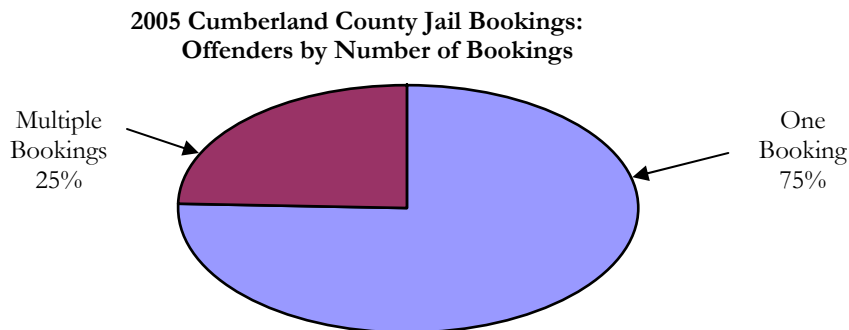


## CHARACTERISTICS OF REPEAT OFFENDERS AT THE CUMBERLAND COUNTY JAIL IN 2005

**Introduction**

This brief addresses the following question: *What are the characteristics of repeat offenders at the Cumberland County Jail?* In 2006, Cumberland County hired the Muskie School of Public Service to help provide information for county planning purposes. The Muskie School examined the characteristics of individuals booked<sup>1</sup> more than once<sup>2</sup> at the Cumberland County Jail in 2005.

Of the 10,260 bookings at the Cumberland County Jail in 2005, 4,617 (45%) were individuals with more than one booking. A booking, whether for someone being pre-arraigned, being held for trial, or sentenced, consumes limited jail resources. Clearly for public safety purposes, many crimes such as felonies necessitate the use of jail resources; however, many individuals who were repeatedly booked at the jail were there for lesser offenses with significantly reduced risk to public safety.

**Findings**Demographics

In 2005, 1,818 repeat offenders accounted for 4,617 bookings (2.5 per individual). In 89% of bookings for which race was identified, the person was white. In 2000, Cumberland County's population was 96% white.<sup>3</sup> The person booked was a Maine resident in 97% of the repeat offender bookings. Seventy-two percent (72%) of repeat offenders booked in 2005 declared a Cumberland County city or town as their place of residence. In 42%, the person was a Portland resident.

Jail Days

Of 4,617 bookings committed by repeat offenders, 744 (16%) resulted in jail time. Among those doing jail time, the average length of stay was 42 days. Bookings with 1-3 days of jail time accounted for 26% of bookings with jail time, 4-10 days for 29%, 11-50 days for 21%, and 51-330 days for 24%.

<sup>1</sup>A booking refers to the recording of the name of an arrested person in a sequential list of police arrests with the details of the person's identity, particulars of the alleged offense, and the arresting officer's name. Black's Law Dictionary, 3<sup>rd</sup> pocket edition, 2006. When someone is booked they are assigned a judicial status. The most common booking status at the Jail is pre-arraignment. A pre-arraignment occurs before a person is arraigned (officially charged) for an offense in a court proceeding before a judge. Depending on what led to the arrest, a person may be granted bail or held until arraignment. Other types of bookings that occur at the jail are: pre-trial, pre-sentence, sentenced, federal prisoner, immigration prisoner, other agency hold, probation hold, probation revocation, and fugitive.

<sup>2</sup>If a person is booked more than once this does not necessarily mean that an individual committed a new crime. For example, a person can be booked or pre-arraigned on the suspicion of committing a crime. If the person is found guilty of the crime and sentenced to jail, the person is booked again.

<sup>3</sup><http://quickfacts.census.gov/qfd/states/23/23005.html>

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<http://muskie.usm.maine.edu/justiceresearch>

**Maine Statistical Analysis Center**

The SAC serves as a clearinghouse for data collection and statistical analysis for the Maine criminal justice system, promotes a research-based approach and conducts research that support its identified priorities and objectives.

