The Fall & Rise of Jail Populations During the Pandemic

A Closer Look at COVID-19's Effect on Bookings in Safety and Justice Challenge Communities

CUNY INSTITUTE FOR STATE & LOCAL GOVERNANCE



Supported by the John D. and Catherine T. MacArthur Foundation

By Cecilia Low-Weiner, Brandon Martinez, Benjamin Estep

Across the country, counties seeking to curb the overuse and misuse of jails have looked to a common entry point to do so: their front doors. Since the Safety and Justice Challenge (SJC) launched in 2015, participating communities have implemented data-driven strategies that have helped reduce the number of people booked into their jails, reductions often closely linked to declines in overall jail population. By January 2020, just prior to the onset of COVID-19, bookings had declined in SJC communities overall by 13 percent, with no negative impacts on community safety: crime trends remained stable or decreased following SJC implementation. When the pandemic started spreading across the United States in early 2020–especially rapidly within jails—SJC communities began implementing emergency measures to reduce their jail populations, many of which directly impacted bookings and resulted in steep declines (see Figure 1 below).

In an effort to understand how these declines were achieved in individual communities, and gain insight into how to sustain these lowered populations, <u>SJC site coordinators</u> collected information on the strategies implemented and closely tracked jail trends. This brief seeks to expand upon findings from <u>Measuring Progress</u>—an online tool developed by the CUNY Institute for State & Local Governance (ISLG) that measures jail trends since SJC implementation—to explore booking-related trends across communities pre- and post-COVID, offering a first look at how some of these emergency decarceration strategies may have impacted trends and what has happened since normal operations have resumed. Examples of SJC strategies and COVID-19-specific strategies employed by communities to safely lower jail populations

Law Enforcement Arrest Strategies Increase cite and release, suspend low-level arrests.

Pretrial Release Strategies

Increase pretrial release on personal recognizance, alternative sanctions for technical violations, increase diversion programs.

Court Case Processing Strategies Delay filing for non-violent charges, suspend grand juries, virtual hearings.

<u>Measuring Progress</u> offers a first look at how some of these emergency decarceration strategies may have impacted trends and what has happened since normal operations have resumed.

KEY FINDING 1

Bookings plunged at the onset of the pandemic.

Between February and April 2020, bookings declined by 57 percent across communities, or by 34,795 (see Figure 1)—compared to a 13 percent decline from 2015 to early 2020. These rapid declines coincide with the implementation of strategies to reduce bookings due to threats posed by COVID-19.



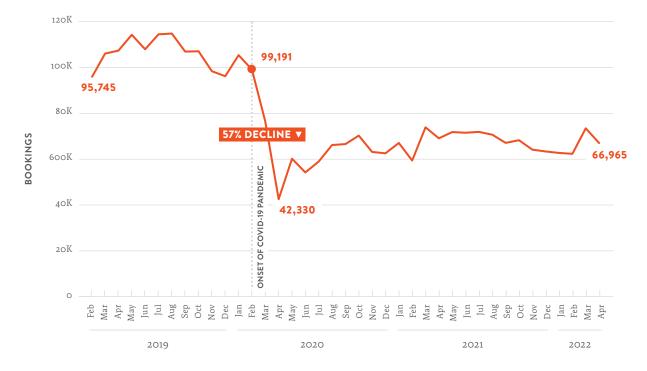


FIGURE 1: BOOKINGS ACROSS SJC COMMUNITIES*

*Clark County, NV, and Pima County, AZ, are excluded due to missing data. Source: Monthly jail data submitted to ISLG by SJC jurisdictions.

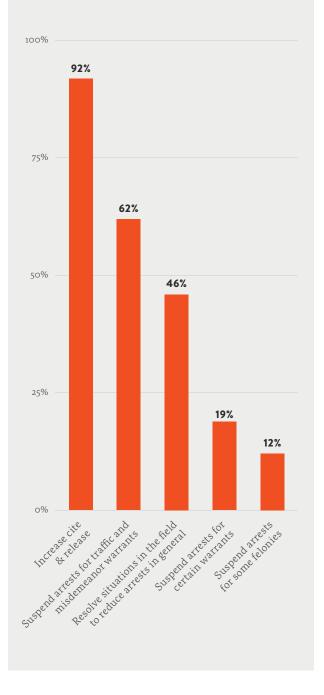
KEY FINDING 2

Arrest-related strategies facilitated declines.

