

**Jail Population Management  
Subcommittee Meeting  
of the Sanford “Sandy” Krasnoff  
Criminal Justice Council**

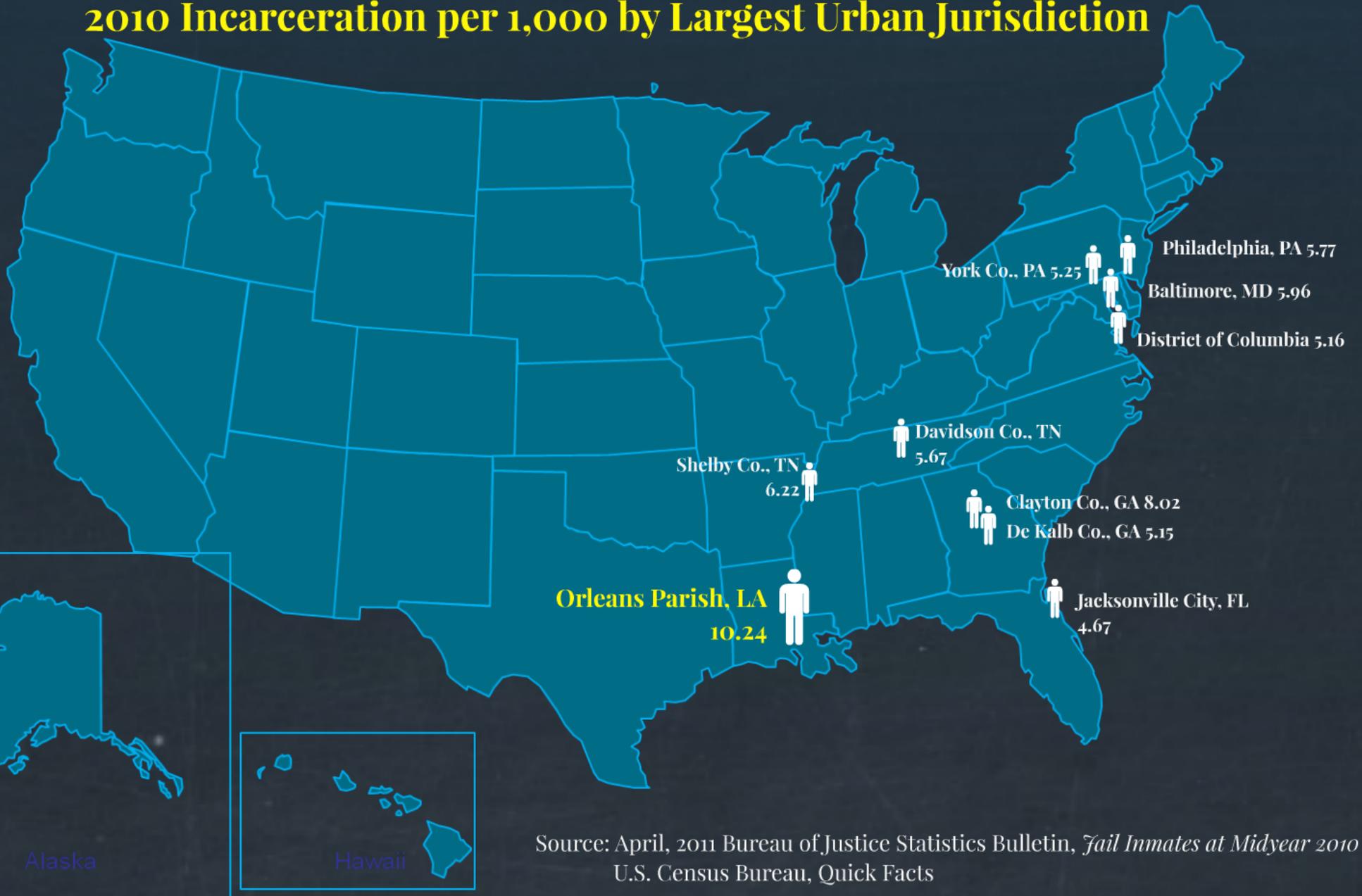
**April 21, 2015**

- After the Mayor convened the first meeting of the Subcommittee in February, 2015, the Office of Criminal Justice Coordination (OCJC) collected data from: Municipal Court, Criminal District Court, the District Attorney's Office, NOPD, and the Sheriff's Office.
- OCJC met with staff from those agencies as well as the Clerk of Criminal District Court and Orleans Public Defenders.
- OCJC reviewed policy manuals and state law where applicable and did research into operations in other jurisdictions.
- The following are initial findings that will direct OCJC's effort to develop a strategic plan to reduce the jail population over the next two months. Some of the data may confirm assumptions: other data may contradict common perceptions. There are yet other areas where OCJC needs more data to better understand the whole picture.

- There is a lot of discussion around the right jail size for New Orleans based on population size, crime rates, poverty levels, etc. While there are many ways to compare New Orleans to other jurisdictions, it is clear is that Orleans Parish incarcerates many people per capita.
- In 2010, Orleans Parish had the largest jail population per capita in the US. According to the Bureau of Justice Statistics, this figure is more than 4 times the national average.
- Since then, there have been significant reductions: the local jail population is 5.2 per 1,000 and average daily jail population is consistently under 2,000 as of 2015. However, this still puts OPP among the top 10 largest jails in the country per capita and more than double the national average per capita.

(Source: OPSO (average daily population) and U.S. Census (New Orleans population estimate 2013))

# 2010 Incarceration per 1,000 by Largest Urban Jurisdiction



Source: April, 2011 Bureau of Justice Statistics Bulletin, *Fall Inmates at Midyear 2010*  
U.S. Census Bureau, Quick Facts

- Closely related to jail size is defendants' length of stay, which is in part determined by how long it takes to process cases.
- Among the 75 largest urban counties, felony cases are processed (from arrest to disposition) within 111 days. In Orleans Parish, it takes almost 150 days more (based on cases closed in Criminal District Court in 2014). There are things about our Orleans Parish' system that may be unique – and stakeholder agencies don't have all the resources they need – but the the City is using a lot of resources to sustain a system that takes more than TWICE as long to process cases as the national average.
- It is clear that stakeholders need to work together to identify areas where improvements can be made that will make the system operate more efficiently without sacrificing public safety or due process.

Source: Bureau of Justice Statistics, Felony Defendants in Large Urban Counties, 2009 – Statistical Tables

# Overview of Jail Population Management Strategic Plan Key Dates

Objective	Date	Status
Convene Subcommittee	February 2, 2015	Complete
Initial data and research	March – mid-April	Complete
Present initial findings to Subcommittee	April 21, 2015	In progress
Conduct follow-up research	Late-April to early May	
Meet with agency staff to generate ideas	Early May	
Meet with agency staff to select initiatives and prepare for implementation	Mid-May to mid-June	
Meet with agency heads to present working plans	Mid-June	
Present final plan to Subcommittee	Approx. June 23, 2015, TBD	
Implement strategic plan	July	

- The National Institute of Corrections published a thorough Jail Capacity Planning Guide in which it lays out an extensive list of factors that influence jail population.
- At the high level, there are two primary determinants of a jurisdiction's jail size: the number of admissions and the average length of stay.
- Some of these factors are not as relevant to Orleans Parish and therefore OCJC did not pursue them in the first round of research. OCJC focused on factors that appeared to be most relevant and did not focus efforts on issues that working groups are already addressing.

