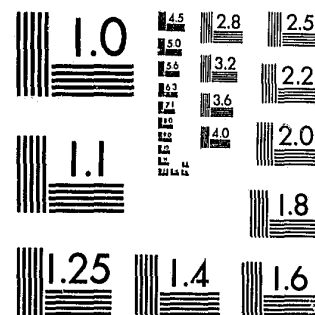


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Jail Overcrowding and Pretrial Detention: A Program Evaluation

For the Period May 1979-September 1980

Prepared for
Law Enforcement Assistance Administration



Social Systems Research and Evaluation Division
Denver Research Institute
University of Denver • Denver, Colorado

November, 1980

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reflect the views of the Department of Justice.

JAIL OVERCROWDING and PRETRIAL DETENTION: A Program Evaluation

(May 1979-September 1980)

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U.S. Department of Justice
National Institute of Justice

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Anita S. West, Ph.D.
Project Director

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CHAPTER I. INTRODUCTION AND OVERVIEW

Program Description

Overcrowding in county jails is a chronic and increasingly widespread problem. Although construction of new jail facilities is one approach to the problem, for the last 20 years researchers have pointed out the deficiencies of incarceration as a cost-effective sanction and as a reform mechanism. It is estimated that accused persons awaiting trial compose up to one-half of the national jail population and that a significant number of these persons are eligible for secured release but are simply unable to post bond.¹

The Law Enforcement Assistance Administration (LEAA) has initiated a comprehensive program to diagnose specific problems in various jurisdictions experiencing severe overcrowding, and to simultaneously address both causes and symptoms through a variety of interventions. This program is expected to not only alleviate jail overcrowding conditions in the sites funded but to serve as a national model to other communities which have similar problems.

The Jail Overcrowding and Pretrial Detainee Program (JO/PDP) focuses on that portion of the jail population that is detained immediately following arrest. The program was initiated to complement LEAA's court improvement and delay reduction efforts. As a result of the excessive length of time required by some courts to process cases, some detainees experience lengthy custodial periods prior to adjudication. Although the courts are seen as the key to a comprehensive solution (since the court can effectuate the release of arrestees) the sheriff, police, prosecutors, and defense counsel all play instrumental roles in expediting the flow of criminal cases and in employing pretrial detention and sentencing alternatives. Therefore, in selecting projects for funding, program monitors sought evidence of system-wide commitment from these agencies at the candidate sites.

The JO/PDP employs a two-phase approach: Phase I awards, ranging up to \$20,000, were for problem analysis and planning and Phase II awards, ranging up to \$250,000, were provided for the implementation of Phase I plans. In addition to direct funding (which required a 10 percent cash match from the sites), a significant amount of technical assistance was provided to the sites. Awards were limited to jurisdictions with populations over 150,000 that were experiencing severe jail overcrowding problems.

¹Johnson, M. "Alternatives to Incarceration," State Court Journal, National Center for State Courts, Vol. 4, No. 1, 1980.

The request for proposals issued by LEAA was rather specific with regard to both program objectives and applicant eligibility requirements (see Figure 1); however, it wisely provided the opportunity for sites to develop Phase II applications based upon an analysis of local problems and local needs. Although the objectives of the program were clear, the alternative processes through which the communities could achieve the attainment of those goals were (apparently) intentionally nonspecific.

The program is being coordinated by LEAA with the assistance of the American Justice Institute (AJI) which is serving as the National Program Coordinator, a concept being tested by LEAA. AJI has the responsibility of administering the funding and providing administrative assistance to each of the Phase I grants and providing coordination and technical assistance to all of the projects.

In 1978 AJI selected 18 sites for Phase I planning grants and LEAA awarded four Phase II implementation grants (these were the only four implementation projects that had not been preceded by Phase I planning studies). In 1979 AJI awarded grants to 19 additional Phase I sites and LEAA funded nine of the previous year's planning grant recipients as Phase II implementors. Additional projects are planned for 1980. Table 1 lists the project sites for the period covered by this evaluation (May 1979 to September 1980).

Evaluation Approach

In May 1979, the Denver Research Institute (DRI) received a grant from LEAA to provide a management evaluation of the JO/PDP program. The purpose of the evaluation is to provide the sponsoring agencies with an assessment of program effectiveness through the development and examination of information on project impacts, and an analysis of the relationship between impacts and program inputs, i.e., program administration, technical assistance, and project strategies and activities. Interproject comparisons were required for an assessment of the relative effectiveness of different approaches and different modes of operation. The demonstration aspect of the program especially suggested the need for each project to be assessed and interpreted in the context of its own implementation environment for the information of potential replication sites.

In addition to those impacts that were to be measured at each of the jail overcrowding projects during their funding periods, DRI was asked to prepare a list of "success criteria" for the overall program. This list, which appears in Appendix A, includes questions that relate to the program's potential for long-term and national level impact. The case studies prepared

FIGURE 1

Excerpt from Program Announcement M4500.1G

September 30, 1978

Local jurisdictions will be chosen by LEAA according to the following criteria:

- i. A six-month or more documented history of jail overcrowding generated, in large part, by pretrial detainees;
- ii. The existence of, or willingness to provide, community-based or other release options to jail and bail, and a six-month or more documented history of underutilization of these alternatives;
- iii. Evidence of Sheriff, Department of Corrections, County Board, and Judicial sponsorship and participation.
- iv. The documented willingness to apply local financial resources to this overall detainee/jail overcrowding reduction effort;
- v. An information system capability (manual or automated) to support program management and accountability needs;
- vi. Pending or past legislation which facilitates or promotes pretrial release alternatives.

TABLE I
JO/PDP PROJECTS

Project Sites	1978	1979	1980**
Alexandria, VA		I	II
Anoka, MN	I*		
Atlanta, GA		I	
Atlantic Co., NJ	I	II*	
Baltimore, MD		I	II
Boulder, CO		I*	II
Clark Co., NV		I	II
Connecticut		I	II
Cumberland, NC		I	
Dade Co., FL	I	II*	
Delaware Co., PA	I		
Delaware	I	II*	
Duval Co., FL	I*		
Franklin, OH		I	II
Genesee Co., MI	I*		
Golden, CO		I*	
Hamilton, OH	I		
Hawaii	II		
Jackson Co., MO		I	
Jefferson Co., KY	I	II*	
King Co., WA	II*		
Lane Co., OR	I		
Lucas Co., OH		I	II
Mercer Co., NJ		I*	
Middlesex, NJ	I		
Milwaukee, WI		I*	II
Monroe, NY		I	
Multnomah Co., OR	I	II*	
Muskegon, MI		I	
Orange Co., FL		I*	
Parish of Orleans, LA	I	II*	
Philadelphia, PA		I	
Pima Co., AZ	II		
Pierce Co., WA	I	II	
Regional Area, Northern VA	I		
Regional Area, Southern MS	I	II	
Santa Clara, CA		I	
Santa Cruz, CA	II*		
San Francisco, CA	I	II*	
Washington, DC	I		
West Florida		I	

*Sample of sites for in depth study during the reported evaluation period.

**New Phase I sites were also funded in 1980.

for the evaluation are, in part, an attempt to develop response information to these question-issues.

Sampling criteria for site selection. Since it would not have been possible within the allocated time and resources for DRI to visit and document the activities and impacts of all 41 sites (1978 and 1979), DRI proposed to select nine Phase II projects and eight Phase I projects for site visits and case studies. The purpose of evaluating selected Phase I programs was to extend the number of projects examined in order to generalize more reliably about implementation problems, impacts, the relation of internal processes to outcomes, and external conditions that inhibit or facilitate achievement of objectives. Further, the inclusion of Phase I projects helped to identify factors that lead to implementation even without the continuation of LEAA funds.

In order to select programs for the study, projects were first stratified according to program characteristics and purpose, and then according to geographical location. Special considerations ranged from the selection of the State of Delaware as the only noncounty in our sample, to the intentional selection of three sites in the same state (Duval County, Orange County, and Dade County, Florida) where the same state laws applied. As a result of this analysis, the sites shown with asterisks in Table I were selected and approved by LEAA for the evaluation study.

Site visit case study forms and telephone interview forms were developed for collecting the evaluation data. Examples of these forms are appended to this report (Appendix B).

The evaluation was also charged with assessing the utility and effectiveness of the National Program Coordinator role and with evaluating AJI's implementation of that role. A separate section in Chapter IV deals with these issues.

An important aspect of this project has been to survey the broad range of feasible methods for reducing jail population and, when possible, to assess their costs and impacts. Because relevant research is so extensive, certain limitations in scope have been necessary in order to identify a complete cross section of alternatives. First, since pretrial detainees comprise a large and highly releasable segment of the jail population, methods for decreasing their numbers or length of stay have been given particular emphasis. Second, only alternatives that are designed to include adult inmates have been considered. Finally, special efforts have been made to identify new and innovative approaches even though evaluative data may not yet be available. A full discussion of these alternatives, as they have relevance to the 1978 and 1979 jail overcrowding projects is included in Appendix C.

Only one of the Phase II projects (King County, Washington) completed its implementation in time for this report. Another (Santa Cruz, California) is almost complete, and the remainder are approximately at the mid-point of their implementations. This report, therefore, has much of the tone of an Interim Report. A summary of program impacts follows.

Summary of Program Impacts

Although only limited impact data are available at this time, it is already obvious that Phase I planning efforts have resulted in improved diagnoses of system problems, increased attention to their solution, and a more efficient implementation of Phase II efforts. Among those Phase I sites that did not receive Phase II funding, there is evidence that a continuation of interest exists and that many of the processes required to increase the number of eligible persons released and to minimize their length of detention have been implemented. Among the 1978 Phase II programs and some of the more well-advanced 1979 programs, there is already evidence of speedier, more efficient processing, decreased detention time for eligible releasees, and increased use of release alternatives with relaxed eligibility criteria.

Jail overcrowding is a national issue and efforts to relieve the problem are in evidence in numerous sites that did not receive JO/PDP funding. In an effort to isolate the impacts of this program, a limited survey on nonprogram sites was performed. The results of this survey show that progress in controlling jail population is only slightly slower in the nonprogram sites, but that population control has been accomplished with more risk to the community (i.e., higher failure-to-appear and rearrest rates). Also, the characteristics of the jail population are different among the program and nonprogram samples with greater emphasis on reducing the pretrial population among the JO/PDP sites.

The National Program Coordinator's (NPC) role and the implementation of that role have also been examined. The use of an NPC as both an alternative to direct funding between LEAA and the 37 Phase I sites and as a technical assistance (TA) provider and coordinator was examined and found to be a generally sound and efficient mechanism for fulfilling both LEAA and site needs, especially in view of the selection of a broad-based, organizationally mature agency like AJI to fill that role. Some issues relating to the need for more interaction between AJI and LEAA and expanded services that the NPC could provide were identified. DRI is currently analyzing AJI's allocation of resources between monitoring, technical assistance, and coordinating functions.

At this time only a few of the nine Phase II sites in our sample have valid baseline and post-intervention data on which to make any definitive

statements about the degree of effectiveness and the relative costs of the program. Among the sites in which impact data have been reported and verified (Santa Cruz, CA and King County, WA) the data show a 7.5 percent decrease in pretrial average daily population and a 17 percent decrease in average pretrial length of detention even though bookings have increased over 18 percent during the same period. This is especially significant since the nature of arrests and bookings have been changing and the percentage of serious felonies is increasing. The overall jail population has not been reduced by this program (in fact, it has increased 15 percent in these two jurisdictions), but the characteristics of the jail population have changed to a more serious felony population and a higher percentage of sentenced offenders. Failure to appear (FTA) and rearrest rates have decreased even though the percentage of releases has risen. The economics of the program have not been completely documented but the estimated savings of 27,000 jail days per year would entirely offset all program costs using reported per person jail cost figures. Using the estimated but more realistic marginal costs (those in excess of fixed costs of building maintenance, staff, etc.) the program still shows itself to have the potential of being highly cost effective. Pretrial unit screening, investigation and contact costs over the 18-month period have decreased from an average \$45 to \$28 per client. The costs saved by reducing the need for newer and larger jails, by keeping defendants on the job or in counseling programs, and by reducing risk to the community through conditional and supervised release options (as opposed to court order induced periodic jail sweeps) suggest even more cost-related benefits. In addition to the impact on jail overcrowding and costs, the reduction in the number of jail days served by defendants who are ultimately judged to be not guilty combined with acceptable FTA and rearrest rates provide evidence that the program is helping to serve an objective of the criminal justice system to provide the least restrictive measure needed to ensure that pretrial defendants will be present for their court appearances.

Organization of Report

Because this study was funded primarily as a management, rather than an impact evaluation, Chapters II, III and IV present detailed descriptive information on the three major areas of evaluation focus: Planning Projects, Implementation Projects, and Program Administration. Chapter V of this report presents our conclusions and recommendations. The conclusions are organized around the nine research questions provided by LEAA to direct the research activities. Both the conclusions and the recommendations have evolved from the data presented in the following three chapters.

CHAPTER II. PLANNING PROJECTS (PHASE I)

Evaluation efforts with respect to the JO/PDP planning phase were based on three independent samples. The first sample consisted of the eight completed Phase I programs. A second sample included other 1978 Phase I projects that had not (yet) received Phase II funding. It was felt that this group could provide information on the impacts of planning in the absence of continued federal support. Finally, since planning would be expected to have consequences for eventual implementation, the Phase I outcomes of the seven Phase II projects were examined. Specific data on these projects are included in the Phase II site descriptions; however, some generalized information on the planning phase is provided in this section.

Case Studies--Sampled Projects

The following paragraphs summarize our assessment of project progress at each of the eight Phase I sites in our sample. Drafts of these summaries were sent to project directors for verification.

Anoka County. Anoka County, Minnesota is a growing area that has had jail overcrowding problems for years. This county received funding for a jail overcrowding project from LEAA in December of 1978. The grant terminated in August 1979, and the final report came out in September. In this report, there is a good deal of baseline information on the jail population. Collection of these data was overseen by the Planning Committee.

In addition to jail population data, information on the environment in which the jail operates was collected. This information includes population growth and composition data, offense and arrest trends, and information on adult correction services. The committee members also took a detailed look at the criminal justice system--of what agencies it was composed, how they operated, and how they interacted. The flow of arrestees through the system was also an area of interest to the committee. Committee members view this data collection as the first step in developing a useful jail population management system.

Using the data they had collected and other sources of information, the committee concentrated on eight problems identified as impacting upon the jail population. They then developed eight "actions" for solving their problems and estimated the cost of each of these actions. The final aspect of their report was a plan to monitor and evaluate the proposed actions if they are implemented.

Although there was formal judicial participation on the full committee that oversaw the project, there were no judges on the working level advisory committee. The absence of judges on the working committee was due in part to the staff perception, especially on the bail reform issue, that it was not possible to get viable participation from the judiciary until they (the judges) could be given something concrete with which to deal.

It was felt that despite a thorough planning study involving a large number of people, very little could be implemented in Anoka County without the assistance of the Phase II grant funds. Some bail modifications may be made and some increases and improvements in the utilization of citations may result. The interagency planning team formed during Phase I is viewed as a potential benefit to the local criminal justice system. The most important benefit realized to date is an awareness and appreciation for the concept of population management vis-a-vis facility planning and facility development. The Phase II application was not submitted to LEAA in time for continuous funding, but Anoka County is hoping for receipt of a Phase II implementation grant sometime in the near future.

Boulder County, Colorado. The Boulder County program was established primarily to (1) assess the effectiveness of alternatives to jail overcrowding currently in use, and (2) use this assessment as the basis for expanding existing alternatives under a unified jail-use policy. Following the creation of their advisory board, input was sought from both criminal justice personnel and the community at large to determine how these goals might best be met.

A proposed 24-hour release on recognizance (ROR) screening pilot project has been implemented, but limited by staff availability to a Thursday through Sunday basis. Methods of data collection have been devised and implemented for one full month of operation. Although the jail population has decreased noticeably, from a summer ADP of about 85 to a winter average below 75, it is likely that this decline is a result of seasonal rather than program changes. Despite these figures, it has been suggested that the overcrowding problem may be worsening in Boulder County. Computer programs for data analysis are currently being developed, but no progress has been made toward the realization of a computerized information processing system at the jail.

Boulder's project director left his position at the end of January and an acting director was appointed for the duration of the Phase I period. It was not felt, however, that this change had any adverse effect on project success. A Phase II application was planned.

Clark County, Nevada. The jail overcrowding project in Las Vegas was completed approximately one month after its revised end date. This additional time was spent in preparation of the final report and application for Phase II funding.

An Advisory Committee of 20 people from various criminal justice agencies in Las Vegas was formed to oversee project operation. From this committee emerged an Executive Committee. The Executive Committee is the more active of the two; from it comes recommendations of issues to study and suggestions for problem solving. The Advisory Committee plays a more reactive advisory role.

During the Phase I effort, some of the activities completed were: the implementation of a video appearance system for probable cause hearings, encouraging the police to use field and stationhouse citations, changes in the prisoner classification system, exploration of various management information systems (MIS) options, production of flow charts describing the system, and collection of baseline data. The baseline data were from a 2 percent random sample of arrest sheets (N = 575). They include demographic information on prisoners, length of stay data, charges, number of prior and subsequent arrests, cost figures per inmate per day, and average daily population characteristics.

Duval County, Florida. The Duval County project, located in Jacksonville, Florida has voluntarily suspended its Phase I Planning Study. Phase I funds have provided the resources for an expanded examination of the jail population and case flow management aspects of the pretrial detainee population. Duval County has been under pressure to reduce its jail population, and has examined and is using a variety of techniques for (1) releasing persons unable to post financial bond, and (2) speeding the release process for all those who will be ultimately released. The three principle objectives of Phase I funding--developing a system flow diagram, examining jail population statistics to better define the issues associated with overcrowding, and creating a Criminal Justice Advisory Committee for jail overcrowding matters--have all been met, although there has been some discussion about the membership and motivation of the committee named.

Phase I research identified a sizable population of Duval County inmates waiting for transfer to the state prison. Prompt transfer of these inmates would contribute to a reduction in overall population. It would also be helpful if the local detoxification centers accepted intoxicants who are now (improperly, under Florida's Meyer's Act) being brought to the county jail. In a jurisdiction in which the population consistently hovers at the court-ordered maximum, these issues are important.

At present, the project director and research associate express the opinion that they have pretty much exhausted the remedies at their disposal for reducing their jail population and feel that renovated and expanded jail facilities are necessary for Duval County regardless of their deployment of pretrial release options. There are no immediate plans to apply for Phase II money from LEAA unless those funds could be used in conjunction with a building renovation study. A management information system for the jails, acknowledged to be a desirable tool for processing inmates and for monitoring programs, is nonetheless not likely to be requested until it is felt that Duval County would locally support and maintain such a system after its development.

Genesee County, Michigan. The jail overcrowding project in Genesee County is a Phase I, 1978 project. It began operation a month late, on November 13, 1978, and was scheduled for completion on September 30, 1979. The completion date was later extended until March 31, 1980. The project's Executive Committee was not formed until May 1979. The Executive Committee is a working committee; it makes decisions on the direction of work, reviews solutions, and recommends actions.

Since the project's inception, project personnel have been primarily concerned with collecting information. They have collected Genesee County Jail statistics and, to fill the gaps in that information, they are gathering data from the courts. The court and jail information should allow them to follow their sample from arrest to final disposition of the case. Most of the data needs of the project have been filled and the data are now being analyzed. In addition to data collection, project staff are in the process of producing a system description and attempting to identify the bottlenecks in the system. They also have completed a study of the county jail's work release program. Genesee County is anticipating the preparation of a Phase II application.

Mercer County, New Jersey. A plan for the state to purchase one of Mercer County's two correctional facilities provided the original impetus for participation in the LEAA Jail Overcrowding Program. It was expected that moving the entire jail population to one facility would result in overcrowding.

When the state changed its plans to purchase the Mercer County Correctional Center, the focus of the project changed. If the planning study shows that as a result of increased pretrial release programming, the population in the Detention Center decreases to a level that may accommodate the sentenced inmates at the Correction Center, a very good possibility exists of terminating the Mercer County Correctional Center and combining both populations in one facility.

Walter Sobel Associates, an architectural firm presently carrying out a courthouse facility study for Mercer County, subcontracted with Durrant Architects, Inc., of Dubuque, Iowa, to undertake the jail overcrowding study. A question of the suitability of the Durrant firm's undertaking of the study was raised by DRI during a site visit.

Milwaukee County, Wisconsin. Since August 1979, the Milwaukee County Jail has had an average daily population of over 310, while its rated capacity is 250. Because of its age, outmoded design, and staffing problems, a federal court order has recently been issued to reduce the jail capacity to 125. Although the action is under appeal, its enforcement would greatly exacerbate the present problem. Approximately 90 percent of the jail population is composed of pretrial detainees. Phase I funding began in June of 1979 and continued through the summer of 1980. Phase I work is being performed by Wisconsin Correctional Services (WCS). A planning committee has been formed that meets monthly to review information, staff reports, and problem solutions that are compiled by WCS.

Accomplishments by WCS and the Planning Committee are numerous. They are adding an SPSS package to the existing computerized offender tracking system to enhance their evaluation abilities. Areas where more data are needed have been identified. A flow chart of the criminal justice system has been produced. A survey of judges' attitudes toward pretrial release was conducted. WCS hopes to implement a two-phase unit for pretrial release. (One phase interviews arrestees for ROR, the other phase interviews those who do not qualify for ROR.) The county has already implemented the first phase of this unit. Finally, WCS has collected baseline data on the jail population, on FTA rates, on release status by charge, and on other arrestee-related characteristics.

Orange County, Florida. The Orange County Phase I planning project was funded in June 1979, became operational in September, and concluded on schedule in March 1980. It was fully staffed and had the support and backing of the Sheriff's Department (within which it is coordinated by the director of corrections) and the remainder of the criminal justice system. Project staff are very sensitive to the moods of the courts and the public, and have acquired their confidence and cooperation. Pretrial release supervisors are working with a low 2 percent FTA rate and express the opinion that they cannot afford to alienate any component of the system as it might result in recision of the progress already made. This approach results in well-managed and well-utilized (by the courts) release options, but has the potential for constraining the creativity of new programs.

The jail overcrowding problem has been receiving considerable attention in Orange County where the population growth rate is high and where the influx of tourists is expected to grow as well. Further, there is an

increase in crime rates in excess of population growth. A number of the existing pretrial release mechanisms were already in place in Orange County. Phase I funding is allowing the system to be examined analytically, and is developing information on what the components of the jail population are, where the system is not functioning as smoothly as it might, and is suggesting intervention solutions. The Phase I project has also created an internal forum for discussing these issues. Some special populations of pretrial detainees held either improperly or unnecessarily have already been identified: intoxicants for whom there is no room at the local detoxification centers, and some of those charged with Class 3 felonies who, until recently, could not be released until they had a hearing. In December 1979, the judiciary agreed to place third degree felonies in the same category as misdemeanors for pretrial release purposes.

Orange County has not yet developed its system flow diagram, but they are collecting data for a jail population study. A research associate has been put on staff full-time by the project for this purpose. Application for Phase II funding is likely, but its submission will depend on the results of this study and a more precise determination of the extent of the impact of the pretrial population on the jail overcrowding problem.

1978 Terminal Phase I Projects

In December 1979, telephone surveys were conducted with five of the six 1978 Phase I jail overcrowding projects that are not in the DRI sample, and had not received Phase II funding. In spite of the variation in project focus, the sites contacted shared several common elements of interest.

At four of the five sites contacted, the jail population had outgrown the jail. At the fifth site, the jail was nearing capacity. Frequently, the jail was not only too small but outdated as well. One jail dated back to the Civil War. Jails at three of the five sites were under court order to make changes.

All projects reported receiving good cooperation from the other criminal justice agencies in their locality. They had no trouble securing local match money, and all sites reported spending their funds on data collection, research, and planning. All project directors said that their projects had little or no effect on prosecutor or court caseloads, and they perceived no adverse community response to their project.

Although the sites utilized other sources of technical assistance, their principal source of TA was AJI. Four of the five projects received TA from AJI and all expressed satisfaction with the assistance they received. The TA provided by AJI appears to be limited to one visit per site. The

project directors said they received a visit from an AJI staff person, but they made no mention of return visits or follow-up contacts.

All of the projects contacted formed similar jail overcrowding committees. Attempts were made to include on these committees representatives from all or most of the criminal justice agencies associated with the jail. However, the role played by each committee in project administration varied among sites. While some took an active role in directing the project staff, determining issues to be studied, and data to be collected, other committees served as passive advisors.

The most striking feature of all these sites is that, although their LEAA Phase I funding has expired, the projects are all still operating. They have discovered, from local or federal sources, money to allow work on Phase I problems to continue. The problems being addressed, and the programs being implemented at these sites are not as large as they would have been with LEAA Phase II funding, but work continues on them nonetheless. In general, projects are focusing on policy and procedural changes while de-emphasizing costly MIS requirements.

Of the five sites, three did not apply for refunding; two because of lack of cooperation from the courts, and one because an analysis of the problem suggested a different approach, and two applications were not funded by LEAA.

Planning Phase of Implementation Projects

Fundamental to the philosophy of the LEAA program on jail overcrowding is a funding mechanism to provide for both planning and implementation. A planning grant is given first to study the nature of the jail overcrowding problem, and gather critical baseline data, prior to implementation funding. The purpose of the planning grant is not only to document that jail overcrowding does exist, but to reveal the components of the overcrowding problem and develop an understanding of how the elements of the criminal justice system can function to alleviate the problem. The National Program Coordinator has also stressed the importance of obtaining the involvement of key persons in the criminal justice system and seeking a consensus on proposed recommendations. Contingent on the results of the planning grant, implementation funding is then sought to effect some changes on one or more components of the overcrowding problem.

The importance of good planning to achieve successful implementation is well recognized and clearly evident in the Jail Overcrowding Program. However, it appears that a lack of continuity in staffing, particularly between the planning and implementation phases, may

hinder the success of the program at some time. Continuity of staffing is especially important at key administrative positions such as project director. We have observed it not to be unusual for the project director of the implementation phase to be someone newly hired and not involved with the planning effort. Sometimes, hiring a new person can introduce considerable delays in initiating programmatic changes. It is also unlikely that a new person can quickly develop a broad perspective of the system and its problems to the extent of an individual involved with the project throughout the planning process. Frequently, files are misplaced, data are overlooked, and contacts are lost.

At a few sites, contracts have been awarded to individuals outside the criminal justice system to undertake the planning study. The ability of an outside consultant or organization to collect and analyze data appropriately is not questioned, but these contractual arrangements may tend to create a lack of continuity between planning and implementation. Ideally, the project director within the criminal justice system can use the resources of outside expertise, but continue to play a major role in providing leadership to the project and mobilizing forces within the system to build consensus and support. Without question, such a task is very difficult.

Lack of staffing continuity may also create deficiencies in the evaluation capabilities of a project. Data relative to project history and background are difficult to reconstruct. When the persons responsible for evaluation are involved in both planning and implementation phases, the likelihood of obtaining appropriate data for both baseline and intervention phases is increased. Developing an evaluation design which addresses the pertinent issues and is also sensitive to a wide range of confounding factors is a nontrivial matter. Therefore, developing a meaningful evaluation which truly measures program impact and not merely describes the process is most likely to be achieved when a commitment to evaluation is made early in the planning process.

Contact with technical assistance providers is also adversely affected by the interruption in project administration. Frequently new Phase II project staff have little or no knowledge of the technical assistance resources available to them. Since it is likely this situation will occasionally recur, due to the nature of the separate funding cycles for the phased projects, we recommend increased documentation during the Phase I study in anticipation of this eventuality.

Phase I Impacts

The purpose of this section is to consider the impacts of the overall planning phase of the JO/PDP as represented by all three project samples.

Any generalizations from this data, however, must be prefaced by a number of caveats. First, the funding for Phase I was to support study and planning. The outcomes, therefore, were recommendations. Second, only five of the eight ongoing projects were entirely concluded at the time of this analysis, so the data are, to some extent, tentative. Finally, a diversity of problems and circumstances were represented in the sample. Because of this, even where commonalities were found, they were likely to result from a very limited number of observations.

This latter point is perhaps best illustrated by a description of the sample's jail overcrowding situation. Seriousness of the problem varied widely among the eight projects studies. While two projects reported no current overcrowding, one was under court order to reduce its ADP by 60 percent. Altogether, half of the sites were involved in litigation to establish jail standards. Among the most frequently mentioned factors contributing to overcrowding were population changes, increases in serious crime, and segregational constraints on secured housing. This final factor underscores the need for flexibility in future jail design.

All of the facilities reported a sizable number of pretrial detainees, with estimates ranging from 49 percent to 89 percent of the ADP. The problem of too many inmates, however, was often compounded by poor jail conditions and an inability of the system to generate useful data for determining release.

From the outset, all of the Phase I sites had at least some pretrial release mechanisms available. Some relied on traditional methods of bail and ROR, while others used a full complement of incarceration alternatives that ranged from 10 percent bail and weekend sentencing, to a video appearance system for probable cause hearings. For many, however, it appeared that the lack of an organized pretrial policy or program hampered the effective utilization of all available options.

Accordingly, planning efforts were generally directed toward two objectives: collecting data to document the current state of affairs, and studying ways to expand, coordinate, and improve the capabilities of the extant criminal justice system. Projects generally received the high degree of interagency cooperation necessary for both of these activities to be successful. Some disinterest was reported for a number of criminal justice agencies, but it is unclear what impact, if any, this disinterest had on Phase I.

Admittedly, criminal justice cooperation was expected to be good in light of the proposal requirements for letters of support, matching funds, and the creation of an Advisory Board. However, many projects viewed the interagency dialogue established through Phase I as an important and positive step toward resolving their jail overcrowding problems. This was true even

though the advisory board, which served as the primary means of interagency communication, was cast in a variety of roles.

Jail populations changed little during Phase I funding for most of the sites studied. Only one site was willing to attribute a noticeable decline in ADP to Phase I operations. Others felt some stabilization had occurred, but could not be sure of the cause without further data analysis. The objective of the Phase I program, however, was to establish a better understanding of each project's situation rather than to directly impact jail populations. The sites unanimously reported success in meeting that objective. In fact, one of the most important products of these planning projects was the development of collecting methods for reliable baseline data. This information is critical for both an understanding of the existing system and any future evaluation of changes that are implemented.

It was also generally agreed that the National Program Coordinator, AJI, contributed substantially to the realization of project goals. Although minor concerns were noted with respect to the timeliness of AJI's assistance, it was typically characterized as relevant and useful. AJI was cited as being particularly helpful in providing advice, enhancing interactions among criminal justice agencies, and brokering other technical assistance. A variety of TA providers were utilized through AJI. These sources provided such valuable information that some projects were able to significantly reduce the role of hired consultants.

The recommendations formulated as a result of Phase I were tailored to the needs of each site and thus are as diverse as the projects themselves. However, for purposes of this discussion, they can be categorized as follows:

- Development and implementation of automated MIS. Most projects were convinced of the need for an MIS for monitoring the jail population, providing evidence for criminal justice system changes, and assessing the impacts of such changes. The integration of existing components into a centralized criminal justice MIS was often suggested as a future goal.
- Establishment or expansion of a centralized pretrial program. This recommendation required additional personnel for pretrial release screening, supervision of releases, and review of detainees not immediately released.

- Policy and procedural changes. This included administrative and legislative suggestions for establishing new options as well as making the most effective and efficient use of those already available.

- Maintenance or expansion of jail facilities. Two sites were able to demonstrate this need by an analysis of the data.

Since the construction of new jail facilities was not provided for under Phase II, only six of the eight recent Phase I projects applied for Phase II funding. None of these six was aware of any alternative means of continued financing. For those sites under court order to implement changes, however, some sources of funds would have to be found in the absence of federal assistance.

It is interesting to note that of the seven Phase I projects that eventually became Phase II implementations, nearly all included coordination of services and MIS improvements as their primary concerns. This may reflect the fact that these represent more politically feasible approaches than the introduction of new release methods, or that all reasonable alternatives had already been exhausted.

It was generally felt that failure to receive Phase II support would severely curtail and delay any efforts toward jail population reduction. Many policy and procedural changes would be implemented without further funds, but their impact in the absence of an organized and comprehensive program is uncertain.

None of the continuing projects was anticipating any adverse community reaction to changes in the criminal justice system brought about by this planning phase other than from special interest groups, such as bail bondsmen. Some expressed the opinion that an assessment of public opinion was inappropriate until proposed solutions had been formalized. Perhaps these expectations are realistic in view of the variety of pretrial alternatives already being employed with public approval. However, few projects made special efforts to be sensitive to reactions from outside of the criminal justice system during Phase I. This factor may be important in communities where new and expanded release options have been planned.

CHAPTER III. PHASE II IMPLEMENTATION PROJECTS

Introduction

As part of the analysis of program impacts, the evaluation design called for the selection of nine Phase II Implementation studies for site visits and primary data collection. These nine sites, described in the following pages, provide the empirical evidence for assessing program effectiveness. Two of the projects were initiated during fiscal year 1978 and were begun without prior Phase I planning grants. These two projects (Santa Cruz, California and King County, Washington) are essentially complete. The remaining seven projects (Atlantic County, New Jersey; State of Delaware; Dade County, Florida; Jefferson County, Kentucky; Orleans Parish, Louisiana; Multnomah County, Oregon; and San Francisco, California) are at varying stages of implementation, with most only halfway through the project period. The following section provides a case study of each program including background information on each site, with a description of the jail overcrowding problem, a description of the proposed project as well as a description of the project as it was (or is being) implemented, and an assessment of actual impacts to date. Where it is more appropriate, an assessment of probable impacts based on the achievement of interim objectives is presented.

Each of the nine sampled sites was visited at least twice by the evaluation team. In addition to site visit contact, follow-up telephone interviews were conducted with project staff and with other criminal justice personnel. Additional contacts were made at the program cluster meeting and at professional symposia and seminars on pretrial release and related issues.

Material for this section was developed from the contacts described above as well as from site proposals and site progress reports and LEAA and NPC assessment documents. Most of the information presented in Chapter III is descriptive. Evaluative program conclusions and recommendations are presented in the final chapter, where all of the program study data are used to resolve the research questions which directed this evaluation.

Case Study: Atlantic County, New Jersey

Background

In the next decade, Atlantic County, due to the legalization of gambling, is likely to be one of the fastest growing areas in the country. The county planning department projects that permanent population in the county will increase from 190,000 in 1978 to 336,000 in 1990. A second report by Economic Research Associates of Washington, DC states that the population will reach 360,000 by the mid-1980s. The gambling industry, in addition to providing jobs for a larger permanent population in Atlantic County, will increase the transient population as well. Evidence of this increase already exists in the form of increased traffic on the Atlantic City expressway following the opening of the first casino.

In the five years prior to the introduction of casinos to Atlantic County, the average annual increase in reported crime has been 6 percent per year. Due to the changes mentioned above, the reported crime rate is expected to increase at a faster pace.

In April 1979, local planners forecast an increase in reported violent crime for 1979 to 1981 of between 21.5 percent and 45.8 percent, and nonviolent crime is expected to increase between 16.6 percent and 21.5 percent. The crime statistics for 1979 show a 9 percent increase over the 1978 figures, and lend credibility to these forecasts. In the Atlantic County proposal, three different formulae were used to forecast the future need for increased utilization of jail space. Forecasts were made using a population increase with no increase in crime and using population increase with a 6 percent and a 10 percent rise in crime. From the crime statistics for 1979, it appears that the forecast using a 10 percent rise in crime most accurately reflects the crime problem in Atlantic County. Using this formula, there would be a 41 percent increase in jail space utilization by 1982 if no measures were taken to reduce the jail population. A 41 percent increase would cause intolerable crowding in the jail and require either the immediate construction of new facilities or vastly different programs for increased use of alternatives.

At first glance, it appears that the Atlantic County project is based wholly on the expectation of future crowding problems and not on existing problems. Figures from a July 1978 report from AJI show the rated jail capacity at 172 and the average daily population at 141, and point out that in the preceding six months, the ADP never exceeded the capacity. These statements were qualified with the information that ad hoc planning and collaboration had temporarily relieved the chronic overcrowding problem and that some of the gains that had been made would soon begin to be reversed. The Atlantic County Phase I final report compares the ADP to three different capacity standards (150, 125, and 100) and only at the lowest capacity level does a crowding problem exist. From a

review of these two documents, it appears that the Atlantic County jail overcrowding problem is a concern of the future, and it is perceived as being relatively minor today.

Looking for clarification on this issue, DRI contacted the project's intake director and was informed by her that the total jail capacity for men and women was 186. She further stated that the current ADP (July 21, 1980) was 171, that when the project began in April, the ADP was 192, and in May and June it was 141. From these figures, it appears that if the project were not operating, a crowding problem might exist in the Atlantic County Jail.

Additional factors that seem to necessitate the existence of a pretrial release project are the plans to adopt new county correction standards that would reduce the jail capacity to 130 and a report by the New Jersey Department of Corrections that the Atlantic City facility should not be used as a jail. The Atlantic City facility serves as a safety valve in that it can hold detainees until they are released or until there is room for them at the jail. Should the city lock-up cease to serve this function, a subsequent increase in the jail population could be expected. Under these conditions, jail overcrowding would be a problem in Atlantic County, and if new standards are adopted and the population and crime rates continue to increase, the problem will become very serious in the near future.

In Atlantic County, there are a few jurisdictional factors that impact the efforts by project staff to reduce the jail population. Those that facilitate such ends are:

1. There are several law suits pending against the jail; this will encourage criminal justice officials to institute changes in the system that are likely to be cheaper than court ordered changes.
2. Local attitudes favor a change in the criminal justice system to improve the overall quality of life in the county.
3. Plans are being made to build a new minimum security correctional facility, and project information and efforts should help planners either to minimize the cost of the new facility or eliminate its need.
4. The potential for impacting the jail population is great since no other pretrial release options are being utilized by the county system.

One hindrance to effective jail population reduction is the large number of agencies served by the Atlantic County Jail. In Atlantic County there are 23

municipalities, 20 Municipal Courts, 20 police departments and the state police. This factionalization within the county makes organization, cooperation, and standardization of procedures very difficult. A second problem is the location of the jail in Mays Landing, 18 miles away from the Municipal Court in Atlantic City. This results in costly and inefficient transportation of detainees back and forth from jail to court.

Description of Proposed Project

General objectives for Phase II, resulting from Phase I efforts, were to reduce the pretrial detainee population through the use of alternatives to incarceration, to speed the processing of detainees, and to improve the quality of information on people processed through the criminal justice system. Specific plans to help realize these objectives were:

- develop central intake services that will screen and interview detainees 24 hours per day seven days a week
- increase the use of summons in Atlantic County, and increase the ratio of summons to warrants
- develop a fully automated management information system
- have access to computerized criminal histories on a 24-hour per day basis
- contact the Public Defender's Office within 24 hours of screening an indigent detainee
- assist detainees in receiving needed social services
- improve the notifications and tracking systems to reduce failure-to-appear rates
- reduce the dependency on cash bail as the primary form of release; currently, over 90 percent of all releases involve some money
- collect, analyze and report data on project outcomes and operations
- coordinate the criminal justice system components through monthly meetings of the Advisory Board
- hold preliminary hearings at the jail twice each week

- monitor and review releases at the Municipal Court level to determine if these arrestees might have qualified for a summons
- develop a screening and interview manual for the intake workers

Description of Implemented Project

Initial implementation of Phase I activities was delayed due to minor individual conflicts. However, the determination of key figures in the county, such as the County Manager, the Administrative Judge, and the District Attorney, for this project to succeed guaranteed its eventual smooth implementation.

