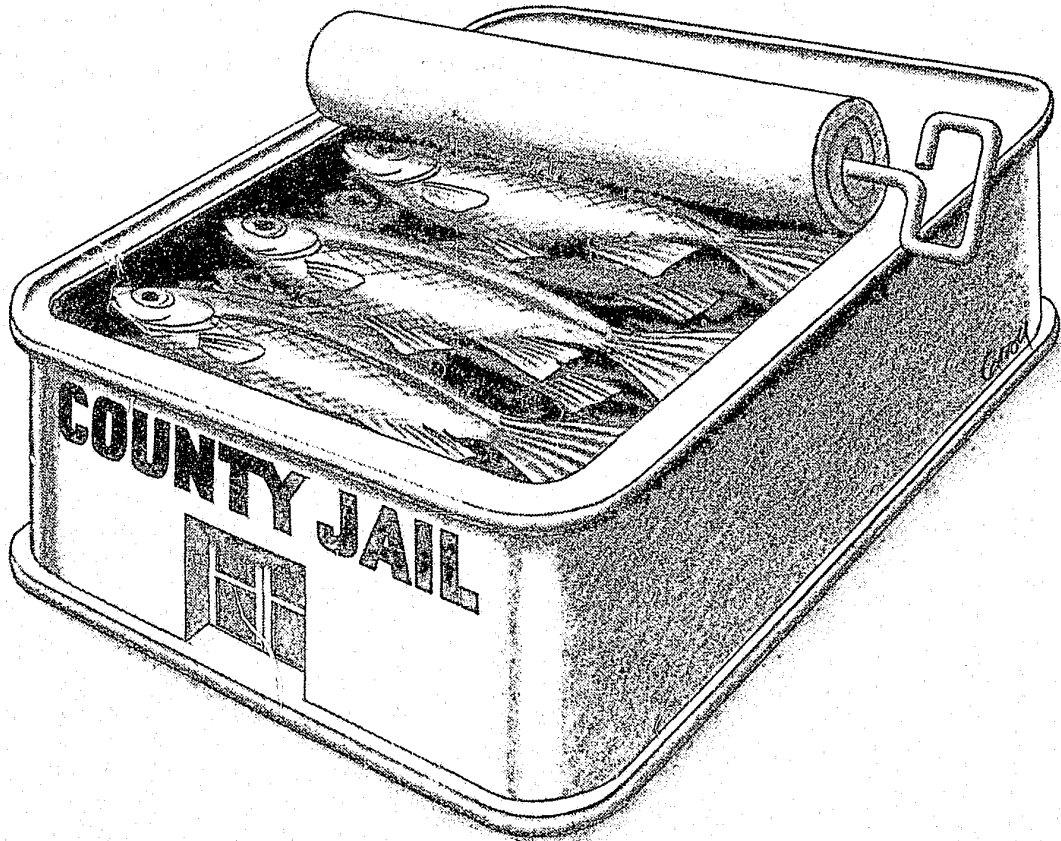




U.S. Department of Justice
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Jail Overcrowding: Identifying Causes and Planning For Solutions

A Handbook for Administrators



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A Handbook for Administrators



Prepared by:
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This Handbook is the final product of LEAA's *Jail Overcrowding Program*. It is intended as a general reference and step-by-step guide for administrators, judges, and other elected officials who have responsibility for controlling the jail population and developing alternatives to jail.

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PREFACE

Overcrowded jails have become endemic in the United States. In the past decade, they have emerged as a major concern of state and local governments, and taxpayers have begun to comprehend the financial implications.

Until recent years, any community wanting to address the problem in a rational manner quickly made a dismal discovery: there was nowhere to turn. The experiences of other jurisdictions facing jail overcrowding had not been recorded. In the absence of such documentation, the typical approach consisted of procrastination, a token flirtation with alternatives-to-incarceration, and, if the voters consented, a bond issue for new jail construction.

This approach repeatedly proved to be overwhelmingly expensive, thoroughly frustrating to officials and citizens alike, and of temporary value at best. In 1973, the Law Enforcement Assistance Administration funded studies to assess the experiences of local governments with federally-funded programs to reduce pretrial detention. On the basis of salient findings,¹ on April 1, 1978, the Law Enforcement Assistance Administration (LEAA) launched a four year demonstration program known as the Jail Overcrowding and Pretrial Detainee Program, or Jail Overcrowding Program. Fifty-eight jurisdictions² were funded and/or provided with technical assistance.

¹Instead of Jail: Pre- and Post-Trial Alternatives to Jail Incarceration, Vol. 1, Issues and Programs in Brief; Vol. 2, Alternatives to Pre-Trial Detention; Vol. 3, Alternatives to Prosecution; Vol. 4, Sentencing the Misdemeanant; Vol. 5, Planning, Staffing, Evaluating Alternative Programs. Prepared for the National Institute of Law Enforcement and Criminal Justice by the American Justice Institute. Washington, D.C.: U.S. Govt. Printing Office, October 1977.

²See Appendix A for a listing.

The program sought to incorporate the most promising research concepts and practices emerging from LEAA-funded projects dealing with alternatives-to-incarceration, court administration, and court delay. Jail overcrowding was seen as a system problem necessitating comprehensive planning based on sound data.

This handbook sets forth a methodology for dealing with jail overcrowding and a step-by-step guide to applying the methodology. Part I deals with the environment of understanding and cooperation that must be created. Part II describes the planning mechanism that must be developed to mount an effective attack on the problem. Part III shows how that mechanism can be used to achieve permanent management of jail population size.

Since the causes and relief of jail overcrowding lie within the areas of responsibility of many criminal justice agencies and political officials, this publication is directed to a broad and diverse audience with the authority to act. It also should be of value to those unheralded citizens in every community who volunteer their talents and energy to the solution of criminal justice problems.

The principles and methodology presented here are rooted in the actual, varied, and at times, painful experiences of fifty-eight governmental jurisdictions. If employed as set forth, the methodology can provide officials with the facts and machinery to control their jail's population size, particularly the size of the pretrial component.

With a strong political will, any jurisdiction can implement a jail population control plan to ensure a constitutional, humane jail serving community needs in the best tradition of democracy.

PART I
THE NATURE OF JAIL OVERCROWDING AND
REQUIREMENTS FOR EFFECTIVE ACTION

INTRODUCTION

In a steadily growing number of communities today, the jail overcrowding problem has moved from the obscurity of the courthouse basement to the front pages of local newspapers and the newscasts of radio and television stations. Yet, despite the increasing exposure, the public and many officials still see the problem in simplistic terms. Believing that overcrowding is merely a question of too many people for the jail beds available, many assume that the only solution is the building and staffing of a larger facility.

In recent years, convincing evidence has been amassed that jail overcrowding is a problem with complex causes and elusive solutions. The experiences of numerous jurisdictions have clearly shown that the problem cannot be solved by simply creating more jail capacity. Officials in communities that have significantly increased the size of their jails have often realized belatedly that if jail overcrowding is to be dealt with effectively on a long-term basis, the problem must be factored into causes and symptoms. Only when this is done, can appropriate strategies be applied to deal with the causes, while at the same time, containing the symptoms.

The price communities pay when they fail to respond effectively to overcrowding is steadily increasing. The cost of repairing jails attacked by their inmates can be a substantial drain on a jurisdiction's treasury. Potentially even more costly is the payment of damages as a result of inmate-initiated legal action. It is prudent, then, for a community to act aggressively to deal with the problem.

Jails typically provide three services: detention before trial, confinement upon conviction, and lodging pending delivery to another jurisdiction.³ Each is supported by tradition, public expectation, and the absence of feasible alternatives. At the jail, eligibility and suitability for pretrial release are determined, charges to be filed are settled, eligibility for public legal and social services is assessed, and arrestees are classified for conditions of release or detention.

Anyone seeking to understand the factors that govern the size and composition of jail populations must realize that jails operate in a complex environment. State legislation provides for the establishment of jails and determines which state or local official or body shall be responsible for their construction, administration, and financial support. While local governments generally are given the responsibility for funding, construction, and operation of jails, administration most commonly is assigned to the sheriff. Many levels of government -- city, county, state, and federal -- may use the jails, and many states permit local governments to contract for the use of each other's facilities.

Ultimately, the kind of space jails must have is defined by state administrative agencies and state and federal courts. Inmate-initiated legal action also can affect jail conditions. While private groups may develop professional standards for jail construction and operation they cannot enforce their use.

What factors determine the number of jail beds a community has? Although the crime rate often is believed to be a determining factor, no correlation between crime rate and jail capacity has been established. In all states, local criminal justice officials have broad discretion in deciding which

³As used in this document, the term "jail" includes all local detention facilities used for the intake and pretrial detention of arrestees or for the incarceration of sentenced misdemeanants and persons convicted of felony charges who are either not sentenced to a state prison, are awaiting transportation to a prison or to another jurisdiction for trial.

arrestees are to be placed in custody and for how long. Unfortunately, in most jurisdictions, such decisions are not made according to a coordinated plan. Instead, officials act independently and are influenced by operational, professional, and political considerations.

As long as criminal justice agencies fail to develop a coordinated jail plan, the amount of jail space available will be determined more by chance or default than by policy. Before any community can gain control of the size of its jail, it must create a formal, structured organization that will address the key question, "In this community, what is the jail for?"

WHAT IS JAIL OVERCROWDING?

As soon as the number of residents exceeds an institution's capacity as perceived by one or more concerned parties, the imbalance becomes a problem. At what point the problem warrants a response depends on how seriously various observers interpret the situation. Although a fixed average daily population can be defined which justifies action, in practice, remedial measures are likely to be precipitated by circumstances which are not predictable or quantifiable.

Overcrowding means different things to different people. All jails have a "rated capacity," usually expressed in terms of the total number of beds or cubic feet available for simultaneous occupancy. However determined, from an operational standpoint, rated capacity has many limitations.

A jail is an assemblage of different kinds of detention areas, each with its own capacity. For this reason, it is possible for a jail to have at the same time sections with more prisoners than can be accommodated and other sections with unused beds. In this situation, it may be not the jail's rated capacity that is exceeded but its functional capacity -- its ability to house inmates according to their special characteristics or needs. Functional capacity usually is arbitrarily set between 80 and 90 percent of rated capacity.

When a jurisdiction houses its inmates in more than one facility, capacity again becomes blurred, since one institution may be overcrowded while another is not. The determination of capacity must take into account all of a jurisdiction's total facilities and its total inmate population.

The use of jails by other levels of government and the lack of specialized facilities also clouds the picture. When prisoners cannot be delivered to other institutions, or when detoxification centers, security space in hospitals and mental health facilities, and juvenile court detention centers are not available, jail population size is affected.

A jail or jail system can be said to be "crowded" when its population periodically exceeds its rated capacity but, through programming, celling, and staffing arrangements, can be housed in a manner tolerable to inmates, staff, and regulatory agencies. A crowded jail is a warning that detention, adjudication, sentencing, and correctional policies and procedures should be reviewed.

A jail or system is "overcrowded" when its total population, or any discrete subdivision of this population, chronically exceeds its architectural capacity, fails to meet the standards of a regulatory or accrediting body, or exceeds limits imposed by a state or federal court.

Overcrowding exacerbates all of a jail's problems. It escalates risks to the safety and rights of inmates, weakens the effectiveness and security of staff, and threatens the financial well-being of the community.

JAIL POPULATION: COMPONENTS AND DETERMINANTS

A jail's population is not composed of individuals with identical characteristics and processing requirements. Three classes of prisoners are held: non-jurisdictional; jurisdictional--unsentenced; and jurisdictional--sentenced.

The non-jurisdictional class is composed of a diverse assortment of cases, including juveniles, civil contempt cases, persons serving a sentence in the local jail by contract between federal and local authorities, overnight lodgers in transit to other jurisdictions, persons serving sentences imposed by another county's court, and federal and state probationers or parolees held pending review of their cases.

The unsentenced jurisdictional class contains pretrial detainees and persons involved in trial and sentencing processes. Sentenced jurisdictional cases have been convicted and have been ordered confined or are awaiting either release on probation or transportation to another institution.

While in most systems an attempt is made to house sentenced and unsentenced inmates separately, non-jurisdictional prisoners rarely are separated from jurisdictional prisoners. All three classes can contribute to overcrowding.

A jail's average daily population (ADP) is a more accurate measure of its population than is a count of inmates at any particular moment. It is the ADP that is compared to the jail's rated or functional capacity. The ADP is determined by totaling the number of days of care provided for all inmates during a specified period and dividing by the number of days in the period.

The size of a jail's population is determined by just two factors: the number of persons booked into custody (admissions) and the number of days each person remains in custody (length-of-stay). Since length-of-stay varies, an average is calculated:

$$\text{Average Length-of-Stay} = \frac{\text{Total Days of Care Provided}}{\text{Number of Admissions}}$$

From this equation, it can be seen that --

$$\text{Total Days of Care Provided} = \text{Admissions} \times \text{Average Length-of-Stay}$$

Thus, if a jail's total days of care -- and its ADP -- are to be reduced, either the number of admissions or the average length-of-stay, or both, must decrease.

The components and determinants of a jail's population can be viewed as follows:

POPULATION DETERMINANTS

		<u>Admissions</u>	<u>Average Length-of-Stay</u>
<u>Population Components</u>	Non-Jurisdictional		
	Jurisdictional- Unsentenced		
	Jurisdictional- Sentenced		

Each of the six cells on the table becomes a possible focus for special consideration. If data are available, the cells can be expanded to provide an even clearer picture of the jail's population:

Population Determinants

Population Components	No.	<u>Admissions</u>		% of Total	Average Length of Stay	Average Number of Beds Required
		% of Total	No.			
Nonjurisdictional	1,020	8.4	2,765	3.4	2.7 days	7.6
Jurisdictional-- Unsentenced	11,164	91.6	34,830	42.4	3.1 days	95.4
Jurisdictional-- Sentenced	(1,484)*	-	44,530	54.2	30.0 days	122.0
TOTALS	12,184	100.0	82,125	100.0	-	225.0

*Rated capacity = 215 beds.

Examining data in this manner enables those hoping to solve their jail overcrowding problem to consider which subpopulations should be targets for study and action. From the data above, it can be seen that:

- . Seven or eight beds would be freed by eliminating non-jurisdictional cases.
- . While only 13.3 percent of the jurisdictional cases booked are sentenced to serve time in jail, they account for the occupancy of about 135 beds from the time they are booked to the end of their sentences. If the average length-of-stay could be reduced by two days, 2,968 days of care would be saved, freeing the equivalent of eight beds, enough to bring the jail's population down to within two beds of rated capacity.
- . If just 10 percent of the 9,680 jurisdictional admissions who were not sentenced were to be cited to court rather than booked at the jail, the savings in days of care would equal 5.3 beds.
- . If 25 percent of the remaining number of admissions not sentenced could be released in 1.5 instead of 3.1 days, the savings in days of care would equal 9 beds.

In making such assessments, political factors must be considered. These include loss of revenue for non-jurisdictional cases and possible unwillingness to submit various practices to scrutiny or change.

Once a jail's population has been factored into its major parts and political assessments made, the jail overcrowding problem takes on a different character. Those who undertake to solve the problem will now be able to proceed from a more informed perspective.

CONVENTIONAL RESPONSES TO OVERCROWDING

Conventional measures to address jail overcrowding fall into four categories: (1) intensification of the use of existing alternative-to-incarceration

measures; (2) introduction of new alternative-to-incarceration measures; (3) initiation of measures to increase jail capacity; and (4) authorization of a needs assessment.

While all of these kinds of measures have been employed to good effect, they tend to have at best a short-term, limited impact on jail population size. They usually fail because potentially beneficial program strategies are misapplied and lack broad support. The lack of a plan designed by all affected officials, lack of coordination among departments or agencies, focus on symptoms rather than causes of overcrowding, failure to determine target groups, failure to explore results and costs of alternatives as well as costs generated in other areas, failure to base programs on documented need, and unrealistic expectations, all are reasons for the failure of conventional approaches.

