COVID-19 WEEKLY JAIL POPULATION REPORT

ABSTRACT

This document outlines changes in the Travis County jail population following the COVID-19 pandemic. All data in this report is subject to further analysis and revision.

Compiled by: Justice Planning

May 14, 2020

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Executive Summary:

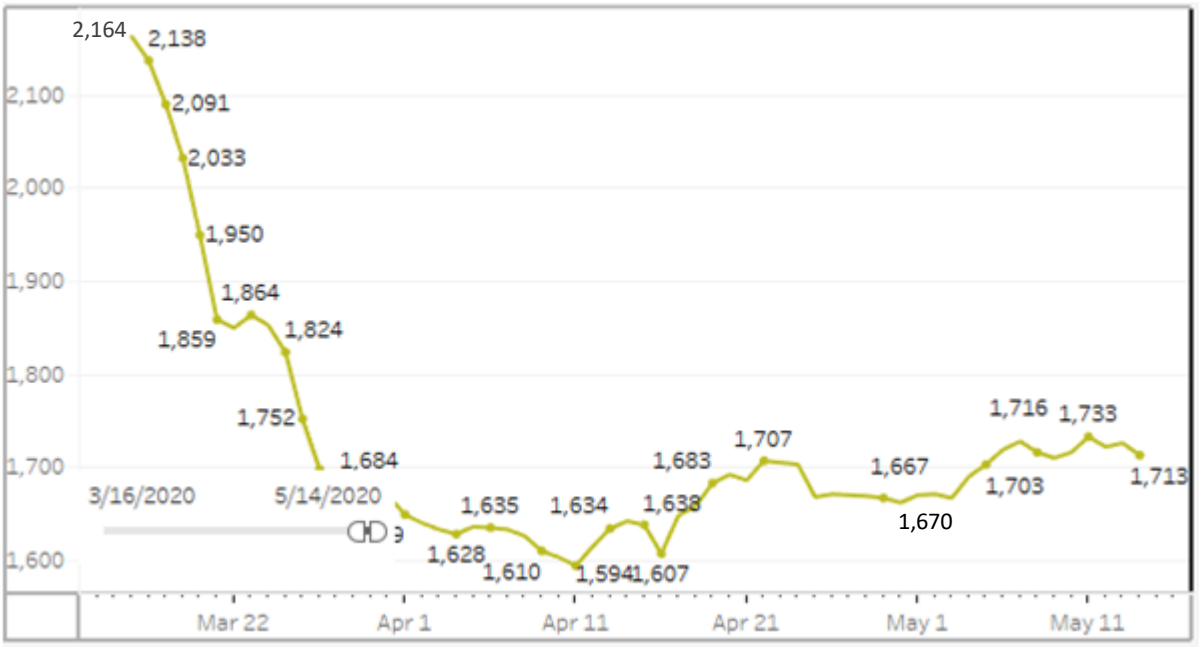
The COVID-19 pandemic has created new and challenging issues for jail administrators. Justice Planning produces a daily report that identifies several outcome measures related to the jail population such as Average Daily Population (ADP), jail bookings and releases, and inmates in custody by charge level and offense type. This is a different report, which provides more detailed information regarding the same outcomes, as well as additional outcomes, such as who is in jail and why and personal bond release rates. The following outcome measures are included in this report:

- ADP
  - Month to date (May 1-14, 2020)
  - COVID-19 countermeasure to the end of the current reporting period (March 16-May 14, 2020)
  - Current reporting period (May 8-14, 2020)
- Jail bookings and releases
  - Month to date (May 1-14)
  - COVID-19 countermeasure to the end of the current reporting period (March 16-May 14, 2020)
  - Current reporting period (May 8-14, 2020)
- Inmates in custody today (May 14, 2020)
  - Charge level and offense type
  - Excludes inmates waiting for a hospital bed and SWAP participants
- Who is in jail and why (May 14, 2020)
  - Inmates with a hold
  - Inmates serving a sentence
  - Pretrial inmates
- Misdemeanor A/B jail bookings compared with misdemeanor A/B personal bond releases
  - Jail bookings compared with personal bond releases for the week prior to the standing order
  - Weekly bookings compared with personal bond releases for the weeks following the standing order

Please note that the District Courts have implemented a felony standing order for personal bonds. Data regarding personal bonds for felony charges will be included in future reports.

