
IV. Trends in Jail Population and Inmate Characteristics

This chapter profiles the numbers and characteristics of inmates in the Tompkins County jail facility, and trends over time, in order to provide perspective on issues facing the jail and the community as they seek ways to provide improved services and treatment for those in jail, and to help minimize the size of the jail population of the future.

Characteristics at Admission

The jail is a repository and manager of housing and related services for dozens of persons per night over whom it had no say in the invitation list. Personal circumstances, community policies and practices, and individual and collective behaviors and values in the surrounding community from which jail inmates come largely determine what jail officials will have to contend with.

By profiling some of the key demographic and personal characteristics of the jail inmates, and how they came to be in the jail, we hope that the community will gain a better sense of the issues that need to be addressed in order to minimize the number of such individuals who will need to be housed in the jail in the future, and to improve the quality of life and public safety in the larger community.

Sentenced and Unsentenced Admissions

As shown in Table 12, since 2010, 78 percent of all admissions to the jail have entered as unsentenced – charged with but not convicted of a crime – typically a misdemeanor or other offense. Other offenses usually refer to minor violations, including a sanction being imposed upon court order following a referral from Probation or a specialty court.

Sentences have accounted for only 17 percent of all admissions over these seven years, including an average of only 26 felony sentenced admissions per year to the jail (another 50+ felony cases result in prison sentences). Judges seem to be making somewhat less use of jail sentences for felony offenses in recent years. In 2010, felonies accounted for 30 percent of all sentenced admissions, but that was down to about 13 percent in the last two years. The flip side of that trend is that there have been virtually the same number of other sentences (mostly violations) to the jail since 2010 as for felonies. Indeed, in the last two years, 67 of the sentenced admissions to the jail have been for such infractions or violations (22 percent of all sentenced

admissions those two years), compared to only 42 felony sentenced admissions. In addition, there have been an average of 58 unsentenced admissions per year for similar lower-level violations. There may be logical reasons for many of these lower-level admissions, but it is worth raising the question of whether many of those could be addressed as or more effectively with non-jail sanctions. This issue is raised in more detail in the context of some of the ATI programs in a later chapter.

The final 5 percent of admissions are parole violators who the County must house for the state, even though they have not been charged with local crimes (additional parole violators also charged with or detained on a local crime are included in the unsentenced admissions). More details are provided below about each of these categories of admission, including lengths of stay and various personal characteristics.

Table 12

Tompkins County Jail Admissions Trends 2010-2016										
	2010	2011	2012	2013	2014	2015	2016	Total 2010- 2016	Avg. 2010- 2016	% of Total Admits 2010- 2016
Total Admissions	843	884	980	936	838	919	800	6200	886	
Sentenced Admissions	122	146	135	156	168	154	154	1035	148	17%
Felony	36	24	25	23	33	17	25	183	26	3%
Misdemeanor	72	99	95	97	106	106	93	668	95	11%
Sentenced Admissions - Other	14	23	15	36	29	31	36	184	26	3%
Unsentenced Admissions	693	691	791	729	626	725	592	4847	692	78%
Held for Felony	291	254	301	294	297	335	300	2072	296	33%
Held for Misdemeanor	343	374	398	361	282	348	261	2367	338	38%
Held for Other Offenses	59	63	92	74	47	42	31	408	58	7%
Parole Violations	28	47	54	51	44	40	54	318	45	5%
Boarded Out	77	102	199	186	109	200	68	941	134	n/a

Source: Tompkins County Sheriff's Office

To put the sentenced admissions in further perspective, although they account for only 17 percent of all admissions, because of their longer average stay in the jail, they account for more like a third of the average daily census.

Another way to examine inmates of the jail is to ask how many separate individuals were admitted. During the period from 2012 through 2016, for which individuals could be reliably and consistently tracked on most variables, CGR learned that 2,438 unique individuals spent at least one night in the jail, comprising 4,473 separate admissions, an average of 1.8 admissions per person over the five years. Table 13 indicates the number of individuals who were admitted each year and their total number of admissions during that year (a person was counted once each year he or she was admitted, whether being admitted once or multiple times).⁸

Table 13

Year	# of Inmates	Total Number of Admissions
2012	757	980
2013	735	936
2014	668	838
2015	683	919
2016	628	800

Severity of Charges at Admission

The earlier Table 12 indicated the overall breakdown of admissions by felony, misdemeanor and violation charges within sentenced and unsentenced admissions. Table 14 below provides further detail on the nature and severity of those charges, for the two years for which such data were most complete. It should be noted that these data are based on analyses by CGR of the inmate database provided by the jail; the jail trend Table 12 shown earlier was based on data reported to the state by the jail. In some cases there were minor discrepancies between the two data sources, but not significant enough to change any overall conclusions. Percentages in the table below may be somewhat higher than in the earlier table because they are based on proportions of only misdemeanor and felony cases, minus parole violations, which were included in the calculations in the earlier table.

In general, Table 14 indicates that about three-quarters of all unsentenced felony-charge admissions, and 93 percent of sentenced felony charges, are for D and E level felonies. (Prominent D level felonies in the jail include 3rd degree burglary, 2nd degree assault, grand larceny 3rd, robbery 3rd, forgery 2nd and criminal mischief 2nd. E level felonies include DWI 2nd offense, grand larceny 4th, criminal contempt 1st, criminal

⁸ The sum of the number of inmates admitted in each year adds up to more than the total number of 2,438 unique individuals who spent at least one night in jail over the five years because a person could be admitted and counted in multiple years. Thus, such a person would show up in each year's unique count.

mischief 3rd, criminal possession of stolen property 4th. A, B and C felonies include higher levels of such charges, as well as murder and criminal possession of a controlled substance.)