Although jurisdictions often employ a consulting firm to guide them in their efforts to deal with jail overcrowding, resulting recommendations have a poor record for implementation regardless of their quality. Once the consultants have left the jurisdiction, implementation depends on local officials who, minimally involved in the preparation of the plan, lack a sense of ownership and commitment. Both the consultants and their clients overlook the fact that process is at least as important as any written product.

Consultants can help jurisdictions cope effectively with overcrowding if they function not as decision makers, but as resources under the direction of a local advisory board.

JAIL POPULATION MANAGEMENT: A NEW APPROACH TO OVERCROWDING

Having amassed convincing evidence that conventional approaches to jail overcrowding have little lasting value, LEAA in 1978 launched the Jail Overcrowding Program. The program embodied a series of concepts which individually had been widely endorsed by criminal justice planners, but which had not been unified by a methodology.

These concepts were:

- . Jail space is a scarce resource that must be continuously managed to ensure its availability.
- . Since responsibility for jail population size is assigned to no one and must be jointly assumed by all agencies using the jail, an organizational mechanism for the joint development of policy on overcrowding must be developed.
- . Credible data on the characteristics of persons arrested and on processing patterns must be developed and provide the basis of any plan to deal with overcrowding.
- . To determine needed jail capacity, a community must first develop confinement policies and a range of alternatives-to-incarceration.
- . The use of qualified technical assistance can reduce the technical and political problems inherent in planning and effecting change.

A community is unlikely to undertake or benefit from any effort to confront its jail overcrowding problem without a strong motivating factor (legal action, financial assistance, etc.). It requires a consensus that a serious problem exists, belonging to everyone and requiring immediate collective problem solving and the emergence of a leadership committed to action. When these factors are present, the methodology based on the above concepts can be put to use.

Four major tasks are involved in the achievement of jail population management:

- . Develop or activate a collective planning mechanism. (The absence of a single seat of accountability for jail overcrowding is the problem's root cause.)
- . Produce a criminal justice system description, detailing every decision point and dispositional option to which persons are subject following arrest.
- . Develop a sound data base using information requested by the decision making body, compiled from actual post-arrest history, collected and analyzed objectively, and in accordance with accepted statistical practices and presented in a comprehensible manner.
- . Prepare a written plan for implementation. Producing a plan involves reviewing the data and data analysis, making findings, formulating and

prioritizing recommendations, designing the report's content and format, voting approval, and presenting the plan to the community.

In order for the above tasks to be effectively executed, several conditions must be met. First, the effort must be accorded project status, providing a focus for activity and an identity to which all participants can relate and attracting adequate direction, coordination, and support. Second, sufficient time must be allotted. The primary determinant of project length is the time required for data collection and analysis, which can vary from about three months (where agencies have compatible and automated record systems) to five months or more. Third, appropriate staffing must be made available to provide structure; to generate, analyze, and present the data, and to write the plan under the direction of the board. Fourth, an adequate operating budget must be provided, keeping in mind that the entire cost of a jail overcrowding project should be less than half the cost of adding one bed through new construction.

PART II

CREATING A PLANNING MECHANISM

INTRODUCTION

Jail overcrowding does not strike suddenly, catching everyone by surprise. Almost always, it emerges over a period of years, in full view of everyone. The sheriff or other official responsible for operating the jail usually is the first to become seriously concerned. As the problem grows, concern extends to the members of the county commission and the commission's legal counsel and slowly spreads across a widening range of criminal justice officials and citizens as the effects of overcrowding reach into their precincts.⁴ Steps taken to alleviate the problem usually are uncoordinated and aimed at its symptoms rather than its causes. Any relief achieved is likely to be short-lived.

If efforts to solve the problem are to have any lasting effect, two questions must first be answered: "What should be done?" and "Who should do it?" With fiscal and operational responsibilities for jails divided and the criteria for an efficient criminal justice process undefined, much room exists for honest differences of opinion.

As was shown in Part I, efforts to deal with jail overcrowding must involve collective problem solving initiated by officials and citizens out of a sense of shared responsibility. This response requires fact finding, analysis, decision making, and the acquisition, mobilization, and deployment of support resources and time. In short, it requires a structured project with the following components:

⁴Instead of the county, the political subdivision responsible for jails may be an independent or consolidated city, a city and county, a metro-government, a borough, a parish, or, in Alaska, Connecticut, Delaware, Hawaii, Rhode Island, and Vermont, the state itself.

- . An organization of officials for collective fact finding and decision making (the planning body).
- . A small staff to build and present a data base for use by the planning body.
- . A facilitator to catalyze the project's work.
- . A reservoir of technical expertise available for use by the planning body and staff.

PROJECT INITIATOR

Before the project can begin, an initiator is needed. He or she must be a strongly motivated official or community leader who finds the jail overcrowding situation intolerable.

The initiator's tasks are to become familiar with the experience and methodology of LEAA's Jail Overcrowding Program,⁵ meet informally with key officials to build a consensus among them that the problem is serious and recruit them as project sponsors, obtain funding for and recruit a project facilitator, recruit a convenor for the sponsor group, and gain approval in principle for project funding.

The time required to carry out these activities will vary from two weeks to a month or more, depending on how "ready" community officials are to begin a project.

PROJECT SPONSOR GROUP

To recruit key persons to the sponsor group, the initiator needs to discuss his concern and his project ideas with each person whose support is crucial to his mission. These people may be judges from both court levels, a member of the board of supervisors, the county executive officer, the sheriff, the criminal justice planner, and anyone else who has shown an interest in the problem and is in a position to help set a project in motion.

⁵See Appendix C for sources of information.

The initiator should gain each official's acknowledgement that his agency's policies and procedures impact jail admissions or length-of-stay, or both, and explore how the official could contribute to the project. After obtaining each person's agreement to serve as a sponsor, the initiator should seek suggestions for project scope and leadership.

Early in the project, the initiator should meet informally with one or more of the county commissioners to introduce his mission, obtain advice on when and how to formally approach the commissioners as a group, advise that public funds probably will be needed for the project, and recruit at least one commissioner to the sponsor group.

As soon as each official has been contacted, the sponsor group should be convened. The group is a temporary one and serves as the bridge across which the burden of project development passes from the initiator to appropriate community leaders acting collectively. The sponsor group's sole function is to create a jail population management board which can accept responsibility for producing a jail population management plan and for facilitating its implementation.

PROJECT FACILITATOR

A facilitator can bring to the recruitment and organizational effort information, experience, and skill acquired from previous involvement in jail overcrowding problem solving, as well as an objectivity based on freedom from political alliances from personal relationships, and from operating traditions. He and the initiator, who has an intimate knowledge of local politics, personalities, and traditions can operate as a strong and effective team.

Because a jail overcrowding project requires a high level of commitment as well as techniques that have been adapted to the jail overcrowding problem area only since 1978, potential participants must be extensively briefed on the project's history, requirements, and goals if they are to endorse it. Having had firsthand experience with similar projects, the facilitator is

well-qualified to help the initiator interpret the process. The facilitator also can offer information, insight, and advice to guide the project initiator and subsequently the jail population management board and project staff.

While the facilitator acts as a catalyst helping project principals identify and evaluate a range of operations, he does not make decisions. He also does not require that the board or its staff follow any specific course of action, and does not make policy, collect data, prepare the project work plan or jail population management plan, perform any other staff function, take sides in board debates, or serve on the board himself.

In addition to helping the initiator introduce project concepts, the facilitator can perform the following kinds of tasks:

- . Help the initiator assess the readiness of the jurisdiction's leaders to engage in project work.
- . Provide project principals with a detailed outline of project steps and instructions for performing them.
- . Help board members achieve consensus on hypotheses to be explored through data collection.
- . Assist board and staff to develop a project work plan.
- . Provide orientation and training for board and staff, including the data collection team.
- . Help board and staff recognize the need for specialized technical assistance and arrange for its delivery.
- . Advise on data elements to be collected, forms to be used, sample size, and cross tabulations to be included in the data analysis.
- . Upon request, provide information on such subjects as central intake screening, citation release, supervised release, point scales, failure-to-appear rate, 10 percent deposit bail, staffing of alternative-to-incarceration programs, court delay reduction measures, and research data.
- . Be available to attend board meetings on request.
- . Help the board review the results of the data analysis and make findings.

- . Arrange on-site visits to other jurisdictions for board and staff on request.
- . Offer encouragement to board and staff at times of frustration and point out pitfalls to be avoided.
- . Consult with board and staff on the form and content of the jail population management plan.
- . At the request of the board, discuss the project's purposes and methodology with community groups and media.

The services of a project facilitator may be funded by monies previously budgeted to one or more county criminal justice department(s), by a special appropriation of the county board of commissioners, by a grant from the state, a local foundation, or a corporation, or by a technical assistance grant from the National Institute of Corrections Jail Center. If funding can be obtained early, the services of the facilitator will be available in the important organizational stages of the project.

In order to perform effectively, a facilitator should possess a thorough understanding of criminal justice processes and of the consultant role; professional experience giving him credibility with officials, including direct involvement in a completed and successful jail overcrowding project; familiarity with the requirements of a needs assessment utilizing collective planning and a sound data base; knowledge of technical assistance resources available and of alternative-to-incarceration strategies; and a sensitivity to political issues.

To obtain the services of a qualified facilitator, a jurisdiction should contact:

- . The American Justice Institute, 725 University Avenue, Sacramento, CA 95825, 916/924-3700.
- . The Technical Assistance Manager, National Institute of Corrections Jail Center, 1790 30th Street, Suite 140, Boulder, CO 80301, 303/497-6700.
- . Project staff of former Jail Overcrowding and Pretrial Detainee Program Phase I and Phase II projects.⁶

⁶See Appendices A and B.

- Former LEAA Technical Assistance Program consultants and National Program Coordinator personnel who worked in the facilitator role with Phase I Jail Overcrowding and Pretrial Detainee Program projects.

SPONSOR GROUP CONVENOR

The project initiator and facilitator should identify the person who is strategically placed to serve as the sponsor group convenor. This most likely will be a judge, county commissioner, or county executive officer widely respected for his leadership qualities and strongly committed to solving the jail overcrowding problem. Qualifications and willingness to accept the responsibility of chairing the jail population management board if asked to by the sponsor group also should be considered. If the project initiator feels he can successfully convene the sponsor group himself, he should do so to speed up the organizational process.

The convenor assembles the sponsor group to reinforce the commitment of officials to the project, provide further orientation on its purpose and methods, and describe recent developments. The group obtains final approval of project funding, decides the composition of the board and approaches potential members, generates candidates for board chairperson, establishes a timetable for convening the board, and assigns responsibility for action required before the first meeting.

JAIL POPULATION MANAGEMENT BOARD

Because the dimensions and characteristics of a jail's population are beyond the full knowledge and control of any single official or body, an effective multi-agency board is necessary to coordinate and oversee policies and procedures.

A jail population management board should be made up of representation from each branch of government, and every criminal justice agency, public board, and executive office that can impact admission to jail or alternative-to-incarceration programs, length-of-stay, and/or the allocation of public monies for incarceration and alternatives-to-incarceration. Each agency should be

represented by a person or persons having the authority to make policy and to commit the agency to new policies and procedures.

The role of the board is to develop a consensus on the causes of jail overcrowding in its jurisdiction and on measures to reduce or eliminate it. The board exercises its role by directing a formal study of factors impacting jail intake and average length-of-stay; making findings based on the study; formulating recommendations and incorporating them into a formal plan; and sharing the risks of introducing new or liberalized arrest, release, and diversion practices.

Agency Representation

The following agencies should be considered for representation on the board.

Sheriff

The sheriff often has the responsibility for operating the jail. Even where he does not, he may administer the largest law enforcement agency in the county, and his policies and practices impact jail population size.

County Department of Corrections

Whether or not the department is responsible for the custody of pretrial prisoners, it controls both institutional and noninstitutional programming that can affect both admissions and length-of-stay.

Jail Superintendent

His intimate knowledge of the jail's population, policies, procedures, and problems must be readily available to the board at all stages of the project.

Prosecutor

With the possible exception of the judiciary, no entity makes more decisions affecting the dimensions of a jail's population. Prosecutors usually advise police and sheriffs' department, govern charge screening, influence the speed with which cases proceed, and make sentencing recommendations. The prosecutor's office also may possess the most accurate information on cases that data collectors will track during the project.

Court of General Jurisdiction

This court may be a superior, supreme, circuit, or district court or a court of common pleas. Its judges largely determine pretrial status, length of time from arrest to trial, and sentencing, all major determinants of jail population size. Since felony trial court judges often are well-respected in the community, they can serve as effective leaders. This court should be represented on the board by the presiding judge, presiding judge of the criminal division, and/or administrative judge.

Courts of Limited Jurisdiction

These courts may be county, district, criminal, or municipal courts or a court of common pleas. Their judges influence length-of-stay and release practices by ruling on bail and release on recognizance in both misdemeanor and felony matters. Limited jurisdiction courts should be represented on the board by the presiding judge, presiding judge--criminal division, and/or bail or arraignment judge.

Magistrate Courts

These courts impact both admissions and length-of-stay through their function in screening arrestees and transferring jurisdiction to the trial courts.

Court Administrator/Clerk

In some jurisdictions, court administrators are in a strong position to provide data on case processing times. They also may supervise pretrial service agencies. Although a court administrator may serve on the board, he should never serve in place of a judge.

Pretrial Services Agency

Considerable project attention is likely to be focused on this area since the scope, scheduling, and organization of screening services, as well as eligibility criteria for pretrial release, directly affect jail intake and length-of-stay.

State or County Adult Probation

Preparation time for pre-sentence investigation reports, policies on probationers apprehended and detained, management of pretrial release services, and methods of discharging responsibility for pre-plea, post-sentence, and other investigations, all impact jail intake and length-of-stay.

State Parole Office

The use of local jails by state parole officers to hold parolees pending revocation hearings or for other reasons impacts jail population size.

Public Defender

Policies and procedures for determining eligibility for the public defender's services can impact length-of-stay substantially, as can public defender policies on plea bargaining and continuances. In counties without a public defender's office, representation from the defense bar should be sought.

Municipal Police Departments

In most counties with populations over 100,000 and in some smaller counties, municipal police departments make most arrests and account for most of the bookings into the county jail. If there is a county association of chiefs of police, the presiding officer could be asked to designate a representative to the board. If there are one or two large cities in the county, the chief of at least one should be considered for membership since strong municipal police representation is crucial when such issues as the use of citation release, police overcharging, central intake, reallocation of municipal lockup beds, and detoxification programs are reviewed.

State Department of Corrections

State departments of corrections frequently house prisoners in county jails, sometimes in large numbers and for long periods. In most states, state officials are responsible for inspecting county jails, and in some states, departments of corrections provide technical and financial support for county jail operations.

County Commission

County commissions usually have the legal responsibility for providing and funding jails. They also allocate funds for alternative-to-incarceration programs and normally are named as defendants in prisoner-initiated class action suits. When a commission has participated in the preparation of the jail population management plan, it is well prepared to consider recommendations requiring its action.

Office of the County Executive

The county executive officer is concerned with the workloads, operational needs, and problems of all county criminal justice agencies, assuring that the county's responsibilities are discharged with maximum benefit at lowest possible cost.⁷ Only if he fully appreciates the process by which board recommendations are developed can he be expected to support the changes required. The experience of several Jail Overcrowding Projects strongly suggests that some county executive officers can be strong board chairmen. However, the county executive officer should not serve on the board in lieu of representation from the board of commissioners.

Director, Data Processing Services

The Director should be available to assist the data collection team in designing a data collection and analysis plan. Once the project is over, he should actively participate in carrying out recommendations on establishing a systemwide information system for case tracking and program monitoring.

