

Potential Cost Savings from Bail Reforms/ Decriminalization in Chatham County

Deep Center, Southern Center for Human Rights, Vera Institute of Justice

Partners: Tiffany Roberts Williams, Director of Public Policy, Micah Herskind, Public Policy Associate, Southern Center for Human Rights, Coco Papy, Director of Public Policy and Communications, Deep Center, Sarah Minion, Senior Program Associate, Vera Institute of Justice

This brief offers a summary of the potential cost savings associated with the implementation of bail reforms and targeted decriminalization efforts that would limit pretrial detention for people accused of county code violations in Chatham County, Georgia as analyzed by Bea Halbach-Singh, Senior Research Associate and Jason Q. Ng, Senior Data Scientist at the Vera Institute of Justice.

Defining “Impacted Offenses”: Any county code violation or parallel state charge that would be impacted by the reforms proposed in the Chatham County bail ordinance.

Overview: From July 15, 2020 to October 1, 2021, the Chatham County jail had a total of 1,099 bookings that included either 1) a county code violation or 2) a parallel state charge that would be impacted by the bail reform proposal. A "parallel state charge" means an offense that could be charged either as an ordinance violation or under state law. **These 1,099 bookings represented 16.8% of total bookings during the period of time analyzed.**

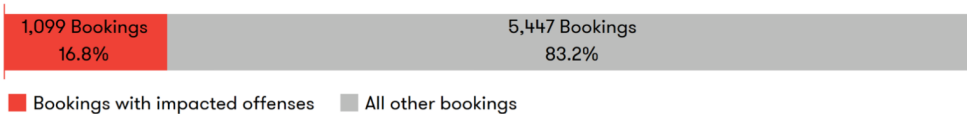
Though 1,099 bookings contained an offense that would be impacted by the bail reform ordinance, only seven were bookings in which the most serious charge would be impacted by the bail reform proposal. In other words, the vast majority of these bookings included charges with a higher degree of severity or charge type that have no parallel county code violation.

Key Takeaway: The reforms in the proposed bail ordinance would likely have a limited impact on the average daily jail population—and therefore a limited impact on potential cost savings—**without additional reforms that address the prevalence of simple drug possession charges that tend to accompany county ordinance violations and parallel state charges.**

Figure 1.

Bookings with one or more impacted offenses accounted for 16.8 percent of total bookings

Impacted offenses are any county code violation or parallel state charge that would be impacted by the reforms proposed in the Chatham County bail ordinance



Impact on Daily Jail Population: 14.5 percent of people who were booked into jail with at least one impacted offense spent zero days in jail and 36.5 percent spent 1-3 days in jail. **49 percent spent more than 3 days in jail.**

Of the seven cases in which the most serious charge would be impacted by the bail reform proposal, three individuals were released on the same day, and the remaining four people spent a total of 51 days in jail. If these four people had been given a citation instead of being arrested, the county would have saved \$3,800 in operational jail expenses, based on a marginal cost per person per day of \$74.51.

Figure 2.

Among bookings with impacted offenses, possession of drug-related objects and marijuana were the most frequent charges

Code	Charge Name	Bookings (#)	Bookings (%)	Charges (#)	Charges (%)
16-13-32.2	Possession/use of drug related objects	612	55.7%	633	46.8%
16-13-2(b)	Marijuana-possess less than 1 oz.	490	44.6%	501	37.1%
16-11-39	Disorderly conduct	107	9.7%	109	8.1%
16-11-36	Loitering or prowling	53	4.8%	54	4.0%
16-11-41	Public drunkenness	44	4.0%	45	3.3%
County 11-101	Disorderly conduct	5	0.5%	5	0.4%
16-11-44	Maintaining a disorderly house	3	0.3%	3	0.2%
County 11-112	Marijuana possession	1	0.1%	2	0.1%

Based on analysis of admissions and charge data for people who were admitted to the Chatham County jail from July 15, 2020 to October 1, 2021 and had one or more impacted offense as part of their booking. The "percent of bookings this charge" will not sum up to 100 as the data presented in this table represents all charges, not "top charge." Some bookings have multiple counts of the same charge or varying counts of multiple charges. Charge codes 11-101 and 11-112 refer to county ordinance violations; all the other charges are state charges.

Controlling Charges: Of the 1,099 bookings that had one or more impacted offenses: **152 (13.8 percent)** were accompanied by simple drug possession or public order charges alone, and no other types of charges. Bookings that had an impacted offense accompanied by one or more simple drug possession or public order charges accounted for a total of 7,923 bed-days at a cost of **\$590,343** to the county.

Many people charged with county code violations and parallel state charges were frequently also charged with a probation violation, driving with a suspended or revoked license, and criminal trespass where the damage is \$500 or less. **These types of charges are indicative of underlying issues relating to poverty and substance use that are unlikely to be addressed with jail time.**

Vera also found that the majority of bookings into the jail were for:

Nonviolent offenses, 20 percent were for misdemeanor or municipal offenses

Simple drug possession was the second-most-frequent top charge

The majority of possession charges were for schedule II controlled substances, which include cocaine and methamphetamine

A significant number of people were booked into the jail for technical parole violations and no new criminal charges

12.8 percent of people were booked into the jail more than once during the time period studied, frequently for substance use, poverty, and mental illness

Recommendations:

1. **Support evidence-based changes to bond setting practices:** This includes the adoption of an ordinance at the county level that would add a third section to Chapter 11 (“General Offenses”) of the Chatham County Code, including four subsections that would result in the following changes, respectively:
 - a.) Section 11-301 Citation: Authorizes citation instead of arrest (arrest by citation) for any violation of Chapter 11 of the Chatham County Code.
 - b.) Section 11-302 Bail: Orders the release on recognizance from the Chatham County Detention Center of anyone arrested and detained for a Chatham county ordinance violation.
 - c.) Section 11-303 Punishment: Clarifies the general punishment for ordinance violations to be a fine of no more than \$1,000 or imprisonment for up to six months, or a combination thereof, charged as civil offenses over criminal offenses.
 - d.) Section 11-304 Alternative punishments: Authorizes alternative sentencing for ordinance violations “unless the judge believes in his or her discretion that there is no other meaningful alternative to incarceration” as well as restitution (which is clarified to not be considered punishment in accordance with state law).

