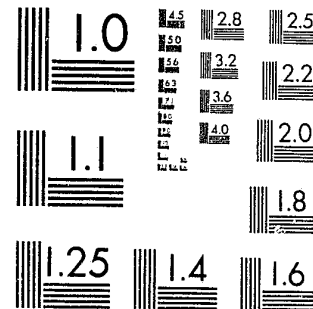


National Criminal Justice Reference Service

ncjrs

This microfiche was produced from documents received for inclusion in the NCJRS data base. Since NCJRS cannot exercise control over the physical condition of the documents submitted, the individual frame quality will vary. The resolution chart on this frame may be used to evaluate the document quality.



MICROCOPY RESOLUTION TEST CHART
NATIONAL BUREAU OF STANDARDS-1963-A

Microfilming procedures used to create this fiche comply with the standards set forth in 41CFR 101-11.504.

Points of view or opinions stated in this document are those of the author(s) and do not represent the official position or policies of the U. S. Department of Justice.

National Institute of Justice
United States Department of Justice
Washington, D. C. 20531

4/21/86

97861 C-1

NATIONAL COUNCIL ON CRIME AND DELINQUENCY
77 Maiden Lane, Fourth Floor ■ San Francisco, California 94108 ■ 415/956-5651

97861

U.S. Department of Justice
National Institute of Justice

This document has been reproduced exactly as received from the person or organization originating it. Points of view or opinions stated in this document are those of the authors and do not necessarily represent the official position or policies of the National Institute of Justice.

Permission to reproduce this copyrighted material has been granted by

Public Domain/NIJ

US Department of Justice

to the National Criminal Justice Reference Service (NCJRS).

Further reproduction outside of the NCJRS system requires permission of the copyright owner.

**DIFFERENTIAL USE OF JAIL CONFINEMENT
IN CALIFORNIA**

A Study Of Jail Admissions
In Three Counties

Final Report

NCCD Research Center
760 Market Street, #433
San Francisco, CA 94102
(415) 956-5651

October 1, 1984

The National Council on Crime and Delinquency prepared this report for the National Institute of Justice under Cooperative Agreement Award #81-IJ-CX-0068. Opinions stated herein are those of the authors and do not necessarily represent the official position of the National Institute of Justice.

NCCD STAFF

James Austin, Ph.D.	Co-Director
Barry Krisberg, Ph.D.	Co-Director
Patrick Jackson, Ph.D.	Research Associate
Anita Paredes	Research Assistant
Bill Elms	Data Analyst
Dawn Saito	Administrative Assistant
Michael Stratton	Word Processing Operator
Eddie Smith	Word Processing Operator
Barbara Ramirez	Word Processing Operator
Cindy Stearns	Data Coder
Glen Browning	Data Coder
Nancy Strachan	Data Coder
Bernadette Tarallo	Data Coder
John Irwin, Ph.D.	Consultant

NIJ STAFF

Larry Bennett, Ph.D.	Project Monitor, Office of Program Evaluation
James K. Stewart	Director

From many points of view, the jail is the most important of all our institutions of imprisonment. The enormous number of jails is alone sufficient ... to make (one) realize that the jail is, after all, the typical prison in the United States From two-thirds to three-fourths of all convicted criminals serve out their sentence in jails. But this is not all. The jail is, with small exception, the almost universal detention house for untried prisoners. The great majority, therefore, of penitentiary and reformatory prisoners have been kept for a period varying from a few days to many months within the confines of a county or municipal jail. Then, too, there is the class, not at all unimportant in number, of individuals, who, having finally established their innocence, have been set free after spending some time in the jail awaiting trial. Important witnesses also are detained in jail, and it is used at times for still other purposes, even serving occasionally as a temporary asylum for the insane. The part, therefore, which the jail plays in our scheme of punishment cannot be overestimated. Whether for good or for evil, nearly every criminal that has been apprehended is subjected to its influence.*

* Louis N. Robinson, "Penology in the United States" (Philadelphia: John C. Winston, 1921), p. 32.

TABLE OF CONTENTS

<u>Chapter</u>	<u>Page</u>
1. Summary Of Findings And Policy Implications	1
2. The Context And Structure Of The Three Jails	13
3. The Pretrial Population	26
4. The Process Of Pretrial Detention	58
5. The Sentenced Inmate	77
Epilogue: In Search Of The Jail's Mission	91
Appendix A: Research Design	100
References	

INCLURE

MAY 8 1985

ACQUISITIONS

Chapter 1 SUMMARY OF FINDINGS AND POLICY IMPLICATIONS

Introduction

America's jails are the most pervasive but least understood component of the criminal justice system. Indeed public officials and the media frequently are unable to distinguish between the functions of jails and prisons. This confusion is largely attributable to the fact that our jails fulfill a number of important, but competing and complex functions. Most persons are detained because they have been charged with a crime or they have been convicted and sentenced to jail. However, a significant number are admitted for other reasons including persons in transit from one jurisdiction to another, probationers or parolees believed to have violated their conditions of parole or probation, persons with detainers from other jurisdictions but with no charges in the holding county, juveniles awaiting transfer to juvenile detention halls, state prisoners awaiting transfer to overcrowded state prisons and persons with severe mental problems. Such a diversity of populations has led a recent study to conclude that jails are the "social agency" of last resort whose clients no one else wants (ACIR, 1984:10).

Considerable national debate exists over whether the increasingly scarce and costly resources of jail cells are being used most appropriately for these diverse functions. This controversy is further fueled by the increasing level of jail crowding occurring throughout this country. Difficult policy decisions must be made in the immediate future by local and state officials on who should come to jail and what results or objectives should jails be held accountable for as measures of adequate performance.

In 1981 The National Institute of Justice (NIJ) of the U.S. Department of Justice initiated a long-term program of research and policy development in the

area of jail confinement. The research was undertaken in response to the lack of knowledge about the characteristics of inmates who come to jail, the length of time they stay, their methods of release, and differences across jails in conditions of confinement. The National Council on Crime and Delinquency (NCCD) was selected by NIJ to begin a multi-phased study to initially analyze the diverse uses and conditions of confinement that currently exist in three California jails and subsequently the impact of incarceration on criminal careers.

The specific purposes of the initial project were to:

- Measure the differential use and conditions of jail confinement in different jurisdictions
- Establish a methodology for jail research which can be replicated in other jurisdictions.
- Establish a jail intake data base for other social scientists to draw upon to test competing theories of sentencing and other social control sanctions.
- Establish a data base to evaluate the impact of confinement on later criminal careers.
- Identify the policy implications of the research.

What follows is an overview of the major findings of this initial study. After briefly identifying the broad scope and functions of jails in our society, the remainder of this introductory chapter will summarize the study's methods, findings and associated policy implications. Chapters 2-5 present more detailed analysis of jail population movement within the three jails with pretrial and sentenced inmates. An Epilogue is also included which summarizes how the research findings fit with popular conceptions of how jails should be used and for what purposes. However, before the findings and policy implications are presented, it is useful to locate the use of jail confinement within the context of criminal justice.

The Extent of Jail Confinement in the U.S.

More people are confined in jails each year than in prisons and more persons experience jail than any other form of correctional supervision (Table 1-1). It

Table 1-1
Public Correctional Supervision Levels

	Average Daily Population		Annual Admissions	
Jails ¹	210,000	(9%)	7,000,000	(77%)
Prisons ²	412,000	(17%)	212,300	(2%)
Adult Parole ³	220,400	(9%)	132,700	(1%)
Adult Probation ³	1,118,100	(47%)	753,500	(8%)
Juvenile Detention ⁴	12,300	(1%)	460,900	(5%)
Juvenile Training Schools ⁴	25,000	(1%)	56,300	(0%)
Juvenile Camps and Ranches ⁴	8,000	(0%)	16,700	(0%)
Juvenile Probation	328,900 ⁶	(14%)	446,700 ⁵	(5%)
Juvenile Parole	53,300 ⁶	(2%)	53,300 ⁷	(0%)
Totals	2,388,300		9,132,400	
% of Persons Ages 10-49		2%		7%
% of Males Ages 10-49		4%		14%

¹ Jail Inmates 1982, February 1983, NCJ-87161, U.S. Department of Justice

² Prisoners in 1982, April 1983, NCJ-87933, U.S. Department of Justice

³ Probation and Parole 1981, August 1982, NCJ-83647, U.S. Department of Justice

⁴ Justice by Geography, 1983, NCCD, San Francisco, CA

⁵ Delinquency 1979, March 1982, National Center for Juvenile Justice, Pittsburgh, PA

⁶ State and Local Probation and Parole Systems, February 1978, U.S. Department of Justice

⁷ Estimated based on assumption of 1 year period of supervision. Otherwise, data not available.

is the volume of persons passing through these institutions which distinguishes the use of jails from other correctional functions. In 1982, the U.S. Department of Justice estimated that over 7 million admissions were recorded by the Nation's 3,500 jails (BJS, 1983). If this figure represented separate individuals (which is not the case) it could mean that 3 percent of the nation's population was exposed to jails last year.* If one calculates this proportion using the number of males aged 10-49 (the primary at risk population), the rate of those experiencing jail increases to 14 percent.

As noted earlier the jail confines a much more diverse population in terms of their legal statuses: pretrial detainees, convicted offenders serving sentences or awaiting sentencing, those awaiting extradition or transfer to another jurisdiction for other reasons, inebriates, witnesses and defendants held for protective custody and parole and probation violators. Many jails also routinely house both adults and juveniles. On any given day approximately 1,700 juveniles can be found in adult jails (BJS, 1983). That same study estimates that 300,000 juveniles pass through the nation's jails each year.

Overview of the Study

This study is a micro-level analysis of persons admitted to jail as both pretrial detainees and sentenced offenders. It is largely based on a stratified, random sample of approximately 2,100 jail admissions drawn from three California jails (Los Angeles, San Francisco, and Yolo counties). These sites were chosen because they are diverse in size, urban-rural and suburban character, volume of arrestees processed, administrative convenience and quality of local records. Random samples of pretrial and sentenced inmates admitted to jail were drawn

* Jail admissions invariably include a significant but unknown amount of double-counting. For example, a single person admitted pretrial, transferred to another facility, released and returned, and finally sentenced to jail could represent four admissions.

over a 12-month period at each site and tracked from the point of jail booking through release and final court disposition. The data collected included background information on the inmates, current offense, prior record, confinement conditions, disciplinary problems, time and method of release from incarceration, and nature and time of disposition. To expand upon the statistical analysis of who comes to jail, a qualitative analysis of inmate types was undertaken to provide a greater understanding of the criminal lifestyles of inmates admitted to jail.

The Context Of The Three Jails

An underlying thesis of the study was that the characteristics of inmates who are booked pretrial or sentenced to the jail will vary by county context, i.e., the geographical, social, and economic characteristics of the county and each county's local jail. The jails were, of course, chosen because they differed along a variety of dimensions. The Yolo jail services a large rural and sparsely populated area, while the San Francisco jail services an extremely dense population contained within a very small county. Los Angeles, in contrast, is geographically dispersed and much more densely populated than Yolo. Both San Francisco and Yolo have somewhat more centralized jail complexes while Los Angeles is decentralized: the Central facility studied in Los Angeles is the major post-arraignment holding facility in the county. In Yolo and San Francisco the jails are involved in both pre and post-arraignment functions.

The three jails also differ in the size of their jail populations, percent pretrial and sentenced, ethnicity, per capita income, offense patterns, processing of arrests, overcrowding in the jails, personnel, age of the population, and incarceration rates. For example, the Los Angeles county jail system, with an 1982 average daily population of 11,369 exceeds the size of most state prison systems. Conversely, San Francisco and Yolo had much lower jail populations of 6,190 and

167 respectively. Although Los Angeles had the largest population it was equivalent to Yolo in its incarceration rate (155 per 100,000) with San Francisco having the highest jail incarceration rate (191 per 100,000). These factors and others are the parameters within which each jail must perform various duties and underscore the wide variations that exists among jurisdictions in how they utilize their jails.

MAJOR FINDINGS

The Pretrial Admission Characteristics

- o The sources of referral to the county jails varied greatly by county and depend upon the socio-economic and the geographical context of each county, and, local criminal justice system policies. The primary source of pretrial admissions was city police, however, a significant percentage of Los Angeles and Yolo inmates also come directly from sheriff and state police.

- o The overwhelming majority (48 percent to 66 percent) of pretrial inmates in all three counties were charged with relatively minor violations of public order, violating the court process, drunk driving and traffic offenses.

- o Most defendants (42 percent to 88 percent) admitted to jail have not previously been sentenced to jail (or prison) as an adult (although they may have previously been arrested). Many sampled pretrial detainees therefore were experiencing their first and perhaps only jail contact.

- o The pretrial admission population is predominantly male, youthful, uneducated, black or hispanic, unemployed, works at a lower class occupation if employed, has little or no cash when booked into jail and faces bail amounts ranging from \$320 to \$1,000.

- o A significant proportion of incoming inmates (22 percent to 47 percent) had either a special admission problem or were intoxicated. The incidence of illness, injury or psychological problems is less than 10 percent across the three

jails. The proportion of inmates intoxicated at admission is relatively high--fully 45 percent at Yolo but only between 16 to 17 percent in San Francisco and Los Angeles.

The qualitative analysis, based upon a carefully sampled group of both felony and misdemeanor defendants, became the basis for expanding upon the quantitative analysis to further classify the incoming pretrial population along sociological typologies. The major findings from this analysis were as follows:

- o Most pretrial inmates are of lower class status with minimal ties to conventional values.
- o Most of their crimes are petty (misdemeanors) and relating to disturbing public order (petty theft, disorderly conduct, public intoxication, or public nuisance offenses).
- o Abuse of alcohol or drugs plays a significant role in these inmates' criminal involvement.
- o Most have a marginal existence and few can be classified as career or dangerous offenders.
- o In terms of lifestyles most pretrial admissions could be described as "petty thieves", "hustlers", "alcoholics" or abusers of other drugs. A surprisingly high number of persons admitted to jails were described as "square johns" who were detained for drunk driving or failure to pay previous traffic related fines.

The Process of Pretrial Detention

- o Most defendants held in the Yolo and San Francisco jails were released within three days after booking (median days = 1) while those in Los Angeles were held longer (median days = 5).
- o Most defendants were released prior to sentencing. The release rates found in the study for San Francisco and Yolo (84 percent and 80 percent respectively) were equivalent to those reported in Lazar's national study of pretrial release (Toborg, 1981). Los Angeles Central jail, however, reports a lower per-

centage of releases (59 percent) and the lowest use of sheriff citations. These findings reflect Central's use as a post arraignment facility and the liberal use of citations by deputies at the satellite stations. In contrast, Yolo and San Francisco report higher use of citations (34 percent and 26 percent, respectively) and lower percentages never released.

- o A significant percentage of pretrial inmates had their charges dismissed at court. San Francisco reported the highest level of dismissal (60 percent) compared to 29 percent in Los Angeles and 20 percent in Yolo.

o Most of the San Francisco offenses which resulted in dismissal (67 percent) were for public order type crimes--public drunkenness, public disorder, and prostitution. This trend was consistent with a strong local business concern to keep downtown streets clear of individuals who could harm the city's tourism and convention trade, as well as development of the downtown financial area.

- o Most incoming inmates are placed into medium security cells, and most remain in medium custody throughout their pretrial stay since most are released soon. In Central, however, where there are longer pretrial stays, there is a shift toward lower custody levels.

o Across all sites no more than 21 percent of all persons booked were incarcerated in jail or prison after sentencing. Most sentences that do occur are for less than 30 days. Two jails (Yolo and Central) make more extensive use of credit for time served in lieu of sentence time after convictions than San Francisco.

- o Only a small percent of pretrial detainees are sentenced to prison: Los Angeles showed less than 5 percent while Yolo showed none and San Francisco only two percent.

Sentenced Inmate Characteristics

- o Inmates sentenced to jail differ from pretrial inmates on one major characteristic: denial of pretrial release while awaiting case disposition.

- o The median length of time served (LOS) for sentenced inmates varied dramatically across the three jails (Los Angeles LOS = 7 days, San Francisco LOS = 30 days, Yolo LOS = 44 days).

- o This disparity in time served persisted after controlling for type of offense. For example, the median LOS served for drunk driving was 77 days in Yolo compared to 8 days in San Francisco, and 6 days in Los Angeles.

- o Independent of these differences in time, only a small percentage of all sentenced inmates served more than 90 days in jail (33 percent in Los Angeles; 22 percent in San Francisco; and 9 percent in Yolo).

- o The security levels of confinement varied across the three jails. Yolo and San Francisco house most inmates in minimum security units, while Central places most in medium security. However, at no jail did the proportion of jail admissions for sentenced offenders in maximum security exceed 14 percent.

- o Disciplinary actions were rare occurrences. No more than three percent of the inmates in any of the jails had disciplinary infractions.

Few inmates (less than 25 percent) participated in programs and, those who did, took assignments designed to help maintain the basic day-to-day operation of the jail.

- o Collectively these findings suggest that mere length of confinement is an inadequate measure of punishment. Although Yolo's sentenced inmates had lengthier periods of confinement, their conditions of confinement as measured by the extent of crowding, disciplinary reports, and the physical layout of the facilities themselves, made it an easier place to do time.

POLICY IMPLICATIONS

The Need For a Coordinated Booking Policy

Because of the different way in which the jail systems and law enforcement personnel are organized across the three jurisdictions, the manner and type of

persons admitted to jail differs greatly. Much of the data collected for this study illustrates how jails are used for different purposes depending upon the concerns and values of the community it serves.

In terms of controlling jail intake, several policy implications flow from this finding. Many argue that to control jail populations standards are needed governing arrest and booking practices. The U.S. Department of Justice began examining this concept, which it called the Central Intake System (AJI, 1978). Central Intake Systems are intended to coordinate and standardize police and court policies as to who should be detained and released. Realizing this concept in practice could, however, be very difficult across jurisdictions where independent law enforcement agencies are the primary sources of pretrial admissions and use the process of pretrial detention for different purposes. It may be argued that those jurisdictions in which sheriff's deputies both operate jails and contribute significantly to pretrial admissions are most sensitive to the consequences of arrest practices on jail populations. Conversely, police agencies which have no organizational "stake" in how crowded the jail is, may unnecessarily crowd the jail through a more liberal use of the booking option. The first option is typified by the Yolo and Los Angeles jails where the use of pretrial detention was less and the proportionate uses of field citation were greater than in San Francisco. If jail intake is to be regulated a more coordinated effort is needed among police and jail administrators to reach consensus on who needs detention, for what purposes, and at what costs.

Is Housing Drunks the Best Use of Jail Space?

The data from this study also indicate that a high percentage of inmates are drunk upon admission. However, data from this and other research indicate that even though a primary function of the jails is to house drunks, they are ill equipped to routinely handle such cases. It is inappropriate to use expensive maximum security jail space for these kinds of cases. Alternative civil or alcoho-

lic treatment facilities could be developed for handling such cases. This issue will become more pressing as more concerted attempts are made to maximize the use of jail space for serious or dangerous offenders.

Is Pretrial Detention Being Used to Punish?

Findings of the study relating to length of stay, level of program participation, level of dismissals of charges and others bear upon the efficacy of the jail as a means of crime control and its logical place in the diverse area of penal policy. The results suggest that pretrial detention is itself an important part of the entire punishment process. Expanding upon the earlier work of Feeley (1979) the primary function of pretrial detention for many defendants seems to be punishment alone given that most (but not all) defendants are accused of non-dangerous, public nuisance type behaviors, are not sentenced to jail or prison, and many have their charges dismissed or dropped.

What Can Society Expect From a Jail Sentence?

The results also call into question the use of jail for sentencing purposes. If one examines the four major justifications for jail confinement as a sentencing disposition (deterrence, rehabilitation, just desserts, and incapacitation), only deterrence surfaces as the most plausible rationale. Rehabilitation can be rejected for two reasons: (1) few, if any programs exist to train or treat offenders and (2) the brevity of the confinement makes it extremely difficult to demonstrate any major results after only a few weeks of program exposure. The only way rehabilitation could occur would be through some continuation of the rehabilitation process after release from jail. This would argue for greater use of referrals to vocational, educational, and psychological services which are organizationally independent of the jail or probation departments and which can contract with the offender after the court's jurisdiction terminates.

