

RESEARCH BRIEF

Understanding Trends in Jail Population in St. Louis County, Missouri: 2010 – 2019

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INTRODUCTION

Over 10.7 million people cycle through jail each year, and an estimated 734,500 were held in jail in 2019.ⁱ A key step in managing jail populations is understanding the characteristics of persons admitted to jail and how long they stay; however, because there is little oversight or systemization of local jails,ⁱⁱ we have limited information on this issue. This report helps fill this gap by describing jail trends from 2010 to 2019 for the St. Louis County Department of Justice Services (DJS), which is the primary jail for all courts and law enforcement agencies in St. Louis County.

The St. Louis County DJS employs 360 staff, and the jail has a maximum capacity of 1,232 beds. The 2019 operating budget for DJS was \$27,154,926.ⁱⁱⁱ Like many other jurisdictions, St. Louis County is confronting issues with limited jail resources, staffing challenges, and public health concerns related to COVID-19.^{iv}

This brief includes key highlights from the [full report](#) produced in cooperation with the Data Collaborative for Justice and Pew Charitable Trusts. This brief highlights trends in admissions, length of stay, and bed days and identifies factors that may be driving jail populations. It also describes key policy changes during this time and how these data can inform local practices in light of the COVID-19 pandemic.

REPORT HIGHLIGHTS

1. **Fewer low-level arrests = fewer jail admissions.** From 2010 to 2019, annual admissions to (DJS) decreased by 40%, from a high of 33,976 admissions to a low of 20,216. Much of the decline came from a reduction in violation, traffic, and misdemeanor offenses, and occurred in 2016 after the passage of SB5.
2. **Increases in length of stay is a key determinant of the jail population** The average length of stay rose from 14.9 days in 2010 to a high of 26.4 days in 2018, a 77% increase. It then declined to 23.3 days in 2019, when the mean length of stay was 56% longer than in 2010.
3. **Black persons are disproportionately represented in jail admissions and experienced significant increases in lengths of stay between 2010 and 2019.** In 2019, 25% of St. Louis County residents identified as Black, but Black persons accounted for 55% of admissions and 67% of bed days. In 2019, Black persons stayed in jail an average of 12 days longer than White individuals.
4. **Bail is a key driver of jail populations.** In 2010, 259,751 bed days were occupied by individuals with bond amounts over \$5,000, which is 49% of all bed days used in that year. In 2019, this number rose to 361,175, or 70% of all bed days.
5. **Understanding frequent utilizers of jail services may help reduce jail populations.** Of individuals released from jail in 2010, 58% were readmitted by 2019; 40% returned more than once and 15% were readmitted 5+ times.

BACKGROUND & POLICY CONTEXT

During the period covered by this report, many changes occurred that could affect the jail population. For example, crime in Saint Louis County generally declined from 2010 to 2019, dropping from 10,628 to 9,898; however, most of the decline came from property crimes and there was an increase in violent crime during this period.^v There were also substantial legislative and policy changes. Senate Bill 5 (SB5), enacted in 2015 as a response to the killing of Michael Brown by a Ferguson, Missouri police officer and the ensuing U.S. Department of Justice investigation, restricted the maximum amount for a fine and reduced the percent of a city's budget that could be derived from fines and fees stemming from traffic violations (RSMO 479.359).^{vi} In addition, the bill barred individuals from being sentenced to jail for not being able to pay fines.

Also beginning in 2015, DJS was awarded a MacArthur Foundation Safety + Justice Challenge^{vii} to develop interventions to reduce the jail population and narrow racial disparities. Strategies implemented included expanding the pretrial release program (2016), providing representation to individuals at first court appearance (2019), and expediting probation violation hearings (2016). In 2018, an interdepartmental jail population review team was formed and has been credited with contributing to declines in the jail population, particularly among individuals with non-violent felonies and those with long lengths of stay.^{viii} In 2019, County residents elected a new Prosecuting Attorney, Wesley Bell, who ran on a platform of reducing mass incarceration.^{ix}

A number of changes related to bail also occurred. The "Bail Project St. Louis" began operations in St. Louis County in the summer of 2018. The Bail Project provides free bail assistance, typically up to \$5,000, and pretrial support to the St. Louis community. In addition, the Missouri Supreme Court set new bail rules which were implemented on July 1, 2019, and revised on January 1, 2020. These rules require courts to first consider non-monetary conditions of pretrial release^x and only impose monetary conditions if non-monetary conditions alone will not secure the appearance of the individual at criminal proceedings or if release puts the community at risk.

