Summary Findings
from the
Exploration of Douglas County Jail Population Fluctuations

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Purpose

Over the last two years Douglas County officials have reported a steady increase in its average daily population incarcerated in the Douglas County Correctional Facility (DCCF). For many, though not all of the last 24 months, the inmate population has exceeded the rated capacity of the DCCF, which is 185 persons. Approximately 60 persons each month are housed by contract in other county jails in Kansas. Operating at or above capacity in the DCCF has reportedly had a significant impact on the Sheriff Department's ability to use its classification system effectively, being forced to assign many incarcerated persons to housing based on their charge status (minimum, medium, and maximum) rather than in accord with more objectively defined institutional risk and behavioral management strategies.

The impact of the sustained increase in the jailed population extends far beyond the space challenges faced by jail managers. Incarcerated persons who are housed out of county generally do not have access to the same programs that would be available to them if they were housed in the DCCF. Residents of Douglas County who are incarcerated are often removed from their families and support systems when housed in another jail. The incarcerated women in the DCCF are confined to one housing unit regardless of their classification levels and the levels of risk or needs posed. The mix of risk classifications in the women's unit means that many of the women are locked down for extended periods of the day and their opportunities to work as trustees in the DCCF are seriously limited as well.

As a result of its rising incarcerated population and the consequences described here, County officials initiated a process of exploring a variety of responses to the challenges posed by jail overcrowding. These responses include jail expansion as well as development of additional jail diversion and reintegration strategies. While discussions and work on these options continue, we were asked to explore factors that may be contributing to the recent increases in the inmate population reported by the Douglas County Sheriff's Office (DCSO).

Summary and Highlights

The DCCF inmate population has increased substantially between 2011 and 2015. When comparing the average monthly jail inmate population during the years 2011-2013 (131.3) to that during the years 2014-2015 (184.1), the Douglas County jail population has increased 40%. Comparing the year 2011 (122.4) to the year 2015 (195.3), the average monthly jail population reflect a 60% increase. In terms of demographics, the percentage of inmates who is female appears to have increased substantially since 2013 (approximately 50%). However, this observation is based solely on one data point in 2013 – it could be an anomaly of the data studied for this report. More data on the proportion of female inmates are required to substantiate this assertion. Reflecting national trends, and for reasons unable to be explored through data from a single justice-system intercept point (i.e., the jail), the percentage of individuals who are Black and incarcerated in the DCCF averaged approximately 22%. This rate is nearly five times their representation in the general population of Douglas County.

To explore what factors may be contributing to higher inmate counts within the DCCF, data on in-custody inmates were used to compare low-inmate-count months (LICM) to high-inmate-count months (HICM) on characteristics of inmates' charges, judicial status, bond type, and length of stay. One characteristic of inmates' charges that was explored was whether the charge was a municipal or state offense. While LICM and HICM did not differ on the extent of state and municipal charges, all analyses displayed a trend towards increased state charges and reduced municipal charges among inmates housed at the jail over the year 2015; a time span that included the jail's steepest increase in its population.

The most likely suspect contributing to fluctuations in DCCF inmate populations is the varying seriousness of charges seen during LICM and HICM. The average number of inmates with a felony charge, and the percentage of inmates who have only felony charges, were significantly higher in HICM than LICM. However, worth consideration before "hanging one's hat" on this finding are two important observations. First, within the data provided by the DCSO, not all of the inmates' charges were classified by level of charge (i.e., felony or misdemeanor). Approximately 85% of charges were marked as felony or misdemeanor. In those cases where the charges were missing the felony/misdemeanor classification, the charges were most frequently listed as: Hold, Warrant to Convey, Remand from District Court, Failure to Appear (FTA; district or municipal), and Failure to Comply with conditions of community supervision (FTC). **Original charging information associated with and underlying these offenses and violations was not available to us, and only those inmates who had complete charging classifications were included in the analysis of charge classifications.**

Despite this caveat, there were corroborating findings to support the assertion that increased felony charges are contributing to increases in the jail population. This evidence includes the percentages of inmates with any charges at pretrial status, which tended to be higher in HICM than in LICM. Similarly, when considering those inmates who only had charges that were assigned no bond, LICM had lower percentages of inmates being held solely without bond and who were at pretrial status than HICM. These latter two findings are a likely reflection of the higher percentage of persons with felony charges in HICM who were held without bond until set by a judge. Finally, inmates with only felony charges averaged a significantly higher length of stay (172.2 days) than inmates with only misdemeanor charges (91.3 days)[1]. The higher rates of felony inmates in HICM along with their lengthier jail stays indicate that

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[1] Lengths of stay reported are inflated due to the nature of the study's purpose and resultant data request. The data do not include a substantial portion of persons who are immediately released following booking. As the purpose of this study was to explore inmate fluctuations, we focused on in-custody counts, not booking counts.

the higher number of inmates in HICM may be attributable to the "piling up" of inmates with serious charges (i.e., felonies), who have lengthier stays at the jail than inmates with less serious charges (i.e., misdemeanors).

It should be noted that a substantial proportion of inmates are housed within the jail solely for misdemeanor charges; approximately 54% of inmates. The most common charges among those with only misdemeanor charges were FTAs and FTCs; which constituted over half of all the misdemeanor charges. **The underlying charges associated with FTAs and FTCs were not available for this analysis. The FTAs and the FTCs may have or may not have been related to underlying misdemeanor and/or felony charges.** Relatedly, despite the preponderance of misdemeanor charges, less than 20% of inmates' charges at pretrial status were assigned own recognizance (OR) bonds. While it doesn't appear that the percentage of inmates who are misdemeanants and the percentage of charges assigned an OR bond are related to jail population fluctuations (HICM and LICM did not significantly differ on percentage of misdemeanants or on OR bond type), both rates suggest possibilities for reducing inmate populations. However, to more fully understand the potential of such efforts, data on underlying charges related to FTA's/FTCs as well as reasons for holds, remands and warrants associated with inmate stays will need to be gathered. These data were not available for the current analyses and would take the DCSO substantial time to collect (see *Limitations of the Data* below).

Strategy

The current information technology system employed for data input and management in the DCCF presents challenges for analyses such as those we were asked to provide. Because much of the data are not searchable and actual searches had to be accomplished by looking at individual records, we were conscious of the need to be considerate of the demands placed upon DCSO staff to produce certain information. The exploration began with charting average monthly inmate counts that were provided by the DCSO and covered the years 2011-2015. These counts are presented in Figure 1.

Figure 1. Total Jail Inmate Population Jan 2011 – Dec 2015
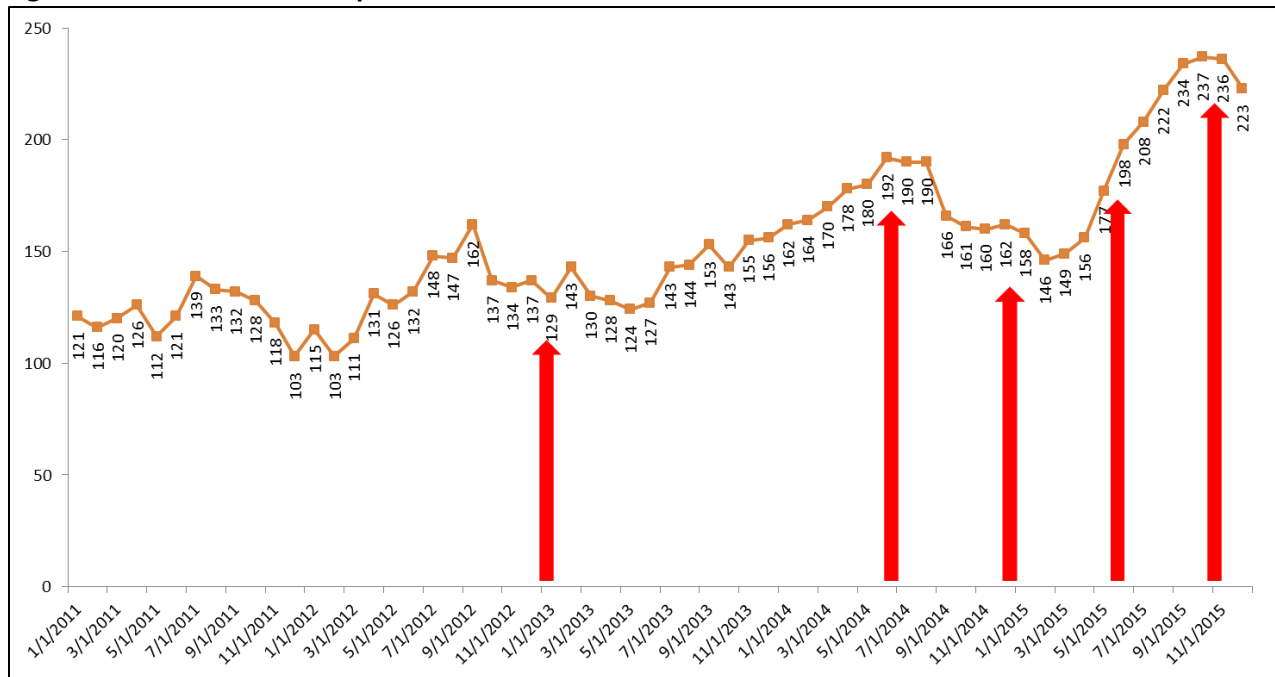
Next, two months with low jail inmate populations (January 2013 and January 2015) and three months with high inmate populations (July 2014, June 2015 and November 2015) were identified and data were requested on inmates for three days (the 1st, 10th and 20th) of each of these months. **To explore what factors may be contributing to higher inmate counts, these data were used to compare low-inmate-count months (LICM) to high-inmate-count months (HICM) on characteristics of inmates' charges, judicial status, bond type, and length of stay.**

Analyses
LICM were compared to HICM and differences were tested using independent samples t-tests. The statistical significance of a t-test is determined by the size of the difference between the group averages, the standard deviations of the groups, and the sample size. In addition to comparing the differences between the two groups, data were grouped by month to allow for assessment of any trends in the data over time. This grouping of data by months resulted in a small sample size (n=5) and reduced the power to detect statistically significant differences between the groups. As such, a more liberal p-value of .10 (rather than the traditional p-value of .05) was used to identify *potential* differences between LICM and HICM. In addition, an indicator of effect size (Hedge's *g* and Cohen's *d*, where appropriate) with 95% confidence intervals are also provided. These effect sizes essentially indicate *how much difference* there

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is between the two groups. While effect sizes of around 0.20 are often referred to as "small" in magnitude, those around 0.50 as "medium" and those around or above 0.80 are "large;" the reader should interpret effect sizes in their context.

To assess the validity of our planned comparisons, we tested whether LICM and HICM actually differed in their inmate counts. Table 1 displays the results of this test. Indeed, LICM had significantly lower counts of inmates than HICM ($p < .001$; g = 2.4, CI = 0.09 – 4.78). We conducted this same analysis removing inmates that were duplicated over the three dates requested within each month. Figure 2 displays these values. Testing again supported that LICM had substantially fewer inmates than HICM (p = 0.075; g = 2.44, CI = 0.10 – 4.78). As such, comparisons between LICM and HICM on inmates' charges, judicial status, bond type, and length of stay proceeded as planned.

Table 1. Low Versus High Inmate Count Months

	Low inmate count months	High inmate count months
1/1/2013	127	
1/10/2013	127	
1/20/2013	132	
7/1/2014		175
7/10/2014		178
7/20/2014		183
1/1/2015	151	
1/10/2015	164	
1/20/2015	153	
6/1/2015		175
6/10/2015		188
6/20/2015		197
11/1/2015		236
11/10/2015		233
11/20/2015		234
AVERAGE	142.3 (SD=15.7)	199.9 (SD=26.7)
T-Test	p <.001	

Figure 2.

