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A Data-Driven Understanding of the Whatcom County Justice System

Incarceration Prevention and Reduction Task Force

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Preliminary findings

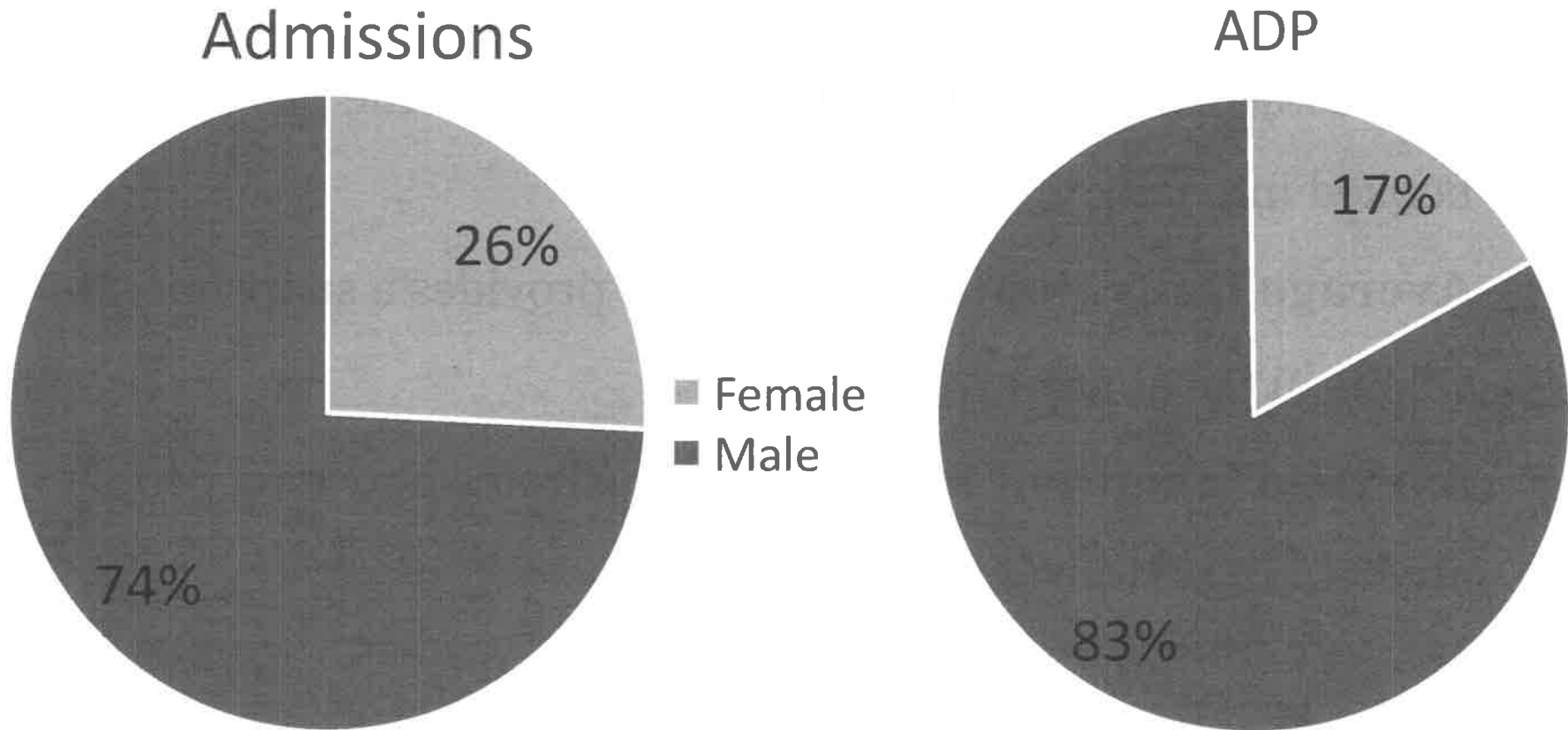
- Stakeholder Interviews
- System Mapping
- Challenge Statements
- 2016 Administrative Data Review
 - Jail
 - Courts: Superior, District, Bellingham Municipal
 - Bellingham Police

