



# Protective Custody Holds in Alaska's Community Jails

Report to the  
National Institute of Justice

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Justice Center  
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## Foreword

In 1998 the National Institute of Justice provided funds to establish a research partnership between the Justice Center at the University of Alaska Anchorage and the fifteen community jails in Alaska. The purpose of the partnership was to establish an ongoing relationship in order to provide research assistance to small facilities in small communities where research resources are not available. Prior to our application for funds, several of the police chiefs, who are in charge of these jails, met through conference calls to discuss the proposed partnership and suggest some research areas. Two of these were included in the proposal: a study of protective custody holds and profiles of individual jails.

The Alaska Community Jails Statewide Research Consortium was formed early in 1998. The members were the fifteen community jails and the Justice Center. Ex officio members of the Consortium were the Alaska Department of Corrections official responsible for the community jails' contracts and a representative from the Alaska Municipal League. The Consortium met in Anchorage in March 1998 to discuss available data and to establish a research agenda.

At the meeting the importance of protective custody holds was reiterated and members were very interested in their own profiles. There was also interest in research on domestic violence and the impact on the jails of the mandatory arrest law. Several members expressed interest in the analysis of admissions by race, but this information was not available on the billing sheets, which were the major source of the data.

Flaws in the data were discussed. The data used for community jail research were taken from billing sheets submitted to the Department of Corrections in support of their contracts to hold state prisoners. The members agreed that the inclusion of race was important and that place of residence would also be of interest. In 2000 several jails have included race on their billing sheets and some have begun to include place of residence. Because of the jails' interest in these areas, the Justice Center agreed to produce a random sample of jail admittees from the existing data so that members could provide this information for analysis. All of the jails provided this information for a sample from calendar year 1997, and all but one have supplied it for 1998 and 1999 samples.

At the meeting, the Justice Center promised to set up a listserv to make communication among the jails easier. The listserv has been used to remind member jails that samples would be forthcoming and to encourage involvement in further research proposals. A short article for *American Jails* was sent via the listserv for their review, as was the protective custody report. Each jail was emailed a copy of its individual profile.

In addition, the Justice Center made a commitment to computerize data for future years and has now collected billing sheets for the first half of calendar year 2000. Currently the Center is developing reports to each jail on the 1997-1999 samples which provided race and residence information. These reports are part of the Center's continuing commitment to the Alaska Community Jails Statewide Research Consortium. We have also discovered that a small group of people appear in more than one jail, and we are pursuing ways of examining this group and their impact on the various jails. The listserv is being maintained and will continue to function as a vehicle for exchanging information. The jail profiles and the report on protective custody are being submitted to the National Institute of Justice for review and follow this report on Consortium activities and interests.

# Protective Custody Holds in Alaska's Community Jails

## Introduction

The Alaska Community Jails Statewide Research Consortium was funded by a grant from the National Institute of Justice in 1998 under a special initiative to establish research partnerships in corrections. The Alaska partnership created a research consortium consisting of 15 community jails and the Justice Center at the University of Alaska Anchorage. The jails involved in the Consortium are small; the largest has only nine cells, the smallest has two. The communities they serve are also small; the largest has a population of fewer than 9,000 people. The 15 community jails are located throughout the state, with most accessible by air or water; only four are on the road system (see Figure 1 and Table 1). The jails operate on contract with the state to hold prisoners accused of violating state laws; indeed, they used to be known as contract jails.

As a prelude to our proposal to NIJ, we had teleconferences with some of the police chiefs who are responsible for the jails. They targeted protective custody holds as a particular problem for the jails, particularly because these holds were not covered in their contracts with the state. This issue was made a focus of subsequent research resulting in a research report to the funding agency.

## Background

In Alaska public drunkenness was decriminalized in the 1970s, but Alaska statutes require that police departments and jails participate in transporting and housing public inebriates if necessary. According to AS 47.37.170:

A person who appears to be incapacitated by alcohol or drugs in a public place *shall* be then taken into custody by a peace officer. . . and immediately brought to an approved. . . treatment facility. If no treatment facility is available [the person] *shall* be taken to a . . . detention facility. . . if that appears necessary for the protection of the person's health or safety. (Emphases added.)

