

# Work Group to Re-envision the Jail Replacement Project

## Issue Brief: Data Review

### A. Introduction

This data review was produced in response to a request from the work group at the July 8, 2016 meeting. The work group requested more granular demographic and case information on the groups of people within San Francisco's jails that occupy the most bed days in a given year. This brief includes the results of the preliminary analysis completed in response to this request and an explanation of the work required to comprehensively analyze missing information.

### B. Background

At last month's meeting, the Office of the Controller presented information from its most recent jail population forecast<sup>1</sup> that estimates by how many people the City would need to reduce the jail population to permanently close the seismically deficient County Jails #3 and #4 without needing to build a replacement facility. The Office of the Controller explained that, when determining the impact of potential work group recommendations on the jail population, it is important to measure impact in terms of reducing overall bed days (i.e., total days spent in jail by all incarcerated people) rather than reducing the number of people in jail.<sup>2</sup> The Office of the Controller's analysis concludes that, to negate the need for a replacement facility, work group recommendations should strive to reduce the number of occupied bed days in a given year by 83,220.

In response, work group members requested more granular information on the groups of people within San Francisco's jails that occupy the most bed days in a given year, including breakdowns of the jail population based on:

- Length of stay (i.e., how long people have been in custody)
- Demographic information (e.g., race/ethnicity, gender, age, and neighborhood of residence)
- Charging information (i.e., the criminal charges that individuals within the jail population are facing)
- Bail amount (i.e., the bail amounts set for individuals in the jail population)
- Conviction status (e.g., pretrial or sentenced)
- Mental health information (e.g., suffering from a serious mental illness)

Work group members suggested that information such as that outlined above would help them to prioritize recommendations and potential strategies for reducing the jail population.

### C. Approach

In an effort to respond to the work group's request for more detailed information on San Francisco's jail population, the Sheriff's Department convened a meeting with the Office of the Controller and work group member James Bell (Founder and Executive Director of the Burns Institute). To respond to the work group's request, Mr. Bell suggested that the Sheriff's Department

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<sup>1</sup> The Office of the Controller's June 2015 population forecast (entitled "Update to the Jail Population Forecast") can be found at <http://sfcontroller.org/>.

<sup>2</sup> A full explanation of why it is important to measure impact in overall bed days is included on page 2 of the issue brief on facility options that was prepared for the July 8, 2016 meeting of this work group. This issue brief can be found on the work group's webpage at <http://bit.ly/IRPworkgroup>.

and Office of the Controller use an approach that his office has used in the past. This approach can be summarized as follows:

1. Calculate how many total bed days were occupied in a recent year by people incarcerated in San Francisco jails.
2. Filter out subpopulations that work group recommendations could not affect (e.g., people held on out-of-county warrants). Calculate how many total bed days these subpopulations occupy in a given year.
3. Filter out subpopulations that work group recommendations could affect (e.g., people waiting for a bed in a residential treatment facility). Calculate how many total bed days these subpopulations occupy in a given year. Break down these total bed days by variables such as length of stay, demographic information, charges, bail amounts, conviction status, and mental health information.
4. Present above analysis to work group at August 12, 2016 meeting.

The idea behind this approach was to demonstrate that:

- There are a certain number of bed days occupied by people in San Francisco's jails that work group recommendations *could not* affect.
- There are a certain number of bed days occupied by people in San Francisco's jails that work group recommendations *could* affect.
- The subpopulations that occupy the most bed days that work group recommendations could affect share certain demographic characteristics, have been in custody for a certain length of time, are predominantly facing certain charges, are subject to certain bail amounts, are at a certain point in the life of their cases, share certain mental health information, etc.

The goal was to present this information to the work group at the August 12, 2016 meeting to help members begin to focus recommendations on subpopulations that together occupied at least 83,220 bed days in a given year.

