

# INNOVATIVE CRIMINAL JUSTICE REFORM: COMING TO A COURT NEAR YOU



# RETHINKING OUR SYSTEM

The John D. and Catherine T. MacArthur Foundation's Safety and Justice Challenge recognizes that there are better, fairer, and more effective alternatives to excessive jail incarceration. **The Safety and Justice Challenge is supporting a network of competitively selected local jurisdictions committed to finding ways to safely reduce jail incarceration.**

Lucas County was awarded **\$1.75 million from the Safety and Justice Challenge in 2016** to invest in effective strategies to reduce the average daily jail population over two years while addressing racial and ethnic disparity.

The MacArthur Safety + Justice Challenge award also includes extensive and ongoing technical support from national experts, including the Center for Court Innovation, Justice System Partners, Prisoner Reentry Institute, Institute for State and Local Governance, and the Burns Institute.



## **We need solutions to start where incarceration starts:**

One of the primary purposes of jails is to detain those awaiting trial who are danger to public safety or a flight risk. But jails now hold many who are neither, at exorbitant fiscal and social costs.

**The majority of people in jail are presumed innocent.**

- **Most are there for nonviolent offenses.**
- Many are simply too poor to post bail.
- The cost of using jails is not just financial it carries significant costs—to individuals, families, communities, and society at large.



**SAFETY+JUSTICE**  
CHALLENGE



## Lucas County's Safety + Justice Challenge

Reduce Lucas County's total jail population by 16%-18% while improving community safety and addressing racial and ethnic disparities.



## Planning Process

- Awarded \$150,000 Safety and Justice Challenge Planning Grant
- System Map
- Deep Data Dive

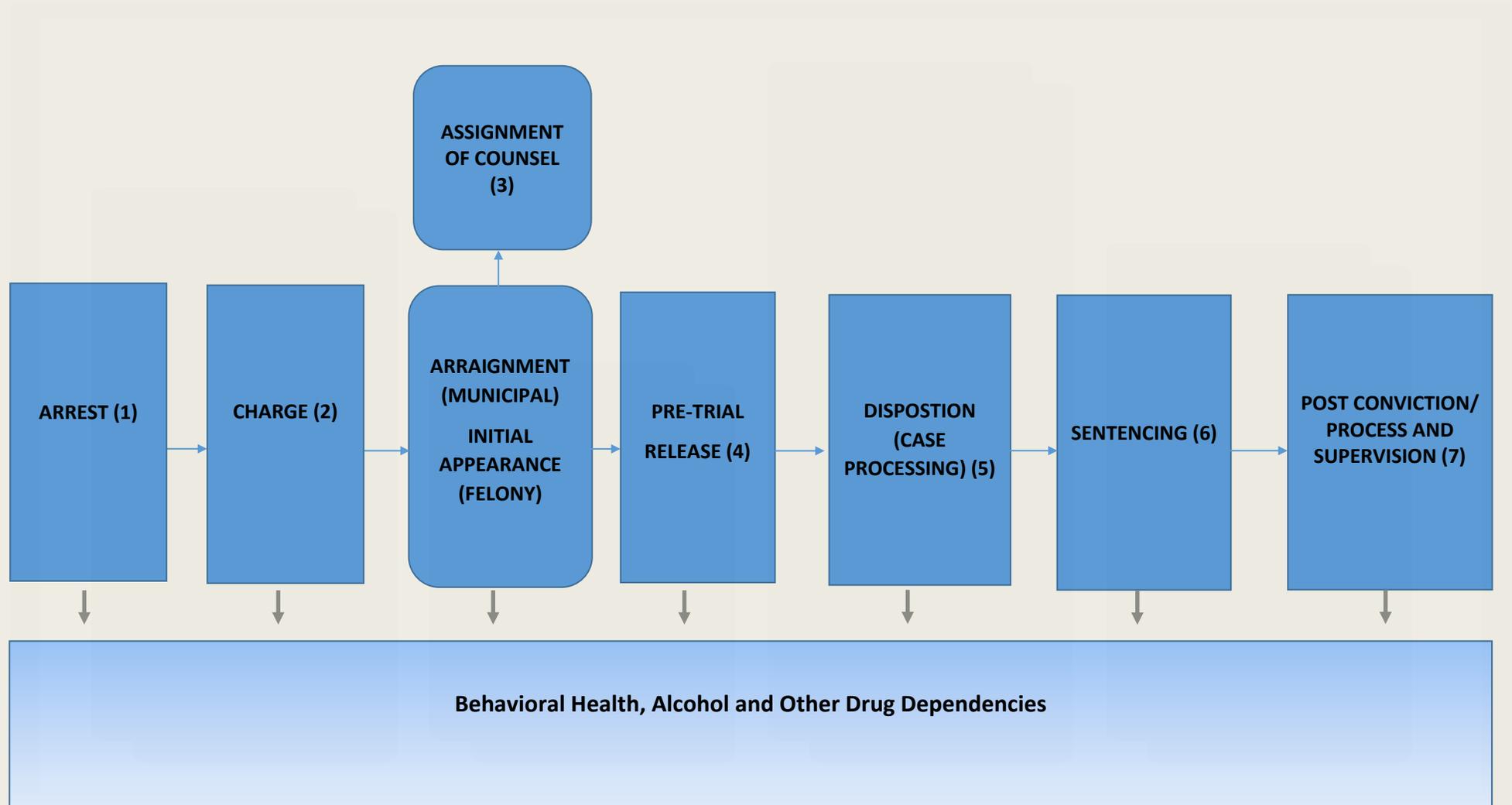
### Two Main Goals:

Reduce locally incarcerated population

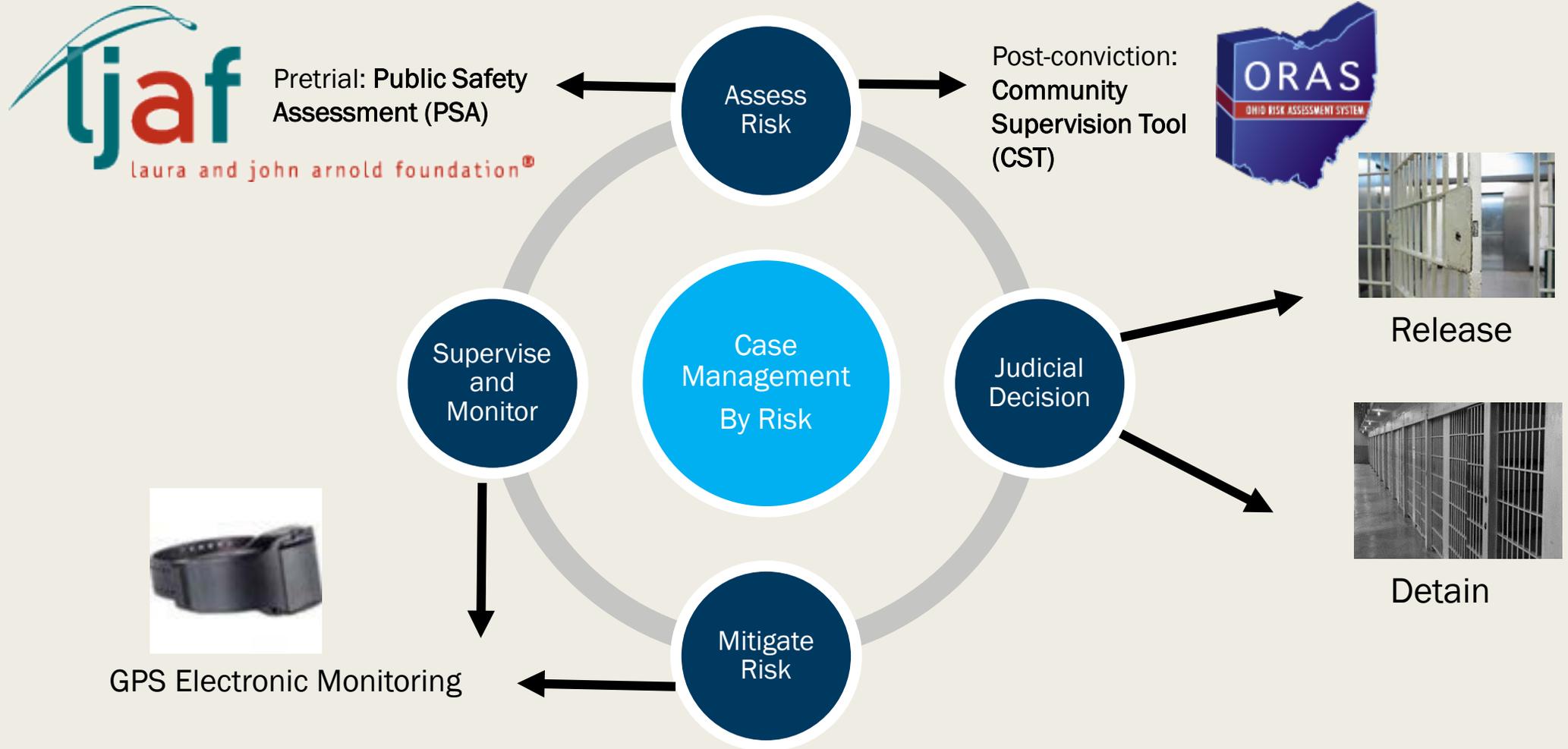
Reduce the disparate impact of local incarceration



