
Preliminary Assessment

Impact of COVID-19 on Crime, Arrests and Jail Population

**LOUISVILLE METRO CRIMINAL JUSTICE COMMISSION
JAIL POLICY COMMITTEE**

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EXECUTIVE SUMMARY

Beginning in March 2020 jail populations across the country declined as emergency restrictions were imposed on the public to mitigate and reduce the spread of COVID-19. In October 2020, the Safety and Justice Challenge funded by the John D. and Catherine T. MacArthur Foundation issued a report authored by the JFA Institute that looked at the impact that COVID-19 had on crime, arrests, and jail population across six jurisdictions (Orleans Parish, La.; San Francisco city and county; Pittsburgh's Allegheny County, Pa., Las Vegas's Clark County, Chicago's Cook County, Il, and Charleston County, S.C). In the preliminary report the two key questions that were raised were 1) what were the major factors that reduced the jail population? and 2) what has been the impact of jail population reductions on public safety?

Upon reviewing the report and its preliminary findings, the Criminal Justice Commission had interest in analyzing local data and using the JFA report as a template to replicate a similar analysis. Goals of the report are to use the preliminary analysis to benchmark the early data on crime, arrests and composition of the jail population after emergency restrictions were imposed in March 2020, and to generate discussion amongst the Jail Policy Committee about the current state of the jail and what mitigation factors may be maintained post-pandemic.

The analysis on the impact of crime shows similar seasonality trends in both 2019 and 2020 for all Part I crime categories; specifically, an increase beginning in late-Spring and over the Summer months. Following COVID-19 imposed restrictions the number of reported crimes for June 2020 are slightly higher for violent crime; and close or slightly lower for property crimes as compared to June 2019. In looking specifically at violent crime there was a significant increase in Assault, Robbery, and Homicide and a decrease in reported Sex Crimes.

Prior to COVID-19 emergency restrictions, arrest trends were consistent. There was a significant impact on arrests once emergency restrictions were imposed. These data show that there is a significant decline in both felony and misdemeanor arrests. From February 2020 to June 2020 there was a 52% decrease in total arrests (51% decrease in felony arrests and a 53% decrease in misdemeanor arrests).

COVID-19 had significant impact on jail bookings, the jail population, and length of stay. These data show a significant decline in jail bookings after COVID-19 restrictions were imposed in March 2020 which in turn lowered the jail population. Since February 2020, jail bookings dropped by 52% while the jail population dropped by 34%. Length of stay (LOS) was also impacted. Beginning in June 2020, the LOS made a sharp increase from approximately 35 days to 63 days as the jail bookings and the jail population declined.

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I. Introduction

COVID-19 was confirmed to have reached the state of Kentucky on March 6, 2020, when Governor Andy Beshear announced the first confirmed case in Cynthiana, Kentucky and declared a state of emergency. As of March 1, 2021, there have been 404,622 positive cases of COVID-19 and 4,637 deaths throughout the state.

In the early days of the pandemic, Governor Beshear took proactive measures and announced a series of restrictions and recommendations in order to help mitigate the spread of the novel coronavirus. Schools, universities, and a range of businesses were broadly closed to the public. The Kentucky Supreme Court entered an administrative order that included a number of unprecedented measures for the court system, including limiting in-person proceedings; encouraging judges to use telephonic or video technology to conduct hearings; postponing all civil trials, hearings, and motions; and suspending new juror orientations. Locally, Mayor Greg Fischer and the Louisville Metro Public Health and Wellness convened approximately 70 local stakeholders and external partners to outline Louisville Metro's preparedness related to COVID-19. A range of initiatives were put into place, many by executive order, including the curtailing of non-essential police services and a suspension of all inmate visitation at Metro Corrections. Additionally, all Work Release/Community Release Program operations were suspended and due to the decline in the jail population, the Community Corrections Center was temporarily closed in May 2020.

There was considerable concern that individuals arrested and booked into Metro Corrections would be unduly exposed to the virus, become infected, and then spread the virus to those also confined to the jail or others in the community once released. To address these concerns, a variety of policies were enacted to reduce the size of the jail population. These policies were designed to 1) mitigate the number of people being arrested and booked into the jail and 2) reduce the length of stay (LOS) for those already in jail through a review and release of lower risk pretrial defendants by agreement from the Jefferson County Attorney's Office, Office of the Commonwealth's Attorney and the Public Defender's Office.

II. Data Collected

The Criminal Justice Commission collected both aggregate and individual level data for both pre-and-post COVID-19 timeframes. These data were used to assess the impact of COVID-19 on crime, arrests, and the jail population. These metrics follow seasonal fluctuations that tend to rise in the spring and summer and decline in the fall and winter months, therefore the data was collected beginning in January 2019.

The following counts were collected each month beginning in January 2019 through November 2020:

- 1) Reported UCR Part I crimes to LMPD (Assault, Homicide, Robbery, Sex Crimes, Burglary, Motor Vehicle Theft, Theft/Larceny, and Vehicle Break-in/Theft);

- 2) Adult arrests (UCR Part I crimes, total felony, total misdemeanor, and warrants);
- 3) Jail bookings;
- 4) End-of-month jail population; and
- 5) Snapshot of the in-custody pretrial population by risk level.

Individual level data was collected from the Metro Corrections X-Jail Inmate Management system.

1. Snapshot of the jail population February 28, 2020 vs. June 29, 2020; and
2. Jail bookings and releases since January 1, 2019.

III. Preliminary Analysis

The following charts represent the preliminary data analysis that was conducted to assess the impact that COVID-19 and the imposed restrictions that followed had on crime, arrests, and the jail population.

