

YOLO COUNTY EMERGENCY BAIL ANALYSIS

August 05, 2022

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BACKGROUND

In early 2020, the World Health Organization, the United States Centers for Disease Control and Prevention, and the State of California have recognized that the world, country, and state faced a life-threatening pandemic caused by the Covid-19 virus. At that time, there were more than 40,000 confirmed cases of Covid-19 and 500 deaths in the United States. On March 04, 2020, California Governor Gavin Newsom declared a state of emergency. This was followed on March 19, 2020, with an executive order to stay at home.

In an attempt to prevent a Covid-19 outbreak amongst prisoners and jail staff, a statewide Emergency Bail policy was instituted on April 19, 2020. The Emergency Bail Policy set bail \$0 (zero dollars) for most misdemeanors and non-violent felonies, with exceptions specifically listed. The Emergency Bail was to be in effect for 90 days after the governor declared the state of emergency lifted.

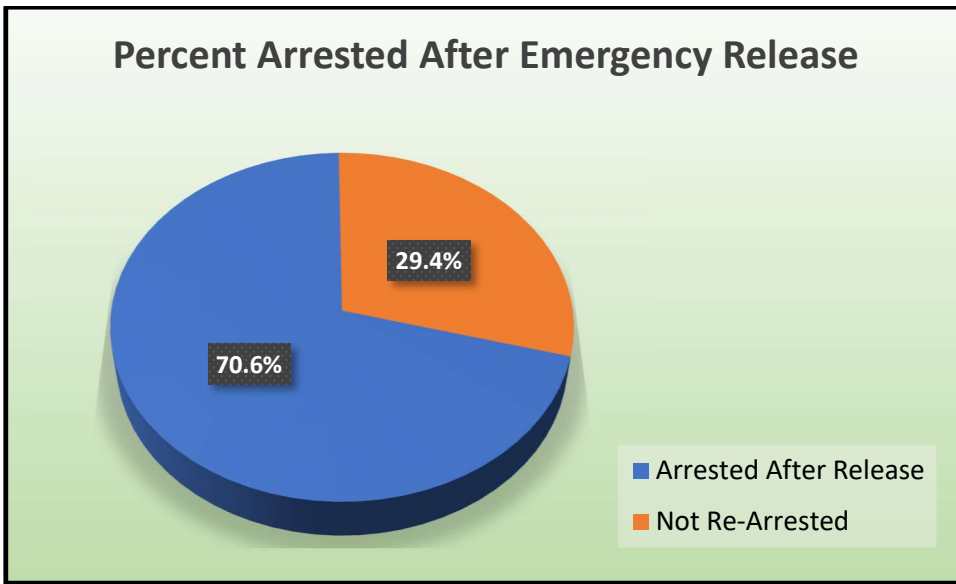
On June 10, 2020, California's Judicial Council voted to end the statewide Emergency Bail Schedule, however, individual counties were allowed to make their own decision about keeping similar measures in place. Yolo County adopted similar measures and kept them in place until May 31, 2021.

This report will look at the recidivism of the 595 unique individuals were released from custody in Yolo County under Emergency Bail guidelines.

SYNOPSIS

The goal of this research was to examine the Emergency Bail released inmates and recidivism. There were 595 individuals who were released on Emergency Bail. Of those, 420 (70.6%) were arrested after being released.

EMERGENCY BAIL INDIVIDUALS STATISTICS	ALL	ALL %
All Unique Individuals released	595	100.0%
Individuals arrested after release	420	70.6%
Individuals not arrested again	175	29.4%
Individuals rearrested more than once	305	51.3%
Total Number of Separate Arrests	1,406	NA



The purpose of the Emergency Bail release was to reduce crowding in the jail system. However, individuals were released without any conditions and without any type of risk assessment conducted. Future court dates were set 16-20 weeks after the arrest further delaying any type of judicial intervention.

