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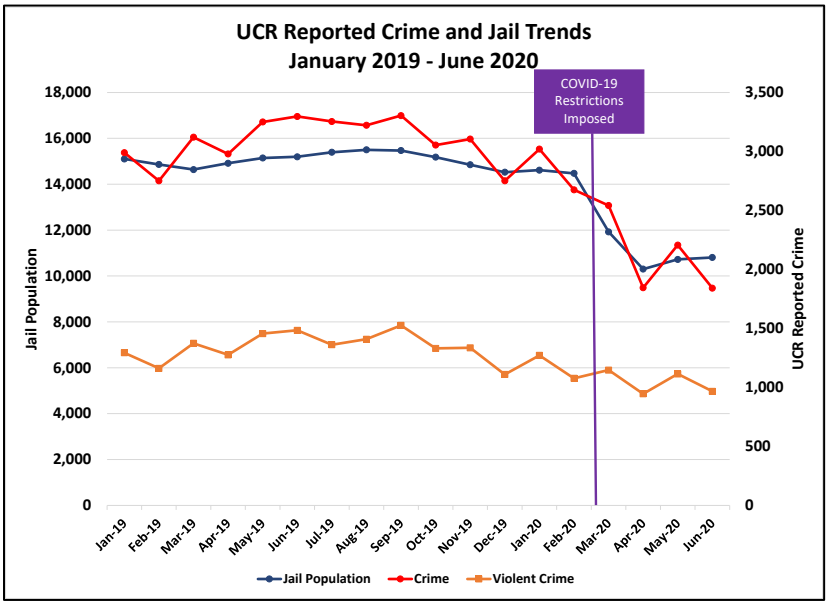
Conducting Justice and Corrections Research for Effective Policy Making

The Impact of COVID-19 on Crime, Arrests, and Jail Populations

A Preliminary Assessment



Source: SJC Aggregate Tracking Sheet

Prepared by

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Abstract

Beginning in March 2020 jail populations throughout the country began to decline as a number restrictions were imposed on the public to help mitigate the spread of COVID-19. Two key questions that were raised were 1) what were the major factors that reduced the jail population? and 2) what has been the impact of jail population reductions on public safety?

To address these two questions, the Safety and Justice Challenge (SJC) funded by the John D. and Catherine T. MacArthur Foundation launched a pilot program in six of its SJC sites (Orleans Parish, City and County of San Francisco, Allegheny County, Clark County, Charleston County and Cook County). Each site provided timely data on reported crime, adult arrests, jail bookings, and the attributes of the jail population dating back to January 2019.

All of the sites reported significant reductions in their crime rates with the largest decline being for the offense of larceny-theft. Violent crimes generally remained constant although there was an increase in two sites for murder in May and June 2020.

Adult arrests and jail bookings also declined in the same proportion as the reduction in crime. However, while jail populations did decline, the reduction percentage was less than the reduction in crime, arrests and bookings. This was due to people arrested for mostly misdemeanor crimes not being brought to the jails by police.

The composition of the jail populations changed post COVID-19 with a higher proportion being male and charged with violent felony crimes. There was no noticeable change in the racial and ethnic distribution of the jail population. However, there was a significant increase in the length of stay (LOS) to date for those housed in jail. Similarly, the LOS for people released from custody also increased significantly.

Since May 2020, there has been a leveling off followed by an uptick in the jail populations. This uptick is being driven by the longer LOS which is likely tied to delays in court processing of pending criminal cases for detained defendants. The ability of each site to maintain their current jail population size will depend on the extent they can sustain their jail population mitigation policies and address the mounting problem of court delays for the detained population. Otherwise, jail populations could approach their pre-COVID-19 levels within a few months.

Introduction

Beginning in March 2020, several actions were taken by local and state criminal justice agencies to mitigate the rising number of people being infected with the COVID-19 virus. In particular, there was considerable concern that people arrested and booked into local county jails would be unduly exposed to the virus, become infected, and then spread the virus to those also confined to jails and/or to others in the community once released from confinement.

To address these concerns, a variety of policies were enacted to reduce the size of the jail population. These polices were designed to 1) mitigate the number of people being arrested and booked into local jails and 2) reduce the length of stay (LOS) for those admitted to jail. Concurrently, public safety concerns were raised that by lowering the jail populations, crime rates would increase.

To address these issues, the John D. and Catherine T. MacArthur Foundation's Safety and Justice Challenge (SJC) program decided to launch a pilot study in six of its sites that would collect and analyze detailed data to monitor the impact of these mitigation activities. The six county sites that agreed to participate in the study are as follows:

1. Charleston County (Charleston);
2. Orleans Parish (New Orleans);
3. Clark County (Las Vegas);
4. Cook County (Chicago);
5. Allegheny County (Pittsburgh); and,
6. City and County of San Francisco.

Data Collected

For each of these pilot sites, JFA collected a wide array of aggregate and individual level data for both pre and post COVID-19 timeframes. In terms of aggregate level data, the following counts were provided by each site for each month beginning in January 2019 through June 2020:

1. Reported UCR crimes (murder, rape, aggravated assault, robbery, burglary, larceny-theft, and motor vehicle theft);
2. Adult arrests (UCR crimes, total felony, total misdemeanor, and domestic violence);
3. Jail bookings; and
4. End-of-month jail population (by pretrial and sentenced status).

These data were used to assess the impact of COVID-19 on crime, arrests, and jail populations. By collecting data back to January 2019, one can control for traditional seasonal fluctuations in these same metrics (crime, arrests, and jail populations tend to rise in the spring and summer and decline in the fall and winter seasons). The crime and arrest data were provided by the major individual law enforcement agencies for each county. For San Francisco, Allegheny (Pittsburgh), Clark (La Vegas), and Orleans (New Orleans), JFA relied on those jurisdiction's single major city

police department. For Charleston, JFA used data provided by city departments for Charleston and Mount Pleasant as well as the Charleston Sheriff's Office.

To complement these data, JFA also collected individual-level data for the following populations both prior to and after the implementation of COVID-19 restrictions:

1. Snapshot of the jail population February 2020 vs. June 2020; and
2. Jail releases since January 1, 2019.

These individual-level data demonstrate how some key attributes of people comprising the jail population have changed beginning with the decline in March 2020. The jail release files allowed for the comparison of how people are being released from jail and, more importantly, their LOS. The release file also allowed for the forecast of the jail population under several assumptions.

Analysis

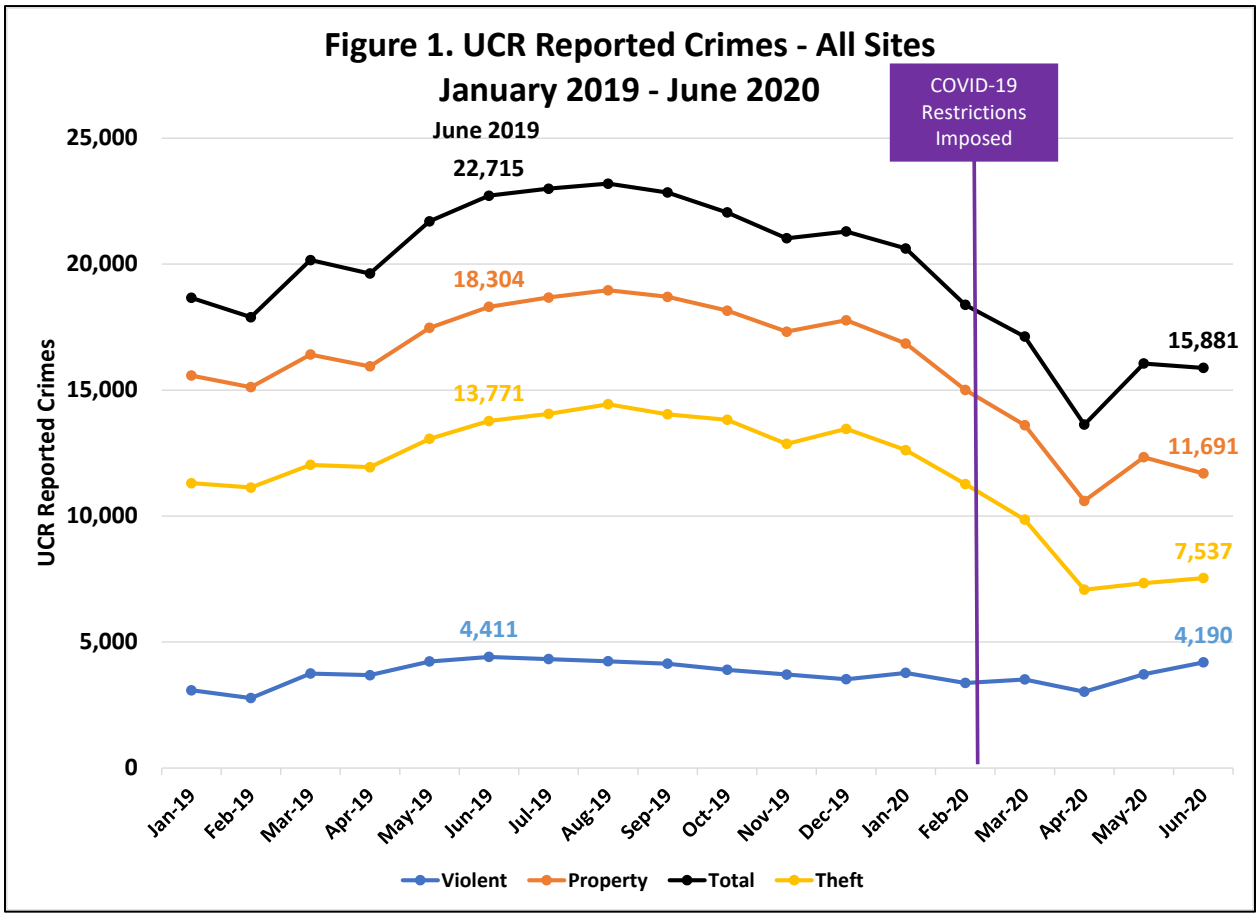
The following pages present the preliminary analysis of these data. JFA first pooled the data for all six sites to analyze overall trends. Where there are significant differences in the overall trends for specific sites, these are noted and presented either in the main body of the report or in the Appendix that contains charts and tables for each site.

