

The Impact of COVID-19 on Nevada's Criminal Justice System

Project Introduction to Nevada Sentencing
Commission

May 21, 2021

Agenda

- Introductions
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- Next Steps
- Questions

About CJI

- The Crime and Justice Institute (CJI) works with local, state, and national criminal justice organizations to assist them in developing data and public-safety-driven solutions to tough criminal justice policy problems
- CJI provides nonpartisan policy analysis, research, technical assistance, program evaluation, and training to jurisdictions throughout the country

CJI's Other Work in Nevada

- **Support Staff for the ACAJ (2018-2019):**
 - Assisted Nevada's Advisory Commission on the Administration of Justice (ACAJ) as it developed policy recommendations that led to Assembly Bill 236, which went into effect in mid-2020
- **Implementation Support for AB 236 (2019-present)**
 - Staffs an implementation team that works closely with in-state agencies to support changes required by AB 236

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Project Overview

Leadership Charge

State leadership has asked CJI to:

“[E]valuate the general impact of the Covid-19 pandemic on Nevada’s criminal justice system, and the specific impact of the pandemic on Nevada’s prison population.”

Letter signed by:

- Governor Sisolak
- Chief Justice Hardesty
- Majority Leader Cannizzaro
- Speaker Frierson

Project Goals

1. To better understand the impact of COVID-19 on the state's prison population through data analysis and system assessment.
2. To identify gaps and opportunities for post-pandemic policies and practices.
3. To revise prison population projections where necessary.

Project Phases



Data Analysis

Data Sets

To understand COVID-19's impact on Nevada's jail and prison populations, CJI will analyze raw data from the following sources:

- Nevada Department of Corrections
- Administrative Office of the Courts
- Nevada Division of Parole and Probation
- Records, Communications and Compliance Division
- Judicial Districts
- County-level agencies

Methodology

- Analyses of aggregate and individual-level data to assess trends in:
 - Admissions
 - Lengths of stay
 - Releases
 - Population snapshots
 - Demographics
 - Offense types
 - Revocations
 - Case processing

System Assessment

System Assessment Areas

CJI will catalog and assess policy and practice changes that occurred across Nevada's criminal justice system, including but not limited to the following areas:

Policing

Prosecution

Court Process
& Sentencing

Community
Supervision
and Support

Prison Release

Methodology

Review of state laws, executive and administrative orders, written agency policies, appellate cases, and court rules

Interviews (individual and group) with administrators, practitioners, and impacted individuals throughout the system

Surveys, focus groups, and court observation

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National Trends

Changes to Law Enforcement Practices

- High staff sick rates result in many departments decreasing their physical footprint
- Intentional reduction in frequency of arrests to protect the health and safety of officers
- Increased use of citations in lieu of arrests
- Limited enforcement of certain types of offenses such as traffic violations

Changes to Court Processes

- Courts across the country transitioned to virtual court without in-person appearances for most hearings
- Many jurisdictions enacted policies to limit pretrial detention, including presumptive release on recognizance for broad classes of offenses
- Due to closures and other safety measures, many courts delayed disposition of cases via mass continuances or limiting jury trials

Changes to Incarcerated Populations

- Departments released individuals who were vulnerable to COVID-19 through a variety of different mechanisms, including work release, geriatric parole, or medical release
- Some states issued commutation orders, for example authorizing early release for nonviolent offenders
- Departments moved to release individuals who were within a certain number days of their parole eligibility date
- Some states housed individuals at previously vacant facilities for quarantine, intake, and other purposes
- Departments stopped all transfers of individuals