Table 14

Entry Status	Charge Level	Class	2014	2015	Grand Total	Grand Total	
Sentenced	Felony	A	0.1%	0.1%	0.1%	2	
		C	0.1%	0.2%	0.2%	3	
		D	1.1%	1.3%	1.2%	20	
		E	3.2%	2.2%	2.6%	44	
		Felony Total	4.5%	3.8%	4.1%	69	
Sentenced	Misdemeanor	A	5.6%	5.5%	5.5%	92	
		B	2.1%	1.0%	1.6%	26	
		U	5.3%	4.4%	4.8%	81	
		Misdemeanor Total	13.0%	10.9%	11.9%	199	
Sentenced	Violation	O	3.8%	3.2%	3.5%	58	
		Violation Total	3.8%	3.2%	3.5%	58	
Sentenced Total			21.3%	17.8%	19.5%	326	
Unsentenced	Felony	A	0.1%	0.1%	0.1%	2	
		B	5.8%	6.8%	6.3%	106	
		C	4.4%	3.3%	3.8%	64	
		D	16.2%	15.6%	15.8%	265	
		E	13.6%	13.6%	13.6%	228	
	Felony Total	40.2%	39.4%	39.8%	665		
	Unsentenced	Misdemeanor	A	26.1%	29.8%	28.1%	469
			B	1.3%	2.4%	1.9%	31
			U	6.9%	6.8%	6.9%	115
	Misdemeanor Total	34.3%	39.0%	36.8%	615		
	Unsentenced	Violation	O	4.2%	3.3%	3.7%	62
F			0.0%	0.5%	0.2%	4	
Violation Total	4.2%	3.8%	3.9%	66			
Unsentenced Total			78.7%	82.2%	80.5%	1346	
Grand Total			100.0%	100.0%	100.0%	1672	

Among misdemeanor admissions, three-quarters involved A level misdemeanor charges for unsentenced inmates, but at the sentenced level, only 46 percent were for A level charges; another 41 percent were for U misdemeanors. The vast majority of A misdemeanors admitted to the jail involve petit larceny charges, along with criminal

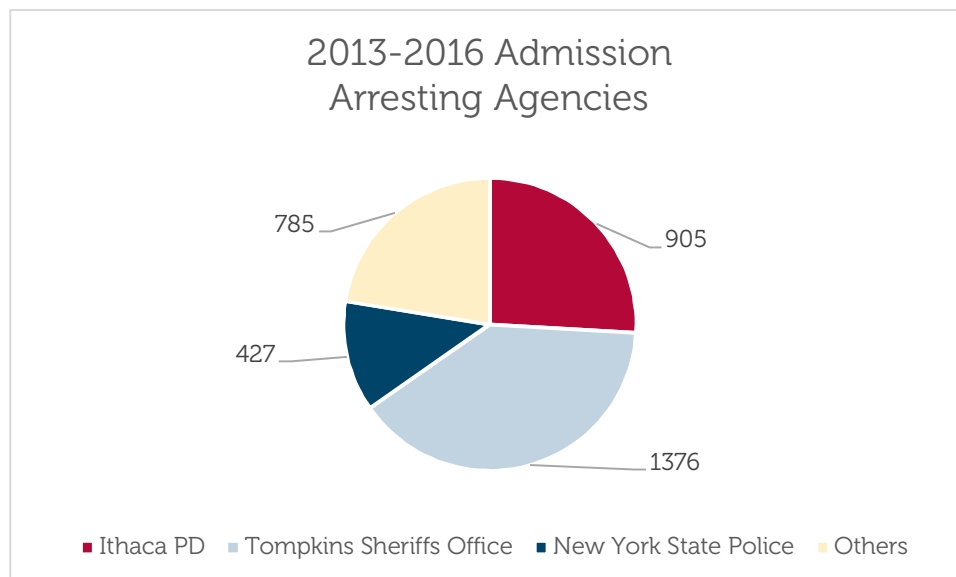
contempt 2nd, criminal mischief 4th, resisting arrest, criminal trespass 2nd. U (unclassified) misdemeanors include DWI 1st offense, DWAI, aggravated unlicensed operation of a motor vehicle, operating a motor vehicle impaired by drugs.

Females are somewhat more likely to be in the jail for violations than are males (10 percent of female admissions versus 7 percent of male intakes), and males are more likely to be admitted on felony charges (45 percent of all male admissions compared with 39 percent among females).

Arresting Agency

As indicated in Graph 19, almost two-thirds of all admissions to the jail between 2013 and 2016 were the result of arrests by the County Sheriff's office (39 percent) and the Ithaca Police Department (26 percent).

Graph 19



Age of Inmates at Admission

The median age of inmates at admission to the Tompkins County jail from 2012 through 2016 was 30 (also the median age for the total County population), with the range spanning from 16 to 70 years old. As shown in Graph 20 and Table 15, the most common age for admissions was 21 and 22, with 105 inmates each, and over 52 percent of inmates were 30 years or older upon admission, including almost 25 percent who were 40 or older.

Graph 20

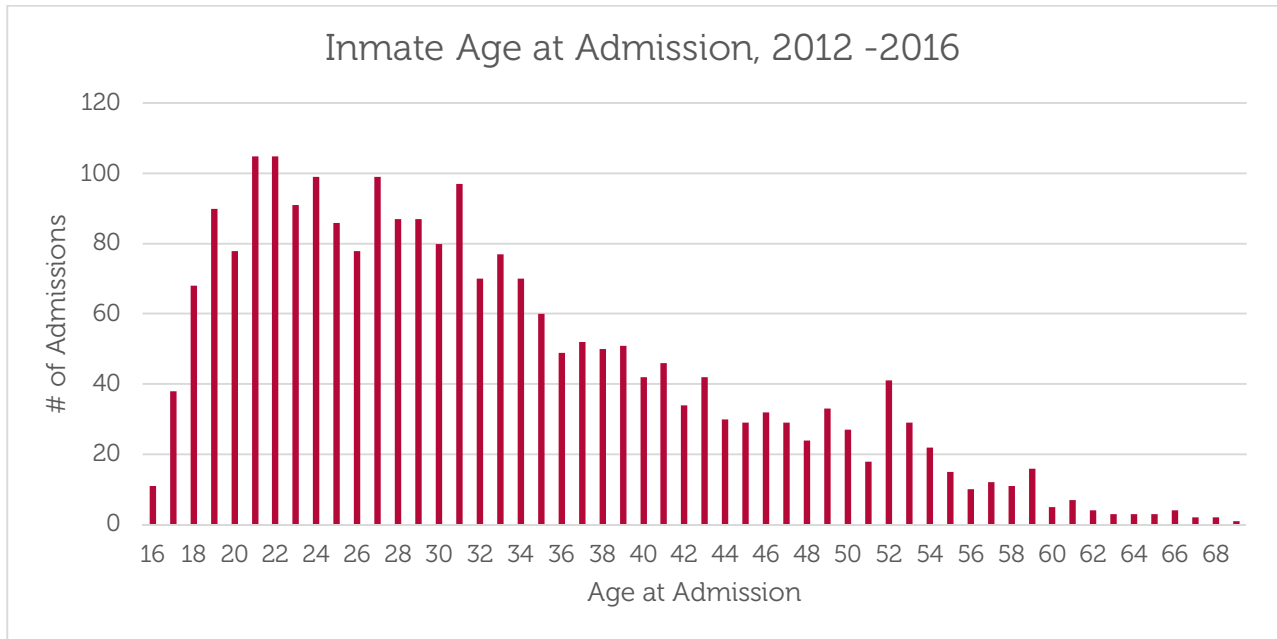


Table 15

Age Profile of Inmates, 2012 through 2016		
Age Group	Share of Inmates	# of Inmates
Under 20	8.8%	207
20 to 24	20.3%	478
25 to 29	18.6%	437
30 to 34	16.7%	394
35 to 39	11.1%	262
40 to 54	20.3%	478
55+	4.2%	98
Grand Total	100.00%	2354