# Lucas County Criminal Justice System



# Strategy Two: Managing Based on Risk



## Strategy Two: Managing Based on Risk

How:

- **4,158** days of GPS electronic monitoring instead of incarceration through March 30, 2017, representing incarceration costs of \$299,958
- Implementation of differentiated levels of pretrial bond supervision to better address high needs and avoid re-incarceration of individuals
- Development of a Digital Data Dashboard



## Strategy Two: Managing Based on Risk

- Availability to judges of real-time local jail bed usage, electronic monitoring resource availability, pretrial release resource availability and communication of ORAS-CST scores for incarcerated individuals at CCNO



# ONE VOICE ONE MESSAGE



## Strategy Five: Coordinated Probation Practices

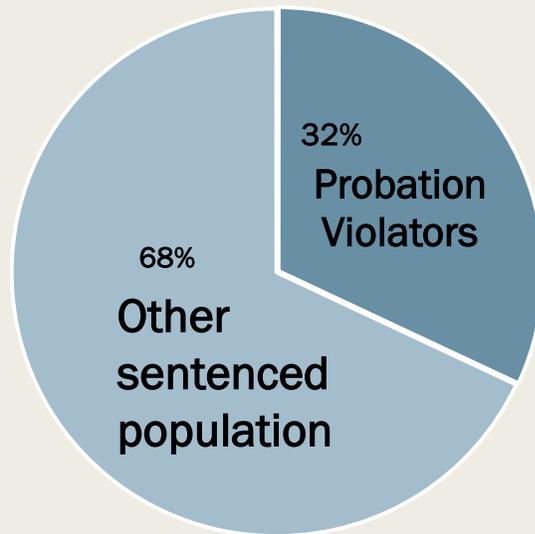
**Goal:** Foster regional collaboration and a unified vision for successful supervision in Lucas County

**How:**

- Standardize probation practices among the five independent probation authorities
- Make evidence-based practices and tools available to all probation departments

