

INTRODUCED: May 9, 2016

A RESOLUTION No. 2016-R035

To encourage the development of strategies designed to significantly reduce the jail population in the city of Richmond by proactively decreasing reliance on incarceration through changes in sentencing policy, jail policy, social policy and law enforcement policy to end “mass incarceration.”

\_\_\_\_\_  
Patron – President Mosby

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Approved as to form and legality  
by the City Attorney  
\_\_\_\_\_

PUBLIC HEARING: MAY 23 2016 AT 6 P.M.

WHEREAS, the United States has the largest prison population in the world with approximately 2.2 million adults incarcerated in its prisons and jails according to a count in 2014 by the United States Department of Justice, Bureau of Justice Statistics, a phenomenon known as “mass incarceration”; and

WHEREAS, in addition to the approximately 2.2 million actual inmates, there are also approximately 4.8 million adults in the United States who are under the supervision of federal, state and local probation and parole agencies, with the result that one in 36 adults exists within the purview of the criminal justice system; and

AYES:            9            NOES:            0            ABSTAIN:        \_\_\_\_\_

ADOPTED:      MAY 23 2016      REJECTED:      \_\_\_\_\_      STRICKEN:      \_\_\_\_\_

WHEREAS, the Commonwealth of Virginia has approximately 58,600 adults incarcerated in its prisons and jails and approximately 56,700 under the supervision of probation and parole for a total population of 114,500 adults under the control of Virginia's criminal justice system in 2013, also according to the United States Department of Justice, Bureau of Justice Statistics; and

WHEREAS, the Council of the City of Richmond supports policy reforms by city administrators that address societal causes leading to criminal behavior and, ultimately, incarceration; and

WHEREAS, the Council of the City of Richmond supports cost-effective alternatives to incarceration aimed at significantly reducing the number of adults placed in correctional facilities; and

WHEREAS, the Council of the City of Richmond supports the established collaborations between the Circuit Court of the City of Richmond, General District Court of the City of Richmond, participating criminal justice agencies and departments of the City, and community treatment agencies, all aiming to provide alternatives to incarceration, mental health and substance abuse treatment and reforms to achieve fairness and effectiveness in the criminal justice system; and

WHEREAS, the Council of the City of Richmond also encourages development of a model of best practices for creating opportunities for jobs, housing, treatment or skills training and interventions that are proven to reduce arrests and recidivism of nonviolent felony offenders; and

WHEREAS, the Council of the City of Richmond supports initiatives to end "mass incarceration" in the United States by promoting the development of a plan in the city of Richmond for the purposes of significantly reducing the number of persons at risk of being incarcerated in jail and prison, reducing the length of stay when persons are incarcerated, ensuring that the

conditions of confinement are conducive to rehabilitation and training, and increasing the numbers of persons who are released with necessary support when returning to their communities; and

WHEREAS, the Council of the City of Richmond believes that it is in the best interest of the citizens of the City of Richmond that the Council encourage intolerance of biased enforcement of criminal laws and practices against any racial, ethnic or religious group; and

WHEREAS, the Council of the City of Richmond also believes that it is in the best interest of the citizens of the City of Richmond that the Council encourage law enforcement agencies to collaborate with community members to develop policies and strategies in communities and neighborhoods disproportionately affected by crime for deploying resources that aim to reduce crime, improve relationships, and encourage greater community engagement;

NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF RICHMOND:

That the Council of the City of Richmond hereby encourages the development of strategies designed to significantly reduce the jail population in the city of Richmond by proactively decreasing reliance on incarceration through changes in sentencing policy, jail policy, social policy and law enforcement policy to end “mass incarceration.”

BE IT FURTHER RESOLVED:

That the Council hereby requests that the Chief Administrative Officer cause the City Administration, where appropriate, to do the following:

1. Convene a diverse team of leaders from multiple agencies committed to reducing the number of people in corrections facilities to conduct a comprehensive review of the local criminal justice system to identify specific practices and policies that drive racial disparities.

2. Collect in-depth prevalence data pertaining to background of the correctional population of adult offenders for the purpose of establishing baseline information. Compile data that analyzes demographics of the incarcerated population and individuals on probation and parole.
3. Determine which treatment programs and services have the programming and capacity necessary to assist adults at risk of becoming involved or who are currently involved with the criminal justice system.
4. Identify funding and policy barriers at the state and local level that prevent the execution of adequate treatment programs and services in the community.
5. Taking into consideration information learned from collecting prevalence data, classifying viable treatment programs and services, and identifying funding and policy barriers, develop a plan to reduce incarceration which includes a system of measuring outcomes.
6. Focus on strategic outcome measures that provide economic sustainability for at-risk members of the community and for those returning to our communities from correctional facilities for the purpose of reducing the high rate of recidivism.
7. Collect data on law enforcement initiatives to establish outcome measures that are targeted to reduce crime, ensure fairness in procedures, eliminate bias and build community engagement.
8. Using the measurable outcomes of the plan to reduce incarceration, compile and make publicly available on the city's website by September 1<sup>st</sup> of each year, an annual report to track the progress.