Most of what was planned for Phase II has been implemented. The Central Intake Services unit is in operation. It consists of a director, five intake workers, and a secretary. The project staff screen and interview detainees, verify information, make release recommendations to the judge, make sure the releasee understands the conditions of his or her release, and enter data on each detainee, whether the detainees are further detained or released into the manual information system. All these activities, plus defendant notification and tracking, are guided by the Pretrial Release Intake Services manual. This manual was developed during the early stages of the project and it has since been modified to make it more congruent with actual experiences. Project staff aid detainees who need social or medical services in receiving such services, and for detainees determined to be indigent (the staff has an indigency questionnaire), the staff will contact the Public Defender's Office. The Central Intake Services unit appears to be operating as planned but it is operating only 16 hours per day five days per week rather than round-the-clock as proposed. During off hours, project staff are on call. Due to staff limitations and security problems, there are no plans to deliver intake services 24 hours per day.

Other activities implemented as planned include the monitoring of Municipal Court releases and reporting the findings to the judiciary, holding preliminary court hearings twice weekly at the jail (which was implemented briefly and then discontinued), and having access to computerized criminal histories 24 hours per day. Round-the-clock access to these histories was expected to begin the end of July 1980. Collection of data on the detainee population and on project activities is occurring but not exactly as planned. An automated MIS is not being developed and data are being collected manually. The defendant notification and tracking system is also being maintained manually. The intake director believes these manual systems are adequate to manage the unit's data collection needs. Plans do exist outside the project that would computerize the county's criminal justice data. Should this occur, the project would become part of the system.

One planned objective of Phase II that is not being pursued by the project is to increase the number of summons issued in Atlantic County. The project abandoned this when the judiciary announced that they would address this issue, but to date there is little evidence that a substantial increase in the use of summons has occurred.

Two objectives that were planned and are being addressed, but have yet to be achieved, are coordinating the criminal justice system components through monthly meetings of the Advisory Board, and the reduction of dependency on cash bail. The Advisory Board does meet monthly but any coordination that occurs at these meetings is, as yet, undocumented. The intake director believes dependency on cash bail is being reduced but actual figures to support her contention are not yet available.

Unplanned activities into which the project has moved are (1) being on call 24 hours per day to provide information to the court clerks, (2) trying to eliminate a \$12 filing fee that must be paid to secure an own recognizance release, and (3) interviewing in the city lock-up which was implemented briefly and then abandoned when the project expanded site operations to 16 hours per day.

Project Impacts

The full impact of the project is not yet known since it has been fully staffed for only seven months and releases have occurred for only five months. Generally, the project is well organized, operating as planned and has a body of baseline data that, when compared with outcome data in a setting void of concurrent programs, should produce an accurate evaluation. From April to September 1980 the project released 372 arrestees and saved an estimated 2,976-3,720 jail days. Releasees had an FTA rate of 4.8 percent and a rearrest rate of 11.3 percent. These releases appear to be positively affecting the jail population as the ADP for May, June and July were 141, 141 and 171 respectively, compared to 192 in April.

Conclusions and Recommendations

Findings from Phase I show that one-third of a 15 percent sample of detainees had their cases dismissed or were found not guilty. Some of these cases and some of these detainees could be eliminated if case screening by the DA's Office occurred at an earlier point in time. If politically feasible, the project should recommend earlier screening by the DA as one way of combatting a rising jail population.

In the past, the judiciary in Atlantic County have been overly dependent on cash bail as a form of pretrial release; over 90 percent of all releases involve some money. In order to relieve this situation, the project could expand resources

to educate and inform the courts of the availability and effectiveness of nonmonetary release alternatives, and thus diminish court personnel's dependence on cash bail. Some progress in this area is being made as 142 (38.2%) of the project's 372 releasees received nonmonetary release. Other alternatives that should be considered are ROR, third party release, and supervised release. A most promising alternative is use of summons or citations. Summons could be issued to a large portion of the less serious offenders who are incarcerated (they comprise 30.8 percent of the jail population). Increased use of summons could be a major factor in reducing the Atlantic County jail population.

Another issue in Atlantic County that merits comment is the 18 mile distance between jail and court. Everyone appears to be aware that distance increases the potential for prisoners being in an accident or escaping and increases the cost of processing detainees, but little is being done to eliminate the problem. The recent move of preliminary hearings to the jail twice a week is a small step toward resolving this problem but other steps need to be taken. The transportation issue should be a topic for the Advisory Board.

The screening and interviewing manual and the baseline data elements produced by Atlantic County are especially well done and should be made available to other projects.

Case Study: Dade County, Florida

Background

Dade County, like most metropolitan areas in the sunbelt, is experiencing rapid population growth with an associated increase in crime. Adding to the already high growth rate of Dade County, is the recent influx of over 100,000 Cuban refugees into the United States. A substantial portion of the refugee population has settled in the Dade County area and, although no hard evidence is available, criminal justice officials expect the influx of refugees to add to Dade County's crime problem.

Like the rest of the nation, Dade County has been facing an economic downturn, and although Dade County as a whole has suffered little from the recession, according to the project administrator this is not true of minority males in the Miami area, whose unemployment rate is about 20 percent. Such a high unemployment rate may be related to an increase in crime.

Another element of the Dade County crime problem is the heavy drug traffic in the area. Several criminal justice officials mentioned that Dade County was one of the primary importation points for bringing illegal drugs into the United States. This drug traffic results in the commission of a large number and variety of drug-related crimes. These crimes range from the possession and sale of drugs, to driving while impaired, to drug-related murders.

Whatever the reason, be it population growth, recession, or other causes, crime in Dade County is on the upswing. A report in The Miami News (March 27, 1980) indicated that reported crime in Dade County in 1979 increased about 16 percent from 1978. Reported violent crime for the same time period rose 14 percent, and more crime is likely to lead to more arrests, more bookings, and a larger jail population.

Rising crime and more arrests and bookings could affect any gains the project might make in reducing the jail population. Another factor with the potential for increasing the number of arrests and the jail population in the near future is an increase in the size of the police force. Currently, due to a freeze on hiring in Dade County, the Miami Police Department and the Department of Public Safety (Sheriff's Department), according to their own standards, are over 100 officers understaffed. Should all or a portion of these additional officers be hired, the already high number of arrests (over 60,000 felony arrests in 1979) is likely to increase.

A third factor that could offset the efforts of the JO/PDP project is the recent move in Florida toward more rigorous control of violent juvenile offenders. The Florida legislature has passed laws that mandate the waiver to criminal court of certain juveniles who have committed one of a group of targeted crimes, and exclude from processing, under juvenile court jurisdiction, juveniles accused of certain offenses. The legislature also is considering reducing the age of majority from 18 to 17. Passage of such legislation would greatly increase the number of people processed through the criminal justice system and thus would increase the number of people detained at the county jail.

These factors all have potential to impact the JO/PDP project, but the recent race riots in Miami in May 1980, resulting from a "not guilty" verdict in a trial of six police officers accused of beating to death a black insurance man, had a direct effect on the project. Due to the riots, the pretrial release unit was shut down for part of May. This shutdown resulted in only 92 people receiving pretrial release unit (PTR) release in May as opposed to 165 PTR releases in April. The initial impact of the riot appears to have subsided, but future repercussions that the trial and the riots may have on the criminal justice system remain to be seen.

The elements listed above tend to counter the efforts of the project, but elements also exist that facilitate project activities. A number of agencies in Dade County share the same goal as the project (preventing jail overcrowding), and these agencies employ a variety of methods to achieve their goal. Citations are issued to traffic offenders and to other misdemeanants. Misdemeanants can obtain release by showing their voter registration cards and paying one dollar; this form of release can only be used once. Pretrial intervention and domestic violence programs exist to help keep certain offenders out of jail, and drug and alcohol programs are available to all offenders. Types of release available to felony defendants are third party release, ROR, cash bond, and PTR unit supervised release.

Description of Proposed Project

Phase II of the project was planned to begin operation in August of 1979. The plan of action for Phase II was based on the crowding problem that existed at the Dade County Jail and on the findings of Phase I of the project. The average daily jail population at the time the proposal was being written was consistently at or above the jail capacity set by federal court order and a pretrial overflow population of from 70-200 inmates was being housed at the facility (the Stockade) for sentenced misdemeanants.

Findings from Phase I of the project showed that the pretrial population in Dade County was growing and that although the pretrial release

unit had been operating since 1971, it had had no visible impact on the jail population. Additional findings were that an understaffed PTR unit, unduly restrictive release criteria, unnecessary delays in case processing, and the lack of second interviews were resulting in more people being held for longer than was necessary. These problems were addressed in the Phase II proposal and the objectives of Phase II and the activities planned to achieve these objectives are:

- reduce the pretrial jail population
- reduce for all inmates, the average length of time incarcerated prior to trial
- reduce failure to appear rates, and apprehend and prosecute a higher proportion of those who fail to appear
- speed up the processing of detainees
- restore credibility to the PTR agency
- expand the use of citations
- expand the PTR unit, the release criteria used by that unit, and the pool of people eligible for release
- expand nonfinancial release alternatives
- develop a system for tracking arrestees from arrest to disposition
- develop a point system to make release decisions of the PTR unit more objective
- collect and analyze data
- eliminate overlap in the pretrial release system
- enhance the role of the coordinating committee during Phase II of the project
- replicate the Washington, DC supervision study

The project was intended to deal exclusively with felony offenders, as they comprise the bulk of the jail population and are the primary cause of the overcrowding problem.

Description of Implemented Project

The project did not begin as planned in August, but commenced in October with the expansion of the pretrial release agency. The project was not fully staffed and operational until February 1980. Due to start up and staffing delays, all aspects of the project are behind schedule, consequently the project administrator has requested an extension of the already extended completion date of December 31, 1980 to March 31, 1981.

The Dade County project consists of two administrative parts: the project administrator and his staff, and the Pretrial Release Unit. The PTR unit screens, interviews, and makes release recommendations on detainees, while the administrator is charged with data collection and management, tracking detainees, evaluating program effectiveness, and disseminating findings.

As planned, the PTR unit has been expanded and the project deals exclusively with felony defendants. The project staff have recommended to the police and public safety departments that they expand the use of citations, but the expected increase in the number of citations issued has not materialized. The system to track arrestees from arrest through disposition has become implemented. The system is manual and rather cumbersome; it consists of a log book into which arrestees' names are entered and their status in the system is periodically updated. Computerization of this system would greatly simplify this tracking task.

Since the inception of the project, two important concerns of the staff have been, (1) obtaining release for detainees; and (2) the process through which release is obtained. At present, the pretrial release unit makes intuitive release decisions based on a number of checks. If one check is missed, the PTR officer will generally not release the prisoner in question, which results in conservative release decisions. JO/PDP project staff and PTR workers believe that an objective point system will make release decisions more liberal. Even with the conservative, subjective release decision system in operation, the PTR unit has greatly increased the number of releases it grants. Since the unit was expanded in October, the number of detainees granted release has gone from 80 to 137 in March, to 165 in April, and dropped to 92 in May (this drop appears to result from the riots in May). Releases have been increasing while bookings, with the exception of a riot related increase in May, have remained stable at around 700 per two week periods. If the PTR unit can maintain their release level of April, they will surpass the highest level (150/month) of releases they hoped to achieve in their original grant proposal. In light of their early success and with the implementation of a proposed point system, the project should easily maintain its April release level.

Work on an indigenous point system that would make pretrial release decisions more objective began in March. This work continued for a few months, but then it was deemed too costly and time consuming, and a decision was made to import a point system from Philadelphia rather than develop one. This new point system can be easily implemented; it has already been tested in Philadelphia, and it can be refined to more closely conform to the situation in Dade County. The importation of a point system is a minor departure from the original proposal, but with appropriate attention to local validation it should not adversely effect the project. Anticipated outcomes of implementing the Philadelphia point system are an expansion of the PTR units release criteria, expansion of the pool of people eligible for release, improved credibility for the PTR agency, and an increased number of PTR unit releases.

Another method that project personnel are pursuing for limiting the jail population is decreasing the average length of stay (LOS) per pretrial detainee. Techniques used by the project to reduce LOS are:

1. Monitoring the system so detainees who are progressing inordinately slowly through the system can be flagged and brought to the attention of the authorities.
2. Giving second interviews to people who fail to obtain release after their bond hearing with the intent of identifying an alternative form of release for them.
3. Granting supervised release to poor detainees who cannot bond out or qualify for other forms of release.

The project staff is not alone in their attempt to reduce LOS; the judiciary is trying to reduce LOS by improving their information management which will in turn speed up the processing of detainees (more on information management is presented below). The District Attorney's Office also is attempting to hasten detainee processing by doing prosecutorial screening in branch offices which facilitates a quicker review of cases.

In addition to attempting to reduce the jail population, project personnel are busy collecting and analyzing data on the jail and the released populations. The data collection effort began in March and, due to the quantity of information available, project staff did little else but collect data in March and April. In April a part-time staff person was added; this addition has allowed the project administrator to compile some descriptive statistics, and he is just beginning to look at trends and do some comparative analyses. Data collection and analysis will continue throughout the life of the project. Information is being collected on a variety of process and outcome measures.

These data, once their collection is complete, will form a basis for evaluating the Dade County project.

The jail overcrowding project staff's concerns and efforts in a number of areas are shared by several other agencies within the Dade County criminal justice system. In their attempt to reduce the jail population, the project staff have received full cooperation from all agencies involved. The attempt to improve information flow throughout the criminal justice system is a primary concern of several agencies. However, the JO/PDP project is just one of many projects involved, and its role is seen as secondary.

The principal proponent of this system-wide information system is the Chief Judge of the Circuit Court. He has stated that such a system would alleviate many of the processing problems currently faced by the criminal justice system. He expects the information system to help reduce processing time throughout the system, provide information to the bench on every case that comes before it, and supply the information needs of all the relevant agencies. Through the efforts of the Dade County Data Processing Department and the project, the judge hopes a more equitable and efficient criminal justice system can be developed.

The head of Dade County Data Processing Department believes that fulfilling the judge's hopes is a distinct possibility. He thinks that once the bugs are worked out of their newly purchased computer that Dade County will have one of the premier data systems in the country. The new system should be able to generate court calendars, disposition reports, jail inventories, and a variety of information will be readily available and easily analyzed. Generally speaking, the system should solve many of the communication problems that exist among agencies and meet most of the data needs of these agencies. When fully operational, this system will greatly enhance the ability of the project staff to access and analyze data. One item that should be noted is that this information system will continue to exist regardless of the fate of the federally funded JO/PDP project.

Most of the objectives and activities planned for Phase II have been addressed. A few not yet begun include: replicating the Washington, DC supervision study, eliminating the redundancy in the pretrial release system, and disseminating information. The Dade County project is not replicating the DC study, and although eliminating system overlap remains a project goal; little direct effort is being applied to achieving this goal. In the area of information dissemination, the project director attended the program cluster meeting in Mississippi with the intent of both giving and receiving information, but no additional activities have been engaged in to date.

Project Impacts

Even without the benefit of new release criteria, the PTR unit from October through May released 1,098 detainees. This rate of release has reversed a five year trend that saw the number of releases granted by the PTR agency drop from 1974-1978. Of the 1,098 releases mentioned above, most should have saved two to eight jail days per releasee, at a cost of \$25.33 per day. These figures are based on the assumption that those detainees who qualify for ROR, or who could afford to bond out prior to incarceration, would have done so and never would have become part of the PTR unit's population. If this is true, the only other release option open to pretrial release agency releasees are custody release and bonding out which take on the average, 4.7 and 11.7 days, respectively. Besides saving the jail days, the PTR unit has made pretrial release more equitable. According to the PTR agency head, many of the people granted release by this agency would have otherwise stayed in jail because they could not afford cash bail.

The PTR unit appears to be effective at releasing detainees and saving jail days, but it, combined with all other pretrial release programs in Dade County, does not appear to be significantly reducing the average daily jail population. This also has been the case historically; while the PTR agency has been operating since 1971, it has never had a visible impact on the jail population. The jail population since 1976 has stayed at or above the court ordered limit of 600 and then 700, due to jail expansion, with a sizable overflow population being housed at the Stockade. The Stockade is reaching its limits as a safety valve for overflow jail population, as it, too, is nearing capacity.

During the first half of 1980, the Dade County Jail ADP ranged from 750 to 850 inmates per day, and in August the ADP exceeded 900. The chances of any population reduction occurring are very slight. In a jurisdiction that has 125-150 bookings per day, over 60,000 felony arrests per year, a growing pretrial detainee population (from 1973 to 1978 it went from 7,468 to 9,747), practices that allow for the release of almost all traffic offenders and misdemeanants and most felons, and an increasing crime rate, holding the line against jail population increases is a significant achievement.

The project administrator reports (no data are available yet) that efforts to decrease the average LOS are meeting with some success. It does not appear, however, that this reduction is having any impact on the size of the jail population. Furthermore, it seems unlikely, due to the constant influx of new detainees into the jail, that anything short of a drastic LOS reduction (which does not seem likely) will reduce the jail's ADP. However, efforts to reduce LOS should be continued and expanded, as they are likely to help prevent an increase in ADP.

The project Advisory Board, the Criminal Justice Coordinating Committee, is another element of the project that is expected to continue to exist beyond the project termination date. This committee predates the jail overcrowding project and it serves as one of the principle vehicles of communication within the criminal justice system. The committee is composed of agency heads who meet on equal footing to discuss issues and it provides a forum in which problems facing one or more agencies can be solved equitably. It is to this committee, which is charged with improving the criminal justice system, that the project staff can report their findings and make recommendations, and it is through this committee that any system changes could best be implemented.

Conclusions and Recommendations

The environment in Dade County is a very hostile one for a JO/PDP project. In Dade County crime is increasing, the population is growing, the recession has increased unemployment among minority groups, and legislators are getting tough with serious juvenile offenders. All of these factors, and others, exert pressure to increase the jail population. These factors combined with the existing jail overcrowding problem stress the need in Dade County for additional release and LOS reduction programs. A further demonstration of the need for such projects is the fact that almost all traffic and misdemeanor offenders obtain some form of release, as do most felons, but the Dade County Jail is still crowded. Considering the jail overcrowding problems facing Dade County and the likelihood that crime will increase, the jail overcrowding project should be strongly supported and all efforts to reduce the jail population that are not likely to result in excessive risk to the community should be encouraged.

The Dade County site is an excellent example of the diversity of approaches that can be employed to secure pretrial release for detainees. It further demonstrates the potential the criminal justice system has in a large city with a high crime rate for keeping the county jail population at a manageable level.

Efforts by project staff to reduce the jail population have resulted in an increased number of detainees receiving pretrial release and appear to have reduced average length of stay, but have not reduced the jail population. It is unlikely that any activity by the project staff will significantly reduce the ADP of Dade County Jail, but project efforts can reduce the likelihood of a jail population increase. There seems to be an overreliance among pretrial unit staff on perceived judicial preferences in making release recommendations, while the judiciary seems prepared to follow unit recommendations especially if follow-up data on release decisions were to be systematically made available to them. This situation may be resulting in

overly conservative release practices. If the jail population were to increase substantially, jail construction might be necessary to ensure Dade County's compliance with a federal court order which has set a maximum capacity for the Dade County Jail. Even with a variety of pretrial release programs operating in Dade County, it may soon become necessary, due to increases in population and crime, to expand the jail facilities unless a major shift in community and criminal justice attitudes toward incarceration is experienced.

To help meet project goals and improve the functioning of the criminal justice system, the project staff should computerize their tracking system. This would simplify data analysis, improve the quality of information, and reduce the time needed to collect information as well as increase the accuracy of data. They also need to implement their point system as soon as possible. The point system is expected to result in more releases and the sooner it is implemented, the sooner it can be refined and become fully operational. Finally, it is imperative that the JO/PDP staff continue to work closely with the Criminal Justice Coordinating Committee. Given the pervasiveness of the problem in Dade County, it is likely that it is only through this committee that meaningful changes in the criminal justice system and progress toward reducing the jail population can be made.

Case Study: State of Delaware

Background

In the state of Delaware there are no county jails--only police lock-ups and the state prison system. Pretrial detainees, the focus of the JO/PDP project, are housed in state prisons. In recent years the Delaware state prison system has been the center of controversy, scandal, charges of corruption, and lawsuits. In February 1977, a federal District Court ruled that living conditions in the Delaware Correctional Center (DCC), the major correctional facility for adults in Delaware, violated the rights of convicted inmates and pretrial detainees. The court further ordered that the DCC population was not to exceed 600.

Quickly responding to the court order and the charges of corruption, the Governor, in the Spring of 1977, spearheaded the development of a Corrections Master Plan. Part of the plan included the construction of a multipurpose facility to process arrestees and classify convicted offenders. In November, the Hurley Committee was appointed to specify the function of the new facility and initiate planning. The committee recommended that the central arraignment concept be implemented on a trial basis prior to the opening of the new facility to illuminate problems with the approach and to demonstrate the benefits. By Executive Order of the Governor, the Program Advisory Committee (PAC) was established with wide representation from the criminal justice system for the purpose of planning the new justice center, the Gander Hill Center. The Gander Hill Center is the main focus of criminal justice activities in Delaware and it is expected to be completed sometime in 1982. Phase II of the jail overcrowding and pretrial detainee project operating in Delaware can be viewed as the forerunner of the Gander Hill project. The jail overcrowding project is charged with testing the central arraignment concept prior to its implementation at Gander Hill.

Initial progress on the project was mixed. While obstacles to the smooth implementation and operation of the project are numerous, the Governor's Office appears to be determined that it succeed. The first of the obstacles has been the excessively political nature of corrections in Delaware. Delaware has but three counties, two of them rural, isolated, and provincial (Kent and Sussex Counties), the third metropolitan (New Castle). These two areas tend to disagree and one of their traditional areas of contention has been corrections (see Corrections Magazine, December 1979). The state legislature also has proven resistant to change in the state prison system and a sudden change in legislative attitudes seems unlikely. An example of this resistance is the state legislature reaction to a 1977 federal court order to reduce the population at the Delaware Correctional Center. The legislature appealed the order and then tried to legislate it out of

existence. This lead to further court orders, new appeals, and new legislation.

A second barrier to reducing the prison population is the use of mandatory sentencing practices that have been approved by the state legislature in the past decade. Use of mandatory sentences has reduced the outflow from the prison and increased the proportion of convicted criminals who are serving relatively long sentences (one to five years versus under one year).

A third and major stumbling block is the belief by some criminal justice officials that the project is unnecessary and can have little impact. A judge and a criminal justice planner both argued that the crowding problem in Delaware correctional facilities was a product of the post- not the pretrial population. What little data exist on the prison population support their position. Statistics for February 1978 showed that of the 1,057 people in the Delaware prison system, only 165 (15.6%) were pretrial detainees. These criminal justice officials further alleged that a pretrial release project would have little effect on the prison population, that money has been flowing through the project for a year and little has happened, and that the funds would be better spent elsewhere.

Thus, the JO/PDP project initially operated in an environment in which not all criminal justice agencies have been willing to cooperate with the project. The Public Defender's Office, the Attorney General's Office, and the Governor's Office are all strongly behind the project and they fully support the central arraignment concept. On the other side of the issue is the judiciary. The State Supreme Court has taken a wait and see attitude in regard to holding preliminary hearings at the central arraignment facility. The Department of Corrections (DOC) support for the project, which was always strong, had become somewhat suspect as the DOC appeared to be stalling on the issue of fully operationalizing the central arraignment facility. However, at a June 1980 meeting of the PAC, the director of corrections reiterated his support for the project, took full responsibility for delays in implementation, agreed to staff the temporary arraignment center, and provided funds to improve security at the facility. As a result of their June meeting, money has been approved to hire magistrates to staff the central arraignment facility, correctional staff will be hired by mid-August and trained for six weeks, and the temporary central arraignment facility was scheduled to become fully operational on October 1, 1980.

Description of Proposed Project

The primary plan for Phase II of the project is to implement a central arraignment system at a temporary site in Newcastle County. It is

expected that the experience, procedures, materials, etc., will be transferable to the new Gander Hill multipurpose correctional facility when it becomes operational in 1982. The focus of the project on central arraignment is based on the idea that providing all arraignment services (e.g., booking, public defender, pretrial services, etc.) at one site will reduce time spent in detention and this will have a positive impact on jail overcrowding.

Phase II of the project was to begin in October 1979. During the first three months of the project only felony offenders above the C&D Canal (the canal roughly divides Newcastle County into northern and southern halves with Wilmington, Delaware's largest city, located in the northern half) were to be screened, interviewed, and provided with services. After the initial three months, services were to be expanded to include misdemeanants. During its life span, the temporary central arraignment system was to absorb a number and variety of pretrial services and perform a variety of tasks.

A number of the tasks planned for Phase II are only tangentially related in the short term to impacting the Jail Overcrowding Program objective of reducing the pretrial detainee population. These tasks are designed to prepare for a smooth transition from the temporary central arraignment facility to the Gander Hill Center. Some of these tasks are to develop standards manuals, staffing requirements, and job descriptions for the Gander Hill project. As a vehicle for performing such tasks, Phase II is being used less as an implementation phase of an LEAA project and more as a demonstration phase for the Gander Hill program. However, the longer term impacts of these activities are expected to contribute substantially to the jail overcrowding problems.

Tasks planned for Phase II that are related to reducing the prison system's population include:

- a study of the use of citations as an alternative to detention
- centralizing DUI testing
- improvement of the indigency review for Public Defender eligibility
- continuing the planning and coordination efforts of the Program Advisory Committee
- developing a halfway house
- exploring the concept of omnibus hearings

- exploring increased liaison between pretrial and presentence functions
- installation and use of CLUES terminal for checking criminal history
- the assumption of responsibility by correctional personnel from police for detaining an arrestee who is awaiting an initial appearance and transporting the detainee to his or her preliminary hearing

Description of Implemented Project

Full operationalization of the central arraignment system did not begin until almost a year after its planned implementation date. Until October 1980, the project which was designed to serve all misdemeanor and felons north of the C&D Canal, was serving only felons in Wilmington. Delays in implementation were caused by the Department of Corrections insistence that \$20,000 in security improvements be made to the temporary facility before they would cooperate with the project. These problems were alleviated at a June PAC meeting and the Department of Corrections is now spending some of its own money on security improvements. With full cooperation from the DOC, the temporary central arraignment facility should be fully operationalized by October 1, 1980, almost a year after the planned implementation date of November 1979. In response to these start-up delays, the project director has requested an extension through August 1981, and has secured local money to support the project in areas where the federal money will soon be exhausted.

In spite of this major setback, project staff are making progress in several areas. The staff has completed a report on the use of criminal summons in Delaware. An agreement was reached between the Public Defender's Office and Pretrial Services in which Pretrial Services agreed to perform preliminary screening for indigency and make referrals for Public Defender services. A questionnaire to be used for the screening has been developed and tested. A sample of 125-150 felons is being tracked through the system, from arrest to disposition, to determine the speed with which processing occurs. Baseline data are being collected on 150 felons arrested in 1979. Arrestees entering the central arraignment facility will be tracked through disposition. Some problems exist in securing the data, but the project staff are working to resolve them.

Additional activities include:

- Location of a representative of Pretrial Services, Public Defender, and Attorney General intake units at a common site, thus facilitating coordination among these functions for two shifts a day.
- The Municipal Court of the City of Wilmington, Pretrial Services, and the Bureau of Alcoholism and Substance Abuse have reached a formal agreement on operating procedures for the referral of city arrestees to the Criminal Justice Service Center for substance abuse evaluations. It is hoped that a substance abuse evaluator will soon be incorporated, on-site, into the preliminary Phase II operation.
- A tentative agreement has been reached between the Division of Mental Health, the Criminal Justice Service Center and Pretrial Services that will allow mental health screening to be phased into the process at the City of Wilmington site.
- The Attorney General's Office has assumed prosecutorial responsibility for preliminary hearings in Municipal Court. Previously, these were done by the City Solicitor. The change streamlines the system and adds continuity to case processing. This is also a step toward the merger of the Court of Common Pleas and Municipal Court. On January 21, 1980, Governor DuPont gave further support to this action in a speech to the Delaware Bar Association.

Project Impacts

Any impact the project might have on the jail population will be difficult to assess due to the absence of useful baseline data. During Phase I, an extensive planning effort was mobilized to identify the problem of pretrial detention and to examine the feasibility of implementing the central arraignment concept at a temporary site, but little effort went into collecting baseline data for evaluation purposes. Baseline data came from a variety of time spans (one month, six months, last day of the month) over a number of years (1975, 1977, 1978). The scarcity and inconsistency of baseline data make any pre-post comparisons problematic. Furthermore, the lack of data on the prison population, the general population, and crime trends, complicates the problem of attributing changes in the prison population to the project. Additional baseline data is expected to be accessed and analyzed by the internal evaluator recently assigned to the project, but even with this additional information, evaluation of the Delaware project is likely to prove difficult for both local and national project evaluators.

One positive impact of the JO/PDP project has been an improvement in cooperation among criminal justice agencies in Delaware. The offices of the public defender and attorney general developed a strong working relationship; this relationship broke down briefly in May and June, but the project director reports that it has been reestablished. Cooperation among a number of agencies (e.g., the Bureau of Alcoholism, the Division of Mental Health, Pretrial Services, the Criminal Justice Service Center, Municipal Courts, Public Defender's Office, and the Attorney General's Office) has been enhanced by project operations.

Conclusions and Recommendations

Experience at the Delaware site points out the need to ensure that all Phase I sites document the existence of a pretrial population problem, collect adequate baseline information, and are ready to implement Phase II of the project before funds are granted. Ensuring these three factors would help reduce project delays, provide a better basis for program and project evaluation, and reduce local resistance to the project. The Delaware project also serves to illustrate the delays and problems that can hinder a project once it becomes a political football and demonstrates the importance of enlisting full criminal justice system support.

DRI had expressed some concerns about the emphasis of the jail overcrowding project in Delaware. This project is focusing on the pretrial population of the prison system, while the present overcrowding problem appears to be due mainly to the postsentence population. Although unnecessary pretrial detention is a cause for concern and concerted efforts for remedy, the thrust of the LEAA program has generally been toward the relief of overcrowded jails. Further, the use of Phase II as a planning phase for another project is appropriate only as the goals of the program reflect the overall JO/PDP objectives. We are now convinced that such is the case in Delaware. The central arraignment facility concept now being tested for full implementation in 1982 is an appropriate project activity.

Although this site has had a number and variety of problems with relation to its corrections system in general and this project in particular, Delaware has addressed its criminal justice needs in a uniquely comprehensive fashion. There is a significant commitment to implementing a total central intake concept, with release screening, indigency screening, referrals and supervision. The mobilization of resources to attain these goals requires time and effort. The Jail Overcrowding Program has been administered with enough flexibility to permit and encourage such activities to take place.

Case Study: Jefferson County, Kentucky

Background

Jefferson County in north central Kentucky is just across the Ohio River from Indiana. The population of around 750,000 is decreasing slightly each year, mostly due to the lack of employment opportunities. Jefferson County's largest city (and the largest city in the state) is Louisville, where law and order sentiment is said to be running very high. The victims of crime are becoming increasingly more vocal. Police response to public attitudes is evidenced by their opposition to the use of citations in lieu of detention, and less use of deferred prosecution in the courts, in deference to perceived police preferences for "keeping the people they arrest in jail."

In early 1976, the Kentucky court system went through substantial changes. A constitutional amendment established a unified and centrally administered court system. Two organizations were statutorily provided for to meet the needs of the new unified court system--the Administrative Office of the Courts and the pretrial services agency (PSA). With the advent of PSA, bail bonding for profit was abolished in Kentucky, and private bail bonding was replaced with a pretrial release system and a uniform bail schedule. Through the efforts of PSA, 30 percent of all persons arrested were released on personal recognizance, and 81 percent of all detainees recommended for release, were released by the courts. However, a number of persons were identified who might be eligible for release but whose interviews could not be validated during the PSA screening, who were excluded on some technicality, or who required some form of supervised release. In addition, numerous cases concerning public intoxicants or interpersonal disputes that would be amenable to diversion were also identified. Appointment of defense counsel for indigents frequently takes place after the accused's initial appearance. If appointed prior to the first hearing, it would be possible for counsel to recommend to the judge, diversion or some alternative to pretrial confinement. Inmate classification of the Metropolitan Correctional Services Department was also a problem, in that no comprehensive approach to intake oversight and case evaluation was in effect. Thus, there was a substantial population of potential releasees that did not meet state release criteria or could otherwise benefit from the services of a local pretrial unit. Therefore, a diversion intervention unit was established to complement the work of the PSA.

At the time of Jefferson County's grant application, there was bed space in the jails for 629 inmates, and the average daily population was 596, with about 80 percent of the population unsentenced. However, there was periodic and localized (generally in the reception area) severe overcrowding, that intermittently led to general amnesties in order to keep populations at

reasonable levels. Further, jail renovation plans were expected to reduce bed capacity and increase the frequency of jail overcrowding. Jail staff turnover is said to be very high, and although the starting pay is competitive, the county has had recruitment difficulties. Reduction in overcrowding and more recreation facilities for inmates were expected to help the general morale problem.

Description of Project as It Was Proposed

In the Phase I recommendations for Jefferson County, an efficient management information system was recommended as a key tool for analyzing jail overcrowding problems and assisting the community to be responsive to issues of both equal application of justice and jail overcrowding. The MIS was seen as a vehicle for developing and validating release criteria, jail oversight (booking and inmate tracking), for matching detainees to release resources, and for monitoring the programs developed. The planned program also recommended procedures for encouraging the increased use of citations in lieu of detention and for a dispute mediation program to divert appropriate cases from the criminal justice process. It was further recommended that legislation should be enacted to transport public intoxicants to treatment facilities, home, or emergency shelters in lieu of arrest or detention. Additional staffing was also proposed for the Diversion and Intervention (D&I) unit, to enhance their services.

Description of the Project as It Is Being Implemented

As did many of the other projects, Jefferson County's jail overcrowding project got off to a late start. It was funded in September 1979, and was due to terminate in January 1981; however, the original project director resigned and the present director was not appointed until January of this year. The completion date was extended to April 1981.

Project activities primarily relate to increasing the capability of the pretrial release unit by augmenting the staff of interviewers and interview investigators, and increasing their ability to perform their function through training and performance guidelines. The project is developing its own release criteria which are flexible and which match defendants not only with release, but also with release with support and supervision. The primary focus of the project is on deferred prosecution, supervised release and misdemeanor parole, with secondary efforts in the areas of inmate classification and information management. All of the "good" risks are already out before JO/PDP gets to them. According to Kentucky state law, the pretrial services agency must see everyone still detained within 24 hours of booking. This state policy, in effect since 1976, uses a strict point system

modified from the Vera Institute recommendations, and as a result, although judges are on duty 24 hours a day, the PSA does not have time to investigate automatic disqualifications. This project picks up people who fall through the system based on either error or extenuating circumstances and those people who do not meet criteria for unsupervised release, but are still candidates for supervised release. The project is interviewing everyone (15-20 people per day) and is placing about eight people per day. The interview information criteria--absence of pending charges, stability, skills, mental health, current charge, liberty status, past record--are used not only for eligibility, but for determining the degree of supervision required.

Public intoxication is not yet decriminalized. Although new legislation takes effect in 1981, project staff are not anticipating that the arrest rate will change very much, since the police are expected to simply change charges. A political rivalry for prestige and funds exists among the Jefferson County public service agencies, and the Police Department is said to have embraced the philosophy that they can best justify their needs with high arrest rates. This rivalry has recently been intensified by reduction in the Jefferson County budget.

There are almost 30 judges that rotate assignments in the 30th Judicial District. Those assignments include Juvenile Court, Arraignment Court, Traffic Court, as well as hearings, so it is not possible to get consistent input from the judiciary. This rotation of assignments also means that the project staff must continually "sell" the release program to the judges. Agreements and understandings between the courts and the project are nullified upon rotation of the judges (rotation occurs every quarter) and with each rotation new agreements and procedures must be adopted to accommodate each new judge.

The Advisory Board, convened for the Phase I study, is not being used at present. Even during the planning phase, the board never demonstrated much initiative or enthusiasm, and the project always had to provide leadership and direction. Inconsistency of membership, resulting from a rotating judiciary, coupled with the counter-project views espoused by some board members limited the utility and productivity of Advisory Board meetings. The present project director has spoken with each member of the board, but has not yet called a meeting since he does not sense a lot of potential assistance. Most of the motivation right now for even token contact with the board is to build a constituency for program continuation after federal funds are no longer available.

The project has not had a problem in identifying and using community resources for the supervised releases. The project staff do ordinary contact work themselves, and have several agencies available for special counseling and therapy. The cooperation from these agencies is said

to be very good. The project is working with a county attorney's office to revitalize the widespread use of deferred prosecution. The grand jury conducted a study and made a report in favor of the deferred prosecution program.

Project Impacts

The project still has several months to run, as of this writing. However, there are a number of interim impacts to report that can be expected to have a direct effect on a reduction of the jail population.

The planning grant recommendations emphasized citation release and management information system development, but the project as implemented did not focus on these activities. However, as a result of Phase II funding, Jefferson County became eligible for a jail information system (JIS) program. Although the two projects are both administered under the Department of Corrections and are working closely together (the system analyst responsible for jail overcrowding data collection is supervising the JIS program), it appears that the JIS project may indirectly cause the premature demise of the JO/PD program. A number of criminal justice officials identified a JIS as the primary need of the CJ system in Jefferson County. JIS has become a popular project and concept and many believe it will be the only lasting product of the jail overcrowding project. As support for a JIS has grown, support for the JO/PD project has waned. CJ officials had expressed hope that local money could be found to support the jail overcrowding project once federal money is exhausted, but they now seemed resigned to the fact that no such funds would be forthcoming.

The software program for the JIS is well developed; it is now being tailored to fit the specific needs of Jefferson County and should be completed by the end of 1980. However, there has been some difficulty in securing the necessary computer hardware. It is around the issue of computer hardware that the conflict between the two projects has evolved. The head of the Corrections Department has expressed the desire to utilize JO/PD project funds, coupled with county money, to purchase a computer. This move would mean early termination of the jail overcrowding project, is opposed by the director of the JO/PD project, and has not received LEAA approval. However, the concept has popular support in Jefferson County criminal justice circles.

The jail overcrowding project had planned to use the JIS computer for data processing but since the system is not yet implemented they sent their data to AJI. The data have been processed and returned but the project staff has yet to perform the analyses.

Citation release is meeting with continued resistance. There was hope on the staff that there would be some activity in the state legislature that would encourage the use of citations, but to date there has not been any strong support. Because of budget reductions, the Public Defender's Office is cutting back on staff and that office is trying to apply pressure on the police to cut down on bookings and arrests. Specifically, cutbacks are in the area of indigency screening which directly impacts the project. It has become more difficult for indigent offenders to obtain defense counsel. Without counsel it takes detainees longer to appear on court dockets, to obtain pretrial release and to be processed through the CJ system. To combat this problem, project staff are doing indigency screening and referring needy clients to the Public Defender's Office. Both judges and DAs have commented that this activity has hastened the processing of many detainees who otherwise might have gotten lost in the system.

Project staff have been taking cases to court themselves rather than waiting for defense counsel. Most judges have been approving release recommendations, however, a few insist on public hearings in court with attorneys present before granting release. This delays release until at least after the first hearing. The decision on the part of judges to grant release on recommendation or in court with an attorney present is being made independent of the release status (with or without supervision) leading the project staff to conclude that the policy of requiring hearings is more for the benefit of the attorneys than for protection of defendant rights. The length of stay (usually about seven days after arrest) for defendants who will be ultimately released continues to be a problem for Jefferson County. Although there are no comparative statistics available, seven days to release, established after a few months of project operation, was believed to be a reduction in prerelease LOS. Unfortunately, in spite of the pretrial unit becoming more experienced, and the increased confidence most judges have developed in the recommendations of the D&I unit, after a short period of increased efficiency average prerelease LOS has now grown to 17 days. The project supervisor attributes this increase to a reduction in staff and to low morale due to the uncertain future of the project. During the first few months of project operations the Metropolitan Correctional Services Department (MCSO) supported three interviewer positions in the D&I unit. Due to county budget reductions, these three positions have been eliminated. A fourth position funded by the project also is vacant. With a depleted staff, the D&I unit cannot interview all the people referred to it in one day; a backlog of detainees needing interviews has developed, causing an increase in time to release.