Findings are preliminary and *do not* include recommendations

Admissions, ADP, LOS

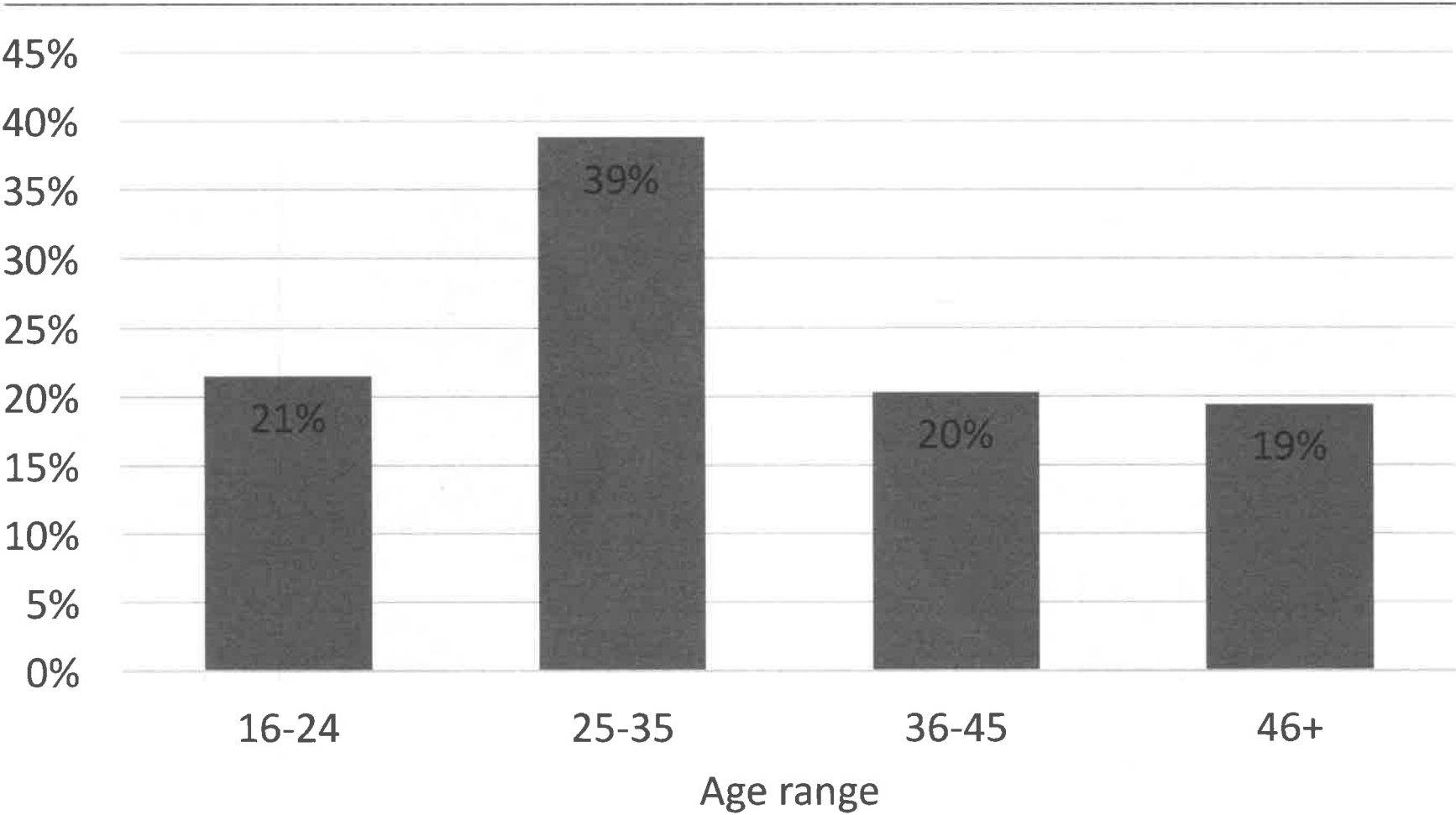
- **Admissions** data provide information about the people booked into jail
- **Average Daily Population (ADP)** provides a snapshot of who is in jail at any given time
- **Average Length of Stay (LOS)** illustrates how long people are held in custody, on average

Admissions and ADP by gender



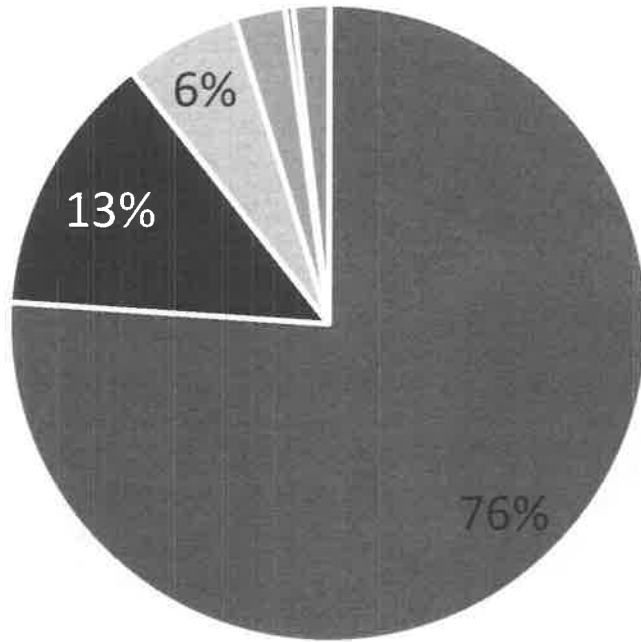
- Women are over-represented in Whatcom's jail compared to national averages
- Women make a larger proportion of admissions than ADP because their stays tend to be shorter

Admissions by age

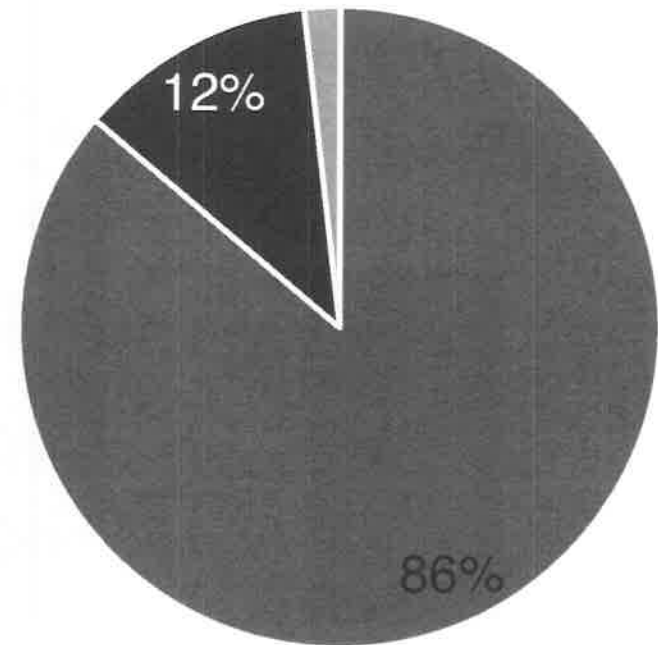


Admissions by race and ethnicity

Admissions by race



Admissions by ethnicity



- White
- Black
- Paclisland
- Native American
- Asian
- Unknown

- Non-Hispanic
- Hispanic
- Unknown

Racial and ethnic disparities

- A comparison of the representation of people of color in the justice system, accounting for their share of the population in the community
- Calculating disparities can tell us (1) if they exist and (2) where, but not necessarily *why*
 - Requires a deeper dive into policies, practices, and potential implicit/explicit biases