# Areas of Focus for Preliminary Research

1. Analysis of current jail population
2. Analysis of the factors that influence jail population

Exhibit I-1

## Factors That Influence Jail Population

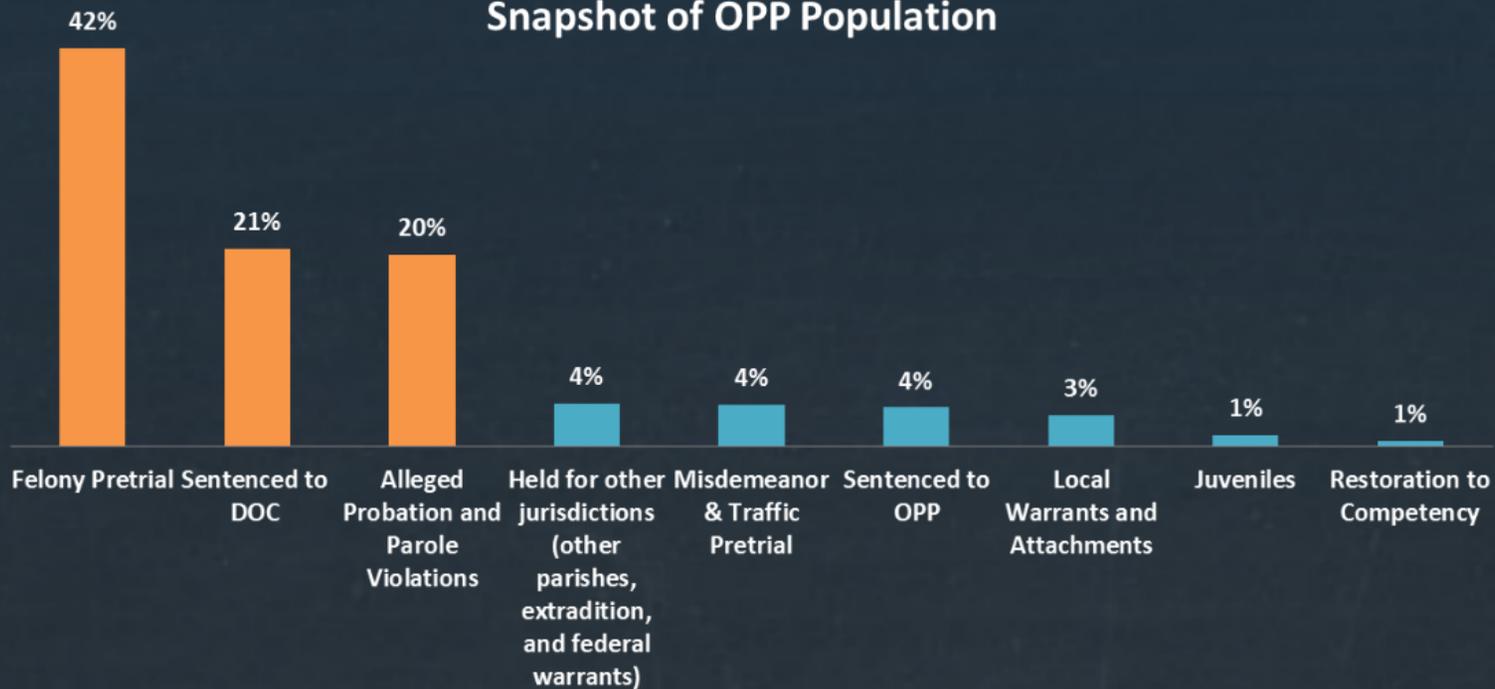
Number of Admissions to Jail	Average Length of Stay
County population	Access to timely pretrial assessment
Number of law enforcement officers	Early appointment of counsel
Booking and cite-and-release policies	Pretrial release options
County booking fee policy	Bonding policy
Availability of prebooking alternatives (detoxification and crisis centers)	Pretrial bond review procedures
Access to comprehensive pretrial services	Early case resolution procedures
Failure-to-appear rate and warrant policy	Charge and plea-bargaining policies
Pretrial failure-to-appear investigation and court return procedures	Local case-processing times
Pretrial supervision, monitoring, and tracking	Diversion and deferred sentence options
Violation of supervision rate and policy	Availability of jail alternatives (treatment, work release, etc.)
Juveniles certified as adults to stand trial	Eligibility criteria for jail alternatives
State policy transferring inmates to other counties	Sentencing mandates
Contracts with other agencies	Sentence length
Courtesy holds for other agencies	Stepdown options from jail to alternative facilities/programs
Availability of alternative sanction and diversion options	Prevailing philosophy regarding punishment versus treatment
Quality of system intervention	
Politics and the media	

(Source: National Institute of Corrections, Jail Capacity Planning Guide: A Systems Approach)

# OPP Current Jail Population

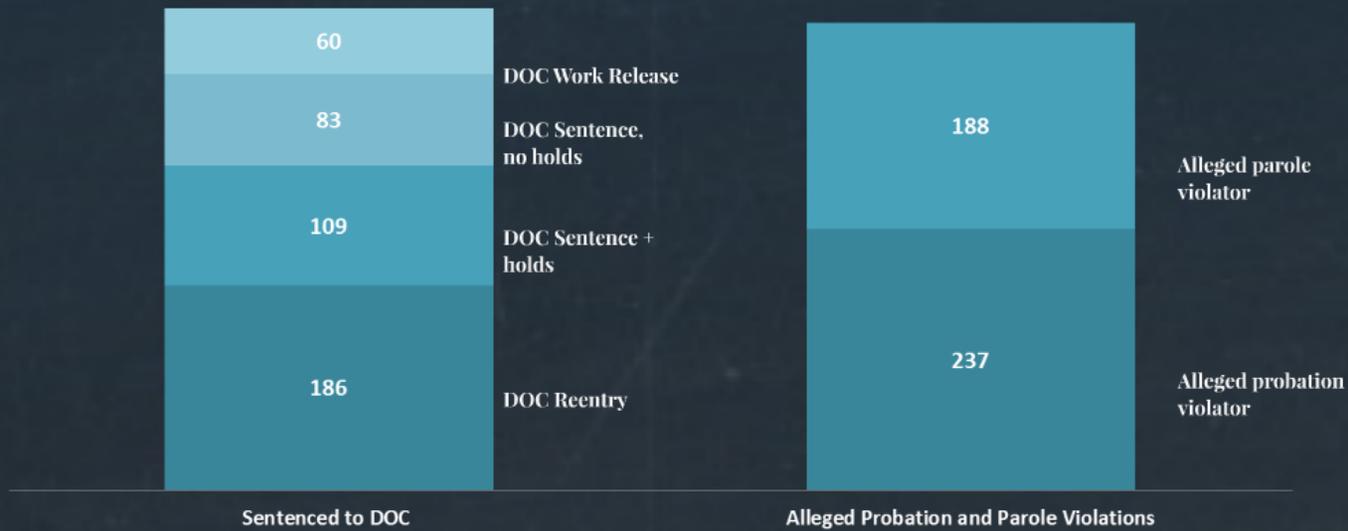
- Before turning to initial findings, the following is information about who is in the jail. This information helped to direct OCJC's research efforts. The data provided in the next few slides is based on a snapshot from Nov. 2014 provided by the Orleans Parish Sheriff's Office. OCJC compared this breakdown to a more recent April 2015 snapshot and to the 2015 daily population count. While the overall population is about 100 people fewer in the recent snapshot, the percentages of each population category have not changed.

## Snapshot of OPP Population



42% of OPP's detainees are in felony pretrial status and another 41% are DOC sentenced or alleged probation and parole violators. This 83% of the population is where OCJC focused its research because these groups make up the largest percent of the population and have the longest detention period.

## Snapshot of OPP Population



- There are four sub categories within the DOC sentenced population that OCJC broke down to better understand their unique qualities:
  - The largest category is inmates associated with the DOC Reentry program. This number includes current participants and previous participants who are serving out the remainder of their sentence at OPP. Participants can be from Orleans Parish or surrounding parishes.
  - In November, there were 83 DOC sentenced inmates who were not part of the Reentry program, were not on work release, and did not have any open charges holding them locally.
  - There are over 400 alleged probation and parole violators.

## Average LOS Snapshot at OPP

■ Average days detained as of snapshot date. Note that this is the average LOS to date for those awaiting disposition or serving an OPP sentence.



# Average LOS Snapshot at OPP

- On average, 91% of defendants are released within a week, and the average length of stay is 15 days based on individuals released from OPP between Nov. 2013 and Nov. 2014. For those who are not released on their own recognizance or make bail, the length of stay is much longer. For those who are not released within a week, the average length of stay quadruples to 61 days for felony pretrial detainees and increases from 10 days to 34 days for all predisposition detainees.
- The graph on the screen shows the average length of stay for the current population.
- 15% of the current population awaiting disposition has been detained for more than one year based on the Nov. 2014 snapshot. Perhaps most significantly, the predisposition population with the second longest length of stay is the alleged probation and parole violators who are held nearly 5 months on average. These violators include defendants who have new misdemeanor and felony charges.

