Justice Reinvestment Initiative
at the Local Level

Getting to Know Grant County, Indiana

Grant County, Indiana has a population of 70,061. The county seat is Marion, located 65 miles north of Indianapolis. The racial makeup of the county is 89% White, and 7% Black or African American; 2% of the population is Hispanic or Latino of any race. The median income for a household in the county is $36,162. In 2012, the local criminal justice system had 3,542 jail bookings.

Grant County courts and corrections departments are known as leaders in the implementation of evidence-based practice (EBP). The County participated in the Evidence-Based Decision-Making Initiative (EBDM) from October 2010 to September, 2015March 2014. The county was selected to participate in the JRI initiative in April 2011.

JRI Phase I in Grant County

Through its participation in the EBDM initiative in Year 1, Grant County established a vision of risk and harm reduction, strengthened its collaborative team process, developed an in-depth picture of current practice, studied the evidence based research and its application at decision points from arrest to discharge, and developed a strategic plan with five initial change targets. The five areas in which the County saw the greatest opportunity for improving risk and harm reduction outcomes were: 1) the pretrial process, including the use of risk assessments to inform the pretrial release and detention decision, the reduced use of jail with low-risk pretrial detainees and reducing the time from arrest to adjudication; 2) the effectiveness of interventions provided by community (non-criminal justice) agencies, particularly drug and sex offender treatment programs, 3) the probation violations process and alternatives to revocations, 4) caseload reallocation to optimize

supervision of higher risk probationers, and 5) improved satisfaction of victims with the court process.

In the summer of 2011, Grant County was accepted into the JRI at the Local Level Initiative. It reconstituted its policy body as the JRI/EBDM Policy Team and reconfirmed its commitment to effective and efficient strategies for improving public safety through reductions in reoffending. JRI participation significantly increased technical assistance focused on analyzing the characteristics of defendants and offenders in the jail and on probation (population drivers) and the costs associated with current use of these sanctions.

> ### Key to Success
> A strong team involved in the EBDM initiative is also providing leadership on JRI. As a result of its longstanding work on a variety of criminal justice problem solving initiatives, the county enjoys a high functioning, collaborative policy team that will contribute to the success of this effort.

Insights

Data Analysis. During the first phase of JRI (2011-2013), the team continued to explore and refine its initial set of change targets through monthly policy team meetings and extensive data extraction and analysis. Key findings gleaned from this work are described below.

Probation data analysis supported the development of the new evidence-based violations policy and response grid. This analysis was particularly helpful to the JRI/EBDM Policy Team in understanding the impact of current violations practices on the probation population, the percentage of violations that were technical

versus new arrests, court processing time (judicial, prosecutorial and defense) and the impact on criminal justice resources, including the volume and proportion of jail bookings and lengths of stay for probation violation holds (6% of all jail bookings and 13% of inmates sentenced to jail).

Probation data analysis also supported the generation of policy options to reduce caseload size of medium and high-risk probationers in order to optimize effective supervision of offenders and reduce recidivism. Data analysis aided the Policy Team in understanding: a) the overall level of resources devoted to probation supervision of both felons and misdemeanants by risk level and charge (for instance, 41% of the standing misdemeanor population and new misdemeanor probation starts between 2006 and 2012 were found to be low risk), b) the impact of moving low/moderate risk probationers to informal probation after two years; and c) the risk levels and outcomes of current practice (outcomes defined as successful or unsuccessful discharge from probation). A simulation model was developed to assess the impact of four promising caseload reduction options on probation populations and resources (staff time and cost).

A jail analysis was also completed that helped identify the number of low-risk defendants booked into the jail that might be eligible for diversion. The Policy Team and the prosecutor outlined the purposes and eligibility criteria for an expanded diversion program. Additional analyses of the jail population examined the use of jail bed days for pretrial, sentenced and agency holds. Findings included a) pretrial inmates as a portion of all bookings reduced from 74% to 61% in years 2008-2012, b) fewer offenders left the jail within 24 hours compared to five years ago, and c) the top offense in the standing jail population (July 2012) was a probation violation. These findings

informed the choice of options for optimizing probation supervision and a new violations response grid, and informed the development of a data dashboard to monitor key performance indicators and outcomes.