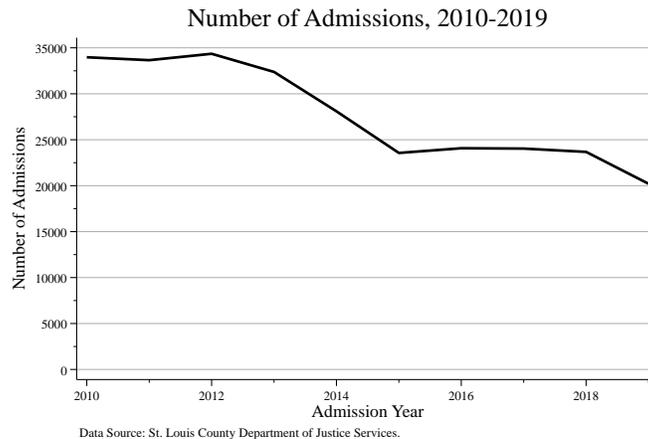
Additional reforms have been enacted since 2019 and more are on the horizon. In January 2020, St. Louis County began utilizing the Public Safety Assessment (PSA) for all individuals held on pretrial detention. This tool provides judges with information on the likelihood an individual, if released, will commit a new crime or fail to appear in court.

The COVID-19 pandemic highlighted the importance of decarceration, and additional strategies are being implemented to reduce the jail population including enhanced pretrial services, early release for medically at-risk individuals, reduction in arrests, and use of virtual hearings.^{xi} For more information on COVID-19 and jails, please see the box at the end of this report discussing the importance of this research for long-term strategic planning.

KEY FINDINGS

Who is in jail and why are they being admitted?

Admissions to the St. Louis County jail declined by 40% over the study period, from 33,976 in 2010 to a low of 20,216 in 2019.



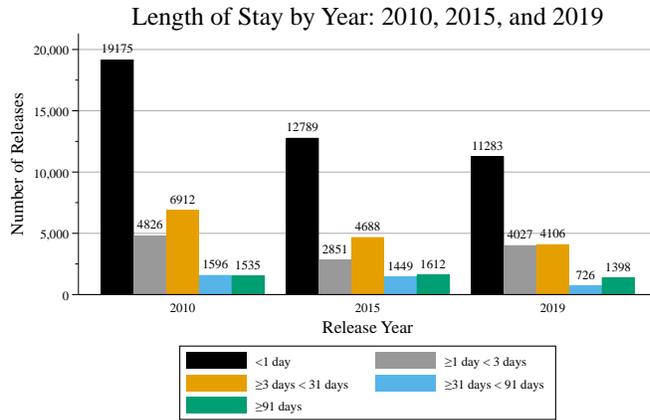
Admissions by Type: Most individuals are booked into jail pending adjudication. **Pretrial admissions for a warrant, either for a new charge or a failure to appear, were the most frequent admission type** representing approximately 45% of admissions. In 2019, the most common top charge severity categories were non-violent felonies (39%) or violations (36%), while comparatively few entered with misdemeanors (12%), violent felonies (7%), other charges (4%), or warrants (2%). The most common charge types were property offenses (28%) and offenses against society (23%). Traffic, drug, and person offenses each comprised about 15% of admissions.

Fewer Arrests for Misdemeanors, Violations, and Society and Traffic Offenses are Driving Admission Decreases

The number of annual admissions declined 40% from 2010-2019. The decline in admissions is due largely to a decline in the number of individuals admitted to jail for a violation or misdemeanor offense, both declined by 58% during this time. In terms of the top charge, there were substantial declines in admissions for society (50%) and traffic offenses (52%).

