Exploring Length of Stay through an Equity Lens

Who is in the Marion County Jail?

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Who is in the Marion County Jail?

Introduction
Incarceration leads to bad outcomes for incarcerated people, their families, and their community. As such, some are working to reduce incarcerated populations.

We did this in partnership with Faith in Indiana as a part of a grant from the Urban Institute.
Why study the jail population?

• Jail is one step in the incarceration process (usually before a trial or conviction)
• By studying the jail population we can
  • Identify groups that could benefit from diversion policies
  • Examine the effect of diversion policies
What we will learn today

- Marion County Jail daily census and trends
- Diversion tools in Marion County
- A closer look at the jail population
- Understanding jail length of stay
- Policies that support jail diversion efforts
The Data Set

We use two data sets in this research

• Jail census. This is a daily headcount performed by staff at each jail.

• Bookings data. This is generated each time a person is booked into jail. It includes information about the person, the charges, their stay in jail, and their release.
Marion County Jail Census

Trends in the jail population over time
Jail population at highest point in 2013

The number of people in jail typically peaks in the summer. In 2013, it reached its highest point (2,371) on July 15. This chart shows the
Seasonal changes to jail population

On average from 2013 to 2019, jail population rose by 4 points between April and July and fell by 6 points between September and December.
| Jan 2017 | | | | |
| Feb 2017 | | | | |
| Mar 2017 | | | | |
| Apr 2017 | | | | |
| May 2017 | | | | |
| Jun 2017 | | | | |
| Jul 2017 | | | | |
| Aug 2017 | | | | |
| Sep 2017 | | | | |
| Oct 2017 | | | | |

**Jail population peaks**

At 2,697, the number of jailed people is higher than other day between 2013 and 2021. That is 6% over the combined jail system capacity of 2,500.

**Mobile Crisis Assistance Teams (MCAT) Pilot implemented as an IMPD initiative**

Four MCAT teams, consisting of a police officer, a paramedic, and licensed mental health professional trained in crisis response, began responding to 911 calls in IMPD’s East District. In late May 2017, IMPD commissioned the pilot program to be headquartered in the East District.
Jail population falls significantly

Due to the pandemic, the jail population is lower than at anytime since 1998. This stems from judges and prosecutors deciding to release some people with low-level charges or people awaiting trial, police issuing summons rather than arrests, and a drop in violent crime.

Indianapolis City-County Council passes police budget expansion

The 2021 municipal budget grows the IMPD budget by 2% and includes an $8 million expansion of the MCAT program. In public hearings about the budget, some sought to reinvest resources in communities and social services rather than in IMPD, or sought to reform the MCAT program by removing police.
As of this date, 2,773 cases supervised under pre-trial risk assessment

GPS is the most common form of surveillance for these individuals.

- Alcohol monitoring: 476
- GPS monitoring: 941
- Home detention: 428

Chart: The Polis Center • Source: Hon. Amy Jones, Marion Superior Court, Indiana Lawyer • Get the data • Created with Datawrapper

Jail Population

2,173

Thursday, December 30, 2021
Jail Diversion

Alternatives to arrest or charges
Police respond to incident

Arrest

In jail, awaiting trial

Released on own recognizance

Released on bail
   If bail is denied or cannot be paid, remain in jail

Trial: defendant convicted or acquitted

Released or sentenced

Pre-arrest diversion
   Civilian responders

Citation or summons

Pre-charge diversion
   Treatment court or service

Pre-trial diversion
   Court or community programs, with guilty plea and bail
Jail Diversion

- **Pre-arrest diversions:** Crisis hotlines, civilian responders for non-violent incidents involving drug or mental health crises

- **Pre-charge diversions:** Prosecutors refer to treatment courts, programs instead of pursuing charges. Individuals will often still have to pay bail.

- **Pre-trial diversions:** Prosecutors recommend judges divert offenders into formal community or court-run programs.
Pre-arrest Diversion: Denver’s STAR Program

Denver’s STAR Program reduced STAR-related offenses by 34% in areas where it was deployed.

