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New Report Shows Lengths of Stay at Durham County Jail Increasing Even as Admissions Decline

Research Network on Misdemeanor Justice report shows that people with high bail, charged with more serious crimes, or serving a city/county sentence are staying longer in Durham County's jail, with Black people disproportionately impacted

Durham, North Carolina-- The average length of time people stay in Durham County Jail increased by 24% over a 5-year period (2014-2019) – with the number of individuals staying in jail for 1 year or longer more than doubling. This occurred even as successful reforms in Durham reduced overall admissions to the jail by 25%, according to a new report from the North Carolina Central University in collaboration with the [Research Network on Misdemeanor Justice](#) (“Research Network”), a project of the [Data Collaborative for Justice \(DCJ\)](#) at John Jay College. Among its key findings, **the report shows that longer lengths of stay are driving higher jail populations. The report finds that the Durham County Jail would have had 57 fewer people on an average day in 2019, if the average length of stay had remained flat between 2014 and 2019 (instead, it increased from 14.8 days to 18.4 days).**

A number of factors have driven the increased average length of stay in the jail, including:

- People who are detained pretrial because they are unable to pay higher bail amounts (\$5,000+) and secure release while their criminal case is pending. Of the people with bail set in 2019, 27% had bail amounts of \$5,000+, and 42% of this group had increased lengths of stay;
- People admitted to jail for short city or county sentences are staying longer. This group made up 17% of admissions in 2019 and had a 61% increase in length of stay (2014- 2019); and
- People admitted to jail on more serious charges are staying longer. Violent felonies made up 6% of admissions in 2019 and had a 33% increase in length of stay (2014-2019).

[Understanding Trends in the Jail Population in Durham, North Carolina: 2014 to 2019](#)

examines data on admissions, lengths of stay, and population levels at the Durham County Jail between 2014 and 2019. **The report, and a [related research brief](#), highlight five notable trends:**

- 1. Jail Admissions fell 25% from 2014-2019 while the average daily jail population (ADP) fell by 19%.** Admissions to the Durham County Jail decreased from 11,987 admissions to 9,029, largely due to drops in non-violent felonies, misdemeanors, and traffic and other violations. Admissions for drug charges were cut in half.

2. **Despite decreases in jail admissions, length of stay increased from 2014-2019.** The average length of stay increased 24%, from 14.8 days to 18.4 days; both violent felonies and misdemeanors saw increases in average length of stay.
3. **Black persons were disproportionately represented in jail admissions and experienced significant increases in jail length of stay between 2014 and 2019.** In 2019, 37% of Durham County residents identified as Black, but Black persons accounted for 69% of jail admissions and 78% of bed days. The average length of stay for Black individuals increased by 28%, from 16.1 days in 2014 to 20.6 days in 2019. Average length of stay also increased for White people but was longer for Black people by about 3.5 days.
4. **Bail is a key driver of jail populations.** Bail amounts increased by 36% from 2014 to 2019. People with bail set above \$5,000 had average lengths of stay 2 to 4 times higher than those with bail set below \$5,000.
5. **2 in 3 people released in 2014 returned to jail at least once.** Of the individuals released from jail in 2014, 67% were readmitted to jail at least once by 2019. 27% of those released in 2014 were readmitted 5 or more times.

The research conducted in Durham has the potential to shed light on efforts to reduce jail populations elsewhere in the nation and signals that increases in average length of stay are curtailing efforts to reduce jail populations. This trend is also observed in cities such as [Louisville, Kentucky](#) and [St. Louis, Missouri](#), where similar Research Network reports have found that lengths of stay have increased in recent years. Efforts to reduce jail populations often focus on reductions in arrests and pretrial detention. While these strategies can be effective, this research suggests that such efforts may be offset by other factors, such as high bail amounts, that increase the amount of time people are held in jail.

Another notable trend, which is also worthy of further study in other jail systems, is that racial disparities in admissions persist as Black people continue to stay in jail longer than White people. During the 2014-2019 period of study, Black people accounted for just 37% of the Durham population and 69% of jail admissions, compared to White people who accounted for 43% of the population and 16% of admissions. Additionally, on average, Black people spent 3.5 more days in jail than white people.

Many communities are focused on reducing jail populations as a way of addressing the risks posed by Covid-19 in carceral settings, mitigating the negative impacts of jail on people and communities, and reducing the costs of the criminal legal system to taxpayers. This research indicates that, in order to achieve these goals, communities should be closely examining not just who is in jail and why, but also how long people are staying in jail. A close examination of increased lengths of stay has the potential to reveal new strategies for reducing jail populations.

“This data raises important questions for those working towards reform in our nation’s criminal justice system. Although Durham County has made progress towards reducing admissions and average daily

populations, the research sheds light on the fact that the continued increase in average lengths of stay are offsetting the potential for further reductions in population,” said **Erica Bond, Policy Director of the Data Collaborative for Justice**. “Policymakers and stakeholders in the reform space need to further examine how long those who are admitted to jails are staying, and why, if significant progress is to be made in reducing jail populations.”

“Our office continues to be concerned with the ongoing racial disparities in arrests and the increase in the length of stay in jail, regardless of current progressive policies,” said **Zachary Thayer of the Durham County Public Defender’s Office**. “Under the leadership of Chief Public Defender Baxton, we will continue to advocate for the expansion of current diversion programs to address mental health and drug addiction as the public health crises, rather than behavior that should be criminalized.”

“This research improves our understanding of the criminal justice system here in Durham,” said **Lorraine Taylor, Executive Director of the Juvenile Justice Institute at North Carolina Central University** and a lead author of the report. “Partnerships such as these are vital to ensuring we have a complete picture of factors shaping pretrial detention here in this county, across the state, and nationally.”

The report was made possible through the support of the Pew Charitable Trusts and can be viewed on Data Collaborative for Justice’s website.

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About the [Data Collaborative for Justice](https://www.datacollaborativeforjustice.org) (DCJ): DCJ leads critical research about frequent interactions between community members and the criminal justice system and aims to ensure that communities, and the governments that serve them, have the necessary information to develop and implement evidence-based policies, practices, and programs. DCJ’s work has informed policy reforms, facilitated partnerships between researchers and government agencies across the country, spurred new scholarly research on lower-level enforcement, and been cited extensively in the press. More information about the Data Collaborative for Justice’s work is available at: www.datacollaborativeforjustice.org.

About the [Research Network on Misdemeanor Justice](#): In 2016, DCJ launched The Research Network on Misdemeanor Justice to study lower-level enforcement actions, which represent the most common interactions between communities and the criminal legal system. The Research Network is comprised of researcher-practitioner partnerships in seven jurisdictions committed to producing data, research, and scholarly work on lower-level enforcement trends: Durham, NC; Los Angeles, CA; Louisville, KY; New York City, NY; Prince George’s County, MD; Seattle, WA; and St. Louis, MO. The Research Network seeks to inform criminal justice system operations and policy at the local and state levels. It also seeks to support a national discourse, informed by data, on the role of lower-level enforcement in public safety, trust in the criminal legal system, racial justice, and efficient use of finite taxpayer dollars.