

Exploring Length of Stay through an
Equity Lens

Who is in the Marion County Jail?

Rebecca Nannery, Jay Colbert, Erik
Steiner, Matt Nowlin

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Presenters

Rebecca Nannery



Senior Research Analyst,
The Polis Center

Matt Nowlin



Community Analysis Manager,
The Polis Center

Katrina Pross, Moderator



Criminal Justice Reporter,
WFYI Public Media



Who is in the Marion County Jail?

Introduction



Why study the jail population?

- 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.

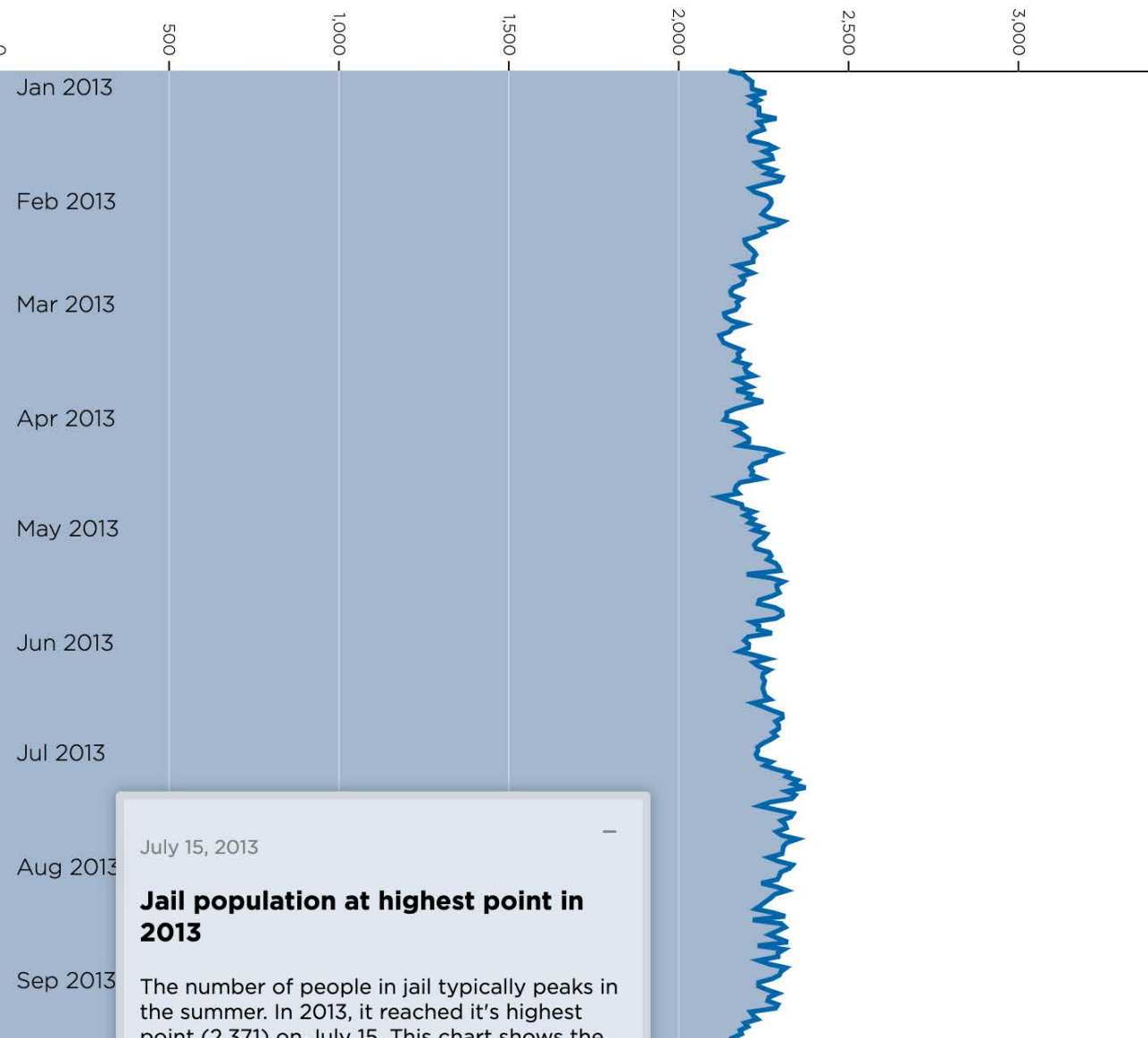


Marion County Jail Census



Trends in the jail population over time





July 15, 2013

Jail population at highest point in 2013

The number of people in jail typically peaks in the summer. In 2013, it reached it's 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.