In Jefferson County the beds in the jail remain filled, in spite of the project's efforts, and it is difficult to convince county officials that jail days or money are being saved. However, the project appears to be succeeding in both areas. As of August 31, 1980 the supervised release component of the

project had screened, interviewed, and released 5,353, 1,779, and 457 detainees, respectively. Another 153 arrestees obtained deferred prosecution, and 92 detainees were granted misdemeanor probation. Project staff calculated that by the end of August 1980 their supervised release option had saved 7,635 jail days and misdemeanor probation saved 6,710 more for a total of 14,345 jail days saved. From the above statistics it appears that although the jail ADP has not decreased since project inception, the overcrowding problem would probably be much worse if the project were not in operation.

According to project statistics, the FTA rate for detainees granted supervised release is 8.2 percent. This is comparable to the 6-7 percent rate reported by the PSA whose criteria for release are considerably more conservative. The rearrest rate of project supervised releasees is 15.9 percent. These figures for detainees granted misdemeanor probation are 3.2 percent FTA and 10.9 percent rearrests.

Conclusions and Recommendations

The jail population is running at just about capacity. Women's facilities are inadequate and substandard, but female inmates will be moved when the jail renovation is complete.

It is not likely that Jefferson County will be able to reduce its jail population, given the increases in bookings and arrests, and the political climate in which the criminal justice system operates. It will no doubt continue to fill most of the available bed space in the jails. However, the Jail Overcrowding Program can have an effect in modifying the character of the jail population, and can fill those beds with the more serious offenders instead of the inebriates and petty offenders that are now occupying the jails. Also, the program is helping to reduce the incidence of crisis situations which judges have been responding to with periodic general amnesties. It is unfortunate that the jail overcrowding and JIS programs have become pitted against one another in a competition for funds since the development of timely and accurate information would be a useful tool for managing the overcrowding problem.

There is, in Jefferson County, a large pool of potential candidates for supervised release and adequate community resources to provide for them. Judges seem to be becoming more agreeable to granting releases recommended by the program. Much of the problem is still jail overcrowding related to the length of stay prior to release.

It was hoped that the Jefferson County jail overcrowding processes would become fully integrated into the state program and continued as a unit

of the state pretrial services agency. This is still the desire, but due to severe budget problems, there is little chance of this occurring in the immediate future. If the program cannot be funded as a unit, the project director's strategy is to get program components housed in a variety of places within the criminal justice system. The Advisory Board reactivation may be helpful in this regard. The District Attorney's Office will, as of January 1, 1981, assume the deferred prosecution aspects of the project. The project director hopes that the Probation/Parole Department will assume the project's misdemeanor parole activities, but as of yet, no commitment has been made. He is also working to get the PSA to adopt the supervised release operations of the project. The head of PSA seemed agreeable to this idea but indicated that to make it a reality his staff would have to be expanded. An alternative method for continuing the project, recommended by the project director, is the formation of a three person Parole Commission. This commission would review detainees for parole and recommend pretrial detainees for supervised release. The development of another commission may, however, duplicate services and increase time to release.

Case Study: King County, Washington

Background

King County is a geographically large area with a diverse population in its metropolitan and rural areas. In King County, judges must answer to the local electorate. Some have been replaced recently and this is generally believed to be due in part to police campaigns against liberal judicial practices. Coordination of services is difficult to achieve given the heterogeneity of the different court jurisdictions. The jurisdictions which use the jail are:

1. 34 Superior Courts
2. 12 District Courts with 22 judges
3. Seattle Municipal Court with 5 judges
4. 20 suburban cities

The 11 District Courts for outlying areas deal solely with misdemeanants. The Seattle court handles not only misdemeanors, but first and second appearance for holds on felonies. Persons can be held for up to seven days without being charged. The felons bail schedule was abandoned in September 1979, and now arrestees must see a judge to have bail set or obtain personal recognizance (PR) release.

The King County Jail has three units. The felony unit is located on the tenth floor of the King County Courthouse. Two other units are located in the Public Safety Building which is nearby. Unit Two houses male misdemeanants, juveniles, psychotics, and homosexuals. The mental health system in the county and state is extremely weak, and many persons in need of psychiatric service end up in the county jail. The state of Washington ranks 49 out of 50 in per capita expenditures for mental health. Females are housed in Unit Three. In spite of the close proximity of these units, there is no central intake facility.

All three units are suffering from overcrowded conditions. While the rated jail capacity is around 500, the average daily population for the first seven months of 1978 was 752. In September 1979, the jail population exceeded 900 on eight days and by April 1980 the ADP was nearing 1,000. Last year a joint study by the King County Division of Architecture and the Department of Rehabilitative Services was completed to examine the need for a new jail. They have plans to build a new jail, and the state has

appropriated around \$38 million to help with the construction costs. There seems to be the usual number of political problems in getting the new jail.

Historically, the King County Jail has been (since 1974) a department of the Division of Corrections which is under the Department of Rehabilitative Services. The county executive, an elected official, delegates authority to this department and the Division of Corrections to operate the county jail. The manager of the Division of Corrections and also the acting jail commander until a new one is selected, is the project director for the jail overcrowding grant. However, the administrative responsibility for the grant has been assigned to the supervisor of the Pretrial Services Unit.

The project supervisor's efforts have met with support from many different individuals in the criminal justice system. For example, the prosecuting attorney's office which is very conservative (does not advocate diversion or plea bargaining--encourages mandatory sentencing) has been convinced that the program is respected by most judges. The Public Defender's Office acts as a broker to provide legal services. They do their own screening but work closely with pretrial services and often refer individuals for supervised release. Police are also cooperative; screeners often talk to them to get information, especially if there is a victim involved. The project director is working closely with the Superior and District Courts to develop and implement a more uniform and liberal pretrial release policy. The project also has gained the cooperation of the Division of Alcoholism to evaluate individuals for referral to alcohol/drug treatment.

Prior to the grant, there were only three PR screeners; jail bookings ran as high as 150 per day. Between January and September of 1978, there were 22,002 bookings. Due to this overload situation, the screeners have constantly been operating in a reactive mode, trying to get information for that day's court calendar. The grant recognized critical needs to provide additional screeners and give them clerical assistance, to develop a supervised release program for felons, and to improve the capabilities of the information system.

Pressures to decrease crowding in the county jail came not only from agencies within the system but also from forces outside the system. Two legal defense organizations have filed suits within the federal courts maintaining that the prisoners' rights are being violated by the current situation in the King County Jail. A consent decree was signed by the county executive promising the following changes:

1. additional screening for pretrial release
2. improvement of jail conditions

3. construction of new jail

However, the County Council which must provide funds to implement changes is not in agreement and changes have not been implemented.

Description of Planned Project

The King County project, being a 1978 Phase II project, lacked a Phase I in which activities for Phase II could be planned. As a consequence there was less time scheduled for planning and less detailed planning than is likely to occur in those sites that had preparation phases. To further their planning effort, the project staff continued to refine the project format and procedures throughout the life of the project.

The King County project was slated to begin operations on October 1, 1978 and terminate January 31, 1980. The primary focus of the project was on reducing the King County Jail population. To achieve this end, four major areas were addressed. Drawn from the grant proposal, these areas are: "(1) improvement of existing services which are operated directly by King County Department of Rehabilitative Services (DRS); (2) improved coordination of services that are offered by both King County DRS and other agencies; (3) implementation of more intensive pretrial services (Supervised Pretrial Release); and (4) improvement of the Subject-in-Process information system."

Under each of these major objectives, a number of secondary objectives were specified. These secondary objectives or tasks are listed below by major objectives.

1. Improvement of existing pretrial release services (Personal Recognizance Release) by maximizing the quality of services and extending their availability.

- a. Increased personal recognizance screening hours will be provided and their effect on the total number of pretrial releases granted will be monitored.
- b. The feasibility of cross utilization of King County and Seattle Municipal Personal Recognizance Screeners will be studied.
- c. Training will be conducted for new and existing staff, as well as appropriate corrections staff to increase their knowledge of skills relating to pretrial release issues.

2. Improved coordination of services offered by both King County DRS and other agencies (principally Seattle Municipal Probation). The objective is the

provision of comprehensive pretrial services while at the same time eliminating duplicate work.

- a. Program staff will analyze, design, advocate and assist in the implementation of interagency policies facilitating the delivery of pretrial services.
- b. Program staff will attempt to serve as a catalyst and a resource to assist in the development of uniform policies, procedures and standards for pretrial services.

3. Implementation of more intensive pretrial services (Supervised Pretrial Release) for detainees not able to obtain release via the existing Personal Recognizance release program in either its current or refined form.

- a. Inmates not qualified for a simple Personal Recognizance release will be counseled regarding pretrial release services and options.
- b. Staff will provide evaluation and diagnostic assistance for less advantaged and problem-related detainees.
- c. Staff will link the less advantaged and problem-related detainees to community-based services appropriate to their needs and consistent with ensuring their appearance in court as required.
- d. Staff will work with the court system (defense and prosecuting attorneys and the judiciary) to implement a Supervised Pretrial Release.
- e. Staff will track critical adjudication system decision points for detainees facing multiple charges and/or actions involving multiple jurisdictions.
- f. Staff will provide guidance to corrections staff regarding this process so that they can assist detainees with simple procedural questions.

4. Improvement of the Subject-In-Process (SIP) information system by developing new reporting and monitoring capabilities directed towards assisting in the delivery of pretrial services and improved jail management.

- a. Develop routine reports on subsets of the jail population that are subject to influence by pretrial services.

- b. Develop the ability to track individual cases through the adjudication process.
- c. Develop the ability to identify those detainees needing more intensive pretrial services.
- d. Develop the ability to monitor the pretrial release process and subsequent court requirements for defendants so that major exceptions (i.e., increased failure-to-appear rates) will be cued to indicate that there is a problem.

These tasks, coupled with the collection of data to monitor and assess their completion, encompass the planned activities for the King County project.

Description of Implemented Project

The actual start date for the King County project was January 1, 1979. The project completed operations under LEAA funding on April 30, 1980. During the project's operations the Pretrial Services Unit was expanded to:

- 1. Four full-time equivalent PR screeners (five different people)
- 2. Four counselors for supervised release
- 3. One social worker (supervises counselors and screeners)
- 4. Two clerical staff
- 5. One project supervisor

Expansion of project staff allowed for increased personal recognizance screening and the implementation of a supervised release program. The effectiveness of project counselors was hampered by increased security at the jail, resulting from a jail break in October 1979.

From the project's inception, the project supervisor was meeting with community services agencies to discuss common problems, to secure services appropriate to meet the needs of project clientele, and to coordinate the delivery of these services. The supervisor also met regularly with criminal justice agency heads and served as an unofficial liaison for pretrial services. During the early part of the project period meetings of the Advisory Committee occurred quarterly.

The project staff worked with the courts to develop uniform standards and procedures for misdemeanor recognizance release. They developed a manual system for tracking supervised release and for monitoring staff activities.

Another area that the project staff pursued at the start of the project was the development of a management information system. The existing on-line system at the jail is good for the booking process. It maintains data on the current status of the jail population. However, it provides very little summary information for management, and has no capacity to track individuals through the system. The SEARCH Group from Sacramento evaluated the information needs of King County and as a result of this study and a more realistic understanding of the problem, a decision was made not to develop an MIS under the JO/PDP program. The project's MIS goals were deemed not achievable by the SEARCH Group study. They were seen as too extensive, too expensive, and too time consuming to be implemented under the jail overcrowding project.

Project Impacts

Perhaps the most far reaching impact of the jail overcrowding project effort is the securing of funding from King County and an LEAA block grant to continue most of the project's functions through 1980 with only a slight reduction in staff. Further, 10 of 12 District Courts have agreed to authorize the Pretrial Services Unit to implement a uniform and more liberal pretrial release policy. The project also has expanded personal recognizance interviewing coverage to 24 hours per day, except on Monday, Tuesday and Wednesday when no interviewing occurs between 11:00 p.m. and 7:00 a.m. Weekly interviewing hours have increased from a preproject 54 to 152 in April 1980 and are currently at 144. It is also relevant to report that the Department of Budgets and Programs, which originally resisted the program because they felt that the judges would not cooperate, now freely concur that supervised release is being used and is an effective mechanism for reducing the jail population.

Figures on personal recognizance screening activities for the life of the project show that 3,306 misdemeanants were screened for release and 1,708 were granted release by the project staff. For felons, the numbers are 5,725 screened and 2,608 recommended for release.

For the Supervised Release Program a total of 1,764 were screened. Of these, 268 were granted release and of these 268 releases, 56 have failed to meet the conditions of their release and their releases have been revoked. King County has experienced a 3 percent failure-to-appear rate, a 12 percent rearrest rate, and a 21 percent noncompliance rate. These figures may be

somewhat skewed to the positive side by the fact that only about half the participants have finished the program. As more people complete their time in the program, these rates may increase. Using the release population figures with average time to trial of 64 days, the project staff estimates that the project has already saved 17,059 jail days. At a cost of \$25.25 per detainee per day, this represents a cost savings of \$430,739.75. These figures indicate that the project, at a cost of \$259,460, more than paid for itself. Computed on an annual basis, an average caseload of 70 persons translates into 70 X 365 or 25,550 jail days saved annually by the program. Using a more realistic marginal jail cost figure of \$10 per day, the cost savings are still substantial.

According to project staff, the project not only reduces pretrial detention time, it also reduces jail time following conviction. When an individual demonstrates he can be successful during pretrial status, the court is reluctant to remove him from the community and sentence him to jail. The sentencing literature indicates that where people are when they are sentenced frequently determines if they get jail sentence or probation.

There is little evidence of project impact in the coordination of existing pretrial services and in the development of cooperation among criminal justice agencies. The project supervisor reports good cooperation from most criminal justice agencies, but there is little evidence that these agencies are cooperating among themselves. The Advisory Committee meets quarterly and the meetings have poor attendance rates, about 50 percent. Furthermore, the city and county were unable to agree on the cross utilization of personal recognizance interviewers. These facts do not suggest that a high degree of interagency cooperation exists in King County.

A third area in which the project appears to have had minimal impact is in reducing the jail population. The ADP in April 1978 was 751, in July through September 1979 it was 866, and in April 1980 it was 986. During April 1978 to April 1980 the number of bookings increased 25 percent while the ADP increased 31 percent. An overcrowded state prison has contributed to the problem because of the large number of early paroles they have granted. Many of these persons have subsequently been picked up and held on parole violations and local charges. The project is not reducing the jail population; it isn't even holding it constant when increased bookings are controlled for. There could be a variety of causes for this increase and these factors unless controlled for, or at least understood, obscure the impact of the project. The increased seriousness of arrest charges and the increased number of persons arrested on charges that make them ineligible for supervised release may partially explain the failure of the program to control the jail population. Although the ADP, a primary indicator of project success, increased, which would suggest the project had failed to meet its primary objective, we need to look beyond this sole indicator of success and

consider what the jail population would be without the project. Since the project released between 249 and 417 detainees per month, it appears that the crowding would have been much worse.

Conclusions and Recommendations

Several recommendations were made by the King County project director. He was concerned that the time period for LEAA funding was insufficient to accomplish any lasting changes in a typically unresponsive bureaucracy. He suggested and DRI tends to agree, that more time is needed to reach and change attitudes of various components in the criminal justice system, and thought two years should be the minimum duration of funding. He noted that a judge cannot be forced to accept release programs at face value; it takes time to demonstrate that they have genuine value. Also, he was concerned that if the county did not continue to support the project, more harm than good could result since additional problems for courts and other agencies could result if the project were to be abruptly terminated. Personnel in the system might develop negative attitudes toward these experimental programs and instituting changes would be even more difficult in the future. He was also concerned that the internal evaluation might not be able to demonstrate the cost-effectiveness of the project. This factor is important to convince the county to continue the program following the grant period.

Overall, it can be concluded that although all project goals were not met, the Jail Overcrowding Project in King County was an effective method for stimulating the development of ongoing mechanisms to relieve jail overcrowding. The project proved to be cost effective and it obtained releases for a sizable number of pretrial detainees while keeping FTA rates constant. This site is an excellent example of a project whose successes are marked by extenuating circumstances in the jurisdiction, highlighting the fact that it is necessary to consider more than just average daily jail population when evaluating a project.

This project also exemplified the extent to which technical assistance can be used, and the benefits of such assistance. The National Program Coordinator helped King County with the application process and has been a valuable resource in all phases. The project director talks to AJI frequently; if AJI does not have the answer to a particular question, they refer him to an appropriate source. Their presence and visibility gave the project credibility to the local criminal justice system.

The project has been relatively aggressive in information and dissemination activities. The supervisor attended the national meeting for Pretrial Services in Louisville in late April. He attended a regional meeting

in Vancouver, and met the Pima County (Arizona) people in Louisville. They sent him information on their supervised release program, including the forms they used. He visited the model intake program in St. Louis on his way to the Louisville meeting, and spent a week in Des Moines to observe the model release program funded under another LEAA grant. He also attended the Pretrial Services Resource Center (PSRC) meeting in Denver in June 1980. Only a few other project sites took such full advantage of the program network.

The project received some valuable assistance from Pretrial Services Resource Center. Representatives from PSRC and the Philadelphia County Pretrial Services visited for three days and provided both timely and meaningful guidance toward the improvement of the pretrial release programs.

Both the supervised release and the personal recognizance screening components of the pretrial release unit are operating well. Project staff, if possible, should expand their efforts to encourage interagency cooperation and coordination. Given that in King County most persons who are not explicitly disqualified are ultimately released, the county should consider improving release efficiency through the development of central intake and management information systems and should give further attention to consideration of options that could help to reduce pretrial length of stay.

Case Study: Multnomah County, Oregon

Background

Multnomah County, in northwest Oregon, contains most of Oregon's largest city, Portland, a city of shipping, marketing, and manufacturing; known also as the "city of roses" because of its good soil and long growing season. Although Portland is actually a tri-county area, the Department of Justice Services serves all of Multnomah County (population 554,668) and the entire city of Portland. At the time Multnomah County applied for its Phase I Planning Grant (summer of 1978), the county had already demonstrated its concern about an overburdened criminal justice system by participating in several community corrections, state, and federal programs such as the development of PROMIS* for the District Attorney, a victim restitution program, the Career Criminal program, and TASC.** (The county applied for and received other program funds including the Pre-Sentence Investigation Program, a JIS grant, and a Supervised Release Study grant after initiation of the planning grant.) A site review in August 1978 by AJI reported that the county had been pioneering measures to speed up court processing in the criminal area in order to relieve a chronic jail overcrowding problem. It was suggested, however, that this may have been at some cost to expediting the disposition of civil cases. At the time of the Phase I application, Multnomah and its two contiguous counties had enough funds to replace the existing jail (found to be below standard on several measures) but only enough to cover about one-half of their projected needs. It was anticipated that a successful jail overcrowding project could assist Multnomah County to live with smaller facilities than they had at first hoped for.

In January 1979, John Galvin of AJI headed a jail overcrowding committee that reviewed the jail problems and developed inspection data. On the recommendation of the Galvin committee report, the Board of County Commissioners established jail population limits. The rated capacity for the four jail facilities was set at 568; this level was exceeded by the jail population for 100 percent of the time over the prior 12 months. The county is being charged approximately \$3,000 for every class C felony case sent to the state penitentiary. During Phase I of the grant, the Circuit Court at that time also delegated release authority to the Division of Corrections for all misdemeanants and traffic offenders, and has since expanded that authority to include class C felons.

*Prosecutor's Management Information System.

**Treatment Alternatives to Street Crimes.

wrote: On June 5, 1979 in a letter to the LEAA program monitor, Galvin

"Over the past year, the county has implemented or expanded various pre- and post-trial community based programs. . . The Corrections Division gained court-delegated authority to release defendants charged with misdemeanors directly after booking. Using assistance from AJI and with an NIC-funded consultant, the county adopted a schedule for reducing population in its four detention/correction facilities. . .

Initial disinterest on the part of the Portland Police Bureau was overcome. . .

Tension between the Corrections Division and the District Attorney's Office was reduced. . ."

The stated objectives of Phase I, to develop a plan for an automated management information system to develop a central intake model that would foster pretrial release, to get access to disposition information, and to automate the extensive and costly manual reviews needed to generate program evaluation and FTA data, were essentially achieved. The output of Phase I was a 12-step implementation plan and the generation of detailed baseline data on a population of 2,000 people from arrest to arraignment over a four month period. There was also evidence that they had achieved widespread support for the central intake process. Although there was a 14 percent increase in bookings from June 1978 to June 1979, the ADP at the three jail facilities (Multnomah County Correctional Institute, Claire Argow Center for Women, and the Rocky Butte Jail) during the same period decreased over 10 percent. Contracted services with 12 community agencies and a Central Referral Program staff of five persons made these results possible. In addition, a policy statement by the Board of County Commissioners indicated that the Director of Justice Services had made a firm commitment to "actively manage rather than passively process" the individuals who enter the Multnomah County criminal justice system.

Description of Proposed Project

The Phase I study clearly identified the need for an automated information system to validate release criteria. Earlier appointment of defense counsel, fewer pretrial court appearances, and authority to release class C felons were all articulated as community needs. The project focused on the information system for several reasons: to monitor problems and proposed solutions, to match need with resources, and to predict specific population needs. Client tracking capability was seen as a key element, and an MIS capable of meeting those needs

was proposed. Most of the funds requested were to be directed toward the design and implementation of the information system. In addition, a fifth counselor-interviewer and a records clerk were proposed to work with the central referral staff. Staff augmentation was necessary to ensure 24-hour screening capability and to relieve counselor-interviewers from those investigation and monitoring functions that could be performed by a criminal records clerk.

Along with population reductions, Multnomah County's objectives for Phase II included maintaining a failure to appear rate of 10 percent or less, reducing average detention time, reducing the average number of court appearances by 50 percent, and reducing the use of local confinement for the more serious felony defendants.

Description of Implemented Project

The start date of the Phase II implementation project was October 1979. It is due to be completed in March 1981. The implementation is well underway in Multnomah County, where concurrent programs to relieve jail overcrowding are in progress. A new director of the Division of Corrections, which is administering the project, was appointed in July 1980. The former director was supportive of the project, helped develop project support from the remainder of the criminal justice system, and believed the key to limiting the jail population was minimizing penetration into the system. The new director has implemented changes in policies and objectives. Differences between the project director and her new administrator are of some concern.

The MIS systems design is almost completed, but implementation planning scheduled for July 1980 has just begun. However, the programming task is already in progress by INSLAW so that overall the project is on time and within budget. The county is near attaining its objective of 24-hour coverage of release interviews (coverage is from 6 a.m. to 3 a.m.) with the corrections officers doing much of the recognizance work. The project director has expressed some concern about the utilization of additions to the central referral staff given the availability of corrections officer personnel for client interviews. A permanent records clerk has not yet been added full-time, but a part-time person has been hired for data collection.

A new Alternative Residential Care Center has been contracted with as an additional supervised release alternative for class C felony defendants, and the average daily population is remaining within prescribed limits. Contributing to the maintenance of these limits is a new citation policy which requires officers to explain why they do not cite an arrestee. This policy has more than doubled the number of citations being issued. The pretrial release unit is now consolidated and is working aggressively to release all eligibles, reversing the previous situation in which the judges were more liberal in their decision making than were the pretrial

release recommendations. Multnomah County has recently received confirmation that it would be one of three sites selected for an experimental validation of supervised release impacts, and that it will receive a grant to develop an inmate classification system. These also should affect the attainment of program objectives.

Program Impacts

Since the primary focus, a management information system, of the project is not yet operational it is too soon to estimate the full impacts of the Multnomah County Jail Overcrowding Program. It is evident, however, that the program is being well managed and is having positive impacts on the criminal justice system in that tensions have been reduced, initial disinterest has been overcome, and there is evidence of coordination and cooperation, in spite of some new administrative problems. Although in some cases the accuracy of reported numbers is still being verified, a few project impacts or impacts of other CJ activities (it is difficult to separate the two) are:

1. ADP has been kept, except on rare occasions, at or below the rated capacity levels set by the county commissioner.
2. FTA has been kept below 10 percent. It was 4.8 percent for the period April - December 1979.
3. The number of citations issued by police has more than doubled.
4. Time from arrest to trial has been reduced.
5. The average time from arrest to release for misdemeanants has decreased two hours.
6. The pretrial detainee population has decreased from 46 percent to 33 percent of the average daily jail population.
7. The two pretrial release agencies (under the Division of Corrections and under the Circuit Court) were consolidated under the Division of Corrections.

From the perspective of the evaluation, the statistics being developed at Multnomah County should make it a well documented project from which to examine system-, costs-, and client-impacts. The project has collected ample baseline data, from February 25 through March 25, 1979, which can be compared to

the interim data collected from February 25 through March 25, 1980, which has not yet been tabulated or analyzed. The project director also plans to collect post-implemented data from February 25 through March 25, 1981. Concurrent related programs may make it difficult to attribute causality to any single project component, but once the automated management information system is in place (Spring 1981) those impacts should be more readily determined.

Conclusions and Recommendations

It is obviously too early to develop conclusions about Multnomah County's Jail Overcrowding Program. If the project continues to be as effective as it has been in achieving its interim objectives, then it will be an excellent program to document in great detail. The jail inspection report, performed during the Phase I effort, not only generated needed information but acted as a tremendous catalyst for coordinated action, by bringing an alarming situation to the attention of the appropriate persons. Subsequent activities have served to keep attention focused on the jail overcrowding problems, and while little conversation centers around the "least restrictive" principle of pretrial status on a philosophical basis, real and potential costs of overcrowding act as leverage for program attention and dedication. The management information system is being designed to generate data which may be used for impact assessment as well as management decision making. A management information system is only as useful as the questions that are asked of it, and the DRI evaluation team is impressed by the project director's understanding of the underlying problems that need detailed specification and her commitment to monitoring and evaluating the programs developed to respond to those issues.

Case Study: Orleans Parish, Louisiana

Background

The administrative entity operating both phases of the jail overcrowding project is the Orleans Parish Criminal Sheriff's Office. Together with the New Orleans Police Department and the District Attorney's Office, the Criminal Sheriff's Office serves the criminal justice system of the city of New Orleans, Louisiana. New Orleans, well known for its picturesque French Quarter and its attractive location on the Mississippi River and the nearby gulf coast resort area, has also had a history of poverty and generally poor living conditions among a significant proportion of its population. These problems have been complicated more recently by the city's high unemployment rate. The crime problem, characterized traditionally as both high and serious, usually worsens during the hot summer months because of increased tensions and frustration in the more deprived areas of the city. Special events, like the spring Mardi Gras put even higher demands on the already overburdened criminal justice system.

The incidence of serious crime and the number of arrestees are increasing dramatically in New Orleans where there was an overall 39.2 percent increase in reported major offenses between comparable first quarter periods in 1978 and 1979, and the number of arrests during the same period were increased proportionately. The increase in serious crime has created an atmosphere of urgency among local politicians, criminal justice officials, and the community in general, and the city's large number of violent and dangerous criminals, many with significant drug and alcohol abuse problems, are generally disqualified from consideration for pretrial release. Community and political pressure on the Police Department has led to more intensive street patrol in high crime areas and this increased patrol combined with more and better police communication and reporting, has resulted in more arrests and higher quality arrest reports and, thus, more frequent acceptance of cases for prosecution by the D.A.'s Office.

Both the Orleans Parish Prison (OPP) built in 1929 and the Louisiana State Prison at Angola are overpopulated and have been under court order (1972 and 1975 respectively) to reduce their populations and improve living conditions for the inmates. In 1977, the Community Correctional Center (CCC), one block away from the Parish Prison, was opened in order to house all female prisoners, federal prisoners awaiting transfers, and Parish prisoners serving out short sentences. However, even with the addition of this bed space for 448 prisoners, it was necessary for the New Orleans Police Department, which operates the city's House of Detention (nearby the other two facilities) to provide 270 beds or three floors of the New Orleans Police Department Center Lockup to the Sheriff's Office.

When DRI toured the jail facilities in October 1979 there appeared to be considerable space available in the Community Correctional Facility where one whole floor was still not converted into a jail dormitory; however, there seemed to be some reluctance on the part of the sheriff to move pretrial inmates from the OPP where security was less of a problem and where the already overworked staff could be more efficiently utilized. In June of 1979 the Orleans Parish Prison housed 755 inmates which put them 67 percent over design capacity. Of these, 535 were on pretrial status. In addition, 270 inmates were located by arrangement at the New Orleans House of Detention.

In sum, the rise in crime rates, an increase in the quality of arrest, the reluctance of the police to use citations in lieu of arrest, the lack of a felony bond schedule (only a District Court judge can set bail in the case of a felony charge), the recent increase in the number of prisoners who are adjudicated but waiting out appeals, and the removal of the state prison as an overload option because of their own overcrowded conditions, have all combined to create a real and potentially even more serious jail overcrowding problem. The Phase I analysis of jail overcrowding demonstrated that much of the problem is related to a pretrial population. Lack of coordination among police, sheriff, and district attorney has kept them from developing an integrated program to relieve this problem. This district attorney has an own recognizance (OR) program for those who can't post bail, but the eligibility criteria are conservative, and the program serves only a very low risk population. Specifically, the D.A.'s program excludes many people who would meet release requirements for judges ROR or who could be released if they were able to meet bail. The result is a very successful (in terms of a high rate of court appearance and low rearrest) but very limited (approximately 20 releases per month) in terms of impact. A residential work release program for sentenced inmates was operating by the Criminal Sheriff's Office at an unused fire station, but no supervised release programs existed for the pretrial population.

Description of Proposed Project

The Phase I study performed between September 13, 1978 and October 1, 1979, concluded that there were large numbers of pretrial detainees who could be eligible for pretrial release under appropriate conditions. This population would include indigent and minority defendants who would not meet the district attorney's employment and stability criteria and who could benefit from some support and supervision during release. If no release is possible at the Magistrate Hearing (during normal working hours) because the charge is too serious, bail is too high, or the defendant does not qualify for ROR, he or she is returned to the Orleans Parish Prison for

detention. This population contributes most heavily to the serious overcrowding problems.

The Phase II application proposed to address three problems: increasing the number and scope of pretrial alternatives, upgrading and streamlining the jail classification system, and improving and upgrading an adequate management information system through a project called the Central Intake Unit for Alternative Programs, and known by its initials as CINTAP. Specifically, the program proposed to:

1. Reduce the daily number of pretrial detainees by 100 persons (or approximately 20 percent of the pretrial population) through work release and tailored conditional and supervised release programs varying from daily telephone contact to residential treatment programs.
2. Separate inmates by status, charge, and social factors with an improved jail classification system by using information developed during the screening and investigation interviews. It was anticipated that improved classification procedures would increase the safety and security of the community, the inmates, and the jail staff.
3. Upgrade the information system with emphasis on pretrial inmate placement in release programs and in the jail through the purchase of computer hardware and software.

Secondary objectives related to continuing the coordination and cooperation begun during Phase I among departments concerned with arrest, release and detention, and expansion of program alternatives. It was proposed that the Advisory Board would continue to function to assure continued judicial oversight and to foster cooperation among criminal justice and ancillary agencies with the CINTAP project.

Description of the Project as Implemented

Although the project was funded as of October 1979, it did not become fully operational until the first quarter of calendar year 1980. Because the Phase I project director left the program before its completion, there was some problem for the evaluation team in trying to reconstruct project history and background. After an initial visit to the project in October 1979, we expressed some concern about the degree to which CINTAP was aware of and was utilizing the technical assistance that was part of the program support system. However, with the formal appointment of a project director in January, the project started to make progress on the attainment

of its goals. The CINTAP program staff, most of whom are housed in the booking room of the OPP, became active in interviewing and screening applicants, monitoring clients with daily telephone contact and periodic home and job site visits, and referring clients to appropriate short- and long-term treatment programs. Initially they screened the entire existing pretrial jail population. The project occasionally reconsiders individuals initially rejected for release after they have remained in jail for several days. (This is viewed as a necessary cooling-off period for certain individuals.) The results of their efforts made almost immediate impact on the first of the program objectives: reduction of the pretrial population.

The project also reports progress on the improvement of a jail classification system, and there is no doubt that the information developed by the CINTAP staff provided needed data for making classification decisions. However, chronic overcrowding coupled with sporadic (weekend) severe overcrowding and less than optimum use of the three jail facilities complicates the successful operation of the classification system. Since inmate classification is a program objective it seems relevant to report that the jail population in the OPP is racially segregated. This does not seem to be interpreted by either the blacks or whites as discrimination. Staff are integrated and appear to be getting along well. Inmate segregation is viewed (among the people DRI interviewed) as a sensible measure to reduce violence inside the overcrowded and obsolete jail. There were no reported problems with security or inmate violence. There is a tier assignment plan with little or limited reevaluation after assignment.

Until there is more progress on the achievement of the third objective (the development of an upgraded management information system), it is not likely that the jail classification system will reach the desired level of improvement since information handling is such an important factor in appropriate classification. There has been some difficulty in getting the cooperation needed to actively address the acquisition of data processing hardware and software. This difficulty (the varied jurisdictional responsibilities concerning the housing of different categories of inmates) has presented problems not only for the achievement of the MIS objective, but has complicated the entire program, making it difficult to maximize and optimize space utilization at the three facilities located within a few blocks of each other. Following the initial evaluation site visit, DRI reported as follows on this situation:

"One facility (the Orleans Parish Prison) is terribly crowded, old, and unfit and is in direct contrast to the Community Corrections facility across the street which is much more habitable and relatively uncrowded (with one whole floor unused and another floor due to be vacated when a separate women's facility is opened

later this winter).^{*} Further, a third facility, also across the street (the House of Detention), is occupied by a large number of alcohol abuse related offenders for whom no treatment is provided. Although these prisoners are not under the jurisdiction of the Criminal Sheriff, it would seem that some attention to developing a system of shorter sentences for these offenders combined with some treatment programs (to keep people from rotating back in soon after release) could relieve the Parish Prison population problem and would be an appropriate program issue."

Some of these municipal detainees represent a lesser risk population than the program target population, but the sheriff does not have jurisdiction over them. In early 1980 a federal court order resulted in the Criminal Sheriff's Office being given space in the House of Detention and it is anticipated that authority for a large class of state prisoners on appeals may also be delegated to the sheriff. Uncertainties related to jurisdictional responsibilities and subsequent authority for equipment and software acquisition, that caused a delay in the activities related to the design and procurement of a computerized information system, have recently been resolved. It is now anticipated that a system will be operating by mid-1981.

The primary objective of reducing the daily pretrial population continues to receive most of the staff's attention and the proposed work release and contact and residential supervision programs are in place and operational. Early emphasis on the limited population eligible for work release and the planned approach for moving slowly with incremental programs were quickly expanded and modified because of severe overcrowding problems.

In addition to implementing the proposed pretrial release functions, the CINTAP staff have been working to assist in the pretrial disposition of Municipal Court defendants. As a result of CINTAP's weekend and holiday screening program, Municipal Court judges are able to ROR approximately 40 percent of the normal pretrial jail population at the Central Lockup facility,

^{*}These facts are no longer accurate. The CCC is now being used to full capacity. Also, the women's halfway house facility has opened but the increase in the number of female inmates requires the use of both the new location and a floor in the CCC.

thus enabling the New Orleans Police Department to adequately manage its weekend and holiday jail population. This is not only significant because of the impact on pretrial detention and severe jail overcrowding, but also because the program is an indication of multijurisdictional cooperation and coordination, of which there has been little previous evidence.

The project is not using the Advisory Board in the way it was proposed. The project director reports that the board is too large a group to assemble and meet with frequently. He has met with subgroups to deal with special issues and talks with many of the board members individually on almost a daily basis.

Project Impacts

Progress reports from the CINTAP project have suggested that an alternative measure should be utilized for demonstrating the impact of program efforts on average daily pretrial population. Since the jail population is subject to the impact of so many intervening variables: crime rate, arrest practices, quality of arrest reports, etc., it was requested that impact be reported in terms of the number of jail days saved through program procedures and placements, and a goal of 600 program participants was articulated.

Regardless of how one measures impact on the jail population, there is considerable evidence to show that the first of the program objectives (reduction in jail population) is being met if one considers reduction to mean "reduction from what the pretrial population would be without the program." During the first nine months of full operation (January through September 1980) 871 persons were placed in various pretrial options (see Table 2). CINTAP has included in this number those participants released under conditional and supervised release, work release, and OR programs. (It would be more precise to reduce this number by the average number released under OR options prior to program inception, but since the number traditionally released was negligible, there is probably no great loss in accuracy by omitting this factor.)

The assumptions used by the project to estimate jail days saved and subsequent cost savings may be inflated if:

1. The cases selected by the pretrial interview unit for placement into release options make up a disproportionately high share of the average 40 percent of detainees who are released within ten days by the district attorney.

TABLE 2
CINTAP PROJECT DATA
(January - September 1980)

<u>Number Screened</u> <u>(All Arrestees)</u>	<u>Number Interviewed</u>	<u>All Pretrial</u> <u>Options</u>	<u>FTA</u>	<u>Rearrest</u>
8,319	1,682 (20.2%)	871 (53.6% of those interviewed)	22 (2.5%)	18 (2.1%)
<u>Jail Days Saved*</u> <u>(All Pretrial Options)</u>		<u>Estimate of daily</u> <u>reduction in pretrial</u> <u>population*</u>	<u>Estimated jail</u> <u>cost savings**</u>	
40,090		40,090 = 148 persons 270 days per day	\$40,090 x \$22.40 = \$904,946	

*A note of caution in the use of these figures to estimate impact. Estimates assume 40 percent of arrestees will not be prosecuted by DA but will remain in jail an average of ten days. Estimates also assume that the average case prosecuted by the DA takes 70 days to disposition.

**Total cost savings can be computed using a verified form of this figure less costs of administration, placement, and supervision.

2. The cases selected for pretrial options are more typically those released earlier than the ten day or 70 day average of all cases used to estimate total days saved.
3. As is true with most other projects, jail day costs are estimated from total average costs and do not reflect the "true" or marginal costs for each inmate. However, neither do they reflect the much higher cost of new construction or the somewhat higher costs of transportation and housing in state facilities.

Although the project reports progress on the classification procedures in the jails, little evidence has been produced to show major impact in this area. Until utilization of the facility space is on a more permanent and well designed basis and until a management information system (dependent in part on decisions required for optimizing space utilization) is in place it is not likely that that jail classification system will reach the desired level of efficiency. Information from the screening and interviewing staff is, however, improving classification decisions.

We are somewhat concerned with what appears to be an oversimplification of the steps required for upgrading the MIS. Although it may be possible, once jurisdictional responsibilities are decided upon, to make consultant commitments and to select vendors according to the timetable suggested by the project, the expectations that actual computerization would take place during the first half of 1981 seems overly optimistic and does not provide for the necessary needs assessment and constituency building that precedes actual implementation.

The evaluation review is particularly impressed by the increase in numbers of persons interviewed and placed by quarter and the apparent way in which program operations have become a routinized component of the criminal justice proceedings. The assistance CINTAP is providing to the Municipal Court on weekends is another example of the regard in which the project is held by the local system and is a good indicator of long-term and lasting benefit to the Orleans Parish. A total of 788 municipal defendants have been released prior to initial court appearance between April and September 1980.

Conclusions and Recommendations

There is a long-term need in New Orleans to aggregate populations from the three jail facilities and to coordinate policies so that jail space is reserved for those persons for whom there are no feasible alternatives. The CINTAP project has demonstrated that it can be a useful and effective instrument for assisting in making pretrial release decisions and, in fact, in

reducing the pretrial jail population by about 150 detainees per day. Although the proposed substitute measure of "jail days saved" is a good one for many reasons, it is an estimated number and we recommend that the project continue to report actual pretrial and total ADP in order to develop information on the program's impact on jail overcrowding. Anticipated concerns about community resistance and a planned procedure to move very slowly with incremental programs has given way to a somewhat bolder approach because of the severity of the jail overcrowding problem. There seems little doubt now that the JO/PDP project addresses the needs of a different target group than the district attorney's OR program which in the past accounted for about 20 releases per month.