A. Impact on Crime

The Federal Bureau of Investigation (FBI) Uniform Crime Reporting Program collects data about Part I offenses in order to measure the level and scope of crime occurring throughout the nation. These Part I offenses include Assault, Homicide, Robbery, Sex Crimes, Burglary, Motor Vehicle Theft, Theft/Larceny, and Vehicle Break-in/Theft. The data in Figure 1 represents calls for police service where an incident report was taken; specifically, UCR Part I crimes reported to LMPD between January 2019 and November 2020. The analysis includes the total reported Part I crime and further analysis was conducted on both violent and property-related offenses. These data show similar seasonality trends in both 2019 and 2020 for both Part I categories; specifically, an increase beginning in late-Spring and over the Summer months. Following COVID-19 imposed restrictions the number of reported crimes for June 2020 are slightly higher for violent crime; and close or slightly lower for property crimes as compared to June 2019.

Another way to represent these data is to show the first six months of 2019 versus the same time frame for 2020 in a year-to-date or YTD analysis. The analysis in Figure 2 shows the traditional late Spring to Summer increase for both years, and clearly shows the increase in violent crime and reduction in property-related crime.

Figure 1. UCR Reported Crimes
January 2019 - November 2020

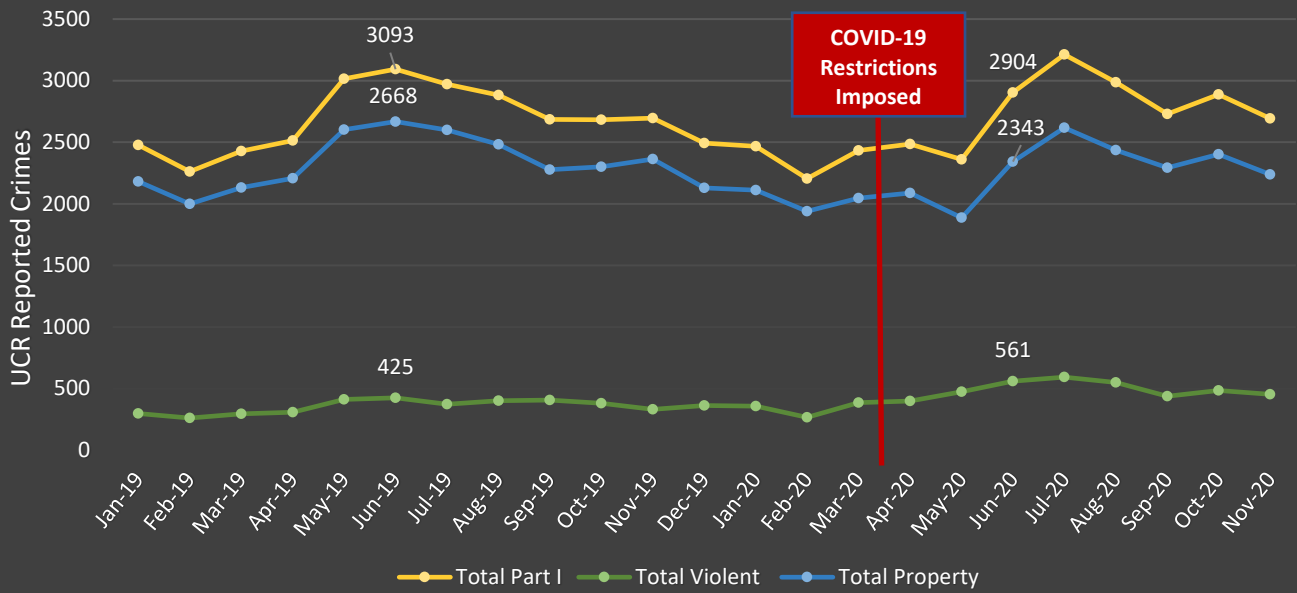
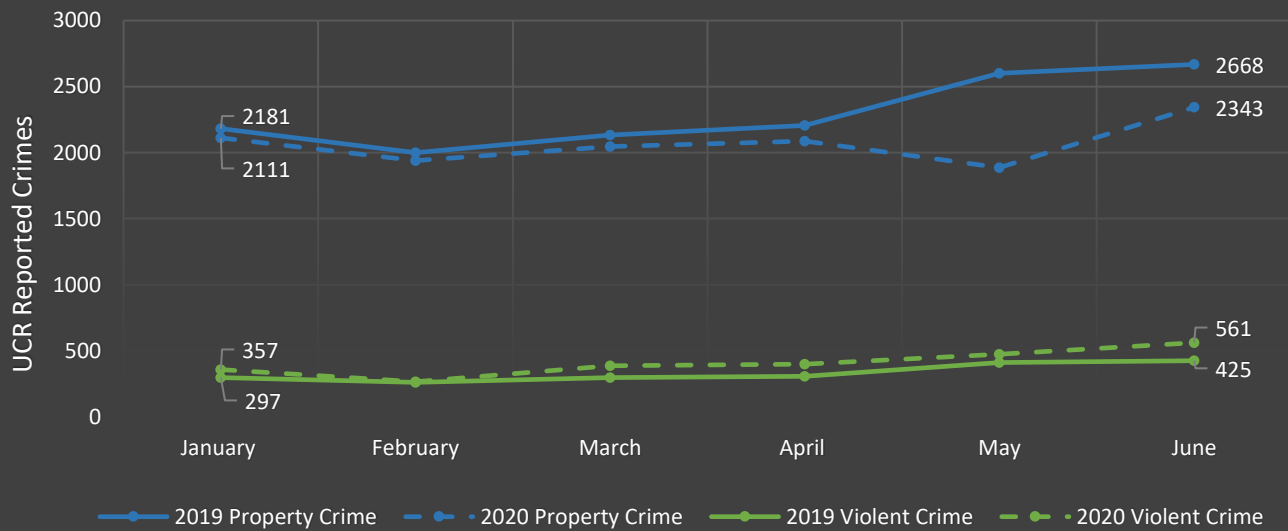