In small communities where the jail or lockup is the only sleep-off option, protective custody holds can be a considerable drain on jail resources. The impact on individual jail members of the Alaska Community Jails Statewide Research Consortium varies, but for the group as a whole the impact is considerable. A pre-existing data set was used to examine the impact of PC holds on jail resources.

Several years of data had been collected by the Justice Center for another project. The jails submit billing sheets to the Alaska Department of Corrections which are used to audit their contracts to house state prisoners. These sheets were used by the Justice Center as a base for monitoring the presence of juveniles to determine the state's compliance with the mandates of the Juvenile Justice

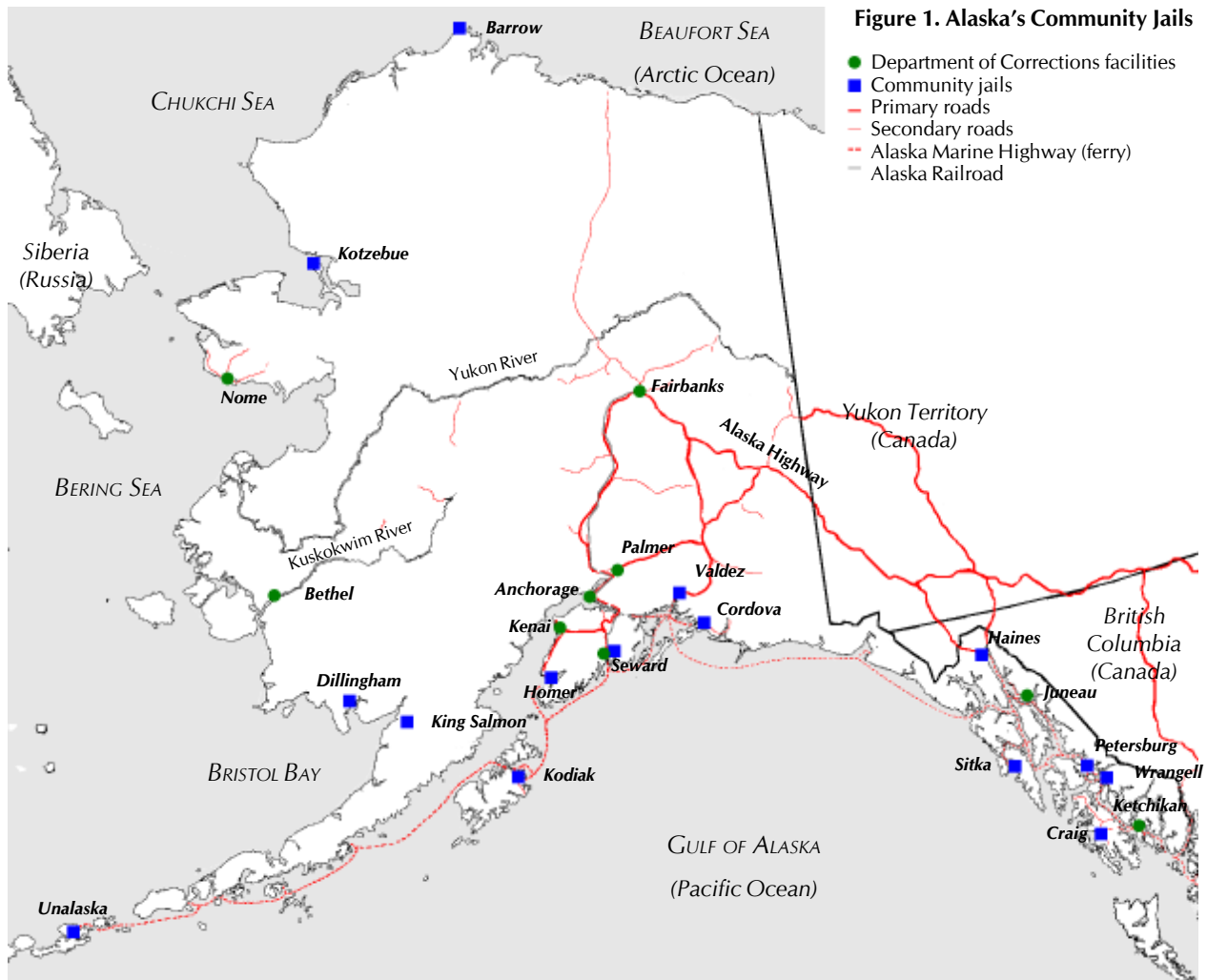


Table 1. Alaska's Community Jails

Location	Population <sup>1</sup>	Major Native group	Number of cells	Number of beds	Number of jail employees <sup>2</sup>	Hub	On road system	On Alaska Marine Highway
Barrow	4,276	Inupiat	9	9	8	X		
Cordova	2,537	Athabaskan	3	6	2			X
Craig	2,109	Tlingit	5	7	5.5	X		
Dillingham	2,226	Yup'ik/Aleut	6	8	5	X		
Haines	1,400	Tlingit	3	6	5		X	X
Homer <sup>3</sup>	4,064	Athabaskan	4	7	5.5		X	X
King Salmon	627	Yup'ik/Aleut	2	4	6	X		
Kodiak <sup>3</sup>	6,869	Alutiq	6	16	6			X
Kotzebue	2,821	Inupiat	6	14	8	X		