Furthermore, we encourage the continued creation of the internal bail and bond policy currently being drafted by the District Attorney’s Office and the revisiting of the 2014 bond schedule via Recorder’s Court to identify and target offenses that can be removed from the schedule.

Additionally, we recommend the establishment of an automatic bond reduction and review docket at least weekly. This would enable swift remediation of any wealth-based detention by proactively flagging for the court cases in which individuals who were booked during the past week remain in jail due to inability to pay.

2. **Decriminalization of certain offenses:** To address the limitations of a localized bail / bond policy enacted as a sole entity, decriminalize or create a detention ineligibility net for certain “quality of life” infractions that often criminalize poverty, substance abuse, and mental and behavioral health, including individual possession of drugs, trespassing, and disorderly conduct. Pass

municipal policy that converts these charges to civil instead of criminal.

3. **Adopting and implementing SOP for law enforcement:** Applicable for both Savannah Police Department and Chatham County Police Department that encourages officers to charge offenses with local level violations over state misdemeanors (where applicable). This SOP has already been authorized by Savannah City Council and Savannah Police Department, with fiscal allocations to support pre-arrest diversion. This remains unmet by the Chatham County Police Department. We also recommend required monitoring and analysis of implementation with public-facing findings.
4. **Strengthen and sustain established pre-arrest diversion and pre-trial diversion programs:** Increase capacity of “diversion” programs across all jurisdictions in Chatham County for first-time offenders to reduce caseload by providing case management, restorative justice programs, and wrap around services via community partners
5. **Formalize and cross coordinate data systems:** Savannah, Chatham County and all stakeholders in the justice system should create a one-stop local data clearinghouse and expand data collection criteria: Such a clearinghouse would ensure the same data is collected and recorded in the same way, and be stored in the same public place. The clearinghouse, which would be open to the public, would house data that covers arrest to post-conviction and data that is collected and reported by court clerks, public defenders, county jails, Savannah police, Chatham County police, the departments of correction, Department of Juvenile Justice (DJJ), Department of Driver Services (DDS), Department of Community Health (DCH), Department of Behavioral Health & Developmental Disabilities (DBHDD), and other crucial stakeholders. Related steps should include:
 - a.) Digitizing and organizing records so they can be analyzed and reported.
 - b.) Revising data collection processes to ensure data is a complete picture of all facets of the justice system and encouraging compliance with established data collection policies.
 - c.) Sharing data across different agencies while preserving privacy and integrity of all justice system entities.
 - d.) Defining deeper analytics and metrics to ensure the most accurate picture of the problem.
 - e.) Creating an online dashboard to display real-time numbers of jail population, community supervision, jail and court composition, crime and recidivism rates, and corrections spending to ensure public accessibility to current and future data.
 - f.) Ensuring ethical data integrity through third-party data audits



Date: February 1, 2022
To: Interested Parties
Subject: Potential Cost Savings from Bail Reforms in Chatham County
From: Bea Halbach-Singh, Senior Research Associate, Jason Q Ng, Senior Data Scientist, Vera Institute of Justice

I. Introduction

This memo analyzes the potential cost savings associated with the implementation of bail reforms that would limit pretrial detention for people accused of county code violations in Chatham County, Georgia.

II. Proposed Bail Reform

The bail reforms outlined in the Southern Center for Human Rights, Deep Center’s October 19, 2021 memorandum included a proposal that authorizes citation instead of arrest for any violation of Chapter 11 of the Chatham County Code. The memo also included a proposal that the Board of Commissioners pass a resolution stating that they desire law enforcement to charge individuals under a local code violation rather than a parallel state charge where applicable, and to cite rather than arrest. The county code violations and any parallel state charges that would be impacted by these proposals and were therefore considered for this analysis are outlined in Appendix A.¹

III. Data Sources

The analysis presented in this memo draws on two primary sources of data:

- 1) The Deep Center provided Vera with a dataset obtained from the Chatham County Sheriff’s Office in the fall of 2021. This data includes information on people admitted to jail and their charges between July 15, 2020 and October 1, 2021, as well as a daily census of the jail population by race and gender over the same time period.
- 2) Vera obtained actual expenses by line-item for the Chatham County Detention Center via email from the Finance Department Director, Amy Davis. Vera obtained actual expenses

¹ Our examination of the data found that City of Savannah code violations were observed more frequently in admissions and charge data than Chatham County code violations. Appendix A includes City of Savannah code violations that have parallel county code and state charge violations. However, city violations were not included in the analysis of “impacted offenses” in the memo.

for fiscal years 2019, 2020 and 2021, and budgeted expenses for fiscal year 2022. The data in this analysis is limited to actual expenses in fiscal year 2021, which lines up most closely with the time period covered by the admissions and charge data.

IV. Methodology

The general methodology for estimating the total potential cost savings associated with the implementation of bail reform involves a two-part study. Part 1 consists of estimating the total number of jail bed-days² that were occupied by people whose most serious or controlling charge was a county code violation or parallel state charge. Appendix B details the steps that were taken to clean and process the admissions and charge data and assign a “most serious charge” to each booking. Part 2 consists of estimating the cost per bed-day to house someone in the Chatham County jail. The cost per bed-day is then multiplied by the number of bed-days to estimate the total costs that could have been saved if people were cited, instead of booked into the jail, for county code violations or parallel state charges during the time period of study. Since this method does not measure booking and release costs for people who did not stay in the jail overnight, it is likely to under-estimate total costs. Appendix C details the steps taken to estimate the cost per bed-day.

V. Findings

Part 1. Potential cost savings associated with the implementation of the proposed ordinance

In the discussion below, we refer to any county code violation and any parallel state charge that would be impacted by the reforms proposed in the bail ordinance as an “impacted offense.” See Appendix A for a comprehensive list of these offenses. As shown in figure 1 below, a total of 1,099 bookings in the dataset had one or more impacted offenses among the charges associated with their booking. This represents 16.8% of the total bookings into the jail from July 15, 2020 to October 1, 2021. **However, there were only seven bookings in which the impacted offense was the most serious charge on the booking, and no cases where an impacted offense was the only charge on the booking.** In the vast majority of these bookings, impacted offenses were accompanied by other charges with a higher degree of severity or charge type that have no parallel county code violation.³ In 66 bookings, the impacted offense

² A jail bed-day refers to each day a person spends in jail. In this study, the total number of bed-days is summed across all the individuals that were booked into the jail from July 15, 2020 to October 1, 2021.