Other Offices

Depending on local circumstances, it may be useful to have any of the following represented on the board: **County Counsel** (when legal action based on overcrowding is involved); **Criminal Justice Planning Agency** (if not involved as project staff); **Friend of the Court** (Temporary membership where nonsupport cases are handled as civic matters and the jail is used for contempt cases);

⁷The person performing this function may be a county administrator, county judge (e.g., in Texas, Arkansas), city manager, or mayor.

Community Mental Health Departments (where jails receive significant numbers of inmates classified as mentally incompetent or disordered and/or inebriates); **State Highway Patrol** (if it is a major contributor to jail population); and **City Councils** (where municipal jails, workhouses, and lockups are or could become part of a countywide central intake or community corrections system, or where citation release is to be studied).

Federal Government Agencies

Jurisdictions whose jails are heavily used by federal agencies may wish to consider representation from one or more of: U.S. Marshall's Office, Bureau of Indian Affairs, Immigration and Naturalization Service, U.S. Department of Justice, and U.S. Probation Office.

State and Local Juvenile Justice Agencies

If a jail is used to house persons subject to the jurisdiction of the juvenile court and/or state juvenile correctional agencies, appropriate representation from these authorities may be useful.

Citizen Representation

The question of whether individual citizens or representatives of community agencies should be invited to serve on a jail population management board is a difficult one. Project experience was varied. Some jurisdictions quickly rejected the option of citizen representation, while others involved many community groups ending up with very large and very active boards and task forces. Most jurisdictions were very conservative about non-agency participation, inviting only a few persons associated with respected groups having a long-standing interest in the jail and related matters.

Jurisdictions opting not to include citizen representatives feared such members would not view information objectively and might stalemate decision making. Jurisdictions soliciting a wide range of citizen representation hoped that service on the board would prove educational and would foster community support for the implementation of recommendations. While three projects with the largest boards were among the most successful, some projects which did not include citizen representation also were very successful.

Chairmanship

The strongest chairperson for a jail population management board is an official deeply concerned about overcrowding, widely respected, and politically positioned to inspire the active participation of all board members. The most successful Jail Overcrowding Program projects were those with judicial leadership or strong judicial participation. In jurisdictions where the jail crisis weighs most heavily on the county commissioners or the county executive officer, one of these may be motivated to direct a project.

Involving an influential political figure in the strategic position of board chairperson builds support for the project and strengthens his own commitment to the implementation of the jail population management plan.

Except in unusual circumstances, the sheriff should not serve as board chairperson. There are several compelling reasons. First, such an appointment would foster the false impression that the cause and cure of jail overcrowding are primarily the sheriff's responsibility. Second, if he has been advocating increased jail facilities, it can be politically difficult for him to support other alternatives. Third, the potential of a political challenge from other local law enforcement personnel complicates consensus building. And fourth, as a frequent target of inmate class action suits, the sheriff may favor short-term measures that quickly relieve the symptoms of the problem over long-term measures that remove the causes.

Project experience showed that staff members of local criminal justice planning agencies also should not accept chairpersonship of the board. Since most officials believe, correctly or not, that staff expertise lies in technology rather than politics, they may interpret staff chairpersonship as a signal that agencies may be represented by subordinate personnel rather than agency heads.

Once board members have been briefed on the project's purpose and methodology and agree to serve, and once project funding has been obtained, the board chairperson prepares an agenda for the first meeting of the jail population management board and convenes its members.

Board Tasks

The jail population management board performs the following tasks:

- . Defines its organization, including the need for committees and for citizen representation.
- . Defines the roles of and acquires staff.
- . Develops meeting schedules, formats, and agendas.
- . Develops a project action plan.
- . Reviews and approves a criminal justice system flowchart and other system information prepared by the staff.
- . Formulates hypotheses on major overcrowding issues.
- . Instructs staff on the scope of the data collection effort.
- . Assures staff access to needed data.
- . Reviews interim reports and data analyses prepared by the staff.
- . Reviews reports from its committees.
- . Makes findings on causes of overcrowding.
- . Defines target populations and programs.
- . Formulates recommendations.
- . Assigns priorities for implementation of recommendations.
- . Directs staff in the preparation of the jail population management plan.
- . Reviews, amends, approves, distributes, and publicizes the plan.
- . Decides on the board's post-project role, which may include organizing and monitoring plan implementation, taking corrective action as necessary, and sharing the risks of change.

PROJECT STAFF

The role of the staff of a jail overcrowding project is to provide the technical support required by the board. This role involves staffing all board and committee meetings, arranging meeting space, and preparing and distributing agendas and minutes; developing a data base and presenting

analyses to meet board needs; preparing drafts of reports, including the jail population management plan; arranging for technical assistance; and managing the project budget and fiscal reports.

A jail overcrowding project staff should be composed of a project director, a research analyst, and one or more part-time or full-time data collectors.

Project Director

With direction from the board, the project director is responsible for the structuring and carrying out of all activities which will produce the information needed by the board to prepare the jail population management plan. A project director performs the following tasks:

- . Prepares a system flowchart and description.
- . With the board, develops a project action agenda.
- . Recruits and supervises a research analyst.
- . With the research analyst, develops a data collection plan and recruits data collectors.
- . In consultation with the board chairperson and committees constructs meeting agendas.
- . Coordinates committee meeting schedules.
- . Prepares and distributes minutes of board meetings.
- . Prepares reports and data compilations required by the board.
- . Controls the project budget.
- . Maintains continuous liaison with the project facilitator.
- . Determines technical assistance needs of board and staff.
- . Arranges access to all agencies for data collectors.
- . With direction from the board chairperson, handles project public relations.
- . Presents project data and analysis to the board for study.

- . With board direction, prepares a draft and a final jail population management plan.
- . Distributes the plan after instruction from the board.

The project director's job can be full-time or part-time, depending on the size and needs of the jurisdiction. If a board intends to study in depth such possibilities as installing a management information system, centralizing intake functions, or expanding community residential resources, serious consideration should be given to employing a full-time project director. Similarly, if the board is large, contains representatives of community groups, and proposes to work through numerous committees, the workload of the project director is likely to require his full-time effort.

Most project jurisdictions found that when assisted by a full-time research analyst and adequate data collection support, the project director needed to devote from one-quarter to one-third of his time to this role.

Research Analyst

Under the direction of the project director, the research analyst is responsible for designing and executing a data collection and analysis plan and preparing the results for presentation to the board. Besides technological competence in research methods and familiarity with electronic data processing, the research analyst needs at least a general acquaintance with the criminal justice process and if possible, a knowledge of the project jurisdiction's system. Since his work involves cooperation with agency staffs, he also needs tact and sensitivity.

The research analyst performs the following tasks:

- . Reviews the hypotheses posed by the board and formulates the questions that must be answered to test them.
- . Determines and defines the data elements to be included on the data collection instruments.
- . Determines the sample size and draws the sample.

- . With direction from the project director, hires and trains data collectors.
- . Designs the data analysis plan and supervises its execution.
- . Summarizes findings for the board.
- . Assists the project director in the preparation of the draft of the jail population management plan.

Research analysts can be recruited from many sources. Sociology, psychology, criminal justice, and other departments of a nearby college or university may have research units with skilled staff and talented students who could form a data collection team. Several projects successfully contracted out their entire data collection effort to college research groups, at the same time gaining access to the college's data processing resources.

If such opportunities do not exist, the project director must assemble a team of employees loaned to the project by operating agencies or employ a qualified research analyst from outside the system.

Data Collectors

Data collection can be performed by a team of part-time workers obtained by the project director, trained, and supervised by the research analyst, and paid on an hourly basis. Given a well-conceived and pretested data collection plan, the tracking of cases and recording of information, however difficult, does not require high-level criminal justice employees. Under the direction of a competent research analyst, data collection can be accomplished by college students, law students, student interns in justice programs, volunteers, and others with an interest in the criminal justice system.

TECHNICAL ASSISTANCE

Jail population management boards and staffs may encounter technical questions that cannot be resolved with local resources alone. Such questions may involve definition of useful data elements, data collection instruments, sampling, and presentation; organization of central intake screening services; development of pretrial point scales and the measurement of failure-to-appear;

the effectiveness of police and prosecutor screening; the reduction of time from arraignment to trial in felony cases; eligibility criteria for supervised release, work release, and other special programs; the management of mentally disordered inmates; manpower requirements for twenty-four hour misdemeanor own recognizance; or the establishment of automated information systems.

Technical assistance consultants with specialized areas of expertise can help answer these questions. Services are available from such sources as:

- . The Pretrial Services Resource Center (Washington, D.C.).
- . Former staff members of LEAA-sponsored national technical assistance provider organizations who now are practicing as private consultants.
- . National Center for State Courts (Williamsburg, VA).
- . National Institute of Corrections Jail Center (Boulder, CO).
- . Well-established pretrial release agencies (D.C., Philadelphia, etc.).
- . College and university criminal justice research centers.
- . Staff of former LEAA Jail Overcrowding Program projects.
- . National Associations of district attorneys and public defenders.
- . National Council on Crime and Delinquency (Hackensack, NJ).
- . American Justice Institute (Sacramento, CA).

Project facilitators should be familiar with sources of technical assistance and should accept responsibility for obtaining consultants requested by the board or staff. Funds should be allocated in the project budget for the payment of fees and reimbursement of per diem and travel costs for on-site study and consultation.

PROJECT TIME REQUIREMENTS

The length of the planning phase of a jail overcrowding project is determined largely by the time required for project organization, for data collection and analysis, and for the preparation of the jail population management plan.

Initial organization generally takes from three to six weeks. The project can be considered "organized" when the board has been formed, the chairperson selected, a project director hired, and funding approval obtained.

The time required for data collection and analysis depends on the speed with which the research analyst and data collectors can be hired, the qualifications and experience of the research analyst and size of the data collection team, the quality and accessibility of records, the number of data elements, and the sample size.

Program experience showed overwhelmingly that data collection and analysis take about 50 percent longer than anticipated, even when carefully planned. Information deficiencies in case records require staff to pursue alternative sources to ensure the completeness of the data base.

If the research analyst is fully conversant with the local criminal justice process, the jurisdiction's records are complete, accurate, and readily accessible, and computer time is available when needed, data collection and analysis should require at least three months.

Once the data analysis has been presented to the board, the time required to prepare the jail population management plan depends on the size of the board, its committee structure, and the amount of staff support available; the working relationship between the board (particularly its chairperson) and the project director; and the degree to which the board already has explored criminal justice and jail processing problems.

At least four weeks should be allowed for the preparation of the plan. As will be noted in Part III, some sections of the plan can be drafted prior to the completion of the data collection and analysis.

A reasonable time estimate for conducting a jail overcrowding project is from five to six months. With early funding approval, energetic leadership, and computerized records, this time can be cut by a month. If serious problems

are encountered in acquiring funding, staff, and accurate information, a project can easily require up to a year to complete.

PROJECT FUNDING

The project should be supported by funds requested during the organizational stages of the project, based on written budget justification, approved by the county commission prior to project startup, and administered on the authority of the project director.

Jail Overcrowding Program experience indicated that a project of this kind should be supported by a budget approximating \$30,000. If grants of this size are not available from federal, state, or private sources, the county commission will need to be approached for full funding. Since procedures for funding new programs vary from one jurisdiction to another, each project initiator will have to decide upon a strategy for gaining approval.

On the average, Program jurisdictions expended about \$22,000 in grants and match funds. About three-quarters of this amount was used for personnel salaries and fringe benefits, while one-quarter went for operating supplies, services, and travel. However, since projects did not pay for technical assistance, at least \$2,500 to \$4,000 should be added to cover these expenses.⁸

⁸See Appendix D for a sample budget.

PART III

DEVELOPING A JAIL POPULATION MANAGEMENT PLAN

INTRODUCTION

Once the planning mechanism has been created and activated, three major tasks remain:

- . Produce a system description.
- . Collect and analyze descriptive, statistical, and fiscal data.
- . Prepare and launch the jail population management plan.

These tasks require the continuous interaction of the jail population management board and its staff. Because resolving the problem of jail overcrowding required the cooperative efforts of a wide range of concerned persons, opportunities must be provided for many points of view to be expressed and considered.

A complex action agenda must be developed to identify target populations and procedures. Possible factors contributing to jail overcrowding must be suggested and activities to examine them defined. Responsibility for each activity needs to be assigned and startup and completion dates set.

Since difficulties may be encountered in action planning, a tool is needed to enable groups to build consensus on problems and their solutions. The Nominal Group Technique (NGT)⁹ is such a tool and has been used effectively in action planning for jail overcrowding projects. NGT encourages group participants to share ideas, increases awareness of the complexities of overcrowding, helps the group learn to function as a team, and promotes comprehensive action planning.

⁹The Nominal Group Technique is described in Appendix E.

The steps involved in the accomplishment of the three remaining tasks are discussed below.

STEP 1: PRODUCE A SYSTEM DESCRIPTION

Participants:

- . Project director
- . Research analyst
- . Criminal justice department heads

An accurate and detailed flowchart of the jurisdiction's criminal justice system can be useful in designing a comprehensive data collection plan and in establishing a common reference for board and staff deliberations.

The flowchart should show every decision point from the time persons enter the system until they leave it, and should note every option available at each point.¹⁰ Included should be all procedures for citation release, booking, ROR interviews, determining eligibility for defense counsel, prosecutorial screening and review, and the recording of information in manual or automated information systems. When the flowchart has been verified, a copy should be provided for each board member and a large reproduction (or a slide or transparency) made for meetings. Copies of key forms and any point scales used in decision making, with a description of their use, also should be given to board members.

In addition to the flow chart, general information on the system's jail(s) and jail population(s) should be provided. All detention facilities should be listed by official name, with information for each on the year constructed; years of enlargement or renovation affecting capacity and use; current rated

¹⁰See pages 20, 21, and 63-70 of Jerome R. Bush, Jail Overcrowding: Guide to Data Collection and Analysis, prepared for LEAA, May 1982, and available through the American Justice Institute, 725 University Avenue, Sacramento, CA 95825.

capacity and rating authority; major classes of prisoners held and the numbers in each class typically detained; the average daily population and its range for at least a two-year period; the ways, year(s), and extent to which rated capacity was exceeded; any litigation or court orders impacting utilization; and a description of any ceiling on populations or other feature limiting usage to special populations.

This information will enable decision makers to look at population determinants and components. A clear picture should emerge of the jail space resources the jurisdictions have and the level of use they receive, allowing the board to begin focusing on target populations and procedures. It is especially important for the board to realize that "rated capacity" figures do not always translate into "beds available."

STEP 2: DEVELOP A PROJECT ACTION AGENDA

Participants:

- . Board members
- . Project director and research analyst
- . Project facilitator

At the first formal board meeting, the chairperson, assisted by the project director, reviews the jail overcrowding situation and the project's objectives and describes the role of the board and the supporting roles of the other project participants.

The project director then presents the flowchart and other system information to provide the basis for action planning. The facilitator introduces the concept of action planning and the Nominal Group Technique.¹¹

¹¹Appendix E describes the Nominal Group Technique and includes an exercise that can be used in a jail population management project to develop hypotheses on causes of overcrowding.

Because of the strategic importance of the action planning process, a four-hour period, or, ideally, two three-hour periods on the same day or consecutive days should be scheduled to allow full, unhurried, and uninterrupted participation by all board members.

The facilitator, who must be experienced in action planning and skilled in the use of the Nominal Group Technique, helps board members use the system description and their own experience to suggest hypotheses on the causes of jail overcrowding.¹²

The board then uses the action planning process to examine the major project tasks and delineate for each the steps to be followed, the person(s) responsible, and the startup and completion dates. The process involves determining obstacles that may be encountered and resources and strategies for dealing with them.¹³ The result is a project action agenda.

STEP 3: FORMALIZE THE PROJECT ACTION AGENDA

Participants:

- . Board members
- . Project director
- . Research analyst
- . Project facilitator (optional)

Using the action agenda created by the board, the project director and research analyst prepare a formal action agenda integrating all board and staff tasks and responsibilities. If the board wishes to study certain problem areas in depth, the chairperson may appoint committees to do so, and

¹²Appendix F lists sample hypotheses.