However, various challenges associated with available data have prevented the Sheriff's Department and the Office of the Controller from completing this analysis by August 12, 2016. These data limitations are summarized as follows (see Appendix A for more detailed information on what data is currently unavailable and why):

- There is incomplete and unreliable data on certain variables.
- Information for certain variables changes over time (i.e., the case status, bail amount, and charges associated with an incarcerated individual may change within a year).
- Data on certain variables would require many staff hours to consolidate and clean for analysis.
- Data on certain variables is not currently collected by the City.

As a result, the analysis presented herein is limited to overall demographic characteristics of the jail population occupying beds in calendar year 2015 and their total lengths of stay. The Technical Support Team encourages this work group to consider recommending that the City continue to work to overcome identified challenges and complete the analysis as originally intended.

## D. Methodology

The figures that follow are derived from data on all individuals except federal detainees<sup>3</sup> that were housed in San Francisco’s jails at any point in calendar year 2015. An individual included in this dataset may have been:

- Booked in 2015 and released in 2015
- Booked in 2015 and released after 2015 (up to July 28, 2016<sup>4</sup>)
- Booked prior to 2015 and released in 2015
- Booked prior to 2015 and released after 2015 (up to July 28, 2016)

Lengths of stay were calculated by summing the total number of bed days occupied by each individual in the dataset. This calculation includes the sum of all bed days occupied by individuals in custody on a single booking as well as the sum of bed days occupied by individuals in and out of custody on multiple bookings.

It is important to note that the bed day calculations included in this analysis should not be interpreted as the bed days occupied by groups of people within the jail population in a single calendar year. There are people in the dataset that were in custody or have been in custody for longer than one calendar year; thus, this analysis includes the summation of bed days occupied by all individuals except federal detainees in 2015 and beyond. A separate analysis would be required to calculate how many bed days groups of people in the jail population occupied in 2015.

Figure 1 shows the impact of federal detainees on jail bed days represented in the dataset. Their removal from the dataset has a minimal impact on the jail bed day statistics cited throughout this brief (one less bed day on average) and reduces total bed days accounted for in the dataset by 22,106 (2.6%).<sup>5</sup>

**Figure 1: Federal Detainee Impacts**

Length of Stay Measure	Including Federal Detainees	Excluding Federal Detainees	Difference (Impact of Federal Detainees)
Average Bed Days	80.8	79.8	1.0
Median Bed Days	4.6	4.6	0
Bed Day Range	0.01 to 4,487	0.01 to 4,487	None
Total Bed Days	859,996	837,890	22,106
Count of Individuals Housed	10,648	10,502	146

<sup>3</sup> Under a contract between the Sheriff’s Department and the U.S. Marshals Service, approximately 35-40 federal detainees are housed in County Jail #4 on any given day while they are standing trial in San Francisco. Sheriff Hennessy has stated publicly that she is open to terminating this contract. Figure 1 shows the impact that including federal detainees would have had on the analyses in this brief.

<sup>4</sup> The data used for the analyses in this brief was exported on July 28, 2016.

<sup>5</sup> Federal detainees accounted for 14,299 bed days in 2015, or 3.3% of the 439,708 bed days occupied by all inmates in 2015.

## E. Analysis

Figure 2 and Figure 3 compare the number of bed days occupied by incarcerated people in the dataset that have been in custody for certain periods of time with the number of actual people in custody during the same period of time. They demonstrate that although the bulk of the population in the dataset was in custody for less than 1 day to 60 days, these same people occupied far fewer bed days than those that were in custody for 60 days to over 5 years.