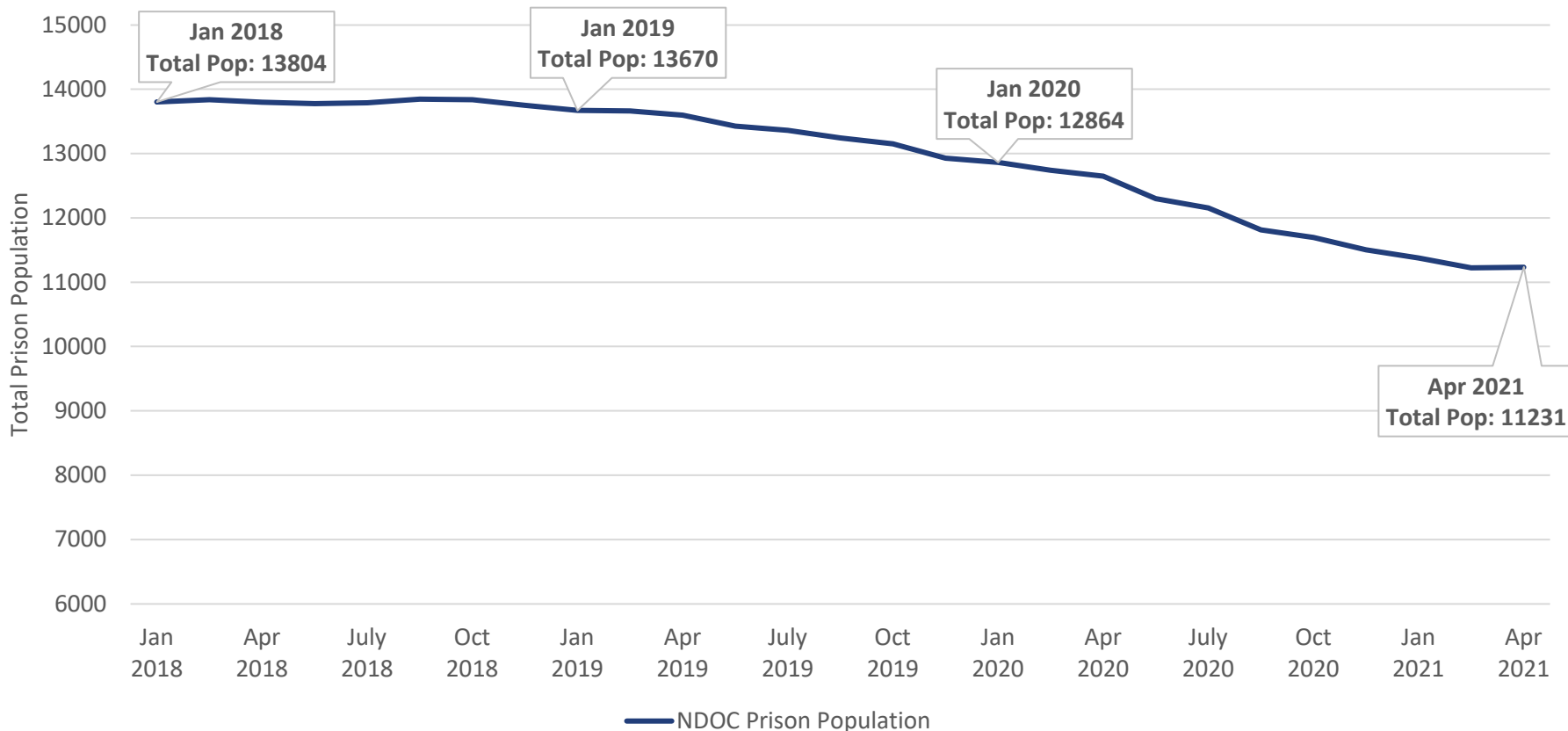
Changes to Supervision Practices

- Supervision providers across the country had to transition from in-person reporting to remote or limited reporting to protect their staff and supervisees
- Budgetary limitations caused departments to be understaffed
- Caseloads in some places increased as more individuals were placed on supervision, which was followed by policies to safely reduce these rising caseloads
- Closures of community supports, e.g. treatment centers, required adjustment to supervision plans