Gross disparities among the three counties in terms of who is sentenced for what types of crimes and the length of confinement would argue against the

premise that the jail sanction serves the goal of just desserts. The probability that one will be sentenced to jail and the length of that punishment will depend not only on legal factors, but also the unique sentencing policies operating within a particular county. Just as we have witnessed disparities in the use of state prisons, so too have we found disparities in the use of jail as a sanction.

The goal of incapacitation proved to be an unsatisfactory defense of sentence confinement because stays in jail are relatively short (less than 3 months). While there is variation by jail in sentenced length of stay it is in months, not years. The relatively brief period of incarceration severely restricts incapacitation of chronic offenders from occurring at all. This is especially true in the jail context since only a minority of inmates are charged with serious crimes or possess prior criminal records suggesting they will continue to commit large numbers of crimes against the public.

This leaves the goals of general and specific deterrence. Although the jail sanction may not be equitable or knowable in advance, it may be that inmates who pass through it will be deterred from the unpleasant experience of jail (i.e., specific deterrence). It may also be that others who have not experienced confinement will not commit an act which could result in such confinement because they have learned what will happen if they commit the crime (i.e., general deterrence). We cannot test either of these purposes of the jail confinement at this time without longitudinal follow-up data.

FUTURE RESEARCH NEEDS AND ISSUES

Census samples (i.e., one day counts) have been the traditional approach to describing the jail's inmate population. Although highly valuable, the census based data have an inherent bias toward persons spending the longest periods of jail confinement. Since longer stays are associated with more severe criminal offenses and records, census data will accentuate the presence of these inmates and understate the extent of jail confinement for less serious offenders and

defendants. Future research should utilize admission and release cohorts as well as census data to gain more accurate statistical profiles of institutional populations.

Although large numbers of persons are admitted to jails each year, there exists an unknown amount of double counting in these statistics (i.e., same person admitted on numerous occasions during a calendar year). Additional research is needed to better measure the reach of the jail.

The most pressing and policy relevant ideology of jail confinement needing further testing is the use of jail for specific deterrence. It may be that inmates who experience confinement will desist or reduce their criminal activity; for some the experience could increase their criminal activity. But the question remains as to whether the jail experience is too brief (or too long) to have these intended effects. The study findings suggest that the effects, if any, would likely vary by site since there are great differences in the number of repeat offenders across the jails. Moreover, there are also differences in the conditions of confinement and its length, which could directly affect the potential for deterrence. A high priority for future research on jails should be measurement of the impact of jail confinement (both in terms of length and conditions) on the subsequent criminal behavior of jail inmates.

Chapter 2 THE CONTEXT AND STRUCTURE OF THE THREE JAILS

The types of persons found in jails across this country and the reasons for admission to jail vary greatly (BJS, 1978). A major reason for these differences lies in the demographic and geographical diversity of local jurisdictions themselves. Rural, agriculturally-based counties which are sparsely populated with a homogenous ethnic population will likely house a different inmate population than large, urban and culturally diverse ones. Furthermore, these factors may contribute to significant differences in offense patterns, crime rates, arrest rates and court processing policies, which in turn will affect the use of jail. Previous research in California has shown that urban jurisdictions tend to be more lenient in court dispositions of criminal charges than rural counties (California Board of Prison Terms, 1983).

These differences in context do affect the composition of the jail populations. The purpose of this chapter is to describe the differences among the three sites and to analyze how these differences affect the use of jail confinement and the structure and operation of the jail.

Demographic and Geographic Characteristics

Los Angeles is by far the largest of the three counties, 4,060 square miles, with a population of almost 7,500,000 people or 1,728 residents per square mile (Table 2-1). The county contains almost one-third of California's population, and includes a total of 81 incorporated cities. Only 1 percent of the population is defined as living in a rural area with the vast majority living in suburban-type cities or Los Angeles city itself. Its median age of 29.8 years is approximately the same as the state as a whole (29.9 years). Slightly over two-thirds of its population is white, 13 percent is black, 13 percent is Hispanic, with the remaining 6.5

Table 2-1
Population Characteristics of
the Study Jurisdictions

Population Characteristic	California	Los Angeles	San Francisco	Yolo
Population	23,668,000	7,478,000	679,000	113,000
Ethnicity				
White	76.2%	67.8%	58.2%	82.0%
Black	7.7%	12.6%	12.7%	1.7%
Hispanic	10.0%	13.1%	6.8%	11.1%
Other	6.1%	6.5%	22.2%	5.1%
Sex				
Males	49.3%	48.7%	49.4%	49.7%
Females	50.7%	51.3%	50.6%	50.3%
Median Age	29.9 yrs	29.8 yrs	33.9 yrs	26.9 yrs
Persons Age 18-49				
Total	11,474,000	3,548,000	336,000	56,000
Males	5,800,000	1,762,000	175,000	28,000
Females	5,674,000	1,786,000	161,000	28,000
Type of Residency				
Urban	91.3%	98.9%	100.0%	81.9%
Rural	8.7%	1.1%	0.0%	18.1%
October 1983* Unemployment Rate	10.7%	10.2%	9.2%	10.9%
Persons/Square Mile (Density)	147	1,760	14,286	107
Number of Cities	432	81	1	3
Square Miles	158,693	4,060	45	1,034

* California unemployment rate shown is seasonally adjusted. Seasonally adjusted rates are not available for counties.

percent of varied other ethnicity. As of October 1982 its nonseasonally adjusted unemployment rate was 10.2 percent. Its per capita income in 1976 was \$7,529 and from 1970 to 1980 its population grew by 6.3 percent. Los Angeles is also famous for its endless freeway mazes. Motorists drove over 46 billion miles on its 21,000 miles of national roads, state highways, city streets and other roads in 1980.

San Francisco, in contrast, is the smallest of the counties, barely forty-five square miles in size, but with a population of 679,000, making it the most densely populated county in California (14,500 residents per square mile). It is actually a city within a county, none of which is defined as rural or approximates a suburban atmosphere. The median age of the population is higher (33.9 years) than the state's, reflecting the high proportion of single adults without families. This in turn may also reflect the city's reputation for housing a large gay community, estimated by some to exceed 150,000, or almost 20 percent of the entire city's population. Almost 60 percent of San Francisco is white, 13 percent is black, fully 22 percent is "all other" while only 7 percent is Hispanic. The "other" category represents a sizeable Asian population representing Chinese, Filipino and Japanese ethnic groups. The unadjusted unemployment rate for San Francisco county was 9.2 in October 1982 and its 1976 per capita income of \$9,692 makes it the highest of the three counties. Unlike Los Angeles it showed a 5.1 percent decrease in population from 1970 to 1980.

The Yolo county jail services a rural population. Located between the San Francisco and Sacramento corridor, Yolo consists of 1,028 square miles of some of California's richest farmlands. Its population of only 113,000 gives it the lowest population density of the three counties. Eighteen percent of the population lives in rural areas, a figure far higher than Los Angeles and San Francisco and nearly 10 percent above the statewide average. The median age of 27 years is younger

than the remaining site counties and the state and points again to the rural character of the county. Fewer than 2 percent of the county is black, 11 percent is Hispanic, 5 percent represent all other ethnic groups and the remaining 82 percent is white. Nearly 11 percent were unemployed in October 1982. Per capita income in 1976 was \$6,521. From 1970 to 1980 Yolo showed a dramatic 23.5 percent population increase unlike the relatively minor changes in the other two counties. A high percentage of automobile travel consists of out-of-county motorists passing through on U.S. Interstate 80, which is the major east-west link for Northern California and other connections for major interstate highways.

Crime Patterns

Table 2-2 summarizes the reported crime, arrest, and initial case dispositions for each county for 1981.

Reported index crimes were generally higher in the three counties compared to the state per capita crime rate of 4,991 per 100,000. San Francisco, despite its reputation as a relatively safe urban center, had both the highest overall rate (6,731) and the highest crimes against persons rate (1,769). Both Los Angeles and Yolo had property crime rates equivalent to San Francisco but significantly lower rates of crimes against persons. Yolo's personal crime rate of 735 was well below both Los Angeles and the state average of 860.

Those crime patterns which best serve to distinguish the counties include homicide, rape, robbery, and vehicle theft. Yolo shows reported significantly lower reported crime rates than the other two counties for these offenses. Although San Francisco and Los Angeles are more equivalent, San Francisco reports higher rates of rape but especially robbery.

Since arrests reflect those instances where a defendant is brought into custody by law enforcement, they also represent the first major step toward pretrial detention. In California once a person is arrested for a misdemeanor

Table 2-2
1981 Criminal Justice Data
Reported Offenses and Arrests Per 100,000
SF, LA, Yolo, CA

	San Francisco	Los Angeles	Yolo	CALIFORNIA
<u>FBI INDEX CRIMES</u>				
Total Reported Offense Rate	6,731	6,241	5,660	4,991
Crimes Against Person Rate	1,769	1,302	735	860
Homicide	18	20	4	13
Forcible Rape	98	70	55	56
Robbery	1,080	653	206	387
Aggravated Assault	572	559	470	404
Crimes Against Property	4,962	4,938	4,925	4,130
Burglary	2,606	2,510	2,692	2,231
Theft (\$200 & over)	1,368	1,379	1,849	1,229
Vehicle Theft	988	1,049	384	671
<u>ARRESTS</u>				
Felony Arrest Rate	2,222	1,538	974	1,212
Crimes Against Persons	500	386	225	288
Crimes Against Property	718	638	438	502
Drug Law Violations	594	323	153	251
Sex Law Violations	22	15	24	17
Other	387	176	134	154
Misdemeanor Arrest Rate	7,678	4,279	4,662	4,674
Total Adult Arrest Rate	9,900	5,817	5,636	5,886
Reported Crime/Arrest Ratio	1.47	.93	.99	1.18
<u>ARREST DISPOSITIONS</u>				
% Dismissed - Felonies	26%	28%	1%	16%
% Dismissed - Misdemeanors	29%	11%	1%	12%

Source: 1981 Criminal Justice Profile; Supplemental Reports For San Francisco, Yolo, and Los Angeles Counties. California Department of Justice, Bureau of Criminal Statistics, Sacramento, CA.

there is great discretion to either issue a police citation or book the person into a local police or county jail detention facility. Thus the manner in which police use their discretionary power is a major factor affecting pretrial admission rates. Furthermore, the extent to which police arrests correspond with reported crimes is also a measure of police patrol policies, which also affects jail admissions. In other words, if the ratio of police arrests to reported crimes is higher than 1.00 this would suggest that the police are either making arrests in situations where several persons are arrested in relation to a single offense or that police initiate an arrest without a reported crime.

Felony arrest rates for Los Angeles and San Francisco counties were higher than the entire state while Yolo was slightly lower. With the exception of the relatively infrequent sex crime rate, Los Angeles and San Francisco counties had higher felony arrest rates than Yolo county. Moreover, San Francisco is uniformly higher in felony arrest rates for each offense category than Los Angeles, as with reported offenses.

However, it is the misdemeanor arrest rate which distinguishes San Francisco from Los Angeles and Yolo. Its rate of 7,678 per 100,000 population was over 80 percent higher than the other counties and the statewide rate. Misdemeanor arrests also explain San Francisco's lofty 1.47 ratio of actual arrests to reported index crimes.

Arrest disposition data may shed some light on why San Francisco and Los Angeles county arrests rates were different and so much greater than for Yolo county. Twenty-six percent of San Francisco's, 28 percent of Los Angeles', and only 1 percent of Yolo's felony arrests resulted in no further action. Similarly, 29 percent, 11 percent and 1 percent of all misdemeanor arrests in these respective counties had no further action. The higher felony arrest rates of San Francisco and Los Angeles compared to Yolo can in part be attributed to a preponderance of

non-fileable arrests (i.e., no charges filed by the prosecutor). Moreover, the fairly large differences in misdemeanor arrest rates and percent dismissed between Los Angeles and San Francisco may likewise be explained by differences in rates of non-fileable arrests. Police may, then, view the arrest and booking process differently across the three sites. The role of the jail in this process will be described more fully in Chapters 3 and 4.

The Jails

In California the jail is under the control of the sheriff. The sheriff is an elected officer with the primary responsibility of promptly bringing presentenced inmates to court and (increasingly) of housing sentenced inmates and others. California's jails are therefore largely autonomous, county-based agencies.

Yolo's jail is organizationally the simplest of the three systems to describe. Incoming inmates are brought in directly by the various police agencies to a central jail facility. None of the county's police precincts can or do keep inmates over 24 hours. Other than those inmates detained at the Yolo jail, none of the police booking stations are responsible for retaining custody of defendants until their preliminary arraignments. What this effectively means is that the sifting process by which inmates are released after arrest largely occurs only at the Yolo County jail unless the individual is cited in the field by the police.

The situation at Los Angeles Central jail is quite different. The Central jail is the main post-arraignment reception center. It receives about half of incoming, unsentenced inmates from courts and the remainder from one of 31 sheriff-run and city-run booking stations in the county. Inmates can be held in these facilities for up to two days (less weekends and holidays), not including some sentenced inmates (trustees). Attempts are usually made to get an arrestee to an arraignment court before transferring him to Central. If a prisoner is deemed eligible, own recognizance, bail, citation and other releases may occur at the

station level if the personnel have sufficient time to process the necessary paperwork (which is particularly relevant for OR release). Those inmates who are not released at the station level are then transferred to Central in one of the 32 buses maintained for this and other purposes. Most of those transferred to Central either cannot make bail, do not have bailable offenses, or are misdemeanants with medical problems. The net effect of this decentralized system -- an adaptation to a large urban population dispersed over a large area -- is that those inmates who arrive at Central from booking stations have already passed through their first opportunity to be released from pretrial custody. The exception is direct bookings into Central made by the California Highway Patrol and some other agencies, which are infrequent.

Our focus on the main jail facility in Los Angeles for this study clearly distinguishes it from our more comprehensive analysis of the entire Yolo and San Francisco jail systems. This is intentional since Central is the largest facility of the nation's largest county jail system (over 12,000 inmates on a given day in the entire system) for study. The sheer size of the entire system made it infeasible to evaluate all the county's 31 facilities. The only difficulty we see with this decision is that it makes comparisons between the three sites somewhat awkward since the main jail holds a highly filtered and specialized population. From a policy perspective, however, the LA system represents a model in which less secure and less costly booking stations are used to screen out defendants who do not require more secure detention. Thus, comparisons between LA's main jail and the other two sites reflect the effects of this decentralized system.

San Francisco, in contrast, has eight police precinct stations which hold defendants for less than four hours before a decision is made to release via field citation or transfer the defendant to the downtown jail facility. Drunk inmates may be allowed to sober up at the station and then be released while most of the

remainder are transferred to the central receiving area at the main jail if they are not cited and released. There they are booked, photographed, fingerprinted and receive medical attention if required. They are then placed into a holding cell and later classified.

Jail Characteristics

Each county's jail system holds both pretrial and convicted misdemeanor and felony inmates. Each is split into two or more separate facilities, at least one of which is located in a more-or-less rural area and one or more near an arraignment and/or superior court. Only LA's Central jail holds juveniles, and then only occasionally. San Francisco and Central have medical wards while Yolo does not; infirm inmates at Yolo must be transferred to the local hospital.

The Yolo jail has a rated capacity of 176 inmates (Table 2-3). There are two facilities: 1) the main jail, which has a rated capacity of 101 beds, and 2) the branch jail, a minimum security quonset hut near the outskirts of the city of Woodland, with a rated capacity of 75.

As of June 1982, Yolo was at 94 percent of its capacity, compared with 111 percent statewide. It holds an average daily population of 167 inmates. From 1981-1982 it had almost 6,900 admissions which represents about 12 percent of the at-risk population aged 18-49. About 95 percent of the inmates are male. Compared to the nationwide total of 57 percent, 45 percent are pretrial. The branch jail holds only minimum security sentenced inmates while the main jail holds both pretrial and sentenced inmates. About 61 percent of the inmates are white, 34 percent are Hispanic, the remainder are black (4 percent) and all other (1.2 percent).

The San Francisco sheriff operates four separate facilities with a combined rated capacity of 1,469 beds. Three of the four facilities are located in San Francisco and one, San Bruno, is actually located in neighboring San Mateo county.

Table 2-3
1982 Jail Characteristics
By Site

Jail Characteristic	SF	LA COUNTY	LA CENTRAL	YOLO	STATEWIDE
Average Daily Population	1,251	11,369	6,190	167	36,691
Rated Capacity	1,469	10,200	5,100	176	33,076
% of Rated Capacity	85%	118%	120%	94%	111%
Incarceration Rates/100,000	191	155	N/A	156	155
Incarceration Rates/100,000 (Males 18-49)	719	646	N/A	596	633
Proportion Pretrial	28%	65%	89%	55%	N/A
Annual Admissions	69,000	800,000	70,000	6,900	N/A
Ethnicity - Daily Population					
White	45%	N/A	27%	61%	N/A
Black	47%	N/A	45%	4%	N/A
Mexican/Hispanic	5%	N/A	27%	34%	N/A
Other	3%	N/A	1%	1%	N/A
Sex - Daily Population					
Male	90%	92%	100%	95%	N/A
Female	10%	8%	0%	5%	N/A
Percent of County Population Admitted to Jail	10%	11%	N/A	6%	N/A
Percent of Population Admitted to Jail Age 18-49	21%	23%	N/A	12%	N/A

Source: Board of Corrections, 1982 Report; and Bureau of Justice Statistics,
Bulletin: Jail Inmates 1982

Jails 1 and 2 are found on the 6th and 7th floors, respectively, of the Hall of Justice. Jail 1 holds most presentenced inmates and is the main intake/receiving area of the jail complex. Jail 2 holds mostly sentenced inmates, as does Jail 3 in San Bruno county. Jail 4 is actually a work furlough center for both sentenced male and female offenders.

As of June 1982 the four San Francisco sheriff's facilities were at 85 percent of their capacity. Together they hold an average daily population of 1,251 inmates. From 1981-1982 there were over 69,000 admissions which represents 21 percent of the at-risk population. Over 90 percent of the inmates are male and only 28 percent are pretrial -- a figure far lower than the other counties and national figures.

The Los Angeles jail complex has a rated capacity of 10,200 beds. The sheriff's complex of facilities includes 18 substations with rated capacities ranging from 16 to 52 beds, subject to the limitations noted above; one detention camp with a capacity of 90 beds; and 6 major facilities, the largest of which is Central, with a rated capacity of 5,100 beds. Central is the post-arraignment reception center for males in the county.

In 1982 the LA Central facility was at 120 percent of rated capacity, 9 percent above the statewide figure and far above San Francisco and Yolo. It holds an average daily population of 6,190 inmates. Between July 1981 and June 1982 Central alone had over 70,000 admissions and over 64,000 releases, while the total complex booked about 800,000 inmates. Similar to San Francisco the number of admissions represents about 21 percent of the at-risk population. Almost 90 percent of the inmates at Central are pretrial, and almost half (45 percent) are black, while whites and Hispanics comprise 27. percent each of the remaining population.

Expenditures and Personnel

All of the jails obtained less money as a proportion of all criminal justice expenditures than the state as a whole. Between 5.7 percent (Los Angeles) and 10.7 percent (Yolo) of all criminal justice expenditures in the study counties were for jails and rehabilitation compared to between 54 percent and 68 percent, respectively, for law enforcement. The counties differ in the amount of money expended for jails and rehabilitation per 100,000 population. San Francisco spent \$1,784 per 100,000 population compared to Yolo (\$1,276), and Los Angeles (\$1,039).