Racial and ethnic disparities

	Men		Women	
	Jail Rate	Disparity	Jail Rate	Disparity
White	4.0	1.0	1.4	1.0
Black	32.6	8.1	7.5	5.4
Native American	19.7	4.9	9.3	6.7
Non-Hispanic	3.6	1.0	1.3	1.0
Hispanic	13.5	3.7	4.4	3.3

- While disparities are greater for black men than for Native American men, disparities for Native American women are greater than for black women
- People identified as Hispanic, across racial categories, experienced disparities compared to non-Hispanics

Admissions and ADP by top charge class

Admissions with and without holds

	Admissions		Average daily population	
	#	%	#	%
Admissions without holds	5,238	83%	273	82%
Admissions with holds	1,073	17%	58	18%
Total	6,311	100%	331	100%

Admissions without holds by offense class

	Admissions		Average daily population	
	#	%	#	%
All Felonies	1,966	38%	187	68%
Gross Misdemeanor	1,329	25%	40	15%
Misdemeanor	479	9%	18	7%
Criminal Traffic	1,464	28%	28	10%
	5,238	100%	273	100%

Admissions and ADP by top charge class



- Jail reduction requires both limiting admissions for those with minor charges and shortening the length of stay for people with more challenging cases.

Frequent charges

Felony	Admissions	ADP
CONTROLLED SUBSTANCE VIOLATION	122	6
CONT SUB-MFG/DEL/POSS W/INT	99	9
ASSAULT 2ND	87	10
BURGLARY 2ND	83	7
CONT SUB-POSS NO PRESCRIPTION	70	4

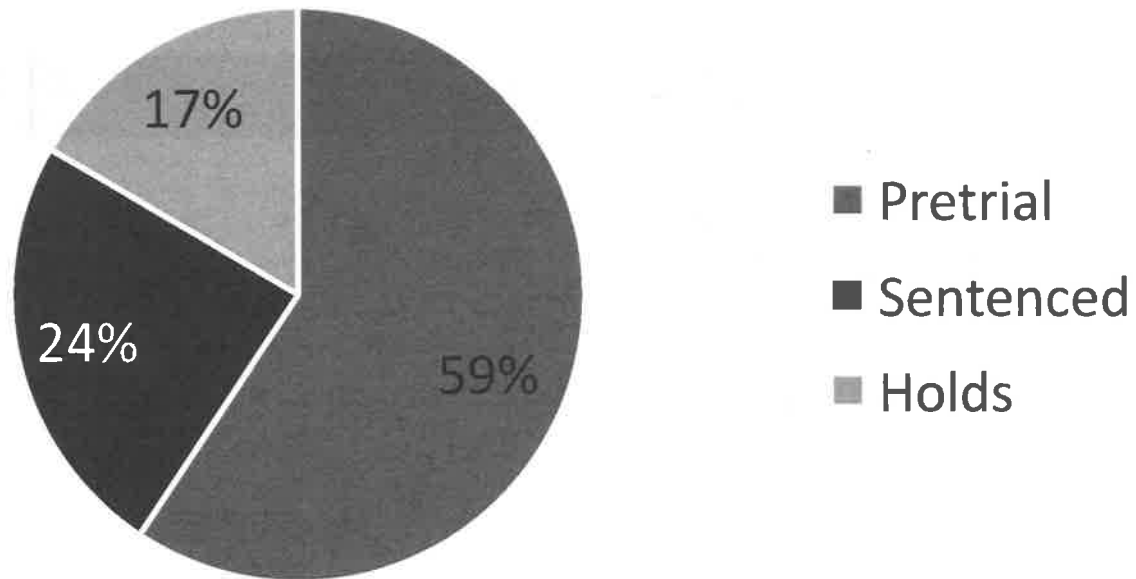
Gross Misdemeanor	Admissions	ADP
ASSAULT 4TH	393	8
THEFT 3RD<\$750.00	118	4
THEFT 3RD/FTA	103	3
ASSAULT 4TH/FTA	98	4
CRIMINAL TRESPASS 1ST	53	2

Frequent charges

Misdemeanor	Admissions	ADP
PROB/PAROLE VIOL	149	13
SHOPLIFTING GOODS LESS THAN \$50	42	1
CRIMINAL TRESPASS 2ND	33	0
CRIMINAL TRESPASS 2ND/FTA	29	0
DISORDERLY CONDUCT	20	0

Criminal Traffic	Admissions	ADP
DUI	942	19
DWLS 3RD DEGREE	275	2
RECKLESS DRIVING	59	3
DWLS 2ND DEGREE	46	0
DWLS 1ST DEGREE	41	3

