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Conducting Justice and Corrections Research for Effective Policy Making

Policy Simulations of Alternative Options To Reduce the Orleans Parish Prison Ten-Year Projection

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Introduction

This report builds upon the base projection report that produced the ten-year projection. The reader should refer to that report to better understand the recent trends that are impacting the Orleans Parish Prison (OPP) population.

At issue is to determine the need to construct a new jail facility or facilities that would have sufficient capacity to properly house and manage persons who were incarcerated under current state and local laws and criminal justice policies. Mayor Mitch Landrieu signed an executive order establishing a Criminal Justice Working Group, an official Mayoral Advisory Committee, which was tasked with reviewing plans and information relating to the size of the Orleans Parish Prison complex. This report is being submitted to the Task Force as part of its work to make recommendations to Mayor Landrieu.

As was emphasized in the base projection report, the current and future size of a jail population is largely the product of a number of factors that are beyond the control of the Sheriff. Demographic, socio-economic, crime, arrest and court processing (among others) are factors that contribute to the two major forces that produce a jail population – admissions and length of stay (or LOS). What the base projection report did was to document those trends and estimate the long-term effects of *current* trends on the projected size of the Orleans jail population. This initial estimate is referred to as the “base” projection.

This report provides estimates of how the base projection may be impacted by two major reforms or initiatives:

1. Louisiana Department of Public Safety and Corrections (DPS&C) state prisoner population now housed at the OPP
2. Implementation of a Pre-Trial Release Program

In completing this study JFA relied extensively upon data provided by the Orleans Parish Sheriff's Office and New Orleans Police Department.¹ Data were also provided by the Vera Institute, which has been conducting a number of studies of current police and criminal justice practices and initiatives. The DPS&C provided data on state inmates housed in the OPP and those sentenced to state prison each year from the Orleans Parish courts.

¹ The authors would like to express they great appreciation to Sheriff Marlin N. Gusman, Commander Michael Laughlin, and Joe Timmons of the Orleans Parish Sheriff's Office. Further Secretary James LeBlanc, Melanie Gueho, and Tabitha Mizell of the Louisiana Department of Public Safety and Corrections provided valuable information on the number of state inmates housed in the Orleans jail system. Paul McCaskell provided reported crime and arrest data. Michael Jacobson and Jon Wool of Vera Institute provided a great deal of background information on current criminal justice initiatives. Finally, Frederick Kullman of the Office of the Mayor of New Orleans and Eugene Atherton of the Corrections Technology Center of Excellence, National Institute of Justice, U.S. Department of Justice, helped coordinate all of our data collection efforts.

The Mayor's Task Force also requested that policy simulations be completed that if implemented would further lower the OPP base projection. This work was funded under separate grants from the Louisiana Disaster Recovery Fund and Public Safety/Government Oversight Grants organizations and not the U.S. Department of Justice.

It should be emphasized that there are a number of policy options that Orleans policymakers could implement. It was noted in the base projection report that the OPP incarceration rate is considerably higher than other comparable Louisiana Parishes even when crime rates and the housing of DPS&C inmates are taken into account. These other options can and should be considered as well,

Simulation Results

The two most prominent and most significant options that have been proposed are 1) implementation of a pretrial services agency and 2) reduction in the number of persons housed in the OPP who are state prisoners.

With regard to the pretrial services agency, the Vera Institute is assisting the Parish implement a pretrial services agency by 2011. JFA requested from Vera its assessment of which pretrial inmates the program would focus on. What follows is Vera's estimate of what type of pretrial admissions will be targeted:

"The Pretrial Services Initiative will have its greatest impact on felony cases. Results from other jurisdictions suggest that persons charged with all minor drug possession; all minor property offenses, including theft, fraud, non-residential burglary; and some weapons offenses are likely candidates for release on recognizance or with conditions at first appearance. We conservatively estimate that 50 percent of persons charged with these offenses will be released at first appearance. Additionally, a small percentage of persons charged with drug sale, non-violent sex offenses, and violent offenses will be released at first appearance with conditions such as electronic monitoring, for which the city has budgeted roughly \$2 million in 2011."

