MODERN Justice Taskforce Findings and Recommendations

In August 2022, state leaders from all three branches of government requested technical assistance through the Justice Reinvestment Initiative (JRI) and established the Modernized Operations through Data and Evidence-based Restoration Now (MODERN) Justice Task Force (Task Force) to better understand and address the drivers of local jail populations and associated growing costs in Oklahoma. The Task Force conducted a rigorous review of Oklahoma's jail system using a sample of jail data provided by six agencies across the state, evaluated current policies, and considered best practices from other states. Ultimately, the Task Force reached consensus on a package of 15 policy recommendations to address jail populations, cost-effectiveness, and public safety in Oklahoma.

Data Trends

Bookings

Jail Bookings Decreased
between 2018 and 2022

↓25% decrease
in sampled urban and midsize jails

↓40% decrease
in rural jails

Nearly 75% or more of bookings involved nonperson offenses

Black individuals were overrepresented in all jail bookings

Length of Stay

Length of stay increased across all jail types
from 2018-2022

+4 Days
Urban Jails

+5 Days
Midsize Jails

+20 Days
Rural Jails

In two jail types, midsize and rural, the average length of stay for pretrial releases increased by 37% and 60% respectively

Pretrial Releases

In 2022, bail was the top release method, representing a third of releases in the urban jail and nearly 50% of all releases in midsize and rural jails

Average bail amounts have consistently increased over time

Felony Bail Amounts Increased
from 2019 to 2022

nearly ↑100%

Misdemeanor bail amounts remained relatively consistent but varied across jail type
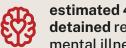
The Average Bail Amounts for Individuals Charged with Drug Offenses Increased
between 2019 and 2022

urban jail increased by nearly **↑$5,000**

midsize jail rose by roughly **↑$2,100**

Behavioral Health

While reviewing admissions to jail, the Task Force recognized that many jails currently house individuals with an underlying mental health or substance use-related disorder with an

estimated 44% of individuals detained reporting a history of mental illness

However, the availability and utilization of behavioral health resources – in the community and correctional settings – vary greatly between jurisdictions across the state

Recommendations

Increase opportunities for individuals with behavioral health issues to receive treatment and be diverted from the criminal justice system when appropriate by:

→ Expanding behavioral health diversion, regionalizing behavioral health resources, improving competency restoration processes, and expanding behavioral health treatment options in jail

Expand alternatives to arrest and incarceration to preserve public safety and reserve jail beds for the most serious public safety risks by:

→ Modifying cite and release policies and preventing arrests for failure to appear when possible

Create a more fair and efficient pretrial release process that relies on evidence-based practices to safely reduce unnecessary pretrial incarceration by:

→ Improving pretrial release decision-making by aligning current processes with best practices

Streamline adjudicatory processes to address increasing lengths of stay by:

→ Establishing timelines to streamline the court process and strengthen speedy trial provisions

→ Authorizing the use of virtual hearings for an individual's initial appearance when they are held in a county other than that of the county with an active warrant

→ Improving the process through which indigent defendants are appointed counsel to avoid extended pretrial detention when appropriate

Improve release processes and prioritize jail beds for those who pose the greatest risk of flight or to the public by:

→ Implementing policies that will improve release decisions by prioritizing safe reintegration to communities and connecting justice-involved individuals with appropriate services upon release

Invest in and improve victim services to better serve victims and survivors of crime by:

→ Investing funds directly and utilizing technology to better serve victims and survivors of crime and prevent future victimization

Prioritize the investment of funds to address hiring and retention challenges to ensure services across the jail systems can be provided by:

→ Adopting a regional approach for jails in rural and hard-to-hire areas of the state and increasing and improving funding mechanisms for criminal justice stakeholders and operations

Ensure oversight and accountability by:

→ Utilizing technology to standardize the collection and reporting of local criminal justice data and facilitate better justice outcomes for all those impacted by the system

Interested in learning more?

Read the full version of the MODERN Justice Task Force report

This JRI effort was funded by the U.S. Department of Justice's Office of Justice Programs' Bureau of Justice Assistance — with support from Arnold Ventures and The Pew Charitable Trusts — and utilizes experts from CJI to provide technical assistance to state partners interested in using data to analyze and improve their justice systems.

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