

# CAMDEN COUNTY, NJ JAIL POPULATION ANALYSIS



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Strategies to Reduce Jail Crowding While Maintaining Public Safety  
and the Integrity of the Judicial Process



Provided by Pulitzer/Bogard & Associates, LLC  
in Partnership with Luminosity, Inc.

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# Camden County, NJ Jail Population Analysis

## STRATEGIES TO REDUCE JAIL CROWDING WHILE MAINTAINING PUBLIC SAFETY AND THE INTEGRITY OF THE JUDICIAL PROCESS

### INTRODUCTION

#### Background

The Camden County Correctional Facility (CCCF) has an operating capacity of 1,267 inmates and has reportedly exceeded its operating capacity for approximately 20 years. Although the CCCF reports its official state determined capacity to be 1,267, a correctional facility capacity analysis conducted in 2007 determined the capacity to house a maximum of 1,083 inmates.<sup>1</sup> On March 11, 2009 the jail population was 1,735.<sup>2</sup> The average daily population in 2008 was 1,640,<sup>3</sup> 129% of the operating capacity. Operating so far above the capacity clearly constitutes the jail as crowded. The persistent crowding of the jail has resulted in numerous operational challenges including, but not limited to, the following:

1. cells designed for one inmate are routinely housing three or four inmates;
2. inmates sleep on temporary bunks on cell floors;
3. sanitation standards are difficult to maintain;
4. dayroom space is insufficient for the overall number of housing unit occupants; and
5. jail services (i.e., access to exercise areas, program services, legal visits, and healthcare) are stretched to the limit.

Moreover, the crowded conditions have compromised staff's ability to observe and supervise inmates and to separate inmates who are enemies or otherwise need to have limited or no contact. The persistent crowding has also taken a toll on the jail's physical structure--constructed in 1987, the CCCF has exceeded design capacity from its onset. The facility is strained under the weight of the overuse on a 24 hour, 365 day basis, and requires substantial physical maintenance.

The persistent crowding ultimately led to the filing of a class action lawsuit in Federal District Court in 2005, Corri Dittimus Bey, et al. v. County of Camden, et al. In September 2007, the Plaintiff's expert issued a report recommending that the County move forward with a comprehensive planning effort to address jail crowding. This suggested planning effort was to be comprised of three elements, namely (1) a jail population analysis, with short and long-term strategies to ameliorate crowding, (2) a jail capacity study, and (3) a jail staffing analysis. It is our understanding that the parties have been cooperating in efforts to resolve or mitigate the crowding.

In September 2008, Pulitzer/Bogard & Associates, LLC (P/BA) was contacted by the Plaintiff's counsel and their expert, as well as by the Office of the County Administrator and County Counsel, relative to the recommendation set forth in the September 2007 Expert Report for a jail population analysis. As

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<sup>1</sup> *Camden County Correctional Facility Capacity Analysis* (Pulitzer/Bogard & Associates, 2007)

<sup>2</sup> See CCDOC 97094 "Shift Count Sheet" March 11, 2009.

<sup>3</sup> Data Source: CCFC summarized by jail staff and derived from the CCDOC 97094 "Shift Count Sheet".

a result, P/BA submitted a proposal to Plaintiff's counsel and Camden County representatives ("the parties") to conduct such a study.

In November 2008, the Plaintiffs' counsel formally retained P/BA to conduct the jail population study. Although P/BA has conducted similar studies for numerous local jurisdictions, it was determined that additional expertise, especially relative to data collection and analysis, would strengthen the quantitative and ultimately the qualitative capacities of the team. Consequently, the nationally respected criminal justice system consulting firm Luminosity was added to the P/BA team.

While the P/BA-Luminosity team officially initiated work in November, efforts actually began two months earlier with a series of conference calls and correspondence with the New Jersey Administrative Office of the Courts, the agency that controls access to the jail inmate management system (New Jersey County Corrections Information System [CCIS]). Because of the critical need for accurate and comprehensive data to support the analysis, extraordinary efforts were made by representatives of the County Administrator's Office and the County Department of Corrections to obtain the necessary underlying data files. This support allowed the P/BA-Luminosity team to access the data and conduct extensive data analysis. The results of the analysis were used to identify and support recommendations for practical and quantifiable strategies to reduce unnecessary detention and jail crowding.

## Goal

The primary goal of the study was to identify opportunities to improve criminal justice system efficiency and effectiveness and recommend practical and quantifiable strategies to reduce unnecessary detention and jail crowding, while maintaining public safety and the integrity of the judicial process.

## Methodology

A systemic analysis approach was used to identify the factors contributing to the crowding and strategies to reduce and manage such crowding in the future. This required an in-depth examination of those criminal justice system dynamics that contribute to excessive numbers of admissions to the jail or unnecessarily long lengths of stay – the two factors that determine jail population. This type of analysis required looking beyond the jail function, and inquiring into the relevant practices of all key stakeholder agencies, including law enforcement, prosecutor, public defender, courts, alternatives to detention and diversion programs, the state prison system, post-conviction supervision including probation and parole, and the jail itself. Each of these entities, by their policies and practices, contribute to the flow of cases through the criminal justice system – a process that can usually be made more efficient. At the same time, this approach was used to reveal opportunities to improve case processing efficiency, thereby reducing average length of stay, and patterns of overuse of the jail for defendants and offenders who could be supervised or sanctioned using methods that would be more effective and efficient than confinement in jail.

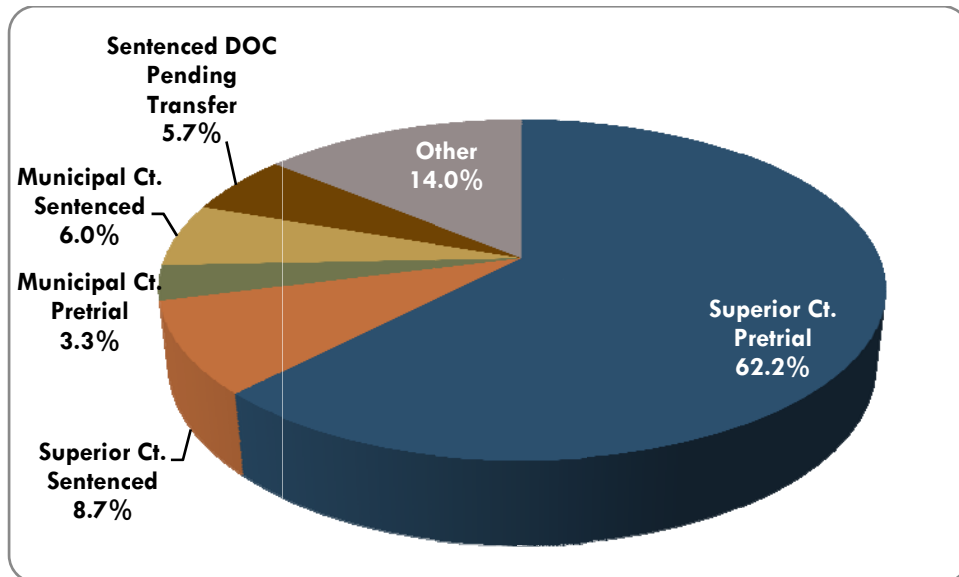
The systemic analysis approach to the current study has thus far included three primary components: preparation; jail data analysis; and justice system stakeholder interviews. The preparation phase involved extensive justice system research and review of documents specific to the operation of the Camden County criminal justice system. Next, extensive jail data analysis was collected and analyzed. Finally, the information researched and reviewed during the preparation phase was

combined with the data analysis results and used to inform and guide interviews with justice system stakeholders.

## SUMMARY OF KEY DATA ANALYSIS FINDINGS

1. The jail has an operating capacity of 1,267 inmates. The average daily population in 2008 was 1,640; 129% of the operating capacity.
2. The number of admissions to the jail decreased substantially over the past 6 years. The 15,740 admissions in 2008 represent a 25% reduction when compared to the 20,935 admissions in 2003. Although there has been a substantial decrease in admission, actual arrests have remained stable during the past ten years.
3. The 2008 average daily population (ADP) was 1,640, which represents a 6.3% reduction when compared to the 2003 ADP of 1,743.
4. The estimated average length of stay (ALOS) has increased from 30.39 days in 2003 to 38.03 days in 2008. This represents an increase of 25% in the ALOS.
5. If the ALOS had remained constant with the 25% decrease in admissions – we could have expected the ADP in 2008 to be 1,311 ( $15,740 \text{ [admissions]} * 30.39 \text{ [2003 ALOS]} / 365 \text{ [days]}$ ) instead of the actual ADP of 1,640. The difference between the expected ADP of 1,311 and the actual ADP of 1,640 was due to the increase in ALOS.
6. In 2008, the jail population was 65.5% pretrial, 20.4% sentenced, and 14% another status such as pending probation, parole, and ISP violation and family court holds. Breaking these figures down further, a majority of the jail population was Superior Court pretrial - 62.1%, while 3.3% were Municipal Court pretrial, 8.7% Superior Court sentenced to jail, 6% Municipal Court sentenced to jail, 5.7% sentenced to state DOC pending transfer, and 14.3% other (see Figure 1).

**Figure 1. 2008 Jail Population Custody Status**



Data Source: CCIS Custody Status Statistics Report dataset 1/1/2008 to 12/31/2008

7. Ninety-five percent of the in-custody pretrial population was pending in Superior Court. Of the average 1,074 individuals in-custody pending in Superior Court in 2008, 401 (37%) were pending grand jury.
8. The greatest portion of the pretrial population was charged with violent offenses (34%) followed by Drug offenses (28%), Theft offenses (11%), Violations of Probation, Parole or ISP (8%), Weapon offenses (6%), Non-support and Traffic (2% respectively), and 9% other charges.
9. Of the approximately 120 sentenced Municipal Court offenders, the greatest portion were charged with drunk driving (30%), shoplifting (20%), and drugs (20%), and driving/traffic violations (9% [driving with a suspended license, seat belts, traffic violations, driving without a license]).
10. Forty-one percent of the in-custody pretrial population on December 16, 2008 was held on a cash/bond status while 22.5% was held on a 10% bond. Taken together, approximately 2/3 of the in-custody pretrial population was being held due to their inability to meet the terms of their financial bail.
11. Of the defendants being held on financial conditions of bond on December 16, 2008, 159 could have secured their release with \$1,000 or less (\$1,000 cash bond or \$10,000 10% bond).
12. The number of individuals being held for probation violations in 2008 is, on average, less than half the number held in 2003 – 58 vs. 121, respectively.
13. There was a 25% decrease in the number of individuals held on a parole violation between 2003 and 2008 – an average of 121 in 2003 compared to 92 in 2008. Additionally, the Department of Corrections changed its policy in late 2008 to no longer hold most parole violators in local jails. As a result, the number of parole violators has consistently decreased since that time and was less than 40 at the writing of this report.
14. On December 16, 2008, there were 125 individuals (7.2%) who had been in-custody for one year or more and of those, 24 had been in custody for two years or more.

