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# POPULATION REVIEW TEAMS

## Evaluating Jail Reduction and Racial Disparities Across Three Jurisdictions

*Policy Brief*



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## **Population Review Teams: Evaluating Jail Reduction and Racial Disparities Across Three Jurisdictions**

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Nearly one-third of those incarcerated across the U.S. are held in local jails, mostly held during the pretrial period, before they have been convicted of any crime.<sup>1</sup> Among those detained in local jails, Black individuals are disproportionately represented, making up more than a third of the jail population in 2019.<sup>2</sup>

Currently implemented in more than a dozen cities around the country, jail Population Review Teams (PRTs) are one strategy to reduce jail populations. The current study documents the PRT model and its impacts in three sites: Lucas County, Ohio; Pima County, Arizona; and St. Louis County, Missouri. Although the sites did not design their PRTs to explicitly reduce racial disparities, this project helps them to measure the impact of PRTs and continue to work toward disparity reduction.

### **The PRT Model**

The PRT model is not universal; sites adopt a specific structure and practices based on local goals. Yet PRTs all draw on a collaborative group of stakeholders from across the criminal justice system and rely on ongoing review of local jail data to drive decision making.

Across the sites, we examined four general steps through which cases progress through the PRT: eligibility, review, recommendation, and release.

## PRT Steps Defined

<b>Eligibility</b>	<ul style="list-style-type: none"> <li>• Criteria set by local stakeholders determine which individuals are eligible for PRT review.</li> <li>• Current charges are a primary factor in determining PRT eligibility, but criteria are somewhat fluid. Some charges that do not meet standard eligibility criteria may be accepted on a case-by-case basis and eligible charges may change over time.</li> <li>• PRTs in these sites focus on the pretrial period, with the PRT serving to expand pretrial release, facilitate bond modifications, and expedite case processing.</li> </ul>
<b>Review</b>	<ul style="list-style-type: none"> <li>• Members of the local PRT select a subset of all eligible cases for formal review.</li> <li>• Selection criteria are not always formalized and may depend on key decision makers' discretion.</li> </ul>
<b>Recommendation</b>	<ul style="list-style-type: none"> <li>• During the PRT meeting, members discuss their recommendation for next steps; members may negotiate terms and conditions in search of a consensus.</li> <li>• Potential recommendations include release with pretrial supervision, lower bond, dismissal, and expedited decision making.</li> </ul>
<b>Release</b>	<ul style="list-style-type: none"> <li>• Following a recommendation, individuals are either released or continue to be detained.</li> </ul>

## Research Findings

- **A small impact on the jail population:** Ultimately, the PRTs we examined resulted in the release of a small proportion of the total jail population during the study period: 0.4% of the total jail population in Lucas, 1.2% in Pima, and 0.3% in St. Louis County. A larger (but still small outside of Pima) proportion of *eligible cases* are ultimately released: 1% of eligible cases in Lucas, 35% in Pima, and 5% in St. Louis County.
- **A larger impact, once a case is reviewed:** For cases that make it to actual review by the PRT, about half go on to be released: 46% of reviewed cases in Lucas, 48% in Pima, and 47% in St. Louis County.

- **PRTs can increase disparities:** In St. Louis County, White individuals are more likely than Black individuals to be eligible and recommended by the PRT. Ultimately, they are 1.5 times more likely than Black individuals to be released through the cumulative PRT process.
- **Small disparity reduction at early PRT stages is not enough:** In Lucas and Pima Counties, Black individuals were slightly more likely than White individuals to be eligible for the PRT, but these differences were not sustained past the eligibility stage. (In other words, Black individuals were not ultimately more or less likely to be released.)

## Broader Impact & Recommendations

Together, the findings across the three sites suggest that **a jail reduction strategy is unlikely to reduce racial disparities if it does not explicitly consider race during the development of program policies.** In addition, the PRTs included here impacted a small percentage of the overall jail population. However, feedback from the sites suggests that as a supplement to other local efforts or a driver of broad policy change, the PRT model shows promise in building collaboration, engaging local stakeholders across the system in meaningful discussion about overreliance on jail, and shining a light on potential areas for future efforts.

