

## EAST BATON ROUGE PARISH FACT SHEET

On addressing COVID-19 in our local justice system

### BACKGROUND: COVID-19 IN EAST BATON ROUGE PARISH

- The COVID-19 pandemic is a public health crisis that is uniquely affecting those incarcerated in local jails. As of July 31, 2020, Louisiana ranked #1 among states for COVID-19 infections per capita and the City of Baton Rouge has one of the highest infection rates in the state.
- People incarcerated in jails are particularly vulnerable to contracting COVID-19. Local jails lack the resources and medical care to safely detain people, risking the health and lives of the people they detain, their staff, and the broader community.
- The overreliance on jails has always posed a threat to public health and safety, and COVID-19 has accelerated efforts to change our local justice system.

### HOW WE GOT THERE: PRIORITIZING PUBLIC HEALTH & SAFETY

- Collaboration among the East Baton Rouge (EBR) Criminal Justice Coordinating Council (CJCC) and key stakeholders<sup>1</sup> in our local justice system has been critical to reducing the overreliance on jails and the overall jail population. As of July 2020, the EBR CJCC and local stakeholders have:

#### **JAIL POPULATION REDUCTION**

EBR has reduced its jail population by **25.9%** since February of 2020, and by **47%** since November of 2017

- Reduced the EBR Parish Prison Average Daily Population (ADP) by 25.9% (542) since February of 2020 by implementing several strategies focused on increasing case-processing efficiencies and diversion opportunities.
- Reduced ADP by 47% (989) since November of 2017.
- Reduced total monthly bookings by 51% (480) since November of 2017.
- CJCC's ongoing collaboration with system stakeholders to safely reduce the jail population before the pandemic set up East Baton Rouge to respond well during this crisis. Over the past several years, programs and policies have been put in place to successfully reduce the jail populations as compared to November 2017 baseline data. For example,

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<sup>1</sup> The EBR CJCC worked in partnership with the EBR Sheriff's Office, Baton Rouge Police Department (BRPD), 19<sup>th</sup> Judicial District Attorney's Office (DA's Office), Baton Rouge City Prosecutor's Office, EBR Office of Public Defender, Baton Rouge City Court, 19th Judicial District Court (19th JDC), the Office of the Mayor-President, City of Baton Rouge-East Baton Rouge Parish

implementation of an expedited arraignment process reduced the jail population by 13.8% between September of 2019 and December of 2019.

### RESPONSE: ADDRESSING COVID-19 IN OUR LOCAL JUSTICE SYSTEM

➤ To help prevent the spread of COVID-19 and protect the health and lives of jail staff and those impacted by the criminal justice system, we safely reduced the jail population by implementing the following programs, policies and procedures:

- Programs implemented before the spread of COVID-19, such as the Pre-Trial Diversion and Recovery Program and Expedited Arraignment, have continued even in the midst of the pandemic. Teams have utilized virtual platforms to keep these programs moving forward while successfully identifying those with mental health and/or substance use issues.
- The EBR Parish Prison stopped accepting traffic offenses, nonviolent misdemeanors and low-level, non-violent felony charges.
- Baton Rouge Police Department revised its cite and release policy to include traffic offenses, nonviolent misdemeanors and low-level felony charges, thus reducing the number of arrests.
- The District Attorney, Baton Rouge City Prosecutor and Public Defender's Offices started meeting daily during the COVID-19 shutdown to review the current inmate roster with the goal of expediting case review, which ultimately resulted in a quicker release of pre-trial defendants.
- The 19th Judicial District Court and Baton Rouge City Court have increased their ability to conduct virtual court proceedings in order to limit the amount of inmates being transferred from the Parish Prison to the courts, thus reducing the risk of exposure and transmission of COVID-19.
- **Rapid Case Assessment Team (RCAT)** is a program which launched as the state implemented phase 2 of its COVID-19 response. SJC funding, along with departmental funding, has been used to

In response to the COVID-19 pandemic, EBR justice leaders enacted policy changes that resulted in a further decrease of **25.31%** of the average daily inmate population at the Parish Prison from March through July of 2020.

#### Rapid Case Assessment Teams

In July (the first month of operation), Baton Rouge City Court RCAT was able resolve **80%** of new cases at the defendants' first appearance.

implement teams<sup>2</sup> at both the 19th JDC and Baton Rouge City Court. RCAT identifies incarcerated people whose cases could be expedited in order to reduce the number of inmates at the Parish Prison and ultimately help to reduce the spread of COVID-19.

- Baton Rouge City Court has installed two kiosks in their lobby to minimize direct interaction between court staff and the public. Another kiosk will be installed outside of the City Court to further minimize contact and allow people to effectively manage court affairs without entering the building.
- As a result of the Sheriff's preemptive planning and increased communication with local law enforcement officials, they have been able to mitigate the spread of COVID-19 within the facility and currently report only one positive case among those incarcerated.

### **CREATING LONG-TERM CHANGE: KEEPING JAIL POPULATIONS LOW**

- Ending the overuse of jails is critical work that must continue—both in this current public health emergency and in the long-term. East Baton Rouge Parish plans to build upon several initiatives that were implemented during the COVID-19 response which have proven beneficial to reducing the inmate population and increasing case processing efficiencies while maintaining public safety.
  - RCAT: from July 8 through July 20, 40% of the total number of individuals presented at callout for the 19th JDC were released through a variety of means including: not billing individuals, recommending less stringent bond requirements, negotiating plea deal agreements, and referring individuals to diversion and/or community support programs.
  - BRPD summons in lieu of arrest: to sustain current progress, Baton Rouge Police Chief is working with the CJCC towards permanently changing state legislation to allow a greater number of felony charges to be summonsed than is allowed under current legislation.
  - The Sheriff's Office plans to continue its current policy to not accept traffic and non-violent misdemeanor arrests.

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<sup>2</sup> Each team consist of an Assistant City Prosecutor/Assistant District Attorney, an Assistant Public Defender, a Case Investigator and a Client Advocate.