



## YEAR THREE REPORT JANUARY 2021-DECEMBER 2021

### BACKGROUND

Allegheny County achieved a 36% reduction in its jail population during its first two-year Safety and Justice Challenge grant. In 2021, Allegheny County was awarded a two-year renewal grant from the John D. and Catherine T. MacArthur Foundation to continue the work to lower the jail population and reduce racial and ethnic disparities in the criminal justice system. This report will outline Allegheny County's activities in the Safety and Justice Challenge project in 2021.

### THE CONTINUED IMPORTANCE OF REDUCING INCARCERATION

The [Safety and Justice Challenge](#) (SJC) supports a national network of 51 jurisdictions to reduce overreliance on jail incarceration and eliminate its disproportionate impact on people of color. Incarceration is costly, impacts the families and communities of those who are incarcerated, and has not been found to reduce the likelihood that people will commit new offenses.<sup>1</sup> The COVID-19 pandemic created further urgency to reduce incarceration for the public health and safety of those who are incarcerated and work in the jail. The rapid release of individuals from the Allegheny County Jail at the start of the pandemic did not have a negative impact on public safety. In fact, those who were released had lower recidivism rates than individuals released from the jail in previous years.

It is important to acknowledge that homicide rates increased in 2020 in Allegheny County and across the country, due to what researchers posit is likely a complex combination of factors. Experts advocate for implementing coordinated, evidence-based violence prevention efforts to address the growth in homicides.<sup>2</sup> Information about the Allegheny County Department of Human Services' efforts to reduce community violence can be found [here](#). However, it should also be noted that crime overall has continued to decline.<sup>3</sup> In Allegheny County, the total number of reported crimes declined 21% from 2019 to 2020 and an additional 14% from 2020 to 2021.<sup>4</sup> Allegheny County can safely address community violence while continuing to reduce unnecessary incarceration and lengths of stay in the Allegheny County Jail.

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<sup>1</sup> [Custodial Sanctions and Reoffending: A Meta-Analytic Review | Crime and Justice \(uchicago.edu\)](#)

<sup>2</sup> [Violent Crime Working Group. Saving Lives: Ten Essential Actions Cities Can Take to Reduce Violence Now.](#) Washington, D.C.: Council on Criminal Justice, January 2022.

<sup>3</sup> [The Impact of COVID-19 on Crime, Arrests, and Jail Populations - An Expansion of the Preliminary Assessment.pdf \(ifa-associates.com\)](#)

<sup>4</sup> [Offense Trends Comparison Report](#)

## SAFETY AND JUSTICE CHALLENGE PARTNERS

The Allegheny County Safety and Justice Challenge team includes the following partners:

- Fifth Judicial District of Pennsylvania Court Administration
  - o Criminal Division
    - » Pretrial
    - » Adult Probation
- Allegheny County government – Executive branch, including:
  - o Department of Human Services
  - o Jail
  - o Office of the Public Defender
- District Attorney’s Office

Local government and criminal justice leaders in Allegheny County remain committed to continuing this work and developed a set of strategies for the renewal grant that build on the reductions that were achieved in the first two years of the SJC project.

## STRATEGIES

Allegheny County’s strategies for the SJC renewal grant combine strategies from the first two years of the project along with new strategies to address additional drivers of the jail population.

1. **Crisis response** — The Allegheny County Department of Human Services and Allegheny County Emergency Services co-convened a Crisis Response Stakeholder Group (CRSG) to prevent unnecessary use of emergency services and incarceration of people with behavioral health needs, as well as racial inequities in the crisis system. The CRSG brought together stakeholders from across the crisis system and the community to create recommendations and develop an action plan. In February 2021, the CRSG published a set of 16 recommendations and have since been working on implementation. Further details about the implementation progress can be found [here](#). While the future impact of the crisis prevention and response work on the jail population is not yet able to be estimated it is anticipated to prevent jail bookings and provide alternatives to criminal justice system involvement.
2. **Reduce bookings at first appearance** — During the first two years of the SJC grant, the Office of the Public Defender expanded their representation of individuals during the preliminary arraignment, or first appearance. Having representation was found to increase the likelihood that an individual would be released and reduce the use of monetary bond. Since the start of the pandemic, representation has taken place via phone. Work to implement a revalidated pretrial assessment was put on hold, since Pretrial Services staff were not able to be in the jail due to the pandemic. Instead, Pretrial Services uses administrative data to complete the PSA assessment, which looks at the likelihood that an individual will attend future court dates and not be rearrested pretrial. When Pretrial Services is able to conduct interviews with individuals in the jail, they will

utilize the new revalidated assessment. The revalidated assessment will provide Magisterial District Judges with a more accurate assessment of the likelihood that an individual will appear for all court dates and not have any new arrests.