Total Number Unduplicated Inmates
(based upon bookings recorded the 1st, 10th and 20th
of each month)

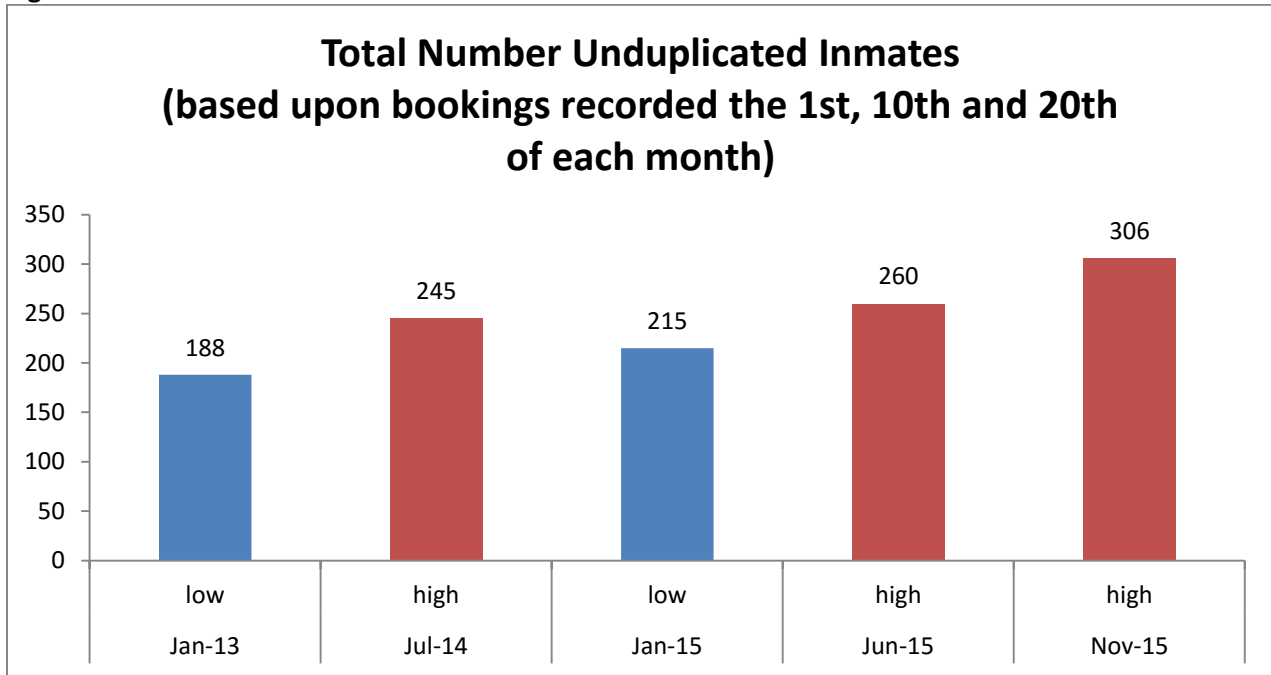|	low Jan-13	high Jul-14	low Jan-15	high Jun-15	high Nov-15
Value	188	245	215	260	306

Table 2 summarizes the data that were requested from the DCSO and the data that were received from the DCSO.

Table 2. Data Requested and Received

Requested	Received
1. Jail ID	1. Jail ID
2. Booking date associated with the instant incarceration	2. Intake date
3. Most serious charge associated with instant incarceration	3. All charges
4. An indication of whether the most serious charge is a felony or misdemeanor	4. All charges listed as felony or misdemeanor
5. An indication of whether the most serious charge is a municipal or county charge	5. Indicator for each charge = KSA as a state code or LWM as municipal
6. An indication if the person is currently of pretrial or sentenced status	6. An indicator of judicial status for each charge (pretrial, sentenced, etc.)
7. The bond status associated with instant offense (amount; type)	7. Bond type (Cash, Surety, NB, OR) and Amount
8. The sentence date associated with their present incarceration (if serving a sentence)	8. Not available
9. If serving a sentence, is the person serving county or DOC time?	9. An indicator of judicial status for each charge (indicator of county or state time)
10. The current classification status	10. Housing status indicator of MN, MD, MX, WR

Table 2. Data Requested and Received (continued)

Requested	Received
11. Whether there is a Mental Health and/or Suicide code for the person	11. Pulled separately: Mental Health Alert; Close Observation; Suicidal Tendencies; Suicide Watch → MENT
12. The first release date associated with the instant incarceration	12. Release date
13. The release method associated with instant incarceration (e.g. Bond type and amount; OR release; completion of sentence; transfer to another jurisdiction)	13. Method of release from each charge
14. Sex	14. Male, Female, Unknown
15. Race	15. White, Black, Asian, Indian

16. For each individual, and only following the first time they appear in one of the 15 snapshot dates, the:
   1. Number of subsequent admissions to DCCF through 12/15, along with the
   2. Most serious charge for each subsequent admission
   3. Method of release for each of these subsequent admissions
	16. Not available

Limitations of the Data

The planned population analysis was significantly limited by the data available to us. Although DCSO administrators spent considerable time amassing much of the data requested, there are key data missing.

First, the "Classification" data reflect housing statuses, not risk classifications. While the two statuses may be similar they may differ based upon a number of circumstances (including inmate population) that result in classification overrides which results in the placement of an inmate in a housing unit that does not reflect his risk classification. Because any analysis of so-called classification data could be easily misinterpreted, we did not include analyses and findings related to these data in this report. In essence, there are no findings because the data needed are not being entered into searchable data fields.

There is no expedient and straightforward way to track returns to jail, en masse. Our understanding is that in order to track returns to jail, which is a common recidivism measure, the custody file(s) of each incarcerated person selected for inclusion in our database would have to be reviewed.

We have data that are limited in regard to "sex/gender." Transgender is not captured at DCCF. In addition, in regard to ethnicity, "Hispanic" and "multiracial" categories are not in the DCSO's data files.

We are unable to determine the underlying charges for which persons are later arrested on one or more Failure to Appears (FTAs) and / or Failure to Comply (FTCs) . **We underscore that without this charge information the operational significance of the FTAs or FTCs cannot be determined.**

Picture 1 reflects the format in which the data were received from DCSO. The data were provided in 30 separate Excel spreadsheets (15 separate spreadsheets for mental health data and 15 separate spreadsheets for remaining data). These spreadsheets were unsuitable for analysis in the given format. A 20-step process had to be applied to reformat each of these 30 spreadsheets prior to analysis. **The take-home message is that any attempt to analyze jail data will take considerable time to accomplish.**

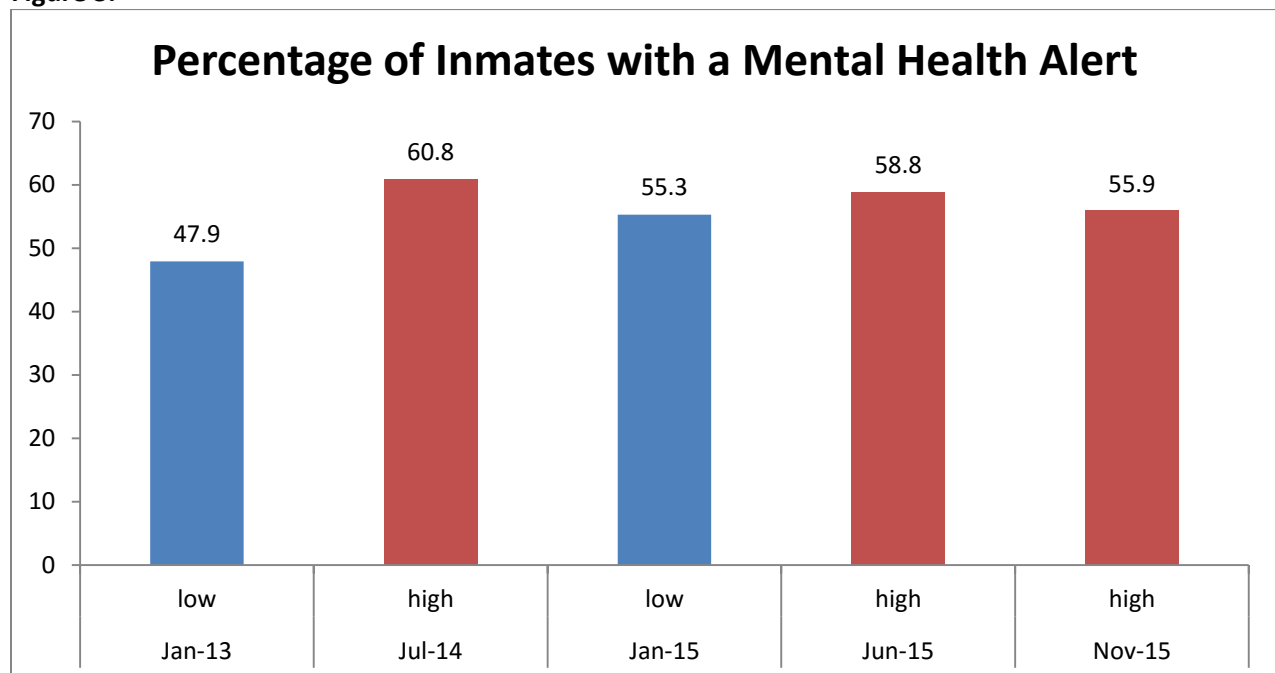**Picture 1. Format of Jail Data Received**

Findings

__NOTE: Scales used in the tables displayed in this report differ. The reader should pay special attention to the scale used in each table when interpreting findings.__

Demographics of inmates are provided, primarily to describe the inmate populations during the study periods. While testing was conducted to examine whether LICM differed from HICM in terms of demographic characteristics, it is unclear how demographic features of inmates could be contributing to increased inmate counts during HICM. Nonetheless, a few observations are worth noting.

The percentage of inmates with a "mental health alert" appears extremely high (Figure 3). This is due to this alert being applied by a booking officer to anyone displaying abnormal behavior (perhaps even due to intoxication) or disclosing current or past thoughts of self-harm. **This mental health alert may signify circumstances other than the presence of a mental illness – it does not reflect a clinical diagnosis of mental illness.** Inmates flagged as requiring "close observation," a "suicide watch" or identified as having "suicidal tendencies" also receive a mental health alert. The percentage of inmates with a mental health alert *tended* to be higher in HICM than LICM (p = 0.129; *g* = 1.90, CI= -0.24 – 4.04).

Figure 3.

Percentage of Inmates with a Mental Health Alert

Category	low Jan-13	high Jul-14	low Jan-15	high Jun-15	high Nov-15
Value	47.9	60.8	55.3	58.8	55.9

The percentage of inmates who is female appears to have increased substantially since 2013 (approximately 50%; Figure 4). However, this observation is based solely on one data point in 2013 – it could be an anomaly related to the specific time periods used for the purpose of this study. More data on the proportion of female inmates is required to substantiate this assertion. The percentage of inmates who is female does not appear to differ between HICM and LICM (p=0.617; g = 0.80, CI = -1.05 – 2.66).