An adaptation of the Montgomery County (Maryland) point system is in use. Release criteria have been relaxed somewhat from what they were last fall. Low FTA and rearrest rates (2.5 percent and 2.1 percent respectively) are well within national averages and indicate no negative impacts because of point scale relaxation. However, the routinely used second interview for certain defendants after a "cooling off" period suggests that standardized release criteria are not uniformly employed. The utilization of an improved information system should help to validate and thus standardize reliable release criteria. There are numerous other opportunities for the MIS to impact operations in New Orleans and the present manual system which is heavily staff intensive and is subject to inaccuracies and missing data is not sufficient to support the kind of system required for efficient management of the jail overcrowding problem.

The entire criminal justice system in New Orleans appears to be overworked and overburdened. The Advisory Board members, although supportive, have little time or energy to provide leadership. We see a distinct role for the board in the planning of the computerized information system and recommend encouraging their participation during the next planning phase.

In addition to the sizable impact the CINTAP program is making on the release of pretrial detainees, the manner in which the project has developed the confidence and trust of the local criminal justice system is impressive.

Case Study: San Francisco, California

Background

The roots of the jail overcrowding and pretrial detainee project in San Francisco can be found in the Mayor's Criminal Justice Council (MCJC) formed in 1972. In May 1978, the council began the task of bringing systemization and coordination to the criminal justice system in San Francisco. They became aware of the LEAA Jail Overcrowding Program and applied for funds. Upon receiving Phase I funding, the ten member MCJC assumed the responsibility of being the JO/PDP Advisory Committee. The committee grew from ten members to 21 and then to 24 to allow the inclusion into the committee of all interested criminal justice agencies. To further accommodate the growing interest in the Overcrowding Committee, a number of subcommittees were formed. There are now five subcommittees, a planning group, and three caucuses. The total membership of all these committees is over 70 people. As the committee grew, it went beyond its original narrow concern of overcrowding to a broader concern with problems pertinent to the criminal justice system as a whole.

Development of these committees and cooperation between criminal justice agencies is a major accomplishment of Phase I, and is unique in the history of San Francisco. In the past, local politics, interagency conflict, and protectiveness of personal territory have hindered cooperation between criminal justice agencies. This history of noncooperation and interagency antagonism was a frequently recurring theme in our discussions with criminal justice workers, all of whom were very much aware of the local political situation and viewed it as having real and serious consequences for their projects. Political considerations are probably the most important factor in the San Francisco JO/PDP project's environment.

Political cooperation with the project was not easily won. Some people at first were unhappy about and unwilling to work with other people; some people viewed the committee as the enemy. With time and hard work, cooperation developed between participants, with the exception of one agency head who fought the committee and tried to prevent the project from receiving Phase II money.

Through working together and defending the committee against its principal detractor, committee members became unified and a number of allies of the committee emerged. The Jail Overcrowding Committee has become very popular and highly regarded. Today, people are inquiring about the committee and trying to become part of it.

Results of Phase I were not limited to the development of interagency cooperation. Phase I of the JO/PDP project in San Francisco was, considering the limited size of the grant, extremely productive. The following list of accomplishments attributed to the Phase I project is evidence of this productivity.

1. The number of citations in 1979 increased 120 percent from the same period in 1978.
2. Juvenile offenders were moved to a brighter and nicer part of the jail.
3. The chief jailer and the undersheriff are now using and asking for project data.
4. Police have been instructed not to arrest or cite persons with "an open container" because the D.A.'s Office has refused to file these cases.
5. Courts have become sensitive to the pretrial release options and they are willing to give arrestees project or court OR releases.

Most of these changes resulted from discussions related to the project data that were introduced into committee meetings.

Overall, the results of Phase I were impressive. Several system changes were initiated, cooperation among agencies was developed, extensive plans for Phase II of the project were made, and large quantities of baseline data were collected. Data were collected on FTA rates, number of citations issued, cost of arresting and processing public inebriates, characteristics of an eight-week booking chart, and more.

Factors that are pertinent to Phase II of the project are: (1) the other pretrial service agencies operating in San Francisco, (2) the extent of the public inebriate problem, and (3) the seriousness of the jail overcrowding problem. In San Francisco, a variety of pretrial release options are available. These are field and station house citations, the OR project, bail, court OR, and alcohol and mental health care instead of jail. Also available are a number of diversion projects for less serious offenders, which include a restitution project, a drunk driving program, a community board program, and a jail clean-up program.

The Bureau of Alcoholism estimates that there are 10,000 chronic public inebriates in San Francisco. In 1978, 16,609 arrests were made for public inebriation; this constitutes 47 percent of all misdemeanor arrests.

The problem appears to be worsening because in the first three months of 1979, 4,660 arrests for public inebriation were made (this is an annual rate of 18,640 arrests per year).

According to the findings reported in the Phase I Plan, the present jail overcrowding problem is not severe. The capacity of the jail system is 1,518 while the average daily population for fiscal year 1978-79 was 1,043. In 1978, only one of the three San Francisco jail facilities was ever over capacity and this was only for one month. The number of daily intakes into County Jail #1 are high, averaging 124.4 in January-April of 1978, and are increasing, averaging 146.6 for the same time period in 1979. In spite of the high number of intakes, quick processing of arrestees has prevented jail overcrowding. When the Phase I Plan was written (July 1979), the average length of stay for detainees was only 2.52 days, and 72 percent of arrestees spend one day or less in jail. Judging from the available data, the San Francisco Jail did not have an overcrowding problem at the time of the application.

Although the jail capacity is seldom exceeded, a number of problems exist in the jail. Studies by the California Board of Corrections and the National Institute of Corrections have found the San Francisco Jail to be deficient in a number of areas (i.e., deficient physical plant, failure to guarantee inmate's basic constitutional rights, insensitive or inhumane treatment, and more). Furthermore, several law suits regarding inmates' rights have been filed against the county jails.

Description of Proposed Project

Three major problem areas identified in Phase I and addressed by the Phase II implementation grant are: (1) the inappropriate use of jails for public inebriates and alcohol-related offenders, (2) lack of coordination, cooperation, and communication in the criminal justice system, and (3) lack of a consolidated system to deliver services to arrestees. These problem areas gave rise to the major objectives of the Phase II application which are:

"To reduce the public inebriate population within the San Francisco County Jail by 50 percent within the 18-month grant period. To develop a technique to identify the alcohol-related offender population in order to provide in-depth services.

To insure continuation and coordination of the jail overcrowding and pretrial detainee committee's activities (the comprehensive planning mechanism set in progress in Phase I comprised of a broad spectrum of criminal

justice agencies, the judiciary, etc.); provide a forum in which Phase I unresolved issues will be addressed: provide ongoing monitoring of all Phase I recommendations implemented, such as citation release.

To consolidate the current fragmented arrestee service delivery system into a central client service center."

Beyond these major objectives the Jail Overcrowding Committee has identified a number of secondary objectives and topics of interest. In essence, the committee has pushed both Phase I and Phase II of the jail overcrowding project beyond their original concern with alleviating jail overcrowding to a general concern with related problems facing the San Francisco criminal justice system.

The wide range of issues considered by the committee and subcommittees are listed in the chart on the following page.

The work of the committee and the project are increasingly becoming intertwined, and the issues of the committee have become the issues of the project. The project is functioning as staff to the committee. Plans are underway, during Phase II, to address to some extent all the issues mentioned above. The extent of commitment to these issues varies from discussing and analyzing problems to implementing activities designed to reduce or alleviate problems.

Description of the Implemented Project

Phase II of the jail overcrowding project began on November 1, 1979, one month later than planned. The project staff have undertaken and are in the process of addressing most if not all of the issues mentioned above, and are open to considering any new issues that may develop. The project director reports that efforts toward meeting the first two major objectives (reducing the public inebriate jail population and continuing cooperation among criminal justice agencies) are progressing better than expected. Meeting the third major objective, consolidating arrestee services, has proven more difficult. Efforts toward meeting this objective have met with strong opposition. It appears that consolidation of arrestee services will be slow in developing.

In an effort to achieve these major objectives, the project has implemented a number of activities. Through an appropriation of project funds to the Ozanam Reception Center (a reception, detoxification, and service center for alcoholics) and to Mobile Assistance Patrol (MAP) (a program to pick up and transport consenting public inebriates to nonmedical

*A. CITATION RELEASE AND PRETRIAL SERVICES:

(1) Citation Release (Sheriff and Police)

(2) Nonincarceration Alternatives:

(3) Other Pretrial Release:

(4) Defendant Services:

B. JAIL POPULATION MANAGEMENT:

C. CRIMINAL JUSTICE DATA COORDINATION:

D. POST CONVICTION AND SENTENCING ALTERNATIVES:

TOPICS CONSIDERED

Citation Release Policy and Implementation (e.g., shoplifters, prostitution, traffic warrants, etc.)

Alcoholics
Mentally Ill
Community Arbitration Boards

District Attorney Citation Hearings
Police Referral to Community Intervention Services
Court Assigned Community Service
Informal Diversion

O.R. and Night Court

Courts Alternative
Pretrial Diversion Project
Northern California Service League
Criminal Justice Unit of Community Mental Health Services

Classification
Central Intake
Expediting Enroutes
Consolidating Local Jurisdictional Holds With Other Matters at Arraignment
Levels to be Achieved in Jail Population

Identification of Areas for Generating and Upgrading Data
Aid Other Subcommittees With Pertinent Data
Greater Access to Criminal Justice Data

Alternatives to Sentencing:
Project 20
Community Boards/ Arbitration
Restitution: Monetary or Community Service
Early Release
County Parole
Women's Work Furlough, etc.

*The source of this information is the Phase I Plan.

detox centers) the services of these two agencies have been made available on a 24-hour per day basis. Prior to project intervention, these agencies lacked the staff and equipment to stay open round-the-clock and were closed between 11 p.m. and 7 a.m. The Phase I Plan reports that 45 percent of all arrests for public inebriation occur between these hours. The expanded operations of these agencies should provide more needed services to public inebriates and increase the chances of public inebriates being diverted to detox centers rather than being incarcerated. In addition to providing services, these agencies tabulate the number of people they serve and record some limited information on their service population.

While MAP and Ozanam treat the public inebriate, another program is operating to treat the alcohol-related offender. To aid this offender population, two alcohol-related offender specialists, under the supervision of the Bureau of Alcoholism, were hired in January. As planned, these specialists are accepting referrals from throughout the criminal justice system, diagnosing and evaluating the offender's alcohol problem, developing relationships with and utilizing the continuum of alcohol treatment and other community resources, recommending treatment plans as alternatives to incarceration to judges, and keeping statistics to document the results of the program.

During Phase I of the project, the Jail Overcrowding Committee was able to develop effective cooperation among the various criminal justice agencies in San Francisco. One of the major objectives of Phase II is to enhance this cooperation, to provide a forum for discussion of unresolved Phase I issues and to provide ongoing monitoring of all Phase I recommendations implemented. Cooperation among agencies and a forum for discussion are both facilitated by regular (at least once a month) meetings of the committee and all subcommittees. At recent committee meetings such topics as employment opportunities for ex-offenders, the impact that cutbacks in mental health services will have on the San Francisco jail population, and the development and implementation of an arrestee tracking system for the Sheriff's Department were discussed. Generally speaking, all the topics planned for discussion and monitoring are being discussed and monitored; those slated for implementation are being implemented and cooperation among criminal justice agencies continues, although not without some problems.

Cooperation among agencies breaks down in the area of consolidating arrestee services, the third major objective of Phase II. Criminal justice agency heads were able to agree on what problems needed attention, on implementing services to aid the public inebriate, and on a number of other issues, but on the issue of consolidation of arrestee services, factionalization of agencies occurs. Currently, three consolidation plans are circulating in San Francisco and each has its own group of supporters. The

project director has stated that the project's consolidation plan has the largest support but it lacks the approval of the judiciary that is necessary before it can be implemented. The issue of consolidating arrestee services has become a political issue and its resolution is likely to require much time and effort.

Project Impacts

The jail overcrowding project in San Francisco has been operating only nine months but its impacts (and those of the Jail Overcrowding Committee) have been numerous and varied, although not always related only to reducing the jail population. The project began affecting the criminal justice system during Phase I, and Phase II has seen a continuation of project impacts. During Phase II, optional religious services have been reintroduced into the jails, new visiting windows have been installed in the jails, improvements in prisoners' diets and exercise opportunities have been made, and a new method for handling inmate property has been developed that has minimized property loss.

Additional Phase II impacts are:

- MAP has assisted 6,852 public inebriates in its first six months of operation.
- Ozanam Reception Center has served 67,155 public inebriates in its first six months of operation. Ozanam detox units have served 5,563 people.
- Cooperation and coordination among criminal justice agencies have increased.
- The first major objective of Phase II has been met. The public inebriate population of the jail has decreased by about 50 percent. More precisely, the number of bookings for public inebriation for February 23, 1980 through April 19, 1980 was 17.3 per day; this is a 48 percent decrease from the 33.3 bookings per day for the same time period in 1978.

In attempting to evaluate the impacts of the project, three major problems exist. These problems are the close relationships between the project and the committee and the interrelationships between criminal justice agencies involved with the project. These close ties make it difficult to discern where the activities and impacts of one project begin and those of another end. Another problem identified in collecting impact data relates to the target population of the program and the program emphasis. The

emphasis in this project is on keeping a potential jail population from being booked and held in the first place. Police are encouraged to divert public inebriates to appropriate shelters and treatment facilities. It is not clear just how many people are actually diverted not only from jail but from any other criminal justice processes by this alternative. What is clear is that it is inappropriate in this instance to look at arrest/incarceration ratios as a program measure, and the jail population is impacted by so many intervening contextual variables that examining overall ADP cannot develop information from which to infer the impact of this particular program activity.

Conclusions and Recommendations

Phase I of the San Francisco jail overcrowding project was unique in that as far as we have been able to tell, at no other site did a project develop so much criminal justice community involvement in studying the jail overcrowding problem and the general problems of the system. At no other site were the issues and problems facing the criminal justice system analyzed in such detail. The reasons the project directors cited for the success of the Phase I include:

1. The majority of original committee members were not adversaries. They wanted the good will of their colleagues and were willing to cooperate.
2. The possibility of Phase II funding encouraged cooperation among committee members.
3. Committee members were happy to be allowed to work out their own problems with no interference or pat answers from Washington.
4. The progressiveness of the police chief and the support of judges were very important to the success of the project and the committee.
5. The personal characteristics of the committee chair helped the committee and the project succeed. As chair, he helped gain respect for the committee, keep the peace, and keep the committee apolitical.
6. It is also helpful that agency representatives had the power to speak for their agencies.
7. Deputy sheriffs felt they were wasting their time dealing with public inebriates. They were happy to cooperate

with a project that would address an already well perceived objective of their own.

8. Employment of a democratic decision making process was a boon to the committee.

Many problems exist within the San Francisco criminal justice system and the jail overcrowding project has demonstrated that much can be done to improve the system. However, one problem that does not appear excessive in San Francisco is jail overcrowding. The Phase I plan did not document the existence of a current jail overcrowding problem although increased bookings suggested a potential problem if there had been no intervention. The primary foci of the Phase II project are to provide services to public inebriates and keep them out of jail, to maintain cooperation among criminal justice agencies, and to coordinate arrestee services. While these services are important to San Francisco, they may have little direct short-term impact on a below capacity jail population. Work on the San Francisco project is progressing as planned, with the exception of the consolidation effort, and the work appears to be beneficial to the criminal justice system. Although there may be some question about implementing a jail overcrowding project in an area where jail overcrowding is not a present problem, the problems being addressed and resolved in San Francisco could have the long-term effect of keeping the jail population below capacity and could serve as a model to other jurisdictions.

Case Study: Santa Cruz County, California

Background

Santa Cruz is one of the fastest growing counties in California. Its present population is in excess of 165,000, an increase of over 50 percent in the last ten years. Its major industries are tourism and agriculture. About ten years ago, Santa Cruz went from an older, quiet population to a younger, more avant-garde university and transient population. Public reaction to this situation resulted in more police enforcement of vagrancy and other misdemeanor charges. For the most part, the judges are said to be dismissing the most minor charges, but not until after defendants have been booked and held.

In May of 1974, after rapid increases in bookings and in response to a chronic overcapacity situation in the jail, a court ordered plan to relieve the situation resulted in the decision to build a new detention facility.

Bookings increased 34 percent in the two-year period between 1977 and 1979, and the average daily jail population at the time of the grant application was up to 120 and even higher on weekends.¹ The Santa Cruz project staff reports unofficially that in the last three years, bookings increased 50 percent. About three-quarters of those booked were being released on sheriff's ROR or citation release and 7-8 percent were being released on bond or through preexisting pretrial release programs.² The Santa Cruz pretrial release program began operation in April 1975 as a component of the Municipal Court. Although the program was originally developed as primarily a felony pretrial release program, the judges have routinely requested information on misdemeanor defendants as well. The program, therefore, has been responsible for providing the court with data and recommendations on all arrestees not released under the sheriff's citation release program. In 1978 Santa Cruz was reported by the Lazar Institute to have one of the highest ratios of pretrial release and diversion to community programs in the county, and no significant differences in failures to appear between financial and nonfinancial forms of release were observed. The policy of the pretrial release program was to provide the least restrictive

¹1979 Annual Report, Office of the Sheriff-Coroner, Santa Cruz County.

²Pretrial Release Program, Annual Report, 1978, Santa Cruz Municipal Court.

alternative to pretrial detention and the county articulated a commitment to reducing its jail population by providing alternatives to incarceration.

In the summer of 1978, it became clear that the jails were still severely overcrowded and that the new adult detention center scheduled for 1980 with a rated maximum capacity of 92 would not be sufficient for the county's needs. The procedure of transporting prisoners to state facilities was inconvenient and expensive, and there was no assurance that those facilities would not become overcrowded as well. The principle purpose of applying for grant funds from the JO/PDP was to get the county shifted from dependence on state corrections to community corrections. A second purpose was to develop a badly needed criminal justice information system for analyzing community needs and providing the information needed to make and evaluate decisions.

Description of Proposed Project

The grant announcement presented an opportunity to organize community concerns and prioritize criminal justice needs. This was possible because of the nonspecific nature of jail overcrowding programs to be funded which allowed communities like Santa Cruz to propose activities which suited their local needs. Santa Cruz had, as a result of recent state legislation, established a criminal justice advisory group composed of 16 members of the criminal justice system. This group provided policy guidelines for the grant. In September 1978 the group placed interagency coordination in programs, placement and evaluation as the first county priority and was able to allocate the approximately \$25,000 needed for the 10 percent local cash match from the County Justice System Subvention Program.

In November 1978 when the grant application was approved, the group was unable to arrive at a consensus on the issue of consolidating the jail overcrowding project, known as Alternatives to Incarceration, with the existing Pretrial Release Program in the Municipal Court, and the alternatives program was initially in the Probation Department.

In December 1978 a decision was made to expand the pretrial residential programs as one way to increase the county's ability to provide supervised release options to incarceration. The group approved a request for proposals to provide pretrial residential services. Five proposals were received by January 19, 1979. In March 1979, the committee heard presentations by each of the applicants for funding. In April, the subcommittee approved funding and program levels for four programs, and the Board of Supervisors considered the authorization of contracts and discussed the program generally. On May 1, the board authorized the County

Administrative Office to negotiate and execute the contracts. And on May 10, 1979, LEAA approved the contracts. A total of \$128,679 was granted to these four subcontractors: Santa Cruz Community Counseling Center/Sunflower House \$24,041; Janus Recovery, Inc. \$30,938; Santa Cruz Community Counseling Center/Oranda House \$50,370; and Watsonville Drug Abuse Council \$23,330.

Description of Implemented Project

The Santa Cruz Alternatives to Incarceration Project has been plagued by a series of delays. The project was intended to begin operations November 1, 1978. Start-up was delayed until May 1979, and the project was not fully staffed until July. Shortly after staffing was completed, the project was moved under the auspices of the Municipal Court so that the project activities could be coordinated better with those of the existing Pretrial Release Program. These two agencies have effectively merged, with the exception of the automated information system work being performed by the Alternatives to Incarceration Project. Like the alternatives project, the four agencies subcontracted with to provide bed space for pretrial detainees have also had hiring delays. They were not fully staffed until the end of July (1979). However, during the period from May to July, mechanisms for referral and reporting procedures were established, and admissions criteria and treatment modes for each facility were discussed and related to program goals and objectives. Actual referrals were delayed until August. It was concluded that whenever there was bed space not being utilized by the pretrial project, the Probation Department would have the option of using this space for their clients in need of residential services.

Work on the automated justice information system proceeded at about the same slow pace. It was the project's understanding that the SEARCH Group, Inc. was to have provided initial consultation for the development of the information system. However, in February 1979, SEARCH informed the criminal justice analyst that they could not provide an appropriate level of technical assistance without some supplemental funding. In April the LEAA grant monitor responded by arranging for 11 days of technical assistance from American University Law Institute and an unspecified number of days from the Institute for Law and Social Research. The county had installed a CDC Omega 480 computer in November 1978 that was judged to have enough capacity to accommodate on-line justice systems applications. It was not until early 1980, however, when Santa Cruz had been selected as one of the six sites to participate in the jail information system

enhancement of the PROMIS, that real progress began to be made in achieving the objectives of developing a county criminal justice automated information system. During most of this period the principle information received from the county was the jail census which was produced weekly using batch processing and an SPSS* program print-out.

A project director with a background in social work and counseling, was hired in May 1979 to direct the Alternatives to Incarceration Project. His previous association with the Municipal Court's Pretrial Release Program provided an excellent background from which to assume project director responsibilities, and the late hiring date was eased somewhat by avoiding the necessity of a long orientation or learning curve period for the new director. In July 1979 a senior pretrial release specialist was hired. Her background in law and police work was also seen as a great asset to program.

Various implementation problems resulted in Santa Cruz' request to extend the completion date of the project to October 31, 1980.**

Project Impacts

The overall long-term impact of the jail overcrowding project was to heighten awareness of the need for administrative agreements and informal coordination of judicial, enforcement, and corrections agencies in order to attain the county's objective of increasing the efficiency of solutions to the jail overcrowding problem. It appears now that there will be direct involvement of court personnel in the classification, intake, and release procedures at the new jail. The construction of a new facility during this same period also contributed to coordination activities by presenting issues to the criminal justice community that required joint decisions. Similarly, attention to the development of an automated management information

*Statistical Package for the Social Sciences--a widely used software package for producing frequency distributions, cross tabulations and standard statistical inferential measures.

**Since this report was drafted, the termination date was again extended and the project is now scheduled for completion on December 31, 1980.

system created the environment for similar cooperative endeavors. The performance of an information needs assessment and analysis with its implicit requirements for priority decisions also forced attention to system-wide issues.

A central intake model policy was developed to assist in classification, intake, housing, and release decisions procedures at booking in the new detention facility scheduled now to open in November 1980. The Santa Cruz Grand Jury met with the project staff as part of its procedural and management audit of both the jail and the Municipal Court. The grand jury's interim report addresses the jail overcrowding problem and the role of pretrial services for the first time.

Committing local funds and identifying and pursuing other program funds also contributed to the "system" philosophy of need and response. Previous evidence of inability of the various factions involved in criminal justice planning to work together effectively led to the construction of a \$7.8 million facility that will be overcrowded the day it opens.³ It now appears that the existing facility will have to be remodeled and put back into use.

Jail Overcrowding. Residential Treatment Programs. As of April 30, 1980 the four residential treatment facilities provided 1,969 client-days of residential treatment alternatives to incarceration. Since referrals began very slowly in 1979, this figure represents considerably less than a full year at operating efficiency. These days represent days on third-party release that may otherwise have been reflected as days of pretrial detention. Although there is no evidence through any pre- and post-intervention studies from which to conclude with assurance that prior to the residential program these persons would have remained incarcerated until trial, an examination of the characteristics of the defendant population in treatment programs leads to the conclusion that it is unlikely these people would have qualified for release without supervision.

³1979-1980 Santa Cruz Grand Jury, Interim Report.

CONTINUED

1 OF 3

Although the number of client days provided by the four subcontracts is impressive, over a period of approximately 300 days, it represents only 6.5 persons per day. Unless the referral rate from the pretrial release program dramatically increases in the last few months of the project, the goal of relieving jail overcrowding through assignment of high risk clients will have been only minimally achieved. There is no straightforward way to estimate how many potential jail days were saved by the policy of admitting at-risk probation clients to these residential programs when space permitted; however, given their past history of recidivism, it can be estimated that these client days also had an effect on reducing the jail population. Both Oranda House and Sunflower House report that they have been seeing clients with more serious criminal backgrounds than ever before in their history. Of the 15 persons referred for treatment at Sunflower and Oranda, ten have completed their treatment and returned for court. Considering the past histories of drug abuse and criminal behavior, these success rates are considered to be quite good both in the context of national averages and local expectations. There has also been a general reluctance on the part of defendants and counselors to enter into long-term treatment regimes because of the uncertainty of the outcome of the pending trial. This has contributed to a low referral rate, and the client's anxiety as the trial date approaches is reported to contribute to difficulty with participation in program activities. The pretrial alcohol program (Janus) was the most heavily used and it would appear that additional beds would be appropriate at that facility. Early evaluation reports indicated that the program was frequently turning down the alcoholic client who was not sufficiently motivated to anticipate successful treatment and that the police were becoming reluctant to take inebriated persons to these facilities. This problem is said to have eased and the major barrier to treatment now is lack of space and resources.

Unsupervised Release, OR, Citation-Release. During the month of June 1979, there were 74 defendants screened by the pretrial unit who completed 63 OR reports and recommended the release of 30 defendants. Just ten months later, in April of 1980, they screened 278 defendants, wrote up 238 OR reports, and released 117 defendants. From September 1979 through August 1980 there were 3,005; 1,831; and 858 detainees screened, interviewed and released, respectively. There appears to be little question that the expanded and more efficient pretrial unit, with the support and cooperation of the sheriff and the courts, has helped to keep the jails at close to their maximums in spite of massive increases in arrests, bookings, and housings. The figures reported for 1980 are unconfirmed by DRI. The extended project termination date to October 31, 1980 has made it impossible to develop and validate true "post-intervention" data. However, Table 3 provides a good estimate of trend data.

TABLE 3
SELECTED STATISTICS

	Pre- (1978)	Post- (March '80)
Rated Capacity of Jail	118	118
Average Daily Population	120	118
Days Exceeding Capacity	100%	-
Cost Per Day to Transport	\$ 31	\$ 31
Average Number Transported	7	12
Jail Admissions (Annual)		
Felony	883	1,541
Misdemeanor	2,277	1,993
	3,160	3,534
Jail Population (Average)		
Pretrial/Presentenced	82.3%	78.5%
Sentenced	17.7%	21.5%
Pretrial Length of Stay (Average)		
1 Day or Less	66.8%	75.0%
2-5 Days	15.5%	16.2%
6-10 Days	4.9%	4.4%
Over 10 Days	12.9%	4.3%
Pretrial Releases (Annual)		
ROR	2,833	3,534
Counter OR	1,748	2,087
Supervised Release	-*	55

*No records--No residential programs for this purpose in use.

Automated Information System. The Santa Cruz jail overcrowding grant application demonstrated sensitivity to the community's need for timely and accurate criminal justice information. Early efforts to define these needs more precisely and to develop specifications for satisfying these requirements were not really successful and led to some initial impatience and frustration. Although in the early spring of 1979 there began to be progress on defining needs; it was not until notice of the award of the JIS contract in the spring of 1980 that local officials expressed confidence that an effort to develop and implement a workable system was in progress. The Santa Cruz Automated Justice Applications Group, the policy body for criminal justice automation, met in February and again in March in order to establish an interdepartmental agreement on the needs for a coordinated system-wide effort at automation. All justice and enforcement department heads are now participating in the effort to automate the jail, sheriff's records, the courts and the district attorney's office. The county is prepared to meet the difference (approximately \$57,000) between available grant funds and total acquisition costs.

Cost and Cost Savings. One of the (many) disadvantages of not having had an information system in place during the program period is the subsequent inability to produce data with which to measure impacts and cost savings with a high degree of confidence. The 25 percent increase in the number of persons released on their own recognizance may or may not be directly attributable to the Jail Overcrowding Program, but if those 858 persons had remained incarcerated only five days each, it would account for over 4,000 jail days per year. Since the daily population was always above the rated maximum, it is appropriate to compute the costs of housing those persons at the San Bruno Jail at a cost to the county of \$31 per day (plus transportation and related personnel costs) or over \$130,000. Further, the 1,968 client-days of referrals to supervised community facilities clearly computes to another \$61,000 savings (1,968 x \$31). The costs of the treatment programs are less well defined but Santa Cruz has computed the per person costs to be less than the costs of out of county incarceration!

As the pretrial release unit has become more experienced and more efficient, the costs of processing each pretrial service report has dropped from \$48 in June of 1969, to \$34 in January of 1980, and the most recent estimate is \$28 in April. Program costs and cost savings appear to have just about balanced one another when funds allotted for the development of the automated information system are subtracted from program costs. The larger cost savings would be related to savings in capital outlay for new facilities. If the current programs remain in operation and Santa Cruz is able to get along with a 92-bed maximum security facility, then the cost savings would be very impressive.

Conclusions and Recommendations

After a slow start-up phase that could, in part, be attributed to the omission of the Phase I planning effort that was typical of later projects, the Santa Cruz program became operational and met most of its goals and objectives. During the slow start-up period, project funds were well conserved and remained available for proposed tasks. Although there will be continuing problems of jail overcrowding in Santa Cruz because of population growth and crime trends, it seems clear that the problems would be substantially worse if not for the operation of the Alternatives to Incarceration Program.

The program provided help in two ways: (1) it provided direct input on reducing the number of persons detained pretrial and reducing their length of stay through increased OR and supervised release activities and, (2) from the very first it provided a focus for coordinated criminal justice decision making. Specifically, developmental work is underway on a central intake system. Project staff have been coordinating pretrial services and enrolling the cooperation of criminal justice agencies with the hope that when the new jail opens, it will house the central intake system. Project personnel also are developing an automated warrant system. Local funds are supporting this system, and these funds would probably never have been available if the Alternatives to Incarceration and Pretrial Release Programs were not in operation. Although there may be many other compelling reasons advanced for preferring release and/or treatment to incarceration, particularly when court appearance rates for those on bond and those on supervised release are not substantially different, the relatively modest costs of the alternatives make the program very attractive. This is especially true in view of concerns about jail overcrowding and the uncertainty about the continued availability of overflow facilities at San Bruno.

It seems clear that some additional alternative facilities will have to be utilized after the opening of the new adult detention center. One of the more attractive suggestions has been the modification of the existing facility into a semi-secure, 24-hour facility for those requiring minimum supervision.

Santa Cruz has become very sophisticated in its grantsmanship, and has attracted funds for several related criminal justice programs. There is always a danger that the directing force in planning is the availability of program funds rather than well developed local needs assessments. This was not the case with regard to the Jail Overcrowding Program. The Request for Proposal emphasized program objectives without specifying individual activities, and Santa Cruz was able to respond according to its own needs. The application process fostered cooperative efforts in setting priorities and planning activities. This same commitment is necessary for the development

of the justice information and for continued planning for the use of community counseling resources. In the long-term, this coordinated planning process may be the most beneficial impact of the Santa Cruz program.

CHAPTER IV. PROGRAM ADMINISTRATION

Introduction

The Jail Overcrowding/Pretrial Detainee Program was administered with assistance from a number of sources active in the jail management and pretrial services field. In evaluating the impacts of the program, DRI was also called on to evaluate the utilization of some of those resources as they provided program coordination and management and technical assistance to the sites.

Central to LEAA's administration of the Jail Overcrowding Program was the use of a National Program Coordinator to provide a monitoring function for the Phase I sites and technical assistance and coordination functions to the entire program. This section of the report examines the concept of the National Program Coordinator and its potential for responding to the underlying problems and needs of the program. This is followed by an assessment of the American Justice Institute's implementation of that concept.

Specific administration and coordination activities of LEAA and AJI are also examined as they related to program needs. The data for this evaluation were developed from frequent meetings between DRI and AJI staff for the dual purposes of evaluating the National Program Coordinator and for exchanging information about progress at the sites. There were additional contacts between DRI and AJI at the Cluster Conferences and at other professional conferences and frequent two-way and conference telephone calls for exchanging and confirming program information.

Definition of the Problem and the NPC Concept

Planning for the management of the Jail Overcrowding Program presented LEAA with a distinct challenge. A large number of geographically dispersed units of local government were to attempt to diagnose and ameliorate the symptoms of a large societal problem that was essentially beyond their control. Many of the local sites could be expected to be inexperienced in diagnosing and responding to system-type problems that require the continuous cooperation of a variety of local agencies and the ongoing collection, organization, storage, retrieval and use of data in their decision making. Most of the sites were unlikely to have a history of agency cooperation necessary for the management of jail overcrowding. Local agencies generally have their own traditions, goals, and priorities that favor isolation and independence. The need for technical assistance was apt to be poorly understood and requests for such assistance could be expected to occur

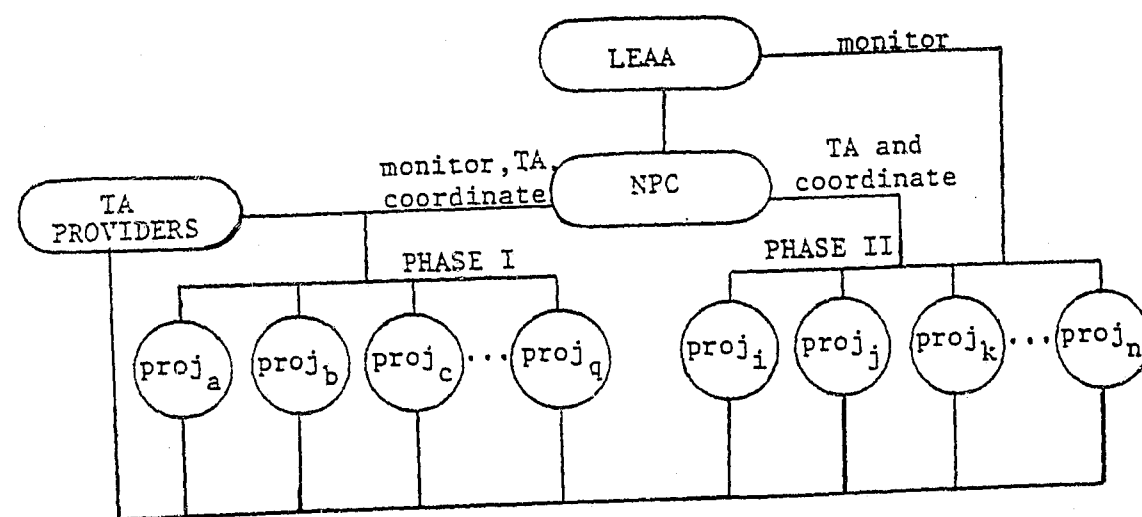
at unpredictable times from staffs with at least occasional turnover. The requests for assistance were likely to cover a broad range, from training inexperienced personnel to designing complex management information systems. In addition, all of this was taking place in a context of high media interest and public concern for possible abuses of the public trust.

Thus, management of a programmatic response to the problem required a staff with a broad range of technical skills that could respond in a flexible and timely fashion to a range of needs, from widely scattered projects, each with its unique problems, requiring innovative responses, staff stability and continuity and, at the same time, maintaining fiscal responsibility and periodic feedback.

In order for LEAA to have provided for the direct management of the jail overcrowding project, it would have been necessary to add specialized staff, both administrative and technical. This would have taken considerable time to bring about. Also, after the completion of the program, it is likely that the specialized skills of the new staff would no longer be required. Further, setting up the contractual relationships with a large number of relatively small contracts would have required excessive time and travel and a disproportionate allocation of administrative resources.

In response to the complex and potentially unwieldy problem described above, LEAA developed the concept of the "National Program Coordinator." This section describes and evaluates the fit or match of the proposed model with the management problem.

The structure of the NPC is illustrated by the following:



The principle structure consists of LEAA, acting primarily through a major surrogate which, in turn, is in contact with a cluster of local Phase I projects. The major communication channels are between LEAA and the NPC, and the NPC and the local projects. Alternative channels are available between the local projects and LEAA and among the project sites. The NPC is in direct contact also with potential TA providers and arranges contacts between them and local projects.

This structure serves to limit the number of units reporting regularly to LEAA, thus reducing the need for LEAA to increase their staff and related resources disproportionately in response to this one program. The imposition of an "accordion layer" between LEAA and the individual sites, that contracts or expands in response to project needs, in addition to reducing the pressure for additional specialized staff on LEAA's part provided an environment in which nonfederal experienced practitioners are offering assistance as opposed to that assistance coming from the federal government. The battery of TA providers provides a range of potential inputs and talents unlikely to be found in any one organization, either private or governmental, that can be called upon as needed. Additionally, such needs cannot be easily predicted in advance. Also, the time-consuming governmental contractual monitoring processes can be limited to the relationship between LEAA and the NPC rather than between the government and each local project.

Limitations of the NPC concept arise when the NPC is called upon simultaneously to provide technical assistance and to exercise the role of project monitor. Given the potential incompatibility of these roles--the TA responding to site requests, in contrast with the sites responding to a monitor's requests of requirements--there is a possibility of one or another of these roles being underexercised.

Another potential limitation of the NPC structure is the possibility of the coordinator's making policy, rather than applying LEAA policy. This calls for close and continuous coordination between the two levels if this problem is to be avoided.

The strengths of the NPC model are premised on the selection of a broad gauged, administratively mature, and technically competent private agency to serve that role. Assumed also is the availability, within reasonable time periods, of skilled TA providers.

Thus, while the model is not without its limitation, in particular the opportunity for loss of control by LEAA, on balance, the NPC structure appears to provide the minimum number of layers, making for relative economy, while encouraging flexibility, innovation and appropriate diversity among the local projects, as well as accountability and continuity of coordination.

In theory then, the characteristics of the management model match the demands of the management problem for which it is designed.

AJI's Implementation of the NPC Role

As the NPC, AJI agreed to "supply directly much of the required guidance for planning, program implementation, and information system development or modification." AJI agreed also to "provide leadership to the local jurisdictions in analyzing their problems, considering alternative solutions, and determining courses of action to follow in seeking to contain jail population, while improving the level of criminal justice services."

More specifically, AJI contracted to meet local project needs by:

- negotiating with another appropriate organization to deliver technical assistance
- seeking to arrange for appropriate local officials to attend a training course already scheduled by another organization
- negotiating with such an organization to conduct a specially scheduled training program for officials or staff in a particular jurisdiction or from a group of jurisdictions
- itself supplying the required technical assistance or training, calling on its own personnel or on ad hoc consultants. (This course would be followed where arrangements cannot be made for other organizations to provide a service or where AJI is uniquely qualified to provide it.)

In regard to Phase I projects, AJI agreed to "subcontract with each jurisdiction chosen by LEAA, with each contract covering match requirements (10% of total costs), a time frame, fiscal accounting and report requirements, the objectives of the planning process, and local arrangements and responsibilities for carrying out planning activities." In addition, AJI agreed to initiate "the recognition of training needs and technical assistance during contract negotiation and subsequently as a continuing process."

In regard to Phase II projects, AJI was to aid Phase II grantees "in finalization and implementation of their plans and completion of arrangements for the data collection and analysis necessary for monitoring and self-evaluation of the changes introduced."