DEFINITIONS

The following terms used in this report will be defined as follows:

- **Arrests:** For the purpose of this report, the only arrests that will be considered are arrests for fresh charges. Arrests based on warrants or probation/parole violations are not included. Note that a probation/parole violation is often based on a fresh charge, so in that case the fresh charge would be counted. The only arrests considered in this report were those made after the date of their zero bail release. Arrests were determined by examining each individual's Department of Justice Arrest Sheet, and thus includes arrests made outside of Yolo County.
- **Misdemeanor Arrests:** All arrests for misdemeanor charges, other than those that are for warrants or probation/parole violations.
- **Felony Arrests:** All arrests for felony charges, other than those that are for warrants or probation/parole violations.
- **Crimes Against:** Misdemeanor and Felony arrests are divided into three categories based on who the victim of the crime is:
 - **Society:** This is an illegal activity without a specific victim. For example, possession of narcotics or driving under the influence.
 - **Property:** An illegal activity that involves property, but people are not physically endangered. For example, theft or vandalism.
 - **Persons:** An illegal activity that endangers a person(s). For example, assault or robbery.
- **Number of Arrests:** The numbers of arrests are the number of individuals within that category of arrest after their emergency bail release, not the total number of charges for that category. For example, if Females had 14 Misdemeanor arrests, that means 14 unique females were arrested for misdemeanor crimes. Each individual could have been arrested more than once.
- **Sex:** Based on the sex (not gender) of the person according to their booking information at the time of the arrest. Categories are Female or Male. Gender is not tracked on the Yolo County Jail inmate information, and thus is not included in this report.
- **Race:** Based on the race of the individual according to the booking information at the time of arrest. The four categories used in this report are Black, Hispanic, White, and All other Races Combined.
- **Days to Arrest:** This is the number of days between when an individual was released under the Emergency Bail protocol, until they were arrested again on fresh charges (not warrants or probation/parole holds).

DATA COLLECTION

Between April 2020 to May 2021 there were 595 unique individuals that were released under the Emergency Bail protocol. These 595 people were categorized by sex and race. These quantifiers were based on information collected at the time of arrest.

Each of the 595 individuals had their arrest records (rap sheet) examined for any arrests made after the date of their Emergency Bail release. These records checks were performed in June 2022. Arrests were only considered for fresh charges, not warrants or probation/parole violations. The following categories were noted on any post-release arrests:

- The date of the first arrest following release;
- The number of times the individual was arrested following release;
- If the individual was arrested on a Misdemeanor or Felony charge(s);
- Whether the charges were a crime against persons, property, or society.

The complete data set is included in a separate Excel file. Redacted data is included in this report.

CONSIDERATIONS, BARRIERS, AND OBSTACLES

There are several obstacles in this data which hinder the analysis.

1. The Emergency Release Bail program was only designed to reduce crowding in the jail system. It was not intended to rehabilitate or deter future crime in any way.
2. Arrests were determined by examining the Department of Justice arrest records for each individual. This report does not include Notice to Appear (citations) where the individual is cited and released (not booked). Many misdemeanors can be cited and released and are not captured in this report.
3. The arrest records were examined in June 2022. The Emergency Release Bail was in effect from April 2020 to May 2021. Thus, some individuals had over two years before their arrest records were examined for recidivism, while others had barely one year.
4. At least five individuals are known to be deceased by June 2022. It is possible that more are also deceased. Deaths are not typically listed on arrest reports, and death records were not checked on individuals in this study.

RECIDIVISM FOR SELECTED CRIMES

Below are the numbers of individuals who were arrested after Emergency Bail Release for selected violent crimes against persons:

CRIME TYPE ARRESTED FOR	NUMBER OF INDIVIDUALS
Arrested for 187 PC – Homicide	1
Arrested for 664-187 PC - Attempted Homicide	5
Arrested for 207 PC - Kidnapping	5
Arrested for 211 PC or 212.5 PC - Robbery	32
Arrested for 215 PC - Carjacking	4
Arrested for 220 PC - Assault to Commit Rape	1
Arrested for 245 PC - Assault with a Deadly Weapon	46
Arrested for 273.5 PC - Domestic Violence	29

Note: The one person arrested for homicide was a City of Sacramento case, which occurred outside of Yolo County.