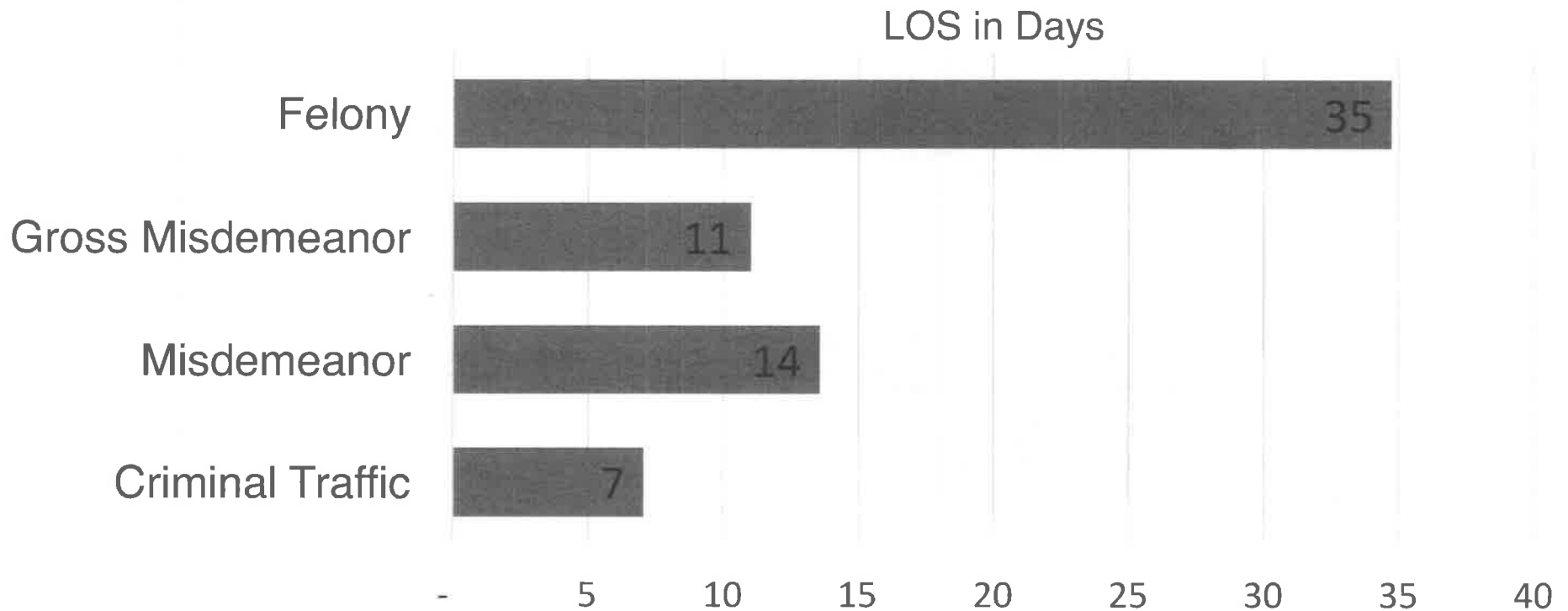
ADP by legal status



Pretrial Population

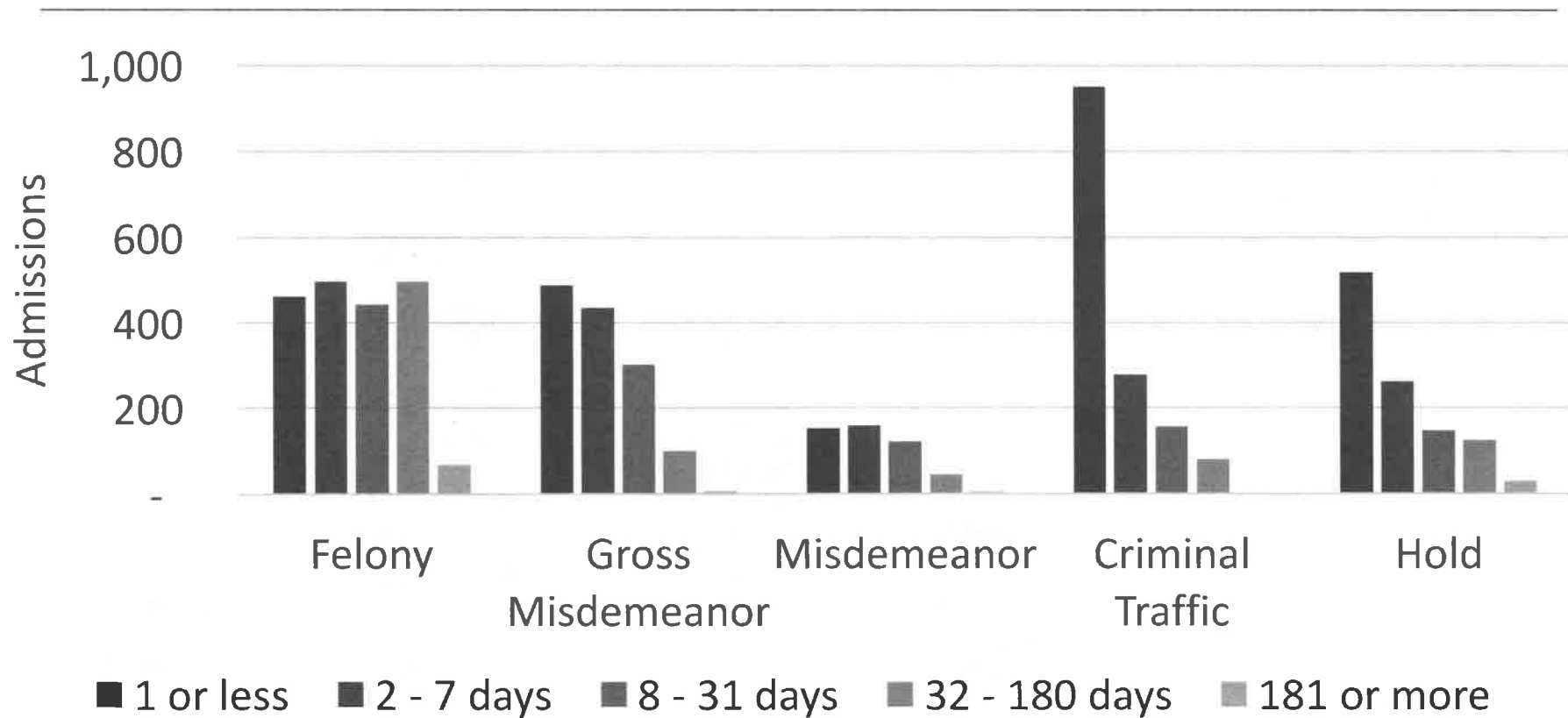
Felony	149	78%
Gross Misdemeanor	23	12%
Misdemeanor	8	4%
Criminal Traffic	12	6%
Total	192	100%