What We Know So Far

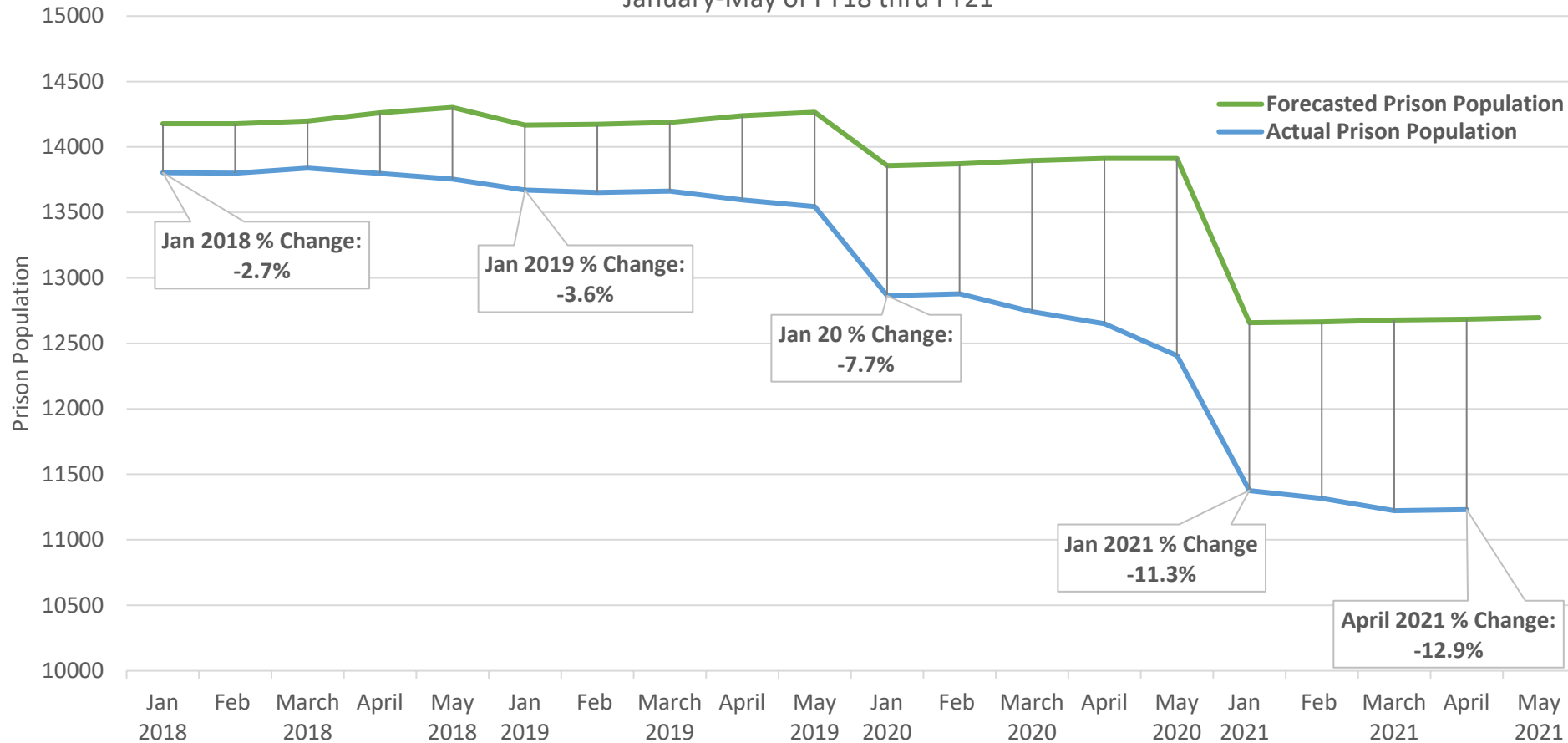
Nevada's Prison Population Drops 18% Since 2019

Nevada Department of Corrections
Total Prison Population
January 2018 - April 2021