ARRESTS BY TYPE

Of the 595 unique individuals released on the Emergency Bail protocol, 420 were subsequently rearrested on fresh charges. The total number of times they had been rearrested (as of June 2022) was 1,406 times.

There were 369 individuals arrested for misdemeanor crimes. The categories of crimes were 64 arrested for misdemeanors against a person, 184 for misdemeanors against property, and 320 for misdemeanors against society.

There were 328 individuals arrested for felony crimes. The categories of crimes were 132 arrested for misdemeanors against a person, 236 for misdemeanors against property, and 105 for misdemeanors against society.

Note that the sum of individuals arrested by category do not total the number of individuals arrested as each individual could be arrested on more than one charge and more than one time.

EMERGENCY BAIL INDIVIDUALS STATISTICS	ALL	ALL %
Individuals arrested for any Misdemeanor	369	62.0%
Individuals arrested for Misd - Person	64	10.8%
Individuals arrested for Misd - Property	184	30.9%
Individuals arrested for Misd - Society	320	53.8%
Individuals arrested for any Felony	328	55.1%
Individuals arrested for Felony - Person	132	22.2%
Individuals arrested for Felony - Property	236	39.7%
Individuals arrested for Felony - Society	105	17.6%

DAYS TO ARRESTS

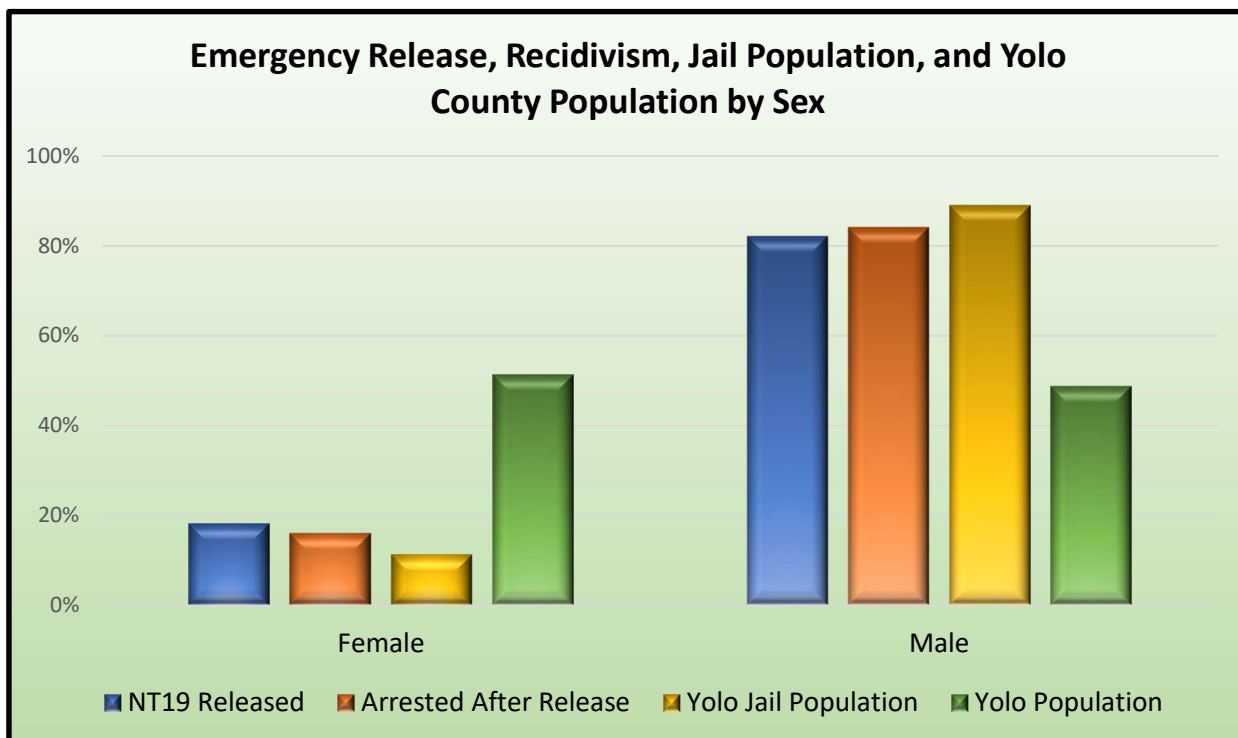
The average number of days from the date of release until their first arrest on fresh charges was 149 days. There were five people who were arrested again on the same day as release, 14 people arrested within one day, 46 people arrested within one week, 104 people arrested within 30 days, 288 arrested within 180 days, and 384 arrested within 365 days.

