



MEMORANDUM

Date: September 9, 2020

To: The Honorable Chairman and Members
Pima County Board of Supervisors

From: C.H. Huckelberry
County Administrator 

Re: **Progress in Criminal Justice Reform**

While the County has been largely dealing with the COVID-19 pandemic since March of 2020, we have also continued to monitor our progress in Criminal Justice Reform. We are now beginning to see positive signs in statistical information regarding jail population, bookings, charges and those held on serious crimes.

We have for some time been monitoring the adult detention center population, its make up ethnicity, gender, age and other socio economic demographics to determine certain factors related to the population charged with the crime.

As I have also reported recently we are now collecting felony monthly case increases in our Public Defense service units. In addition the data coordinator within our Criminal Justice Reform unit continues to provide meaningful statistics that can help inform key players in the criminal justice system regarding progress at reform measures. For the first time we are seeing positive shifts in the metrics associated with our criminal justice system. The following major findings are contained attached September 1, 2020 memorandum from Cara Stevens, Data Coordinator and Wendy Petersen, Assistant County Administrator for the Criminal Justice Reform Unit.

- Jail Population Decreasing
On March 6, 2020 our jail population was 1946 and had a low point of 1303 on May 15, 2020. Which is a drop of 33 percent of the jail population. On Friday, September 4, 2020 the census was 1399.

Part of the reason for the report on September 1, 2020 was my concern over the increasing jail population particularly why it had suddenly began to increase without any specific reason. Research into the matter indicated that quite simply over 130 of the inmates held in the adult detention center were already sentenced to the Arizona Department of Corrections and once these inmates were transferred our population at the adult detention center would remain relatively low.

- Bookings by Law Enforcement have also declined over the months.
In January of 2020 there were 2,447 bookings by a law enforcement entity into the adult detention center. By June 2020 this had dropped to 1,299 a decrease of 47 percent. Law enforcement is arresting and booking fewer individuals than previously.

The Honorable Chairman and Members, Pima County Board of Supervisors
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- More importantly bookings for drug possession and use dropped
Drug use and possession bookings have dropped by 68 percent over the same period. Which simply means fewer and fewer individuals are being arrested for and booked on drug possession and use charges.
- Pretrial detention population
This pretrial detention population dropped by 47 percent for drug offenses and 42 percent by simple failure to appear charges.
- Booking increased for homicide and aggravated assault charges
More and more individuals are booked into the adult detention center on dangerous charges such as homicide and aggravated assault. Between March 6, 2020 and July 7, 2020 the number of individuals booked for homicide increased by 23 percent and the population of the adult detention center held on aggravated assault charges rose from 12 percent in on March 6, 2020 to 14 percent on July 7, 2020. Clearly more dangerous individuals are being held on more serious crimes in the adult detention center.

As we continue to monitor the data from the Criminal Justice system we will alert the Board to any significant changes that alter our direction and or reform. However, the current statics are encouraging.

CHH/mp

Attachments

- c: The Honorable Mark Napier, Pima County Sheriff
The Honorable Barbara LaWall, Pima County Attorney
The Honorable Kyle Bryson, Presiding Judge, Superior Court
Jan Leshar, Chief Deputy County Administrator
Wendy Petersen, Assistant County Administrator
Dean Brault, Director, Public Defense Services



MEMORANDUM

Criminal Justice Reform Unit

Date: September 1, 2020

To: C. H. Huckelberry
County Administrator

From: Cara Stevens 
Data Coordinator
via Wendy Petersen 
Assistant County Administrator