LEAA also defines the NPC role as calling for an "aggressive, proactive approach to the target jurisdictions . . . tempered with a good sense of political and operational issues." The NPC role was described further as calling for a "recognition of the interrelationships among key actors and personal idiosyncracies," as well as "keen sensitivity to difference in level of commitment, ideological perspectives, role determined views, and readiness to change or to provide leadership to change." Other qualitative requirements included "stimulation and guidance . . . provided with much tact and with a clear grasp of the special concerns of each of the key actors in the planning and program implementation processes." The NPC also was expected to be aware of "the hazard of premature identification with particular individuals or factions," and the necessity to "build as promptly as feasible on the commitment and local influence of those officials who favor an honest planning effort and/or desire to see changes which are in accord with objectives of the project."

Finally, the NPC was expected to serve as "a catalyst and guide," providing "access to sources of specialized information and skill," and exerting influence over performance through its monitoring process, "without, however, assuming responsibility for either planning or implementation, which are prerogatives of local officials."

The evaluation of AJI's implementation is based directly on interviews with AJI staff, visits to AJI headquarters, examinations of AJI files and systems, and interviews with local site personnel and TA providers, and indirectly on the assessment of program processes and impacts.

Range of Services Available.* Summarized below are the services potentially available from AJI to the local projects at each step of the Phase I and Phase II projects.

Available throughout both phases are the kinds of informal inputs that are not easily classified, such as encouragement, leadership and perspective. We could include here also the ability to informally mediate local problems and act as a neutral bridge between local interests without a history of mutual trust and cooperation.

*See Appendix D for framework used to gather this information.

Phase I Projects

1. **Local receipt of Jail Overcrowding Program announcement.** AJI has no formal role at this stage but does respond to inquiries from potential sites that have received the LEAA brochure that advises localities to contact AJI for further information.

2. **Local submission of brief concept paper and letters of support from key officials.** AJI plays an informal advisory role, sometimes helping a site when LEAA requests supplementary material.

3. **Screening of applicants for eligibility.** AJI makes a site visit and interviews the key actors in order to assist LEAA in applying the following criteria to applicant's proposals:

- a. population level
- b. evidence or likelihood of jail overcrowding
- c. evidence of support from judiciary, D.A., and other criminal justice officials

4. **Local receipt of guide to data collection.** AJI forwards to local sites the Guide to Data Collection, a self-study questionnaire, which generally informs AJI about the existing criminal justice system, provided whatever relevant data are available, the extent to which alternatives to jail are being used, the local sites' information on hand, and a site's ability to generate further information.

5. **Local completion of "Guide to Data Collection."** AJI may discuss the implications of a site's responses to the guide and make suggestions. This may occur by correspondence, phone, or a site visit.

6. **Local review of completed "Guide to Data Collection."** Further AJI review, looking particularly for indication of some attempt at nonmonetary release program and for the degree of overcrowding.

7. **Local receipt of list of tasks expected to be completed if funded.** This is a list prepared by AJI that is included in the outline for the local project's monthly reports.

8. **LEAA approval of Phase I.** If at all possible, AJI will visit a site before this decision is made.

9. **Approved sites receive contract, work plan and budget form.** At this stage, AJI generally provide considerable consultation which may involve modifying the budget, negotiating the contract, etc. There are usually two to four phone calls and correspondence.

10. **Budget form returned to AJI with additional information.** Continuing negotiation, revision, etc., requiring considerable AJI input.

11. **Local site attends orientation meeting (cluster meeting).** AJI plans and organizes the meeting, distributes materials, makes training available, distributes descriptions of other TA organizations and brings similar or adjacent projects into contact to share experiences and solutions. Administrative problems left over from number 9 above are also discussed with individual sites.

12. **Organize project management.** AJI's consultation at this phase encourages the sites to use local talent--to build up an in-house capability to the extent possible and to make use of personal service contracts when appropriate. When there is a subcontractor, AJI requires a statement of work to be performed.

13. **Set up planning--Steering Committee.** AJI may suggest the committee membership and try to be present at the initial meeting to assist in the orientation.

14. **Produce a description of the criminal justice system--with decision points--key decision makers and available pretrial and jail options.** AJI encourages development of a flow chart, sends out good examples, critiques the resulting draft, and makes suggestions for revision; assists in this process during site visits; clarifies the decision points and options; and lays the basis for subsequent data collection. (Who used which information for what decisions at what time?) This leads to number 15 below.

15. **Produce statistics re: sources and reasons for jail commitment, use of jail commitment, use of jail alternatives, and average elapsed time between decision points.** AJI emphasized a functional use for the collection of statistics, relating them to the decision points identified in the previous step. They assisted the sites to develop their data collection instruments and helped to interpret some of the data at the completion of the analysis.

16. **Throughout the project, makes effective use of TA provided or brokered by the National Program Coordinator.** AJI has a file describing eight or ten relevant TA sources. Handouts describing available TA are distributed at cluster meetings. AJI also stimulated TA requests and helped to arrange the technical assistance.

17. **Projects cooperate with AJI in relation to AJI's monitoring responsibilities.** AJI's comptroller visits a selected sample of local projects.

18. **Projects submit monthly reports to AJI--problems encountered, requests for assistance, training or consultation.** Reports are correlated

with a local site's goals and work statement. AJI responds only if questions or problems appear.

19. Prepare final report—describing method selected to deal with overcrowding and/or pretrial detention problems. AJI works with local sites on the final report, primarily suggesting content. (Earlier, Phase II applications served as final reports and AJI reviewed drafts of the reports.)

Phase II Projects

AJI's role and responsibility during Phase II differs from that of Phase I, since Phase II projects are funded directly through LEAA.

1. Application for Phase II grant. AJI provides assistance to the site and comments to LEAA.

2. Grant review and negotiations. LEAA's responsibility.

During steps 3 and 4 below, AJI is available when TA is requested but does not take the initiative in contacting local sites, other than an occasional mailing of publication of general interest.

3. Alternatives:

- a. development of MIS
- b. development, expansion or improvement of pretrial release program (PRP)
- c. development of alternatives to jail
- d. other tasks

4. Cooperate with monitoring, quarterly reports, final reports. Local sites submit their reports to LEAA. (LEAA never required the sites to submit copies of their reports to AJI.)

The range of services appears to be closely correlated with the successive steps of Phase I and Phase II projects. These services have the potential of assisting the projects to meet their contractual requirements and project goals.

NPC Administration

In July 1979 and again in March 1980 in Sacramento, DRI met with the AJI project staff and with AJI's president and controller. The visit included examination of AJI files, correspondence and facilities relevant to

the jail overcrowding project, interviews with each of the AJI principals, and a general meeting to discuss the tentative conclusions arising out of these visits.

Staff. The AJI staff was highly cooperative and open, answering all questions candidly, supplying the evaluator with copies of all correspondence requested, and made available relevant files to unlimited examination.

The AJI staff appear to be highly dedicated to the project goals and well trained for their responsibilities. We perceived their morale as high. However, staff changes did bring into question the optimal response to the projects' demands. The program director's resignation resulted in the need for some accommodation on the parts of both the AJI project staff and the remainder of the Jail Overcrowding Program participants. Although the loss of the former director's rather unique interpersonal skills was a sacrifice for a program with such high sensitivity requirements, the addition of the present director's management skills was of special value in developing needed structure observed to be missing in the past.

The files provided ready access to documents relevant to Phase I. They enabled reasonably timely reading of the accomplishments and problems of Phase I sites. This was not as true of Phase II sites. The state of Phase II files did not enable the flagging of problem sites or an analysis of their problems or the dates and consequences of AJI site visits.

Office Organization. Given a project with sites dispersed throughout the continental United States and in the Pacific, with project staff based in Sacramento, Utah, and Oregon and the nature of the project calling for almost continuous wide-ranging staff travel, DRI looked for mechanisms that would have enabled the staff to closely coordinate their activities, to share insights, to develop a general perspective and to alert others to potential problem sites. Unfortunately, we did not find the existence of sufficient meeting, memos or summaries of conference calls that performed these functions. AJI responded immediately to the evaluator's observation by regularly scheduling staff meetings for the above purposes.

At the time of the visits, assignment of responsibility for specific sites was underway and has since been completed.

Control charts were up-to-date for Phase I sites only.

Coordination with LEAA. No evidence was found of systematic periodic contact with LEAA staff, nor was there a separate file of AJI/LEAA correspondence. Reportedly most contacts were by phone. Correspondence

between AJI and LEAA was filed in the site folder to which the correspondence referred.

Fiscal Management. The AJI controller reported ongoing coordination of site payments with required accomplishments as reported by site progress reports. He reported that the JO/PDP project director delay request for payment by sites until their expected work is complete.

AJI Leadership. A meeting with AJI's president revealed a broad and innovative perspective as well as an understanding of the projects' operational problems. Specifically, he suggested the development of regional training centers to assist criminal justice systems in working toward jail overcrowding reduction and system coordination. He expressed concern about the disproportionate staff time required for administrative matters, such as negotiating Phase I contracts and budgets. The NPC concept grew, in part, out of concern for adequate coverage of administrative functions.

TA Records. There was no central file of correspondence or records of TA brokered by AJI, or site response to such assistance. This correspondence was filed in the site folders.

TA/Monitoring Role (Phase I). In order to keep a friendly, helping and supportive posture with the Phase I sites (as part of the TA role), AJI sometimes proceeded lightly on the monitoring role, which may have been the cause for the production of less data than expected from Phase I sites. However, there are other explanations for the limited amounts of baseline data being generated by Phase I sites. Often the data simply had not been recorded. Also, several Phase II projects were funded prior to the completion of Phase I data collection. Several sites concentrated on producing manuals and system design rather than data collection. Sites did not routinely clear data collection practices with AJI. Nor did AJI structure data collection (needed structure not possible given the lack of uniformity in the data generation capacities of the Phase I sites). Jurisdictions tended to collect data that appeared to be more program than evaluation oriented.

AJI Funding. AJI staff expressed concern about the inroads into their ability to respond to sites' TA requests as a result of sharply increased travel expenses and an increased proportion of AJI time spent in administrative matters. For example, the original contract did not call for AJI to expend any time commenting on the formal Phase I applications, however, AJI reported spending 6 percent of its resources to this activity; 4.9 percent was originally budgeted for commenting on Phase II applications, while 12 percent was actually expended in this way.

AJI Staff Response to Evaluation. The AJI staff reviewed the evaluator's comments on their structure and functioning and responded with plans for remedying the bulk of the deficiencies that were reported.

Local Projects' Views of AJI

AJI carried out an extensive schedule of visits to sites throughout the country. A time and geographical location graphing of the visits (see Appendix E) suggested that visits tended to be more frequent in AJI's proximity, which is attributable in part to the ease in stopping off at these locations while en route to or from more distant and widely dispersed locations and possibly due to the more proximate sites' greater familiarization with AJI's personnel and services.

In general, the project directors and personnel reported a positive view of AJI. Criticism was rare. Statements such as "their contacts are helpful and timely" predominated. AJI technical personnel were viewed as competent and sensitive to local nuances. The services and materials they provided were of high caliber. When they were not available or otherwise unable to provide TA, they could be relied on to refer the projects to appropriate alternative sources. Thus, from the perspective of the local sites, AJI appeared in the main to be fulfilling the high demands on the NPC role.

However, from an evaluator's point of view, moving among the various projects, additional opportunities for implementing the NPC role became apparent. In many respects, these views represent an evaluation of the original conception of the role and the amount of resources allocated for these activities rather than its present implementation. Specifically, we saw a need for ongoing orientation of local project staffs in the AJI's range of services. When a new project director took over or new personnel were added, they were sometimes not aware of the assistance AJI provided. We saw a need for "mini" cluster meetings, organized around geographical or common problem criteria. Contracts could also include a generous use of telephone conference calls, speaker phones, facsimile transmission or other available communication technology. Contact with projects could be systematized; a biweekly phone call for example. Some projects reported a sense of isolation and the need for reassurance and bench marks against which they could measure their progress. Resources could be available to distribute better examples of data collection forms, coding manuals, flow charts, etc., to all projects. Follow-up of site visits could be systematized to include appropriate feedback and a local project's being left with a sense of closure in regard to the problems covered during the visit.

The result of remaining in a primarily reactive rather than proactive posture in regard to Phase II sites, increases the likelihood that technical assistance will be unevenly distributed, with more of it going to the sites that recognize their needs and are not reluctant to ask for help.

TA Provider's Views of AJI

This section reports the results of interviews with four TA providers. The respondents were uniformly favorable in their evaluation of AJI in their role as a TA broker. They reported AJI's helpfulness in linking up sites with appropriate assistance, in attempting to impress on sites the need for data collection, in helping them analyze their needs, their excellent rapport with the sites and with other TA providers, their quick response to a site with problems, the universal respect accorded AJI's staff and many other positive comments.

Two of the four TA organizations, in addition to reporting very positive observations, volunteered that there was a need for greater sharing of information among sites, such as questionnaire design, a need for clarifying site's expectations of AJI, a need to check back after assistance was provided, the need for a less reactive posture, a need to more clearly inform the inexperienced sites what to ask for and when to ask.

On balance, however, even the TA providers expressing the more critical comments saw AJI as far more positive than negative and believed that the needed changes were well within AJI's capabilities.

Cluster Meetings, Program Information

During the period of the DRI evaluation of Phase I, a cluster meeting was held by AJI in Baltimore, Maryland on June 25-28, 1979, and in Biloxi, Mississippi a Phase II meeting was held by LEAA on March 12 through March 14, 1980.

Phase I Cluster Meeting, Baltimore, Maryland

AJI's stated goals for the initial cluster meeting were:

- Initiate exchange of information and ideas among the sites
- Get site representatives acquainted with staff from LEAA, AJI, and several of the TA provider organizations

- Assist site personnel in determining the specific purposes, planning strategies, and system studies which will comprise their Phase I projects
- Acquaint site personnel with budget constraints, reimbursement policies and procedures, reporting requirements, and other specifics associated with a Phase I project.

Their specific objectives were to:

1. Clarify for site representatives the purpose and nature of a Phase I jail overcrowding project and afford them opportunities to learn about optional ways and means of project execution.
2. Acquaint them with LEAA plans for 1980 Phase II grants and with other LEAA discretionary programs that might be relevant to the problem of jail overcrowding. Enable them to meet LEAA staff concerned with these programs.
3. Acquaint them with sources of information, technical assistance, and training to aid in Phase I planning and in subsequent program development efforts. Enable them to meet staff of AJI, National Institute of Corrections (NIC) Jail Center, Pretrial Services Resources Center, and other organizations which have been participating in the Jail Overcrowding Program.
4. Initiate exchange of information and ideas among the several sites. Also disseminate information about other jurisdictions where particularly effective programs of various sorts are well established. Provide information on 1978 Phase I sites, especially on instances of good planning approaches and techniques.
5. Review, through lecture, advance reading materials and group discussions on subjects of criminal justice planning, information requirements for planning and evaluating jail population control strategies, pretrial detention alternative and post-conviction options, case decision making options, and the central intake concept.

Evaluation. The cluster meeting agenda was very useful and accomplished the objectives of interesting participants in the implementation of a planning process and identified by example the steps required to develop planning and assessment information. The planning presentations were particularly successful in acting as a catalyst for site representatives to think in terms of problem definition. Most of the AJI and resource people were very effective in establishing themselves as "experts." The use of anecdotal

information from ongoing jail overcrowding projects was used effectively to substantiate their credentials.

There were a few mechanical procedures that probably would have enhanced the impact of the conference. DRI developed a checklist that might be useful for subsequent meetings (Appendix F). It is our experience that attention to the details covered by the checklist is worthwhile in terms of seminar effectiveness.

Phase II Cluster Meeting, Biloxi, Mississippi

DRI's evaluation of the LEAA-sponsored cluster meeting reported that the general tone of the meeting was positive and discussions were constructive. Participants with whom DRI personnel interacted indicated that they enjoyed the opportunity to provide information about their projects and they were observed to be listening attentively to presentations from other sites. From the number and kind of questions asked and the conscientious responses given, participants demonstrated an eagerness to give and receive information. One of the more useful outcomes observed from this exchange was a new awareness among several project people from the more conservative sites about what it was possible to do in terms of speed of release and administrative prerogatives in other jurisdictions. Exposure to innovative programs prompted the kind of personal reactions that could lead to a transfer of methodology.

The co-location of the Gulfport Phase II project conference with the cluster meeting had both advantages and disadvantages. The obvious advantage had to do with the economy of double purpose travel for several of the participants; the disadvantage was the relatively brief period of time that TA providers could be present at the Jail Overcrowding Conference, a disappointment expressed by several site personnel.

Although the presentations were all very good and very well received, there was some background information that was generally either missing or difficult to process during the presentation. A suggestion for future meetings that might enhance the quality of the information exchanged would be a one-page handout from each project that graphically shows the criminal justice process and the location and component parts of the project within the local system.

There are also a number of special topics reflecting potential problem areas for most sites that could productively be the subjects of "mini" conferences or independent sessions among Phase II participants, such as:

- Case flow management

- Pretrial release issues

- a. misdemeanor PTR
- b. felony PTR
- c. high risk felony PTR

- Point scale development and validation

- FTA rates and methods for calculating

- Predicting dangerousness

- Committed prisoners held waiting transfer to state prison due to overcrowding and court ordered population limits

- Management Information System development--JIS

- Management Information System development--manual

- Evaluation design

Finally, given the extent of turnover of local site personnel, it would have been useful to provide, at each cluster conference, a basic orientation to the Jail Overcrowding Program, to AJI's role and those of the various TA providers. Such orientation could be made available either to the relatively small group that needs it, or as an optional session for all attendees.

However, given the limited time available for meetings like these and their infrequency, the free exchange of site information was probably the best agenda choice for enlightening and stimulating all participants. The issues and problems of implementing and managing the jail overcrowding projects were discussed within the context of ongoing programs, giving the topics more relevance and meaning than might a more formal problem-oriented symposium. The day to day concerns of project directors such as building rapport between the pretrial units and the judiciary were readily understood and appreciated by this audience. The exchange of anecdotal information to which they could relate was not only informative but was observed to be very reassuring to many of the site people at the conference.

National Impact and Dissemination

The Jail Overcrowding Program, as a programmatic approach to a social problem, presents opportunities for two types of national impact. First, given the concurrent operation of the projects at over 40 sites, the potential for national impact is present in the process of sharing problems,

products, and achievements among the sites and with other interested sites and groups not involved in LEAA's Jail Overcrowding Program at this time. A brief newsletter, regular duplication and dissemination nationally by the NPC of forms, systems, policy statements, selected reports, etc., have the potential of saving time and effort for some of the current projects and perhaps whetting the appetites of the onlooker sites for undertaking their own programs.

A second opportunity lies in pulling together a report of the program in sufficient specificity to enable some future parallel effort to build on the accomplishments of the present program and to avoid the pitfalls that a new program inevitably encounters. It would be useful to have a history of the program and its antecedents prepared by the National Program Coordinator. We also recommend the development of a step-by-step guidebook for replicating sites. DRI has proposed such a guidebook and discussion with AJI reveals that they have proposed a parallel effort. One of the more sophisticated project directors at a well-managed site could be involved with the evaluators and the program coordinators in the development of a truly utilitarian manual for sites with varying levels of initial commitment and resources. Additionally, making available products of this Jail Overcrowding Program (release criteria, automatic bond schedules, data collection instruments, computer software, etc.) would have the potential of encouraging a desirable kind of national standardization voluntarily arrived at in response to locally perceived needs.

Other opportunities exist through the cross fertilization capability of the technical assistance providers who have an opportunity to transfer innovative programs, and through seminars and conferences to provide the arena through which program participants can disseminate their achievements to a group of peers.

During the first few months of this evaluation as we talked to people at the various project sites, we heard them express a sense of isolation. They were not sure about what other programs are doing or if they themselves are going about their work in the best way. And, in response to direct questioning from us, we saw only modest signs of information exchange among projects or between JO/PDP projects (even those in the same state) and other jurisdictions. All of this occurred despite the excellent technical assistance available to the projects and the large number of professional organizations to which various project staff belong. Time and cluster meetings relieved some of this sense of isolation. Previous research has shown that dissemination of findings (beyond program participants) will be substantially affected by the development of interest among the target group during project operation, and we recommend that program monitors and coordinators encourage the use of the potential outlets for dissemination. Proposed travel budgets are, in general, fairly modest, and frequently,

project staff do not have access to additional travel funds. Attendance at regional and national symposia and the presentation of papers should be encouraged.

Project monitors at LEAA maintained a particularly attractive management and information tool called Site Profiles that requires some comment. Periodically computer print-outs with information about each of the grantees on the program were distributed to all project participants. These print-outs included updated project management information (e.g., changes in project termination date, changes in local project directors) and other relevant data including related concurrent site activities. A revision of the format provided for the inclusion of basic descriptive data on the jail population as well. Occasionally there were problems caused by the inclusion of unrevised information, but for the most part, the site profile was a welcomed information device. The evaluation was particularly impressed to see the format of the report evolving with information suggested by its use from the recipients.

CHAPTER V. CONCLUSIONS, COMPARISONS, AND RECOMMENDATIONS

Although most of the projects evaluated during the period covered by this report are not yet completed, there is substantial evidence that the Phase I and Phase II projects of the JO/PD program have had some impact in reducing the number of persons detained before trial and toward reducing the average length of stay prior to pretrial release. Beyond this direct impact on pretrial detainees, the program provided a focus for coordinated criminal justice decision making, suggesting that the program has generated some lasting benefits. The following presentation of program conclusions is organized around the research questions posed in the evaluation solicitation and in the DRI evaluation design. In some instances the questions are broadened to provide the opportunity to present additional relevant information developed in the course of performing the evaluation.

This chapter also presents a comparative study of the projects. Included are: individual program emphases, management processes and a discussion of the criminal justice climate in which each was operating with an analysis of the relationships between each of these program "inputs" and the outcomes observed.

The final section of this report presents both technical- and management-related recommendations for the project and for the Jail Overcrowding Program.

Conclusions

A list of the nine questions formulated to direct the evaluation efforts are shown in Table 4. These questions are ordered according to LEAA priority. The research questions are aimed, first of all, at determining the effectiveness of the projects in attaining the immediate objectives of the program, i.e., reductions in jail population and pretrial detention (Question 1) and then in examining processes and activities that facilitated or impeded the attainment of those objectives (Questions 2-5). Questions 6-9 address the important second order effects of the program that have implications for longer-term program consequences. These questions focus on both positive and negative impacts of program operation. Most of the evaluation resources were expended in addressing Questions 1 and 2.

TABLE 4
RESEARCH QUESTIONS

1. What was the impact of the Jail Overcrowding Program on the jail population, on pretrial detention?
2. How effectively has the National Program Coordinator supported the Phase I and Phase II grantees and the LEAA?
3. How effective were the Phase I planning grants?
4. What project activities were planned, which were implemented, and which were effective?
5. What other alternatives are feasible?
6. What has been the impact of the program on costs?
7. What, if any, has been the effect on case conclusion?
8. What has been the impact on law enforcement/criminal justice officials and other involved parties?
9. What has been the impact on the community and on community willingness to tolerate risk?

1. What was the impact on jail population?

The seriousness of the jail population problem varied widely among the nine Phase II and eight Phase I projects in the sample. Average daily populations varied from well under jail capacity to almost double the rated capacity. All of the sites were engaged in some litigation to establish standards, improve conditions, and/or reduce overcrowding. While a comparison of ADP and jail capacity figures is an important measure of crowding, this comparison does not reveal the whole situation. Among the most frequently mentioned factors contributing to overcrowding in those jurisdictions where ADP and rated capacity compared favorably were segregational constraints on secured housing. The need to segregate inmates by sex, by charge (misdemeanor and felony), by status (pretrial and postconviction) and by locally determined classification categories contributed substantially to the need for larger or at least more flexible facilities.

Jail population data. Table 5, "Selected Summary Statistics," presents a summary of impact data related to observed changes in the jail population to date. The average daily population increased at six of the nine sampled projects, stayed virtually the same at two, and decreased in only one. The percentage of the jail population that is pretrial has been reduced in four of the five sites from which data were available, and remained the same in the fifth site. Bookings have increased in every site except San Francisco, where the emphasis of the program was on diversion of inebriates.

An assumption of the JO/PO program was that the management and reduction of the pretrial population would control and reduce jail overcrowding as measured by ADP. However, average daily population in the jails has not been observed to decrease as a function of this program. It appears now that any expectations that it might lead to reduction in ADP may have been unfounded for the following reasons:

1. Most jurisdictions are experiencing an increase in reported crime, an increase in numbers of arrests and bookings, and an increase in the quality of arrests, i.e., the percentage of arrests that are ultimately accepted for prosecution. Further, jurisdictions report that as crime rates rise and jails become more crowded, the police exercise greater discretion in the kinds of arrests made, and serious felony bookings were seen to increase at an even faster rate than others, reducing the pool of persons most eligible for release, thus keeping the jail population stable and, in some cases, increasing it in spite of program activities.

2. Most of the program participants were motivated primarily to develop and implement release alternatives and management procedures that would reduce their pretrial population because of their concerns about

TABLE 5

SELECTED SUMMARY STATISTICS

Site	Jail Capacity	ADP Pre	ADP Post	% Pretrial Pre	% Pretrial Post	Cost Per Day*	# Bookings Pre	# Bookings Post	Average Pre	LOS Post	Jail Days Saved By Program	FTA/Rearrest Data	Jail Status/Court Order
Atlantic Co., NJ	172	141	171 7/80	54%	60.6% 8/80	\$35	1901/yr	867 4/80-9/80 2081/yr	10.9 days	11.5 days	365 releases @ 8-10 days each (138 nonmonetary releases) 2920-3560 days, 4/8-9/30/80	4.8% FTA 11.3% Rearrest	Court order to reduce crowding.
Dade Co., FL	1719 Tot 733 Main Jail	725 Jail	910 Jail	63%		\$25.32	61,520 (1978)		6.3 pre-trial 9.5 (all)		458 project releases @ 2-8 days (10/79-5/80) 916-3664 days	3.6% Felony 10.7% Misd. 6-8/80	Suits regarding inmate treatment, safety and recreation. Court order to reduce crowding.
Delaware	1253 Tot 600 DCC	1057 Tot 648 (DCC)	1381 (6/80)	17%	17% (est)	\$10-\$12			0-9 days pretrial				Court order to reduce crowding and improve conditions.
Jefferson Co., KY	629	596	650	80%	80% (est)	\$23.60	32,092 (7/78-6/79)	16,418 Q1 Q2 (6 mos) 1980	6.6	4.0 (9/80)	14,345 days (through 8/31/80)	Supervised Release 8.2% FTA 15.7% Rearrest Misd. Probation 3.2% FTA 10.9% Rearrest	Suit regarding inmate health care.
King Co., WA	500	755	986 4/80	49%	35% 6/80	\$25.25	7570 Q1 1979	8138 Q1 1980	9.3 days	7.1 days	17,059 to 4/30/80 ~25,000/yr.	3% FTA 12% Rearrest 21% Noncompliance	Signed consent decree to reduce jail population.
Multnomah Co., OR	568 (set by County executive order 5/79)	~630	560	46%			22,731 1978	25,995 1979	10.1 (all)			4.8% FTA 4/79-12/79	Suit regarding jail conditions and treatment of inmates.
Orleans Parish, LA	1168 (3) 450 OPP	1700 1000 OPP	1851 (1-10/80)	60%	30% 7/80	\$22.40	10,000+ 1978	~1,000/month 12,000/year	42.4 (all)		871 released est. 40,090 days saved Q1 Q2 Q3 '80	2.5% FTA 2.1% Rearrest	Court order to reduce JO suit on inmate rights and living conditions.
San Francisco, CA	1518 460 CJ #1	1043		94%	94% 7/80	\$23.08	24,079 Q1 Q2 1979	21,768 Q1 Q2 1980	2.52				Suit on inmate rights.
Santa Cruz, CA	118	(127) with transfers 120	(130) 118 3/80	82%	78% 8/80	\$31 (per transported inmate)	8,628 1978	9,741 1979	66.8% (released within 24 hours) 8/80	75%	1968 client days of residential treatment	FTA 17.6% (78) 9.4% (79) 5.7% (1-6/80)	Court order to improve jail conditions.

*Total estimated per inmate cost

overcrowding and the law suits, court orders, and threats of court actions that resulted. However, few jurisdictions were primarily motivated to reduce the incidence of incarceration beyond what was necessary for compliance. Their sights, therefore, were set fairly low and for the most part as pretrial jail space was cleared, that space was filled with other inmates.

Pretrial length of stay. A large percentage of the pretrial population is ultimately released before trial, and reducing their length of stay prior to release can be an important factor in controlling jail overcrowding, i.e., saving even one day for each releasee could mean a significant savings of jail days per year. As a result of their Phase I planning efforts, several projects identified efficient case processing as a focus for their implementation projects. Pretrial length of stay among those who are ultimately released by the program was observed to decrease 17 percent at the two 1978 projects nearing completion. Efforts to reduce LOS in several of the other sites through larger and more efficient pretrial release units and increased release authority make it reasonable to assume that there will be additional reductions reported. (Project directors uniformly report such expectations but data have been slow to develop.) In Jefferson County, Kentucky, where average LOS was beginning to show a reduction, recent project management difficulties have resulted in a case processing backlog and a subsequent reversal of progress.

Jail days saved. Information distilled from each of the projects to estimate the actual number of jail days saved thus far by the program results in a conservative DRI estimate of 27,000 days as compared with a more optimistic estimate of 80,000 days from the projects. The large difference between these numbers is due to differences in estimating:

1. The population directly affected by program activities. DRI has attempted to exclude the effects of all pre-existing release programs, and
2. The number of days each person would have been in jail prior to release or case disposition if the JO/PD program had not been in operation.

The estimated savings of 27,000 days for the six projects on which data are available for estimation is particularly impressive since all data are reported prior to August 1980, when four of the six projects had barely become fully operational.

Pretrial population data. Aggregated information on program jail populations is not emphasized in this analysis because of the idiosyncratic nature of each jail situation, the criminal justice environment, and the individual programs proposed to address local problems. The single data

element selected for comparison was pretrial ADP. Figure 2 shows comparative data for this variable for five of the nine projects. The pretrial population has decreased in spite of increases in arrests and bookings and an overall increase in total population. Figures 3 through 7 provide relevant profile data on five of the nine sites so that pre- and postimplementation jail population changes can be interpreted within the context of related information.

Comparison with data from nonparticipating sites. In an effort to isolate the impact of this program from other attempts to control this pervasive national problem, a sample of 16 sites that were not among the JO/PDP jurisdictions was surveyed. A list of the jurisdictions and a copy of a sample survey letter is shown in Appendix G. Most of the sites (11) attempted to cooperate in the survey but only five could supply complete or nearly complete information. The results of this survey are shown in Table 6 where it can be seen that compared with program sites, the comparison sites showed an approximately equal increase in bookings, a 15 percent increase in ADP, a reduction in pretrial population but not as much as among the JO/PDP sites, and a slight decrease in average pretrial LOS. Further, the reported FTA, rearrest, and noncompliance rates among the comparison sites was higher, indicating a less well controlled approach to the jail overcrowding problem. Although the data are more suggestive than conclusive because of the unscientific sample and the relatively few sites reporting, the jail overcrowding projects are probably doing relatively even better than the data indicate since the response bias among the comparison sites may have been skewed toward the more active sites with better information capabilities. Finally, the demonstration sites have the further advantage of being in a situation in which their programs are being examined by boards and commissions set up for that purpose, are self-monitored and are learning from their current experiences. For these reasons, we would expect future data collection from both samples to show even more dramatic differences favoring project sites. However, if this program has its intended national impact, in time the non-JO/PDP projects will benefit also from the information generated at the funded sites.

One of the most important results to report vis-a-vis jail overcrowding is that in spite of increases in reported crime, increases in arrests and bookings, and increases in the incidence of serious crimes, most of the projects have been able to remain in compliance with court orders and have been able to limit or reduce the planned construction of new facilities.

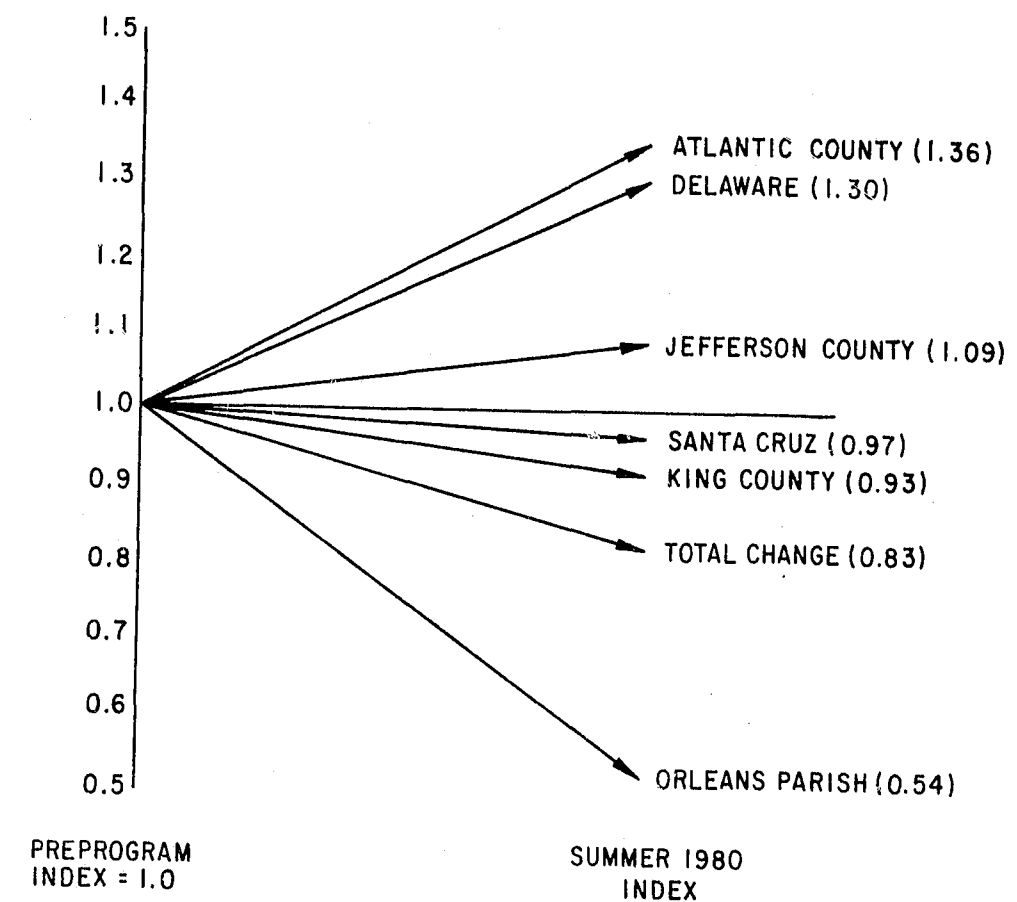
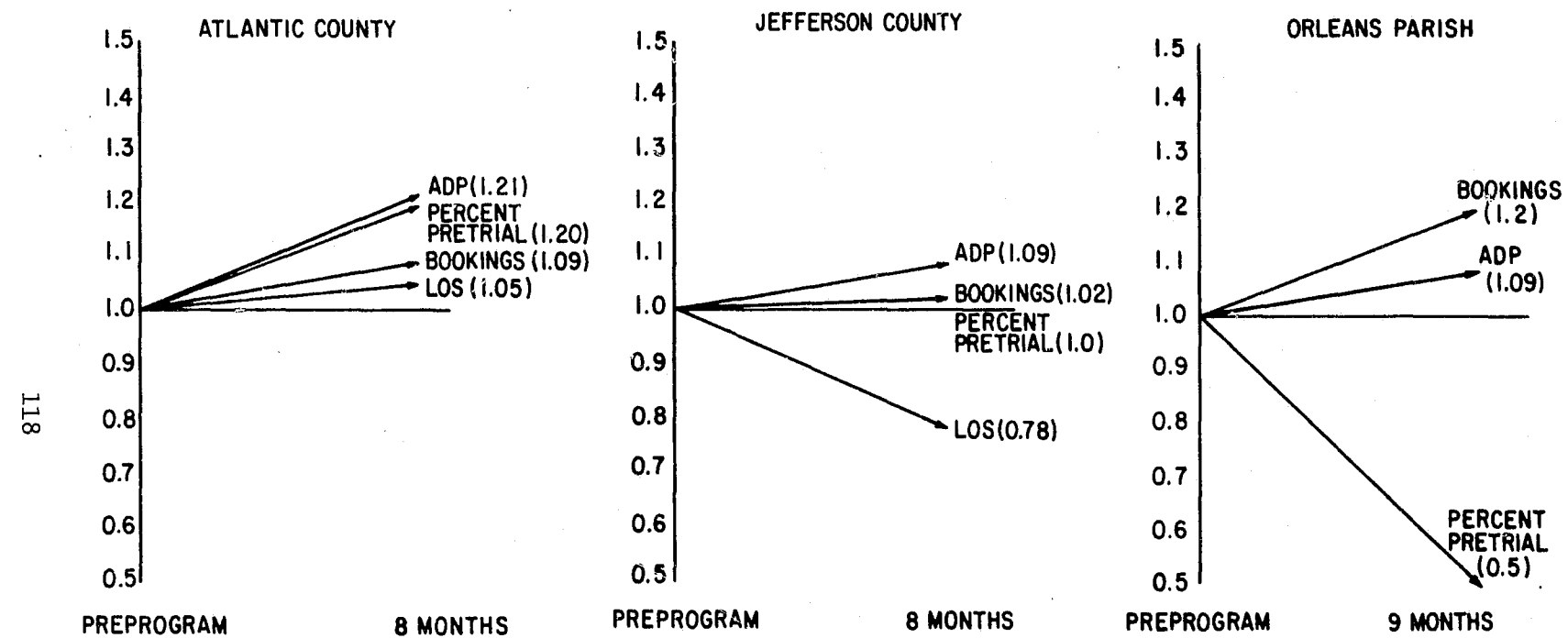
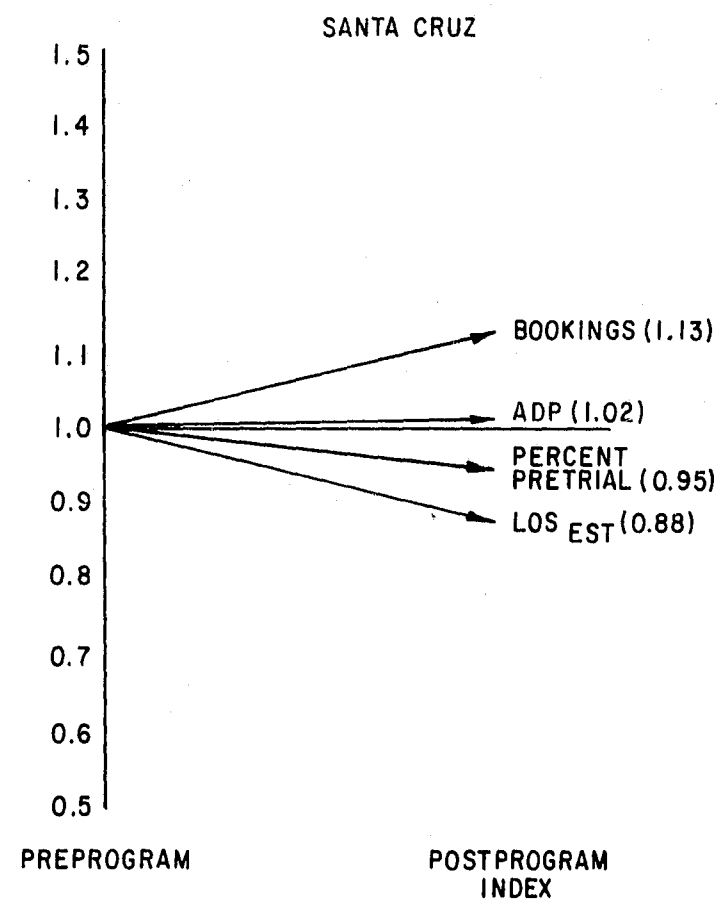
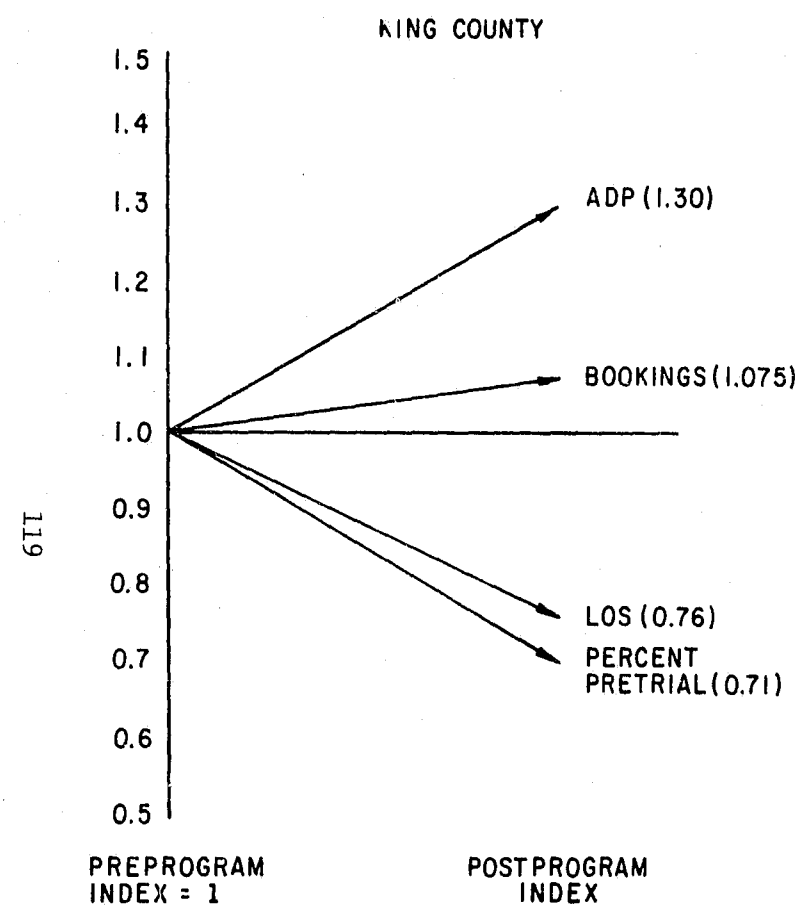


FIGURE 2
PRETRIAL POPULATION CHANGE INDICES AT SIX SITES



FIGURES 3, 4, & 5
IMPACT PROFILES (INTERIM CHANGE INDICES)



FIGURES 6 & 7
IMPACT PROFILES (CHANGE INDICES)

TABLE 6

COMPARISON OF PROGRAM
AND NONPROGRAM SITES ON FIVE MEASURES

	PERCENT CHANGE - PRE- TO POST PERIOD*				CURRENT REPORTED RATES	
	BOOKINGS	ADP	PERCENT PRETRIAL ADP	PRETRIAL LOS	FTA	REARREST
JO/PDP SITES	9.0% increase	16% increase	17% decrease	13.2% decrease	5.16	10.4
COMPARISON SITES	7.6% increase	20% increase	8% decrease	5.1% decrease	7.80	12.2

*Premeasures: Fall 1978 to Spring 1979
Postmeasures: Spring - Summer 1980

2. How effectively has the National Program Coordinator supported the Phase I contractors, the Phase II grantees and the LEAA?