Cost Avoidance Analysis. The estimated cost avoidance of diverting roughly 75% of diversion-eligible defendants was approximately $48,000 in court processing costs and $52,000 in jail bed days for a total of $100,000 annually. The potential for cost avoidance due to probation caseload reallocation was estimated between $44,000 and $133,000 annually, depending upon the choice of policy options for bringing caseloads to optimal levels for effective supervision.

Policy Options Explored and Selected

Implementing Expanded Diversion. The County was interested in expanding its diversion program as part of a multi-faceted effort to redirect court and probation resources to higher risk cases and avoid the staff costs of supervising lower risk defendants. In 2013 a new screening approach was implemented at jail booking to increase early identification of candidates for both problem solving courts and diversion. An analysis of screening data showed that 16% of jail bookings were diversion eligible according to criteria established by Indiana statute and prosecutorial policy (the basis for the cost-benefit analysis). The County applied to BJA for Phase II funding for an expanded diversion program in spring 2014 and was approved for funding for a one-year period.

The Policy Team eventually decided to decline the offer of BJA funding because it reasoned that the one-year funding period would not provide adequate time to get the program up and running at sufficient capacity to achieve its cost avoidance target (justice reinvestment goal[1]). Further, the County Council indicated it did not have the

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[1] Although Grant County did not apply for Phase II JRI funding, the site did elect to receive ongoing technical assistance from the project through September, 2015.

resources to fund the second year of the proposed diversion program. The policy team also recognized that it lacked the necessary project staff to meet the data analysis and reporting requirements of a Phase II grant. The implementation of Indiana HSB 1006 in 2014 was an additional factor. The Bill is expected to increase the number of low-level felons sentenced to probation and jail, placing more demands on County services and further putting into question the feasibility of its reinvestment goal.

Improving Pretrial Practices at the State Level. The county encountered statutory barriers to implementing evidence-based pretrial practices. The most serious barrier to progress on this target was a series of legal and research questions concerning items in the pretrial risk assessment instrument and the question of which agencies were authorized to administer the tool under Indiana law. The Chief Justice of Indiana's Supreme Court convened a work group to examine these and other issues and make recommendations for addressing them. The County is represented on this work group. At the same time, the Policy Team continues to monitor the admissions and lengths of stay of pretrial defendants in the jail (see section on Pre-Post Quantitative Changes).

Managing Low Risk Offenders. The Policy Team's technical assistance providers made a formal presentation in September 2013, regarding the results of the extensive analyses of the probation population and their implications for proposed caseload reallocation strategies. The team prioritized high-risk defendants as those most in need of probation supervision and confirmed that the primary purpose of probation supervision was changing offender behavior to reduce the risk of reoffending.

Responding to Violations. The Policy Team approved a new violations policy and response matrix in the fall 2012, and the new policies and procedures have been fully implemented. The

Team will continue to monitor how the new violations policies are impacting court filings and use of jail beds.

Implementing a Data Dashboard. In 2013, the Indiana Supreme Court volunteered to complete the development of Grant County's data dashboard for centralized reporting on key indicators of criminal justice performance. The Court's plan is to use the Grant County dashboard as a template for other counties across the state.

Summary of JRI Technical Assistance Provided to Grant County

Extensive technical assistance was provided Grant County from fall 2011 to summer 2015 in three broad categories: data analysis and performance measurement, increasing the JRI Policy Team's capacity to use good data in the development of new policy solutions and sustain its collaborative process, and assistance with implementation of selected policy options.