Figure 4.
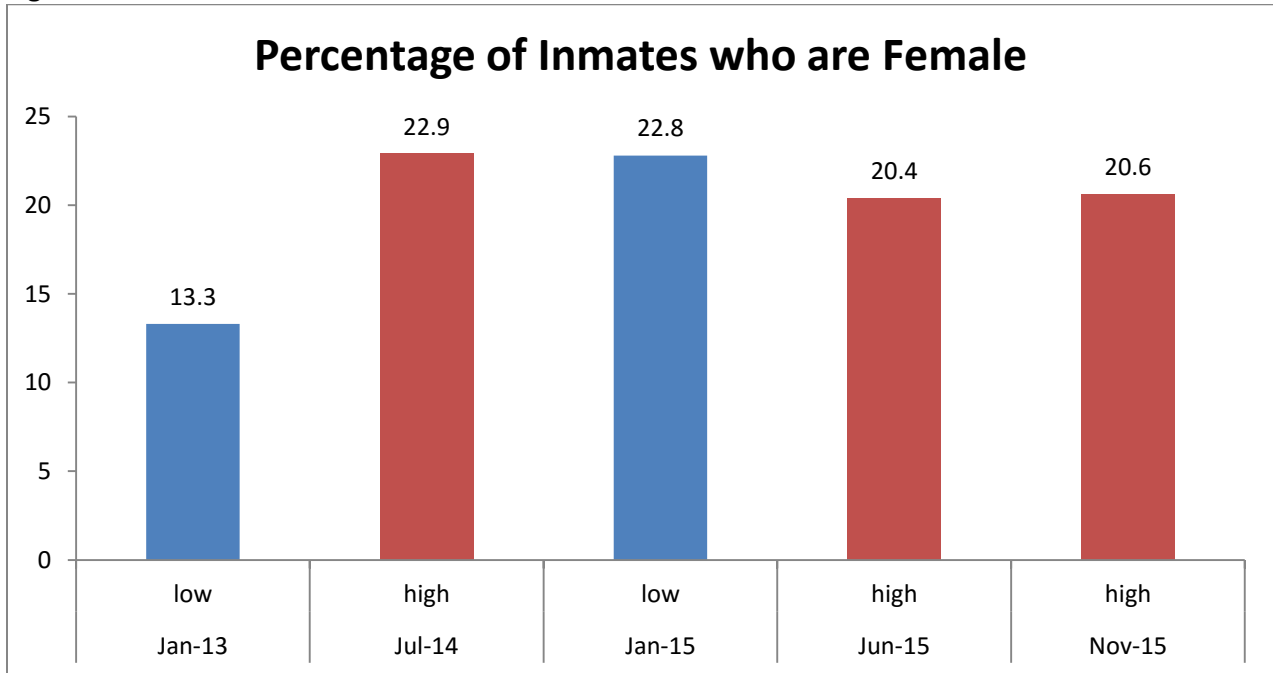
The percentages of inmates who are Black and who are White are presented in Figure 5 and 6. The percentage of White inmates tended to be higher in HICM than in LICM (p = 0.116; g = 2.00, CI = -0.18 – 4.18) and the percentage of Black inmates tended to be lower in HICM than in LICM (p = 0.116; g = -2.01, CI = -4.19 – 0.17). In both LICM and HICM, the percentage of inmates who are Black exceeded their percentage of residents of Douglas County who are Black (4.6% in 2014; http://www.census.gov/quickfacts/table/PST045215/20045).

Figure 5.

Percentage of Inmates who are White

	low	high	low	high	high
	Jan-13	Jul-14	Jan-15	Jun-15	Nov-15
	67.6%	73.9%	68.4%	73.8%	69.3%

Figure 6.

Percentage of Inmates who are Black

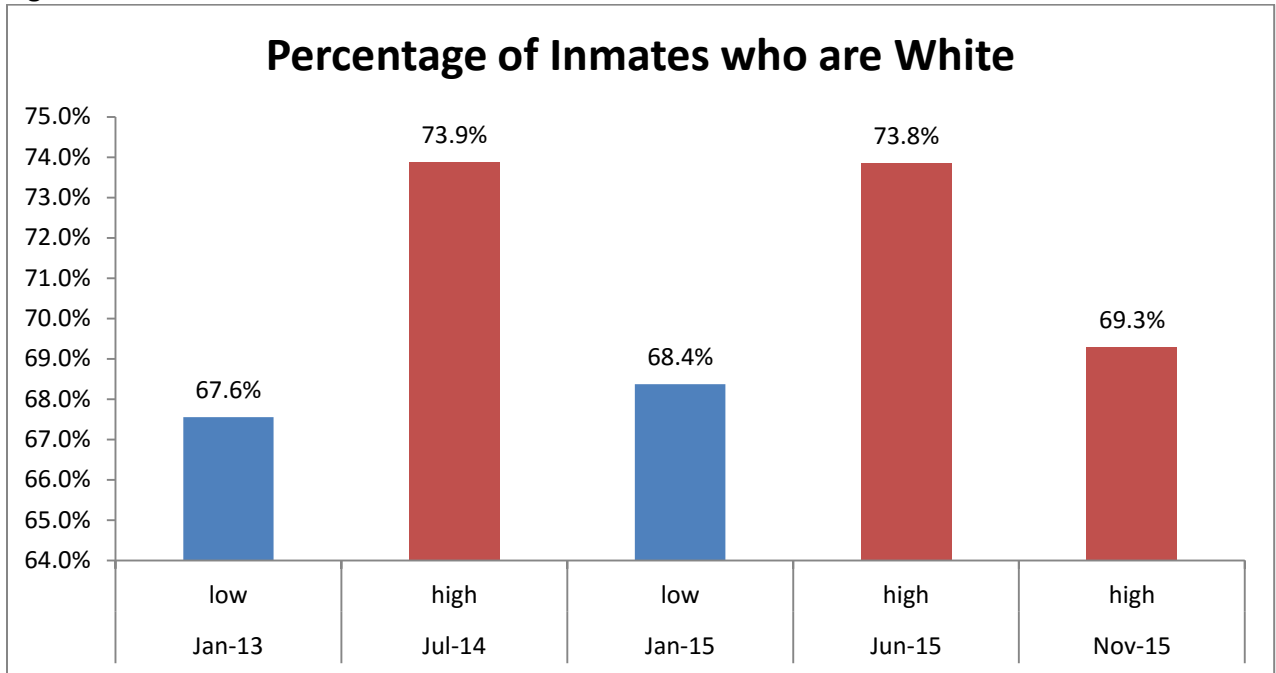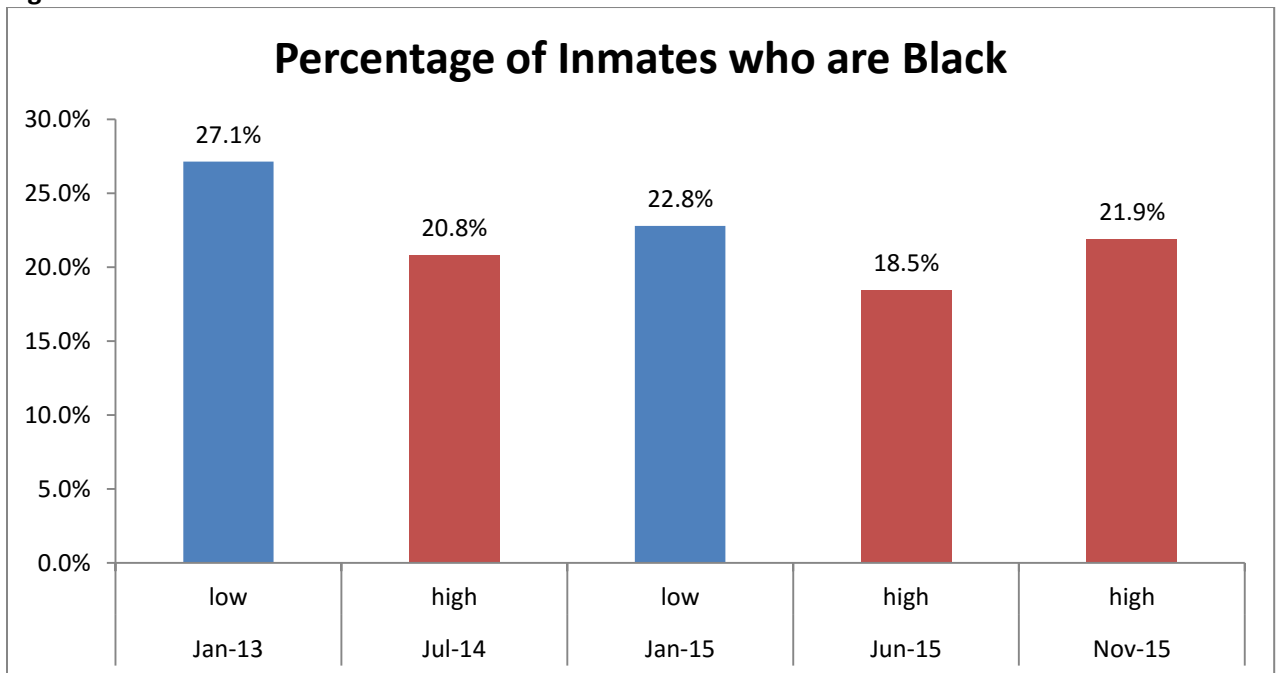|	low	high	low	high	high
	Jan-13	Jul-14	Jan-15	Jun-15	Nov-15
	27.1%	20.8%	22.8%	18.5%	21.9%

Charges

The jail records each charge associated with an inmate's incarceration and indicates class (felony or misdemeanor), statute (state [KSA] or municipal [LWM]), judicial status (sentenced or pretrial) and bond type/amount through each of the charges that is tied to the inmate. This is done because an inmate will typically have more than one charge. What this means is that an inmate may be in the jail awaiting their initial hearing on one charge (i.e., pretrial status) but serving time on another charge (i.e., sentenced status). Furthermore, charges may be any combination of felonies/misdemeanors or municipal/state charges and bonds may differ for each. Figure 7 displays the average number of charges per inmate. The average number of charges per inmate does not appear to differ between HICM and LICM (p = 0.499; *g* = 0.70, CI = -1.14 – 2.55).

Figures 8 and 9 display the average number of charges per inmate that are state charges (KSA) and municipal charges (LWM) respectively. Figure 10 displays the *proportion* of inmates' charges that are KSA charges. LICM and HICM did not differ substantially on whether charges were KSA or LWM. In terms of average number of KSA charges per inmate (Figure 8), testing resulted in p = 0.304; *g* = 1.06, CI = -0.84 – 2.97. In terms of average number of LWM charges per inmate (Figure 9), testing resulted in p = 0.415; *g* = -0.76, CI = -2.61 – 1.09. In terms of proportion of inmates' charges that were KSA (Figure 10), testing resulted in p = 0.483; *g* = 0.73, CI = -1.12 – 2.57. Finally, Figures 11 and 12 display the proportion of inmates who had *only KSA* and *only LWM* charges. Again, LICM and HICM did not differ substantially on proportion of inmates who only had KSA charges (p = 0.442; *g* = 0.81, CI = -1.05 – 2.67) or only had LWM charges (p = 0.564; *g* = -0.59, CI = -2.42 – 1.23).

While HICM and LICM did not differ on KSA/LWM charges, all analyses displayed a trend towards increased KSA charges among inmates housed at the jail over the year 2015; a span that included the jail's steepest increase in its population (see Figure 1).

Figure 7.

Average Number of Charges per Inmate

	low	high	low	high	high
	Jan-13	Jul-14	Jan-15	Jun-15	Nov-15
	3.9	3.85	3.76	3.84	3.98

Figure 8.

Average Number of KSA Charges per Inmate

	low	high	low	high	high
	Jan-13	Jul-14	Jan-15	Jun-15	Nov-15
	2.84	2.78	2.71	2.91	3.05

Figure 9.

Average Number of LWM Charges per Inmate

	low	high	low	high	high
	Jan-13	Jul-14	Jan-15	Jun-15	Nov-15
	1.07	1.07	1.00	0.90	0.93

Figure 10.

Percentage of Charges that are KSA per Inmate

	low	high	low	high	high
	Jan-13	Jul-14	Jan-15	Jun-15	Nov-15
	73.0%	69.2%	68.4%	75.2%	75.0%

Figure 11.

Percentage of Inmates who Have Only KSA Charges

	low	high	low	high	high
	Jan-13	Jul-14	Jan-15	Jun-15	Nov-15
	55.9%	52.2%	49.8%	57.7%	56.9%

Figure 12.