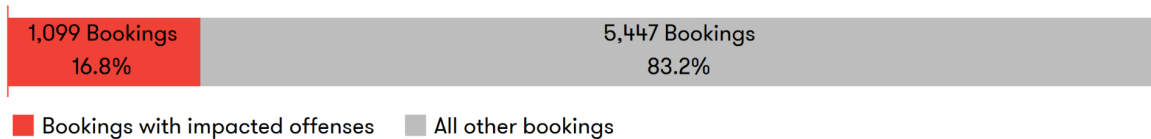
³ See Appendix B for a description of how a “top charge” was assigned to each booking.

was accompanied by a local, state, or federal agency hold that would have prevented the person from being released. Bookings with at least one impacted offense had an average of five total charges.

Figure 1.

Bookings with one or more impacted offenses accounted for 16.8 percent of total bookings

Impacted offenses are any county code violation or parallel state charge that would be impacted by the reforms proposed in the Chatham County bail ordinance



The vast majority of these bookings (1,093/1,099 or 95% of bookings with one or more impacted offenses) consisted of people that were charged with a state charge rather than a parallel county code violation, which suggests that there is considerable potential for law enforcement to charge individuals under local code violations rather than state charges.

Figure 2 shows the frequency with which each type of impacted offense occurred in the data. The most common impacted offense was “Possession and use of drug related objects,” followed by “Marijuana-possess less than 1 oz.” Both are state charges for which there are parallel violations in the county code.

Figure 2.

Among bookings with impacted offenses, possession of drug-related objects and marijuana were the most frequent charges

Code	Charge Name	Bookings (#)	Bookings (%)	Charges (#)	Charges (%)
16-13-32.2	Possession/use of drug related objects	612	55.7%	633	46.8%
16-13-2(b)	Marijuana-possess less than 1 oz.	490	44.6%	501	37.1%
16-11-39	Disorderly conduct	107	9.7%	109	8.1%
16-11-36	Loitering or prowling	53	4.8%	54	4.0%
16-11-41	Public drunkenness	44	4.0%	45	3.3%
County 11-101	Disorderly conduct	5	0.5%	5	0.4%
16-11-44	Maintaining a disorderly house	3	0.3%	3	0.2%
County 11-112	Marijuana possession	1	0.1%	2	0.1%

Based on analysis of admissions and charge data for people who were admitted to the Chatham County jail from July 15, 2020 to October 1, 2021 and had one or more impacted offense as part of their booking. The "percent of bookings this charge" will not sum up to 100 as the data presented in this table represents all charges, not "top charge." Some bookings have multiple counts of the same charge or varying counts of multiple charges. Charge codes 11-101 and 11-112 refer to county ordinance violations; all the other charges are state charges.

Figure 3 shows the top 10 most common accompanying charges for bookings with one or more impacted offenses. The most common accompanying charges were other drug possession charges, including possession of methamphetamine; possession of schedule I or schedule II controlled substances; and possession of cocaine. Other common accompanying charges included possession of a firearm or knife during commission of or attempt to commit certain felonies; probation violation; and driving with a suspended or revoked license.

Figure 3.

Among bookings with one or more impacted offense, the most frequent accompanying charges were other drug possession charges

Charge Name	Bookings (#)	Bookings (%)
Possession of methamphetamine	184	16.7%
Possession of a schedule I controlled substance	148	13.5%
Poss. firearm/knife during commission of/attempt to commit certain felonies	134	12.2%
Purchase, possession, manufacture, distribution, or sale of marijuana	125	11.4%
Possession of a schedule II controlled substance	117	10.6%
Possession of cocaine	111	10.1%
Probation violation	109	9.9%
Driving with suspend or revoked license	95	8.6%
Criminal trespass-\$500 or less	83	7.6%
Receipt, poss. or transport of firearm by convicted felon/felony first offender	83	7.6%

Based on analysis of admissions and charge data for people who were admitted to the Chatham County jail from July 15, 2020 to October 1, 2021 and had one or more impacted offense as part of their booking. Only the top 10 most frequent accompanying charges are represented in this table. The "percent of bookings this charge" will not sum up to 100 as the data presented in this table represents all charges, not "top charge." Some bookings have multiple counts of the same charge or varying counts of multiple charges.

Overall, 14.5 percent of people who were booked into jail with at least one impacted offense spent zero days in jail, 36.5 percent spent 1-3 days in jail, and 49 percent spent more than 3 days in jail. More than 60 percent were released on bond, and only 6.6 percent were released on their own recognizance. In the seven bookings in which it could be determined that an impacted offense was the most serious charge driving the arrest, three people were released the same day and the remaining four people spent a total of 51 days in jail. If these four people had been given a citation instead of being arrested, the county would have saved \$3,800 in operational jail expenses, based on a marginal cost per person per day of \$74.51.⁴ These findings suggest that the reforms in the proposed bail ordinance would likely have a limited impact on the average daily jail population—and therefore a limited impact on potential cost savings—without additional reforms that address the prevalence of simple drug possession charges that tend to accompany county ordinance violations and parallel state charges.

⁴ See Appendix C for detailed calculation. This excludes booking and release costs for people who did not stay in the jail overnight.

Figure 4 shows that, of the 1,099 bookings that had one or more impacted offenses, 152 (13.8 percent) were accompanied by simple drug possession or public order charges alone, and no other types of charges. Simple drug possession offenses are defined in this analysis as illegal possession of a controlled substance with no intent to sell or distribute. Public order offenses include charges such as disorderly conduct, public drunkenness, loitering or prowling, and obstruction, among others. **Bookings that had an impacted offense accompanied by one or more simple drug possession or public order charges accounted for a total of 7,923 bed-days at a cost of \$590,343 to the county.**⁵

Figure 4.

