1. What percentage of cases result in a sentence to the jail versus probation or state prison?
2. How do the county's statistics compare with other counties and with the state's rate?
3. What are these same trends for the AB 109 cases?

Drivers of Length of Stay (LOS)

Charging and Pre-trial Decisions

1. What is the proportion of people in the county jail are able to secure pre-trial release, and how does this number compare to the state average?
2. How much bail is typically required for the main crimes that people are charged with in your county?
3. How do those bail amounts compare with the amounts required for the same crimes in other counties in California?
4. How many people assessed as low-risk are being released on their own recognizance and/or transferred to pre-trial non-custodial supervision programs?
5. How long do people who are unable to secure pre-trial release typically spend in jail before their court disposition?
6. What are the charges facing this group? Is there a subsection of this group that would be likely to succeed in pre-trial supervision?

Sentencing

1. For people that are sentenced to jail, what are the lengths of jail sentences, and how many individuals receive credit for time served in pre-trial status?
2. How do the county's statistics compare with other counties and with the state's rate?
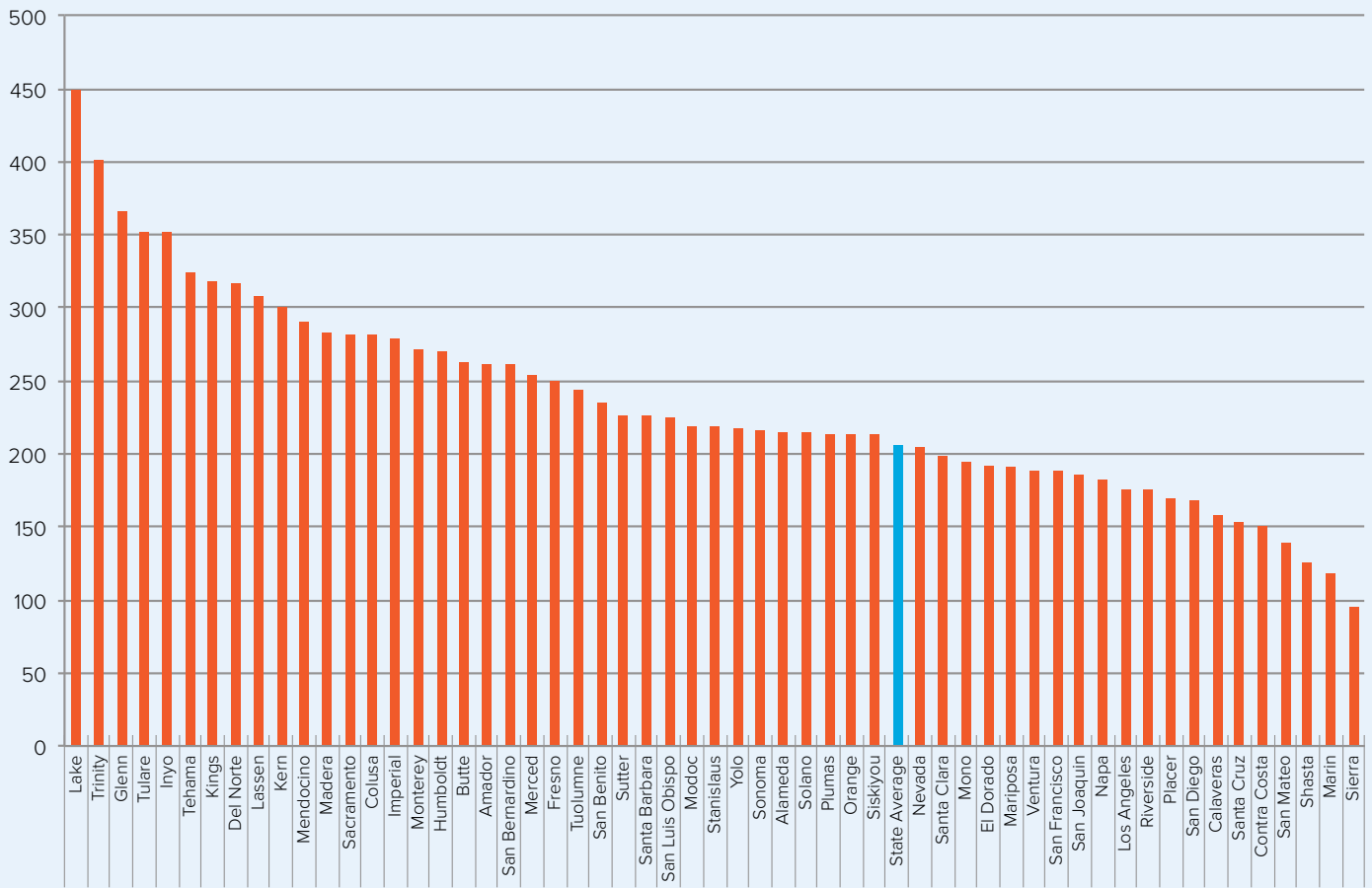3. What are these same trends for the AB 109 cases?

Method of Release

1. What is the current LOS, and how has it been changing over the past few years?
2. What are the key methods of release and the LOS associated with each method of release?
3. What are the differences in LOS by offense and gender?

Snapshot of the Current Jail Population

1. What is the county's incarceration rate, and how does it compare with other counties and the state?
2. What have been the historic trends in the jail population for the past few years, and how do those trends compare with other counties and the state jail population?
3. What are the attributes of the jail population with regard to demographics, legal status, custody classification, risk assessment and current charges?

CALIFORNIA COUNTY JAIL INCARCERATION RATES PER 100,000 RESIDENTS