Impact on Crime

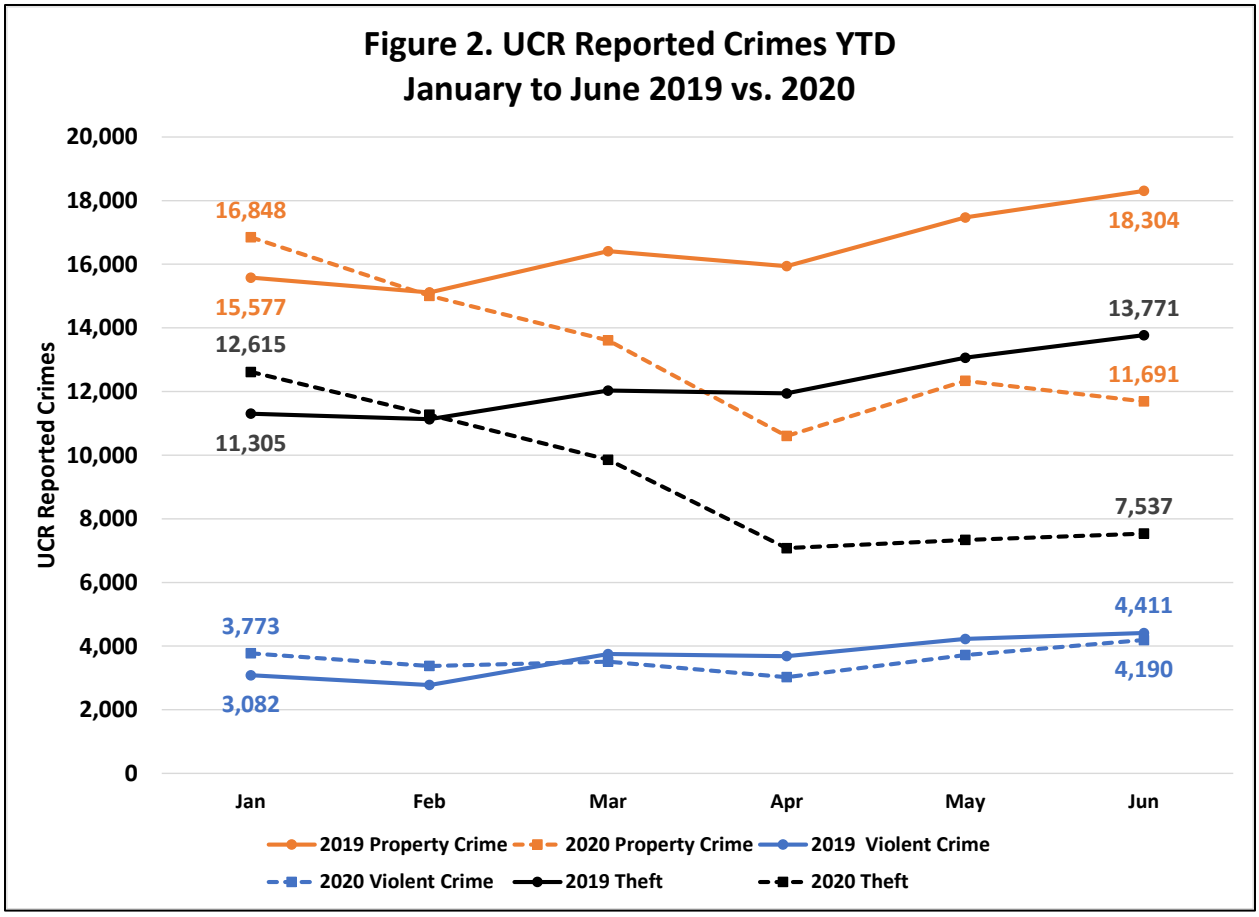
There was a sharp decline in the amount of serious crimes reported to police beginning in March 2020 and continuing through June 2020 (Figure 1). The vast amount of this decline is attributed to declines in larceny-theft which traditionally comprises about 60% of the total UCR crime index. Since March 2020 there has been an increase in the number of crimes but, as noted earlier, this modest increase is related to seasonal fluctuations in crime rates. For example, the number of crimes for June 2020 is well below the number for June 2019. Even the number of violent crimes for June 2020 versus June 2019 is lower.

Another way to represent these data is to show the first six months of 2019 versus the same time frame for 2020 (a year-to-date or YTD analysis). This analysis shows the traditional Spring to Summer increase for 2020 but not nearly at the level for the same six-month time frame for 2019.

Increases in murders this summer in certain cities have been widely reported in the media, which has been anecdotally linked to reductions in jail populations and/or demonstrations against police violence. For the six SJC sites studied here, there have been mixed results. One jurisdiction in particular (Cook) has seen both a dramatic rise in murders followed by a sharp decline (Figure 3). The remaining five sites have seen either no change in murders (Charleston and San Francisco) or only a modest increase in those numbers through June 2020 (Clark, Allegheny, and Orleans).



Source: SJC Aggregate Tracking Sheet



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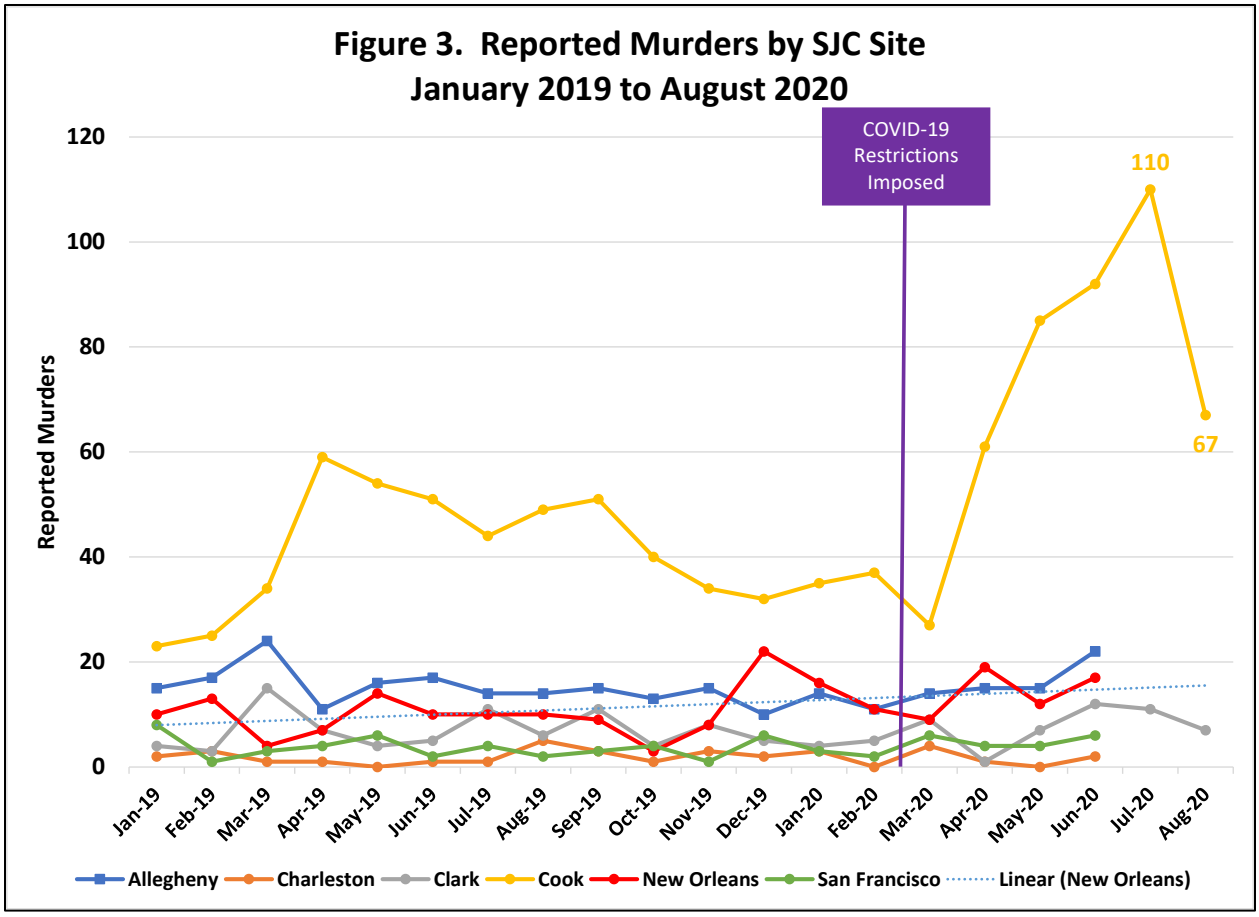


Source: SJC Aggregate Tracking Sheet

Abt and Rosenfield, in their recent analysis of homicides in 64 cities, found an overall decline through May, but warned there may be an uptick due to a lack of resources to address violence and increased social unrest due to the highly publicized murder of George Floyd in Minneapolis.[1]

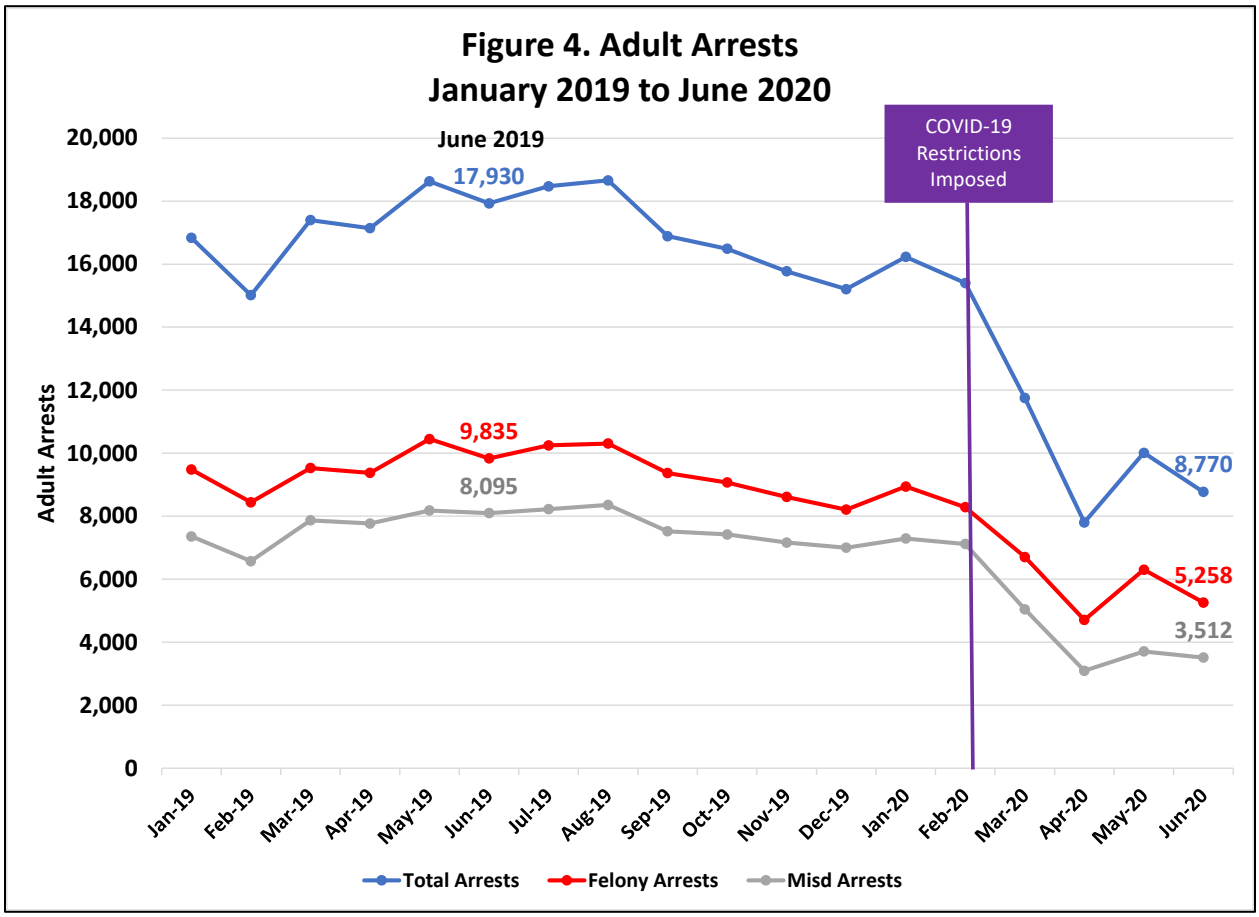
The clear conclusion is that overall crime has declined since COVID-19 restrictions were imposed, particularly for the crime of larceny-theft. At the same time, there has been no increase in the aggregate number of violent crimes. With specific regard to murder, the trends are mixed, with some sites seeing increases and others seeing no change.

Impact on Adult Arrests

The pre- and post-COVID-19 arrest trends are similar to the reported crime trends (Figure 4). Overall arrests dropped sharply after COVID-19 restrictions were imposed. This dramatic decrease is in part due to the drop in crime but also due to actions taken by law enforcement agencies to reduce the number of arrests, especially for misdemeanor crimes and outstanding warrants. Four of the participating sites were able to separate misdemeanor-level arrests from

[1] Abt, Thomas and Richard Rosenfeld. 2020. **COVID-19 and Homicide: Final Report to Arnold Ventures.**

felony crimes, with all four showing dramatic declines in felony arrests. Compared to June 2019, the number of arrests for June 2020 are dramatically lower.