Data Analysis and Performance Measurement: Tammy Meredith, ARS, facilitated the extraction of agency data from the county jail, probation and community corrections populations and costs. This involved negotiating the download of data from proprietary systems managed by private vendors for both initial data reports and subsequent updates. She conducted analyses and prepared reports and presentations to the Policy Team to:

- Describe the impact of probation violation practices on the courts, jail and probation (successful, technical and new arrest violations and revocations) in order to inform the development of a new violations policy and response matrix. Analyses also informed the development of a new practice to move selected active probation cases to unsupervised or informal supervision.
- Describe the probation admissions, releases and standing population from

2006 to 2012 to inform the dynamics of probation population growth among both felons and misdemeanants by risk level and supervision status.

- Design a discrete event simulation model to estimate the impact of four workload reallocation options under consideration by the Policy Team.
- Conduct a jail population analysis in 2012 to explore five-year trends in jail bookings, average daily population, and lengths of stay by status (pretrial, sentenced, weekender) and inmate type (agency holds, DOC holds, FTAs and probation violators) and a second, updated analysis in 2015 to support the Policy Team's planning session on strategies to manage the jail in future years.
- Analyze the results of a supplemental screening data collection effort at jail booking to determine the potential eligibility pool for diversion and the estimated cost avoidance for the courts of diverting roughly 75% of the eligible population.
- Conduct cost avoidance analyses of implementing the Policy Team's choice of a caseload reallocation policy.
- Design a methodology, oversee manual data collection efforts and analyze arrest data on probationers released in 2012 in order to provide a baseline recidivism measure for the new supervision strategies (violations policy and caseload reallocation) implemented by the Policy Team. The methodology is documented in a stand-alone report that provides Grant County with a written plan for updating recidivism analyses in the future.
- Provide consultation throughout the last 18 months of the initiative on upgrading the jail and probation information systems in order to meet the needs of the Policy Team for routine information to

manage Grant County's criminal justice system.

Capacity Building and Sustainability: Technical assistance focused on:

- Planning and facilitation of Policy Team meetings to ensure that members understood the data analyzes presented to them, engaged in productive discussion of their policy options and sustained the inclusive, collaborative environment essential to building consensus on courses of action.
- Supporting the several work groups set up to implement policy options and coordinate data requests and specialized technical assistance.
- Planning and conducting a 2015 annual retreat to assess progress with implementation of policy options, consider new data reports on jail population trends and the probation recidivism baseline, and develop a set of new change targets for future exploration.

Implementation of Policy Options: Technical assistance included:

- Consultation on the development of performance measures for the violations response and caseload reallocation systems and implementation of the data dashboard. Establishing sub-contracts with the jail Information Technology vendor to add data fields critical to the needs of the Policy Team for monitoring jail populations and with the probation Information Technology vendor to develop fields for tracking probation violations procedures and outcomes.
- Assistance regarding implementation of the caseload reallocation strategy and improving the skills of probation officers to engage and support clients in

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behavioral change efforts focused on their primary risk factors (criminogenic needs).

How is Grant County Operating Differently as a Result of Involvement in the JRI Initiative?

Changes in Criminal Justice Operations

The Grant County JRI/EBDM Policy Team chose to implement three significant policy changes. The first to be fully implemented (Fall 2012) was a *new probation violations policy and response matrix.* The purposes of the new approach were to respond consistently, swiftly, and fairly to all violations with graduated responses based on the offense, risk level of the probationer and the severity of the violation. Responses to the non-compliant behaviors stress accountability and target interventions to address individual risk factors, the criminogenic needs that are driving the violation behavior. Probation officers respond to every violation behaviors with a one-page violations report submitted to the court. The report includes a suggested judicial action or response to which the defendant has already signed his or her agreement. If the judges accept the action, the violation report is recorded and a hearing is avoided.

Data analysis prior to implementation of the violations policy shed critical light on the impact of existing practice (pre-2012) on the resources of the court (the time of judges, prosecutors, defense counsel, and court clerks to process violation orders) and on the jail bed days and costs of detaining violators. In interviews with court officials conducted in August 2015, judges applauded the new policy, noting they were spending significantly less time on processing violations (avoiding the numerous "15 minutes hearings"), response time for clients was a fraction of what it used to be, and there was a great deal more consistency among officers' responses to violation behaviors. Defendants, in turn, felt they were being treated more fairly.