## JAIL DATA SOURCES

Four primary sources of data were used for the analysis. The Camden County Jail staff provided the number of admissions, average daily in-facility population, and a variety of reports used to manually document jail activities. In addition, three datasets were extracted from the New Jersey County Corrections Information System (CCIS). A description of the data and information provided by the jail as well as descriptions of the CCIS extracted datasets are provided below.

### Camden County Jail

Jail staff provided the number of annual admissions to the facility for the years 2003 through 2008. The admissions data was derived from the CCIS CJF0250 “Yearly CCIS Statistics Report.” The average daily in-facility population (ADP) of the jail grouped by month was provided for the years 1992 through 2008. This data was summarized by jail staff and derived from the CCDOC 97094 “Shift Count Sheet”. Additional data was provided via various reports including the “Admissions Captain’s Monthly Report” and portions of the annual report.

### CCIS Datasets

Three separate datasets were used to complete this analysis - Camden 500, Camden 700, and the Custody Status Statistics Daily Report. All three datasets were derived from the New Jersey County Corrections Information System (CCIS) and all are subsets of data contained in that system’s CJ.CJC0500.CAM.DATA and CJ.CJC0700.CAM.DATA datasets.

A custom COBOL program along with associated run/compile Job Control Language (JCL) files and output copybooks were developed and executed in order to extract the source data for the Camden 500 and 700 datasets. The program was compiled and run onsite on December 16, 2008, resulting in successful data extraction and related datasets. The COBOL program and supporting materials have been provided to the County for future use. The Custody Status Statistics Daily Report dataset was provided by the New Jersey Administrative Office of the Courts and was derived from the CCIS CJ.CJC0500.CAM.DATA dataset.

### Camden 500

The Camden 500 dataset was compiled on December 16<sup>th</sup>, 2008, and represents data current as of 4:00 a.m. on that day. The dataset contains 6,254 charge records for 2,003 individuals. Of the 2,003 individuals, 279 were not in-custody (County Supplemental Labor Services program, home custody, or fugitive) while 1,724 were in-custody. It must be noted that extensive data analysis revealed that the term “in-custody” includes individuals who are housed in the facility and those not housed in the facility (housed in a state or local hospital or another county jail due to a writ). On average, 97% of all in-custody individuals are housed in the Camden County Jail (in-facility) while 3% are housed elsewhere (not in-facility). The dataset contains information relating to demographics, charges, bond, sentencing, custody status, and housing.

## **Camden 700**

The Camden 700 dataset was compiled on December 16, 2008, and represents all active individuals (in-custody and not in-custody) as of December 15 (just prior to midnight) and all those that had “activity” in the two years prior (Dec 16, 2006 – December 15, 2008). “Activity” is described as an admission and/or release. As a result, the dataset includes all active individuals regardless of admission date, individuals admitted during the prior two years and released, and individuals released during the prior two years regardless of the admission date. The dataset contains 33,721 records, one record per individual per admission and/or release. The dataset contains information relating to admission and release, limited demographics, most serious charge, days served and custody statuses (without corresponding dates).

## **Custody Status Statistics Daily Report 2004-2008**

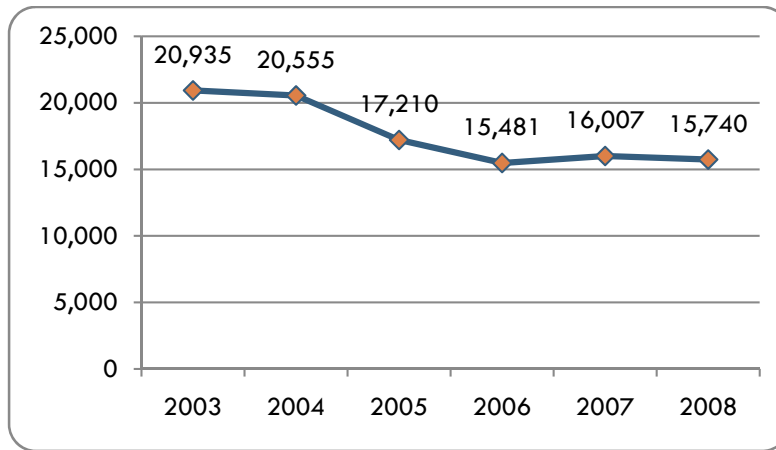
The Custody Status Statistics Daily Report represents a daily snapshot of all active individuals (in-custody and not in-custody), taken each day at 3:00 p.m., and includes one record for each day between January 1, 2004 and December 31, 2008. The file contains statistics relating to inmate custody status including pending trial by court (Municipal or Superior) and stage, sentenced by court and status, and other statuses (i.e., pending transfer to state prison, parole violation, probation violation and family court hold). Additionally, the status of active individuals can be identified as in-custody or not in-custody; however, current CCIS coding practices in Camden County do not allow for distinction between those who are in-custody and housed in the facility versus those who are housed in another county jail or hospital. This file was cross-referenced with other data files and it has been determined that on average, 97% of all in-custody individuals are actually housed in the Camden County Jail (in-facility) while 3% are housed elsewhere (not in-facility), as noted above.

## ADMISSIONS, POPULATION, AND AVERAGE LENGTH OF STAY

### Admissions

The number of admissions to the Camden County Jail decreased substantially over the past 6 years. The 2008 admissions represent a 25% reduction from the number of admissions in 2003. The largest decrease occurred from 2004-2006, and the numbers have been fairly level for the two following years. Figure 2 shows the annual admissions for the jail.

**Figure 2. Annual Jail Admissions 2003 – 2008**



Data Source: CCIS CJF0250 “Yearly CCIS Statistics Report” and verified at 99.85% accuracy when compared to the “Admissions Captain’s Monthly Report”.

### Camden County Responsible Population

#### Average Daily In-Facility Population

The average daily in-facility population fluctuated between 2003 and 2008. The 2008 ADP represents a 6.3% reduction when compared to the 2003 ADP. Figure 3 shows the annual in-facility average daily population.

**Figure 3. ADP (In-facility) Population 2003 – 2008**

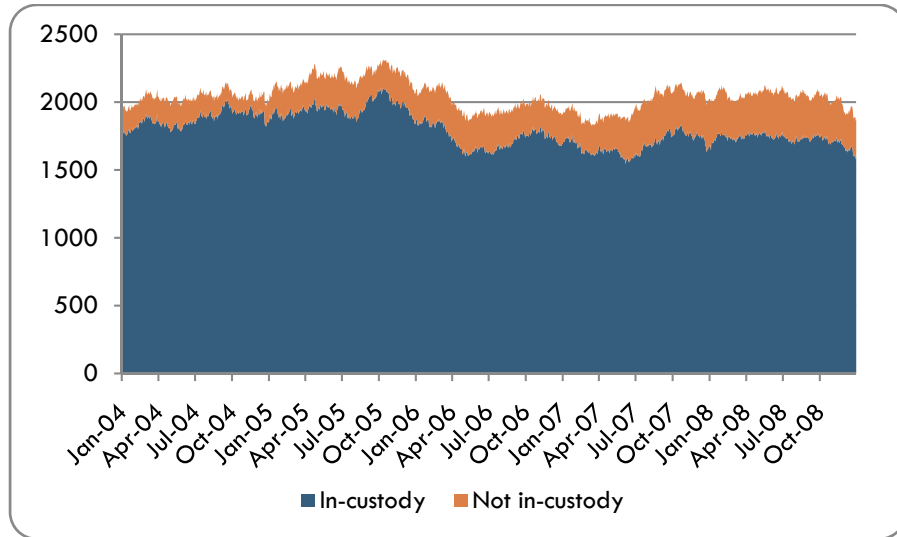
2003	2004	2005	2006	2007	2008
1,743	1,788	1,848	1,646	1,608	1,640

Data Source: Camden County Jail summarized by jail staff and derived from the CCDOC 97094 “Shift Count Sheet”.

### In-Custody and Not In-Custody Populations

The Camden County responsible population can be separated by in-custody and not in-custody. As noted previously, the in-custody population includes the individuals who are in-custody either in-facility or not in-facility. On average, 97% of all in-custody individuals are housed in the Camden County Jail while 3% are housed in other county jails on writs or in local or state hospitals. The not in-custody population consists of individuals who are participating in the County Supplemental Labor Services (CSLS) program, in the home custody program, or are classified as fugitive.

**Figure 4. Camden County Responsible Population 2004 – 2008**



Data Source: CCIS Custody Status Statistics Report dataset 1/1/2004 to 12/31/2008

### Average Length of Stay (ALOS)

There are common methods to *estimate* average length of stay and common methods to *calculate* the actual average length of stay. One common method to estimate average length of stay utilizes average daily population and admissions data. The formula is as follows:

$$\text{Estimated ALOS} = \text{Annual ADP} \times 365 \div \text{Annual Admissions}$$

**Figure 5. ADP, Admissions, and Estimated ALOS 2003 – 2008**

	2003	2004	2005	2006	2007	2008
<b>ADP</b>	1,743	1,788	1,848	1,646	1,608	1,640
<b>Admissions</b>	20935	20555	17210	15481	16007	15740
<b>Estimated ALOS</b>	30.39	31.75	39.19	38.81	36.67	38.03

Data Source: ADP - Camden County Jail summarized by jail staff and derived from the CCDOC 97094 "Shift Count Sheet"; Admissions - CCIS CJF0250 "Yearly CCIS Statistics Report"

As can be seen in Figure 5, the estimated average length of stay has increased from 30.39 days in 2003 to 38.03 days in 2008. This represents an increase of 25% in the ALOS. The admissions to the jail decreased by 25% between 2003 and 2008 while the ADP decreased by 6.2%. A 25% decrease in admissions, without a change in the ALOS, would have resulted in a substantial decrease in ADP. To demonstrate the impact of ALOS – consider that if the ALOS had remained constant with the 25% decrease in admissions – we could have expected the ADP in 2008 to be 1,311 (15,740 [admissions] \* 30.39 [2003 ALOS] / 365 [days]) instead of the actual ADP of 1,640. The difference between the expected ADP of 1,311 and the actual ADP of 1,640 was due to the increase in ALOS.

One common way to calculate the actual length of stay is to examine all individuals released during a set time period (i.e., calendar year 2008). The formula is as follows:

$$\text{Actual ALOS} = \frac{(n_1 + n_2 + n_3 + \dots \text{Days Served} [\text{Release Date} - \text{Admission Date} + 1])}{\text{Number Releases}}$$

Data from the Camden 700 dataset was used to calculate the actual ALOS for all in-custody individuals. The ALOS for 2007 was 43.06 and 44.48 for 2008. The estimated and actual lengths of stay vary for three primary reasons – (1) the method used to calculate the actual ALOS is more precise, (2) the Camden 700 file contains individuals who were considered to be in-custody but not in-facility while the ADP number is in-facility only, and (3) the variation in coding custody status in the CCIS database when compared to the manual shift count. Either method of calculating ALOS is generally acceptable, however, comparisons of ALOS should only be made when the same method for calculation and data sources are used to generate the ALOS numbers.