Frequency of bookings for an impacted offense, simple drug possession, and/or public order offense and no other charge

Bookings (#)	Total Days In Jail (#)	Avg Days In Jail (#)	Total Cost (\$)
152	7,923	20	\$590,343

Simple drug possession offenses are defined in this analysis as illegal possession of a controlled substance without the intent to sell or distribute it. Public order offenses include charges such as disorderly conduct, public drunkenness, loitering or prowling, and obstruction (among others).

Part 2. Other Drivers of the Chatham County Jail Population

More general analysis of all admissions to the Chatham County jail from July 15, 2020 to July 14, 2021 points to other types of charges that are driving jail admissions and length of stay.

Figure 5 shows the 15 most common top charges for people admitted to the jail.⁶ See Appendix D for breakdowns of the most common top charges for selected charge categories.

⁵ This estimate represents costs incurred from July 15, 2020 to October 1, 2021.

⁶ The analysis in this section was limited to admissions that occurred from July 15, 2020 to July 15, 2021 to align as closely as possible with the time period covered by the budget data, which represents the July 1, 2020 - June 30, 2021 fiscal year.

Figure 5.

15 most common top charges for admissions to the Chatham County jail

Top Charge	Bookings (#)	Bookings (%)	Days In Jail (#)	Days In Jail (%)	Total Cost (\$)
Violent	1,353	26.3%	77,456	29.1%	\$5,771,247
Drug possession	642	12.5%	22,058	8.3%	\$1,643,542
Theft/fraud/forgery	568	11.0%	26,166	9.8%	\$1,949,629
Arson/burglary/robbery/trespass	454	8.8%	21,846	8.2%	\$1,627,745
Weapons	386	7.5%	32,465	12.2%	\$2,418,967
Hold	327	6.3%	9,251	3.5%	\$689,292
Probation violation	317	6.2%	16,963	6.4%	\$1,263,913
Drug manufacture/distribution	195	3.8%	12,959	4.9%	\$965,575
Public order	168	3.3%	9,076	3.4%	\$676,253
Probation violation + other charge	125	2.4%	12,477	4.7%	\$929,661
DUI	110	2.1%	420	0.2%	\$31,294
Drug general	84	1.6%	2,385	0.9%	\$177,706
Traffic	78	1.5%	2,939	1.1%	\$218,985
Other person offense	69	1.3%	4,746	1.8%	\$353,624
Offenses against the administration of gov	65	1.3%	1,469	0.6%	\$109,455

Based on analysis of admissions and charge data for people who were admitted to the Chatham County jail from July 15, 2020 to July 14, 2021. Only the 15 most frequent top charges (representing 96% of total admissions) are represented in this table. Total cost represents the total cost over one calendar year.

The majority of admissions into the jail (73.7 percent) had a nonviolent top charge, and 20 percent of admissions had a misdemeanor or municipal offense as their top charge.

- Probation Violations:** 313 bookings were for probation violation charges alone (and no other charge). These bookings made up 6.2 percent of all admissions, accounted for 6.4 percent of bed-days, and cost the county \$1,263,913. Since these individuals did not have any other new charges on their booking, we assume these to be technical probation violations, although it's possible that a subset were probation violations for new offenses that were not entered as part of the booking⁷. On average, people who were admitted to the Chatham County jail on a probation violation and no other charge stayed 54 days. As of December 31, 2020, Georgia had the highest probation rate among U.S. states—4,136 people per 100,000 adult residents—or one in every 24 adults.⁸ This rate is 3.5 times the national average, and twice that of the next-highest-state, Ohio. People in Georgia are often required to pay fees and fines as a condition of their probation and can face revocation and incarceration if they are unable to pay.

⁷ Technical violations involve noncompliance with one or more conditions of supervision, excluding new criminal charges, that may lead to revocation or incarceration.

⁸ Probation and Parole in the United States, 2020. December 2021. Bureau of Justice Statistics. <https://bjs.ojp.gov/content/pub/pdf/ppus20.pdf>

- **Drug Possession:** Drug possession charges accounted for 12.5 percent of bookings and 8.3 percent of bed-days. 64 percent of bookings for drug possession were for felony possession of a schedule II controlled substance, which includes drugs like cocaine and methamphetamine. Another 21 percent were for felony possession of a schedule I drug, which include marijuana and heroin. 19 people spent a total of 199 days in jail for misdemeanor possession of less than 1 ounce of marijuana or drug related objects at a cost of almost \$15,000. 47 people spent a total of 994 days in jail at an annual cost of over \$74,000 for possession of a schedule II, IV, or V drug - which are the least severely regulated drugs according to Georgia code.⁹
- **Theft:** Theft, fraud, and forgery charges accounted for 11 percent of bookings and 9.8 percent of bed-days. Of theft-related bookings, felony theft by receiving stolen property made up 28 percent of bookings, and felony theft by shoplifting¹⁰ made up 20 percent of bookings. 15 people spent a total of 234 days in jail for misdemeanor theft offenses at an annual cost of \$17,435.
- **Public Order:** Public order offenses made up 3.3 percent of bookings and accounted for 3.4 percent of bed-days. 54 percent of these bookings were for terroristic threats and acts, and 31 percent were for willfully resisting law enforcement officers.

Of the 4,641 people that were admitted to the jail from July 15, 2020 to July 14, 2021, 12.8 percent were admitted multiple times. However, as shown in figure 6, people with multiple jail bookings accounted for 21.5 percent of total admissions and 18.5 percent of bed-days. Almost half of these bookings were for non-violent offenses related to substance use, poverty, and mental illness—charges such as possession of methamphetamine, theft, technical probation and parole violations, and not respecting the rules of court.¹¹

⁹See <http://www.kuneslaw.com/practice-areas/drug-charges/drug-schedules.html> and <https://clery.emory.edu/policies/penalties.html>

¹⁰ According to Georgia code, shoplifting is considered a felony when the value of stolen goods is above \$500; the value is above \$500 and the goods were taken from three separate stores in the same county within the same week; or the value is above \$500 and the goods were taken during a period of 180 days. Felony shoplifting typically carries a sentence of 1-10 years. See [§16-8-14](#).

¹¹ See Appendix D for a detailed list of these charges.

Figure 6.