However, only an estimated 3% of calls are eligible for program.
MCAT: Indianapolis’ pre-arrest diversion

• Piloted in 2017, expanded in 2019
• Crisis response team includes IMPD officer
• According to IU’s Public Policy Institute, 90% of MCAT responses resulted in transport to hospital or treatment, 2% transport to jail
• How does this compare to non-MCAT crisis response?
Indiana Risk Assessment System

Separate assessments for different parts of the judicial and incarceration process:

• pre-trial,
• community supervision,
• prison intake, and
• re-entry.
Indiana Risk Assessment System

- Risk assessment developed in Ohio
- Piloted in Indiana in 2016
- Adopted in Marion County in 2019
- Expanded to entire state in 2020
Pre-trial Risk Assessment

- Law enforcement officer conducts a 10-15 minute interview with the arrestee.
- The officer then completes a scoring rubric.
- Higher scores correlate with higher risk of recidivism or failure to appear in court.
Pre-trial Risk Assessment

Examples of risks
• An arrest before age 33
• Unemployment or part-time employment
• Moving recently
• Drug use
Community Supervision Screenings

• Add domains related to family, social support, and neighborhood.
• When risk scores are high in these community supervision assessments, it leads to more restrictive supervision.
• The highest risk categories require “residential placement,” which is house arrest.
Has diversion affected jail population?

Jail population relatively unchanged compared to pre-pandemic average (down 5% as of Dec. 31, 2021)

2,202 compared to 2,324

SAVI analysis of data from Marion County Sheriff’s Office
Has diversion affected jail population?

Large-scale diversion could reduce people in jail for misdemeanors and low-level felonies.

But since 2016, misdemeanors are constant and low-level felonies increased.
<table>
<thead>
<tr>
<th>Month</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nov 2019</td>
<td></td>
</tr>
<tr>
<td>Dec 2019</td>
<td></td>
</tr>
<tr>
<td>Jan 2020</td>
<td><strong>Criminal Rule 26 goes into effect</strong></td>
</tr>
<tr>
<td>Feb 2020</td>
<td></td>
</tr>
<tr>
<td>Mar 2020</td>
<td></td>
</tr>
<tr>
<td>Apr 2020</td>
<td></td>
</tr>
<tr>
<td>May 2020</td>
<td></td>
</tr>
<tr>
<td>Jun 2020</td>
<td></td>
</tr>
<tr>
<td>Jul 2020</td>
<td></td>
</tr>
</tbody>
</table>

**Estimated Jail Population by Charge Level**

- **5%** misdemeanors
- **64%** low-level felonies
- **30%** high-level felonies

*Estimated jail population based on booking date and release date. Includes people booked Jan. 1, 2013 or later. Represents highest charge at the time of booking. For felonies, low-level are L4-L6 and high-level are L1-L3. Only includes felony and misdemeanor, which account for 99.2% of charges.*

**April 22, 2020**

**Jail population falls significantly**

*Sunday, April 19, 2020*
Who is in the Marion County Jail?
Jail bookings analysis

- While individual-level data helps us understand people’s experiences with jail, booking data helps us better understand patterns associated with those who have multiple bookings.
- This analysis utilizes booking data from 2018 to 2021:
  - 131,000 bookings
  - 63,000 people jailed
- A single person may have multiple bookings:
  - 41 percent of people were booked multiple times
  - 8.5 percent were booked five or more times
Who is in jail?

Half of those in jail are White, and half are Black.

Five percent are identified as Hispanic or Latino, but this is an undercount.

Booking rates vary by ethnicity:
- 2.1 bookings per person for White or Black people
- 1.4 bookings for Hispanic or Latino people

In Marion County, Black people are disproportionately jailed compared to White people.
Who is in jail?

Men are more likely to be jailed than women, who make up 73% and 27% of individuals who are booked into jail, respectively.

Booking rates differ slightly by gender:
• 2.1 bookings per person for men
• 1.9 bookings for women

Three in four people booked in jail are men

Gender of people booked into jail, 2018-2021

<table>
<thead>
<tr>
<th></th>
<th>People</th>
<th>Bookings</th>
</tr>
</thead>
<tbody>
<tr>
<td>Women</td>
<td>17,223</td>
<td>32,907</td>
</tr>
<tr>
<td>Men</td>
<td>46,257</td>
<td>97,937</td>
</tr>
</tbody>
</table>

Chart: The Polis Center • Source: SAVI analysis of data from Marion County Sheriff’s Office • Get the data • Created with Datawrapper
How long do people stay in jail?