The data from the Camden 700 dataset was used to calculate the ALOS for the in-custody population for 2007 and 2008 by range of days (see Figure 6).

**Figure 6. ALOS In-Custody Population 2007 and 2008**

<b>ALOS Days</b>	<b>2007</b>	<b>2008</b>	<b>2007 Cumulative</b>	<b>2008 Cumulative</b>
<b>1.00</b>	10.93%	11.06%	10.93%	11.06%
<b>2.00</b>	14.48%	15.92%	25.41%	26.98%
<b>3.00</b>	8.22%	8.51%	33.63%	35.49%
<b>4 - 7</b>	11.75%	11.48%	45.38%	46.96%
<b>8 - 14</b>	10.55%	9.24%	55.93%	56.21%
<b>15 - 30</b>	12.19%	12.86%	68.12%	69.06%
<b>31 - 60</b>	11.20%	10.29%	79.32%	79.35%
<b>61 - 90</b>	5.61%	5.23%	84.93%	84.58%
<b>91 - 120</b>	3.78%	3.75%	88.70%	88.33%
<b>121 - 180</b>	4.90%	4.81%	93.60%	93.14%
<b>181 - 365</b>	5.20%	5.25%	98.81%	98.39%
<b>366+</b>	1.19%	1.61%	100.00%	100.00%

Data Source: Camden 700 dataset.

Note: ALOS calculated based on released individuals (2007: N= 15,908 & 2008: N = 15,212)

## POPULATION DEMOGRAPHICS

In order to better understand the composition of the jail population a demographic description of the population is provided. The demographics analysis was completed using data contained in the Camden 500 dataset and represents the in-custody population on December 16, 2008 (n=1724).

### Age

The average age of the in-custody population was 32 years old while the most common age was 19 years old. The age ranged from 16 to 72 years old. Thirty-three percent of all individuals were 25 years old and younger, 30% were between 26 and 35 years old, 24% were between 36 and 45 years old, and 13% were 46 years old or older.

### Gender

Men made up 92% of the in-custody population, conversely, women made up 8% of the population.

*Men made up 92% of the in-custody population*

\*\*\*\*\*

*Seven percent of the population spoke a primary language other than English*

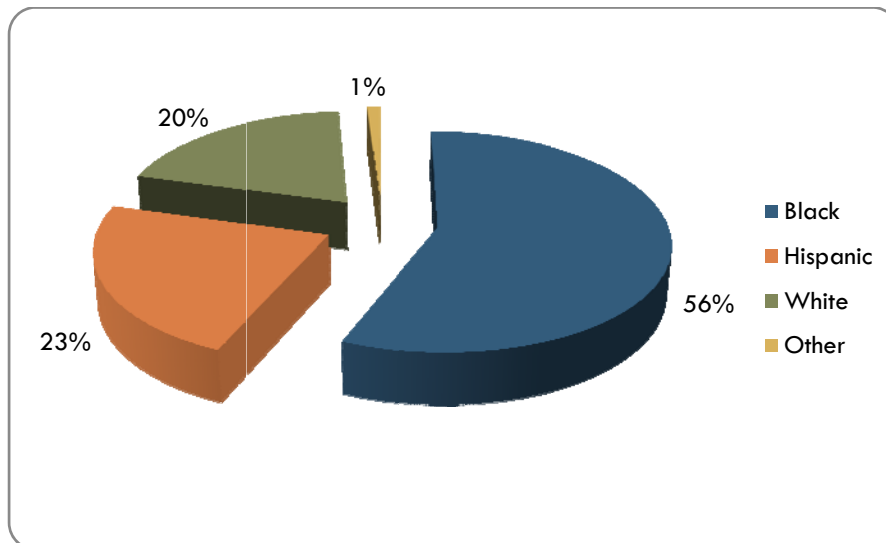
### Primary Language

The primary language was English for 93% of the population, 6.5% spoke Spanish as their primary language, and approximately 0.5% had another primary language.

### Race/Ethnicity

The race/ethnicity categories contained in CCIS include Black (56%), Hispanic (23%), White (20%), and Other (1%). Figure 7 provides the race/ethnicity breakdown of the in-custody population.

**Figure 7. Race/Ethnicity of In-Custody Population**



Data Source: Camden 500 dataset compiled on 12/16/2008

## Education Level

Nearly half of the in-custody population had less than a high school education. The education level distribution for the in-custody population can be found in Figure 8.

**Figure 8. Education Level of In-Custody Population**

Education Level	Percent
None to eighth grade	8.7
Some high school	40.1
High school/GED	42.7
Some college	7.1
College degree or higher	1.5

Data Source: Camden 500 dataset compiled on 12/16/2008

## CUSTODY STATUS

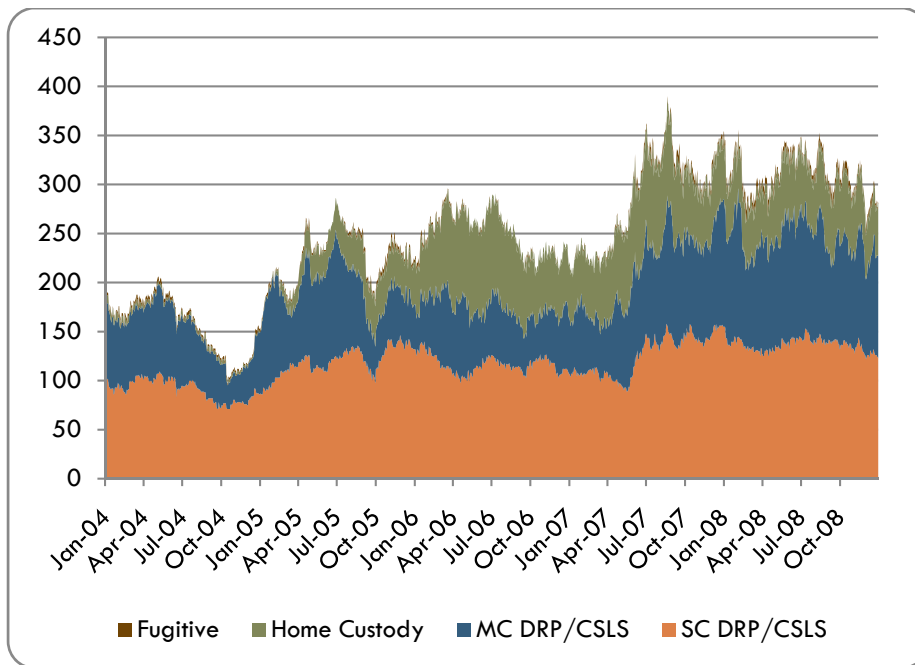
The custody status analysis was completed using data contained in the Custody Status Statistics Daily Report dataset for 2004 to 2008. As noted previously, the Custody Status Statistics Report dataset represents a daily snapshot of all active individuals (in-custody and not in-custody), taken each day at 3:00 p.m., and includes one record for each day between January 1<sup>st</sup>, 2004 and December 31<sup>st</sup>, 2008.

### Not In-Custody

The not in-custody population represents individuals who are participating in the County Supplemental Labor Services (CSLS) program, home custody program, or are classified as fugitive. The number of individuals who participated in the non-custody programs increased substantially between 2004 and 2008 as follows:

- the CSLS participants from municipal court increased from an average of 60 participants per day in 2004 to 110 participants per day in 2008;
- the CSLS participants from superior court increased from an average of 91 participants per day in 2004 to 137 participants per day in 2008; and
- the home custody participants increased from an average of 1 participant per day in 2004 to 54 participants per day in 2008.

**Figure 9. Not In-Custody Population by Type 2004 - 2008**



Data Source: CCIS Custody Status Statistics Report dataset 1/1/2004 to 12/31/2008

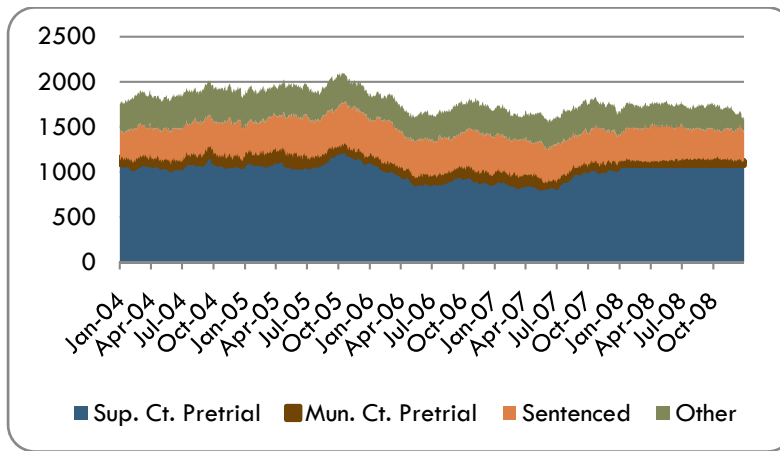
Note: SC = Superior Court; MC = Municipal Court

## In-Custody

The in-custody population represents Camden County responsible individuals who are housed in the facility and those not in the facility (housed in a state or local hospital or another County jail due to a writ). Due to CCIS coding practices in Camden County, it is not currently possible to distinguish between those who are in-custody and housed in the facility and those who are housed in another county jail or hospital, county jail or hospital, although the latter figure is estimated to be minimal (approximately 3%). In 2008, the population constituted the following: 62.1% Superior Court pretrial, 3.3% Municipal Court pretrial, 8.7% Superior Court sentenced to jail, 6% Municipal Court sentenced to jail, and 5.7% sentenced to state DOC pending transfer and 14.3% other.

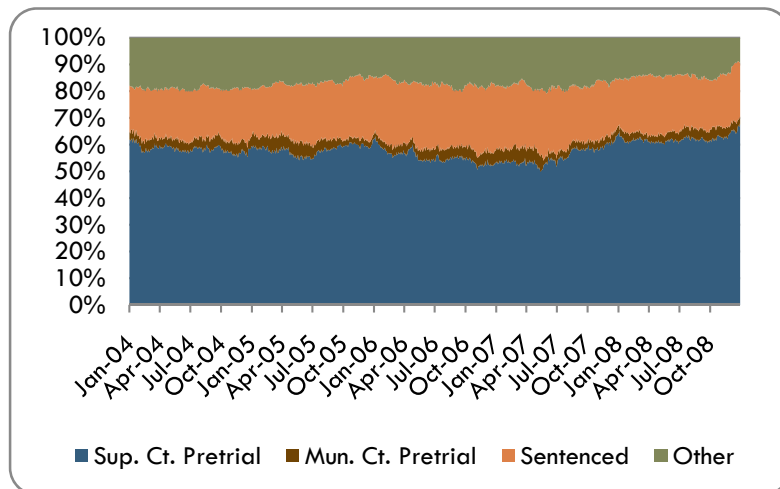
Figure 10 below displays the in-custody population number by type while Figure 11 displays the in-custody population percent by type.

