

**SALT LAKE COUNTY**  
**ALTERNATIVES TO INCARCERATION**  
March, 2006

**Overview**

In January 2000, Salt Lake County opened its new Adult Detention Center (ADC), otherwise known as the Salt Lake County Jail. It quickly filled to capacity and has continued to remain at or near capacity. As Salt Lake County's population continues to grow, the pressure on the jail is not likely to dissipate in the future.

In 2004, the Institute for Law & Planning (ILP) studied the system and recommended ways to reduce the current and future jail populations. They found one key reason for the growing jail population is increased lengths of stay and that long waitlists for treatment services were, in part, responsible for these longer stays. This report highlighted the need for effective community-based alternatives to incarceration.

A review of the jail population found that over three-quarters of the population have substance abuse issues and/or a mental illness, and approximately 10% are homeless. Offenders often are in the jail for behaviors and crimes related to their substance abuse or mental illness. Many stay in the jail longer than necessary due to a lack of resources in the community. Holding these offenders in the jail does not meet their treatment needs—and without addressing these needs, they will likely re-offend. For those released from jail without receiving appropriate treatment, there are few treatment options. Most released from jail do not have health insurance and for those who do, existing health insurance programs rarely cover substance abuse and mental health treatment. Therefore, the County is increasingly taking on the responsibility to connect these offenders to treatment and other services at sentencing or directly from the jail.

To begin to address these issues, in July 2005, the Mayor recommended and the County Council approved an additional \$400,000 to provide substance abuse assessments and treatment to offenders so that more offenders could be served in the community. Also, \$350,000 was provided to lease and implement a Day Reporting Center—a location that offers daily supervision of clients in the community while providing a wide range of services. In addition, the County has continued to plan new alternatives that meet the needs of the clients and the jail while ensuring communities are safe. These current and future alternatives to incarceration are discussed in the following pages.

**Continuing Initiatives**

In July 2005, Salt Lake County, through its CJAC initiatives, began developing alternatives to incarceration that provide substance abuse and mental health treatment and psycho-education in community settings while providing supervision. These programs operate under the premise that providing treatment and education outside the jail setting is less expensive and more effective

than housing people in jail. The services provided within these programs ensure community safety while allowing offenders to gain competencies and practice the skills to be successful in the community. These programs are described below.

#### Criminal Justice Advisory Council (CJAC)

The Criminal Justice Advisory Council includes representatives from a wide variety of agencies involved in the criminal justice system (e.g., law enforcement, district and justice courts, prosecutors, district attorneys, legal defenders, Salt Lake County Council, Salt Lake County Human Services) and is chaired by Mayor Corroon. The Salt Lake County Council charged CJAC with implementing the many recommendations of the 2004 ILP report discussed above. The report recommended that the role of CJAC be strengthened, and that CJAC should hire a coordinator to lead implementation efforts. During 2005, CJAC hired a new coordinator and focused its efforts on alternatives to incarceration. In 2006, CJAC will continue to support alternatives to incarceration and begin work on improving coordination in other areas of the criminal justice system

#### Day Reporting Center (DRC)

The DRC officially opened its doors in December 2005. The DRC works with clients who are released from jail or are received, by court order, in lieu of being placed in the jail. Clients are ordered to the DRC for up to 90 days with the possibility of one 30-day extension if ordered by the court. The DRC currently hosts approximately 85 clients and will increase to approximately 250 clients by the end of 2006. While involved in the DRC, clients are closely monitored through daily in-person reporting, attending life skills classes, participating in interim groups to help engage and motivate them for substance abuse treatment, job skills counseling and job placement opportunities. Each DRC client has an Individualized Service Plan that identifies needs and directs them to services and interventions to address those needs. Each client in the DRC receives a substance abuse assessment. Substance abuse treatment is provided based on the treatment levels identified by the assessment. Future enhancements to the DRC programming may include electronic monitoring and community services.

During 2006, the DRC will conduct a study to determine whether it would be beneficial to expand its hours to remain open in the evenings--becoming a Day/Night Reporting Center. The DRC will gather information from clients to determine who and how many would benefit from longer hours and then determine whether it would be an efficient use of resources.