As the National Program Coordinator, the American Justice Institute was faced with a large and complex task, requiring varying abilities including financial management skills, personnel management and training skills, political and negotiating skills, expertise in automated systems, data collection and analysis, and an intimate knowledge of the criminal justice system in general and the problems associated with jail overcrowding in particular. Further, the organization was called on to provide this assistance in a timely fashion to a geographically dispersed set of projects with unique problems and needs. The American Justice Institute has discharged most of these responsibilities very well, but not without some problems generated for the most part not by their own inadequacies, but by the occasional inconsistent demands inherent in the program coordinator concept. Specifically, we list the following strengths and weaknesses of both the NPC concept and the AJI implementation of that role.

Strengths. AJI was to supply guidance and leadership to the Phase I grantees in the areas of planning, problem analysis and implementation strategy, and to supply or, where more appropriate, broker technical assistance. They were seen to be strongest in the delivery of leadership and encouragement to the Phase I sites, particularly during the early stages of the program. They responded quickly to requests for technical assistance and they provided or matched the Phase I sites with the planning and analysis skills needed at a time when considerable insight and support were required for establishing and negotiating advisory board compositions, judicial endorsements and financial commitments for matching funds from the local governments.

Their technical advice to the Phase II sites was tempered with a good sense of the political and operational issues. Project directors and personnel reported a positive view of AJI assistance. When they were not available or otherwise unable to provide TA, AJI could be relied on to refer the projects to appropriate alternative sources. Perhaps their strongest endorsement comes from what they did not do--in no instance were they a disruptive influence nor did they handle problems in a destructive way. This open, helpful and supportive posture was observed under two different project directors. The NPC concept presents the opportunity for conflict through the introduction of a third party in the traditional program monitor/grantee relationship. It is to the credit of all the participants that conflict was held to an absolute minimum.

AJI was equally open and committed to the program in their dealings with DRI. They responded positively to DRI recommendations and as

administrative, TA, or monitoring needs were identified, AJI instituted the mechanisms to meet them.

In supporting LEAA, the NPC managed the subcontracting responsibilities and relieved LEAA of the administrative burden of Phase I monitoring.

Weaknesses. It is not difficult for any professional evaluation group to review the work of another institution or even its own and find opportunities for improvement. It would be a very rare case indeed to find it otherwise. This identification of weaknesses is proceeded therefore by DRI's general endorsement of the NPC concept and our repeated recognition of an excellent job by AJI in fulfilling the many demands of that role.

Although technical assistance for all the sites was available from AJI and the other TA providers, it was not always evenly supplied. Sometimes this was appropriate because of differing needs among the sites but occasionally it may have been because of other factors: geographic location and the personalities of the project directors, their knowledge of AJI's capabilities and their willingness to ask for help. DRI noted a need for more internal (AJI) communication about projects. We saw a shift to more management structure during the project period. In carrying out its assigned roles as both monitor and TA provider for the Phase I sites, AJI chose, perhaps wisely, to emphasize the TA role with its attendant requirements for support and encouragement. However, this may have contributed to insufficient data collection and some laxity in meeting contractual deliverables on the part of the projects.

We saw a need for more contact with some of the Phase II projects. The further away from Sacramento, the less contact there was between AJI and the projects. Cluster meetings were held infrequently and because of personnel turnover at the sites, we met with two project directors who, after several months on the job, were still unaware of AJI's role in Phase II of the program. Some projects reported that they would have liked a little more closure after AJI visits with more information on AJI's recommendations for the site. The program has not yet developed good dissemination channels either internally within the program or with jurisdictions outside the JO/PDP network.

In functioning as an extension of LEAA, there appeared to be a need for more communication with LEAA in order to develop more agreement on policy and the sharing of responsibilities when required.

Summary. While the NPC model is not without limitations, in particular the opportunity for loss of control by LEAA, on balance the NPC structure appears to be relatively economical and efficient while encouraging

flexibility, innovation and diversity among the local projects as well as accountability and continuity of coordination. The characteristics of the management model matched the demands of the problem for which it was designed.

In addition to fulfilling the contractual demands of the NPC, AJI provided encouragement, leadership, and perspective for the sites and much of the credit for the success of this program to establish a coordinated approach to analyzing and mitigating the problems of overcrowded jails and overreliance on money bail can be given to AJI's conscientious and capable performance. The recommendation section of this report presents concrete suggestions for removing the weaknesses identified.

3. How effective were the Phase I planning grants?

Fundamental to the philosophy of the LEAA program on jail overcrowding was a funding mechanism to provide separately for planning and implementation. The purpose of the planning grant was not only to document that jail overcrowding did exist, but to identify the components of the overcrowding problem and to develop an understanding of how the elements of the criminal justice system can function to alleviate the problem.

All of the Phase I projects formed coordinating committees. Attempts were made to include on these committees representatives from all or most of the criminal justice agencies associated with the jail. However, the role played by each committee in project administration varied among sites. While some took an active role in directing the project staff, determining issues to be studied and data to be collected, other committees served as passive advisors. The formation of these committees served to focus criminal justice attention on the problems of jail overcrowding and pretrial detention and to upgrade their awareness of the various release options available or under consideration in other jurisdictions. All projects reported receiving good cooperation from the other criminal justice agencies in their locality. They had no trouble securing local match money, and all sites reported spending their funds on data collection, research, and planning.

Jail populations changed little during Phase I funding for most of the sites studied. Only one site was willing to attribute a noticeable decline in ADP to Phase I operations. Others felt some stabilization had occurred, but could not be sure of the cause without further data analysis. The objective of the Phase I program, however, was to establish a better understanding of each project's situation rather than directly impact on jail populations. The sites unanimously reported success in meeting that objective. In fact, one of the most important products of these planning projects was the development of collection methods for reliable baseline data. This information is critical

for both an understanding of the existing system and any future evaluation of changes that are implemented.

Two of the Phase I projects determined from the analysis of their problems that they had exhausted most other options and that construction of new jail facilities was essential and a first priority. Our evaluation concluded, however, that although it was likely there would be continued overcrowding, in both cases there was an opportunity for some relief through more efficient case processing, greater use of citations, and more coordination with state corrections.

The most striking feature of the terminal Phase I sites is that although their LEAA funding has expired, the projects are all still operating. They have discovered local or federal sources of money to allow work on Phase I problems to continue. The problems being addressed and the programs being implemented at these sites are not as large as they would have been with LEAA Phase II funding, but work continues on them nonetheless. In general, projects are focusing on policy and procedural changes while de-emphasizing costly MIS requirements. It was generally felt that failure to receive Phase II support would severely curtail and delay any efforts toward major jail population reduction. Although policy and procedural changes would be implemented without further funds, their impact in the absence of an organized and comprehensive program is uncertain.

The importance of good planning to achieve successful implementation is well recognized and clearly evident in the Jail Overcrowding Program. However, it appears that a lack of continuity in staffing, particularly between the planning and implementation phases, may hinder the success of the program at some time. Continuity of staffing is especially important at key administrative positions such as project director. We have observed it not to be unusual for the project director of the implementation phase to be someone newly hired and not involved with the planning effort. Sometimes hiring a new project director can introduce considerable delays in initiating programmatic changes. It is also unlikely that a new person can quickly develop a broad perspective of the system and its problems. Frequently, files are misplaced, data are overlooked, and contacts are lost.

Occasionally, the Phase I projects used the services of consultants in major project roles. Although there is nothing intrinsically wrong with this approach (and occasionally it is the most efficient way to get expert assistance), there is a need to plan for the most beneficial use of consultants and to provide for documentation of consultant recommendations. Without this provision, information exchanged verbally between consultants and a local staff person can be lost or misinterpreted when staff changes or turnovers occur.

It seems clear from the amount of activity generated by the planning grants (all in the neighborhood of \$20,000), that the sites expended much more toward the analysis of the jail overcrowding problem and a plan for addressing those problems than either the federal funds or the local match provided for. In terms of relative benefits from federal funds, the Phase I sites were clearly cost effective. However, the extent to which they were motivated by the anticipation of Phase II funding is not certain. It will be important to examine 1980 Phase I projects, for which there is only slim hope of Phase II follow-on funding, to determine if these planning grants are equally effective in developing cooperation and establishing policies and procedures to reduce pretrial detention.

4-5. What project activities were planned, which were implemented, which were effective and what other alternatives are feasible?

From the outset, all of the sites had at least some pretrial release mechanisms available. Some relied on traditional methods of bail and ROR, while others used a full complement of incarceration alternatives that ranged from 10 percent bail and weekend sentencing to a video appearance system for probable cause hearings. For many, however, it appeared that the lack of an organized pretrial policy or program hampered the effective utilization of the available options.

Citation release. Most projects explored the use of various citation options as alternatives to arrest and hold procedures because citations were seen as a relatively quick, easy, and inexpensive way to keep people out of the intake process and out of jail. Several projects proposed that project activities would include promoting the use of citations in lieu of arrest. Most jurisdictions already had this option. Once the projects were initiated, however, it became evident that there was little the project staff felt they could do to implement a citation policy. They can recommend that police issue citations in certain instances and they can monitor citation use, but the decision to issue a citation lies with the arresting officer and with police policy. Since the issuance of citations is outside of direct project control, it is an area where little project time, money, or energy is spent. Of the nine Phase II projects, less than one-third appear to be concerning themselves with the use of citations as an incarceration alternative, and these have been able to effect little change in the citation issuing policies or practices of police or sheriff's departments. Multnomah County and San Francisco were the two projects in the sample where the use of citations was successful. Arresting officers are required to use citations for misdemeanors as the rule. When they deem custody as necessary, they must provide a written explanation. Although the use of citations is an attractive means of reducing jail population, new projects should be cautioned against overreliance on this method. Any project considering this option should look long and hard at the

existing citation policy, at the political feasibility and acceptability of citation release, and at the willingness of law enforcement agencies to cooperate. The composition and role of the Advisory Board may also influence this decision.

Detention of public inebriates. Nearly all of the Phase II projects have allocated some effort toward dealing with the special problems posed by inebriated detainees. These include: establishing detoxification centers, improving and expanding existing programs, or simply monitoring alcohol-related jail admissions. Yet, despite this agreement that alcoholics and alcohol abuse are a major concern, the policies proposed to deal with the problem do not appear to be uniformly relieving the problems of jail overcrowding. Clearly, the motivation of criminal justice personnel charged with implementing these policies will be an important determinant of program success.

Criminal justice personnel report that alcohol detentions simply waste time, and that jail is an ineffective way of dealing with public inebriates. For them, any procedure that allows for speedy handling in the short-term (e.g., direct transportation to a detoxification center) or effective rehabilitation in the long-term (e.g., diversion to treatment) will be supported. It has been suggested that such programs will especially enhance the morale of police officers who will be freed for what they perceive to be more important duties.

Others feel that the criminal nature of the offense must be maintained and are generally opposed to the more liberal approaches such as decriminalization and diversion in lieu of prosecution. Some are even opposed to utilizing detoxification centers if corrections personnel are not represented on the staff. In some jurisdictions, inmates are being held as long as 30 to 60 days on charges of public drunkenness. Finally, it seems that there may be some unwillingness on the part of detoxification center personnel to accept clients who are argumentative or whom they regard as unlikely to "reform." These behaviors may result in substantial impacts in jurisdictions where public intoxication has been decriminalized, since the only remaining alternatives are release or the filing of charges.

Since so many of the sites have jail overcrowding problems that are negatively impacted by the large number of detentions of inebriates (pretrial and sentenced), the issue of alcohol-related jail admissions is a high impact program issue. The San Francisco project has had some success with this problem. Arrests of public inebriates dropped 19 percent and the number of bookings for public inebriation decreased by 48 percent in the spring of 1980 compared with the same period in 1979. The methods employed by this project could prove useful in other jurisdictions where a serious problem exists.

Management information systems. The majority of Phase II sites are engaged to some degree in improving the information processing and management capabilities of their jails or of larger segments of the criminal justice system. Most sites are trying to develop some form of a jail information system to provide better tracking and analysis of the jail population.

The data systems currently operating at these sites share a common weakness--the inability to produce summary data. These data systems generally have the capacity to produce inmate rosters, daily booking logs, daily release records, method of release, and information on each individual inmate (such as age, sex, race, number of prior arrests and convictions, current charges, court status, address, employment status and more). In essence, the jailers have the data they need for the day-to-day operations of the jail, but they lack the capacity to produce an overview and to analyze the data they possess. Analysis of any jail population data would require a hand count, from the inmate roster, of each individual value of every variable being studied.

To eliminate some of the limitations of their data systems and to improve their data analysis capabilities, personnel at these sites are seeking the resources and approval for:

1. Replacing manual tracking with computerized systems.
2. Trying to equip new or existing computers with the ability to summarize data.
3. Attempting to build new data elements into the system to make analysis more meaningful (variables such as rearrests, failures-to-appear, case disposition, participation in various release programs, number of arrests, number of citations, etc.).
4. Developing flagging systems to bring to the attention of the jail staff those people whose progress through the system is inordinately slow.

These efforts are meeting with varying degrees of success depending on the jurisdictions in which the changes are being made, the attitudes of those affected, and the degree to which criminal justice personnel are supportive of the proposed changes.

In developing an MIS or JIS system, some of the problems experienced by our sample sites are:

• The general resistance to change that exists in any system.

• Teaching people how to use and get the most benefit out of a computer.

• The tendency of jail personnel to be more concerned with booking and handling an inmate than in record keeping.

• Access to relevant data.

• Identifying the expertise needed for setting up and debugging a new computer system.

• Transforming written records into a form that can be entered into a computer.

• The time needed to computerize back data while continuing to collect current data.

• Competition with other worthwhile activities for scarce resources.

Although the development of management information systems was a stated objective of many of the projects, few sites were able to implement the proposed development of automated management information systems without the assistance of additional funding and technical support. This support was available through LEAA's Jail Information System program which was also coordinated by AJI.

Release options. Among the sampled sites, the release options for felons (ROR, bail, third party release, release to detox centers, supervised release, etc.) that are influenced by project activities vary widely. In some sites, project personnel are in contact with a defendant at an early point and project activities (interviewing, investigating, verifying and reporting information) influence all types of release decisions from ROR to full cash bail. In Delaware, no one is released before a preliminary hearing. PTR interviews must be conducted and a report made before the preliminary hearing; consequently, the judge can use the PTR report to help set bail, to grant ROR, or to exercise any other release or detention option.

Generally, however, the most common release option is supervised release (used in Atlantic County, Dade County, and King County). In most jurisdictions, ROR, detox, and other pretrial release programs predate the JO/PDP. These other programs have exhausted a number of release options. For a detailed list of alternatives to pretrial detention (including diversion activities) operating at the sampled sites, see Table 7. For a full discussion of release alternatives, see Appendix C. Frequently, detainees are not

TABLE 7. ALTERNATIVES TO PRETRIAL DETENTION IN USE

	Project	Summons or	Field Citation	Release	Drug Release	Detox Release	(or Diversion)	Situational Release	(or Diversion)	Misd. ROR	Felony ROR	Monitored or	3rd Party Release	Unsecured Release	Private Bail	10% Bail	Work Release	Citizen Dispute	Resolution	Notes and Misc.
		Stationhouse	Release	Release	Release	Release	Release	Release	Release	Release	Release	Release	Release	Release	Release	Release	Release	Release	Release	
1978 Phase I	Anoka	✓	✓		✓		✓	✓	✓	✓	✓	✓		✓			✓			
	Duval	✓	✓	✓	✓		✓	✓	✓					✓						
	Genessee			✓			✓		✓		✓			✓	✓		✓			
1979 Phase I	Boulder	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓		✓						
	Las Vegas	✓	✓	✓	✓									✓						Expediting probable cause hearing via video system
	Milwaukee	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓					
	Orlando	✓	✓	✓	✓	✓				✓				✓	✓		✓			
	Trenton	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓			
1978 Phase II	Santa Cruz	✓	✓	✓	✓		✓	✓	✓	✓	✓			✓	P					
	Seattle	✓	✓	✓	✓		✓	✓	✓	✓	✓			✓	✓	✓				
1979 Phase II	Atlantic	✓					✓	✓	✓					✓	✓					
	Dade	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓			✓			Domestic Violence Unit, Dollar Bond, Credit Card Release
	Delaware	✓		✓	✓		✓	✓					✓	✓	✓					
	Louisville			✓	✓	✓	✓	✓	✓					✓						Bailbondsmen outlawed
	New Orleans						✓	✓	✓	✓				✓						
	Portland	✓		✓	✓		✓	✓			✓					✓				
	San Francisco	✓	✓		✓	✓	✓	✓						✓						Community Board Program

referred to the JO/PDP for release assessment until they have failed to qualify for release under other programs (this is the case in Jefferson County, King County and New Orleans). Being last in line for referrals often results in the jail overcrowding projects receiving more serious offenders who are likely to pose higher release risks than those detainees released through other programs.

Release criteria. Criteria for release of pretrial detainees who cannot post financial bond but who are not disqualified on other grounds provided by law vary from site to site. Most sites are using some variation of a nationally accepted guideline, such as the Vera Institute's point system. Almost all the sites expressed some desire to test and validate the criteria in use based on their local experience. Although the information used during the pretrial release interview is generally related to some combination of charge, previous record, and to stability factors, we have found that investigation (information validation) resources and investigation practices differ from site to site, so that it is not always possible to reliably correlate criteria and release status (degree of supervision or contact) with FTA revocation and rearrest experiences.

Release prerogatives. Pretrial release units can investigate and submit written or verbal reports to the court, can make release recommendations to the court, or can have either administrative (delegated by the courts) or statutory (provided by law) authority to release pretrial defendants.

By far, the most common release prerogative available under this program is the option of recommending release to the courts. This option is exercised by seven of the eight sites that have release prerogatives. The eighth site, Jefferson County, although officially limited to interviewing detainees, collecting and verifying information, is for the most part making recommendations. In Jefferson County, the judiciary has begun to accept the investigation report as a recommendation for release.

The judiciary seem to be willing to accept release recommendations, but they are continuing to reserve the right to act on recommendations for themselves. Judges appear to be hesitant to relinquish their authority to release defendants to other agencies. Occasionally they are legally restrained from doing so. In only two of the eight sites are projects granted release authority, and this authority is administrative (delegated) rather than statutory and is limited to misdemeanants.

As projects and judiciary work closely together and judges gain confidence in the recommendations made by the project, the release prerogatives are informally being expanded. In Seattle, one of the earliest projects, ten of twelve court jurisdictions have agreed to implement

expanded program release authority. This need to develop the confidence of the judiciary occasionally contributes to conservative recommendations. Pretrial Unit personnel report that they hesitate to make any recommendations that the courts are not likely (in their opinion) to accept. At the same time, judges have reported to us that they rely on the recommendations of the pretrial staff and the experience that the staff is accumulating in reviewing the outcomes of release decisions. Both staff personnel and judiciary spoke of "public sentiment" as an influencing factor but it was difficult to see with what information they could act knowledgeably on the basis of perceived public sentiment. The collection of data validating the release decisions could go far to reassure both the judges and public opinion as to the safety of the community and the appearance of the accused at subsequent hearings.

Advisory Board participation. Each project in the Jail Overcrowding Program initially had some form of Advisory Board to encourage a system-wide approach. Among the various sites, there are many differences in the composition of membership, frequency of meetings, and formal structures. These are largely superficial differences; a more significant difference is the perceived role of the Advisory Board by its membership and the project staff.

Different perceptions of the Advisory Board role have contributed to significant variations in its function and the cooperation obtained. At the risk of making an unfair generalization which would not apply to any site, it seems that some projects view the Advisory Board merely as a necessary source of bureaucratic approval which must be secured before implementing programmatic changes. Other projects tend to view the Advisory Board as the central voice of the criminal justice system which must speak to the jail overcrowding problem. The project itself then functions as staff to the Advisory Board, and provides the board with data analyses and other information pertinent to the concerns of the board. Even in this situation, the project staff must play a key role in directing the attention of the board to specific issues.

The perceived role of the Advisory Board by its own membership is also an important factor which varies among sites. There is, of course, a natural inclination for members to try to protect their own interests; participation on the Advisory Board can be viewed as necessary for making certain that one's input to the problems and solutions is given adequate consideration. We do not wish to suggest that this view is always a negative or defensive reaction; we recognize that different members of the justice community have specific areas of responsibility which cannot be abdicated. Other individuals on the Advisory Board prefer to remain uninvolved as much as possible, perhaps to the extent of sending proxies to attend the meetings. Then there are certain individuals whose views of the Advisory Board closely conform to that of the ideal of the National Program Coordinator: a forum

for the entire criminal justice community to address common problems related to jail overcrowding and seek system-wide solutions.

No project has enjoyed the full support of the entire Advisory Board at all times. There will always be differences of opinions, and one can expect an occasional dispute intensified by a difference in personalities. But at some point, the project staff and the Advisory Board must reach a general consensus about appropriate roles for each with respect to the implementation of any changes.

Two project directors, who have relatively inactive advisory boards, have mentioned that they work on a one-to-one basis with other criminal justice agencies in their jurisdiction to secure agency cooperation and coordination with the jail overcrowding project. Their approach may be the most expedient or the only one available to these directors and it may produce successful project activities, but it does not foster a systems approach to solving the jail overcrowding problem nor does it encourage cooperation among criminal justice agencies. No forum for discussion of problems facing the system exists and group decision making does not occur. While project-agency cooperation is important, of more importance (and a specific objective of the Jail Overcrowding Program) is development of a system-wide approach to the jail overcrowding problem.

Comparisons. Although the nine sampled projects shared the same goal of reducing unnecessary pretrial detention, each of the projects had distinct management and program characteristics that may have influenced its achievements. Tables 8, 9, and 10 present descriptive information on management processes and activities. While there are several factors that make it difficult and perhaps inadvisable to compare impacts among individual projects as a sole estimate of relative achievement, some of these same factors are useful for reviewing site selection criteria and for allowing prospective sites to analyze characteristics that may be contributing to the outcomes being generated. These include:

1. Date of program inception, existence of Phase I planning effort, length of time program was fully staffed and operational.
2. Program emphasis, affecting the likelihood of short-term measurable impacts.
3. Pre-existence of on-site release programs.
4. Presence of concurrent federally funded programs on site.
5. Local conditions such as crime rate, extent of jail overcrowding, history of cooperation/antagonism among

TABLE 8
PROJECT MANAGEMENT DATA

Site	Phase I Dates			Phase II Dates			Date Director Hired	Date Fully Staffed	Implemen- tation Date	Project Director Background	Administrative Location of Project	Advisory Board Participation
	Start	Termination Planned	Actual	Start	Termination Planned	Current						
Atlantic Co., NJ	10/13/78	7/1/79	12/31/79	10/1/79	12/31/80	no change	1/28/80	2/19/80	4/6/80	Investigator, Prosecutor's Office	Court	Low
Dade Co., FL	8/15/78	3/15/79	4/15/79	8/1/79	10/31/80	3/31/81	12/26/79	2/80	10/79	Lawyer	Circuit court and corrections	High
Delaware	8/11/78	5/1/79	8/15/79	8/16/79	7/31/80	6/30/81	(Phase I)	10/80	2/80 Fully 10/80	CJ Planner, Evaluator	CJ Planning Commission, Gov's Office	Medium
Jefferson Co., KY	7/21/78	11/27/78	4/20/79	9/15/79	1/4/81	4/1/81	1/7/80	10/1/79	10/79	Attorney, Public Defen- der's Office, U.S. District Attorney Off.	Metro Correctional Services--CJ Dept.	Low
King Co., WA	NA	NA	NA	11/1/78	1/31/80	4/30/80	12/11/78	2/79	3/79	Local Govt. Administrator	Department of Re- habilitative Ser- vices/Division of Corrections	Low
Multnomah Co., OR	9/25/78	3/25/79	9/30/79	10/1/79	3/31/81	no change	(Phase I)	3/80	10/79	Grad Student Urban Studies Social Research	Department of Jus- tice Services, Div. of Corrections	Not Using
Orleans Parish, LA	9/13/78	5/13/79	10/1/79	10/1/79	3/29/81	6/30/81	1/80	2/80	2/80	CJ Planner	Criminal Sheriff's Office--Department of Justice Services	Low
San Francisco Co., CA	10/1/78	8/31/79	8/31/79	10/1/79	3/31/81	no change	(Phase I)	12/79	12/79	CJ Planner Evaluator	Mayor's CJ Council-- Mayor's Office	High
Santa Cruz, Co., CA	NA	NA	NA	5/10/79	6/30/80	12/31/80	5/10/79	7/79	7/79	Social Worker	Municipal Court	Medium

TABLE 9
TYPE OF PROGRAM BY SITE

Site	Central Intake System	Cooperative Programs with SS Agencies	Information Systems	Citation/ Summons	Pretrial Release
Atlantic Co., NJ	Planned 24-hour central intake center is operating 16 hours/day due to staffing limitation and security problems.		Unit enters data on all detainees into an automated information system, but most data collection and tabulation and tracking is manual.	Planned but didn't implement increased use of citations. Judiciary is reviewing use of citations.	They screen, interview, notify, track, and supervise releases and secure social services for them. Have developed specific release criteria and procedures.
Dade Co., FL			Manual tracking of cases from arrest to disposition. Flagging system for detainees who aren't moving through the system.		Have expanded release criteria and the PTR unit. Revised interview form to speed detainee processing. Borrowed and are adapting a point system to objectify release decisions.
Delaware	Developing a temporary central arraignment site. The experiences, procedures, materials, etc. from it will be transferred to the Gander Hill facility when it is finished.			Studied use of summons.	
Jefferson Co., KY		Refer about one-half of their releasees to social service agencies.	Project plans to develop an MIS and increased use of citations have been abandoned. An information system will be developed under a JIS grant awarded to Jefferson County.		Project emphasis is on release interviews, interview investigation and court liaison. Hope that when the grant ends other agencies will pick up the project's pretrial release activity.
King Co., WA	An attempt to develop cross-utilization of city and county PR interviewers failed.		Planned MIS was determined to be beyond project capacity and is not being implemented.		Have supervised release program for felons. Have succeeded in expanding release criteria and standardizing release procedures. Project now authorized to release misdemeanants and class C felons.
Multnomah Co., OR			All project funds and efforts are devoted to developing an MIS. A JIS grant was awarded.	Have developed data that lead to policy decision to require citations for misdemeanants or rationale for holding.	They hope that an MIS will speed detainee processing and enhance pretrial services.
Orleans Parish, LA	CINTAP has become the initial screening unit of the jails classification system.		Work on MIS has been delayed. Hope to have it operating by mid 1981.		They screen, interview, notify, track and supervise releases. On weekends, they screen municipal offenders for pretrial release.
San Francisco Co., CA	Plans to consolidate arrestee services and unify intake procedures and standards are meeting strong resistance.	Succeeding with primary focus of getting public intoxicants out of jail and into treatment alternatives. Project funds used to expand alcohol-related offender services.		Are monitoring the use of citations.	
Santa Cruz, Co., CA	The JO/PD project and the Pretrial Release Unit have merged. Trying to develop a central intake model to use at the new jail.	\$130,000 of project money is being used to pay subcontractors to provide residential supervised release for arrestees.	A consulting firm has developed an automated JIS for Santa Cruz.	Santa Cruz has a citation release program that predates JO/PDP. It has not been impacted by current programs.	Have increased the number of people screened and granted ROR.

TABLE 10
PRETRIAL RELEASE DATA BY SITE

Site	Staffing and Hours	# Screened	# Interviewed	# Released
Atlantic Co., NJ	1 Director } 16 hrs./wk. 1 Secretary } 5 Intake Techs-5 days/wk.; On call rest of time		986 (through 1980)	424 (only 166 of these were non- secured releases)
Dade Co., FL	2 Correctional officers } 8 hrs./day 2 Spec. Proj. Admin. } 5 days/wk. 1 Admin. officer } 11 ROR aides } 24 hrs./day 7 days/wk.			458 (10/79-5/80)
Delaware	8 Corrections officers } 16 hrs./day 2 Deputy Attorney Generals } 7 days/wk. 2 Asst. Pub. Defenders } 1 Justice of the Peace } 8 hrs./day 4 JP clerks 6 PTR staff } 5 days/wk. 1 Planner 3 Clerical staff		No Data	
Jefferson Co., KY	1 Director } 4 Vacant interviewer 1 Asst. Direc. } positions 1 Data analyst 1 Court liaison 2 Clerical staff } 8 hrs./day 3 Interviewers } 5 days/wk.	5,350	1,912 (through 8/31/80)	549
King Co., WA	1 Unit supervisor } peak 152 1 Social worker } hrs./wk. 4 Counselors } currently 5 PTR screeners } 144 hrs./wk. 2 Clerical staff	1,764	686 (through 4/30/80)	268
Multnomah Co., OR	1 Director } 8 hrs./day 1 Systems analyst } 5 days/wk. 1 Secretary 1 Part-time systems analyst (county funded)	N/A	N/A	N/A
Orleans Parish, LA	1 Director } 10-12 hrs./ 1 Court liaison } day 2 Interviewers } 7 days/wk. 2 Release officers 1 Vacant interviewer position	8,319 ~200/wk. municipal offenders	1,682 (through 9/30/80)	871 788
San Francisco Co., CA	1 Director } 1 Data analyst } 8 hrs./day 1 Liaison to S.F. Bar } 5 days/wk. 1 Clerk typist } 2 Alcohol related } offender specialists } money for alcohol } 24 hrs./day treatment centers } 7 days/wk.	Mobile Assistance Patrol 6,852	Ozanam Reception Center 67,155 (1-6/80)	Ozanam Detox Center 5,563
Santa Cruz Co., CA	1 Director } 8 hrs./day 1 Social worker } 5 days/wk. 1 Secretary } money to subcontractors } 24 hrs./day	3,005	1,831 (9/79-8/80)	858

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criminal justice agencies, existence of community supported release options, population growth, economic indicators, court orders, etc.

Several of the projects experienced some delays in becoming fully staffed and almost all have requested or are requesting time extensions to complete. In only three of the seven projects that were preceded by a Phase I planning phase did the Phase II project director direct the Phase I effort. Because of late starts and generally long start-up periods, very little meaningful impact data are available, except for the two 1978 projects which show small reductions in pretrial population (see Figure 8). This small reduction in the pretrial population, however, reflects a significant achievement since it occurred in a period during which bookings and total ADP were increasing. The percentage of the total jail population that was pretrial was reduced by 28 percent in King County and 5 percent in Santa Cruz in order to generate the 7.75 percent overall population reduction. During the same period bookings increased 18.5 percent. There were numerous differences in the two projects among which were community characteristics, difference in project emphasis, project director orientations, and use of an Advisory Board. Both projects had capable, dedicated and politically knowledgeable directors. Although there was overcrowding in both jail systems, King County clearly had a more serious problem than Santa Cruz, where a much greater percentage of bookings were for misdemeanors.

While two sites may both be 30 percent over capacity, the nature and seriousness of their crowding problems may be quite different. Site A may have several pretrial release programs operating and as a result have almost exclusively felons left in jail, while Site B may have few ongoing release programs and have a jail population of 40 percent traffic and misdemeanor offenders. We suggest that Site A has the more serious crowding problem. At Site A the relatively low risk offenders have been released and a crowding problem still exists. Any additional releasees are likely to have more serious charges, a longer criminal history, be more likely to be rearrested or fail to appear in court, and be less acceptable to the public. Site B, on the other hand, has a large pool of low risk, relatively minor offenders from which to draw releasees and its crowding problem is amenable to a wider range of solutions. While this evaluation does not suggest that any of the projects examined could be accurately defined by either of these hypothetical extremes, this illustration dramatizes the idiosyncratic nature of jail overcrowding that could, and did, have substantial impact on achievable population reductions.

Those projects that allocated most of their resources to the development of long-term benefits, e.g., consolidation of intake services, development of an MIS (and did not have concurrent release programs on-site) seem to show the smallest immediate gains in reducing the jail population and

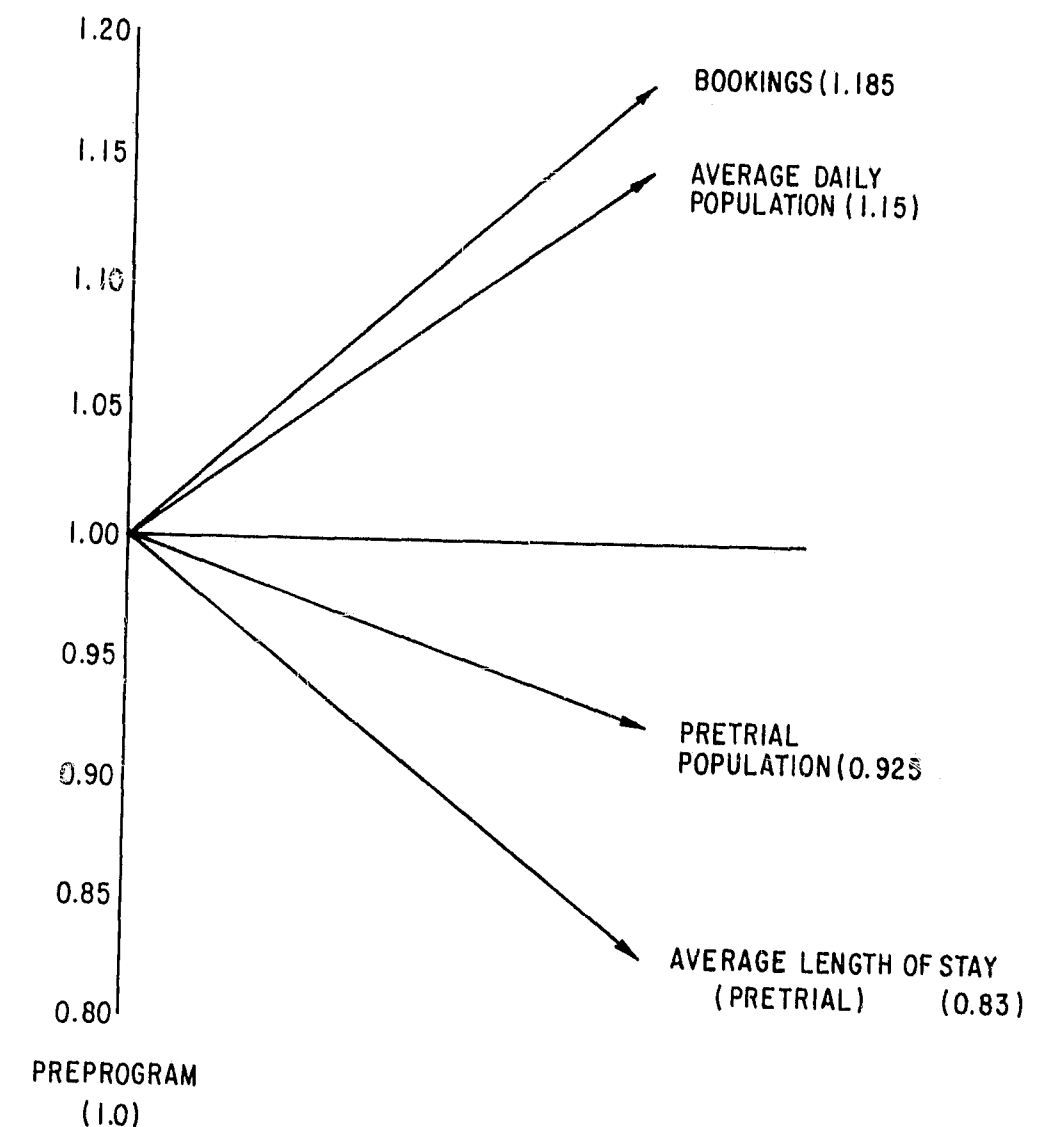


FIGURE 8
1978 PROJECTS CHANGE INDICES
PRE PROGRAM AND 18 MONTHS AFTER PROJECT IMPLEMENTATION

in persons released. (When using tabular data note that differences in implementation dates make valid direct comparisons impossible.) However, the long-range potential for impact may be greatest at these sites. Conversely those sites that used most of the program funds for pretrial release screeners, interviewers and counselors are already demonstrating the highest number of jail days saved.

6. What is the impact on costs?

Only a portion of the Jail Overcrowding Program costs were focused directly on pretrial release activities (i.e., those activities that could be expected to result in observable cost savings during this reporting period). On the basis of data generated at the two 1978 sites, it appears that the cost savings associated with controlling pretrial jail population has at least offset program costs related to the screening, interviewing, investigation, and conditional release activities funded by the program. The impact of other activities such as improved information utilization efforts and the policy and procedural changes recommended by Advisory Boards, e.g., increasing use of citations, broadening release prerogatives of pretrial units, etc., and associated effects of focused coordinated attention to the problems of jail overcrowding will not become measurable for several months.