# Number of Admissions

## Factors that Influence Number of Admissions to Jail

Areas Pursued in Initial Research	Efforts Already Underway (Did Not Pursue in Initial Research)
Use of Summonses	Number of law enforcement officers
Supervision Violations	Juveniles certified as adults to stand trial
Failure to Appear Issues	Arrests on out-of-parish warrants

- On the question of the number of admissions, OCJC is focusing on the use of summonses, policies around supervision violations, and failures to appear.
- Research has shown an inconsistent link between the number of officers and arrests. NOPD is using smart policing tactics that focus on those offenses that put public safety most at risk.
- Additionally, since fall 2014, a working group has focused on the appropriate detention of juveniles prosecuted as adults with an emphasis on the Youth Study Center. This Subcommittee will not address that issue.
- Finally, NOPD has largely stopped making arrests for defendants who have only an out-of-parish warrant. The number of people in the jail detained only on out-of-parish warrants has dropped dramatically to fewer than 10 based on jail snapshot data from April 2015.

Source: James Austin and Michael Jacobson. *How New York City Reduced Mass Incarceration: A Model for Change?* New York, NY: Vera Institute of Justice, 2012.

## Use of Summonses

Issue: Number of arrests contributes to number of admissions. Issuing a summons instead of making an arrest for eligible offenses could decrease the number of admissions.

- NOPD implemented a summons policy several years ago for municipal and low-level misdemeanor offenses. NOPD has issued fewer summonses since early 2013, but the number of arrests has declined as well. OCJC will do additional research to determine whether arrests for municipal and low-level offenses declined similarly, or whether officers need a refresher training on the summons policy.



## Supervision Violations

Issue: Probationers are arrested and booked for technical violations. Administrative sanctions serve as an alternative response to violations and can reduce number of probationers and parolees who are arrested and detained to await revocation hearings. Using a risk/needs assessment to impose appropriate conditions of supervision at the time of sentencing can support probation compliance.

### Snapshot of Probation and Parole Reason for Detention



- The majority of alleged probation and parole violators have an open charge in municipal or criminal district court, but 19% are held solely on a technical violation.

## Failure to Appear Issues

Issue: Warrants, capiases, and attachments can increase the number of arrests and bookings. Individuals who fail to appear in court pretrial, post-adjudication for a status hearing, or fail to pay fines and fees are issued a warrant, casias, or attachment. Developing alternative practices for notice and payment of fines and fees could decrease the number of bookings.

- Statistics on the number of capiases issued for failures to appear is difficult to ascertain in the data. However, conversations with stakeholders suggest that failure to appear is an important area to focus on.
- There are two ways to address failures to appear, which are a potential factor in the number of bookings: prevention and response.
- OCJC will work with agencies to identify what is driving failures to appear, for example problems with court date notification, failure to serve subpoenas, the number of hearings, and the existence of post-disposition hearings to pay fees and fines.

# Factors that Influence Number of Admissions to Jail

## Areas Pursued in Initial Research

Use of Summonses

Supervision Violations

Failure to Appear Issues

## Efforts Already Underway (Did Not Pursue in Initial Research)

Number of law enforcement officers

Juveniles certified as adults to stand trial

Arrests on out-of-parish warrants

- On the question of the number of admissions, OCJC is focusing on the use of summons, policies around supervision violations, and failures to appear.
- Research has shown an inconsistent link between the number of officers and arrests. NOPD is using smart policing tactics that focus on those offenses that put public safety most at risk.
- Additionally, since fall 2014, a working group has focused on the appropriate detention of juveniles prosecuted as adults with an emphasis on the Youth Study Center. This Subcommittee will not address that issue.
- Finally, NOPD has largely stopped making arrests for defendants who have only an out-of-parish warrant. The number of people in the jail detained only on out-of-parish warrants has dropped dramatically to fewer than 10 based on jail snapshot data from April 2015.

Source: James Austin and Michael Jacobson. How New York City Reduced Mass Incarceration: A Model for Change? New York, NY: Vera Institute of Justice, 2012.

# Use of Summonses

Issue: Number of arrests contributes to number of admissions. Issuing a summons instead of making an arrest for eligible offenses could decrease the number of admissions.

- NOPD implemented a summons policy several years ago for municipal and low-level misdemeanor offenses. NOPD has issued fewer summonses since early 2013, but the number of arrests has declined as well. OCJC will do additional research to determine whether arrests for municipal and low-level offenses declined similarly, or whether officers need a refresher training on the summons policy.



# Supervision Violations

Issue: Probationers are arrested and booked for technical violations. Administrative sanctions serve as an alternative response to violations and can reduce number of probationers and parolees who are arrested and detained to await revocation hearings. Using a risk/needs assessment to impose appropriate conditions of supervision at the time of sentencing can support probation compliance.

## Snapshot of Probation and Parole Reason for Detention

- No pending charges (detained on technical violation only)
- Pending charges

- The majority of alleged probation and parole violators have an open charge in municipal or criminal district court, but 19% are held solely on a technical violation.



# Use of Administrative Sanctions

- In 2011, the Louisiana legislature enacted Act 104 to authorize probation and parole officers to use administrative sanctions (such as community service) to respond to technical violations. Administrative sanctions provide a swift and certain response and can reduce the number of revocations where a new charge is not attached.
- Sanctions must be approved by judges on a case by case basis at sentencing – OCJC's research has determined probation officers are rarely given the authority to issue administrative sanctions, although it is an option on their response grid.
- In parole cases (including good time releases) the Parole Board must authorize use of sanctions at the time of release. The Louisiana Parole Board has approved the use of administrative sanctions across the board for all parole cases.