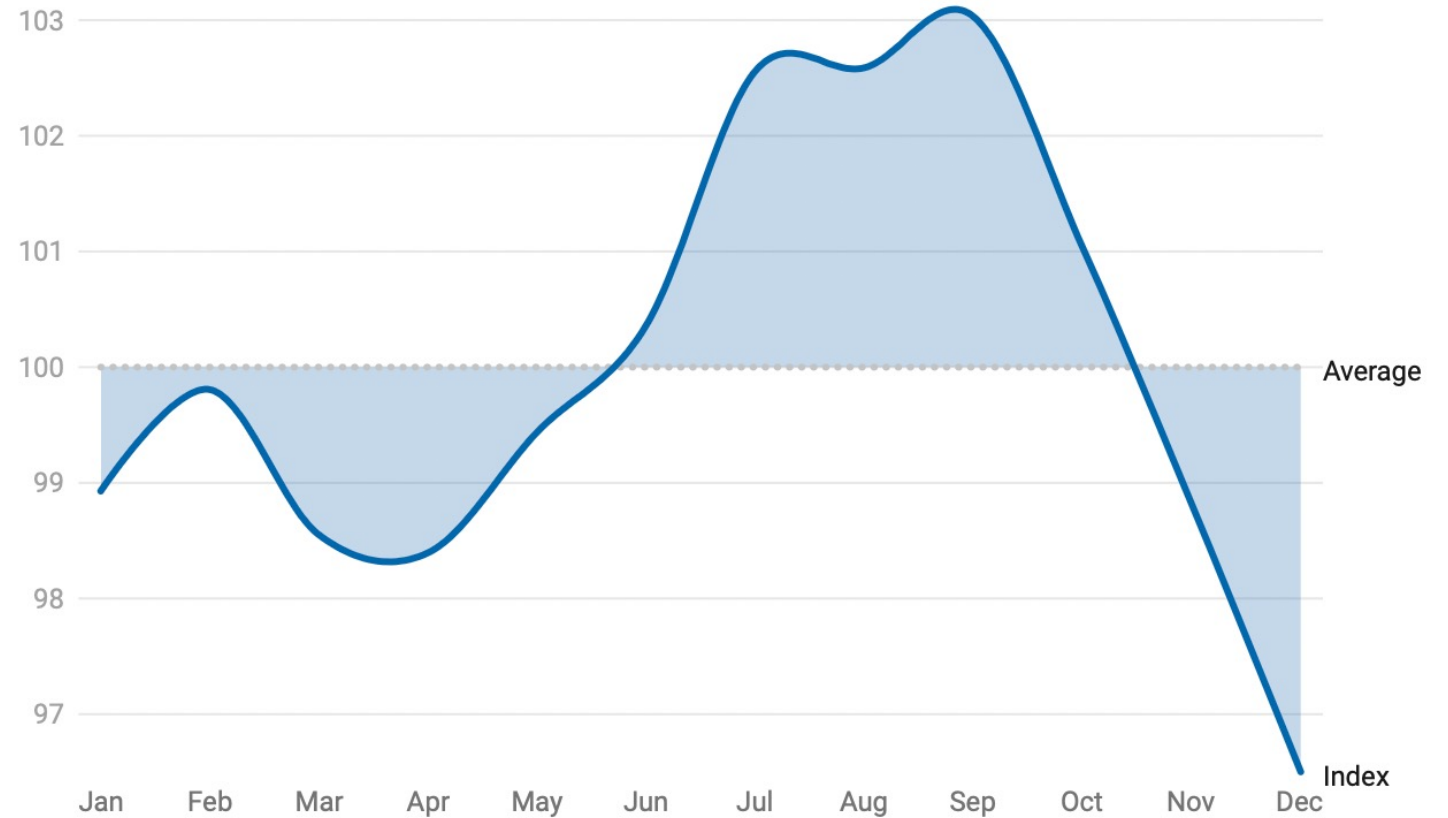
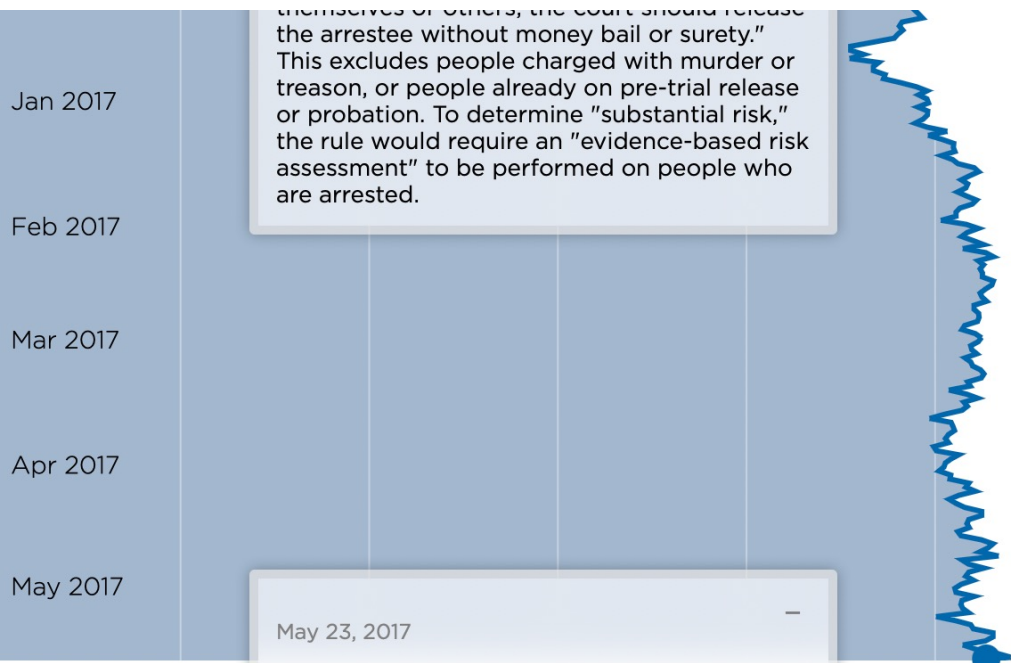


Chart: The Polis Center • Source: SAVI analysis of data from Marion County Sheriff's Office • [Get the data](#) • Created with [Datawrapper](#)

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.



themselves or others, the court should release the arrestee without money bail or surety." This excludes people charged with murder or treason, or people already on pre-trial release or probation. To determine "substantial risk," the rule would require an "evidence-based risk assessment" to be performed on people who are arrested.

May 23, 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.

August 1, 2017

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

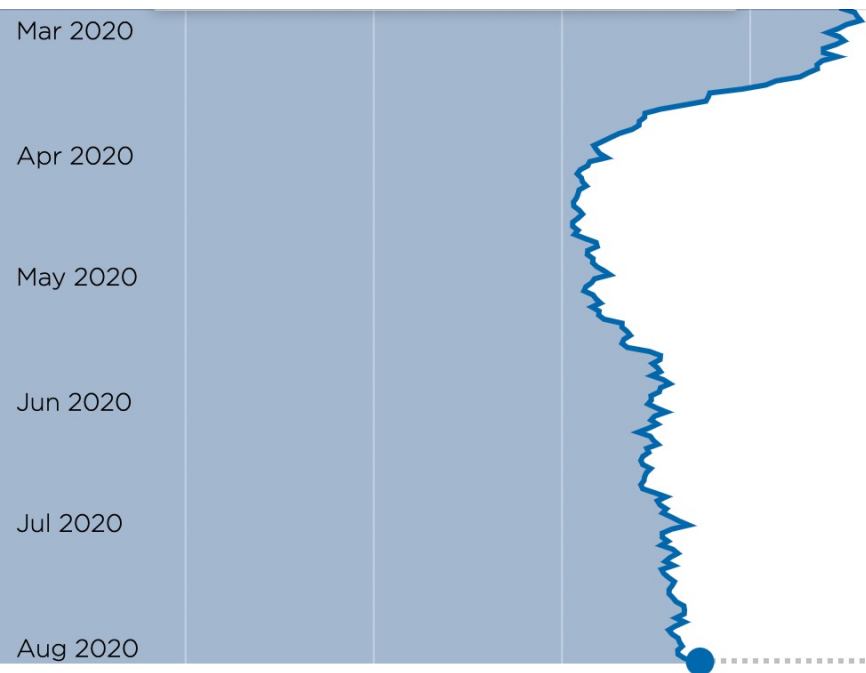
Four MCAT teams, consisting of a police officer, a paramedic, and licensed mental health professional trained in crisis response, began responding to 911 calls in IMPD's East District. The pilot initiative is designed to provide crisis intervention services to individuals in crisis who are not in need of law enforcement or medical services.

