



JUSTICE IMPLEMENTATION TASK FORCE

Jail Population Working Group Meeting #6

April 6, 2018

AGENDA

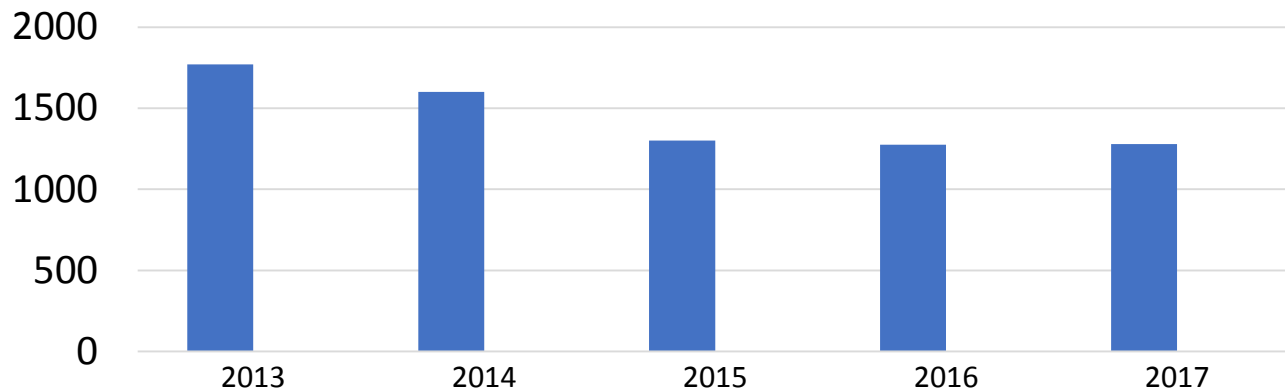
1. **Updates on concurrent workstreams**
 - a) **Parole violations subcommittee**
 - b) **Risk assessment instrument**
 - c) **Diversion and Reentry Council**
 - d) **Guiding principles for design**
2. Deep dive on City Sentenced population
3. Plan for working together through August
4. Closing and next steps

AGENDA

1. Updates on concurrent workstreams
2. **Deep dive on City Sentenced population**
 - a) **Breakdown of population staying 180-365 days**
 - b) **Group discussion and further ideas for ATI programming uptake**
3. Plan for working together through August
4. Closing and next steps

CITY SENTENCED POPULATION: RECAP

The City Sentenced Population Has Dropped 28% Over Last Four Years

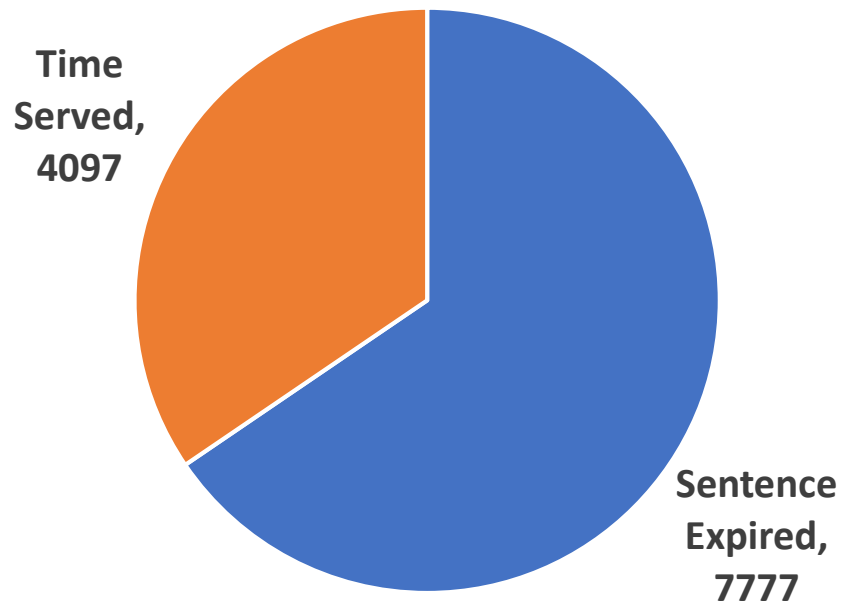


City Sentenced ADP	1770	1600	1300	1275	1280
City Sentenced % of Total ADP	15%	15%	13%	13%	14%

In 2017, 9,676 people spent at least one day or more in custody serving a City Sentence. Some of these people served more than one City Sentence, resulting in a total of 11,874 City Sentences of one day or longer. On any given day, approximately 1,280 people were serving a City Sentence in New York City's jails.

