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# Aroostook and Cumberland County Jails Census Report (2016)

Robyn Dumont MPPM
*University of Southern Maine, Muskie School of Public Service, Maine Statistical Analysis Center*

George Shaler MPH
*University of Southern Maine, Muskie School of Public Service, Maine Statistical Analysis Center*

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USM Muskie School of Public Service

# Acknowledgements


**Authors**

Robyn Dumont, Research Analyst
Maine Statistical Analysis Center, USM Muskie School of Public Service

George Shaler, Senior Research Associate
Maine Statistical Analysis Center, USM Muskie School of Public Service



**Peer Reviewers**

Emilie Swenson, USM Muskie School of Public Service

**Graphics, Layout and Design**

Sheryl Moulton, Project Assistant, USM Muskie School of Public Service

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# Contents

# Introduction

This report summarizes the findings from an analysis of 2016 census data obtained from the Cumberland and Aroostook County jails. This analysis was performed by the Maine Statistical Analysis Center (SAC) located at the University of Southern Maine's Muskie School of Public Service at the request of the American Civil Liberties Union (ACLU) of Maine with the objective of learning who is in jail, why they are there (awaiting trial or serving a sentence), and how long they stay.

Maine has a total of 15 county jails,[1] which house both pretrial individuals who are awaiting trial as well as convicted individuals who have been sentenced to a short period (nine months or less) of confinement. While the ACLU's interest in this topic encompasses all of Maine's jailed population, practical considerations required restricting this initial research to two of Maine's sixteen counties. Aroostook and Cumberland counties were chosen because the sheriffs of these counties responded quickly to the ACLU's request for participation—a necessary component to this research—and because together they are representative of both northern and southern Maine as well as rural and urban counties.

# Methodology & Limitations

Jail census data were obtained from Cumberland and Aroostook Counties; these data included records from everyone admitted to the jails within the 2016 calendar year. Researchers from the Maine SAC specified a number of variables for inclusion in these records. While Cumberland County was able to provide all of the variables requested electronically, some of the requested information was not available electronically from Aroostook County. This information was retrieved manually by a member of the research team who located paper files for each inmate who was jailed in 2016, examined the files to find the missing information, and typed the information into an Excel spreadsheet designed for that purpose.

While the intent was to obtain comparable data from both counties, doing so proved challenging. Even when the same variables were provided by the two counties, there were differences in the information captured by those variables. In addition to these systematic differences, there were also data quality issues. These were made evident in records with seemingly contradictory information (e.g., records with no conviction date that made reference elsewhere to a conviction). Efforts were made to reconcile contradictions whenever possible—multiple variables were examined and recoded into the variable of interest in order to capture information entered in one place but not another. Despite these efforts and corresponding efforts to reconcile disparate datasets between the two counties, these challenges do pose limitations to this study and the comparisons made in the report should be received with caution.

[1] Two of Maine's 16 counties—Lincoln and Sagadahoc—have a shared facility, Two Bridges Regional Jail.

# Findings

## Record Counts

Jail census data included records for everyone admitted to the Aroostook and Cumberland County jails during the 2016 calendar year. A small number of records were ineligible for analysis, either because they were incomplete (lacking enough detail for meaningful analysis) or because the individual represented in the record was not yet 18 years of age. [2]

### Aroostook

There were a total of **1,304 eligible records** or **23.8 detentions per 1,000 adults.**[3, 4]

### Cumberland

There were a total of **8,207 eligible records** or **37.1 detentions per 1,000 adults.**[3, 4]

While Cumberland had more detentions per resident than Aroostook, a small portion of this difference can be explained by boarders and federal holds. Boarders are detained individuals who face charges or were convicted in one county but were transferred to a facility in another. Federal holds include detentions made by the US Marshals Service (USMS), the Immigration and Naturalization Service (INS), and US Customs. Decisions related to individuals detained as boarders or detained by federal agents are made in other jurisdictions and do not reflect the practices of the agencies within the holding counties. Removing these records from the count results in a rate of 23.0 for Aroostook and 33.1 for Cumberland. The difference between these two rates is not explained by the data itself.

[2] These individuals might be booked briefly in an adult facility, but they do not remain there for any length of time because Maine law requires that juveniles be held separate (both visually and audibly) from the adult population.