Chapter Summary

The differences between the three counties and their jail systems are enormous. Yolo, covering a large and sparsely populated area, is a highly centralized jail operation. The more densely populated and larger Los Angeles county jail complex is more decentralized. In contrast, the very densely populated area in the geographically constricted county of San Francisco is, like Yolo, also highly centralized yet much larger. The differences in jail populations, percent pretrial and sentenced, ethnicity, per capita income, offense patterns, processing of arrests, overcrowding, personnel, age of the population, percent rural and incarceration rates suggest that the three jails are both a product of their social environments and the varied and unique organizational responses to crime which are still undergoing change. The question to be examined in Chapter 3 is how these differences affect the characteristics of persons brought to each of the jails.

We can see the enormous reach of the jail in the large number of persons who pass through them. As high as 21 percent of the at risk population may enter jail each year, excluding consideration of repeat offenders. It is by and through these institutions that the bulk of justice is meted out for wrong doing that comes to the attention of police in our society. This defines the jail as the primary

means of formal social control, one which uses the most powerful means in organized society -- deprivation of liberty -- for the largest number of people. This major, unheralded role of jails as a penal sanction is paradoxical since there is great variation in uses of the jail. It is this variation in jail use that makes each a unique, "local" institution. The differences in characteristics of the jails, population and other factors shown in this chapter define some of the important dimensions that make each of these local institutions unique.

Chapter 3 THE PRETRIAL POPULATION

One good clue as to the function of the jail is given by the characteristics of the individuals who pass through it. The main official function and justification of pretrial detention exists because of judicial precedents and shared beliefs that defendants will flee jurisdiction if released before trial or that members of the community could be harmed again by a dangerous defendant. Yet we lack information which would be useful in assessing the validity of claims that the pretrial population is composed of individuals with extensive criminal records who are charged with serious crimes, or who are likely to flee. The quantitative census approach to the study of jail populations is especially misleading in this example because it is weighted toward individuals detained in custody somewhat longer and who may have more serious prior records.

This chapter describes the personal, demographic, and criminal characteristics of pretrial inmates using both quantitative and qualitative data. From these data we learn that the pretrial population is composed mostly of inmates who spend a relatively short period of time incarcerated and a small number who spend a much longer time in confinement. Both types of pretrial populations are analyzed both within and across the three jails. We also compare their characteristics with county-wide population statistics. The latter half of the chapter uses interview data from representative samples of the pretrial population to develop sociological typologies of the pretrial detainees and social values. Such ethnographic materials provide a means of subjectively understanding these persons' lifestyles which cannot be fully captured in official files or statistical tables alone.

Referral to Jail

The bulk of incoming inmates are brought into custody by local police departments but there is great variation in the frequency with which sheriff, state police and local police officers arrest inmates across all the jails. (Table 3-1).

San Francisco's pretrial population is largely produced by city police: 94 percent of its bookings are generated from this source. Both Yolo and Los Angeles, however, receive only 37 percent to 44 percent of their bookings from city police arrests. The relative difference with San Francisco is made up by the large number of sheriff and state police arrests in Los Angeles (36 percent) and Yolo (58 percent). About one-fifth of the Los Angeles main jail bookings come directly from court as remands, i.e., returned to the custody of the sheriff. None of these remands had been booked into Central before on their current arrest charge. They were remanded from the arraignment court after booking into a substation facility.

Differences among the sites on the source of bookings are directly related to geographic characteristics discussed in Chapter 2. Rural Yolo county, with its matrix of major highways, has a large sheriff and state police patrol. Los Angeles, with its maze of cities (large and small) and freeways also contains almost 100 independent law enforcement agencies with authority to bring arrestees to jail. San Francisco, because it is both a city and county with a single police department and a non-patrolling sheriff department, has only one major source of bookings. Only the state police have authority to make arrests on the state highways which run through the city and county.

Policy implications flow from this analysis. Many argue that to control jail populations one might establish standards governing arrest and booking practices. The U.S. Department of Justice began examining this concept, which it called the Central Intake System (AJI, 1978). Central Intake Systems are intended to coordinate and standardize police and court policies as to who should be detained and

Table 3-1
Booking Referral Sources
By Site

Referral Source	Yolo	San Francisco	LA Central
	All Bookings (264)	All Bookings (261)	All Bookings (385)
Local Police	37.5%	93.9%	44.2%
Sheriff	42.0%	1.5%	24.7%
State Police	15.5%	4.6%	11.2%
Court Commitments	4.2%	-	20.0%
Other	0.8%	-	-

released. Realizing this concept in practice may be very difficult in jurisdictions where numerous and independent law enforcement agencies are the primary sources of pretrial admissions.

It can also be argued that jurisdictions are more sensitive to the consequences of arrest practices on jail populations where sheriff departments perform both patrol and custody duties. Yolo and Los Angeles, despite the range of law enforcement agencies, enjoy a situation where sheriff deputies both operate the jails and contribute heavily to pretrial admission. Policy changes can be quickly put in place to better regulate intake via sheriff deputies. There could then be some immediate, albeit short term, effects on controlling who comes to jail.

Criminal Charges of Pretrial Defendants

The question of who inmates are inevitably leads to what they are brought to the jail for. The nature of the offense(s) which originally brought them to the jail are shown in Table 3-2.

Offenses have been categorized into crimes of violence (assault, rape, robbery, etc.), property (burglary, theft, receiving stolen property, etc.), drunk driving, violations of court process (probation violation, failure to appear, contempt of court), public order (disorderly conduct, prostitution, under the influence, etc.), various traffic violations, and all other offenses (including witnesses, various sex and weapons violations). This represents the most serious offense that brought the inmate to jail if more than one offense was charged. Inmates held 72 hours or more are shown separately from the booking sample.

The overwhelming majority of pretrial inmates are charged with relatively minor violations of public order, court process, drunk driving and traffic. These offense types make up almost two-thirds of Yolo's and San Francisco's intake and about half of LA Central's. The heavier concentration of violent offenses in LA for the random sample is a direct reflection of Central jail's use as a repository

Table 3-2
Primary Criminal Charge At Booking
By Site

Primary Charge	Yolo		San Francisco		LA Central	
	All Bookings (268)	72 Hours (229)	All Bookings (295)	72 Hours (202)	All Bookings (390)	72 Hours (240)
Violence	7.1%	11.8%	7.5%	21.3%	16.7%	23.3%
Property	20.5%	34.1%	14.9%	36.6%	25.7%	31.7%
Drunk Driving	22.7%	10.9%	9.2%	1.5%	12.9%	7.9%
Court Processing Violations	9.7%	7.9%	8.5%	2.5%	9.0%	3.8%
Public Order	29.0%	14.0%	40.3%	19.8%	20.6%	22.9%
Traffic Violation	3.0%	3.9%	7.8%	2.0%	5.9%	2.9%
Other	8.2%	17.5%	11.9%	16.3%	9.3%	7.5%
Median Bail Amounts	\$320	\$2000	\$389	\$1500	\$1000	\$2500

for post-arraignment detainees who have passed through the substations. Clearly, the offenses for which most pretrial detainees are charged with are of a non-violent nature. Many of these public order crimes are attempts to "clean up" the streets of the visible offenses of the more "offensive" and "disreputable" offenders. At each jail we observed one or another category of individuals was given special attention by police (e.g., prostitutes, drunks or winos, gang members, or street corner loiterers).

Comparisons between the random booking and 72-hour or more samples illustrate how the census approach to jail surveys over-emphasizes the proportion of the more seriously charged defendants. The 72-hour sample, which represents detainees who did not gain immediate release via bail, citation, or own recognition, shows the more seriously charged defendants.* Across all sites, the proportion of defendants charged with crimes of violence and property crimes is higher for the 72-hour sample than for the random booking sample. Detainees who spend the longest time in pretrial detention will occupy a disproportionate percentage of inmates in the census survey while the admissions sample examined here fully captures the high volume, short term defendant that truly predominates in jail intake. Those most likely to be released before three days include drunk drivers, individuals charged with violations of court process in San Francisco and Los Angeles, violators of public order (except in Los Angeles), and traffic violators (except in Yolo). Across the three jails property defendants are most likely to be held three days or more.

Bail amounts for the random sample are highest in Los Angeles, which shows a bail median three times higher than Yolo and almost twice that of San Francisco. But this difference is again related to the screening process in Los

* As shall be shown in subsequent tables, failure to secure pretrial release is principally related to the type of charge filed against a defendant.

Angeles where only the more difficult cases are filtered into the main jail. Median bail amounts for the 72-hour sample are more equivalent across the sites and again are related to the fact that defendants charged with more serious charges are less likely candidates for early pretrial release.

Prior Criminal Histories of Pretrial Defendants

Although these pretrial inmates are charged with relatively less serious crimes, it may be that they have long and persistent criminal records. The findings presented below show this is true only for a small number of the inmates. We also find substantial variation across jurisdictions in the nature and seriousness of the inmate criminal histories.

Official arrest and conviction data were available only for the Yolo and San Francisco sites. Both sites report large proportions of pretrial detainees with no previous record of arrests or convictions. But the distribution is highly skewed with a small but highly visible group reporting extensive criminal histories (Table 3-3).

Yolo shows considerably higher proportions of defendants with a record of misdemeanor arrests and convictions than San Francisco, but both sites report roughly equivalent percentages of defendants with felony records of arrest and conviction. The differences in misdemeanor rates may suggest that San Francisco's law enforcement agencies refer large numbers of arrestees to jail with no misdemeanor or felony arrest history — a point suggested in Chapter 2 where San Francisco police showed very high misdemeanor arrest levels. On the other hand, it may only be an artifact of record keeping practices. Yolo's law enforcement agencies, for a variety of reasons, may be more selective in who they book into jail. One obvious reason is the inconvenience of the Yolo jail location within the large rural county, compared to the readily accessible San Francisco jail.

Table 3-3
Arrest and Conviction Histories
By Site

Prior Record	Yolo		San Francisco	
	All Bookings (265)	72 Hours (227)	All Bookings (278)	72 Hours (188)
Prior Misdemeanor Arrests				
None	41.5%	22.5%	74.8%	65.4%
One	10.6%	8.8%	9.7%	16.5%
Two-Three	10.6%	14.9%	5.4%	8.0%
Four-Five	7.9%	11.9%	2.5%	5.3%
Six and Above	29.4%	41.9%	4.3%	2.1%
Mean	7.7	7.6	1.2	1.1
S.D.	15.8	9.7	3.4	2.5
Prior Misdemeanor Convictions				
None	51.5%	34.8%	82.2%	73.9%
One	12.5%	17.2%	8.3%	16.0%
Two-Three	11.8%	16.7%	4.4%	7.4%
Four-Five	5.7%	10.6%	2.5%	1.6%
Six and Above	18.5%	20.7%	2.5%	1.1%
Mean	4.1	3.3	0.5	0.5
S.D.	11.2	4.7	1.5	1.1
Prior Felony Arrests				
None	73.9%	59.5%	78.2%	58.5%
One	10.6%	9.7%	8.4%	14.9%
Two-Three	8.8%	18.9%	5.8%	12.3%
Four and Above	6.9%	11.9%	7.6%	14.5%
Mean	0.7	1.7	0.7	1.5
S.D.	1.6	3.8	2.1	2.8
Prior Felony Convictions				
None	85.2%	75.8%	83.3%	66.0%
One	9.5%	10.6%	8.3%	16.0%
Two or More	5.4%	13.7%	8.4%	18.1%
Mean	0.3	0.6	0.4	0.8
S.D.	0.9	1.5	1.1	1.7

Comparisons are also shown in prior record between the random bookings and 72-hour samples. The findings parallel those found in the analysis of criminal charges — defendants with more extensive prior records are less likely to secure immediate release from pretrial detention.

Most defendants admitted to jail have not previously been sentenced to jail or prison as an adult (Table 3-4). This is especially true in San Francisco, where 88 percent of the bookings had not been sentenced previously to jail. This is consistent with San Francisco's aggressive law enforcement policy of referring most arrestees to jail. Conversely, Yolo and Los Angeles repeatedly book much higher proportions of inmates with a record of a previous jail sentence. However, when we compare the sites on the more severe (and more reliable) prior incarceration measures (prison and California Youth Authority*) all report very few inmates with prior incarcerations. In other words, with the possible exception of an unknown number of pretrial detentions, many pretrial detainees are having their first jail experience.

Comparisons between the booking and 72-hour samples on these variables show that pretrial inmates detained 72 hours or more possess somewhat more serious histories of previous adult incarcerations. The differences are especially pronounced in Yolo for prior jail sentences while the data are highly skewed in San Francisco.

Socio-Economic Characteristics

Much has been written and documented regarding the low socio-economic status of jail inmates (Goldfarb, 1976, Flynn, 1973, Mattick, 1974, Wayson et. al, 1977). Data presented in Table 3-5 reaffirm these previous studies. Incoming jail

* CYA is a youthful offender prison system which other states might categorize as an adult prison. It incarcerates youth between the ages of 8 and 25, most of whom are 16 years or older.

Table 3-4
Previous Adult Incarcerations of Pretrial Admissions
By Site

	Yolo		San Francisco		LA Central	
	All Bookings (264)	72 Hours (227)	All Bookings (276)	72 Hours (188)	All Bookings (303)	72 Hours (197)
Prior Jail Sentence						
None	59.5%	44.0%	88.0%	82.9%	41.6%	40.1%
One	13.3%	21.6%	9.1%	13.9%	20.5%	20.8%
Two	5.7%	4.9%	1.5%	1.6%	14.5%	16.8%
Three or More	21.7%	29.5%	1.1%	1.6%	23.4%	22.4%
Prior Prison Sentence						
None	91.7%	82.8%	95.0%	90.4%	83.4%	78.9%
One	3.8%	7.0%	4.0%	7.4%	11.3%	13.9%
Two	1.9%	5.7%	0.7%	0.5%	3.0%	4.6%
Three or More	2.6%	4.4%	0.4%	1.6%	2.3%	2.6%
Prior CYA Sentence						
None	95.1%	90.3%	98.2%	95.2%	83.0%	76.2%
One	3.8%	6.2%	1.1%	3.2%	14.0%	20.2%
Two or More	1.2%	3.5%	0.8%	1.6%	3.0%	3.6%
Prior Escapes						
None	95.1%	95.6%	99.6%	98.4%	97.0%	96.9%
One or More	4.9%	4.4%	0.4%	1.1%	3.0%	3.1%

Table 3-5
Personal Characteristics of Pretrial Admissions
By Site

Personal Characteristics	Yolo		San Francisco		LA Central	
	All Bookings	72 Hours	All Bookings	72 Hours	All Bookings	72 Hours
Median Age	27 yrs	27 yrs	29 yrs	28 yrs	25 yrs	25 yrs
Average Age	31 yrs	29 yrs	30 yrs	29 yrs	27 yrs	27 yrs
Sex						
Male	86.6%	87.3%	80.0%	92.6%	100.0%	100.0%
Female	13.4%	12.7%	20.0%	7.4%	0.0%	0.0%
Ethnicity						
Black	10.4%	7.0%	42.4%	42.9%	39.9%	42.7%
Hispanic	20.5%	32.0%	7.6%	17.2%	33.8%	33.9%
White	66.0%	57.0%	46.2%	33.8%	22.2%	20.1%
Other	3.0%	3.9%	3.8%	6.1%	4.1%	3.4%
Marital Status						
Single	47.4%	49.3%	-	-	55.4%	54.6%
Married	25.5%	24.0%	-	-	17.6%	15.9%
Separated	8.6%	8.0%	-	-	7.0%	7.1%
Divorced	17.3%	16.9%	-	-	8.5%	9.3%
Other	1.2%	1.8%	-	-	11.5%	13.1%
Average Number of Legal Dependents Under Age of 18	1.3	1.3	-	-	1.1	1.2
% Unemployed At Booking	52.3%	68.4%	-	-	50.5%	51.4%
Average Number of Grades Completed	11.3	10.4	-	-	11.2%	11.2
Occupational Status of Employed Inmates						
Professional, Managerial, Sales, Private	15.5%	6.4%	-	-	19.3%	20.4%
Clerical	6.9%	4.8%	-	-	1.3%	0.0%
Craftsman, Operatives, Transport	37.1%	25.4%	-	-	46.2%	48.4%
Non Farm Laborer	24.1%	38.1%	-	-	16.7%	11.8%
Farm Laborer	5.2%	6.3%	-	-	0.0%	1.1%
Service Workers	8.6%	12.7%	-	-	16.1%	15.1%
Other	2.6%	4.8%	-	-	2.6%	3.3%

Table 3-5
(Continued)

Personal Characteristics	Yolo		San Francisco		LA Central	
	All Bookings	72 Hours	All Bookings	72 Hours	All Bookings	72 Hours
Place of Residence						
In County	56.7%	61.8%	58.6%	65.0%	86.1%	91.3%
Out of County	32.8%	32.0%	32.9%	30.0%	12.6%	5.8%
Transient/Unknown	10.4%	6.6%	8.5%	4.4%	1.3%	3.0%
Citizenship						
U.S.A.	93.3%	87.3%	95.5%	96.9%	87.6%	85.4%
Mexico	4.1%	10.0%	1.4%	1.2%	9.2%	8.8%
Other	2.7%	2.6%	3.2%	1.8%	3.2%	5.8%
Average Amount of Cash at Booking	\$31.80	\$18.60	-	-	\$47.68	\$58.70
Median Amount of Cash at Booking	\$ 1.50	\$ 0.0	-	-	\$ 3.00	\$ 2.00

inmates are predominantly young and male. In San Francisco and Yolo, the two sites where both male and female admissions are sampled, 80-87 percent of all admissions are male, reflecting that gender's historically disproportionate level of reported involvement in crime. Males are also more likely to be held over 72 hours, which reflects the greater likelihood of males to be charged with more serious crimes.

Blacks and Hispanics are also overrepresented in the pretrial admission population. In Los Angeles, whites comprise fully 68 percent of the county population, yet account for only a quarter of incoming booking inmates. The absence of whites in the Los Angeles main jail is compensated for by large numbers of blacks (over three times their number in the general population) and Hispanics (almost 2.4 times their number in the general population). The only surprising finding is that Hispanics are not found in jail more than blacks, given their respective number in the county population.*

Whites are also underrepresented in Yolo and San Francisco jails, but Hispanics and blacks are overrepresented at a rate much higher than in Los Angeles. Blacks are booked into the Yolo jail over 6 times one would expect given their number in the county; this ratio is 3.3 in San Francisco. The disparities among pretrial admissions are less in Yolo and San Francisco for Hispanics than in Los Angeles. The San Francisco jail and county-wide percentages of Hispanics are very close, while Yolo's jailed Hispanic population is 9 percent greater than in the county.

Aside from the overcommitment of blacks in Yolo the greatest difference between San Francisco and Yolo compared to Los Angeles is the higher percent of

* The reasons for these racial disparities are beyond the scope of the present study. However, in Chapter 5 we examine whether race differences exist in length of time served while controlling for other relevant factors affecting pretrial detention.

Hispanics that comprise the the 72-hour versus the booking populations of the respective jails. In Yolo this percentage difference is almost 12 percent; in San Francisco it is about 10 percent, while in Central it is less than 1 percent.

Adding to the racial disparities of jail admissions are other socio-economic characteristics which further distinguish inmates as members of the lower social class. Yolo and Los Angeles, the two sites where accurate data could be coded, show unemployment at admission of 52 and 51 percent. These percentages are much greater for the 72-hour sample, which is obviously related to an inmate's inability to secure bail or qualify for OR for lack of demonstrating community ties.

The most frequent occupation of inmates booked at the jails were lower class (e.g, crafts, nonfarm labor, and service). Nonfarm laborers constitute 24 percent of Yolo's bookings and 17 percent of L.A. Central's. Almost 39 percent of the Central bookings were males in craftsman occupations compared to 22 percent in Yolo (data not shown). Service workers were nearly twice as frequent in Los Angeles (16.5 percent) as Yolo (8.6 percent). Comparisons between the booking and 72-hour samples in Yolo show that the lower prestige occupational groups (laborer and service workers) are more likely to be held over 72 hours. This pattern does not appear in Los Angeles, which, as earlier, reflects the filtering process which has transpired by the time inmates are admitted to the Central facility.