Number of people and admissions by the number of times an individual was admitted to the jail

	People (#)	People (%)	Bookings (#)	Bookings (%)	Days In Jail (#)	Days In Jail (%)	Total Cost (\$)
People with one booking	4,045	87.2%	4,045	78.5%	217,095	81.5%	\$16,175,748
People with two bookings	506	10.9%	860	16.7%	40,544	15.2%	\$3,020,933
People with three or more bookings	90	1.9%	245	4.8%	8,754	3.3%	\$652,261
Total	4,641	100.0%	5,150	100.0%	266,393	100.0%	\$19,848,942

V. Conclusion

This analysis found that the use of citation instead of arrest for any violation of Chapter 11 of the Chatham County Code, and for any parallel state charges, would likely have a limited immediate impact on the average daily jail population and on jail costs because the majority of people charged with these offenses also had more serious charges on their booking. This analysis also found that many people charged with county code violations and parallel state charges were frequently also charged with simple drug possession offenses, as well as with probation violation, driving with a suspended or revoked license, and criminal trespass where the damage is \$500 or less. These types of charges are indicative of underlying issues relating to poverty and substance use that are unlikely to be addressed with jail time.

In addition to studying admissions with county code violations and parallel state charges, this memo also includes a more general analysis of all admissions into the jail. Vera found that the majority of bookings into the jail were for nonviolent offenses, and 20 percent were for misdemeanor or municipal offenses; that simple drug possession was the second-most-frequent top charge, and the majority of possession charges were for schedule II controlled substances, which include cocaine and methamphetamine; that a significant number of people were booked into the jail for technical parole violations and no new criminal charges; and that 12.8 percent of people were booked into the jail more than once during the time period studied, frequently for substance use, poverty, and mental illness.

Finally, it's important to note that this analysis focused narrowly on determining the potential cost savings that can be attributed directly to *avoiding overnight jail bookings* due solely to county code violations and parallel state charges. This did not include a study of other potential benefits and downstream effects from implementing these reforms. For instance, citing someone with a county code violation rather than charging them with a more severe state charge for the

same offense—even if that person has more severe charges on their booking—could affect sentencing practices in indirect ways that are more difficult to analyze—and potentially lead to cost savings and other benefits in the long-term.

To give one example, the county code violation for “possession of less than one ounce of marijuana” comes with a fine of no more than \$150 and strictly prohibits incarceration solely for marijuana possession of less than one ounce.¹² By contrast, the parallel state charge for the same offense allows judges to order probation rather than jail time for first time offenders who plead guilty, and the court may enter an adjudication of guilt and proceed accordingly “upon violation of a term or condition” of probation. The statute also states that people convicted of this charge can be sentenced to a period of imprisonment “not to exceed 12 months or a fine not to exceed \$1,000, or both, or public works not to exceed 12 months.”¹³ Encouraging law enforcement to use the county code violation rather than the more severe state charge could reduce the overall number of people on probation (and therefore, potentially reduce the number of people in jail due to probation violations) and lead to less imposition of fines and fees.

Future analyses of admissions and charge data in Chatham County could seek to understand what proportion of people are released on different types of bond, identify whether release on recognizance is underused for people charged with low-level offenses, and identify whether there are race or gender disparities in release reasons for people with similar charges - or in the jail population generally compared to the overall resident population. Supplemental collection of data from the courts could also shed light on pretrial release practices and bond-setting decisions that also influence the jail population.

¹² See Chatham County Code [§11-202](#).

¹³ See Georgia Code [§ 16-13-2](#).

Appendix A. Chatham County Code Violations and Parallel City of Savannah Ordinances and State Charges

Chatham County Code Link	City of Savannah Code Link	Georgia Code Link
11-101 Disorderly Conduct	9-1002 Disorderly Conduct 9-1002 (9)(a) Public Indecency	16-11-39 Disorderly Conduct
11-102 Disorderly House Prohibited		16-11-44 Maintaining a Disorderly House
11-103 Loitering Prohibited		16-11-36 Loitering or Prowling
11-104 Unlawful Assembly Prohibited		N/A
11-105 Begging Prohibited	9-1001 Begging	N/A
11-106 Trespassing in the County Garage Prohibited		N/A
11-107 Library Regulations		N/A
11-108 Shoplifting Prohibited		16-8-14 Theft by Shoplifting <i>Note: The county ordinance violation is for shoplifting under \$30, while the state offense covers shoplifting offenses under and over the \$500 threshold. As a result, this was not counted as a parallel charge.</i>
11-109 Noise above Certain Levels Prohibited by Vehicle Traffic		N/A
11-110 Curfew for Minors		N/A
11-111 Parental Responsibility Ordinance		N/A
11-112 Prohibition on Lodging in Vehicles in Public Areas		40-6-252 Parking, standing, or driving vehicle in private parking area after request not to do so <i>Note: The state offense is more comprehensive than the county violation, so this was not counted as a parallel charge.</i>
11-201 Public Drunkenness Prohibited		16-11-41 Public Drunkenness
11-202 Possession of Less than an Ounce of Marijuana	09-2026 Marijuana Possession Less than One Ounce	16-13-2(b) Possession of Less than an Ounce of Marijuana
11-203 Possession of a Drug Related Object	09-2005 Drug Apparatus - Unauthorized Use	16-13-32.2 Possession and Use of Drug Related Objects

Appendix B. Methodology Notes for Admission and Charge Data

General Cleaning Procedures

- The raw dataset included information on 5,807 individuals, 6,559 bookings, and 18,752 charges.
- The dataset included 41 individuals that did not have any charge level information listed. Admissions and charge data for these people were preserved in the dataset; the charge description for these bookings were imputed as "Unknown."
- The dataset also included charge information for 188 individuals for which no booking information was available (i.e. admission date, release date, release reason, race, sex, and date of birth were all missing). Since length of stay could not be calculated for bookings tied to these charges, they were omitted from the dataset.
- An additional 18 charges (representing 15 bookings and 15 individuals) were omitted because the charge date fell significantly outside of the bounds of the admission and release dates for a particular booking, suggesting either that they were not new charges or the charge date was erroneously entered.
- The final dataset after cleaning contains charge level information for 5,806 people that were booked into jail one or more times from July 15, 2020 to October 1, 2021. This represents information about 6,546 bookings, since the dataset includes some people who were booked into jail multiple times during this time period.
- Where total cost estimates are presented, the dataset is limited to admissions that occurred between July 15, 2020 and July 14, 2021 in order to estimate the annual number of bed days consistent with an annual cost estimate.
- Length of stay was calculated as the difference between release date and admission date for each booking. In some cases, bookings did not have a release date listed. It was assumed that these cases reflect individuals who were still in jail at the time the dataset was generated. Omitting these bookings from the dataset could have several unintended effects that could skew the analysis, such as disproportionately excluding people with longer lengths of stay (perhaps due to more serious charges). Conversely, assuming a release date equal to the date of dataset transmission (October 19, 2021) could falsely show very short lengths of stay for people who were booked near the date the dataset was generated. Ultimately, the results of the analysis did not dramatically differ based on the approach, so we opted to use the date of dataset transmission (October 19, 2021) as the

release date for cases where it was missing rather than omit these bookings from the analysis.