[3] Census data obtained from US Census, 2011-2015 American Community Survey

[4] Ages 20 and older

## Sending Agencies

Detained individuals were brought to jail by a number of agencies, including local police departments, county sheriff's offices, state police, etc. The following paragraphs present the top 10 sending agencies in each county as well as the number of bookings associated with each agency.

### Aroostook

A total of 51 agencies were represented in the data. The top 10 agencies were as follows:

- Court (n=234)
- Maine State Police (n=206)
- Houlton PD (n=180)
- Presque Isle PD (n=120)
- Aroostook County SO (n=100)
- Caribou PD (n=67)
- Maine Drug Enforcement Agency (n=47)
- Fort Fairfield PD (n=29)
- Penobscot County Jail (n=26)
- Madawaska PD (n=14)

These agencies were responsible for 78% of the 1,269 bookings in Aroostook. The top agency, **Court**, was responsible for **18% of the bookings**.

### Cumberland

A total of 49 agencies were represented in the data. The top 10 agencies were as follows:

- Portland PD (n=2,644)
- Court (n=1,308)
- Westbrook PD (n=572)
- South Portland PD (n=509)
- Cumberland County SO (n=454)
- Scarborough PD (n=347)
- Gorham PD (n=253)
- Maine State Police (n=240)
- Probation and Parole (n=203)
- Brunswick PD (n=186)

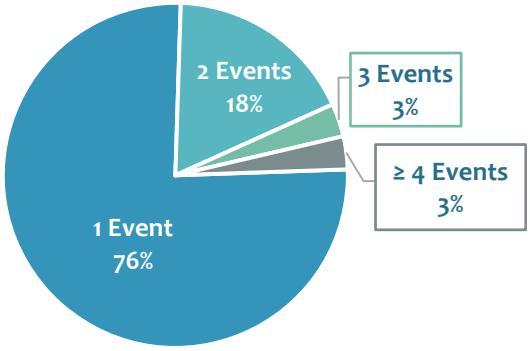
These agencies were responsible for 82% of the 8,207 bookings in Cumberland. The top agency, **Portland PD**, was responsible for **32% of the bookings**.

In both counties, the courts were identified as one of the top sending agencies, responsible for a large proportion of bookings. In Aroostook County, the majority of the detained individuals (93%) with court as a sending agency were convicted; thus, these records reflect a court-ordered sentence. The role of the courts is less clear in Cumberland County. Only 64% of Cumberland individuals with court as a sending agency were convicted and sentenced. It could be that these people show up for a court date and are subsequently held for future court procedures at the discretion of the judge, either because they are deemed a risk or because they have violated the terms of a conditional release.

## Repeat Bookings

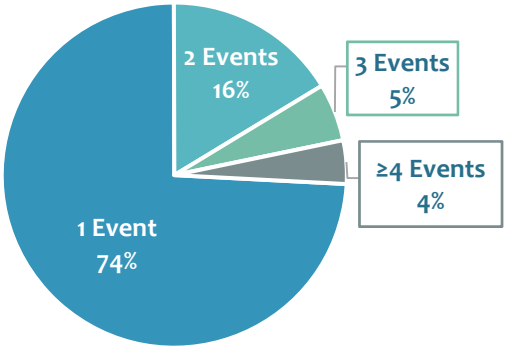
A number of detained individuals were booked more than once within the 2016 calendar year. The following charts summarize the proportions of individuals with one or more booking events.

### Aroostook




A total of **969** **unique persons** were detained in Aroostook County. The average number of **bookings per person was 1.3**.

### Cumberland




A total of **5,681** **unique persons** were detained in Cumberland County. The average **number of bookings per person was 1.4**.