Percentage of Inmates who Have Only LWM Charges

	low	high	low	high	high
	Jan-13	Jul-14	Jan-15	Jun-15	Nov-15
	14.4%	18.0%	17.2%	11.9%	12.1%

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In addition to the type of statute associated with each charge (i.e., KSA/LWM), the DCSO was asked to provide data on the class associated with each inmate's charge (i.e., whether the charge was a felony or misdemeanor). However, not all charges ha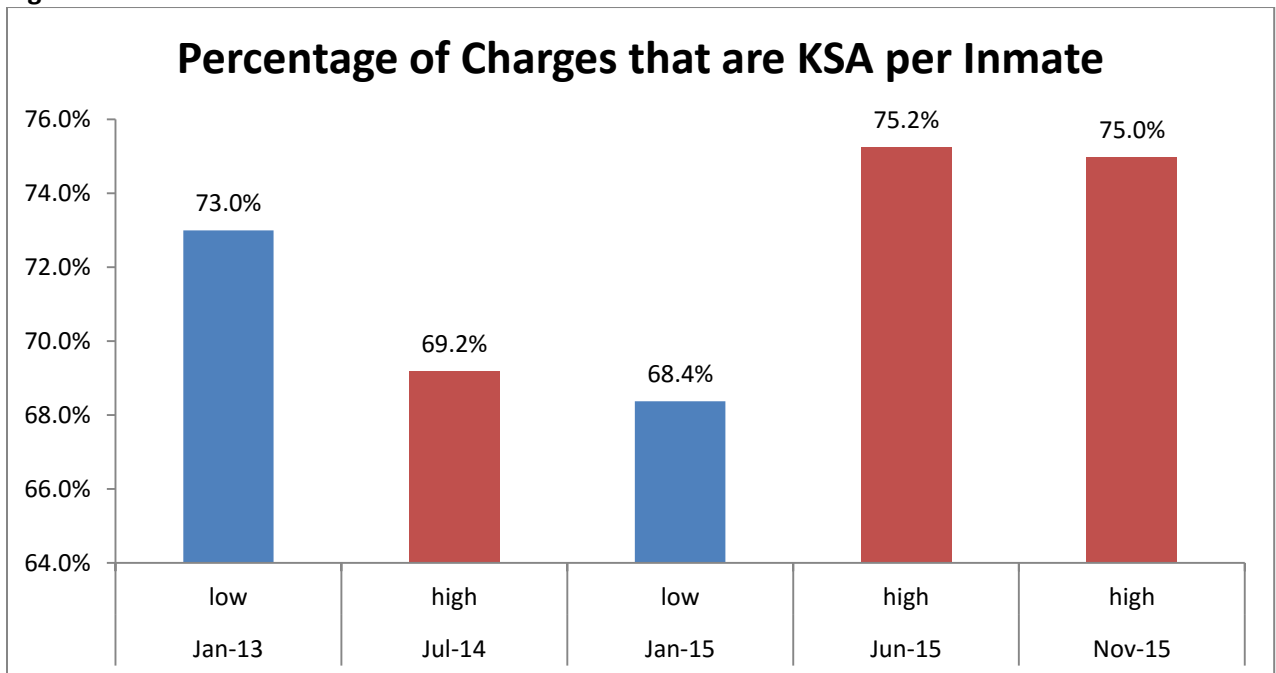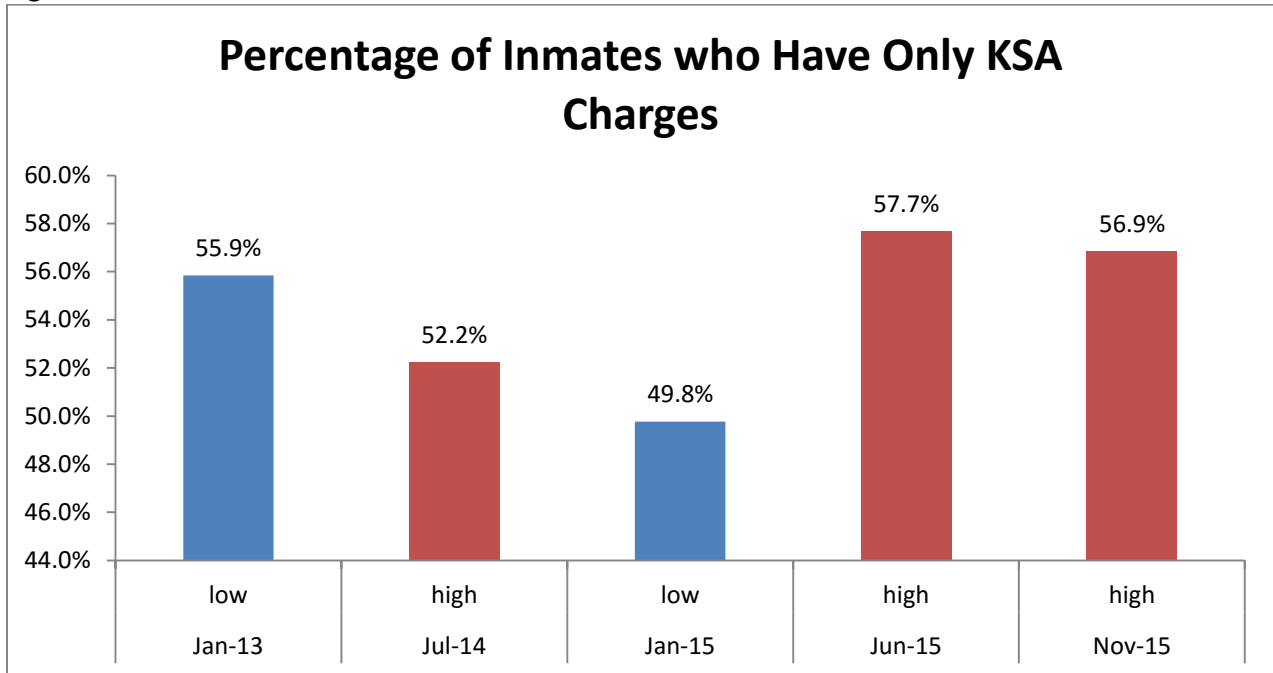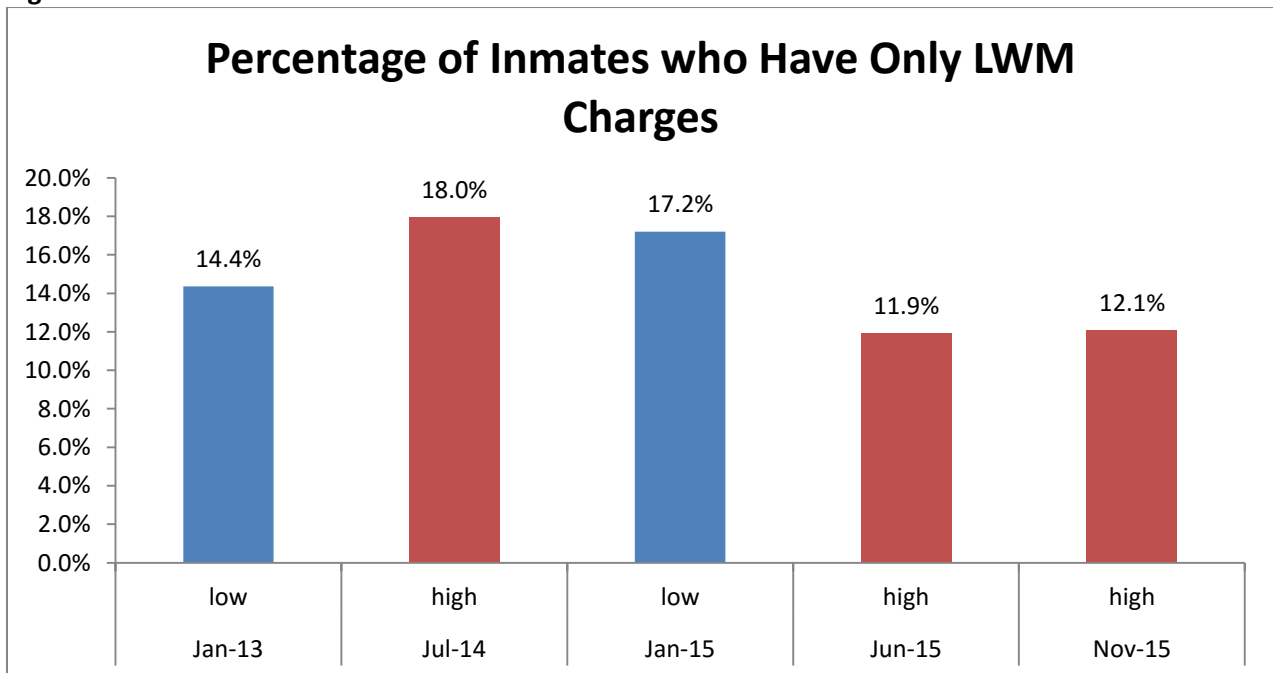d classes associated with them. Those charges with missing classes reflected charges such as: Hold, Warrant to Convey, Remand from District Court, Failure to Appear (FTA; district or municipal), and Failure to Comply with conditions of community supervision (FTC). **Original charging information associated with these offenses and violations was not available and only inmates who had complete charging classifications were included in the current analyses.** Table 3 indicates the percentages of inmates who had complete charge-type classifications for each month that was included in the study.

Table 3.

Month	Number of Inmates with complete charge classification information	Number of inmates	Percentage of inmates with complete charge classification information
Jan 2013	156	188	83.0%
Jul 2014	210	245	85.7%
Jan 2015	192	215	89.3%
Jun 2015	224	260	86.2%
Nov 2015	258	306	84.3%

Figures 13 and 14 present the average number of felony and misdemeanor charges per inmate. LICM did not differ in average number of felony charges (p = 0.309, g = 1.08, CI = -0.83 – 2.99) or average number of misdemeanor charges (p = 0.211; g = -1.49, CI = -3.51 – 0.52) per inmate. The average percentage of inmates' charges that was felonies (Figure 15) also did not differ between LICM and HICM (p = 0.169; g = 1.63, CI = -0.42 – 3.69).

Figures 16 and 17 display the average *number of inmates* with a felony charge and the *percentage of inmates* who had a felony charge (in both cases, a misdemeanor charge may also have been present). The average number of inmates with a felony charge was significantly higher in HICM than LICM (p = 0.073; g = 2.47, 0.12 – 4.83). The percentage of inmates with a felony charge was not significantly higher in HICM than LICM (p = 0.167; g = 1.66, CI = -0.41 – 3.72). However, the percentage of inmates who have only felony charges was significantly higher in HICM than LICM (Figure 18; p = 0.042; g = 3.14, CI = 0.49 – 5.78). **This suggests that the higher number of inmates in HICM may be attributable to the "piling up" of inmates with serious charges (i.e., felonies), who likely have lengthier stays at the jail than inmates with less serious charges (i.e., misdemeanors).**

Figure 13.

Average Number of Felony Charges per Inmate

1.15	1.13	1.14	1.30	1.47
low	high	low	high	high
Jan-13	Jul-14	Jan-15	Jun-15	Nov-15

Figure 14.

Average Number of Misdemeanor Charges per Inmate

2.70	2.57	2.53	2.42	2.33
low	high	low	high	high
Jan-13	Jul-14	Jan-15	Jun-15	Nov-15

Figure 15.

Average Proportion of Charges that are Felonies per Inmate

	low Jan-13	high Jul-14	low Jan-15	high Jun-15	high Nov-15
	27.7%	27.5%	24.0%	29.9%	32.1%

Figure 16.

Average Number of Inmates with a Felony Charge

	low Jan-13	high Jul-14	low Jan-15	high Jun-15	high Nov-15
	71.0	96.0	76.0	106.0	132.0

Figure 17.