The Maine SAC is located at the Muskie School of Public Service, University of Southern Maine.



	<u>Frequency</u>	<u>Mean Number of Jail Days Served</u>
Total Repeat Bookings	4,617	6.72
Bookings with Jail Days	744 (16%)	41.73

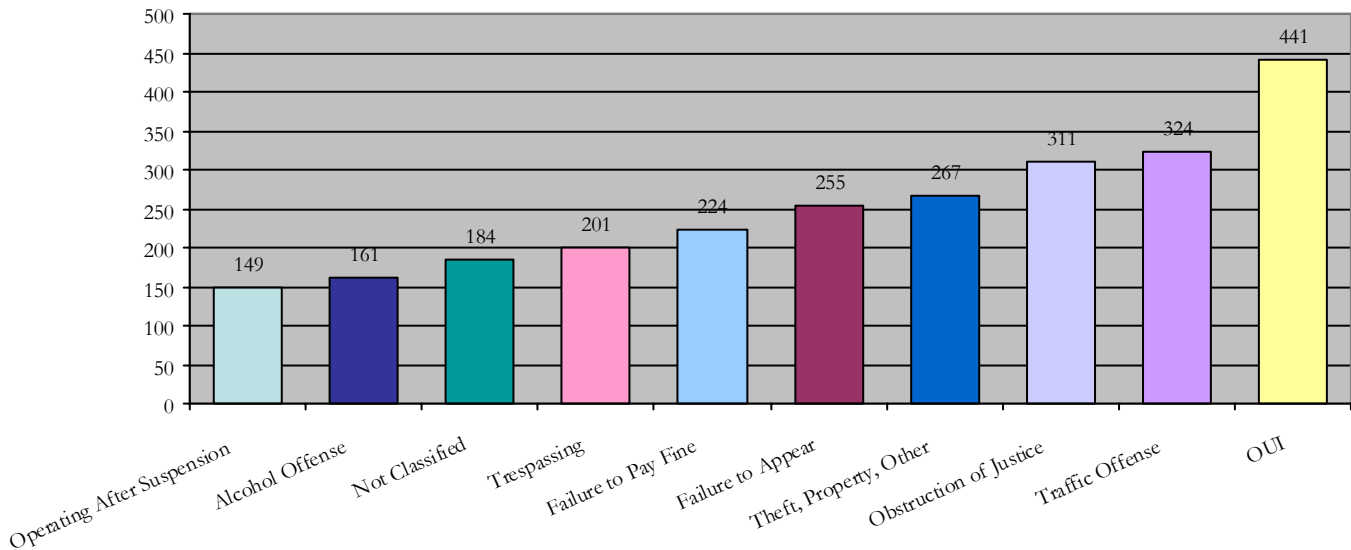
### Alcohol/Drug Use

In nearly a third (32%) of all repeat offender bookings, the offender had been drinking, was intoxicated and/or was classified as having a narcotics infraction.

### Type of Offenses

Eighty-two percent (82%) of the 3,619 bookings with an offense category were either a Class D or E offense – a misdemeanor. For bookings with multiple offenses, the most severe offense was used for analysis. The top ten repeat booking offense types of all kinds among all law enforcement agencies accounted for 59% of all repeat booking offenses.

**Repeat Bookings: Top 10 Offenses (N =2,744)**  
1/1/05-12/31/05



The top three offenses were OUI, accounting for 10% of all repeat booking offenses, followed by traffic offenses (7%), and obstructing justice (7%). Some offense types do not necessarily represent new criminal behavior offenses. For example, a person who is arrested for a traffic offense (the new offense) and later fails to pay the fine and is subsequently arrested and booked is given two offenses in the jail management information system (MIS).

### Sentences

Among the 1,818 offenders booked more than once, 703 (39%) of them were sentenced at least once. These 703 individuals received a total of 864 sentences or 1.23 sentences per person.

