

Lowering Jail Populations Safely Before, During, and After COVID-19

Updated Findings on Jail Reform, Violent Crime, and the COVID-19 Pandemic

Executive Summary - July 2024



CUNY INSTITUTE
FOR STATE & LOCAL
GOVERNANCE



SAFETY + JUSTICE
CHALLENGE

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

Sana Khan, Emily West, Stephanie Rosoff

In recent years, cities and counties across the country have made great strides to strategically reduce reliance on jail incarceration without jeopardizing community safety. To keep this momentum going, it is critical to further examine the safety implications of these jail population reform efforts; this is especially true against the backdrop of COVID-19 era increases in violent crime, with unsubstantiated hypotheses suggesting that increases in violent crime were a result of efforts to reduce jail populations and not of the major socio-economic impacts of lockdowns.

The John D. and Catherine T. MacArthur Foundation's Safety and Justice Challenge (SJC) presents a unique opportunity to explore the relationships between criminal legal reform, the COVID-19 pandemic, and violent crime. Since 2015, jurisdictions participating in the SJC have planned and implemented data-driven reform strategies to both safely reduce unnecessary jail incarceration and advance equity across the criminal legal system. These jurisdictions serve as models for pursuing data-driven criminal legal system reform. SJC sites allow for comparisons on jail populations and crime pre- and post-reforms; SJC timelines also allow for a separate look at how reforms were associated with violent crime before, during, and after the pandemic.

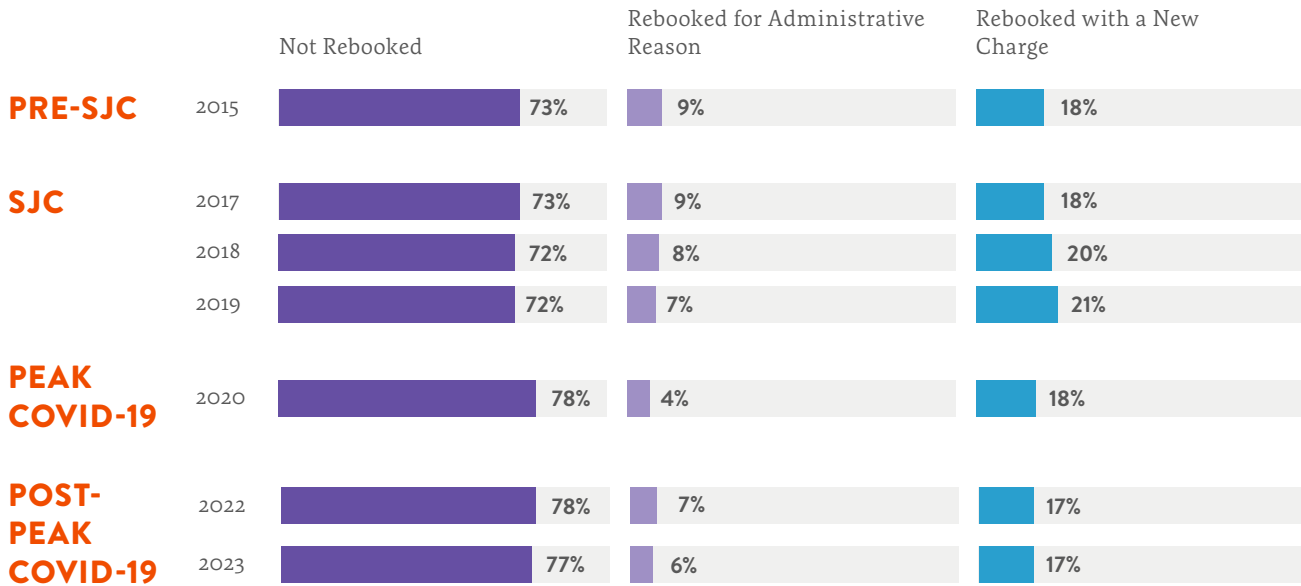
As the lead data and analytic partner for the initiative, the Institute for State and Local Governance at the City University of New York (CUNY ISLG) has been studying the community safety implications of the SJC over time. The full brief, and this accompanying executive summary, presents the most up-to-date data—through April 2023—on the

outcomes of individuals released from jails after SJC reforms were passed, an update to reports released in [2023](#) and [2021](#). Additionally, this brief expands on previous work by distinguishing returns to jail that involve a new alleged criminal offense and those that involve administrative reasons only, such as failing to appear in court or violating a condition of release. Findings include:

- Two years out from COVID-19's peak, **there continues to be no apparent correlation between changes in incarceration and violent crime**. Most individuals released from jail on pretrial status did not return to jail custody, and **local violent crime rates varied regardless of changes to the jail population**—suggesting that jail reduction reforms can be implemented safely.
- About **80 percent of people who were released on pretrial status were either not rebooked into jail at all (75 percent) or were returned to jail for administrative reasons (7 percent)**—therefore, not a threat to public safety.
- The pandemic-era increase in violent crime was not caused by jail reduction reforms; **people released pretrial were very unlikely to return to jail charged with a violent crime**—about 2 percent of individuals released pretrial returned with a new violent crime charge. This rate has remained consistent for almost a decade, predating reform efforts.

PEOPLE RELEASED ON PRETRIAL STATUS WERE NO MORE LIKELY TO RETURN TO JAIL FOR A NEW CRIME AFTER REFORMS WERE IMPLEMENTED THAN BEFORE

Figure 1: Rebooking Outcome of Individuals Released on Pretrial Status within Six Months (Average Across SJC Cities and Counties), 2015 to 2022



Details on rebooking outcomes by SJC city and county can be found in Appendix C of the full report.

CONCLUSION

- As of January 2024, SJC cities and counties have collectively reduced their jail population by 23 percent since the initiative began in 2016. This translates into [over 17,000 fewer people held in jail](#) on any given day, limiting the reach of many negative impacts that can stem from spending even a few days in jail.
- Individuals released pretrial are by and large not driving increases in violent crime. This means criminal legal system reforms aimed at reducing jail populations can be safely implemented.
- Most people who were released on pretrial status did not return to jail within six months, and among those who did, about a third were rebooked for administrative reasons only, without any new alleged criminal offense.
- Very few individuals released on pretrial status returned to jail on a new violent crime charge. This trend remained consistent over time: before reform efforts were in place (2015), during implementation (2017 to 2019), the peak of the COVID-19 pandemic (2020), and the years following the peak of the pandemic (2021 to 2022).
- Now that several years have passed since the peak of the pandemic in 2020, violent crime and homicides, specifically, have declined both nationally and across most SJC cities and counties. Thoughtful jail reduction reforms have been implemented over time, with public safety in mind throughout. Any violent crime should be taken seriously, but so should the value of safely releasing people to be with their families and communities as they await their trials.