Assigning “Most Serious Charge”

The data extracts produced by the Chatham County Detention Center contain every charge for every person that was admitted between July 15, 2020 and October 1, 2021. In order to determine which charge is likely driving the arrest, the analysis included ranking the charges in each booking according to the severity and type of charge in order to produce a “most serious charge” for each booking. Each charge is first ranked according to severity, where felony charges are most severe, followed by misdemeanor and then municipal charges.¹⁴ Each charge is then ranked by type. The following categories were used, in order of seriousness:

- Violent
- Sex Offense
- Weapons
- Other Person Offense
- Arson/Burglary/Robbery/Criminal Trespass
- Theft/Fraud/Forgery
- Other Property Offense
- Drug Manufacture/Distribution
- Drug Possession
- Other Drug Offense
- DUI
- Offenses against the administration of government
- Child neglect/endangerment/support
- Public order
- City/county ordinance violation
- Alcohol
- Inchoate offense
- Parole violation (alone)
- Parole violation + other charge

¹⁴ In reality, it is possible that a misdemeanor-level charge could, in some cases, be considered to be equally or more severe than a felony-level charge, depending on whether the misdemeanor charge was violent or included weapons, for example. However, the rationale for prioritizing charge severity first in the ranking of charges (prior to consideration of charge type) is that charge severity frequently corresponds to severity in sentencing guidelines.

- Probation violation (alone)
- Probation violation + other charge
- Bond/supervision violation
- Failure to appear
- Traffic
- Other
- Warrant
- Hold
- Unknown

“Offenses against the administration of government” include offenses such as contempt of court and obstructing government operations. “Public order” offenses include disorderly conduct, violating a family violence order, and obstruction of a law enforcement officer.

Offenses categorized as “Violent,” “Sex Offense,” “Weapons,” or “Arson/Burglary/Robbery/Criminal Trespass” were further categorized according to seriousness. For example, murder charges were classified as more severe than aggravated assault, even though both fall under the “Violent” category.

The methods described above allowed Vera to assign top charge to 87 percent of bookings in the dataset. For the remaining bookings with multiple charges, we relied on random assignment to assign a top charge, as the charges either consisted of multiple counts of the same charge, or were too similar for our methods to assign a ranking based on charge severity and charge type (for example, a booking may have different types of traffic offenses of a similar nature, or financial transaction card fraud vs. financial transaction card theft). This method was used for a total of 851 bookings, or 13% of bookings in the dataset. In these cases, careful manual review of these bookings validated that the randomly assigned top charge was plausible.

Appendix C. Methodology for Estimating Cost per Day

There are multiple ways to determine the value of an avoided jail bed-day. A method that simply takes total jail costs divided by the average daily population of the jail will overestimate the cost per bed-day, since not all costs are directly proportional to the jail population.¹⁵ We used a method that estimates the marginal cost per day to house a person in the jail based on the cost per person of staffing a typical housing unit in the jail and variable costs that relate directly to the care and custody of the jail population, such as costs for food and clothing. Fixed costs, like debt service, utilities, maintenance and repairs, and equipment, would not be affected by changes in jail population levels at the margin.

In the calculations below, the average daily jail population was derived from the daily census of the jail population provided in the data extract from the Chatham County Sheriff's Office. The data extract covers the time period from July 15, 2020 and October 1, 2021. However, the average daily jail population was calculated based on the daily census from July 15, 2020 - July 14, 2021 to align as closely as possible with the time period covered by the budget data, which represents the July 1, 2020 - June 30, 2021 fiscal year.

Variable Cost Calculation, Fiscal Year 2021 Actuals

Item	Amount
Inmate Medical	\$7,728,821
Disposal	\$60,677
Postage	\$411
Advertising	\$42,007
Printing and Binding	\$6,261
Travel Expenses	\$63,506
Dues and Fees	\$2,311

¹⁵ The methodology used in this analysis is partly based on a 2009 study of the potential cost savings from the "Breaking the Cycle" program in Pierce County, Washington. See pages 25 to 29 of for a discussion of the merits of various methods of arriving at a jail operation cost per person per day. See pages 43 to 47 for a detailed description of how to calculate marginal cost per day when detailed information about staffing levels and jail housing pod structure is available. Christopher Murray, Process Evaluation of Breaking the Cycle, Pierce County Performance Audit Committee, September 24, 2009 <https://www.piercecountywa.gov/DocumentCenter/View/1341/2009---Breaking-the-Cycle?bidId=>

Education and Training	\$26,532
Other Purchased Services	\$251,192
General Supplies	\$17,488
Inmate Meals	\$1,671,637
Books & Periodicals	\$1,131
Other Small Equipment	\$20,780
Other Supplies	\$218,346
Uniforms	\$285,225
Warehouse Supplies	\$875,904
Total Variable Costs	\$11,272,230
Average Daily Jail Population	1315
Variable Cost Per Person Per Day	\$23.49

In order to calculate the per-person cost to staff a typical housing unit, we attempted to obtain information about jail staffing levels directly from the Chatham County Finance Department Director, as well as via a records request filed with the Chatham County Sheriff's Office on January 18, 2022. At the time of this writing, no response had yet been received. As a result, we estimated staffing costs based on the actual fiscal year 2021 personnel costs listed in the budget data. Staffing costs were limited to those associated with correctional officers. Given that a minimum of administrative levels are required for jail operations, we assume that costs for administrative staff would remain fixed at the margin, and would only change in response to a significant change in the jail population. We do not estimate any reduction in educational or professional staff that support programming. Based on the most recent data available about the breakdown of jail staff by occupation, we assume that costs for correctional officers make up approximately 72% of total personnel costs.¹⁶