The proportion and actual numbers of younger inmates admitted to the jail declined significantly between 2012 and 2016. Those under 20 dropped from 68 new admissions in 2012 to 31, while those between 20 and 24 declined from 167 to 94. Together, as indicated in Table 16, these represent a decline in the 16-24 age group from 31 percent of the jail admissions in 2012 to 20 percent of a smaller total number by 2016. If these trends continue among what are often viewed as young, crime-prone ages, it could have implications for projected incarceration rates in the future.

Table 16

Age Group	Share of Inmates by Year				
	2012	2013	2014	2015	2016
Under 20	9%	9%	7%	6%	5%
20 to 24	22%	24%	21%	21%	15%
25 to 29	21%	20%	21%	17%	20%
30 to 34	15%	15%	20%	19%	19%
35 to 39	11%	10%	10%	14%	14%
40 to 54	20%	19%	16%	16%	22%
55+	3%	4%	5%	6%	4%
Total	757	735	668	683	628

The age groups between 25 and 39 accounted for 47 percent of all admissions to the jail over the past five years. These represent age groups that are projected to remain relatively stagnant as a proportion of the projected overall 16+ county population 10 and 25 years from now. On the other hand, if the 16- to 24-year-olds are indeed beginning to decline as inmates in the jail, this may offer some future reassurance, as those age groups are projected to continue to represent about a third of the total adult population of the county over the next 10 to 25 years, as shown in Table 17.

Table 17

Age Group	# of Inmates	Share of Inmates by Age, 2012-16	Share of Tompkins 16+ Population by Age, 2015	Share of Tompkins 16+ Population by Age, 2025 (Projected)	Share of Tompkins 16+ Population by Age, 2040 (Projected)
16 to 19	212	9%	10%	11%	11%
20 to 24	497	20%	22%	21%	22%
25 to 29	453	19%	9%	8%	8%
30 to 34	403	17%	7%	7%	7%
35 to 39	276	11%	6%	7%	6%
40 to 54	494	20%	18%	18%	18%
55+	105	4%	27%	29%	28%
Total	2440	100%	100%	100%	100%

Gender of Admissions

Over the past five years, about 28 percent of all arrests have involved females, including about 30 percent of all misdemeanors. However, over that period, as shown in Graph 21, females have consistently made up between 18 percent and 21 percent of each year's jail admissions, or one-fifth of the total admissions during those years.

Graph 21



Clearly females being arrested are disproportionately receiving appearance tickets or other forms of diversion that help them avoid jail a higher proportion of the time than is true for males.

The age breakdown of jail admissions shown above differs very little between males and females.

Race and Ethnicity of Admissions

Consistently for the past 10 years, blacks have accounted for about one of every five arrests made in Tompkins County. As indicated in Table 18, data for the past five of those years indicates that a slightly higher proportion of jail admissions, just over 22 percent, involve African American/black individuals. The slightly higher incarceration rate (compared to arrest rate) for blacks may be partly a function of the fact that the black proportion of felony arrests is higher than for misdemeanors (about 27 percent vs. 20 percent).

For both arrests and jail admissions, the rate for blacks is overwhelmingly disproportionate to the black proportion in the overall county adult population, both

for females and especially males. Blacks comprise only 4 percent of the total county 16+ population, but about 14.5 percent of female jail admissions and 24 percent of all male admissions. Even factoring in an additional roughly 1.5 percent of the population from the Other category as representing mixed black/white races (see earlier discussion in Chapter II), African Americans are several times more likely to be incarcerated than would be expected based on their representation in the overall county population.

Some have suggested that these data speak to the need for an in-depth investigation of the relationship between race, poverty, education, employment, and arrest and incarceration rates. Although this important issue that needs community attention was beyond the scope of this study, we do address it in more detail in other chapters in the report, beginning with Chapter V.

Table 18

Race	Share of Jail Population Years 2012-2016 by Race and Gender			Share of Tompkins County Ages 16+ by Race by Gender, 2011-15		
	Female	Male	Total	Female	Male	Total
# of Inmates	495	1,945	2,440			
White	80.4%	70.6%	72.6%	82.3%	81.0%	81.7%
Black	14.5%	24.4%	22.4%	4.1%	3.9%	4.0%
Other	3.4%	4.0%	3.9%	3.6%	3.4%	3.5%
Asian	1.2%	0.7%	0.8%	9.8%	11.4%	10.6%
American Indian	0.4%	0.3%	0.3%	0.4%		0.4%
Total	100%	100%	100%	100%	100%	100%

In contrast to black incarceration rates, Asians are rarely incarcerated, compared to their share of the adult population. And among Hispanics, as shown below in Table 19, the proportion of arrests and jail admissions is consistent with their overall proportions in the county population. Arrest data indicate that each year 4 percent to 5 percent of all arrests involve Hispanics, with comparable proportions admitted to the jail, as indicated in the following table. (Note that Hispanics are broken out in their own table because the Census Bureau reports race and ethnicity separately. Thus one can identify as Hispanic and white, or Hispanic and black. The jail also collects race and ethnicity separately. Thus CGR opted to follow the convention used by both the Census and the jail's inmate classification system, and therefore will report race and ethnicity separately throughout the report.)

Table 19

Ethnicity	Share of Jail Population Years 2012-2016 by Hispanic Origin and Gender			Share of Tompkins County Ages 16+ by Hispanic Origin and Gender, 2011-15		
	Female	Male	Total	Female	Male	Total
Count	495	1,945	2,440			
Hispanic	3.4%	4.8%	4.5%	4.5%	4.3%	4.4%
Non-Hispanic	96.6%	95.2%	95.5%	95.5%	95.7%	95.6%
Total	100%	100%	100%	100%	100%	100%

Previous Jail History at Admission

For all 2016 admissions, we reviewed their prior history in the jail. As indicated in Table 20, more than half (54 percent) had had at least one previous admission to the jail, including 47 percent between 2012 and 2015. More than a quarter had been admitted at least once during the previous year, and just under a quarter had been admitted in more than one year between 2012 and 2015.