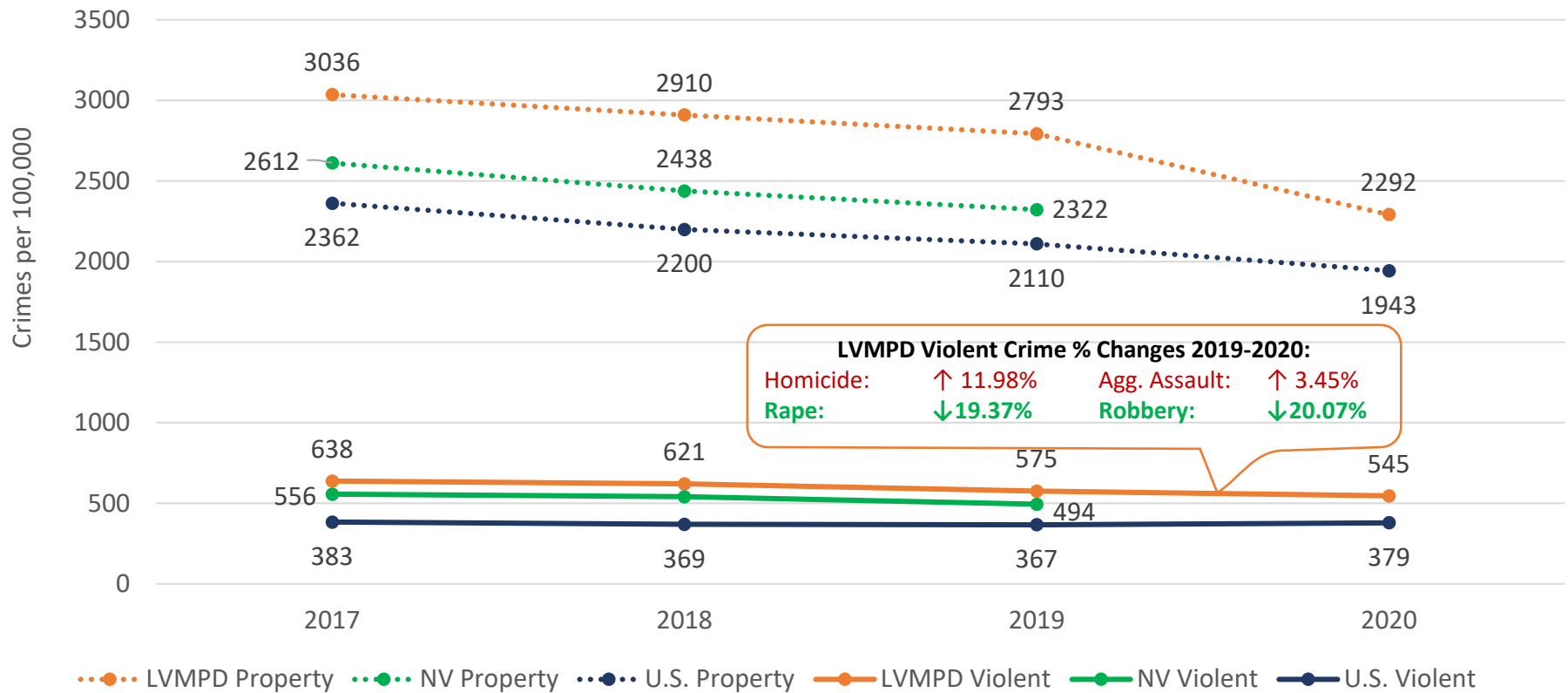
COVID-19 Widens Gaps in Prison Population Projections

Nevada Department Of Corrections
Forecasted vs. Actual Prison Populations
January-May of FY18 thru FY21