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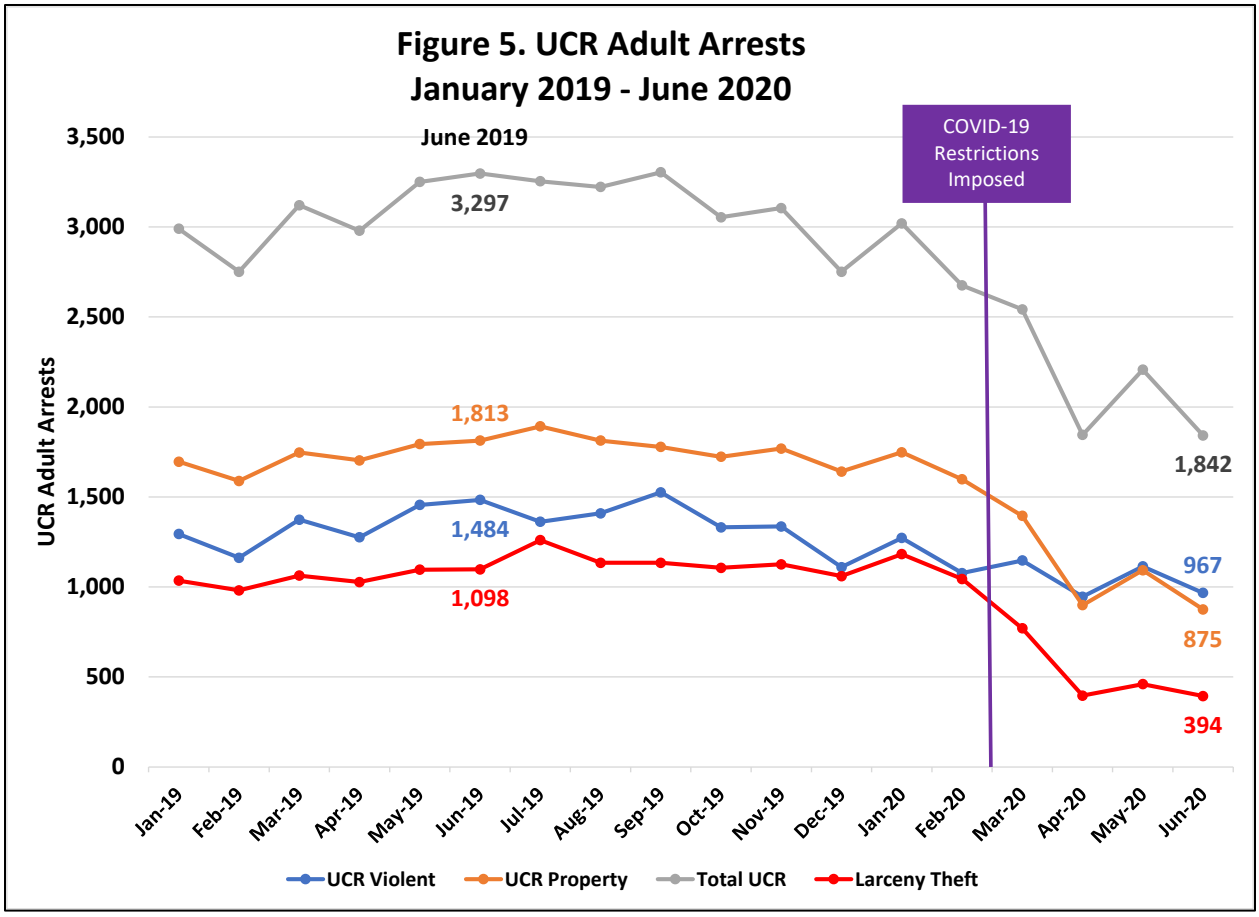


Source: SJC Aggregate Tracking Sheet

Figure 5 shows the same trends but only includes arrests for the more serious UCR index crimes. While both violent and property-level arrests declined, the reduction was greatest for property crimes and in particular, larceny-theft offenses.

Bookings, Populations and Length of Stay

Commensurate with the drops in crime and arrests, there was a similar decline in the number of jail bookings across all six sites (Figure 6). This decline in bookings in turn lowered the jail population, but not as much as the decline in bookings. Specifically, since February 2020, jail bookings dropped by 43% while the jail population dropped by only 25%.

The divergent declines in bookings and jail populations are related to the arrest data that showed a higher proportion of people not being arrested for misdemeanor crimes. People arrested for these crimes typically have shorter LOS in the jail as they are more able to secure pretrial release through bail or own recognizance.

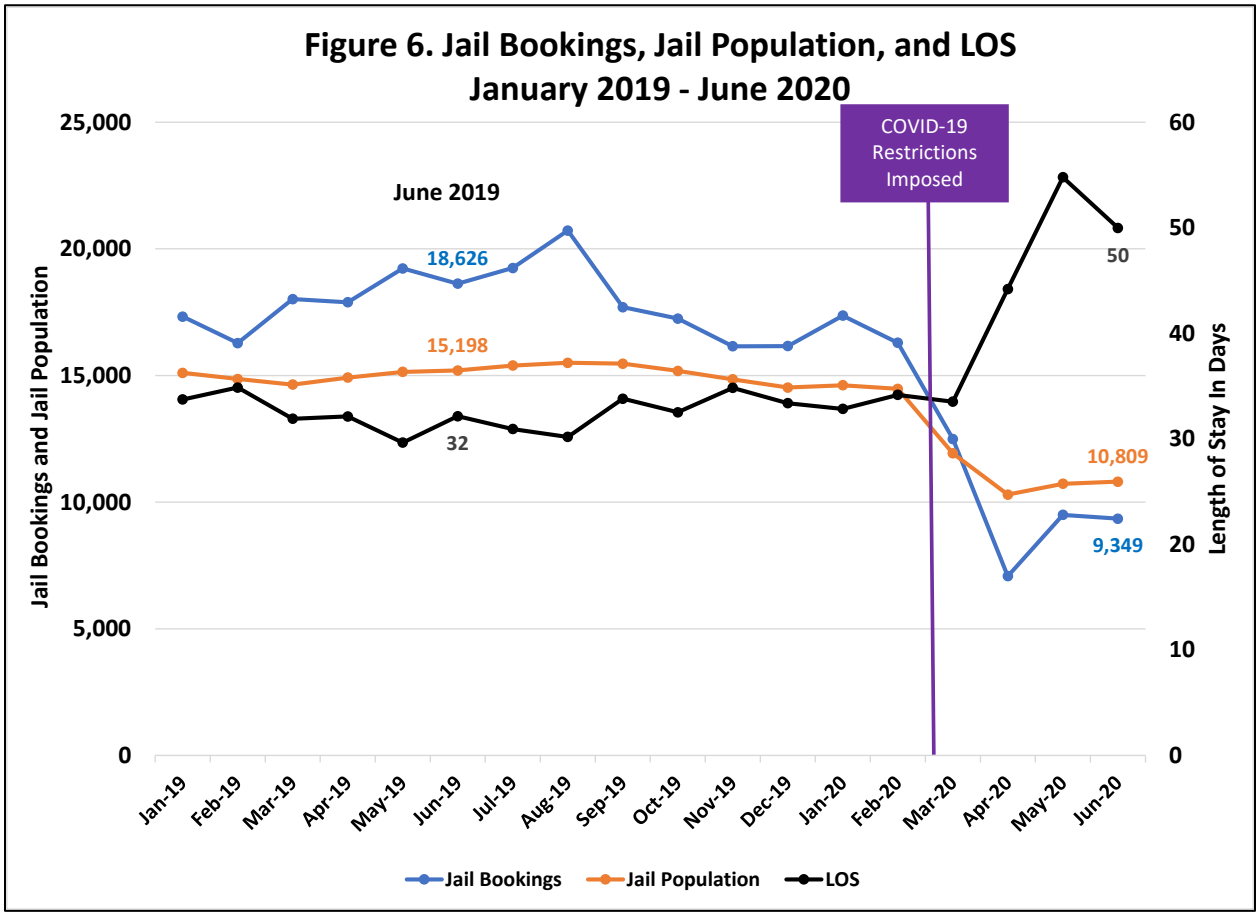
It is noteworthy that beginning in May there has been a slight uptick in both jail bookings and the jail population. An increase in jail bookings and the jail population in the Spring and Summer months is common for most jurisdictions, including these six. Nonetheless, the June 2020

numbers are well below the June 2019 levels. Figure 7 compares the first six months of 2019 with the same time period of 2020. This figure shows the major drop in bookings beginning in March and then increases in May and June. The decline in the jail population, while significant, is not as large as the decline in bookings. Both measures show increases in May and June.

The other development impacting the jail population is the LOS. Beginning in March 2020, the LOS made a sharp increase from approximately 35 days to 55 days as the jail bookings and the jail population declined. The three reasons for this increase are 1) reduced bookings for low-level offenses due to lower crime and arrest rates and 2) a higher proportion of jail bookings for more serious felony charges that traditionally have longer LOS and 3) a slowdown in court case processing.

Changes in the Composition of the Jail Population

As jail populations declined, several of the key demographic and offense attributes have shifted. Specifically, populations have become increasingly male, charged with felony and felony violent crimes, and are experiencing longer LOS (Table 1). This in part, is expected as the people that used to be admitted to the jail for less serious crimes are no longer being booked and/or are gaining release more easily. There were no changes in the race/ethnicity percentages.



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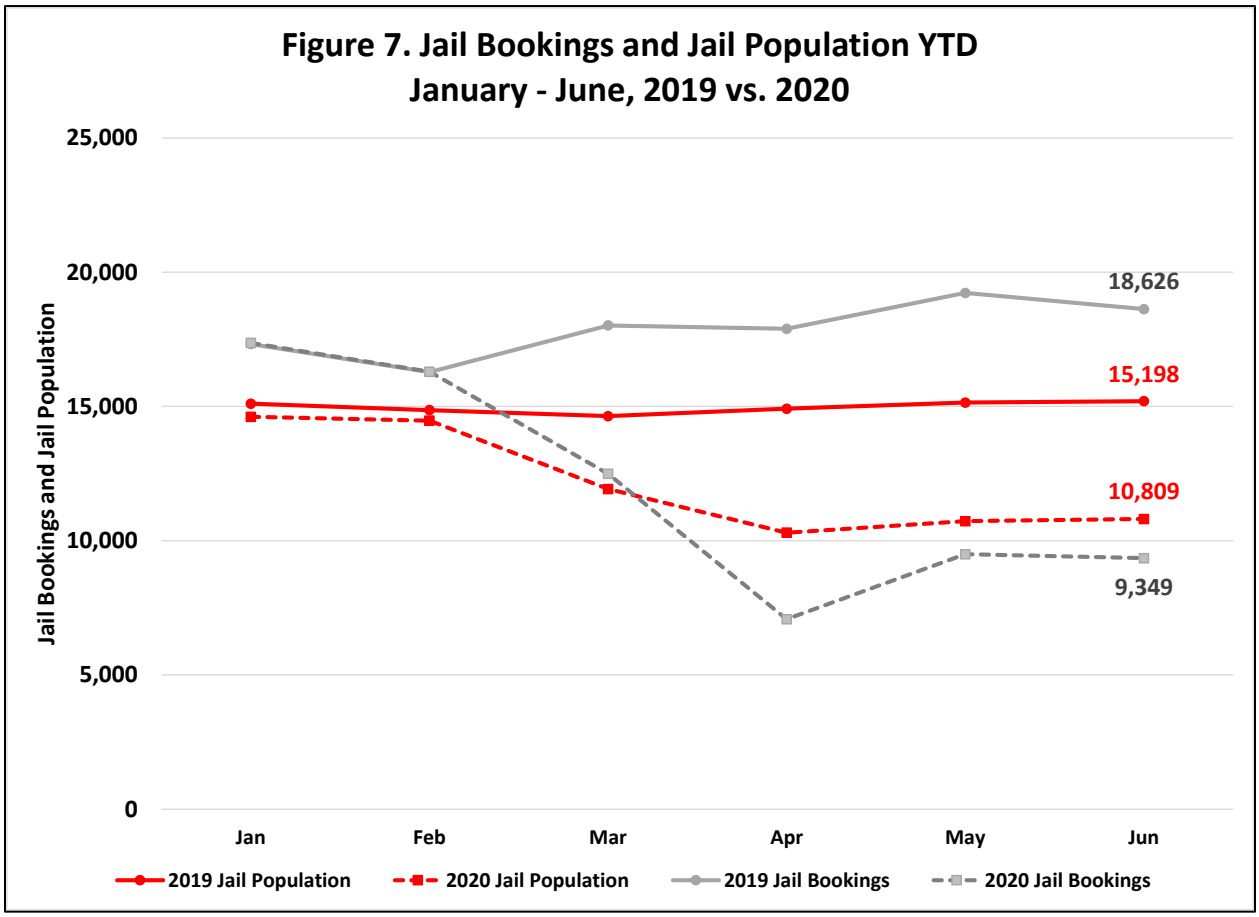