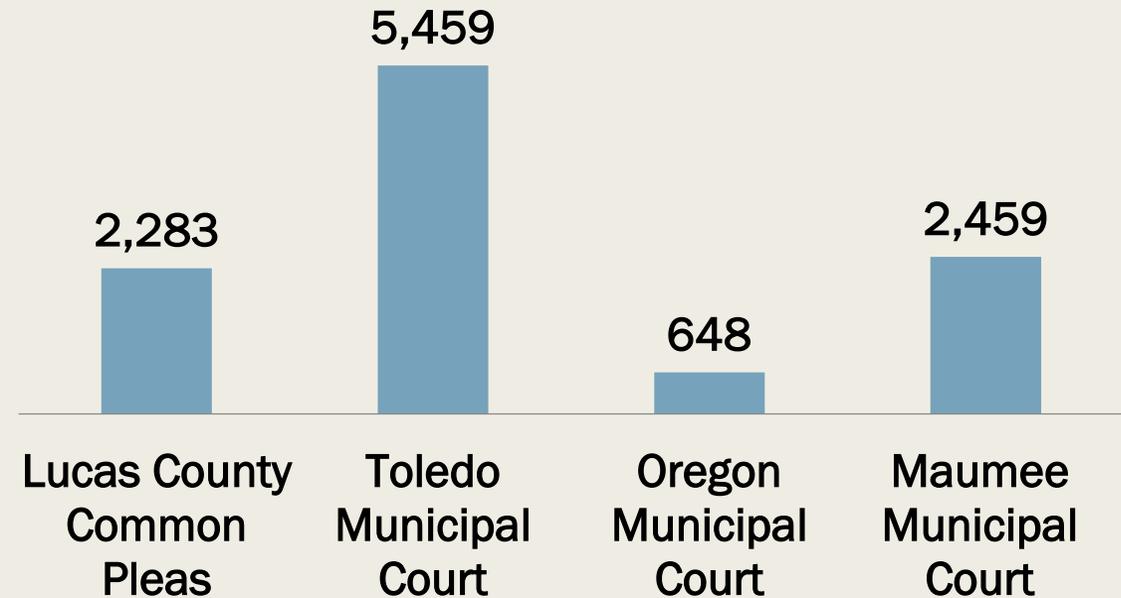
## Strategy Five: Coordinated Probation Practices

Total CCNO Population of Lucas County Funded Beds



■ Probation Violators   ■ Other Sentenced Population

Total Number of Probationers in 2015



\*Data for Sylvania Municipal Court is unavailable at this time.

## Strategy Five: Coordinated Probation Practices

- **Graduated Sanctions:** Assist all Probation Departments in identifying available services for clients based on Risk, Needs and Responsivity; Coordinates community resources.
- **Coordinated Quality Assurance, Continuous Quality Improvement:**
  - *Shared practices*
  - *Share staff resources*
  - *Share information and best practices concepts*
  - *Coordinated standards and Policy and Procedures*
  - *Shared training*
- **Coordinated supervision**
  - *Eliminate duplication and improve information sharing*
  - *Provide differentiated supervision based on the clients risk and needs.*
  - *Coordinate ORAS assessment information*
  - *Shared case planning*

# IMPACT OF POVERTY

- 20-33% of the Lucas County population are in poverty. (pg. 14)
- Toledo's poverty rate has increased by 10.1% since 1999. (pg. 18)
- Rates of poverty by family:
  - *Female head, No Husband Present, with Related Kids; 43.1% are in poverty.*
  - *Male Head, No Wife Present, with Related Kids; 21.6% are in poverty.*
  - *Married Couples with related Kids; 6.6% are in poverty in Ohio.*
  
- The Ohio Poverty Report, February 2017.