Length of stay and its relationship to charges, demographics, and alerts
Jail length of stay

Understanding length of stay is important:
• Identification of people who are jailed but shouldn’t be
• Reduction of the jail population
Half of people who are booked remain in jail for fewer than three days

Length of stay varies widely, and is skewed toward shorter stays:

- 8.6 percent of bookings last less than one day
- Maximum length of stay is 1,380 days

Stays that fall above the 90th percentile skew the data significantly:

- Median is three days
- Average is three weeks
What factors relate to length of stay?

We analyze length of stay in terms of several different characteristics:

• Race
• Gender
• Severity and type of charge
• Presence of an “alert”
Jail bookings by race and gender

Black men are disproportionately booked compared to White men
- 36 percent Black men
- 30 percent White men

Black women are booked less often than White women
- 9 percent Black women
- 13 percent White women

<table>
<thead>
<tr>
<th>Race</th>
<th>Bookings 2018-2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>Black Female</td>
<td>13,372</td>
</tr>
<tr>
<td>Black Male</td>
<td>50,238</td>
</tr>
<tr>
<td>White Female</td>
<td>19,443</td>
</tr>
<tr>
<td>White Male</td>
<td>46,831</td>
</tr>
</tbody>
</table>

Chart: The Polis Center • Source: SAVI analysis of data from Marion County Sheriff's Office • Get the data • Created with Datawrapper
Women have shorter stays in jail than men

At three days, the median length of stay is the same for both Black and White men. The median length of stay for Black women is disproportionately shorter than for White women by one day.
The “highest charge” refers to the most severe charge:

- **Infractions**
  - e.g., traffic violations

- **Low-level misdemeanors**
  - e.g., operating a motor vehicle without ever receiving a license, possession of paraphernalia, operating a vehicle while intoxicated

- **High-level misdemeanors**
  - e.g., resisting law enforcement, driving with a suspended license, theft

- **Low-level felonies**
  - e.g., theft, unlawful possession of syringe, possession of a narcotic drug

- **High-level felonies**
  - e.g., armed robbery, dealing in methamphetamine, dealing in cocaine
Charge severity and level

Felonies are a more common "highest charge" than misdemeanors

- 55 percent of bookings are felonies
- 38 percent are misdemeanors

High-level felonies (5.4 percent) and low-level misdemeanors (1.5 percent) are less common.

For most bookings, the highest charge level is a low-level felony or a high-level misdemeanor.

Bookings by highest charge level, 2018-2021

<table>
<thead>
<tr>
<th>Charge Level</th>
<th>Bookings</th>
</tr>
</thead>
<tbody>
<tr>
<td>Higher-level Felony</td>
<td>7,088</td>
</tr>
<tr>
<td>Lower-level Felony</td>
<td>71,951</td>
</tr>
<tr>
<td>Higher-level Misdemeanor</td>
<td>49,668</td>
</tr>
<tr>
<td>Lower-level Misdemeanor</td>
<td>1,900</td>
</tr>
<tr>
<td>Infraction</td>
<td>19</td>
</tr>
<tr>
<td>Unknown</td>
<td>824</td>
</tr>
</tbody>
</table>

Chart: The Polis Center • Source: SAVI analysis of data from Marion County Sheriff’s Office • Get the data • Created with Datawrapper
Length of stay and charge level

Length of stay has the strongest relationship to charge level

Lower-level charges have significantly shorter lengths of stay than higher-level charges:

- One day for a misdemeanor
- Five days for a lower-level felony
- 31 days for a higher-level felony

Bookings with a violent charge stay three days longer than those without.
Length of stay: Mental health and substance alerts

- An “alert” is a situation or incident that warrants documentation by staff
- Caution: This should not be interpreted as prevalence of mental health or substance use disorders among people in jail
Jail bookings with an alert

21 percent of bookings have at least one alert

Seven percent have a mental health alert:
- 6.8 percent of bookings have an alert for segregation for a mental health reason
- 5.1 percent have an alert for suicide-related segregation

15 percent of bookings have a substance-related alert
**Booking length of stay and alerts**

Bookings with a suicide segregation alert have the longest length of stay, while those with a substance alert have the shortest.