### Felonies

In 2005, 21 individuals with repeat bookings were sentenced for an A or B crime – a felony. Of these 21, 13 individuals were subsequently booked again. All told, these 13 individuals had three subsequent bookings in which the offense class was a B crime, two C crimes, five D crimes, and six E crimes. In 11 bookings no offense class provided. A, B, and C crimes are felonies.

## Law Enforcement Agencies

Of the 4,354 repeat bookings in which a law enforcement agency was designated as the “arresting agency”, Cumberland County law enforcement agencies accounted for 60%. The other 40% of repeat bookings were made by law enforcement agencies outside the county or were ordered by the courts. Portland, South Portland, Scarborough, and Westbrook police departments and the Cumberland County Sheriff’s Office accounted for 85% of all repeat bookings made by Cumberland County law enforcement agencies. Portland accounted for 51% of repeat bookings among Cumberland County law enforcement agencies and 30% overall.

## **Analysis**

Misdemeanors account for most repeat bookings at the Cumberland County Jail. More than three-quarters (82%) of all bookings with an offense category were for D & E offenses, which are typically misdemeanors. Among repeat offenders with at least one sentence, 85% of them were either a Class D or E offense.

In 2004, it cost the county an average of \$98 a day to house an inmate.<sup>5</sup> It is conceivable that the jail may incarcerate someone for a week at \$686 for owing possibly \$300 (a typical fine for a misdemeanor). In 2005, the number of repeat offenders who spent a week or more in jail for a misdemeanor was 273. Taking into account just these offenders, the jail spent \$187,278 (assuming 2004 figures) to collect roughly \$90,000. The average fine amount may be higher, but the point here is instructive. The jail houses many “misdemeanor” repeat offenders at considerable cost to the county.<sup>6</sup>

Repeat offenders (n=335), who spent more than 10 days in the jail on one or more occasions, served a total of 29,081 days. At \$98/day, these 335 offenders conceivably cost the county \$2,849,938. Of the 335, nearly half (49%), were in jail for a D or E crime – a misdemeanor. The jail days served by this cohort total 13,080 days, nearly half (45%) the total days served by repeat offenders. The cost to the county to house these “misdemeanor” offenders was \$1,281,840 in 2005.

## **Implications**

The Sheriff and county government officials may wish to work with county law enforcement agencies to adopt practices that would reduce the number of people booked at the jail for Class D and E crimes - misdemeanors. Most people arrested for D and E crimes do not pose a public safety risk and could be issued a summons instead of being transported and booked at the jail. Portland, Oregon saw a significant drop in “bookable” charges when it no longer required persons charged with possession of a controlled substance to be booked.<sup>7</sup> To minimize recidivism and ensure public safety, the most costly county resource – jail - should be used only when certain offenders have demonstrated that they cannot be managed in a community setting.

Once incarcerated, whether awaiting trial or serving a sentence, many inmates require treatment. Many individuals require psychiatric medications that are very cost prohibitive. The jail has become the provider of last resort for many individuals. The jail should not bear this responsibility by itself. Officials in Memphis, TN found that diverting people with substance abuse and mental health issues from jail to other community alternatives led to cost savings.<sup>8</sup>

Pre-trial services could be enhanced to better meet the needs of those low-level offenders that cycle in and out of jail. Releasing individuals to some type of pre-trial supervision may also reduce the number of “failure to appear” rates. The jail could also continue to build on the success of their crisis intervention team model and apply it to their arrest/booking practice.

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<sup>5</sup>LaPlante, J. Corrections at a Crossroads: A Report to Cumberland County Maine, August 2006.

<sup>6</sup>This argument does not take account those individuals who committed just one offense in 2005.

<sup>7</sup>Nice, M. Changes in Multnomah County’s Jail Population. April 2004.

<sup>8</sup>RTI International. Assessment of the cost-effectiveness of Memphis’s jail diversion program: Final Report. 2002.