Figure 2: Share of Bed Days v. Share of Incarcerated Individuals

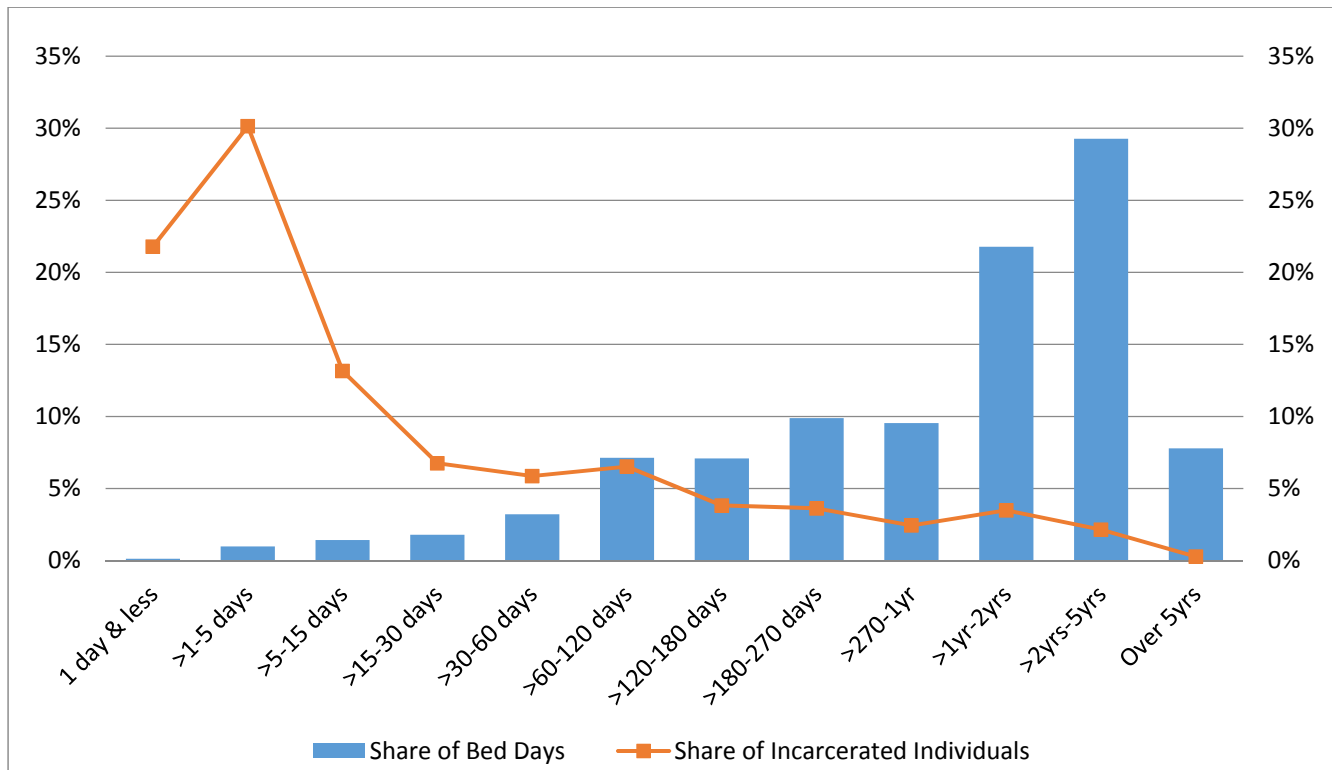


Figure 3: Bed Days and Incarcerated Individuals by Length-of-Stay Range

Days	Bed Days	Share of Bed Days	Count of Incarcerated Individuals	Share of Incarcerated Individuals
1 day & less	1,095	0.1%	2,288	21.8%
>1-5 days	8,220	1.0%	3,165	30.1%
>5-15 days	11,925	1.4%	1,382	13.2%
>15-30 days	14,971	1.8%	709	6.8%
>30-60 days	26,920	3.2%	616	5.9%
>60-120 days	59,762	7.1%	685	6.5%
>120-180 days	59,343	7.1%	401	3.8%
>180-270 days	82,796	9.9%	380	3.6%
>270 days-1yr	79,936	9.5%	256	2.4%
>1yr-2yrs	182,430	21.8%	366	3.5%
>2yrs-5yrs	245,209	29.3%	225	2.1%
Over 5yrs	65,282	7.8%	29	0.3%
	<b>837,890</b>	<b>100%</b>	<b>10,502</b>	<b>100%</b>