Table 20

Past Admission History of 2016 Inmates				
Prior Admission	Any Admission Prior to 2016	Admitted during 2012-15	Admitted in 2015	Admitted in Multiple Years between 2012-15
No	46%	53%	73%	76%
Yes	54%	47%	27%	24%

Looking at previous admissions at any time, 39 percent had been in jail more than once prior to their 2016 admission, racking up significant amounts of previous jail time, as shown in Table 21.

Table 21

# of Past Bookings	# of Inmates	Total Prior LOS	Average Total Prior LOS per Inmate	Median Inmate Prior LOS
No Past Bookings	289	0	0	0
1 Prior Booking	96	4,485	47	10
2 to 5 Prior Bookings	177	20,932	118	93
6 to 10 prior bookings	57	16,582	291	282
More than 10 prior bookings	9	5,595	622	592
Total	628	47,594	76	78

As indicated in Table 22, of those with previous stays in the jail prior to 2016, many had spent considerable time during those earlier visits. Thirty-six percent had spent more than a month cumulatively in previous admissions, including more than a quarter who had spent more than three months, 16 percent more than six months, and 5 percent who had spent the equivalent of more than a year in jail prior to being booked in 2016.

Table 22

Past LOS of 2016 Inmates		
Past LOS	# of Inmates	Total Past Days in Jail
No History	293	-
One Week or Less	55	185
8 to 30 Days	51	820
31 to 90 Days	59	3,274
91 to 180 Days	68	8,784
181 to 365 Days	71	18,154
More than 1 Year	31	16,377
Grand Total	628	47,594

Males are more likely to have had previous jail bookings than females: 56 percent versus 47 percent of females. Blacks were somewhat more likely to have been booked more than once prior to their 2016 admission to the jail. Limited two-year data on jail admissions from 2015-16 in which partial data were obtained on reported substance use (15 percent acknowledged use in response to limited questions) suggested that

inmates reporting substance use issues were more likely than non-users (39 percent to 29 percent, respectively) to have been admitted more than once before⁹.

Bail Set at Admission

Bail data do not appear to be consistently recorded in the jail database. In many cases, there is an indication of No Bail, but it is not always clear if this means that a judge refused to set bail for a particular defendant with a particular charge and previous history, or whether bail was set and the amount was simply not known to the jail at that time. We could make some educated guesses as to which was most likely, based on the circumstances of the case, but we were not comfortable making any definitive judgments for purposes of this study. Thus the bail data reported below are what we know to be amounts of bail set at the first court hearing after admission to the jail, based on those cases where an amount was clearly recorded. We suspect that the actual numbers of inmates with bail set was somewhat higher than what we report below. We also cannot easily determine from the jail data whether these were the final bail amounts posted when someone was released, or whether the bail amount had been reduced, or whether some may ultimately have been released through some other mechanism such as release under supervision. Attempts to obtain more complete bail data from other sources proved unsuccessful.

Given the caveats, data below refer to 713 unsentenced admissions to the jail during 2014 and 2015 with known bail amounts. This is out of a total of 1,672 total unsentenced cases, with the differences representing those with no bail set, and those who were released on their own recognizance or under supervision. Even with the caveats, we believe the data provide important information about opportunities to reduce the jail population in the future.

Table 23 provides a detailed breakdown of bail amounts set by charge type. It is not surprising that the majority of felony cases have relatively high bails set. What is perhaps more surprising is the numbers of felony charges with bails set of less than \$1,000.

⁹ The limited data regarding substance abuse has been identified as an area for improvement

Table 23

Charge Type	\$500 or Less	\$501 to \$1,000	\$1,001 to \$1,500	\$1,501 to \$2,000	\$2,001 to \$2,500	\$2,501 to \$3,000	\$3,001 or More	Total
Felony	13	30	11	14	26	26	146	266
B		1	1	2	3	3	40	50
C	1	3	2		1	1	22	30
D	5	11	2	6	13	10	58	105
E	7	15	6	6	9	12	26	81
Misdemeanor	115	87	31	22	28	62	54	399
A	77	66	25	18	26	51	42	305
B	8	2	1				2	13
U	30	19	5	4	2	11	10	81
Violation	27	11	4	1	1	1	3	48
O	27	11	4	1		1	3	47
F					1			1
Grand Total	155	128	46	37	55	89	203	713

Summary table 24 indicates the proportions of felony, misdemeanor and violation charges with bail set at various levels.

Table 24

Bail Amount % Breakdown by Charge Level							
Charge Level	\$500 or Less	\$501 to \$1,000	\$1,001 to \$1,500	\$1,501 to \$2,000	\$2,001 to \$2,500	\$2,501 to \$3,000	\$3,001 or More
Felony	5%	11%	4%	5%	10%	10%	55%
Misdemeanor	29%	22%	8%	6%	7%	16%	14%
Violation	56%	23%	8%	2%	2%	2%	6%
Total	22%	18%	6%	5%	8%	12%	28%

Even at the felony level, a quarter of the cases had bail amounts set of \$2,000 or less, including 16 percent with \$1,000 or lower amounts. Just over half of the persons charged with misdemeanors had bail set of \$1,000 or less, as did 79 percent of those charged with violations. More than a third of all misdemeanors had bails set at more than \$2,000, as did 10 percent of those charged with criminal violations and violations of probation. Under the presumption of non-financial release, how many of these cases, regardless of the bail amounts, needed to have bail set at any level? As

suggested in the later chapter on ATIs, it is likely that many of these could have been released, consistent with community safety, without bail ever being set.

Table 25 shows how long it took for inmates at each bail level to ultimately secure their release, either via making bail or some other form of release, or in a few cases being released as part of a conviction with a sentence of jail for the period of time already served unsentenced.