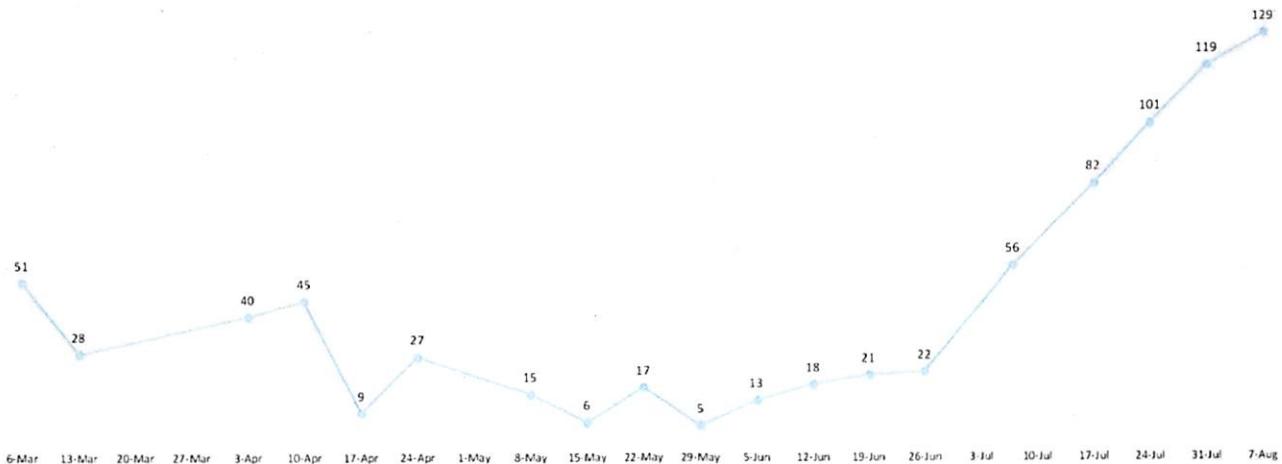
Re: Increase in Pima County Adult Detention Complex Daily Occupation

On July 13, 2020, you sent a memorandum to Assistant County Administrator Wendy Petersen, requesting information pertaining to the increase in the daily inmate count at the Pima County Adult Detention Complex (PCADC) from the low-point of 1,303 on May 15, 2020 to the daily count of 1,504 on August 7, 2020. The purpose of this memorandum is to address the increase in the daily inmate count and to determine if this increase is the result of court proceedings, County Attorney actions, Public Defense Services activities, and/or other reasons.

Summary

The main increase in the jail population is likely the result of an increase in the number of inmates pending transfer to the Arizona Department of Corrections Rehabilitation and Reentry (ADCRR). Between March 6, 2020, and August 7, 2020, the number of inmates held in PCADC that were sentenced to ADCRR increased by 74%, from 51 to 129.

Figure 1. The Number of Inmates Pending Transfer to ADCRR has increased by 74% since March 6, 2020



Question: Is the increase due to any lack of court proceedings, defense or prosecution activities?

No, as of August 7, 2020, there is no significant increase in the jail population that can be attributed to court proceedings, or defense or prosecution activities. The Criminal Justice Reform Unit (CJRU) staff inquired with the Pima County Superior Court, Pre-trial Services, Pima County Attorney's Office, and Public Defense Services if there

were any delays in processes that could account for an increase in the PCADC populations. However, all agencies did not report any substantial issues.

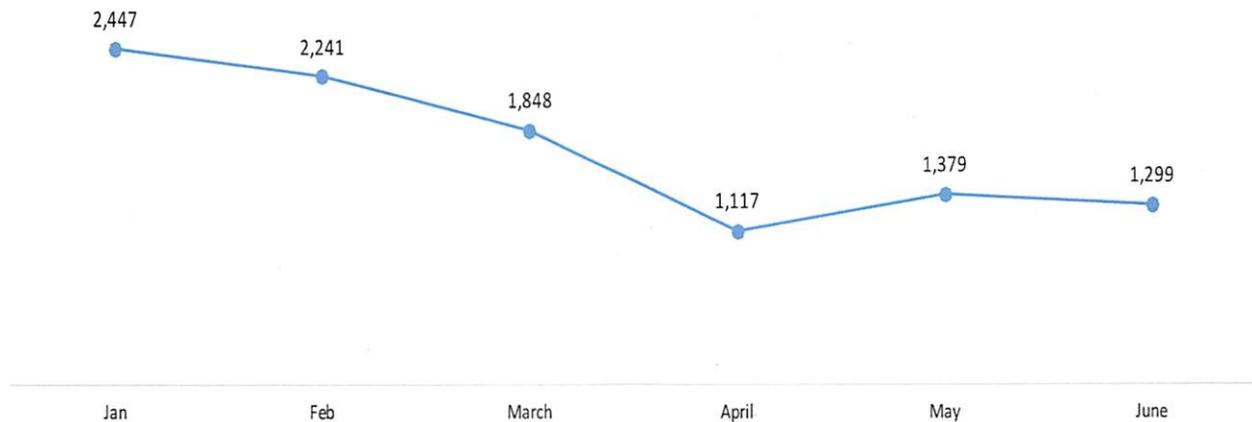
The only significant increase were inmates awaiting transfer to ADCRR. This population typically comprises approximately 3% of the total inmate population. On August 7, 2020, this population comprised 9% of the PCADC population. If the increase in this population was the result of an increase in bookings or delays in other court proceedings, the proportion of the population awaiting transfer would remain constant.

