

EMERGENCY COVID-19 JAIL REDUCTION STRATEGIES IN MULTNOMAH COUNTY

Implementation & Impact
Evaluation Executive Summary

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JUSTICE SYSTEM PARTNERS

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INTRODUCTION

Jails book and confine more than 10 million people every year in the United States. Even short stays – 72 hours or less – can have devastating consequences to individuals’ physical and mental health, employment, income, housing, and access to government benefitsⁱ. Most individuals confined to jails are not convicted and are, instead, held in *pretrial detention*ⁱⁱ which can also impact case processing outcomes: pretrial detention increases the likelihood an individual experiences a conviction, a sentence to incarceration, and longer sentences overallⁱⁱⁱ. This is especially true for Black, Latine, and other historically racially minoritized groups. In response to the disproportionate impacts on these groups, practitioners and policymakers have pushed to reduce the size of US jails overall, reduce the population of people held in pretrial detention specifically, and decrease the footprint of the criminal legal system within communities.

The MacArthur Foundation launched the Safety and Justice Challenge (SJC) – a national initiative – in 2015 to reduce the over-reliance on jails across communities. The SJC provides funding and technical assistance to local sites to help them develop and implement strategies to safely reduce jail

populations, address racial and ethnic disparities, and improve community safety. Since its inception, over 50 sites have engaged in the work including Multnomah County, Oregon. As a participating site in the Safety and Justice Challenge, Multnomah County significantly reduced their jail population via various pretrial reform efforts.

As Multnomah County continued to implement their SJC strategies in early 2020, the World Health Organization declared Coronavirus Disease 19 (COVID-19) a global pandemic^{iv}. COVID-19 posed a significant threat to the health and safety of staff and people incarcerated in the Multnomah County jail. In response, the Multnomah County Local Public Safety Coordinating Council (LPSCC) organized more than 30 key stakeholders from a variety of criminal legal system and health agencies and named this group the “Criminal Justice COVID Check-In group.” The group included staff from the County’s Health Department and its criminal legal system agencies – District Attorney’s Office, Sheriff’s Office, Department of Community Justice, Metropolitan Public Defender’s Office, Portland Police Bureau, and the Circuit Court. The Criminal Justice COVID Check-In meetings started in March 2020 and the group addressed two primary issues: (1) how to prevent the spread of COVID-19 in the jail system and (2) how to keep justice-involved people and staff safe.

The COVID-19 Check-In group implemented several emergency jail population reduction strategies to meet social distancing recommendations and better protect the health of staff and incarcerated individuals.

Shortly after the onset of COVID-19 and the implementation of emergency strategies, the county experienced over 100 days of social unrest and protests by community members in response to the murder of George Floyd. Early in the protests, one of the local courthouses – The Justice Center – which also houses intake for the jail and is located across the street from the epicenter of protests, experienced a firebomb and significant property damage. This context suggests Multnomah County was navigating how best to protect the safety of staff and incarcerated individuals from the spread of the virus in their local jail while navigating a difficult socio-political environment.

Multnomah County implemented emergency jail population reduction strategies to better protect the health of staff and incarcerated individuals from COVID-19.

RESEARCH STUDY GOALS & QUESTIONS

While Multnomah County made considerable strides in their jail reduction efforts through SJC, COVID-19 accelerated these efforts and likely the volume of reduction – which may not have been possible but for safety concerns related to the spread of the virus. Justice System Partners conducted a case study in Multnomah County, Oregon to learn about the emergency jail reduction strategies implemented, and the impact of these strategies on the jail population broadly, and to understand how these strategies impacted continued bookings for violent crime, specifically.