Table 25

Bail Amounts and Time to Release, 2014 and 2015 Admissions							
Bail Amount	1 or Fewer Days	2 or 3 Days	4 to 7 Days	8 to 14 Days	15 to 30 Days	More than 30	Grand Total
\$500 or Less	81	31	17	8	8	10	155
\$501 to \$1,000	45	16	28	11	8	20	128
\$1,001 to \$1,500	10	11	14	3	5	3	46
\$1,501 to \$2,000	6	8	13	1	4	5	37
\$2,001 to \$2,500	14	8	13	5	1	14	55
\$2,501 to \$3,000	6	21	22	7	5	28	89
\$3,001 or More	24	16	36	10	22	95	203
Grand Total	186	111	143	45	53	175	713

There would appear to be low-hanging fruit opportunities represented by these data, such as expediting release for cases with low bail amounts, follow-up on cases still in jail after 3 days or a week, and using forms of release other than financial bail in the first place. In just two years, at least 26 persons were admitted to the jail on bails of \$500 or less, but languished in the jail for more than a week before being released, including 10 who remained for more than 30 days. Another 17 were held on such low bail for 4 to 7 days before being released. In addition, almost a third of all those with bails set of \$501 to \$1,000 were detained for more than a week before being released – 39 individuals, including 20 who remained in the jail for more than a month before being released. Another 28 were held for 4 to 7 days with those low bail amounts. In addition, another 21 inmates were detained for more than a week on bails of \$1,001 to \$2,000.

These cases highlight what would appear to be opportunities to effect earlier releases, and potentially non-financial releases for inmates who are unsentenced and who are eventually getting released prior to disposition of their cases anyway. If they can be released after a week, or after 30 days, why cannot most of them be released much sooner?

The practical effect of holding so many people on such low bails is illustrated in Table 26.

Table 26

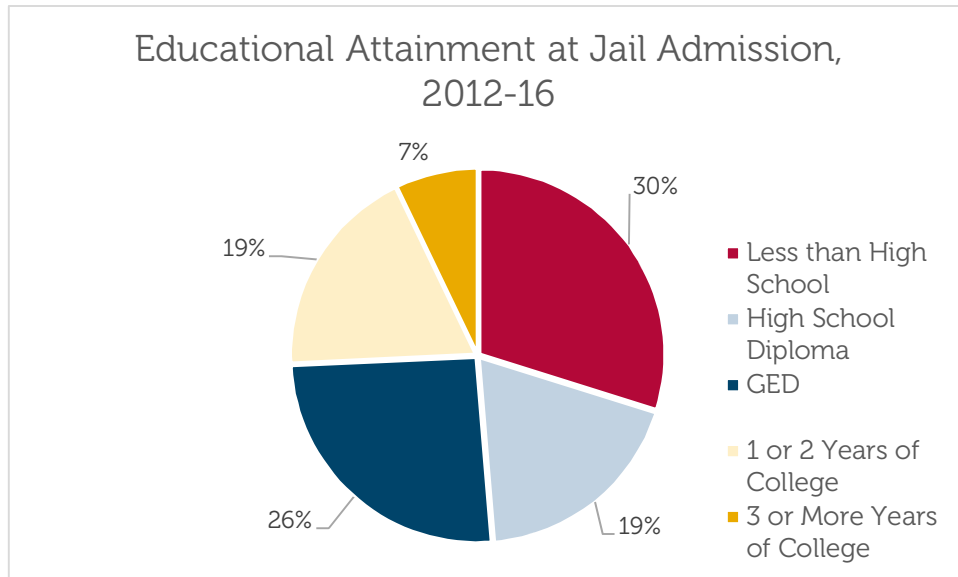
Inmate Bed Days Served by Bail Amount						
Bail Amount	2014		2015		Total	
	# of Admits	Bed Days	# of Admits	Bed Days	# of Admits	Bed Days
\$500 or Less	73	664	82	782	155	1,446
\$501 to \$1,000	58	956	70	984	128	1,940
\$1,001 to \$1,500	25	522	21	83	46	605
\$1,501 to \$2,000	18	164	19	342	37	506
\$2,001 to \$2,500	32	345	23	936	55	1,281
\$2,501 to \$3,000	30	1,629	59	1,711	89	3,340
\$3,001 or More	119	6,842	84	5,120	203	11,962
Grand Total	355	11,122	358	9,958	713	21,080

Just looking at bail amounts of \$1,000 or less, if those persons could have been released on non-financial release conditions (ROR, Release under Supervision, other conditions discussed later in the report) at or even prior to jail intake, 3,386 jail days could have been saved – the equivalent of 4.6 inmates per night in each year. About three-quarters of those saved days involved misdemeanors, with about 7 percent involving violations and 17 percent felony charges. In other words, **four or five fewer beds would have been needed in the jail every night in 2014 and 2015 had all of these low-bail inmates been released immediately.** Some were released the same day as intake, but most were not, as indicated in the previous table. Given the caveats noted earlier, if anything, these estimated jail day savings from expedited low-bail cases probably represent a conservative estimate, assuming that some additional low-bail cases were not recorded by the jail database.

Education Level of Inmates at Admission

As indicated in Graph 22, among all admissions from 2012 through 2016, 30 percent had not completed high school (compared to only 5 percent of the total county population 25 and older); 19 percent had completed a regular high school diploma, and another 26 percent had obtained their GED. About a quarter had completed at least some college (compared to 75 percent of the overall population).

Graph 22



Substance Abuse and Mental Illness

Formal and consistently-recorded data on the prevalence of mental illness and substance abuse are not routinely available from the jail or recorded consistently in the jail database. However, some data are recorded based on partial assessments conducted at intake, other estimates have been provided by knowledgeable officials, and most recently a snapshot was taken of all inmates based on the use of formal assessment instruments. Together, these provide at least rough current estimates of the mental health and substance abuse profile of the jail inmates.

Very limited information in the jail database suggests that at least 15 percent of those for whom data was available were recorded as having substance use issues, with jail officials acknowledging that these are incomplete and conservative estimates of the real proportion. It is not known how representative this subset is of the overall jail inmate population. Thus we believe, as suggested below with new data, that this should be considered the floor or minimal level of incidence in the jail.

In a recent public presentation to the Jail Study Committee, the Deputy Mental Health Commissioner provided information contrasting the incidence of mental illness and substance abuse in the larger population with estimates of incidence within the jail. The baseline in the larger public is that about 20 percent have some type of mental health disorder, with a similar percentage with substance abuse issues. She then

estimated that the proportions of both in the jail are typically two to three times those rates, with many of those also having co-occurring disorders.

Internal Survey of Extent of Substance Abuse and Mental Illness Issues

It is clear from anecdotal comments from a wide array of people with experience with the criminal justice system and specifically the jail (and from ex-inmates offering their perspective) that there are large numbers of inmates on any given night with a variety of mental health and substance abuse and addiction problems, with few in-house services to address them or to prepare inmates for access to services while in the jail or upon return to the community. Now, for the first time, there is substantial data obtained in a consistent, systematic approach that confirms the extent of the prevalence of such behaviors.