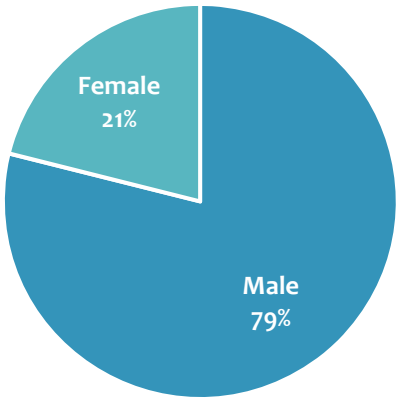
Approximately a quarter of all individuals were booked on multiple occasions within the year. While the charts above appear quite similar, they obscure one important difference between the two counties. That is, while the maximum number of booking events in Aroostook County was 7, the maximum in Cumberland County was 19. **A total of 27 individuals in Cumberland County had 8 or more bookings within the calendar year 2016 alone.** The following 5 offenses were the most serious offenses associated with three-quarters (75%) of high volume, repeat bookings in Cumberland County:

- Criminal trespass (n=99, 35%)
- Drinking in public (n=66, 23%)
- Violating conditions of release (n=23, 8%)
- Disorderly conduct loud (12, 4%)
- Hold – house for other agency (n=12, 4%)

## Gender

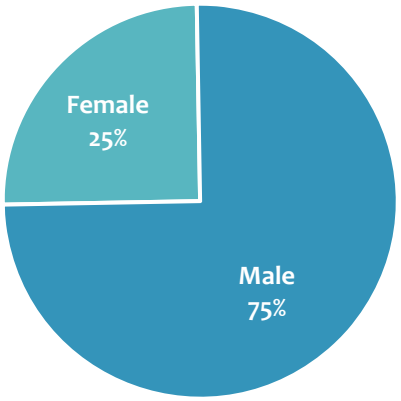
The majority of persons detained in 2016 in either facility were male.

### Aroostook




**21%** of those detained in Aroostook County were **female**.

### Cumberland

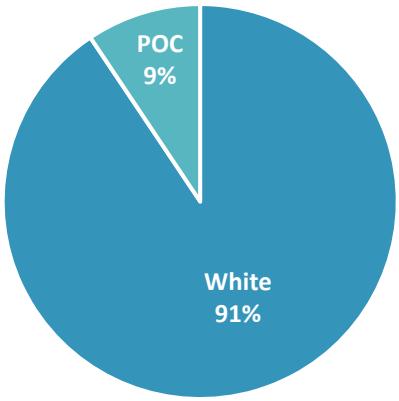



**25%** of those detained in Cumberland County were **female**.

## Race/Ethnicity

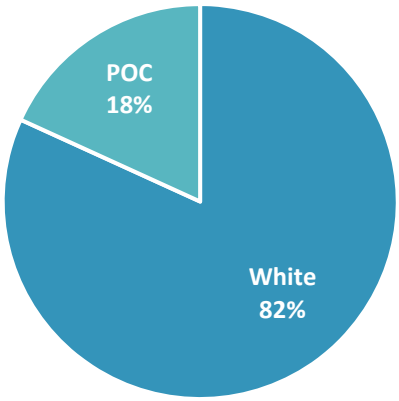
While the majority of detained persons were identified as White and non-Hispanic, a notable proportion were persons of color (POC). In both counties persons of color appeared in the detained population at about **double their rate** in the general population.

### Aroostook




Approximately **5%** of Aroostook County's general population were **persons of color**, while **9%** of the 2016 jail booking population were.

### Cumberland

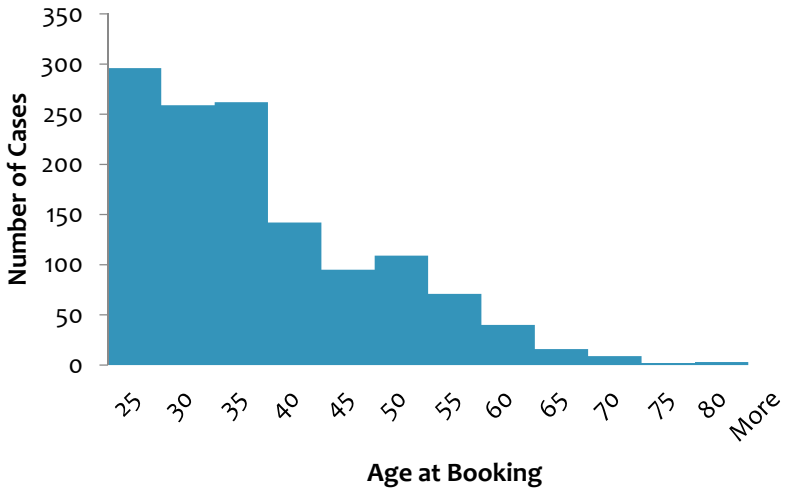



Approximately **9%** of Cumberland County's general population were **persons of color**, while **18%** of the 2016 jail booking population were.