Percentage of Inmates with a Felony Charge

	low	high	low	high	high
	45.5%	45.7%	39.6%	47.3%	51.2%
	Jan-13	Jul-14	Jan-15	Jun-15	Nov-15

Figure 18.

Percentage of Inmates with Only Felony Charges

	low	high	low	high	high
	12.8%	13.8%	12.0%	14.3%	15.1%
	Jan-13	Jul-14	Jan-15	Jun-15	Nov-15

Figure 19 displays the average lengths of stay for inmates with misdemeanor charges only, felony charges only and at least one felony charge (i.e., misdemeanor charges may also be present). Inmates with only felony charges averaged a significantly higher length of stay (mean=172.2 days, SD=42.3) than inmates with only misdemeanor charges (mean=91.3 days, SD=16.8; p = 0.010; d = 2.51, CI = 0.86 – 4.17). Inmates with only felony charges did not significantly differ from inmates with at least one felony charge (mean=174.5 days, SD=34.6) in their average lengths of stay (p = 0.925; d = -0.06, CI = -1.30 – 1.18). **The higher rates of felony inmates in HICM along with their lengthier jail stays indicate that Douglas County jail inmate increases may be due to increased presence of persons charged with serious offenses.**

Figure 20 displays the percentage of inmates with lengths of stay greater than 30 days. HICM and LICM did not significantly differ in this regard (p = 0.310; g = 1.12, CI = -0.80 – 3.03). However, there was a trend towards a larger percentage of inmates serving greater than 30 days at the jail over the year 2015; a span that included the jail's steepest increase in its population (see Figure 1).
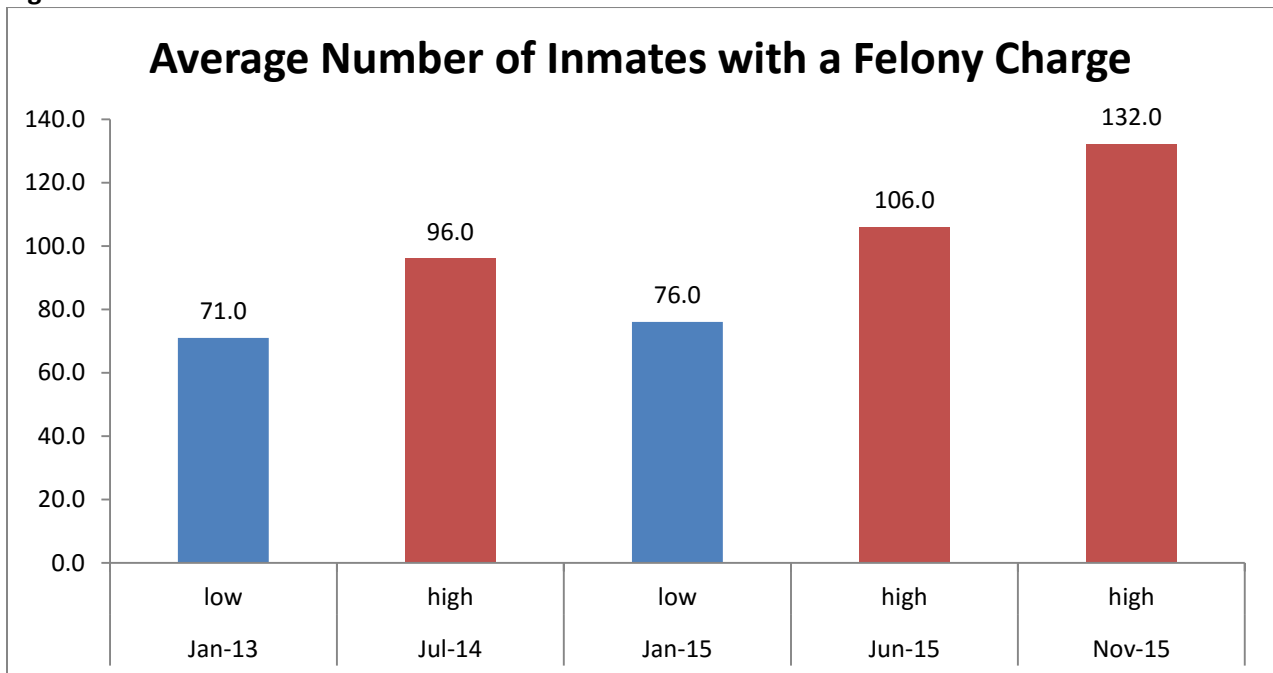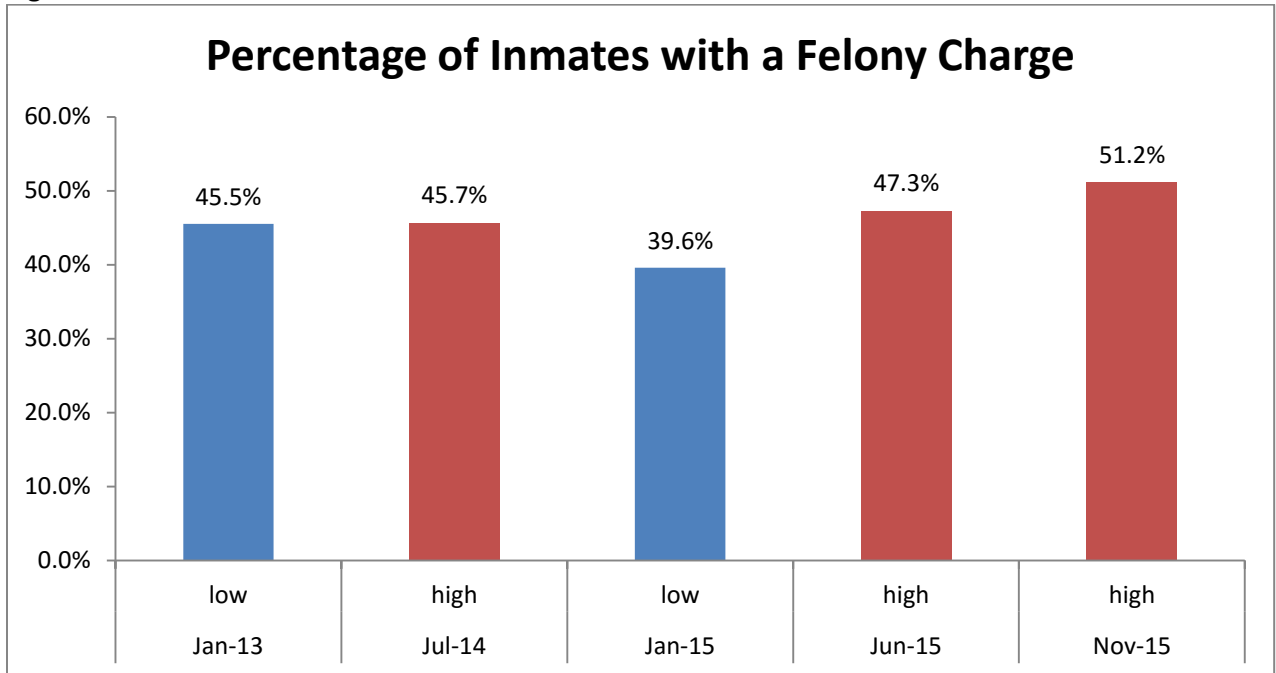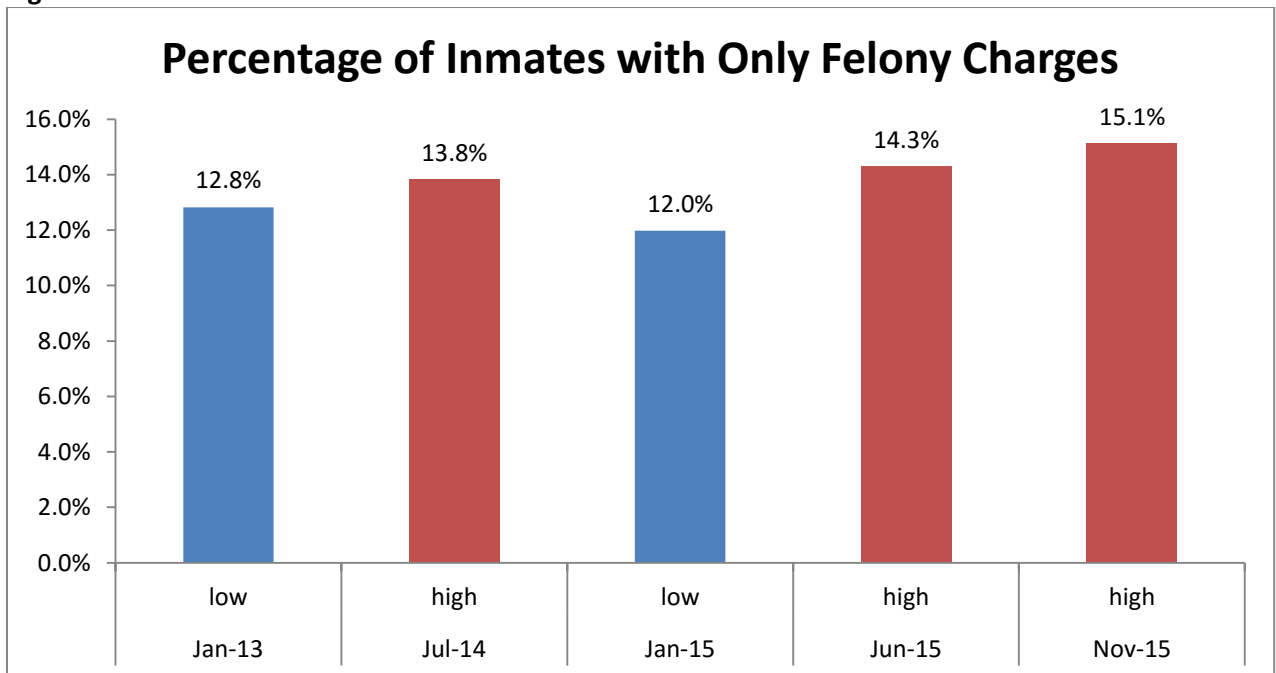
Figure 19.
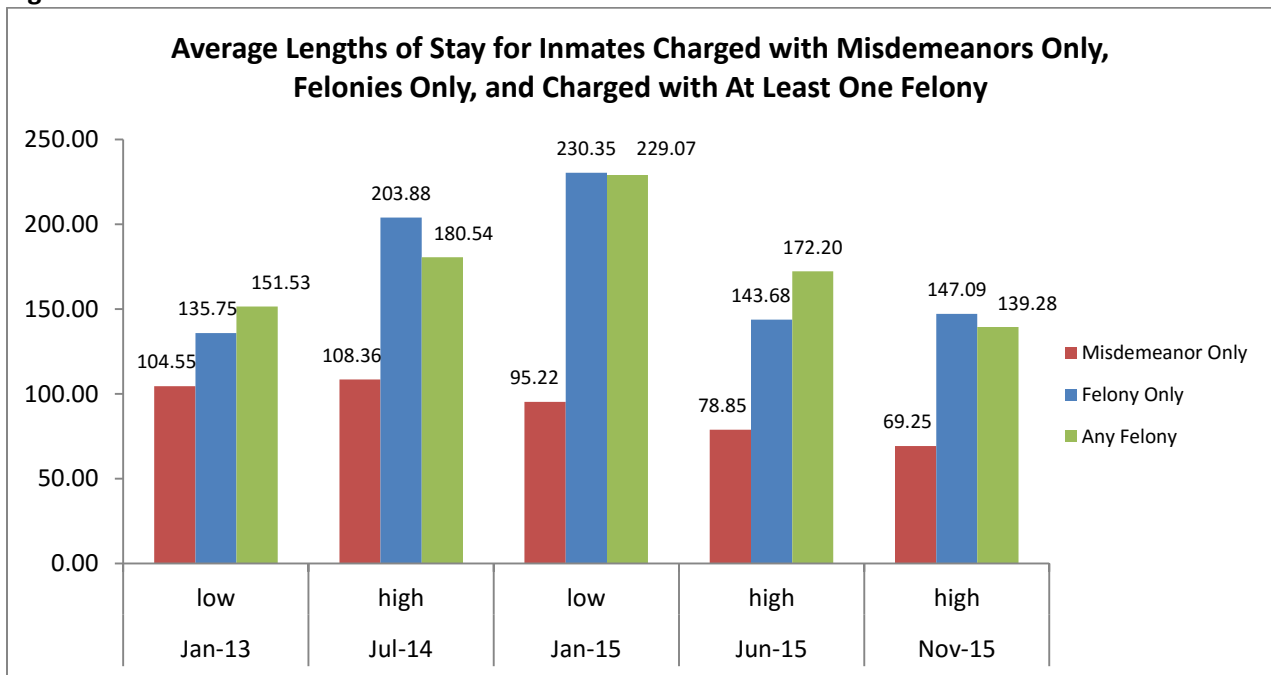
Figure 20.
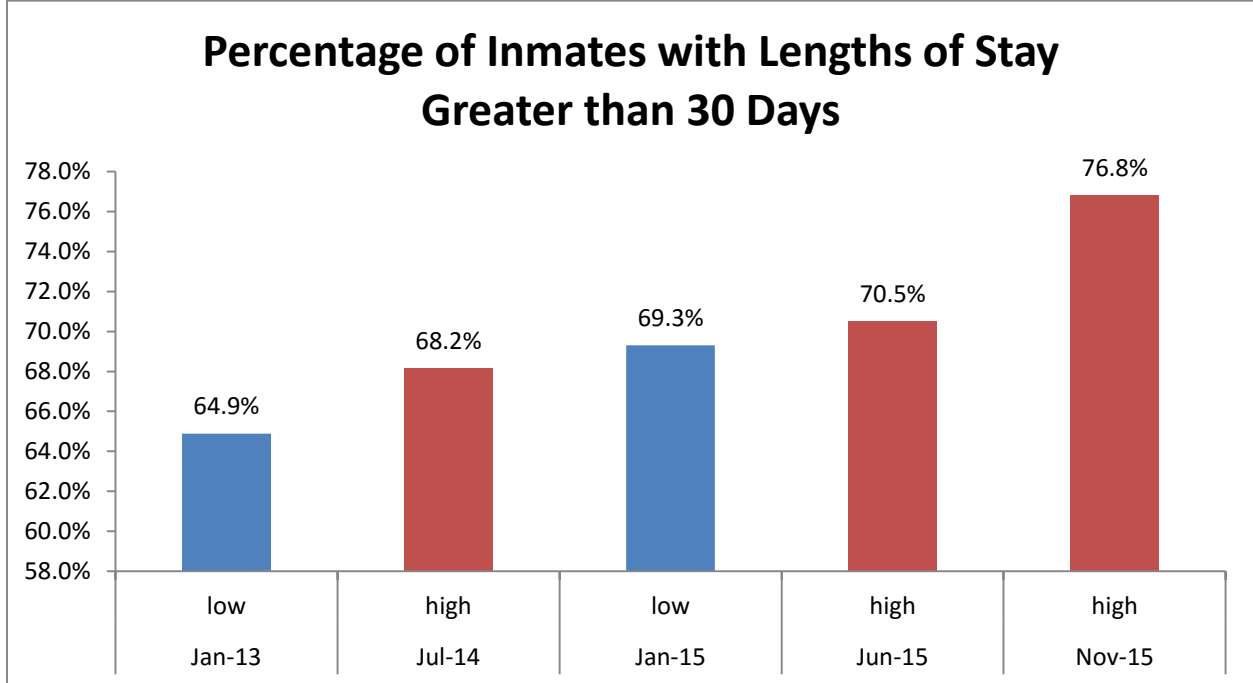
Figure 17 displayed the percentage of inmates with a felony charge. That Figure suggests that there are a substantial number of inmates housed within the jail for solely misdemeanor charges. Figure 21 displays these percentages specifically.