¹⁶ This assumption is based on information from the 1999 Census of Jails, which is the last time the Bureau of Justice Statistics surveyed jail staff by occupational category. Information on the percent of staff by occupational category can be found in table 12, on page 9 of this document: <https://bjs.ojp.gov/content/pub/pdf/cj99.pdf>

Cost to Operate Housing Unit, Fiscal Year 2021 Actuals

Item	Amount
Regular Employees	\$17,890,028
Temporary Employees	\$282,785
Benefits (overtime, health insurance, social security, pension contributions, and OPEB contributions)	\$15,838,295
Total Personnel Costs	\$34,011,108
Costs for Correctional Officers (72% of Total Personnel Costs)	\$24,487,997
Average Daily Jail Population	1315
Staffing Cost Per Person Per Day	\$51.02

Total Marginal Cost Per Person Per Day

Cost Element	Amount
Variable Cost	\$23.49
Staffing Cost	\$51.02
Total	\$74.51

According to the Chatham County Sheriff, the cost to house someone in jail is between \$50-\$60 per day. Since the Sheriff's estimates were higher than Vera's, we made additional attempts to validate the marginal cost per day using other information. It is unclear how the Sheriff arrived at these estimates and no additional information was provided to support these numbers. It is possible that the Sheriff's estimates were based on historical average daily jail populations that do not account for the impact of recent jail population declines on the cost per day. From fiscal year 2020 to fiscal year 2021 the average daily jail population in Chatham County declined by 19.6 percent, from 1,636 to 1,315. Without concurrent declines in staffing and variable costs, this decline in the jail population would cause the cost per day in fiscal year 2021 to be higher than in previous years. Vera analyzed budget data over the previous three fiscal years to determine whether staffing and variable costs in fiscal year 2021 had declined from previous years. We found that total personnel costs declined slightly by 2.8 percent from fiscal year 2020 to fiscal year 2021, and that they actually increased by 7.7 percent from fiscal year 2019. Variable costs

increased by 5 percent from fiscal year 2020 to fiscal year 2021, and by a total of 9 percent from fiscal year 2019. All estimates were made in real terms - taking inflation into account. Given that declines in the average daily jail population from FY2019 - FY2021 were not accompanied by commensurate declines in variable and staffing costs, a higher cost per person per day is expected.

Change in Staffing and Variable Costs, Fiscal Years 2019 - 2021

Numbers presented in \$2021 to account for inflation

Cost Element	FY2019	FY2020	FY2021
Variable Costs	\$10,329,044	\$10,742,627	\$11,272,230
% Change since Previous Year	-	+4%	+5%
% Change since FY2019	-	+4%	+9%
Costs for Correctional Officers (72% of Total Personnel Costs)	\$22,744,239	\$25,188,912	\$24,487,997
% Change since Previous Year	-	+11%	-2.78%
% Change since FY2019	-	+11%	+7.67%
Average Daily Jail Population¹⁷	1729	1636	1315
Staffing Cost Per Person Per Day	\$52.41	\$60.17	\$74.51

¹⁷ Average daily jail population figures for fiscal years 2019 and 2020 come from page G-35 of the FY2020 financial report for Chatham County, available here:
<https://ted.cviog.uga.edu/financial-documents/sites/default/files/budgetdoc/financial-report/county-chatham-fy2020-financial-report.pdf>

Appendix D. Top Charge Analysis for Selected Categories of Charges

Drug Possession

Top Charge Severity	Top Charge	Bookings (#)	Bookings (%)	Days In Jail (#)	Days In Jail (%)	Total Cost (\$)
Felony	Possession of a schedule II controlled substance	410	63.9%	15,797	71.6%	\$1,177,034
	Possession of a schedule I controlled substance	132	20.6%	3,996	18.1%	\$297,742
	Possession of a schedule III, IV or V controlled substance,	47	7.3%	994	4.5%	\$74,063
	Purchase, possess or have control of controlled substance in schedule i or narcotic in schedule ii	16	2.5%	157	0.7%	\$11,698
	Possession of a controlled substance	15	2.3%	751	3.4%	\$55,957
	Purchase/possess/have under control synthetic cannabinoid, synthetic marijuana or k2	1	0.2%	3	0.0%	\$224
	Possession of a schedule I or II controlled substance	1	0.2%	141	0.6%	\$10,506
	Possess or have under his/her control a counterfeit substance	1	0.2%	20	0.1%	\$1,490
Misdemeanor/ Municipal	Possession of a schedule I controlled substance	13	2.0%	188	0.9%	\$14,008
	Possession and use of drug related objects	6	0.9%	11	0.0%	\$820
Grand Total		642	100.0%	22,058	100.0%	\$1,643,542

Public Order

Top Charge Severity	Top Charge	Bookings (#)	Bookings (%)	Days In Jail (#)	Days In Jail (%)	Total Cost (\$)
Felony	Terroristic threats and acts	90	53.6%	5,532	61.0%	\$412,189
	Willfully resist, obstruct, oppose law enforcement officers by offering/doing violence	52	31.0%	2,808	30.9%	\$209,224
	Willful interference with emergency medical professional by use of threats or violence	3	1.8%	159	1.8%	\$11,847
	Resist, obstruct, oppose law enforcement officers on duty w/ animal/human fluids	2	1.2%	77	0.8%	\$5,737
	Removal or attempted removal of weapon from public official	2	1.2%	103	1.1%	\$7,675
	Obstruct/hindrance of emergency medical technicians	1	0.6%	92	1.0%	\$6,855
	Making an unlawful request for emergency services assistance (m)	1	0.6%	228	2.5%	\$16,988
Misdemeanor/ Municipal	Willful obstruction of law enforcement officers	3	1.8%	1	0.0%	\$75
	Terroristic threats and acts	3	1.8%	3	0.0%	\$224
	Giving false name, address, or birthdate to law enforcement officer	3	1.8%	28	0.3%	\$2,086
	Violate family violence order	2	1.2%	2	0.0%	\$149
	Obstruction	2	1.2%	2	0.0%	\$149
	Unlawful conduct during 911 calls or otherwise contacts 911 and makes a false report	1	0.6%	2	0.0%	\$149
	Public drunkenness	1	0.6%	30	0.3%	\$2,235
Other/ Unknown	Disorderly conduct	1	0.6%	0	0.0%	\$0
	Public drunkenness	1	0.6%	9	0.1%	\$671
Grand Total		168	100.0%	9,076	100.0%	\$676,253

