Fiscal and Policy Implications of COVID-19
The Cost of Jails and Jail Population Shifts in Kentucky

November 6, 2020
Meeting of the Kentucky Jail Task Force
How much do Jails Cost?
A preview of jail budget data in Kentucky counties
Research Questions

• What are the costs incurred by counties to house people in jail?
• How much of county budgets are spent on jails?
• How much revenue do counties receive from housing people in jail for other counties, for the state, and for the federal government?
• How much revenue do counties collect in the form of jail fees?
• What are potential cost savings that could be achieved from a reduction in the jail population?
How much do jails cost in Kentucky?
The average county spent $2,656,555, or 20% of its total budget, on jail expenses. This amounts to $101 per resident.

Across the state, counties spent a total of $308,160,358 on jail expenses in FY2019.
There is significant variance in how much counties spend on jails as a proportion of the budget: from 3% to 72% of the total budget, and from $5 to $1,113 per resident.
Rural counties spend a greater share of their budgets and more per capita on jail costs than counties home to smaller cities or suburban counties.

*Fayette & Jefferson Counties are not included in this analysis. Vera would classify Jefferson County as the state’s only major urban county, and Fayette the largest of the small to midsize counties.*
Counties without a full service jail spend significantly less per capita and as a percent of the total budget to house people in jail.

Kentucky has 73 full service jails, 3 Life Safety jails, 4 regional jails, and 40 counties with no jails.
Personnel costs (salary + employee benefits) make up the majority of jail expenditures (54%), followed by Operating Expenses (37%).

Jail Expenses by Type, Average Across Counties

- Personnel: $1,445,814 (54%)
- Operating Expenses: $991,861 (37%)
- Other: $10,319 (0%)
- Total Jail Expenditures: $2,656,555

Jail Expenses by Type, Total Across Counties

- Personnel: $167,714,438 (54%)
- Operating Expenses: $115,055,841 (37%)
- Other: $51,595 (0%)
- Total Jail Expenditures: $308,160,358

Vera
On average, 75% of jail costs are variable, but this varies widely by county.
Top expenses for counties without jails tend to be contracts, the jailer’s salary and benefits, and transportation costs.
What are the major sources of jail revenue?
Intergovernmental revenues make up the majority of jail revenues (54%), followed by surplus, borrowing and transfers (40%).

- Most intergovernmental jail revenues came from the state (76% of all intergovernmental revenues and 41% of the jail budget on average). The majority of state revenues (79%) are for Class D felon and housing people for the DOC.
- Some counties receive up to 86% of their jail revenue to house people for the KY DOC, and up to 60% of their jail revenue to house people for the federal government.
How much revenue do counties receive from other government entities for housing people in jail?
In FY 2019, the average county* received $949,756 (or 24% of its jail revenues) to house people for the KY DOC.

*70 counties received payments for housing people for the state in FY 2019, including both Class D felons and controlled intake.
In FY 2019, the average county* received $1,333,201 (or 17% of its jail revenues) to house people for the federal government.
In FY 2019, the average county* received $264,672 (or 8% of its jail revenues) to house people for other counties.

*41 counties received payments to housing people for other counties in FY 2019
How much revenue do counties collect via fines, fees and charges?
The average county derives only 4% of its jail revenues from fines and fees, but this represents more than 14 million dollars extracted from some of the state’s poorest residents.

<table>
<thead>
<tr>
<th>Total dollar amount and % of jail revenue received from jail fees, FY2019</th>
<th>Average dollar amount and % of jail revenue received from jail fees, FY2019</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Telephone Commission</strong></td>
<td><strong>Warrant Service Fees</strong></td>
</tr>
<tr>
<td>$6,786,582 (47%)</td>
<td>$129,053 (1%)</td>
</tr>
<tr>
<td><strong>Prisoner Reimbursement</strong></td>
<td><strong>Telephone Commission</strong></td>
</tr>
<tr>
<td>$3,809,756 (27%)</td>
<td>$106,040 (2%)</td>
</tr>
<tr>
<td><strong>Charges for Services/Service Fees</strong></td>
<td><strong>Concession Sales</strong></td>
</tr>
<tr>
<td>$1,526,762 (11%)</td>
<td>$73,957 (3%)</td>
</tr>
<tr>
<td><strong>General Prisoner Population</strong></td>
<td><strong>Prisoner Reimbursement</strong></td>
</tr>
<tr>
<td>$560,127 (4%)</td>
<td>$56,862 (2%)</td>
</tr>
<tr>
<td><strong>Jail (work release)</strong></td>
<td><strong>Charges for Services/Service Fees</strong></td>
</tr>
<tr>
<td>$479,061 (3%)</td>
<td>$50,892 (1%)</td>
</tr>
<tr>
<td><strong>Jailers Bond Acceptance Fee</strong></td>
<td><strong>General Prisoner Population</strong></td>
</tr>
<tr>
<td>$370,002 (3%)</td>
<td>$32,949 (1%)</td>
</tr>
<tr>
<td><strong>Home Incarceration Fees</strong></td>
<td><strong>Fines and Forfeitures</strong></td>
</tr>
<tr>
<td>$301,774 (2%)</td>
<td>$31,748 (0%)</td>
</tr>
<tr>
<td><strong>Warrant Service Fees</strong></td>
<td><strong>Home Incarceration Fees</strong></td>
</tr>
<tr>
<td>$258,107 (2%)</td>
<td>$12,574 (0%)</td>
</tr>
<tr>
<td><strong>Concession Sales</strong></td>
<td><strong>Jail (work release)</strong></td>
</tr>
<tr>
<td>$147,913 (1%)</td>
<td>$11,141 (0%)</td>
</tr>
<tr>
<td><strong>Fines and Forfeitures</strong></td>
<td><strong>Jailers Bond Acceptance Fee</strong></td>
</tr>
<tr>
<td>$95,243 (1%)</td>
<td>$7,255 (0%)</td>
</tr>
<tr>
<td><strong>Vending Machine Commission</strong></td>
<td><strong>Bond Payment Fees</strong></td>
</tr>
<tr>
<td>$11,199 (0%)</td>
<td>$2,515 (0%)</td>
</tr>
<tr>
<td><strong>Bond Payment Fees</strong></td>
<td><strong>Vending Machine Commission</strong></td>
</tr>
<tr>
<td>$7,546 (0%)</td>
<td>$1,018 (0%)</td>
</tr>
</tbody>
</table>