LOS by charge class



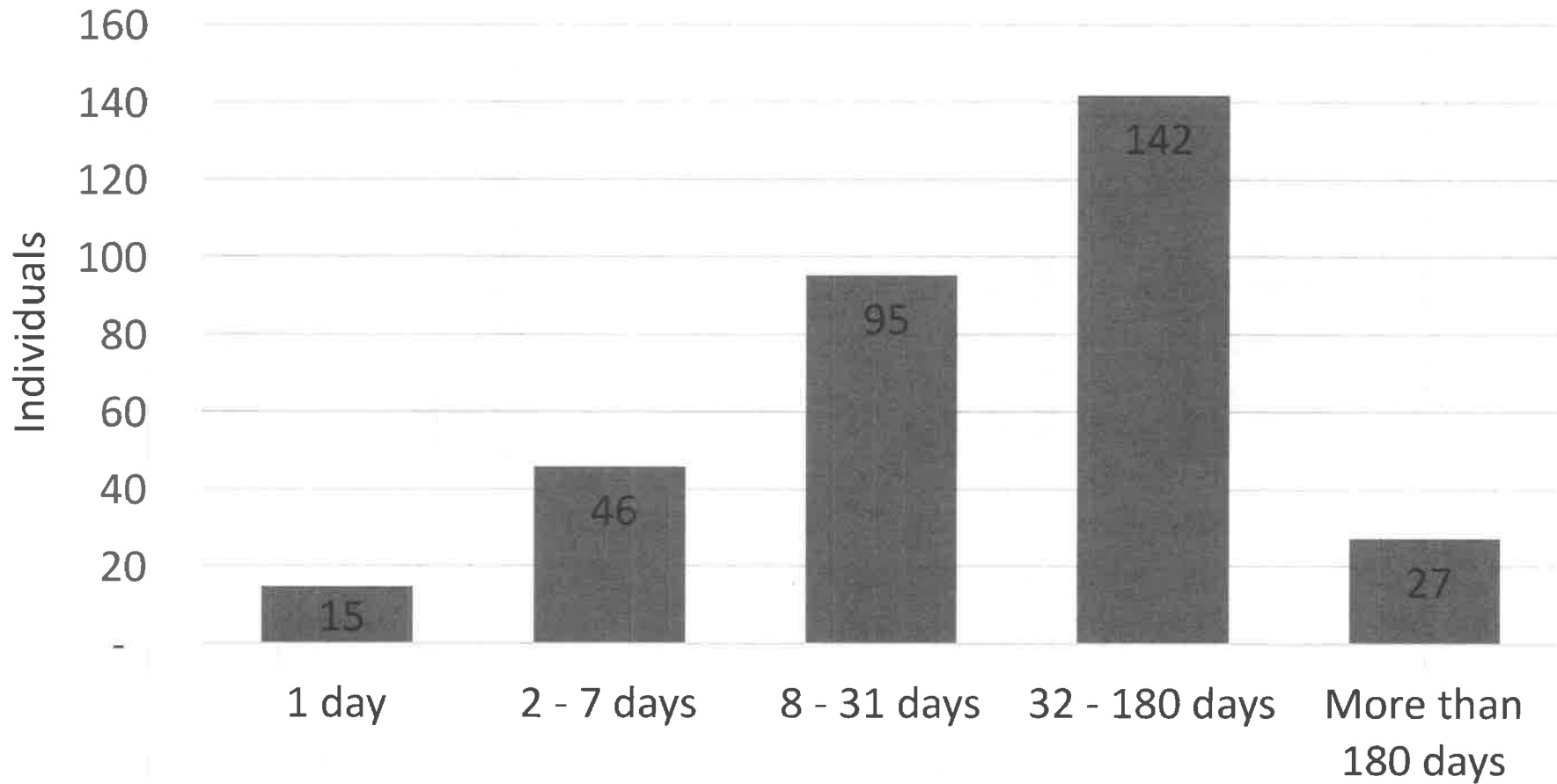
- Felony cases are more complicated, and those who cannot afford bail spend more time in jail while their cases are pending