Petersburg	3,356	Tlingit	3	12	4			X
Seward	2,914	Athabaskan	5	14	6		X	X
Sitka	8,632	Tlingit	9	15	3			X
Unalaska <sup>3</sup>	4,087	Aleut	4	10	5			X
Valdez	4,254	Athabaskan	4	16	4		X	X
Wrangell	2,595	Tlingit	5	12	5			X

1. Alaska Department of Labor, 1996 estimates.

2. Includes both jail employees and dispatch.

3. Ferry service is available only from May to October in these communities.

**Table 2. Protective Custody Holds and Persons Admitted for Protective Custody, 1993-1999**

	PC admissions				Persons admitted for PC
	Gender associated with admission		Total	% of total	
	Female	Male			
<b>Barrow</b>	316	810	1,126	31.0 %	481
<b>Cordova</b>	24	53	77	2.1	60
<b>Craig</b>	48	157	205	5.6	167
<b>Haines</b>	7	24	31	0.9	24
<b>Homer</b>	6	8	14	0.4	13
<b>King Salmon</b>	3	28	31	0.9	29
<b>Kodiak</b>	164	949	1,113	30.7	492
<b>Petersburg</b>	13	68	81	2.2	67
<b>Seward</b>	71	238	309	8.5	233
<b>Sitka</b>	98	459	557	15.3	336
<b>Unalaska*</b>	0	2	2	0.1	2
<b>Valdez</b>	5	22	27	0.7	24
<b>Wrangell</b>	13	44	57	1.6	42
<b>Total</b>	<b>768</b>	<b>2,862</b>	<b>3,630</b>		<b>1,931 **</b>

\* Unalaska figures reflect PC holds in the last quarter of 1999 only.  
 \*\* Detail adds to more than 1,931 because some individuals appeared in more than one jail.

and Delinquency Prevention Act of 1974. For the Consortium projects, seven years of data were computerized, 1993 to 1999.

