

Transforming Prosecution Workshop

Anna Harvey
New York University
Politics/Data Science/Law
Director, Public Safety Lab

December 4, 2020

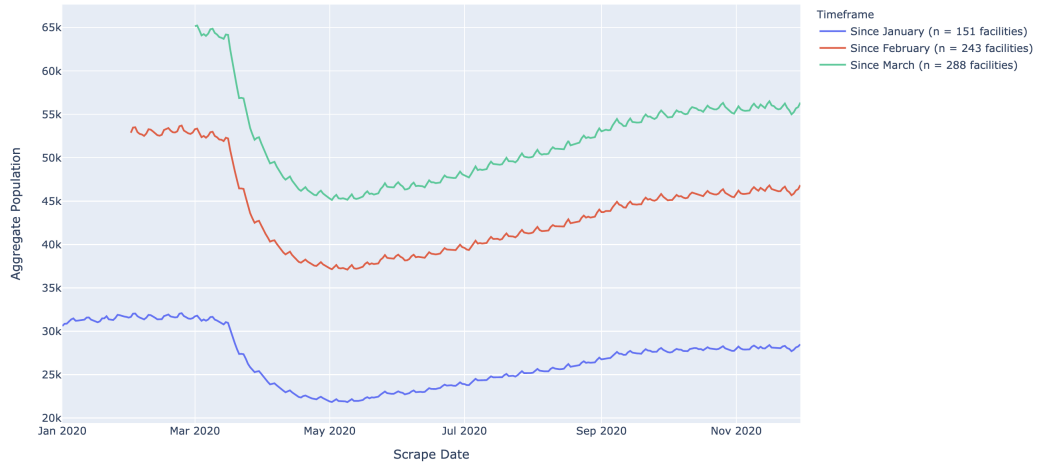
Detention, Misdemeanor Prosecution, and Public Safety

- ▶ Public safety impacts of jail releases during the pandemic
 - ▶ Public Safety Lab Jail Data Initiative
- ▶ Public safety impacts of reducing nonviolent misdemeanor prosecutions
 - ▶ Joint w/ Amanda Agan (Rutgers) and Jennifer Doleac (Texas A&M)
 - ▶ In partnership w/ SCDAO

- ▶ Jail populations at higher risk for viral transmission
- ▶ Public health authorities recommend reducing density of congregate populations
- ▶ Yet many have concerns about the public safety consequences of jail population reductions
 - ▶ Balancing public health risks and public safety risks
- ▶ Can provide some data about public safety risks

- ▶ Public Safety Lab Jail Data Initiative
 - ▶ Scraping individual-level daily jail rosters in approx. 1,000 jails
 - ▶ Extracting structured data: charges, bail/bond, race, gender, age, duration of detention, whether individual is rebooked after release
 - ▶ Project began Summer 2019; first scrapes deployed Fall 2019
 - ▶ As of March 1, 2020, had about 375 jail scrapes running
 - ▶ 19 million daily individual-level records from these jails
 - ▶ Pretty representative sample; see CCJ Reports

U.S. Jail Population (2020-01-01 thru 2020-11-30)



Jail Populations During the Pandemic

- ▶ Jail populations dropped by about 30% during the 6-week period between mid-March and April 30 (WH Coronavirus Guidelines)
- ▶ Have since recovered 50% of those decreases
- ▶ Decreases achieved both through reductions in admissions and increases in releases
- ▶ What were the public safety impacts of the jail releases?

- ▶ During pandemic, changes in who was booked into and released from jail
 - ▶ Those being released during pandemic are more likely to have been booked on felony charges, to have been booked on more charges, to have served longer periods of detention; less likely to have been booked on charges like FTA
- ▶ The conditions facing those released have also changed during the pandemic
 - ▶ Decreases in property and drug crimes/arrests (except commercial burglary); increases in violent crimes/arrests

Rebooking Rates

- ▶ Rebooking rates are one measure of the net public safety risk of releasing individuals from jail
 - ▶ Does a released individual commit a subsequent offense sufficiently serious to warrant detention?
- ▶ We look at 30-, 60-, 90-, and 180-day avg rebooking rates
 - ▶ Net of both individual-level and community-level factors
 - ▶ Controlling for facility-specific effects

Rebooking Rates Among Those Released From Jail
325 Jails, January 1 - October 22

	Pre-Pandemic	Post-Pandemic	% Decrease
30-Day Avg Rebooking Rate	11%	7%	36%***
60-Day Avg Rebooking Rate	16%	11%	31%***
90-Day Avg Rebooking Rate	19%	15%	21%***
180-Day Avg Rebooking Rate	24%	21%	13%***
Volume of Releases	33,493	21,902	35%***

*** $p < .01$

Public Safety Risks of Jail Releases

- ▶ Taking rebooking rates as a measure of the public safety risk of jail releases, this risk is significantly lower now than pre-pandemic
- ▶ Yet we are releasing fewer individuals from detention
- ▶ Even as public health risks of congregate populations remain high

- ▶ Data:
 - ▶ <https://github.com/publicsafetylab/public-psl-jdi-ccj>
 - ▶ <https://github.com/publicsafetylab/public-psl-jdi-pops>
- ▶ Plots/maps/reports:
 - ▶ <https://publicsafetylab.org/jail-data-initiative>
 - ▶ <https://covid19.counciloncj.org/2020/09/02/covid-19-and-jails/>
 - ▶ New CCJ report coming out next week
- ▶ Can look at pre- and post-pandemic rebooking rates for your own jail