



BALTIMORE BEHIND BARS: How to Reduce the Jail Population, Save Money and Improve Public Safety

National Implications

Baltimore Behind Bars: How to Reduce the Jail Population, Save Money and Improve Public Safety details Baltimore’s complex system of policing practices and court and bail processes that contribute to crowding and excessive use of jails for pre-trial supervision. While the report focuses on Baltimore, many of the findings and recommendations are relevant to other jurisdictions struggling with high jail populations, and can be applied to criminal justice systems across the country. Findings in this report show that Baltimore and other localities could reduce their jail populations, save money and improve public safety by making the following changes to their practices and policies:

Reforming arrest, enforcement and diversion practices

1. Police should provide citations rather than arrests for certain offenses. Police departments, city/state officials and policymakers should determine which policies and practices are causing more people to go to jail for offenses that do not create a public safety threat. Civil penalties have been used successfully in other jurisdictions to address nonviolent infractions.
2. Courts should divert people with mental health and drug treatment needs to the public health system and community-based treatment. Research shows that people with mental health or substance abuse problems have better outcomes when they receive treatment in the community and that incarceration can exacerbate these issues. Treatment is also more cost-effective than incarceration.
3. Probation agencies should utilize graduated sanctions for technical violations of probation and use non-incarcerative responses that address underlying reasons for violations. As many violations are a response to underlying issues such as mental illness, homelessness or substance abuse, shifting probation responses to those of support and services, rather than incarceration, could help alleviate unnecessary incarceration.

Expanding pretrial release and reform bail practices

1. Courts should set up a mechanism for screening and recommending release on personal recognizance for people who are low-risk, the same way recommendations are made on people who are high-risk. Using the same methodology that determines bail amount or refusal of bail, the courts could recommend pretrial release, rather than detention, for people who are considered low-risk. Identifying more people at the outset who could be released will reduce the number of people in jail awaiting trial.

2. Courts should reform the bail system and use other methods of ensuring people return to court. Cities and counties should expand their options for ensuring appearances in court beyond relying primarily on money bail. Money bail discriminates against people of lower income and the use of commercial bonding companies takes the release decision-making power away from judges and puts it into the hands of a for-profit industry. Fully utilizing pretrial release supervision and diversion programs that provide appropriate services and supervision while a person awaits trial, rather than relying on money bail, will reduce the number of people in jail and associated costs.

Updating court processes

1. Courts should set up an automated notification system to remind people to show up to court. Some localities have found that options like telephone calls and messaging notifications for court dates, similar to the method doctors' offices use, reduce the number of "failure to appears" and save money in the long run.
2. Courts should reduce the length of time between arrest and court date and address the problem of postponements of trial. While some jurisdictions offer options to fast-track cases, these options frequently require a guilty plea, which carries a problematic set of collateral consequences aside from spending time in jail. Courts that experience long wait times between arrest and court should develop a solution to this problem, especially as it relates to people who are detained pretrial.
3. Courts should expand their hours. Some jurisdictions have instituted night and weekend courts to reduce court backlogs. Analyzing court processes and data to learn more about what is working to reduce postponements of cases in communities can be helpful in developing an effective approach to reduce backlog.

Providing more, and better, services

1. Substance abuse and mental health treatment should be accessible in the community before people are involved in the criminal justice system. Providing treatment in a jail can be an effective way to help people who have substance abuse or mental health issues, but research shows that it is not nearly as effective as treating people in the community. Services for people in the community are also less expensive than those in the jail.
2. Jails should help ensure a continuation of care upon release, including medication and referrals for treatment if needed. People with mental or physical illnesses may need further services after release that will help them have better outcomes in the community. The jail should assist them with referrals to treatment as appropriate and help people leaving the jail to fill out forms to apply or re-apply for benefits such as Medicaid and Social Security, all of which can be completed before a person is released and can help eliminate gaps in treatment.
3. Municipalities and jails should have an office or full-time position dedicated to helping people who are re-entering the community after incarceration. People have basic needs upon release from jail, which often including housing, employment and treatment. A person or office both inside and outside the jail that is responsible for providing services and supports for people upon release

would help ensure there was someone on the outside familiar with their circumstances and needs. Addressing the lack of services for people who are leaving jail could significantly reduce the number of people returning to jail.

To read the Executive Summary and full report of Baltimore Behind Bars [CLICK HERE](#). For additional information, please contact Adam Ratliff at (202) 558-7974 x306 or aratliff@justicepolicy.org. For a more JPI reports on the Baltimore and Maryland criminal justice systems, please visit our website at www.justicepolicy.org.

The Justice Policy Institute (JPI) is a Washington, D.C.-based organization dedicated to reducing society's use of incarceration and promoting just and effective social policies.