Total	By Race	By Charge Level	Violent/Non-Violent
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Jail Population

2,697

Tuesday, May 23, 2017



Total	By Race	By Charge Level	Violent/Non-Violent
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April 22, 2020

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](#).

Jail Population

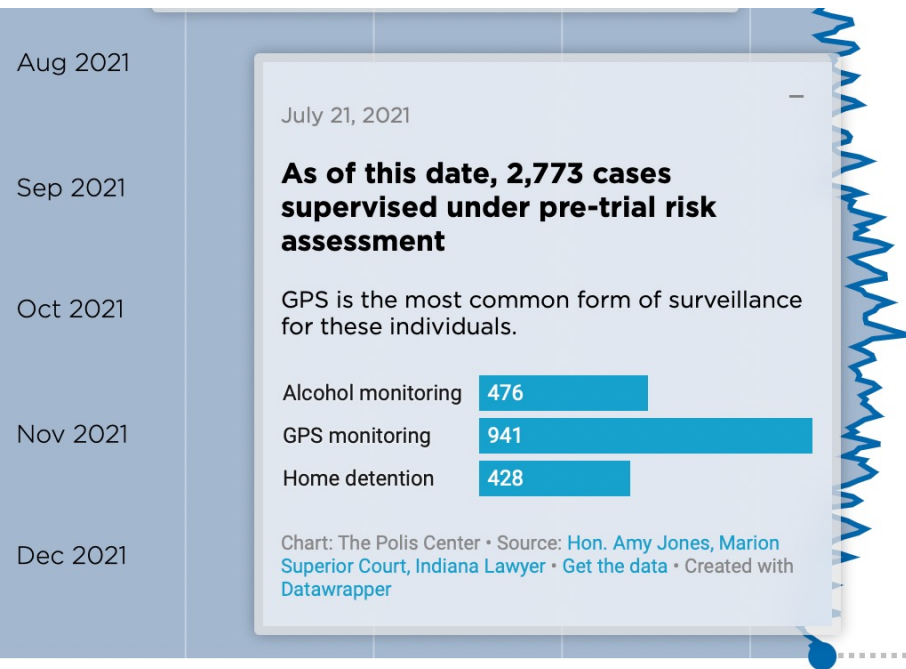
1,858

Sunday, August 9, 2020

October 2020

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



Total	By Race	By Charge Level	Violent/Non-Violent
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Jail Population

2,173

Thursday, December 30, 2021

Jail Diversion

Alternatives to arrest or charges



Police respond to incident

Arrest

In jail, awaiting trial

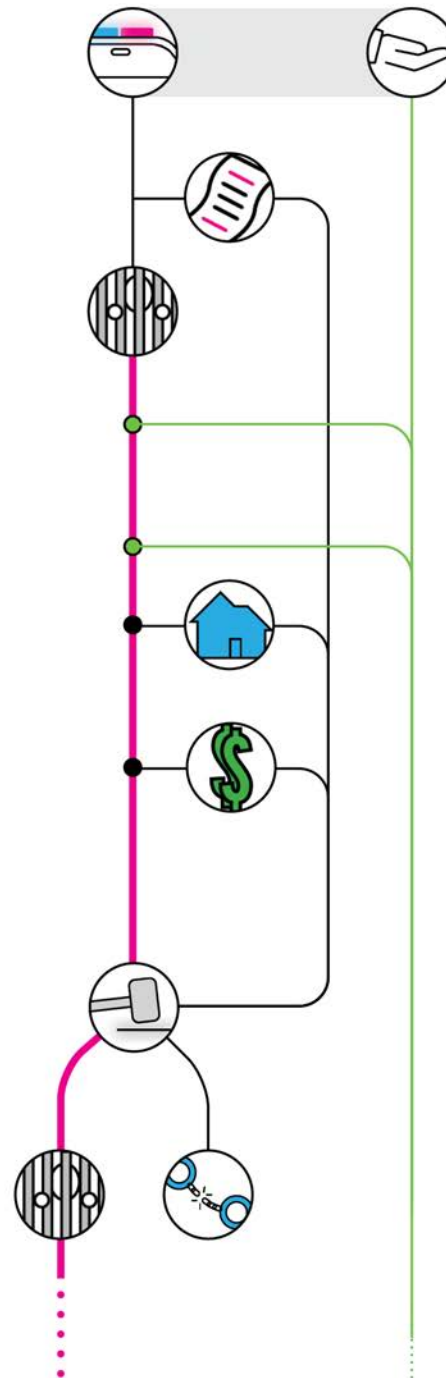
Released on own
recognizance

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.

