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

Project Introduction to Nevada Sentencing Commission

May 21, 2021
Agenda

- Introductions
- Project Overview
  - Data Analysis
  - System Assessment
- National Landscape & Examples
- What We Know So Far
- Next Steps
- Questions
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
Project Overview
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
- System Assessment
- Projections
- Opportunities
- Final Report
Data Analysis
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
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
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

Sources: Total Population (Actual) reported in NDOC Quarterly Reports and NDOC Weekly Fact Sheets. Accessed from: https://doc.nv.gov/About/Statistics
COVID-19 Widens Gaps in Prison Population Projections

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

Forecasted Prison Population
Actual Prison Population

National and Nevada Crime Rates During Pandemic

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

<table>
<thead>
<tr>
<th>Year</th>
<th>LVMPD Property</th>
<th>NV Property</th>
<th>U.S. Property</th>
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<tr>
<td>2020</td>
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LVMPD Violent Crime % Changes 2019-2020:
- Homicide: ↑11.98%
- Agg. Assault: ↑3.45%
- Rape: ↓19.37%
- Robbery: ↓20.07%

Average Parole Population Rises 17% Since March 2020

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/
Next Steps
## Project Plan

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<td>Qualitative and Quantitative Assessment</td>
<td>May 2021 – July 2021</td>
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<td>Development of report and policy recommendations</td>
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<td>Projections</td>
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<td>November 2021</td>
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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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