Background

On March 6, 2020, the jail population headcount total was 1,946. As a result of the steps taken by the Pima County Sheriff’s Department, County Attorney’s Office and Public Defenses Services, the PCADC population decreased to the lowest post-COVID-19 point to 1,303 on May 15, 2020. Since then, the population has increased slightly (approximately 1%) each week. On August 21, 2020, the jail population headcount was 1,485.

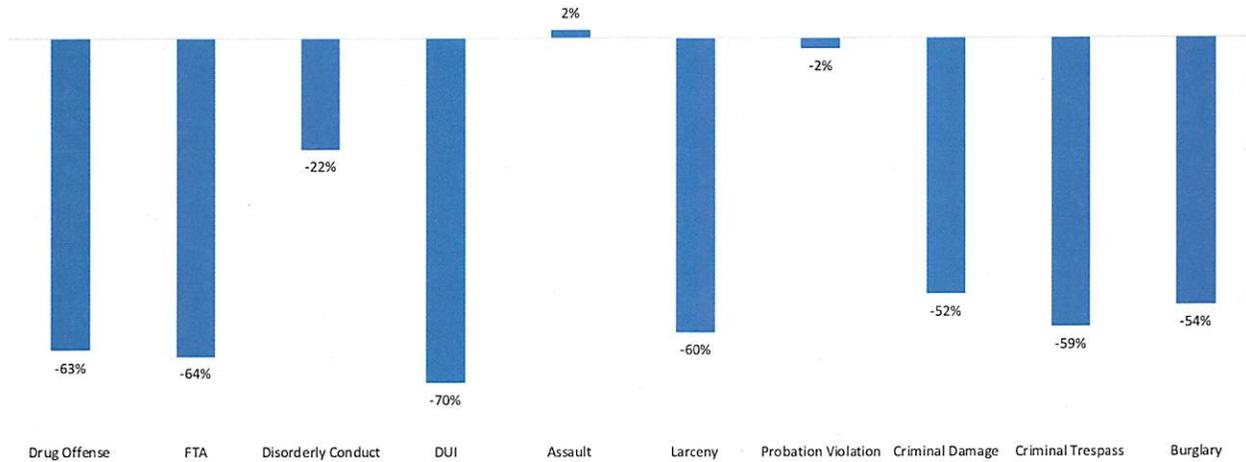
In order to investigate potential causes of the increase in the PCADC population, data from the weekly jail snapshots were transferred into an excel spreadsheet to look for trends in PCADC population. Mike Steber the Jail Population Coordinator, also provided data extracts of PCADC bookings and releases from January 2020 through June 2020. The length of stay by offense for departures from the jail in each month were compared to investigate the effect of COVID-19 on length of stay.

Figure 2. Jail Bookings have decreased by 47% between January 1, 2020 and June 30, 2020



Since January 1, 2020, bookings into the PCADC have decreased by 47%. Most substantially, bookings for all drug related offenses have decreased by 63%, from 461 in January to 169 in June (see Figure 3. below). Bookings for “dangerous drug possess or use” decreased by 68%, and “narcotic drug possess or use” decreased by 53%. During this period, bookings for assaults increased slightly (2%). While there was an increase in bookings between April and May (23%), the overall percentage decreased by 43% between January and May.

Figure 3. Bookings for Drug Offenses have decreased by 63% between January 1, 2020 & June 30, 2020



Similar to bookings, releases have decreased by 45% (see Figure 4. below). Individuals released from PCADC with a disposition of “dismissed” have increased by 154%, and “bonded out” releases have increased by 14%. “Post booking” (72%), “time served” (69%) and “released to a third party” (66%) have all decreased at a greater rate than total releases (45%), suggesting that these decreases are not attributed to overall decreases in releases, but a change in either prosecutorial or court decision making (see Figure 5. below).