In order to provide more complete data and provide greater specificity to the estimates, a recent point-in-time snapshot was completed of virtually all inmates in the jail earlier this spring, focusing on both mental health and substance use issues. Using recognized instruments to obtain a brief assessment of each inmate – the TCU Drug Screen V and the Mental Health Screening Form III – data were obtained about the self-reported tendencies and behavior of inmates on a number of dimensions. (Mental Health officials indicate that there may have been as much as a 25 percent error rate in the survey, but that the data nonetheless provide a useful baseline benchmark for subsequent comparisons.)

The assessment, which would need to be followed up with more extensive diagnostic screening and assessments for some inmates to determine needs for service and treatment, provided initial jail-wide statistics indicating that at the time this survey was completed, 77 percent reported at least a mild disorder, including 60 percent categorized as having a severe disorder. About a quarter were characterized as having no disorder. The following items on the survey instrument each received positive responses from between 60 percent and 65 percent of the inmates:

- Using drugs in larger amounts or for longer periods of time than intended;
- Inability to control or reduce drug use;
- Spending lots of time acquiring and using drugs or recovering from their use;
- Having a strong desire or urge to use drugs;
- Receiving less of an effect from comparable use of a drug over time.

From the mental health perspective, 92 percent indicated experience with at least one mental health experience or behavior, based on self-reports in response to 17 separate questions on the survey. The most frequently identified issues were the following, the

first two checked by two-thirds of the inmates, and the other two by just over 55 percent:

- Ever having talked to a psychiatrist, psychologist, therapist, social worker or counselor about an emotional problem;
- Ever felt that you needed help with emotional problems, or had others advise you to seek help for such problems;
- Experiencing post-traumatic nightmares or flashbacks from previous involvement in some traumatic event;
- Experiencing attacks or periods of feeling anxious, frightened or uneasy, accompanied by specified physical symptoms.

Thus there is now a solid baseline of information to build on concerning the extent of need for expanded substance abuse and mental health services within the jail, for expanded assessments to help access external inpatient treatment based on referrals while in the jail, and for better linkages aided by in-house support services to community-based services upon release from the jail. Fortunately, initiatives are underway to increase the mental health and substance abuse services available in the jail, including the creation of expanded ongoing assessments of substance abuse and mental health issues among inmates. Such initiatives are discussed later in the report.

Assessment of Need for Non-Jail Detox Services

Criminal justice and law enforcement officials also reported estimates ranging from a low of three to more typical estimates of as many as eight to 10 inmates on many nights being at varying stages of the detoxification process within the jail, with little or no comprehensive medical support. Numbers in these ranges are frequently cited as justification for the development of a detox center, discussed in more detail in Chapter VII, but advocates also agree that it is frustrating that no consistent data are currently maintained to document the extent of the problem on a daily basis.

Average Daily Census and Length of Stay

As shown in the discussion of admission data above, the total numbers of admissions to the jail each year have been declining. Although the numbers fluctuate from year to year, the overall trend over the past five years appears to have been an increase in the number of sentenced admissions and a decline in the number of unsentenced individuals admitted to the jail. Beyond initial admissions, however, it is important to examine trends in who remains in the jail and for how long, and the numbers of inmates who are in the jail on a day-to-day basis, i.e., the daily census.

Changes in Average Daily Census

As indicated in Table 27, the average daily census data reflect a somewhat different picture from the admissions data. During much of the 2012-2016 period when admissions were beginning to decline, the average daily census was continuing to grow. Going back even further to 2010, the daily census increased from an average of 82 in 2010 to a high of 92 in 2015. However, by 2016, the increase had reversed, back to an average daily census of 80. This substantial census reduction (a 13 percent decline from 92 to 80) in one year mirrored the 13 percent reduction year to year in the number of admissions (from 919 in 2015 to 800 in 2016).

Table 27

	2010	2011	2012	2013	2014	2015	2016
Total Population	82	86	90	91	87	92	80
Boarded Out	3	4	7	8	6	10	3
In House	79	82	83	83	81	82	76
Sentenced	34	33	28	30	32	25	22
Other Unsentenced	41	44	48	46	43	51	47
Parole Violators	3	3	4	4	3	4	5
State Readies	2	2	2	2	2	2	2

Source: NYS COC

During this period the boarded-out numbers expanded before ebbing as part of the 2016 reduction (see further discussion of boarding out below). It should be noted that the boarded-out inmates are not counted in either the in-house sentenced or unsentenced totals, and the Other Unsentenced numbers are exclusive of both the parole violators and state ready categories, which together continue on the average to take up between five and seven beds per night.

Although sentenced inmates account for only 17 percent of all admissions, they represent a third of the total daily census from 2010 through 2016, because of their longer average stay in the jail (see below). Despite the fact that the number of sentenced admissions has increased and then plateaued in recent years, as described earlier, the average number of sentenced inmates in the jail per night has been declining, as shown in Table 27 above, from a high of 34 in 2010 to an average of 22 per night in 2016.

As indicated in Table 28, the downward trends from 2015 to 2016 have continued or stabilized in the first four months of 2017. The table also makes clear that the downward trend in 2016 intensified in the second half of the year. So the basic

reductions in census and boarding-out have primarily been realized over the past 10 to 12 months. As further evidence of what appears to be a substantial change in the jail population, in the 67 months between January 2011 and July 2016, the average daily census per month only dropped below 80 in three of those months – but since then, the average population has been below 80 for ten consecutive months, through May (including updated information not presented in the table). And in four of those months, the average was less than 70 inmates per night.

Table 28

Average Daily Census by Status 2014 - 2017					
	2014	2015	2016		2017
	Jan-Dec	Jan-Dec	Jan-Jun	Jul-Dec	Jan-April
Total Population	87	92	87	73	75
Boarded Out	6	10	5	2	1
In House	81	82	82	71	74
Sentenced	32	25	24	21	22
Other Unsentenced	43	51	51	42	44
Parole Violators	3	4	5	6	6
State Readies	2	2	3	2	1
Open Beds*	12	11	13	29	26

Source: DCJS and TCSO

*Includes 18 beds allowed by COC variance

Reasons for the recent declines in the jail census cannot be definitively determined based on available data. However, various explanations have been offered by knowledgeable stakeholders, including the increased presence of defense attorneys at off-hours arraignments, the increasing presumption of non-financial release, the added attention to the jail population resulting from the implementation of this study in conjunction with increased focus from the NYS Commission of Correction on the potential removal of the 18-bed variance, increased attention from the Criminal Justice ATI Board. All of these and other reasons may be contributing to the recent trends, but at this point definitive causal relationships cannot be determined. Nor is it certain that the recent downturn in average daily census counts will continue. But the

combination of data analyzed during this study, combined with observations of knowledgeable and experienced officials, suggest that the overall downward trend is likely to be more than a momentary historical blip.