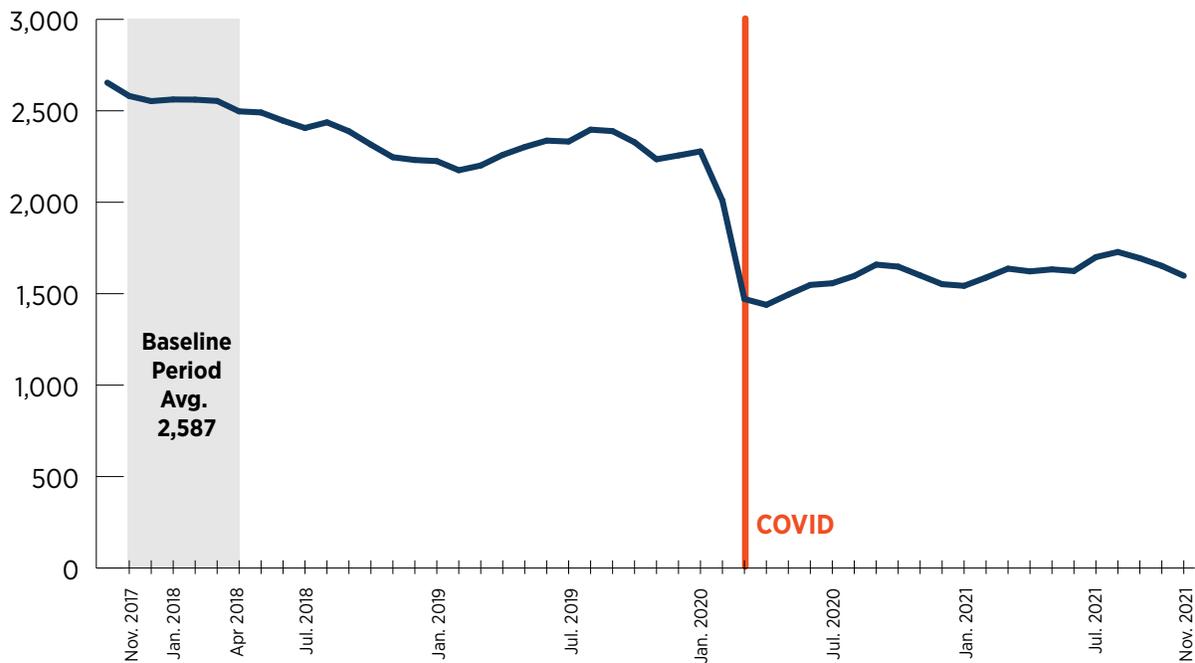
- 3. Expedite court processing** — Court closures due to the pandemic posed a challenge to the timely resolution of cases in 2021. As in person court operations resumed, a multi-agency workgroup reengaged in work to implement a new court process that would combine two court hearings into one and reduce the amount of time that people wait for their cases to be resolved. The goal is for that process to be approved and implemented in 2022. The District Attorney's Office continued work to avoid formal arraignment continuances. With positions funded through the Safety and Justice Challenge grant, the District Attorney's Office completed the required information in time for 82% of formal arraignments. This is up from only 65% in the six months prior to the start of the grant-funded staff.
- 4. Reduce the number and length of probation detainers** — Adult Probation continued to monitor the probation detainer population through use of a detainer policy and detainer working group. The average number of people being held on probation detainers in 2021 was 614 (down from over 1,000 at the start of the grant), and this number remained steady throughout the year. A new court liaison officer was hired specifically to handle the early probation violation hearings that resolve probation violations and new charges at the same hearing. Over 150 early probation violations were completed, saving an average of 84 days in jail per person. Partners from across several agencies continued to meet bi-weekly to review the cases of individuals with detainers and complex issues. This group looked for release options and coordinated detainer lift requests to present to judges.
- 5. Jail redesign** — Allegheny County released a solicitation to select a consultant who will lead a community informed process to develop design options for a safer, smaller jail facility. The goal is to provide additional tools for programming and services for those individuals who are incarcerated at the facility and to further enhance the physical plan and operations for those providing services including correctional officers, attorneys, and social and health service providers. The engagement process and development of design options will begin in 2022.
- 6. Community Advisory Committee** — In 2021, County Executive Fitzgerald and President Judge Clark invited a diverse group of community members to join the SJC Community Advisory Committee (CAC). The seven-member committee met with internal stakeholders to learn about the SJC work and ask questions about the criminal justice system. In November, the CAC released an initial set of recommendations for system improvements. In 2022, the CAC will help to determine the distribution of SJC grant funds to community-based project that support the goals of jail population and racial disparity reduction.