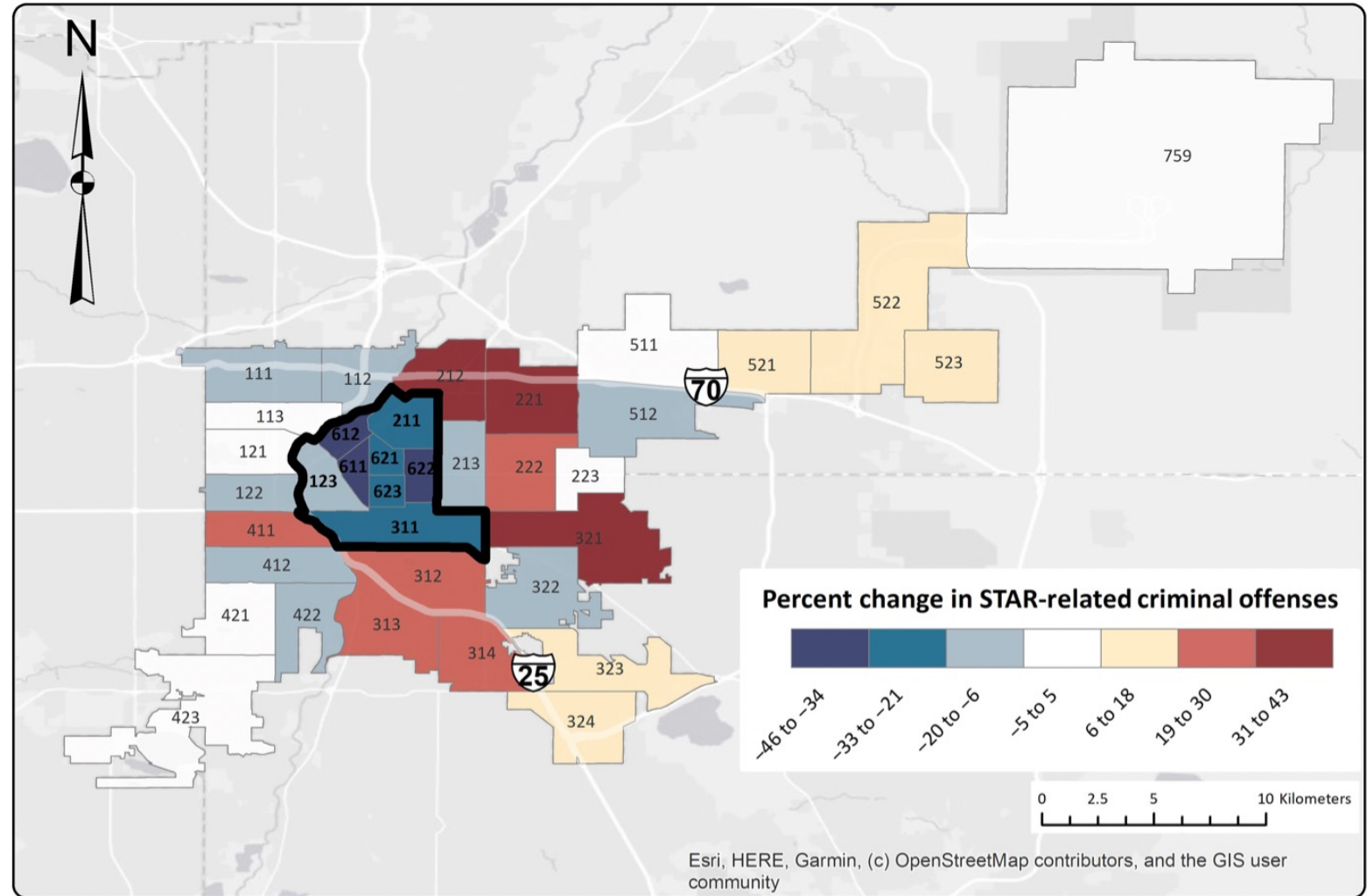




Pre-arrest Diversion: Denver's STAR Program

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

- 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



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.



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





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.

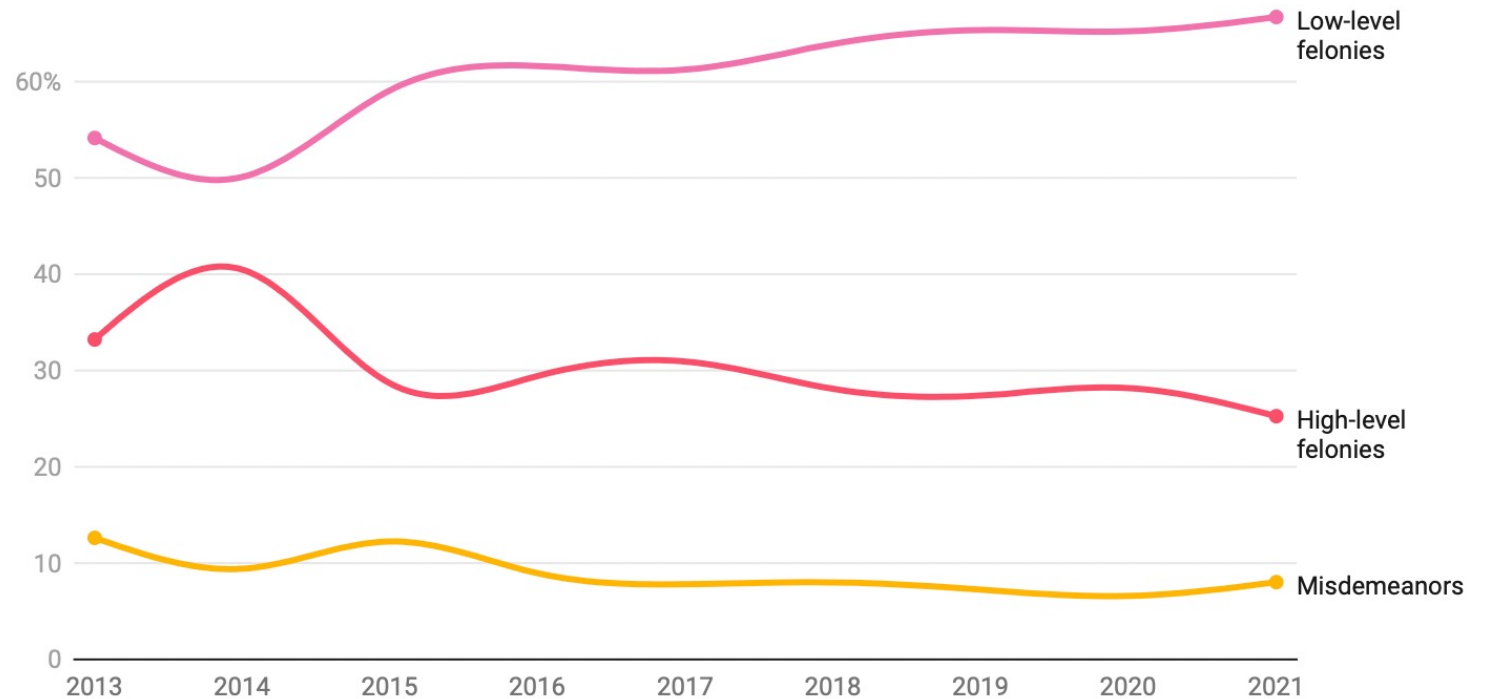


Chart: Polis Center • Source: SAVI analysis of data from Marion County Sheriff's Office • [Get the data](#) • Created with [Datawrapper](#)