Current data limitations prevented the Sheriff's Department and the Office of the Controller from analyzing the conviction status, charges, and bail amounts behind the jail population breakdowns in Figures 2 and 3. These limitations are summarized as follows:

- Charges, conviction status, and bail amounts change during an individual's time in custody, and are thus difficult to capture in a one-year profile. In attempting to construct a one-day snapshot that would show these variables at a single point in time, the Sheriff's Department discovered inconsistencies in data entry that would result in unreliable data. As a result, the Sheriff's Department is making improvements to ensure consistent data entry that will result in greater accuracy of future studies.
- Incarcerated individuals are usually booked on several charges at once. Sheriff's Department staff must manually sort through data to account for the most serious charge related to each booking. The Sheriff's Department requires adequate time and resources to complete this manual work.

## Bed Days by Gender

Figure 4 shows that men account for 773,448 (92%) of bed days in the dataset. Incarcerated women in the dataset were in custody for shorter lengths of time than men. Of the all the bed days occupied by women in the dataset, 38,170 (59%) were occupied by women who were in custody for less than one year. Of all the bed days occupied by men in the dataset, 466,789 (60%) were occupied by men who were in custody for over one year.

Figure 4: Number of Bed Days by Gender and Length-of-Stay Range

Gender	1 day & less	>1-5 days	>5-15 days	>15-30 days	>30-60 days	>60-120 days	>120-180 days	>180-270 days	>270-1yr	>1yr-2yrs	>2yrs-5yrs	Over 5yrs	Total
Female	261	1,608	1,964	1,939	3,414	6,201	5,994	8,217	8,572	11,204	9,974	5,093	64,441
Male	832	6,594	9,916	12,990	23,257	53,615	53,283	74,676	71,496	170,943	235,658	60,189	773,448
Grand Total	1,093	8,202	11,880	14,929	26,671	59,816	59,277	82,893	80,068	182,147	245,632	65,282	837,889

## Bed Days by Ethnicity

Figure 5 shows that individuals identifying as black comprise 446,863 (53%) of total bed days in the dataset, the greatest proportion of bed days of all represented ethnicities. White and Hispanic people represent the second highest proportion of bed days, 179,246 (21%) and 126,665 (15%), respectively. Black people in the dataset were in custody for longer periods of time and occupied the greatest proportion of bed days among those in custody for over one year.

Figure 5: Number of Bed Days by Ethnicity and Length-of-Stay Range

Ethnicity	1 day & less	>1-5 days	>5-15 days	>15-30 days	>30-60 days	>60-120 days	>120-180 days	>180-270 days	>270-1yr	>1yr-2yrs	>2yrs-5yrs	Over 5yrs	Total
Black	331	3,392	5,087	6,241	11,747	28,153	30,852	39,279	35,293	98,131	151,488	36,870	446,863
White	372	2,406	3,965	4,996	8,336	16,801	16,326	21,280	19,520	38,929	34,685	11,631	179,246
Hispanic	236	1,546	1,791	2,436	3,912	8,837	6,942	13,374	16,281	22,201	38,151	10,957	126,665
Filipino	18	141	296	308	788	1,136	971	809	1,570	2,855	2,830	3,783	15,504
Chinese	31	142	76	27	309	1,062	945	2,098	1,246	6,007	917		12,859
Other	22	122	120	116	486	701	631	1,097	1,320	2,062	3,396	2,042	12,113
Less than 1% <sup>6</sup>	21	115	153	170	406	313	607	1,096	892	2,013	3,914		9,699
Samoan	6	44	133	104	169	772	474	1,570	845	5,245			9,363
Other Asian	14	91	84	204	174	716	645	607	589	400	5,655		9,178
Vietnamese	8	38	35	98	82	655	439	998	612	1,861	1,315		6,142
NULL	30	134	80	135	72	417	297	207	1,259	974	2,313		5,919
American Indian	5	32	60	94	191	253	149	476	643	1,470	968		4,340
<b>Grand Total</b>	<b>1,093</b>	<b>8,202</b>	<b>11,880</b>	<b>14,929</b>	<b>26,671</b>	<b>59,816</b>	<b>59,277</b>	<b>82,893</b>	<b>80,068</b>	<b>182,147</b>	<b>245,632</b>	<b>65,282</b>	<b>837,890</b>

<sup>6</sup> “Less than 1%” is a grouping of ethnicities that individually account for less than 1% of the total population. They are: Pacific Islander, Laotian, Korean, Cambodian, Asian Indian, Japanese, Guamanian, and Hawaiian.