A further indicator of the economic situation of inmates and a potential indicator of how long they may stay in jail is the amount of cash they hold at the time of booking. Since a few incoming inmates have substantial sums of cash, the mean amounts are upwardly skewed (\$31.80 - \$58.70). However, the more stable median amounts show the real picture; most inmates have little or no cash on their person when booked into jail. Those who stay in detention longer than 72

hours have even less. These statistics are especially instructive given the initial bail amounts which ranged from \$320 to \$2,500.

Both Yolo and San Francisco show approximately the same percentage of inmates who legally reside within their respective county of booking, in the range of 57 percent to 59 percent. LA Central, in contrast, is far higher at 86 percent. In general, county residents were more likely to be held 72 or more hours. About a third of Yolo and San Francisco's bookings were out-of-county residents compared to 13 percent in Los Angeles.

Finally, most inmates are US citizens. Non-citizens are most frequently from Mexico, as shown in Yolo and Los Angeles. The percentage of Hispanics at the Yolo jail is reflective of its agriculture economic base, which attracts farm workers from Mexico. Los Angeles' proximity to Mexico and textile and garment industries encourage many Hispanics to relocate there.

Special Admission Characteristics

The incidence of injury, illness or psychological problems among bookings requiring special services of some kind is less than 10 percent across the three jails (Table 3-6). However, the proportion of inmates intoxicated at intake is quite high. This is especially true for Yolo where over 45 percent are drunk. At all sites the proportions with special admissions problems decreases significantly for the 72-hour group. However, when a single indicator is used for the existence of any special admission problem except intoxication, only the Yolo 72-hour inmates show a higher percentage of problems than bookings. Most admissions are nonetheless charged with drunk driving or public intoxication and once they have sobered up (usually a mandatory wait of four hours) they are released on bail or OR.

The high proportion of intoxicated inmates is consistent with another study completed by NCCD (1983) on misdemeanor bookings in four California counties.

Table 3-6
Special Characteristics of Pretrial Admissions
By Site

Special Admission Characteristics	Yolo		San Francisco		LA Central	
	All Bookings	72 Hours	All Bookings	72 Hours	All Bookings	72 Hours
	(268)	(229)	(295)	(202)	(390)	(240)
1. Injury requires medical service	4.3%	4.3%	2.0%	0.5%	4.6%	5.0%
2. Illness requires medical service	4.7%	8.5%	5.8%	2.5%	3.9%	4.6%
3. Psychological problem requires medical services	0.8%	0.9%	0.7%	1.5%	0.5%	0.8%
4. Injury, Illness on psychological problem (Items 1-3)	8.1%	12.7%	6.8%	4.4%	8.4%	9.1%
5. Intoxicated at admission	45.1%	15.1%	16.3%	2.5%	16.8%	20.7%
6. Intoxicated or any other problem (Items 1, 2, 3 or 5)	47.0%	25.3%	22.4%	6.9%	24.1%	28.3%

Data from that study and this current research suggest that a primary function of the jail is to house drunks even though they are ill-equipped to routinely handle such cases. In Los Angeles, the recent Sundance decision bore out this fact by requiring changes in local arrest and detention practices dealing with drunks. The appropriateness of using expensive maximum security cell space for brief detention of drunks in lieu of some alternative social control and alcoholic treatment system is an issue likely to receive greater attention as local jurisdictions seek to maximize their use of scarce jail facilities for the truly dangerous and serious criminal offender.

Qualitative Portraits of Pretrial Inmates' Lifestyles

The above quantitative data provide quantitative descriptions of inmates admitted to jail. Thus far we know the charges facing these individuals, their prior criminal history, and some information regarding their personal and social characteristics. What is missing from this analysis is an ethnographic description of these persons' lifestyles which identifies their values, peer relationships and daily activities. What follows is an analysis not typically found in most studies but which builds upon the quantitative data to expand our understanding of the type of individuals who comes to jail.

In-depth interviews with a carefully sampled group of both felony and misdemeanor charged defendants became the basis for creating social typologies to classify the admission population.* A primary focus of this section is to examine in greater detail the extent to which pretrial defendants represent persons committed to criminal lifestyles or are persons only episodically involved in petty crimes or behaviors viewed as offensive to middle class values.

* Much of this work and the analysis which follows was carried out and written by John Irwin and Nancy Strachman based on their work in San Francisco jail. Additional interviews were completed in Los Angeles and Yolo to modify and expand the categories developed from the San Francisco data.

Nine distinctive social types emerged from a content analysis of the interview data. Listed below are the names ascribed to each social type and their estimated proportion of the intake population, mostly at the San Francisco jail.

1. Petty Thieves and Hustlers (22 percent)
2. Alcoholics, Winos, and Derelicts (22 percent)
3. Junkies and Dope Fiends (4 percent)
4. Corner Boys, Gangs, Hoodlums (19 percent)
5. Outlaws (2 percent)
6. Crazies (2 percent)
7. Aliens (5 percent)
8. Square Johns (18 percent)
9. Other (9 percent)

These labels may be offensive to some readers but we have merely used the argot of these groups and social control agencies who must deal with each other on a daily basis. The following pages provide descriptions of each lifestyle. Interview excerpts are also provided to illustrate the distinctive behaviors, values and criminal behavior associated with each social typology. In many ways this analysis substantiates the statistical data: most inmates are of lower class status with minimal ties to conventional values. Most of their crimes are petty and offensive (petty theft, disorderly conduct, public intoxication, or public nuisance varieties). And abuse of alcohol or drugs, as noted in the quantitative analysis, plays a significant role in these people's criminal involvement.

Petty Thieves and Hustlers. Cities' skid rows, "tenderloins," and "ghettos" are populated with those who consider themselves thieves or hustlers and spend considerable portions of the day on the streets trying to steal or con naive bystanders. They are unattached to society's conventional organizations and accept deviant values to justify their criminal activities. They are offensive to society

and vulnerable to arrest because they engage in criminal acts which have the following features; (1) they are highly visible and noticeable, (2) they are petty and unsophisticated, and (3) they, and their general lifestyle, are threatening and repulsive to the public. Petty thieves and hustlers often sell small amounts of marijuana (e.g., five dollar bags or bogus substitutes) to anyone passing by, roll drunks, snatch purses, shoplift, and burglarize cars. They spend many hours on the streets loitering about. Frequently their clothes, hair, mannerisms, and speech identify them as deviant or troublesome to law enforcement agents. They are criminally oriented and are likely to have extensive arrest and jail sentence histories. However, the pettiness of their crimes minimizes the probability they will be sentenced to state prisons for significant periods of confinement.

R. is a 38-year-old white man. He finished the 11th grade in high school. He says he has been "hustling all my life." He lives in the Tenderloin district, a neighborhood filled with petty street hustlers, and currently tries to make a living selling bogus hash to strangers. He has been arrested 6 or 7 times for this in the last couple of years. On this arrest he sold some bogus hash to a man and immediately two plainclothes police arrested him. They charged him with three felonies: possession of marijuana, possession of marijuana for sale, and sale of marijuana. The next day in municipal court the possession of marijuana and sale of marijuana were dropped and he was cited and released. A week later the third charge was reduced to a misdemeanor and he pleaded not guilty. He failed to appear at his next hearing and a bench warrant was issued with a bail of \$100, which he was given the option of forfeiting.

V. is a 36-year-old Chicano raised in San Francisco. His father was a barber and his mother a cook. He did not complete high school. When he was 19 he was sent to prison for assault with a deadly weapon, and when he was in his twenties he was sent to prison again, for burglary. For the last few years he has been living on skid row. He has not worked for years. His only job skills are landscaping and welding, which he learned in prison. At 8:00 pm one evening he was arrested in the heart of skid row. The policeman told him he saw him "messing with the coin machine" in a coin operated parking lot. The policeman searched him and found ten one dollar bills. They also found a piece of wire on the sidewalk. He booked him for receiving stolen money, trespassing, possession of burglary tools, and petty theft. V. says that the policeman, who is also a Mexican, has it in for him. He says that the policeman once asked him "what are you doing here on 6th with all these niggers? Aren't you proud of what you are?" Two weeks later all charges were dismissed "in the interests of justice."

H. is a 26-year old black man. He finished high school and has worked since then as a body and fender man. He had a job painting for a few days

"about a month ago." He is living in the Tenderloin district in one of the run-down hotels. He says he is down and out and living on welfare. "My little woman just left me and they don't give me enough to live on on welfare." He sells bogus marijuana to anyone who will purchase it. "Some black dude (who turned out to be a narcotics officer) came up to me and asked if I could get him some weed. I sold him two joints that weren't weed." The officer arrested him for possession of marijuana for sale and possession of marijuana. Both charges were dropped the next day.

Alcoholics/Derelicts. Our cities continue to contain a sizeable number of alcoholics and derelicts. Many will spend some time in a jail's drunk tank sobering up. The fringe includes more than the skid row drunks who have received so much research and social agency attention.* Many ex-psychiatric inmates who are avoiding hospitalization or have been de-institutionalized are now among our urban derelict population (see Skull, 1977).

Street alcoholics and other street derelicts are constantly vulnerable to frequent arrest for their status alone, that is, being drunk, vagrant, or both. Police policy on whether or when to arrest them varies according to the individual policeman, how he or she feels at the time, the current "downtown" policy, how long the derelict has been on the streets, and many other factors.

The statistical data showed that over a quarter of jail admissions in the three sites were drunk when admitted. Many of them are alcoholics. Usually they are arrested for misdemeanors, but occasionally they take something from the pockets of another drunk (now, often a police plant), assault a person (more often another derelict), trespass at night (and get charged with a burglary), or steal something that the arresting officers estimate is worth more than \$200, and are arrested for felonies. Like the petty thieves and hustlers, they are unlikely to receive severe jail, prison or probation terms.

* For example, see Samuel E. Wallace, Skid Row as a Way of Life (Totowa, N.J.: The Bedminster Press, 1965); Jacqueline P. Wiseman, Stations of the Lost (Boston: Little Brown, 1970); and James Spradley, You Owe Yourself a Drunk (Boston: Little Brown, 1970).

This social type is not limited to urban areas only. In Yolo county we found the rural version of the urban alcoholic derelict who loiters around the downtown bars of small towns. Most drunks are released and not charged after a few hours of pretrial detention in the drunk tanks.

W. is a 32-year-old black man who "haven't had no work for a long time. Been trying to survive. I'm suppose to get on welfare, but they haven't done my papers yet. Been staying with a buddy." W. estimates he has been arrested about 5 times. He served a nine month sentence in Los Angeles for assault with a deadly weapon. "It wasn't nothing like that, though. I was visiting this guy, a lowrider, and we got into an argument. I went back to scare the dude and they busted me." The night of this arrest he was drinking and smoking marijuana. "I walked out of pool room where I had been drinking. I smoked a joint and headed for liquor store to get me a little taste because I had to be out all night. I saw this guy who had fallen off his motorcycle. The police came down to see. They saw a few joints of marijuana on the curb and said it was mine." W. was charged with possession of marijuana for sale. This was dismissed several days later, but he was held on violation of probation. After five weeks he was discharged from custody.

S. is a 61-year-old Mexican/American raised in El Paso and Los Angeles. "The kids had to work so we quit school." He has not worked for a year. The last job he had was a janitor in a housing project. He was arrested "quite a few times" in Los Angeles many years ago. He served a sentence of 180 days there. The last time he was arrested in San Francisco he "was just walking across the street." This time he was arrested carrying a rifle to a pawn shop. The police encountered him on the street and asked where he got the rifle. He told them he found it in the back of a pickup truck. At first, he indicated, the police did not know what to do. "They tossed it back and forth, then one decided to arrest me." The charge of receiving stolen property was reduced to a misdemeanor the next day and S. was cited out of jail. He pled not guilty a week later and at the next hearing 3 weeks later the charges were dismissed.

Junkies. Junkies are persons who are or have been addicted to one of the opiates (usually heroin); continue to use drugs (though not necessarily an opiate); and identify themselves as drug addicts. The drug life they follow is too chaotic and expensive to allow junkies to support a habit by working at a conventional

job. They must steal or hustle. Also the chaos of their daily routine, the expense of their drugs, and other characteristics of opiate drugs convert them into dregs.*

Most police officers immediately arrest junkies when they catch them in some illegality, such as possessing drugs, and narcotics officers keep up a constant campaign against them. Because their habits require substantial and frequent dosages of heroin for purposes of sale or use, they commit more serious crimes which often can result in a prison sentence.

W. is a forty-year-old black man raised by his mother. He has been a heroin addict for the last 15 years. During this period he has been arrested at least 22 times. These have resulted in two county jail sentences, a prison term, and several trips to California Rehabilitation Center, the drug treatment prison in California. The present arrest occurred in a motor hotel in a relatively nice residential section of San Francisco. He was seen by police in the halls of the hotel and stopped. When he was searched they found jewelry and a screwdriver and charged him with burglary. His fingerprints matched those from another burglary. He was eventually charged with three different burglaries. Two weeks later he pled guilty to all charges in superior court and a month later was sentenced to the state prison for 3 years.

Crazies. Since the expansion of the rights of mental patients the number of profoundly disturbed and bizarre-acting persons circulating through the cities who are more or less socially disattached is believed to have increased (see Skull, 1977). In the jargon of street people and social control agencies these people are the "crazies". Those who exceed over the threshold of the minimally acceptable standards for public behavior, run the risk of arrest and pretrial detention. For example, crazies might trespass in some forbidden area (such as behind the barriers in a bank), verbally or physically accost strangers, expose themselves, defecate on the street, or destroy property. When they go too far the police may be summoned to intervene. Frequently, felonies are charged, sometimes for resisting

* For a thorough analysis of the chaos, the patterns of theft, and other characteristics that are associated with the heroin life that force addicts into a dreg existence read Marsha Rosenbaum, Women on Heroin (New Brunswick, N.J.: Rutgers University Press, 1981). Though her study was of women addicts, these aspects apply as well to men addicts.

arrest. In most instances the court will attempt to avoid dispositions of jail, prison or probation. If the case represents a severe mental disorder, commitment to a mental facility may result. But in most instances these crazies were returned to the street with a light sanction or dismissal of charges only to be re-arrested and recycled through the system again.

Joseph is a 22-year-old black man. His father and mother worked for the post office in San Francisco. He did not finish high school and has not been able to work. He is being supported by his father's social security. He has been arrested twice before, one a felony that resulted in his being sent to California Guidance Center at Vacaville for psychiatric observation. On the day of this arrest, he reports that he was driving through the Tenderloin district with his window down. He thought a man on the sidewalk made a derogatory comment about him. J. got out of his car, confronted the man, who then threw a punch at him. J. knocked the man unconscious. While he was down J. rummaged through his pockets and took his money. Then he stood there until the police arrived. He was booked for aggravated assault and one count of first degree robbery. A month later the court moved to determine if he was mentally competent to stand trial. He was found competent three months later, and he pled not guilty by reason of insanity, and was sent to Atascadero, an institution for the criminally insane.

Outlaws. The police arrest a few people who can best be described as "outlaws." This does not mean that they are skilled thieves committed to the old "thieves" value system.* It is more likely that they are persons who have adopted an "outlaw" identity and perspective in the streets and further bolstered by several commitments to jail or prison where this new identity flourishes. They often commit desperate criminal acts that have a high risk of violence to victims and the outlaws, such as armed robbery of mom and pop stores. Unlike gangs, they act

* Criminologists have spent a great deal of time describing, better romanticizing, the "thief" who carried a thieves' code, cooperated in pulling "big scores," and possessed great criminal skills. See Irwin's romanticizing in The Felon (Englewood Cliffs, N.J.: Prentice-Hall, 1970). James Incardi has done the most thorough study of this type of outlaw. See Careers in Crime (Chicago: Rand McNally, 1975). The thief is rapidly disappearing. The type of outlaw that is coming out of the former nurturing grounds of the thief, that is, the lower class neighborhoods, the jails, and the prisons, is a less profit motivated, and more violent and appearance-oriented individual. See Irwin's description of the new outlaw in Prisons in Turmoil (Boston: Little Brown, 1980), chap. 7.

more as individuals in their criminal exploits. Most have served prior prison terms and are frequently arrested for burglary or robbery. They represent the most criminally oriented and dangerous person found in jail but account for only a small proportion of the inmates.

S. was arrested for armed robbery when he was 18 years old. He was not convicted but spent several weeks in the county jail. He worked irregularly, drank, used drugs, and got into fights for the next few years. When he was 24 he and two female friends went to a dance hall and lured a man to accompany them. They left in the man's car. A block away S. revealed a .38 revolver, told the man to "give me your money," and ordered the man out of his car. S. and the two females left with the man's car. They were travelling over the sped limit and were noticed by two policemen in a squad car who chased them until S. crashed the car into a concrete pole trying to turn a corner too fast. He was convicted of the robbery and sent to prison for 5 years and 4 months.

H. is a 19-year-old black youth. His father is a boiler engineer, his mother a housewife. He finished the 10th grade. He was arrested for assault as a juvenile, and robbery as an adult. He is on probation for that robbery. He has not been working. He and a friend are accused of robbing a man on the street. As they were walking down the street the man led the police to him. They charged him with armed robbery with a gun. The man was robbed of personal property, but no more.

Corner Boys, Hoodlums and Gangs. A significant segment of the admission population fit into typologies which are distinguished by their collective rather than individualistic lifestyles. These are young males who roam the city in gangs and commit crimes as a group rather than as individuals as is the case for outlaws. In some cases these gangs are corner boys marginally deviant or they can represent extremely sophisticated gangs deeply committed to a criminal and violent lifestyle. In San Francisco, the most recent version of this activity are the "red light bandits" who prey upon cars driven by middle class women as they wait for traffic signals to change in low income neighborhoods. The more sophisticated gangs are found in larger urban cities like Los Angeles, Chicago, New York and Philadelphia to name a few.

The Los Angeles main jail contains many racially organized gangs as well as the criminal/social types that exist in San Francisco. These more sophisticated

gang members are not only involved in many of the criminal activities of the corner boys and petty thieves and hustlers, such as using and selling drugs and stealing, but in crimes that stem from their strong gang affiliations, such as assaults and murders of rival gang members. LA jail has a special division of gang "experts" who constantly keep track of gang conflicts and gang memberships. In the case of two prominent black gangs, the Crips and the Bloods, the intense hostilities continue into the jail and the administration purposely segregates them. Experience has shown that the Chicano neighborhood gangs suspend their hostilities while incarcerated and they do not have to be segregated. However, the administration does segregate members of the two major Chicano prison gangs, the Mexican Mafia and La Nuestra Familia.

The other type of gang found in jail populations is the rural version of the corner boy or "homeboy." Homeboys are locals who have "screwed up" regularly while growing up and become well known to the towns' police. They usually have been arrested for drinking, fighting, and many crimes related to cars (e.g., stealing cars, drunk driving, and driving without a license). As they pass into adulthood, some continue to "screw up," some for more serious crimes such as burglary and robbery. When they do they often receive prison sentences. They come back to their town after release, perhaps "screw up" again, but eventually settle down.

The following excerpts distinguish the two major types of gang behavior we found in our sample: corner boys and hoodlums.

Corner Boys. Corner boys are members of the working or lower class, who hang around with other corner boys on the street or other public places, particularly bars.* Corner boys adhere to a semi-deviant value system and are seen

* A series of excellent ethnographies over the last 4 decades reveals that this type persists and possesses essentially the same values. See William Foote Whyte, Street Corner Society (Chicago: University of Chicago Press, 1943); Walter Miller, "Lower Class Culture as a Generating Milieu of Gang Delinquency," Journal of Social Issues, Vol. 14, No. 3 (1958); Herbert Gans, The Urban Villagers (New York: The Free Press, 1962); and Elliot Liebow, Talley's Corner (Boston: Little Brown, 1967).

by ordinary citizens and the police as troublesome persons of low social worth, with strained or broken ties with family, church, union, and work organizations.* If they maintain the corner boy lifestyle they are in danger of losing their tenuous ties with conventional society and becoming fully immersed in the lifestyle of alcoholic/derelicts or petty thieves and hustlers. They are vulnerable to arrest because (1) they are on the streets for many hours in neighborhoods that police believe require special social control attention, (2) they manifest working or lower class traits of masculinity (particularly acting tough or mean) which elicit hostile reactions from police social control agents and (3) they occasionally engage in illegal acts under special conditions. This latter includes going along with more criminally oriented acquaintances, saving face in front of peers, intoxicated, or simply confronted with the opportunity to make some illegal money. Then they may get into fights, beat up their girlfriends or spouses, participate in gang rapes, shop lift, receive stolen property, or burglarize houses or stores.