## Age at Booking

The age distributions of detained persons from both counties are comparable. The mean age of individuals from Aroostook and Cumberland Counties was 35, while the median age was 32 and 33, respectively.[5]

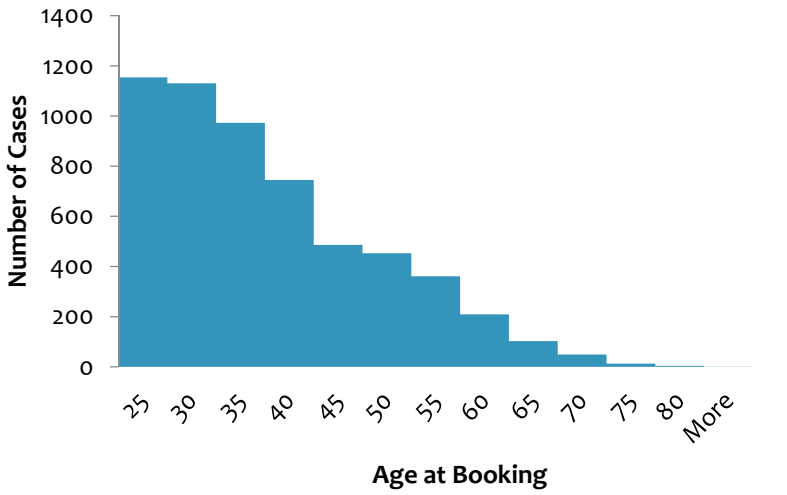
### Aroostook




The mean age at booking was **35** years of age.

The median age was **32**.

### Cumberland




The mean age at booking was **35** years of age.

The median age was **33**.

[5] *Means* and *medians* are both measurements of central tendency or *averages*. The *mean* is what we typically think of when we hear the word average; it is commonly used when a population is normally distributed. The *median* is the middle value; it is commonly used when a distribution is skewed. The above distributions are slightly skewed.

## Length of Stay

Lengths of stay were highly skewed; that is, while the majority of detentions were for short periods of time, there were outliers—detention periods that lasted much longer. Skewed data are typically described with a number of measures, including minimum, quartiles[6], and maximum. The following table summarizes lengths of stay (in days) for all detained individuals, both pretrial and convicted.

**Length of Stay (in days)**

| | N | Minimum | 1st Quartile | 2nd Quartile | 3rd Quartile | Maximum |
|---|---|---|---|---|---|---|
| Aroostook | 1,250 | 0 | 1 | 4 | 23 | 283 |
| Cumberland | 7,908 | 0 | 0 | 2 | 8 | 404 |

**Detained persons in Cumberland had shorter stays at the 1st, 2nd, and 3rd quartile cut points**, and while the maximum stay for Cumberland individuals was substantially longer than the maximum stay for Aroostook individuals (404 days vs. 283 days, respectively), this value was an outlier—the result of one person with particularly serious charges.

While detained persons in Cumberland have shorter stays than those in Aroostook, this fact should be interpreted with caution because the populations served by the two counties differ in significant ways that influence length of stay. Specifically, the *status* of detained individuals differs, as shown in the following report section.

[6] *Quartiles* are used to divide a population into four equal-sized groups, sorted in ascending value order. Thus, the 1st quartile contains a quarter of the jail population—the quarter with the lowest values (i.e., the shortest length of stay).

## Length of Stay by Status

Detained individuals fall into two primary categories. First, individuals can be detained while they await a court date; these persons are considered **pretrial**. Others are detained following a conviction because they were sentenced to a relatively short period of confinement.[7] These persons are considered **convicted**.

While these are the two primary categories, a number of detained individuals span both categories. Some are initially held in a pre-trial capacity, are convicted, and remain detained while they serve a sentence. Others are initially held in a pretrial capacity, are convicted, and are released immediately for time served. *One of the limitations of this study was the inability to identify persons who spanned both categories when the detention occurred in Cumberland County.* The majority of these people are likely grouped with convicted individuals, but it is impossible to say for sure because *sentence date*, the variable that would help researchers determine this with any degree of certainty, was often left blank.

The following table summarizes lengths of stay for *pretrial*, *convicted*, and *pretrial & convicted* person in Aroostook County and for *pretrial* and *convicted* persons in Cumberland County.