The chart on the following page (Table 11) presents cost-related information from Santa Cruz and King County from which the evaluation concludes overall cost-effectiveness. Preliminary information from Jefferson County, Dade County, and Orleans Parish similarly seem to indicate that on the basis of jail savings alone, program funds expended in the operation of pretrial release and supervision activities will be offset. With efficient case processing procedures, many of the costs associated with release screenings, interviews and investigations may be incurred in lieu of or offsetting the cost of jail classification investigations and/or presentence investigation reports, which would result in measurable cost savings to the community. King County has successfully demonstrated cost effectiveness to its Criminal Justice Planning Committee and has received local suport for continuation of project activities. In Santa Cruz, where the project paid for a staff person at each of three residential treatment facilities as well as routine contact with other r leasees, project staff anticipate the continuation of program support without additional federal funds.

Successful presentations on cost-effectiveness have been made without including additional savings associated with:

- limiting the need for new construction
- avoiding expensive law suits

TABLE 11
ESTIMATED DIRECT COST ELEMENTS, 1978 PROJECTS¹

	SAVINGS				COSTS PROJECT FUNDS (FULL TERM)		
	Jail Days Saved	Jail Day Costs	Transportation Savings	Estimated Savings	Pretrial Services	Residential Treatment	Pretrial Unit Per Person Costs
King County	17,059	\$7.86 ²	29,516	\$134,083 29,516 \$163,599	\$277,178		\$35.62 ⁶
Santa Cruz	1,968 ³ (treatment) 9,211 (OR)	\$31.00 ⁴	\$24,710 ⁵	\$346,673 24,710 \$371,383	\$118,740	\$130,000	\$28.36

¹Costs shown are full term costs and include local match; savings are shown through April 1980.

²Marginal cost of incarceration--covers only consumables utilized by detainees.

³OR @ 117/mo = 4,914 at an estimated increase of 400% over previous year = 3,686 net x 2.5 Average LOS = 9,215 days.

⁴Actual housing costs at state facility.

⁵3,700 people @ \$6.68/person (150 miles RT) = \$24,710.

⁶ $\frac{\$277,178}{7,782}$ = \$35.617/person including project administration and start-up costs.

⁷Based on an average of 147.5 persons on release by program each day.

⁸Based on 2,500 residential and 9,500 OR days.

1980 PROJECTIONS			
King County	53,828 ⁷ Jail Days @ \$7.86	\$423,088	
	Transportation	29,516	
	Hospital guard costs	101,751	
		\$554,355	
	Pretrial services	349,423	
	NET SAVINGS	\$204,932	
	Potential loss of funds for housing federal prisoners	550,000	
	TOTAL	\$754,932	
Santa Cruz	12,000 ⁸ Jail Days @ \$31.00	\$346,673	
	Transportation	29,652	
		\$376,325	
	Residential program costs	145,000	
	Pretrial services	94,608	
	NET SAVINGS	\$136,717	

- reducing prisoner transportation costs
- reducing payments to state or other facilities for housing prisoners
- reducing the number of hearings prior to release

One of the best treatise we have seen on approaches to cost analysis of pretrial programs was prepared by Susan Weisberg in May 1978 under a grant awarded to the American Bar Association by the Department of Justice. A copy of the "Partial List of Data Items Required for Cost Analysis of Pretrial Programs" from that report is reproduced here (Table 12). While being relatively detailed and complete in many respects, this five page list of related data items does not include cost factors such as welfare payments to dependent families of pretrial detainees, taxes paid by working releasees, and ultimate impacts on employment status and earnings of persons detained prior to dismissal, acquittal, or probation.

Public expenditures associated with release after screening for a variety of release alternatives are shown in Table 13. This table is modified from Figure 15 in the Weisberg report, previously cited. The table also shows average increases in costs with additional screenings after the initial one, and with additional days of interim detention. Cost reductions associated with decreased length of stay can be estimated using these tables.

The new demonstration sites have been sensitized to the need to keep records on staffing and processing costs in order to make full and defensible presentations on the impacts of their programs after the termination of their federally funded grant periods. Subsequent evaluations will be able to report more data and both direct and indirect impacts of program activities. Compared with many other federal demonstration programs, the percentage of pretrial release programs that have continued with the support of local funds has remained quite high (66%) over the past ten years, indicating that the concept of the pretrial release program as a cost-effective mechanism is fairly well established. The need to justify program costs is usually very strong when local governments are asked to bear these costs. As competition for scarce local funds increases (as current trends indicate it may), new projects and existing projects will be required to test and demonstrate the fiscal value of their programs. It is also not unlikely that state governments will be asked to take on additional responsibilities and costs of pretrial programs, and state legislatures can similarly be expected to test the cost efficiency of these programs.

In terms of the cost information developed thus far, the per defendant cost benefits of the program are probably marginal, except in those instances in which construction of new facilities has been delayed or where costly legal suits have been avoided. In the case of residential

TABLE 12

PARTIAL LIST OF DATA ITEMS REQUIRED*
FOR COST ANALYSIS OF PRETRIAL PROGRAMS

A. DEFENDANT FLOW DATA:

1. Number of annual adult arrests:
 - percent felony
 - percent misdemeanor
 - percent felony reduced to misdemeanor
2. Percent of arrests for victimless crimes
3. Percent of arrests made by:
 - municipal police
 - county police
 - other
4. Percent of arrests in which bail denied
5. Percent of arrests released on money bail at stationhouse
6. Percent of arrests eligible for (not excluded from) non-financial release
7. Percent of eligible arrests interviewed for non-financial release
8. Percent of eligible arrests recommended for non-financial release, by type of release recommended
9. Percent of eligible arrests not recommended for non-financial release, and released by court, by type of release recommended
10. Percent of arrests issued citations:
 - pre-arrest, by location (field, stationhouse, jail)
 - post-arrest, by location (stationhouse, jail)
11. Percent of arrests released on own recognizance
12. Percent of arrests released on non-financial conditions, by type and number of conditions imposed: (includes diversion: conditions in contemplation of case dismissal)
13. Percent of initial bail settings later reduced
14. Percent of arrests released on deposit bail
15. Percent of arrests released on money bail set by court (for which full cash and/or security is required)
16. Percent of bailed cases in which:
 - defendant posted full cash or security
 - friends or relatives of defendant posted full bail
 - commercial bondwriter posted bail
17. Percent of bail bonds forfeited
18. Percent of bail forfeitures in which payment was required by court
19. Percent of bail bond forfeitures paid within given time periods, e.g., within 10, 30, 60 or 90 days of failure to appear
20. Percent of diverted defendants returned to normal court processing
21. Percent of conditional releases resulting in petitions for hearings on violation of conditions
22. Percent of hearings petitions resulting in hearings

*Reprinted from Weisberg, Susan. Cost Analysis of Correctional Standards: Pretrial Programs, National Institute of Law Enforcement and Criminal Justice, LEAA, U.S. Department of Justice, May 1978, copyright 1976, American Bar Association.

23. Percent of violations hearings resulting in:
 - no action
 - imposition of additional conditions
 - revocation of release
24. Percent of defendants appealing imposition of additional conditions or revocation of release
25. Percent of arrests held in custody until first court appearance only
26. Percent of arrests resulting in attrition or disposition at first appearance:
 - nolle prosequere
 - dismissal
 - plea
27. Percent of arrests held in custody beyond first court appearance and released prior to case disposition, by type of release
28. Percent of defendants proceeding beyond first appearance who are detained until disposition
29. Percent of arrests proceeding beyond first appearance and resulting in non-trial dispositions:
 - dismissal
 - plea
30. Failure to appear:
 - by type of non-financial release
 - by recommendation/release status:
 - recommended and released
 - not recommended and released
 - by type of FTA (inadvertent, willful, fugitive)
 - by number of missed appearances out of total appearances required
 - by percent of defendants failing to appear (by number of appearances missed)
 - by percent of willful failures to appear by time on release
 - by index figures based on combinations of above measures
31. Percent of arrests in which bench warrants issued for failure to appear, by type of release
32. Percent of bench warrants quashed, by type of release
33. Percent of defendants willfully failing to appear and:
 - returned to court on that charge specifically
 - returned to court on that and/or other charges
34. Percent of bail FTA's apprehended by:
 - bondwriters
 - police
35. Percent of arrests prosecuted for failure to appear
36. Percent of arrests with record of previous willful FTA or release revocation
37. Percent of arrested population on probation or parole at time of arrest
38. Percent of arrests resulting in conviction and in which defendant was on probation or parole at time of arrest

B. TIME DATA:

39. Time allowed from apprehension to charge -- maximum pre-charge investigation time
40. Average time from arrest to first court appearance:
 - released defendants (citation or stationhouse bail)
 - defendants in custody
41. Average time from arrest to disposition for cases proceeding beyond first appearance:
 - by type of offense (felony, misdemeanor)
 - by type of disposition (trial, non-trial)
 - by bail status at disposition (released, in custody)

42. Average length of time between failure to appear of bailed defendants and payment for bail forfeiture by bondwriters
43. Time periods allowed by court for "installment" payments on forfeited bail
44. Average time per bail investigation per defendant
45. Average time per defendant for verification of bail interview information
46. Average time per defendant for preparation of release recommendation
47. Average days to release by type of release

C. WORKLOAD DATA:

48. Annual number of police-escorted defendant trips between points of apprehension and/or criminal justice facilities:
 - local lock-ups and booking facilities
 - main jail and/or booking facility
 - courts
 - other (state or federal facilities, detox. centers, etc.)
49. Annual bookings
50. Annual number of bail bonds written in jurisdiction
51. Pretrial staff workload capacity per unit time, e.g.:
 - number of interviews per working hour
 - number of completed verifications per day (not elapsed time to completion, but productive time)
 - number of referrals per day
52. Annual number of interviews for pretrial release
53. Number of released defendants receiving one or a combination of the following services, by source of service:
 - notification of court appearances:
 - by phone
 - by mail
 - by personal visit
 - information and referral to other agency
 - follow-up on referral to confirm service delivery
 - service delivery:
 - by type of service (drug treatment, custodial, educational, vocational, etc.)
 - by service units received (number of interviews, number of treatment sessions, number of outpatient days, etc.)
 - by duration of service delivery period (number of weeks, months)
 - by method of payment (contract, non-contract)
54. Annual number of hearings on violation of release conditions
55. Average daily jail population

D. UNIT COST DATA:

56. Average bail amount established in stationhouse bail schedule
57. Average felony bail amount established by court
58. Average misdemeanor bail amount established by court
59. Average dollar amount of bail reductions (range in dollar amounts)
60. Bond premium rate
61. Average and marginal costs per:
 - bail interview
 - recommendation
 - release, by type of release

62. Average and marginal costs per function:
 - screening and recommendation
 - notification
 - other supervision
 - service delivery
63. Police cost per unit time:
 - municipal
 - county
 - other
 - urban
 - rural
 - suburban
64. Prosecutor cost per unit time
65. Defense cost per unit time:
 - retained counsel
 - court appointed
 - public defender
66. Judicial officer cost per unit time:
 - magistrate
 - judge
67. Cost per unit time for other court personnel:
 - bailiff
 - clerk
 - other non-clerical
68. Total cost per unit time of other line staff devoting time to pretrial services while administratively part of:
 - courts
 - law enforcement
 - corrections
 - other governmental units
 - private agencies
69. Cost per witness day
70. Cost per juror day
71. Average and marginal cost per jail inmate day

E. OTHER DATA ITEMS

72. Population of jurisdiction:
 - total
 - percent urban, non-urban
73. Size of jurisdiction in square miles
74. Failure to appear rate for witnesses
75. Failure to appear rate for attorneys
76. Annual value of forfeited bail bonds
77. Interest earnings on bail amounts retained by bondwriters beyond a "reasonable" period following a defendant's failure to appear
78. Average value of "excess" bail (value of collateral posted by defendant LESS bail amount set by court) in cases resulting in forfeiture

79. Sources of defendant income at the time of arrest:
 - employment earnings
 - family or friends
 - welfare
 - other federal transfer payments
 - other
80. Defendant income for year prior to arrest, by source of income and defendant bail status (nonfinancial release, by type; bail; custody) at case disposition
81. Percent of jurisdictions surveyed with continuous calendaring (at each defendant appearance, establishing date, time and location of the next appearance) (comparison data sought for this study)
82. Percent of jurisdictions with option for continuous arraignment or bail setting:
 - night or weekend court
 - bail commissioners
 - court delegated release authority
 - other
 (comparison data sought for this study)

TABLE 13
ESTIMATED AVERAGE COSTS PER DEFENDANT
FOR SEVEN PRETRIAL ACTIVITIES*

Source of Costs	Field Citation	Stationhouse Citation	Own Recognizance	Pretrial Activity		O.R. ¹ Conditional Drug	Percentage ² Bond
				CONDITIONAL**			
				Low Supervision	High Supervision		
Police ³	\$2.60	\$5.20	\$13.00	\$ 13.00	\$ 13.00	\$ 13.00	\$13.00
Pretrial Services							
• Screening			10.25	10.25	10.25	10.25	10.25
• Notification/ Follow-up			22.80				20.80
• Monitoring						16.75	
• Supervision				180.80	361.35		
Court, Prosecution Defense						17.80	10.00
Detention						741.00 ¹	
Totals	\$2.60	\$5.20	\$46.05 ⁴	\$204.05	\$384.60	\$798.80	\$56.05
1. Release After Screening							
2. Release After Two Screenings ½ Day Detention			84.65	242.65	423.20	837.40	94.65
3. Release After Two Screenings and Three Days Detention			133.65	291.65	472.20	886.40	143.65

*Modified from Weisberg, Susan, op cit.

**1974 Dollars

¹Figures were developed for "diversion" costs. Detention refers to residential treatment facility.

²Negative costs, i.e., percentage of deposit retained by the court are not included.

³Police costs include transportation costs.

⁴Total calculated OR costs (1974 dollars) are higher than average costs computed by JO/PDP projects after one year of program operation.

supervised release, costs are shifted from public to both public and private nonprofit agencies. There have been few problems associated with identifying and matching social agencies to releasees and frequently there are more spaces available than eligible detainees. The costs of noncompliance have not been fully documented. Failure-to-appear rates are not reported to be any higher than they were previously and are lower than in the control sites which have a less comprehensive approach to controlling jail population.

7. What, if any, is the effect on case conclusion?

One unanticipated benefit of jail overcrowding projects reported by some project personnel is that, due to project activities, jail days are being saved not only before trial but after sentencing as well. They believe that postsentence jail or prison days are being saved because people who are granted pretrial release and comply with its conditions have demonstrated their ability to live within the law and even if they are subsequently found guilty they are more likely to be sentenced to probation than are those who had been detained until tried.

The existence of such a benefit is, as yet, undocumented and even if it does exist it could be due to selection bias (i.e., that less serious offenders are granted release, while more serious offenders with longer arrest histories remain in jail). If such a bias is occurring we would expect detainees to be sentenced to jail more often than releasees. In spite of possible selection bias, the King County project director believes many of his releasees who were found guilty would have served time if not for their successful participation in the pretrial release project. When and if more data becomes available, we hope to determine the accuracy of this supposition. The potential of the Jail Overcrowding Program for saving postsentence jail days merits our attention and local projects' staffs and national program administrators should be alerted to the possibilities of the program in this area. The saving of post sentence jail days would certainly enhance cost-effectiveness of local projects and improve their chances of securing local funding to continue operations after federal funds are exhausted.

There are other matters of conjecture for which data are still insufficient to resolve. Some project directors report that pretrial detainees are more motivated to plead guilty to the original charge if they anticipate a suspended sentence or a plea bargain than are those who are released. Both of these issues require controlled experiments and random selection. A current study sponsored by NIJ on supervised release is investigating these issues within an appropriate experimental paradigm.

8-9. What is the impact on LE/CJ officials, other involved parties and on the community and community willingness to tolerate risk?

One of the research questions of interest to potential adopters is police (arrest) behavior as a function of changes in booking, release and detention policies. Most of the baseline data we have collected to date relate to arrest experience which is subject to the influence of numerous intervening variables. In talking with project personnel at each of the sites about the appropriate data by which to measure program impacts on police behavior, some general observations or concerns have been noted.

There appear to be two very different expectations related to anticipated impacts. The first is that arrests will increase as improvements in the booking and intake process become more efficient and as police are required to spend less time off the streets with the defendants in booking rooms, hospital emergency rooms, etc. For the same reason (reduction in police booking time), widespread use of citation in lieu of arrest may also result in increased criminal justice contacts. Another reason suggested for anticipating that arrests will increase is that as diversion and release options increase, enforcement may be increasingly viewed as separate from the "administration of justice" and police may exercise less discretion in marginal arrest cases, i.e., police have the responsibility to arrest and the courts have the responsibility for the equitable disposition of cases. It has even been suggested in some jurisdictions that as programs for rehabilitation, counseling, etc., become more available and well known, police may make more arrests just for the purpose of placing people into release and diversion programs with supportive services. In addition, it has been predicted that among police less sympathetic with release programs, some overcharging may result (misdemeanor to felony) to ensure minimum detention time. A second school of thought propounds the theory that as the courts divert and release more defendants, some measure of futility will set in among arresting officers and arrests will decrease as the officers become less inclined to go through the booking/arrest process. Further, it was hypothesized that as pretrial release agencies require more and more information from arresting officers (with which to make release determinations), the number of arrests could decline.

In any case, the type of arrest affected would be the discretionary or marginal misdemeanor arrest. It was not anticipated that felony arrest would be seriously impacted by project options. So far, we are seeing less misdemeanor arrests but the reason appears to be more related to jail overcrowding than to programmatic variables.

Failure-to-appear data. FTA data are being developed at nearly all the sites in one form or another. The range of what is suggested to us as an acceptable (to the local community and to the judiciary) FTA rate is

extremely broad. It seems reasonable that areas with different population characteristics, e.g., transiency/stability factors, differing crime rates, and different overcrowding problems will develop different standards as realistic goals. Further, we have noted different attitudes relating to release among project staff--some are primarily responsive to the jail overcrowding situation and some primarily responsive to what they perceive to be community and judicial attitudes toward risk.

FTA percentages are computed on different populations and with different release requirements, only some of which include release revocations in their FTA rates. Some areas have concurrent projects that siphon off the most serious and/or the least serious risks, so the remaining populations not only have different characteristics (population demographics, charges, arrest histories, etc.) but use different segments of their jail population distribution with which to compute FTA. In order to make inferences about impacts on these rates it will be necessary to standardize FTA reporting among new sites to include information on misdemeanor and felony populations separately, on whether or not any special populations targeted by other programs are removed from the calculation, the degree of supervision or contact with releasees, and how release revocations are treated in the data. If jurisdictions are using comparative FTA rates to influence local release criteria, then it would be well for them to have the information necessary to interpret numbers with which they are comparing their own experiences. FTA data have been collected at six of the nine sites. Reported rates vary from a low of 2.5 percent in Orleans Parish to 10.7 in Dade County. All the figures are well within the national norms.

Community response. As noted earlier, local overcrowding projects must be responsive not only to the needs of the criminal justice system but to the appropriateness of possible solutions for their community. Similarly, any recommendations for addressing the national overcrowding problem must be couched in terms of current criminal, legislative, and attitudinal trends. Only in this way can they reflect the dynamic nature of the problem and its solutions.

It is common knowledge that crime is on the rise, particularly in metropolitan areas. National uniform crime figures released in 1978 showed that reported index offenses had risen nearly 9 percent since 1974.¹ When population growth was taken into account, that represented a 5.3 percent increase in the crime rate per capita. While it has been argued that this

¹ FBI uniform crime reports: Crime in the United States.
Washington, DC: Government Printing Office, 1978.

increase reflected a higher rate of reporting crimes rather than of actual criminal activity,² the situation has clearly taxed criminal justice resources. A slightly greater increase in female crime rates than in those for males was also noted for 1977 to 1978. Further changes in this direction could prove particularly exacerbating for local jail problems because of the segregational constraints imposed on jail space by female inmates.

Despite its apparent ineffectiveness, the traditional response to increasing crime has been incarceration.³ The United States not only has the highest imprisonment rate in the free world but that rate is rising. That approach has proven to be particularly expensive, however, for the local governments that operate jails. Between 1971 and 1977, the corrections expenditures for county governments increased 135 percent.⁴ This figure is not surprising, however, when it is considered that national expenditures in criminal justice doubled during that period.

Public opinion appears ready for alternative ways of dealing with crime. A 1978 Gallup Poll found that of all uniformed community services, people were least satisfied with corrections.⁵ Community resistance to new prisons and work release center may also be on the rise. Recent legal battles in Arizona and Maryland, for example, have blocked the establishment of three new facilities and raised objections to two others. While prison construction has always faced opposition from community residents because of possible escapes and lowered property values, it has been suggested that these latest protests also reflect a dissatisfaction with the current warehousing approach to corrections.⁶ Unfortunately, this trend underscores the difficulty of establishing community-based corrections as well.

²Doleschal, E. Crime--some popular beliefs, Crime and Delinquency, 1979, 25, (1), 1-8.

³See for example, Biles, D. Crime and the use of prisons. Federal Probation, 1979, 43 (2), 39-43.

⁴U.S. Department of Justice. Trends in expenditure and employment data for the criminal justice system. Washington, DC: U.S. Government Printing Office, 1979.

⁵Gallup Poll: Public opinion, 1978. Princeton, NJ: The Gallup Poll, 1979.

⁶News Briefs. Corrections Magazine, June 1980.

Legislative trends are, of course, critical to the effective implementation of alternatives to jail overcrowding and a number of positive moves have been made in this area. Many states have downgraded various substance abuse violations in the past few years. The fact that arrests for drug-related violations were down 17 percent over the 1974-1978 period indicates the impact of such legislation. More importantly for local jails, alternatives to arrest are now being used in about half of the states for dealing with large numbers of public intoxicants.

Another important change has been the establishment of a statutory basis for presumption in favor of pretrial release. Both local and federal codes under consideration provide such a basis while permitting judges to consider community safety in determining release conditions. The legislative authority for many alternative sentencing programs, however, has been notably lacking. Only recently have any concerns been voiced over the possible legal consequences of this oversight.⁷ With the increasing use of these creative alternatives to incarceration, it seems likely that the necessary legislative support will be forthcoming.

The movement toward determinate sentencing has less certain impacts on jail overcrowding. Currently, determinate sentencing has been enacted or is being considered by ten states and the federal system. The general assumption made by lawmakers has been that prisoner populations will be largely unaffected, yet the matter has not been well studied. One analysis of the probable impact of California's determinate sentencing legislation (S.B.42) warned "there are sound reasons for speculating that S.B.42 may stimulate increases in prison admissions."⁸ Only further research can show whether or not this fear will be realized and to what extent the analysis might be applicable to jails, where inmates are predominately pretrial or are serving short sentences. The population of sentenced inmates in county jails awaiting appeals is likely to increase if determinate sentences become longer sentences.

⁷Beha, J., Carlson, K., & Rosenblum, R.H. Sentencing to Community Service. LEAA. Washington, DC: U.S. Printing Office, 1977.

⁸Nagin, D. The impact of determinate sentencing legislation on prison population and sentence length: A California case study. Public Policy, 1979, 27, 69-98.

Overall, the environment looks favorable for implementing alternatives to overcrowding, especially if the program focuses on its cost effectiveness. Public dissatisfaction, coupled with legislative and financial support suggest a general willingness to deal with the growing problems of crime and incarceration. Construction costs for new jails are rising rapidly and it is difficult to generate the revenues for their construction. However, those alternatives that directly affect special interests, such as establishing halfway houses in residential neighborhoods may need to be approached cautiously in view of growing citizen activism.

Recommendations

The recommendations in this section are divided into two categories: Program or Technical Recommendations and Administrative or Management Recommendations. They are based on information gathered from visiting and reviewing materials from all 17 sampled sites, and from lengthy discussions with program monitors and TA providers. Technical recommendations are designed to help individual sites to improve release procedures and reduce jail overcrowding. The management recommendations are for both the projects and the funding agency and are suggestions for improving program and project administration. Since the needs of the individual projects vary so widely, there is no priority order implied by this listing of recommendations.

Technical Recommendations

The first two recommendations relate to the identification and treatment of two large populations for which the development of alternatives to criminal justice involvement or pretrial processing could substantially impact the overcrowding problems in local jails.

Public inebriates (both pretrial and sentenced) constitute a major segment of the local jail population in several jurisdictions. Many sentenced offenders are held in jail for several weeks. Diversion and treatment programs are receiving some attention and DRI has observed that relations between law enforcement personnel and the staff at the detoxification centers have generally improved as the programs have matured. In some jurisdictions where public inebriation has been decriminalized, no effective alternatives have been developed and many violators are still being taken to jail either for their own protection or in response to community and business preferences. We recommend continued and increased attention to this problem and cite the San Francisco diversion program as an example of an effective method for addressing this concern.

Citations in lieu of arrest were proposed by several jurisdictions as a safe and effective alternative to intake and detention for a large class of petty offenders. Unfortunately, most projects were unable to have a major impact on the increased use of summons and citations. Although in most instances their use was legislatively possible, citations do not appear to be a popular alternative among law enforcement personnel. Some sites, e.g., Multnomah and Jefferson Counties, are collecting data on FTAs and rearrests among those who receive citations. However, in neither location are the numbers of persons processed with either field or station house citations large enough to develop convincing data on the efficacy of this approach. Given the large number of persons who qualify for OR release, DRI sees the use of citations as an underutilized alternative and recommends additional emphasis on collecting more information on the advantages and disadvantages of its use.

The length of stay in jail among pretrial detainees who are ultimately released either because charges are never filed or because they are ultimately found to qualify for some type of pretrial release has been identified as a critical factor in controlling jail overcrowding. The three following recommendations have a bearing on the reduction of LOS.

Earlier involvement of the District Attorney's Office and earlier screening of cases would reduce the number of persons being held who are eventually released because charges are never filed or who later become eligible for release through existing programs. In some jurisdictions persons are routinely held as long as seven days before project staff can start release processing. Although this time period may provide important flexibility for the District Attorney's Office in deciding to prosecute in special cases, it should not be used routinely because of an overburdened criminal justice system. The length of time until charges are filed and an examination of the reasons should be reviewed locally to determine if additional staffing is required in the District Attorney's Office.

Locally validated standardized release criteria are still needed by many jurisdictions. Pretrial release units are frequently granted release authority for misdemeanants and are occasionally administratively delegated the right to release certain felony defendants. Many projects have instituted 24-hour screening functions; however, in the absence of release authority the screening function may be ineffective in reducing LOS. We have also observed an overreliance on both perceived judicial preference on the part of the pretrial staff and perceived community preferences on the parts of both judges and pretrial staff. We recommend the collection of more research data on who to release and with what degree of supervision. We recommend the development of standardized release guidelines for approval by the court.

We recommend that these guidelines are periodically updated with new experience as a mechanism for speeding the release process, increasing the number of safe releases, and decreasing the costs of revocations.

Pretrial investigations are conducted by most pretrial release units for the purpose of verifying information provided to them by the defendant and by criminal history file date. The amount and quality of these investigation procedures differ from site to site. We recommend the development of national data on efficient verification procedures that would optimize the level of effort applied toward investigation. There are three important reasons for recommending increased attention to information verification: (1) to make more informed release decisions, (2) to reduce the costs of investigation and poor decisions, and (3) to develop reliable information from which to test and validate release criteria.

The following two recommendations stress the importance of a system-wide comprehensive approach to the processes of law enforcement and corrections. The level and quality of Advisory Board participation in the projects varied greatly but even among those projects where initial use of the Advisory Board was negligible, by the end of the federal funding period, the need for system-wide supports became more obvious. It seems likely that the ultimate success of the program to effect permanent change will be influenced by the degree of support received from the Advisory Board and in their endorsement of these recommendations.

Increased use of pretrial interview and investigation data for subsequent criminal justice procedures would reduce costs and justify increased attention to reliability and completeness of information. Persons not released immediately after interview are frequently interviewed again in order to make jail classification recommendations. The histories of those who are ultimately convicted are routinely reviewed once more for the presentence investigation report. Much of the information developed by the Pretrial Release Unit could be used for both jail classification and presentence reports and would reduce the duplication of investigation processes. The decision to consolidate these activities usually required the support of several agencies.

Police motivation to increase arrest rates in order to demonstrate effectiveness and justify increased budget allocations should be discouraged and replaced by other measures. Arrests by law enforcement officers provide highly visible evidence of performance. If, however, the problems of the criminal justice system and the community are to be addressed comprehensively, alternatives to arrest, including diversion from the criminal justice system, may be more effective than arrest in reducing crime by allowing the resources of the criminal justice system to focus on those problems for which the community provides no other treatment alternatives.

This concept requires community support. If the Advisory Board is not supportive, then it is likely that arrest rates will continue to be singled out as the most important measure of police performance.

Management Recommendations

The following recommendations relate to the management of the jail overcrowding project, the use of a National Program Coordinator, and the potential of the program for national impact. An overall conclusion about program management is very positive. The program solicitation was a good one in that it allowed for a variety of local projects suited to special needs and as a result the program had direct input on reducing the number of persons detained and in providing a focus for coordinated problem solving.

Multi-program sites were frequently the recipients of JO/PDP funds. Most of the jurisdictions evaluated in this study were receiving or had recently received other program funds, and many received additional project awards during the evaluation period. To a certain extent this was a deliberate plan and has proven wise in that the sites selected had demonstrated they had the expertise and commitment to use the funds effectively. However, it could also be argued that the sites that received Phase II funds were those that were aware enough and capable enough to institute programs without federal assistance, and that they have simply become more expert in grantsmanship, and further that some of the sites did not have critical jail overcrowding problems but were able to write winning applications. With one or two exceptions the evaluation study concurred with the selection of Phase II implementation projects and agreed that without the articulated support of the judiciary and local government leaders that was a condition of the proposal solicitation, the chances for successful implementation would have been diminished. We recommend, however, that this decision is consciously and deliberately reviewed at each funding cycle to determine if the rationale for selecting "active" sites continues to be convincing and continues to be in the best interests of the nation.

The National Program Coordinator/TA network available to the projects is recognized as a critical programmatic feature in the overall success of the program. The following recommendations are provided for improving important and generally well delivered services.

We recommend increased communication between AJI and the projects and increased communication among the TA providers and the projects through:

- Generous use of telephone conference calls, speaker phones, or other available communication technology.

- Distribution of examples of model data collection forms, coding manuals, flow charts, etc., to all projects.
- Systematic follow-up of site visits to include appropriate feedback to projects leading to a sense of closure in regard to the problems covered during the visit.
- Making AJI's existence and purpose better known to all projects with ongoing orientation as to AJI's range of services.
- More closely knit organization and integration of AJI staff activity that has the potential of compensating, in part, for the use of part-time and geographically dispersed consultants. This conclusion reflects the evaluators' concern for AJI developing a national perspective as well as keeping track of the vicissitudes of individual sites.
- Keeping new local project directors and personnel informed of the assistance available from AJI.
- Periodic contact with all projects to facilitate the informal exchanges that assist in monitoring and timely provision of TA.
- Fuller use of the cluster conferences to reflect the conclusions of this report, such as orienting new project heads and personnel, etc.

Increased communication between AJI and LEAA is required to assure maintenance of policy control by the funding agency. DRI recommends:

- Regular direct contacts between LEAA and AJI to ensure the continuing coordination of the conceptual and operational direction of the program.
- Clarification of AJI's responsibility to the Phase II projects. At present, they would benefit from closer supervision and a more proactive TA role and more detailed files recording the progress of each site. It has been AJI's understanding that Phase II sites are largely LEAA's area of responsibility, except for the provision of TA.

- Additional and clear encouragement from LEAA and AJI for the Phase I sites to collect all the data proposed in the grant application.

Use of consultants by the projects during Phase I allowed projects to secure expert assistance not routinely available to them on a short-term basis. However, in order to optimize the use of consultant input, it is necessary to plan appropriately for that use. Several permanent local government agency employees should work closely with the consultant(s) and there should be written accounts of all discussions and recommendations. Information exchanged between consultants and a single project person is lost if that person leaves the project. Given the two-phased funding approach (which was viewed as an effective procedure) there is generally uncertainty about the continuation of funding and many Phase I directors left the projects in order to secure permanent employment before the second funding increment was approved. In order to avoid information loss, consultants should be required to submit written reports.

The proposed project duration in every case except one was insufficient to accomplish program objectives. The projects were almost all late, but managed to conserve resources so that with time extensions they were able to stretch out the project periods. However, the need to reschedule activities caused planning and staffing difficulties and set up unreasonable expectations for implementation. It seems clear that longer project periods are needed to reach individuals and change attitudes and to institute new processes and measure their impacts. Although the experiences of 1978 and 1979 projects should be valuable to new programs, all of which had planning grants, we suggest that implementation periods be routinely extended to at least 18 months following the date on which a project director is hired.

Dissemination of information within the program and to sites outside the program appears to be inadequate for national impact. Each of the projects is making progress in the achievement of its own objectives. Mechanics of operation are being instituted that are either already speeding processes of release and provide additional release options or which have every potential for doing so. However, as we talk to people at the various project sites, we hear some of them express a sense of isolation. They are not sure about what other programs are doing or if they themselves are going about their work in the best way. And, in response to direct questioning, we see only modest signs of information exchange among projects or between JO/PDP projects (even those in the same state) and other jurisdictions. All of this occurs, despite the excellent technical assistance available to the projects and the large number of professional organizations to which various project staff belong. These projects are being described as "demonstration

programs" and part of the justification for selecting sites with a high likelihood for demonstrable achievements during the funding period is for their utility in encouraging other jurisdictions to adopt successful programs. Previous research has shown that dissemination of findings (beyond program participants) will be substantially affected by the development of interest among the target group during project operation, and we recommend that program monitors and coordinators encourage the use of the potential outlets for dissemination. Proposed travel budgets are, in general, fairly modest, and frequently, project staff do not have access to additional travel funds. Attendance at regional and national symposia, the presentation of papers, etc., should be encouraged.

The selection of Phase II sites has been somewhat of a problem. For many reasons, including constraints of government funding cycles, it is desirable to make decisions as quickly as possible following proposal submission in order to retain project momentum. However, as a result of interaction with our 17 sample sites, we have developed some criteria that we believe Phase I sites should meet before they are either granted Phase II funds or commence Phase II operations. Prior to implementation, sites should (1) document that a pretrial detainee population problem exists or will soon exist, (2) demonstrate the appropriateness of their implementation plans for alleviating the overcrowding problem, (3) secure the cooperation of criminal justice agencies in their jurisdiction, (4) develop a fully operational Advisory Board, and (5) collect baseline data that will form the foundation of project evaluation. These standards are consistent with LEAA and AJI developed criteria but are not always applied. All of these criteria are important, but for purposes of evaluating the results of the program, specific emphasis is placed on the collection of baseline data. The omission of an adequate baseline at most projects has complicated this documentation of project impacts.

During the life of the program, some Phase I projects that failed to meet one or more of the above criteria have been granted Phase II funding. These projects were troubled with start-up delays and proved unprepared to proceed with the implementation phase. In reference to awarding Phase II funds, AJI's staff have stated that there was not a sufficiently large pool of candidates from which to select Phase II sites, that Phase I sites were not required to demonstrate their readiness to begin Phase II, and that some Phase II sites were funded prematurely. They have also stated that the Phase II applications for 1980 were substantially better prepared than for 1979 and that although marginally acceptable sites were funded during 1979, some very good applications had to be turned down in 1980. This phenomenon is typically observed in programs that are improving and maturing with age. We do recommend, however, closer monitoring and selection procedures in order to increase the number of well prepared projects and shorten the start-up delays that plagued many Phase II projects.

Summary

The jail overcrowding projects have had the difficult task of simultaneously attempting to accommodate a response to two odious conditions that are frequently in conflict with one another: the detention of persons on charges of crimes for which they have not been convicted; and the incidence of new crimes, especially violent crimes, by persons awaiting trial on other charges.

An examination of most release eligibility factors shows that fugitivity still appears to be the principal concern of most pretrial release agencies. As jails become more overcrowded, there is pressure to release a higher percentage of pretrial defendants, as we have already seen both within and outside of the Jail Overcrowding Program. If more defendants are being released and fewer federal and state resources become available to provide the validated information needed for rational release decisions and to supervise persons on release, both FTA and pretrial rearrest will increase. In that case, danger to the community is likely to surface as the more critical concern, requiring modification of most existing eligibility criteria.

An examination of the experiences of the JO/PDP projects has led to the following three summary recommendations for both the program sites and others for whom no program funds are likely to be available next year:

1. Concentration on programs for target populations that account for substantial percentages of the local jail population, e.g., alcohol abuse programs, programs that identify and treat the chronically mentally ill offender, family crisis intervention and criminal dispute mediation. Many of these programs will not only relieve the jail overcrowding problem, but can also divert large numbers of persons from subsequent criminal justice involvement.
2. Process changes such as increased use of citations in lieu of arrest, prebooking misdemeanor release, intercounty and inter-state information exchange and cooperation for the release of eligible persons without local ties (who are now frequently being held on minor charges), early involvement of prosecution and defense counsel, and reducing the time between charge and trial.
3. Developing the capability to implement recommendations (1) and (2) through the initiation and utilization of criminal justice Advisory Boards. Although this report has not presented hard evidence of a relationship between jail population management and Advisory Board participation, we have

documented implementation problems that developed in the absence of Advisory Boards and intense belated efforts to establish board participation as federal funds were becoming exhausted and it became necessary to develop local support.

The Jail Overcrowding Program solicitation provided for a great deal of response variation from the applicant sites. Because of the resulting differences in project approaches, the program was difficult to administer and required a large network of supporting technical assistance. Since the specific objectives and, therefore, the short-term impacts of the projects varied so widely, it was also more difficult to evaluate than a program in which projects shared common goals and objectives. However, the program that was offered was well suited to the varied needs and capabilities of the grantees, and despite some slow starts and on-site differences about project focus and direction, the programs that evolved not only made progress in intelligently managing local jail overcrowding problems, but also developed important information and insights for other jurisdictions facing similar problems.

APPENDICES

APPENDIX A
CRITERIA FOR SUCCESS

I. Measurable Impacts

1. Did the projects have goals appropriately related to problem diagnosis and were these goals achieved?
2. Did the projects have a net effect of reducing jail population in comparison to what the population would have been without the program?
3. Of the persons eligible for release, did the project maximize the number actually released?
4. Did the project reduce processing delays through the early appointment of counsel and expeditious case processing?
5. Did the project minimize FTA, revocation, and rearrest rates among releases, i.e., were the appropriate persons released and were they released to appropriate programs?
6. Was the project cost-effective?
7. Did the project contribute to the equitable administration of justice through release programs that were without respect to age, sex, race, or occupation?
8. Were unanticipated negative system impacts avoided or corrected?

II. Potential for Future Impact

1. Was the overcrowding problem appropriately diagnosed?
2. Did the project coordinate efforts to address the problems; were there interagency agreements on policies and priorities?
3. Were new and expanded release options used?
4. Has provision been made for improving the central intake process through the use of system-wide agreements and improved management information systems?

5. Are information systems in place for evaluating new and expanded programs?
6. Were contacts between the courts and other criminal justice professionals increased and strengthened?
7. Were the processes and products of the project (jail problem diagnosis, flow diagram, and advisory board) used to address new problems and other criminal justice issues, and is there evidence of more system-wide planning?

APPENDIX B

DATA COLLECTION SURVEY FORMS

JAIL OVERCROWDING TELEPHONE SURVEY FORM
(Phase I - Not Refunded)

1. Could you tell me about your overcrowding problem at the time of your grant application?

Were you faced with a court order or the threat of one?

Was the problem the number of inmates, the classification system, information system, etc.?

2. What agencies participated in the program? Which were involved in planning the grant application?
3. Who had decision making authority (project director, advisory board, etc.)?
4. What was the make-up of your advisory board?

What was their role in the project?

5. What was your funding and how was it allocated?
6. Did you have any problems getting the cash match or letters of endorsement?
7. How much cooperation was received from the criminal justice system participants?
8. What had you hoped to accomplish as a result of the planning grant?
9. What actual accomplishments resulted?