## Bed Days by Ethnicity and Gender

Figure 6 shows that general observations about the distribution of bed days by ethnicity hold when broken down by gender.

Figure 6: Number of Bed Days by Ethnicity and Gender

Ethnicity	Female	Male	Total
Black	31,457	415,405	446,863
White	17,275	161,970	179,246
Hispanic	6,025	120,640	126,665
Filipino	1,527	13,978	15,504
Chinese	2,323	10,536	12,859
Other	1,075	11,038	12,113
Less than 1%	372	9,327	9,698
Samoan	714	8,649	9,363
Other Asian	533	8,646	9,178
Vietnamese	1,441	4,701	6,142
NULL	269	5,650	5,919
American Indian	1,432	2,908	4,340
<b>Total</b>	<b>64,441</b>	<b>773,448</b>	<b>837,889</b>

## Bed Days by Ethnicity by Age

Figure 7 shows that younger individuals (those under 35-years-old) account for the greatest number of bed days in the dataset. In particular, black individuals under 35-years-old account for 30% of bed days. The number of jail bed days occupied by most ethnic groups decline among older age ranges. However, among white, Chinese, and Vietnamese ethnicities, older individuals account for a greater proportion of their ethnic groups' jail bed days.

Figure 7: Bed Days by Ethnicity and Age Range

Ethnicity	18-25	26-34	35-45	46-64	65+	Total
Black	135,578	119,193	86,678	103,220	2,195	446,862
White	28,243	50,603	49,543	45,079	5,777	179,246
Hispanic	53,009	35,548	21,182	15,514	1,411	126,665
Filipino	4,576	4,769	4,559	1,592	8	15,504
Chinese	925	2,836	1,824	6,959	314	12,859
Other	4,511	2,580	2,566	1,812	645	12,113
Less than 1%	819	5,637	2,322	912	9	9,699
Samoan	4,698	1,678	2,762	225		9,363
Other Asian	759	4,809	2,899	558	153	9,178
Vietnamese	281	2,225	1,654	1,979	4	6,142
NULL	926	1,700	2,253	883	156	5,919
American Indian	1,044	1,739	1,146	404	8	4,340
<b>Total</b>	<b>235,371</b>	<b>233,315</b>	<b>179,388</b>	<b>179,136</b>	<b>10,680</b>	<b>837,890</b>



## Self-Reported Area of Residence

Zip codes of residence in the dataset were converted to commonly accepted names of neighborhoods for Figure 8.

Figure 8 shows that the zip code of approximately one third (31%) of individuals in the dataset is unknown. Booking officers were unable to obtain the zip code of residence for individuals that fall under the “Unknown/Null” category. If a booked individual does not disclose this information, it is not recorded.

Ten percent of individuals in the dataset reported a zip code of residence outside of San Francisco. The greatest proportion of individuals in the dataset that reported a San Francisco zip code were from the following three areas of the City: Hayes Valley/Tenderloin/North of Market, Bayview-Hunters Point, and Inner Mission/Bernal Heights.