There were five primary research questions driving this study:

1. Which emergency strategies did Multnomah County select and implement to reduce the jail population at the onset of the COVID-19 pandemic?
2. How did jail reduction strategies impact trends in jail admissions? Did strategies impact the demographics or case characteristics of those booked?
3. How did jail reduction strategies impact jail bookings for violence^v-related charges during the pandemic?
4. For individuals with a history of jail bookings for violence-related charges, did they experience new bookings during the pandemic? If so, were these new bookings for violence-related charges?
5. How did staff stakeholders and community feel about emergency reduction strategies and what were their perceptions of safety during this time?

DATA OVERVIEW

Justice System Partners used a combination of interview and administrative data to answer the research questions.

JSP first relied on semi-structured interviews with 25 Multnomah County criminal legal system stakeholders, such as judges, attorneys, and law enforcement, and 25 Multnomah County community members, including individuals incarcerated during COVID-19, and nonprofit staff members. Researchers conducted these interviews via Zoom or over the phone. Based upon the discussions related to local context, implemented strategies, and perceptions of safety, it became clear to JSP researchers that analyzing impacts on jail populations in two periods – before and after COVID-19 – would not tell a complete story for Multnomah County. The interviews suggested there were four distinct periods experienced by people in the county:

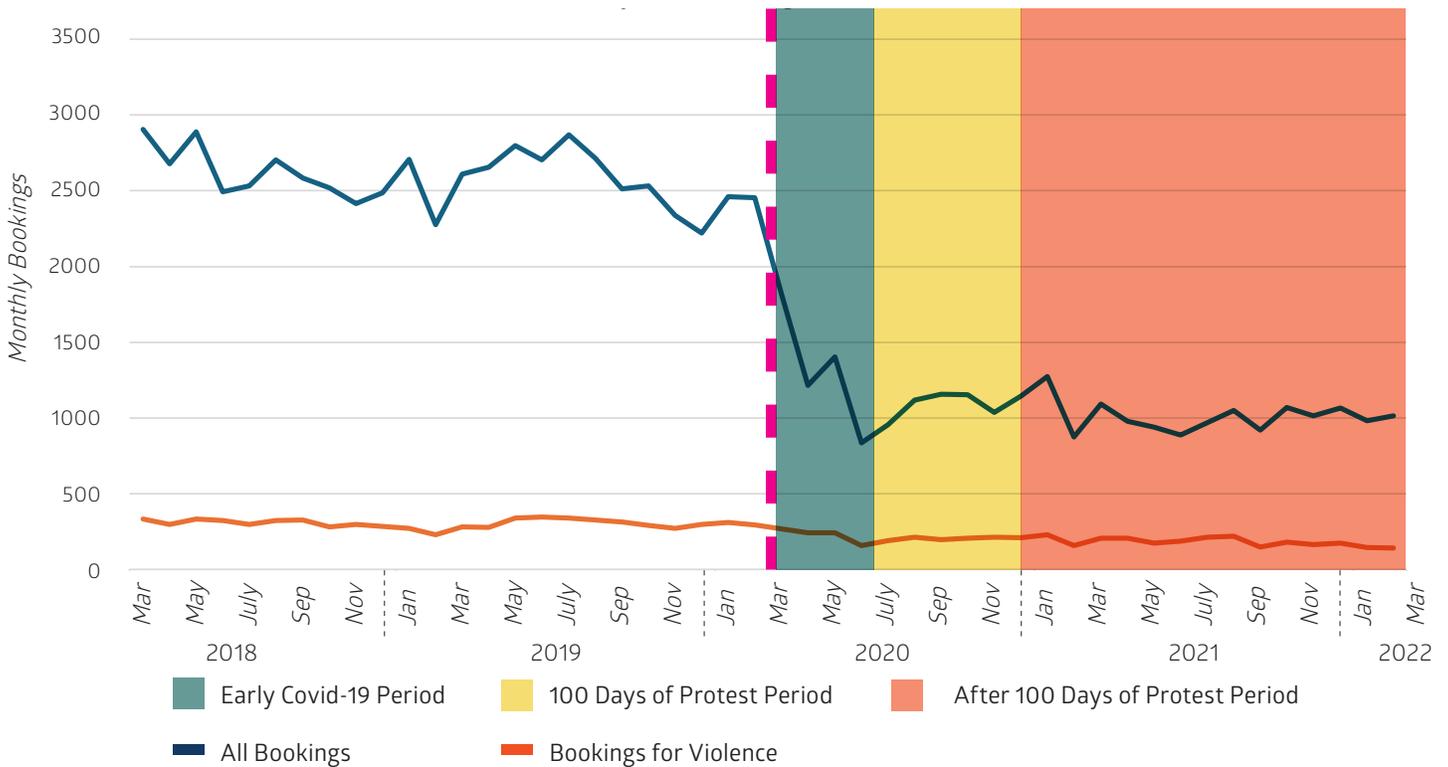
1. **Pre-COVID-19 period:** From March 1, 2018 to February 29, 2020
2. **Early COVID-19 period:** From March 1, 2020 to May 27, 2020;
3. **100 Days of Protest period:** From May 28, 2020 to December 31, 2020 (occurring during the COVID-19 pandemic); and
4. **After 100 Days of Protest period:** From January 1, 2021 to February 28, 2022 (occurring during the COVID-19 pandemic).