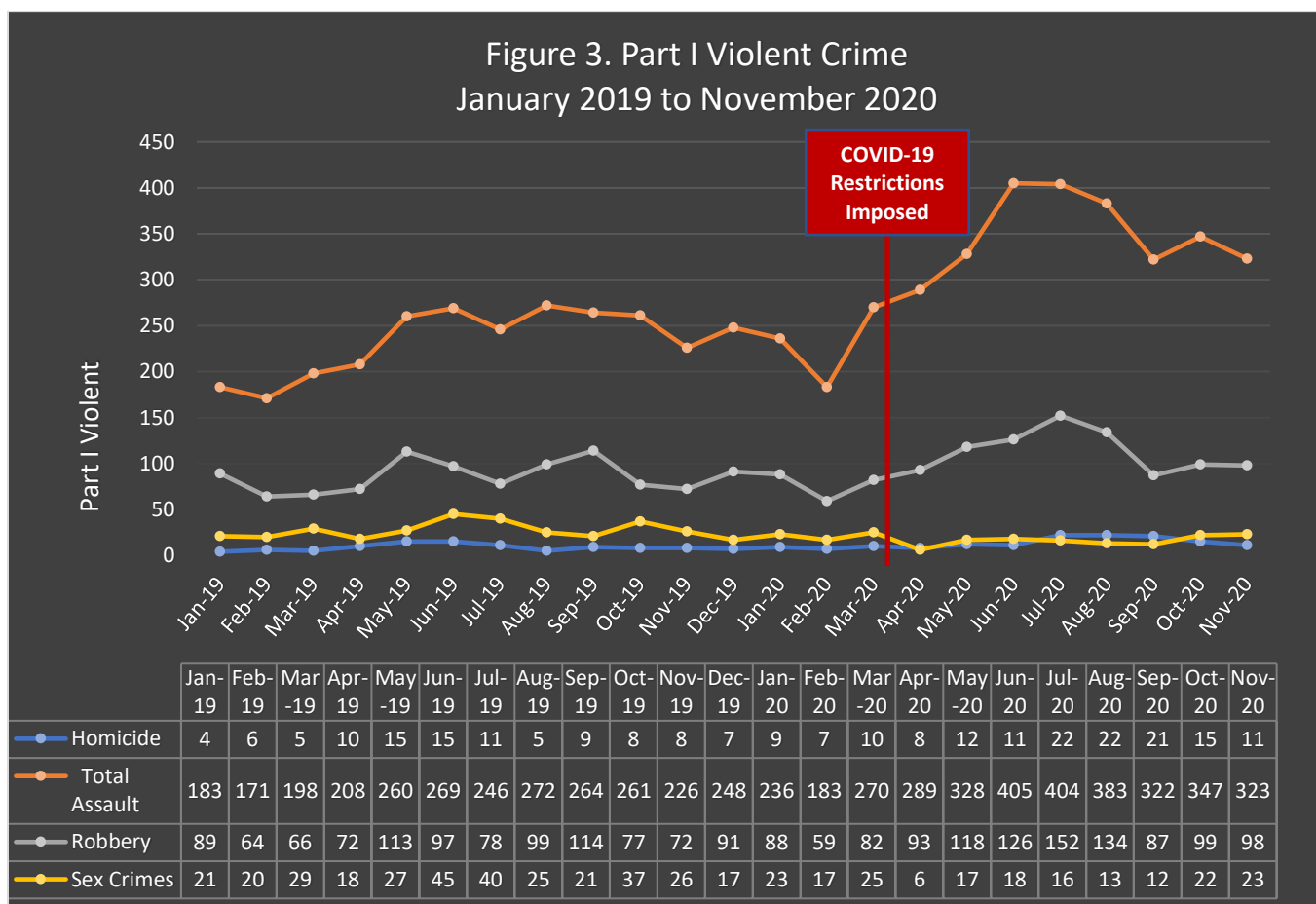
Figure 2. UCR Reported Crimes YTD
January to June 2019 vs. 2020



Of the total Part I crime reported to LMPD, the analysis in Figure 3 looks specifically at the changes in violent crime. After COVID-19 restrictions were imposed there was a significant increase in Assault, Robbery, and Homicide and a decrease in reported Sex Crimes.

Assaults outlined in Figure 3 include the total of both aggravated assault and gun assault reported to police. Aggravated assaults are assaults committed with a deadly weapon or those that result in or threaten serious bodily injury to the victim, and gun assaults are aggravated assaults committed with a firearm. Assaults peaked in June and July of 2020 and then dropped through the end of the year, though not to levels observed in the prior year. From the time restrictions were imposed in March through the end of the year, the total number of assaults increased by 39.3% over the same period in 2019. Across the entire year of 2020, the total number of assaults increased by 35% than the year before.