**Length of Stay (in days)**

| | N | Minimum | 1st Quartile | 2nd Quartile | 3rd Quartile | Maximum |
|---|---|---|---|---|---|---|
| **Aroostook County** | | | | | | |
| Pretrial | 666 | 0 | 1 | 2 | 8 | 283 |
| Sentenced | 285 | 0 | 2 | 5 | 19 | 211 |
| Pretrial & Sentenced | 299 | 1 | 4 | 25 | 75 | 228 |
| **Cumberland County** | | | | | | |
| Pretrial | 6,428 | 0 | 0 | 1 | 5 | 404 |
| Sentenced | 1,480 | 0 | 3 | 8 | 33 | 287 |

While the lowest quartile of pretrial Cumberland individuals were detained for **less than a day**, the lowest quartile of pretrial Aroostook persons were detained for **one day** (an overnight stay). While half of pretrial Cumberland persons were detained for up to **one day**, half of pretrial Aroostook persons were detained for up to **two days**. While the 3rd quartile of pretrial Cumberland persons were detained for up to **five days**, the 3rd quartile of pretrial Aroostook persons were detained for up to **seven days**. The 4th quartile contains outliers; comparisons should be made with caution.

[7] When a sentence is nine months or less, it is typically served in a jail rather than a state prison.

## Length of Stay by Offense Class

Pretrial persons may have been held for *misdemeanor* or *felony* offenses.[8] In addition to these two categories, Cumberland County also categorizes *fugitive* and *murder* offenses separately. The following table summarizes length of stay for pretrial persons held for misdemeanor and felony offenses in Aroostook County and for persons held for misdemeanor, felony, and fugitive offenses in Cumberland County.[9]

**Length of Stay (in days)**

| | N | Minimum | 1st Quartile | 2nd Quartile | 3rd Quartile | Maximum |
|---|---|---|---|---|---|---|
| **Aroostook County** | | | | | | |
| Misdemeanor | 224 | 0 | 0 | 1 | 4 | 159 |
| Felony | 148 | 0 | 1 | 6 | 33 | 283 |
| **Cumberland County** | | | | | | |
| Misdemeanor | 3,882 | 0 | 0 | 1 | 2 | 315 |
| Felony | 1,035 | 0 | 1 | 3 | 21 | 404 |
| Fugitive | 45 | 2 | 8 | 13 | 20 | 138 |

While the 3rd quartile of Cumberland pretrial misdemeanor persons were detained for **1 to 2 days**, the 3rd quartile of Aroostook pretrial misdemeanor persons were detained for **1 to 4 days**.

While half of Cumberland pretrial felony persons were detained for up to **3 days**, half of Aroostook pretrial felony persons were detained for up to **6 days**. While the 3rd quartile of Cumberland pretrial felony persons were detained for up to **21 days**, the 3rd quartile of Aroostook pretrial felony persons were detained for **33 days**.

The 4th quartile contains outliers; comparisons should be made with caution.

[8] Some individuals were held for both; these people are summarized as having been held for felony offenses in order to capture the most serious offense.

[9] Length of stay for persons with murder offenses is not included here because the number was too small (n=1) to allow for comparison.