The strategy to *reallocate caseloads* was fully implemented in December 2014. Its overriding purpose was to reduce the recidivism outcomes of probationers by utilizing evidence based supervision practices. The JRI/EBDM Policy Team, with extensive data analytic assistance from ARS, began exploring the factors driving the long-term increases in probation admissions and standing population in the period from 2006 to 2012. Although admissions began to level off in 2012, the average length of supervision continued to increase significantly across all risk levels. Knowing that probation could expect no additional resources from the County (probation services are entirely county funded) to hire more officers to supervise the growing felony caseload and lengthening supervision terms, the Policy Team did two things: it prioritized the purposes of probation, the functions that were most important from their perspectives, and then worked to identify four potential reallocation options, two for felony and two for misdemeanant probationers. ARS then developed a discrete-event simulation model to compare the impact of these policy options on the active and inactive probation caseload. It produced a "baseline" projection of the active adult probation population growth over the next five years (estimating a 26% increase in five years) and then compared the impact of the four proposed caseload reallocation options on the active population (separately and in combination). The Policy Team chose a combination of one felony and one misdemeanor strategy.

Policy officials agreed that the importance of the simulation modeling was to instill of sense of urgency about Grant County's current and future dilemma stemming from an increasing probation population and to highlight the impact of different caseload reallocation policy choices. It reinforced policymakers' agreement that the primary purpose of probation was "*reducing offenders' risk of future criminal behavior by addressing the offenders' assessed risks and*

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needs." It helped them identify their supervision priorities. The policy team decided that felony low/moderate risk offenders would be placed on unsupervised probation after completing their risk reduction conditions or programs. Other conditions would be monitored by civil judgments (the courts or the Clerk). Misdemeanor probation would be reserved for high-risk offenders, domestic violence cases, and moderate risk offenders with substance abuse problems. Other misdemeanant probationers would be monitored for new arrests only. Probation would establish standards for the number of offenders supervised by risk level. Other offenders would be moved to informal probation consistent with the Policy Team's priorities. Probation Services would establish an optimum number of cases (caps) by risk level for each officer and assign or reassign cases to meet those optimum caps.

This reallocation strategy would result in focusing officer time on behavioral interventions with higher risk probationers in order to have the greatest impact on reducing reoffending. It also meant limiting or altering the way other purposes or functions of traditional probation would be delivered (e.g., accountability and punishment measures, monitoring all court-order conditions regardless of risk level). Thus, the Caseload Reallocation Work Group had critical policy guidance with which to devise an implementation plan for the actual caseload reallocation.

The third policy option was the *development of a criminal justice dashboard* to monitor 14 significant measures of criminal justice operations and performance in the courts, probation and the jail. Grant County began the dashboard development in 2013. The Indiana Court Technology IT Department became very interested in the project and asked to work with Grant County. Eventually, Court Technology took over development of the dashboard because of the State's interest in offering dashboard capabilities to other Indiana counties. The Court and probation portions of the dashboard are fully operational; the Court is working with Grant

County to bring the final data elements from the jail information system on-line.

The data dashboard allows stakeholders to access data in near-real time. It interfaces with three separate data systems: state courts, local jail and local correctional services (probation and community corrections). Data includes information about the jail population (inmate demographics, and average daily population and length of stay by status (pretrial and sentenced); court cases (number and age of pending cases) and time to disposition (breakdown by case type and percentage of cases resolved within established time frames); and probation (active caseloads by risk and supervision levels, active case summaries and discharge outcomes). Stakeholders can filter the data and generate graphs based on time period and selected characteristics. Stakeholders are also able to 'drill down' in the graphs to view more detailed information and can overlay the graphs with intended goals in order to assess progress toward outcomes.