Distribution of LOS by charge



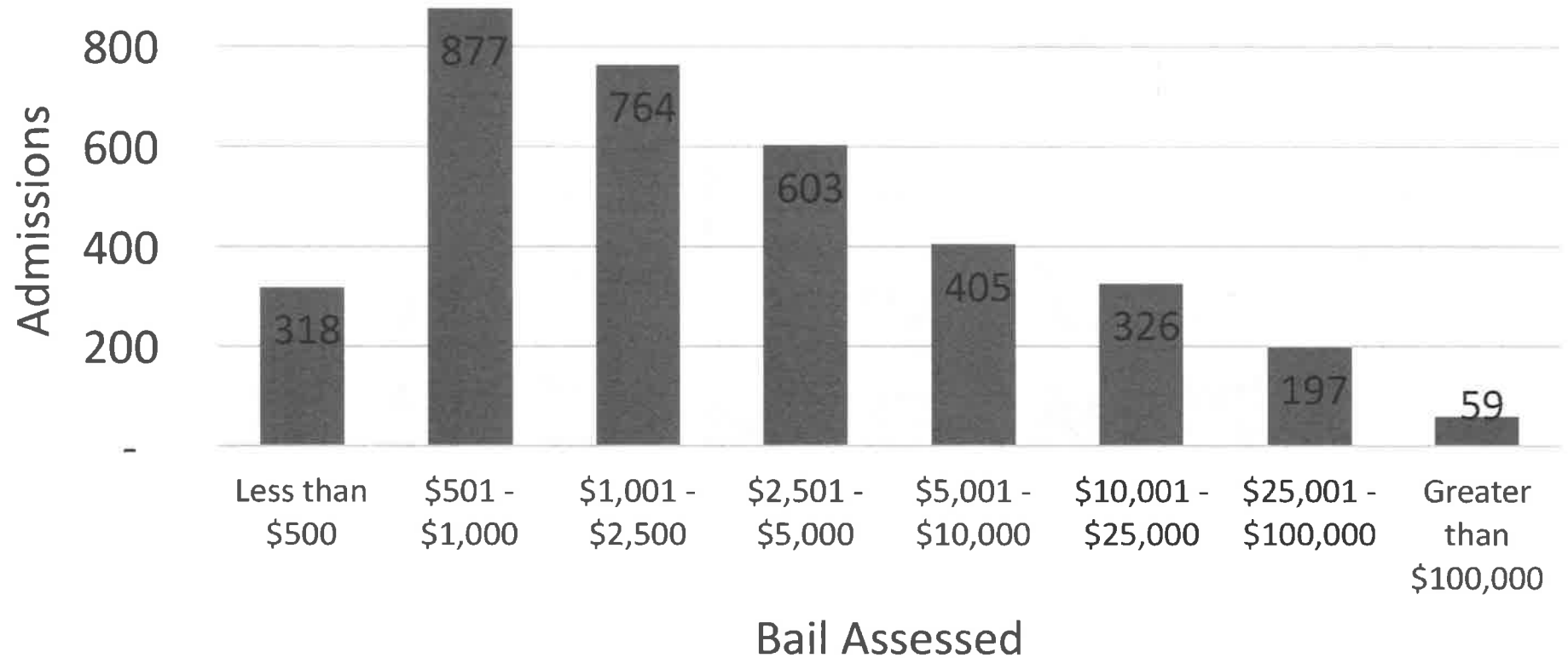
- The average LOS for felony cases masks the fact that many people charged with felonies have even lengthier stays
- More than a quarter of admissions are on criminal traffic charges, but most stay one day or less