Only mental health alerts help explain why length of stay differs across bookings.

Mental health alerts are less important in explaining these differences than the severity and level of a charge.

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**When someone is booked with a mental health or substance alert, they tend to stay in jail longer.**

Median days in jail for bookings by presence of alerts, 2018-2021

<table>
<thead>
<tr>
<th>Alert</th>
<th>Median Days in Jail</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any alert</td>
<td></td>
</tr>
<tr>
<td>Mental Health Alert</td>
<td>2</td>
</tr>
<tr>
<td>Substance Alert</td>
<td>2</td>
</tr>
<tr>
<td>Suicide Segregation Alert</td>
<td>2</td>
</tr>
<tr>
<td>Segregation Alert</td>
<td>2</td>
</tr>
</tbody>
</table>

Chart: The Polis Center • Source: SAVI analysis of data from Marion County Sheriff's Office • [Get the data](#) • Created with [Datawrapper](#)
Booking charge and alerts

Alerts are disproportionately higher among low-level felony bookings (65 percent) than those without an alert (49 percent).
Length of stay by charge and alert

Bookings with an alert have greater median lengths of stay than those without one:
- 46 days for a high-level felony
- 7 days for a low-level felony

Length of stay may be longer among those with mental health alerts because they are more likely to be booked on felony charges.
Lead offenses and length of stay

The previous analysis used “highest charge” data to help us understand jail length of stay.

Next, we will discuss common types of charges by “lead offense,” which is the charge that is primarily associated with the case of a person who is booked into jail.
Most common lead offenses

Twenty-six offense types account for 75 percent of all bookings since 2018. The most common are theft, operating a vehicle while intoxicated, and possession of methamphetamine.

<table>
<thead>
<tr>
<th>Most common reasons people are arrested and booked</th>
<th>Bookings by lead offense, 2018-2021</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Theft</strong></td>
<td><strong>Operating a Vehicle While Intoxicated</strong></td>
</tr>
<tr>
<td><strong>Possession of Methamphetamine</strong></td>
<td><strong>Domestic Battery</strong></td>
</tr>
<tr>
<td><strong>Driving While Suspended</strong></td>
<td><strong>Criminal Trespass</strong></td>
</tr>
<tr>
<td><strong>Possession of a Narcotic Drug</strong></td>
<td><strong>Battery</strong></td>
</tr>
<tr>
<td><strong>Disorderly Conduct</strong></td>
<td><strong>Possession of Marijuana</strong></td>
</tr>
<tr>
<td><strong>Unlawful Possession of Syringe</strong></td>
<td><strong>Operating a Vehicle While Intoxicated Endangering a Person</strong></td>
</tr>
<tr>
<td><strong>Resisting Law Enforcement</strong></td>
<td><strong>Public Intoxication</strong></td>
</tr>
<tr>
<td><strong>Auto Theft</strong></td>
<td><strong>Possession of Cocaine</strong></td>
</tr>
<tr>
<td><strong>Intimidation</strong></td>
<td><strong>Carrying a Handgun Without a License</strong></td>
</tr>
</tbody>
</table>
**Length of stay and lead offenses**

The lead offenses with the greatest proportion of bed-days is theft (7 percent).

28 percent of total bed-days are associated with substance-related lead offenses.

While most bookings result in short stays in jail, offenses that are less common can contribute significantly to the jail population if people stay in jail longer after being arrested.

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### Offenses with the highest total bed-days