Changes in Capacity to Conduct Policy Analysis and Make Decisions to Improve Management of the Criminal Justice System

Grant County has benefited from outstanding judicial leadership of the policy development process, leadership that emerged in the early 2000s with the establishment of problem solving courts. Policy members agree that this leadership will carry Grant County into the future as it continues to monitor its use of pretrial and sentencing resources and addresses the new challenges that it has identified. Further, there is strong multi-disciplinary commitment to the collaborative process.

Grant County officials have come to rely on good data regarding trends in the use of jail and probation resources. The simulation modeling, in particular, was crucial to getting all stakeholders on the same page with regard to difficult decisions about the purposes and use of probation supervision resources. The JRI

Initiative created an appetite and a dependence on good data. While the County has limited resources to upgrade data capacity, the Policy Team has employed the JRI technical assistance well to identify deficits in the court, jail and probation information systems and frame the needed upgrades to those systems that will help to sustain data-informed problem analysis and policy development.

Specifically, the jail information system has been upgraded to include fields that will capture historical data regarding inmate status and length of stay, bond amounts and lengths of time until bonds are met, and more complete data on court case numbers and dispositions. It also has the capacity to collect early risk screening results that inform eligibility for problem solving courts and prosecutorial diversion. The probation information system has improved the capacity of Correctional Services to track caseload assignment by officer and monitor adherence to the caseload reallocation plan; it also tracks case management tasks that are critical in the evidence-based supervision of clients. The new system also will provide routine information on performance measures related to the violations policy. Finally, JRI analytic assistance has helped Grant County develop a probation recidivism baseline for the policy changes affecting Correctional Services and equipped the agency with a step-by-step plan for conducting follow-up recidivism analyses in the future.

Plans for Future Continued Efforts

In its annual planning session in February 2015, the Grant County Policy Team examined its progress to date, renewed its commitment to the policy process and identified several new challenges. While it continues to monitor implementation of the policy options it chose in 2011-2013 (violations response, caseload reallocation and the dashboard), it will explore three new areas: improving the jail information system (well underway), managing new trends in the use of the jail for sentenced inmates, and the high number of defendants with mental health issues in all sentencing options. A particular concern will be the impact of HSB 1006, the revised Indiana Criminal Code, on County resources. The Bill mandates that low-level felons, formerly eligible for a prison sentence, shall be sentenced to local supervision options (largely probation or jail). This will mean new challenges for managing resources efficiently. New members were invited to the table as well; they included a County administrator, additional defense counsel representation and a City Court judge.

Impacts and Outcomes

The new probation caseload reallocation strategy was based on extensive analytical assistance. The ARS simulation model estimated the impact of four competing workload reallocation options from which the Policy Team chose a combination of felony and misdemeanor probationer policies to focus officer time on evidence-based behavioral interventions with the highest risk probationers in order maximize impact. We estimated the five-year impact of reallocating caseloads as a 23% reduction in the active probation population, compared to the projected growth of 26% (if no policy is changed). The result would be a reduction in the active probation caseload from 76% to 50% in five years. The estimated cost avoidance of implementing the

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selected strategy ranged from $44,254 to $133,460. Grant County Correctional Services reports that it has achieved a 13% reduction in the active probation caseload in the past five years (12/31/11 – 12/13/15), significant progress in the desired direction. Probation reallocation work sparked the desire to measure performance outcomes. The ARS probation recidivism study tracked all probationers released in 2012 to determine new arrest activity post-supervision as a baseline recidivism measure. The majority of the 524 adult probationers successfully completed supervision (77%) after an average of twelve months on supervision. 13% were rearrested within one year of completing supervision, 30% within two years. Baseline recidivism measures were established for felony and misdemeanor caseloads, by risk groups, and by completion status (revoked vs. successful).

