Reducing over-incarceration by changing the way America thinks about and uses jails.
RETHINKING JAILS

Our nation's incarceration problem begins with jails.

Amid growing national attention to the number of Americans confined in state and federal prisons, significantly less attention has been paid to the local level, where the criminal justice system primarily operates and where overincarceration begins.

The primary purpose of jails is to detain those awaiting trial who are a danger to public safety or a flight risk. But they now hold many who are neither, at exorbitant fiscal and social costs. Jail populations have more than tripled since the 1980s, as have the cumulative costs of building and running them.

The majority of people in jail are presumed innocent. Most are there for nonviolent offenses, and many suffer from serious mental illness or are simply too poor to post bail. Our overuse of jails carries significant costs—to individuals, families, communities, and society at large—effects most deeply felt by low-income communities and communities of color. Research has shown that spending as few as two days in jail can increase the likelihood of a sentence of incarceration and the harshness of that sentence, reduce economic viability, and promote future criminal behavior—making jail a gateway to deeper and more lasting involvement in the criminal justice system.

We need solutions where incarceration starts: in our nation's jails.

THE SAFETY AND JUSTICE CHALLENGE

There are better, fairer, and more effective alternatives to excessive jail incarceration.

The Safety and Justice Challenge is a national initiative supported by the John D. and Catherine T. MacArthur Foundation to reduce overincarceration by changing the way America thinks about and uses jails. The Challenge is building a collaborative network of jurisdictions to model and inspire effective criminal justice reforms across the country, accelerating national demand for change. Challenge jurisdictions are developing and implementing a diverse array of strategies to safely reduce jail populations and address racial and ethnic disparities at all points of contact with their local systems. In doing so, they will demonstrate alternatives to the status quo, making communities healthier, fairer, and safer.

The Challenge is engaging a diverse range of organizations and individuals—law enforcement, judges, prosecutors, defenders, policymakers, academics, advocates, and funders—to lend their insights and participation to this effort. In addition to funding, Challenge jurisdictions receive expert technical assistance from some of the nation's leading criminal justice organizations. Their work is complemented, amplified, and supported by new research to strengthen the justice reform field, strategic communications, and evaluation to track impact and incorporate learning.

For too long America has incarcerated too many people, spending too much money without improving public safety. Jails are where our nation's incarceration problem begins; there are nearly 12 million jail admissions every year, and jails too often serve as warehouses for those too poor to post bail, nonviolent offenders, or people with mental illness. With this substantial, long-term commitment and investment, MacArthur hopes to create demand and momentum for change across the country.

JULIA STASCH, President, John D. and Catherine T. MacArthur Foundation
BUILDING THE SAFETY AND JUSTICE CHALLENGE NETWORK

Following a selection process in 2015 that drew applications from nearly 200 jurisdictions in 41 states and territories, the Foundation chose 20 jurisdictions for initial grants and expert counsel to improve their local justice systems. In April 2016, the Foundation announced a commitment of nearly $25 million across these 20 jurisdictions to support implementation of their plans.

In February 2017, the Foundation launched the Safety and Justice Challenge Innovation Fund, which supports additional jurisdictions in designing and testing innovative approaches to local justice reform. Their projects include gender-responsive risk and needs assessment, culture-based care management and recidivism reduction approaches, and enhanced services for people with mental illness involved with the justice system.

All Sites will be eligible for future rounds of funding as the Safety and Justice Challenge expands.

The Challenge Network Sites

Making Change

With support from the Foundation and help from a consortium of national experts and technical assistance providers, jurisdictions are making changes in policy, practice, and system alignment to safely drive down jail usage and reduce racial and ethnic disparities. The 10 Core Sites the Foundation selected to support in implementing their plans for reform have set ambitious goals, aiming to reduce their jail populations by 15 to 34 percent. Many are launching initiatives to address the disproportionate impact of jail misuse and overuse on people too poor to post bail, as well as on people with mental health or substance abuse issues.

The jurisdictions’ plans employ an expansive array of local solutions, such as diversion programs, which can steer people out of the criminal justice system who are not a threat to public safety; implicit bias training for police and other system practitioners; probation officers, prosecutors, and judges; and expanded community-based treatment options. Their diversity of sizes, geographies, demographics, and challenges will produce a variety of creative approaches and models for reform that jurisdictions across the country can adopt.

The Original Set of Challenge Network Sites:

- Represent 34 counties, 4 cities, 2 state-wide systems.
- Have a diverse jail capacity size, ranging from 392 beds in Campbell County, TN to 21,951 beds in Los Angeles County.
- Represent a jail capacity of approximately 130,000 and account for 16% of the total confined U.S. jail population.
SAFETY AND JUSTICE CHALLENGE
SITE STRATEGIES

We must ask ourselves whether putting so many people in jail for offenses unrelated to public safety is the best use of our justice system and limited resources. These challenges are not unique to Charleston. Across the country, there are nearly 12 million jail admissions each year, and many people remain behind bars and cut off from their families and jobs simply because they cannot afford bail.

The Washington Post
ALL CANNON JR., Charleston County Sheriff

PHILADELPHIA
- Pilot a police diversion program deflecting low-level offenders with treatment needs for clinical assessment and referral
- Develop a risk assessment tool for use in pretrial release decision-making
- Implement strategies to limit jail admissions, increase pretrial releases, and reduce case processing times

PIMA COUNTY, AZ
- Extend risk-screening to increase postbooking releases
- Expand community behavioral health treatment options
- Increase pretrial service capacity

CHARLESTON COUNTY, S.C.
- Accept risk-based decision tools
- Open a triage center for people with mental illness, substance abuse, and homelessness issues
- Re-engineer case processing to reduce time spent in jail awaiting disposition
- Establish a community advisory council

Civil rights and criminal justice groups are turning their attention to states and localities with ambitious and well-funded plans to reduce incarceration, city by city and county by county. Mass incarceration is a local problem with local solutions that is national in scope.

LAURIE GARDUQUE, Director, Justice Reform, John D. and Catherine T. MacArthur Foundation
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