#### County Offender Reform Act (CORA)

The CORA program was implemented to relieve overcrowding in the Salt Lake County jail by providing community-based substance abuse treatment for jail inmates who can be released from jail and who need substance abuse treatment services. It also diverts offenders from the jail who would be sentenced to a jail stay because of a lack of treatment services in the community.

The \$400,000 provided in June 2005 increased substance abuse resources to allow offenders to be released or diverted from jail and to be safely supervised and treated in the community. In 2006, CORA will receive \$1.2 million to continue this process. The 2005 funding provided the following results:

- Approximately 250 offenders (CORA clients) were removed or diverted from jail (over half are female).
- A substance abuse assessor is located in the jail to provide on-site assessments, facilitating releases from jail to treatment.
- A substance abuse assessor is located in the West Jordan Courthouse to identify offenders who can be diverted from jail into substance abuse treatment, perform substance abuse assessments, and provide recommendations to judges prior to sentencing.

Locating an independent substance abuse assessor in the jail and other locations is an important step—the assessment results are used to ensure offenders are placed in the most appropriate treatment settings to meet the needs. In 2006, a substance abuse assessor will be located in the Day Reporting Center for clients who are released from jail or sentenced without an assessment.

### Drug Court

Drug Courts remove defendants from the traditional criminal justice system and place them into a court environment where the judge is actively involved in their progress toward recovery. Drug Court clients receive treatment and counseling, make regular appearances before the judge, and have regular drug tests. Upon graduation of drug court, guilty pleas are withdrawn and criminal charges are dismissed. If clients are not compliant with the Drug Court program, they face graduated sentences including time in jail.

Salt Lake County participates in misdemeanor and felony drug courts that serve offenders from various jurisdictions in Salt Lake County. The County's Criminal Justice Services Division (CJS) provides treatment and case management services that coordinate with the District Attorney, Legal Defender and other service providers that work with the felony drug courts. Two misdemeanor courts---Salt Lake City and Salt Lake County jurisdictions---also receive CJS support. A variety of other drug court models exist in the juvenile court, justice courts, and family dependency courts as well.

Drug Courts are effective deterrents to continued drug and substance abuse behaviors. Recidivism for drug-related offenses and other crimes is less than 14% for drug court graduates compared to 64% in the general population. Salt Lake County serves an average of 522 Drug Court clients monthly.

### Mental Health Court

Salt Lake County currently has a successful Mental Health Court for persons with serious mental illness who have committed felonies. The Mental Health Court is a collaboration between criminal justice and mental health agencies in Salt Lake County. The goals of the Mental Health Court include expedited case processing, creating effective interactions between mental health and criminal justice systems, improving the mental health and well being of participants, protecting public safety, reducing clinical and legal recidivism, improving access to mental health resources, and improving the monitoring of mentally ill offenders. A guilty plea is entered and held in abeyance, or a person is required to participate in the Mental Health Court as a condition of their probation sentence. Upon successful completion of the program, the case is dismissed or charges are reduced. An average of 70 people per month participated in the Mental Health Court in 2005.

Mental Health Courts have been demonstrated to reduce the number of arrests for clients involved in the court, enhance the level of compliance with treatment, and to reduce the service barriers between the mental health system and the justice system.

### Electronic Monitoring

The Sheriff's Office Alternative Incarcerations Unit operates an electronic monitoring program through the jail. The program capacity is currently 120 prisoners, with the ability to expand based on allocation of additional staff and resources. Jail inmates are identified for this program through a comprehensive risk assessment and assigned to a Sheriff's Deputy case worker. They are then placed into one of four sub-programs:

- **R.E.A.P.** (Reintegration and Employment Assistance Program): Employability skills course targeting prisoners with a history of unemployment or underemployment.
- **S.P.L.D.** (Sheriff's Prisoner Labor Detail): Supervised prisoner work crews providing valuable labor services to the community, government agencies, and non-profit organizations.
- **Full-time Employment:** Prisoners with verified full-time employment are allowed to continue working under remote supervision by their case worker.
- **Home Confinement:** Prisoners are locked down in their residence due to inability to work or for intermediate program sanctions under remote supervision by their case worker.