**Figure 10. In-Custody Population Number by Type 2004 - 2008**



Data Source: CCIS Custody Status Statistics Report dataset 1/1/2004 to 12/31/2008

**Figure 11. In-Custody Population Percent by Type 2004 – 2008**



Data Source: CCIS Custody Status Statistics Report dataset 1/1/2004 to 12/31/2008

The pretrial, sentenced, and other in-custody populations are discussed in greater detail below.

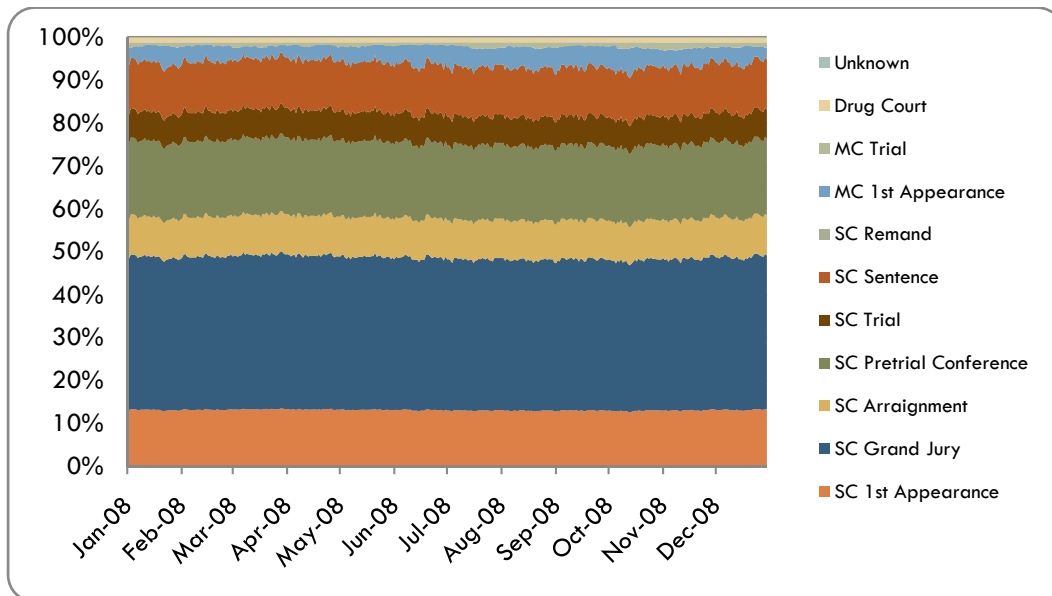
**Pretrial In-Custody Population**

An analysis of the CCIS Custody Status Statistics Daily Report dataset for 2004 to 2008 revealed a significant custody coding change in mid-2007. Prior to that time there were limited distinctions made between the custody statuses of the various pretrial stages. The revised custody coding scheme provides more detail regarding the pretrial stage and provides a greater level of detail and accuracy. For this reason, the pretrial in-custody detail provided in this section is limited to the 2008 data as multi-year comparisons would not be meaningful.

**PRETRIAL STATUS/STAGE**

Ninety-five percent of the in-custody pretrial population was pending in Superior Court. Of the average 1,074 individuals pending in Superior Court in 2008, 401 (37%) were pending grand jury. The pretrial status breakdown can be found in Figure 12.

**Figure 12. In-Custody Pretrial Population Percent by Status 2008**



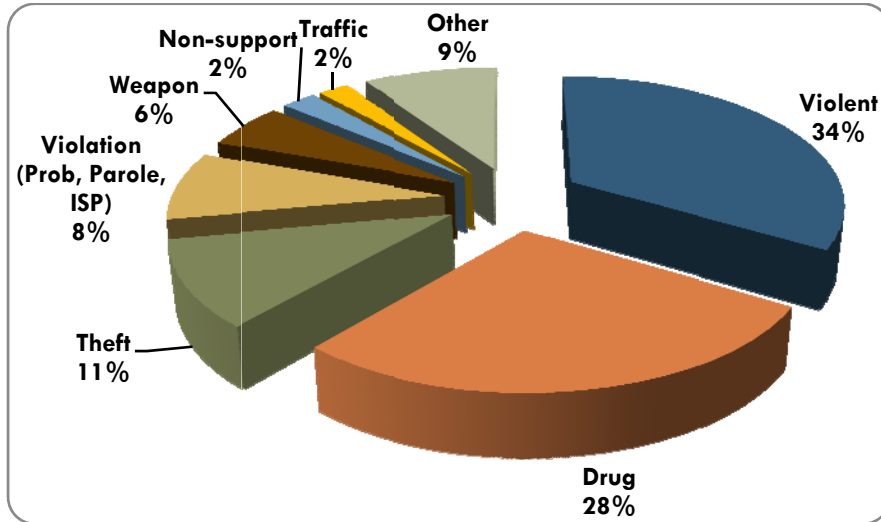
Data Source: CCIS Custody Status Statistics Report dataset 1/1/2008 to 12/31/2008

Note: SC = Superior Court; MC = Municipal Court

**PRETRIAL PRIMARY CHARGE TYPE**

The primary charge represents the most serious charge for defendants – the charge that carries the most severe penalty. The most serious charge was identified for each inmate pending trial in-custody on December 16, 2008. The greatest portion of the pretrial population were charged with Violent offenses (34%), followed by Drug offenses (28%), Theft offenses (11%), Violations of Probation, Parole or ISP (8%), Weapon offenses (6%), Non-support and Traffic (2% respectively), and 9% other charges (see Figure 13).

**Figure 13. In-Custody Pretrial Population Primary Charge Type**



Data Source: Camden 500 dataset compiled on 12/16/2008

**BAIL STATUS**

Analysis of the type of bail for the in-custody pretrial population was conducted. Forty-one percent of the in-custody pretrial population was held on a cash/bond status while 22.5% was held on a 10% bond. Taken together, approximately 2/3 of the in-custody pretrial population was being held due to their inability to meet the terms of their financial bail. Seventeen percent were shown to have had their bail revoked and 14% had no bail.

**Figure 14. In-Custody Pretrial Population Bail Status**

Bail Status	N	Percent
Cash/Bond	552	41.29%
10% Bond	301	22.51%
Bail Revoked	231	17.28%
No Bail	191	14.29%
Unknown	62	4.64%
<b>Total</b>	<b>1337</b>	<b>100.00%</b>

Data Source: Camden 500 dataset compiled on December 16th, 2008

An analysis of the financial bond amounts for the defendants held on cash/bonds and 10% bonds was completed. Of the defendants being held on financial conditions of bond, 159 could have secured their release with \$1,000 or less (\$1,000 cash bond or \$10,000 10% bond). The bond amounts contained in Figure 15 represent the total bond amount (all charges) for each defendant.

**Figure 15. In-Custody Pretrial Population Bail Type and Amounts**

<b>Cash Bond</b>		
<b>Dollars</b>	<b>N</b>	<b>Percent</b>
<b>1-1,000</b>	86	14.9%
<b>1,001-10,000</b>	25	4.3%
<b>10,001-20,000</b>	28	4.9%
<b>20,001-50,000</b>	147	25.5%
<b>50,001-100,000</b>	126	21.8%
<b>100,001-500,000</b>	134	23.2%
<b>500,001-10 million</b>	31	5.4%
<b>10% Bond</b>		
<b>Dollars</b>	<b>N</b>	<b>Percent</b>
<b>1 - 10,000</b>	73	24.1%
<b>10,001 - 25,000</b>	114	37.6%
<b>25,001 - 50,000</b>	97	32.0%
<b>50,001 - 100,000</b>	19	6.3%

Data Source: Camden 500 dataset compiled on 12/16/2008

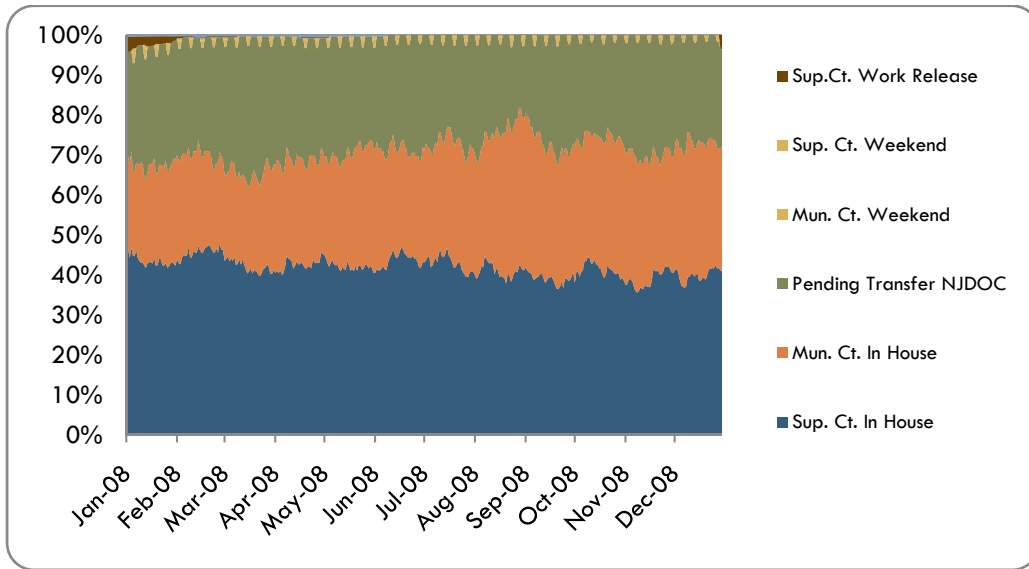
Additional analysis regarding bail and ALOS was conducted using the Camden 700 file. Of the 6,262 individuals released on bail, the average length of time from admission to release was 11.71 days. Individuals released on bail represented 20% of the released population during 2007 and 2008. Other release types included, but were not limited to, release on own recognizance (ROR), by court order, by probation or parole, time served, and transfer to state prison or other authority.

### **Sentenced In-Custody Population**

In 2008, there were on average 254 individuals serving a sentence in the Camden County Jail. Of those, 41% (104) were serving Municipal Court sentences. This reflects a 69% increase when compared to the number of individuals in 2004 serving Municipal Court sentences. The population serving a Superior Court sentence averaged 59% (150) of the sentenced population. This number represents no significant change when compared to the individuals serving a Superior Court sentence in 2004.