Source: SJC Aggregate Tracking Sheet

Table 1. Comparison of Current Jail Population Attributes
February 2020 v. June 2020

Attribute	Feb 2020	Jun 2020
Length of Stay to Date (days)	130 days	236 days
Percent of Total		
Gender		
Female	14%	10%
Male	86%	90%
Race/Ethnicity		
Black	51%	51%
White	42%	41%
Hispanic	4%	5%
Other	4%	4%
Charge Level		
Felony	48%	64%
Felony violent	26%	38%

Sites included: Allegheny, Clark, Charleston, and San Francisco

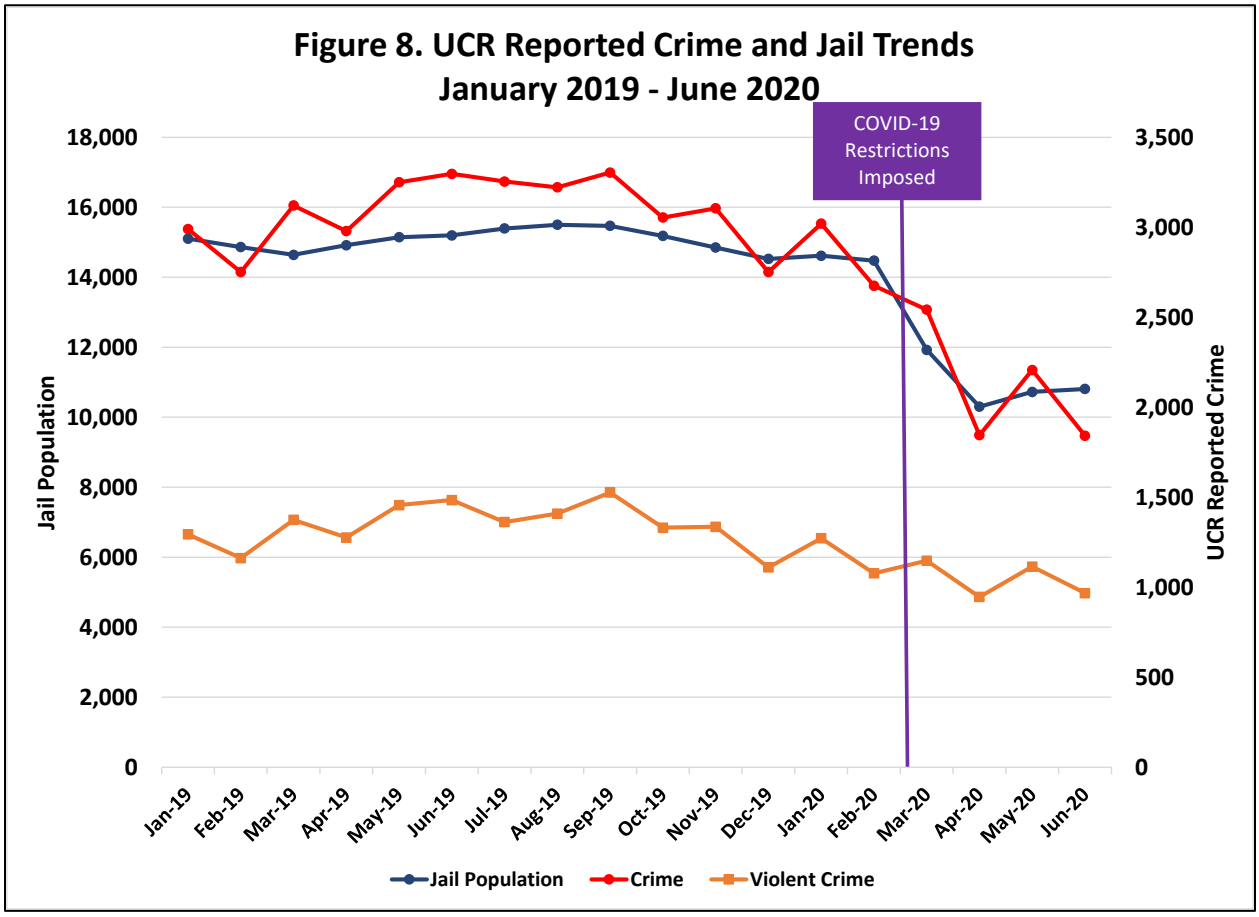
Explaining the Dual Reductions in Crime and Jail Populations

What emerges from this pooled analysis of these six sites is a clear pattern of both crime and jail populations declining in tandem with one another (Figure 8). This pattern occurred consistently in all six sites (see Appendix). The COVID-19 restrictions that served to greatly restrict the U.S. economy and the traditional, "every day" social and economic activities/transactions of the public served to lower crime rates, and in particular the crime of larceny-theft. Unemployment rose which, contrary to public opinion is traditionally associated with lower, not higher, crime rates.[2]

With fewer people committing crimes, there were fewer arrests and fewer jail bookings, which lowered the jail populations.

At the same time, local jurisdictions were also implementing policies that were designed to restrict the arrest and subsequent bookings of people charged with non-violent crimes. For people who are detained, there were efforts to make it easier for defendants to be released by lowering bail requirements or increasing the use of non-financial release mechanisms.

[2] During the great recession of 2008, as unemployment rose and remained high for several years, crime rates continued to decline. (Austin, James, Todd Clear, and Richard Rosenfeld. 2020. **Explaining the Past and Projecting Future Crime Rates.** New York City: Harry Frank Guggenheim Foundation. Prior to that study, Cantor and Land, found that between 1946-1982, there was a negative relationship between unemployment and crime rates. Cantor, David, and Kenneth C. Land. 1985. "Unemployment and Crime Rates in the Post-World War II United States." American Sociological Review 50: 317-332.



Source: SJC Aggregate Tracking Sheet

Table 2 summarizes the various measures employed by each jurisdiction to mitigate the potential spread of COVID-19 within the jails by lowering the population. But also note that in all sites, there has been a slowdown in the processing of criminal cases, which for detained people is increasing the LOS and adding to an uptick in jail populations for May and June. Unless the slowdown in the processing of criminal cases for detained defendants is mitigated, the jail population LOS will continue to rise to the levels that existed prior to March 2020. How soon that occurs will depend on further delays in fully re-opening the courts and how soon COVID-19 restrictions on social and economic activities are lessened or removed.

Table 3 presents a forecast for the sites studied and compares the jail population levels of each site from February 2020, June 2020 and the projected level in February 2021. Each forecast was produced assuming case processing issues will be resolved and LOS would return to near CY 2019

levels in each site. Additionally, it was assumed the number of bookings into the jail would return to levels between 65% and 80% of CY 2019 levels, varying by site and the recent trends.

Table 2. Mitigation Actions Taken by SJC Sites

Mitigation Action	Allegheny	Charleston	Clark	Cook	New Orleans	San Francisco
Reduction/suspend FTAs		✓		✓		✓
Use of virtual hearings	✓	✓		✓	✓	✓
Reduction in misdemeanor/traffic arrests			✓			✓
Increase use of ROR for certain offenders		✓	✓	✓		✓
Expanded use of early release/time served	✓		✓		✓	✓
Release of persons with "high" risk for COVID-19	✓					✓
Changes to bail/bond rules		✓	✓	✓	✓	✓
Expansion of pre-trial release	✓					✓
Rule changes for issuing warrants/violations	✓				✓	✓
No evictions permitted					✓	✓
Court cases/hearings suspended or postponed	✓	✓	✓	✓	✓	✓

Table 3. Current and Projected Jail Populations

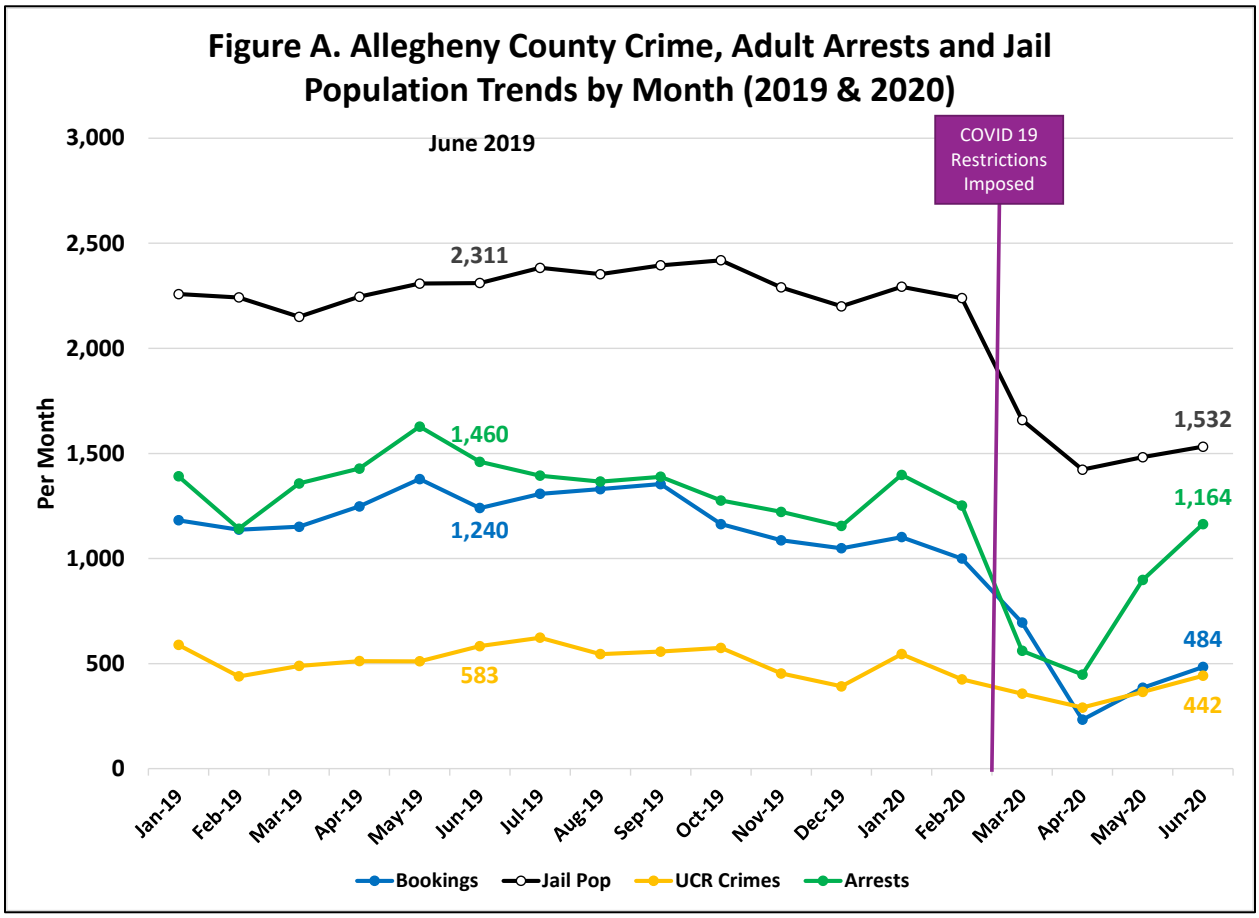
Site	February 2020	June 2020	Projected February 2021	February 2020 v. 2021 Difference
Charleston	851	602	682	-169
New Orleans	1,066	844	933	-133
Allegheny	2,239	1,532	1,824	-415
Clark	3,649	2,425	2,644	-1,005
Cook	5,555	4,617	5,548	-7
San Francisco	1,113	789	831	-282
Totals	**14,473**	**10,809**	**12,461**	**-2,011**

Source: SJC Aggregate Tracking Sheet and JFA

Driven by the near full rebound of the Cook county jail, collectively by February 2021 the jail populations studied in this effort are projected to return to 86% of February 2020 levels, a 14% reduction in total jail detainees in a one year time period. Forecasted reductions for the remaining sites range from 13% to 28% below what they were prior to the imposition of COVID-19 restrictions. The ability of each site to maintain their current jail population counts will depend on the extent to which they can sustain their jail population mitigation policies and address the mounting court delay issues for the detained population.