L. is a 21-year-old native San Franciscan raised in a working class residential neighborhood. His father is a truck driver. L. quit school in the 11th grade and works in a furniture warehouse shipping and receiving furniture. He has been arrested once before for drunk and brandishing a weapon. On the night of this arrest he was with his brother and some other friends playing pool in a bar in a working class section. His brother and a friend went into the toilet to snort some cocaine. The police were watching this toilet and caught the two with cocaine. They were escorting them out of the bar and L. followed them outside. He asked the police what they were doing with his brother and they ordered him against the wall and frisked him. More words were exchanged. L. was walking away and said something else (he can't remember exactly what), and one of the policemen became angry. L. says the policeman said "now you blew it" and arrested him. He was released the next day through the OR project. After four appearances in municipal court over a four month span the charge of possession of drugs was dismissed.

* Walter Miller and Herbert Gans have both emphasized the semi-deviant or criminal character of the values of cornerboys (in their terms "lower class" males). Ibid.

F. is a 20-year-old Mexican raised in San Francisco. His father is a cook and his mother is a hotel maid. F. quit school after the 11th grade and went to work as a warehouseman. He has been arrested for hit and run, and traffic warrants. He was convicted of the hit and run and had to serve weekends in jail for several months. On this arrest he and some friends bought some beer and were drinking on a corner in the Mission district. A young girl walked by and one of his friends was talking to her. He coaxed her into his car, which was close by, and "was doing his thing with her when the cops pulled up and asked them what they were doing." The friend jumped out of the car and ran. The police determined that the girl was 16 and arrested F. and his friends. His charges were dismissed in court the next day.

Hoodlums. In San Francisco's first half century, which was a relatively disorderly one, groups of young males roamed the streets and threatened San Francisco's respectable citizens. The press coined the term "hoodlums" in its campaign against them. The category and term, though it has referred to a wide variety of undesirables since, lives on. For our purposes, the category contains groups of young persons who intentionally behave in a style that antagonizes ordinary citizens who in turn define the persons as hoodlums or some other derogatory name such as hooligans, punks, or lowriders.

The hoodlum styles share several essential patterns: (1) their activities take place in public, usually on the streets; (2) aspects of the style are threatening, bothersome if not dangerous, to conventional witnesses; (3) the hoodlums intend that these aspects antagonize others; and (4) some patterns are deviant and illegal. These latter include such things as racing cars on public streets, excessive public drinking, disturbing the peace, fighting, blocking traffic, destruction of property, and petty theft. Among our sample two hoodlum styles emerged: "lowriding" and "being wild." Presently lowriders are either persons who customize cars so that they can be rapidly or slowly raised or lowered with hydraulic lifts; persons who ride around with the owners; or others who hang around the locations where the owners meet to show off their cars. The cars and other activities of the lowriders disrupt traffic flow and draw huge crowds of admirers, mostly teenagers, who further clog pedestrian and vehicular traffic.

The lowriders and their groupies also threaten conventional passersby, drink and consume drugs in their cars and on the streets, and disturb the peace. Persons "being wild" make great efforts at being wild in public. They excessively abuse "substances" (such as alcohol and other drugs), stay up through the night or for days, generally dissipate, and dress and behave in a manner to demonstrate that they are wild.

J. is a 29-year-old white man raised in a middle class home in the Bay Area. His father is a civil engineer and in recent years has been working at Stanford University. J. finished two years of college. He also served two prison and several jail sentences for crimes characteristic of being wild -- taking a stolen car across a state line and possession of a gun. He has worked at many jobs, including welding and dishwashing. He is presently living with his wife and another couple. From his description of his life, he is continuing to be "wild" on drugs and alcohol. The night of the arrest he and 5 friends were walking down a Tenderloin street. He says "a cop pulls up and says 'you're drunk.' He grabbed me and we scuffled. I fell down. The cop accused me of trying to steal his gun. It was a set up. They did the same thing to me a year ago. They're just trying to get my probation revoked." He was charged with attempted grand theft and resisting arrest. The resisting arrest was dropped in municipal court and the attempted grand theft reduced to a misdemeanor. After 40 days in jail he was released on his own recognizance. He pled guilty to misdemeanor larceny and received 91 days, 90 to be served in an alcohol program.

F. is a 20-year-old Mexican-American. He was a wild youth and was sent to the youth prisons several times. He has recently been convicted as an adult for assault and served 9 months in the county jail. F. hangs out in the Mission with his lowrider friends. On the night of the arrest, he and other lowriders were hanging out in a parking lot late at night. The police have been trying to drive lowriders out of the neighborhood and this night a paddy wagon pulled up and arrested everyone caught in the lot. F. was charged with possession of stolen property and drugs. Both charges were dropped two days later in municipal court.

Aliens. "Give me your tired, your poor, your huddled masses, yearning to breath free. . ." is one of America's lofty ideals.* However, most waves of "wretched refuse" initially have been viewed as inferior and unwelcomed. They are initially excluded from most conventional organizations, particularly conventional occupational organizations. They have also received close scrutiny by

* Inscription on the plaque at the base of the Statue of Liberty, written by Emma Lazarus.

social control agencies. In many regards aliens start on the margin of the society, outside its culture and social organizations. In spite of their efforts to assimilate within our society, some will fail. For the past few decades in California Spanish-speaking immigrants have been the target of public concern, discrimination, and police scrutiny. In San Francisco the police focus their social control activities on Mexicans, Central Americans, and, more recently, Cubans. The recent concern over Cuban immigrants were sensationalized by the media during the Miami disturbances and more recently by Hollywood in the popular Scarface movie.

Aliens are vulnerable to police scrutiny and arrest because: (1) the aliens tend to live in neighborhoods such as the Mission district in San Francisco or the barrios of Los Angeles that receive intense social control attention by police; (2) many of the aliens hang out in bars and street corners that are exposed to more police scrutiny; (3) when confronted by police their behavior, such as speaking to police in a foreign language, is more like to provoke a hostile reaction; (4) some of them engage in activities such as drinking, reveling, and fighting in public, that are deviant by strict conventional proprieties; and (5) a few of them, particularly the more economically pressed, commit petty crimes of theft.

G. is a 20-year-old Mexican who came to the U.S. a year before his arrest. In Mexico he had worked as an air-conditioner mechanic. In the United States he worked for a while as a house painter, but was laid off several months ago. He has not been able to find work since. He was riding on a bus and snatched a purse from a lady. He jumped off the bus and was arrested several blocks away. There was no money in the purse. The arresting officers handcuffed him with his hands behind his back and hit him in the eye while carrying him to the station. (His eye was bruised and swollen.) While he was involved in the court proceedings on the charges of grand larceny and resisting arrest, it was discovered that he was out on bail on a resisting arrest and battery to a police officer. All cases were combined and he pled guilty to the purse snatching and was sentenced to one year in the county jail.

M. is a 28-year-old Cuban who immigrated a year ago. He was an electrician in Cuba and was working here as a laborer in construction. He was visiting San Francisco with a friend and riding on a downtown bus. Three plainclothes policemen approached him and began questioning him. He does not understand English and does not know what they were saying. They handcuffed him and started to remove him from the bus and his

friend, who speaks a little English, asked them what they were doing. They handcuffed him and arrested both Cubans. M. was denied OR, but bailed out several days later. Two weeks after the arrest the charges were dropped because there was "no evidence presented."

J. is a 31-year-old Mexican who has been in the United States for several years. He speaks no English. He did not attend high school in Mexico. Here he works as a body and fender man in an auto repair shop. He has been arrested once before for driving without a license. The night of the present arrest he was at a party. He was standing outside on the street and the police pulled up. After some questioning, they searched him and found some pills, which he claimed were not narcotics. They arrested him for felony possession of drugs. The charges were dropped two days later for "lack of evidence."

Square Johns. Occasionally reputable persons commit a felony of the type that leads to arrest. This includes forgery, grand theft, murder, or possession of drugs (now cocaine increasingly) and sex crimes. The crime usually grows out of special circumstances that temporarily beset the square john. More frequently, the square john is brought to jail for misdemeanor crimes such as drunk driving, speeding, or failure to pay previous traffic or other court fines. Their stay in jail is quite brief since they easily qualify for OR or citation or pay bail by virtue of their social standing. Despite their non-criminal orientation, square johns are increasingly being brought to jail as a result of tougher drunk driving laws and crack-downs on persons failing to pay traffic fines.

R. is a 26-year-old white college graduate. He was raised in Marin County in a relatively affluent home. His father is a successful international businessman and his mother an ex-secretary of the Maritime Academy in Washington, D.C. R. plays guitar and has been trying to keep a band together. The evening of the arrest he was playing guitar in Union Square. Two Moonies came up to him and accused him of stealing one of their guitars. The police arrived, believed the Moonies, and arrested him. He indicates that they were very abusive to him. They did not inform him of his rights and did not allow him to use the telephone. However, he was released on his own recognizance the next day and the charges were dismissed at his second court appearance, 6 days after the arrest.

V. is a 26-year-old German furrier travelling around the United States. His mother is a secretary and father a clerk in Germany. V. finished high school and entered his trade. He has never been arrested before. He ran out of money and in desperation stole a check and tried to cash it at a bank. He was arrested in the bank and charged with possession of a forged check, forgery, receiving stolen property, and possession of false identification. A week after his arrest in municipal court all charges

except possession of a forged check were dropped and this was reduced to a misdemeanor. He was released on OR after pleading not guilty. His trial was set two months away and he failed to appear for trial. A bench warrant was issued.

I. is a 43-year-old secretary. He had been drinking heavily one Friday evening. On his way home he ran into another car less than two blocks from his house. When the police came he was given a breath test and booked into the drunk tank. After five hours he was released on OR. Four months later he was convicted of drunk driving, placed on six months probation, fined \$570 and ordered to attend a drunk driving class.

J. is a self-supporting artist who comes from an upper class family back East. One night he was hurrying to catch a bus. As the bus pulled out he banged on the window and cracked it. An angry bus driver told him he would have to wait until the police arrived. J. was arrested for damage to public property and booked into jail. A computer search also found that he had several unpaid traffic tickets in a nearby city. OR release from jail was not granted for 2 days until J. was able to call a friend to pay off the old traffic tickets from the other jurisdiction.

Other. This group contains a number of social types which individually make up only a small portion of the jail's population but who are often romanticized by the media as a frequent visitor to jail. Included here would be male and female prostitutes, transvestites, transsexuals, and gays. It is their sexual orientation or occupation that deviates from societal norms which brings them to the attention of law enforcement and makes them vulnerable to arrest and booking. As long as they keep their business "private" or outside of well-established businesses, hotels, and tourist areas, they will have little reason to be brought to jail. But of those who become too visible and begin to disrupt these areas, they will quickly experience a brief period of jail confinement.

Summary Of Pretrial Inmate Characteristics

The overwhelming majority of the jail's business involves persons charged with misdemeanor crimes of property, drunkenness, and public disorder. Few have extensive criminal histories. They are more likely to be disproportionately black or Hispanic, male, unemployed or hold a lower class job, and poorly educated compared to the general population. Most enter jail with less than \$3 in cash and

face bail amounts which average \$320 to \$1,000. Many are drunk at the time of booking.

Those held for a longer period of time tend to be younger, less educated, unemployed, and members of minority groups. Hispanics in particular spend longer periods in pretrial detention. Those held longer are most frequently charged with property-related offenses.

Qualitative data show that although most of these individuals have a marginal existence, few can be classified as career or dangerous criminals. Instead, many appear to be involved in episodic crimes for purposes of minor profit or because of situational circumstances which culminate in an arrest and a trip to jail. Many of the behaviors which lead to an individual's arrest are associated with alcohol or drug abuse.

Chapter 4

THE PROCESS OF PRETRIAL DETENTION

This chapter examines the nature and extent of pretrial detention across the three jails. Descriptive data are provided on how long inmates are confined in pretrial custody, their method of pretrial release if they are released, and the disposition of the offenses they have been charged with. Where differences exist among the jails, attempts are made to understand the sources of these variations and whether policies or inmate characteristics are the best reasons for differences in the use and extent of pretrial detention.

Pretrial detention is justified on two levels: (1) to prevent a defendant from fleeing the jurisdiction to avoid prosecution and punishment and (2) to prevent the commission of additional crimes by those viewed as dangerous to the public. When detention is used for purposes beyond these two, it may serve a more informal function of delivering punishment before conviction or may simply reflect a fragmented and uncoordinated detention policy.

Flemming (1982) has defined the nature of pretrial punishment as (1) the extent to which defendants are released from custody prior to case disposition; (2) the length of time defendants remain in pretrial custody; and (3) the money defendants must pay (bail) in order to be released from custody. Thus not being released from jail, a greater length of time in jail and payment for freedom constitute differing dimensions of punishment. The entire configuration of punishment before trial is the product of a number of factors, including jail capacity, court delay, bail schedules, use of own recognizance programs, economic resources of defendants, and other factors.

Length of Pretrial Detention

Most defendants spend no more than a single day in jail. In Yolo and San Francisco about 80-90 percent of all bookings are released within three days. The

more stable median length of stay shows that most of these defendants actually spend one day or less in detention (Table 4-1). It is the short length of pretrial detention which distinguishes it from prison and which allows for the high volume of cases to enter jail without overcrowding the facility as reported in Chapter 1.

The L.A. Central jail has a longer period of detention. Because local police and the Sheriff screen out so many cases at the sub-station facilities, persons entering Central are likely to spend a much longer period of pretrial confinement. Although a high percentage (38 percent) will also be released within three days, many more will remain confined for one to four weeks.

Method of Pretrial Release

Some reasons for differences among the jails in length of pretrial detention can be found by examining the methods by which defendants are released from custody (Table 4-2). Most defendants in Yolo and San Francisco are released from pretrial detention. These release rates are equivalent to those reported in Lazar's national study of pretrial release which showed that approximately 90 percent of detainees are released (Toborg, 1981). The Central jail, however, reports a lower release rate (59 percent) and the lowest use of sheriff citation. These lower rates reflect the use of the Central jail as the post arraignment, pretrial population for Los Angeles county. Most citations are made by sheriff deputies at the satellite stations. Those defendants remanded to the Central jail have already been rejected for citation release and are more likely to remain in custody until their case is disposed of by the court. In contrast, Yolo and San Francisco report higher use of citations (34 percent and 26 percent, respectively) and lower rates for the never released category (20 percent and 15 percent, respectively).

The ten percent bail deposit release category represents a new procedure in California which allows defendants charged with misdemeanors to post ten percent of their bail amount with the county instead of private bail bond agencies.

Table 4-1
Length of Pretrial Detention
By Site

	Yolo (267)	San Francisco (271)	Los Angeles (372)
Days in Detention			
0 - 3 days	82.0%	93.0%	38.5%
4 - 6 days	6.9%	3.0%	15.6%
7 - 30 days	9.3%	2.9%	28.2%
31 - 180 days	1.5%	1.1%	17.2%
181-365 days	0.0%	0.0%	0.5%
Mean Days	2.7 days	2.2 days	18.1 days
Median Days	1.0 days	1.0 days	5.0 days

Source: Random Booking Sample

Begun in 1981, the bill, known as AB2, allows each county to act as a bondsman at less cost to the defendant, who will not lose the ten percent deposit if he appears for all of his court appearances. NCCD's evaluation of this reform measure found that AB2 was being used infrequently throughout the state principally because most misdemeanor defendants were being released through already existing release mechanisms (Krisberg and Austin, 1983). The data in Table 4-2 further substantiate this conclusion, this time using a sample of defendants charged with a felony or misdemeanor. Krisberg and Austin found that AB2 was being used in less than 10 percent of all misdemeanor bookings. The research also showed that less than six percent of all bookings were released via bailbonds. The higher percentages of bail releases reported in Table 4-2 support a point made elsewhere: bail bonding is more lucrative for more serious felony cases since these require higher bail amounts and carry the highest premiums.

The data for San Francisco show that 16 percent of the booking sample defendants are released because their charges are never filed, are dropped or are dismissed. In a later table in this chapter (Table 4-4), it is revealed that over 60 percent of all bookings in San Francisco are terminated because the charges are not filed, dropped or dismissed by the court. This is consistent with the previous data on San Francisco's arrest practices (Chapter 2) and the criminal characteristics of the San Francisco pretrial population (Chapter 3). It is also the most convincing evidence that pretrial detention is used for pretrial punishment purposes at considerable court, custody and defendant cost. Jurisdictions reporting lower rates of dismissed charges for their booking populations may be making more judicious use of jail space by holding defendants with a high probability of conviction.

Table 4-2
Methods of Pretrial Release
By Site

	Yolo (267)	San Francisco (270)	Los Angeles (372)
Method of Release			
Bail	17.2%	16.7%	18.8%
10% Bail	3.4%	0.7%	8.6%
OR	15.0%	13.0%	14.8%
Citation	33.7%	25.6%	0.0%
Transferred	7.1%	11.5%	8.3%
Charges Dismissed/Notified	1.9%	16.3%	6.4%
Never Released	19.5%	15.9%	40.6%
Other	2.3%	0.4%	2.2%

Source: Random Booking Sample

Length of Pretrial Detention By Method of Release

Across the three sites the never-released group, as expected, also spends the longest period in pretrial detention (Table 4-3). Sheriff citation and ten percent bail, which are release mechanisms administered by the sheriff or the jail, are the fastest means for exiting from the jail. Inmates who can't secure pretrial release through the sheriff but do through other agents or agencies such as bail bondsmen and OR/court personnel, have slightly longer periods of detention. Inmates whose charges are eventually dropped by prosecutors or the court spend an average of four to ten days in custody. And those few who are eventually transferred to another jurisdiction also spend lengthy periods in custody.

The only other noteworthy trend is that the L.A. Central jail reports lengthier detention periods across all release types compared to the other jails which again is largely the result of the substation screening procedures, which result in the release of the less serious and non-detainable defendants.

Court Dispositions of Defendant Charges

An important indicator of the nature of the pretrial detention process is the disposition of the charges which brought defendants to jail in the first place. On this item, substantial variation exists again across the jails (Table 4-4). San Francisco shows the highest rate of dismissal of charges (64 percent). LA Central trails behind with 29 percent dismissals and Yolo even further with 20 percent.

San Francisco's high rate of dismissals bears closer analysis. If we look at the percentage of dismissed cases while controlling for offense we see that 67 percent of public order type crimes -- in particular public drunkenness, public disorder, and prostitution (Table 3-11) -- are dismissed. One court official's explanation for this extremely high rate of dismissals is as follows:

San Francisco has always had a vagrancy policy which means that we try to keep the streets as clear as possible. The downtown interests and tourism businesses complain loudly if too many prostitutes and drunks are seen downtown. We arrest them but have no real intention of prosecuting them.

