

Measure 2: Length of Stay For Felony Probation Violators

A. Background.

The statistical presentation to the JOC in October 2001 included a one-day snapshot of the VOP population. Since that time, Corrections staff has implemented a tracking database that captures daily levels of important statistics. The first table below provides some insight into the numbers of individuals who are booked into/remain in the jail on only a violation of probation. The top row reflects the information presented to the JOC. The bottom row represents a daily average between November 15, 2002 and June 13, 2003.

Average Numbers of VOPs:

Data Source	VOP-Only Felons	VOP-Only Misdemeanants	Total VOP-Only	Total Jail Population	% of Jail Population
JOC Snapshot 9/24/2001	487	23	510	4216	12%
Averages Since 11/15/2002	367	75.2	442.2	3844	11.5%

Average Length of Stay For Inmates With Only VOP Charges

Year	Felony VOP ALOS	Misdemeanor VOP ALOS	Overall ALOS	Total Number of VOP Only Inmates
1995	56	20	43	3570
1996	47	20	37	3649
1997	53	17	40	3652
1998	54	20	41	3996
1999	61	18	45	4036
2000	66	16	47	4306
2001	68	14	43	4446
2002	64	17	42	4434
2003 YTD	54	15	37	2031

The average length of stay for VOP-only felons and misdemeanants has fluctuated since 1995. For VOP-only felons, it appears that the average length of stay may have peaked in 2001 at 68 days. So far in 2003, the average felony VOP-only inmate stays 54 days in jail. Similarly, the length of stay for misdemeanor VOP-only inmates has also dropped from the numbers posted in previous years. The numbers above differ from those reported to the JOC in October 2001 because of improved data retrieval methods.

Felony VOP Length of Stay, (Cont.)

The JOC final report (recommendation CP 05-2) indicates a goal of holding felony VOP hearings between 20 and 30 days. The measurement issue at hand is not as simple as making an average length of stay (ALOS) calculation as presented on the previous page. For instance, many felony probation violators bond out of jail before they attend a disposition hearing (1,462 bonded out in 2002 with an ALOS of 3.8 days). Such inmates are not the focus of the JOC recommendation. Instead, those inmates who stay in jail until a disposition are the ones who need to be analyzed. The table below relates that group's basic statistics.

VOP-Only Felons Who Stay In Jail Until A Disposition

Year	VOP-Only Felons	LOS Between Booking Date And First Hearing Date	LOS Between Booking Date And Release Date
2001	1,471	53	97
2002	1,262	51	89
2003 YTD	574	51	89

B. Before, During, and After the JOC

The length of time between booking and the first court hearing for each VOP-only felony inmate (who stayed in jail long enough to go to a court hearing) released between November 2000 and June 12, 2003 was retrieved from JailTrac and divided into three roughly equal time periods. The first time period started on November 10, 2000 (9 months before the first JOC meeting) and ends on August 9, 2001 (the day before the first meeting of the JOC). The second time group spans the life of the Jail Oversight Commission (the 9 months between August 10, 2001 and May 7, 2002, the date on which the JOC report was presented to the Board of County Commissioners). The third time period represents the post-JOC period between May 8, 2002 and June 13, 2003.

C. Statistical Tests

The lengths of time between booking and the first hearing for the felony VOP inmates who were incarcerated until a disposition were divided into the three time periods. An ARIMA model (1,0,0) was utilized to remove the effects of autoregression. ANOVA was then used to statistically compare the modeled groups. No significant main effect was detected, the length between booking and the first hearing did not differ significantly in the periods before, during, and after the JOC.

D. Conclusion

The length of stay for felony VOP individuals went from 95.3 days before the JOC to 88.7 days after the JOC. The length of stay between the booking date and the first hearing was 52.9 days after the JOC, down from 54.2 days before the JOC. While these numbers represent an improvement, they are not statistically significant.

Felony VOP Length of Stay, (Cont.)

Time Period	Number of Inmates Released	Length of Time Between Booking And Hearing	Length of Time Between Booking and Release
11/10/2000— 8/9/2001	1,122	54.2	95.3
8/10/2001—5/7/2002	1,026	52.8	93.8
5/8/2002—6/13/2003	1,376	51.4	88.7

E. Best Practices

There appears to be few concrete and logical guidelines to use as a benchmark. The JOC final report (recommendation CP 05-2) indicates a goal of holding VOP hearings between 20 and 30 days. In addition, a 10-day maximum was once required by statute. An analysis by Corrections staff found that the literature is replete with examples of jurisdictions across the nation with probation violators sitting in jail over 90 days without a hearing. Moreover, sources such as the American Bar Association publish overly general standards which give few clues regarding how long is too long. These sources use phrases such as “timely processing” and “processing within statutory guidelines.” Gwinnett County, Georgia uses a standard of 30 days, the upper limit of the goal outlined in the JOC report (Bureau of Justice Assistance, 2000). The table on the next

Savings Projection for VOP Stay Reduction

Current VOP ALOS Between Booking and Hearing	Best Practice VOP ALOS	Difference	Marginal Per Diem	Number of In-mates Affected	Savings
51.4	30	21.4	\$8.75	1,262	\$236,309
51.4	20	31.4	\$8.75	1,262	\$346,735
51.4	10	41.4	\$8.75	1,262	\$457,160

The savings calculated above differ from that presented in the Jail Oversight Commission (\$1.3 million) final report for several reasons. First, the marginal per diem has changed with the passing of a new fiscal year. Second, the number of inmates affected is actually lower than what was calculated before the JOC. The JOC calculation was a calculation of overall average length of stay, not the length between booking and the first hearing for a VOP-only felon who is incarcerated at the time of their hearing. Moreover, the numbers above reflect vastly improved data from earlier versions of this report.