An attempt was made to identify the charges of misdemeanants. The offense data provided by DCSO was in text format, making this a difficult process. However, approximately 94% of charges were able to be categorized. The remaining 6% of charges were a hodgepodge of rare offenses (e.g., tampering with ignition interlock, abuse of toxic vapors). The most common charges among those with ONLY misdemeanor charges were FTAs/FTCs (about half of all charges). **The underlying charges associated with these violations were not available for this analysis. This missing information may be significant in terms of the full interpretation of these findings.**

Figure 21.

Percentage of Inmates who have only Misdemeanor Charges

	low Jan-13	high Jul-14	low Jan-15	high Jun-15	high Nov-15
	54.5%	54.3%	60.4%	52.7%	48.8%

Table 4. Offenses of Misdemeanants

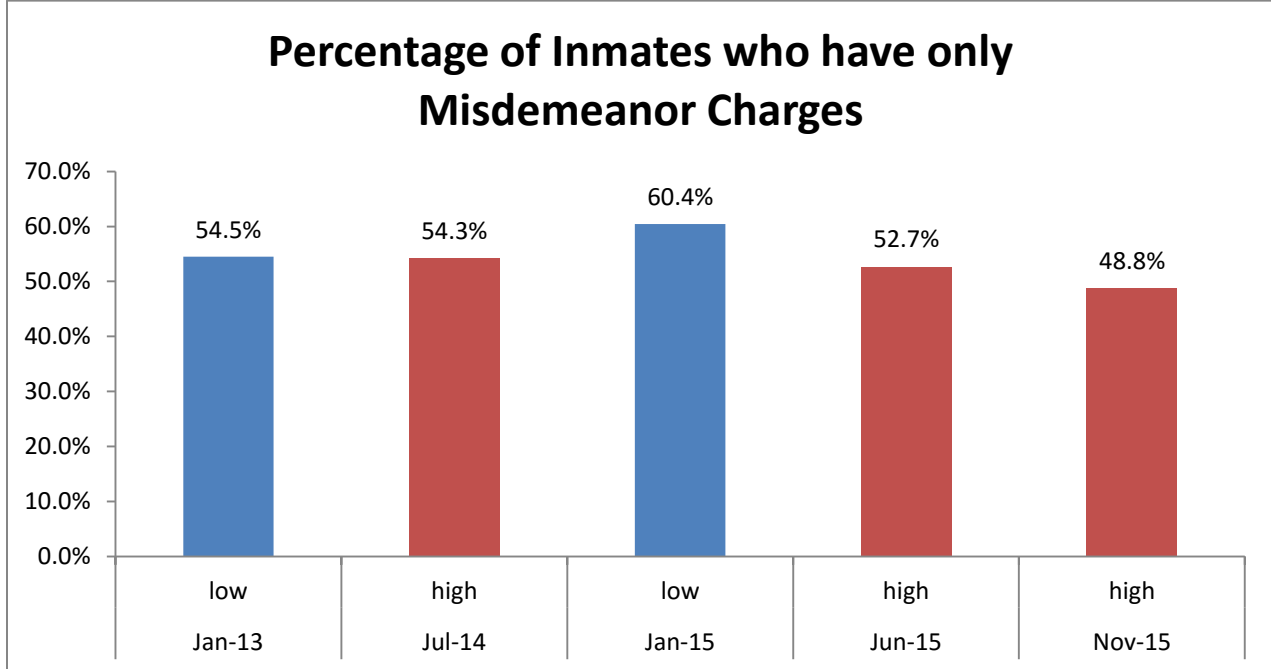|	Jan 2013	July 2014	Jan 2015	June 2015	Nov 2015
Average number of misdemeanors	3.37	3.25	2.84	2.98	2.99
Failure to appear or comply	62.19%	58.22%	54.24%	49.15%	48.01%
Remanded from court	14.84%	7.82%	6.97%	12.50%	14.59%
Court commitment	4.59%	4.85%	8.18%	3.98%	7.43%
Out of county warrant	5.65%	3.77%	3.94%	5.11%	3.98%
Domestic battery	2.12%	0.81%	3.03%	5.97%	2.12%
Possession alcohol/drug/para	2.47%	3.23%	1.52%	2.27%	2.65%
Criminal damage or trespass	1.41%	1.35%	1.82%	1.14%	1.86%
Hold	0.71%	2.70%	1.82%	0.28%	1.06%
Warrant to convey	0.35%	1.89%	0.00%	0.00%	1.59%
Battery (non-domestic)	0.35%	0.81%	5.15%	4.55%	1.33%
Violate protective order	0.00%	5.39%	0.61%	1.14%	0.27%
Disorderly conduct	0.35%	0.00%	1.21%	1.14%	0.53%
Theft	0.71%	0.27%	0.61%	1.14%	1.33%
Interfere w/ LEO	0.35%	0.54%	1.21%	2.84%	1.86%
DWI/OUI	0.00%	0.81%	2.12%	1.14%	1.59%
Sum	96.11%	93.26%	94.55%	93.47%	91.78%

Judicial Status
The DCSO provided the judicial status associated with each charge. Judicial status simply refers to whether the inmate has received a sentence on the specific charge (i.e., sentenced status) or whether the person is awaiting sentencing and disposition for the specific charge (i.e., pretrial status). It is important to keep in mind that inmates may be incarcerated in the jail for a variety of charges; some of which may be in pretrial status and some for which the inmate may be serving a sentence.

Figure 22 displays the percentages of inmates who have charges for which they are serving a sentence; either county or state time. The percentage of inmates with charges for which they were serving sentenced time did not differ between HICM and LICM (p = 0.582; *g* = -0.56, CI = -2.38 – 1.26). Figure 23 displays the percentages of inmates who have charges where at least one charge is in pretrial status and another is in sentenced status. There tended to be a higher percentage of these inmates in the DCCF in HICM than in LICM (p = 0.111; *g* = 2.05, CI = -0.14 – 4.25). Figure 24 displays the percentages of inmates who have charges that are at a pretrial status. The percentage of inmates with charges at pretrial status also tended to be higher in HICM than in LICM (p = 0.120; *g* = 1.97, CI = -0.20 – 4.13). These latter two findings may reflect the higher percentage of felony charges in HICM, noted earlier, which generally may result in lengthier time-to-adjudication than do misdemeanor charges. However, Figure 25 displays the percentages of inmates who have *only* charges that are at a pretrial status. The percentage of inmates with *only* charges at pretrial did not significantly differ between HICM and LICM (p = 0.515; *g* = 0.67, CI = -1.17 – 2.51).

While the purpose of this current exploration is not to identify the potential for various diversion programs to reduce the jail population, it should be noted that identifying the combination of inmates who have charges that are solely at pretrial status (Figure 24) and are solely misdemeanor offenses (Figure 20) may be useful for identifying candidates for potential jail diversion programs**. However, this effort is obfuscated by the high percentages of misdemeanor offenses that are FTAs and FTCs (see Table 4). Without the underlying charges associated with these offenses, we would caution against any assumption that those identified as pretrial-misdemeanants in the current dataset used for the purpose of completing this study would be eligible for a diversion effort.**

Figure 22.

Percentage of Inmates who have Charges that have been Sentenced to County or State Time

Legend:
- Jan-13 low
- Jul-14 high
- Jan-15 low
- Jun-15 high
- Nov-15 high

Bar values:
- low Jan-13: 51.6%
- high Jul-14: 54.3%
- low Jan-15: 52.1%
- high Jun-15: 47.3%
- high Nov-15: 48.9%

Figure 23.

Percentage of Inmates' who have Charges with Mixed Status (Pretrial and Sentenced)

Bar values:
- low Jan-13: 27.1%
- high Jul-14: 32.7%
- low Jan-15: 30.2%
- high Jun-15: 31.2%
- high Nov-15: 31.0%

Figure 24.