Table 4-3
Pretrial Detention Length by Method
of Release by Site

	Yolo (260)		San Francisco (247)		Los Angeles (363)	
	Mean	Median	Mean	Median	Mean	Median
Bail	1.9 days	0 days	3.5 days	0 days	6.7 days	3 days
10 %	0.3 days	0 days	-	-	3.9 days	2 days
OR	3.5 days	2 days	1.7 days	1 day	14.5 days	12 days
Citation	0.5 days	0 days	0.7 days	0 days	-	-
Transferred	6.8 days	2 days	2.0 days	1 day	39.4 days	8 days
Dismissed	4.2 days	2 days	2.2 days	1 day	9.7 days	5 days
Never Released	6.2 days	1 day	8.2 days	1 day	26.3 days	13 days

Source: Random Booking Sample

Table 4-4
Dispositions of Criminal Charges
Controlling for Credit Time Served by Site

	Yolo	San Francisco	Los Angeles
Disposition	(175)	(195)	(275)
Dismissed/Dropped/Charges Not Filed	20.0%	63.6%	29.4%
Non-Incarceration	33.0%	13.3%	18.1%
Fine/Restitution	9.1%	2.1%	4.0%
Probation Only	23.9%	11.7%	14.1%
Incarceration	46.7%	23.1%	52.2%
Probation Plus Jail	12.5%	6.2%	7.2%
Jail Only	34.2%	15.4%	39.6%
Prison	0.0%	1.5%	5.4%

Source: Random Booking Sample

This official's comment illustrates that jails serve local interests. San Francisco's economy depends heavily upon attracting major corporations interested in consolidating their financial and administrative offices in the midst of the expanding California economy. Tourism and conventions are also major contributors to San Francisco's hotel and restaurant industry. In order for this city to maintain its image as an attractive place to work or visit, special attention is directed toward keeping the streets free of drunks, prostitutes, and other forms of disorderly or disreputable behavior. Consequently, the police are expected to routinely patrol the downtown area and keep it clear. Similar pressures undoubtedly exist in Los Angeles and even Yolo county but neither jurisdiction seems to be as concerned as San Francisco, as measured by the type of arrests made, the ratio of arrests to bookings, and the type of charges brought before the court.

The other dispositional patterns reveal that Yolo defendants received the highest percentage of probation and fine/restitution dispositions (33 percent) compared to 13 percent in San Francisco and 18 percent in Los Angeles. Both Central and Yolo report that half of their bookings received jail or jail and probation dispositions compared to only 23 percent for San Francisco.

Of particular interest is that only a very small percentage of pretrial detainees are eventually sentenced to prison. Los Angeles showed barely 5 percent while Yolo showed none and San Francisco only two percent.

Both the high rates of dismissals and low rates of prison dispositions speak to the important policy question of whether jails are being used to incapacitate the dangerous offender. Clearly, the low number of prison sentences and high dismissal rates reported here are not consistent with this policy. Similar trends have been found in two other recent studies related to pretrial processing (NCCD, 1983, 1984). Additional research is clearly needed to better understand why so many defendants' cases are eventually dismissed or receive community supervision after entering jail facilities, even if for rather brief periods of confinement.

Related to case disposition and the concept of pretrial punishment is the place of pretrial detention in the total sentencing process. As shown earlier there has been greater use of the jail or jail with probation dispositions. Many of these jail sentences however, simply represent the court granting credit for pretrial detention days as part of the total jail sentence. In California there has been a significant increase in the jail with probation disposition (CBCS, 1982).

Data bearing on this issue are shown in Table 4-5. In this table we have separated offenders receiving either a jail sentence or a jail with probation sentence into two categories; (1) those who served their jail sentence pretrial (credit time served) and (2) those who serve their jail sentence after conviction. Both Yolo and L.A. Central make extensive use of credit for time served in lieu of a post conviction jail sentence. About a third of San Francisco's jail sentences are actually credit for time served stays.

Using these same dispositional definitions we can also adjust the proportions of defendants who ultimately spend time incarcerated beyond their pretrial stay. Using these revised data one sees that for all sites no more than 21 percent of all persons booked into jail are incarcerated after sentencing and most of these jail sentences are less than 30 days. Yolo County has both the lowest dismissal and incarceration rates. San Francisco and L.A. Central's incarceration rates are roughly equivalent although they differ dramatically in their dismissal rates.

Security of Confinement

Most incoming inmates are initially placed in a medium security cells: about 83 percent in San Francisco and 70 percent in Los Angeles (Table 4-7). Approximately 11 percent of San Francisco's intake requires more restrictive housing using maximum or close custody cells compared to 21 percent in Central.

Table 4-5
Dismissal Rates by Charge Group
San Francisco Jail

	(N = 108)
Violent Crimes	13.0%
Property Crimes	12.0%
Public Order	66.7%
Court Processing	1.9%
Traffic	0.9%
Drunk Driving	0.0%
Other	5.6%

Table 4-6
Proportion of Cases Receiving Jail Sentences
With Credit for Time Served

	Yolo	San Francisco	Los Angeles
Disposition	(175)	(195)	(275)
Jail or Jail plus Probation	46.7%	23.1%	52.2%
Jail or Jail plus Probation (Pretrial Credit Time Served)	35.4%	10.3%	31.4%
Jail or Jail plus Probation (Post Conviction)	11.3%	12.8%	20.8%
Prison	0.0%	1.5%	5.4%

Source: Random Booking Sample.

Table 4-7
Security Levels of Bookings at Intake and Release
By Site

Security Level	San Francisco		Los Angeles	
	Intake	Release	Intake	Release
Maximum	1.8%	1.8%	5.7%	4.3%
Close	9.4%	9.0%	15.4%	22.4%
Medium	83.4%	82.7%	69.4%	47.8%
Minimum/ Trustee	5.4%	6.5%	9.4%	25.4%

Source: Random Booking Sample

All of the inmates at Yolo (not shown in Table 4-7) are initially assigned to the main jail facility but systematic records are not kept of the cell location at admission and release. However, as noted earlier, observations of the booking process suggest that the vast majority of inmates, as in San Francisco and Los Angeles, are kept in medium security cells except for a handful which receive maximum custody. Only those sentenced and later transferred to the branch facility are placed in minimum security.

There is little change in the custody levels from the time of booking to the time of release. Most inmates remain in medium custody throughout their pretrial stay, which is not surprising, especially in San Francisco and Yolo where most defendants are released within a day. In LA Central, where pretrial detention is longer, we see a shift toward lower custody levels. Inmates have few major disciplinary problems and consequently become eligible for lower security placements.

Predicting Pretrial Length of Stay

Length of pretrial confinement is one of the most pressing and difficult issues confronting the operation of a jail. It directly affects the size of the pretrial population, which in turn dictates the extent of crowding experienced within a facility. Other studies have shown that length of stay is indirectly related to disposition, i.e., the lengthier the period of detention the greater the probability of conviction. And there is the whole issue of pretrial punishment and the extent to which detention is used for such purposes.

Chapter 3 showed that certain defendant criminal and social characteristics were linked to longer pretrial detention stays. However, many of these factors are interrelated, which makes it difficult to assess which factors influence length of stay while controlling for other variables. For example, it may be that the higher likelihood of Hispanics to be detained over 72 hours is due to their

being charged with more serious crimes. Since both ethnicity and offense may be related to detention length the question is whether the observed relationship between race and detention length will disappear when offense is controlled for. Similar questions may be asked of other factors related to detention length in the bivariate case, such as prior record, bail amount, sex, and employment status.

To address these questions statistically, a regression approach to analysis of covariance is used to identify the best predictors of pretrial length of stay (TIMEPRE). The following variables found in bivariate analysis to be related to TIMEPRE were inserted into the regression model.*

- | | |
|-------------------------------|--|
| 1. Primary Offense Charged | 11. Sex |
| 2. Special Admission Needs | 12. Cash At Booking (in dollars) |
| 3. Outstanding Warrant Listed | 13. Employment Status (currently employed vs. not) |
| 4. Bail Amount | 14. Married/Not Married |
| 5. Prior Jail Sentences | 15. Arresting Agency |
| 6. Prior Prison Sentences | |
| 7. Prior CYA Sentences | |
| 8. School Grade Level | |
| 9. Race/Ethnicity | |
| 10. Age | |

The results of the regression analysis are shown in Table 4-8. One of the most interesting findings among the sites is the proportion of variation explained by the regression models (R^2 scores) for each jail. Both Yolo and San Francisco report quite low R^2 score totals of .16 and .12 respectively, meaning that these variables explain or account for 12 to 16 percent of the variation in pretrial detention length. In contrast L.A. Central has a higher R^2 of .30.

The difference in levels of explanation is partly attributable to the distribution of the dependent variable. Both Yolo and San Francisco have mean lengths of detention of approximately 3 days. Because so little variation exists in the

* For purposes of this analysis, nominal level variables (e.g., race, charge) were "dummy coded" as 1 or 0. The interval level variables, including the dependent variable, were not modified.

Table 4-8
Regression of Pretrial
Detention Length (Time PRE) on Predictor
Variables, by Site

	Site					
	Yolo		San Francisco		Los Angeles	
Mean PRE Time (in days)	2.78		2.36		16.54	
Independent Variables:	Raw Coefficient	Std. Err.	Raw Coefficient	Std. Err.	Raw Coefficient	Std. Err.
Charge Characteristics:						
Violent Crimes	0.90	1.80	9.23***	2.90	24.01***	4.66
Property Crimes	1.15	1.28	1.14	2.03	12.40***	3.60
Warrant	3.15***	1.13	0.06	1.53	-6.77**	3.20
Special Admission Problem	1.27*	0.77	-0.89	1.62	8.15**	4.10
Drunk at Admission	-0.54	1.15	-1.38	2.00	-3.28	3.54
Bail Amount (in dollars)	0.0002	0.0001	- a	- a	0.00002	0.00004
Arresting Agency:						
Local Police	-0.019	1.30	-7.18***	1.98	-1.17	5.48
Court referral	-3.23	2.62	- a	- a	5.07	6.28
Sheriff	-0.99	1.30	- a	- a	-1.84	5.78
Prior Record:						
No. jail sentences	-0.01	0.08	-0.07	0.49	-0.20	0.18
No. CYA sentences	0.28	0.62	1.03	1.74	10.11**	2.37
No. prison sentences	0.61	1.38	-1.38	2.54	0.13	2.68
Defendant Resources:						
Cash at booking	-0.0004	0.003	- a	- a	-0.002	0.003
Defendant employed	-0.45	0.92	- a	- a	-2.65	3.21
Defendant married	-0.59	1.06	- a	- a	-1.07	3.37
Education (in years)	-0.43**	0.18	- a	- a	-0.06	0.68
Defendant Characteristics:						
Hispanic	-0.79	1.26	5.06*	2.83	2.90	4.20
Black	0.46	1.50	-0.95	1.53	-2.93	3.72
Age (in years)	-0.05	0.04	-0.04	0.07	-0.25	0.20
Male	1.80	1.37	-1.30	1.76	-	-
Intercept	7.01**	3.20	10.11***	3.00	20.16*	11.85
R^2	.16		.12		.30	

a Category not applicable or data unavailable.

* $\leq .10$

** $\leq .05$

*** $\leq .01$

dependent variable, it is difficult to improve upon what is already known i.e., that almost 90 percent of the defendants are released within a few days. L.A. Central therefore is easier to model because it has a more normal distribution of pretrial detention length. Consequently, we are better able to identify factors which explain why some defendants are detained for longer periods of time.

However, it may also be that the greater ability of the model to explain time held in pretrial custody in Central is due to the effects of measurement error. For various reasons measurement error in the independent variables attenuates the slope estimates for these variables.* There may be less measurement error in Central than in Yolo and San Francisco, particularly for offense-related variables. The reason for this is not in the coding procedures. It instead resides in the sifting process by which inmates enter Central after they have already been arraigned in court. The net effect of this sifting process is that offense characteristics become better predictors of length of stay, i.e., their relationships become less attenuated.

The third finding is that, across the sites, offense and warrant variables are the most powerful predictors of TIMEPRE, controlling for other factors. However, special admissions problems (illness, injury or psychological) show modest independent effects in Yolo and Los Angeles. The size of the coefficient in Los Angeles (8.15) reflects departmental policy to send all inmates with significant illness or other special admission problems to Central regardless of charge level, even prior to arraignment. Prior record in Los Angeles is also a strong predictor of length of stay. Unexpectedly, in Yolo, education is a significant predictor: as defendant education increases by one year TIMEPRE decreases by .43 or almost a half a day. Moreover, as Yolo bail amounts increase so does TIMEPRE. Likewise,

* See H.M. Blalock, Social Statistics New York: McGraw-Hill, 1983, (Third edition).

in San Francisco the Hispanic dummy variable is significant -- here Hispanics were more likely to spend more time in pretrial, controlling for offense and other factors.

What these findings suggest is that Central houses inmates more according to a legalistic model of crime control, one where current offense and prior record variables are the predictors of length of stay. While current offense variables are important in Yolo and San Francisco, the data suggest that extra-legal characteristics -- education in Yolo, race in San Francisco -- are also important. The absence of extra-legal significant predictors in Los Angeles may point to the diminishing importance of extra-legal characteristics for sustained incarceration.

Chapter Summary

Although the volume of jail admissions is great the average length of time spent in pretrial detention is small. Most inmates in our sample spent no more than one day in jail. The L.A. Central inmates have the longest average pretrial detention length because the L.A. Sheriff has instituted a county-wide system of screening out the less serious cases at their substation facilities.

Most defendants are released from jail prior to disposition of their criminal charges. The most frequent method of pretrial release is sheriff citation. Defendants released via mechanisms under the sheriffs control (citation and the ten percent bail deposit) spend the shortest period of detention. Differences among inmates in length of pretrial detention are largely explained by the nature of charges filed or the presence of an outstanding warrant, particularly in Los Angeles. In Yolo and San Francisco extralegal characteristics also explain detention length.

In terms of case disposition, less than 21 percent of pretrial defendants will spend additional time in jail or prison after their criminal cases are settled by the court. In San Francisco, over 60 percent of the inmates have their charges

dropped compared to much lower rates in Yolo (20 percent) and L.A. Central (29 percent). San Francisco's high dismissal rate is tied to social control objectives which emphasize the arrest and booking of persons charged with public disorder, drunkenness, and prostitution. Of those inmates convicted, most will receive either probation or a split sentence of probation with jail with credit for time served while they were in pretrial status. Less than five percent of all persons admitted to jail will be sentenced to prison.

Chapter 5 THE SENTENCED INMATE

Aside from pretrial defendants the second major population detained in jails is sentenced inmates. In California, these offenders have been convicted of one or more crimes, the penalty for any one of which cannot exceed one year of confinement. In addition to the jail sentence, offenders are usually required to complete a period of probation supervision, and/or pay fines. The purpose(s) of jail confinement as a sentence as discussed in Chapter 1 are unclear. Unlike prisons, the period of confinement is brief, which raises the question of whether the jail sentence can fulfill a treatment, deterrence, incapacitation or just deserts objective. The major purpose of this section is to better understand how realistic it is to expect jails to meet the various claims of competing philosophies of confinement.

First we identify the legal and personal characteristics which distinguish pretrial from sentenced inmates. The remaining sections focus on how long sentenced inmates are confined and the experience of their incarceration, including disciplinary violations, program participation, security levels, and the avenues of release.

Pretrial and Sentenced Inmate Characteristics

Chapter 4 shows that only a small percentage of all persons booked into jail before trial will be sentenced to jail when found guilty. An important question is what legal or social factors, if any, distinguish pretrial inmates from sentenced inmates.

In terms of offense characteristics, a small minority of sentenced jail inmates were convicted of crimes against persons (Table 5-1). No more than a third are there for crimes of violence or property offenses. The majority are

Table 5-1
CHARACTERISTICS OF PRETRIAL AND
SENTENCED INMATES BY SITE

	Yolo		San Francisco		LA Central	
	Pretrial	Sentenced	Pretrial	Sentenced	Pretrial	Sentenced
Offense Type						
Violence	7.1%	6.0%	7.5%	13.6%	16.7%	7.9%
Property	20.5%	17.0%	14.9%	27.2%	25.7%	19.1%
Public Order	29.0%	30.0%	40.3%	18.4%	20.6%	16.9%
Court Processing	9.7%	8.5%	8.5%	21.2%	9.0%	12.4%
Traffic	30.0%	9.5%	7.8%	1.6%	5.9%	8.6%
Drunk Driving	22.7%	24.0%	9.2%	10.4%	12.9%	28.8%
Other	8.2%	5.0%	11.9%	7.6%	9.3%	6.4%
Prior Jail Sentence	2.4%	7.9%	0.2%	0.5%	2.4%	2.8%
Average Age	31.2 yrs	33.4 yrs	30.1 yrs	29.6 yrs	26.9 yrs	30.2 yrs
Ethnicity						
Black	10.4%	4.0%	42.4%	47.6%	39.9%	25.9%
Hispanic	20.5%	29.9%	7.6%	9.4%	33.8%	39.5%
White	66.2%	64.0%	46.2%	38.6%	22.2%	31.2%
Other	3.0%	3.0%	3.8%	4.3%	4.1%	3.4%
Method of Pretrial Release						
Bail	17.2%	10.0%	16.7%	5.2%	18.8%	0.07%
10%	3.4%	2.0%	0.7%	0.0%	8.6%	0.0%
OR	15.0%	7.0%	12.9%	4.0%	14.8%	0.8%
Citation	33.7%	13.5%	25.6%	4.4%	-	0.0%
Not Released	19.5%	65.5%	15.9%	85.9%	40.9%	99.3%
Dismissal	1.9%	0.0%	16.3%	0.0%	6.2%	0.0%

sentenced for public order offenses, drunk driving, violations of court process and other minor offenses.

Differences between the three sites in offense characteristics are consistent with county-wide statistics reported in Chapter 2. San Francisco shows the highest proportion of crimes against persons of the three counties and also has the highest proportion of inmates sentenced for such crimes. The low incidence of sentenced drunk drivers is also consistent with San Francisco's lower arrest rate. This may reflect the extensive use of public transportation in the small densely populated San Francisco county which contrasts with the geographically dispersed out counties like Yolo and Los Angeles where one must drive a vehicle and public transportation is often unavailable.

Sentences to jail for contempt of court, which are embedded in the category of violations of court process, are peculiar to San Francisco. This offense appears to be frequently used for individuals who failed to appear at court, probationers who violate conditions of probation and other defendants who fail to pay fines or other orders. A higher proportion of this "type" of inmate is largely a function of local probation and court policies.

There are few consistent differences between pretrial and sentenced inmate characteristics across the three sites. Table 5-1 presents the five variables that do reveal differences between these two inmate populations for each site. Yolo's sentenced inmates are more likely to have a more extensive history of prior jail sentences, older in age, a higher proportion of Hispanics, and a smaller black population. Traffic offenders are 20 percent less likely to be in the sentenced sample.

San Francisco's sentenced population has a higher proportion of defendants convicted of violent, property, and court processing offenses. The dramatic

differences in public order offenses between the pretrial and sentenced populations is a direct effect of the San Francisco court's policy to dismiss these types of criminal cases and handle by means other than jail. Sentenced and pretrial inmates have similar histories of jail sentences. Blacks make up a greater proportion of the sentenced population while whites are proportionately less likely to be in the sentenced groups.

LA-Central uses its sentenced facilities less for the violent, property, and public order cases and more for drunk driving offenders. Like the other jails, sentenced inmates are older. Hispanics and especially whites are more likely to appear in the sentenced population compared to a smaller proportion of blacks.

The variable that most powerfully discriminates between pretrial and sentenced inmates is the method of pretrial release. For Yolo and San Francisco, 65 to 86 percent of the sentenced inmates had not secured pretrial release while awaiting their trials or case disposition. This compares with 16 to 41 percent percentage release for all pretrial admissions. Put differently the capacity to secure pretrial release has a powerful influence on whether or not a defendant, if convicted, will spend additional sentenced time in jail. The strength of this relationship appears to be largely independent of the other inmate characteristics shown in Table 5-1 and has been noted in other studies of pretrial release (Landes, 1974; Rankin, 1964; Goldkamp, 1979).

Differences in Length of Time Served

There are major differences across the jails exist in length of sentence actually served by offense groupings. Despite the higher percentage of offenders convicted of violent and property crimes in San Francisco, Yolo shows the highest median length of stay in jail, nearly 44 days, compared to 30 days in San Francisco and only 7 days in Los Angeles (Table 5-2). Some sense of the reasons for these differences can be had by comparing length of stay within offense categories.