Appendix - Individual Site Charts and Tables

Allegheny County



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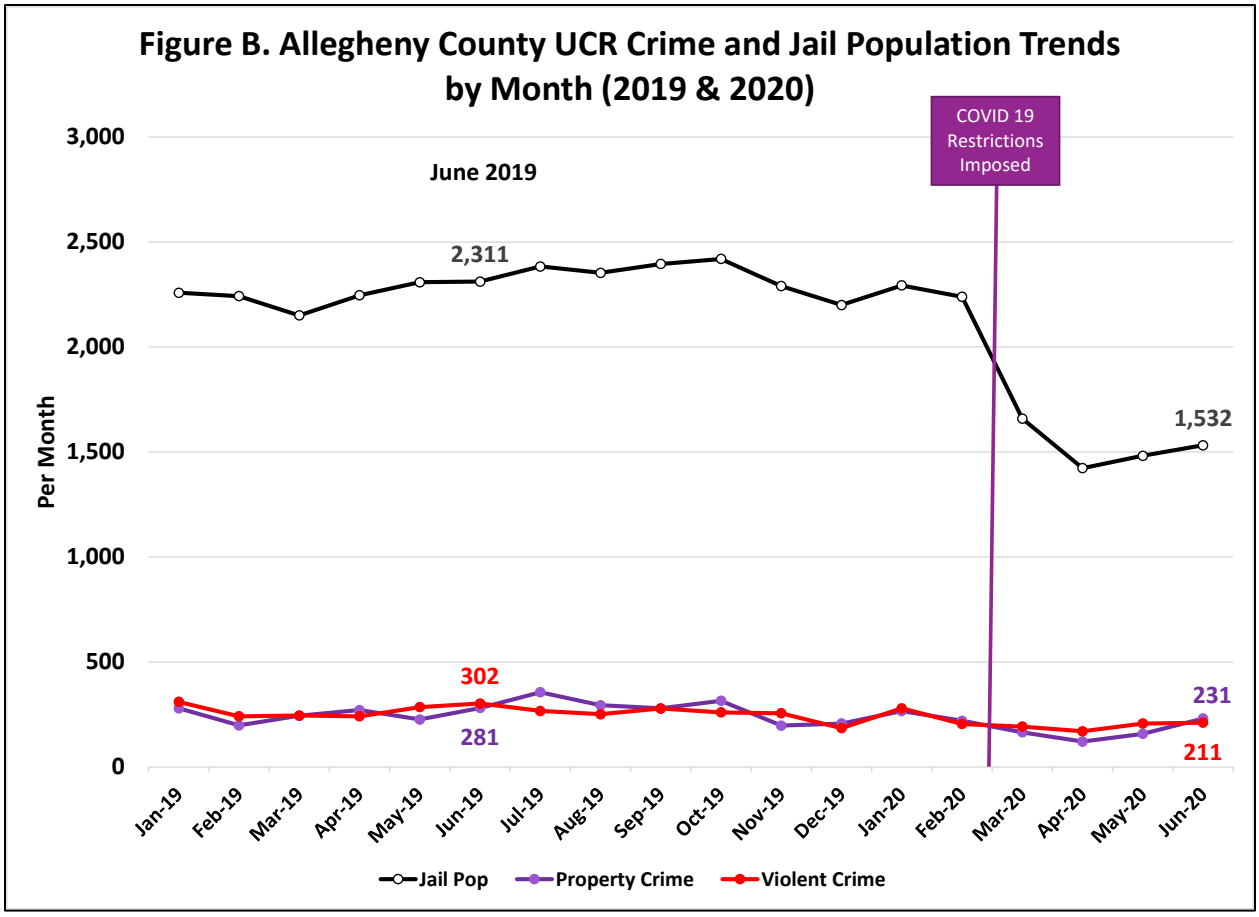


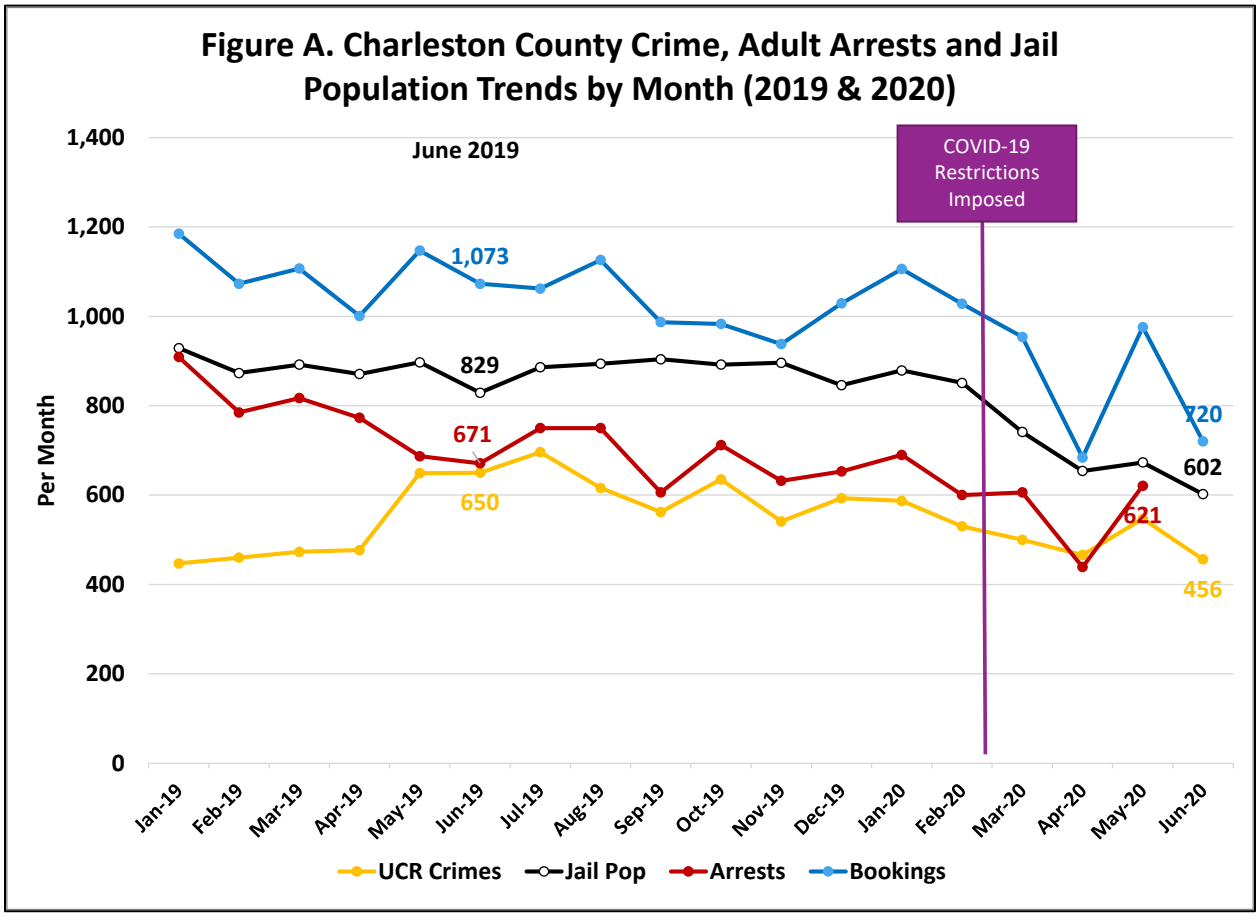
Source: SJC Aggregate Tracking Sheet

Comparison of Current Allegheny County Jail Population Attributes
February 2020 v. June 2020

Attribute	Pre COVID-19 2/28/2020		Post COVID-19 6/29/2020		Numeric Difference	Percent Difference
	Number	Percent	Number	Percent		
Total	**2,221**	**100.0%**	**1,519**	**100.0%**	**-702**	**-32%**
Length of Stay to Date (days)	**166**		**224**		**58**	**35%**
Gender						
Female	286	12.9%	126	8.3%	-160	-56%
Male	1,935	87.1%	1,384	91.1%	-551	-28%
Unknown	0	0.0%	9	0.6%	9	-
Race						
Asian	9	0.4%	7	0.5%	-2	-22%
Black	1,367	61.5%	987	65.0%	-380	-28%
Hispanic	26	1.2%	20	1.3%	-6	-23%
American Indian	1	0.0%	1	0.1%	0	0%
White	816	36.7%	494	32.5%	-322	-39%
Other/unknown	2	0.1%	10	0.7%	8	400%
Current Age						
Under 17	8	0.4%	5	0.3%	-3	-38%
17 - 24	400	18.0%	297	19.6%	-103	-26%
25 - 34	905	40.7%	617	40.6%	-288	-32%
35 - 44	489	22.0%	314	20.7%	-175	-36%
45 and older	419	18.9%	278	18.3%	-141	-34%
Unknown	0	0.0%	8	0.5%	8	-
Average Age	34.9		34.5		-	
Median Age	32.2		31.8		-	
Current Legal Status						
County sentenced	237	10.7%	96	6.3%	-141	-59%
External detainer	107	4.8%	111	7.3%	4	4%
Family court	28	1.3%	12	0.8%	-16	-57%
Local detainer	1,086	48.9%	746	49.1%	-340	-31%
Other reasons	52	2.3%	22	1.4%	-30	-58%
Pending Release	37	1.7%	12	0.8%	-25	-68%
Pre-trial	674	30.3%	520	34.2%	-154	-23%

Source: Allegheny County Jail data extract files

Charleston County



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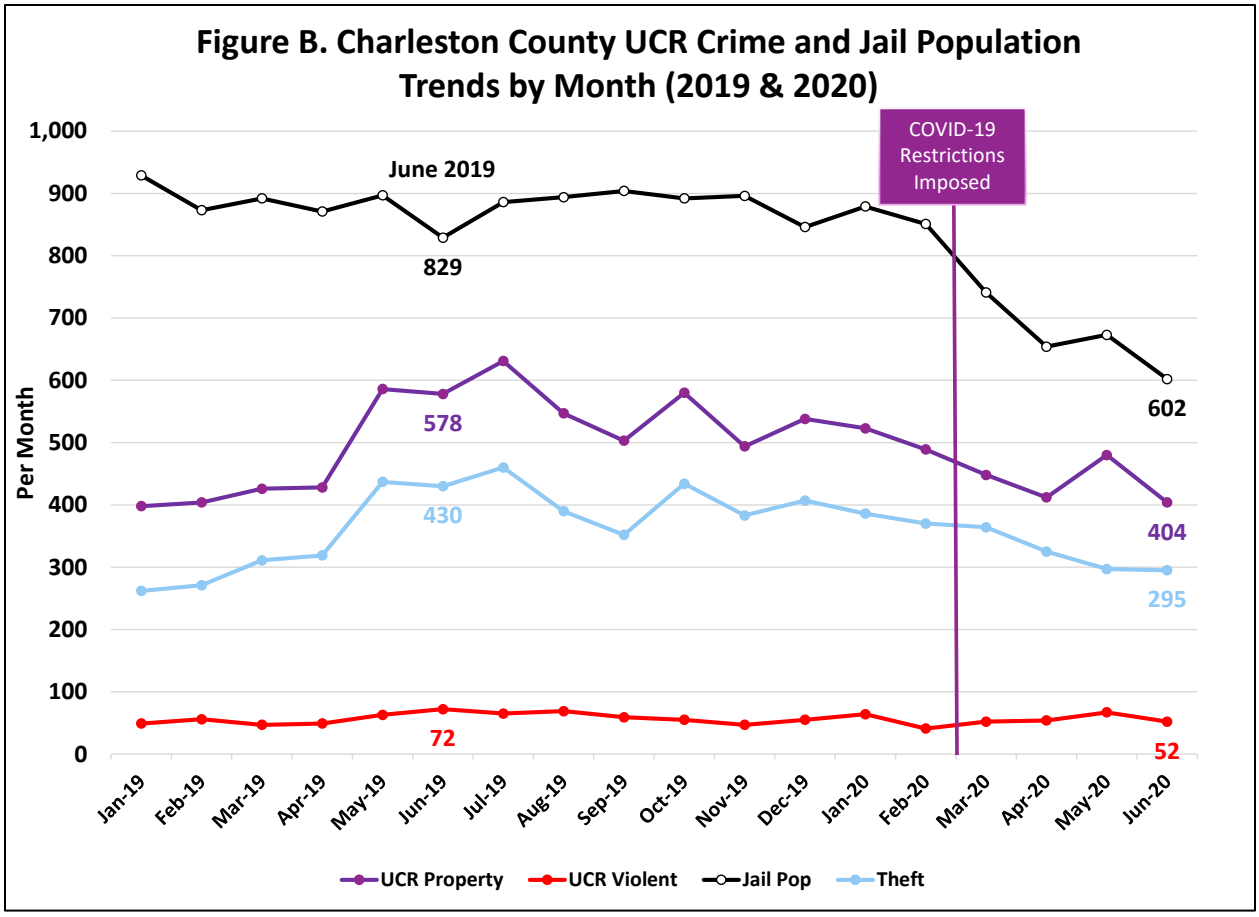