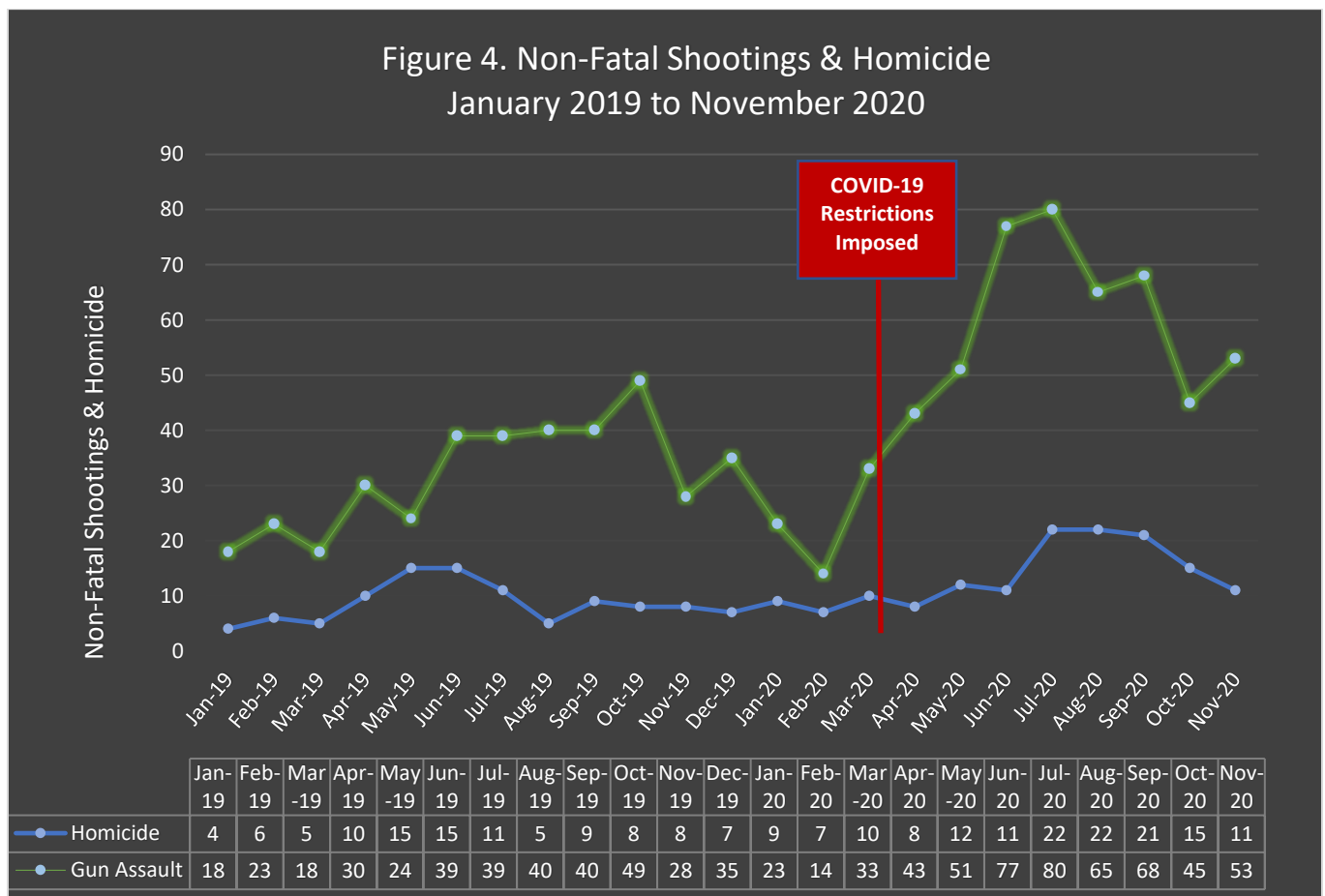
Robberies are thefts committed with force or the threat of force. Robbery increased during the early months of the pandemic, rose during the summer and early fall of 2020, and dropped again through the end of the year. The total number of robberies during the pandemic period of March to December of 2020 increased by 18.6% than during the same period the year before.



Gun assaults and criminal homicide is charted and outlined in greater detail in Figure 4 below.

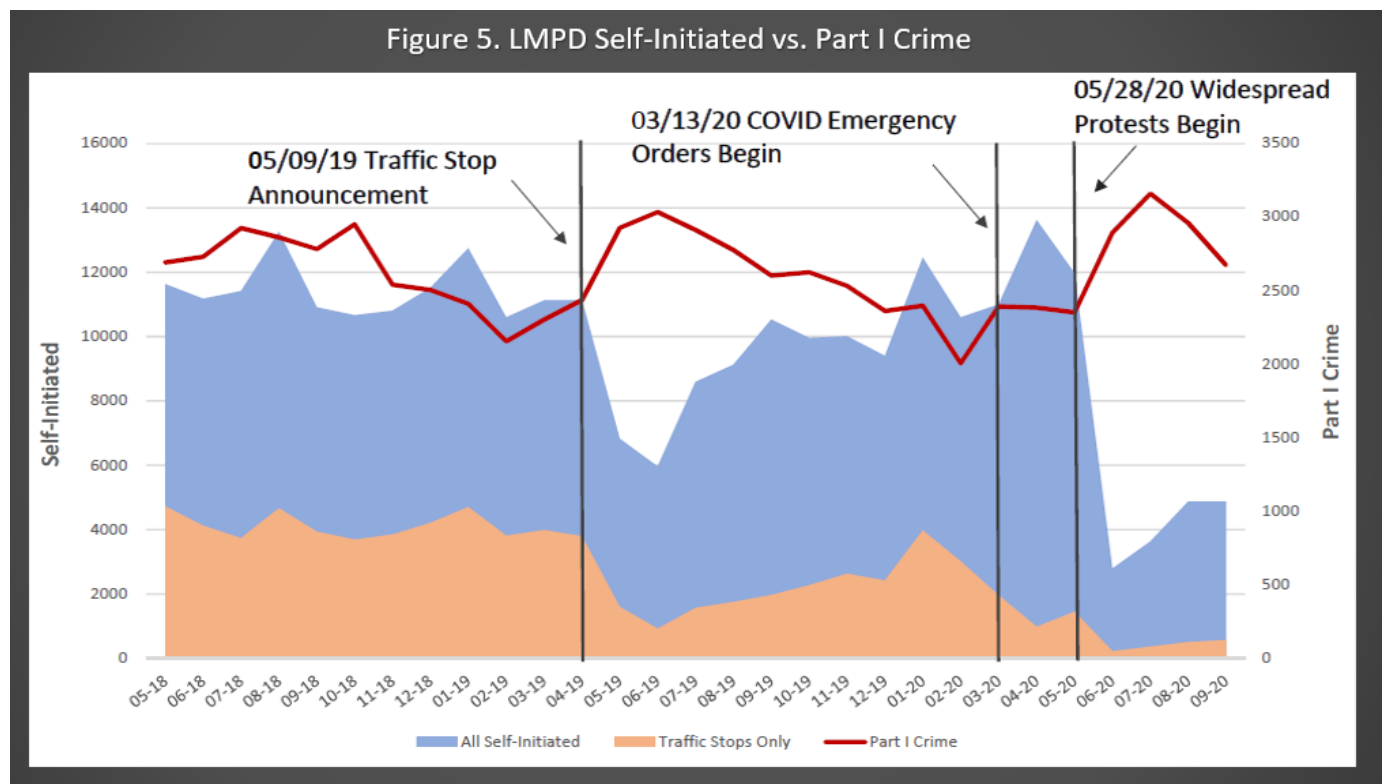
As stated above, gun assaults are aggravated assaults committed with a firearm. These data were isolated from the total number of assaults in Figure 3 and charted below. These data show the typical seasonality trends in 2019; rising during the warmer months and falling during late-fall and winter. The 2020 monthly gun assault data exhibits a clear upward trend beginning in March and peaking in July. From the time restrictions were imposed in March through the end of the year, the total number of assaults increased by 61% over the same period in 2019. Across the entire year of 2020, the total number of assaults increased by 53.3% than the year before.