**Total bed-days by lead offense, 2018-2021**

<table>
<thead>
<tr>
<th>Offense</th>
<th>Low Misdemeanor</th>
<th>High Misdemeanor</th>
<th>Low Felony</th>
<th>High Felony</th>
</tr>
</thead>
<tbody>
<tr>
<td>Theft</td>
<td>20,000</td>
<td>50,000</td>
<td>70,000</td>
<td>100,000</td>
</tr>
<tr>
<td>Possession of Methamphetamine</td>
<td>10,000</td>
<td>25,000</td>
<td>40,000</td>
<td>60,000</td>
</tr>
<tr>
<td>Auto Theft</td>
<td>15,000</td>
<td>35,000</td>
<td>55,000</td>
<td>85,000</td>
</tr>
<tr>
<td>Domestic Battery</td>
<td>20,000</td>
<td>50,000</td>
<td>70,000</td>
<td>100,000</td>
</tr>
<tr>
<td>Possession of a Narcotic Drug</td>
<td>10,000</td>
<td>25,000</td>
<td>40,000</td>
<td>60,000</td>
</tr>
<tr>
<td>Dealing in Methamphetamine</td>
<td>15,000</td>
<td>35,000</td>
<td>55,000</td>
<td>85,000</td>
</tr>
<tr>
<td>Armed Robbery</td>
<td>10,000</td>
<td>25,000</td>
<td>40,000</td>
<td>60,000</td>
</tr>
<tr>
<td>Unlawful Possession of Syringe</td>
<td>15,000</td>
<td>35,000</td>
<td>55,000</td>
<td>85,000</td>
</tr>
<tr>
<td>Resisting Law Enforcement</td>
<td>10,000</td>
<td>25,000</td>
<td>40,000</td>
<td>60,000</td>
</tr>
<tr>
<td>Dealing in Cocaine</td>
<td>15,000</td>
<td>35,000</td>
<td>55,000</td>
<td>85,000</td>
</tr>
<tr>
<td>Burglary</td>
<td>10,000</td>
<td>25,000</td>
<td>40,000</td>
<td>60,000</td>
</tr>
<tr>
<td>Criminal Confinement</td>
<td>15,000</td>
<td>35,000</td>
<td>55,000</td>
<td>85,000</td>
</tr>
<tr>
<td>Possession of Cocaine</td>
<td>10,000</td>
<td>25,000</td>
<td>40,000</td>
<td>60,000</td>
</tr>
<tr>
<td>Robbery</td>
<td>15,000</td>
<td>35,000</td>
<td>55,000</td>
<td>85,000</td>
</tr>
<tr>
<td>Battery</td>
<td>10,000</td>
<td>25,000</td>
<td>40,000</td>
<td>60,000</td>
</tr>
<tr>
<td>Intimidation</td>
<td>15,000</td>
<td>35,000</td>
<td>55,000</td>
<td>85,000</td>
</tr>
<tr>
<td>Child Molesting</td>
<td>10,000</td>
<td>25,000</td>
<td>40,000</td>
<td>60,000</td>
</tr>
<tr>
<td>Battery Against a Public Safety Official</td>
<td>15,000</td>
<td>35,000</td>
<td>55,000</td>
<td>85,000</td>
</tr>
<tr>
<td>Dealing in a Narcotic Drug</td>
<td>10,000</td>
<td>25,000</td>
<td>40,000</td>
<td>60,000</td>
</tr>
<tr>
<td>Residential Entry</td>
<td>15,000</td>
<td>35,000</td>
<td>55,000</td>
<td>85,000</td>
</tr>
<tr>
<td>Criminal Recklessness</td>
<td>10,000</td>
<td>25,000</td>
<td>40,000</td>
<td>60,000</td>
</tr>
<tr>
<td>Operating a Vehicle While Intoxicated</td>
<td>15,000</td>
<td>35,000</td>
<td>55,000</td>
<td>85,000</td>
</tr>
<tr>
<td>Murder</td>
<td>10,000</td>
<td>25,000</td>
<td>40,000</td>
<td>60,000</td>
</tr>
</tbody>
</table>
Policy Implications
New, improved, or ongoing implementation of best practices in jail diversion are important for keeping people out of jail who do not need to be there, thereby keeping our communities intact.

- Implementation of clinician-led teams
- Continuation and expansion of cite-and-release practices
- Continuation of pre-trial risk assessment including waiving bail charges
- Better data to assess the impact of changes, including those that address inequities
Thank you!

Any questions? Place them in the chat.
Panelists

Bianca L. Harris, M.S., LMHC  
Founder and Owner, The Phoenix Nicholas Center

Josh Riddick  
Organizer, Faith in Indiana

James Wilson  
CEO, Circle Up Indy
Thank you for attending today!

Access this presentation and report

Upcoming events for SAVI Equity Hub
• Data and Drafts: College-readiness – 6pm, July 20, Central Library
• Data and Drafts: Evictions – 6pm, August 11, Central Library

Please visit us online to learn more!
• SAVI Equity Data & Information Hub – www.savi.org/equity-data-hub
• WFYI – www.wfyi.org