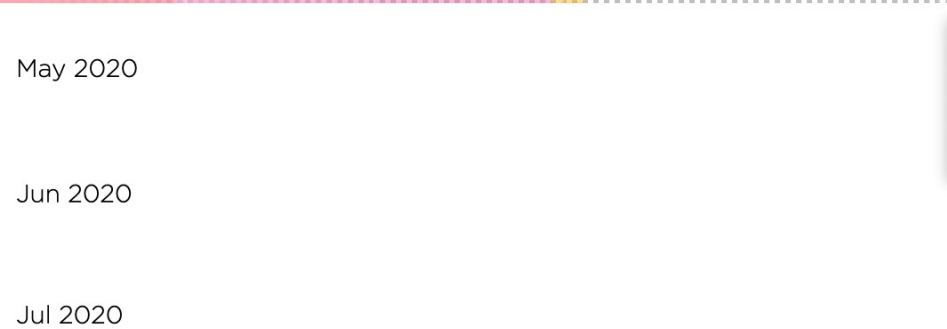


January 1, 2020

Criminal Rule 26 goes into effect

Total	By Race	By Charge Level	Violent/Non-Violent
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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

Estimated Jail Population by Charge Level

5% misdemeanors

64% low-level felonies

30% high-level felonies

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

Half of people in jail are Black, compared to 27% of Marion County population

Race of people booked into jail, 2018-2021

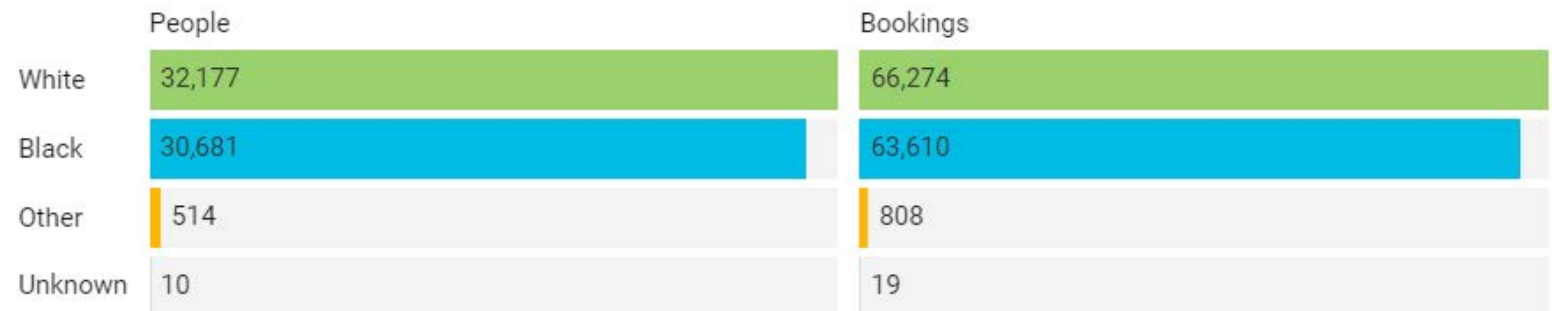


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Who is in jail?

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

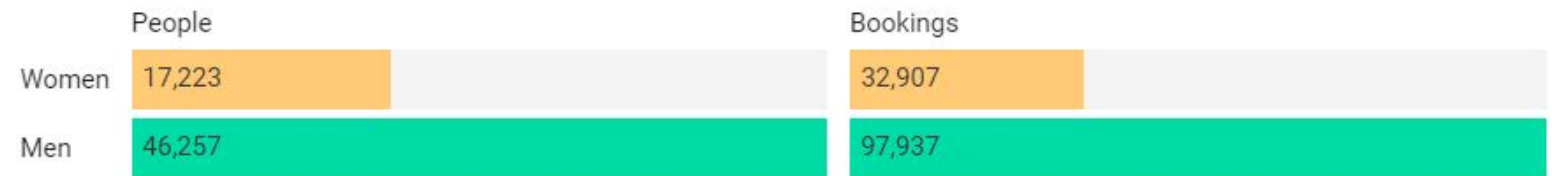


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How long do people stay in jail?