Figure 4. Overall Releases and Bookings have decreased 45% between January 1, 2020 & June 30, 2020

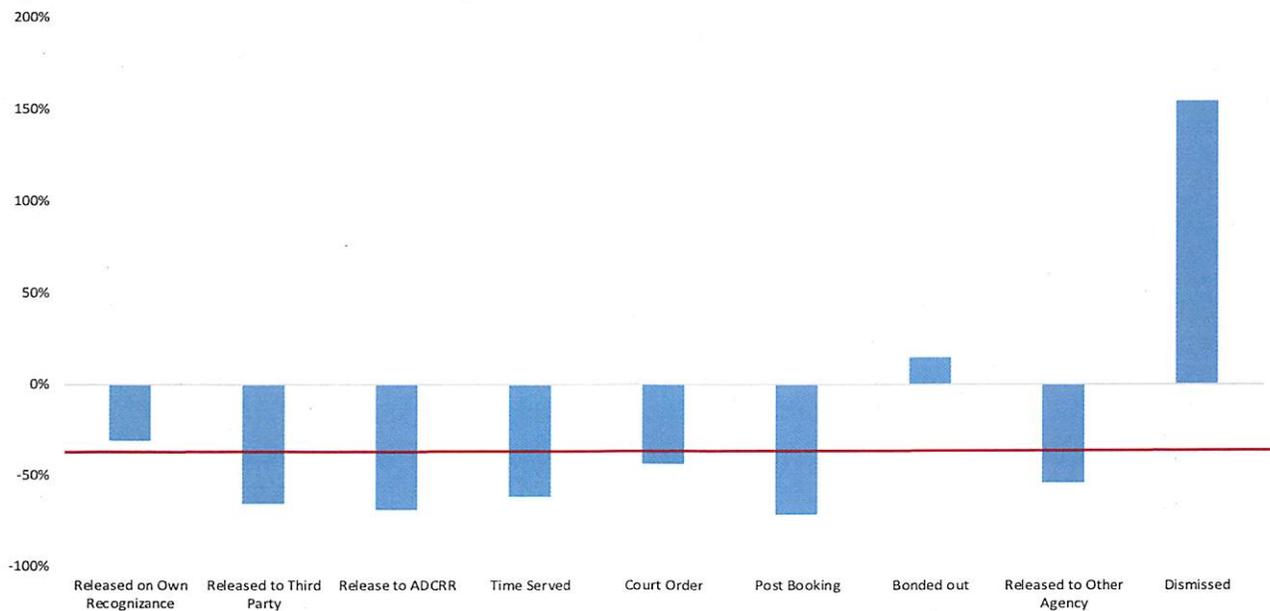
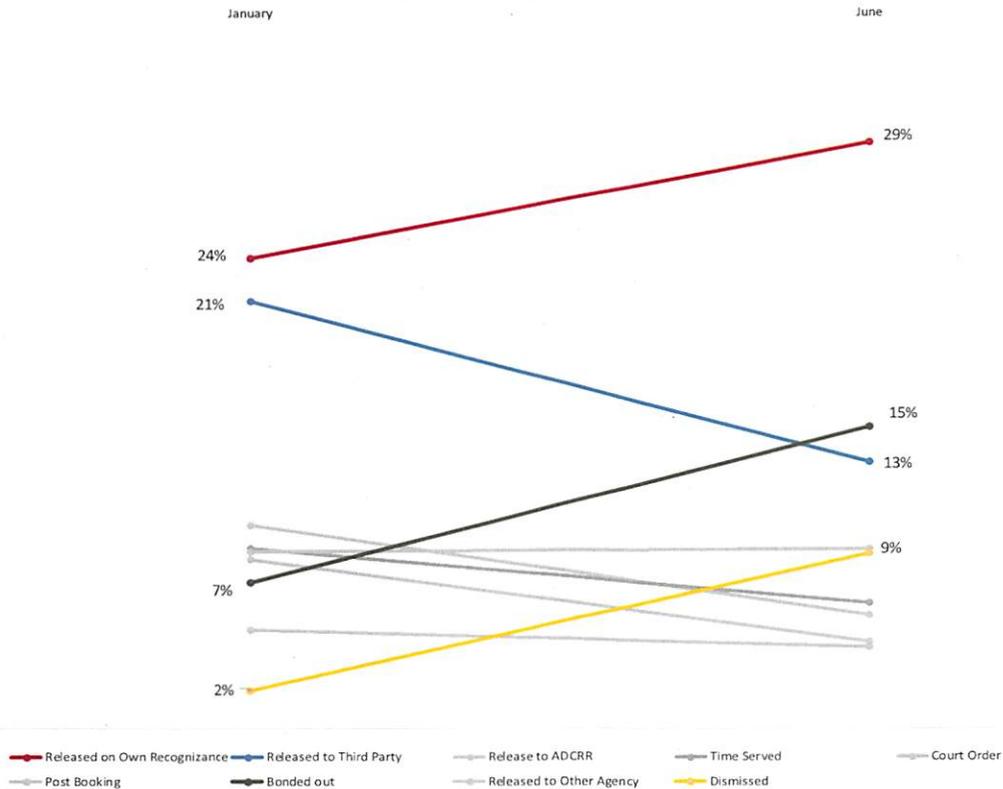