**BE IT FURTHER RESOLVED:**

That the Council hereby requests that the Chief Administrative Officer cause the City Administration to submit to the Council a schedule for the implementation of the items requested in this resolution within 60 days of the adoption of this resolution.



# Richmond City Council

The Voice of the People

Richmond, Virginia

Lou Brown Ali  
Council Chief of Staff

## Office of the Council Chief of Staff

### Council Ordinance/Resolution Request

**TO** Allen L. Jackson, Richmond City Attorney

**THROUGH** Lou Brown Ali, Council Chief of Staff *UBA*

**FROM** Joyce L. Davis, Council Policy Analyst  
Office of the Council Chief of Staff *JLD*

**COPY** Michelle Mosby, 9<sup>th</sup> District Council member  
Haskell Brown, Deputy City Attorney  
Vincent Jones, Deputy Council Chief of Staff *V. Jones*  
Uzziah Harris, 9<sup>th</sup> District Liaison

**DATE** May 9, 2016

**PAGE/s** 1 of 5

**TITLE:** Resolution to Support Strategies to End Mass Incarceration

RECEIVED

MAY 09 2016

OFFICE OF CITY ATTORNEY

This is a request for the drafting of an/a **Ordinance**  **Resolution**

**REQUESTING COUNCILMEMBER/PATRON**

Council member Michelle Mosby

**SUGGESTED STANDING COMMITTEE**

Expedited Consideration

**ORDINANCE/RESOLUTION SUMMARY**

Resolution to Support Strategies to End Mass Incarceration

**BACKGROUND**

Mass Incarceration in the United States is the Human Rights issue of the 21<sup>st</sup> Century. The United States with 2.2 million people in prison incarcerates the largest prison population than any other nation in the world.<sup>1</sup> The Bureau of Justice Statistics reports in its Correctional Supervision 2014 report, 1 in 36 adults (or 2.8%) in the U.S are under some form of correctional supervision, with approximately 7 million people total under the supervision of the U.S. adult correctional systems. Of the 2.2 million people incarcerated, 209,600

<sup>1</sup> National Research Council. *The Growth of Incarceration in the United States: Exploring Causes and Consequences*. Washington, DC: The National Academies Press, 2014. Retrieved March 3, 2016: "The U.S. penal population of 2.2 million adults is by far the largest in the world. Just under one-quarter of the world's prisoners are held in American prisons."

are in U.S. federal prisons and 1,263,800 are in state prisons. In local jails, 744,600 are incarcerated and more than 5 million additional persons are under community supervision of probation or on parole.<sup>2</sup>

In Virginia, the Bureau of Justice Statistics reports, 58,600 adults were incarcerated in Virginia's prisons or local jails and 56,700 were on probation or parole community supervision for a total correctional population of 114,500 adults at the end of year 2013. <sup>3</sup>

Of the number of persons in local jails in Virginia, in the City of Richmond's local jail, the average daily population of incarcerated persons is 1200.<sup>4</sup> The population has been downward trending since 2011 when the incarcerated census was an average daily population of 1500. The Richmond Community Criminal Justice Board (CCJB) has set goals of lowering the number of individuals incarcerated and reducing recidivism in the city by implementing evidenced-based practices, policies, and programs with an eye toward reducing the jail census. The FY 2011-2012 CCJB Biennial Plan includes reforms in pretrial release and bail decisions, greater utilization of community-based sentencing options, and treatment for individuals with mental illness and co-occurring substance use disorders. Section 9.1-175 of the Code of Virginia requires that each CCJB adopt and approve a biennial plan of its objectives and goals, and the strategies for implementing the programs and meeting the objectives and goals of the CCJB.

This Resolution is to support initiatives to end Mass Incarceration in the United States through encouraging the development of a plan in the city of Richmond with objectives of achieving a major reduction in the number of persons at risk of entering jail and prison, reducing the length of stay when persons are incarcerated, ensuring conditions of confinement that are conducive to rehabilitation and training, and increasing the number of persons who are safely released from jail and prison facilities as well as their preparation and support when returning to their communities.

The goal of this Resolution is reduce the number of people in our local jail, and encourage all city officials, employees and human service organizations to participate in a multi-system collaboration to improve our criminal justice system.