Based on this description of the proposed pretrial program, the estimated impact of the program, if implemented properly and targeted at persons in the pretrial felony status, would reduce that population by approximately of 330 prisoners (approximately a 25% reduction).

This reduction assumes that 50% of the crimes identified by Vera are released within an average of 3 days of booking. For the violent and weapons charges, their current LOS is reduced by 10%. We attempted other ways of modeling the effects with very similar results.

The state DPS&C inmate population can be lowered at the discretion of the Sheriff. However, such a reduction would severely reduce the Sheriff's revenues as the current budget is based on an archaic per diem structure. If the budget structure can be replaced with a more standard fixed budget appropriation based on modern accounting principles, the DPS&C inmate population can be substantially reduced.

Based on data received from the DPS&C, in 2009 there were 1,143 people who had been sentenced from Orleans Parish and released from its custody. The overall length of stay for these people was 3.0 years with an average sentence of 5.5 years.

Assuming that approximately 35% of these releases are low risk and do not require any special re-entry services. Another 20% are defined as either unwilling or unable to participate due to special security and other logistic issues (e.g., short sentences, unwilling to participate). The remaining 45% would participate in the 90-day program.

Based on these assumptions, the projected bed demand would be approximately 125 beds. The remaining 125 inmates would be dedicated to the existing work release program that is filled by DPS&C sentenced inmates.

Based on the need for a work release component and a 90-day re-entry program for suitable Orleans's sentenced prisoners reaching the end of their sentences, the size of the current DPS&C inmate population can be reduced to 250 inmates.

Finally, a peaking factor of 7.5% is added to address seasonal fluctuations and the separation of people according to gender and security/classification designations. When this is added, the bed capacity required to house the OPP population by the year 2020, when these two reforms are implemented is 2,017.

These numbers can be contrasted with the ten-year base projection as shown in Table 2. In essence, the two policy options would reduce the base projection by about 1,100 inmates or a 1/3rd reduction.

Table 1
Policy Simulations of Implementing Pretrial Services Agency and Reducing
State DPS&C Inmate Populations

CY	Warrants	Pretrial Misd/Other	Pretrial Felony	Local Sentenced	Sub-Total	DPS&C	Total
Sept. 2010	114	597	1,359	169	2,239	950	3,189
2010	101	591	1,364	162	2,218	850	3,068
2011	93	582	1,228	161	2,064	250	2,314
2012	91	563	1,034	166	1,854	250	2,104
2013	84	546	1,034	165	1,829	250	2,079
2014	79	522	1,034	162	1,797	250	2,047
2015	77	487	1,034	163	1,761	250	2,011
2016	73	470	1,034	161	1,738	250	1,988
2017	66	448	1,034	168	1,716	250	1,966
2018	63	427	1,034	165	1,689	250	1,939
2019	65	392	1,034	158	1,649	250	1,899
2020	58	369	1,034	165	1,626	250	1,876
With 7.5% Peaking	62	397	1,112	177	1,748	269	2,017

Table 2
Orleans Parish Prison Ten-Year Base Forecast
CY 2010-2020
By Major Subpopulations

CY	Warrants	Pretrial Misd/Other	Pretrial Felony	Local Sentenced	Sub-Total	DPS&C	Grand Total
Sept. 2010	114	597	1,359	169	2,239	950	3,189
2010	101	591	1,364	162	2,217	950	3,167
2011	93	582	1,384	161	2,220	950	3,170
2012	91	563	1,381	166	2,200	950	3,150
2013	84	546	1,396	165	2,190	950	3,140
2014	79	522	1,383	162	2,147	950	3,097
2015	77	487	1,357	163	2,083	950	3,033
2016	73	470	1,349	161	2,053	950	3,003
2017	66	448	1,372	168	2,054	950	3,004
2018	63	427	1,350	165	2,005	950	2,955
2019	65	392	1,349	158	1,965	950	2,915
2020	58	369	1,360	165	1,953	950	2,903
With 7.5% Peaking	62	397	1,462	177	2,099	1,021	3,121