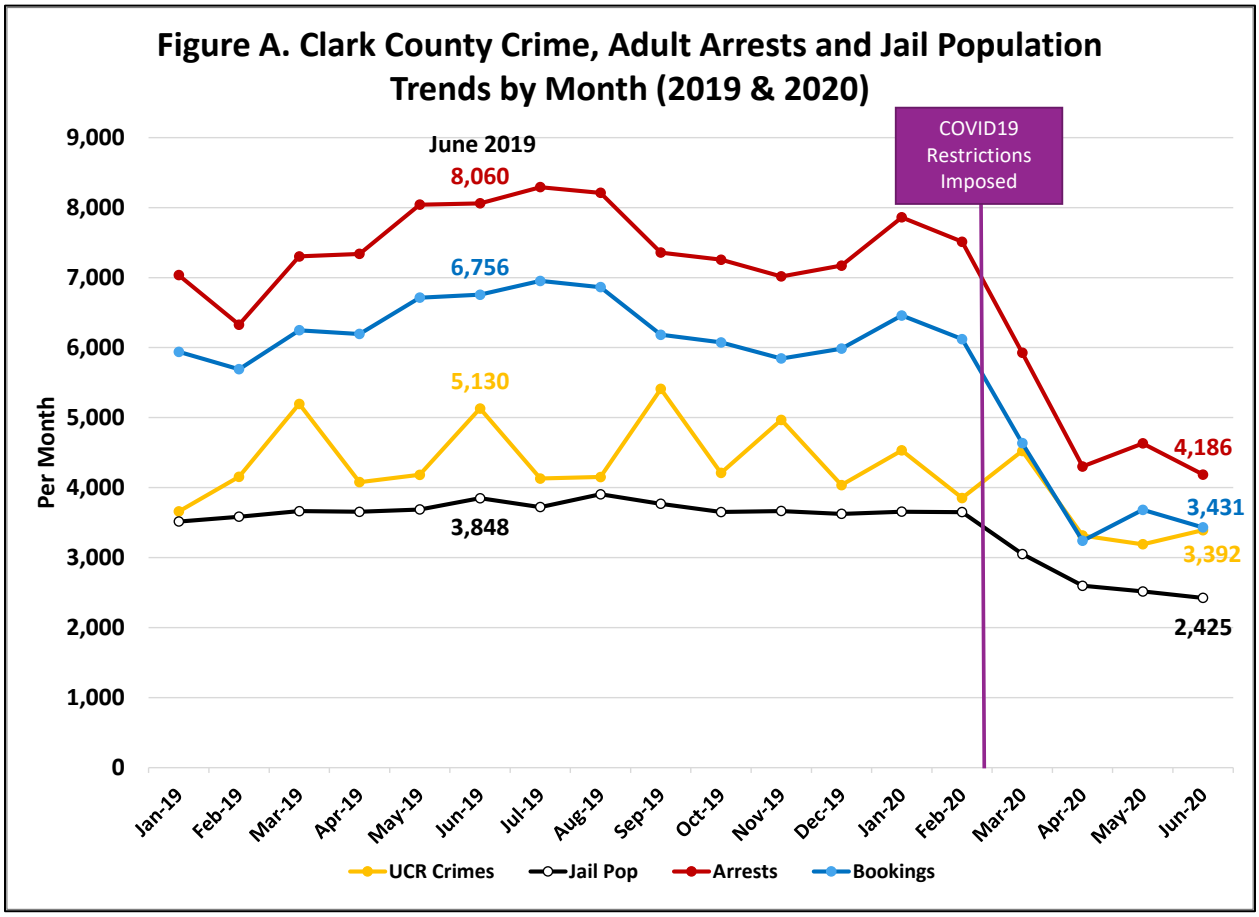
Source: SJC Aggregate Tracking Sheet

Comparison of Current Charleston County Jail Population Attributes
February 2020 v. June 2020

Attribute (Local Only)	Pre COVID-19 2/29/2020		Post COVID-19 6/30/2020		Numeric Difference	Percent Difference
	Number	Percent	Number	Percent		
Total	**851**	**100.0%**	**602**	**100.0%**	**-249**	**-29%**
Length of Stay to Date (days)	**189**		**235**		**46**	**24%**
Gender						
Female	91	10.7%	41	6.8%	-50	-55%
Male	760	89.3%	561	93.2%	-199	-26%
Race						
Asian	2	0.2%	1	0.2%	-1	-50%
Black	552	64.9%	392	65.1%	-160	-29%
Hispanic	10	1.2%	10	1.7%	0	0%
American Indian	1	0.1%	0	0.0%	-1	-100%
White	286	33.6%	199	33.1%	-87	-30%
Current Age						
17 - 24	159	18.7%	106	17.6%	-53	-33%
25 - 34	302	35.5%	207	34.4%	-95	-31%
35 - 44	205	24.1%	147	24.4%	-58	-28%
45 and older	185	21.7%	142	23.6%	-43	-23%
Average Age	35.6		36.5			
Median Age	33.0		34.0			
Current Legal Status						
Pre-trial	823	96.7%	592	98.3%	-231	-28%
Sentenced	28	3.3%	10	1.7%	-18	-64%

Source: SADC data extract files

Clark County



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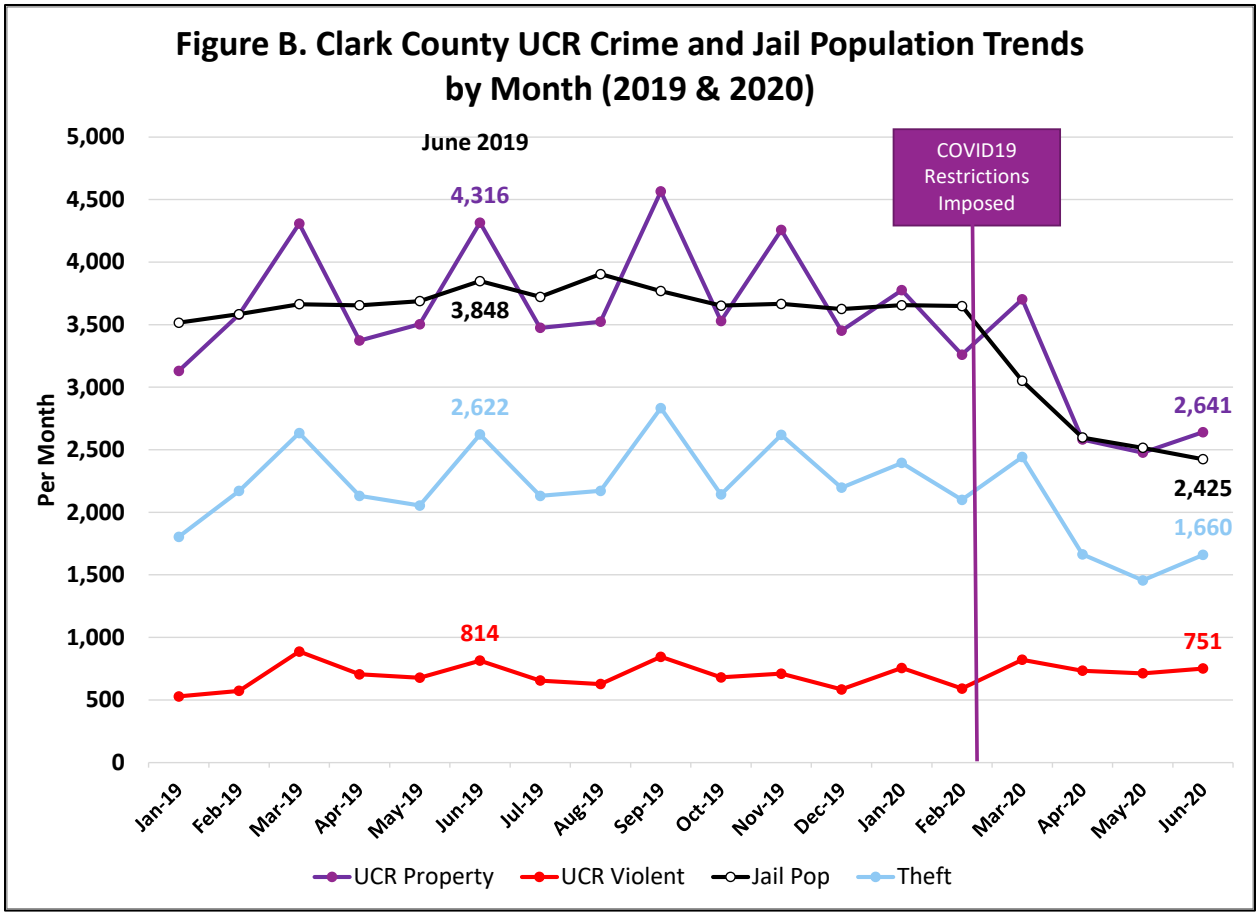


