



# **Evaluating Oklahoma County's Progress on Reducing the Jail Population and Promoting Public Safety**

Prepared for the Oklahoma County Criminal  
Justice Advisory Council

August 17, 2023

# Presentation Overview

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- 1** CJI Background
- 2** Review of 2016 Oklahoma County Criminal Justice Reform Task Force Recommendations
- 3** Review of Data Trends
- 4** Review of Findings and Unimplemented Task Force Recommendations
- 5** Additional Recommendations



# CJI Background

# About the Crime and Justice Institute

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Nonpartisan Technical Assistance Provider



Local, State, and National Partner





# **Review of 2016 Oklahoma County Criminal Justice Reform Task Force Recommendations**

# Oklahoma County Criminal Justice Reform Task Force

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- Established by the Greater Oklahoma City Chamber of Commerce (Chamber) in collaboration with community leaders.
- Goal of assessing the county's criminal justice system and making recommendations to safely reduce the jail population and create a more effective justice system.
- Assisted by the Vera Institute of Justice to conduct the data analysis and make recommendations.

# Task Force Recommendations

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- 1 Create oversight and accountability mechanisms for the local justice system;
- 2 Reduce jail admissions for municipal violations and low-level misdemeanors;
- 3 Create a fair and efficient pretrial release process that safely reduces unnecessary pretrial incarceration;
- 4 Identify and address district court case processing delays that increase jail admissions and length of stay;
- 5 Expand meaningful diversion program options, focusing on those with mental illness and substance use disorder; and
- 6 Reduce the impact of justice system fines and fees as a driver of jail growth and recidivism.

# Review of Data Trends



# Oklahoma County Detention Center Standing Population

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July 1, 2015      July 1, 2022  
**2,414** → **1,523**      |      **37%▼**  
Reduction

- Oklahoma County Detention Center (OCDC) **reduced** its overall standing population.
- Females as share of total population **declined** from 17.5% to 14.4%.
- Black individuals accounted for the **highest proportion** of the population.
- The average length of stay was 131 days, and the median was 57.5 days.
- The proportion of people detained pretrial **remained steady**, near 84%.

# Oklahoma County Detention Center Admissions

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Admissions

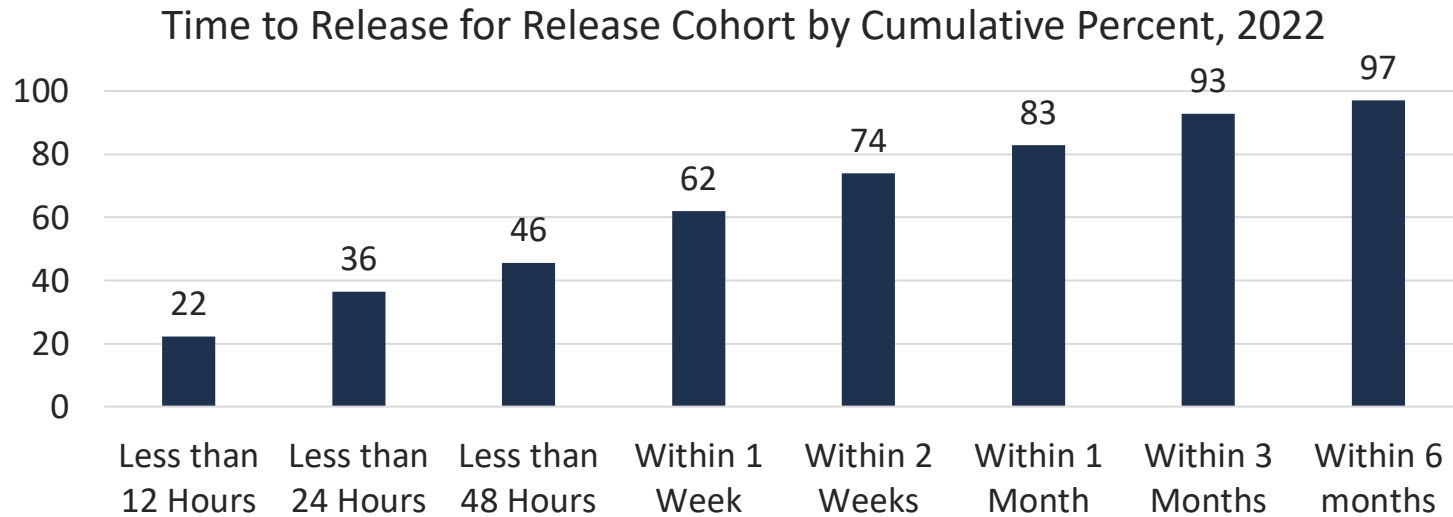
44% ▼

Individuals Booked

41% ▼

- Between 2015 and 2022, both the number of unique individuals and total admissions decreased.
- Females made up 26% of admissions in 2022.
- White individuals made up majority of the admissions, but Black individuals were overrepresented compared to the county population.