## PERFORMANCE GRID

### USE FOR ALL VIOLATIONS

#### SEVEN DAY RULE – ALL TECHNICAL VIOLATIONS ADDRESSED IN 7 DAYS

LEVEL 1 VIOLATIONS	POST ACT 402, SVO, IN LIEU OF REVOCATION SERVICES LEVEL 1 VIOLATIONS	Red letters denote Act 104 Sanctions LEVEL 1 ACTIONS
<input type="checkbox"/> Failure to pay Restitution -up to 3 Months <input type="checkbox"/> Failure to initially report as required <input type="checkbox"/> Failure to report as instructed <input type="checkbox"/> Unemployment and failure to seek employment <b>within</b> 90 days <input type="checkbox"/> Travel without permission <input type="checkbox"/> Changing residence without permission <input type="checkbox"/> Associating with known felons or persons involved in criminal activity <input type="checkbox"/> 1 <sup>ST</sup> Positive Drug Test /Alcohol use or admission	<input type="checkbox"/> Failure to pay Restitution up to 3 months <input type="checkbox"/> Failure to initially report as required <input type="checkbox"/> Failure to report as instructed <input type="checkbox"/> Unemployment and failure to seek employment <b>within</b> 90 days <input type="checkbox"/> Travel without permission <input type="checkbox"/> Changing residence without permission <input type="checkbox"/> Associating with known felons or persons involved in criminal activity	Notify Judge or Parole Board as needed <input type="checkbox"/> Travel Restriction <input type="checkbox"/> Written Reprimand <input type="checkbox"/> Reporting/ Contact Frequency Increased <input type="checkbox"/> Increased Drug Testing <input type="checkbox"/> Treatment/ Services Referrals <input type="checkbox"/> <b>Community Service Work</b> <input type="checkbox"/> <b>Jail Sanctions (1-3 days)</b> *Select one or more level 1 actions as appropriate
<input type="checkbox"/> 3 Or more Level 1 Violations <input type="checkbox"/> Failure to Pay Restitution over 3 Months <input type="checkbox"/> Non-Compliance/ Violating Special Conditions <input type="checkbox"/> Unemployment and failure to seek employment <b>over</b> 90 days <input type="checkbox"/> Travel out of State without permission <input type="checkbox"/> Misdemeanor activity (non-violent) <input type="checkbox"/> Dismissal from Treatment or Mandated Services <input type="checkbox"/> Failure to comply with Level 1 actions <input type="checkbox"/> 2nd positive Drug Test/Alcohol use or admission	<input type="checkbox"/> 3 or more Level 1 Violations <input type="checkbox"/> Failure to Pay Restitution over 3 months <input type="checkbox"/> Unemployment and failure to seek employment <b>over</b> 90 days <input type="checkbox"/> Misdemeanor activity (non-violent) <input type="checkbox"/> 1 <sup>ST</sup> Positive Drug Test /Alcohol use or admission <input type="checkbox"/> Travel out of State without permission <input type="checkbox"/> Failure to comply with Level 1 actions	LEVEL 2 ACTIONS Notify Judge or Parole Board as needed <input type="checkbox"/> Increased Drug Testing <input type="checkbox"/> <b>Community Service Work</b> <input type="checkbox"/> <b>Curfew</b> <input type="checkbox"/> <b>Adm. Sanction - Ordered Services</b> <input type="checkbox"/> <b>Adm. Sanction - Ordered Treatment</b> <input type="checkbox"/> Proof of employment search <input type="checkbox"/> Administrative Hearing <input type="checkbox"/> <b>Day Reporting Center</b> <input type="checkbox"/> <b>2 or more Level 1 Actions</b> <input type="checkbox"/> <b>Jail Sanctions ( 3-7 days)</b> *Select one or more level 2 actions plus any level 1 actions as appropriate
<input type="checkbox"/> Falsifying Drug Test <input type="checkbox"/> Misdemeanor activity (serious/violent) <input type="checkbox"/> 3 or more Level 2 Violations <input type="checkbox"/> Failure to comply with Level 2 actions <input type="checkbox"/> 3rd or more Positive Drug Test/Alcohol use or admission	<input type="checkbox"/> 2nd positive Drug Test/Alcohol use or admission <input type="checkbox"/> Dismissal from Treatment or Mandated Services <input type="checkbox"/> Falsifying or Drug Tests <input type="checkbox"/> Misdemeanor activity (serious/violent) <input type="checkbox"/> 2 or more Level 2 violations <input type="checkbox"/> Failure to comply with Level 2 actions <input type="checkbox"/> Non-Compliance/Violating Special Conditions	LEVEL 3 ACTIONS Notify Judge or Parole Board as needed <input type="checkbox"/> <b>Electronic Monitoring</b> <input type="checkbox"/> <b>Inpatient Treatment without Detention</b> <input type="checkbox"/> ACT 402 (up to 90 day) if eligible <input type="checkbox"/> Warrant/ Motion and Order to Revoke <input type="checkbox"/> <b>Arrest/Detain with Inpatient Treatment</b> <input type="checkbox"/> Arrest/Detain with Custodial Treatment or Services <input type="checkbox"/> <b>Jail Sanctions ( 7-10 days)</b> *Select one or more level 3 actions plus any level 1 or 2 actions as appropriate
<input type="checkbox"/> 2 or more Level 3 Violations <input type="checkbox"/> Intimidation of victims <input type="checkbox"/> All Felony activities (except positive drug screens) <input type="checkbox"/> Failure to comply with Level 3 actions <input type="checkbox"/> Absconding from Supervision	<input type="checkbox"/> Intimidation of victims <input type="checkbox"/> Absconding from Supervision <input type="checkbox"/> All Felony activities (except positive drug screens) <input type="checkbox"/> 3rd or more Positive Drug Test/Alcohol use or admission <input type="checkbox"/> Failure to comply with Level 3 actions	LEVEL 4 - ACTIONS <b>Notify Judge or Parole Board</b> <input type="checkbox"/> <b>Arrest/ Detain with other level actions</b> <input type="checkbox"/> Arrest with request for Revocation <input type="checkbox"/> Warrant *Select one or more level 4 actions plus any level 1,2 or 3 actions as appropriate

POLICY APPROVED DEVIATIONS MUST BE EXPLAINED IN THE NARRATIVES.

Created: 01-16-2012

# Imposing Conditions of Probation

- Currently no risk/needs assessment are conducted at the time of sentencing to determine appropriate conditions of supervision.
- Conditions of probation can also increase the number of bookings because low-risk or non-violent probationers are trying to satisfy conditions that are outsized, leading to violations and failures to appear.
- "Special conditions" sometimes imposed on top of probation based on judges' discretion.
- Pre-sentence investigations are one way to assess the needs of a defendant at the time of release, but the local Probation and Parole office reports only preparing about 30-50 reports per year for serious offenders. This could be an area for improvement, but would likely require additional man hours for Probation and Parole staff.

# Failure to Appear Issues

Issue: Warrants, capiases, and attachments can increase the number of arrests and bookings. Individuals who fail to appear in court pretrial, post-adjudication for a status hearing, or fail to pay fines and fees are issued a warrant, capias, or attachment. Developing alternative practices for notice and payment of fines and fees could decrease the number of bookings.

- Statistics on the number of capiases issued for failures to appear is difficult to ascertain in the data. However, conversations with stakeholders suggest that failure to appear is an important area to focus on.
- There are two ways to address failures to appear, which are a potential factor in the number of bookings: prevention and response.
- OCJC will work with agencies to identify what is driving failures to appear, for example problems with court date notification, failure to serve subpoenas, the number of hearings, and the existence of post-disposition hearings to pay fees and fines.

# Length of Stay

## Factors that Influence the Length of Stay in Jail

Factors that Influence Length of Stay?	Factors that Influence Length of Stay?
Pretrial Release Options	Pretrial Release Options
Screening Practices	Screening Practices
Case Processing Time	Case Processing Time
Detention of Alleged Probation/Parole Violators	Detention of Alleged Probation/Parole Violators

While there is room for improvement around the use of pretrial services, OCJC is not focusing on access in a timely manner because 93% of eligible felony defendants receive a pretrial assessment prior to first appearance (89% of all felony defendants) based on 2014 felony booking information from New Orleans Pretrial Services. The use, rather than access, of pretrial assessment and pretrial supervision will be addressed under 'Pretrial Release Options' as part of this work.

Additionally there are current efforts and working groups focused on pretrial bond review procedures and expedited screening. While OCJC intends to coordinate efforts with those working groups, they were not a focus of initial research.

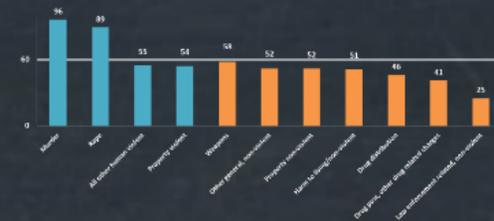
## Pretrial Release Options

Issue: Pretrial detention accounts for roughly half of the jail population. Low-risk defendants who are eligible for non-financial release remain detained for long periods of time. Increasing pretrial release for low-risk defendants could decrease the jail population by decreasing their length of stay.

## Screening Practices

Issue: Lengthy screening times contribute to lengthy case processing times. Reducing the time it takes to reach a screening decision could expedite the release of defendants who have their charges refused and advance the cases of defendants who had their charges accepted.

Average Number of Days Between Arrest and Screening Decision (for Defendants Detained at the Time of Screening Decision)



## Delays in Case Processing Time

Issue: System inefficiencies create delays in case processing. Defendants who are unable to bond out remain in jail awaiting case adjudication. Removing unnecessary delays due to transportation, docketing processes, split cases among courts and consecutive decision points, and failure-to-appear issues could decrease unnecessary detention.

Conversations with stakeholders pointed out many possible decision points and processes that may be unnecessarily extending case processing time.

Stakeholders pointed to delays due to misdemeanors and felonies being prosecuted across two courts for the same defendant and defendants having holds in different courts.

Failure to appear may also be falsely extending case processing time - the average length of absence is 91 days, although most return within 60 days.