How long are people staying in jail?

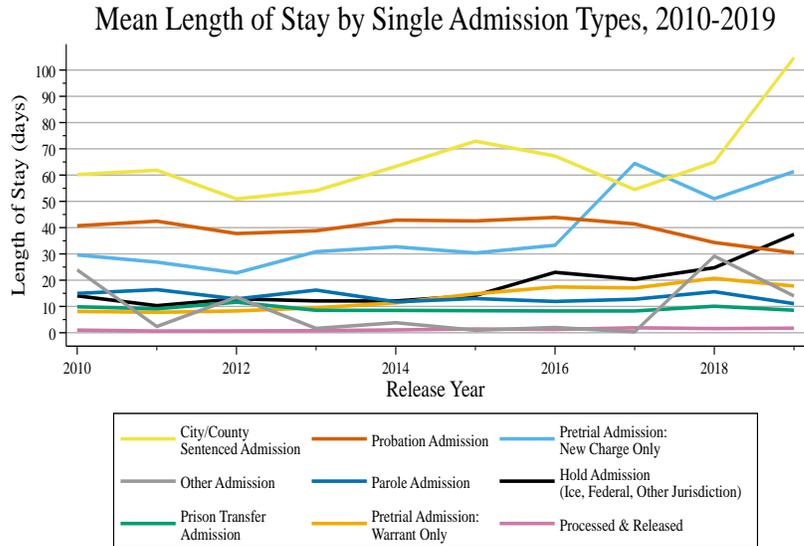
From 2010 to 2019, the mean length of stay (measured in days) increased 56% from 14.9 days to 23.3 days. The average length of stay peaked in 2018 at 26.4 days, when it was 77% longer than in 2010. Because length of stay increased from 2010 to 2019, the 40% decline in admissions over this period translated into a smaller reduction in the average daily population (ADP), just 21%.



In all years, the majority of individuals booked into jail stayed less than 24 hours. For example in 2019, 52% of individuals were booked and released within 24 hours, while 19% of persons stayed 1 to 3 days and an almost equal percentage was detained 3 to 30 days. **The number of people incarcerated for over one year more than doubled from 2010 to 2019.** The number of individuals who spend over 30 days in jail is small, but the relative amount of jail resources used by this group is substantial when measured in terms of bed days.

Length of Stay by Admission Type:

Those who were booked into jail for a city or county sentence had the longest average length of stay, and from 2010 to 2019, length of stay increased by 45 days (75%), from 60.2 to 104.7. Individuals who entered jail for a probation violation had the second-longest length of stay for most of the study period; however, from 2016 to 2019, the average length of stay declined by approximately 25%. In contrast, the average length of stay for the pretrial admission group with or without a new charge more than doubled from 2010 to 2019. Jail stays for individuals booked pretrial increased from 29.6 to 61.3 days for those without a warrant and from 8.1 to 17.8 days for those with a warrant.

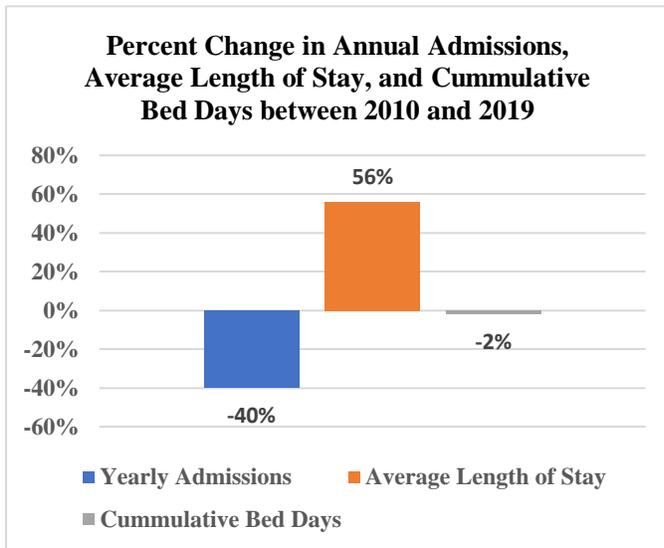


Predictors of Longer Lengths of Stay:

When predicting whether someone is more or less likely to spend over 90 days in jail, there were statistically significant differences across categories of age, race/ethnicity, sex, release and admission types, and charge severity and type. Overall, the strongest predictors were being admitted to serve a city/county sentence, being admitted pretrial for a new charge, and being charged with weapons offenses. **Further, the odds a person would spend over 90 days in jail are 9% greater for Black individuals as compared to White individuals, even while holding constant several other factors.**

Increases in Length of Stay is a Key Driver of Jail Populations

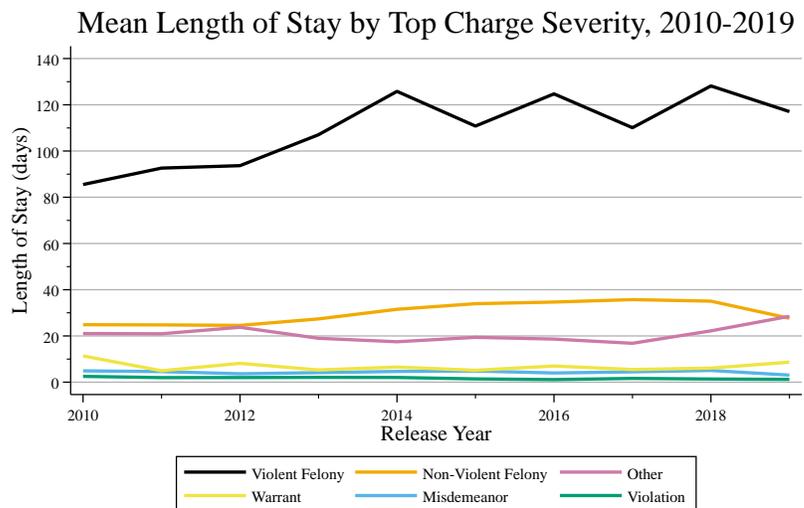
Although there was a 40% decline in admissions over the study period, the reduction in the average daily population (ADP) was smaller, just 21%. The ADP gradually increased from 1,186 in 2010 to a peak population of 1,311 in 2013 and then declined to a low of 941 in 2019. The ADP was relatively flat or rising until 2018, after which it declined substantially.



The potential reductions in the jail population driven by lower admissions were largely countered by a substantial increase in the average length of stay, from 14.9 days in 2010 to a high of 26.4 days in 2018, an increase of 77%. **During this period, there was also a 23% increase in the number of bed days used, despite the drop in admissions.** After 2018, the length of stay declined to 23.3 days in 2019 and there was a corresponding reduction in bed days. Further, between 2010 and 2019, **the number of people who spent over a year in jail more than doubled.** This group is relatively small, but they utilize a disproportionate share of jail resources.

These results suggest that length of stay may be a stronger driver of the increased jail population than growth in bookings, which is consistent with national trends.^{xii}

The average length of stay varied based on the nature of the charge and admission type. Individuals booked on violent felonies had the longest lengths of stays and experienced a 32 day increase in the average length of stay between 2010 and 2019, and the number of bed days used by this group slowly increased over time. In 2019, a person admitted for a violent felony stayed in jail for an average of 117 days. In contrast, the average length of stay for individuals booked on misdemeanors decreased from 4.9 to 3.1 days. The combined decrease in misdemeanor admissions and length of stay resulted in a 73% decrease in bed days used by this group between 2010 and 2019.



Data Source: St. Louis County Department of Justice Services.