Criminal homicides are deliberate and unlawful killings of one human being by another. Like gun assault, criminal homicide in Figure 4 displays the typical seasonality trends in both years. In 2020 a significant increase is seen in July and August, with a decline through the end of the year, though not to levels observed in 2019. From the time restrictions were imposed in March through the end of the year, the number of homicides increased by 67.7% over the same period in 2019. Across the entire year of 2020, the number of homicides increased by 66.9% than the year before.



Apt and Rosenfield, in their recent analysis of homicides in 64 cities, found that most cities experienced homicide increases in 2020. They noted that city-to-city variation in demographic and social conditions do not fully explain the homicide rise; however, the coronavirus pandemic and protests over police violence are likely contributors.¹ Locally, the spikes in gun assault and homicide are seen well after the pandemic began coinciding with the widespread protests around the Breonna Taylor case.

Figure 5 displays LMPD self-initiated activity (all activity and traffic stop activity) at different points in time in relation to Part I crime activity. As charted below and in Figure 1, Part I crime displays similar seasonality upticks beginning in late-Spring and over the Summer months, and self-initiated traffic stops have declined over the time period. While there is some fluctuation in the numbers of all self-initiated activity, there was an acceleration of officer activity (excluding traffic stop activity) immediately after COVID-19 emergency orders and restrictions began in March and April, but was interrupted due to the widespread protests that began in late-May.



B. Impact on Adult Arrests

The data in Figure 6 displays the impact on adult arrests; specifically, the number of arrests booked into Metro Corrections. These data represent all offense data and include all arresting agencies, not just LMPD. Prior to COVID-19 emergency restrictions, arrest trends were consistent. Once restrictions were imposed there is a significant decline in both felony and

¹ Abt, Thomas and Richard Rosenfeld. 2020. COVID-19 and Homicide: Final Report to Arnold Ventures.

misdemeanor arrests. From February 2020 to June 2020 there was a 52% decrease in total arrests (51% decrease in felony arrests and a 53% decrease in misdemeanor arrests). This dramatic decrease coincides with actions taken by law enforcement to reduce the number of arrests, especially for misdemeanor crimes and outstanding warrants. LMPD limited the types of calls for service that officers would respond to, including non-violent criminal incidents that typically required a police report; reports of other incidents such as theft, non-injury accidents, criminal mischief, and some burglary incidents were directed to LMPD's service center for citizens to make a telephonic report; and low-level bench warrants were handled as "cite and release."