_Vera_
What should counties do to reduce their jail costs?

• Since counties are responsible for expenses related to the locally held jail population, a reduction in the number of people held in jail pretrial and on misdemeanor offenses would lead to a reduction in variable expenses in the short term, with some savings from fixed expenses also expected on the medium-long term.

• These savings could be redirected toward other types of investments that better promote community safety, including alternatives to incarceration, affordable housing, and treatment programs for mental illness and substance use.

• These savings would also potentially offset the revenue lost from not charging user fees.

• We are currently working on a tool that would allow you to estimate the potential cost savings associated with reductions in the jail population for your county.
Data Source & Notes

- Budget data for this analysis comes from the Office of State Budget Director disbursement & receipt reports available for download from the Kentucky Department for Local Government website.
- Data is for fiscal year 2019 (2018-2019)
- Jail Expenditures:
  - Includes all expenditures tied to the office of the jailer, the housing of class D felons in county jails and work release for people being held for the state, regardless of which fund these expenditures originate from.
  - Also includes debt service expenses, administration expenses, and capital project expenses from the jail fund or jail construction fund.
  - Excludes expenditures related to Juvenile Detention Services.
- Jail Revenues:
  - Includes all revenues listed under the jail fund or jail construction fund.
  - Also includes specific jail-related revenue items tied to funds other than the jail fund or jail construction items.
- Missing Data for Some Counties:
  - Data on jail expenditures is missing for Elliott and Johnson Counties.
  - Data on jail revenues is missing for Boyd County.
  - Data on both jail expenditures and revenues is missing for Fayette and Jefferson Counties.
Jail Population Shifts
Changes in Kentucky’s Jail Population in Response to COVID-19
What is the Current State of Jail Incarceration in Kentucky?
On October 30, there were 19,338 people in jail and 109,244 COVID-19 cases in Kentucky.
49 jail facilities in Kentucky are currently operating at or above capacity; 8 are operating above 150 percent capacity.

On January 30, 2020, before policies were adopted to reduce jail populations to prevent the spread of COVID-19, 79 facilities (64%) were operating at or above capacity.
The Local Jail Population Has Rebounded the Most Sharply in Rural Kentucky Jails

Here, the local population is the people detained before trial or serving misdemeanor sentences.
Between April 20 and October 24, bookings increased 107 percent; detention on unaffordable money bail increased 284 percent.
On November 1, 37 percent of people with pretrial interviews were held on money bond; the majority were charged with Class D felonies and Class A Misdemeanors.
How did Jail Bookings and Releases Change in Early 2020?
Nationally, bookings declined the most for Court, Driving, and Drug offenses
Increased releases were driven by people bonding out and being released by courts.
Recommendations:

• Reduce bookings into jail, including for court related charges
• Divert people with behavioral health needs away from the justice system
• Expand the nonfinancial release of high-needs people, and refer more people with low and moderate needs to community-based services and supports so that pretrial services can effectively allocate services
• Narrowly tailor the imposition of money bail to people who pose a clear and convincing risk to public safety
• Individually tailor the imposition of particularly onerous conditions of pretrial release, including drug testing and GPS monitoring
Data Source & Notes

- Data on total jail populations and jail capacity is from the Kentucky Department of Corrections’ Weekly Jail reports.
- COVID-19 case data is from the New York Times.
- Data on pretrial bookings and same-day outcomes is from Kentucky’s Pretrial Release Information Management System (PRIM), as provided by the Administrative Office of the Courts.
  - The number of total pretrial interviews reflects the number of people booked into pretrial custody from 6pm the day prior to 6pm the day reported, while the “in custody” population reflects the people who were still in jail that day. They may or may not still be detained.
- National bookings and admission data was produced by Appris for a forthcoming whitepaper published in partnership with Vera.
Jasmine Heiss
Director of In Our Backyards
Vera Institute of Justice
Jheiss@vera.org

Bea Halbach-Singh
Research Associate
Vera Institute of Justice
Bhalbach@vera.org