Average Daily Population

Average Daily Population March 16-May 14, 2020



SUMMARY[1]:

- Month to date, the Average Daily Population (ADP) for has increased 3% from May 1 (1,670) to May 14 (1,713).
- Since the COVID-19 order to the end of the current reporting period, the ADP decreased 21% from March 16 (2,164) to May 14 (1,713).
- For the current reporting period, the ADP increased 1% from May 8 (1,703) to May 14 (1,713).

[1] Excludes SWAP participants and individuals waiting for a hospital bed. Pre-Release Parolees are included in this report 5/14/2020: PRP (16). Source: Tiburon

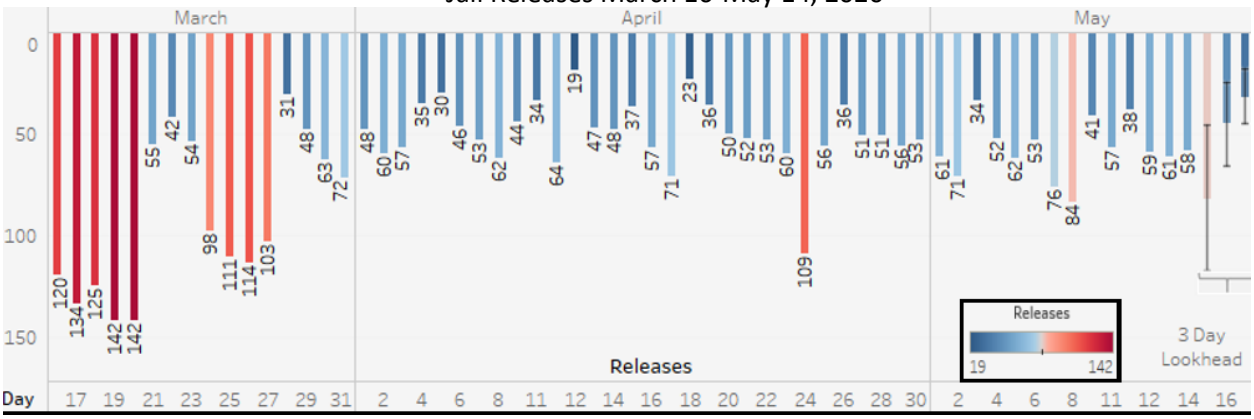
Bookings and Releases

Jail Bookings March 16-May 14, 2020

SUMMARY:

- Month to date, jail bookings decreased 37% from May 1 (82) to May 14 (52).
- Since the COVID-19 order to the end of the current reporting period, jail bookings decreased 49% from March 16 (102) to May 14 (52).
- For the current reporting period, jail bookings decreased 24% from May 8 (68) to May 14 (52).

Jail Releases March 16-May 14, 2020



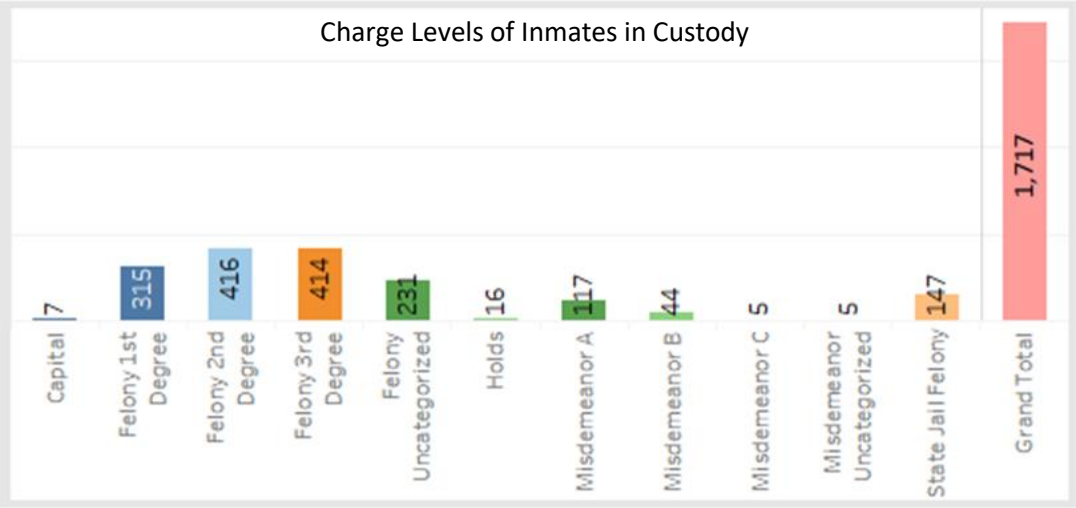
SUMMARY[2]:

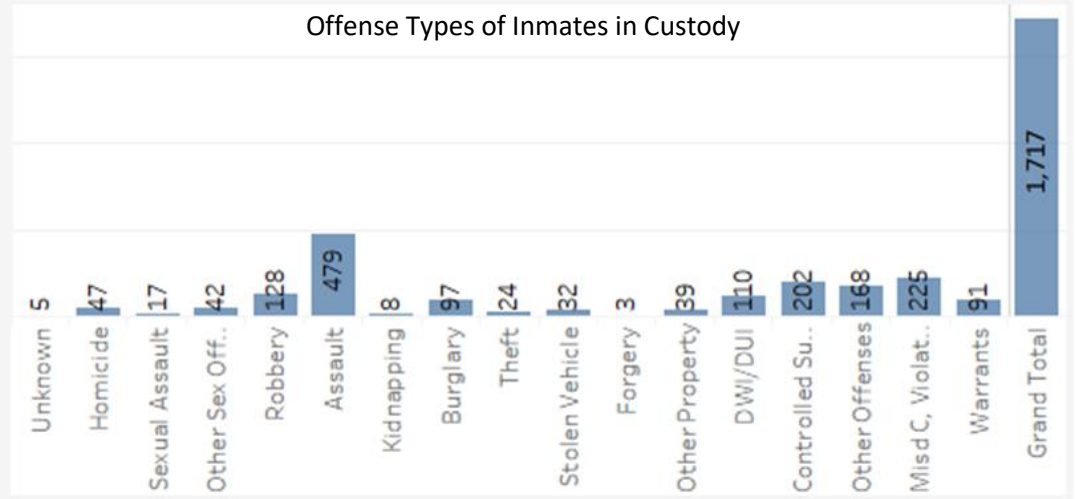
- Month to date, jail releases decreased 5% from May 1 (61) to May 14 (58).
- Since the COVID-19 order to the end of the current reporting period, jail releases decreased 52% from March 16 (120) to May 14 (58).
- For the current reporting period, releases decreased 31% from May 8 (84) to May 14 (58).

[2] Excludes SWAP participants and individuals waiting for hospital bed. Source: Tiburon

Inmates in Custody Today

The following inmates are being held in custody today, May 14, 2020. For the purposes of highlighting individuals booked for a Travis County charge, the totals do not include inmates waiting for a hospital bed, or inmates participating in the SWAP program.





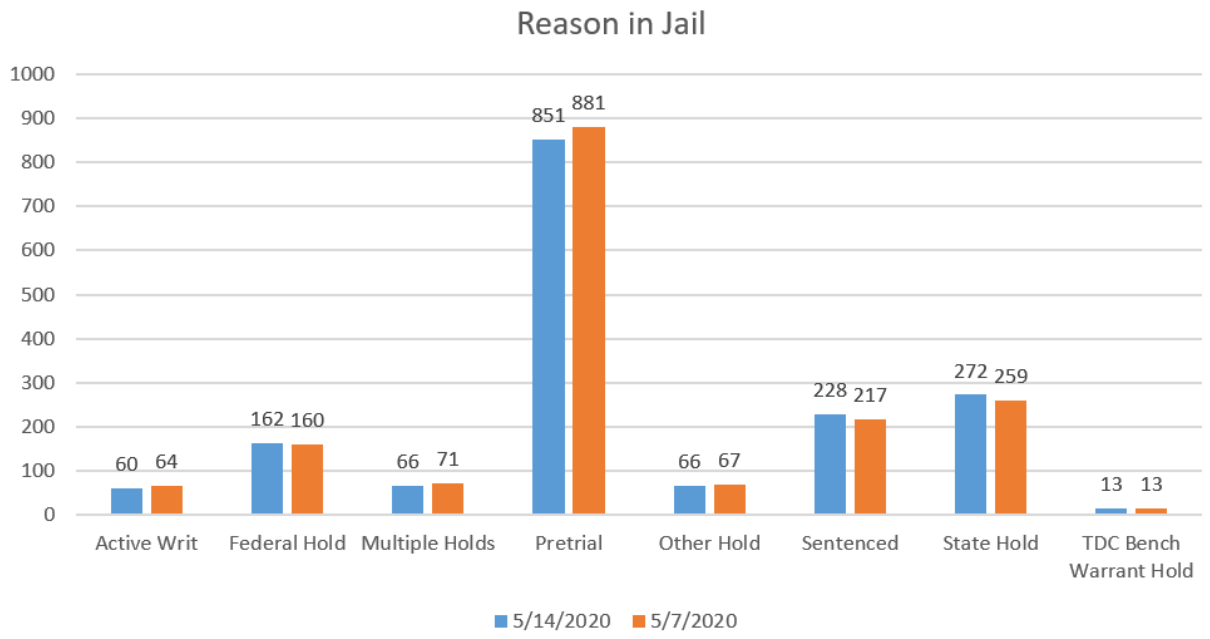
Summary[3]:

- There are 1,717 inmates in custody today, May 14, 2020.
- 90% (1,546) have a felony as their highest charge.
- 10% (171) have a misdemeanor as their highest charge.
- 42% (721) have a violent charge as their highest charge.
- 58% (996) have a non-violent charge as their highest charge.

[3] Excludes SWAP participants and individuals waiting for a hospital bed. Pre-Release Parolees are included in this report 5/14/2020: PRP (16). Source: Tiburon

Who is in Jail and Why?

There are a variety of reasons why individuals are not released from jail. The following inmates are being held in custody of the Travis County Sheriff's Office. The reasons for being held in custody are included below.



SUMMARY[4]:

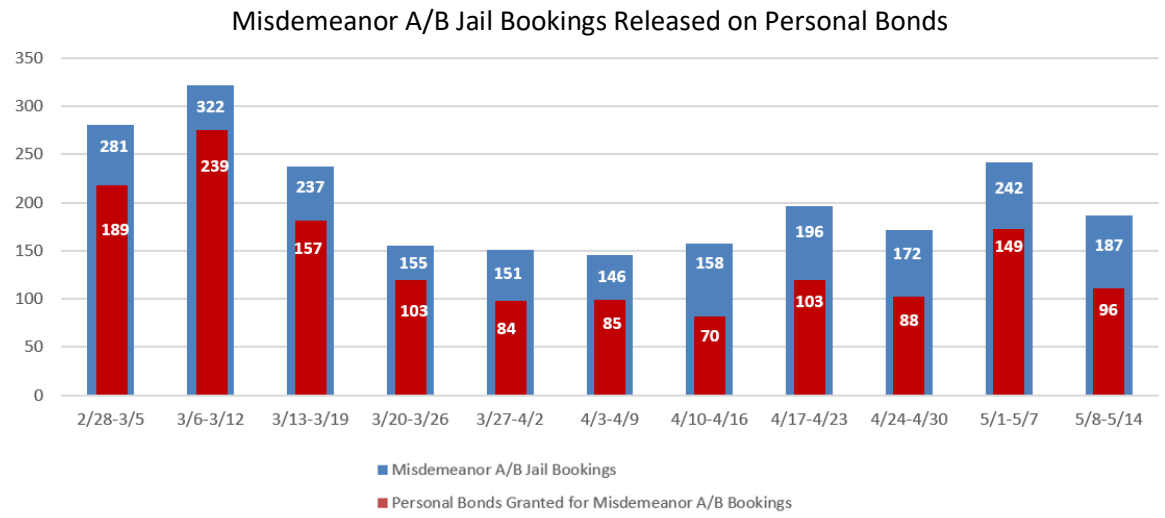
1,732 inmates were being held in custody by the Travis County Sheriff's Office May 7, 2020. Today, May 14, 2020, 1,718 inmates are being held in custody. This represents a 1% decrease.

