

Greater Oklahoma City Chamber Criminal Justice Task Force

December 2016
Fact Sheet

Summary

Jails in the United States have experienced dramatic growth over the past 30 years. Between 1983 and 2013, annual jail admissions nearly doubled, from 6 million to 11.7 million. Oklahoma County has followed these national trends, with the county jail population increasing fivefold since 1983—from 495 to 2,581 people. The county opened a new, larger jail facility in 1991. Since then, conditions and overcrowding at the jail have reached crisis proportions. Originally designed to house 1,200 people, it now houses more than twice that many.

Partnering for change

With concerns about the jail mounting, and new discussions starting about whether to replace it—at significant cost to the county—the Greater Oklahoma City Chamber of Commerce convened Greater Oklahoma City Chamber Criminal Justice Task Force (“the Task Force”). The Task Force brought in the Vera Institute of Justice in February 2016 to help analyze why the jail was overcrowded, how it was used, and whether that use served the county’s public safety needs effectively. Vera presented its findings to the Task Force, and provided recommendations and guidance for how the county can safely reduce its jail population. While data collection practices limited some of the analysis, key findings and associated recommendations are reported below.

Jail overview

- > The jail is severely overcrowded and is running at double capacity. The average daily population was 2,581 people even though the facility was originally built for 1,200. Second to municipal charges, the most common reason for bookings were non-criminal behavior—such as temporary commitment to jail for a non-criminal violation and failure to appear in court.

- > The most common underlying felony, misdemeanor, and municipal charges of those detained in the jail were alcohol- and drug-related. Of the 10 most common crimes, the majority were nonviolent.
- > Black people were overrepresented—while there were almost equal numbers of black and white people in the jail, white people account for 58 percent of the county population and black people make up only 15 percent of the county population.
- > Oklahoma County’s rate of female incarceration was high compared to the national average for a county of its size. Twenty-seven percent of people who entered jail last year were women.

Key findings and recommendations

- > The independent agencies and decision-makers in Oklahoma City and County who make up the local justice system do not coordinate or collaborate, and do not share an understanding of how the jail should be used. Moreover, the criminal justice agencies have not been collecting, analyzing, or sharing the data that would enable them to understand who is in the jail and why, or to make informed, data-driven decisions. Vera proposes increased governance and oversight of the local justice system to eliminate these problems and improve data collection practices. This includes the creation of a permanent, staffed policy advisory body that can spearhead and sustain reforms.
- > One-quarter of all jail admissions were for the lowest-level offenses: municipal and traffic violations such as public drunkenness and not having a driver’s license at the time of a traffic stop. Vera recommends the county keep as many of these people out of jail as possible, through strategies like expanding the use of citations rather than arrest and booking.

Admissions on low-level charges account for much of the volume in the booking area of the jail, and contribute to overcrowding and delays.

- > Ability to pay bail is the chief determining factor in who stays in jail and who is released pending the resolution of their cases. Vera estimated that 80 percent of people in the Oklahoma County jail were being held pretrial. Vera recommends the county create an effective, evidence-based process to decide who stays in jail while their case proceeds and who goes home. Improving the existing processes for non-financial release for appropriate defendants is the first step, but ultimately the county system should include national best practices like the use of a validated risk assessment tool, individualized decision-making by a judge that takes into account one's ability to pay, and a robust range of pretrial supervision options.
- > Almost half of people who entered the jail in 2015 were released within three days. However, for those not released within three days, the average length of stay was 41 days. In a one-day snapshot of the jail population on June 1, 2015, one-third of incarcerated people had been there for six months or longer. Vera recommends the county improve processes that move cases through the court system, to alleviate delays and systemic

inefficiencies that keep people in jail longer than they need to be.

- > Of the almost 30,000 people who entered the county jail in 2015, many suffer from addiction, mental illness, or both. Vera recommends the county expand mental health and substance use treatment diversion options for these people, and focus resources on those who are repeatedly booked into the jail for low-level offenses. Recommendations in this area include developing pre- and post-booking diversion strategies and speeding and broadening access to existing drug and mental health specialty courts.
- > In addition to significant problems caused by cash bail, fines, fees, and costs are levied on individuals at virtually every point in the criminal justice system. Those without the ability to pay these fees often are brought back to jail for their failure to pay criminal justice debt. Vera recommends the county implement strategies that will keep people from entering an endless cycle of debt and re-incarceration, which not only harms individuals and their families but also imposes recurring costs on both the county and Oklahoma City, without improving public safety.