# IMPACT OF POVERTY BASED ON EDUCATION

- Rates of poverty based on education / Limited education:
  - *(Not a High School Graduate) 27.3% are in poverty in Ohio.*
  - *(High School Graduate or GED) 13.3% are in poverty in Ohio.*

*A young adult is 65% more likely to end up incarcerated if they do not have a high school diploma or GED.*

- Ohio Poverty Report, February 2017

# IMPACT OF POVERTY

- Incarcerated people had a median annual income of \$19,185.00 prior to their incarceration”.
- Although, the income gap is not the sole reason for the disproportionate representation in the justice system, looking at Ohio’s data for poverty, may indicate otherwise.
- For example, Figure 3 in the Prisons of Poverty report, shows;
  - *“Incarcerated men are concentrated at the lowest ends of the national distribution. The median incarcerated man had a pre-incarceration income that is 48% that of the median non-incarcerated man”.*
  - *“Incarcerated women are concentrated at the lowest ends of the national income distribution. The median incarcerated women had a pre-incarceration income that is 58% that of the median non-incarcerated women.*

# IMPACT OF POVERTY BASED ON AGE AND MINORITY STATUS

- Looking at ages 25-34 the breakdown is as follows:
  - *Non-Hispanic White Males, 9.8% were in poverty,*
  - *Non-Hispanic White Females, 16% were in poverty,*
  - *Minority Males, 22.3 % were in poverty,*
  - *Minority Females, 33.4% were in poverty.*

*Lucas Counties population is comprised 19% minorities*

*The Lucas County criminal justice system consist of 58% minorities.*

*The Ohio Poverty Report, February 2017*

# POVERTY, COURTS AND SOCIETY

- How do we slow down mass incarceration?
  - *Good Jobs*
  - *Reliable transportation*
  - *Safe Housing*
  - *Good Schools*
  - *Creative solutions and partnerships which remove “Siloed” criminal justice systems.*

ONE VOICE ONE MESSAGE

## Behavioral Health, Alcohol and other Dependencies

Criminal justice reform efforts have included partnerships with the Lucas County Mental Health and Recovery Services Board to develop community alternatives to incarceration for this population.

Through MacArthur Safety + Justice Challenge funding and Lucas County Mental Health and Recovery Services investments, coupled with support from law enforcement, new initiatives will be launched in mid-2017 to provide deflection and diversion opportunities.

# Common Vision

- Can Judges, Commissioners and the ODRC work together to manage local jail and prison populations ?
- Collaboration of Resources– Jail Bed Reduction, Pre-Trial Half Way House Beds, CBCF, Misdemeanor programming, Day Reporting
- People are finding that they have more in common then they realized
- Since these branches of government came together to communicate, it has made it easier to problem solve, and improve community safety
- It allows you the time and the mechanisms to manage the human being within your community