**Figure 8: Share of Bed Days by Geography**

Area of Residence	Share of Bed Days
Unknown/NULL	31.1%
Hayes Valley/Tenderloin/North of Market	11.9%
Bayview-Hunters Point	11.5%
NON-SAN FRANCISCO	9.6%
Inner Mission/Bernal Heights	5.5%
Ingelside-Excelsior/Crocker-Amazon	4.9%
South of Market	4.6%
Visitacion Valley/Sunnydale	4.0%
Western Addition/Japantown	3.6%
Haight-Ashbury	2.5%
Polk/Russian Hill (Nob Hill)	2.4%
Potrero Hill	2.1%
Lake Merced	1.2%
Sunset	0.9%
Twin Peaks-Glen Park	0.8%
Outer Richmond	0.8%
North Beach/Chinatown	0.6%
Parkside/Forest Hill	0.6%
Inner Richmond	0.5%
Castro/Noe Valley	0.4%
Marina	0.2%
Unreliable Location Data	0.1%
St. Francis Wood/Miraloma/West Portal	0.1%
Chinatown	0.1%
<b>Total</b>	<b>100%</b>

## Appendix A: Current Data Limitations and Opportunities for Improvement

Variable	Explanation
<b>Bail Amount</b>	An individual's bail may change over the course of incarceration. For example, bail may change in accordance with charges re-booked by the District Attorney's Office; bail may change at arraignment; or, bail may be modified by the court at any point until disposition of charges.
<b>Bail Motion Effect</b>	Since its inception, the Office of the Public Defender's Bail Motion Unit has filed 443 motions with a 47% success rate (success is defined as an earlier release for an incarcerated person as a result of the bail motion). The average length of stay for an incarcerated person facing misdemeanor charges in San Francisco is 90 days and the average length of stay for an incarcerated person facing felony charges is 90-120 days. The Public Defender does not currently have estimates on the reduction in bed days associated with successful bail motions.
<b>Behavioral Health Status</b>	Data from the Department of Public Health regarding the mental health treatment of individuals incarcerated in San Francisco jails is not available for bulk download. While there is information regarding the population served (e.g., age, demographics, types of contact), this data is not easily matched to the data provided by the Sheriff's Department. To ensure the privacy of our patients, the department is currently working with technical support to create a data report where de-identified information can be matched with data provided by the Sheriff's Department.
<b>Booking Reason</b>	An individual may be booked for a number of reasons, i.e., new charges, a warrant and a probation violation. Reports run on this data capture only the first reason entered by the booking deputy.
<b>Charging Information</b> (booked charges v. filed charges)	An individual's charges may change over the course of incarceration. For example, the charges booked at intake may be modified by the District Attorney's Office in the rebooking process; the charges may be modified at arraignment; and the individual may enter a plea agreement to modified charges.
<b>Community Treatment Bed Wait Times</b>	Given that individuals are referred to treatment by a variety of departments and residential treatment beds are offered through a variety of agencies, it is difficult to determine overall information regarding wait times. For residential treatment beds offered through the Department of Public Health, the typical wait for a residential treatment bed is two weeks to a month, with waits from custody lasting up to 4 months. People in custody have longer waits for several reasons: the nature of a person's charges may limit their placement options, the legal resolution of a case may be delayed, and individuals that are discharged from the hospital are prioritized for placements. Wait times vary due to demand and are generally longer in winter months and shorter in summer months. Further, while snapshot data regarding individuals participating in the collaborative courts is available, overall collaborative court data is not easily accessible due to recent changes in databases and concerns regarding the integrity of the data.