EMERGENCY BAIL INDIVIDUALS STATISTICS	ALL	ALL %
Average days to rearrest	149	NA
Individuals arrested on same day	5	0.8%
Individuals arrested within 1 day	14	2.4%
Individuals arrested within 7 days	46	7.7%
Individuals arrested within 30 days	104	17.5%
Individuals arrested within 180 days	288	48.4%
Individuals arrested within 365 days	384	64.5%
Individuals arrested more than 365 days	36	6.1%

ARRESTS BY SEX

According to the US Census Bureau July 2021 population estimate (<https://www.census.gov/quickfacts/yolocountycalifornia>), Yolo County is comprised of 51.3% females and 48.7% males. The Yolo County Jail Population from April 2020 to May 2021, based on random sample dates provided by the jail, was 11.2% female and 88.8% male. The recidivism rates amongst females and males closely matched the jail population.

EMERGENCY BAIL INDIVIDUALS STATISTICS	FEMALE %	MALE %
All Unique Individuals released	18.0%	82.0%
Individuals arrested after release	16.0%	84.0%
Individuals not arrested again	22.9%	77.1%
Individuals rearrested more than once	12.5%	87.5%
Total Number of Separate Arrests	13.2%	86.8%
Individuals arrested for any Misdemeanor	15.7%	84.3%
Individuals arrested for Misd - Person	12.5%	87.5%
Individuals arrested for Misd - Property	13.6%	86.4%
Individuals arrested for Misd - Society	15.0%	85.0%
Individuals arrested for any Felony	12.8%	87.2%
Individuals arrested for Felony - Person	11.4%	88.6%
Individuals arrested for Felony - Property	15.7%	84.3%
Individuals arrested for Felony - Society	5.7%	94.3%