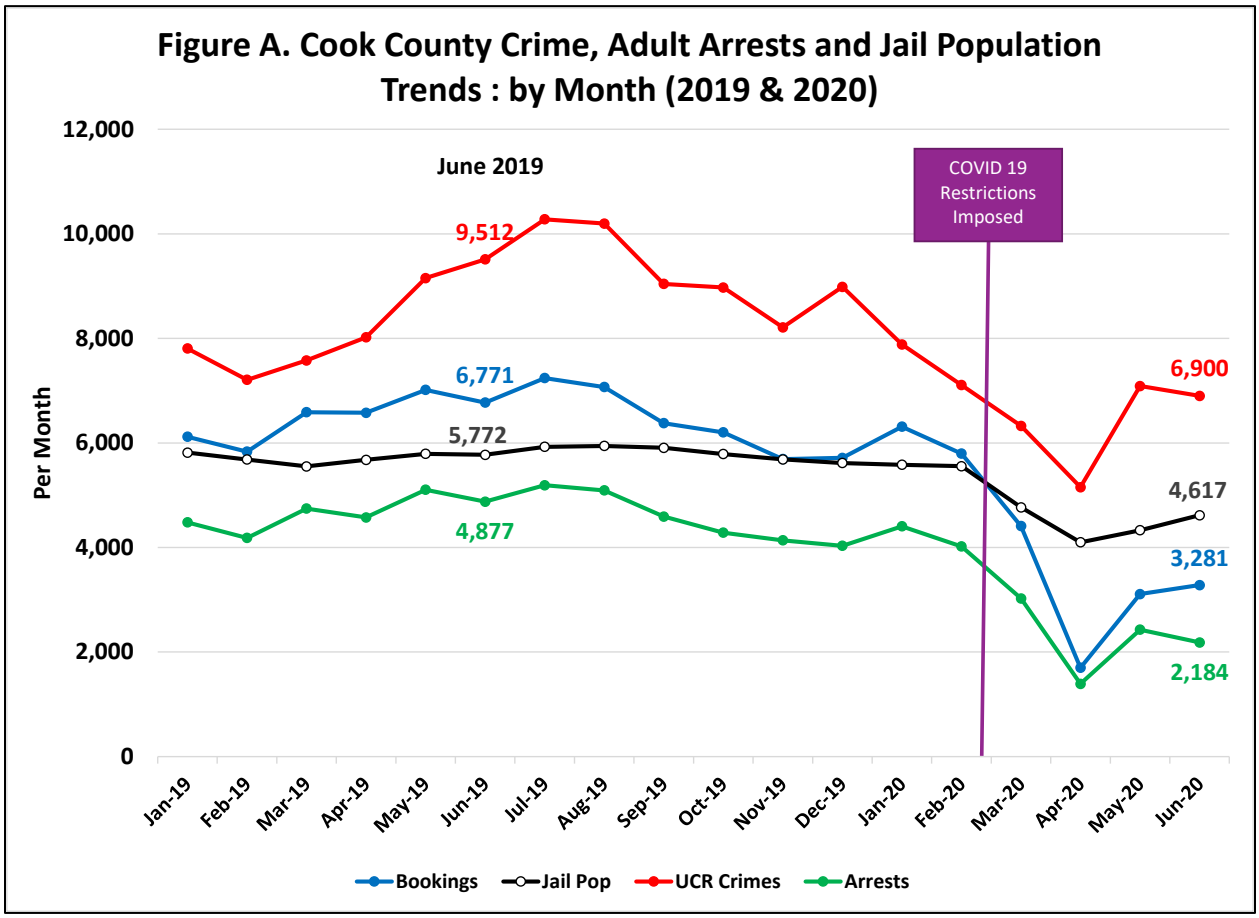
Source: SJC Aggregate Tracking Sheet

Comparison of Current Clark County Jail Population Attributes
February 2020 v. June 2020

Attribute	Pre COVID-19 2/29/2019		Post COVID-19 6/30/2020		Numeric Difference	Percent Difference
	Number	Percent	Number	Percent		
Total	**3,714**	**100.0%**	**2,466**	**100.0%**	**-1,248**	**-34%**
Length of Stay to Date (days)	**129.9**		**179**		**49**	**38%**
Gender						
Female	656	17.7%	332	13.5%	-324	-49%
Male	3,058	82.3%	2,133	86.5%	-925	-30%
Unknown	0	0.0%	1	0.1%	-	-
Race						
Asian	96	2.6%	58	2.4%	-38	-40%
Black	1,501	40.4%	1,013	41.1%	-488	-33%
Hispanic	66	1.8%	48	1.9%	-18	-27%
American Indian	12	0.3%	9	0.4%	-3	-25%
White	1,980	53.3%	1,296	52.6%	-684	-35%
Other/unknown	59	1.6%	42	1.7%	-17	-29%
Current Age						
Under 17	4	0.1%	4	0.2%	0	0%
17 - 24	565	15.2%	414	16.8%	-151	-27%
25 - 34	1,412	38.0%	960	38.9%	-452	-32%
35 - 44	997	26.8%	651	26.4%	-346	-35%
45 and older	736	19.8%	437	17.7%	-299	-41%
Average Age	35.6		34.9			
Median Age	34.0		33.0			
Current Legal Status						
Pre-trial only	2,681	72.2%	1,970	79.9%	-711	-27%
Sentenced only	114	3.1%	94	3.8%	-20	-18%
Both	919	24.7%	402	16.3%	-517	-56%

Source: CCDC data extract files

Cook County



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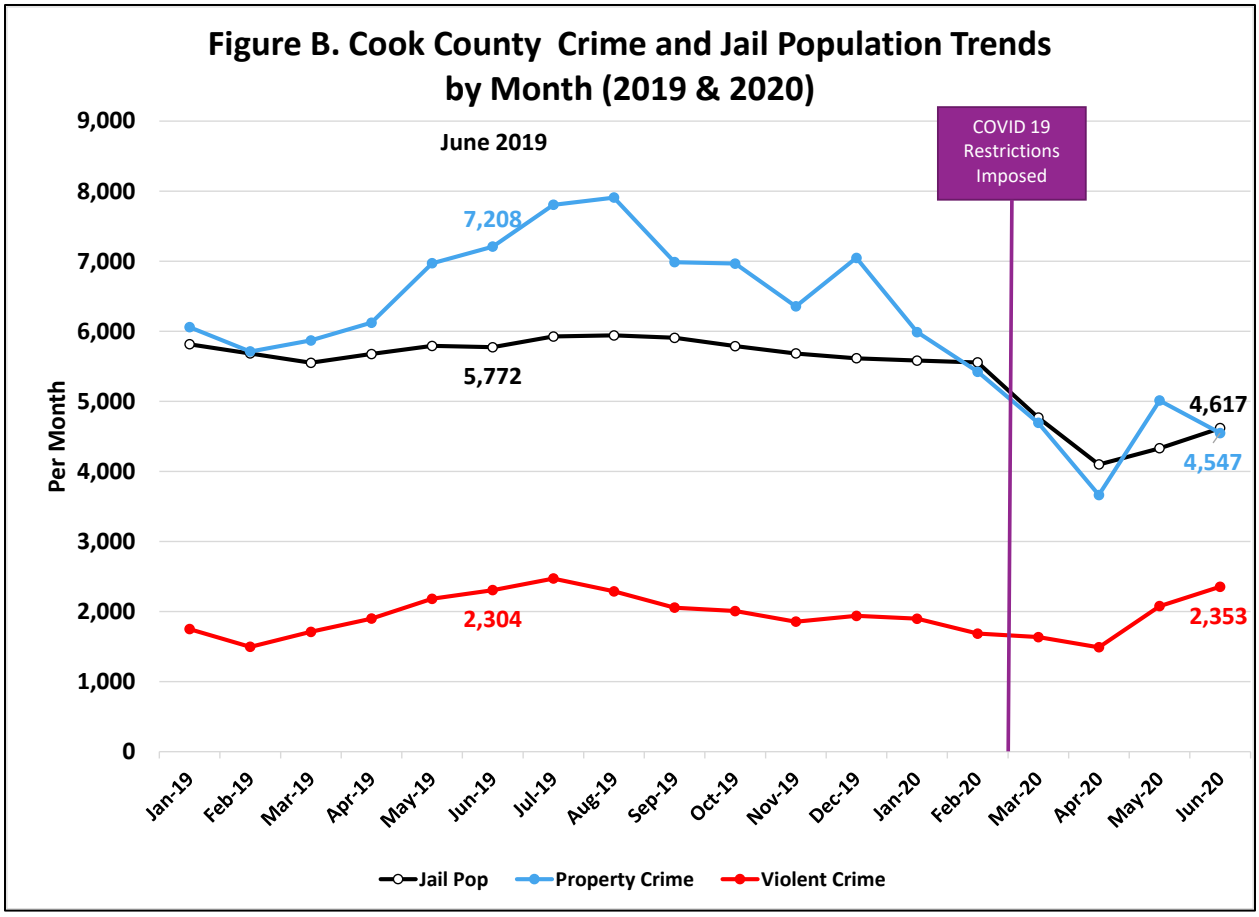
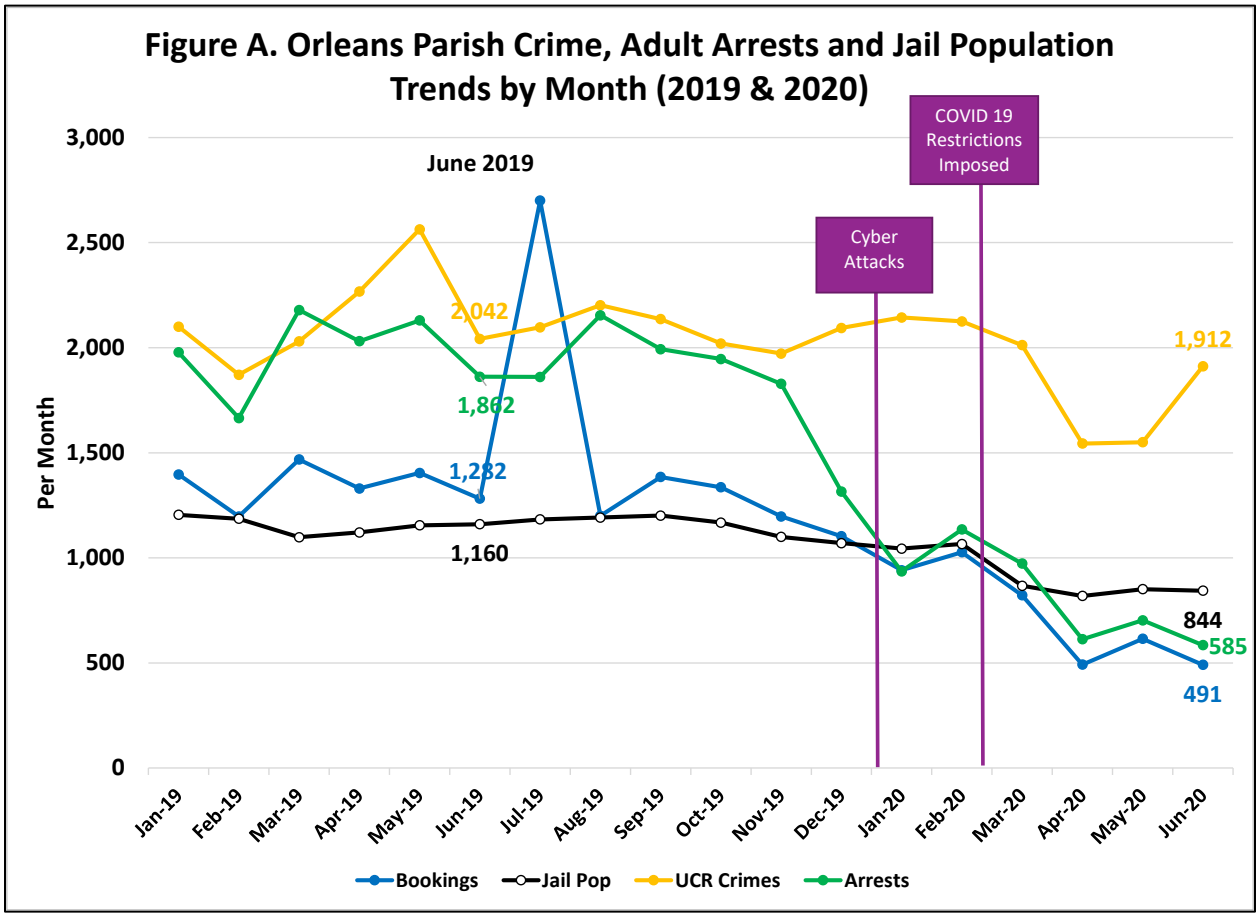
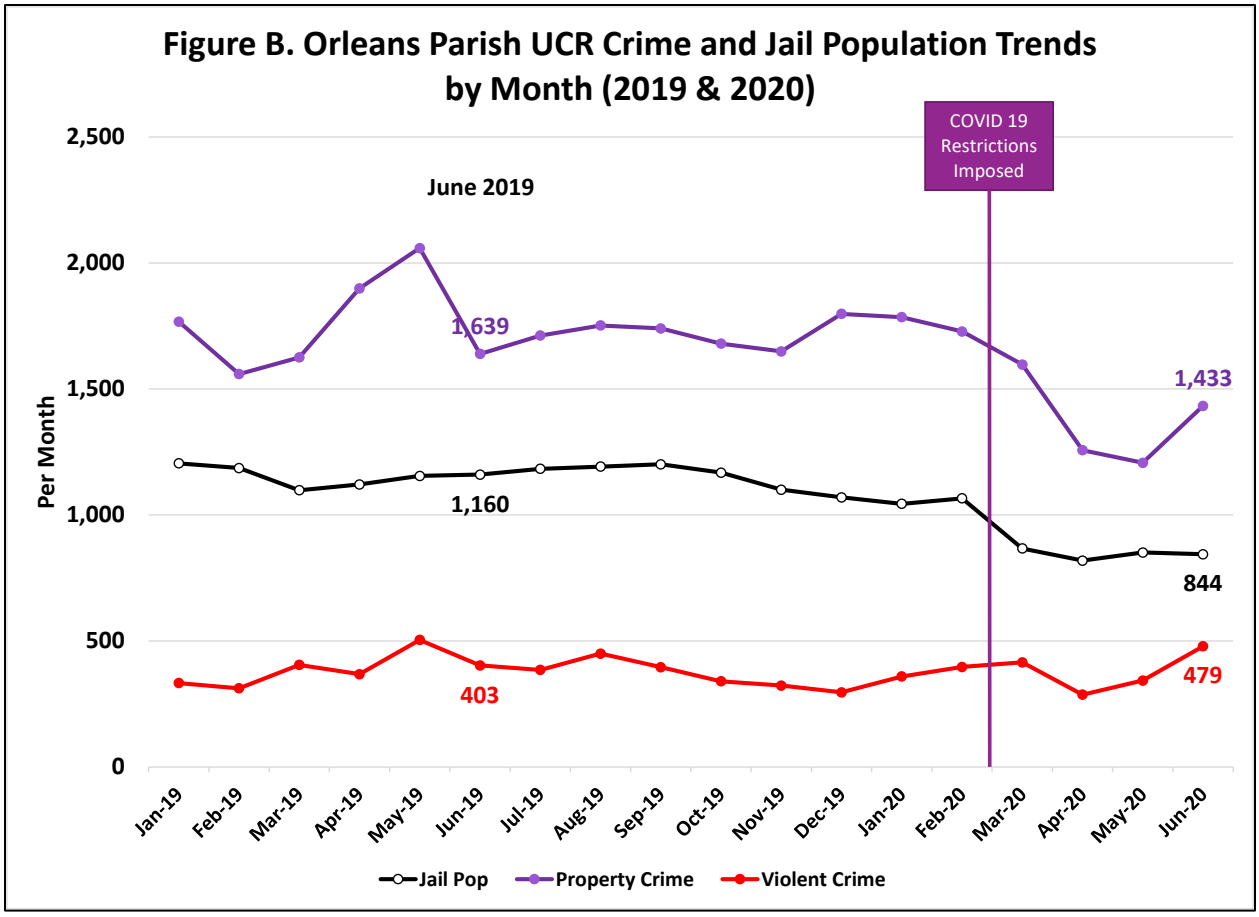