JSP then used person-level jail booking data from the Multnomah County Sheriff’s Office to examine key outcomes across these periods. These key outcomes included:

- Jail booking for any offense type
- Jail booking for violent offense types
- Jail rebooking for any offense type
- Jail rebooking for violent offense types

MONTHLY JAIL BOOKINGS FOR ALL BOOKINGS & VIOLENT OFFENSE TYPES, MARCH 2018 – FEBRUARY 2022



KEY FINDINGS

IMPLEMENTATION OF EMERGENCY JAIL REDUCTION STRATEGIES

- Participation in the Safety and Justice Challenge laid the groundwork for local stakeholders to convene and collaborate effectively and quickly during COVID-19.
- The County’s Safety and Justice Challenge pretrial reform strategies allowed Multnomah County stakeholders to make quick adjustments to several existing strategies all at once without first needing to build an infrastructure or find resources to support the strategies.
- Multnomah County stakeholders implemented a few new strategies, but they mostly relied on expanding eligibility criteria of pretrial reform strategies previously implemented as part of SJC. This included expanding eligibility criteria for citation-in-lieu of arrest to more offense types; limiting warrants for recorded court absences, and; reducing jail admissions for community supervision technical violations.

IMPACT OF EMERGENCY JAIL REDUCTION STRATEGIES

- Expanding eligibility of various existing SJC strategies led to a significant reduction of jail bookings throughout the COVID-19 pandemic, and specifically led to a steady decline in jail bookings across each of the subsequent four time periods.
- Bookings for violent charges did not increase during the pandemic, demonstrating that reducing bookings for non-violent charges does not lead to an increase in booking for violent charges.
- New bookings did not increase for individuals with a history of jail bookings in the pre-COVID-19 period. Among individuals with a history of bookings, three out of four of these individuals did not experience a new jail booking for any reason after March 2020.
- Bookings for violent charges among individuals with a history of violence did not increase during the pandemic. Among individuals with a history of violence-related charges, 23% experienced a new jail booking for any offense type and only 7% experienced a new jail booking for violence-related charges.
- It is possible additional changes to local police policy and practice (e.g., discretion to not respond to calls for service with either arrest or citations) may have had an impact on



the observed decrease in jail booking trends in this case study. Although this study only relies on local jail data and does not account for police data related to arrests and citations, it does rely on the full population of jail booking data available between March 2018 and February 2022. Therefore, when police did book individuals into the Multnomah County jail during the pandemic, they principally did so for serious and violent charges.

