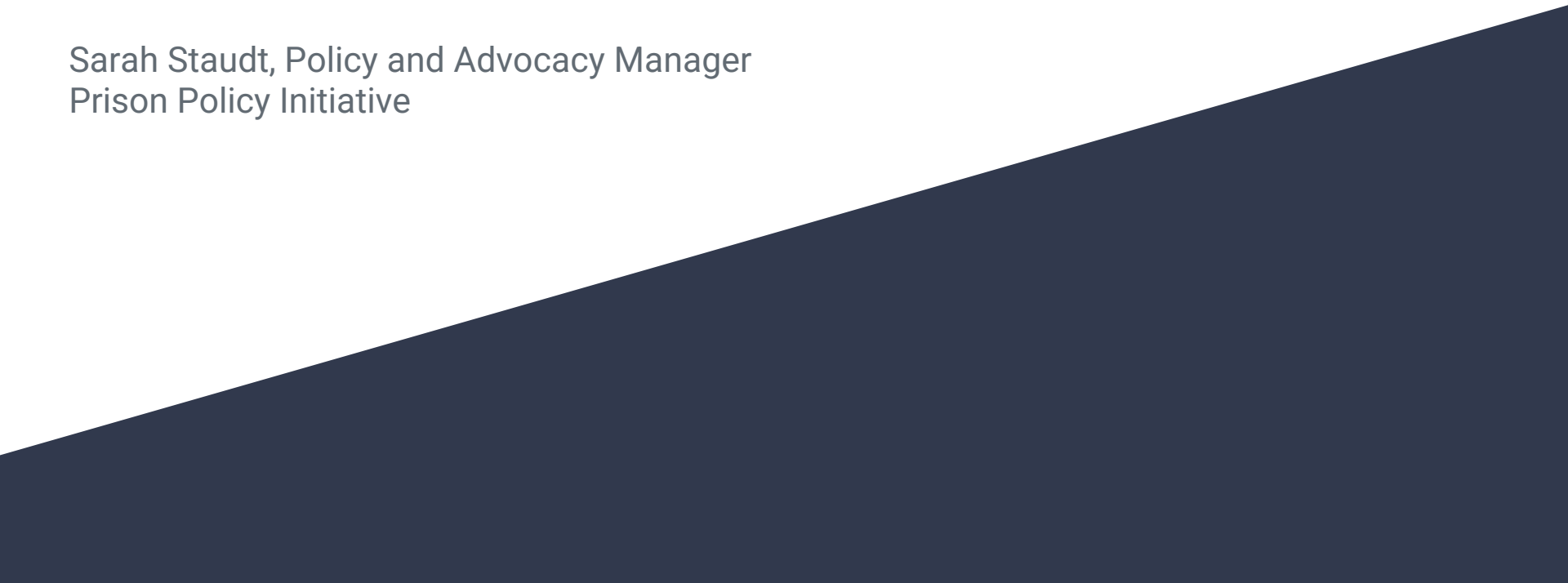


Analysis of Kansas City Municipal Jail Needs Assessment

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About Prison Policy Initiative

- Founded in 2001
- Non-profit, non-partisan organization focused on exposing the harms caused by mass incarceration
- Have worked with advocacy groups around the country helping them evaluate jail needs assessments.

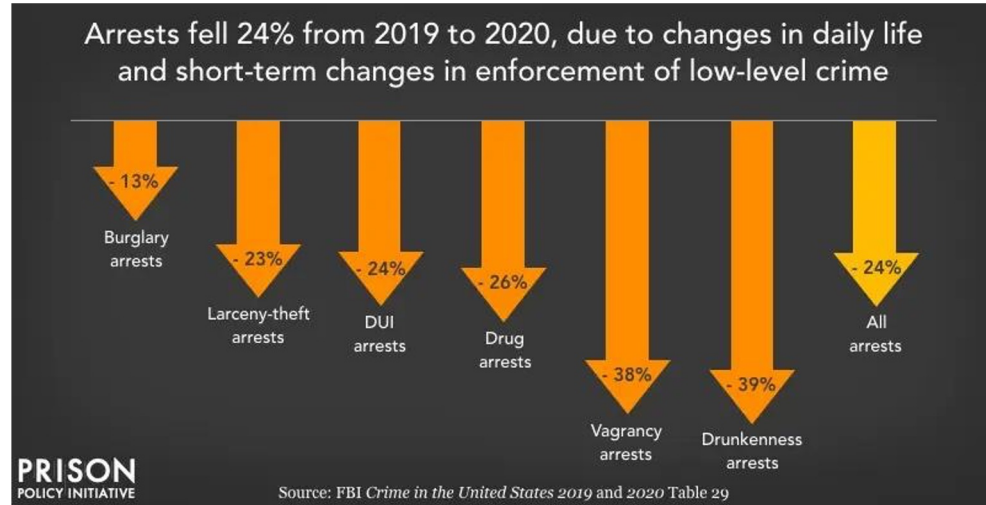
Needs assessment
assumes that *more*
municipal
incarceration could
be a good thing