Percentage of Inmates who have Charges that are Pretrial

Legend:
- Jan-13 low
- Jul-14 high
- Jan-15 low
- Jun-15 high
- Nov-15 high

Data:
- low / Jan-13: 69.1%
- high / Jul-14: 76.3%
- low / Jan-15: 75.8%
- high / Jun-15: 83.5%
- high / Nov-15: 81.7%

Figure 25.

Percentage of Inmates who Only have Charges that are Pretrial

Legend:
- Jan-13 low
- Jul-14 high
- Jan-15 low
- Jun-15 high
- Nov-15 high

Data:
- low / Jan-13: 30.9%
- high / Jul-14: 33.1%
- low / Jan-15: 38.6%
- high / Jun-15: 41.5%
- high / Nov-15: 39.2%

Bond Status

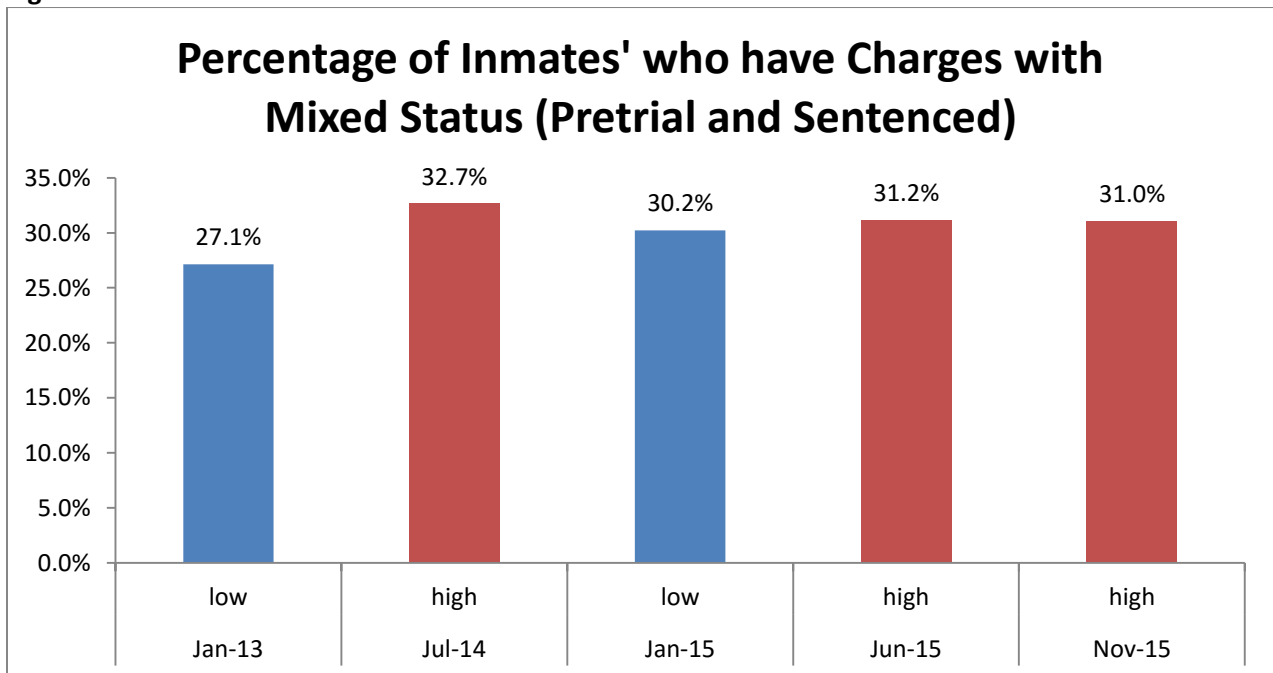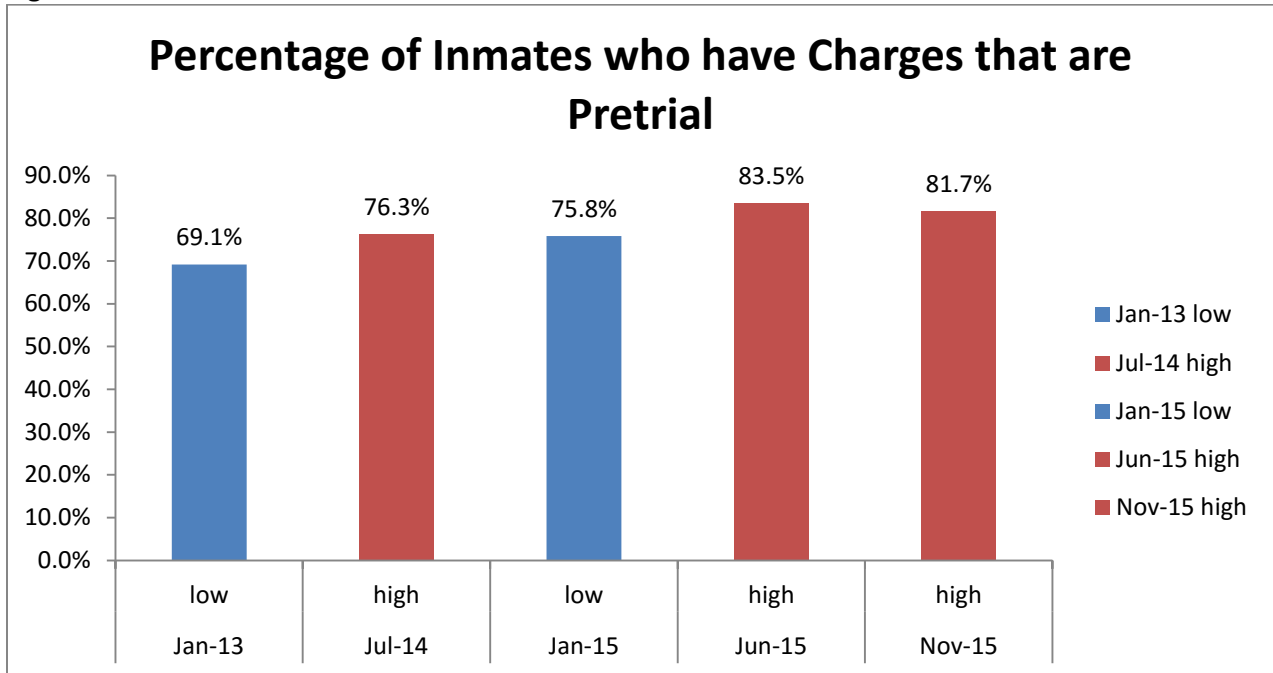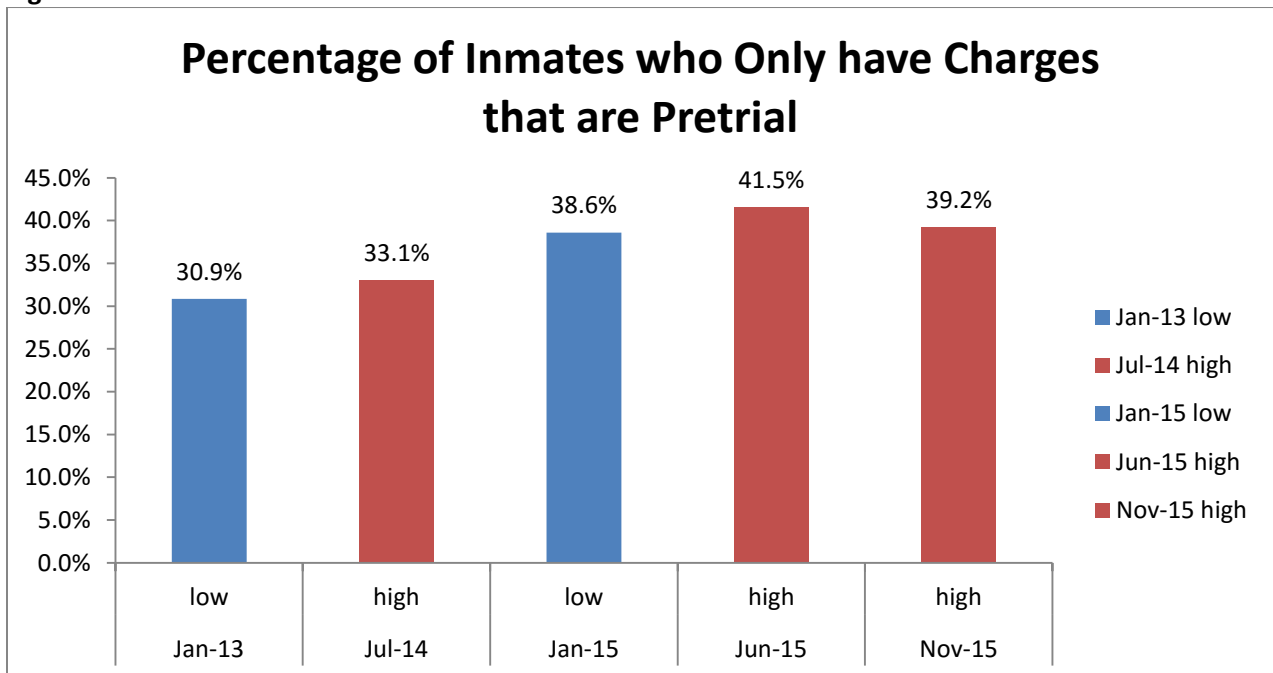Figure 26 displays the percentage of inmates' charges assigned a particular bond type. **The chart displays bond types of only those inmates whose charges are all at pretrial status.** A quarter of charges received no bond, meaning that an inmate could not be released from the jail on that particular charge at the time the data were collected[2]. Approximately 57% of charges had a monetary (i.e., cash or cash or surety) bond assigned and less than 20% of charges were assigned own recognizance (OR) bonds. Percentages of charges that were assigned no bond were significantly lower in LICM than HICM (p = 0.082; *g* = 2.35, CI = 0.04 – 4.66). This may reflect the higher levels of felonies in HICM than LICM (Figure 18). HICM and LICM did not significantly differ on any other bond types (all p > 0.250; *g* < |1.30|). **It is important to note here again, that these data reflect in-custody inmates, not the substantial portion of inmates who are immediately released on bond following booking (see Footnote 1, p. 2).**

Figure 27 displays the percentages of inmates who only had charges that were assigned no bond. It is important to keep in mind that this reflects point-in-time data. Figures 27a and 27b break this group of "no bond inmates" into those inmates who *only* have charges at pretrial status and those inmates who *only* have charges at sentenced status. Reflecting the charge-level data in Figure 26 and the felony data presented in Figure 18, LICM had lower percentages of inmates being held solely without bond and who were at pretrial status than HICM (Figure 27a; p = 0.049; *g* = 2.94, CI = 0.39 – 5.49). LICM and HICM did not differ on the percentage of inmates being held without bond and who were serving a sentence (Figure 27b; p = 0.235; *g* = -1.35, CI = -3.33 – 0.63).

Figures 28 and 29 display the percentages of inmates who *only* had charges that were assigned a monetary bond (i.e., either a cash or cash or surety bond) or an own recognizance bond. LICM and HICM did not differ significantly on these bond types (all p > 0.550; *g* < |0.62|).

Figure 30 displays the median bond amount for all charges assigned a monetary bond. The median is the value at which half the values are below and half the values are above. For example, in January 2013, half of the charges assigned a bond amount were below $5,000 and half were above. Median bond amounts did not differ between HICM and LICM (p= 0.474; *g* = 0.75, CI = -1.10 – 2.59).

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[2] The data requested for this inquiry are point-in-time data. Consequently, bond information is valid only for that point-of-time that the data were collected for this analysis. Bail may have been set at a later point in time for those charges included here as having no bond.

Figure 26.