# Oklahoma County Detention Center Releases

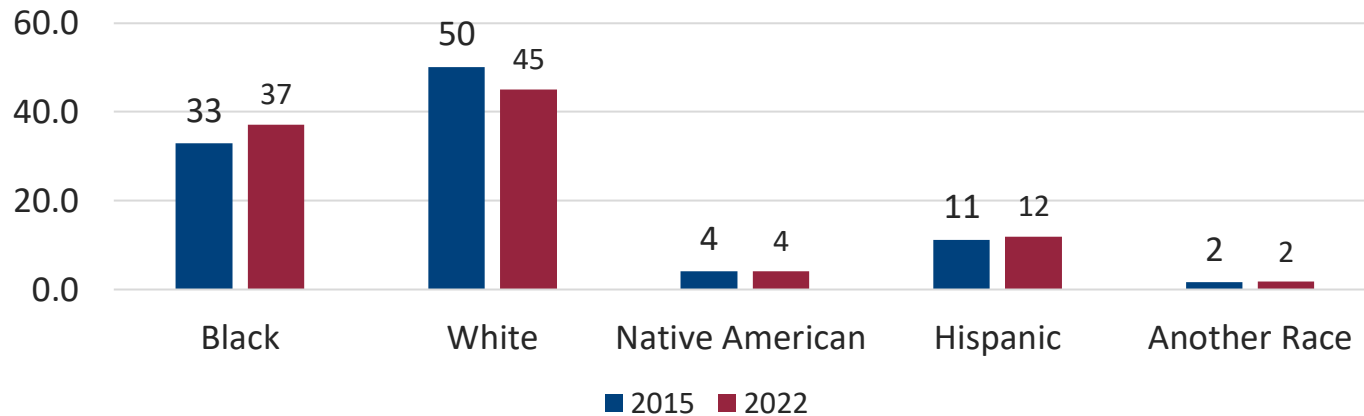


Over **one-third** of people were released within **24 hours**.

- OCDC released over 22,000 people in 2022.
- The average and median length of stay was 24.7 and 2.7 days, respectively.

# Demographics Overview

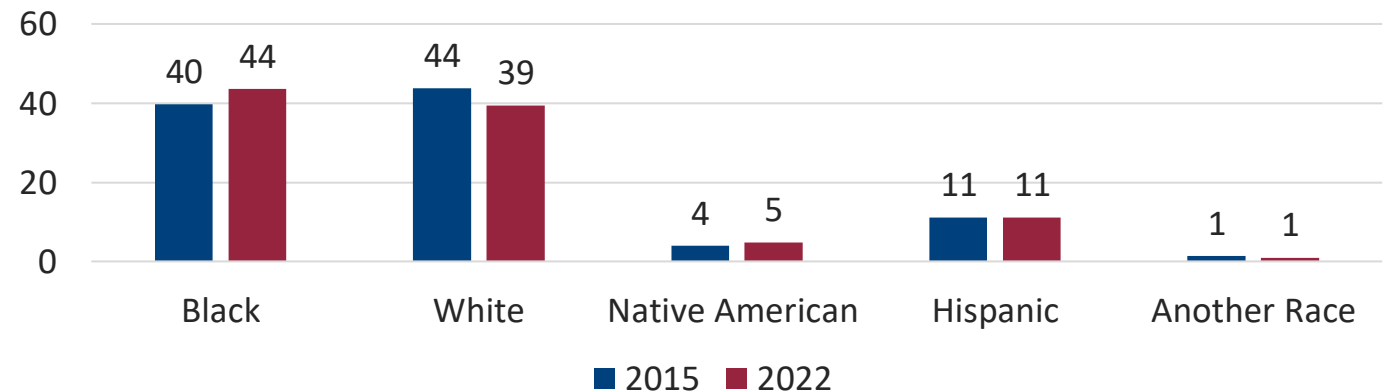
Proportion of Admissions by Race, 2015-2022 (%)



Black individuals made up **16%** of OK County, but **37%** of OCDC admissions.