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





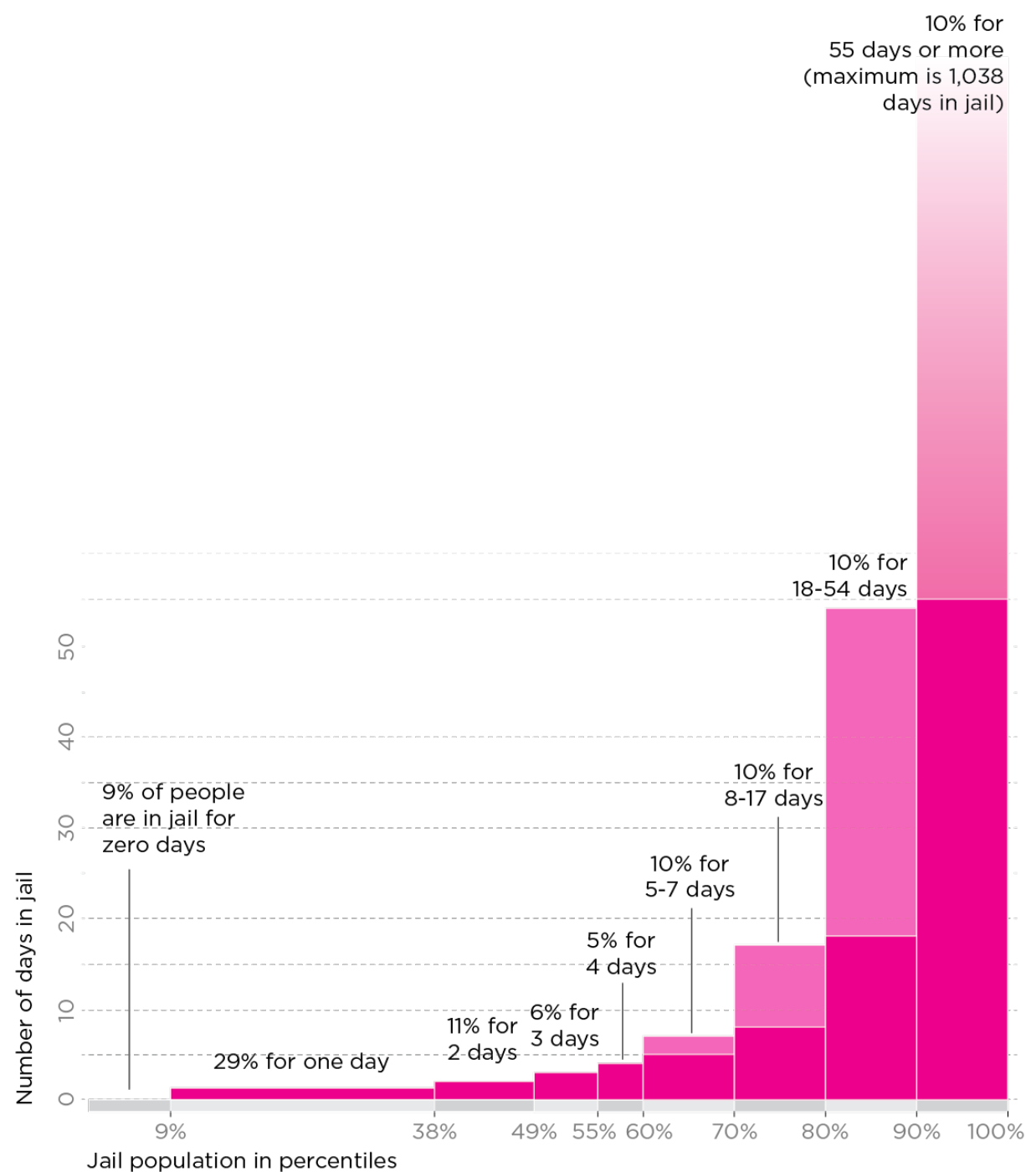
Half of people who are booked remain in jail for fewer than three days

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

Bookings by race and gender

2018-2021

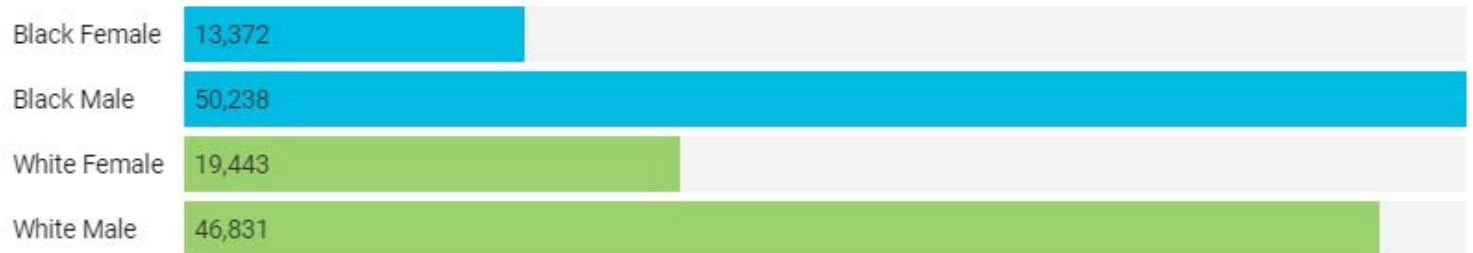


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Women have shorter stays in jail than men

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

Median length of stay in days by gender and race, 2018-2021



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Length of stay: Severity and charge level

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



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 in jail is associated with charge level

Median length of stay in days by highest charge level, 2018-2021



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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

One fifth of bookings have a mental health or substance use alert.

Percent of bookings with alert, 2018-2021



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



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.

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

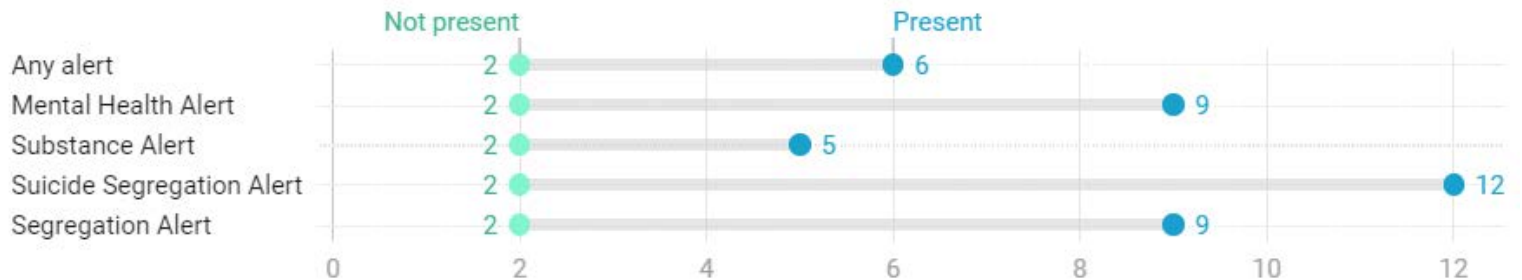


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Booking charge and alerts

Alerts are disproportionately higher among low-level felony bookings (65 percent) than those without an alert (49 percent).

People with a mental health or substance alert are booked for a felony more often than people without an alert.