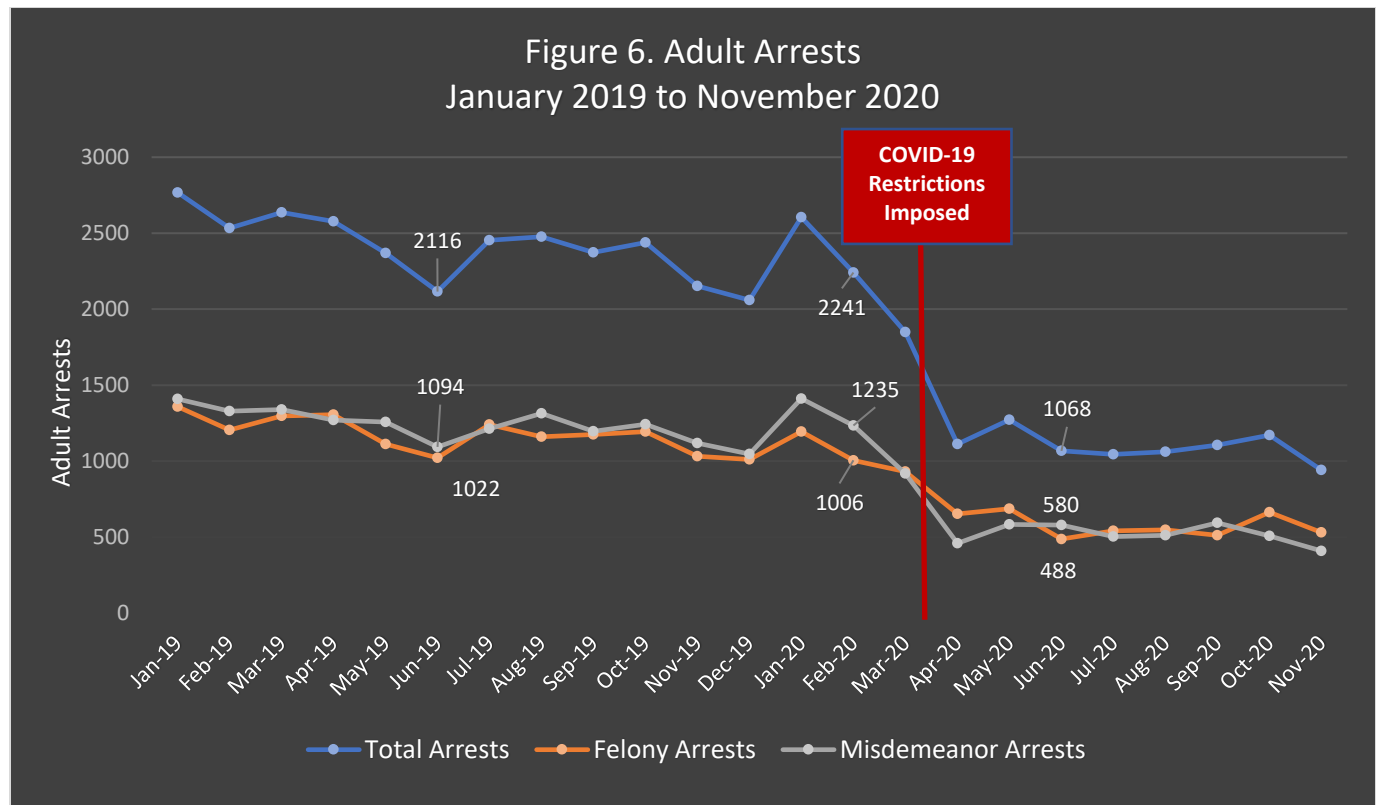
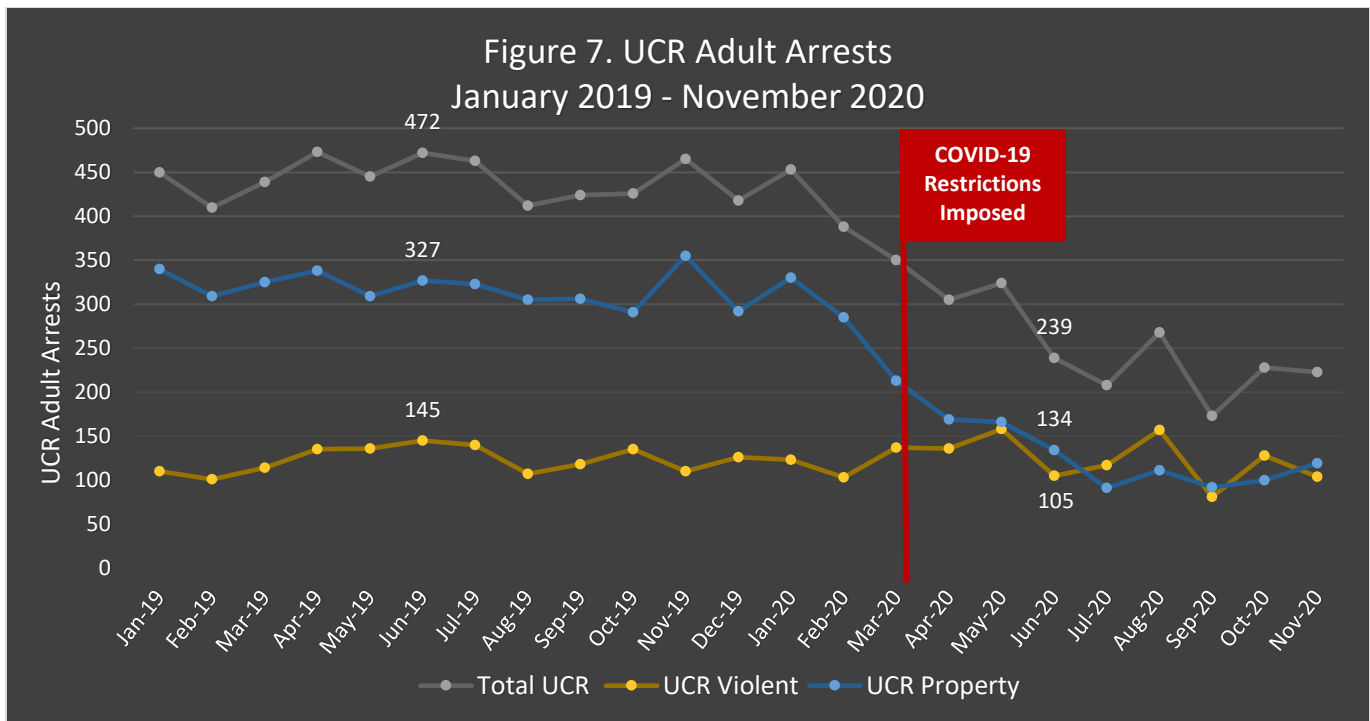


Figure 7 shows the same trends but only includes arrests for the more serious UCR Part 1 crimes. While both violent and property-level arrests declined, the reduction was greatest for property crimes.