Percentage of Charges by Bond Type for Inmates on Pretrial Status Only

Legend:
- Own Recognizance Bond (purple)
- Cash or Surety Bond (green)
- Cash Bond (red)
- No Bond (blue)

	low Jan-13	high Jul-14	low Jan-15	high Jun-15	high Nov-15
Own Recognizance Bond	25.5%	18.7%	18.2%	18.2%	11.5%
Cash or Surety Bond	38.3%	28.6%	40.9%	48.7%	48.9%
Cash Bond	14.8%	23.5%	19.8%	9.4%	10.6%
No Bond	21.5%	29.2%	21.1%	23.7%	28.9%

Figure 27.

Percentage of Inmates Who Only Have Charges Assigned No Bond

	low Jan-13	high Jul-14	low Jan-15	high Jun-15	high Nov-15
	37.2%	40.8%	41.4%	33.8%	39.2%

Figure 27a

Of those Inmates with Only Charges Assigned No Bond, the Percentage Who are Pretrial Status Only

	low Jan-13	high Jul-14	low Jan-15	high Jun-15	high Nov-15
	17.1%	20.0%	12.4%	23.9%	24.2%

Legend: Jan-13 low, Jul-14 high, Jan-15 low, Jun-15 high, Nov-15 high

Figure 27b

Of those Inmates with Only Charges Assigned No Bond, the Percentage Who are Sentenced Status Only

	low Jan-13	high Jul-14	low Jan-15	high Jun-15	high Nov-15
	45.7%	45.0%	44.9%	43.2%	40.0%

Legend: Jan-13 low, Jul-14 high, Jan-15 low, Jun-15 high, Nov-15 high

Figure 28.

Percentage of Inmates Who Only Have Charges Assigned A Monetary Bond

	low	high	low	high	high
	14.9%	16.7%	22.3%	22.3%	22.9%
	Jan-13	Jul-14	Jan-15	Jun-15	Nov-15

Figure 29.

Percentage of Inmates Who Only Have Charges Assigned An Own Recognizance Bond

	low	high	low	high	high
	5.9%	5.3%	5.6%	6.2%	4.2%
	Jan-13	Jul-14	Jan-15	Jun-15	Nov-15

Figure 30.

Median Bond Amount (if > $0)

	low	high	low	high	high
	Jan-13	Jul-14	Jan-15	Jun-15	Nov-15

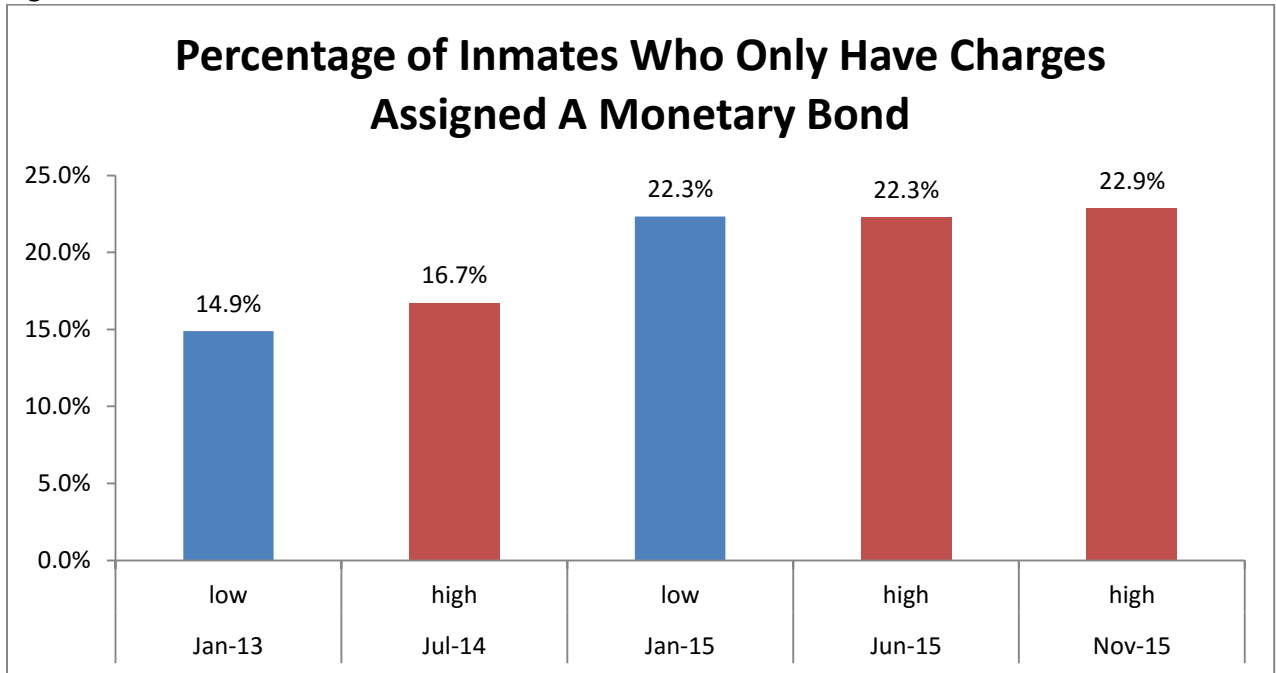Values shown: 5000.00 (low, Jan-13); 3000.00 (high, Jul-14); 2312.21 (low, Jan-15); 5000.00 (high, Jun-15); 9835.00 (high, Nov-15)
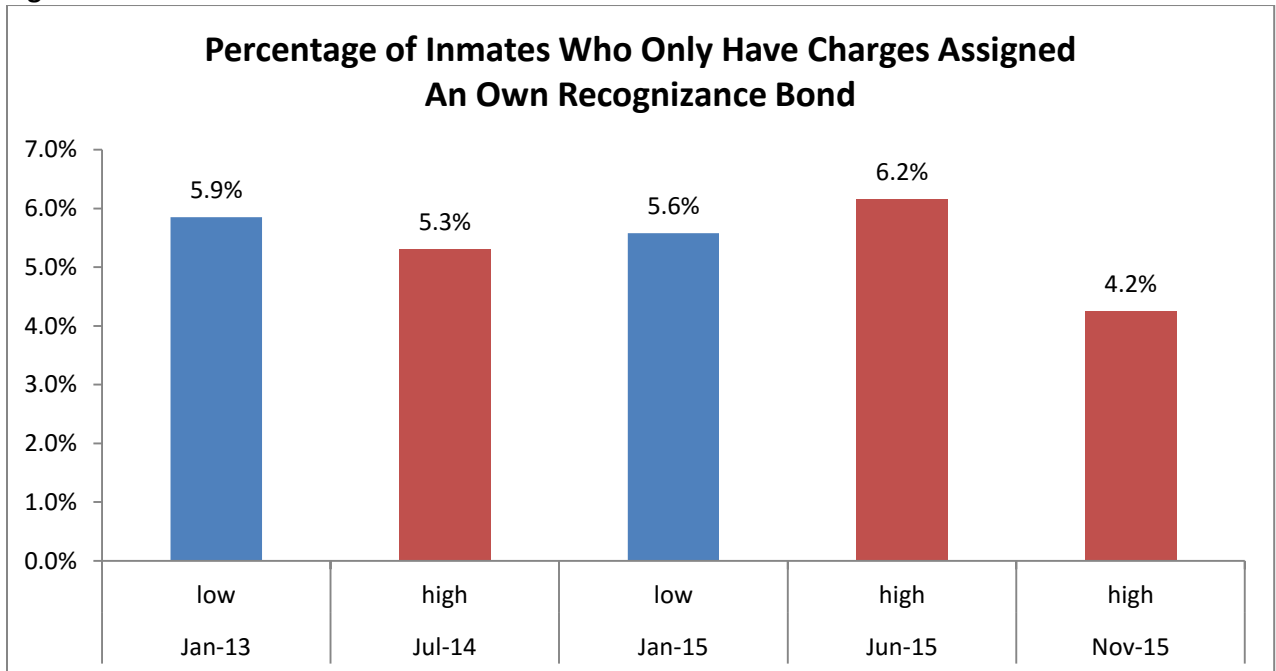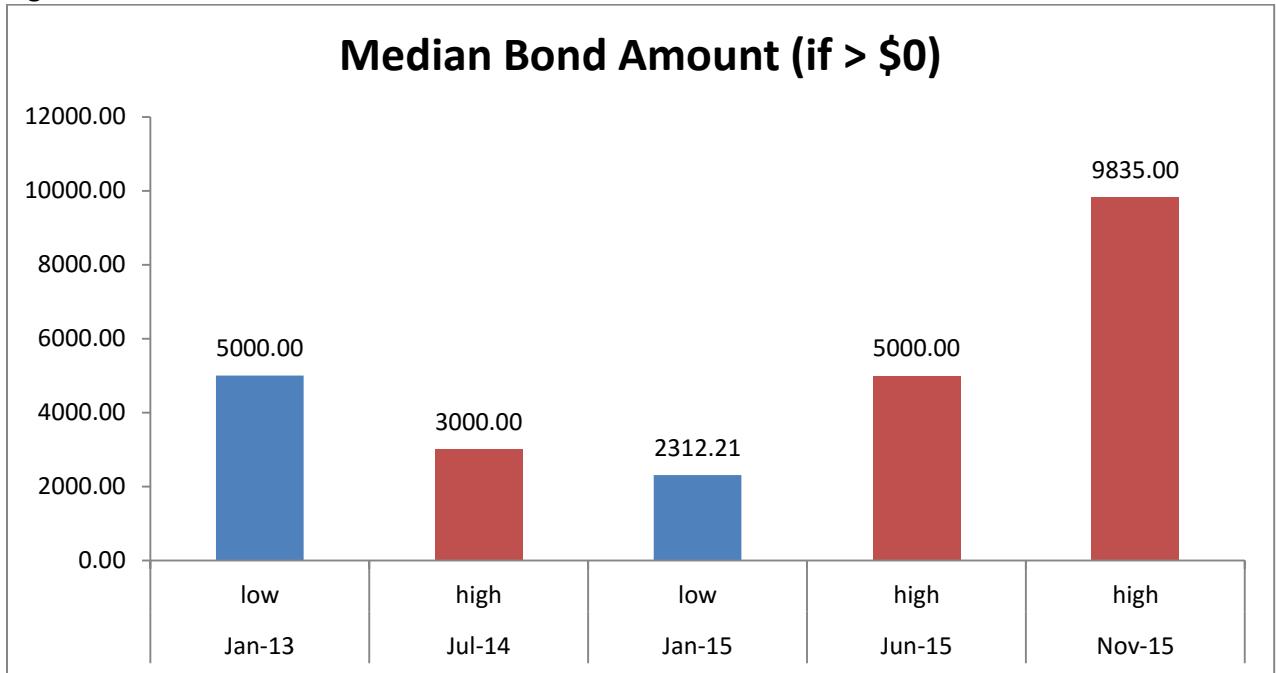
Conclusion

The DCCF inmate population grew significantly between 2011 and 2015. Findings from the current study suggest that increases in felony charges, along with their associated longer-length-of-stays, are contributing to this population increase. In addition to the growth in felony offenders at the DCCF, the jail houses a plurality of inmates charged solely with misdemeanor offenses. The preponderance of misdemeanants appears incongruent with the percentage of inmates' charges that are assigned OR bonds. However, given the number of misdemeanor charges that were identified as FTAs/FTCs, along with the absence of information on the nature of the charges underlying these FTA/FTC offenses, it is difficult to assess the level of incongruence (if any) between misdemeanor and bond statuses. Further study is required to better understand if bond realignment would be an effective tool for reducing the number of misdemeanants in the DCCF, as well as for lowering overall the jail population. Finally, we recognize that there are likely many contributors to the disproportionate confinement of people of color in the Douglas County Correctional Facility. Those contributors implicate the community's social and financial support systems and its criminal justice functions as well. Consequently, a broader inquiry to determine not only the type and extent of these contributions but also methods for alleviating the disproportionate confinement of people of color is highly recommended.