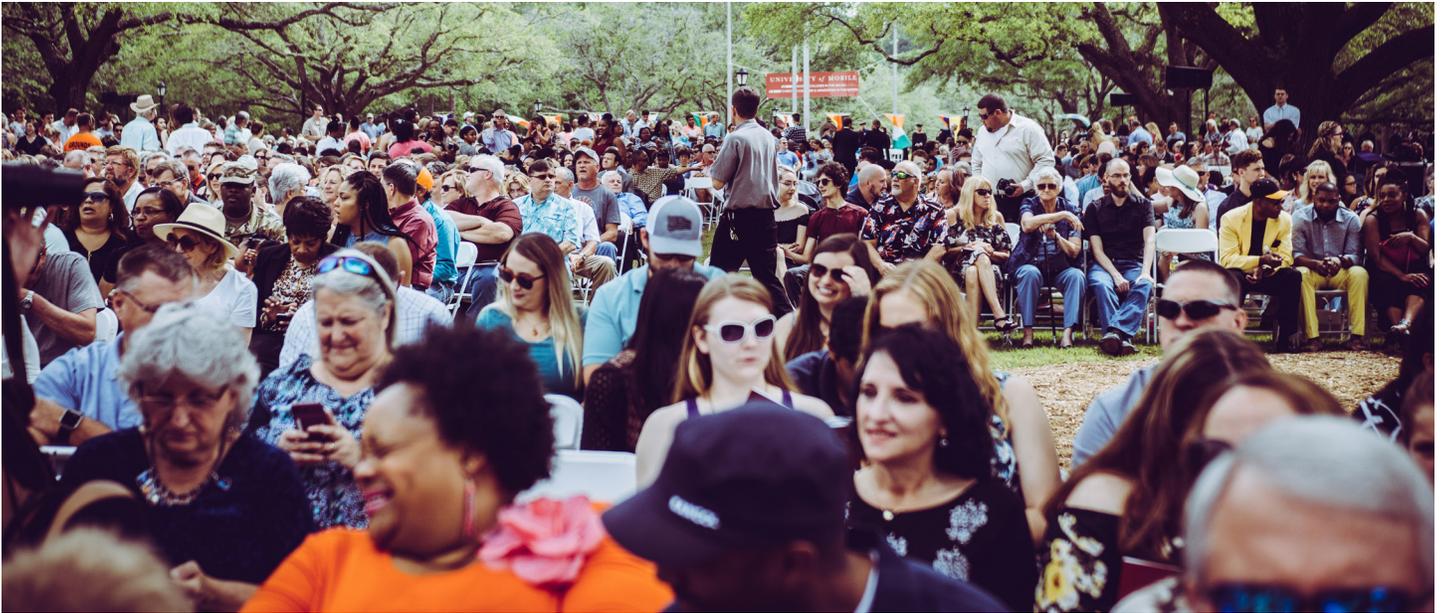
PERCEPTIONS OF SAFETY DURING THE COVID-19 PANDEMIC

- Multnomah County staff and community members shared they often felt unsafe during the pandemic; however, they attributed this to a combination of COVID-19, limited local police presence, and the presence of militarized federal police presence during protests.
- Community members typically discussed their perceptions of safety within the context of social disorder, visible drug use, and property damage from protests, rather than from classic definitions of violence related to person crimes or crimes with weapons.

STAFF TRAUMA AND WELLBEING

- Criminal legal system staff who worked at The Justice Center during the firebomb event expressed feeling a loss to their physical safety from the incident and described feeling continuously disheartened by ongoing property damage to the building throughout protests.
- Non-police staff remembered feeling attacked going to work during protests even as they worked to champion pretrial reforms from inside the building experiencing property damage.
- All staff interviewed described a continued commitment to pretrial reforms but expressed feeling emotionally exhausted and depleted by the pandemic.

■ All staff described a continued commitment to pretrial reforms but expressed feeling emotionally exhausted by the pandemic.