In 2008 there was an average of 99 sentenced inmates pending transfer to the state prison. The distribution of the in-custody sentenced population can be found in Figure 16.

**Figure 16. In-Custody Sentenced Population Percent by Type 2008**

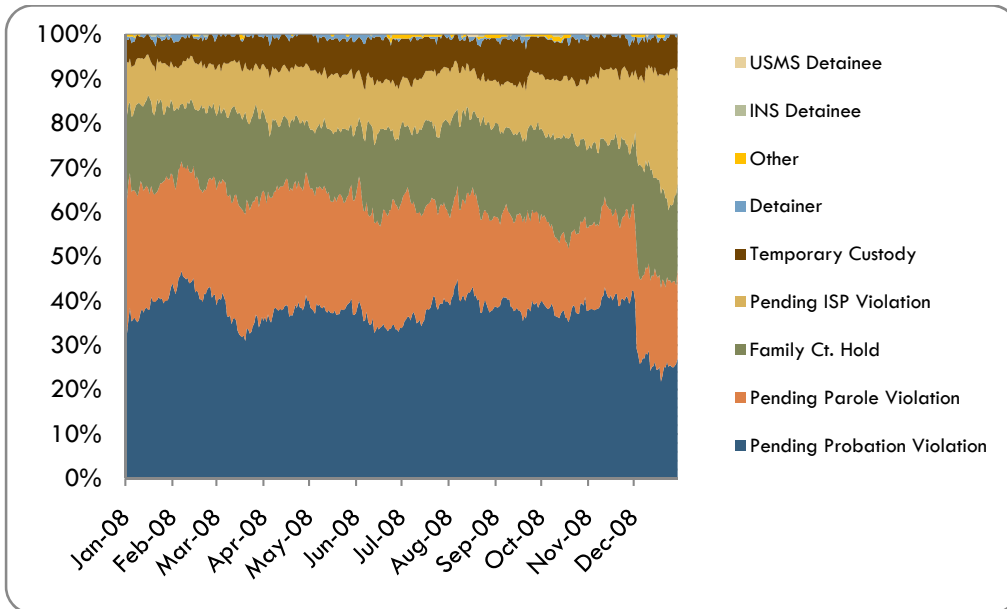


Data Source: CCIS Custody Status Statistics Report dataset 1/1/2008 to 12/31/2008

**Other In-Custody Population**

The total percent breakdown of the “other” in-custody population for 2008 is provided in figure 17 and the average number of individuals held in custody between 2004 and 2008 for other reasons are provided (top 5) in Figure 18.

**Figure 17. In-Custody Other Population Percent by Type 2008**



Data Source: CCIS Custody Status Statistics Report dataset 1/1/2008 to 12/31/2008

**Figure 18. In-Custody for Other Reasons (Top 5) 2004 - 2008**

Other Reason	2004	2005	2006	2007	2008
Pending Parole Violation	120.6	112.8	97.7	101.7	92.1
Pending Probation Violation	134.2	117.1	103.4	89.4	57.6
Pending ISP Violation	28.0	25.9	25.4	38.0	30.0
Family Ct. Hold	38.0	45.2	55.4	59.3	43.5
Temporary Custody	8.5	6.2	10.7	10.4	18.6

Data Source: CCIS Custody Status Statistics Report dataset 1/1/2004 to 12/31/2008

It is important to note that there have been two significant changes in the in-custody “other” population between 2004 and 2008. Less than half the number of individuals held for probation violations in 2003 was being held for similar reasons in 2008. It is not known if this reflects exclusively changes in probation violation practices, CCIS coding practices or – more likely – a combination of both. Additionally, there was a 25% decrease in individuals held on a parole violation – an average of 121 in 2003 compared to 92 in 2008. The Department of Corrections changed their policy in late 2008 to no longer hold most parole violators in local jails. As a result, the number of parole violators has consistently decreased since that time and was less than 40 at the writing of this report.

### Custody Level

The Camden 500 dataset was used to identify the custody level of the in-custody population on December 16, 2008 (see Figure 19).

**Figure 19. In-Custody Population by Custody Level**

Custody Level	N	Percent
Minimum	742	43.04%
Medium	316	18.33%
Minimum/medium	31	1.80%
Maximum	274	15.89%
Pre-classification	97	5.63%
Administrative Segregation	52	3.02%
Medical	93	5.39%
Unassigned	39	2.26%
Not in-facility or unknown	80	4.64%
<b>Total</b>	<b>1724</b>	<b>100.00%</b>

Data Source: Camden 500 dataset compiled on 12/16/2008

### Long Staying Inmates

An analysis of all individuals in-custody on December 16, 2008 revealed that 125 individuals (7.2%) had been in-custody for one year or more. It should be noted that the long staying inmates can significantly impact the overall average length of stay. The breakdown for long staying inmates can be found in Figure 20.

**Figure 20. In-Custody Long Staying Inmates**

Time In-Custody	N
12 to 18 Months	68
18 to 24 Months	29
24 - 30 Months	14
30+ Months	14
<b>Total</b>	<b>125</b>

Data Source: Camden 500 dataset compiled on 12/16/2008

## FINDINGS AND RECOMMENDATIONS

A systemic analysis approach, including the three primary components of preparation, jail data analysis, and justice system stakeholder interviews, was used to conduct the current jail population analysis. The preparation phase involved extensive justice system research and review of documents specific to the operation of the Camden County criminal justice system. Extensive jail data was collected and the primary analysis results were provided in the previous section of this report. The information researched and reviewed during the preparation phase was combined with the data analysis results and used to inform and guide interviews with justice system stakeholders. Finally, the information gathered during all phases was combined to develop the findings and recommendations provided below.

The order of presentation of the finding and recommendations is not intended to signify an order of priority.

### **(1) Finding – Coordination of Arrest Sweeps**

There have been instances when multiple law enforcement agencies or even multiple divisions within the same agency conduct substantial arrest sweeps on the same day or within days of each other. Conducting sweeps in this manner results in significant and often unmanageable increases in the number of individuals who are arrested and admitted to the jail in a single day and can commonly lead to an increase of one day in the booking process and in extreme cases, multiple days.

#### **Recommendation**

County officials should meet with law enforcement agencies to request that they coordinate scheduled sweeps when they will likely have an impact on the jail. Whenever possible, multiple sweeps of this nature should not be scheduled on the same day and should be scheduled several days apart. In addition, the CCCF warden should be notified in advance so that the appropriate resources can be allocated to deal with the anticipated increase.

### **(2) Finding – Time/Day In-Custody**

Individuals booked into the jail have usually been arrested in the community, taken to the arresting agency police department, processed at the police department, and then transported to the jail. Standard procedure calls for the time of admission for newly admitted inmates to be time-stamped on the “admission sheet” immediately upon entry to the booking area. However, based on workload factors, time of day, staff availability and other factors, the defendant is not typically booked into the jail via CCIS until well after the actual time of admission. It can take hours or more than a day (when there are multiple sweeps) for the defendant to be computer booked and the time of booking is auto-populated and represents the official start of time in custody. Even when there are not significant delays in the booking area, it is also not unusual for a defendant to be computer booked on the next calendar day after the arrest or the admission to the jail, e.g., the defendant enters the jail at 11 PM on one day and is not computer booked until after midnight going into the next calendar day. When calculating credit for time served, the computer entry time and day is used in lieu of the actual time and day the person was taken into custody by the police department or the CCCF.

### **Recommendation**

It is recommended that the arrest time/day, when the person was actually taken into custody, be used as the start time/day for when they are considered to be “in-custody” instead of the time of booking via computer entry. Using the arrest time/day – or at a minimum the time/day the person is received at the jail (as reflected on the CCCF admissions sheet) – would provide a more accurate representation of time in custody and in many cases would provide one or even two additional days of in-custody credit. Since our January visit to the jail, CCCF staff has determined that the auto-populated day/time in CCIS can be manually overridden with the actual jail admission time; this practice was changed as of early March. Further investigation is required as to whether the day/time the defendant was taken into custody by the police can be used as the date for time-served purposes, as this could result in additional credit for time spent in-custody.

### **(3) Finding – Police Report Compliance Rates**

There is a substantial delay in receiving police reports by the prosecutor. The prosecutor’s office reported that the Camden Police Department was restructured in July. Since that time, and over the past 6 months, the compliance rate for transferring the police reports from the Camden Police Department to the prosecutor within 72 hours was only 50%. Reportedly it can often take 1 to 2 weeks. The public defender’s office confirmed that there are times when the police report is not available at the Central Judicial Processing (CJP) hearing. The failure to deliver the police reports to the prosecutor’s office in a timely fashion impacts the ability for the prosecutor to effectively screen the case, the public defender or private defense counsel to effectively meet with the defendant about the case, and can prevent early case resolution and cause significant delays in case processing.

### **Recommendation**

Full compliance with the police report requirements must be achieved. The prosecutor must work closely with all police department representatives to identify causes for delays and to ensure 100% compliance with the timetable. Appropriate corrective action should be taken when full compliance is not achieved. In addition, the report and other case related information should be shared with the PD or private defense counsel before the CJP to allow for early case resolution at the CJP when appropriate.

### **(4) Finding – Early Case Screening**

Forty-five to 55% of all indictable cases are downgraded to non-indictable cases or sent to municipal court. In addition, reportedly less than 3% of all cases are resolved by trial. These statistics indicate that not only do most cases never make it to trial, about half of the cases that originate as indictable offenses do not continue through the process of indictment. When considering these factors, it is clear that early case screening has the potential to significantly reduce the time a defendant remains in custody pending case disposition.

### **Recommendation**

It is recommended that cases be screened at the earliest possible point. A formal process of case screening should be implemented that involves a prosecutor meeting with the police officer immediately after arrest and before incarceration to review and screen all cases and

decisions to dismiss, revise, or downgrade charges be made at that time. A similar early screening process was recommended previously in Camden County and it is highly recommended that it be implemented (see Appendix A – Camden County Early Case Screening Program Proposal). Also, prosecutors should provide regular feedback to police on their charging practices so as to encourage more realistic charging practices from the start.

### **(5) Finding – Central Judicial Processing Hearing (CJP)**

Historically, the Central Judicial Processing hearing was a collaborative process involving the prosecutor and public defender/defense attorney, and often led to case resolution. Over time, the CJP has transformed into a process that simply involves an electronic presentation of information about the case to the defender via a computer terminal. Although the CJP is called a hearing, there is no judge or prosecutor present and it is not held in a courtroom. It is not an in-person meeting between the parties.

#### **Recommendation**

The CJP should return to a meaningful collaborative process that allows the prosecutor and public defender to come to case resolutions whenever appropriate. For the CJP to return to this state, police reports would need to be available before the hearing, additional information about the case made available to the attorney, and the attorney will need to meet with the defendant and discuss the case before the CJP.