10. Were Phase II funds applied for?

If not, why not?

If yes, why was funding refused?

11. Are there any other projects operating in your jurisdiction that can impact the jail population?

12. Were any results of the planning phase implemented without Phase II funding?

If no, what were the obstacles?

If yes, what?

Were additional funds required? Where did they come from?

Would anything else have been implemented with the help of Phase II funds?

13. Did the project have any effect on court caseloads? Prosecutor caseloads?

14. What kind of information system do you have for jail, court, and police data?

Was it improved through the planning grant?

15. Was there any community reaction to the programs?

Technical Assistance

1. Did you require technical assistance during the project?

What kind?

Did you receive it?

From whom?

2. How were contacts made with TA providers? (Through AJI, direct contact, etc.?)

3. Was the TA you received satisfactory?

If not, what were the deficiencies?

4. What changes, if any, were made as a result of the TA?

PHASE I SITE VISIT

Jurisdiction

Persons Contacted

I. Where and when did you first hear about LEAA's jail overcrowding program?

How was the decision made to apply for a Phase I grant, and who made it?

How serious is the jail overcrowding problem?

Were you faced with a court order or the threat of one?

Is the problem the number of inmates, the classification system, information system, etc.?

What is your LEAA funding, and how is it allocated?

Other than LEAA funding and local match money are there any other sources of funds for the jail overcrowding project? How much?

II. What agencies are participating on the project?

Main cast:

Supporting cast:

Key decision makers:

Degree of cooperation anticipated from system participants.

Did you have any difficulty getting the cash match or letters of endorsement?

Who is on your advisory board? How will they function on the project?

Are you planning on applying for Phase II funds?

III. What system components can impact jail population?

What effect do you anticipate the planning process will have on court caseloads? Prosecutor caseloads?

Has there been, or do you anticipate, any community reaction to the program?

IV. What is your relationship with AJI generally? With other TA providers?

For each TA visit provided by AJI or any other source, please answer the following:

1. Who initiated the visit?
2. Date of the visit?
3. Who made the visit?
4. Purpose of the visit?
5. Result of the visit?
6. Satisfaction with the visit?

What were your impressions of the cluster meeting in Baltimore?

What actions, if any, were taken as a result of the meeting?

Have you made any contacts with LEAA?

What type of TA will be needed and how will it be obtained?

V. What pre-trial release alternatives are available?

Which alternatives are being used?

Are there any other programs operating in your jurisdiction that can impact the jail population?

What jail, court, and police data are available?

Do you know how many are held solely because they cannot post financial bond?

What is the source of these data and how are they compiled?

How can DRI access the data?

In what ways do you plan to use the funding to improve your information system?

What additional data will you collect in the Phase I planning grant?

CONTINUED

2 OF 3

JAIL OVERCROWDING CASE STUDY FORM

Phase II Projects

Project title:

Duration:

Jurisdiction:

Responsible agency and individual contact:

Organizational placement of project:

Participating agencies and individual contacts:

Who are the key decision makers on the project?

- What was your jail overcrowding problem when you applied for Phase II funding?

A. Had it changed from when you applied for Phase I funding?

B. Was the problem the number of inmates, the information system, the classification system, etc.?

C. Were you faced with a court order or the threat of one?

- How was the decision made to apply for Phase II funding and who made it?

- Other than LEAA funding and local match money, are there any other sources of funds for the jail overcrowding project? How much?

Original Design of Project

A. Rationale of project (framework and assumptions):

B. Stated objectives:

C. Emphasis (central intake system, improved management information system, increased use of citations, etc.):

D. Proposed methodology:

E. Pretrial services available?

F. Mechanism for coordination:

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G. Role and composition of Advisory Board:

- Has the role of the Advisory Board changed from Phase I to Phase II?

Project Implementation

A. Changes in rationale, goals (if any):

B. Changes in project (if any):

C. Any other procedural deviations (schedules, etc.):

D. Participant pretrial release criteria and referral procedures:

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E. Other feasible alternatives not included in this project. Are they being used?

F. Are there any other programs operating in your jurisdiction that can impact the jail population.

G. Degree of cooperation by participating agencies:

H. What would have happened if you had not received Phase II funding?
Would results of the planning phase have been implemented?

Outcomes

Jail-Related

1. Reduction in number held (average daily population):

Number held solely because they could not post financial bail:

2. Reduction in length of stay:

3. Effect on general jail conditions:

4. Jail population distribution by types of charges:

5. Increased alternatives to arrest and incarceration:

6. Change in staff requirements:

7. Any effect on staff attitudes:

Judicial-Related

1. Effect on pre-trial delay (distribution by types of charges in time to trial):
2. Effect on judges and prosecutors (caseloads, attitudes):
3. Effect on defense attorneys:
4. Changes in time to referral (earlier entry by DA's office):
5. Effect on number of failures to appear:
6. Establishment of active judicial involvement in overseeing jail population levels:
7. Change in staff requirements:

Police-Related

1. Increase/decrease of reported incidents of crime, arrests:
2. Change in staff requirements:
3. Number of crimes committed while on pretrial release or diversion:
4. Effect on police attitudes:
5. Effect on number of arrests and seriousness of arrests:

Administrative

1. Improved monitoring capability:

2. Improved access to jail management information:

3. Increased cooperation/communication with related agencies
(judicial, social services, etc.):

Community-Related

1. Community acceptance:

2. Effect on victim, witness, or complainant attitudes/satisfaction:

Individual-Related

1. Is equal treatment maintained under program?

2. Participant satisfaction:

Cost Variables

1. Cost of program per participant:

2. Cost to each participating agency:

3. Jail costs pre-program and post-program:

4. Increase/decrease in personnel costs:

5. Cost in comparison to alternative programs:

6. Cost to community (crimes to persons or property by persons on
pretrial release or diversion?)

7. Gains in wages, increase in taxes paid, etc., by those on pre-trial release:

8. Reallocation of community resources:

9. Cost of any training required for program:

Technical Assistance

1. TA needed:

2. TA requested:

3. TA received (from whom):

4. Nature of relationship between AJI and project:

-Between other TA providers and project:

5. For each TA visit provided by AJI or any other source, please answer the following:

A. Who initiated the visit?

B. Date of the visit?

C. Who made the visit?

D. Purpose of the visit?

E. Result of the visit?

F. Satisfaction with the visit?

Contacts with LEAA

Have you made any contacts with LEAA? What transpired?

Overall Evaluation

Project Conception

1. Appropriateness of program in meeting stated objectives:
2. Quality of program administration:
3. Adequacy of design:
4. Priority in face of competing needs:

Global Effectiveness of Program

1. Short-term changes:
2. Anticipated long-term changes:
3. Goal attainment:
4. Overall improvement in jail management:
5. Obstacles in conducting program:
6. Suggested changes if program repeated:

7. Most effective program component:

8. Least effective program component:

9. Most effective combination of components:

10. Unanticipated impacts:

11. Effectiveness of technical assistance:

12. Comments:

APPENDIX C

ALTERNATIVES TO INCARCERATION

An important aspect of this project has been to survey the broad range of feasible methods for reducing jail population and, when possible, to assess their costs and impacts. Because relevant research is so extensive, certain limitations in scope have been necessary in order to identify a complete cross-section of alternatives. First, since pretrial detainees comprise a large and highly releaseable segment of the jail population, methods for decreasing their numbers or length of stay have been given particular emphasis. Second, only alternatives that are designed to include adult inmates have been considered. This is not meant to minimize the extent to which juvenile offenders can constrain jail space, but results from the fact that juvenile and adult cases are processed quite differently in most criminal justice systems. Finally, special efforts have been made to identify new and innovative approaches even though evaluative data may not yet be available.

Client-Based Alternatives

From this review, it seemed that a useful distinction could be drawn between client- and system-based alternatives to overcrowding. Client-based alternatives refer to procedures that may be applied in a particular case to minimize the likelihood of confinement during criminal justice processing from arrest through sentencing. System-based alternatives, on the other hand, focus on the more global aspects of criminal justice system operation. While both types can impact significantly on the problem, only the former type has been extensively evaluated in any general sense. These client-based procedures are summarized.

Alternatives to Arrest. From the standpoint of cost and psychological impact on the individual, the least interventionary criminal justice practices are the most desirable. That is, to the extent that stages can be minimized or averted in the typical arrest-detention-prosecution-confinement process, there will be less effect on the accused and a financial savings to the system. This section describes alternatives to a full custody arrest that have been used effectively to reduce processing efforts and avoid detention.

Field Citations and Summons. The history of the summons as a substitute for an arrest warrant dates back to Common Law England. A summons is a notice to appear, issued by a magistrate or prosecutor, and delivered by some agent of the court. In this country, it is generally

restricted to misdemeanor cases. The field citation is a similar notice, issued by the officer on scene. These terms are sometimes used interchangeably and there are situations where the citation may, in fact, be used as a summons (see, for instance, Oregon's Code of Criminal Procedure, section 133.045 2). Despite the procedural similarities, field citations have a wider range of applicability than summons and can be used in nonserious felony cases.

Perhaps because field release methods are typically limited to fairly minor crimes, they have enjoyed reasonable success. An Oakland, California program, for example, released over 50 percent of all misdemeanors during a period from 1970 to 1973, with a failure-to-appear rate of only 4.5 percent. Cost analyses have also been encouraging. Weisberg's 1975 study found that field citation costs were substantially (41%) lower than the costs of traditional arrest procedures even if a relatively low rate of eligibility for release and a low release rate were used. This figure increased to 87 percent when lost income as a result of custody was also considered. A tentative analysis further showed that the traditional warrant for arrest procedure exceeded by 33 percent the cost of its alternative, the summons.¹

Crisis Intervention. Family crisis intervention (FCI) refers to the use of specially trained police officers for dealing with family disturbances. Although designed with the intent of minimizing injuries to police and family members, these special crisis units can also impact somewhat on jail overcrowding by providing services and service referrals in lieu of arrests and detention. FCI units have been tried in New York City, New York; Oakland, California; Charlotte, North Carolina; Dade County, Florida and elsewhere with mixed results. Even those pilot projects that have been successful have not always been institutionalized and research suggest that these units may only be appropriate for large cities.

Police Fines. Many European legal systems make use of on-the-spot or fixed schedule police fines for minor "victimless" crimes. These practices are generally limited to situations where the offender would be sentenced to a fine. Sweden, for example, used the police fine to deal with drunkenness and disorderly conduct, and Switzerland used the approach with traffic violators.² While this alternative offers cost savings in terms of personnel time and processing requirements, it is unlikely to be adopted in this country unless its associated problems of accountability and possible corruption can be overcome.

Alternatives to Pretrial Detention. According to the 1978 National Jail Census, 42 percent of the 158,000 people being held in local jails were pretrial. Not only is pretrial detention expensive for the taxpayers, but it can subject the prisoner to serious hardship. Currently, about 400 pretrial

service programs operate across the nation to reduce at least certain segments of the pretrial population.

Once the decision has been made to take a suspect into custody, the suspect's subsequent release from detention may occur before booking or at any time after booking up until final case adjudication. Clearly, cost savings are directly related to an expediting of release--the less time a suspect remains in custody, the lower the criminal justice costs.

Some recent overviews of the pretrial release field include Galvin's (1977) qualitative review of alternatives,³ Weisberg's (1978) cost analysis,⁴ and Kirby's (1977) introduction to evaluation issues.⁵ Aaronson and his associates have constructed a detailed matrix of adjudication methods which also includes many of the alternatives discussed below.⁶ These readings should be consulted for further information and useful references.

Stationhouse Citation. In some situations, the accused person is released on a citation after being transported to the police station or jail site. Most stationhouse citations are issued after booking the suspect, although some programs have used a prebooking processing unit for this purpose (e.g., Santa Clara County, California). These procedures allow both for a formal check into the person's background before release and the involvement of agencies other than law enforcement in the screening process. Because of transportation and booking, stationhouse citation costs approach the costs of traditional arrest in terms of criminal justice expenditures. However, with lost income as a factor, Weisberg (1975) has estimated a 37 percent savings to the community.⁷

Financial Bail Release. The traditional bail system still offers one of the most widely used and accepted methods of pretrial release. The procedure requires the defendant or a third party to pay cash or post security to guarantee the defendant's subsequent appearance in court. Although fixed schedules are often used to allow for stationhouse release when minor offenses are charged, bail is usually set by the court at arraignment. When the accused cannot post bail privately, a commercial bailbondsmen is generally hired to post bond for a fee of 10 percent of the bond's value. Unfortunately, the consequence of this system is that freedom rests entirely on the ability to raise money, regardless of the seriousness of the charges and likelihood of flight.

Bail Alternatives. Since the establishment of the Manhattan Bail Project in 1961, a variety of reform projects have been launched to relieve the inequities of conventional bail. Statutory changes have essentially eliminated commercial bondsmen in Oregon, Kentucky, and Illinois. However, many alternatives still require a financially based promise to return for trial. Four types of alternatives have been developed to be

consistent with existing bail frameworks: percentage bail, unsecured or nominal bond, credit bond, and bail expediting.

Under the deposit or percentage bail approach, the offender is released after paying some fraction, typically 10 percent, of the bond set by the court. This deposit is then refunded upon return for trial less a small service charge for administrative costs. If the defendant does not return for trial, he becomes responsible for the entire bond amount. Compared to individuals released on bail, persons released under court deposit systems consistently show equal or lower FTA rates. The Vera Institute's evaluation of the Greater Cincinnati Bail Project⁸ and John Conklin's examination of two Massachusetts jurisdictions are cases in point.⁹ Atlantic County, New Jersey; King County, Washington; and the State of Delaware have also included percentage bail in their JO/PDP efforts.

Unsecured bond extends financial release without any deposit requirements, although a nominal charge is made to cover processing costs (e.g., less than \$5). This is essentially a form of release on recognizance (see below) with the added stipulation that the defendant is liable for a specified sum of money in the event of his/her failure to appear in court. Credit bail simply allows credit card holders to charge their bail. This method provides an additional assurance of court appearance while expediting the release process. Dade County, Florida is one of the few JO/PDP sites currently using both credit card release and dollar bond.

One technique designed to speed up the bail process, known as bail expediting, has been implemented on an experimental basis in New York City.¹⁰ Since over 90 percent of those arrested post bail within five days of arraignment, it was reasoned that delays might be avoided if more surety contacts could be made before the defendant is transferred to a detention facility. In 1978, the NYC Criminal Justice Agency began a program of establishing surety contacts as early as possible during bail-making eligibility. Preliminary results suggest that only a slight reduction in detention days was attributable to the practice, although it was expected that a speedy release mitigated financial and emotional hardships for the defendant's family. Another method of expediting bail release is by establishment of a fixed bail schedule for minor offenses. In this way, detainees can post bail immediately after being booked according to the amount set for the particular offense charged.

Release on Recognizance (ROR). Ever since the seminal work of the Manhattan Bail Project was begun in 1961, personal recognizance release has been the cornerstone of pretrial programs. All nine of the Phase II JO/PDP projects studied, for example, use misdemeanor and/or felony ROR. By this method, defendants simply provide a signed promise to appear for any future court proceedings. Screening takes place subsequent to booking, and

although the authority to release generally rests with the courts, it is often delegated to other agencies for misdemeanor cases.

Surveys of ROR have found a broad range of release rates--from a low of about 40 percent to nearly 100 percent for misdemeanants--yet there appears to be no simple connection between FTA rates and the use of ROR. Research of a 20 city sample by Wayne Thomas in 1976, showed that FTA rates were generally comparable for ROR and financial bail.¹¹ More recently, an evaluation of Phase II, LEAA-funded pretrial release projects by the Lazar Institute, confirmed the fact that financial and nonfinancial releases differ little in terms of subsequent FTA and rearrest.¹² While the effectiveness of ROR in terms of costs and recidivism seems established, an understanding of its impact on jail overcrowding is clouded by the fact that many of those released would also be able to post bail. Any method of expediting release, however, as in the case of prearrest ROR, is bound to result in some reduction of detention days. Current research is concerned with release rates and criteria for ROR eligibility.

Release Under Supervision or Conditions. Many offenders do not qualify for ROR but are released to the community on the condition that someone in addition to the defendant assume the responsibility for his/her future court appearances. As with ROR, release of this sort is typically under the auspices of the court or a designated authority, but often a more intensive screening is necessary. Third party release refers to the practice of releasing the accused to a family member, attorney, friend, employer, clergyman, or volunteer. If the pretrial services agency acts as the third party (e.g., The DC Bail Agency), it is usually called supervised or monitored release and may include arrangements for in-house or outside services. And if additional restrictions are imposed, such as maintaining employment or school attendance, remaining within a defined geographic area, avoiding certain activities, or refraining from contact with the victim, it is known as conditional release. Release that is conditional on participation in a designated program or services, such as drug, alcohol, or mental illness treatment, job placement, or vocational training, is usually termed diversion or intervention (see discussion below).

A literature-based assessment of the jail and community impacts for these various supervised release options is especially difficult to conduct for a number of reasons: (1) costs and effectiveness may both depend on the locus of the authority to release, (2) pretrial agencies often oversee or provide a wide range of services that are not easily separable for analysis, and (3) clients may be eligible for a number of release options even within a particular jurisdiction. Overall, however, program successes have been well documented. The pretrial program in Des Moines, Iowa for instance, has consistently found the rearrest and FTA rates for its clients to be lower than those of people released on bail.¹³ The recent Lazar Institute¹⁴ study has

further supported the utility of supervised release. Ongoing research is primarily concerned with predicting FTAs and establishing optimum methods of notification and supervision.

Restricted Liberty. Occasionally, jurisdictions permit partial release from detention so that the accused can maintain employment or education (pretrial work release, pretrial study release, and weekend lockups). This practice can also be used in conjunction with diversionary programs when halfway houses are not available or appropriate. Although restricted liberty does not save confinement space, less costly facilities can be used rather than a high-security jail. Community costs are also lower since the defendant is usually able to support himself/herself and dependents. Pretrial furloughs are used for short-term release for such purposes as conferring with counsel or visiting the family, but jail impacts are negligible.

Alternatives to Prosecution. Over the past decade, formalized alternatives to prosecution have been authorized in nearly every jurisdiction in the country. Such procedures have a wide range of applicability and may be implemented at almost any point during criminal justice processing. Broadly defined, however, they are designed to deal with cases where neither the offender nor the community could expect the benefit from conventional penal actions. Such cases are usually of two types: those in which the offender is likely to respond to health or social services and those which center around inter-personal disputes.

Pretrial diversion and intervention refer to the suspension of criminal justice processing pending the fulfillment of certain conditions by the offender. Typically, diversion leaves no threat of prosecution while intervention provided a promise to reduce or dismiss the charges upon meeting the specified conditions. For present purposes, the term diversion will be used to refer to either approach.

Following the recommendations of the President's Commission on Law Enforcement and Administration of Justice in 1967, the successes of pretrial diversion were widely publicized. More recently, however, its critics have also made themselves heard. In 1974, two important reviews by Mullen¹⁵ and Rovner-Piecznik¹⁶ summarized the deficiencies of the evaluation literature on diversion. Citing improper methodology, these authors found the bulk of diversion research results to be inconclusive, unsubstantiated, and nongeneralizable. Specifically, they argued that: (1) low recidivism rates could be related to selection criteria, (2) results could not be supported beyond the duration of program participation, and (3) cost-effectiveness claims were not justifiable. An update by Kirby (1978) found research since 1974 suffering from many of the same disabilities, although he emphasized that the lack of appropriate research does not invalidate the concept of diversion.¹⁷ While recent research has been undertaken to

address these issues, they are important to keep in mind as specific alternatives are considered below.

Alcohol Detoxification. Public drunkenness is no longer a crime in about half of the states, yet that and related offenses still accounted for 24 percent of all arrests in 1974.¹⁸ It is not surprising, then, that extensive efforts have been made to divert public intoxicants to halfway houses and treatment centers rather than jails. Detox programs can have immediate and significant impacts on police costs and jail overcrowding. The Manhattan Bowery Project, for example, has been operating since 1966 and has claimed an 80 percent reduction in public drunkenness arrests within the district. More recently, San Francisco's Phase II JO/PDP efforts were able to reduce public intoxication bookings from 33.3 per day in 1978 to 17.3 per day in 1980.

It has been estimated that police costs for diversion of public inebriates are only about half the traditional arrest costs. While this figure may be particularly attractive from a criminal justice standpoint, it does not accurately reflect costs to the community. Because program services often include a wide range of after-care assistance, as well as immediate detoxification, alcohol centers cannot be cost-effective in the short run. In fact, jailing costs are typically on the order of 20 percent of detox diversion costs overall. However, substantial savings are possible in the long run if such programs are successful in "recovering" alcoholics.

Drug Diversion. Another diversion procedure channels drug addicts accused of lesser crimes into community-based treatment programs. Unlike the alcohol detox programs just discussed, clients are thoroughly screened for eligibility, and usually released at arraignment if they qualify. TASC (Treatment Alternatives to Street Crime) has been the principle model in this area since its development in late 1972. Under LEAA's management, more than 38,000 drug offenders have entered treatment through the TASC system. Currently some 65 communities are in some phase of TASC planning or implementation, including 11 of the JO/PDP sites, and a number of these projects have reported short-term success in terms of recidivism.¹⁹

The task of estimating pretrial drug diversion costs has been complicated by a number of factors. First, the methodological problems referred to earlier, often limit the generalizability of results to the period of program participation. Second, drug diversion is often only one aspect of a larger drug or pretrial program, and it may be impossible to distinguish the impacts of pretrial diversion from those of the project as a whole. And lastly, the nature of the services provided may be critical to a project's effectiveness and cost. Care options include outpatient services, day-care, residential treatment, or may involve a combination of these during the diversionary period (see Weisberg, 1978 for a comparison of treatment cost

alternatives). In general, costs are related to the type of care and the density of the addict population in the community, but as with many diversion techniques, cost-effectiveness may only be realized in the long-term.

Education and Employment Projects. It has long been recognized that a disproportionate number of the criminal offenders in this country are undereducated and underemployed. One 1972 LEAA survey showed that 45 percent of all jail inmates made less than \$2,000 during the year before their arrest.²⁰ Under the assumption that employment constitutes effective community rehabilitation, numerous programs have been established to provide vocational, educational, and psychological assistance with the aim of gaining employment for their clients. Typically, all detainees are screened to identify those who: (1) have no serious criminal record, (2) need job training, education, counseling, or placement, and (3) want to participate. Aptitude, age, drug use, and nature of the alleged crime are also used as program criteria.

With low-risk clientele, it is not surprising that these programs consistently find low rearrest rates for favorably terminated participants. An evaluation of the Monroe County, New York project, for example, found that the recidivism rate for diversion clients was lower than for a comparison group.²¹ Another New York effort, the Court Employment Project, has used an experimental design to study the effects of diversion on a higher risk population (97% of the most recent sample were charged with felonies). Preliminary findings indicate that rearrest rates did not differ significantly for experimental and control groups even at 12 months after intake into the research.²²

As with many diversion alternatives, costs are difficult to accurately assess. In 1974, the Dade County, Florida program found operating cost to be less than probation costs and half of incarceration costs for the same time.²³ The Monroe County project was also shown to be cost effective, even when conservative research assumptions were employed.²⁴ Bohnstedt (1978), however, warned that diversion programs which provide services primarily to youthful offenders, who would not normally penetrate the criminal justice system further, may cost more, rather than less.²⁵

Citizen Dispute Resolution (CDR). A 1977 Vera Institute study found that 56 percent of all crimes against persons in New York City involved individuals who had a prior relationship with the defendant. More importantly, 87 percent of those cases were later dismissed due to complainant noncooperation.²⁶ Many communities have recognized that third-party dispute resolution techniques such as arbitration, mediation, or conciliation could be far more effective, efficient, and appropriate than traditional processing under such circumstances.

While the mechanics of CDR vary widely, it consists of an informal voluntary hearing designed to reach some reconciliation among the parties involved. Programs have been administered by the courts (New Jersey Municipal Courts), prosecutor's offices (Night Prosecutor Program in Columbus, Ohio), bar associations (Orange and Dade Counties, Florida), and independent agencies (YMCA in Suffolk County, New York). Decisions can be advisory or binding, and dissatisfied participants usually have the recourse of traditional criminal justice adjudication.

It would be premature to generalize about the costs and impacts of CDR programs given their experimental nature. Minor disputes settled by court referral to arbitration may actually cost more in the long run, while not reducing jail use. A recent evaluation of three neighborhood justice centers, however, concluded that they provide "a needed and effective alternative mechanism for the resolution of minor disputes."²⁷ The key to CDR effectiveness appears to be in establishing a truly citizen-based alternative which minimizes criminal justice involvement.²⁸

The four alternatives to prosecution, outlined above, by no means comprise the extent of pretrial diversion. Certain European legal systems have empowered prosecutors to deliver judgments, including fines and probation, with defendant approval. In this country, many jurisdictions have diverted traffic offenders to special courts and training programs. With the routinizing of screening procedures in recent years, particular attention has also been given to offenders in need of mental health services. Less common diversion requirements have included participation in "awareness" training sessions and preparing essays on subjects related to the offense charges.

A comparatively new diversion alternative involves pretrial restitution in the form of community service. The option is generally administered by the prosecutor's office, restricted to petty larceny cases, and is entirely voluntary. In its first year of operation, a Fairfax County, Virginia program had 93 percent of its clients successfully complete 50 hours of community service.

Despite the methodological problems noted earlier, diversion can be an effective and appropriate alternative for reducing jail use. Success, however, seems related to the program's ability to tailor conditions to the individual's needs and opinions on a voluntary basis.

Sentencing Alternatives. A variety of sentences may be imposed following conviction which either do not include or minimize traditional incarceration. Often a combination of sentences is prescribed by the court. Where incarceration is the principle sentence, it is sometimes incorporated into a sequence of successively less restrictive facilities. Since jails are generally used only for serving short-term sentences, the impacts of these

alternatives on jail overcrowding may be slight. However, to the extent that they provide low security alternatives, there may be a significant reduction in jail costs.

Increased Use of Monetary Sentences. The imposition of a fine in lieu of incarceration offers perhaps the most direct method of reducing jail populations. Unfortunately, it is often an inappropriate sentence or undermined by an inability to pay. Installment plan fines have been used effectively for dealing with the latter problem. Sweden uses a system of day fines in which offenders make daily payment to stay out of jail. The fines are based on the person's income, and failure to pay results in being incarcerated for the duration of the sentence. Some jurisdictions have even tried a pay-as-you-stay type of sentencing, in which inmates are required to pay the costs of their incarceration, but with little success.

Residential Alternatives. It is sometimes possible to avoid jail confinement by sentencing an offender to an unsecured criminal justice or community facility. Although most such facilities are geared toward drug and alcohol rehabilitation, others, such as Minnesota's restitution homes, are designed to provide supervision, counseling, and restitution to the victim or community. One of the most extraordinary residential alternatives is house arrest, in which the offender is restricted to the court's jurisdiction and required to report daily to a criminal justice agency. Two recent California cases have used this approach, but it is clearly limited to very unusual circumstances.

Conditional Probation. This represents a less restrictive sentence than those with residential provisions, but incorporates a similar range of situations. Offenders are allowed to remain at liberty pending fulfillment of certain conditions. These conditions typically include maintaining employment, making restitution, or participating in any number of treatment or community service projects. One example is the Portland Alternative Community Service Program which sentences misdemeanor offenders to a certain number of hours of volunteer work in various social service agencies. Other jurisdictions provide for victim restitution in which damages are paid to the victim by the offender. California and Maryland have established funds into which both offenders and the state contribute in order to compensate victims of crimes. While these practices may have some effects on civil court case loads, impacts on jail overcrowding are slight.

Many more unusual and innovative sanctions have also been imposed by trial courts. A physician convicted of attempted manslaughter, for example, was sentenced to work in a New York jail clinic while also being allowed to keep his private practice. Tailoring conditions to the individual can be especially productive and educational in certain cases, but the potential for abuse is also high.

Restricted Liberty. All of the partial release procedures used for pretrial detainees are also applicable to the post-trial population. Work and study release, weekend sentences, and special furloughs are all used extensively to lessen both the duration and impact of incarceration. Halfway houses can be used both prior and subsequent to full-time detention to aid in the transition. As halfway-in houses they provide a more structured setting for probationers and parolees facing revocation; as halfway-out houses, they offer services to those leaving the highly structured environment of an institution. Finally, parole can be made more available so that jail time is minimized.

System-Based Alternatives

In the early years, reform efforts focused on the methods for reducing jail overcrowding by offering programs and services to qualified individuals. More recently, procedures designed to enhance the operation of the entire criminal justice system have been given more notice. These system-based alternatives are comprised of legal, policy, and structural changes which primarily affect the mechanics of the system rather than the handling of a particular case.

Legislative Changes. Decriminalization can have wide sweeping effects on the number of arrest and subsequent detentions within a jurisdiction, but is in practice rarely utilized. This alternative refers to statutory actions which remove, reclassify, or substitute a noncriminal response for offenses included in the criminal code. The first type of decriminalization is quite rare except in instances where the offense was not being enforced (e.g., adultery). Two noteworthy exceptions in the elimination from criminal prosecution are, homosexual behavior between consenting adults (Illinois, 1962), and shoplifting (East Germany, 1967).

Downgrading a particular offense established reduced criminal penalties such as fines in lieu of incarceration or lower minimum and/or maximum terms of imprisonment. A number of states have used this approach in recent years to reclassify the possession of small quantities of marijuana (e.g., Oregon, 1973).

A third form of decriminalization involves transferring the responsibility for dealing with certain offenses out of the penal system. Special courts (e.g., traffic courts), community agencies (e.g., detox centers), or civil courts may be granted jurisdiction. In Germany, private corporations are given some authority to deal with offenses committed by its employees (betriebsjustiz) and certain socialist nations rely on lay courts in the same way (e.g., Yugoslavia and Poland). Although these techniques may deal with

cases more appropriately, the impact on jail overcrowding is minimal since those crimes transferred would only rarely result in incarceration.

Policy Changes. In many cases, a type of informal decriminalization has been created when one or more criminal justice agencies established a policy that prevents certain offenses from being processed. Such selective enforcement can reduce overcriminalization produced by vagueness in the law. Policy guidelines can also be necessary for the effective implementation of client-based alternatives. Authority must be delegated within the system to use existing alternatives and, at times, to insist on their use. Other alternatives may require some redesigning of criminal justice procedures, as in the case of using central intake, or the establishment of a broader-based jail administration so that the inmate population might be more evenly distributed across rural and urban institutions.

System Expansion. An obvious solution to overcrowding is the construction of new jail facilities, and two of the Phase I projects in DRI's sample also found this to be the only feasible option. The cost of a new construction, however, makes this alternative highly undesirable. Renovation for more efficient and flexible use of existing space and creation of low-security, community-based correction facilities may provide lower cost alternatives.

Often, expanding the staff can increase the efficiency of alternatives already in use. Screening hours might be extended to cover around the clock, and pretrial investigations might be carried out more rapidly. In some cases, volunteers, such as law students, can be used to minimize system costs.

Rehabilitation. In the long run, the establishment of in-jail treatment and training programs may well have significant effects on jail overcrowding. These programs can be set up as extensions of existing intervention or diversion programs in hopes of preventing future crimes and further incarceration. Rehabilitative efforts have also been extended to high-crime-likelihood groups, such as drug addicts, that may enter the criminal justice system without treatment. VERA's NYPD Outreach Program is one early intervention approach used to help drug addicts. Such programs are very limited in applicability, however, and have been only somewhat successful.

Technical Improvements. Technological changes may also offer a means of lessening jail overcrowding, by speeding up the processing of cases. Las Vegas for instance, has installed a video appearance system for probable cause hearings to expedite release and eliminate transportation costs.

Since the key to the effective use of any alternative is in understanding the workings of the system, advances in computer information processing are particularly relevant. Twelve of the 41 JO/PDP sites have either participated in, or plan to participate in one or more of the JIS, JAMS, or PROMIS programs, and many more have budgeted substantial sums for information system improvements. By redesigning or automating record keeping, data can be more easily collected and analyzed, booking and background verifications can be handled more quickly, and court calendars can be managed more efficiently. But most importantly, better information can be made available to those making policy and procedural decisions regarding client-based alternatives to jail overcrowding.

FOOTNOTES

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APPENDIX D
EVALUATION FRAMEWORK

The chart on the following page provided a framework for evaluating the AJI and local project interactions. The framework was used for gathering, organizing, and interpreting information from each site and for summarizing the overall findings.

The vertical dimension lists the phases through which local projects typically pass as well as lists ongoing functions, such as fiscal and personnel management.

The horizontal headings identify TA and related needs at each phase, the services potentially available from AJI to meet those needs, and the services actually provided by AJI or other TA sources. The level of local satisfaction with these services is also called for.

In addition, the horizontal listings provide for the sources of the information relating to AJI, LEAA, and local project interaction.

We also used the information from the framework to evaluate the role of AJI as a national project coordinator.

A. PHASE I PROJECTS Problem Analysis and Action Plan	Local Project Needs	AJI SERVICES AVAILABLE			AJI SERVICES ACTUALLY PROVIDED			DATA SOURCES FOR THIS EVALUATION		Alternative Sources of Assistance	LEAA, AJI Interaction	LEAA, Local Project Interaction
		Technical Assistance	Dissemination, Coordination, Brokering, Leadership, etc. Monitoring		Technical Assistance	Dissemination, Coordination, Brokering, Leadership, etc. Monitoring		AJI	Local Project			
Development Phases												
Before Awareness of Phase I Program Funding												
Initial Funding												
Existing Resources and Systems												
Request for Information												
Preparation of Application												
Organize Advisory Group												
Contract Negotiations												
Fiscal Management												
Personnel Management												
Project Start-Up												
Initial Hypotheses												
Problem Definition												
Alternative Idealized "Solutions"												
Barriers to Attainment												
Other Criteria												
Selection of Feasible Alternatives												
Baseline Data												
Projections												
Implementation Design												
B. PHASE II PROJECTS												
Implementation												
Proposal for Support												
Contract Negotiations with LEAA												
Start-Up												
Complete Phase II Plan												
Development of Manage- ment Information System												
MIS: Testing												
Modification												
Evaluation												
Development of Pretrial Release Program												
PRP: Testing												
Modification												
Evaluation												
Final Report Prepara- tion												

EVALUATION FRAMEWORK
NATIONAL PROGRAM COORDINATOR

APPENDIX E
SITE VISITS BY AJI JAIL OVERCROWDING STAFF

REGION AND SITE	STATUS	MONTH OF VISIT, 1978 -- 1979												AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	
SOUTHEAST																															
Atlanta, GA	79-I																		M												
Cumberland Co, NC	79-I																		M												
Dade Co, FL	78-I, 79-II																														
Duval Co, FL	78-I																														
Gulfport Region	78-I, 79-II																														
Orange Co, FL	79-I																														
Orleans Parish	78-I, 79-II																														
W Florida Region	79-I																														
MID-ATLANTIC/NORTHEAST																															
Alexandria, VA	79-I																														
Atlantic Co, NJ	78-I, 79-II																														
Baltimore, MD	79-I																														
Connecticut	79-I																														
Delaware Co, PA	78-I																														
Delaware	78-I, 79-II																														
Mercer Co, NJ	79-I																														
Middlesex Co, NJ	78-I																														
Monroe, Co, NY	79-I																														
Philadelphia, PA	79-I																														
Virginia Region	78-I																														
Washington, DC	78-I																														
MID-WEST																															
Anoka Co, MN	78-I																														
Franklin Co, OH	79-I																														
Genesee Co, MI	78-I																														
Hamilton Co, OH	78-I																														
Jefferson, KY	78-I, 79-II																														
Lucas Co, OH	79-I																														
Milwaukee Co, WI	79-I																														
Muskegon Co, MI	79-I																														
WEST																															
Boulder Co, CO	79-I																														
Clark Co, NV	79-I																														
Hawaii	78-II																														
Jefferson Co, CO	79-I																														
King Co, WA	78-II																														
Lane Co, OR	78-I																														
Multnomah Co, OR	78-I, 79-II																														
Pierce Co, WA	78-I, 79-II																</														

S = single person visit; M = multiple person visit; T = telephone contact.
Status and visit data as of 12/79.

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APPENDIX F

WORKSHOP/SEMINAR MANAGEMENT RECOMMENDATIONS
FOLLOWING PHASE I CLUSTER MEETING

1. Even though participants introduced themselves at the first plenary session, it would have been very helpful to have name tags available and to have encouraged participants to use them throughout the meeting.

2. It would also have been useful to provide paper and pencils for the conference participants, as well as some type of inexpensive folder for the conference materials.

3. A directory of the conference participants would have been helpful not only at the meeting itself, but also following the meeting, to encourage communication among the Phase I site representatives. This could have been made available on the second day.

4. In several sessions there was an insufficient number of handout materials for all participants which made the presentations more difficult to follow. Several attendees appeared to lose interest, and some walked out. A local copying service can be used whenever it is not feasible to carry or ship very large packages. Providing handouts has both an immediate effect on the attention of attendees and also provides discussion materials for the project staff when the attendee returns home.

5. In one session devoted to data collection and analysis, a rather lengthy document was reviewed which included data collection forms and alternatives for data analysis. However, the group leader covered several pages of material in a very short period of time. Perhaps it would be better to limit the amount of material covered and concentrate on clearly communicating the most essential elements.

6. In several sessions, certain reports were cited which pertain to the jail overcrowding problem and pretrial release programs. It would be helpful to have made available a simple mechanism for interested persons to order these materials, e.g., a list of the publications for each participant.

7. Smoking/nonsmoking sections are generally appreciated at large meetings.

8. It is generally helpful when questioners identify themselves from the floor and when the chair repeats questions before responding. When the air conditioners were on, many of the questions were not heard in the back of the room.

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UNIVERSITY OF DENVER
An Independent University
University Park, Denver, Colorado 80208

Denver Research Institute
Social Systems Research and Evaluation

October 23, 1980

Mr. Albert D. Gray
Westchester County Dept. of Corrections
Valhalla, New York 10590

Dear Mr. Gray:

I am writing to your office at the suggestion of Ms. Black.

We are presently evaluating jail overcrowding reduction programs throughout the country, under contract with LEAA. As a basis for comparison with these programs, we have been asked to locate jurisdictions that have the ability to supply the needed data. (Frank Leahey of INSLAW, Washington, D.C., suggested that we contact your facility.)

We would very much appreciate your forwarding to us any of the following data, if at all possible, from the Summer of 1978 through January 1979, and from January 1980 to the present (or of time periods overlapping the above):

	Summer 1978 through January 1979	January 1980 to Present
1. Jail capacity		
2. Average daily population		
3. Percentage of jail population awaiting trial		
4. Number of bookings		
5. Average length of pretrial stay		
6. Number who failed to appear following provisional release		

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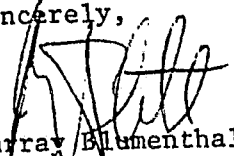
We are interested in knowing also, if any programs were underway during the time periods the data were collected that were likely to have effected the various measures of jail population listed above.

As a jurisdiction with one of the more advanced data capabilities in the country, we are certain that you receive frequent requests for information. We hope that you can assist us so that we can add Westchester County's data to our tables. We will be pleased to send to you copies of relevant sections of the final report.

Kindly let us know if any further clarification is needed.

Thank you in advance for your assistance.

Sincerely,


Murray Blumenthal, Ph.D.
Professor of Law

MB:gar
Enclosure

cc: Ms. Black
Anita West ✓
Jim Neubaum

APPENDIX G (continued)

Survey Returns	(Partial)
Arapahoe County, CO	
Cook County, IL	X
Denver, CO	
Detroit, MI	X
Houston, TX	X
Minneapolis, MN	X
Orange County, CA	X
Polk County, IA	
Salt Lake, UT	X
St. Paul, MN	
Westchester County, NY	

END