Each line in the data set represented an admission to a community jail. There were 46,398 admissions to the 15 jails during the seven years under study. Admissions were not only logged in when a person was taken into custody at the time of the offense or pursuant to a warrant, but also when they returned to the jail from a court appearance or were brought to the jail to serve short sentences. Most of the data cannot therefore be assumed to reflect criminal activity in the community or even the number of arrests associated with specific criminal activities, since a single act might result in more than one jail

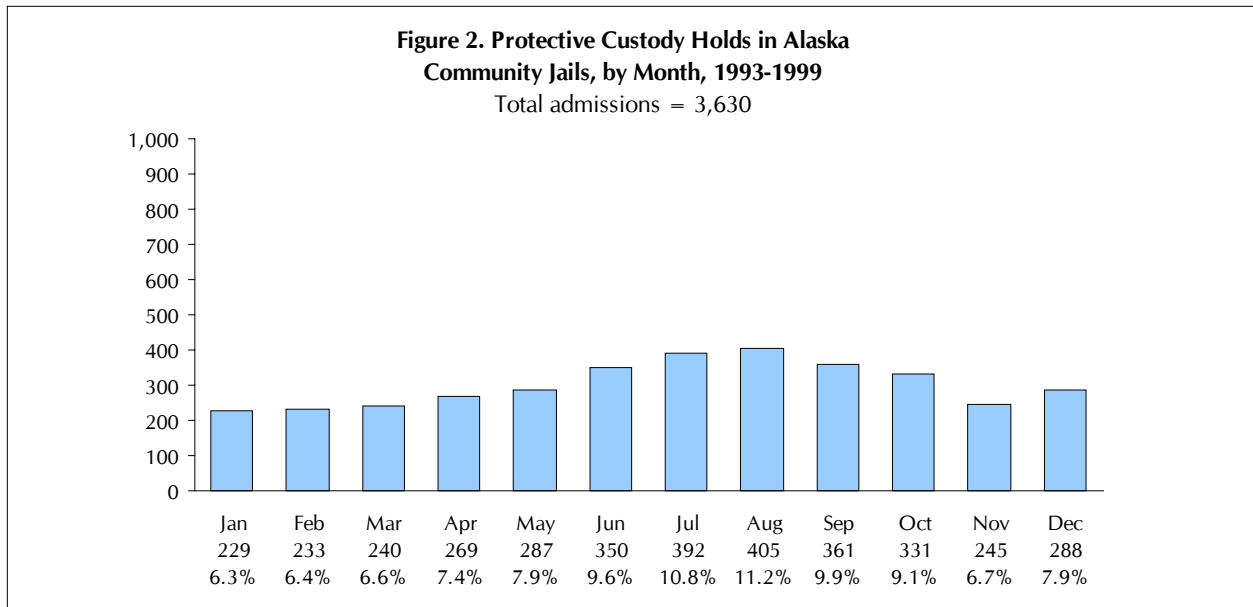
admission. Protective custody (PC) holds are, however, discrete events; each admission marks a different PC hold, since no court appearances or sentences are involved. There were 3,630 PC holds in the data set, 7.8 percent of all admissions.

**Outcomes**

As noted above, Alaska statutes require police to take inebriates into custody for their own protection. Alaska's climate is an important consideration. In some cities, the risk of dying from exposure is present around the year, while in others the risk is present mostly in the winter. To determine if there is seasonal variation in PC admissions, we computed aggregate admissions by month. We had hypothesized that these would show a greater number of holds in winter than in summer (Figure 2). However, the month with the most PC holds was August (N=405). The fewest PC admissions were logged in during the first quarter of the year. Since January and February are often extremely cold, our hypothesis doesn't quite seem to hold up. In some of the communities served by consortium members, an influx of summer visitors may increase the need for PC holds in the jails.

The city of Barrow is an example of a location where the danger of death from exposure is present during most of the year. The busiest months for PC holds in the Barrow jail were December (N=125) followed by October (N=117) and November (N=102). The months with the fewest PC holds were May (N=67) and January (N=77).