### **(6) Finding – Public Defender and Defendant Contact**

Defendants who are assigned a public defender often do not have contact with their attorney until the Central Judicial Processing (CJP) hearing. There are many potential causes for the delay in defendant – attorney contact. First, little or no discovery is made to the public defender before the Pre-Indictment Conference (PIC) and the meeting with the defendants would not be as beneficial as it could be if the public defender had the information necessary to discuss the case. Second, it can be challenging to visit a defendant in jail. There is limited space for visitation in the jail, 3 rooms, and the space is not allocated exclusively for this purpose. This can lead to long waits for the attorneys. Moreover, there are specified visiting hours that have breaks in the middle of the day, which can sometimes create significant inconvenience for the attorneys. Finally, there is no mechanism for the defendant to call the public defender or for the public defender to call the defendant.

#### **Recommendation**

Information the prosecutor has related to the case should be shared with the public defender before the CJP. If the public defender had information about the case at an earlier stage of the process, as well as increased access to the defendant to discuss the case, there would be much greater opportunities to resolve cases at the CJP hearing and PIC conference. Space constraints make it difficult for defense attorneys to visit with their clients in the CCCF. Access to defendants in the jail by the public defender must be increased. Possible approaches include establishing dedicated public defender phones in strategically located areas of the jail for incoming or outgoing calls with the public defender, the use of videoconferencing (equipment already exists), or ideally a combination of these forms of communication.

## **(7) Finding – Discovery Process**

According to local officials, the formal discovery process cannot begin until there is a grand jury indictment. Long delays in presenting cases to the grand jury can result in lost opportunities to resolve cases in a timely fashion. If discovery reveals, for example, that a case is weak, the defense attorney can negotiate with the prosecutor to either reduce or dismiss charges. This should happen as early as possible in the process. Similarly, discovery may reveal a very strong case, in which case the attorney has a basis for recommending a guilty plea to the client early on.

### **Recommendation**

Formal discovery should begin prior to the PIC, to increase the likelihood of a plea bargain at that time. The public defender needs to have an opportunity to review discovery in advance of that hearing so that realistic options can be discussed with the client. Additionally, the attorney should be allowed to print documents at the PIC (this is not currently allowed) and should not be required to wait until indictment to get copies of any information shared by the prosecutor.

## **(8) Finding – Bail Review**

As discussed in the data analysis section of this report, a significant portion of the jail population on December 16, 2008 (159 inmates) was comprised of individuals who are unable to post bail amounts of \$1000 or less. These defendants were detained solely due to their inability to meet the terms of their financial bail. Moreover, there are minimal opportunities for bail amounts in general to be lowered, since bail reviews can only occur every 60 days, under current court practices in Camden County.

### **Recommendation**

The court should allow bond reviews to occur more frequently than every 60 days for the entire in-custody population, and should consider requiring bond reviews at a reasonable frequency for these inmates to assess the prospects for lowered bail amounts or alternate types of pretrial release. Inmates should be allowed to be present for these bond reviews, so that they can respond to questions about their ability to pay and/or follow other conditions of release. A pretrial services program could greatly assist with this population by providing information to the court to consider during bond reviews and provide monitoring and supervision services to pretrial defendants in lieu of requiring a financial bail (see recommendation 21).

## **(9) Finding – Population Pending Superior Court Adjudication**

In 2008, a majority of the jail population (62.1%) was pending case adjudication in Superior Court. Of the average 1,074 individuals in-custody pending adjudication in Superior Court in 2008, 401 (37%) were pending grand jury. Superior Court cases are not assigned to a judge until a person has been indicted by the grand jury. There is limited accountability for delays in presentation to the grand jury and limited oversight for case management at this stage.

## **Recommendation**

Superior Court Judges should be assigned to cases before indictment and at the earliest stage possible. Status dates to monitor the case process should be set and reviews completed every 30 days when a case has yet to be presented to the grand jury.

### **(10) Finding – Priority Scheduling and Case Processing of In-Custody Defendants**

The Camden County criminal justice system does not distinguish between those cases that involve defendants who are in-custody and those not in-custody (e.g., those who have been released on bail) as it relates to case processing and scheduling. For example, priority is not given for bail reviews of in-custody cases or for tracking and presenting cases to the grand jury. On average it takes 5 weeks to receive a grand jury transcript and no priority is placed on in-custody defendants. Pre-sentence reports often take 6 to 7 weeks to complete and again there is no priority given to in-custody cases. Available trial dates, as of January 2009, were 5 to 6 months away and is scheduled without regard to custody status. Priority scheduling and differentiated case processing, although not present in Camden County, is a common and effective way to assist in jail population management. One of the greatest opportunities to reduce jail crowding in Camden County is to implement priority case processing and scheduling for in-custody cases.

## **Recommendation**

A complete process for priority scheduling and case processing should be implemented in Camden County. Substantial opportunities to reduce jail crowding and unnecessary jail detention are present in nearly all pretrial case processing stages. Each stage of case processing should be investigated by the justice system stakeholders to identify all opportunities where priority could be given to in-custody cases, which would reduce the time in jail custody for pretrial defendants. Some examples of opportunities for priority scheduling and case processing include automatic bail review hearings, grand jury presentation, sharing of discovery, court hearings and conferences generally, preparation of the grand jury transcript, trial scheduling, and preparation of the pre-sentence report.

### **(11) Finding – Additional Opportunities to Reduce Unnecessary Detention through Case Processing Efficiencies**

Fewer than three percent of all cases in Camden County are resolved by trial. Considering that 2/3 of the jail population on any given day is pending trial, it is clear that increased efficiency in case processing at all stages will decrease the average length of stay and jail crowding. System stakeholders reported opportunities for improvement in case processing in nearly every stage of the process. Some opportunities have been discussed previously herein and include early case screening, 100% compliance with police reports, opportunity for case resolution at CJP, monitoring of case processing and presentation of cases to the grand jury, and priority scheduling and case processing of in-custody defendants. It is clear from the information provided during the interviews with system stakeholders that there are other opportunities to improve case processing and reduce unnecessary detention. Examples of other opportunities to improve case processing include, but are not limited to,

(1) early and continuous court control of case progress, (2) firm and credible trial dates, and (3) implementing a continuance policy.<sup>4</sup>

### **Recommendation**

It is highly recommended that the system stakeholders hold a facilitated meeting to identify all additional opportunities to improve case processing and case resolution as well as the actions and resources that would be necessary to implement the case processing improvements.

## **(12) Finding – In-Custody Child Non-Support Cases**

In 2008, there was an average of 44 inmates being held for child non-support. The current practice is for the family court to wait until all other cases are resolved before they begin the process of resolving the family court case. In addition, if there are other cases for the defendant the family court is not notified when the cases are resolved. Approximately once a week the family court checks the status of these defendants to determine if the other cases have been resolved and the family court process will only begin at that point. The current process commonly leads to a delay of a week before the family court process begins. The delay is substantially longer when one considers that the process is delayed until all other cases are resolved.

### **Recommendation**

It is not necessary for the family court to wait to process the case until all other cases are resolved. For this reason, it is recommended that the family court begin to attempt to resolve the child non-support case as soon as the defendant enters the jail. Criminal and family cases can and should be processed simultaneously to ensure the most efficient case processing and reduce unnecessary case resolution and detention. We further recommend that the Court consider non-jail sanctions to deal with this population. Given the fact that the ultimate goal of sanctioning these individuals is to secure payment of support, incarceration in many cases is not likely to promote payment, whether or not the individual is employed. Moreover, the cost to the County to incarcerate this population is significant.

## **(13) Finding – Long Staying Inmates**

A one day snapshot revealed there were 125 individuals (7.2%) who had been in-custody for one year or more and of those, 24 had been in custody for two years or more. Long staying inmates, as is the case in Camden County, are usually charged with multiple serious violent offenses and have high custody classification levels. This population increases the ALOS and utilizes a high percentage of the maximum custody level jail space.

### **Recommendation**

Long staying inmates are not currently tracked in Camden County. It is recommended that inmates in custody longer than 6 months pending trial be routinely identified by the CCCF, and tracked by a team with representatives from the prosecutor and public defenders offices and the court. Every effort should be made to move these cases along in the process without

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<sup>4</sup> See *Improving Caseload Management: A Brief Guide* published by the National Center for States Courts (2008) for explanations of these concepts and national best practices for effective caseload management. <http://contentdm.ncsconline.org/cgi-bin/showfile.exe?CISOROOT=/ctadmin&CISOPTR=1022>

compromising the integrity of the judicial process. All inmates in custody for longer than one year should also be monitored by the recommended “long staying inmates” team.

#### **(14) Finding – Pending Transfer to State Prison**

The number of sentenced inmates pending transfer to the state prison system ranges from 90 to 130 on most days. The sentenced state prison population constituted 6% of the in-custody population in 2008. Data related to the ALOS for these inmates was not available. The number and percent of this population combined with information provided by system stakeholders indicates that there may be an opportunity to reduce the time between sentencing and a case being “paper-ready” as well as the time between being “paper-ready” and prisoner transport.

##### **Recommendation**

A more detailed review of this process with the system stakeholders involved in the process is recommended. Once the areas for improved efficiencies for processing these inmates are identified, they should be implemented.

#### **(15) Finding – Services for Mentally Ill Offenders**

Camden County has a relatively new Crisis Intervention Team (CIT) approach to dealing with minor mentally ill offenders. Specially trained law enforcement officers in participating townships divert these individuals to a Crisis Response Center (CRC), where the offender needs are identified and they receive case management services that help them access appropriate social services. This program appears to be reducing the number of mentally ill inmates in the jail, which has benefits for both population levels in the jail and operational considerations. However, the county’s largest jurisdiction, the City of Camden, is not yet a participant in the CIT program, which limits the program’s impact. Moreover, the county has only one CRC at this time, located in the north section of the county. An additional concern is that services for mentally ill individuals are still fairly limited, resulting in backlogs at the CRC as clients await spaces in outpatient programs. There is also an absence of secure placements that could serve as alternatives to the jail for mentally ill individuals charged with indictable offenses.

The jail’s mental health wing (2SA) houses 54 individuals (as of December 16, 2008). Analysis of this mentally ill sub-population reveals a number of inmates (roughly 15%) who would appear to be good candidates for diversion, including individuals charged with non-support, criminal mischief, criminal trespass, and annoyance, for example. This suggests that expansion of the CIT program could have additional benefits for reducing the jail population. If alternative secure placements were available, the pool of divertible candidates would be even greater.

##### **Recommendation**

The CIT program should be expanded so that law enforcement officers in other parts of the county, especially the City of Camden, are appropriately trained in responding to the mentally ill offender and so that they have access to the CRC as a diversion from the jail. An additional CRC should be developed to serve the southern part of the county. Greater investment in community-based services for the mentally ill would streamline the ability of CRC staff to access needed services for these clients. Ultimately, this will benefit the jail by helping these individuals to avoid the cycle of offending, arrest, and incarceration.