Table 5-2
AVERAGE LENGTH OF TIME SERVED IN DAYS
BY OFFENSE AND BY SITE

	Yolo		San Francisco		LA Central	
	(N = 199)		(N = 249)		(N = 266)	
	x	Median	x	Median	x	Median
Violence	123	115	86	58	68	13
Property	124	91	71	52	42	8
Public Order	34	16	47	43	36	11
Court Processing	75	71	20	3	8	4
Traffic	56	20	32	5	18	4
Drunk Driving	86	77	31	8	18	6
Other	105	118	80	51	28	4
Total	76	44	54	30	29	7
% Serving 90						
days or more	32.5%		21.6%		9.0%	

This controlled analysis shows that, in every offense category except public order, Yolo inmates spend lengthier periods of time incarcerated per offense than do LA Central inmates, while San Francisco falls roughly in between.

The lengthier jail stays for Yolo take on greater significance when one remembers that Yolo had both the lowest dismissal rate and the lowest incarceration rate for pretrial inmates (Tables 5-5 and 5-6). Defendants who are convicted will spend longer periods in jail at Yolo compared to San Francisco and LA Central, independent of the conviction offense. The Yolo judges appear to believe that jail sentences should be reserved principally for the more serious cases, who receive lengthier terms. At the other sites, jail sentences are used more frequently, but are of a shorter duration. These differences in sentenced lengths appear to be more a function of local policies and much less offense and inmate characteristics.

These findings regarding length of stay by jail reinforce the readily observable living environment of the Yolo jail. For sentenced inmates, especially those at the minimum security Branch Jail, sentences are relatively lengthy and "everyone knows everyone." Inmates convicted of drunkenness, some who have been through the system many times, strike up personal conversations with sheriff's deputies and other inmates where they "left off" — the last time they were serving time in jail. Security is lax with the jail gates wide open during most of the daytime. While escapes are infrequent they do occur and most escapees are quickly apprehended since "everyone knows" where the inmates lives, hangs out and what he is likely to do after escaping.

This contrasts sharply with the rapid movement of thousands of sentenced inmates in Los Angeles who each week leave a maze of high security institutions after relatively brief stays. They are held with mostly anonymous peers and guards some of whom are often bored with the entire process of institutional

life. While Yolo's inmates may spend longer periods of confinement, the experience itself may be less frightening or degrading to the inmate compared to the shorter sentences experienced at LA Central. Quantitative measures of punishment which only focus on length of time served may mask other indicators of the quality of the sentence experience.

Security Levels of Sentenced Inmates

Attempts were made to document the inmates' initial security level and their security level at release. One site (Yolo) does not record inmate security classification data. However, since much of its sentenced facilities are minimum security level we know that at least half to two-thirds of the inmates were designated for minimum security.

More precise security levels were available at San Francisco and LA Central (Table 5-3). Los Angeles places a higher proportion of its offenders into maximum and close security. Almost 26 percent of LA inmates are held in maximum or close custody initially compared to only 8 percent in San Francisco. At release, there is a general shift of custody levels as inmates qualify for minimum security for demonstrating good behavior while in custody. However, LA Central keeps its inmates at higher levels of security throughout the jail sentence compared to the other jails.

A significant proportion of these sentenced inmates also require special housing arrangements. In San Francisco almost 20 percent are isolated from the general population and placed in protective custody on segregated units. Most of these inmates have special medical problems or are homosexuals who request protective custody. In addition to the medical and protective custody categories, LA Central also isolates those inmates viewed as street gang leaders i.e., the "High Power Inmates". Its proportion of special custody inmates is slightly lower than San Francisco.

Table 5-3
SECURITY CLASSIFICATION LEVELS
BY SITE

	San Francisco (N = 167)	LA Central (N = 266)
Initial Security		
Maximum	0.6%	13.5%
Close	7.8%	12.4%
Medium	34.1%	62.0%
Minimum	57.5%	12.1%
Release Security		
Maximum	1.7%	9.4%
Close	0.0%	25.6%
Medium	29.7%	36.1%
Minimum	69.0%	28.9%
% Requiring Special Security Classification	19.6%	16.4%

Disciplinary Incidents While Incarcerated

Statistically speaking, major disciplinary violations were a rare event among the inmates studied (Table 5-4). San Francisco shows the highest percentage of inmates written up for such disciplinary actions (3.2%) followed by LA Central (2.6%) and Yolo (1%). Yolo, in addition to its low rate, reported no incidents of inmate-to-inmate or inmate-to-staff assaults. Data were also collected to learn if inmates sustained injuries while incarcerated as another measure of turmoil within the jail. Three percent of San Francisco and 6 percent of Los Angeles inmates reported an injury of some kind whereas Yolo inmates showed no records of injury. These data are further confirmation that despite Yolo's lengthier sentences, the confinement environment is more tranquil than the other sites.

Program and Work Participation

As with disciplinary violations, treatment and work programs are virtually non-existent in the jail. The most detailed information was found in the San Francisco and LA-Central jails (Table 5-5). About 25 percent of the sentenced inmates participated in some type of work or treatment programs. Most of these "programs" are merely tasks designed to maintain the facility, such as food preparation, laundry, trustee clerical work, and general maintenance. The most common program available to inmates is work furlough, which allows inmates to work during the day for a private employee. Work furlough inmates also perform street cleaning and maintenance tasks for the county.*

* Although Yolo reported no data, our field observations were that about a similar proportion of the Yolo inmates were involved in work programs.

Table 5-4
DISCIPLINARY AND INJURY INCIDENTS
BY SITE

	Yolo	San Francisco	LA Central
% Reported for major disciplinary violation	1.0%	3.2%	2.6%
% Reporting injuries while confined	0.0%	3.0%	6.0%
% Reporting discipline and injuries	1.0%	6.2%	8.6%

Table 5-5
PROGRAM AND WORK PARTICIPATION
BY SITE

	San Francisco	LA Central
% Participating in Programs		
None	78.4%	75.5%
One	21.0%	18.9%
Two	0.6%	2.8%
Three	0.0%	3.5%

What emerges here is a picture of sentenced inmates doing little but "dead" time. For the few who are able to participate in programs, the quality and purpose of these assignments have very little to do with vocational training or treatment which could facilitate the inmate's reintegration after release. One must also assume that even if quality programs were available they would be of little practical utility to offenders, many of whom will be in jail for less than two months.

Exits From Jail

This final section describes how inmates leave jail. Table 5-6 shows that only in LA Central do a majority of the inmates simply leave jail with no further continuation of their sentence. In the other two jails, the majority of inmates remain under some form of correctional supervision after release.

In San Francisco, most inmates are transferred to probation authorities to complete a designated period of community supervision. Yolo releases most of its inmates via a county operated parole system. In fact, there are no reporting requirements or supervision of most of these offenders except possibly a few on Sheriff's parole. Incoming inmates have about a third of their sentence subtracted for "good time" purposes. Those who leave prior to expiration of sentence are "paroled" even though no supervision exists. Although the parole alternative (particularly Sheriff's parole) also exists in other counties, it is infrequently used. An obvious reason is the brevity of sentences in San Francisco and LA Central, which make it too costly to screen large numbers of inmates for parole eligibility who will be released within a few days anyway.

Chapter Summary

Inmates sentenced to jail differ from pretrial inmates on one major characteristic: denial of pretrial release while awaiting case disposition. The amount of

Table 5-6
METHOD OF RELEASE FOR SENTENCED INMATE
BY SITE

Method of Release	Yolo	San Francisco	LA Central
Sentence Expired	5.6%	43.7%	69.0%
Jurisdiction Continued	91.5%	56.4%	32.2%
Paroled	85.9%	3.7%	0.4%
Probation	0.5%	42.2%	26.8%
Other Jurisdiction	5.1%	10.5%	5.0%
Other	3.0%	0.4%	2.4%

CONTINUED

1 OF 2

time sentenced inmates will spend incarcerated varies dramatically among the three jails. Yolo county inmates spend significantly longer sentences independent of the conviction offense compared to LA Central and San Francisco. The lengthier sentences for Yolo reflect that county's policy of infrequently dismissing the charges of defendants booked into jail, plus a greater use of the probation sanction. Those few who are sentenced to jail receive relatively longer sentences. However, it should be remembered that regardless of these differences, across the three jails the average length of time served rarely exceeds three months.

The conditions of confinement also vary among the three jails. Both Yolo and San Francisco house the majority of their inmates in minimum security units compared to LA Central where most inmates stay in medium security. In San Francisco and LA Central there is a gradual movement of inmates from medium to minimum security during their brief period of incarceration.

Disciplinary action and program participation were rare statistical events. For all the jails, no more than three percent of the inmates had disciplinary infractions. Although disciplinary events and inmate injuries were rare, they were most frequent in LA Central. Few inmates participated in programs and most of these assignments were designed to help maintain the basic day-to-day operations of the jail. Most inmates released will remain on some form of correctional supervision (county parole or probation).

An important finding here is that the mere length of confinement is an inadequate measure of punishment. Although Yolo County's sentenced inmates had lengthier periods of confinement, their conditions of confinement made it a better place to do time, especially compared to Los Angeles. And in the total context of pretrial and sentenced incarceration, Los Angeles actually delivers more total confinement by virtue of its more frequent and more lengthy use of pretrial detention.

Epilogue: IN SEARCH OF THE JAIL'S MISSION

The Significance Of Jails

A distinguishing feature of jails is their heterogeneity, both in terms of the characteristics of the inmate population they confine and their conditions of confinement. This study begins to define the dimensions of this heterogeneity, recognition of which will compel policymakers and planners to weigh the implications of contemporary ideologies of confinement for the policy and practice of jail confinement. The variation in ideologies about jails exists because jails are not and have never been used for a singular purpose. Rather, jails tend to function as residual correctional facilities, i.e., they take on custodial assignments where other criminal justice and correctional systems are overloaded or are unwilling to maintain jurisdiction. For example, police are unwilling to hold drunks in their city jails or lockup stations, probation departments are unwilling to handle probation violators, and prisons are unwilling to take all offenders committed to their care. As such, jails have been referred to as a "dumping grounds," or, in Goldfarb's terms the "ultimate ghetto" (1975).

In Search of the Jail's Mission

Not surprisingly, a peculiar feature of the jail is the lack of a consistent or unitary theory about its purpose(s) by political and CJ officials. Historically the jail was a place to detain individuals "caught up in the process of judgement . . . The idea of serving time in prison as a method of correction was the invention of a later generation" (Rothman, 1972). With the passing of time the jail also became a means of punishment and a "dumping ground" for a wide assortment of people largely from the lower socio-economic class. At present jails have vague and conflicting goals, a state of affairs doubtlessly due in part to the diversity of its

population as well as its control by local politics and patronage, conflicting obligations as both an executive and judicial body, and perhaps a lack of the need, ability or motivation to be more precisely defined in the criminal justice system (Mattick, 1974; Flynn, 1973).

These considerations suggest that competing ideologies about the jail be viewed as expressions of what local and state criminal justice agencies and political bodies have at various times propounded for the jail rather than self-generated mission statements developed by jail staff. Consequently it is not surprising that there is considerable public misinformation about the role of jails in their communities. Frequently it is attacked for failing to punish, incapacitate, or deter criminals as well as rehabilitate those in its care. This is often combined with a reaction to publicity on the inhumane conditions of the facilities.

In this volatile public debate over jails, basic research and reform strategies may best be guided by a recognition of what jails can and cannot do as a means of crime control. What follows is a brief review of popular theories justifying the use of jail confinement. Later these theories will be re-evaluated in light of the data presented in this study.

Jails for Pretrial Detention Purposes

Pretrial detention is a practice which assumes that custody, but not punishment, is necessary to ensure a defendant's appearance in court or to prevent possible harm to the community. Judges want defendants in court. But appellate courts state:

"...only with such limitations and restrictions as are reasonably necessary to secure their presence at trial" (Smith vs. Hongisto, 1974);

"Incursions on the rights of pretrial detainees other than those arising from the need for custody (instead of bail) to ensure his presence at trial are unconstitutional.... The pretrial detainee is to have all the rights and privileges of a similar criminal defendant who has been able to post bail" (Brenneman vs. Madigan, 1972).

Of all the jail's functions, pretrial detention has historically been the most significant and controversial. The 1982 National Jail Survey reports that 60 percent of the daily jail population represents persons who are being held pretrial (BJS, 1983). Currently there is considerable national debate over the use of pretrial detention. Many have called for more stringent pretrial release criteria on grounds that many criminals are unwisely being released and allowed to commit additional crimes against the public (President's Task Force on Victims of Crime, 1982). Others counter that many pretrial detainees, who are no more than economically disadvantaged defendants accused of nondangerous, public nuisance type behaviors, are being needlessly detained and processed through an expensive and inefficient pretrial system (Feeley, 1979; Irwin, forthcoming).

The current study provides some support for the argument that jail confinement in pretrial status serves purposes other than mere detention to ensure a defendant's appearance at trial, i.e., (1) that defendants should be incapacitated and punished prior to judgement, even where there is a high probability that charges will be eventually dismissed; and (2) that defendants should be pressured into a satisfactory plea bargain. In these two ways pretrial detention itself may be viewed as one important part of the entire punishment process (Feeley, 1979). Additional evidence for this is given in the conditions of confinement, which are often worse than those facing sentenced inmates. Not surprisingly, these conditions are informally justified in some jurisdictions because they expedite case dispositions, viz., guilty pleas. Finally, the current offense and prior record data indicate that most jail inmates are not dangerous defendants; the level of "dangerousness" is low across all the jails albeit variable.

Jails for Sentencing Purposes

The jail is also used for incarcerating convicted offenders. Unlike the prison, persons sentenced to jail will ordinarily spend considerably less than a year

there. But like the prison the purpose of this period of incarceration is ambiguous: administrators and policymakers open a wide array of correctional philosophies, including deterrence, rehabilitation, just deserts, and, more recently, selective incapacitation. Moreover, some states are increasingly using jail sentences in combination with other sanctions, such as probation, fines, and restitution. What follows is a brief description of each of these major correctional philosophies and their relationship to the actual use of jail confinement.

Deterrence

Upon conviction and sentencing the ideology of deterrence defines jail confinement as the punishment necessary to prevent crime by the law-abiding. The argument for general deterrence posits that if guilty criminals were not punished certain segments of free society would feel no compulsion to obey the law (Zimring and Hawkins, 1968) or would be demoralized (Toby, 1970). In the name of public safety judges and prosecutors routinely employ these rationales to legitimize the use of imprisonment. So, too, with the theory of specific deterrence, which holds that the individual convicted of a crime will be deterred from future crime by jail confinement.

The large number of people sanctioned by brief periods of incarceration through jail sentences suggests the jail's potential as a means for achieving both general and specific deterrence. Many offenders can be exposed to the punitive aspects of jail within a one-year period. The remaining question is whether the nature and brevity of the incarceration period is sufficient to deter most offenders from future criminal involvement. But to answer this question one must know, among other things, the extent of previous contacts that jail inmates have had with the criminal justice system. If high proportions of jail admitees are repeat offenders who have already experienced juvenile and criminal court justice, one can argue that subsequent jail sentences will have little impact on these

persons' criminal careers unless factors like age, health, and other variables serve to suppress criminal activities. The present study suggest that prior records of inmates vary considerably by jail.*

Incapacitation

The main assumption underlying the ideology of incapacitation is that individuals cannot commit crimes against free society while confined. Although offenders may commit crimes while in jail members of the public will not be directly threatened and the crime rate may even go down. The argument is held by those who would take serious offenders out of circulation through lengthy prison terms and to prevent the release of dangerous pretrial detainees. The under lying logic is made clear by Morris: "Virtually all criminals can have their subsequent violent crime dramatically reduced by detaining them in prison until their fiftieth birthday." (1974: 80.) But as shown in this study the significance of incapacitation as a theory is of less potential importance for the jail compared to the prison since inmates are incarcerated for only relatively brief periods of time.

Rehabilitation

Jails have also espoused an ideology of rehabilitation or treatment. Reformers of times past, social workers, psychologists, and some civic and religious organizations have sought to individualize sentencing programs through use of various treatment or other strategies in order to alter the underlying causes which brough individuals to jail in the first place. This perspective embraces a pathological model of crime causation and seeks to treat and correct the medical and psychological defects of the offender. It is unclear how extensive the treatment ideology has penetrated into most jails as compared to prisons; in this study

* See the section below entitled, "The Mission of Research: The Impact of Jail Confinement," for further discussion of the deterrence theory.

we found little evidence of rehabilitation services. What has become clear is that the ideology of rehabilitation, which dominated penal philosophy for a century and a half is inequitable when it affects sentence lengths and parole release decisions. Moreover, the efficacy of compulsive treatment programs has been severely questioned, supporting the conclusion that "nothing works" in the treatment of criminal offenders (Martinson, 1974; Morris, 1974; Fogel, 1975). The viability of the rehabilitative idea for jails is even more tenuous, as with incapacitation, when viewed in light of the brief time available for staff to treat a heterogeneous inmate population.

Just Deserts

In response to the declining popularity of the treatment model and in reaction to the abuse of discretion it allowed, a new ideology of the ends of confinement has gained considerable support -- that of just deserts. It expresses the idea that "when a justice process is neither fair nor effective it harms both the individual and society" (Derskowitz, 1976). Jails perforce become defined as places of punishment per se. Jail confinement, in this view, should be both uniformly administered -- that is, similar offenses should receive similar sentences -- and punishment should be meted out according to the gravity of the crime. The ideology has been at the forefront of criminal justice policy and has gradually filtered down to practices of the court in some jurisdictions. We have seen major legislative changes in several states to enact determinate and guideline sentencing approaches (e.g., California, Maine, Indiana, Illinois, Oregon). The deterrent effect of punishment is of either less or no importance since the desired end is equitably applied punishment; although deterrence may occur it is not essential. One author argues that the deserts philosophy is "likely to become the winner in today's battle of ideologies" (Empey, 1979: 15).

It is significant that correctional philosophies specified above ignore the fact there are differences in conditions of jail confinement and in the use of jail as a sanction — in short, differences in the means of punishment. Among others, the ideology of just deserts is particularly suspect for this ignorance. Jails are not used uniformly as punishment for specific offenses; there are significant differences both within and between jurisdictions in the relative use of jail, prison, probation, fines, restitution and other penalties. Some research even indicates that the greater the severity of punishment for a crime, the less certain is its use (Bailey and Smith, 1972; Ross, 1967).

Furthermore, there are differences in the conditions of jail confinement and hence inequity in the severity of punishment. Criminal law defines punishment proportional to time sentenced to confinement in jail: it uses time simply because it is highly valued (Aubert and Messinger, 1965: 30). Yet time served may be unrelated to objective conditions of confinement, and there may be differences between particular types of offenders in their definitions of punishment.

Greenfeld (1980) has, nonetheless, suggested five indices of objective conditions of confinement which when taken together are a measure of the severity of punishment. When adapted to the jail they would include: (1) the density and occupancy of the jail, (2) the amount of inmate and staff deviant behavior, (3) freedom of movement within the jail, (4) access to services and (5) fiscal influence of the jail. To the extent there are differences in sentence severity, as Greenfeld found in ABTs' study of prisons (1982), one may question the argument that confinement in jail is equitable and knowable in advance. The objectives of a just deserts philosophy may, then, replace discrimination with covert inequity and unfairness, in the actual conditions of confinement.

The current data suggest wide variation in the indices of confinement conditions that were examined, including density, inmate deviance, inmate free-

dom, services and to a lesser extent fiscal influence. Qualitative data also suggest strong differences in atmosphere across the three jails. Thus, the experience of confinement differed across the jails.

The Mission of Research: The Impact of Jail Confinement

One of the more serious gaps in research is the absence of data regarding the impact of jail confinement on inmate behavior after discharge. Glaser recites the now familiar statement that even though "reformatories and prison are often called 'schools for crime', it is a far more fitting label of the typical urban jail" (1970:24). Yet there is little information to support the argument that jails perpetuate or generate criminal careers. Similar "schools for crime" theories of the prison have not been supported in prison research (Hawkins, 1976; Hood and Sparks, 1970), at least in a manner originally suggested by Clemmer's (1940) seminal work. In fact, more recently Murray and Cox (1979) have argued that incarceration suppresses criminal acts of chronic juvenile offenders more effectively than community supervision. In general, though, prison research suggests that most criminogenic attitudes and behavior are acquired before the prison experience (Giallombardo, 1966; Wellford, 1967) but that the development of criminogenic attitudes and values will be more likely the more custodial or harsh the environment (Kassebaum et al., 1971).