CITY SENTENCED POPULATION: RECAP

While some people enter jail and begin serving their sentence immediately, most people enter jail as a pre-trial detainee and then plead guilty to their charge or are convicted at trial while in custody.



35% served their time as a pre-trial detainee and were released at their sentencing with 'time served.'

65% served additional time in jail after their sentencing and were released after completing their sentence.

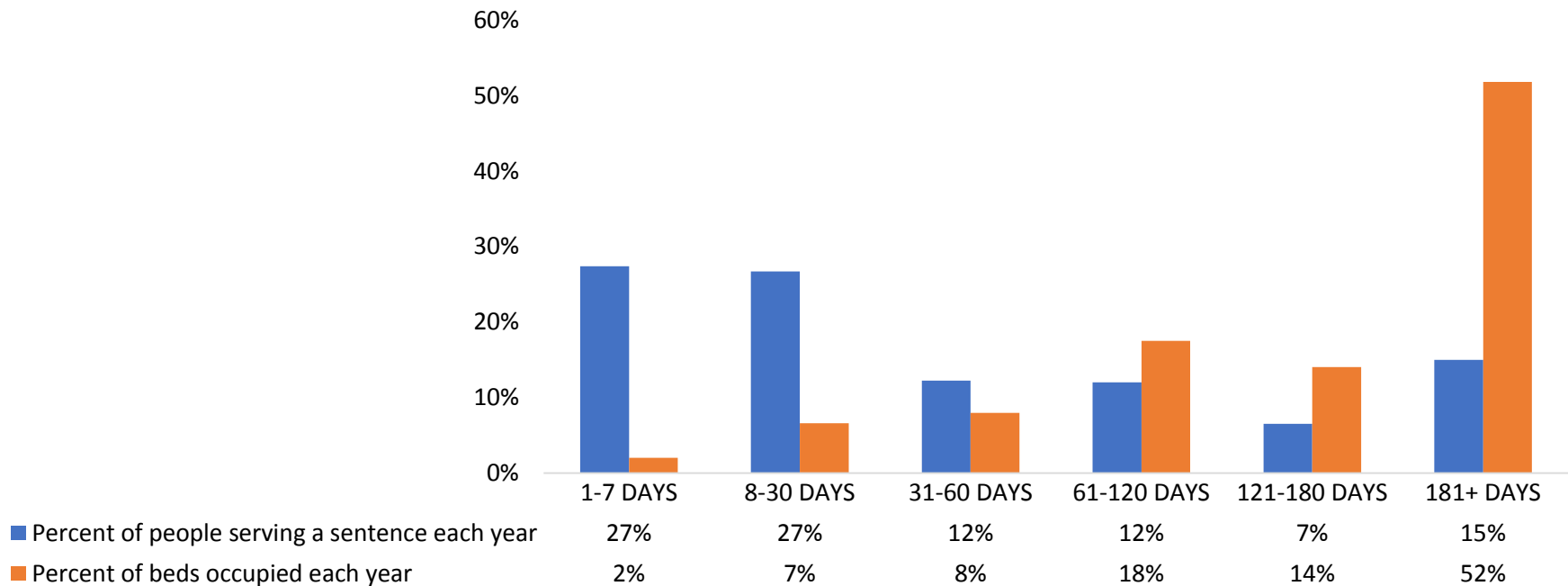
CITY SENTENCED POPULATION: RECAP

At the last meeting, the group identified the population with a jail stay of 181-365 days as an area for further analysis and discussion.