Variable	Explanation
<b>Conviction Status</b> (pretrial v. sentenced)	It is difficult to capture pretrial/sentenced status because an individual may be sentenced on one matter while awaiting disposition of others. To report pretrial/sentenced status accurately requires significant research into each of an individual's charges.
<b>Decision Points</b> (racial/ethnic disparities at key points in case processing)	<p>The Office of the District Attorney and the Office of the Public Defender are currently participating in independent research to assess outcomes at various stages of the criminal case process for cases filed within San Francisco.</p> <p>The Office of the District Attorney's research is being conducted by Professors Steven Raphael (UC Berkeley) and John MacDonald (University of Pennsylvania). Preliminary findings from this research project are expected in Fall 2016. This study aims to measure racial disparities at key decision-making points and outcomes in the criminal case process; assess the degree to which observed racial disparities can be explained by factors such as charge severity, criminal history of the defendant, and other relevant mitigating and/or aggravating factors; and conduct simulations to explore how policy changes could reduce disparities at various points in the District Attorney's decision-making process.</p> <p>In addition, in response to Reentry Council<sup>7</sup> and community meetings on racial and ethnic disparities in the criminal justice system, the Adult Probation Department will take steps in Fall 2016 to conduct a diligent review of race and ethnicity across the following decision points: Flash Incarcerations, Violations, Motions to Revoke (MTRs), and Early Terminations.</p>
<b>Flash Incarceration</b>	The Adult Probation Department has the legal authority to impose a flash incarceration of up to 10 days with a client under Post Release Community Supervision (PRCS). The flash incarceration is a part of a range of graduated sanctions tools used by Adult Probation to redirect clients towards supervision and treatment compliance. Before a Deputy Probation Officer can impose a flash incarceration, a supervisor is required to review the imposition of other lesser restrictive strategies such as field visits, increased supervision visits, reentry services participation, clinical support, and barrier removal. Prior to using the Flash Incarceration Tool, non-compliant clients under Adult Probation supervision consistently returned to court on violations and could be reverted to much longer terms in custody. The Flash Incarceration Tool has cut down on courtroom visits and jail bed days. Historical data demonstrates that Adult Probation does not lean heavily on the use of flash incarcerations. Adult Probation will collect data on the number of flash incarcerations represented in the 2015 jail population as requested by the work group.

<sup>7</sup> The City's Reentry Council coordinates local efforts that support adults exiting San Francisco jails, San Francisco juvenile justice out-of-home placements, the California Department of Corrections and Rehabilitation facilities, and the United States Federal Bureau of Prison facilities. The Council coordinates information sharing, planning, and engagement among all interested private and public stakeholders. Members of the Council include city departments, the Courts, and state and federal agencies, and its work is supported by the individuals and community stakeholders that serve on its subcommittees.

Variable	Explanation
<b>Homelessness</b>	Data collected on homelessness is unreliable because it is self-reported and because there is not a consistent definition of the term among city agencies that work with homeless individuals. There is currently no matching of the Human Services Agency database information with Sheriff or District Attorney criminal justice databases.
<b>Probation Violations</b>	The Adult Probation Department has the legal authority to book a person into custody on a probation violation. Before a supervisor grants permission to pursue a probation violation, a Deputy Probation Officer is required to conduct due diligence in the form of field visits to connect with clients and impose lesser restrictive strategies such as increased supervision visits, reentry services participation, clinical support, and barrier removal. Within 72 hours of a probation violation booking, a hearing will occur at which time a judge will review the nature of violation and determine whether additional time in custody or release is merited. Adult Probation will collect data on the number of probation violation bookings represented in the 2015 jail population as requested by the work group.
<b>Race/Ethnicity</b>	DataSF <sup>8</sup> has taken a lead on surveying San Francisco's criminal justice data and has identified inconsistencies in data collection across City agencies. DataSF is working with the Reentry Council to make recommendations that ensure adequate race and ethnicity data collection city wide. Results of this work will be completed by Fall 2016.
<b>Release Reason</b>	An individual may be released for a number of reasons at the same time, i.e., charges dismissed, a warrant cited, and probation reinstated. Reports run on this data capture only the first reason entered by the releasing deputy.
<b>Substance Use Disorders</b>	Data from the Department of Public Health regarding substance use of individuals incarcerated in San Francisco jails is not available for bulk download. The department is currently working with technical support to create a data report on individuals who self-reported substance use upon entering the jail and/or were placed on medical detox due to recent substance use. While this report will not provide complete information for the population, it will provide an estimate as to prevalence of substance use in the population.

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<sup>8</sup> Housed in the Mayor's Office, DataSF is led by the City's Chief Data Officer to transform the way the City works through the use of data. For more information, visit <https://datasf.org/>