¹³Appendix G describes the action planning process and provides an action planning exercise and sample action agendas.

their responsibilities and tasks will be included. The chairperson reviews the action agenda, which is then presented to the board for changes and approval.

STEP 4: DEVELOP A DATA BASE

Participants:

- . Project staff
- . Project facilitator
- . Board members and committees

Once the project director and board chairperson have decided on staffing needs and hired a research analyst, the research analyst must be fully briefed by the project director and facilitator on the background, purposes, and methods of the project, the role of each participant, the components and practices of the local criminal justice system, the sources of statistical information, and the availability of technical assistance.

The research analyst, aided as necessary by the project director, designs a data collection plan and hires and trains data collectors. The project director arranges for data collectors to have access to source documents without interfering with agency operations. He also obtains computer time from the jurisdiction's or other government agency's data processing department, a college or university, or a private computer services firm.

The process for planning and executing the data collection and analysis is described in detail elsewhere.¹⁴ The staff examines each hypothesis posed by the board to ensure that it can be tested. Questions are formulated which must be answered to test the validity of the hypotheses.¹⁵ The data elements

¹⁴Jerome R. Bush, Jail Overcrowding: Guide to Data Collection and Analysis. Prepared for LEAA by the American Justice Institute. Sacramento, CA, May 1982. Appendix H provides a sample overcrowding project study design.

¹⁵Appendix F gives examples of questions derived from hypotheses.

to be obtained by the data collectors are those that answer the questions. Data elements should be designed to obtain general population information (including age, sex, race, charge, and average length-of-stay) as well as information that will permit comparisons of populations and practices.

Charge, community ties, bail amounts, and prior arrests and court decisions are some of the factors that may be examined. Characteristics of current processing histories (e.g., detained less than four hours prior to release on recognizance, detained because of inability to gain release on bail under \$100) should be included.

It also may be useful to compare releasees by the kind of release obtained. Failure-to-appear and re-arrest information should be broken down for each kind of release (with the realization that errors in scheduling, transportation, etc., may account for the failure-to-appear of some persons detained pretrial). Court dispositions for released and detained groups also could be compared.

If the number of data elements multiplied by the number of cases to be tracked would exceed project resources, or if some data elements are unavailable, the list is trimmed. The remaining data elements are then defined precisely and all possible values listed. Some elements (such as "sex") may have only two possible values, while others (such as "arresting agency" or "judge") may have many.

A directory to data sources is then prepared. Some sources, such as those for "reason for remaining in custody," "trial last date," or "length of sentence," may be difficult to locate.

The next step is to design the data collection instruments -- that is, the forms for recording information on the sample cases. A coding scheme will facilitate the processing of data after they are recorded. While the number and content of the forms will vary with the kind of processing planned, they must be designed to be compatible and to record information as objectively as possible.

To ensure that the data collection effort is workable, the forms should be pretested on a small group of cases. This step can save the time and expense of unanticipated problems developing after the actual data collection has begun.

Once the instruments have been found to be adequate, a representative sample of actual jail intake cases for a predetermined period is drawn for study.¹⁶ For each case, the required information is obtained from source documents, recorded on the proper forms, and transferred to punch cards or tape for processing. The data are then analyzed in accordance with the data analysis plan developed by project staff. The products of analysis often are distributions, cross tabulation tables, and the computation of elapsed time between decision points. A "packaged computer program" such as the statistical package for the social sciences (SPSS) is suitable for accomplishing the vast majority of the analysis.

Using the data analysis, the staff now proceed to answer the questions raised by the board's hypotheses. Interpretation of the data is basically a subjective process of determining whether the analysis validates or invalidates the hypotheses. The analysis also will suggest policy and procedural options that should be explored. The processed data, interpretations, and new courses of action suggested by the data are then presented to the board. Data must be arranged in ways that can be readily understood and used to guide choices among alternative courses of action and to project the impact of these choices on jail population size. Tabular and graphic presentations along with oral and written narrative descriptions should be used.

¹⁶See Chapter 6.4, "Sampling Methodology," in Jerome R. Bush, Jail Overcrowding: Guide to Data Collection and Analysis, prepared for LEAA, May 1982.

STEP 5: EXAMINE OPERATIONAL PROBLEMS AND SOLUTIONS

Participants:

- . Board members
- . Project staff
- . Technical assistance consultants

While the data are being collected and analyzed, the board prepares itself to benefit from them. Ongoing meetings focus on system problems, costs of existing practices, and the nature and costs of alternative-to-incarceration programs.

Shortly after the completion of the action planning process, the board chairperson asks board members to describe operation problems whose solution could impact jail population size. Examples might be restrictive release criteria; docketing or scheduling procedural issues; restrictive bail schedules; absence of accessible bail alternative; restrictive defense eligibility criteria; case flow management; and problems of accessing data sources.

The chairperson and project director then prepare an unduplicated list of these problems and allocate them as topics to future board and committee meetings. During these meetings board members are made aware of the impact of unresolved operational problems on jail population size and of measures used to resolve these problems in other jurisdictions.

Project staff make themselves available at all times to assist the board. Prior to each meeting, the project director prepares for presentation all pertinent information from available reports and from project data already collected. He also obtains the chairpersons consent to invite consultants to the meetings. At the meetings, the project director, facilitator, and consultant(s) (if any) help the board examine problem areas and possible solutions.

These regular meetings of the board provide information and insight, a vehicle for collective problem solving and consensus strengthening, coordination of all project activities, and a focus on the board's responsibility for the preparation of the jail population management plan.

Meetings can proceed productively with strong board leadership to stimulate attendance and output, creative staff efforts to provide relevant data and consultants, funds for engaging consultants, and an absence of external deadlines forcing premature submission of fundings and recommendations.

If the major work of the board is being done through committees, the board should meet as a whole periodically to hear committee reports, avoid overlapping efforts, reconcile inconsistencies, and update strategies for the preparation of the jail population management plan.

STEP 6: REVIEW DATA ANALYSIS AND MAKE RECOMMENDATIONS

Participants:

- . Board members
- . Project staff
- . Project facilitator
- . Technical assistance consultants (if any)

Once the staff has completed the data analysis and the board has substantially completed its study of special problems and relevant strategies, the board meets to focus and formalize the decision making process that results in the jail population management plan. Technical assistance consultants should be invited if necessary.

In the context of what it has learned by exploring problem areas, the board examines the information presented by the staff. Board members collectively re-examine the hypotheses generated during the action planning process and, on the basis of the data, accept or reject them, identifying factors that are contributing to jail overcrowding.

The identification of population and procedure targets is the major work of the board and is prerequisite to designing a population control plan and implementation strategies. Subpopulations are examined to determine which ones can be handled with little pretrial detention within risk levels acceptable to the community. Policies and procedures are examined to determine the advantages and disadvantages of each.

Each target population should then be assessed in terms of its suitability for alternative-to-incarceration programs such as field or stationhouse citation; conditional, supervised, third party, or pretrial release; release on recognizance; and 10 percent or full cash bail. Whether any of these options is selected for a particular target group should depend on whether the group is large enough that benefits will outweigh costs and whether the risks involved are deemed worth taking.

Once targets have been determined, the board uses the Nominal Group Technique to formulate recommendations and assign priorities to their implementation. The action planning process can be used to map strategies and schedules. The board then formalizes its findings and recommendations and decides on the process for producing the jail population management plan.

STEP 7: PRODUCE THE JAIL POPULATION MANAGEMENT PLAN

Participants:

- . Board members
- . Project staff
- . Technical assistance consultants

The jail population management plan is a document prepared by project staff with direction from the board. Its purpose is to provide the jurisdiction's criminal justice and political officials with a data-based action agenda for controlling the size and composition of the jail population.

The chairperson assigns responsibility to the project director and individual board members for preparing segments of the plan. The plan contains the salient findings of the formal examination of the numbers and characteristics of persons detained on arrest, of the factors determining the duration of pretrial detention, and of the circumstances associated with release. In addition, it contains quantified objectives to be pursued in a coordinated effort to minimize unnecessary bookings, hasten the screening and release of suitable detainees, and expenditure criminal justice processing of those not released.

Recommendations for achieving these objectives through actions targeted on specific subgroups are included, along with a cost analysis showing savings achievable through various program alternatives, a schedule of priorities, startup dates, and responsibilities, a description of the process by which the findings and recommendations were developed, and ways in which the implementation process is to be monitored and evaluated.

When the segment drafts are completed, the project staff prepares a draft plan, working closely with the board chairperson and committee chairperson to ensure accuracy and completeness. The plan should include the following sections adapted to accommodate local circumstances.

Introduction

Since the plan probably will not be implemented totally at one time, but rather as resources become available, as the political climate changes, and as conditions change, it may outlive the tenure of many who helped create it. It therefore is important that the plan explain how, when, and why jail overcrowding became a problem, who initiated the planning process, and what their roles were. If suits or court orders were involved, they should be cited and summarized.

The origin of the jail population management board and its role in planning and in examining data should be described and members of the board, its committees, and project staff listed. The scope of the plan should be outlined and terminology defined if necessary.

General System Information

This section should include the system description information discussed in Step 1. Since this part of the plan is not dependent on the data collection effort, it should be written as early as possible to provide information for the board.

Description of the Criminal Justice Process

This section should be built around the flowchart of the jurisdiction's criminal justice process (as described in Step 1) with accompanying narrative. Again, this section can be written early to guide the board.

Project Design

The first part of this section should explain how the board organized itself for project work. The roles and responsibilities of the board, its committees, and its staff should be described, along with the source of staff funding and any training or technical assistance preparing them for their work. The facilitator's name, professional affiliation, and project role should be included.

The second part of this section should consist of a detailed description of the project's research design. Hypotheses considered, sample size and period, data elements, source documents, and analytical techniques should all be included since they are critical to the quality of the project's findings.

Data Analysis and Findings

The results and conclusions drawn from the data should be discussed in four subsections:

General Population Description

The jail population is described using data elements selected for study. If cross tabulation was used to provide additional information, the results should be shown here.

Analysis of Pretrial Release Practices and Population

Here two populations -- persons released pretrial and persons detained pretrial -- are described and compared.

Case Processing

This subsection provides information on case flow through the system, particularly on average time between decision points and frequency of use of each available option. A "disposition tree" can present this information effectively and also highlight the number of cases pending at any cut-off time.

Defense and Prosecution Case Activity

This subsection should show when defense counsel and prosecutors begin exercising their responsibilities and should contain findings on the length of time required for eligibility for defense counsel to be established, for appointments to be made, and for counsel to begin representation. Existing eligibility criteria and prosecutorial screening times might be compared with state and/or national standards.

Identification of Targets for Action

Two kinds of targets for action should be discussed here. The first consists of subgroups in the jail population selected to be handled with little pretrial detention. Target subpopulations must be defined, described, and quantified here, using data obtained.

The other target consists of existing policies and procedures which govern detention practices and which must be modified if the largest populations are to be handled in other ways. A list of problem statements referring to target policies and procedures should be presented here.

Program/Policy Options

Options for addressing each target should be stated and related benefits and costs discussed. Options may be categorized according to whether they involve cost. A discussion of the advantages and disadvantages of each option should be included.

Program and Policy Options Selected for Implementation

This section is based on the information in the preceding two sections. If costs and benefits of program and policy options have been well identified and explored, only those recommended for implementation, along with the goals for their implementation, need be presented here.

Implementation Priorities, Responsibilities, and Schedules

Action agendas should be prepared for each option selected to become part of the plan. This section may be a chart indicating for each option the priority assigned to its implementation, the person(s) responsible for bringing the option into being, and the schedule to be followed.

Process Monitoring and Impact Evaluation

This section should set forth action agendas to be used over time to evaluate how well the plan is being implemented and the individual and collective impact of the recommendations. A process for revising the plan in response to information gained should be included. This section also should indicate the extent to which project data will be employed as a baseline for measuring change.

These plans assume that the board will continue to function after the plan is submitted and/or that the monitoring and evaluation functions will be assigned to an operating agency.

Provisions for Handling Emergency Situations

Even in the best managed jail population program, unforeseen circumstances occasionally may arise for which special provisions should exist. To prepare the jurisdiction to deal with these exceptional situations, measures related to jail subpopulations should be set forth to be invoked when needed. The inclusion of contingency measures should be viewed as a precaution against suits and contempt orders.

Funding Sources

For each option recommended that requires funding, the estimated cost and sources of funds should be included. Ideally, maximum dollar amounts,

deadlines for application, persons to be contacted, matching requirements, and other information should be supplied for each recommendation.

Technical Assistance Needs

Any substantive and/or methodological area where technical assistance to implement recommended changes seems desirable or necessary should be pinpointed here.

Once the draft plan has been completed, it is circulated to all board members for review. The board then meets to consider the plan, agree on any changes to be made, formally vote approval, and authorize the plan's preparation in final form. Arrangements are then made for presenting the plan to the board of commissioners and the rest of the community.

STEP 8: PRESENT THE PLAN TO THE COMMUNITY

Participants:

- . Board members

To increase public understanding of the plan, to formalize the project's completion, and to set the stage for implementation, the board presents the plan to the community. First, the board chairperson formally transmits the plan to the county board of commissioners and its individual members and requests an opportunity for the board to present the plan at a commission meeting.

Then, with the consent of the commissioners, the jail population management board holds an informal meeting to present the plan to the media, representatives of community organizations interested in criminal justice affairs, public officials (including the board of commissioners and the judiciary), and other community leaders.

In a series of brief, low-key presentations, project origins are traced, its work summarized, major findings capsulized, and principal recommendations and implementation strategies described. The contributions of board members,

staff, funding sources, and others can be acknowledged, questions answered, interviews accorded to the media, and offers extended for board members and staff to make presentations to groups. Copies of the plan or a summary of it can be distributed.

STEP 9: SUPPORT AND MONITOR PLAN IMPLEMENTATION

Producing a jail population management plan is a major achievement of which a board can be proud, but unless the plan is implemented, it has little value. Thus the board's job is not done when it presents its plan to the community.

The experiences of the Jail Overcrowding Program jurisdictions strongly suggested that the collective decision making group created to prepare the plan should be retained to guide, support, monitor, and evaluate implementation activities.

Without an ongoing body committed to seeing that the plan is carried out, the data base may not be updated, maintained, and consulted, and the jurisdiction will lose a valuable resource which inevitably will have to be generated again at considerable cost. In the absence of a "watch dog" force, the consensus that created the plan may weaken and the resolve of those with implementation responsibilities may lessen.

STEP 10: SHARE IMPLEMENTATION RISKS

In any undertaking there is risk inherent in the application of new policies, procedures, and programs. In the field of criminal justice, it is particularly important that these risks be shared. Both when it recommends a risk-inherent policy and when the agency applying the policy comes under attack, the board should inform the public that the policy was recommended only after the board has determined that the potential benefits outweighed the potential risks.

By accepting responsibility for the change, the board lightens the burden for those who must implement it, contributes to public understanding of jail overcrowding issues, and creates a safer political environment for operating agencies.

The introduction of new policies, procedures, and programs, properly targeted on the basis of a sound data collection effort, can and will reduce jail admissions and length-of-stay. An ongoing board that shares the risks involved helps ensure that the plan's goals will be achieved.