It should also be noted that the available/open beds shown in Table 28, which have obviously increased as the census has declined, should be considered inflated for purposes of planning for the future, as these include the 18 variance beds. Assuming those beds are removed from the facility at some point in the future by order of the Commission of Correction, the available bed totals will be reduced by those 18 beds, leaving a total of only eight such open beds in reality had the variance not been in effect in the first four months of 2017.

Average Length of Stay

As indicated in Table 29, including both sentenced and unsentenced inmates, half of all persons admitted to the jail and discharged between 2014 and 2016 were discharged within a week, including 30 percent within three days. Another 10 percent were discharged in their second week in the facility. Thus the number of individuals available for extended services or treatment while in the facility is relatively small – about 40 percent remain for more than two weeks, including 28 percent incarcerated for a month or longer and about 10 percent in the jail for three months or longer.

Table 29

Length of Stay, All Discharges 2014 thru 2016		
Length of Stay	# of Discharges	% of Total Discharges
1 or Fewer Days	384	15%
2 or 3 Days	368	15%
4 to 7 Days	501	20%
8 to 14 Days	260	10%
15 to 30 Days	306	12%
31 to 60 Days	312	12%
61 to 90 Days	152	6%
91 to 150 Days	168	7%
151 or More Days	78	3%
Total Admissions	2,529	100%

As shown in Table 30 and Graph 23, although parole violators account for only about 5 percent of all admissions to the jail, they account for a disproportionate share of the jail days filled. The 85 parole violators admitted to the jail in 2014 and 2015 without any accompanying local charges spent an average of just under 60 days (median of 47

days) in the Tompkins jail. Those admitted to the jail upon sentencing spend an average of 36 days before completing terms of their sentence. The two-thirds of admissions who remain unsentenced throughout their stay average 25 days in the facility. That is, unsentenced inmates who never serve any sentenced time in jail remain an average of 25 days before being released. Another 11 percent of admissions do spend both unsentenced and sentenced time before being released. Their unsentenced time morphs into sentenced time upon conviction; these inmates spend an average of almost four months before being discharged.

Table 30

Inmate Status	Admissions 2014-15		
	Ave. LOS	Median LOS	# of Admits
Parole	59	47	85
Unsentenced	25	6	1155
Sentenced	36	10	326
Unsentenced to Sentenced	116	114	191
Grand Total	38	9	1757

Graph 23

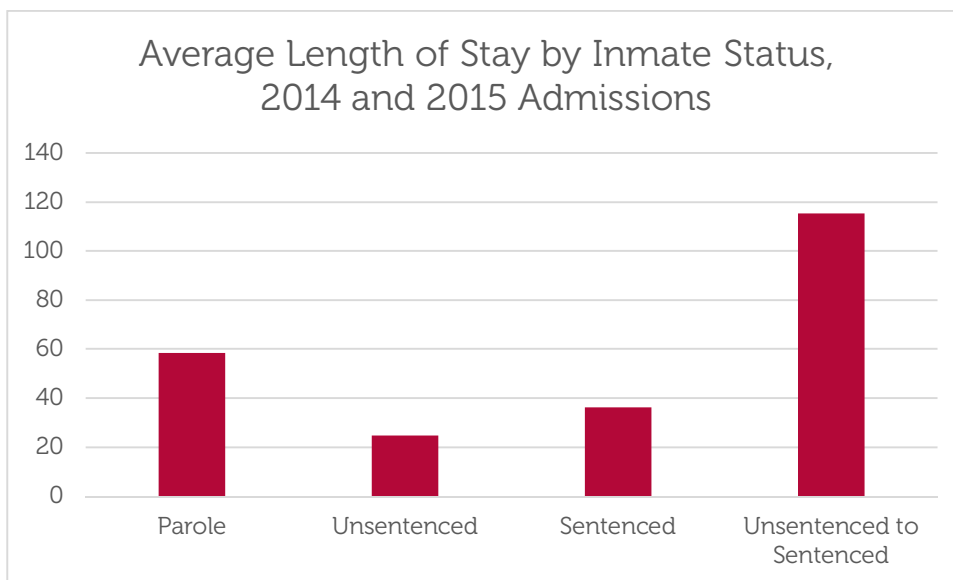


Table 31 breaks average lengths of stay down by felony and misdemeanor charges, based on cases where the charges were clearly indicated. Those admitted on felonies

average almost two months in jail, combining unsentenced and sentenced time, compared with 25 days for those admitted on misdemeanor charges.

Table 31

Average LOS by Charge and Class, 2014-15 Admissions					
Charge Level	Class	Sentenced	Unsentenced	Total ALOS	# of Admissions
Felony	A	324	131	227	4
	B		63	63	106
	C	121	80	82	67
	D	81	48	51	285
	E	52	48	49	272
Felony Total		71	54	56	734
Misdemeanor	A	49	25	29	561
	B	18	10	14	57
	U	20	16	18	196
Misdemeanor Total		33	23	25	814
Violation	O	7	7	7	120
	F		92	92	4
Violation Total		7	12	10	124
Grand Total		36	38	37	1672

In this table, the unsentenced to sentenced cases broken out earlier are combined under the unsentenced column, thereby increasing the average length of stay (ALOS) for the unsentenced population. When combined unsentenced and sentenced jail time is considered for those cases, the average stay of those initially admitted as unsentenced inmates increases to 38 days, as opposed to 25 days for unsentenced time alone.

As indicated below in Table 32, almost 80 percent of parolees admitted to the jail without any local charges or detainers spend more than a month there, despite the fact that they are in theory the state's business, given that they have no local charges associated with the parole violation. The cases that are admitted as unsentenced inmates but ultimately convert to sentenced status as part of a continuous admission also typically spend significant numbers of days in the jail, with more than half spending three months or more before they are discharged.