### **Initiatives Beginning in 2006**

Two additional programs to assist with reducing the jail population by moving inmates to the community are just beginning. These include:

#### Jail Diversion for Mentally Ill Persons (MIJD)

Between July 2004 and July 2005, nearly 1,300 persons with serious mental illnesses were incarcerated in the Salt Lake County Jail. Many of these persons committed non-violent offenses that were directly attributable to their mental illness. All community partners involved with these people—jail officials, criminal justice services, mental health advocates and treatment providers—agree that jail is an ineffective and inhumane way to deal with persons with mental illness.

In 2006, Salt Lake County will initiate a jail diversion effort to reduce the number of persons who are jailed because of behavior that directly results from a mental illness.

The three components of this program include:

- County sponsored incentives to increase the number of patrol officers in the county who are trained to participate in effective interventions with persons with mental illness (Crisis Intervention Team, or CIT officers);

- Establishing a mental health Community Response Team at Valley Mental Health, consisting of a mental health clinician, registered nurse, case managers, and peer specialists who are available to assist patrol officers who are intervening in mental health disturbances. The team will also stabilize and maintain persons with mental illness who are transitioning from the jail back to the community.
- Defining the mechanisms for a “supervised mental health release” process in which persons with mental illness who have been jailed can be released early under the terms of a community release agreement. The release will include elements of mental health treatment, and supervision of the person in the community setting.

Persons with mental illness will access MIJD services in two ways:

- CIT officers will identify persons with mental illness when they are picked up for crimes and deliver them to the Community Response Team. The Team will then assess the person and coordinate services.
- For those already in the jail, the Mental Health worker located in the jail will screen potential participants and refer them to the Community Response Team.

The goal is to divert 300 persons during 2006. The budget is \$400,000.

#### Homeless Rental Assistance Program

The lack of affordable housing options in the County has slowed the process of moving inmates from the jail to substance abuse and mental health treatment resources. There is consensus that identifying stable housing plays an important role in improving access to substance abuse treatment and removing people from jail. Offenders are often released to residential facilities because they do not have stable living arrangements—leading to waiting lists for residential treatment. Clients who are found to need residential treatment should receive this treatment until they are stable and connected into resources. They should then be placed in stable housing to allow them to step down from residential to outpatient services while maintaining their ties to the treatment facilities, thus increasing the turnover rate for residential bed space while improving client outcomes.

Salt Lake County Human Services and the Salt Lake County Housing Authority have collaborated to identify housing stock and tenants scattered around the county that are willing to provide housing opportunities for homeless clients:

- with mental illness
- in jail
- in substance abuse programs
- in criminal justice programs

Details of this housing program include:

- \$300,000 provided by the U.S. Department of Housing and Urban Development.
- Tenant-based housing—tenants sign contracts with the landlord. The County stands behind the lease.
- Housing specialist located at the County Housing Authority who will work to identify housing for special populations.

- Training for case managers on housing issues. Each person placed in housing will have a case manager.
- Clients pay approximately one-third of the rent (\$200 per month).

The goal for 2006 is to serve 80 clients.

## **Future Options**

Although the existing alternatives to incarceration have been very effective over the past year in removing people from jail, the caps on the jail population, the growing population of SL County, and the increasing number of youth over the next decade will require additional services and resources. Options currently being discussed among County partners are discussed below.

### Community Service Work Program

Individuals incarcerated in the Salt Lake County Jail by Justice Courts often have outstanding fines, fees and restitution owed in the municipality where the crime was committed. Often these individuals owe payments in multiple jurisdictions and their inability to pay, lack of education, and lack of job resources tend to make them “poor candidates” for repayment. Consequently, Judges are left with little choice but to incarcerate the individual to sanction their unwillingness or inability to pay court required fines. This incarceration gives rise to the term “debtor’s prison” and often the penalty of incarceration is more costly to the County than the fines/fees owed.

