

## Appendix A

### *Disproportionate Effects of the Justice System*

In Allegheny County and throughout the nation, individuals are often punished for behaviors that are more often related to their human service needs (e.g., treatment and recovery support for substance use, mental health, poverty and trauma). The justice system has historically been given responsibility for responding to and remedying all crime, including criminalized behaviors that reflect human service needs as well as crimes against persons, property or society. The result is a justice system that disproportionately penalizes individuals human service-related needs while failing to make communities safer by incarcerating people without providing intentional opportunities for rehabilitation. This RFP aims to enhance the effectiveness of the justice process by creating meaningful opportunities for those incarcerated to prepare for their transition back into the community, addressing the human service needs they present with, and fostering skills and resilience to reduce recidivism.

Across the nation, people who are arrested and charged are less likely to have health insurance or a high school diploma and are more likely to be unemployed, have an annual income under \$10,000 and struggle with a behavioral health issue. Locally, those who are frequently arrested, charged or jailed are more likely to use emergency departments, mental health treatment and crisis services, drug and alcohol services, and emergency homeless shelters. Those booked into the Jail in any given year are also more likely to be on Medicaid than the rest of the Allegheny County adult population and to have accessed mental health and SUD services than the national population.

The justice system exists, in part, because of the belief that arresting and jailing people will improve public safety and deter individuals from breaking laws. However, for those who have been incarcerated, some studies suggest that imprisonment has no effect on, or may even increase, their likelihood of breaking the law again. Nationally, about half of people released from prison end up returning to prison within three years of their release (both new sentences and probation violations). Thirty-eight percent of individuals released from the ACJ in 2021 were re-arrested in the two years following their release; over 70% of the 2022 ACJ population had a previous stay at the Jail. These data, along with recent literature, suggest that the overall crime-reducing effect of incarceration is small.

Not only is the justice system overutilized for people experiencing crisis or human service needs, but the racism also embedded historically in the system still influences modern practices. The disadvantages that people of color face are persistent. Black individuals are overrepresented in the justice system; while accounting for only 12% of the nation's population, they account for 38% of the incarcerated population ([Prison Policy Initiative](#)). When arrested, Black people are more likely to be confined while awaiting trial, more likely to be sentenced to incarceration, and more likely to be sentenced for longer periods than their White counterparts. In Allegheny County, more than half of the people booked into the Jail in 2022 were Black— a grossly disparate number given the county's demographics.

Policies and practices at the national, state and local levels have disadvantaged Black individuals and Black communities in a number of ways. Discriminatory housing practices, paired with de-

industrialization, White flight and disinvestment have led to Black residents being much more likely to experience poverty, unemployment, single motherhood, gun violence and lower education attainment than neighbors with similar experiences. [The Vera Institute of Justice](#) reported that high need communities – regardless of their racial composition – experience “known drivers of criminal conduct” that influence individuals who live there. With Black people more likely to live in these high need neighborhoods, though, they are more exposed to the “structural risk factors that make crime more likely at greater rates than their White counterparts.” It’s important to note that the challenges Black individuals face do not only occur in high need or predominantly Black communities. Research out of [Opportunity Insights](#) shows that in 99% of neighborhoods, Black youth earn less in adulthood than White youth who grow up in families with comparable income.

In Allegheny County and nationwide, Black individuals, as well as individuals of all races living in poverty and with behavioral health and other deep human service needs, are most often and most negatively affected by the justice system and its consequences. Meanwhile, mental illness, SUD, trauma and poverty can be exacerbated by the experience of imprisonment. Those with arrest, conviction and/or incarceration records face significant barriers in accessing housing, employment, benefits and earnings. This RFP represents one step toward DHS’s long-term goal of reducing the use of coercive services such as the justice system and thus reducing the disproportionate incarceration of Black individuals and those with human service needs by providing appropriate programming and services in the ACJ.