APPENDICES

- APPENDIX A LEAA Jail Overcrowding and Pretrial Detainee Program: Participating Jurisdictions by State
- APPENDIX B Listing of Jail Population Management Plans, and Contact Persons
- APPENDIX C Sources for Information on LEAA Jail Overcrowding Projects
- APPENDIX D Sample Project Budget
- APPENDIX E The Nominal Group Technique - A Planning Tool
- APPENDIX F Hypotheses and Derived Questions - An example of how Travis County, Texas, directed its data collection effort
- APPENDIX G Action Planning, and Sample Action Agendas
- APPENDIX H Sample Project Study Design
(Adapted from the Sacramento County Jail Population Management Plan)
- APPENDIX I Bibliography

APPENDIX A

LEAA JAIL OVERCROWDING AND PRETRIAL DETAINEE PROGRAM
PARTICIPATING JURISDICTIONS BY STATE

<u>JURISDICTION</u>	FIRST YEAR OF PARTICIPATION		<u>TA</u>
	<u>PHASE I</u> (Planning)	<u>PHASE II</u> (Implementation)	
<u>ARIZONA</u>			
Pima County	- (b)	1978	
<u>CALIFORNIA</u>			
Sacramento County	1980	-	
San Diego County	1980	-	
City and County of San Francisco	1978	1979	
Santa Clara County	1979	-	
Santa Cruz County- (b)	1978		
<u>COLORADO</u>			
Boulder County	1979	1980	
Jefferson County	1979	1980	
Larimer County	1980	-	
<u>CONNECTICUT</u>			
State of Connecticut	1979	1980	
<u>DELAWARE</u>			
State of Delaware	1978	1979	
<u>DISTRICT OF COLUMBIA</u>			
District of Columbia	1978	-	
<u>FLORIDA</u>			
State of Florida			1982
Broward County	1980	-	
Dade County	1978	1979	
Duval-Jacksonville	1978(a)	-	
Hillsborough County			1982
Monroe County			1982
Orange County	1979	1980	
Pinellas County			1982
West Florida Region	1979	-	

<u>JURISDICTION</u>	FIRST YEAR OF PARTICIPATION		<u>TA</u>
	<u>PHASE I</u> (Planning)	<u>PHASE II</u> (Implementation)	
<u>GEORGIA</u>			
City of Atlanta	1979(a)	-	
<u>HAWAII</u>			
State of Hawaii	- (b)	1978	
<u>INDIANA</u>			
Marion County-Indianapolis			1982
<u>KENTUCKY</u>			
Jefferson County	1978	1979	
<u>LOUISIANA</u>			
Caddo Parish Orleans Parish	1978	1979	1982
<u>MARYLAND</u>			
City of Baltimore	1979	1980	
<u>MICHIGAN</u>			
Genesee County	1978	-	
Muskegon County	1979	-	
Oakland County	1980	-	
<u>MINNESOTA</u>			
Anoka County	1978	-	
<u>MISSISSIPPI</u>			
Gulf Coast Region	1978	1979	
<u>MISSOURI</u>			
Jackson County	1979	1980	
<u>NEVADA</u>			
Clark County	1979	1980	

<u>JURISDICTION</u>	FIRST YEAR OF PARTICIPATION		<u>TA</u>
	<u>PHASE I</u> (Planning)	<u>PHASE II</u> (Implementation)	
<u>NEW JERSEY</u>			
Atlantic County	1978	1979	
Mercer County	1979	-	
Middlesex County	1978	-	
<u>NEW YORK</u>			
State of New York			1982
Monroe County	1979	-	
<u>NORTH CAROLINA</u>			
Cumberland County	1979	-	
<u>OHIO</u>			
Franklin County	1979	1980	
Hamilton County	1978	-	
Lucas County	1979	1980	
<u>OREGON</u>			
Lane County	1978	-	
Marion County			1982
Multnomah County	1978	1979	
<u>PENNSYLVANIA</u>			
Delaware County	1978	-	
City of Philadelphia	1979	-	
<u>TENNESSEE</u>			
Davidson County/Nashville	1980	-	
<u>TEXAS</u>			
Travis County	1980	-	
<u>VIRGINIA</u>			
City of Alexandria	1979	1980	
Virginia - Northwest Region	1979 (a)	-	

<u>JURISDICTION</u>	FIRST YEAR OF PARTICIPATION		<u>TA</u>
	<u>PHASE I</u> (Planning)	<u>PHASE II</u> (Implementation)	
<u>WASHINGTON</u>			
King County	- (b)	1978	
Pierce County	1978	1979	
<u>WISCONSIN</u>			
Milwaukee County	1979	1980	

(a) Withdrew from project.

(b) Admitted to Phase II on basis of pre-program needs assessment work.

APPENDIX B

LISTING OF JAIL POPULATION MANAGEMENT PLANS AND CONTACT PERSONS*

The jail population management plans listed below were prepared by the boards and staffs of the eight 1980 cohort projects of LEAA's Jail Overcrowding Program. All were prepared using the American Justice Institute's jail population management plan guidelines (see text, Part III).

BROWARD COUNTY, FLORIDA

Final Report: Jail Overcrowding Project, August 1981, Larry Davis, Project Director.

Contact: Larry Davis, Court Project Administrator, 201 S.E. 6th Street, Ft. Lauderdale, Florida 33301 (315) 765-6367.

LARIMER COUNTY, COLORADO

Criminal Justice System Study, October 1981, Dennis R. Liebert, Project Director and Bonnie J. Staley, M.S., Research Assistant.

Contact: Dennis R. Liebert, Director of Programs, Larimer County Sheriff's Department, P.O. Box 1190, Fort Collins, Colorado 80522 (303) 221-7109.

NASHVILLE-DAVIDSON COUNTY, TENNESSEE

Jail Overcrowding-Pretrial Detainee Project Report, August 1982, Marty Sziegis, Project Director.

Contact: Marty Sziegis, Director - Pretrial Services, c/o Fate Thomas - Sheriff, Davidson County, Rm. 12, Metropolitan Courthouse, Nashville, Tennessee 37201 (615) 259-5605.

OAKLAND COUNTY, MICHIGAN

Phase I of the Jail Overcrowding Project: Jail Population Management Plan, January 1982, Debbie Culver, Project Director.

Contact: Debbie Culver, Project Director, Oakland County Criminal Justice Planning Agency, Oakland County Government Center, 1200 N. Telegraph Avenue, Pontiac, Michigan 48053 (313) 858-0496.

*In some jurisdictions, the contact person listed may no longer be there. A substitute person should be readily available.

SACRAMENTO COUNTY, CALIFORNIA

Phase I Jail Overcrowding Study: Final Report, March 1982, prepared by the Criminal Justice Research Foundation and Jail Overcrowding Advisory Committee.

Contact: Barbara Hunt, c/o Sacramento County Sheriff's Department, 711 G Street, Sacramento, CA 95814 (916) 440-5156.

SAN DIEGO COUNTY, CALIFORNIA

Jail Overcrowding Study: Final Report, May 1982, Carol Conner, Project Director.

Contact: Carol Conner, Assistant to San Diego County Chief Administrative Officer, 1600 Pacific Highway, San Diego, California 92101 (714) 236-2722.

SUFFOLK COUNTY, NEW YORK

Jail Population Management Plan: November 1982, Richard Dackow, Project Director.

Contact: Richard Dackow, Classification Specialist, c/o Suffolk County Correctional Facility, 1 Center Street, Riverhead, New York 11901 (516) 548-3262.

TRAVIS COUNTY, TEXAS

Travis County Jail Overcrowding Task Force Report, January 1982.

Contact: Mike Renfro, County Judge - Attn: Gary Spoontz, Administrative Assistant, Travis County Courthouse Annex, P.O. Box 1748, Rm. 206, Austin, Texas 78767 (512) 473-9555.

The following reports were prepared by 1978 and 1979 Jail Overcrowding Program projects before the development of AJI guidelines. The reports vary in their content and format but each contains information on project process and findings which may be useful to jurisdictions planning to undertake a needs assessment.

ANOKA COUNTY, MINNESOTA

A Plan to Reduce Overcrowding in the County Jail, prepared by Minnesota Counties Research Foundation, C. Thomas Rice, September 1979.

Contact: Minnesota Counties Research Foundation, 2305 Ford Parkway, St. Paul, Minnesota 55116 (612) 698-4212.

BOULDER COUNTY, COLORADO

Boulder County Jail Overcrowding and Pretrial Detainee Grant: Final Evaluation (Phase II), Mario Salinas, Project Director, January 1982.

Contact: Boulder County Community Corrections, Barbara Gigone, Director, P.O. Box 471, Boulder, Colorado 80306 (313) 441-3690.

CLARK COUNTY, NEVADA

Clark County Jail Overcrowding Study: 1980, Dennis Jones, Project Director.

Contact: Pretrial Services, Eighth Judicial District Court, 200 East Carson Street, Las Vegas, Nevada 89101 (702) 386-4011.

DUVAL COUNTY, FLORIDA

Jail Population Management Plan, Michael A. Berg, Chief of Jails.

Contact: Office of the Sheriff, P.O. Box 779, Jacksonville, Florida 32202 (904) 633-4028.

FRANKLIN COUNTY, OHIO

Reduction of Jail Overcrowding Report: Final Report, February 1982.

Contact: Marilyn Sesler, Director, Alliance for Cooperative Justice, 400 S. Front Street, Columbus, Ohio 43215 (614) 224-1890.

HAMILTON COUNTY, OHIO

Jail Overcrowding Research Project: Data for the Development of a Jail Population Management Plan, August 1980.

Contact: Cincinnati-Hamilton County, Criminal Justice Regional Planning Unit, 26 E. 6th Street, Rm. 506, Cincinnati, Ohio 45202 (513) 621-9304.

JACKSON COUNTY, MISSOURI

Phase I Jail Overcrowding and Pretrial Detainee Project: Final Report, February 1981.

Contact: Pam Dobies, Project Director, c/o Jackson County Corrections Department, 415 E. 12th Street, Kansas City, Missouri 64106 (816) 881-3827.

JEFFERSON COUNTY, COLORADO

Jail Overcrowding and Pretrial Detainee Program: Results and Summary, April 1980, and Final Report, May 1980, Jill Mally, Project Coordinator.

Contact: Jill Mally, Program Planner, Board of County Commissioners, 1010 10th Street, Golden, Colorado 80401.

MERCER COUNTY, NEW JERSEY

Inmate Population Management Plan for Mercer County, New Jersey, February 1980. Prepared by the Durant Group, Inc.

Contact: The Durant Group, Inc., One Dubuque Plaza, Dubuque, Iowa 52001 (319) 583-9131.

MISSISSIPPI GULF COAST REGION (HARRISON-JACKSON COUNTIES)

A Summary Description of the Causes of Jail Overcrowding and the Possible Solutions - Harrison County, June 1981.

Jail Overcrowding/Pretrial Detainee Reduction Phase II: A Program Evaluation, November 1979-May 1981, Jeffrey E. Taylor.

Contact: Jeffrey E. Taylor, Gulf Regional Planning Commission, 1232 Pass Road, Gulfport, Mississippi 39501.

ORANGE COUNTY, FLORIDA

Jail Overcrowding/Pretrial Detainee Study, July 1980.

Contact: Robert F. Fuller, Jr., Orange County Sheriff's Department, One North Court Avenue, Orlando, Florida 32801.

CITY OF PHILADELPHIA, PENNSYLVANIA

Prison Overcrowding: A Closer Look at the Problem and Approaches to its Solution, July 1981.

Contact: Michael H. Epstein, Program Analyst, c/o Criminal Justice Coordinating Commission Office, 121 Broad Street, Suite 200, Philadelphia, PA 19107 (215) 686-8697.

CITY AND COUNTY OF SAN FRANCISCO, CA

Jail Overcrowding and Pretrial Detainee Program: Phase I Plan, July 1979.

Contact: Gilford Rotea, Executive Director, Mayor's Criminal Justice Planning Council, Rm. 159, City Hall, San Francisco, CA 94102 (415) 431-9614.

APPENDIX C

SOURCES OF INFORMATION ON LEAA JAIL OVERCROWDING PROJECTS

Information on LEAA Jail Overcrowding projects can be obtained by:

- . Contacting the National Criminal Justice Reference Service for a listing of materials on the Jail Overcrowding Program.
- . Contacting one or more Jail Overcrowding Project jurisdictions listed in Appendix B.
- . Acquiring and studying jail population management plans prepared by Jail Overcrowding Project jurisdictions (See listing in Appendix B).
- . Contacting the American Justice Institute for information from its Jail Overcrowding National Program Coordinator Project files.
- . Reviewing the Jail Overcrowding Program evaluation report, Jail Overcrowding and Pretrial Detention: A Program Evaluation for the Period May 1979 - September 1980, prepared for LEAA by the Systems Research and Evaluation Division, Denver Research Institute, University of Denver, November 1980.
- . Contacting the National Institute of Corrections Jail Center, Boulder, Colorado, for information on training sessions on overcrowding.
- . Contacting the National Institute of Corrections National Information Center at Boulder, Colorado, for relevant reports and publications.
- . Consulting the bibliography which appears as Appendix I to this report.

APPENDIX D

SAMPLE PROJECT BUDGET

A sample project budget can be derived from actual Jail Overcrowding Project expenditures and from estimates for the value of technical assistance and administrative services provided. The figures are based on the following assumptions:

- . Planning will be completed in 4½ months from the time the project director begins work.
- . The project director will be a full-time employee of agency that is willing to release him for 30 percent of his time.
- . Data collectors will be students, whose services are less costly than those of full-time project employees or of an agency staff working overtime.
- . Data processing services can be promptly obtained when needed.
- . Space, equipment, and clerical services will be contributed by operating agencies.
- . Card punching and computer time will not be contributed.
- . Limited travel will be done by board and staff to study model programs on-site.
- . Consultants will be used for technical assistance.
- . The project will have a facilitator under contract from project inception to completion.

Staff Salaries and Fringe Benefits

Project Director Equivalent of 4½ months @ \$2,400/month @ 30% time	\$3,240	
Research Analyst Equivalent of 3 months @ \$1,750/month @ 100% time	5,250	\$ 8,490
Fringe Benefits on \$8,490 @ 35%		2,970
Contract Services (data collectors) 860 hours @ \$5.00/hr.		4,300
Fringe Benefits on \$5,000 @ 15%		675
Total Personnel Costs		\$16,435 (55% of total)

Operating Supplies, Services, and Travel

Telephone Toll Calls \$80/mo. x 4½ mos.	\$ 360	
Supplies and Reproduction Costs \$100/mo. x 4½ Mos.	450	
Data Processing Costs (Card Punching and Computer Time)	1,200	
Travel for Staff and Board Members	<u>1,555</u>	
Total Supplies and Services Costs		\$ 3,565 (12%)

Consultant Services

Assumption:

3 on-site technical assistant visits by
consultants totaling 5 days (including travel time)

Travel

3 trips @ \$400/trip 1,200

Consultant Fees

5 days @ \$200/day 1,000

Per Diem

5 days @ \$60/day 300

Total Consultant Costs 2,500 (8%)

Facilitator Services

Fees:

15½ days @ \$200/day 3,100

Travel:

6 trips @ \$500/day 3,000

Per Diem

15½ days @ \$60/day 930

Telephone, Clerical Services, Postage, etc.	\$ <u>470</u>	
Total Facilitator Services Costs		<u>7,500</u> (25%)
TOTAL PROJECT COSTS		\$30,000 (100%)

APPENDIX E

THE NOMINAL GROUP TECHNIQUE - A PLANNING TOOL

In the area of jail overcrowding, it is particularly important to find a tool for eliciting a wide range of ideas and building consensus on action to be taken. The Nominal Group Technique (NGT)* has proved very useful in helping jail population management boards identify possible causes of overcrowding and set priorities for eliminating them.

Because NGT can be readily understood, communicated, and used without extensive training, its benefits can be quickly realized. Its successful use requires an experienced leader or facilitator who introduces the technique one step at a time, giving theoretical explanation after-the-fact. It is wise to take several practice runs on non-controversial issues before tackling jail overcrowding.

Ideally, participants work in groups of from seven to nine persons. Grouping choices depend on objectives: homogeneous grouping reduces communication barriers, while heterogeneous grouping elicits differing perspectives. The quality of the outcome reflects group composition.

Before using any planning technique, the difference between a problem and its solution must be clear. A problem occurs when the way things are is different from the way we would like them to be. A problem statement is a concrete, nonjudgmental description of this difference. An example might be: "Our facility does not meet constitutional requirements, is in disrepair, and currently holds more people than it was designed for." A solution is a way of acting to resolve a problem. An example of a solution statement might be: "We need to develop alternatives-to-incarceration."