LOS so far for the ADP

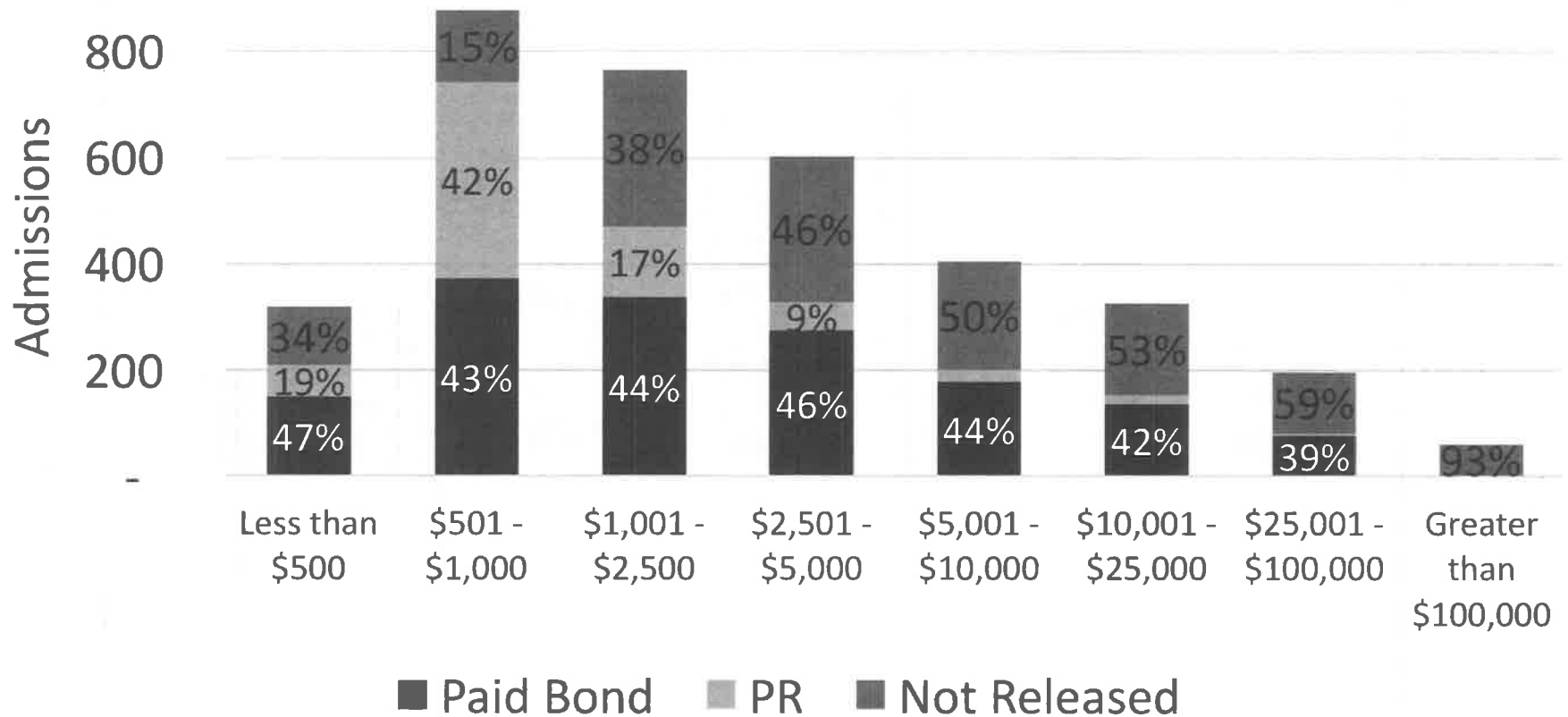


- On any given day, more than half of people in jail have been there for more than a month

Distribution of bail amounts

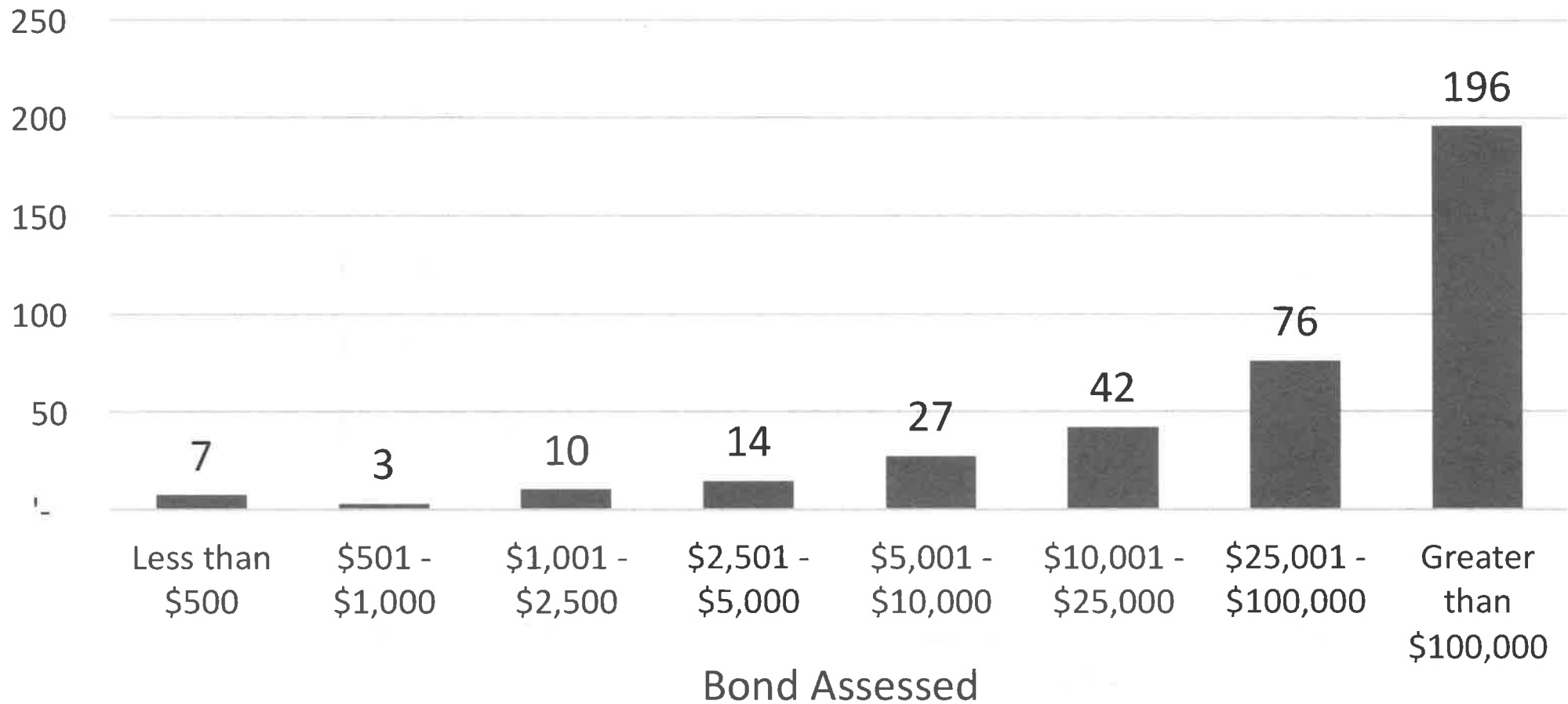


Outcomes by bail amount



- Ability to pay financial bail is not predictive of risk to public safety or likelihood to appear in court