Figure 5. Dismissed and Bonded Out Increased a Proportion of Total Releases

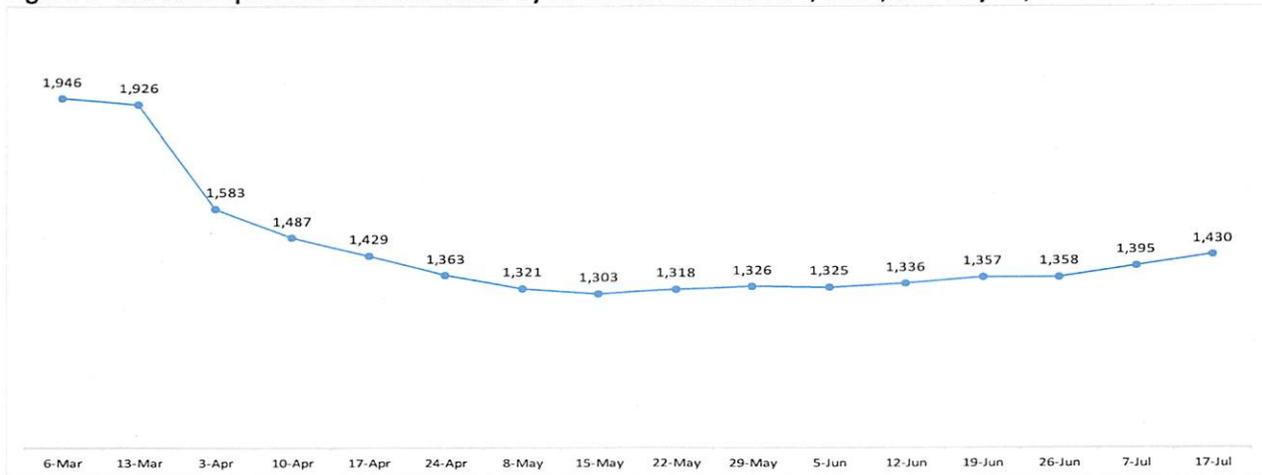


Prior to the start of the pandemic, in January 2020, releases for “dismissed” accounted for 2% of all PCADC releases, whereas in June 2020, this increased to 9%. In addition, “bonded out” accounted for 7% of PCADC releases in January and 15% of all releases in June. “Released to a third party” decreased as a proportion of total releases while “released on own recognizance” increased as a proportion of total releases. A more robust analysis of data was not available to the data coordinator and would be necessary to determine the causes of these changes.

In January 2020, drug related offenses accounted for 18% of “dismissed” releases, which increased to 44% in June. The majority of “released on own recognizance” were for disorderly conduct (29%), domestic violence assault (18%), failure to appear (11%) and criminal damage (9%). The majority of “bonded out” cases were drug offenses (17%), failure to appear (16%), disorderly conduct (9%) and domestic violence assaults (9%).