Pretrial admissions for a warrant demonstrate the interplay between admissions, length of stay, and bed days. Pretrial admissions for only a warrant declined 45% from 2010 to 2019, from 16,221 to 8,852. At the same time, the length of stay for this group more than doubled (119% increase) from 8.1 days to 17.8. The increase in the length of stay for this group, despite the decline in admissions, lead to a 23% increase in the number of bed days used from 139,190 in 2010 to 171,063 in 2019.

As another example, admissions for violent felonies declined 15% from 2010 to 2019, but the mean length of stay for people with this charge increased by 37% and the median by 115%. The number of bed days utilized by this group increased by 50% from 2010 to 2019 as did the percentage of bed days they used relative to people with other charges (from 28% in 2010 to 43% in 2019).

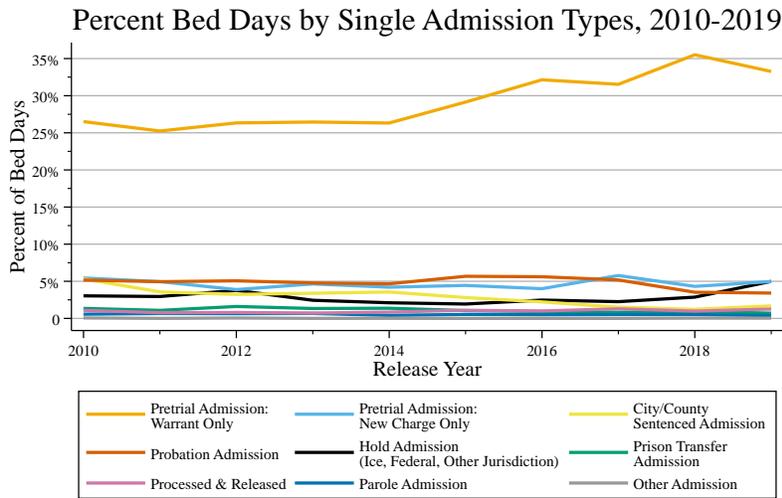
Who is Utilizing Jail Resources?

To capture the share of jail resources used by various groups, we computed the number of cumulative bed days used. Bed day calculations are based on the date of admission and release, and any contact with the jail on a day counts as a bed day. We excluded people who were detained less than 12 hours, because typically they are not transferred to the main jail facility or assigned a bed.

Overall, the number of cumulative bed days used decreased by 2% from 2010 to 2019. In 2010, 525,073 bed days were used, and the cumulative number of bed days was relatively stable or increased until 2018, when it peaked at 643,875, a 23% increase. After 2018, the number of bed days used fell sharply to 514,178 in 2019, which represents a 2% decline from 2010.

Reducing Length of Stay Could Lead to Resource Savings

The decrease in admission presents a lost opportunity for reducing jail populations, because it was counteracted by increases in lengths of stay. To understand the implications of these diverging trends, we computed what the jail population would look like in 2019 if the average length of stay in this year was at 2010 levels. The National Institute of Corrections (NIC) measures the average daily jail population by multiplying the number of admissions and average length of stay and dividing by 365 days.^{xiv} Using 2019 admissions and 2019 average length of stay, the average daily population was 1290.5 (20,216 admissions x 23.3 LOS/365). Using 2019 admissions and the average LOS in 2010, the average population drops to 830.8, which is a 459.7 reduction in the average daily population. Given estimates that the average cost per person is \$81.50,^{xv} there is the potential for a significant resource savings by reducing the average length of stay.



Data Source: St. Louis County Department of Justice Services.

than 40% in 2019. Considering the top charge, approximately a third of bed days were used by individuals booked on property charges, but admissions for person offenses became the greatest utilizers of bed days in 2019, accounting for more than 40%.