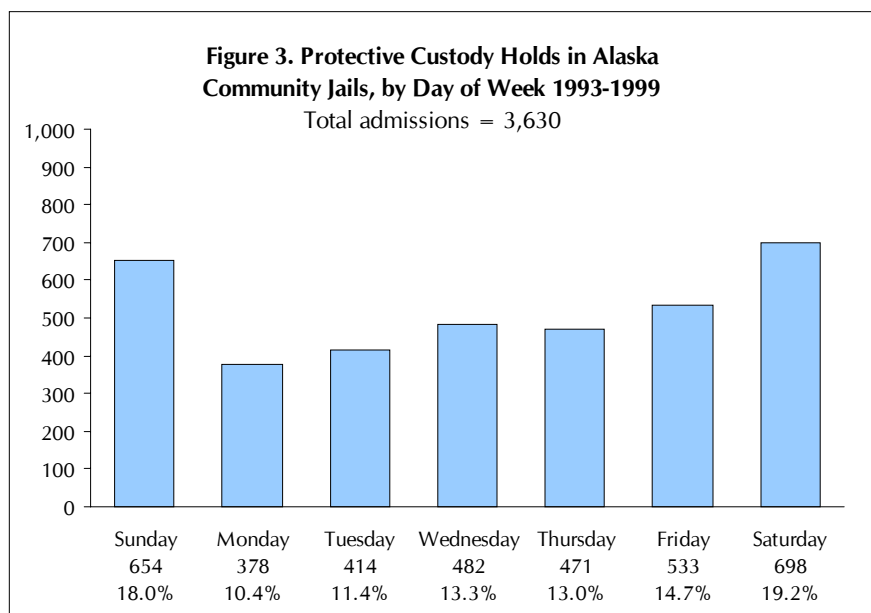
The jail in Kodiak offers a good comparison. Kodiak is a fishing town which experiences a large increase in the population during the summer months. The climate in Kodiak is much milder