KEY RECOMMENDATIONS

- **Expand Eligibility Requirements of Existing Strategies:** Multnomah County stakeholders shared an urgency to protect staff and justice-involved individuals from the spread of COVID-19. They did so by expanding eligibility requirements across various strategies that immediately reduced the number of individuals booked into jail for new charges and increased the number of individuals released from pretrial detention. As a result of these strategies, their jail population declined significantly without any increases in jail bookings for violent charges broadly or among individuals with a history of violence. Expanding eligibility criteria for strategies that directly reduce the scale of individuals coming into or returning to jail will immediately reduce the harms of jail on individuals and the collateral consequences on communities.
- **Rely on Jail for Serious and Violent Charges:** Early in the pandemic and throughout the subsequent periods, stakeholders suggested police use more discretion to issue a citation-in-lieu of arrest or arrest on rare occasions and for serious charges. These policies mitigate the collateral consequences of jail incarceration on individuals and communities. Over time, Multnomah County experienced declines in their local jail population without an increase in the number of bookings for violence. However, more of the charges booked into jail were for serious and violent charges. This creates a more specific role for jail in communities without over relying on it as the primary mechanism for community safety concerns.
- **Frame Conversations around Community Safety:** Community stakeholders discussed their perceptions of safety differently than system stakeholders, echoing

earlier Safety and Justice Challenge research on the multifaceted concepts of “safety”^{vi}. This suggests system stakeholders should aim to frame conversations around “community safety” instead of “public safety.”

- **Explore Concepts of Violence with Community Members:** In the summer of 2020, community members protested police brutality and the role of the criminal legal system in communities. Interviews with community members indicate that there is a need for conversations about the term violence, including which individuals and what charges should be characterized as violent. Researchers and practitioners must begin to grapple with how people who commit violence and community systems that are violent may be interconnected.
- **Invest in Criminal Legal Staff Wellbeing to Sustain Reforms:** COVID-19 brought an emphasis and renewed interest in physical and emotional wellbeing and health. At the same time, Multnomah County staff experienced threats to their physical and psychological safety across 100 days of social unrest in their community. Many staff who continue to work for their respective agencies remain committed to pretrial reform efforts but do so emotionally exhausted by the pandemic. As Multnomah County agencies work to enhance existing SJC efforts and continue reforms, they must invest in programs and practices that acknowledge staff trauma, allow staff time to heal, and support staff in reclaiming their wellbeing.

■ We must acknowledge staff trauma, allow staff time to heal, and support staff in reclaiming their wellbeing.

END NOTES

ⁱ Nam-Sonenstein, B. (2024). Research roundup: Evidence that a single day in jail causes immediate and long-lasting harms. Prison Policy Initiative. https://www.prisonpolicy.org/blog/2024/08/06/short_jail_stays/

ⁱⁱ Sawyer, W., & Wagner, P. (2024). Mass Incarceration: The Whole Pie 2024. Prison Policy Initiative. <https://www.prisonpolicy.org/reports/pie2024.html>.

ⁱⁱⁱ Lowenkamp, C.T., VanNostrand M., & Holsinger, A., M. (2013). The hidden costs of pretrial detention. Laura and John A. Arnold Foundation. <https://cjcc.doj.wi.gov/sites/default/files/subcommittee/The%20Hidden%20Costs%20of%20Pretrial%20Detention.pdf>.

^{iv} Centers for Disease Control and Prevention. (2023). CDC Museum COVID-19 Timeline. Retrieved from: <https://www.cdc.gov/museum/timeline/covid19.html>

^v JSP relied on the 30 violent offense types per the local "violent offense list" developed for the Public Safety Assessment.

^{vi} Slocum, L., Greene, C., Huebner, B., Bednar, K., Udani, A., Boxerman, R., Kirk, S., Spanoudakis, K., Steingruby, H., Lyne, E., & Lane, E. (2023). Redefining Community Safety in Three US Counties. University of Missouri-St. Louis.

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^A Photo by William Rudolph on Unsplash

^B Photo by Julian Wan on Unsplash

^C Photo by NICO BHLR on Unsplash