Once it is clear what kind of information is wanted from the groups, a question to elicit this information must be designed and then pretested to ensure effectiveness. Before beginning the NGT exercise, the facilitator shows participants how to write problem or solution statements, depending on what is desired. The exercise question is then read to the group and clarified if necessary.

*Much of the material on NGT included here was generated by the National Institute of Corrections Jail Center staff. NGT itself was developed by Andrew Van De Ven. See Delbecq, Andre and Van De Ven, Andrew, "A Group Process Model for Problem Identification and Program Planning," Journal of Applied Behavioral Science, vol. 7, no. 4, 1971.

NGT involves the following steps:

1. Each participant silently writes down his ideas in response to the question (10-20 minutes). This step provides time to find thoughts and focus on them, and prevents competition and conformity.
2. Ideas are listed on a chart using a round-robin approach (20-40 minutes). The group leader records the ideas on a flip chart, numbering them for future reference. This step fosters equal participation in the sharing of ideas. Concentration is reinforced as participants see and hear results. Conflicting ideas can be tolerated and ideas can build on one another.
3. Each idea is briefly discussed and clarified (20-40 minutes). Ideas can be grouped under major headings that are at the same level of abstraction. All ideas are of equal importance and receive equal time. Any ideas generated during the discussion should be added.
4. A silent vote on priorities is taken (10 minutes). Each member selects three to five items of top priority to him and lists them in order of importance. This step provides an opportunity to focus on important issues and forces equality of choices, preventing dominance by stronger members.
5. The silent vote is tallied and discussed (20-40 minutes). Prioritized items are listed and agreed upon. This step provides a sense of accomplishment and closure, and motivates involvement in future phases of planning.

NGT can be used to elicit hypothetical problems believed to be contributing to jail overcrowding in a jurisdiction.* Once possible problems are identified, NGT can be used in the action planning process to collaboratively identify and prioritize strategies for change.

The following exercise can be used to elicit hypotheses on the causes of jail overcrowding.

*See Appendix F for examples.

NGT EXERCISE

What are the major causes of our county's jail overcrowding? Silently list below the major causes you believe are present in our county's criminal justice system. These may be contributing factors at several levels of government and in courts, corrections, and law enforcement operations at each level.

1. _____

2. _____

3. _____

4. _____

5. _____

6. _____

7. _____

8. _____

9. _____

10. _____

When invited to do so by your group's facilitator, offer your causes one at a time.

APPENDIX F

HYPOTHESES AND DERIVED QUESTIONS An Example of How Travis County, Texas Directed Its Data Collection Effort

A. HYPOTHESES:

The following hypotheses were formulated by the Travis County (Texas) Jail Overcrowding Task Force to provide direction for data collection. A list of questions designed to elicit the information needed to validate or invalidate these hypotheses follow this discussion.

HYPOTHESIS 1: Field citation releases, if utilized to the maximum, will impact jail overcrowding.

After a subjective evaluation of the data used to answer questions 3, 9, 10, 64, and 67, this hypothesis was accepted as valid. The majority of persons booked were booked on only one charge; a non-violent misdemeanor. In cases of persons booked on multiple charges, the majority were on non-violent offenses. Many of those booked were likely candidates for a field citation.

HYPOTHESIS 2: Personal bond releases, if utilized to the maximum, will impact jail overcrowding.

The same data used to accept hypothesis 1 were used to accept this hypothesis. The largest category of people released from jail were released on personal bond. Of those released on bond of any kind, 86.6 percent were released on personal bond, indicating a high use of the personal bond system. The figures could be increased by the use of a conditional personal bond release program.

HYPOTHESIS 3: Faster screening of arrestees for personal bond will impact jail overcrowding.

The data used to answer questions 8, 15, 22, 61 and 62 were used to accept this hypothesis as valid. It is noted that while 58.9 percent of the persons released on personal bond were released in less than 24 hours, 15.7 percent were in jail two or more days. The 41.1 percent released on personal bond after spending one or more days in jail, if released earlier, would have an important impact on jail overcrowding.

HYPOTHESIS 4: Expeditious filing of screening decisions by prosecutors will help alleviate jail overcrowding.

The largest single cause of jail overcrowding is persons awaiting trial who are accused of a felony offense. In 36.4 percent of all cases, no county or district court action was taken. Accordingly, expeditious filing of screening decisions not to prosecute would reduce the number classified in the jail as awaiting trial. No exact data could be obtained on the average length of time from the decision not to prosecute to release of arrestee from jail. However, in individual cases it was noted that there were delays in communication of the decision to the release authorities. This hypothesis was accepted as valid.

HYPOTHESIS 5: Expeditious pre-sentence investigations will impact jail overcrowding.

In approximately 16 percent of the cases in our sample, presentence reports were requested, resulting in a delay of two to three weeks between the plea and sentencing. The ability to complete a short presence report within 24 hours would help to shorten this time.

HYPOTHESIS 6: A reduction in processing time from booking to first appearance will impact jail overcrowding.

HYPOTHESIS 7: A reduction in processing time from first appearance to entry of plea will impact jail overcrowding.

HYPOTHESIS 8: A reduction in processing time from entry of plea to sentencing will impact jail overcrowding.

Hypotheses 6, 7, and 8 refer to reductions in time between the different stages of processing criminal cases. Because of the nature of recordkeeping in Travis County, we were unable to determine these specific time intervals. We were, however, able to determine the total length of time each individual spent in the county jail and to compare these lengths with the seriousness of the charge. This information indicated several actions that would reduce case processing time -- for example, central screening and booking, timely appointment of attorneys, and expeditious disposition of ATRP's. Using this information, we accept hypotheses 6 through 8 as valid.

HYPOTHESIS 9: A wider range of alternatives to incarceration in cases of sentenced prisoners will impact jail overcrowding.

HYPOTHESIS 10: A wider range of alternatives to incarceration in cases of unsentenced prisoners will impact jail overcrowding.

HYPOTHESIS 11: A reduction in the number of persons confined in Travis County Jail who should instead be admitted to other institutions such as mental hospitals, alcohol treatment centers, etc., will impact jail overcrowding.

These hypotheses were accepted as valid based on the wide range of alternatives available.

HYPOTHESIS 12: Expeditious transferring of sentenced prisoners to T.C.D. will impact jail overcrowding.

This hypothesis was accepted as valid based on the discussion presented in the report.

HYPOTHESIS 13: The present and proposed jail inmate capacity in Travis County is inadequate.

The present bed-space capacity of the existing county jail is 279. The State Jail Standards Commission rates the capacity of the existing jail at 223 (80

percent of the maximum capacity, allowing for classification). The new county jail bed-space capacity will be 270 and the initial State Commission rated capacity, allowing for classification, will probably be 216. Assuming that all Jail Overcrowding Task Force recommendations are accepted and are successful, and further assuming no decrease in the present crime rate, it is unknown whether the continued population growth of Travis County will offset any reduction in jail population.

HYPOTHESIS 14: Twenty-four hour case screening will have a significant impact on jail overcrowding.

This hypothesis was accepted as valid based on the discussion presented in the report.

HYPOTHESIS 15: People with appointed counsel tend to remain in jail longer than those with retained counsel.

HYPOTHESIS 16: Quicker appointment of counsel to indigent defendants will impact jail overcrowding.

Derived QUESTIONS... (Continued, next page)

B. QUESTIONS FORMULATED TO ANSWER HYPOTHESES

1. How many individuals were arrested by each agency? Percentages?
2. How many felonies were arrested by each agency? Percentages?
3. How many and what percentage of misdemeanors were arrested by each applicable agency?
4. Of the felonies arrested by A.P.D., what percentage were sentenced? What percentage went to trial?
5. Of the felonies arrested by the Sheriff's Department, what percentage were sentenced? What percentage went to trial?
6. Of the felonies arrested by other agencies, what percentage were sentenced? What percentage went to trial?
7. What percentage of the arrested individuals were arrested with a hold condition?
8. Of the holdees arrested - a breakdown on length of time spent in the Travis County Jail?
9. How many arrestees booked were arrested for only one misdemeanor? For two misdemeanors?
10. How many arrestees booked were arrested for only one felony charge? Two felony charges?
11. How many arrested for one charge only? How many arrested for two charges? Multiple charges?
12. How many arrestees are 16 years of age or younger? How many of these juveniles are male? How many are female?
13. What are the bond amounts set in those cases where individuals are released on monetary bonds?
14. Of the detainees, who are bonded out of jail (monetary), what is the mean, median and mode as to the amount of time incarcerated prior to bonding out?
15. Of the arrestees who are bonded out of jail (personal bond releases), what is the mean, median and mode as to the amount of time incarcerated prior to bonding out?
16. What percentage of arrestees are U.S. citizens? Non-citizens? Unknown?
17. Of those arrested and released on a pre-trial release, how many were misdemeanor? Felony? (percentages)

18. What percent of felony arrestees are pretrial released (excluding holdees)?
19. What percent of arrestees arrested for a crime of violence are pretrial released?
20. What percent of Black arrestees are released on personal bond? Mexicans, Whites? Others?
21. (Above information broken down by misdemeanors and then by felony arrests.)
22. What percentages of arrestees released on pretrial release are released in one day or less? Two days? Three or more days?
23. Of arrestees who have resided in Travis County for six or more months and charged only with misdemeanor(s), how many did not obtain a release in one day? Two days? Three or more days?
24. Of the arrestees who were released on personal bond, list the most common to least common charges with percentages?
25. (Above information in question 24 for felony arrestees).
26. Of the arrestees who were pretrial released, list the charges these arrestees were charged with?
27. Percentage breakdown on judges handling cases, this breakdown on cases where a judge was assigned to a case (caseload percentage).
28. How many arrestees had a prior misdemeanor arrest?
29. How many arrestees had a prior felony arrest?
30. How many arrestees had a prior felony and misdemeanor arrest?
31. How many arrestees had a prior misdemeanor conviction?
32. How many arrestees had a prior felony conviction?
33. How many arrestees had a prior felony and misdemeanor conviction?
34. How many arrestees who were released on personal bond had prior felony convictions?
35. How many arrestees who were released on personal bond had prior felony arrests?
36. How many arrestees who were released on personal bond had prior misdemeanor convictions?

37. How many arrestees who were released on personal bond had prior misdemeanor arrests?
38. Percent breakdown on marital status.
39. Percent breakdown for those with and those without probation status.
40. Percent breakdown for those with and those without parole status.
41. Percent breakdown on age.
42. Percent breakdown on occupation, employment status.
43. Percent breakdown for length of time Travis County residency.
44. Percentage or ratio for arrestees booked for crimes of violence and nonviolence?
45. Percent of arrestees who had an initial appearance.
46. Percent of arrestees who had an initial appearance and bonded out.
47. Percent of felony arrestees who had an examining trial.
48. Percent of arrestees who had no further court date other than the examining trial and/or the initial appearance.
49. Of those who attended examining trials, how many were not sentenced?
50. Of those released on personal bond, how many were sentenced to incarceration?
51. Of those pretrial detainees retained in jail, how many were sentenced to incarceration?
52. Of the arrestees, how many went to trial? How many did not go to trial?
53. Of those who went to trial, how many were sentenced?
54. Of those arrestees sentenced, how many had a presentence investigation ordered?
55. Of those sentenced at trial, how many were sentenced to:
(give breakdown).
56. What is the average length of time for a PSI (last court appearance to sentence date)?
57. What was the shortest time for PSI? Longest?
58. (Same as above for incarcerated people only)?

59. How many arrestees were indicted by the Grand Jury?
60. Of total amount of inmates arrested, how many were sentenced?
61. How many not sentenced spent more than one day incarcerated? (breakdown over a time continuum).
62. Of the pretrial arrestees released from jail, graph possible exits on a time continuum?
63. Of arrestees who pled, how many pled no contest, guilty, not guilty?
64. What is the ratio of misdemeanor charges to felony charges of arrestees?
65. Ratio of Black to White to Mexican, male to female of arrestees?
66. Percentage of females arrested for violent crimes?
67. What percentage of arrestees had no prior arrest?
68. What is the ratio for sentenced arrestees for fined, incarcerated, probation, incarcerate and fine, incarcerate and probation?
69. Breakdown on occupations? Most to least?
70. What percent of arrestees were pretrial incarcerated one day? Over one day?
71. How many arrestees were arrested for alcohol involvement?
72. Drug related?
73. Mental problems?
74. Of those sentenced to state prison, average elapsed time at date sentenced and date released to T.D.C.?
75. Of personnel released on monetary bond, how many failed to appear in court on scheduled date? Breakdown need by type of crime, length of residence in county, occupation, age, sex?
76. Above information in question #75 on ROR?
77. Above information in question #75 on personal bond releases?
78. How many detainees are discharged at examining trial?
79. How many detainees are being indicted without examining trial?
80. How many detainees are released on bond after appointment of counsel?

APPENDIX G

ACTION PLANNING, AND SAMPLE ACTION AGENDAS

This appendix is divided into several sub-sections. It contains instructions, blank forms, and example exhibits to guide the action planning process:

1. Steps In the Action Planning Process p. 77
2. Action Planning Exercise p. 78
3. Blank Action Agenda Forms p. 79
4. Sample Action Agenda - Example 1 p. 85
5. Sample Action Agenda - Example 2 p. 97

Steps in the Action Planning Process

The purpose of action planning is to prepare an action agenda for organizing and conducting a jail population management project once major project tasks have been determined. Action planning involves the following steps:

1. For each major project task, all obstacles that might be encountered in carrying it out are listed on the Action Planning Worksheet.
2. For each obstacle, all resources that might be used to overcome it are listed on the Action Planning Worksheet.
3. Strategies--ways of using the available resources to overcome the obstacles--are listed on the Action Planning Worksheet.
4. On the Action Agenda Worksheet, each strategy is listed as a major step and activities involved in achieving it are noted.
5. On the Action Agenda Worksheet, for each activity the person(s) responsible is (are) listed and startup and completion dates set.
6. (Optional) a Schedule of Individual Responsibilities Sheet is completed for each person or group involved, listing all assigned responsibilities, the person or body reported to, co-workers, and a time schedule.

Once each group member has followed these steps, the Nominal Group Technique (see Appendix E) can be used to produce a combined action agenda.

The following exercise can be used to guide the action planning process.

ACTION PLANNING EXERCISE

The major tasks of a jail population management project are:

1. To develop or activate a planning mechanism.
2. To produce a system description.
3. To collect and analyze descriptive, statistical, and fiscal data.
4. To prepare and launch a jail population management plan.

The purpose of this exercise is to prepare an action agenda for carrying out these tasks.

- Step 1. For each task, take an Action Planning Worksheet and list all the obstacles you would expect to encounter in carrying out the task.
- Step 2. On the same worksheet, list all the resources available to use in dealing with each obstacle.
- Step 3. Consider how the resources you have identified can be used to overcome or minimize each obstacle. On the same worksheet, summarize in a phrase or two each strategy for dealing with an obstacle.
- Step 4. On the Action Agenda Worksheet, list each strategy as a major step to be accomplished in performing the task. For each step, list the activities involved in accomplishing it.
- Step 5. For each activity, list the person(s) responsible for its performance and estimate startup and completion dates.
- Step 6. (Optional) Using the Schedule of Individual Responsibilities Sheet, list for each person or group, all steps for which responsibility has been assigned, the person or body reported to, co-workers, and a time schedule.