For those mentally ill arrestees with indictable offenses who need more secure placement than an outpatient setting provides, the county should consider developing an alternative secure placement so that the police do not need to bring these individuals to the jail.

### **(16) Finding – Home Electronic Detention Services**

The home electronic detention (HED) program provides HED services when ordered by the Court. It takes on average 2-3 weeks to set a person up on the HED program and there is no pro-active identification of eligible inmates made by jail staff. The HED program only serves the convicted population.

#### **Recommendation**

The necessary steps to reduce the time between sentencing to the HED program and release on the HED program must be implemented. In other localities, release to an HED program can be completed in the same day or within 24 hours. The jail should proactively screen inmates for the HED program and make a recommendation to the Court when an eligible inmate is identified. In addition, The HED program should be expanded to serve certain pretrial inmates released on bail with a condition of electronic monitoring. Electronic monitoring can be ordered as a condition of bail for defendants who present a moderate or higher risk of pretrial failure and who can be effectively managed and monitored on the HED program (see recommendation 21).

### **(17) Finding – Need for Additional Alternatives to Incarceration for Minor Sentenced Offenders**

As noted earlier in this report, 6% of the jail population in 2008 was comprised of municipal court-sentenced individuals. Since these are people convicted of fairly minor offenses, including shoplifting and not wearing a seat belt, they constitute an obvious pool of candidates for alternative sanctions.

We offer two important caveats for this finding, however. First, many of these apparently low-level charges from Municipal Court represent pleas from much more serious Superior Court charges. Thus, the jail sentence was already a compromise sanction in some of these cases. Second, state law provides mandatory minimum sentences on a number of misdemeanors, including third-time shoplifting and third-time DUI. This means that the judge will not have as much discretion to employ alternative sanctions as would be desirable. If non-residential alternatives are to be used in some of these cases, it may be necessary to defer adjudication and to treat them instead as jail diversion cases.

Camden County has relatively limited alternatives to incarceration for these sentenced offenders (or, for that matter, for offenders who could be diverted from the jail pre-sentencing). Current options include community service (CSLS) and electronic monitoring. Although CSLS is referred to by county officials as a “day reporting” program, in fact it bears no resemblance to true day reporting programs, which typically have an intensive treatment component as well as programs and case management for participants. There is no drug treatment residential program available as an alternative to jail placement.

## Recommendation

Camden County should develop additional alternatives to incarceration for diverted offenders or sentenced offenders who are convicted of minor offenses. Drug treatment beds are especially needed, given the numbers of individuals convicted of minor drug offenses. Another suggestion is to develop a true day reporting center (DRC), where participants would have access to a wide variety of services and programs and where they would spend each day or part of each day, depending on what a judge has ordered. It is worth exploring the possibility for combining this DRC concept with the CSLS program, so that participants could alternate weeks spent doing community service and weeks spent at the DRC. This could extend the day reporting benefits to all participants, while immediately doubling the size of the program.

To the extent that mandatory minimum sentences appear to be the reason why so many relatively minor offenders—particularly third-time shoplifters—are present in the jail population, it is worth exploring the potential for legislative change. Perhaps policy-makers would consider amending the statute to allow exceptions to the mandatory sentencing policy in the event that a jail facility is overcrowded or is under court order.

## (18) Finding – Parole for Jail In-Custody Inmates

In-custody inmates sentenced to 365 days or less are eligible for parole upon completion of one-third of their sentence. In 2008 there was an average of 254 individuals serving this type of sentence in the Camden County Jail. State parole officials currently conduct an average of 53 hearings per month in the Camden County Jail, and they parole 27 people each month. But by the time these hearings are held, there is often insufficient time left on a sentence to offer these paroled individuals any meaningful programming. Some inmates have as little as a week left on their sentence at the time of parole.

The state parole agency recently opened two secure 15-bed facilities, operated by a private provider, to which they are diverting parole violators on a pilot basis in various parts of the state, including Camden County. These “RAC” facilities offer intensive services, including medical stabilization, diagnostics, needs assessments, and administration of the Level of Service Inventory-Revised (LSI-R) risk assessment. The RAC facilities were intended to take the county jail out of the continuum of sanctions for parole violators. Technical violators await revocation hearings in the RAC rather than in the jail, which accounts for the significant reduction in the number of parole violators in the jail population.

At least some of these RAC beds remain unfilled, and some additional beds may be available due to contractual obligations the state has with the private provider. State parole officials may be open to the possibility of placing some soon-to-be-paroled individuals in these beds so that they can receive some meaningful assessment and programming – at state expense – prior to their release into the community.

## Recommendation

County officials should explore with state parole officials the potential for a pilot program that would enable some of these sentenced individuals to be sent to the RAC facilities prior to their expected parole date. One possibility is that the state would identify inmates likely to be paroled about a month (or more) prior to their official parole hearing date. After a

preliminary hearing in which a hearing officer recommends the inmate for parole in a month's time, the inmate can be transferred to the RAC for "re-entry services" prior to formal release on the parole date. This strategy would have the dual benefits of shaving one month off the average length of stay in the jail for each inmate who would be a likely parole candidate (roughly 27 per month), as well as providing these inmates with services that could help reduce recidivism. This could potentially be done at state expense.

One glitch in the use of RAC facilities as diversionary facilities for parole violators who would otherwise be sent to the jail is that, once revoked, these individuals are returned to the jail to await transfer to prison. Camden should negotiate with the State DOC to take revoked technical parole violators directly from the RACs and to bypass return to the Camden County Jail entirely.

### **(19) Finding – Need for Jail Programs Focused on Re-Entry**

Sentenced offenders can spend a year in the jail. This is an ideal time to prepare these inmates for re-entry into the community. The jail has very limited space or other resources to offer these inmates programs such as vocational training, job searches, GED/education services, etc. The jail does offer a therapeutic community drug treatment program (the Second Chance Program), but it has only 64 beds and is always full.

#### **Recommendation**

The jail should be provided with resources to expand the range of re-entry services it provides to inmates. Although physical space limitations are a restriction, there remain opportunities to provide re-entry related services such as housing assistance, healthcare continuity, vocational training, employment assistance, substance abuse treatment, mental health treatment, and community and government resources linkages.

### **(20) Finding – Need for a Pretrial Services Program**

Camden County does not have a pretrial services program. An effective pretrial services program can contribute to more efficient utilization of jail bed space, a reduction in the disparity in bail decisions, expedited court case processing, protection of the presumption of innocence, effective utilization of scarce community resources, and increased public safety through monitoring of conditions of bail and supervision of defendants. A pretrial services program provides information to judicial officers to assist them with the bail decision – to release or detain the defendant pending trial – and provides monitoring and supervision services for defendants pending trial. Other essential functions of a pretrial services program can include screening defendants for diversion from prosecution and the provision of information and release options for special populations such as the mentally ill. A pretrial services program can also play a very active role with monitoring the pretrial detention population to identify defendants appropriate for release and ensure that the court is aware of all defendants that are unable to meet the conditions of bail that result in their continued detention.

#### **Recommendation**

It is strongly recommended that Camden County implement a pretrial services program. The program should provide the core services of providing pretrial investigations to assist the court with the bail decision and supervision and other services to pretrial defendants when ordered

as conditions of bail. Pretrial supervision conditions can include drug testing, face to face contacts, electronic monitoring via the HED program, other treatment services, and monitoring of all bail conditions. The program should also actively review and assist in managing the pretrial jail population. In recent years the National Institute of Corrections,<sup>5</sup> National Institute of Justice,<sup>6</sup> the Bureau of Justice Assistance,<sup>7</sup> and the National Association of Pretrial Services Agencies<sup>8</sup> have released comprehensive publications which provide detailed guidance related to pretrial investigations and pretrial supervision. Standards related to pretrial release and pretrial services which are based on pretrial legal principles and best practices have been issued by the American Bar Association,<sup>9</sup> the National District Attorney's Association,<sup>10</sup> and the National Association of Pretrial Services Agencies.<sup>11</sup> These resources and national standards should be used to guide program development and operations.

## (21) Finding – CCIS Data Quality

An analysis of the CCIS data contained in the three primary datasets reveals that the quality of the data has improved over time, with data coding and entry errors being identified and resolved over the past six years. There are, however, data entry and coding issues that still need to be addressed that would substantially improve the quality of the data and the ability for CCIS data to better inform and drive decision making. Individuals who are considered to be in-custody but who are not in-facility must be identified in CCIS. It is critical that the in-custody population be easily identified as in-facility and not in-facility. Further, the custody status assigned to inmates must be standardized and entered consistently. It appears that some staff code an inmate's status differently than others, for example, some may code a person as parole violation if the individual has a parole violation whether they have other charges or not (incorrect coding) as opposed to coding a person as parole violation only when that is the sole charge for the individual. The specific status of the cases pending in Superior Court has substantially improved over the years, specifically beginning in 2007, yet it appears that there are still opportunities to improve the quality of the data by ensuring the specific pretrial status is always updated following a court appearance. Finally, the CCIS daily report is not reconciled with the in-house head count.

<sup>5</sup> Marie VanNostrand, Ph.D., *Legal and Evidence Based Practices: Application of Legal Principles, Laws, and Research to the Field of Pretrial Services* (National Institute of Corrections and Crime and Justice Institute, 2007)

<http://nicic.gov/Library/023359>

<sup>6</sup> National Institute of Justice, *Pretrial Services Programs: Responsibilities and Potential* (Washington, D.C.: U.S. Department of Justice, U.S. Government Printing Office, 2001) <http://nicic.gov/Library/016769>

<sup>7</sup> Bureau of Justice Assistance, *Pretrial Services Programming at the Start of the 21<sup>st</sup> Century: A Survey of Pretrial Services Programs* (Washington, D.C.: U.S. Department of Justice, U.S. Government Printing Office, 2003) <http://nicic.gov/Library/019200>

<sup>8</sup> National Association of Pretrial Services Agencies *Standards on Pretrial Release, Third Edition* (2004) <http://www.pretrial.org/Docs/Documents/2004napsastandardsrelease.pdf>

<sup>9</sup> American Bar Association *Standards for Criminal Justice Standards on Pretrial Release, Third Edition* (2002) <http://www.abanet.org/crimjust/standards/pretrialrelease.pdf>

<sup>10</sup> National District Attorney's Association *National Prosecution Standards, Second Edition* (1991) pp: 138-150 [http://www.ndaa.org/pdf/ndaa\\_natl\\_prosecution\\_standards\\_2.pdf](http://www.ndaa.org/pdf/ndaa_natl_prosecution_standards_2.pdf)

<sup>11</sup> Supra Note 7

## Recommendation

A CCIS data quality improvement initiative is recommended. Coding changes need to be made to identify individuals who are not considered to be in-custody but not in-facility. Coding rules must be reviewed and revised if necessary to ensure standardization in coding custody status. In addition, training on custody coding must be provided to all staff that enters data into CCIS. Data quality checks should be completed to ensure that the proper status is entered following any court proceeding. Finally, reconciling the CCIS data report with the in-house head count is highly recommended and will further ensure the quality of the CCIS data.