Population (by LOS)	Count	Average Admit to Sentence (days)	Average Sentence to Discharge (days)	Average LOS Total (days)
0 DAYS	1,525	---	---	---
1-7 DAYS	3,749	1.4	2.3	3.7
8-30 DAYS	3,209	7.7	8.8	16.4
31-60 DAYS	1,418	21.7	24.0	45.5
61-120 DAYS	1,272	38.9	58.8	97.3
121-180 DAYS	686	63.3	87.4	150.6
181-365 DAYS	1,410	94.0	144.5	238.5
366+ DAYS	130	366.1	132.9	572.1

CITY SENTENCED POPULATION: FURTHER ANALYSIS

HOW CITY SENTENCE LENGTHS RELATE TO THE DAILY JAIL POPULATION

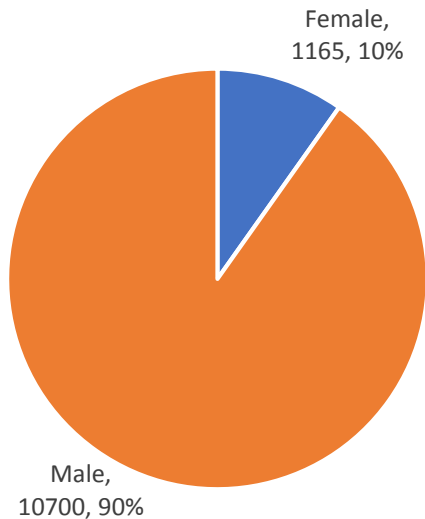


- *A lot of people account for a small number of beds because of short stays.*
- *A few people account for a lot of beds because of long stays.*

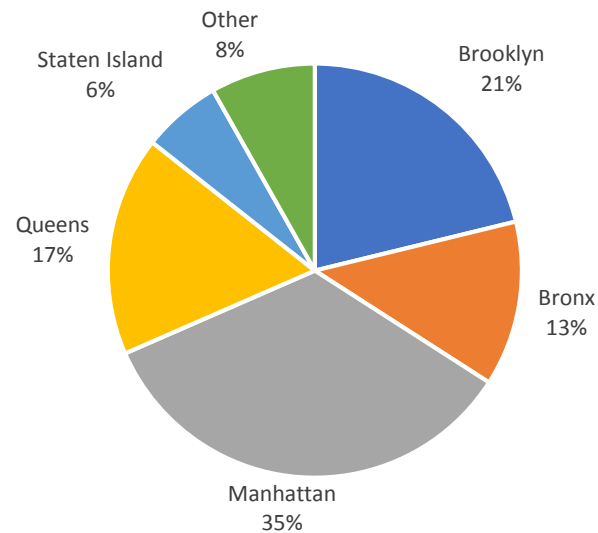
CITY SENTENCED POPULATION: FURTHER ANALYSIS

Median Age: 37

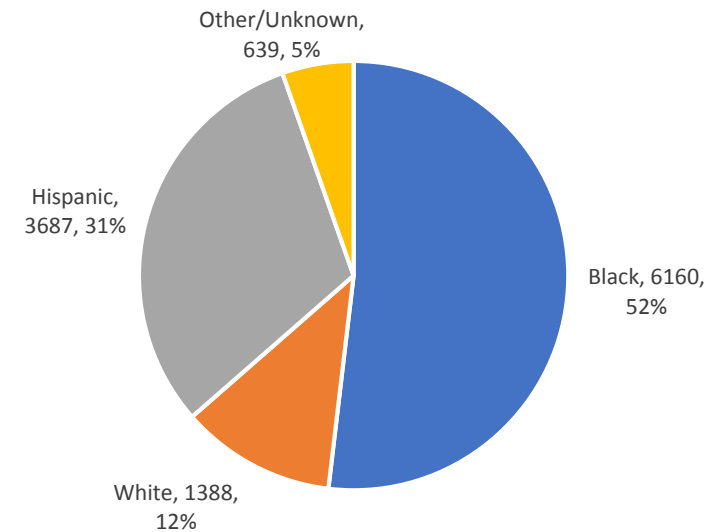
10% are women



More than one-third have cases in the Manhattan courts



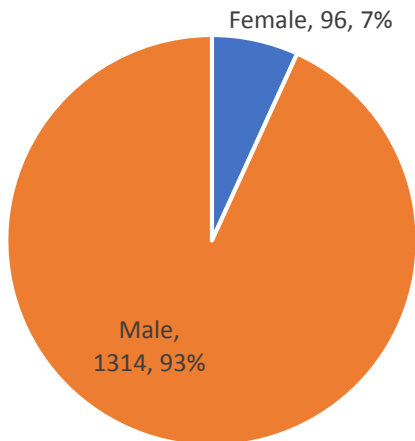
*52% are Black
31% are Hispanic
12% are White*