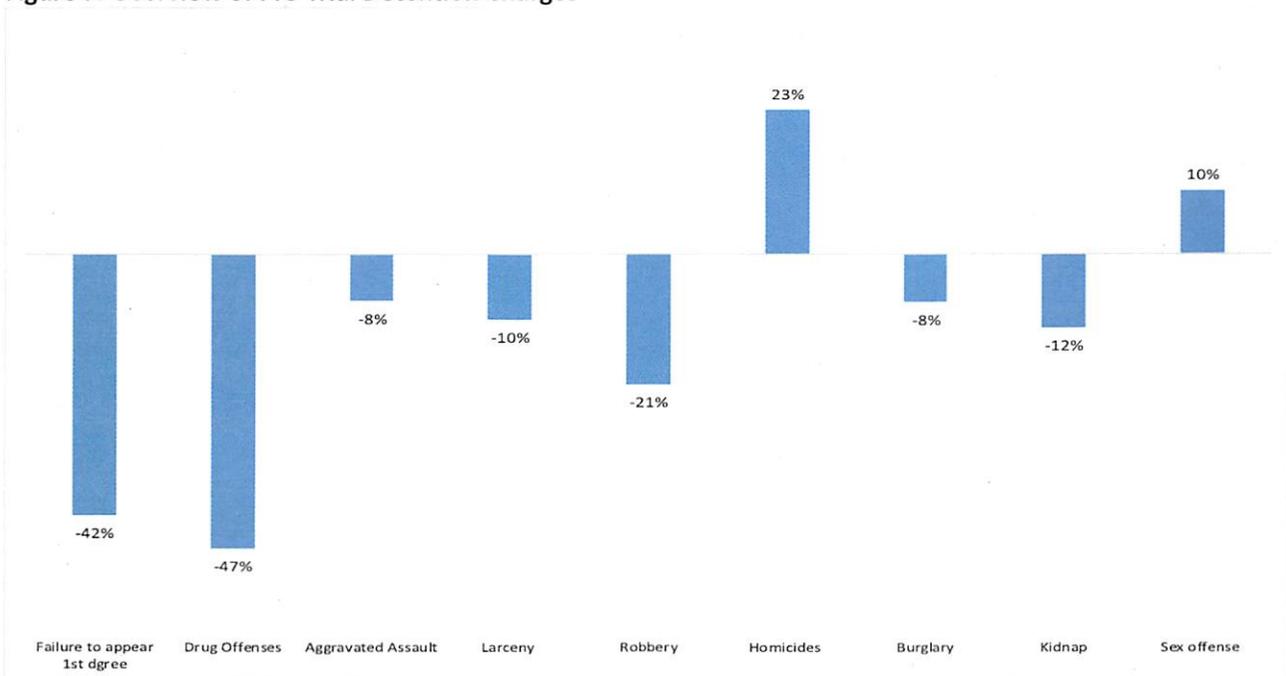
Between March 2, 2020, and July 17, 2020, the total jail population decreased by 27% (from 1,946 to 1,430) (see Figure 6. below). The lowest snapshot population during this time was 1,303 on May 15, 2020; however, a 1% weekly increase in the jail population occurred between May 15, 2020, and June 26, 2020. Moreover, a 3% weekly increase in the jail population was present during the weeks of June 26, 2020, and July 17, 2020.

Figure 6. The Jail Population Has Decreased by 27% Between March 6, 2020, and July 17, 2020



Inmates with felony charges consistently comprised approximately 95% of the jail population. Within the felony population, the inmate status “charges” decreased by 22% (242). Inmates that had a Probation Violation-Pre Disposition hearing consistently comprised 20% of the jail population, and this category had decreased by 17%. Probation Violation-Sentenced to the jail decreased 69% from 182 on March 6, 2020 to 56 on July 7, 2020.

