



---

# MEMORANDUM

---

Date: December 22, 2015

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

From: C.H. Huckelberry  
County Administrator

A handwritten signature in black ink, appearing to read "CHH", is written over the printed name "C.H. Huckelberry".

Re: **Update on MacArthur Foundation's Safety and Justice Challenge Grant**

As you may recall, Pima County was one of 20 sites selected in May from almost 200 jurisdictions nationally to participate in the Safety and Justice Challenge sponsored by the John D. and Catherine T. MacArthur Foundation. The Safety & Justice Challenge seeks to help local jurisdictions safely reduce their use of jail incarceration, with a particular focus on addressing disproportionate impact on low-income individuals and people of color. The County received a \$150,000 planning grant during Round One of the competition and will be applying by January 6, 2016, for funding to implement the plans that have been developed over the last six months. Only 10 of the 20 original sites will be awarded continued funding.

**Jail capacity and cost.** The Pima County Adult Detention Center (PCADC) has been at or near capacity in recent years. In 2014, the average daily population was 2,136, very close to maximum capacity. At that point, it appeared we would need to begin planning to add new jail capacity, which is an extremely expensive proposition at about \$150,000 to \$200,000 per new bed (up to \$20 million for just 100 additional beds), which would require bond funding and years of advance planning. In addition, at \$280 for the first day and \$85 for each subsequent day, jail is a very expensive place to house individuals whose primary issues relate to substance abuse and/or mental illness, and who are not dangerous to the community. To add to the cost of a jail bed, the PCADC provides medical detoxification treatment to an average of 70 individuals a day, and about 50 percent of the jail population is part of a mental health caseload. All of these services drive up costs. Because of the crowding and expense of the jail, the Pima County Justice Coordinating Council had begun to look how to safely reduce jail stays for low-level offenders who were not dangerous, even before the MacArthur Foundation grant competition was announced.

The Safety & Justice Challenge has provided the opportunity for experts from all facets of the criminal justice system to work together to analyze data about the jail population and develop possible solutions. The planning team involved Pima County leaders from the courts, law enforcement, the jail, prosecution and defense, behavioral health, and the county administration, as well as the Tucson City Prosecutor, City Court and Tucson Police Department. In addition, the planning team has collaborated with the community, hosting

several informational meetings and most recently, an open house last week to seek feedback on potential change initiatives.

The data has revealed that up to 80 percent of the jail population is held pending trial – meaning that these individuals have not yet been convicted. Of that pretrial population, the single largest driver of jail bed days is individuals who are charged with failing to appear (FTA) in court, often where the underlying charge is so minor that the individual would not be held in jail. The next largest drivers of the population are individuals who are awaiting trial on nonviolent misdemeanor or low-level drug possession charges, many of whom have addiction or mental health issues. The data also revealed that African-Americans, Native Americans and Hispanics are held in jail at higher rates than their representation in the general population would indicate, and that strategies targeting the FTA and other pretrial populations would help reduce such disparities.

The planning team has developed three major strategies to reduce the jail population by 20 percent (to about 1700 average daily population) over the next three years, for which the County hopes to receive funding from the MacArthur Foundation:

- 1) Reduce the incidence of “failure to appear” in court by addressing the reasons for high failure to appear rates, such as implementing reminder calls, texts and emails in local courts; offering more accessibility to courts through extended hours; and holding warrant-quashing court sessions at various locations in the community and on weekends.
- 2) Divert non-dangerous individuals with substance abuse and/or mental health problems from jail and into community treatment at their first appearance before a judge. This proposal would involve additional behavioral health screening of defendants at booking, with that information and treatment alternatives provided to the judge. Pretrial Services would also be available to supervise released defendants as needed. Increased access to community treatment and counseling as alternatives to jail would be provided by Cenpatico, which is the Regional Behavioral Health Authority, and funded by AHCCCS. Such treatment options would not only reduce the jail population initially but also could reduce recidivism over the long term.
- 3) The final group of strategies relate to inmates who have already been sentenced to jail or probation. Home detention with electronic monitoring would be used as an alternative to jail for some nonviolent inmates, especially those sentenced to “work release,” meaning they are released from the jail each day to work and then return to the jail at night. In addition, Adult Probation would revise its policies regarding use of detention for individuals who violate probation, decreasing jail time and revocations and increasing the likelihood of probation success.

The Honorable Chair and Members, Pima County Board of Supervisors  
Re: **Update on MacArthur Foundation's Safety and Justice Challenge Grant**  
December 22, 2015  
Page 3

Implementation of **these** strategies would be accomplished in collaboration with community representatives, who would participate in monitoring and evaluating the success of the project. The County also will be seeking MacArthur funding to support enhancements to data-sharing capabilities to enable the courts, jail, law enforcement, and behavioral health services to more easily exchange information necessary for these initiatives.

As part of the Safety & Justice Challenge, the Vera Institute conducted a cost of jails survey that all the participating jurisdictions completed. Based on the data Pima County provided, the Vera Institute estimated that Pima County can save \$451,612 annually for each 64-bed pod that is closed. By achieving the 20 percent jail population reduction goal, the Adult Detention Center would be able to close six 64-person pods and save an estimated \$2.7 million a year. Moreover, the Safety & Justice planning team is optimistic that additional reductions can be achieved, producing greater savings.

Pima County's application for Phase Two funding from the MacArthur Foundation is in the final preparation stages. The final request, split over two years, will be between \$2.5 million and \$3 million.

CHH/lab

c: Ellen Wheeler, Assistant County Administrator, Justice and Law Enforcement