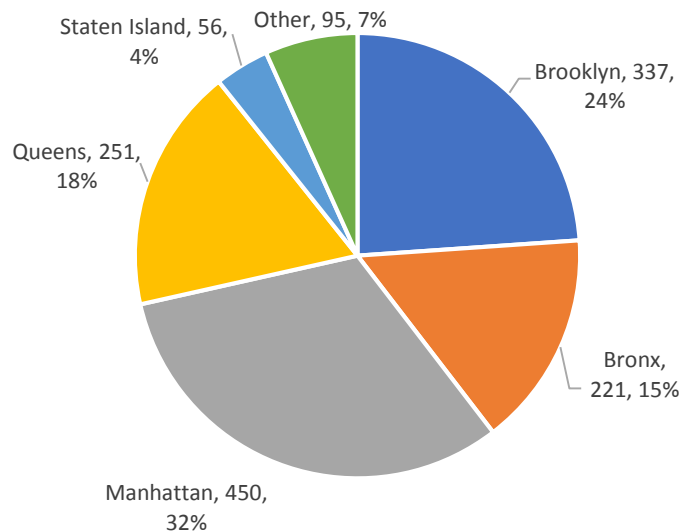
CITY SENTENCED POPULATION: FURTHER ANALYSIS (181-365 DAYS)

Median Age: 32

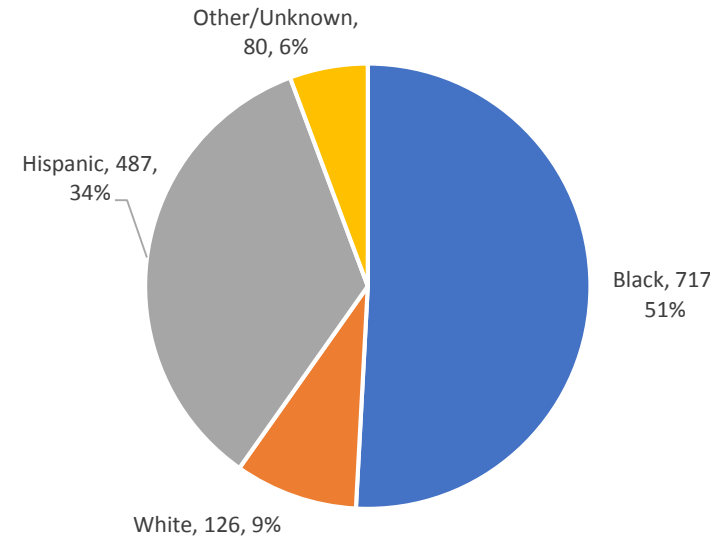
7% are women



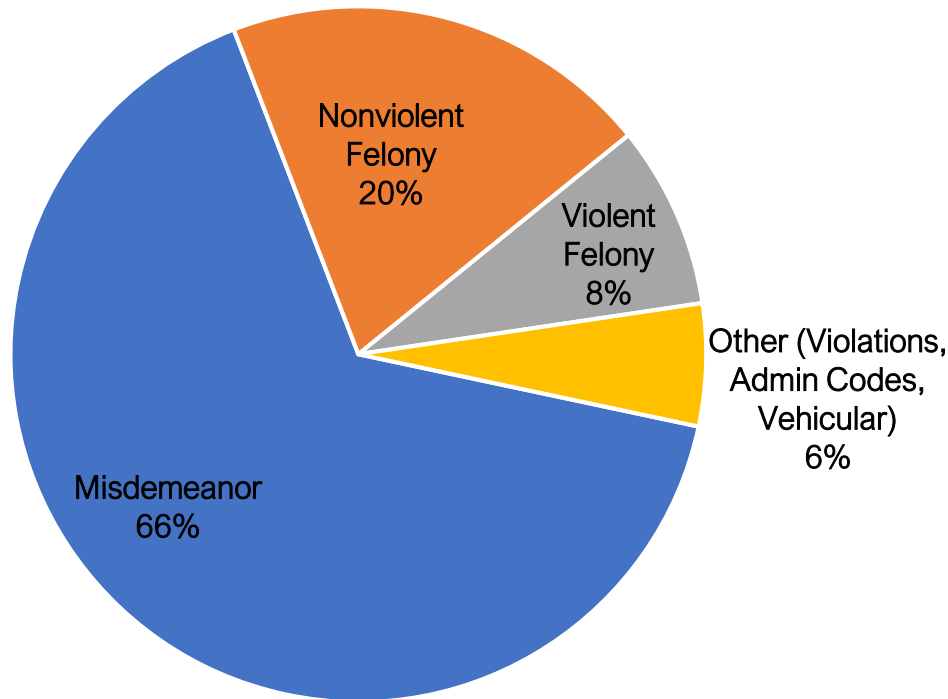
Almost one-third have cases in the Manhattan courts