## Release Processing Time

Issue: Individuals who have been sentenced on their remaining Orleans Parish hold or issued a court release are waiting excessive lengths of time for transport or release. Expediting the release process could reduce length of stay and avoid unnecessary detention costs.

Days Elapsed Between Case Decision and Release from OPP (2014)



## Detention of Alleged Probation and Parole Violators

Issue: A defendant detained on a probation or parole violation can wait a long time for a revocation hearing because of docketing delays and/or the courts practice of maintaining the hold while charges from other courts are pending. Improving scheduling procedures and increasing the release of defendants awaiting revocation decisions could decrease their length of stay.

Most alleged probation and parole violators are also booked with a new charge - but the impact of the probation or parole hold significantly increases length of stay in the jail.

# Factors that Influence the Length of Stay in Jail

Areas Pursued in Initial Research
Pretrial Release Options
Screening Practices
Delays in Case Processing Time
Release Processing Time
Detention of Alleged Probation and Parole Violators

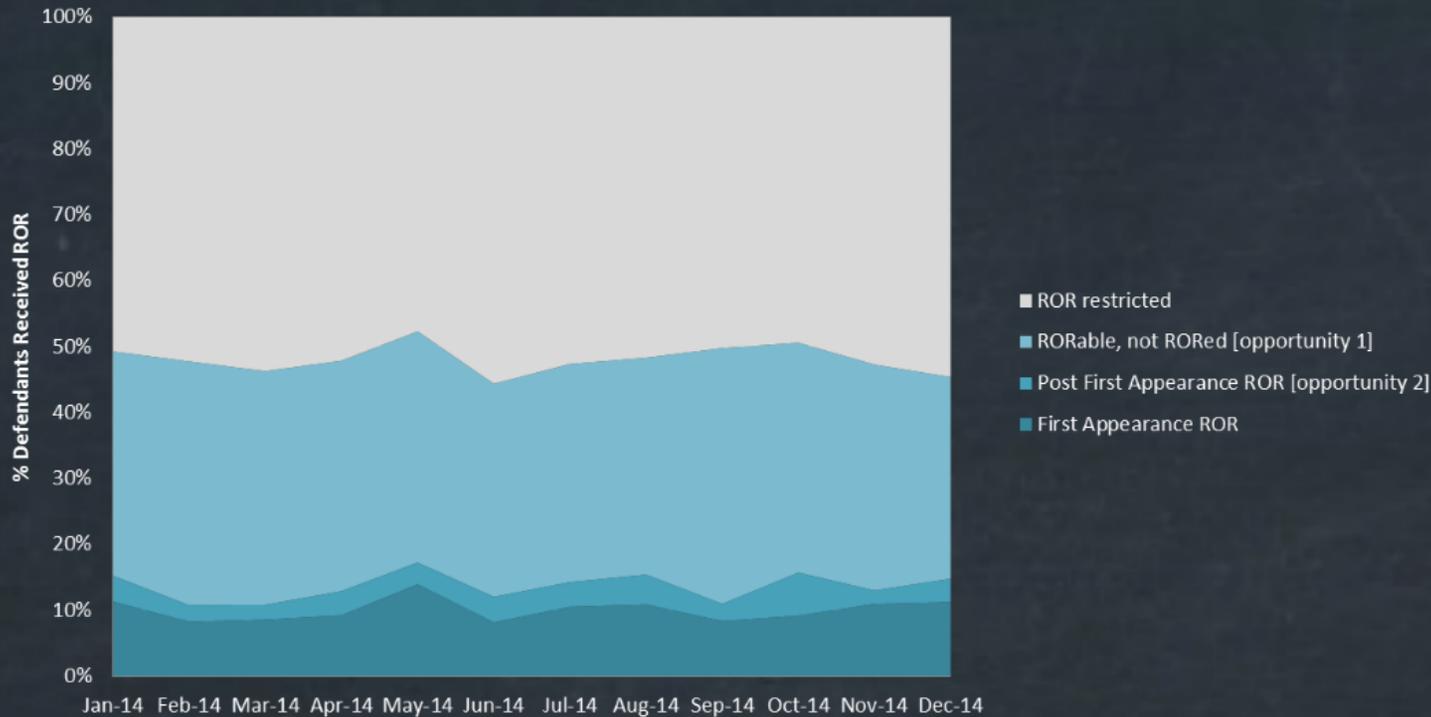
Efforts Already Underway (Did Not Pursue in Initial Research)
Access to Pretrial Assessment
Pretrial bond review procedures
Expedited Screening

- While there is room for improvement around the use of pretrial services, OCJC is not focusing on access in a timely manner because 93% of eligible felony defendants receive a pretrial assessment prior to first appearance (89% of all felony defendants) based on 2014 felony booking information from New Orleans Pretrial Services. The use, rather than access, of pretrial assessment and pretrial supervision will be addressed under "Pretrial Release Options" as part of this work.
- Additionally there are current efforts and working groups focused on pretrial bond review procedures and expedited screening. While OCJC intends to coordinate efforts with those working groups, they were not a focus of initial research.

# Pretrial Release Options

Issue: Pretrial detention accounts for roughly half of the jail population. Low-risk defendants who are eligible for non-financial release remain detained for long periods of time. Increasing pretrial release for low-risk defendants could decrease the jail population by decreasing their length of stay.

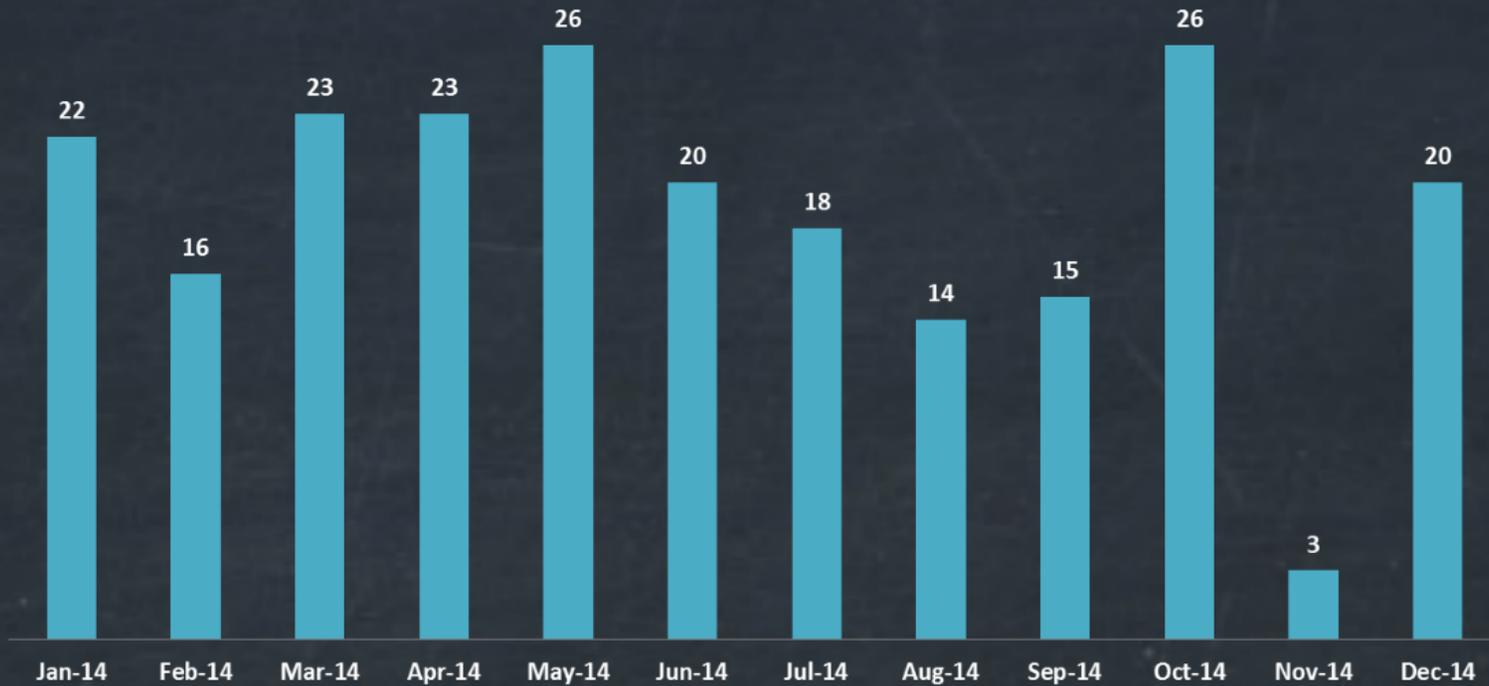
## Current ROR Rates and Opportunity



Almost 48% of defendants with cases closed in 2014 had charges that were all eligible for Release on Recognizance, based on the charge. Of those cases, only 24% were ROR'd at First Appearance with an additional 4% ROR'd at a later date.