Bed Days by Offense and Admission Type: People with more serious offenses and person or property top charges accounted for the most bed days. In terms of charge severity, individuals who entered jail for non-violent felonies used more than half of all bed days in all years except 2019, when they used just under 50%. Persons with violent felonies used approximately 30% of bed days for most years, but this percentage increased to more

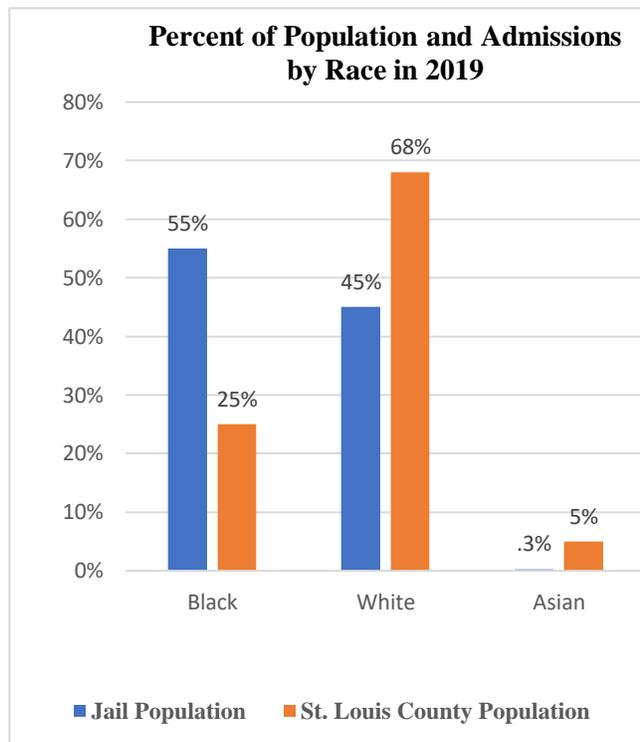
Racial disparities in key metrics

There are racial disparities in admissions, the average length of stay, and bed days consumed. Black individuals are disproportionately represented in the jail population.

Black persons are disproportionately represented in jail admissions and experienced significant increases in lengths of stay between 2010 and 2019.

Black persons accounted for more than half (55%) of the jail admissions, but the population of St. Louis County is 25% Black. In comparison, about 68% of the County population is White, yet White people made up 45% of the jail admissions.

The average length of stay for Black persons increased 75% over the study period growing from 16.3 days in 2010 to 28.5 days in 2019, while the mean length of stay for White individuals increased by 30%, from 13.0 to 16.9 days. In 2019, Black persons stayed in jail an average of 12 days longer than White individuals. Finally, Black individuals accounted for 55% of admissions in 2019, but used 67% of bed days.



Other Notable Findings

Bail is a key driver of jail populations.

Most individuals booked into jail are awaiting trial and have bail set (69.8% in 2019). Hence, modifications to bail policy would influence the lengths of stay for most individuals who enter jail and could reduce the use of scarce resources. In fact, **pretrial admissions for a warrant, issued for either a new crime or failure to appear, were the most common admission type** representing approximately 45% of admissions in any given year. This group accounted for the largest proportion of jail bed days, utilizing 33.3% of bed days in 2019.

Higher bond amounts were associated with longer lengths of stay, and there was a general increase in the median bond amounts over the study period, although the mean amount increased for the first half of the study and then declined. **Individuals admitted pretrial and required to post a bail/bond amount above \$5,000 had mean lengths of stay four times longer than those with bail/bond amounts of \$5,000 or less**, a trend that remained stable across the study period. Among persons with a bail/bond set, with few exceptions, **individuals with more than a \$5,000 bail/bond were the only persons who spent 180 days or more in jail.**

Individuals with high bail/bond amounts also were the greatest utilizers of jail resources. Individuals admitted to jail with a bail/bond amount over \$5,000 used the largest proportion of jail bed days, and there was substantial growth in the number of bed days used by this group over the study period. In 2010, 259,751 bed days were occupied by individuals with bond amounts over \$5,000, which is 49% of all bed days used in that year. In 2019, this number rose to 361,175, or 70% of all bed days.

An important caveat is that individuals who were released pretrial without bail, typically on recognizance, used an increasing number of jail bed days from 30,242 in 2010 to 136,585 in 2019. This represents a 352% increase, which far outpaces the 57% increase in the number of individuals released pretrial without bail. This result highlights the delays that individuals face when securing release.