51% are Black
35% are Hispanic
9% are White

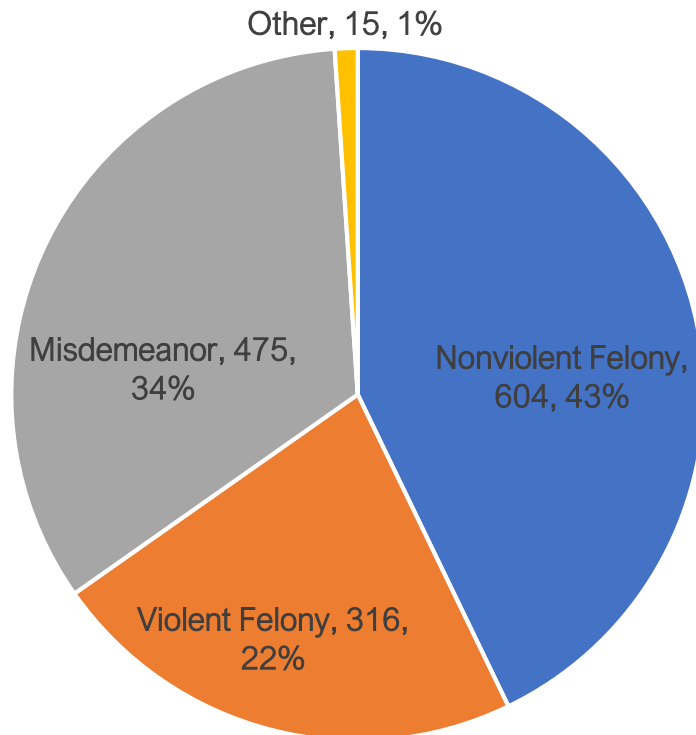


CITY SENTENCED POPULATION: FURTHER ANALYSIS



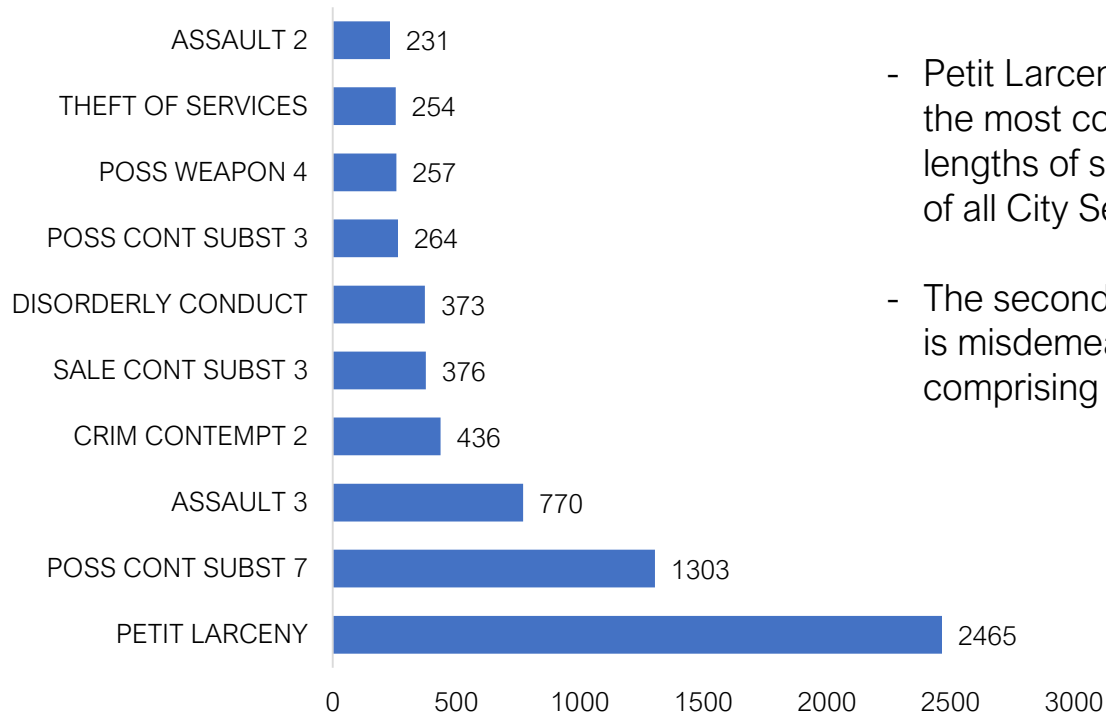
- 2/3 of those receiving a City Sentence entered jail with a misdemeanor charge.
- 6% entered jail with a violation (primarily disorderly conduct) or vehicular offense. These individuals often spend one to two days in jail and are released with time served.
- Though 28% entered jail with a felony charge, these people ultimately received a City Sentence. In some instances, the charges were reduced from felonies to misdemeanors.