- Needs assessment suggests that increased detention will “minimize the number of people who commit violations or new crimes” - **the research says the opposite.**
- Court perspectives document suggests that jail is needed to “stabilize” people - **the research says the opposite.**

Pretrial Incarceration Causes Harm

- **Effects on Cases:** People incarcerated pretrial are 25% more likely to plead guilty, 43% more likely to be sentenced to incarceration. (Heaton 2017)
- **Effects on Employment:** 38% of people detained for fewer than 3 days and 76% of people detained for more than 3 days reported negative employment consequences (Holsinger 2018)
- **Effects on Health:** People released from incarceration are 18 times more likely to commit suicide and 40 times more likely to overdose. (Haglund 2014; Ranapurwala 2018)
- **Effects on recidivism:** People incarcerated pretrial for misdemeanors are 10% more likely to be re-arrested within the next 18 months. (Heaton 2017)

Needs assessment is out of date and does not account for changes in low-level arrests and prosecutions post-COVID

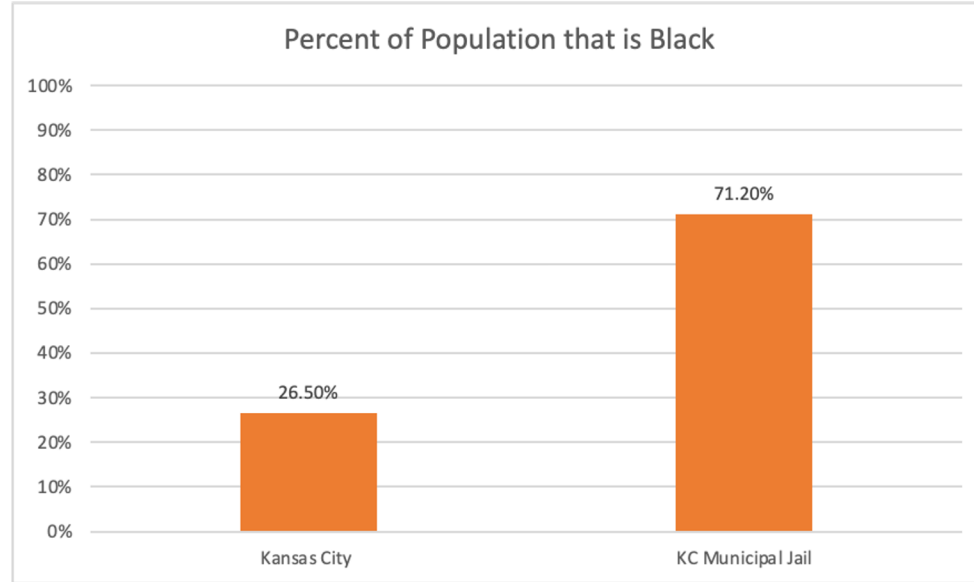


- KC Municipal case filings are down 59% between 2019 and 2022.

Current municipal beds are being used for almost exclusively low-level, mostly non-violent charges

- Only 1% of people are awaiting transfer to Jackson county on more serious charges - 99% are in for ordinance violations.
- Two-thirds of people have no allegation of violence - mostly non-DUI traffic, theft, drug paraphernalia, public order, resisting arrest.
- Even the “violent” charges are very low level - assault becomes a county case if a person is actually harmed, so cases in the municipal jail are mostly or exclusively cases where no one was hurt.

Racially Disproportionate Impact



Short Length of stay

- Average length of stay is 1.68 days.
- Even very short periods of time can destabilize people's lives - increases in failures to appear and re-arrest kick in after less than 24 hours in custody. (Arnold Ventures, 2022)

Solutions

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Increase use of personal recognizance bonds

- Money bonds are not effective at incentivizing court appearance or keeping people out of trouble
- Money bonds strand people in jail, and take resources out of local communities in need
- KC successfully increased its reliance on personal recognizance bonds and should continue to do so.

Increasing access to diversion

- Removing fee for admission to diversion programs
- Ensuring that diversion programs are “light-touch” - that they do not impose more conditions on people than they would face if they resolved their cases traditionally
- Decrease reliance on specialty courts that have length of stay and requirements that far exceed the consequences for most municipal cases
- Focus on voluntary treatment and community-based treatment providers. Involuntary treatment can lead to increased risk of overdose when compared to voluntary treatment (MA Dept. of Public Health, 2016)

Citations

Arnold Ventures, *The Hidden Costs of Pretrial Detention Revisited*, 2022. available at: <https://craftmediabucket.s3.amazonaws.com/uploads/HiddenCosts.pdf>

Haglund et. al, *Suicide After Release from Prison: a Population-Based Cohort Study from Sweden*, Journal of Clinical Psychiatry, 2014, available at: <https://pubmed.ncbi.nlm.nih.gov/25373114/>

Heaton et. al, *The Downstream Consequences of Misdemeanor Detention*, Stanford Law Review 2017, available at: <https://www.law.upenn.edu/live/files/6467-harriscountybailstanford>

Holsinger et. al, *Analyzing Bond Supervision Survey Data: The Effects of Pretrial Detention on Self-Reported Outcomes*. Federal Probation, 2018, available at: https://www.uscourts.gov/sites/default/files/82_2_6_0.pdf

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