## Length of Stay by Offense Category (Cumberland)

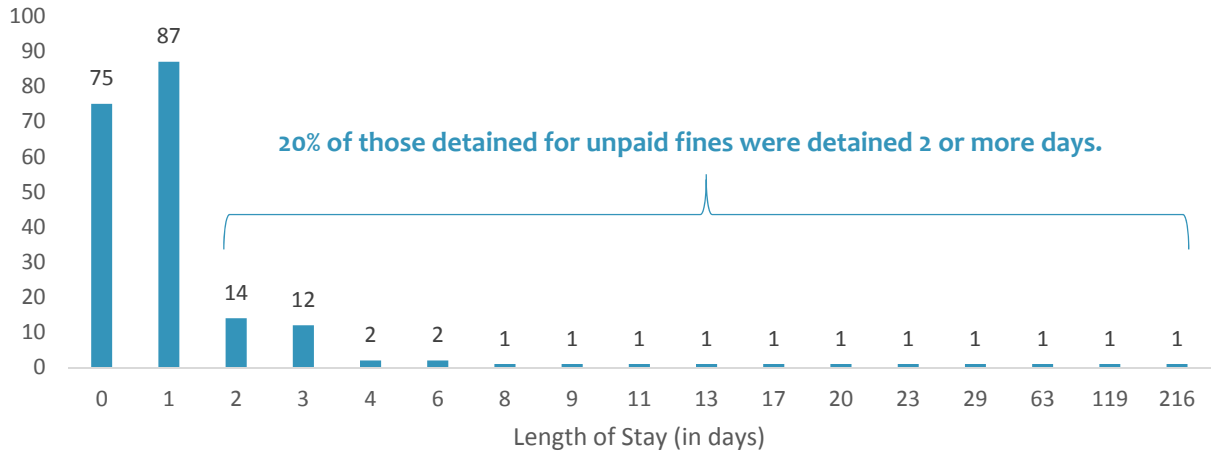
A number of pretrial records in the Cumberland County dataset were lacking specific offense information for the most serious offenses but contained general descriptions of the reasons for which individuals were detained instead. These could be sorted into one of five categories: *failure to appear* (FTA),[10] *fine, hold*,[11] *probation violation* (PV),[12] and *violation of conditions of release* (VCR).[13] The following table summarizes lengths of stay for pretrial persons detained for each of these reasons.

**Length of Stay (in days)**

| | N | Minimum | 1st Quartile | 2nd Quartile | 3rd Quartile | Maximum |
|---|---|---|---|---|---|---|
| FTA | 172 | 0 | 0 | 1 | 2 | 38 |
| Fine | 203 | 0 | 0 | 1 | 1 | 216 |
| Hold | 684 | 0 | 1 | 9 | 34 | 335 |
| PV | 217 | 0 | 6 | 16 | 35 | 284 |
| VCR | 9 | 1 | 2 | 7 | 9 | 14 |

## Length of Stay for Fines (Cumberland)

A total of 203 individuals were detained for unpaid fines. While the majority (80%) of all those detained for unpaid fines were detained for one day or less, 20% (n=41) were detained longer. Some were detained substantially longer. The following graphic depicts the lengths of stay for this population.




[10] Failure to appear, failure to appear after bail, failure to appear in court, failure to appear in court on criminal summons

[11] Hold for other agency; USMS, INS, customs, etc.; contempt

[12] Probation/parole violation, probation hold-officer, probation revocation

[13] Termination of bail, revocation of pre-conviction bail, violating requirement of release, bail revocation

## Length of Stay by Offense Type (Aroostook)

Data for pretrial persons from Aroostook County could be classified in terms of the most serious offense type. These classifications include *other*, *personal*, *property*, and *drugs*. The following table summarizes lengths of stay for pretrial persons detained for each of these reasons.

**Length of Stay (in days)**

| | N | Minimum | 1st Quartile | 2nd Quartile | 3rd Quartile | Maximum |
|---|---|---|---|---|---|---|
| Other | 73 | 0 | 0 | 1 | 2 | 137 |
| Personal | 142 | 0 | 1 | 2 | 10 | 283 |
| Property | 37 | 0 | 0 | 3 | 29 | 124 |
| Drugs | 40 | 0 | 1 | 7 | 46 | 152 |

## Length of Stay by Drug Offense (Aroostook)

Pretrial drug offenses could be further broken down further, between offenses involving possession and those involving other charges. The following table summarizes lengths of stay for the 40 individuals whose most serious offense was a drug charge.

**Length of Stay (in days)**

| | N | Minimum | 1st Quartile | 2nd Quartile | 3rd Quartile | Maximum |
|---|---|---|---|---|---|---|
| Possession | 11 | 0 | 0 | 1 | 8 | 80 |
| Operating met lab, trafficking, stealing | 29 | 0 | 2 | 8 | 61 | 152 |

## Equity

One of the purposes of this study was to examine the issue of equity around detention. Toward that end, records in both datasets were analyzed using linear regression to determine whether there were differences in the likelihood of being detained for a longer stay by gender or race/ethnicity while controlling for other factors that are known to influence detention time.