ACTION AGENDA

TASK: _____

MAJOR STEPS	STEPS/JOB INVOLVED	PERSON RESPONSIBLE	START/END DATES

ACTION PLANNING WORKSHEET

TASK # _____

OBSTACLE	RESOURCES	STRATEGIES FOR OVERCOMING OBSTACLES

ACTION AGENDA WORKSHEET

TASK # _____

MAJOR STEPS	ACTIVITIES INVOLVED	RESPONSIBILITY ASSIGNED TO	START UP DATE	COMPLETION DATE

ACTION AGENDA

SCHEDULE OF INDIVIDUAL RESPONSIBILITIES SHEET

TEAM MEMBER _____

Start date-----end date

MAJOR STEP OR JOB	REPORT TO	CO-WORKERS	MO. 1	MO. 2	MO. 3	MO. 4	MO. 5	MO. 6	MO. 7	MO. 8	MO. 9

SAMPLE ACTION AGENDAS

EXAMPLE #1
SAMPLE ACTION AGENDA

TASK: I - Develop or Activate Planning Mechanism

MAJOR STEPS	STEPS/JOB'S INVOLVED	PERSON RESPONSIBLE	START/END DATES
A- Reorganize Jail Advisory Committee into Criminal Justice Coordinating Council	1) Approach Jail Advisory Committee with concept 2) Request Commissioners to appoint members 3) Delineate specific purposes (functions) of the Advisory Committee 4) Set up meeting schedule	Project Director	092980 First meeting 111580
B- Get contract and budget signed	1) Present to Commissioners 2) Review by County Attorney 3) Mail to AJI*	Project Director	102480 - 103180
C- Hire Research Analyst	1) Advertise 2) Interview 3) Hire	Project Director	090980 - 093080
D- Get interns for data	1) Talk with University 2) Interview potential interns 3) Train selected interns	Project Director & Research Analyst	090980 - 103180
E- Delineate job responsibilities of staff	1) Develop work plan *American Justice Institute in its role as National Program Coordinator	Project Director & Research Analyst	

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EXAMPLE #1, CONTINUED

ACTION AGENDA

TASK: II - Produce System Description

MAJOR STEPS	STEPS/JOB'S INVOLVED	PERSON RESPONSIBLE	START/END DATES
A- Prepare flow chart of the local criminal justice system	<ol style="list-style-type: none"> 1) Review any existing flow charts and narratives for accuracy and completeness 2) Observe a sample of cases to determine if the actual process fits that described; modify if necessary 3) Present results to the Board to critique 4) Present flowchart and narrative to the Board for ratification 5) Deliver to AJI 	Research Analyst	110180

EXAMPLE #1, CONTINUED

ACTION AGENDA

TASK: III - Collect and Analyze Descriptive, Statistical, and

Fiscal Information

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MAJOR STEPS	STEPS/JOB'S INVOLVED	PERSON RESPONSIBLE	START/END DATES
A- Develop hypotheses on possible causes of jail overcrowding	1) Nominal Group Technique with Board	Project Director & Research Analyst	By 111580
B- Identify data elements and submit to AJI for review	1) Discuss with Board 2) Finalize and submit to AJI	Project Director & Research Analyst	By 113080 By 121580
C- Identify source documents and procedures	1) Check with each agency for elements available in records 2) Develop plan for efficient data collection	Research Analyst " "	By 113080 "
D- Develop a draft sampling design	1) Review AJI material 2) Draft sampling design based on needs and volume	Research Analyst " "	"
E- Develop draft data collection instruments and submit to AJI	1) Review AJI material and confer with data analyst 2) Draft instruments 3) Submit to AJI for review	Research Analyst " " " "	By 123080 " "
F- Submit codebook for AJI review	1) Review AJI material and confer with data analyst 2) Draft codebook 3) Submit for review	Research Analyst " " " "	" " "
G- Perform data collection	1) Collect preliminary sample 2) Verify data 3) Revise process as needed 4) Start data collection 5) Collect observational data using unobstructive methods	Data Collectors " " " " " " " "	010181 - 011581 " " " " 011581 - 041581 " "

EXAMPLE #1, CONTINUED

ACTION AGENDA

TASK: III (Continued)

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MAJOR STEPS	STEPS/JOB'S INVOLVED	PERSON RESPONSIBLE	START/END DATES
H- Process and analyze the data	1) Get data keypunched 2) Complete computer analysis	Research Analyst " "	By 043081 By 051581
I- Interpret data	1) Review previous research 2) Interpret computer analysis 3) Interpret observational data	Research Analyst " " " "	110180 - 031581 051581 - 053081 113080 - 053081
J- Request any T.A. required to discuss responses and implementation strategies	1) Determine level of T.A. needed 2) Request T.A.	Project Director, Research Analyst	053081 - 061581
K- Present data findings to the Board	1) Ongoing progress reports on observational data & data collection 2) Report of findings	Research Analyst Project Director, Research Analyst	111580 - 051581 053181

EXAMPLE #1, CONTINUED

ACTION AGENDA

TASK: IV - Develop Jail Population Management Plan

MAJOR STEPS	STEPS/JOB S INVOLVED	PERSON RESPONSIBLE	START/END DATES
A- Review & familiarize project staff with the jail procedures and policies	1) Collect all written procedures and assemble in loose leaf binder(s). 2) Read above, noting questions and comments 3) Tour physical facility 4) Read Federal Court Order	Research Analyst Data Collectors Research Analyst & Data Collectors Research Analyst	110180 - 113080 111580 - 121580 By 113080 By 111580
B- Establish communications links with decision makers	1) Maintain contact with jail planners and architects 2) Meet on a regular basis with Board 3) Provide Commissioners with monthly progress reports 4) Schedule meetings with Commissioners quarterly or as important information becomes available	Project Director & Research Analyst	110180 - ongoing
C- Identify target populations indicated by the data collection effort	1) Review findings with Board	Project Director & Research Analyst	053081 - ongoing
D- Identify program, policy and procedure options to correlate with the target groups	1) Review options with Board	Project Director & Research Analyst	053081 - ongoing

EXAMPLE #1, CONTINUED

ACTION AGENDA

TASK: IV (continued)

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MAJOR STEPS	STEPS/JOB S INVOLVED	PERSON RESPONSIBLE	START/END DATES
E- Select those options feasible for implementation	1) Categorize into the following three areas: 1) Do not require funding; 2) Require reallocation of existing resources; 3) Require additional resources 2) Prepare staffing and budget requirements, including cost analysis for each option	Project Director, Research Analyst, JPMB	053081 - 061581
F- Prepare a plan for implementing each option selected	1) Involve key personnel from agencies in brainstorming, planning sessions	Project Director, Research Analyst, JPMB	061581 - 063081
G- Set priorities for options to be implemented	1) Same as above		
H- Delivery draft Jail Population Management Plan	1) Write draft and have typed 2) Review with Board 3) Mail to AJI	Research Analyst Project Director & Research Analyst Research Analyst	By 070581 By 070781
I- Review and revise Plan; prepare final draft	1) Receive comments from AJI review 2) Report to Board and discuss comments 3) Revise and prepare final draft 4) Mail final draft to AJI 5) Present final report to Board and Commissioners	Research Analyst Project Director & Research Analyst " " " Research Analyst Project Director & Research Analyst	By 071581 By 072281 By 073181 By 073181 By 073181

EXAMPLE #1, CONTINUED
 ACTION AGENDA
 INDIVIDUAL TEAM MEMBER'S
Schedule of Responsibilities

TEAM MEMBER Project Director (continued)

Start Date-----End Date

MAJOR STEP OR JOB	REPORT TO	CO-WORKERS	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN
IV.D Identify program policy and procedure options to correlate with target groups	JPMB	Research Analyst								30	
IV.E Select those options feasible for implementation		Research Analyst, JPMB								30-15	
IV.F Prepare a plan for implementing each option selected		Research Analyst, JPMB									15-30
IV.G Set priorities for options to be implemented		Research Analyst, JPMB									15-30
IV.H Deliver draft Jail Population Management Plan	AJI, JPMB	Research Analyst								30	----
IV.I Review and revise Plan; prepare final draft	AJI, JPMB and County Commissioners	Research Analyst, AJI, JPMB									

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EXAMPLE #1, CONTINUED
 ACTION AGENDA
 INDIVIDUAL TEAM MEMBER'S
Schedule of Responsibilities

TEAM MEMBER Research Assistant

Start Date-----End Date

MAJOR STEP OR JOB	REPORT TO	JO-WORKERS	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN
I.D Get interns from University		Project Director	1-31								
I.E Delineate job responsibilities of staff	AJI	Project Director	1-31								
II.A Prepare flowchart of the local criminal justice system	JPMB-AJI			1---15							
III.A Develop hypotheses and possible causes of jail overcrowding	AJI	Project Director JPMB		1-15							
III.B Identify data elements and submit to AJI	AJI	Project Director JPMB			15--15						
III.C Identify source documents and procedures				1--30							
III.D Develop a draft sampling technique					15---30						
III.E Develop draft data collection instruments and submit to AJI	AJI				15---30						
III.F Submit codebook for AJI review	AJI				15---30						
III.G Start data collection	JPMB	Data Collectors			1-----15						
III.H Process and analyze data									30--15		
III.I Interpret data				1-----30							

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EXAMPLE #1, CONTINUED

ACTION AGENDA
 INDIVIDUAL TEAM MEMBER'S
Schedule of Responsibilities

TEAM MEMBER Data Collectors

Start Date-----End Date

MAJOR STEP OR JOB	REPORT TO	CO-WORKERS	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN
III.G Perform data collection	Research Analyst	Research Analyst			1-----						
IV.A Review and familiarize	Research Analyst	Research Analyst		15---	15						

EXAMPLE #1, CONTINUED
 ACTION AGENDA
 INDIVIDUAL TEAM MEMBER'S
Schedule of Responsibilities

TEAM MEMBER Jail Population Mgmt. Board

Start Date-----End Date

MAJOR STEP OR JOB	REPORT TO	CO-WORKERS	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN
III.A Develop hypotheses on possible causes of jail overcrowding				1-15							
III.B Identify data elements and submit to AJI for review				15---	15						
III.J Request T.A.										30--	15
III.K Review data findings					15-					30	
IV.C Identify target populations indicated by the data collection effort										30	
IV.D Identify program, policy, and procedure options to correlate with the target groups										30	
IV.E Select those options feasible for implementation										30--	15
IV.F Prepare a plan for implementing each option selected											15-30
IV.G Set priorities for options to be implemented											15-30
IV.I Review and revise plan											

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EXAMPLE #2

ACTION AGENDA

TASK: I - Develop or Activate Planning Mechanism

MAJOR STEPS	STEPS/JOB'S INVOLVED	PERSON RESPONSIBLE	START/END DATES
A- Recruit policy committee	1) Select community representatives and criminal justice system representatives	Sheriff	Oct. 24 - Oct. 29
B- Specify activities of policy committee	1) Define function of members of policy committee	Sheriff	Oct. 24 - Oct. 29
	2) Assign to task groups	"	Nov. 1 - Dec. 15
	3) Define function of task groups	"	Nov. 1 - Dec. 15
	4) Establish organization of task groups	"	Nov. 1 - Dec. 15
C- Hire staff	1) Delineate the specific activities of project staff	Sheriff, policy committee, and project director	Nov. 1 - Dec. 15
	2) Hire staff		

EXAMPLE #2, CONTINUED

ACTION AGENDA

TASK: II - Produce System Description

MAJOR STEPS	STEPS/JOB'S INVOLVED	PERSON RESPONSIBLE	START/END DATES
A- Review existing flow charts	1) Obtain existing flow charts and narratives if any	Project Director & Staff	Nov. 1 - Dec. 15
	2) Compare existing flow charts to decision points listed in Guide to data collection	" " "	Nov. 1 - Dec. 15
B- Review decision making	1) Identify agencies where decision making points exist	Project Director & Staff	Nov. 1 - Dec. 15
	2) Identify release or processing options	" " "	Nov. 1 - Dec. 15
C- Standardize flow chart	1) Select symbols to be utilized	Project Director & Staff	Dec. 1 - Dec. 30
	2) Select format for presentation	Sheriff & Project Dir.	Dec. 1 - Dec. 30
	3) Develop standardized flow chart	Project Director & Staff	Dec. 1 - Dec. 30

EXAMPLE #2, CONTINUED

ACTION AGENDA

TASK: III - Collect and Analyze Descriptive, Statistical,
and Fiscal Information

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MAJOR STEPS	STEPS/JOB'S INVOLVED	PERSON RESPONSIBLE	START/END DATES
A- Develop hypothetical causes and solutions for jail overcrowding	1) Request possible causes of jail overcrowding from policy committee	Sheriff, Project Director, JPMB Chairman	Nov. 1 - Nov. 30
	2) Receive and group responses for data elements	Project Director & Staff	Nov. 7 - Dec. 15
	3) Present to policy committee	Sheriff	Dec. 16
B- Identify the data elements	1) Review elements required by AJI's guide to data collection	Project Director & Staff	Nov. 7 - Dec. 15
	2) Compare and contrast AJI data elements to data elements suggested by policy committee responses	" " "	Nov. 7 - Dec. 19
	3) Select data elements necessary to test hypotheses	" " "	Nov. 7 - Dec. 19
	C- I.D. source documents and procedures for obtaining the information	1) Review 1979 CJCC comprehensive plan for lists of documents produced by Criminal Justice System	" " "
2) Contact agencies involved, request description of procedures and blank forms or samples		JPMB Chairman & Project Director	Dec. 1 - Dec. 31
3) Discuss with agency representatives methods of retrieving information from source		JPMB Chairman & Project	Dec. 10 - Jan. 11

EXAMPLE #2, CONTINUED

ACTION AGENDA

TASK: III (continued)

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MAJOR STEPS	STEPS/JOB. INVOLVED	PERSON RESPONSIBLE	START/END DATES
	4) Review AJI data collection guide	Project Director & Staff	Dec. 19 - Jan. 11
	5) Review 1979 CJCC comprehensive plan for and in conjunction with Task III.C	" " "	Dec. 19 - Jan. 11
	6) Determine what information is available in Sheriff's Dept. data base	" " "	Dec. 19 - Dec. 30
	7) Determine what information is available in the PROMIS system	" " "	Dec. 19 - Jan. 1
D- Develop draft sampling design	1) Review information obtained in task III.A	Project Director & Staff	Dec. 19 - Jan. 9
	2) Review information obtained in task III.C	" " "	Dec. 19 - Jan. 9
	3) Determine sampling procedure that will yield desired information	" " "	Dec. 19 - Jan. 9
E- Hire and train research Analysts	1) Contact institutions of higher learning	Sheriff	Dec. 15 - Jan. 1
	2) Interview applicants	Sheriff	Jan. 1 - Jan. 10
	3) Develop training program	Project Director & Staff	Jan. 1 - Jan. 10
	4) Process and train Analysts	" " "	Jan. 19 - Jan. 23
F- Develop draft data instrument	1) Review results of task IIIA, B, C, D	Project Director & Staff	Dec. 15 - Jan. 9
	2) Develop draft of data instrument	" " "	Jan. 9 - Jan. 16

EXAMPLE #2, CONTINUED
ACTION AGENDA

TASK: III (continued)

MAJOR STEPS	STEPS/JOB'S INVOLVED	PERSON RESPONSIBLE	START/END DATES
G- Submit code book	3) Test and modify instrument	Project Director & Staff	Jan. 16 - Jan. 30
	4) Develop final draft	" " "	Jan. 23 - Jan. 30
	1) Code book for data instrument will be developed simultaneously with III.F.	" " "	Dec. 15 - Jan. 30
	2) Submit code book to AJI	" " "	Jan. 30
H- Contract for project technical assistance	1) Evaluate needs for project technical assistance	Sheriff, JPMB Chairman, Project Director	Dec. 15 - Jan. 15
	2) Request proposals and renew contracts with Computer Center	Sheriff, JPMB Chairman, Project Director	Jan. 1 - Jan. 15
	3) Select project technical assistance	Sheriff, JPMB Chairman, Project Director	Jan. 1 - Jan. 30
I- Collect Data	1) Contact agencies involved to coordinate data collection efforts	Sheriff, JPMB Chairman, Project Director	Jan. 16 - Jan. 30
	2) Introduce research analysts to agency staff	Project Director & Policy Committee Member	Feb. 3 - Feb. 28
	3) Collect data	Project Director, Staff, Research Analysts	Feb. 3 - Mar. 30
	4) Input data into computer	Project Director, Staff, Research Analysts	Feb. 16 - Mar. 30
	5) Collect additional data	Project Director, Staff, Research Analysts	Feb. 16 - Mar. 30
J- Process and analyze data	1) Program SPSS program for crosstabs and multiple regression	Project Director	Feb. 3 - Mar. 30