An alternative to incarceration is the establishment of a Community Services Work Program designed and facilitated by the County with referrals from the various municipalities in lieu of jailing. Criminal Justice Services (CJS) would have contracts or arrangements for work sites throughout the valley. Clients would report to the work site or to CJS which would transport them to the various work sites. Equipment would be provided to conduct the physical labor required at the worksite (e.g., mowing lawns, shoveling snow, building and repairing fences, cleaning highway litter sites, planting trees, etc.). Clients assigned to work sites would be “credited” with hours worked at an assigned hourly wage and would work off their fines/fees under the supervision of County assigned workers (Crew Chiefs) or by site managers of the municipality or work area they have been assigned to.

This arrangement saves valuable jail space, assists the cities in receiving labor in lieu of payments, holds the client accountable, and may instill work ethics and characteristics necessary to future educational and work successes.

### Receiving Center

Police officers are involved in many community incidents that involve persons with behaviors that are influenced by a mental illness or substance use. Providing officers with a centralized Receiving Center to which they could transport these individuals would result in reduced arrest rates and emergency room visits, and improved treatment interventions for the affected individuals.

During 2006, Salt Lake County Human Services will study the best way to develop a receiving center. Key characteristics of the project will be:

- A centralized location to which officers can transport persons who appear to be under the effects of a serious mental illness or substance use.
- A “no-refusal” policy that assures officers may drop-and-go within ten minutes of arrival.
- Ability to conduct uncomplicated medical clearances.
- Comprehensive assessments conducted at the Center that will result in referring the individual to the most appropriate treatment provider, including medical detoxification, mental health and substance abuse treatment, and community supports such as housing, medical treatment, and food.
- A Center developed and operated by a community consortium partnering with the County, hospitals and healthcare providers, substance abuse and mental health treatment providers, law enforcement and the courts.

#### Expansion of “Specialty Courts” Concept

Specialty Courts such as Drug Court and Mental Health Court have demonstrated effectiveness at diverting offenders into community treatment in lieu of incarceration. What the specialty Courts have in common is that they:

- Operate on the principle of “therapeutic jurisprudence” rather than punishment
- Handle offenders on a special docket
- Employ a collaborative team to make linkages between the court and treatment programs
- Have specialized court monitoring with possible sanctions for noncompliance

There is now a body of literature that establishes for whom specialty courts are most effective, and who could be most effectively treated by other models of supervision and treatment. Salt Lake County will begin to develop options for expanding the Specialty Court approach in the following ways:

- Increase the availability of the Specialty Courts to persons who have committed misdemeanors.
- Employ judicial supervision only for those who are most likely to benefit from this approach.
- Develop innovative approaches to providing community supervision and treatment for those who are not best candidates for traditional specialty courts. This expanded model would include a method of assessing offenders that would determine the 1) most appropriate level of community supervision, 2) most appropriate level of judicial supervision, and 3) the optimal intensity of treatment. Each of these dimensions would be independently assessed to determine a recommendation that would provide the most effective intervention. The result is a more efficient use of judicial time, and the ability to provide sound supervision and treatment options as alternatives to incarceration.

#### Risk Assessment Tool

The Criminal Justice Services Division (CJS) has begun to identify assessments that can be used to identify risk levels of clients ordered to the agency. The agency has been approved by the National Institute of Corrections (NIC) to receive technical assistance to:

- Implement an actuarial risk predictor tool for clients ordered on pretrial.
- Implement an actuarial risk/needs assessment for offenders on misdemeanor probation.

The consultant providing the technical assistance will initially focus on identifying a validated and reliable risk assessment for pretrial populations and risk/needs assessment for misdemeanor probation populations. The assessments should be short, 10 to 20 questions, and data will be obtained in an initial interview with a new client.