Percent of bookings by highest charge level and presence of alert (people with an alert associated with any booking)

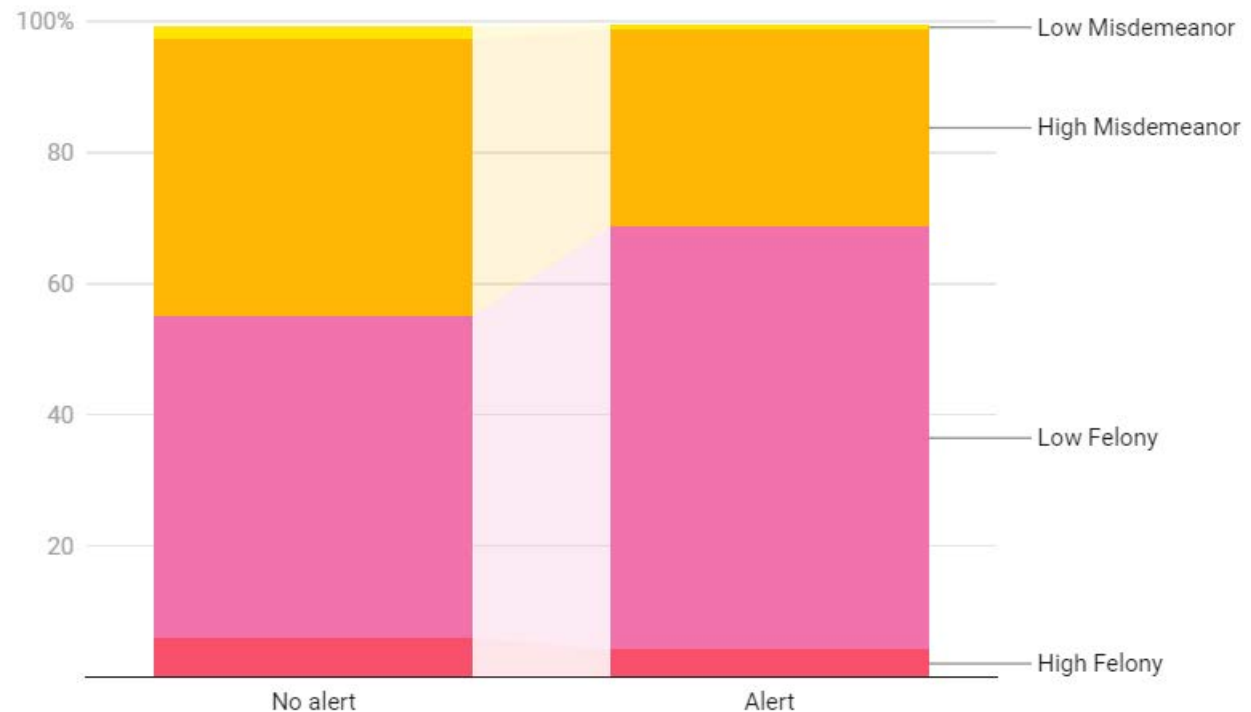


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Length of stay by charge and alert

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.

People with an alert stay in jail longer than others when booked for a felony.

Percent of bookings by highest charge level and presence of alert (people with an alert associated with any booking)

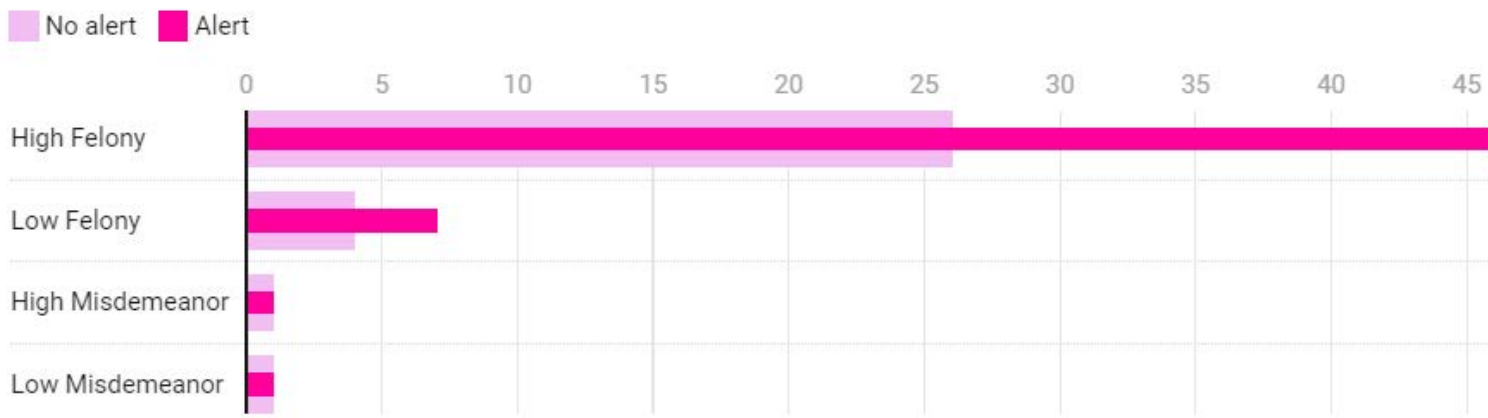


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Lead offenses and length of stay

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.