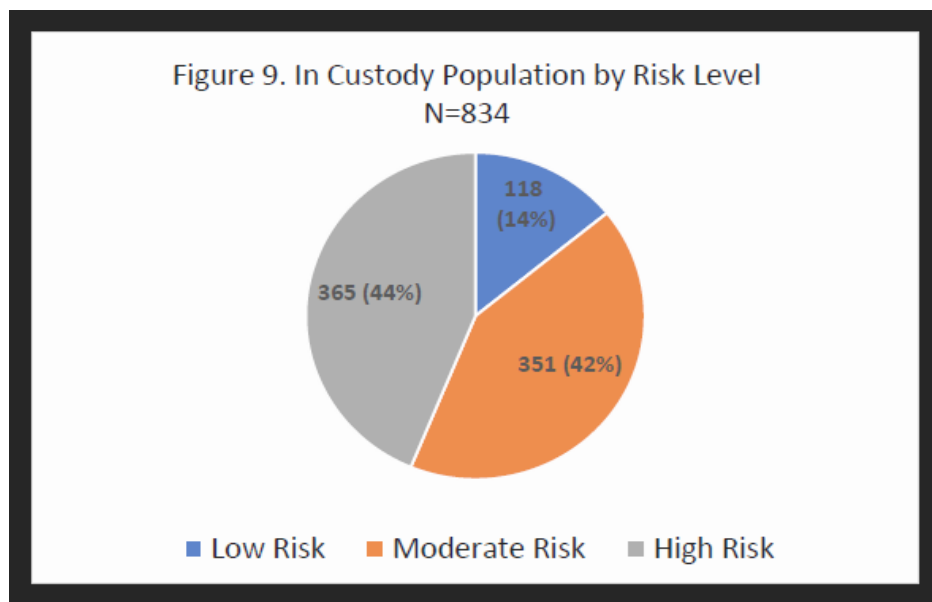
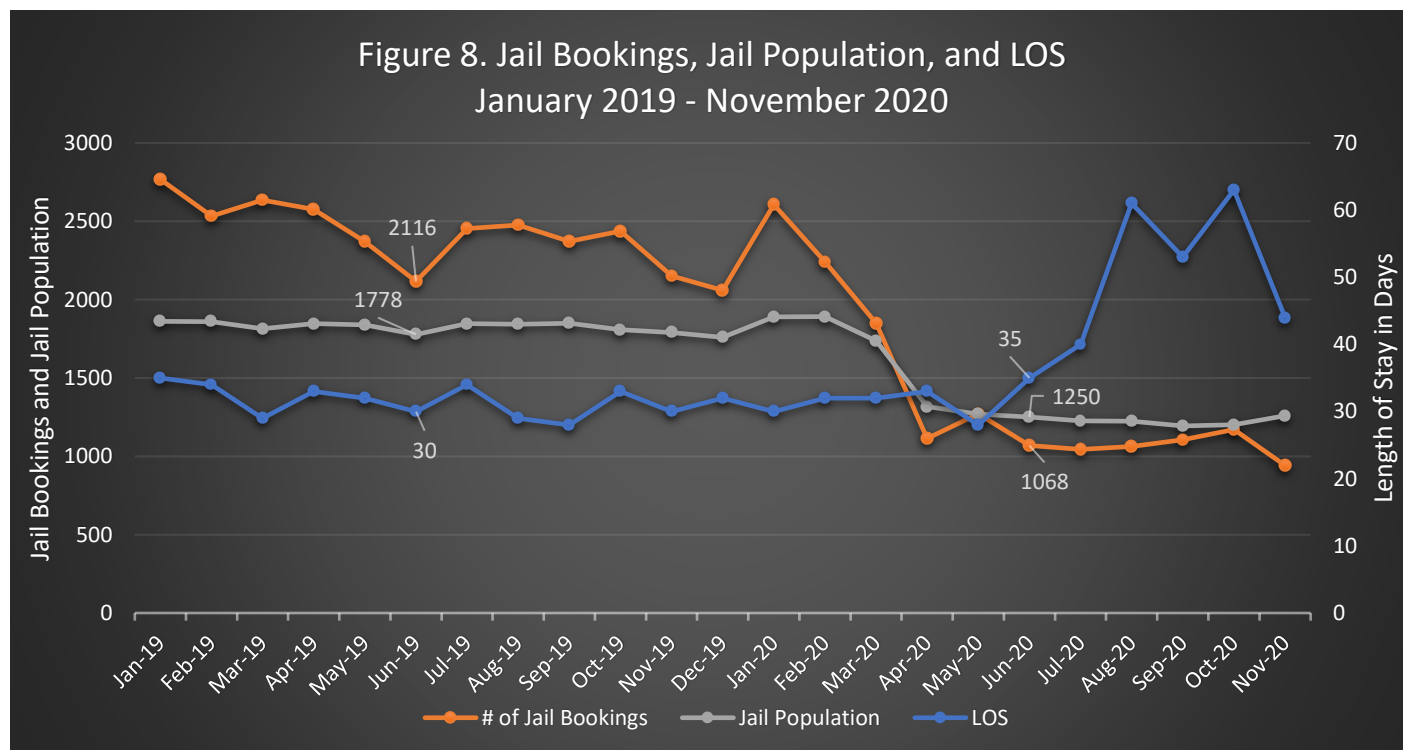
C. Impact on Bookings, Population and Length of Stay

The analysis in Figure 8 represents the impact that COVID-19 had on jail bookings, the jail population, and length of stay. These data show a significant decline in jail bookings after COVID-19 restrictions were imposed in March 2020, which in turn lowered the jail population. Specifically, since February 2020, jail bookings dropped by 52% while the jail population dropped by 34%.

In addition to the mitigation actions taken by LMPD to reduce the number of arrests, mitigation actions were put in place by Metro Corrections, the courts, and other stakeholders to reduce the spread of COVID-19 throughout the jail population. These actions include expansion of Administrative Release by the Supreme Court; warrants for non-payment of fines were cited and released; an increased use of ROR for failure to appear warrants and contempt of court on civil matters; a review and release of lower risk pretrial defendants through agreement from the JCAO, CAO and Public Defenders Office; shock probation release by way of a special docket; and suspension of community releases. As a result of the significant decline in the jail population and the suspension of community releases, the Community Corrections Center was temporarily closed in May 2020.