The following recommendations stem from the study findings and offer suggestions for PRTs to maximize jurisdictions' efforts to shrink the jail population and reduce racial disparities.

1. **Draw on PRTs as a foundation for collaboration.** PRTs bring together stakeholders from across agencies to speak and make collaborative decisions. Although the PRT conversations are structured around reviewing cases for potential release, these collaborative gatherings also serve several broader purposes:
  - **Engaging in Collective Problem Solving:** PRTs provide stakeholders with insight into how other decision makers are thinking and what other agencies prioritize. Brought together in a common meeting space, PRT members are able to quickly solve problems, respond to others' concerns, and make connections—things that would otherwise take much longer through traditional methods.
  - **Informing Decisions with Ongoing Data Review:** The PRT members typically review jail population trends on an ongoing basis. Doing so provides members with

an overview of what is happening in the jails and supports them in their decision-making both in and beyond the PRT.

- **Exploring Avenues for Innovation:** Beyond the standard review process, the PRT paves the way for other responsive initiatives. For example, when COVID-19 spread through the jails, the PRTs quickly pivoted to expedite reviews and make broader release decisions.

**2. Carefully consider who is eligible and reviewed by the PRT.** All sites have limitations to capacity and resources. Even sites that can accommodate many cases can benefit from transparent and intentional selection criteria.

- **Explicitly Prioritize Racial Disparities:** As discussed above, the policies adopted by these sites did not explicitly consider race and did not reduce racial disparities. If sites want to use the PRT as a mechanism to reduce racial disparities, this goal must be made explicit and eligibility and review criteria must intentionally make it more likely that people of color are included.
- **Systematize Decision Making:** In every site we studied, there is a decision point where a portion of individuals who meet the eligibility criteria are selected for review, while others are not. Systematizing this step and reducing ad hoc decisions can help reduce the influence of bias or excessive subjectivity in determining which cases are reviewed and who is ultimately released through the PRT.

**3. Expand the reach of the PRT.** Across sites, the PRTs had a small cumulative impact on overall jail populations. We recommend two strategies, which could be undertaken separately or as a multi-pronged approach, to expand the positive impact of PRTs.

- **Increase the Number of People Reviewed:** The number of individuals released—and thus the impact of the PRT on the jail population—could be increased through expanded eligibility criteria or by advancing more of the cases that appear on paper to meet technical eligibility criteria on to review. Study sites are already considering the feasibility of PRT expansion to include some violent charges (St. Louis County) or probation violations (Pima). This type of expansion would likely necessitate additional resources or a program restructuring that facilitates expedited review of some cases.

- **Use the PRT Process to Drive Policy Change:** To increase the impact of the PRT without necessarily funneling substantially more people through the process, the PRT could be used as a tool to inform broader release policies. For example, if PRT members observe that a specific charge typically results in the PRT recommending pretrial supervision, pretrial supervision for such cases could become the de facto policy *in the first place*—potentially before pretrial detention ever occurs. Then, limited PRT resources could be reserved for more complex cases. The ongoing data review PRTs are already conducting can continually inform such a strategy.

## Endnotes

<sup>1</sup> Sawyer, Wendy & Peter Wagner. 2020. *Mass Incarceration: The Whole Pie*. Northampton, MA: The Sentencing Project. Accessed at <https://www.prisonpolicy.org/reports/pie2020.html>.

<sup>2</sup> Zeng, Zhen & Todd D. Minton. 2021. “Jail Inmates in 2019.” *Bureau of Justice Statistics Bulletin* NCJ 255608. Washington, DC: US Department of Justice, Office of Justice Programs, Bureau of Justice Statistics. Accessed at <https://bjs.ojp.gov/content/pub/pdf/ji19.pdf>. Tamir, Christine, Abby Budiman, Luis Noe-Bustamante, & Lauren Mora. 2021. *Facts About the U.S. Black Population*. Pew Research Center Feature. Retrieved January 31, 2022 (<https://www.pewresearch.org/social-trends/fact-sheet/facts-about-the-us-black-population/>).



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