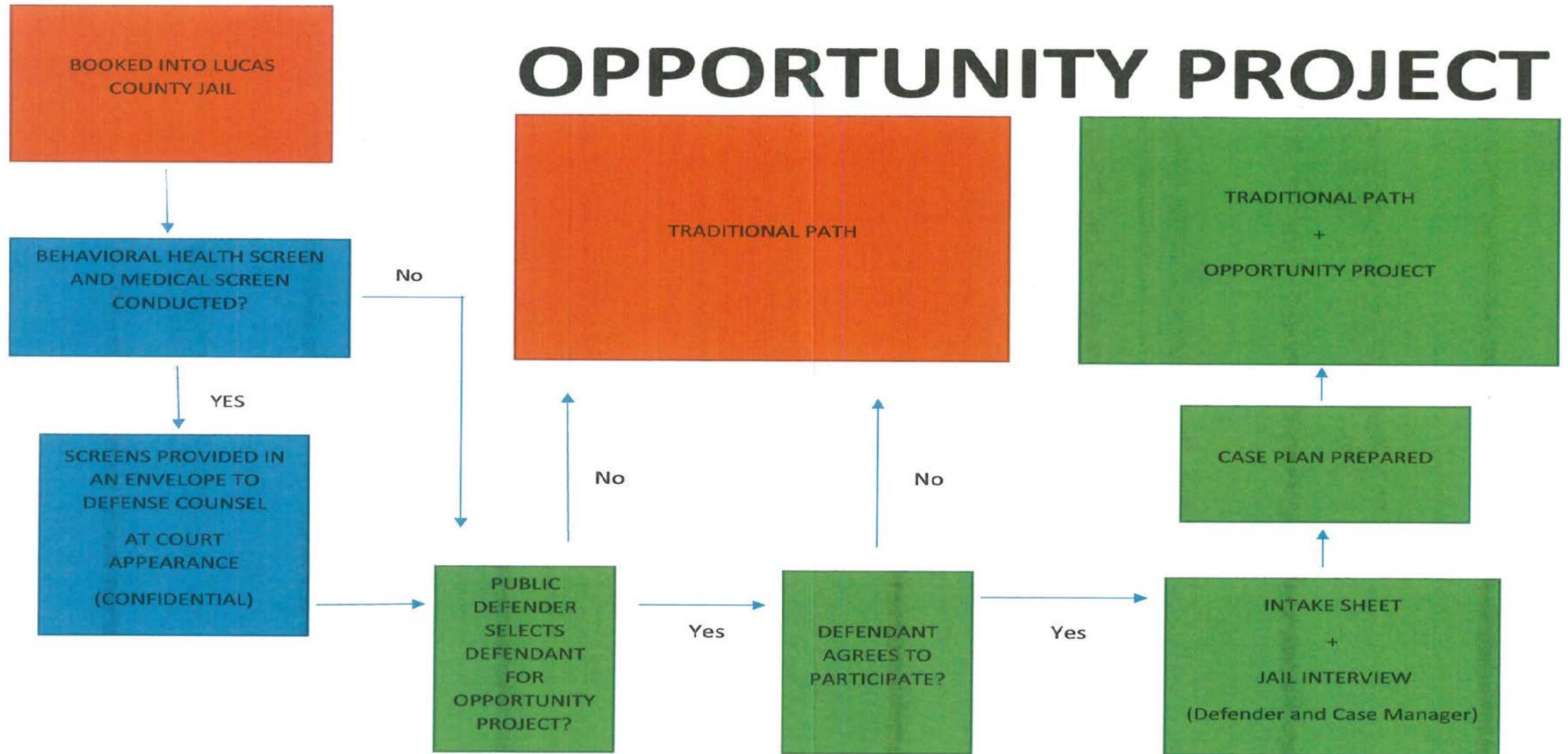
# TCAP

- Lucas County was part of the five county TCAP pilot program  
*(Lucas, Henry, Fulton, Williams and Defiance Counties)*
- Judges, County Commissioners from the five counties along with ODRC came together to develop the TCAP pilot
- This collaboration lead to over 200 (F-4 and F-5) felony offenders being diverted from prison and into local incarceration along with access to treatment  
*(CBCF like programming)*
- Is local discretion compromised?

## Opportunity Project

- Diversion program which will be run the Chief Public Defender's Office
- The project will allow individuals in pre-trial status to receive early access to mental health and/or AOD services, voluntarily at the encouragement of their public defender
- The Public Defender's Office has hired two new attorneys to oversee these cases
- Additionally they are going to hire two licensed case managers to assess the individuals who volunteer for the program
- Funded with coordination of the Mental Health Board and MacArthur Foundation
- This occurs after an individual has been booked into County Jail

# OPPORTUNITY PROJECT





## Deflection

- This give law enforcement the discretion to take known mental health and/or long term substance abuse offenders to a drop off center instead of booking them into the County Jail
- The individual can choose to be booked into the county jail instead of voluntarily participating the deflection program
- The individual will be summons by the officer
- Upon the individuals voluntary participation they will be screen and assessed by local mental health providers to determine their level of need
- Seven (7) day / thirty (30) day engagement
- The individual could receive no charges upon successful completion or if they fail to complete will progress through the traditional court processes



## Lessons Learned

- Start Somewhere
- Build Relationships
- Key Branches
  - *Executive*
    - Use the Power of the Purse
  - *Judiciary*
    - Too Often Written Off
- Turn Crisis into Opportunity