Following the onset of the pandemic, SJC communities were able to quickly mobilize and leverage existing partnerships and jail reduction strategies across the local criminal legal system to safety reduce jail populations. These emergency measures included strategies that spanned from arrest to pretrial release as well as case processing measures; however, arrest-related strategies, such as cite and release, aligned most closely with goals of reducing bookings (see Figure 2). More than 90 percent of communities increased their use of cite and release strategies, and about 60 percent suspended arrests for traffic and misdemeanor warrants. While used less frequently, some communities suspended arrests for certain warrants (such as bench warrants for failure to appear) and some low-level felonies (such as drug possession).

More than 90 percent of communities increased their use of cite and release strategies, and about 60 percent suspended arrests for traffic and misdemeanor warrants.

FIGURE 2: PERCENT OF SJC COMMUNITIES (N=26) THAT EMPLOYED SELECT ARREST-RELATED STRATEGIES



Source: Site progress reports. As part of the SJC initiative, communities filled out monthly progress reports that detailed new COVID-specific strategies and policies implemented at the onset of the pandemic.

KEY FINDING 3

Bookings are bouncing back.

SJC strategies should help communities maintain the progress made towards jail population reductions in early 2020; however, most communities have experienced an increase in bookings since the low in summer 2020 (see Figure 3). Some of this increase may be attributed to a return to normalcy as stay at home orders were lifted and law enforcement resumed standard operations, both contributing to increased interactions between law enforcement and community members. Despite an uptick beginning in April 2020, bookings in all communities in April 2021 remain lower than they were in 2019. Looking at Allegheny County as an example, relative to 2019, bookings were 91 percent lower in 2020, and, despite an increase, remained 47 percent lower in 2021. For the latest booking data into 2022, check out Measuring Progress.

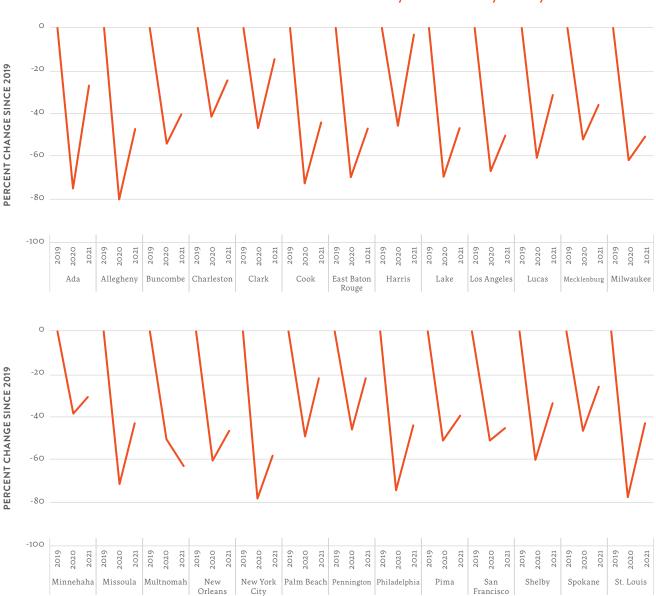


FIGURE 3: PERCENT CHANGE IN BOOKINGS, APRIL 2019, 2020, AND 2021

Source: Monthly jail data submitted to ISLG by SJC jurisdictions.

TAKEAWAYS AND FUTURE ANALYSES

The emergence of COVID-19 spurred many emergency measures that resulted in dramatic declines in jail population across SJC communities, primarily driven by a decrease in bookings. While bookings in SJC communities remain lower today than in January 2020, bookings have increased in almost all communities since their summer 2020 lows. Further research should focus on identifying strategies that are effectively targeting those individuals who are no longer being booked and digging deeper into strategies that were successful at initially reducing jail population to determine their impact and for those most impactful, compile lessons learned that would assist communities in sustaining these strategies to maintain lower jail populations and achieve SJC goals.

For further visualizations that show COVID-19 related and other jail trends, please visit <u>Measuring Progress</u>. With this tool, you can view these disparities across communities and look more deeply into these disparities at the individual site-level. For additional COVID-19 jail trends, check out our previously released COVID-19 brief.



CUNY INSTITUTE FOR STATE & LOCAL GOVERNANCE

The CUNY Institute for State & Local Governance is a good governance think-and-do tank. We craft the research, policies, partnerships and infrastructures necessary to help government and public institutions work more effectively, efficiently and equitably. For more information, visit islg.cuny.edu.



Supported by the John D. and Catherine T. MacArthur Foundation

This report was created with support from the John D. and Catherine T. MacArthur Foundation as part of the Safety and Justice Challenge, which seeks to reduce overincarceration by changing the way America thinks about and uses jails. Core to the Challenge is a competition designed to support efforts to improve local criminal justice systems across the country that are working to safely reduce over-reliance on jails, with a particular focus on addressing disproportionate impact on low-income individuals and communities of color. More information is available at www.SafetyandJusticeChallenge.org.