EXAMPLE #2, CONTINUED

ACTION AGENDA

TASK: III (continued)

MAJOR STEPS	STEPS/JOB S INVOLVED	PERSON RESPONSIBLE	START/END DATES
K- Interpret data	2) Input data and program 3) Select variables to examine 1) Analyze results of crosstabs 2) Prepare written reports	Project Director & Staff Policy Committee & Staff Project Director, T.A. & Staff Project Director, T.A. & Staff	Feb. 3 - March. 30 Mar. 1 - April 15 Mar. 15 - April 15 Mar. 15 - April 15
L- Present data to Policy Committee	1) Make oral presentation of results of III K-I and III K-II	Project Director & Staff	Feb. 15 - Apr. 15

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EXAMPLE #2, CONTINUED

ACTION AGENDA

TASK: IV - Familiarize Policy Committee with Technical Assistance

103

MAJOR STEPS	STEPS/JOB'S INVOLVED	PERSON RESPONSIBLE	START/END DATES
A- Acquaint policy committee and staff with technical assistance resources available	1) Research potential sources of T.A. 2) Prepare written report 3) Present to policy committee	Project Director & Criminal Justice Planning Director " " " " " "	Dec. 19 - Jan. 16 Jan. 1 - Jan. 16 Jan. 16 - Jan. 30
B- Learn procedure for requesting technical assistance and develop system	1) Review existing procedures (if any) 2) Review LEAA procedures 3) Review N.I.C. procedures 4) Assign responsibility for formally requesting and processing T.A.	" " " " " " " " " Sheriff	Jan. 16 - Feb. 28 Jan. 16 - Feb. 28 Jan. 16 - Feb. 28 Jan. 16 - Jan. 30
C- Designate liason person to negotiate with AJI and T.A. providers for delivery	1) Appoint liason person responsible for seeing that all services are provided	Sheriff	Jan. 16 - Jan 28
D- Report to AJI specific uses made of T.A.	1) Develop a form for documentation of all T.A. arrangements and maintain records of same 2) Collect and process T.A. use forms	Project Director & Criminal Justice Planning Director " " " "	Jan. 16 - Jan. 28 Dec. 19 - Jan. 30

EXAMPLE #2, CONTINUED

ACTION AGENDA

TASK: V - Develop Jail Population Management Plan

104

MAJOR STEPS	STEPS/JOBES INVOLVED	PERSON RESPONSIBLE	START/END DATES
A- Familiarize Policy Committee with jail classification procedures	1) Familiarize Policy Committee with population limits established by State Commission on Corrections	Sheriff	Dec. 15 - Dec. 30
	2) Explain classification procedures and policies to Policy Committee	Project Director	Jan. 1 - Jan. 30
B- I.D. target population	1) Review data obtained during the data collection phase	Subcommittees of Policy Committee	Feb. 15 - Mar. 15
	2) I.D. possible target population based on data review	" "	" "
	3) Determine most cost effective to impact upon	" "	" "
C- I.D. policy and program options	1) Review results if IIA, B, F, and IIIA, I, J, K	Staff	Jan. 30 - Feb. 30
	2) Review other models from other jurisdictions	"	" "
	3) Report on other models from other jurisdictions to subcommittees	"	Feb. 15 - Mar. 15
	4) Formulate tentative policy	Subcommittees	Mar. 15 - Mar. 30
D- Present options to Policy Committee	1) Develop audio-visual and written presentation for full policy committee	Subcommittees & Staff	Mar. 30 - April 15
	2) Integrate reports from subcommittees	Executive Committee & Staff	Mar. 30 - April 15
	3) Present final list of options for approval to policy committee	" " "	April 15 - Mar. 1

EXAMPLE #2, CONTINUED
ACTION AGENDA

TASK: V (continued)

105

MAJOR STEPS	STEPS/JOB'S INVOLVED	PERSON RESPONSIBLE	START/END DATES
E- Select target options	1) Do preliminary cost effectiveness analyses of options presented	Project Director & Staff	Mar. 30 - April 15
	2) Select target options	Policy Committee	April 15 - April 30
F- Categorize options re: cost	1) Categorize options into the following three areas: a- Do not require funding b- Require re-allocation of existing resources c- Require additional funding	Subcommittees	March 30 - April 30
G- Develop T.O. for selected options	1) Prepare staffing needs	Subcommittees and Staff	" "
	2) Prepare budget	" "	" "
	3) Develop cost analyses	" "	" "
H- Prepare plan for implementation	1) Assign selected options for each subcommittee to develop an implementation plan	Policy Committee	" "
	2) Develop tentative plan for implementation	Subcommittees	" "
	3) Submit to full committee	"	" "
	4) Integrate and approve subcommittee reports	Policy Committee	" "
I- Set priorities for options to be implemented	1) Develop plan to expedite implementing each option selected	Policy Committee	April 15 - June 30
	2) Assign task to subcommittee to make a list of priorities	" "	" "

EXAMPLE #2, CONTINUED

ACTION AGENDA

TASK: V (continued)

MAJOR STEPS	STEPS/JOB S INVOLVED	PERSON RESPONSIBLE	START/END DATES
J- Set delivery date of Jail Population Management Plan to AJI	1) Set a target date for draft plan to be submitted	Policy Committee	April 15
K- Present final plan	1) Review and revise draft Jail Population Management Plan 2) Prepare final plan 3) Submit final plan	Policy Committee " "	May 15 - June 30 " "

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EXAMPLE #2, CONTINUED

ACTION AGENDA

TASK: VI - Maintain Fiscal Accountability

MAJOR STEPS	STEPS/JOB S INVOLVED	PERSON RESPONSIBLE	START/END DATES
A- Determine staff responsibility	1) Assign staff to specific duties related to fiscal accountability	Sheriff	Dec. 1 - Jan. 1
B- Maintain backup records	1) Take all necessary measures to document expenditure	Sheriff Dept. Accountant	Nov. 1 - June 30
C- Coordinate submittal of reimbursement forms	1) Obtain records necessary for compliance with AJI contract	Project Director	Dec. 1 - June 30

APPENDIX H
SAMPLE PROJECT STUDY DESIGN

This study design was adapted from the Sacramento County Jail Population Management Plan.

The goals of the data collection effort were:

- . To evaluate the extent and seriousness of rising crime problems in the county.
- . To evaluate existing detention facilities and corresponding overcrowding issues associated with adult arrestees being held pending arraignment, trial, or sentencing.
- . To develop a detailed profile of the county's corrections and detention processes and a thorough understanding of existing presentence programs.
- . To evaluate the potential for expanding pretrial programs and determine short- and long-term impacts on facility requirements.
- . To recommend immediate action that will relieve jail overcrowding and comply with the new population limits outlined in the federal court consent decree.

The study was based on a nonexperimental design using a series of case processing samples and an evaluation of key criminal justice system processes. Information to identify solutions to overcrowding was compiled from five sources:

- . Published arrest, booking, offense, field citation usage, and other broad case processing trends.
- . Monthly jail booking and release data, including comparisons of the total numbers of felony and misdemeanor arrests and of the corresponding percentages of detainees released by decision option. A comparative trend analysis was developed showing the percentage of misdemeanor arrests involving traffic, non-traffic, and 647F arrests processing by release decision over time.
- . Four one-day "snapshots" of the jail population compiled in 1976, 1977, and 1980, and 1981, showing the overall offense composition and subsequent changes.
- . Statistical data developed for studies that have examined aspects of jail overcrowding in the past several years, particularly profile information used to make population projections.
- . A randomly selected study sample of 650 arrestees released from the jail between October and December of 1980, with computer analysis of 90 data elements associated with booking and court decision processes.

The combined information from these sources provided the data base needed to identify criminal justice processes contributing to jail overcrowding. The data also gave a general profile of who is being jailed, offense patterns, elapsed time between key processing decisions, and other characteristics of the inmate population. The picture thus obtained made it possible to estimate the impact on population levels of various recommended changes.

However, there were two limitations to these data sources: they did not show changes in the seriousness of cases booked and they did not reveal the impact on booking and release decisions of the county's new computerized warrant system. In order to rectify these shortcomings, a supplemental effort was carried out to develop trend data.

Both these issues were addressed by analyzing changes in information compiled on a randomly selected 5 percent sample (a total of 350 cases) of persons booked into the jail in the first week of April in 1978, 1979, 1980, and 1981, and the first week of January 1981. The following information was collected on each case:

- | | |
|------------------------|--|
| --Date and time booked | --Number of warrants at booking |
| --Sex | --Number of warrants added |
| ---Race | --Type of warrants |
| --Age | --How released |
| --Arresting agency | --Total prior arrests |
| --Offense(s) | --Number of prior felony and misdemeanor arrests |
| --Offense category | --Most serious felony arrest |
| --Bail amount | --Most serious misdemeanor arrest |
| --Date released | |

The steps taken in the collection and analysis of data on the county's jail overcrowding situation were:

Step 1: Document the Attitudes of Key Criminal Justice System Agencies Toward Corrections and Detention Issues

This step involved broad-scale interviews with key personnel from the sheriff's department, the municipal and superior court judges, the district attorney and public defender's office, the adult probation office, and other local law enforcement agencies.

In addition, documents relating to the county's corrections and detention system (e.g., the AB 90 plan, prior jail overcrowding studies, program evaluations, annual criminal justice plans) were analyzed and compared.

From these interviews and documents, a list of preliminary issues was compiled to be explored in depth over the course of the project.

Step 2: Develop a Detailed Profile of the Corrections and Detention Process in the County

This step comprised the bulk of the data collection activities. It consisted of four sub-steps.

2.1 Conduct a Detailed Inventory of Existing Corrections and Detention Facilities in the County

Detention facility profiles were developed through observation at different times of the day and on different days of the week, interviews with managers and staff, and analysis of key operating records. Procedures from entry to release were analyzed, including the booking process, housing and handling prior to classification and assignment and timing and content of the classification decision.

Flow data showed average daily population by day of the week and by key periods of the year; sentenced and unsentenced subpopulations in each facility, also by day of the week and key periods; and trends over the previous five to seven years in ADP, including shifts in sentenced versus unsentenced population composition.

2.2 Develop an Understanding of Basic Operations and Practices Used in Pretrial Release Decisions at the Main Jail

Information on arrests, booking, and release practices showed whether existing case decision options were utilized to the maximum extent feasible to provide alternatives-to-incarceration, indicated whether the use of existing programs could be increased, and determined the impact of programs on the population being served.

2.3 Document Current Caseloads and Trends and Develop Broad Indicators of Criminal Activity in the County

This task developed both a detailed flowchart indicating potential outcome, volume, and flow of cases and trend data for 1970-1978 for major system workload indicators. Some of the data sources and indicators were:

- Arrests by major offense classification by jurisdiction (from BCS "county reports").
- Impact of those arrests on facilities (using number and types of offenses resulting in citation releases; annual bookings into the main jail, including volume of offense type; and immediate results of bookings).
- Average length-of-stay of persons dealt with through release devices (from a sample of pretrial release program documents).
- Disposition of all county court cases, including volume/proportion found not guilty and released; and volume/proportion found guilty and sentenced to the state penal system, county corrections system, community-based or

other non-corrections programs and others. Of those sentenced to the county corrections system, volume/proportion assigned to work furlough, retained in main jail, and assigned to lower security facilities were determined.

2.4 Document and Analyze the Adult Justice System Population

Population profiles were developed to assess possible target groups and existing pretrial options. Some of the questions considered were: as detention populations have increased, how has the system dealt with pretrial arrestees? Has a greater proportion been detained prior to disposition? How have pretrial release policies been modified and applied in response to population growth?

To answer such questions, a random sample of the county jail's booking records was analyzed and a number of individual cases selected for further analysis. From a variety of sources (ranging from booking files to individual program records and CII Rap Sheets), the following data elements were drawn:

Arrest and Booking Information

- Date Arrested
- Booking Data
- Time of Booking
- Day of Week Booking Occurred
- Type of Arrest
- Number of Charges at Booking
- Arresting Agency
- Reason Misdemeanor Offenses Not Cited
- Primary Offense Charged
- Secondary Offense Charged
- Primary Offense Category
- Total Bail Amount
- Bail Amount for Each Individual Charge
- Wanted by Other Jurisdictions
- Total Outstanding Warrants
- Nature of Charges in Other Jurisdictions
- Bail Amount of Outstanding Warrants
- Date Hold Began
- Date Hold Withdrawn
- Total Days Hold Was in Force

Jail Release Information

- Type of Initial Release
- "849" Releases
- Pretrial Detainee Release Decision
- Date of Release from Jail
- Length of Stay (in hours)
- Length of Stay (in days)
- Custody Classification Assigned by Sheriff's

Department for Pretrial Detainees
Custody Problem Determining Housing Requirements

Personal and Offense Characteristics

Age
Sex
Race
U.S. Citizen
Place of Residence
Marital Status
Educational Level
Residence Pattern
Family Ties
Employment Profile
Occupation
Total Prior Arrests
Total Prior Felony Arrests
Total Prior Misdemeanor Arrests
Most Prevalent Felony Arrest Category
Most Prevalent Misdemeanor Arrest Category
Number of Prior Felony Convictions
Highest Prior Felony Convictions
Number of Prior Misdemeanor Convictions
Highest Prior Misdemeanor Conviction
Past Bench Warrants (FTA)
Pending Cases
Current Parole Status
Current Probation Status

DA and Court Information

Type of Attorney
Primary Court Process Offense Category
Grand Jury Indictment
Changes in Booking/Arrestment or Trial Charges
Court-Ordered Bail Reduction/Increase
Plea in Court
Initial Court Appearance Data
Date of Preliminary Hearing
Date of Arrestment in Superior Court
Date of Pretrial Hearing
Date of Trial
Date of Last Trial Day
Results of Trial
Sentencing Court Data
Court Sentence
Length of Sentence

Number of County Jail Days Included in Sentence
Elapsed time Between "Key" Court Processing Hearings
Number of Court Continuances
FTA Incidents Reported

Also considered were pretrial release performance (e.g., re-arrested), performance in post-sentence programs, individual criminal histories, and post-release performance.

Once the profile data has been compiled and analyzed, an analysis of key population characteristics was prepared. This included:

- Comparative profiles of males detained versus those released during the pretrial period.
- Comparison of populations sentenced to in-county incarceration, those sentenced to alternative-to-incarceration programs, those placed on probation, etc.
- A profile of key performance indicators, including average length-of-stay for those released pretrial for those detained pretrial, and for those sentenced to county facilities.

Step 3: Analyze Program and Population Profiles

Program results, population profile data, caseload volume, and processing flowchart and narrative were analyzed to develop a comprehensive set of findings to provide the basis for planning. Among others, the following questions were examined:

- Given the characteristics of the population at booking, are there realistic opportunities to expand pretrial programs consistent with community protection and court appearance considerations?
- Are there opportunities to speed up court report preparation processes and would this impact jail overcrowding?
- What portions of the pretrial population should be candidates for expanded release efforts? How would existing programs have to be adjusted to handle the expansion?
- Considering average lengths-of-stay and population composition, how would expansion of pretrial release programs affect the unsentenced jail population and facility occupancy?
- Are there opportunities to expand citation release at the local law enforcement level? What proportion of the population currently booked at the main jail could realistically be considered for citation release? What steps could be taken to ensure these people are given citation releases?

Step 4: Structure and Evaluate Alternative Approaches for Resolving Overcrowding Issues

Alternative solutions to the overcrowding problem were analyzed in detail, based on the characteristics of the jail population, the capacities of existing alternative-to-incarceration programs, and the potential of new programs. The expected impact of each on jail population size was assessed.

APPENDIX I

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