The proportion of Black individuals **grew 10%** in the standing population while the proportion of white individuals **decreased 10%**.

Race Trends in Jail Population as of July 1, 2015 & 2022 (%)



# Review of Findings

# **Finding #1: Oklahoma County established CJAC, a local criminal justice coordinating council.**

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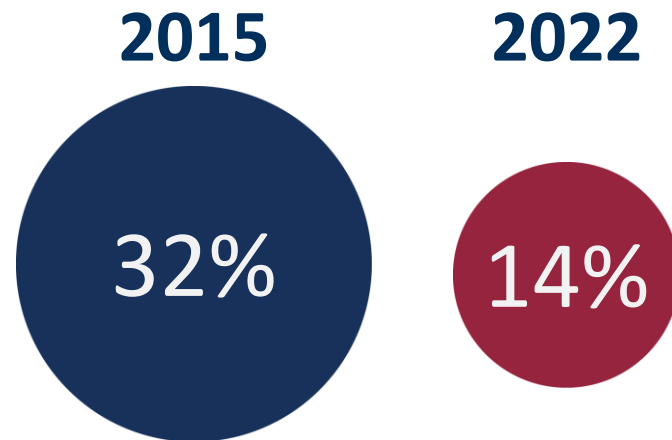
Provide Oversight

Increase Transparency

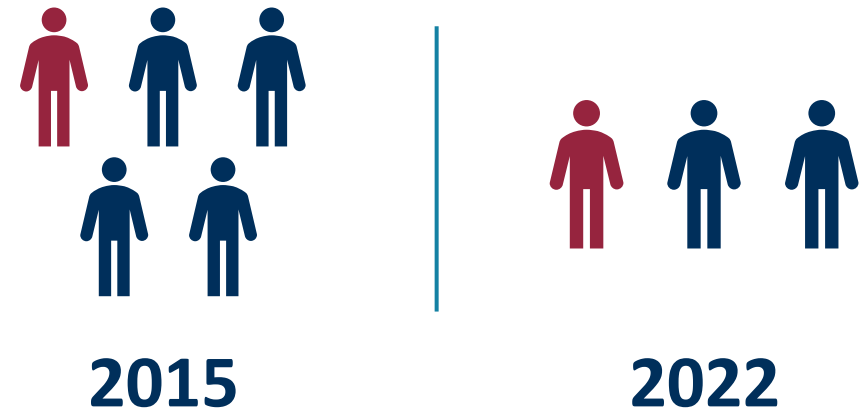
Facilitate Collaboration among Stakeholders

## Finding #2: Jail admissions have decreased, including drops in arrests for municipal charges and drug- and alcohol-related misdemeanors.

Arrests due to a municipal charge have **decreased**.



Since 2015, OCPD's use of cite-and-release **increased 61%**.



## **Finding #2:** Jail admissions have decreased, including drops in arrests for municipal charges and drug- and alcohol-related misdemeanors.

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- Book and release policies are not being widely used.
- Municipal Court has modified its practice relating to failure to appear (FTA) and failure to pay (FTP) charges.
- Companion (dual) charging by OCPD remains a consistent practice.
- Stakeholder collaboration and communication to reduce admissions for repeat low-level offenses has improved.



# Unimplemented Strategies from 2016:

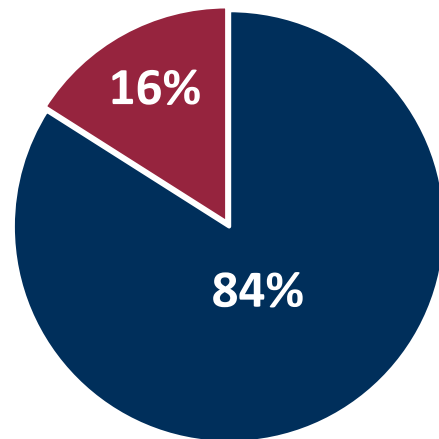
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- Eliminate the 10/24-hour hold order;
- Institute a court notification system in municipal court; and
- Reduce instances of companion charging.