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<sup>2</sup> United States Department of Justice, Bureau of Justice Statistics, *Correctional Populations in the U.S.*, 2014, December, 2015, NCJ249513. <http://www.bjs.gov/content/pub/pdf/cpus14.pdf>, pg.2, Retrieved March 3, 2016

<sup>3</sup>Bureau of Justice Statistics, December, 2015, NCJ249513.<http://www.bjs.gov/content/pub/pdf/cpus14.pdf>, pg.17

<sup>4</sup> Richmond Justice Center Jail Costs Report, Virginia Compensation Report. published 2015, page 1

necessary support when returning to their communities; and

Whereas, the Council of the City of Richmond believes that it is in the best interest of the citizens of the City of Richmond that the Council encourage intolerance of biased enforcement of criminal laws and practices against any racial, ethnic or religious group; and

Whereas, Council encourages law enforcement agencies to collaborate with community members to develop policies and strategies in communities and neighborhoods disproportionately affected by crime for deploying resources that aim to reduce crime, improve relationships, and encourage greater community engagement.

That the Council hereby requests that the Chief Administrative Officer cause the City Administration, where appropriate, to do the following:

1. Convene a diverse team of leaders from multiple agencies committed to reducing the number of people in corrections facilities to conduct a comprehensive review of the local criminal justice system to identify specific practices and policies that drive racial disparities.
2. Collect in-depth prevalence data pertaining to the background of the correctional population of adult offenders for the purpose of establishing baseline information. Compile data that analyzes demographics of the incarcerated population and individuals on probation and parole.
3. Determine which treatment programs and services have the programming and capacity necessary to assist adults at risk of becoming involved or who are currently involved with the criminal justice system.
4. Identify funding and policy barriers at the state and local level that prevent the execution of adequate treatment programs and services in the community.
5. Taking into consideration information learned from collecting prevalence data, classifying viable treatment programs and services, and identifying funding and policy barriers, develop a plan to reduce incarceration which includes a system of measuring outcomes.
6. Focus on strategic outcome measures that provide economic sustainability for at-risk members of the community and for those returning to our communities from correctional facilities for the purpose of reducing the high rate of recidivism.
7. Collect data on law enforcement initiatives to establish outcome measures that are targeted to reduce crime, ensure fairness in procedures, eliminate bias and build community engagement.
8. Using the measurable outcomes of the plan to reduce incarceration, compile and make publicly available on the city



## **Sample Resolution to Support Ending Mass Incarceration in the United States**

Whereas, the United States has the largest prison population in the world with approximately 2.2 million adults incarcerated in its prisons and jails according to a count in 2014 by the United States Department of Justice, Bureau of Justice Statistics, a phenomenon known as "mass incarceration"; and

Whereas, in addition to the approximately 1.1 million actual inmates, there are also approximately 4.8 million adults in the United States who are under the supervision of federal, state and local probation and parole agencies, with the result that one in 36 adults exists within the purview of the criminal justice system; and

Whereas, the Commonwealth of Virginia has approximately 58,600 adults incarcerated in its prisons and jails and approximately 56,700 under the supervision of probation and parole for a total population of 114,500 adults under the control of Virginia's criminal justice system in 2013, also according to the United States Department of Justice, Bureau of Justice Statistics; and

Whereas, the Council of the City of Richmond supports cost-effective alternatives to incarceration aimed at significantly reducing the number of adults placed in correctional facilities; and

Whereas, the Council of the City of Richmond supports the established collaborations between the Circuit Court of the City of Richmond, General District Court of the City of Richmond, participating criminal justice agencies and departments of the City and community treatment agencies, all aiming to provide alternatives to incarceration, mental health and substance abuse treatment and reforms to achieve fairness and effectiveness in the criminal justice system; and

Whereas, the Council of the City of Richmond also encourages development of a model of best practices for creating opportunities for jobs, housing, treatment or skills training and interventions that are proven to reduce arrests and recidivism of nonviolent felony offenders; and

Whereas, the Council of the City of Richmond supports initiatives to end "mass incarceration" in the United States by promoting the development of a plan in the city of Richmond for the purposes of significantly reducing the number of persons at risk of being incarcerated in jail and prison, reducing the length of stay when persons are incarcerated, ensuring that the conditions of confinement are conducive to rehabilitation and training, and increasing the numbers of persons who are released with

website, annual report to track the progress by September 1st of each year.

9. The Chief Administrative Officer shall submit a report to the Council within 60 days of adoption, and provide a schedule to recommend how to implement the requests of this Resolution.

**FISCAL IMPACT STATEMENT**

Fiscal Impact	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Budget Amendment Required	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Attachment/s      Yes     No

Richmond City Council Ordinance/Resolution Request Form/updated 12.22.08/srs