Theft

Top Charge Severity	Top Charge	Bookings (#)	Bookings (%)	Days In Jail (#)	Days In Jail (%)	Total Cost (\$)
Felony	Theft by receiving stolen property	158	27.8%	9,076	34.7%	\$676,253
	Theft by shoplifting	114	20.1%	4,696	17.9%	\$349,899
	Theft by taking	79	13.9%	4,269	16.3%	\$318,083
	Entering vehicle w/ intent to commit theft/fel	73	12.9%	4,086	15.6%	\$304,448
	Financial transaction card fraud	25	4.4%	474	1.8%	\$35,318
	Forgery - 1st degree	22	3.9%	457	1.7%	\$34,051
	Theft by conversion	21	3.7%	301	1.2%	\$22,428
	Identity theft fraud	12	2.1%	157	0.6%	\$11,698
	Theft by deception	11	1.9%	507	1.9%	\$37,777
	Financial transaction card theft	9	1.6%	770	2.9%	\$57,373
	Forgery - 3rd degree	6	1.1%	179	0.7%	\$13,337
	Theft by bringing stolen property into state	3	0.5%	259	1.0%	\$19,298
	Financial identity fraud	3	0.5%	9	0.0%	\$671
	Theft of lost/mislaid property	2	0.4%	177	0.7%	\$13,188
	Printing, executing, negotiating checks, drafts,..	2	0.4%	140	0.5%	\$10,431
	Theft of service	1	0.2%	2	0.0%	\$149
	Stealing, altering of public documents	1	0.2%	1	0.0%	\$75
	Refund fraud - over \$500	1	0.2%	213	0.8%	\$15,871
	Possess, display, false identification with gove..	1	0.2%	18	0.1%	\$1,341
	Intent to cheat or defraud a retailer by fraudul..	1	0.2%	0	0.0%	\$0
	Insurance fraud	1	0.2%	0	0.0%	\$0
	Forgery - 4th degree	1	0.2%	3	0.0%	\$224
	Forgery - 2nd degree	1	0.2%	61	0.2%	\$4,545
	Deposit account fraud (bad checks) greater th..	1	0.2%	1	0.0%	\$75
	Criminal receipt of goods or services fraudule..	1	0.2%	72	0.3%	\$5,365
	Computer theft	1	0.2%	2	0.0%	\$149
	Computer forgery	1	0.2%	1	0.0%	\$75
	Alter, sale, distribute, etc. identification with g..	1	0.2%	1	0.0%	\$75
Misdemeanor/ Municipal	Theft by taking	7	1.2%	119	0.5%	\$8,867
	Theft by shoplifting	5	0.9%	14	0.1%	\$1,043
	Theft by receiving stolen property	1	0.2%	100	0.4%	\$7,451
	Possess, display, use identification of another ..	1	0.2%	0	0.0%	\$0
	Forgery - 2nd degree	1	0.2%	1	0.0%	\$75
Grand Total		568	100.0%	26,166	100.0%	\$1,949,629

Multiple bookings - limited to those with nonviolent offenses related to poverty substance use, and mental illness

Top Charge	Charge Name (group) 1	Bookings (#)	Days In Jail (#)
Drug possession	Possession of methamphetamine	64	3,436
	Possession of a schedule I controlled substance	38	1,155
	Possession of cocaine	27	897
	Possession of a schedule II controlled substance	19	1,028
	Possession of a schedule IV controlled substance	6	80
	Possession of a schedule III controlled substance	4	8
	Purchase, possess or have control of controlled substance in sched..	3	17
	Possession of a controlled substance	2	45
	Purchase/possess or have control of any controlled substance in s..	1	195
	Purchase, possess, or have control of any controlled substance in s..	1	55
	Possession and use of drug related objects	1	11
	Possess or have under his/her control a counterfeit substance	1	20
	Marijuana-possess less than 1 oz.	1	1
Theft/fraud/forgery	Theft by receiving stolen property	43	2,542
	Theft by shoplifting	41	1,757
	Theft by taking	25	1,239
	Entering automobile or other motor vehicle with intent to commit th..	25	1,186
	Forgery - 1st degree	8	351
	Identity theft fraud when using/possessing identifying info concern..	2	138
	Financial transaction card theft	2	397
	Theft of lost/mislaid property	1	176
	Intent to cheat or defraud a retailer by fraudulent use of sales recei..	1	0
	Forgery - 3rd degree	1	0
	Financial transaction card fraud	1	1
Probation violation	Probation violation	50	2,515
	Probation violation (fel)	36	1,872
	Probation violation (misd)	5	40
Public order	Terroristic threats and acts	25	1,091
	Willfully resist, obstruct, oppose of law enforcement officers, etc. o..	8	845
	Giving false name, address, or birthdate to law enforcement officer	2	28
	Willful interference with emergency medical professional by use of ..	1	6
	Removal or attempted removal of weapon from public official	1	102
	Obstruct/hindrance of emergency medical technicians	1	92
Offenses against the administration of gov	Effect of rules of court	10	100
	False statements or writings; conceal facts or fraudulent document..	4	32
	Tampering with evidence	2	3
	Escape	2	10
	Influencing witness	1	102
	Impersonating a public officer or employee	1	74
	Contempt of state court for fingerprintable charge	1	1
	Contempt of court	1	17
Parole violation	Parole violation	20	447
Traffic	Fleeing or attempting to elude a police officer for a felony offense	9	501
	Operating vehicle without tag or decal	1	28
	Habitual violator	1	14
	Fleeing or attempting to elude a police officer	1	149
	Failure to wear seat safety belt	1	7
Arson/burglary/rob..	Interference with government property	11	868
	Criminal trespass-\$500 or less	2	4
DUI	Driving under the influence of drugs	3	1
	Driving under the influence of alcohol	3	0
Grand Total		521	23,684