## **Finding #3: Oklahoma County has not reduced the proportion of its population that is pretrial.**

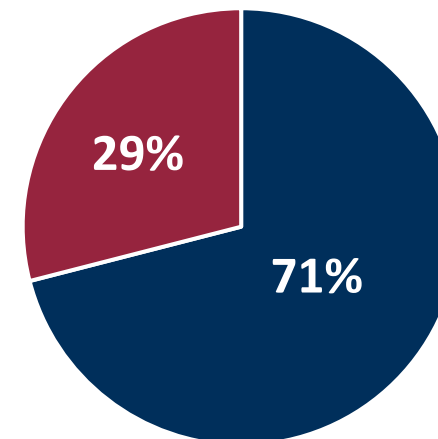
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Oklahoma County Standing Population by Pretrial Status 2023



■ Pretrial ■ Convicted

National Standing Population by Pretrial Status 2021



■ Pretrial ■ Convicted

## Finding #3: Oklahoma County has not reduced the proportion of its population that is pretrial.

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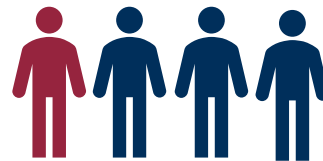
- The number of Ordered Releases (OR) and Conditional Releases (CR) has increased since 2015 but eligibility criteria for OR and CR bond release remain the same.
- Options for non-financial release have increased.
- Most bail amounts are for the highest charge, but some are still calculated cumulatively.

### Bond for Bail-Eligible Individuals



Median: **\$5,000**

Average: **\$11,424**



The most common release type is through a bondsman (27%).

## **Finding #3: Oklahoma County has not reduced the proportion of its population that is pretrial.**

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- Counsel is now available at probable cause hearings.
- There is still no requirement for bail review after initial appearances.
- Further education is still needed about the purpose of bail.

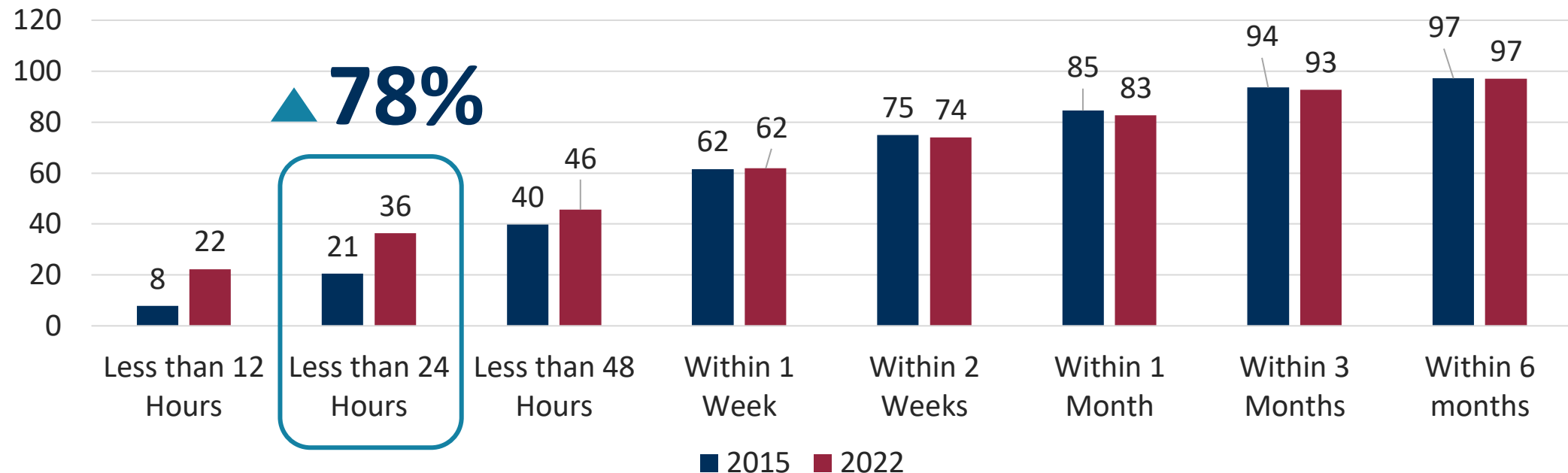
# Unimplemented Strategies from 2016:

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- Expedite screening and assessment of those in jail who appear to qualify for OR or CR release;
- Expand eligibility for OR/CR bond release;
- Calculate bail amounts based on the highest charge, not cumulatively;
- Expand the use of personal recognizance bonds;
- Institute a bail review at formal arraignment;
- Develop a comprehensive understanding among Oklahoma County criminal justice system stakeholders of pretrial risk and evidence-based practices in pretrial decision making; and
- Identify and implement a pretrial risk assessment tool to guide judges' decisions about pretrial release.