Who is Returning to Jail?

The study shows that readmission to jail is a driver of the jail population, therefore, one goal was to identify the characteristics of people who returned to jail at least once. Of individuals released from jail in 2010, 58% were readmitted by 2019. Forty percent returned more than once while 15% were readmitted 5 or more times. Among the strongest factors that predicted whether an individual would return to jail was a jail admission prior to their 2010 incarceration and being admitted for a parole violation. Young people, particularly those under age 18 and ages 18 to 20, had a high likelihood of returning to jail.

Launching efforts to reduce the length of stay of individuals booked into jail is a key policy lever, which could further reduce jail populations.

From 2018 to 2019, there was a substantial decrease in the average daily population and cumulative bed days used. The true drivers of these changes were not explored in the current study, but there is evidence that the program deemed the Population Review Team (PRT), which was funded by the MacArthur Safety + Justice Challenge, could be one potential driver of the change. The PRT, which began operating in 2018, systematically reviews the cases of jailed persons with the goals of resolving cases quickly and identifying areas of system reform, particularly for people being detained for non-violent felonies. The project is a cooperative effort and includes representatives from the jail, courts, pretrial services, prosecutors, community corrections, public defenders, and the private bar. The program has led to a reduction in the overall jail population, with the greatest declines coming from the release of individuals initially detained for non-violent crimes. A recent evaluation of the program found that, following implementation, the population of the jail declined by 44%, which represents a decline of 406 individuals. Further, the population of individuals held for a non-violent charge declined by 72%.^{xv} This collaborative program, coupled with the election of Wesley Bell in 2019, a progressive prosecutor, and the launch of the Bail Project in St. Louis in 2018 are likely key factors in the population change.

IMPORTANCE OF THIS RESEARCH POST COVID-19

The COVID-19 pandemic brought increased scrutiny of jails, with the media raising awareness among the public that jails are responsible for some of the largest outbreaks in the country. Jails are amplifiers of disease, often due to close living quarters and a near-constant churn of individuals entering and leaving the facility.^{xvi}

Many jurisdictions released individuals from jails in early 2020.^{xvii} In St. Louis County, the initial impact of COVID-19 mitigation efforts saw the jail population decrease by approximately 15% between February 2020 and May 2020. These declines were short-lived, and the population has exceeded pre-COVID-19 levels and was 963 on June 1, 2021.^{xviii} Similar trends have emerged in several communities.^{xix} Part of the growth can be attributed to longer lengths of stay, since there was a decrease in bookings during this time.^{xx} In addition, although there were 6.2% fewer crimes reported to the Federal Bureau of Investigation by St. Louis County in 2020 compared to 2019, violent crimes rose slightly (1.4%).^{xxi} That noted, additional strategies have been implemented to reduce the jail population including enhanced pretrial services, early release for medically at risk individuals, reduction in arrests, and the use of virtual hearings.^{xxii}

The themes highlighted in this report are salient as jurisdictions begin to re-open. The racial disparities highlighted have not declined during COVID-19, placing these individuals among the highest for risk of infection. Many who are being held in jail lack the money to post bail,^{xxiii} and the results from the report highlight the long lengths of stay among this group. These conversations will become increasingly salient if funding for jails declines and there is more competition for scarce government resources.

DATA LIMITATIONS AND NEW DIRECTIONS FOR RESEARCH

The results provide important insights into the jail trends, but there are several important caveats. First, the description of the top charge does not capture the nuanced nature of behaviors that may underlie criminal charges. For example, an individual could be booked into jail for a property offense as the top charge but also have auxiliary charges, like weapons offenses or domestic violence, which may condition whether court actors perceive the individual to be a risk if released. Second, we do not capture information on criminal history, which is a key factor in understanding risks of reoffending.^{xxiv} Relatedly, we have no information on the presence or nature of pending charges in other jurisdictions. There is evidence that there are a substantial number of outstanding warrants in the region that may complicate processing for many, particularly for persons of color.^{xxv} In addition, the data on bails/bonds should be interpreted with caution. In some cases, the data reflect the bond amount paid as a condition of release, and in other cases, information refers to the original bail, which might have been substantively different. It is also not always noted when an individual is eligible for release if they pay 10% of the bond.