CITY SENTENCED POPULATION: FURTHER ANALYSIS (181-365 DAYS)



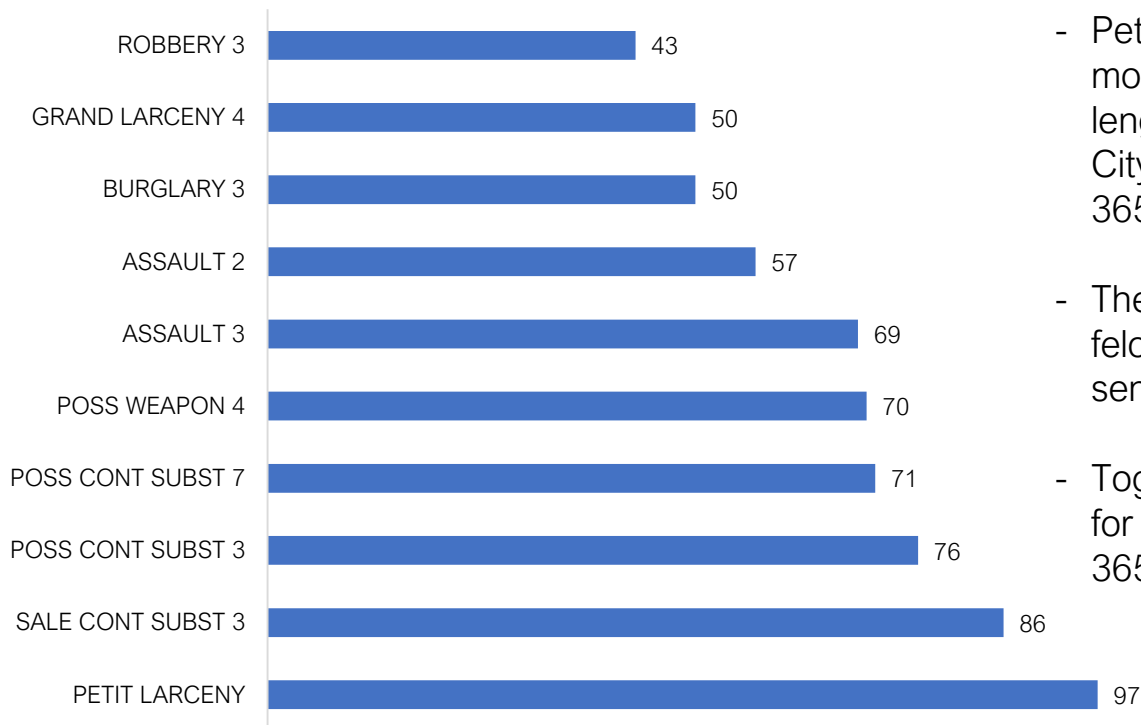
- 1/3 of those receiving a City Sentence who stayed between 6 months and one year entered jail with a misdemeanor charge.
- Though 65% entered jail with a felony charge, these people ultimately received a City Sentence. In some instances, the charges were reduced from felonies to misdemeanors.

