



## Getting to Smart Justice Fast: Immediate Programs That Could Reduce the Spokane County Jail Population

Based upon a review of programs, the Smart Justice Campaign coalition finds that the programs listed below could be implemented immediately and would reduce the Spokane County Jail population.

In 2011, the average daily jail population was **763**. This number could be substantially reduced by programs that avoid arrest or divert individuals from jail while holding them accountable to the community. It is impossible to provide precise numbers, but using conservative estimates the following programs could collectively reduce the average daily jail population enough to bring the number below the original design capacity of the downtown jail of 472. Some of the individuals may be eligible for diversion in more than one category so future study is needed to determine with precision the total net reduction.

### PROGRAMS TO AVOID ARREST

- **Pre-Charge Diversion** can direct individuals with mental health and/or drug/alcohol abuse issues to treatment instead of jail through programs such as the Crisis Intervention Team [CIT] program or Law Enforcement Assisted Diversion [LEAD - Seattle]. It is estimated that about 60-65% of inmates have mental illness and/or substance abuse issues. For a jail population of 763 that is 458 to 496 individuals with these health issues. Assuming that even 15% of these individuals could be safely diverted to non-jail supervision that would reduce the need for **69 to 74** jail beds.
- If the City and County instituted a **Court Date Notification Program**, fewer individuals would be in jail on bench warrants for failure to appear for court hearings. In 2011, an average of 59 of the 763 inmates per day were in jail on bench warrants. In 2008, it was noted that the majority of these were for failure to appear. If that percentage is still applicable, **30** jail beds per day would not be needed for these individuals. Jefferson County, Colorado reduced its failure to appear rate by 52% with such a program.
- If individuals were not incarcerated for **failure to pay legal financial obligations**, but instead were able to participate in a system that assured accountability for restitution payments, jail beds would not be needed for these individuals. In 2011, **19** of the 763 inmates were being held for failure to pay legal financial obligations.
- **Third Degree Driving While License Suspended** cases can make up a 1/3 of the cases in misdemeanor courts in Washington State. Some of these individuals may end up in jail. To be resolved, all of them will require prosecutors, defense attorneys, judges and court time. Robust diversion and re-licensing programs could reduce the need for jail beds while getting these drivers relicensed.

## PROGRAMS TO DIVERT FROM INCARCERATION

- **Electronic Home Monitoring [EHM].** The City has two probation officers supervising 60 individuals on EHM. It is estimated that there are enough eligible individuals to support at least six to eight probation officers. Adding four City probation officers would allow an additional **120** individuals to be on EHM that would otherwise be in jail or released without supervision. The County could similarly employ EHM for more than a **100** inmates.
- **Day Reporting.** The capacity of the County Day Reporting program is 100, but as the County Consultant, David Bennett reported it is "woefully underutilized."<sup>1</sup> In 2011, only 15 individuals were referred to the contracted service provider (Friendship Diversion Services). That means there was capacity for an additional **85** individuals to be in day reporting as opposed to jail.

There are many additional ways that the jail population can be reduced including the expanded use of Early Case Resolution, more referrals to Specialty Courts, use of a Municipal Community Court, and additional pre-trial release on Active Supervision. Information on these programs can be found at [www.smartjusticespokane.org](http://www.smartjusticespokane.org).

### Sources of Information:

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<http://www.friendshipdiversion.org/html/contact/contacts.html>.

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<sup>1</sup> Spokane County Corrections Needs Assessment Master Plan Draft, February 14, 2008, Chapter 4, p. 51.