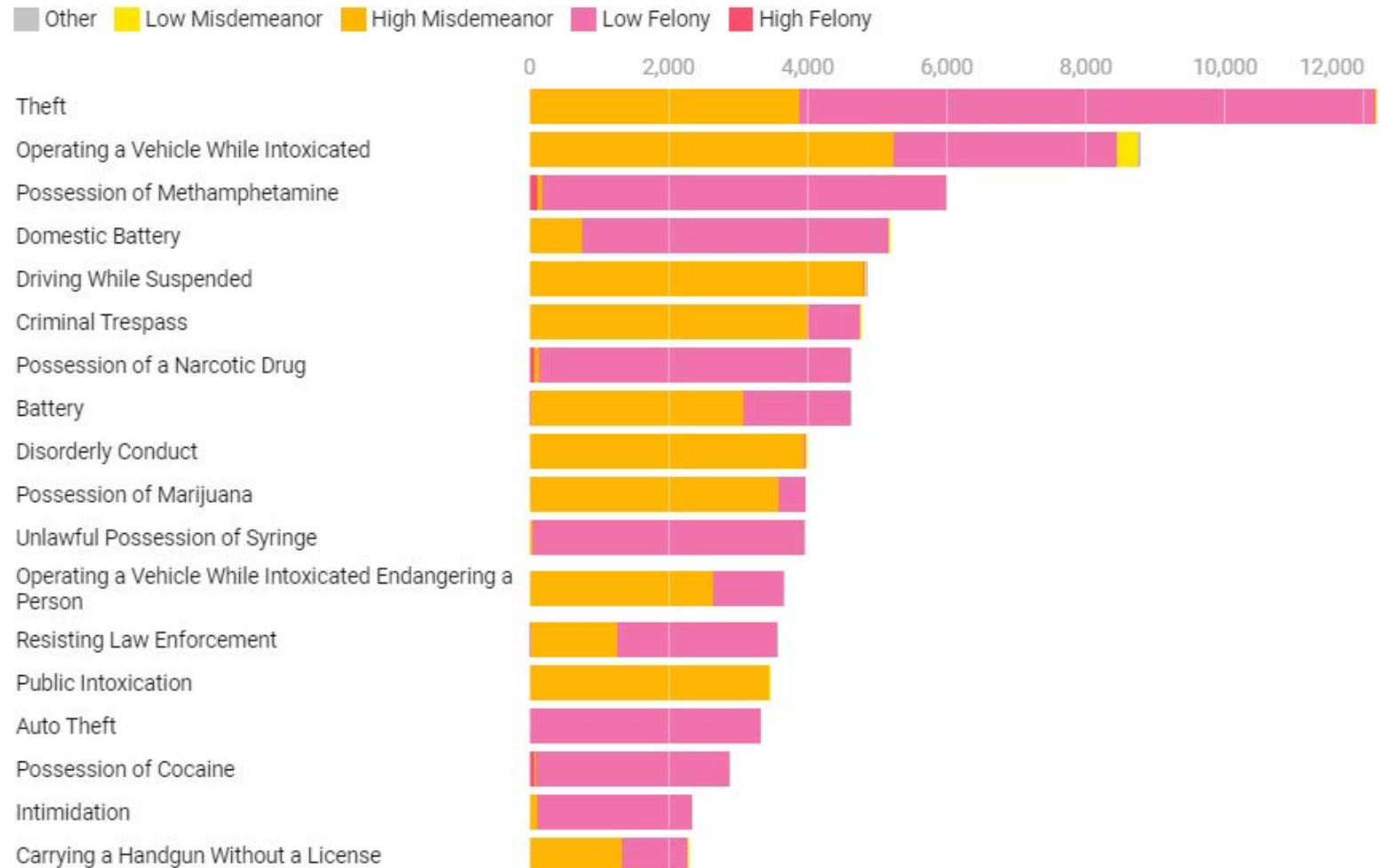
Most common lead offenses

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.

Most common reasons people are arrested and booked

Bookings by lead offense, 2018-2021





Length of stay and lead offenses

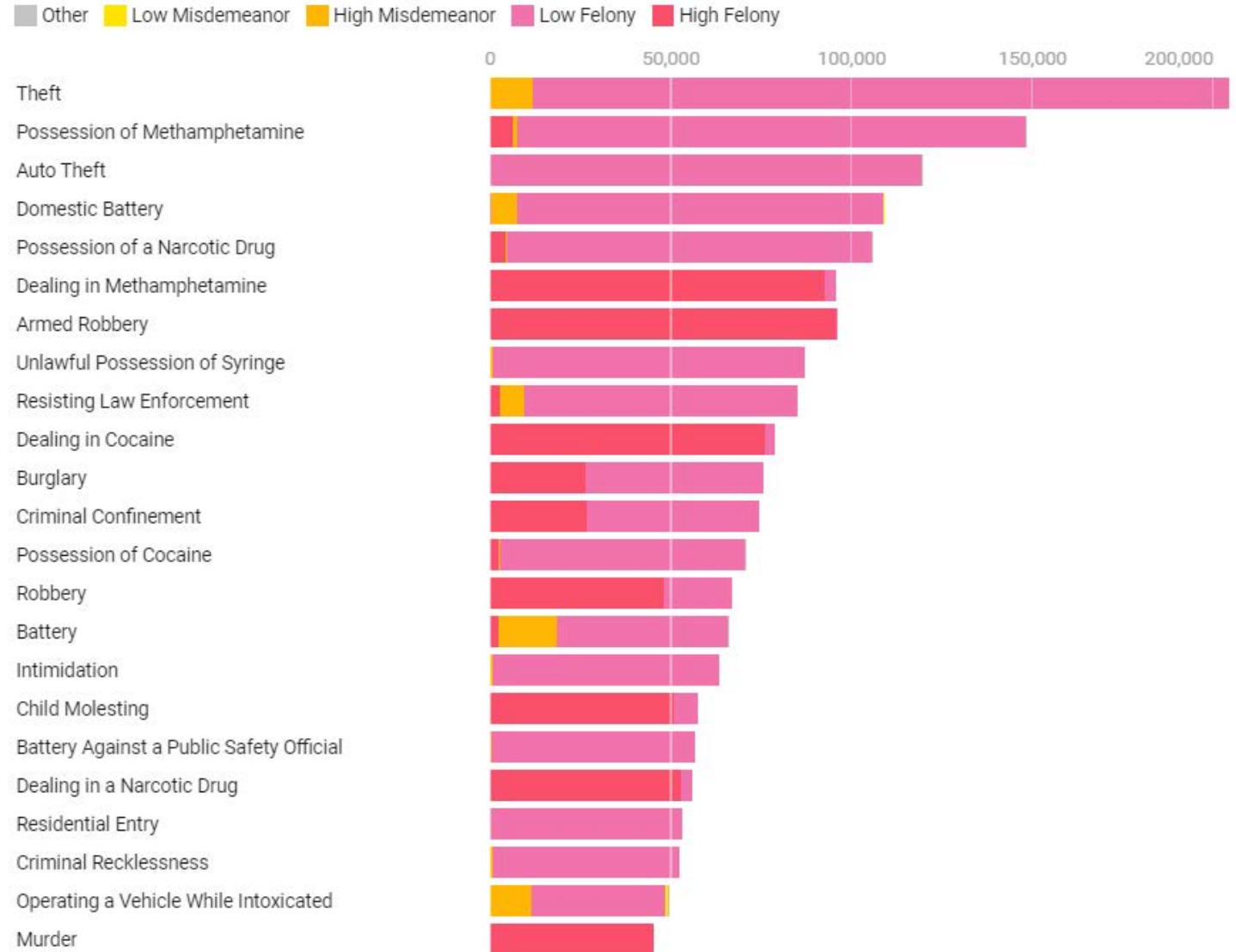
The lead offenses with the greatest proportion of bed-days is theft (7 percent).

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.

Offenses with the highest total bed-days

Total bed-days by lead offense, 2018-2021



Policy Implications



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

Visit www.savi.org/savi-talks/who-is-in-the-marion-county-jail-exploring-length-of-stay-through-an-equity-lens to access the “Who is in the Marion County Jail?” report and presentation.

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