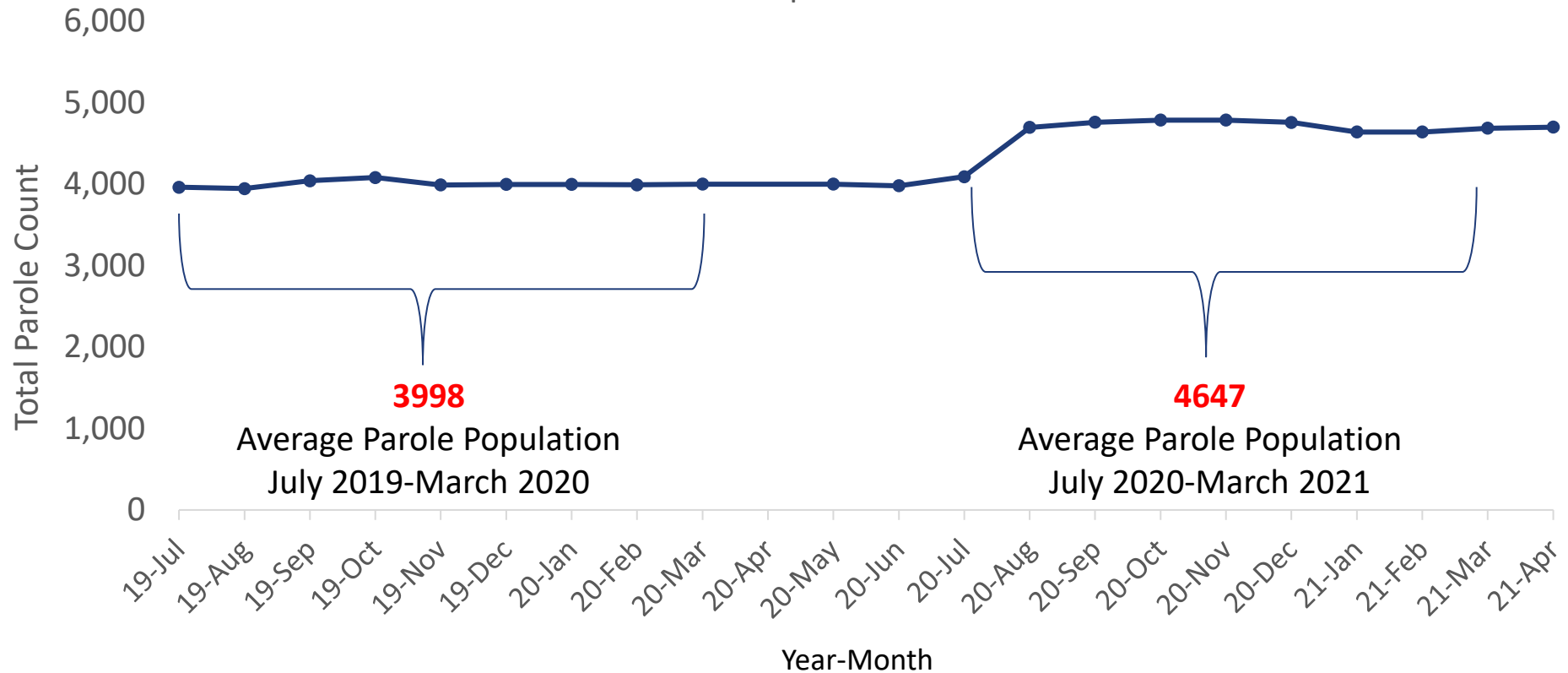
National and Nevada Crime Rates During Pandemic

Violent and Property Crime Rates
U.S., Nevada, & LVMPD Comparison
2017-2020



Average Parole Population Rises 17% Since March 2020

Nevada Division of Parole and Probation
 Count of Individuals on Parole
 FY2020 - April FY2021



Note: Average parole population in red. No April 2020 data provided. Values are Offenders on Parole as reported by Nevada Division of Parole and Probation to NDOC. Source: NDOC Weekly Fact Sheets. Accessed from: https://doc.nv.gov/About/Statistics/Weekly_Fact_Sheets/2020_Weekly_Fact_Sheets/

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Next Steps

Project Plan

Project Phases	Timeframe
Planning	April 2021 - May 2021
Qualitative and Quantitative Assessment	May 2021 – July 2021
Development of report and policy recommendations	July 2021 – September 2021
Projections	August 2021 - November 2021
Report Delivered	November 2021

Next Steps

- CJI will be reaching out to many of you as part of the data analysis and system assessment
- The success of this project will depend on the participation, perspective, data, and referrals of as many practitioners and experts as possible
- The final report, including both the data analysis and system assessment, will be published in November

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Disclaimer

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