Source: SJC Aggregate Tracking Sheet

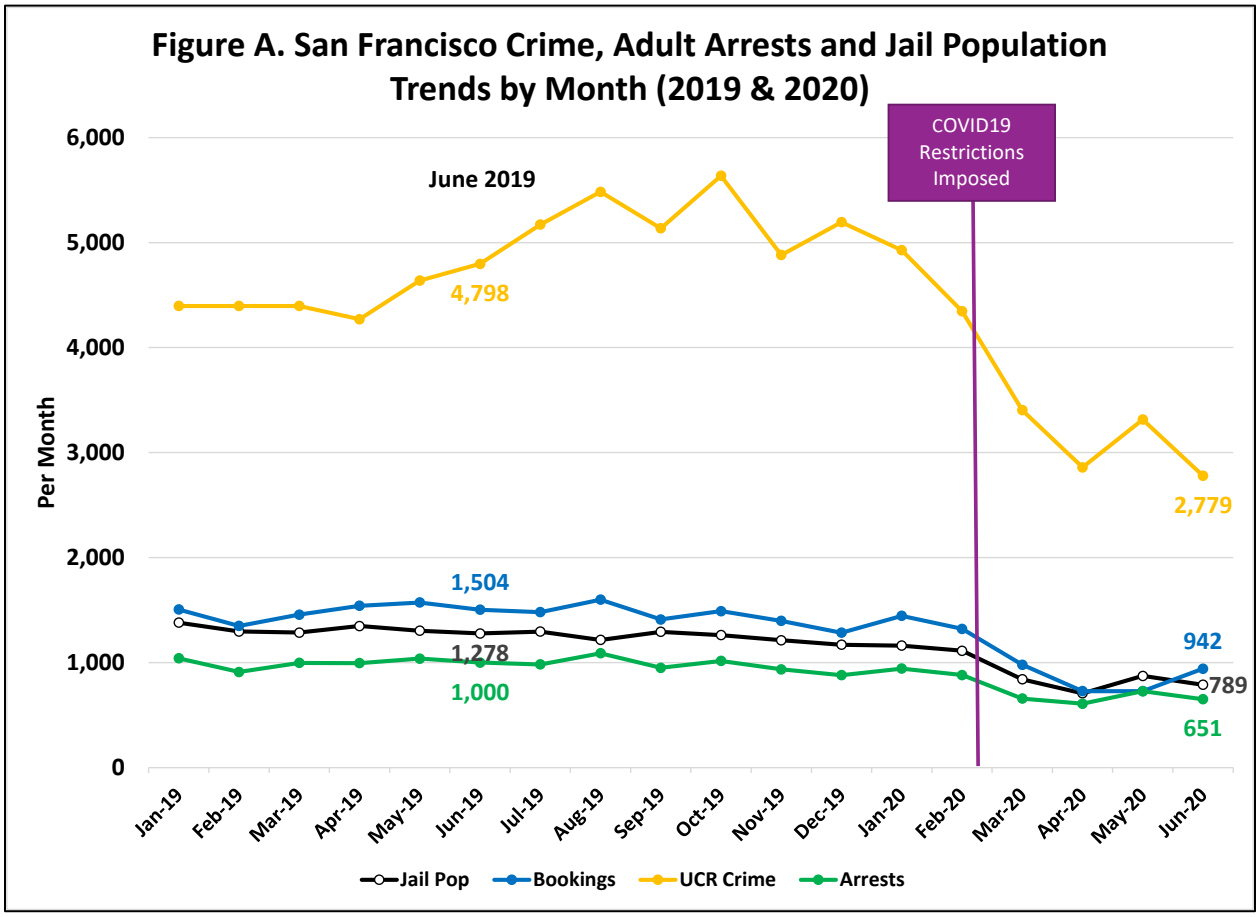
Orleans Parish



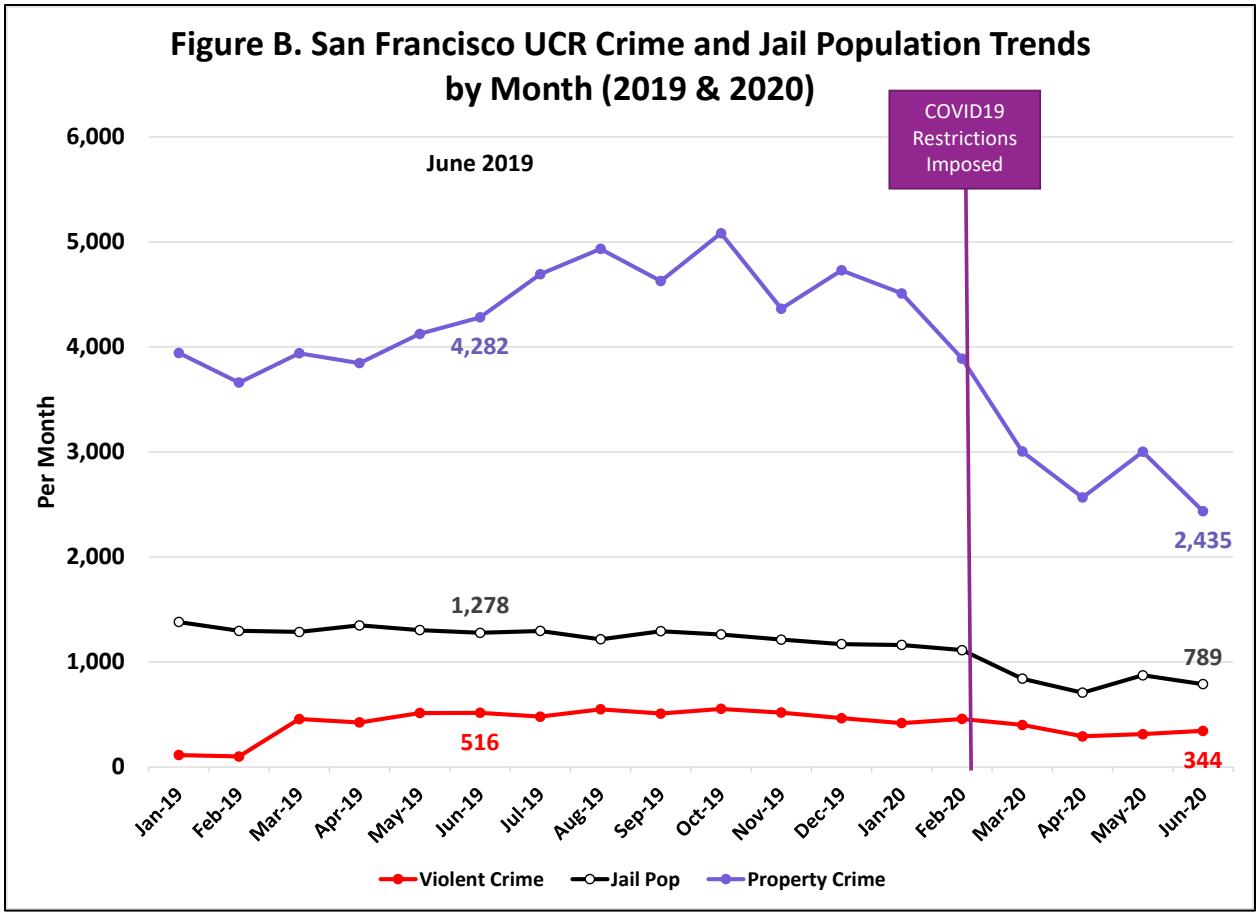
Source: SJC Aggregate Tracking Sheet



Source: SJC Aggregate Tracking Sheet



Source: SJC Aggregate Tracking Sheet



Source: SJC Aggregate Tracking Sheet

Comparison of Current City and County of San Francisco Jail Population Attributes
February 2020 v. June 2020

Attribute (Local Only)	Pre COVID-19 2/29/2020		Post COVID-19 6/30/2020		Numeric Difference	Percent Difference
	Number	Percent	Number	Percent		
Total	**1,717**	**100.0%**	**807**	**100.0%**	**-910**	**-53.0%**
Length of Stay to Date (days)	**56**		**435**		**379**	
Gender						
Female	189	11.0%	50	6.2%	-139	-73.5%
Male	1,528	89.0%	757	93.8%	-771	-50.5%
Race						
Asian/Pacific Islander	86	5.0%	62	7.7%	-24	-27.9%
Black	896	52.2%	378	46.8%	-518	-57.8%
Latino	201	11.7%	169	20.9%	-32	-15.9%
Missing	27	1.6%	1	0.1%	-26	-96.3%
Other	11	0.6%	5	0.6%	-6	-54.5%
White	496	28.9%	192	23.8%	-304	-61.3%
Current Age						
17 - 24	115	6.7%	138	17.1%	23	20.0%
25 - 34	141	8.2%	227	28.1%	86	61.0%
35 - 44	93	5.4%	145	18.0%	52	55.9%
45 and older	86	5.0%	178	22.1%	92	107.0%
Missing	1,282	74.7%	119	14.7%	-1,163	-90.7%
Average Age	33.1		40.6			
Median Age	31.0		33.0			
Booking Reason						
On view booking	199	11.6%	137	17.0%	-62	-31.2%
Local or enroute	122	7.1%	120	14.9%	-2	-1.6%
NULL	538	31.3%	1	0.1%	-537	-99.8%
On view charges	762	44.4%	480	59.5%	-282	-37.0%
Warrant arrest	30	1.7%	22	2.7%	-8	-26.7%
Other	66	3.8%	47	5.8%	-19	-28.8%

Source: City and County of San Francisco Jail data extract files