### COMMUNITY ADVISORY COMMITTEE MEMBERS

NAME	ORGANIZATION
Valerie Dixon	Center for Victims
Rev. Cornell Jones	Violence Prevention Coordinator, Pittsburgh Bureau of Police
Kurtis Mennitti	Reentry Specialist, PCSI
Monica Ruiz	Executive Director, Casa San Jose
Claire Shubik-Richards	Executive Director, Pennsylvania Prison Society
Taili Thompson	Operation Better Block
Dante Works	Founder, House of Veterans

### JAIL POPULATION

Allegheny County saw an unprecedented drop in the jail population in 2020, and that reduction was largely sustained in 2021. The average daily population<sup>5</sup> of the Allegheny County Jail from March to December 2020 was 1,605. The average daily population in 2021 was 1,639.



<sup>5</sup> The average daily population includes individuals held in alternative housing facilities, and excludes individuals with federal holds only.

## RACIAL DISPARITY

The overrepresentation of Black individuals in the Allegheny County Jail remains a critical problem. While disparity lessened throughout 2021 – Black individuals represented 68% of the population in January and 65% of the population in December – a much greater share of Black adults in Allegheny County experience incarceration than white adults. Roughly 34 of every 1,000 Black adults were booked in the jail for any reason in 2021, compared with approximately 4.5 of every 1,000 white adults.<sup>6</sup>

In 2021, the Allegheny County SJC team set up structures to focus specifically on racial disparity. This involved the creation of a Racial Equity Working Group made up of representatives from across the SJC stakeholders. The group is working with a technical assistance provider from the [Burns Institute](#), utilizing their Structural Well-Being Framework to identify racial disparities and develop internal policies and practices to promote disparity reduction. The working group has become oriented to the Burns Institute framework and will be focusing on disparity reduction in the areas of bail decision making and probation violation detainers in 2022.

The SJC team began partnering in a study that was commissioned by the University of Pittsburgh's Institute of Politics to collect comprehensive quantitative and qualitative data about each point in the criminal justice system, review policies and practices, and provide recommendations to reduce those disparities. The SJC team will work with the researchers to provide information and utilize their recommendations to make policy and practice changes to address disparities.

Staff from SJC partner agencies also began to complete a three-part training on the role of government in advancing racial equity. The training was modified in partnership with the Department of Human Services and the Health Department for a virtual format from a curriculum of the Government Alliance on Race and Equity.

## NEXT STEPS

As Allegheny County enters the final year of its grant, the partners involved in the SJC are looking to complete the implementation of policy and practice reforms that will sustain the jail population reductions of the past two years and further reduce the population. Changes such as the adoption of a detainer policy, the introduction of representation during evening and overnight preliminary arraignments, and the creation of a streamlined early termination of probation process will be able to continue past the grant's completion. By developing robust crisis prevention and response systems and implementing court processing efficiencies, Allegheny County will make further impacts on both jail admissions and length of stay moving forward.

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<sup>6</sup> Jail admissions data from [Jail Population Management Dashboard](#). Adult population data from the Office of [Juvenile Justice and Delinquency Prevention](#).

## APPENDIX A

**Pretrial detention**

Following arrest an individual is held until they are released awaiting resolution of their pending cases or, if held without bail, until their cases have been resolved in court.

**Local sentence**

Individuals in Pennsylvania may be sentenced to up to 23 months in a county jail. Sentences of 24 months or greater are served in a State Correctional Institution.

**External holds**

Individuals may be detained in the jail due to holds from other counties, a State Correctional Institution, the Pennsylvania Parole Board, or federal authorities. In some cases, an individual is being held while awaiting transport to another correctional institution, or the individual may also have local charges or violations that must be resolved prior to release to the other correctional facility.

**Violation of probation**

If an individual is alleged to have violated a term of a local probation sentence, he or she may be held pending a probation violation hearing.

**Family Division holds**

The Court of Common Pleas Family Division may order individuals to the jail for violation of child support orders or protection from abuse orders (PFAs).

**Release conditions**

Upon resolution of charges or violations, a release condition may be imposed allowing release only to a particular entity, often a treatment provider or Justice Related Services.<sup>7</sup> Individuals may wait in the jail to be released to the location ordered by the Court.

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<sup>7</sup> Justice Related Services (JRS) provides supports to persons with mental illness and/or co-occurring mental illness and substance use disorder who encounter the criminal justice system.