- Last week, 4% (64) of inmates were being held for an Active Writ. This week, 3% (60) of inmates are being held on an Active Writ. This represents a 6% percentage change decrease for this category.
- Last week, 4% (67) of inmates had a hold classified as "other", such as an out of county felony, or misdemeanor hold. This week, 4% (66) of inmates have an "other" hold. This represents a 2% percentage change decrease for this category.
- Last week, 4% (71) had multiple holds. This week, 4% (66) of inmates have multiple holds. This represents a 7% percentage change decrease for this category.
- Last week, 15% (259) of inmates had a state hold, such as a parole violation. This week, 16% (272) of inmates have a state hold. This represents a 5% percentage change increase for this category.
- Last week, 1% (13) of inmates are being held on a TDCJ bench warrant. This week, 1% (13) of inmates are being held on a TDCJ bench warrant. There is no percentage increase in this category.
- Last week, 51% (881) of inmates were being held pretrial. This week, 50% (851) of inmates are being held pretrial. This represents a 3% percentage decrease for this category.
- Last week, 9% (160) had a federal hold. This week, 9% (162) have a federal hold. This represents a 1% percentage increase in this category.
- Last week, 12% (217) were serving a sentence. This week, 13% (228) of inmates are serving a sentence. This represents a 5% percentage increase for this category.

[4] Only the highest charge is counted. Source: FACTS

New Standing Order for the Misdemeanor Jail Population

The Travis County Criminal County Courts at Law Judges have ordered that all persons arrested for misdemeanor crimes should be expeditiously released on personal bonds, except for limited instances listed in the standing order. The standing order and memorandum are included in Attachment 1 of this report. Pretrial Services went live with the standing order on March 6, 2020. The chart below represents weekly misdemeanor A/B jail bookings and the number of personal bonds granted for those charges.[5]



[5] Data represents the highest charge. Source: FACTS

Attachment 1: County Court at Law Standing Order

STANDING ORDER FOR PERSONAL BONDS
ON MISDEMEANOR CASES INTRAVIS COUNTY COURT AT LAW

In the interest of justice and fairness for all persons accused of misdemeanor crimes, the Travis County Court at Law Judges, having been notified in writing that the Travis County Attorney does not object to the adoption of this Order, have determined that all persons arrested for misdemeanor crimes should be released on personal bonds except for in the instances listed in this Standing Order. The procedures to be followed are outlined below:

The magistrates who review probable cause affidavits and conduct magistration on misdemeanors in Travis County determine the amount and conditions of bail in accordance with the Texas Code of Criminal Procedure (CCP) and the Texas and United States Constitutions. This Standing Order provides that all persons charged with Class A and Class B misdemeanor cases in Travis County are pre-approved for a personal bond except for in the following instances:

Penal Code Chapter 22 - Assaultive Offenses
Penal Code 25.07- Violation of Protective Order cases
Penal Code 49.09(a)- DWI 2nd cases if the prior DWI conviction was within the past five years
Texas Education Code Section 37.125(a)(3)-Threat to Exhibit or Use a Firearm in a School or Bus
Persons who are already out on a bond or are currently on probation or parole
Persons who have had a bond forfeiture warrant or a bond revocation capias issued for this case
Persons who have other holds preventing release

Persons arrested on other charges for which personal bond is not granted pursuant to this Order
Persons that Pretrial Services believe present an imminent danger to the community

This Standing Order does not diminish the statutory authority of any magistrate to grant personal bonds on the excepted cases pursuant to their authority under CCP Chapter 17 with the bond conditions the magistrate believes are required by law or serve the interests of justice.

All the requirements and conditions of the bond previously set by the magistrate remain in effect. Pretrial Services shall recommend to the trial court any additional, appropriate conditions at any time after the arrested person is released pursuant to this Order.

If a law enforcement officer, attorney, or Magistrate has reason to believe that a particular person presents an imminent danger to the community, or that the misdemeanor will be enhanced as a hate crime, or that particular conditions should be attached to a bond, they should notify Pretrial Services.

IT IS ORDERED that all persons arrested on misdemeanor crimes meeting the above conditions shall be released on a personal bond approved by the undersigned judges.

A copy of this Standing Order shall be transmitted to Pretrial Services and the Sheriff of Travis County. This Order is effective immediately.

SIGNED AND ORDERED AND ENTERED THE 6th **day of** February **20**20**.**

JUDGE ELISABETH EARLE
Local Administrative County Court Judge/County Court #7

JUDGE JOHN LIPSCOMBE
County Court #3

JUDGE DIMPLE MALHOTRA
County Court #4

JUDGE NANCY HOHENGARTEN
County Court #5

JUDGE BRANDY MUELLER
County Court #6