Some of these defendants may not have been ROR'd because they previously failed to appear after being ROR'd (which would deem them ineligible), but it appears there is some room for increased use of this pretrial release option. If the use of ROR increased by 15 percent, more than 300 additional people would be released at First Appearance.

## Opportunity 2: Average Days Between First Appearance and ROR

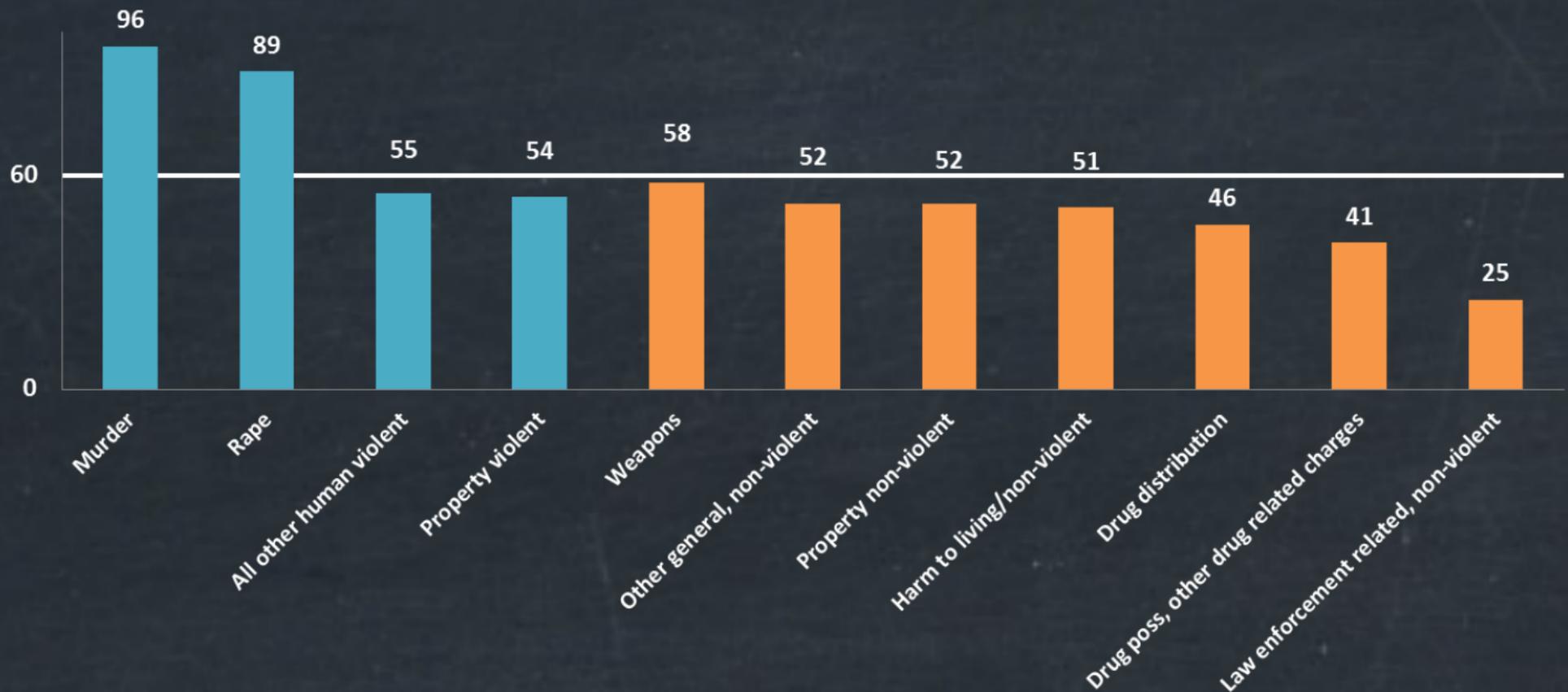


RORs that occur after First Appearance for 4% of eligible defendants occur 2 - 3 weeks later. If commissioners and judges are determining at a later date that someone is appropriate for an ROR, there is a second opportunity here to ensure that not only do RORs occur more frequently, but also at the earliest point possible in the process.

# Screening Practices

Issue: Lengthy screening times contribute to lengthy case processing times. Reducing the time it takes to reach a screening decision could expedite the release of defendants who have their charges refused and advance the cases of defendants who had their charges accepted.

**Average Number of Days Between Arrest and Screening Decision  
(for Defendants Detained at the Time of Screening Decision)**



## Screening Practices (continued)

- State law dictates the number of days that the District Attorney has to make a screening decision from the point of arrest. For detained defendants, it's 45 days for misdemeanors and 60 days for felonies. This time frame includes the time it takes for NOPD to turn over a case and all related evidence.
  - Note that the time frame for detained defendants is 120 days for murder, rape, and crimes punishable by death or life imprisonment.
- The offenses on this slide are grouped: crimes with victims are in blue and victimless crimes are in orange. This slide shows that for almost all cases, the screening decision is made just before the time limit. An expedited screening working group is targeting the crimes highlighted in orange: these victimless crimes could be screened much faster than the average 46 days seen here.
- At this time OCJC cannot drill in further to determine how many days it takes for all the steps in the screening process, including the turnover from NOPD. However, as part of the expedited screening working group, the DA's Office has begun tracking some of these dates which will allow the team to learn more.