The consultant will assist in identifying several assessments in each category and CJS will select the assessments most applicable to the agency's needs. Case managers will be trained in using the assessment and will record results in the CJS management information system, C-Track. The assessment results will be used to guide the case managers in identifying the appropriate contact levels for each client and in developing individualized case plans. Services and interventions outlined in these plans will match offenders' needs and focus on reducing the risk factors that are most likely to bring a person back into the criminal justice system.

### Jail Industries/Vocational Training/Life Skills

The Sheriff's Office is planning a vocational training program within the jail system. The program will operate as employment-based learning programs to give prisoners "work experience" while in the jail to increase their potential for success in the community. Training programs will include culinary arts, custodial services, horticulture, sewing and alterations. Potential partnerships with local adult technical schools and community colleges will allow prisoners to receive credit for the portion of training they complete while incarcerated.

The Sheriff's Office is working toward a P.I.E. (Prison Industry Enhancement) Certification, which exempts certified state and local departments of correction from normal restrictions on the sale of prisoner-made goods in interstate commerce. This certification would allow the jail to create partnerships with the private sector. These partnerships would employ prisoners incarcerated at the Metro Jail. Benefits include providing prisoners with meaningful work experience and income, provides services or products at low or no cost, increases the likelihood of prisoners' success upon release, and reduces jail overcrowding.

The jail is also planning a Life Skills Program to provide skills that are necessary for successful re-entry into society, such as behavioral change, employment, money management, parenting, personal health, and accessing community resources.

The Salt Lake County Sheriff's Office collaborates with Granite School District to provide literacy and adult basic education programs for prisoners at the Metro Jail. Future courses of study will include English as a Second Language and Citizenship.

### Criminal Justice Campus

The Salt Lake County population is growing in the south and southwest quadrants of the Salt Lake Valley. This population growth will require additional services in many human service areas—particularly for youth and criminal justice services. Services currently located in the "downtown" area are not conducive to best practices nor citizen convenience.

A South Valley Criminal Justice Campus would house disparate, yet common, services to address criminal justice needs in the next twenty years. This campus could house a Youth

Services Receiving Center, an Adult Receiving Center, a Center for the Family (domestic violence related services for victims), as well as current or expanded Probation, Pretrial, Treatment and Specialty Court Services. This “central” campus would include office space for District Attorneys and Legal Defenders serving the Third District Court in West Jordan. The campus would not replace existing services in other areas of the County.

Salt Lake County Human Services will study this opportunity in 2006.

### Youth Initiatives

In the next few decades, Utah will see an unprecedented growth in its school-aged population as the grand-children of the “baby boom” generation enter school. It is estimated that there will be an increase of approximately 155,000 children between the ages of 5-18 by the year 2010. Salt Lake County will participate in this population increase as well and its school-aged population will increase by over 21,000 (10%).

Youth under the age of 18 are more likely to abuse marijuana than alcohol or any other drug. By the time that group matures to the 18 – 24 year old category, the drug of choice is alcohol and methamphetamine—almost equally, but methamphetamine becomes the number one drug of choice during the 25 to 34 year old range. Prevention and intervention are the keys to keeping youth from using and abusing substances.

The community will need to plan for more schools, more recreational facilities, and effective prevention and early intervention programs for this population to ensure these youth do not feed into the criminal justice system as they reach young adulthood. During 2006, Salt Lake County will coordinate and plan with other child serving state agencies such as the Division of Family Services, Juvenile Court, Division of Juvenile Justice Services, our four school districts, and parents to determine the best mechanism for increasing services for County youth.

In the short term, the County will work with the Division of Child and Family Services to implement an intervention program focused on youth who are in state foster care and who are transitioning from state foster care to independent adult living. This program will be financed by state, county and federal Medicaid funds and will provide a comprehensive substance abuse risk assessment to youth identified to be at high risk of substance abuse. These youth will then receive either substance abuse treatment or concentrated substance abuse intervention and prevention services. Early intervention and treatment programs will cost approximately \$2,500 per youth while incarceration costs in the Salt Lake County jail are \$27,000 per year.

Working together, the County and its partners can develop opportunities for our youth to help them become productive and successful members of the Salt Lake County community.