# Finding #4: Length of stay has decreased but is most pronounced for those released within the first 48 hours.

Time to Release for Release Cohort by Cumulative Percent, 2015 & 2022



## **Finding #4: Length of stay has decreased but is most pronounced for those released within the first 48 hours.**

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- There is an Administrative Order in place to address charging delays.
- FTA and FTP notification processes remain outdated.
- OCDC has not facilitated earlier access to attorneys.
- There is no formal case triaging to expedite cases.
- Fewer individuals are being surrendered on bond.
- No self-surrender program is available for district court cases.

# Unimplemented Strategies from 2016 :

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- Notify out-of-custody defendants once charges have been filed;
- Develop a capacity to sort cases, identifying those that can be fast tracked or diverted;
- Consider implementing proven strategies for reducing case backlogs;
- Implement a court notification system in district court to reduce FTA;
- Prioritize access to counsel in jail;
- Review practices and procedures for bond surrender; and
- Institute a periodic warrant resolution program.



# **Finding #5:** Access to and use of diversion programs has increased considerably in Oklahoma County.

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Diversion Hub

TEEM

ReMerge

The Arnall  
Family  
Foundation

Treatment  
Court Programs

# Finding #5: Access to and use of diversion programs has increased considerably in Oklahoma County.

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- Participants are identified for diversion earlier in the criminal justice process.
- Oklahoma County has invested in a continuum of diversion programming.

988 hotline

Crisis Intervention

Oklahoma Ride CARE

Court Ordered Outpatient Program

Opt Up

Community Court

Diversion Hub's Misdemeanor Diversion

TEEM's Community Sentencing

Diversion Hub's Second Chance Probation

ReMerge

Treatment Court expansion

# Unimplemented Strategies from 2016:

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- Identify and enroll participants in specialty court earlier in the criminal justice process.

## **Finding #6: Oklahoma County has reduced the impact of justice system fines and fees on jail growth and recidivism.**

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- In 2022, of the 2,264 individuals arrested and admitted to OCDC for violation warrants, only 16 individuals were there specifically for FTP, although an additional 317 individuals were flagged as having FTP and/or FTA.

**Between only 0.07% and 1.5% of OCDC admissions were for FTP.**

## **Finding #6: Oklahoma County has reduced the impact of justice system fines and fees on jail growth and recidivism.**

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- Indigency hearings are occurring earlier in the process; however, fines and fees waivers are currently limited until November 2023, when HB 2259 becomes effective.
- Alternatives to cost warrants are becoming available.
- Financial obligations are easier to pay since 2016; however, comprehensive information on all criminal justice-related debt and a standardized method of paying such debt is lacking.



# 2023 Recommendations

# Reduce the pretrial population at OCDC.

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- Ensure criminal history is available to pretrial release decision makers;
- Create a presumption for release on personal recognizance with conditions;
- Conduct subsequent release eligibility review after initial decision to detain an individual pretrial;
- Allow bond to be set for offenses where “no bond is required”;
- Eliminate procedural barriers that delay an individual’s pretrial release;
- Establish pre-arrest deflection and diversion programs; and
- Create more alternatives for individuals with a substance use disorder who are not high-risk.

# Remove system inefficiencies to reduce the length of stay for individuals not released within 48 hours.

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- Create strict deadlines throughout the adjudicatory process that ensure individuals are not detained beyond their appropriate release date; and
- Create a more streamlined competency restoration process.



# Implement strategies with equitable goals at the forefront to reduce racial disparities in the jail.

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- Ensure criminal justice stakeholders track data on racial demographics;
- Require regular analysis and reporting of racial demographics in the local criminal justice system to county and state leaders; and
- Increase data capacity by hiring more staff and streamlining the collection of data among multiple stakeholders.

# Questions and Contact

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