### Gender Equity

#### Aroostook

On average, when all other factors were held constant, **males were detained 8 days longer** than females.[14]

#### Cumberland

On average, when all other factors were held constant, **males were detained 2 days longer** than females.[15]

### Racial/Ethnic Equity

#### Aroostook

On average, when all other factors were held constant, **persons of color were detained 7 days longer** than white persons.[16]

#### Cumberland

Race/ethnicity was not a significant factor.

It bears mentioning that the absence of relevant variables from the regression model may cause existent variables to appear to have a direct impact on length of stay when they do not. If persons of color are more likely than their white counterparts to have low socioeconomic status—an attribute not captured in the model, the impact of that low socioeconomic status will be expressed through the race variable that is present in the model. This creates a "spurious" relationship between race/ethnicity and length of stay. In order to clarify the relationship between race/ethnicity and length of stay, other variables thought to impact length of stay would need to be added to the regression model. *Persons of color do have longer stays, but further analysis is needed in order to explain why.*

[14] Other factors include status (pretrial, sentenced, pretrial & sentenced), race/ethnicity (white, person of color), age category (18-29, 30-39, 40-49, 50 and up), offense class (misdemeanor, felony), and number of detentions in calendar year. The coefficient for gender was significant at p=.001.

[15] Other factors include status (pretrial, sentenced), race/ethnicity, age category (18-29, 30-39, 40-49, 50 and up), offense class (misdemeanor, felony, fugitive), offense category (fine, FTA, hold, PV, VCR), and number of detentions in calendar year. The coefficient for gender was significant at p=.041.

[16] Other factors include status (pretrial, sentenced, pretrial & sentenced), gender, age category (18-29, 30-39, 40-49, 50 and up), offense class (misdemeanor, felony), and number of detentions in calendar year. The coefficient for race/ethnicity was significant at p=.036.

# Future Topics of Study

While the datasets provided by the Aroostook and Cumberland County jail systems were detailed and allowed for a good deal of analysis, there were nevertheless limits to what could be learned from them. These limits might point to areas that the ACLU will choose to explore in the future.

One limit involves the use of bail. While bail variables were requested, information is entered into these fields in a way that makes them impossible to analyze as is.[17] Future analysis might focus on a smaller dataset for which precise bail amounts are obtainable in order to explore the relationship between bail amount, other variables of interest (gender, race/ethnicity, etc.), and length of stay.

Likewise, it was difficult to analyze detentions resulting from unpaid fines. While records included a notation indicating that individuals were detained for a failure to pay fines, the amount of the fine was not available. Future analysis might focus on a smaller dataset for which more detailed information is obtainable in order to explore relationships between unpaid fines and other variables of interest.

[17] For instance, a single booking event may contain several charges. Each of these charges may have a bail amount. The bail amount entered for some charges is the amount for the individual charge, while the bail amount entered for other charges is the total amount for the booking event. It is impossible to distinguish how bail was entered by looking at the data.

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The Muskie School of Public Service is Maine's distinguished public policy school, combining an extensive applied research and technical assistance portfolio with rigorous undergraduate and graduate degree programs in geography-anthropology; policy, planning, and management (MPPM); and public health (MPH). The school is nationally recognized for applying innovative knowledge to critical issues in the fields of sustainable development and health and human service policy and management, and is home to the Cutler Institute for Health and Social Policy.

# About the Cutler Institute for Health and Social Policy

The Cutler Institute for Health and Social Policy at the Muskie School of Public Service is dedicated to developing innovative, evidence-informed, and practical approaches to pressing health and social challenges faced by individuals, families, and communities.

# About the Maine Statistical Analysis Center

The Maine Statistical Analysis Center (SAC) informs policy development and improvement of practice in Maine's criminal and juvenile justice systems. A partnership between the University of Southern Maine Muskie School of Public Service and the Maine Department of Corrections, SAC collaborates with numerous community-based and governmental agencies. SAC conducts applied research; evaluates programs and new initiatives; and provides technical assistance, consultation and organizational development services. The Maine Statistical Analysis Center is funded by the Bureau of Justice Statistics and supported by the Justice Research Statistics Association.

Maine SAC website: http://muskie.usm.maine.edu/justiceresearch

USM Muskie School of Public Service
PO Box 9300
Portland, Maine 04013

UNIVERSITY OF SOUTHERN MAINE
Muskie School of Public Service

For more information about this report:
muskie.usm.maine.edu/justiceresearch
207.780.5835