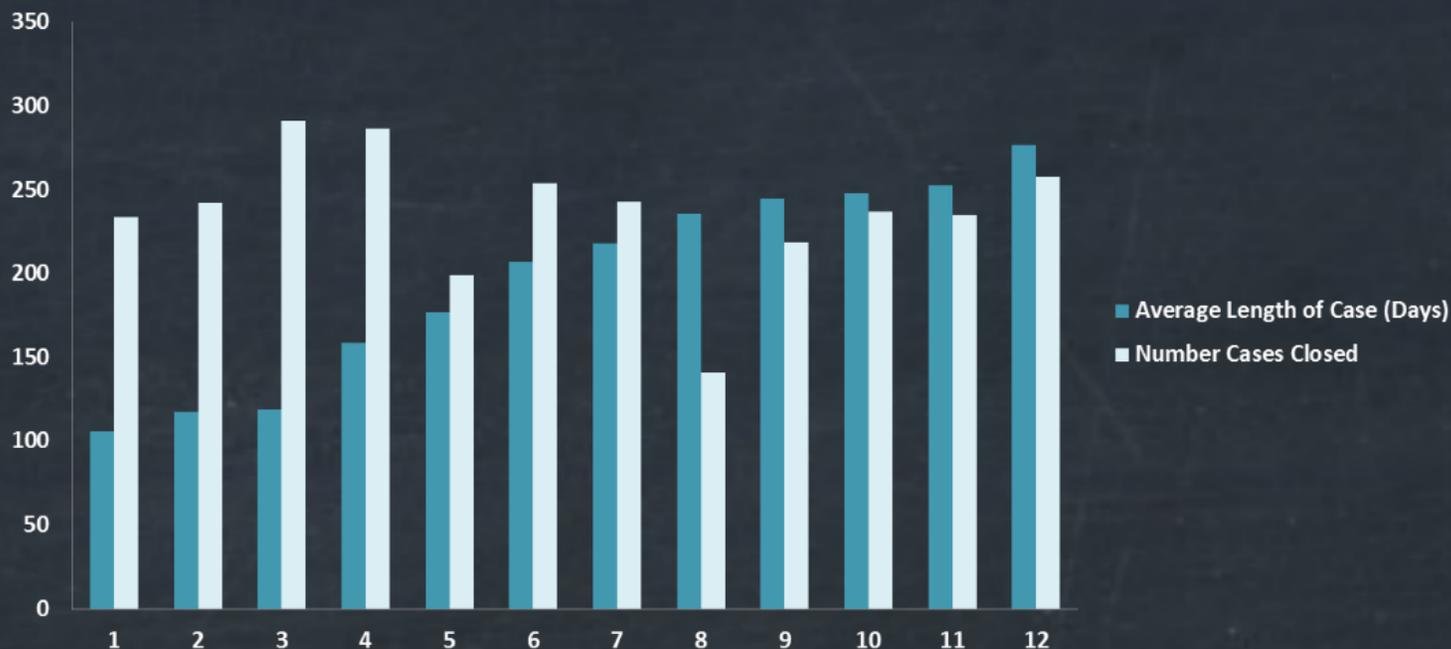
# Delays in Case Processing Time

Issue: System inefficiencies create delays in case processing. Defendants who are unable to bond out remain in jail awaiting case adjudication. Removing unnecessary delays due to transportation, docketing processes, split cases among courts and consecutive decision points, and failure-to-appear issues could decrease unnecessary detention.

- Conversations with stakeholders pointed out many possible decision points and processes that may be unnecessarily extending case processing time
- Stakeholders pointed to delays due to misdemeanors and felonies being prosecuted across two courts for the same defendant and defendants having holds in different courts.
- Failure to appear may also be falsely extending case processing time – the average length of absence is 91 days, although most return within 60 days.

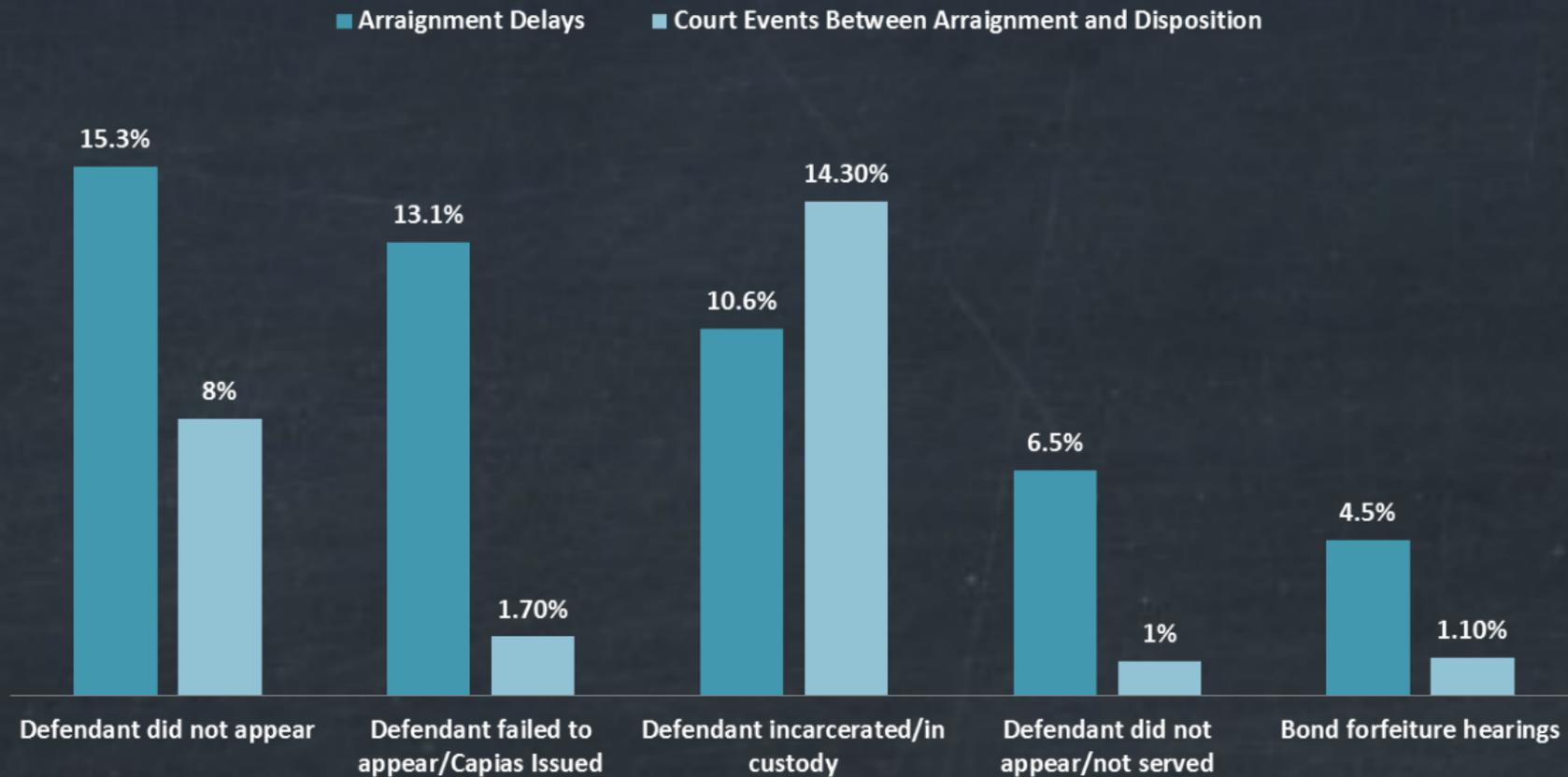
## Cases Closed in CDC, 2014

Note: The numbers below represent sections of Criminal District Court ordered based on average length of case



- This graph represents all the CDC sections based on average length of case.
- There is great variety in both the number of cases closed and the average length of case. There are many considerations to be made when considering how quickly a case should be moved. It may not be advantageous to process a large number of cases very quickly, nor to process a small number of cases very slowly.
- A potential next step may be to speak with judges in different sections to better understand how they approach their dockets. On average, there are five to nine court dates per case.

## Court Delays Due to Transportation and FTA



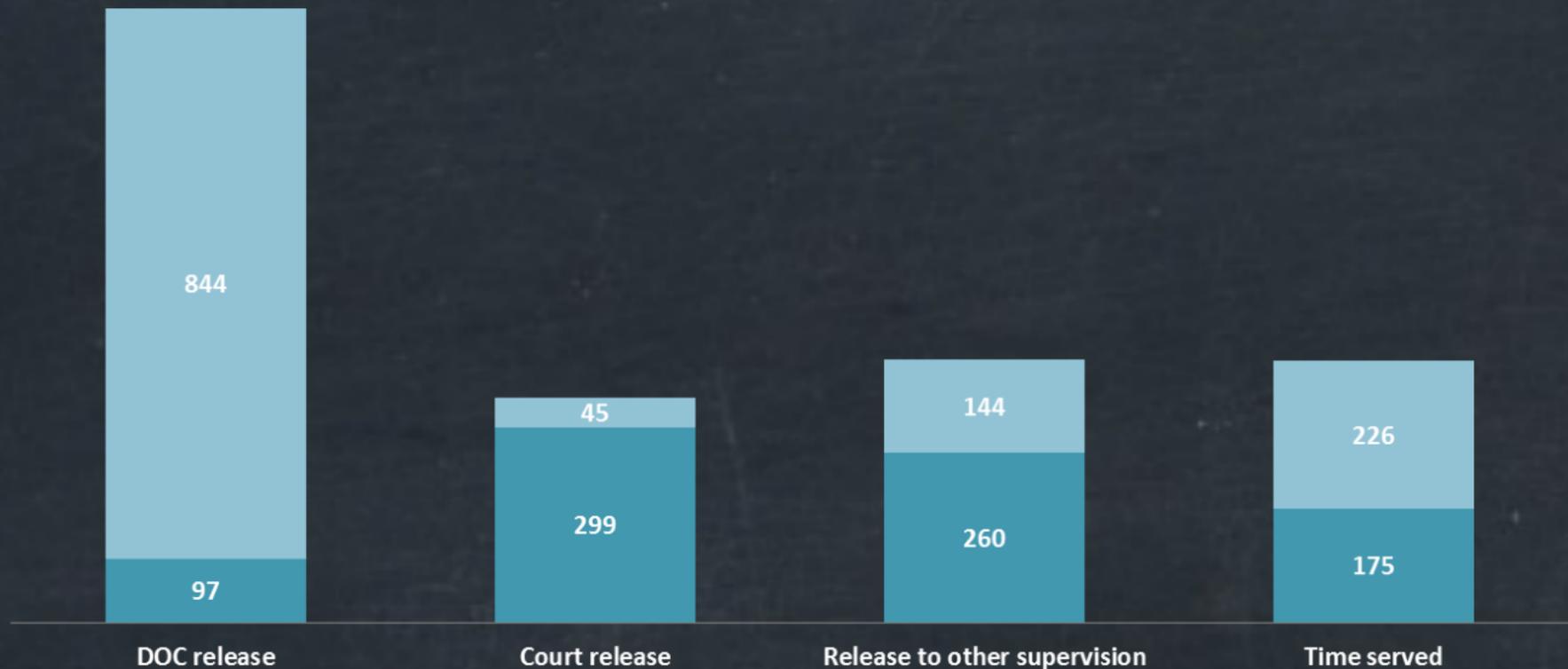
- One of the primary causes for court delays is a detained defendant not appearing at the appropriate time in court.
- More than 14% of court event dates in Criminal District Court were reset because a detained defendant was not transported. A separate working group comprised of representatives from CDC, the Clerk's Office and OPSO should be convened to determine why this might be happening.
- Additionally, it could be beneficial to examine the subpoena process since almost 7% of arraignments are delayed because the defendant was not served.