## (22) Finding – Need for a Jail Population Manager

There is currently no one in the county who serves the function of a Jail Population Manager. A jail population manager is responsible for monitoring the jail population using data and other methods and taking the steps necessary to work with system stakeholders to identify and resolve individual and system issues impacting the jail population. To some degree, the Criminal Justice Coordinating Committee (CJCC) serves the role of identifying and addressing systemic issues that have an impact on jail numbers. It does serve a monitoring function with regard to the jail population. However, that body does not have the capacity to provide data and systems analysis functions, and does not have access to reliable data the way a Jail Population Manager would.

## Recommendation

Camden County could benefit greatly by having a Jail Population Manager. Presumably, this person would be based in the jail, which has the capacity to produce the most relevant data to inform system-level discussions. The data contained in CCIS can be extracted using the custom COBOL program and related materials developed during the current project. The Focus 500 and Focus 700 CCIS datasets combined with the Yearly CCIS Statistics Report, Shift Count Sheets, Admissions Captain's Monthly Report, and Custody Status Statistics Daily Reports provide the data and information necessary for meaningful jail population analysis. All of the analysis contained in this report can be completed using the data sources including information relating to admissions, average length of stay, and custody status. Specific and detailed queries can be completed to investigate and inform system related issues, e.g. identifying the inmates who have been in custody pending grand jury for a specific length of time, identifying the inmates who have bond amounts below a certain level, and identifying inmates pending probation violations with new charges.

The Jail Population Manager should serve as a staff to the CJCC and should provide data to that committee for its consideration. In order for the CJCC to be most effective, it needs to have a more clearly articulated purpose. The committee would also benefit from more formalization regarding the collection and sharing of data, as well as from an expectation that all proposals (e.g., for grants or requests for county funding of projects intended to reduce the jail population) would pass through the CJCC for its stamp of approval. Since jail crowding is a systemic issue, all system stakeholders need to embrace that concept and recognize that the jail population can only be managed through a concerted group effort in which each agency commits to actions that will reduce unnecessary detention.

## POTENTIAL IMPACT OF IMPLEMENTING RECOMMENDATIONS

The two primary factors that determine the jail population are the number of admissions and the length of stay. Thus, the only way to reduce the population is to reduce the number of persons admitted to the jail, the length of time they remain incarcerated, or both. The systemic assessment approach, including extensive jail data analysis, revealed the greatest opportunity for Camden County to reduce the jail population is through the reduction of the average length of stay. There are many mechanisms to accomplish this task, 22 specific ways were identified specifically for Camden County and are contained in detail in the previous findings and recommendations section.

As stated previously, the estimated average length of stay (ALOS) has increased from 30.39 days in 2003 to 38.03 days in 2008. This represents an increase of 25% in the ALOS. If the ALOS had remained constant with the 25% decrease in admissions – we could have expected the ADP in 2008 to be 1,311 ( $15,740$  [admissions] \*  $30.39$  [2003 ALOS] /  $365$  [days]) instead of the actual ADP of 1,640. The difference between the expected ADP of 1,311 and the actual ADP of 1,640 was due to the increase in ALOS. This demonstrates the impact of ALOS on the jail population. Another way to consider the impact of ALOS is to consider a reduction of 1 day. Considering the number of admission and ALOS - each day reduction of ALOS results in a reduction of about 43 inmates. Simple multiplication shows that a two day reduction in ALOS results in a reduction of about 86 inmates, a three day reduction 129, a ten day reduction of about 430 inmates, and so on. This is particularly relevant when considering that the ALOS increased by 7.64 days between 2003 and 2008.

Quantifying the potential impact of specific recommendations on the average daily population can be complicated and sometimes impossible. All of the recommendations offered have a potential to reduce unnecessary detention, thereby reducing the ADP and related jail crowding. It is possible, however, through data analysis, to estimate the impact of a recommendation or - more likely - the impact of several recommendations combined. Estimates of the impact of recommendations on the jail population are made solely in an attempt to provide additional information to Camden County when deciding which recommendations to advance, to prioritize the implementation of the recommendations, and to assess the potential return on investment when expenditures are required for implementation.

It must be acknowledged at the outset that these are estimates, not guarantees, and they are based on several assumptions (1) the recommendations are implemented as proposed, (2) there are no adverse impacts as a result of the recommended changes, and (3) that all other system factors such as admissions, arrest rates, and sentencing and other system practices remain the same. Admittedly these three items are not all likely to occur yet the estimation of the impact on the ADP remains an important piece of information for the County to consider as they move forward with their efforts to reduce unnecessary detention.

Data analysis in addition to the results presented in this report was completed to estimate the impact of some of the recommendations. The data analysis included an examination of the ALOS for all inmates released during 2007 and 2008<sup>12</sup> and the reason release. The release coding options are provided in the table that follows.

<sup>12</sup> Data Source: Camden 700 dataset including all inmates released in the two years prior (Dec 16, 2006 – December 15, 2008).

ROR	Released to ISP	Transfer to State Prison
Released on Bail	Remand State Prison	Released to U.S. Marshall Service
Released By Court Order	Time Served In Detention	Death
Released By Parole	Transfer to Juvenile Detention	Discharge for Extradition
Released by Probation	Transfer to Other Authority	Other
Released on Prob/Parole	Transfer to Other Jail	

Ten recommendations are strongly related to court case processing, including those listed below.

Recommendations related to:

- (3) Police Report Compliance Rates
- (4) Early Case Screening
- (5) Central Judicial Processing Hearing (CJP)
- (6) Public Defender and Defendant Contact
- (7) Discovery Process
- (8) Bail Review
- (9) Population Pending Superior Court Adjudication
- (10) Priority Scheduling and Case Processing of In-Custody Defendants
- (11) Additional Opportunities to Reduce Unnecessary Detention through Case Processing Efficiencies
- (20) Need for a Pretrial Services Program

The recommendations are all related to case processing and in many ways are interdependent. The implementation of these recommendations represents many opportunities to reduce the ALOS for cases pending adjudication. Based on the ALOS of 38.03 days in 2008 it is estimated that the ALOS for the pending trial population (65.5% of the total jail population – approximately 1,074 inmates) could be reduced by approximately 28% or 10.65 days. A reduction in the ADP of 10.65 days for the average 1,074 defendants in custody pending trial would result in an estimated ADP reduction of 301 inmates.

The impact of implementing recommendation (12) In-Custody Child Non-Support Cases is estimated to reduce the related ADP from 44 to 35 (reduction of 9 inmates) by reducing the delay in case handling as described in the related finding section. The impact of implementing recommendation (13) Long Staying Inmates is estimated to reduce this related ADP by 18% from 125 to 103 (reduction of 22 inmates) by expediting the case handling of current long staying inmates. Finally, the impact of implementing recommendation (15) Services for Mentally Ill Offenders is estimated at a 15% reduction - an ADP of 8 inmates.

Adequate data and/or information necessary to estimate the impact of the following recommendations was not available: (1) Coordination of Arrest Sweeps, (2) Time/Day In-Custody (14) Pending Transfer to State Prison, (16) Home Electronic Detention Services, (17) Need for Additional Alternatives to Incarceration for Minor Sentenced Offenders, (18) Parole for Jail In-Custody Inmates, and (19) Need for Jail Programs Focused on Re-Entry.

Recommendations 21 and 22 related to CCIS Data Quality and the Need for a Jail Population Manager are critical to the success of any and all jail crowding reduction strategies.

Combining the recommendations that had corresponding quantifiable ADP reduction estimates reveals that the implementation of these recommendations has the potential to reduce the average daily population of the jail by 340 inmates. It is further offered that the resulting reductions of implementing recommendations 1, 2, 14, 16, 17, 18, and 19 can further reduce the ADP although the estimated impact could not be calculated.

## APPENDIX A – CAMDEN COUNTY EARLY CASE SCREENING PROGRAM PROPOSAL

### Early case screening Program proposal

Creation of an “Early Case Screening” program proposes placing an Assistant Prosecutor, along with the necessary supports, in the Camden Police Station (booking location) to screen each arrest with the goal of diverting appropriate cases from incarceration. Since 45% of the cases that begin with the charge of an indictable offense are ultimately downgraded to a municipal or some other non-indictable charge, we believe that there is opportunity to identify a large number of those defendants early in the process, keeping them from ever reaching the jail. Performance will be measured with this statistic in mind.

To successfully implement this process, the following needs have been identified:

#### **Staffing requirements:**

- High level liaison to the Camden Police Department - ***Camden Police Dept. employee(s)***
- ID function: fingerprints and photo are transferred electronically to the ID bureau in the Camden County Correctional Facility - ***existing Sheriff's Office employees***
- Expeditor/Investigator: to assemble files, contact witnesses, keep statistics, conduct research (computer look-ups), etc. - ***existing Prosecutor's Office employee(s)***
- Assistant Prosecutor(s) team: day shift, 7 days per week. - ***existing Prosecutor's Office employees***. Candidates for this position must possess the following characteristics: sufficient experience, the appropriate attitude, good decision making and interpersonal skills. We believe that at least 5 Assistant Prosecutors should be identified for this assignment, to rotate in and out, as needed.

#### **Equipment needs:**

- An office in the Camden Police Administration Building - ***to be provided by Camden Police Dept.***
- Computer with broadband connectivity, telephone, fax, and other equipment as necessary - ***to be provided by the Prosecutor's Office.***
- Access to all relevant computer systems (Prosecutor's system, FACTS, Promise-Gavel) - ***to be provided by appropriate entity.***
- LiveScan ten-print, with the ability to electronically transfer prints to the ID Bureau located at the Camden County Correctional Facility. (If not available at the Camden Police Department, the estimated cost is \$35,000 for the equipment, \$10,000 for the program interface) - ***If necessary, to be provided by Camden County.***

#### **Procedure:**

Upon arrest, the defendant is processed and held in the Camden Police Station holding cells.

The Assistant Prosecutor on duty reviews all arrests. He or she screens the case for quality and evaluates the defendant (including prior record), in consultation with the Police Department liaison,

with outreach to officers and/or victims if appropriate. The Assistant Prosecutor manages the investigation and gives instruction for additional steps. Then, when appropriate, the Assistant Prosecutor makes a recommendation for diversion. If the recommendation is accepted, bail is set by the Municipal Court judge, Camden Police Department collects bail and processes the defendant for release, with a summons to return to court.