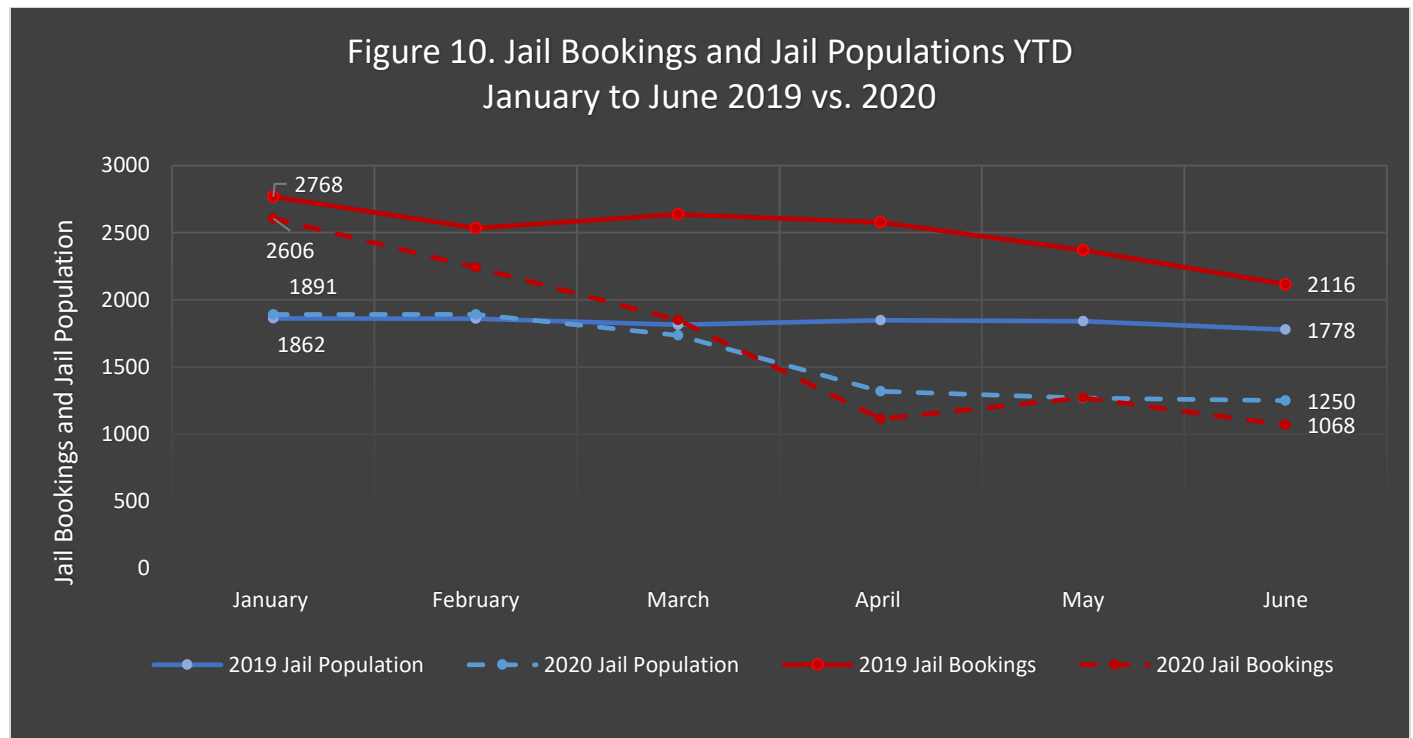
Figure 9 displays a snapshot of the in-custody pretrial population by risk level. These defendants have no holds or Parole Violations and were booked prior to 6pm on 1/19/21 and were still in custody as of 1/20/21 at 5:30am. These data confirm that those in custody are assessed at a moderate or higher risk. Of the 834 pretrial defendants in jail, 44% were identified as high risk, 42% moderate risk and the remaining 14% low risk.

Another development impacting the jail population is the Length of Stay (LOS). Beginning in June 2020, the LOS made a sharp increase from approximately 35 days to 63 days (Figure 8) as the jail bookings and the jail population declined. Reasons for the increase include fewer arrests for misdemeanor offenses; a higher proportion of jail bookings for more serious felony offenses that traditionally have longer lengths of stay; courts not operating at full capacity and cases not being processed as quickly; and state inmates being held much longer than the 45-day transfer date.



*Data in Figure 9. includes pretrial defendants (No Holds or PV charge) booked prior to 6pm on 1/19/21 and were still in custody as of 1/20/21 at 5:30am.

Figure 10 compares the first six months of 2019 with the same time period of 2020. This figure shows the major drop in bookings beginning in March and then increases in May. The decline in the jail population, while significant, is not as large as the decline in bookings.



D. Changes in the Composition of the Jail Population

As the jail population declined, the composition shifted during the pandemic. The snapshot in Table 1 compared two days in 2020; February 28, 2020 and June 29, 2020. The data analyzed show a 32% decrease in the total jail population; 61% increase in the LOS; and a 44% decrease in the number of females being held in February vs June. In looking at race across the two snapshots there was a 27% decrease in the number of black inmates being held; 16% decrease in the number of Hispanic inmates and a 38% decrease in white inmates being held.

It is important to note that when comparing the Home Incarceration Program (HIP) population pre-and-post COVID imposed restrictions, there was no increase in the use of HIP during the pandemic. This indicates that the court relied more on physical release from custody rather than using HIP as non-jail option.

Table 1.

Attribute	Pre-COVID-19 2/28/2020		Post-COVID-19 6/29/20		Percentage Change
	Number	Percent	Number	Percent	
Total	1,851	100.0%	1,252	100.0%	-32%
Length of Stay to Date (days)	139		223		61%
Gender					
Female	268	14.5%	150	12.0%	-44%
Male	1,583	85.5%	1,102	88.0%	-30%
Race					
Asian	6	0.3%	6	0.5%	0%
Black	852	46.0%	618	49.4%	-27%
Hispanic	31	1.7%	26	2.1%	-16%
American Indian	3	0.2%	3	0.2%	0%
White	959	51.8%	599	47.8%	-38%
Current Age					
18-24	273	14.7%	217	17.3%	-21%
25-34	655	35.4%	438	35.0%	-33%
35-44	526	28.4%	358	28.6%	-32%
45 and older	397	21.4%	239	19.1%	-40%
Average Age	35.8		35.2		-2%
Legal Status					
State Sentenced	419	22.6%	362	28.9%	-14%
HIP	532	22.30%	537	30.0%	1%

E. Summary of Data Analysis

The post-COVID-19 imposed restriction data on the impact on crime show the numbers of reported Part I crime are slightly higher for violent crime; property crimes close or slightly lower. The data related to the impact on arrests show a significant decline in misdemeanor and felony arrests; of those more serious felony offenses, the larger decrease was in Part I property-related crime. The impact on bookings, jail population and LOS show that after restrictions were imposed there was significant decline in the number of jail bookings; this decline in bookings, along with other mitigation actions put in place, in turn lowered the jail population and significantly increased LOS.