It should be recognized that considering trends by year does not allow for a careful examination of the range of factors that might contribute to changes in jail populations, especially changes that are not linked to policies. There is a substantial research literature that suggests that court actors can have considerable influence on case outcomes;^{xxvi} therefore, changes in trends may reflect personnel and management changes, such as the population review team described above, and may not be directly tied to a formal policy change.

Building Data Infrastructures

A more complete understanding of who is in jail, for how long, and why requires more data and an expanded research capacity. On the data side, this includes accurate information on the bond set and the bail paid and how these change over the course of a case. Moreover, learning more about who returns to jail and for what is also key given that 58% of individuals released in 2010 had been readmitted to the jail at least once by 2019; however, these types of analyses require data from the jail and the courts. Many of these data limitations can be addressed by establishing data sharing agreements to fill gaps in any singular system. Expanding capacity for data collection and research capacity in local departments of correction would enable jail administrators to monitor changes in lengths of stay and jail populations in real time. This could be done by employing researchers in house or establishing robust researcher-practitioner partnerships

Questions for Future Research:

What system factors, like case processing, lead to longer jail stays?

What drove the increasing differences in average length of stay for Blacks compared to Whites between 2010 and 2019?

What is the impact of community bail funds on jail populations and average length of stay?

Is the large percentage of people returning to jail the result of new offenses or technical violations?

How does COVID-19 influence jail populations and lengths of stay in the long term?

ACKNOWLEDGMENT

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- ⁱⁱⁱ Saint Louis County MO. (2019). *2019 Budget Executive Summary* Retrieved from Saint Louis County, Missouri. <https://stlouiscountymo.gov/st-louis-county-departments/administration/performance-management-and-budget/>
- For more information see https://www.stltoday.com/news/local/metro/covid-19-infections-at-st-louis-county-jail-reach-49-but-causes-of-outbreak-hard/article_9284c093-c22e-55a5-a108-4dffa9d90b41.html and https://www.kmov.com/news/overcrowded-and-understaffed-st-louis-county-jail-asking-for-raises-for-correction-officers/article_f18eeb32-ae11-11eb-ba07-d3d99d2f98fd.html
- ^v Data were retrieved using the FBI's Crime Data Explorer tool. Crime counts were calculated by totaling property crime and violent crime reported to Saint Louis County Police Department for 2010 and 2019. <https://crime-data-explorer.app.cloud.gov/pages/explorer/crime/crime-trend>
- ^{vi} See RSMO 479.359.
- ^{vii} For more information see: <https://www.naco.org/blog/safety-and-justice-challenge-featured-jurisdiction-st-louis-county-mo><https://www.safetyandjusticechallenge.org/challenge-site/saint-louis-county/>
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- ^x <https://themissouritimes.com/federal-judge-says-st-louis-jails-cant-hold-inmates-unable-to-afford-bail-in-underscore-of-new-supreme-court-rules/>
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- ^{xvii} The JFA Institute. (2021). *The Impact of COVID-19 on Crime, Arrests, and Jail Populations*.
- ^{xviii} The Department of Justice Services maintains a public dashboard that can be found here - <https://experience.arcgis.com/experience/eb2a32fce07e4f2888f955012f11a3f7>
- ^{xix} <https://www.prisonpolicy.org/blog/2021/02/03/january-population-update/>
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- ^{xxi} Data were retrieved using the FBI's Crime Data Explorer tool. Crime counts were calculated by totaling property crime and violent crime reported to Saint Louis County Police Department for 2010 and 2019. <https://crime-data-explorer.app.cloud.gov/pages/explorer/crime/crime-trend>
- ^{xxii} The JFA Institute. (2021). *The Impact of COVID-19 on Crime, Arrests, and Jail Populations*.
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