
Analysis of 'Extensive Time in Jail Pending Trial' City of St. Louis

Summary of Findings

- As of 2/4/08, 356 individuals have been held in jail for over one year awaiting trial (or at least case disposition) in the City of St. Louis.
- The cumulative cost of holding the 356 individuals in jail for over one year awaiting case disposition: \$4.14 million
- Estimated cost of hiring adequate legal representation: between \$267,000-\$534,000
- The number of public defenders is inadequate to meet the needs of all indigent individuals requiring legal representation. [Note: With the available information it is not possible to conclude that a shortage of public defenders is a major cause of people spending extensive time in jail awaiting trial.]

Details of Analysis

Problem: People are spending extensive amounts of time in jail pending trial

Magnitude of problem: as of 1/18/08, **356 individuals** had been in jail for over one year with pending criminal charges.ⁱ

Circuit Felony time standard: 98% of cases disposed in 12 months
For the 356 individuals held in jail on criminal charges over 12 months, the excess time as of 2/4/08 amounts to 82,796 days
(actual # days for each individual -365 days (time standard))
Total cost: 82,796 days x \$50/dyⁱⁱ = **\$4.14 million** (\$4,139,800)

Possible Solution: Contract with private attorneys to move cases through system quicker and reduce time in jail. Divert cost savings from reduced jail time to pay for contracted attorneys.

Estimated cost for legal representation of the 356 jailed individuals
Public defender cost for a B felony is \$750 and for an A felony, \$1,000-\$1,500 (actual charge levels unknown)ⁱⁱⁱ
Minimum cost: \$ 750 x 356 individuals = \$267,000
Maximum cost: \$1,500 x 356 individuals = \$534,000

Once the cases for the above individuals were disposed, the focus could shift to hiring additional legal representation for individuals not in jail who are awaiting case disposition.

Study Limitation: Unknown whether the 356 people included in the analysis are in jail because of inadequate public defender resources.

For felony cases, analysis of supply/demand for public defenders in the City of St. Louis

- Capacity for 23 public defender attorneys handling felony cases(although with a high turnover rate the office is often not fully staffed, on 2/21/08 had 20)
- Public defenders (pds) handle 73% of all felony cases
- Current public defender felony caseload: 3,702 cases (3,157 felony cases pending as of 2/21/08 plus 1,200 (73% x 1,644) left pending from previous years)^{iv}
- American Council of Chief Defenders and the National Legal Aid & Defender Association recommend a caseload of 150 felonies/year^v
- Current total # surplus cases using recommended 150/pd/yr: 551
 $23 \text{ pds} \times 150 \text{ cases/pd/yr} = 3,450$
 $3,702 - 3,450 = 907 \text{ surplus felony cases}$
 $907 - 356 \text{ (jailed individuals)} = 551$
- Estimated cost to cover surplus felony cases: **\$413,250**
 Average cost/ public defender case: \$750
 $551 \text{ cases} \times \$750/\text{case} = \$413,250$

Unresolved issue: Jail costs are covered by the city (and state). Public defenders are paid by the state. Who would pay for contracted legal representation and what would be the funding source?

ⁱ Chuck Croft (2008, Feb. 4). Calculated from information provided. 22nd Judicial Circuit.

ⁱⁱ Paul Payne (2008, Feb. 15). Personal communication. Cost per day in city jail. City of St. Louis, Acting Budget Director.

ⁱⁱⁱ Cathy Kelly (2008, Feb. 21). Personal communication. Missouri State Public Defender.

^{iv} City of St. Louis Felony Cases

	cases filed	cases disposed	difference
fy03	3504	2961	543
fy04	3946	3536	410
fy05	3617	3787	-170
fy06	3882	3755	127
fy07	4161	3427	734
total			1644

Source: Annual Report Supplements, FY03-07

^v American Council of Chief Defenders. (2007, August 24). Statement on caseloads and workloads. National legal Aid & Defender Association. Accessed from the internet 2/1/08 at:

http://www.nlada.org/DMS/Documents/1189179200.71/EDITEDFINALVERSIONACCD_CASELOADSTATEMENTsept6.pdf