# Release Processing Time

Issue: Individuals who have have been sentenced on their remaining Orleans Parish hold or issued a court release are waiting excessive lengths of time for transport or release. Expediting the release process could reduce length of stay and avoid unnecessary detention costs.

## Days Elapsed Between Case Decision and Release from OPP (2014)

■ Number individuals released after 7 days    ■ Number individuals released within 7 days



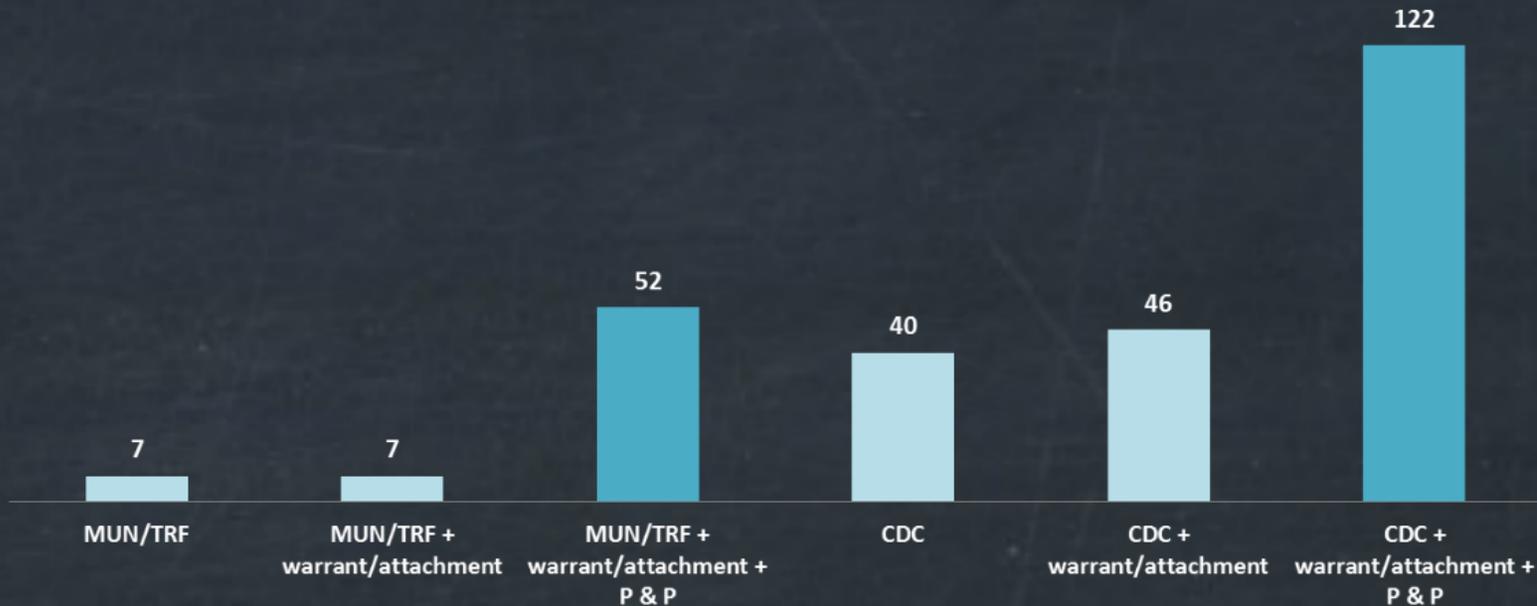
# Detention of Alleged Probation and Parole Violators

Issue: A defendant detained on a probation or parole violation can wait a long time for a revocation hearing because of docketing delays and/or the courts practice of maintaining the hold while charges from other courts are pending. Improving scheduling procedures and increasing the release of defendants awaiting revocation decisions could decrease their length of stay.

Most alleged probation and parole violators are also booked with a new charge – but the impact of the probation or parole hold significantly increases length of stay in the jail.

## Average Length of Stay for Defendants with Probation or Parole Holds in 2014

Note: the data includes only those who were released to the street and whose detention was unaffected by sentencing



This chart shows that the addition of a Probation or Parole violation adds 45 days to defendants held on only municipal and traffic charges, and adds more than 80 days to defendants held on felony charges, likely because they are unable to be released while the violation detainer is imposed.

# Next Steps in Developing a Jail Population Management Strategic Plan

## Areas of Ongoing Research

Factors Contributing to Number of Admissions	Factors Contributing to Length of Stay
Arrest practices and incentives	Early appointment of counsel
Availability of pre-bookings alternatives	Diversion program performance and outcomes
Fines and fees	Utilization of pretrial assessment and supervision
	Alternative sentencing options

## Expectations Moving Forward

- City to conduct follow-up research and data analysis based on feedback from Subcommittee
- City and agency staff establish working groups and begin meeting to generate ideas and develop solutions

Objective	Date	Status
Convene Subcommittee	February 2, 2015	Complete
Initial data and research	March - mid-April	Complete
Present initial findings to Subcommittee	April 21, 2015	In progress
Conduct follow-up research	Late April to early May	
Meet with agency staff to generate ideas	Early May	
Meet with agency staff to select initiatives and prepare for implementation	Mid-May to mid-June	
Meet with agency heads to discuss working plans	Mid-June	
Present final plan to Subcommittee	Approx. June 23, 2015, TBD	
Implement strategic plan	July	

# Areas of Ongoing Research

Factors Contributing to Number of Admissions	Factors Contributing to Length of Stay
Arrest practices and incentives	Early appointment of counsel
Availability of pre-booking alternatives	Diversion program performance and outcomes
Fines and fees	Utilization of pretrial assessment and supervision
	Alternative sentencing options

# Expectations Moving Forward

- City to conduct follow-up research and data analysis based on feedback from Subcommittee
- City and agency staff establish working groups and begin meeting to generate ideas and develop solutions

Objective	Date	Status
Convene Subcommittee	February 2, 2015	Complete
Initial data and research	March – mid-April	Complete
Present initial findings to Subcommittee	April 21, 2015	In progress
Conduct follow-up research	Late-April to early May	
Meet with agency staff to generate ideas	Early May	
Meet with agency staff to select initiatives and prepare for implementation	Mid-May to mid-June	
Meet with agency heads to present working plans	Mid-June	
Present final plan to Subcommittee	Approx. June 23, 2015, TBD	
Implement strategic plan	July	