

Jail Population Management Subcommittee
of the
Sanford “Sandy” Krasnoff Criminal Justice Council
September 21st, 2022
1:00 p.m. – 2:00 p.m. held via Zoom

I. Opening Remarks – Adrienne Tobler, OCJC (1:01)

The meeting was called to order by Adrienne Tobler. The participants each did introductions for themselves and their organization.

II. Jail Population Data Report – Theresa McKinney, OCJC

Theresa McKinney presented a jail population data report. The current population for the jail was 1014, with the majority (939) being detained with open matters. About 69% percent of those individuals were booked on felony charges and had no holds. About 20 percent were booked on felony charges and had warrants, detainers, or both. The remaining 10 percent were detained on state misdemeanor charges, municipal or traffic charges, or on warrants or detainers only.

The current jail population was slightly higher than the August 2022 population. The amount of people with open matters was about 2% higher than in August 2022. From April to May, there had been a jump in the number of felony bookings, which have fluctuated over time but have not returned to pre-covid levels.

Most people released from jail are released before their cases have reached the final disposition. For those released upon or after their final disposition, most are sentenced to DOC. There was a rise in the amount of people released upon or after their final disposition in July 2022 into August compared to previous months.

The average length of stay for everyone released since January 2019 to the end of August was 35 days.

III. Reinforcing the Commitment to Jail Population Reduction – Brenna Bethancourt, New Orleans Voices of Accountability and Safety

a. Agency Response

Brenna Bethancourt gave an overview about realigning with the goals set by the jail population management subcommittee (JPM). In 2015, JPM was formed with an average daily population of 1,840. The common goal at the time was to drop the population below 1,000 people. That goal

had been maintained from March 2020 until about September of this year. Globally, we are facing cultural changes and it is important to be united and not let citizens become disproportionately incarcerated while the community figures out how to recover from the pandemic. It is the responsibility of JMP to come together on ways to keep the population, including keeping citizens out of jail to the greatest extent possible.

While a population below 1,000 had been maintained over the past few years, the population is now stretching beyond 1,000 people. If the shift continues, JMP risk losing all the progress that has been made. Each agency was asked for a recommitment to the goal of keeping the jail population below 1,000 and even further.

IV. Subcommittee Member Updates and recommitment to the goal

Probation and Parole

266 people on supervision are currently detained, not just in OJC. While in the past everyone was detained, there is now a screening process on who is detained. Probation and parole do their best to fast track the process, though there are some barriers that delays the process.

Sage Michael asked about collaborations with other partners in other jurisdictions and modernizing transactions so that they are digitized. Many in-house things that are electronic. The bill of information defense reports is the biggest hold up, whereas other jurisdictions have access to Jeffnet allowing them to easily access the report while it may take weeks to receive in Orleans parish. The agency is open to any assistance that will help create a more efficient process. Efforts are in progress try and help probation and parole get needed license to help speed up the process to get documents faster.

Criminal District Court

There has been a rise in violent crimes and recidivism. People released on ROR who return with several charges cannot be let out again in good faith. The police have been understaffed, resulting in some people being arrested for multiple charges at the same time when they do get arrested. This is causing aggregate bonds to be high in some cases, resulting in the court not being able to roll them out. CDC is working with the public defenders when a treatment plan is set up to move people to alternative locations so that they can receive treatment when they are not eligible to be released. Current programs are overcrowded and do not have the capacity to accept more individuals. More drug and mental health treatment programs are needed to assist keeping the jail population down.

District Attorney's Office

Efforts are being made to staff up, boost morale and retain employees. They are working on an overhaul of the screening division so that cases can be screened quicker. New ADAs have been brought on and are being trained while awaiting their bar results.

Pre-Trial Services

Public safety assessments are being conducted for all cases, including misdemeanors as of the 8th of August. These assessments help the court to have clear objective information about individuals to ensure that informed decisions are made concerning bonds. There has been an increase in violent crimes but not overall crime. Booking numbers for arrest have decreased.

Orleans Public Defenders

OPD remains committed to the JMP goal to keep the jail population down and working with all criminal legal system actors. There is a need to focus in on the way that cases are moving due to shortages, staffing and resources, as well as length of stay. There is an effort to hold the department of corrections accountable for transferring cases. OPD will continue to advocate early at first appearances, file bond reduction motions, and advocate for bail reform. They will continue to advocate on behalf of ensuring that the police factors are being implemented and that people are not being detained merely because of their inability to pay. Two new commissioners will be coming in and starting next month. Trainings will be focused on bond setting, bond practices, releases, bond reduction hearings, 701 hearings and related factors. There will also be a training on domestic protective orders and the releasing of those at the time of disposition.

The three main problems that have been identified are increases in bail and bond, inadequate transportation, and the misalignment of technology. As serious crimes go up, there has been little acknowledgement on the lesser crimes not going up, and in some cases have going down.

Orleans Parish Sherriff's Office

The jail population reduction is a top priority for OPSO. They are continuing to focus on moving those who have been sentenced out of OJC to DOC. They are committed to addressing staffing issues to help keep court cases moving in a timely manner. OPSO is also working on an en banc agreement to deal with overcrowding so that they can focus on the lower-level charges once they reach a certain number to see if their people who should be released and do not need to sit in jail.

NOVAs asked about a ratio to ensure safety in the jail. Legally there is no set number, but there should be about 8-10 people per deputy, but are not, currently there with the current staffing capacity. The Sherriff estimated that they were about 44% staffs, and it was stated that they are still at that level of capacity.

The technology is not up to date, and a request for technology upgrades have been submitted in the mid-year budget request. A top priority is tablets for the residents, which would help deliver programming and calls to family and attorney visits. The cost is high to increase the bandwidth

necessary to accommodate the Wi-Fi needs and build out the server. A request was submitted for funding for scanners for the mail to assist with drug identification.

OPSO was asked when they anticipate incarcerated persons being brought over 5 days a week. They were unsure and suggested that the court may be able to answer. The commissioner has been asking

to resume having first appearance in the morning and said that both sheriffs said that they would not be able to accommodate with getting first appearance ready to be performed in the morning. Judges only have access to inmates two days a week and increasing that to five days would start moving the process along faster. The two days are limiting the judge to only being able to see 12 inmates a week. The commissioner stated that she does not think that the court is at a point where they are ready to issue an order to have individuals brought to court five days a week, because it will put an additional strain on the Sherriff's office.

VI. Closing Remarks/Adjournment – Adrienne Tobler, OCJC

Adrienne Tobler updated the committee about the Safety and Justice challenge criminal justice stress test that happened last week. There will be a follow up meeting with the judges after the technical assistance providers are able to put together some preliminary findings. There is an increase in jail population, but the data points to an increase in length of stay for people who are eventually released to DOC custody being what is driving the jail population up. The length of stays is astronomically long in comparison to those pre-covid. Case processing delays are resulting from covid delays. Being able to decrease the average length of stay for someone who is eventually going to be released to DOC by 10%, would decrease the jail population well below the goal of 1,000 people. As the stress test is completed, the findings and recommendations will be presented to the JMP.

The next meeting is scheduled for November 16th. Adrienne Tobler will be out on maternity leave and Theresa McKinney will take over the meeting. This was also Derwyn Burton's last meeting, as he will be leaving OPD on Friday.