The jail population analyses in 2012 and 2015 to explore trends in bookings, average daily population, and lengths of stay supported the Policy Team's jail management planning. By 2014 jail bookings had decreased 17% overall (since 2008), and the proportion of bookings for pretrial defendants dropped from 74% to 57% of all bookings. At the same time, length of stay increased during those years, most notably for sentenced offenders. While the significant drop in the proportion of bookings for pretrial defendants was welcome, there was concern that more resources were devoted to housing violators for longer periods of time (violators of probation, home detention, and accountability courts). Such data provoked an important discussion on how the county wanted to use its jail bed days for various categories of sentenced offenders.

The new probation violations policy and response matrix recommends swift and certain responses based on offense and offender risk level. Initial JRI analysis documented significant jail resources consumed by probation violators (12% of jail bed days costing over $300,000 annually). While interviews with court officials indicate a perception of improvements, reductions in the volume or length of stay for violators in jail have yet to be realized. Nonetheless, the new violations policy has achieved a 9% decrease in the number of all types of violations filed with the courts (two-year period ending 12/31/15), significant progress toward the goal of decreasing technical violations filed with the courts by 10%. Taken together the measurement of performance on these strategies remained the focus of the JRI analytical support to Grant County. The Policy Team has developed a clear desire for ongoing assessment of progress towards meeting JRI objectives.

Insights for Other Jurisdictions

Policy team members agreed that getting good ta on the operations of their criminal justice system was critical. County officials said they had never had a clear picture of trends in their jail and probation populations, and as such the simulation modeling was especially important. At the same time, they learned that none of the data collection went as planned or was as simple as it first appeared. Information systems are not well supported in Grant County, a situation common to small, resource-poor counties in Indiana. Thus, improving information capacity with staff expertise and programming upgrades remains a challenge.

Leadership agreed that the greatest achievement was the collaborative process itself, and the way officials from very different perspectives came together to consider data on system operations and research on evidence-based practices and subsequently agreed on policy solutions that all stakeholders could support.

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1. Jail Dashboard:

a. Average Daily Jail Population
   i. Breakdown by Time Period, Month, Day
   iii. Filter or Group By:
      1. Race
      3. Sex
      5. Age
      7. Status (pretrial vs. sentenced)

b. Average Length of Stay
   ii. Breakdown by Time Period, Month, Day
   iv. Filter or Group By:
      2. Race
      4. Sex
      6. Age
      8. Status (pretrial vs. sentenced)

2. Probation Dashboard:

a. Probation Case Closure
   i. Breakdown by Time Period, Month, Day
   ii. Filter or Group By:
      1. Officer
      2. Probation Status
      3. Risk Level
      4. Race
      5. Gender
      6. Case Type
      7. Supervision Level
   iii. Drill down to the level of reading case notes for each individual case in the data

b. Active Case Summary
   i. Breakdown by Time Period, Month, Day
   ii. Filter or Group By:
      1. Officer
      2. Probation Status
      3. Risk Level
      4. Race
      5. Gender
      6. Case Type
      7. Supervision Level
   iii. Drill down to the level of reading case notes for each individual case in the data

3. Court Dashboard:

a. Number of Pending Cases

b. Average Age of Pending Cases
   i. Breakdown by Case Type (i.e. Felony vs. Misdemeanor vs. Infractions vs. Civil vs., etc.)
   ii. Compare Across Time Periods or drill down to a Month of Daily view

c. Time to Disposition
   i. Percentage of cases disposed or otherwise resolved within the established time frame.
   ii. Breakdown by Case Type (i.e. Felony vs. Misdemeanor vs. Infractions vs. Civil vs., etc.)
   iii. Compare Across Time Periods or drill down to a Month of Daily view
   iv. Group or Filter by:
      1. Court
      2. Case Type
      3. Level
   v. Drill down to the individual case level where the CCS can be accessed.

d. Clearance Rate
   i. Number of outgoing cases as a percentage of the number of incoming cases.
   ii. Breakdown by Case Type (i.e. Felony vs. Misdemeanor vs. Infractions vs. Civil vs., etc.)
   iii. Compare time periods for 30, 60, 90, 180 and 365 days.