Figure 7. Overview of Pre-Trial Detention Charges



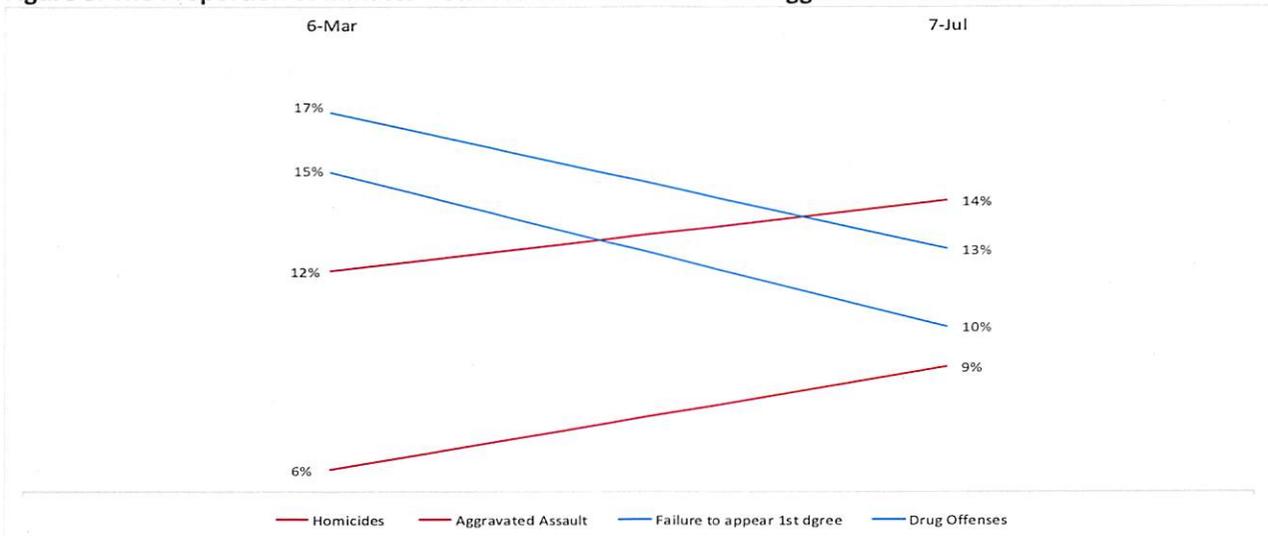
C.H. Huckelberry

Re: Increase in Pima County Adult Detention Complex Daily Occupation

September 1, 2020

Pre-trial detentions for drug offenses comprised 15% of all pre-trial detentions on March 6, 2020. This decreased from 151 on March 6, 2020, to 80 on July 7, 2020, which represents a 47% decline in these detentions. Pre-trial detentions for "Failure to Appear 1st Degree" comprised of 15% of all pre-trial detentions on March 6, 2020, but decreased by 42% between March 6, 2020, and July 7, 2020. Pre-trial detentions for "Homicide" comprised of 6% of the pre-trial detentions on March 6, 2020. This percentage increased by 23% and comprised 9% of the jail population on July 7, 2020. "Aggravated Assaults" comprised 12% of the jail population on March 6, 2020 and 14% of the jail population on July 7, 2020 (see Figure 8. below).

Figure 8. The Proportion of Inmates Detained for Homicides* and Aggravated Assaults has Increased



*Homicides include murder first degree, murder second degree, and manslaughter

Current Events

The CRJU staff will continue to monitor the jail population using the weekly jail snap shots. In addition, the jail coordinator and data coordinator will work together to monitor jail bookings. Any major changes will be reported to the Assistant County Administrator and the Director of Criminal Justice Reform Initiatives.

- c: The Honorable Barbara LaWall, Pima County Attorney
- The Honorable Kyle Bryson, Presiding Judge Pima County Superior Court
- Dean Brault, Director, Public Defense Services
- Domingo Corona, Director of Pre-Trial Services
- Kate Vesely, Director of Criminal Justice Reform Initiatives



MEMORANDUM

Date: July 13, 2020

To: Wendy Petersen
Assistant County Administrator
for Justice and Law Enforcement

From: C.H. Huckelberry
County Administrator *CHH*

Re: Increase in Pima County Adult Detention Complex Daily Occupation

I have noticed that the census at the Pima County Adult Detention Complex (PCADC) has increased by approximately 100 individuals.

Please ask the Jail Population Coordinator, Mike Steber, to determine the reason for the increase and what charges are fueling the increase. Is the increase due to any lack of Court proceedings, defense or prosecution activities?

Clearly, much of the Court system and both prosecutor and defender functions have been in a long term hiatus since the beginning of the COVID-19 pandemic. I would like to know if there is any specific information that can determine the reason for the increase at PCADC.

CHH/anc

c: The Honorable Barbara LaWall, Pima County Attorney
The Honorable Kyle Bryson, Presiding Judge, Pima County Superior Court
Dean Brault, Director, Public Defense Services