Given the rapid rate of turnover in jail populations it may be that confinement there will less readily result in the adoption of criminal attitudes or values. On the other hand, confinement may result in the adoption of criminal attitudes or values when the condition of confinement are more severe. But these can be nothing more than speculations. Even more tenuous in the connection between behavior within the jail and conduct after release, since past researchers have found that behavior inside the prison is not a good predictor of parole performance (e.g., Glaser, 1964).

Of particular relevance to questions of public safety and the effectiveness of the jail in reducing crime is inmate conduct after discharge. Very little research has been conducted in this area. We know of no study which describes the experiences of jail cohorts after release. There are, however, studies of cohort experiences for other institutions, such as the California Youth Authority (CYA, 1964) and the New York State Department of Correctional Services (Bala and Donnelly, 1979). Hopefully such long-term followings will be undertaken in the future. The findings of this study suggest that deterrence, particularly special deterrence, may be one of the most defensible ideologies for the jail. Whether it is remains a question for future research.

Appendix A RESEARCH DESIGN

Most studies of jail populations have relied exclusively on the one-day census or snapshot design, i.e., the characteristics of inmates in jail on a particular day of the year. This static design may limit and distort our understanding of how many and what types of persons are exposed to jail, as well as important criminal justice processing data such as length of stay, methods of release, and proportions of the pretrial jail population later sentenced. For example, the most recent Bureau of Justice of Statistics national survey of jails reports an average length of stay of 11 days when in fact recent cohort-type analyses, including this study, show that the vast majority of inmates spend less than 3 days in jail (Krisberg and Austin, 1983).

The general bias of one-day census designs is that they are weighted toward the characteristics of pretrial and sentenced inmates who spend longer periods of time in jail. Because of this they tend to accentuate the proportion of inmates charged or sentenced for more serious types of crimes. Exclusive reliance upon these designs fails to accurately account for the vast majority of pretrial and sentenced jail admissions, who are there for less serious misdemeanor type offenses and who spend relatively short periods of time in confinement.

In order to avoid this limitation of the census approach, the present research is intended to capture the full diversity of inmates admitted to jails over time through the use of a stratified longitudinal cohort design. Stratification along relevant status categories as described below is needed so that short-term misdemeanor detainees are not overrepresented and sentenced inmates are not underrepresented in the analysis. The longitudinal design permits one to track inmates from admission to release and more accurately document average length of stay and conditions of confinement. The study was designed for the purpose of

measuring the suppression effect of jail confinement on criminal careers in subsequent years. Thus, the primary objective of this initial study is to create a multi-jurisdictional cohort representative of jail admissions which can be followed in subsequent years for career criminal research. However, an immediate product of the study is data which demystify commonly held assumptions regarding who comes to jail, how long they stay, how they get out, and the disposition of the offenses which brought them there.

Site Selection

Three California jail systems were selected for study: those in San Francisco, Yolo and Los Angeles counties, the latter of which focused specifically on the Central facility. These jail systems were chosen because they are diverse: in size, urban-rural-suburban character, and volume of inmates who pass through them. The variation in different characteristics of the jails can be found in Chapter 2. An overall indicator of the diversity in jail use is suggested by their respective number of misdemeanor arrests in the counties they are located. Of the state's 58 counties, rural Yolo has the lowest number of arrests of all the study sites--5,588 in 1982, slightly above the median for the state, 5,215--while urban San Francisco is the fourth highest with 59,417 and suburban Los Angeles highest with 310,517. Fully 27% of the entire state's arrests for misdemeanors emanate from Los Angeles county, 5% from San Francisco and only a half of 1% from Yolo.*

In addition to their volume of arrestees processed, size and variation in urban-suburban-rural character, the jails selected were also administratively convenient (San Francisco and Yolo) or retained excellent jail records (Yolo). Lacking any information that the effects of jail incarceration are any greater or

* Derived from the Criminal Justice Profile, 1982, Bureau of Criminal Statistics.

lesser from specific jails or classes of jails, our selection of sites for study is therefore guided by prior knowledge about the distribution of jails in urban and rural areas, cost, and other criteria discussed in Chapter 2. The overall goal was diversity in jail systems and we believe that the sites chosen achieve that goal. However, we make no claim that these three jails are representative in all characteristics of the over 3,500 jails across the country or even of these in the state of California.

Data Collected

Three types of data were collected for this study at each jail: inmate-based quantitative data, qualitative field data using interviews with inmates and observations of jail activities, and aggregated criminal justice system-based data. Each type of data is described below.

Inmate-Based Quantitative Data

Jails share the typical problems found in many criminal justice information systems: inadequate data systems. Indeed, the large number of bookings actually exacerbates this problem, especially for pre-sentence admissions. In conducting this study, we found it necessary to virtually create original data systems based upon the variety of manual and automated data files which are scattered throughout the jails and local courts.

Eight forms of standardized data elements were collected on each inmate selected for study:

1. Current Arrest and Charge Data
2. Prior Criminal Record
3. Socio-Economic Characteristics at Admission
4. Special Admission Characteristics
5. Security and Housing Assignments at Admission and Release

6. Disciplinary Actions
7. Timing and Method(s) of Release
8. Disposition of Charges

These data were collected from jail, municipal and superior court records, California criminal history files, Department of Justice and FBI rap sheets, and inmate interviews in Los Angeles. Only items for which information was available for coding in at least two jails were included.

Sampling Procedures for Inmate Based Quantitative Data

The speed at which inmates enter and leave the jail required that our sampling frame be adapted to capture the entire range of inmates found in the jail on any given day, yet be representative of the incoming inmate population. In both the San Francisco and Yolo jails approximately 80 percent of the inmates booked for a new offense are released within three days. In Los Angeles this figure is only 55 percent, for reasons discussed in Chapter 2. The remaining inmates are more likely to be held for lengthy pretrial detention. However, inmates sentenced to time in jail may spend up to a year for a single offense.

The stratified sampling procedure was intended to capture this heterogeneous inmate population. Three entry points or sampling strata were identified across the three jails:

1. All unsentenced inmates booked into the jail;
2. Unsentenced inmates held more than 72 hours, including
 - a. pretrial
 - b. presentenced
 - c. all others (e.g., holds of various kinds); and
3. Sentenced inmates (individuals sentenced to one or more days in jail exclusive of those receiving only credit for time served).

Due to differences in both record keeping and percentages released within 72 hours after booking at each jail, our sampling procedures differed somewhat for Los Angeles. But the procedures used allow for systematic comparisons across the three jails. The sampling procedures used at each jail are described below for (1) all pretrial inmates; (2) pretrial inmates held more than 72 hours, and (3) sentenced inmates.

Our initial strategy was to obtain samples of 700 inmates per jail, distributed approximately as follows: (1) 250 (minimum) - 300 for the overall pretrial sample; (2) 200 (minimum) - 225 for the 72 hour or more pretrial group; and (3) 200 (minimum) - 250 for the sentenced group. We expected greater heterogeneity among the booking inmates and for that reason increased their minimum number. The actual number of inmates sampled, shown in Table 2-1, shows that the desired minimum number of inmates were sampled in each category: 250 bookings, 200 72 hour or more and 200 sentenced. The overall number of inmates in Los Angeles is smaller than Yolo or San Francisco since a more efficient sampling procedure was developed that capitalized on the high percentage of pretrial inmates held over 72 hours there. The sampling of all booking inmates (390) terminated when the minimum number of 72-hour inmates (200) were obtained. Extra inmates for the sentence sample were then drawn in Los Angeles and San Francisco, which explains their relatively larger sentence sample sizes.

Pretrial Bookings

San Francisco and Yolo booking samples were drawn from booking blotters found in the jails. Every 10th person at Yolo was sampled and every 5th person with an even-numbered booking number was sampled at San Francisco. Odd-numbered booking numbers were reserved for 72-hour cases in San Francisco (discussed below). In Los Angeles early sampling was based upon booking transmittals since no centralized blotter exists. Later Los Angeles sampling was based on

Table A-1
Sample Sizes By Site

Population Characteristic	Yolo	San Francisco	Los Angeles	Total
Random Bookings	269	295	390	714
72 Hour Detainees	229	203	(204)*	672
Sentenced	200	250	267	717
Total	698	748	657	2,103

* This sample was calculated from the total 390 sample of pretrial detainees by excluding all cases which were released within 3 days of admission.

upon systematically sampling every 5th inmate who was processed through the booking area on a given day.

Pretrial Bookings Exceeding 72 Hours

In Yolo every 10th person booked at the jail who was not previously selected for the booking sample was sampled for screening. The selected jail case docket was then inspected to determine whether the inmate qualified for inclusion in this sampling stratum.

In San Francisco the booking blotter kept up-to-date information on the day and time of arrest as well as the time, method and day of release from the jail. On the days sampled every other odd-numbered case meeting the sampling requirements were selected for sampling. The purpose in using even numbers for the booking sample and odd numbers for the 72-hour sample was to avoid duplicate sampling of the same arrestee.

In Los Angeles it was determined from our initial sampling that approximately 45 percent of all bookings were held for over 72 hours. Consequently we determined that enough 72-hour cases could be obtained by simply oversampling bookings. Therefore no extra sampling strategy was necessary to obtain these cases.

Sentenced

At each site sentenced inmates were sampled at the point of release from sentence. This provided information on inmate jail experiences during their jail study. In Yolo a list of all sentence releasees was obtained and each case was coded due to the relatively small number of Yolo sentenced inmates. In San Francisco alphabetical records of sentence releasees were accessed and every 10th case was sampled over a six-month period.

On early visits in Los Angeles every 10th case was sampled from lists prepared daily by jail personnel. During later visits we sampled every 3rd to 5th inmate released from sentence. Since nearly every inmate who leaves Central jail must pass through the discharge area we feel that this procedure adequately captured the variability in sentenced inmates.

Yolo sampling occurred continuously over a seven month period, from April to October, 1982. Los Angeles sampling was concentrated during two periods: September, 1982 and March-June, 1983. San Francisco sampling was also concentrated during two periods: October-November, 1982 and March-June, 1983. We believe that the dispersion of the sample over time is adequate to capture seasonal and other changes in offenses and offenders.

Qualitative Field Data

Although we were principally concerned with the inmate based quantitative data, we also wanted to explore the potential for systematically collecting qualitative data on representative samples of the booking population. We also needed to better document the experiences and conditions of incarceration, especially for the sentenced population. In both instances, we felt that the quantitative data would permit only a partial description of the necessary variables. Interview and observational data were needed to complement the broader quantitative data and to help interpret statistical trends.

Those familiar with qualitative research know that it can be expensive and time-consuming. It is exceedingly difficult to generate the sample sizes obtained in larger data sets, which are required to reach appropriate levels of statistical confidence. But the weakness in smaller sample size is offset by the richness of the data, which allows the researcher to get closer to the subject of inquiry.

Because we were limited in resources, we devoted most of the qualitative analysis to the San Francisco jail system. Separate visits were made to Yolo and

Los Angeles principally to determine if the patterns which emerged from San Francisco were also found in the other jail systems.

The type of data collected can be separated into two types: structured interviews with newly admitted inmates and observations of the jail experience. Structured interviews were conducted with newly admitted detainees. Each detainee was systematically sampled. Field staff periodically visited the jail, taking care to alter both the day of the week and time of the day. Once at the jail, interviewers selected every nth case admitted to the booking area, depending upon the number of persons admitted during a particular work shift. This method of rotating periods of observations to capture the low and peak periods of bookings into jail, coupled with the systematic sampling, helped ensure that persons interviewed were similar to cases selected for the larger pretrial quantitative data set.

A 45-minute interview was conducted to collect information into each inmate's (1) socio-economic status, (2) lifestyle, (3) prior criminal behavior, (4) commitment to a criminal lifestyle, and (5) circumstances leading up to their admission to jail. The amount of harm to the victim, if applicable, was also explored.

A total of 200 interviews with male detainees were conducted in San Francisco during the study. Interview data were coded and then analyzed for purposes of developing social typologies. Only a small number of interviews were completed in Yolo and Los Angeles county. These data are presented in Chapter 3 along with the quantitative analysis of the pretrial samples.

Aggregate System-Based Data

Jail use is conditioned by the policies and activities of police, sheriff, courts, and other social service agencies. Understanding how a given jail is used requires a broad understanding of the larger criminal justice process within a jurisdiction. To help capture this level of interaction, standardized aggregate

data on reported crimes, arrests, charges, and case dispositions were collected for each of the counties from California's Bureau of Criminal Statistics (BCS). Additional descriptive data on each jail were also taken from a recent 1982 national survey of jails, prepared by the Bureau of Justice Statistics (BJS) of the U.S. Department of Justice, and a statewide jail survey by the California Board of Corrections.

REFERENCES

- Advisory Commission on Intergovernmental Relations
1984 Jails: Intergovernmental Dimensions of a Local Problem. Washington, D.C.: ACIR
- Aubert, Vilhelm and Sheldon S. Messinger
1965 "The Criminal and the Sick." Pp. 25-54 in Aubert (ed.), The Hidden Society. (Bedminster Press).
- American Justice Institute
1978 Central Intake Systems. Sacramento, CA: American Justice Institute.
- Austin, James and Paul Litsky
1981 Evaluating Jail Classification Systems: A Comparative Analysis. NCCD, San Francisco.
- Bailey, William C. and Ronald W. Smith
1972 "Punishment: Its Severity and Certainty." Journal of Criminal Law, Criminology, and Police Science 63:530-539.
- Bureau of Justice Statistics
1981 Census of Jails, 1978. Washington, D.C.: U.S. Department of Justice
1983 Jail Inmates 1982. Washington, D.C.: U.S. Department of Justice
- California Youth Authority
1964 Post Discharge Behavior of California Youth Authority Wards: A Five-year Followup. (Mimeographed)
- Clemmer, Donald
1940 The Prison Community. New York: Rinehart.
- Dershowitz, Alan
1976 Fair and Certain Punishment. New York: Twentieth Century Fund.
- Empey, LaMar T.
1979 "From Optimism to Despair: New Doctrines in Juvenile Justice." Foreward to Murray, Charles A. and Louis A. Cox, Jr., Beyond Probation: Juvenile Corrections and the Chronic Delinquent. Sage.
- Feeley, Malcolm M.
1979 The Process Is the Punishment: Handling Cases in a Lower Criminal Court. New York, NY: Russell Sage Foundation.
- Flanagan
1980 "Time Served and Institutional Misconduct: Patterns of Involvement in Disciplinary Infractions Among Long-Term and Short-Term Inmates." Journal of Criminal Justice 8:357-368.
- Flemming, Roy
1982 Allocating Freedom and Punishment: Pretrial Release Policies in Detroit and Baltimore. New York: Longman.
- Flynn, Edith E.
1973 "Jails and Criminal Justice." Pp. 49-85 in Ohlin, Lloyd E., Prisons in America. Englewood Cliffs, N.J.: Prentice Hall.
- Fogel, David
1975 We Are the Living Proof: The Justice Model for Corrections. Cincinnati: Anderson.

- Gans, Herbert
1962 The Urban Villagers. New York: The Free Press.
- Giallombardo, Rose
1966 Society of Women: A Study of a Women's Prison. New York: Wiley and Sons.
- Glaser, Daniel
1964 The Effectiveness of a Prison and Parole System. New York: Bobbs-Merrill.
1970 "Some Notes on Urban Jails." Pp. 236-246 in Glaser (ed.), Crime in the City. New York: Harper & Row.
- Goldfarb, Ronald
1976 Jails: The Ultimate Ghetto of the Criminal Justice System. Garden City, New York: Doubleday.
- Goldkamp, John S.
1979 Two Classes of Accused. Cambridge, MA: Ballinger Publishing Co.
- Hawkins, Gordon
1976 The Prison. University of Chicago Press.
- Hood, Roger and Richard Sparks
1970 Key Issues in Criminology. New York: McGraw-Hill.
- Incardi, James
1975 Careers in Crime. Chicago: Rand McNally.
- Irwin, John
1980 Prisons in Turmoil. Boston: Little Brown.
1970 The Felon. Englewood Cliffs, N.J.
- Kassenbaum, Gene; Ward, David; and Wilner, Daniel
1971 Prison Treatment and Parole Survival: An Empirical Assessment. New York: John Wiley and Sons.
- Krisberg, Barry and James Austin
1983 Evaluation of Bail Reform Act of 1979 (AB2), Report No. 2. San Francisco: National Council on Crime and Delinquency.
- Landes, William
1974 "Legality and Reality: Some Evidence on Criminal Proceedings". Journal of Legal Studies (3).
- Lerner, Mark Jay
1977 "The Effectiveness of a Definite Sentence Parole Program." Criminology 15:211-244.
- Liebow, Elliot
1967 Talley's Corner. Boston: Little Brown.
- Martinson, Robert
1974 "What Works? Questions and Answers About Prison Reform." Public Interest 35:22-54.
- Mattick, Hans W.
1974 "The Contemporary Jails of the United States: An Unknown and Neglected Area of Research." Pp. 777-848 in Glaser, Daniel, Handbook of Criminology. Chicago: Rand McNally College Pub.

- Miller, Walter
1958 "Lower Class Culture as a Generating Milieu of Gang Delinquency," Journal of Social Issues, (14) 3.
- Morris, Norval
1974 The Future of Imprisonment. University of Chicago Press.
- Moynahan, John
1980 The American Jail: Its Growth and Development. Chicago: Nelson-Hall.
- Murray, Charles A. and Louis A. Cox, Jr.
1979 Beyond Probation: Juvenile Corrections and the Chronic Delinquent. Beverly Hills: Sage Publications.
- Office of the President of the United States
1982 President's Task Force on Victims of Crime: Final Report. Washington, D.C.
- Rankin, Anne
1964 "The Effect of Pretrial Detention" New York University Law Review (39).
- Robinson, Louis N.
1921 Penology in the United States. Philadelphia: John C. Winston, p. 32.
- Rosenbaum, Marsha
1981 Women on Heroin. New Brunswick, N.J.: Rutgers University Press.
- Ross, H. L.
1967 "Law, Science and Accidents: The British Road Safety Act of 1967." Journal of Legal Studies, (2):1-78.
- Rothman, David
1972 Discovery of the Asylum. Boston: Little and Brown.
- Skull, Andrew T.
1977 Decarceration: Community Treatment and the Deviant - A Radical View. Englewood Cliffs, N.J.: Prentice Hall.
- Spradley, James
1970 Your Owe Yourself a Drunk. Boston: Little Brown.
- Toberg, Mary A.
1981 Pretrial Release: A National Evaluation of Practices and Outcomes, Phase II Report. Washington, D.C.: National Institute of Justice.
- Toby, Jackson
1970 "Is Punishment Necessary?" Pp. 362-69 in Johnson, Norman, Leonard Savitz & Marvin E. Wolfgang, The Sociology of Punishment and Correction, 2nd edition. John Wiley & Sons.
- von Hirsch, Andrew
1976 Doing Justice: The Choice of Punishments. McGraw-Hill.
- Wallace, Samuel E.
1965 Skid Row as a Way of Life. Totowa, N. J.: Bedminster Press.
- Wayson, Billy L., Gail S. Funke, Sally F. Familton and Peter B. Meyer
1977 Local Jails. Lexington.

Wellford, Charles

- 1967 "Factors Associated with Adaption of the Inmate Code: A Study of Normative Socialization." Journal of Criminal Justice, Criminology and Police Service, 58:197-203.

Wheeler, Stanton

- 1961 "Socialization in Correctional Communities." American Sociological Review (26): 697-712.

Whyte, William Foote

- 1943 Street Corner Society. Chicago: University of Chicago Press.

Zimring, Franklin E. and Gordon J. Hawkins

- 1968 "Deterrence and Marginal Groups." Journal of Research in Crime and Delinquency, 5:100-114.

END