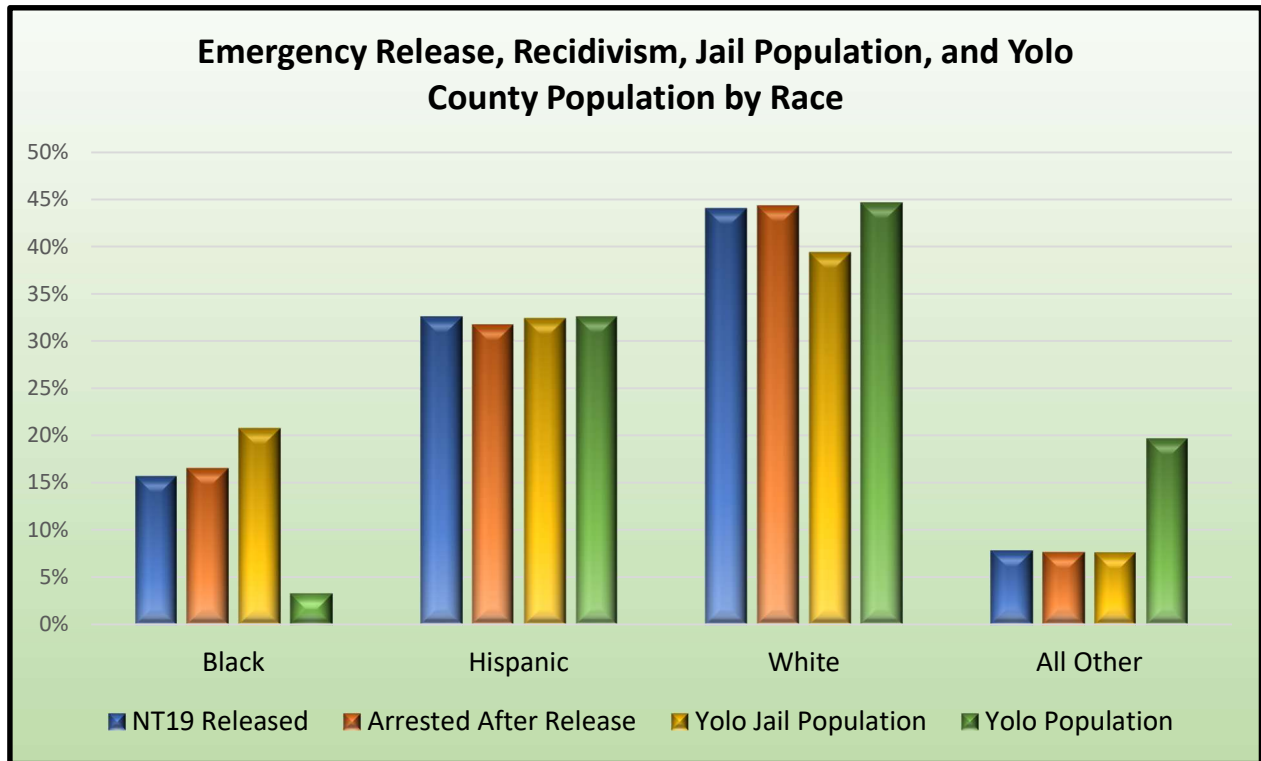


ARRESTS BY RACE

According to the US Census Bureau July 2021 population estimate

(<https://www.census.gov/quickfacts/yolocountycalifornia>), Yolo County is comprised of 3.2% Black, 32.6% Hispanic, 44.6% White, and 19.6% All Other races. The Yolo County Jail Population from April 2020 to May 2021, based on random sample dates provided by the jail, was 20.8% Black, 32.4% Hispanic, 39.9% White, and 7.5% All Other races. The recidivism rates amongst races closely matched the jail population.

EMERGENCY BAIL INDIVIDUALS STATISTICS	BLACK %	HISPANIC %	WHITE%	OTHER %
All Unique Individuals released	15.6%	32.6%	44.0%	7.7%
Individuals arrested after release	16.4%	31.7%	44.3%	7.6%
Individuals not arrested again	13.7%	34.9%	43.4%	8.0%
Individuals rearrested more than once	15.4%	33.4%	45.2%	5.9%
Total Number of Separate Arrests	15.9%	35.3%	42.7%	6.2%
Individuals arrested for any Misdemeanor	15.4%	31.4%	45.3%	7.9%
Individuals arrested for Misd - Person	21.9%	29.7%	39.1%	9.4%
Individuals arrested for Misd - Property	10.3%	33.7%	46.7%	9.2%
Individuals arrested for Misd - Society	15.3%	32.2%	45.3%	7.2%
Individuals arrested for any Felony	16.8%	33.5%	43.0%	6.7%
Individuals arrested for Felony - Person	25.0%	31.1%	38.6%	5.3%
Individuals arrested for Felony - Property	16.1%	32.2%	44.5%	7.2%
Individuals arrested for Felony - Society	14.3%	38.1%	40.0%	7.6%



CONCLUSION

The Emergency Bail Release protocol was in effect in Yolo County from April 2020 to May 2021. This program designated that the bail for select crimes was dramatically reduced, many to zero dollars. The purpose was to minimize the jail population to help fight the introduction and spread of Covid-19. During this program, 595 unique individuals were released from the jail. Of them, 420 were later arrested on fresh charges. The race and sex of those arrested closely mirrored the general race and sex of the population in the Yolo County Jail.

The total number of arrests after release, as of June 2022, was 1,406 total arrests. Of the 420 people arrested, 369 were arrested for misdemeanor charges, and 328 were arrested for felony charges. Note that many individuals were arrested for more than one charge, so the sum of the charges do not equal the total number of people arrested.

The Emergency Bail Release program was not designed as rehabilitation or recidivism deterrent. The recidivism total numbers and broken down by sex or race closely match the population within the Yolo County Jail, as expected.