

# CAJE – Community Alternatives to Jail Expansion

Center for Constitutional Rights, 666 Broadway, 7<sup>th</sup> Floor, New York, NY 11102

## Why Not in My County? Cost-Effective Solutions to Jail Overcrowding

Across the country, communities faced with the problem of crowded jails and strained local finances have begun looking for ways to curb jail population growth and increase space. These communities have sought to avoid the need for larger facilities without compromising community safety, and many have been successful in doing so by using a combination of system efficiency measures and carefully considered alternative programs. These same efficiency measures and alternative programs can be implemented in other jurisdictions throughout the country. Although the list of possible reforms is long, some examples of these measures include:

### ***Pre-Arrest Programs:***

**Citation programs:** Programs that give citations to offenders without booking them through the arrest process. These citations can entail a notice to appear or a desk appearance ticket, and eliminate unnecessary jail bookings. Offenders are booked only when they present a flight risk, present a clear and present danger to their community, or are unable to prove their identity. This solution has been used in the case of low-level, misdemeanor crimes.

*Examples of such programs:* Bernalillo County, New Mexico: Sheriff Joe Bowdich 505-768-4100 Jefferson County, Kentucky: David Nicholson, Jefferson County Crime Commission 502-574-5088

**Programs for mentally ill:** Through hiring civilian police employees with mental health training and by creating training programs to help officers recognize mental illness, counties can divert people with mental illness away from jail and into emergency mental health care programs instead. Trained officers identify mental illness and work with other agencies to provide the necessary treatment outside of detention facilities.

*Examples of such programs:* Fairfax County, Virginia: Mobil Crisis Unit 703-246-2253 Santa Fe, New Mexico: Fred Sandoval, Crisis Mobile Team 505-984-6672 San Diego, California: Lt. Brenda Herbert, Crisis Intervention Team 408-277-4631

### ***Improving Release Procedures for the Pretrial and Sentenced Populations***

These improvements decrease jail populations by ensuring that people are moving through the system in a timely fashion. Examples include setting time limits for releasing pre-trial defendants brought in on certain charges (i.e.: public drunkenness), transferring committed offenders (state-readies) to state facilities rapidly, and transferring mentally ill inmates to state hospitals in a more timely fashion.

### ***Examples of such programs:***

Saginaw County, Michigan: Steve Garza, Jail Population Manager 517-790-5408 Broward County, Florida: Sheriff Ken Jenne 954-831-8300 Salt Lake County, Utah: Captain Robert Beenus, County Jail 801-743-5500

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## **Monitoring / Expediting Detention Cases:**

Hiring case monitors to continuously review jail inmates to identify those who could be diverted from the jail or individuals whose cases could be diverted in some manner.

*Examples of such programs:*

Jackson County, Mississippi: Beth Michaels, Community Corrections 517-768-5812

## **Pre-Trial Diversion**

Pretrial services programs can help alleviate jail crowding by releasing inmates before trial and by providing three essential services. First, they provide information about the defendant to help decision makers make an appropriate pretrial release / detention decision. Second, they provide the decision maker options for safely releasing the defendant. Finally, they have the capacity to monitor and supervise defendants released before trial.

*Examples of such programs:*

New York, New York: Jerome McElroy, Criminal Justice Agency 212-577-0500 Pima County, Arizona: Kim Holloway, Pretrial Services 520-740-3310 Montgomery County, Ohio: Thomas Muhleman, Pretrial Services 937-225-3473

## **Bail Reform**

National studies show most pretrial inmates are those who cannot post a money bond, or bail. Instituting bail reform is a means of alleviating overcrowding in this population. Examples of such reform include increasing the frequency of initial appearance hearings that set bail, and holding bond review hearings several days after defendants enter jail to determine whether they might qualify for case disposition, bond reduction, or pretrial release consideration.

*Examples of such programs:*

Mecklenburg County, North Carolina: Janie Beaver, Court Services Department 704-336-2027 Maricopa County, Arizona: Marcus Reinkensmayer, Superior Court 602-506-3190

## **Specialty Courts**

Including drug courts, domestic violence courts and mental health courts, specialty courts were developed as a means to provide individuals with a sanction that includes treatment that would not be provided though the standard criminal justice system.

*Examples of such programs:*

Salt Lake County, Utah: Michael DeCaria, Treatment Unit, Criminal Justice Services Administration 801-799-8466

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## Alternatives to Incarceration

In response to increased jail populations, probation agencies are working with other criminal justice agencies to develop alternative punishment programs, which are court sanctioned programs that mandate supervision but do not hold individuals in secure detention. The most widely used alternative to incarceration program is supervised probation, which allows a person found guilty of an offense to stay in the community, usually under the conditions and supervision of a probation officer. Other alternatives to incarceration include measures such as electronic monitoring or court mandated treatment programs.

### *Examples of such programs*

Monroe County, New York: Edward Nowak, Public Defender 716-428-5531  
Boulder County, Colorado: Claudia Brown, Community Corrections 303-441-4585

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\*It should be noted that while all of these initiatives will improve both the efficiency and the effectiveness of the local criminal justice system, none should be viewed as a singular solution for jail overcrowding. These initiatives should be coupled with a commitment to the timely processing of defendants through the court system in order to avoid overcrowding.

Information on jail reform programs and efficiency measures was taken from the Bureau of Justice Assistance report, *A Second Look at Alleviating Jail Crowding: A Systems Perspective*, issued in October 2000. To download a full copy of the report, visit <http://www.pretrial.org/publications.html>

For further reading on jail reform, including information on successful programs currently in operation, visit the Pre-Trial Services Resource Center webpage at [www.pretrial.org](http://www.pretrial.org).