Average LOS by bail level



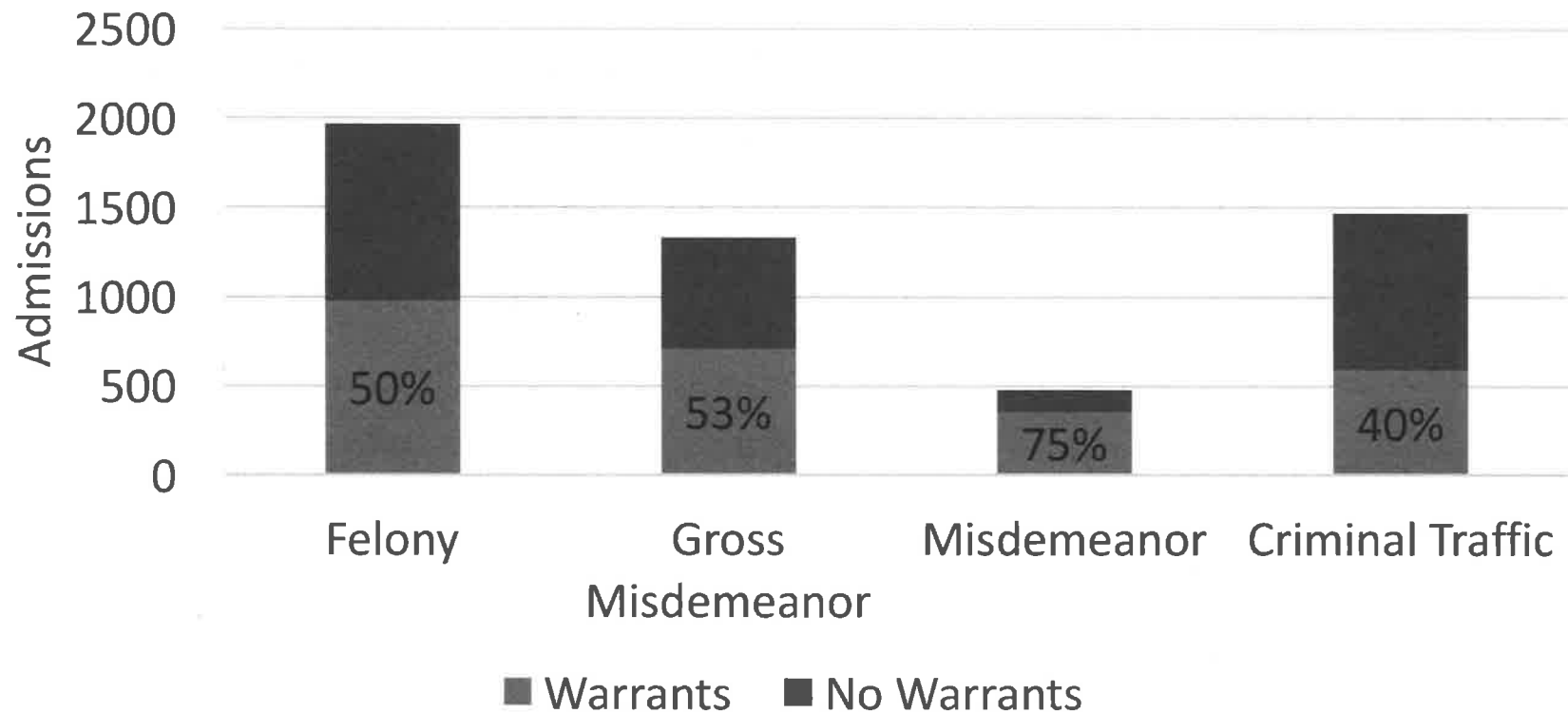
- As the bail amount increases, so does the average LOS

Disparities in LOS and bail, felonies

	Men		Women	
	Avg Bond	LOS	Avg Bond	LOS
White	\$28,700	38 Days	\$18,300	26 Days
Black	\$26,200	47 Days	\$8,300	22 Days
Native American	\$14,400	38 Days	\$9,400	37 Days

- Black and Native American people stay in jail longer even with lower average bail amounts

Admissions and warrants



- A large percentage of jail admissions involve warrants, particularly for lower level charges

Parole and probation violations

	Admissions	%	ADP
All P&P violations	239		26
with no new charge	133	56%	7
with new charge	106	44%	20

- Some of the most common new charges are:

- DUI
- DWLS 3RD DEGREE
- ASSAULT 4TH
- POSS DRUG PARAPHERNALIA
- DWLS 2ND DEGREE
- THEFT 3RD <\$750.00

Case processing

- In Bellingham Municipal Court:
 - Each case had 3.7 hearings, on average.
 - 30 percent of calendared hearings were not held.
- In District Court:
 - Each case had 4.7 hearings, on average.
 - 29 percent of calendared hearings were not held.
- In Superior Court:
 - Each case had 8.8 hearings, on average.
 - Seven percent of calendared hearings were not held.

Cases in multiple courts

- Among 5,079 bookings, 1,444 (28 percent) had more than one case pending simultaneously, and for this group, 790 (more than half) had their cases spread across 2 or more courts.
- There were 1,305 people admitted to jail with cases only in the Superior Court: average LOS of 27 days, 96 beds of the ADP.
- While there were fewer who had cases in Superior and another court (768): average LOS of 56 days, 131 beds of ADP.

Thought experiment on ADP

- How much would the ADP be reduced if all misdemeanors except DV and DUI never went to jail?
- How much would the ADP be reduced if there were no outstanding warrants for misdemeanors?
- How much would the ADP be reduced if time spent in jail beyond 10 days were cut in half?

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