CITY SENTENCED POPULATION: FURTHER ANALYSIS



- Petit Larceny, a misdemeanor, is the most common charge across all lengths of stay and comprises 21% of all City Sentences.
- The second most common charge is misdemeanor drug possession, comprising 11% of all sentences.

CITY SENTENCED POPULATION: FURTHER ANALYSIS (181-365 DAYS)



- Petit Larceny, a misdemeanor, is the most common charge across all lengths of stay and comprises 7% of City Sentences who stay in jail 181-365 days.
- The second most common charge is felony drug sale, comprising 6% of all sentences.
- Together these 10 charges account for almost half those who stay 181-365 days.

ALTERNATIVE-TO-JAIL-SENTENCE PROGRAMS

The Mayor's Office of Criminal Justice currently funds 15 alternative-to-jail-sentence programs that diverted 3,383 people from jail and prison in 2017.

In addition to the new programs that replace short jail sentences, the Mayor's Office of Criminal Justice operates additional alternative-to-city-sentence programs that include diverse mandates to meet the range of risk and need profiles of those sentenced in New York City.

ALTERNATIVE-TO-JAIL-SENTENCE PROGRAMS

Expert Non-Profit Provider	Program	City Sentence Diversions in 2017	Population served
CASES	<i>Manhattan START</i>	1296	Short sentence; misdemeanor
CASES	<i>Nathaniel Assertive Community Treatment</i>	33	Serious mental health population; Felony (2-3 years)
CASES	<i>Court Employment Project</i>	275	Felony; 16-24
CCA	<i>Youth Advocacy Project</i>	94	16-24; violent felony
Center for Court Innovation	<i>Bronx Community Solutions</i>	519	Short sentence; misdemeanor
Center for Court Innovation	<i>Red Hook/Brownsville ATI Program</i>	297	Short sentence; misdemeanor
Edwin Gould	<i>Steps to End Family Violence</i>	57	Felony; women (DV victim offenders)
Fortune Society	<i>FlameTree</i>	130	Substance use; felony
Fortune Society	<i>Freedom</i>	167	Felonies
Fortune Society	<i>Better Living Center</i>	54	Mental health; felonies
Osborne Association	<i>Alternative to Jail Initiative</i>	259	Felonies; substance use and mental health
Palladia	<i>Men's Initiative</i>	103	Felonies and misdemeanors; substance use
Urban Youth Alliance International	<i>BronxConnect</i>	66	Felony; 16-19
The Vera Institute	<i>Common Justice Project</i>	14	Felony; 16-24
Women's Prison Association	<i>Justice Home Program</i>	19	Felony; women
TOTAL		3383	

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PLAN FOR WORKING TOGETHER THROUGH AUGUST

Goal

Each working group meeting will tackle specific system challenges that need to be addressed to ensure that new ATD and ATI programs are as effective as possible in safely reducing the size of the City's jail population and implemented successfully.

Structure

Each session will involve:

- a) A system actor (or panel) presenting on specific challenges faced in the uptake of alternatives to jail;
- b) A presentation of relevant data from NYC as well as research on best practices from other jurisdictions;
- c) Group discussion on possible solutions;
- d) Agreement on recommended policy, training, scope of services, culture, protocol, or practice changes; and
- e) As applicable, a commitment to supporting the ideas generated by the group.

PLAN FOR WORKING TOGETHER THROUGH AUGUST

Proposed sessions and challenges

1. May – Prosecutors and Defense

- Topic: effective programs for new populations (e.g., violent felonies, high-risk people)
- Proposed leads: Karen Friedman Agnifilo, Tina Luongo, and others

2. June – Judges

- Topic: knowledge of reliability and effectiveness of programs; ability to determine whether appropriate programs have capacity in short order
- Proposed lead: Honorable Joseph Zayas

3. July – MOCJ

- Topic: aligning programs with the current criminal justice population in NYC
- Proposed lead: Karen Shaer, plus panel

4. August – Clinicians and Providers

- Topic: legal mandates versus best clinical or social work practice for clients
- Proposed lead: Liz Gaynes, plus panel

DISCUSSION

- Are there topics not covered in this work plan that this group should address?
- Are there other system actors not included who should be?

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