Table 32

Inmate Status	3 or fewer days	4 to 7 Days	8 to 30 Days	31 to 90 Days	91 to 180 Days	181 or More Days	Grand Total
Parole	4	2	34	132	7	12	191
Unsentenced	826	476	494	383	138	77	2394
Sentenced	166	89	184	107	63	27	636
Unsentenced to Sentenced	9	9	32	77	95	50	272
Grand Total	1005	576	744	699	303	166	3493

Inmate Status	3 or fewer days	4 to 7 Days	8 to 30 Days	31 to 90 Days	91 to 180 Days	181 or More Days	Total
Parole	2%	1%	18%	69%	4%	6%	191
Unsentenced	35%	20%	21%	16%	6%	3%	2394
Sentenced	26%	14%	29%	17%	10%	4%	636
Unsentenced to Sentenced	3%	3%	12%	28%	35%	18%	272
Total	29%	16%	21%	20%	9%	5%	3493

At the other end of the spectrum, about three-quarters of all unsentenced inmates are released within a month, including just over a third within three days. But even among this unsentenced population, almost 600 over five years were detained for more than a month, and more than 200 for more than three months, while awaiting disposition of their cases. Finding ways to reduce this group could have a major impact on reducing the average daily jail census.

Even among sentenced inmates, almost 70 percent are discharged within a month, including a quarter within three days. This would seem to suggest that a fair number of sentenced inmates are receiving short, perhaps weekend, sentences. This may also suggest other opportunities to create even more short jail sentences in the future, or even to reduce the number of jail sentences overall, by making expanded use of various alternative options, as suggested later in the report.

It is also worth noting that relatively few individuals enter the jail as unsentenced inmates and are subsequently convicted and sentenced to jail – only about 10 percent of the total unsentenced admissions. Others are subsequently sentenced to state prison, but it is fair to say that the vast majority of the unsentenced population in the

jail on any given night are not going to experience sentenced incarceration time on their unsentenced charge. **This reality appears to lend further credence to the notion that those who are unsentenced for significant periods of time before being released could with few exceptions be released much sooner than many of them have been in the past – since they are typically being released at some point anyway, and since few will experience a sentence of jail even if convicted.**

Boarded-Out Inmates

Boarding-out of inmates has been a troubling and expensive concern for the jail over most recent years, until 2016, when the numbers dropped dramatically, based on data reported by the jail to the state and shown in Table 33.

Table 33

Year	# of Board Outs	Average per Day
2012	199	7
2013	186	8
2014	109	6
2015	200	10
2016	68	3
Total	762	

Between 2012 and 2015, the average number of board-out incidents per year was 173.5, with at least 186 board-outs in three of the four years. With most of those board-outs representing multiple days, the impact on the daily census was pronounced. Between 2012 and 2015, the facility was boarding out an average of almost 8 inmates every day. By 2016, that average had dropped to 3, and that number hides a further decline: the average had dropped from 10 in 2015 to 5 in the first half of 2016, but then declined further to an average of 2 the second half of the year, and thus far in the first four months of 2017, the average has been just 1 board-out per night. This decline has major cost-savings implications for the County, as well as having social, family, and legal benefits for the inmate in terms of access to attorney, family and support networks.

Primarily due to classification constraints, the board-outs have disproportionately affected female inmates. While females typically constitute about 20 percent of all jail inmates, over the past five years they have accounted for 36 percent of all board-outs, including just over half of the total in 2014. There does not appear to have been any significant disproportionate assignment of board-outs across racial or ethnic groups.

In recent years, about 80 percent of the board-outs have involved jails in three counties: Tioga, Chemung and Chenango. The jail's clear preference, to the extent possible, is to select sentenced prisoners for boarding out, to avoid multiple trips to and from the host county jails to pick up unsentenced inmates for court appearances. However, given the reality that the vast majority of inmates are unsentenced, this is often simply not possible. Over the past five years, 36 percent of the board-outs have involved sentenced prisoners, with a peak of 48 percent in 2014.

As indicated in Table 34, the average length of stay for boarded-out inmates has varied from year to year, depending on how crowded the jail is and what classification issues may be in play, but the overall average has been about 17 days per board-out.

Table 34

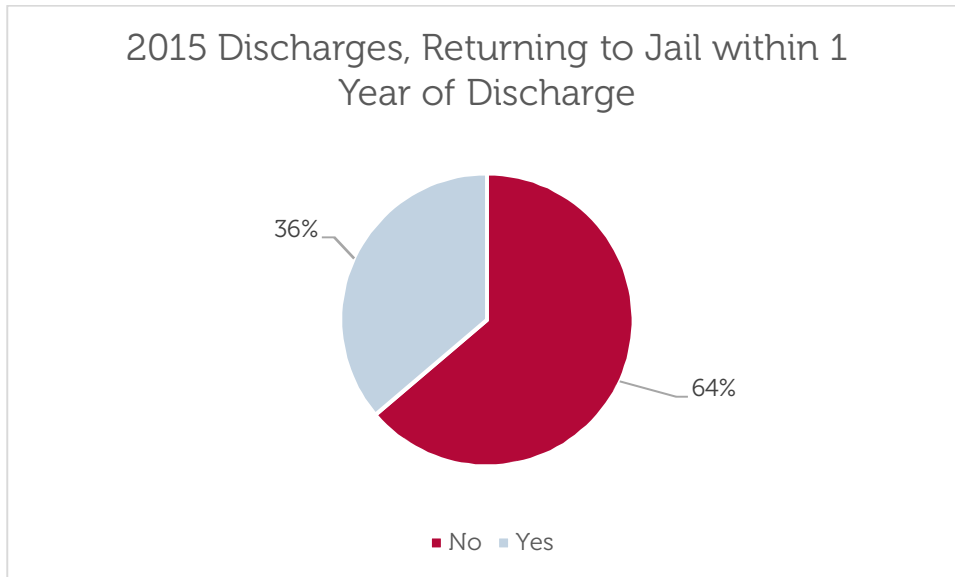
Year	# of Board Outs	Total Days Boarded Out	Average LOS Boarded Out	Median LOS Boarded Out
2012	195	2,789	14	7
2013	175	2,800	16	8
2014	107	2,640	25	10
2015	197	3,345	17	11
2016	66	885	13	11
Total	740	12,459	17	10

Note: these numbers of board-outs vary slightly from the previous table, given different sources. The differences change nothing about core findings or conclusions.

Recidivism in the Jail

As shown in Graph 24, over one-third of inmates discharged from the Tompkins County jail in 2015 were re-admitted at least once within a year of their date of discharge.

Graph 24



There appear to have been no significant differences by race, gender or age between those who have and have not been re-admitted within a year. However, of the partial sample of reported substance users in the jail database, there were significant differences between reported users and non-users: those with reported substance use history were twice as likely as non-users to recidivate – 57 percent to 28 percent.