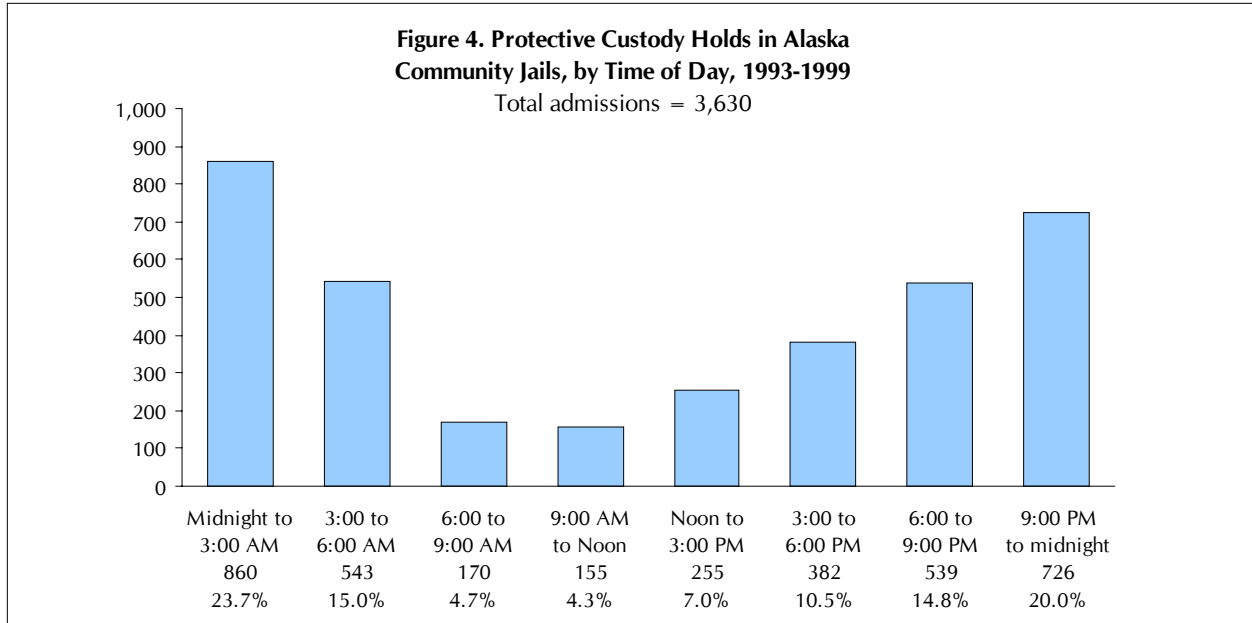


than that in Barrow. In Kodiak the busiest months for PC holds are September (N=136) and June (N=134). July and August had 116 and 111 PC admissions, respectively. The slowest months for PC holds were February and November. For Seward, which is on the road system, there is a clear indication that the summer influx of visitors influences the number of PC holds. Just over 50 percent of PC holds occur in the four summer months of May through August. Seward gets weekend campers from all over the southcentral region of the state, as well as tourists, fishermen, etc. Aggregate data do not reflect seasonal variations at individual jails.

Information on weekly and daily variations in admissions of protective custody holds can be instructive for jail staffing. PC holds were more likely to occur on weekends than on any other combination of days (Figure 3). Just over 37 percent of all PC holds occurred on Saturdays and Sundays. Weekend partying may play a role in this distribution.

We also examined admissions for PC holds by time of day for the 13 jails (Figure 4). For this analysis, we broke the day into eight three-hour periods: midnight to 3:00 A.M., 3:00 to 6:00 A.M., 6:00 to 9:00 A.M., etc. PC holds are night-time occurrences. More occur between midnight and 3:00 A.M. (N=860) than any





other time period. The period between 9:00 at night and 3:00 in the morning saw 43.7 percent of all PC admissions. The fewest occur in the daylight hours of 9:00 A.M. to noon (N=155) and 6:00 A.M. to 9:00 A.M. (N=170). The busiest single hour for PC admissions was 1:00 to 2:00 A.M. (N=305), followed by 2:00 to 3:00 A.M. (N=279).

There is variation by facility. The midnight to 3:00 A.M. time period saw 30.7 percent of all Craig PC admissions and 15.6 percent of all Cordova PC admissions. For Cordova, the busiest three-hour block was 9:00 PM to midnight, when 28.6 percent of all Cordova PC holds were admitted.

PC holds consume jail resources: staff time is required for processing and for observation, since persons who are so inebriated as to need protection also require observation. Not all of the jails in the consortium spend resources on protective custody holds, and some do so to a much greater extent than others.

In some cities, the jails house inebriates only rarely (see Table 2). Perhaps they accommodate inebriates only when sleep-off centers are full. This would explain the low numbers in Homer and Valdez, which are both sizable communities. There are limits on the use of jails for PC holds; AS 47.37.170 provides that:

...a person taken to a detention facility under... this section may be detained only (1) until a treatment facility or emergency medical service is made available, (2) until the person is no longer inebriated. . . , or (3) for a maximum of 12 hours, whichever comes first.

Thirteen of the 15 community jails in the consortium reported PC holds on the billing sheets (see Table 1). Of the two which reported none, one reports an alternative sleep-off option. The police in Kotzebue take inebriates to the local hospital/clinic if they cannot take the person home. Dillingham, on the other hand, has not listed PC holds on the billing sheets because they are not reimbursed by the state. A third police department also had a policy of not listing PC holds for



most of the data collection period, but listed two in the last quarter of 1999. Even with three jails not included in the aggregate data, protective custody was the fourth most commonly listed reason for admission. (The most common reasons were driving while intoxicated (N=8,469), arrest warrants (N=5,835), and misdemeanor assaults (N=5,682).)

We computed a mean age at admission for the 3,630 PC admissions (see Table 3). We should note that date of birth was missing from 47 cases, 45 of which were from Seward billing sheets. Seward omitted dates of birth from the billing sheets for eleven months -- March 1997 through June 1998. This omission might have had an effect on the mean age in Seward, but not on the overall mean. The mean age for all PC holds was considerably higher than the overall mean age for the 46,398 admissions in the full data set. The average age of nearly 40 years raised some interesting questions which we attempted to address by computing the number of persons involved in the 3,630 PC admissions.

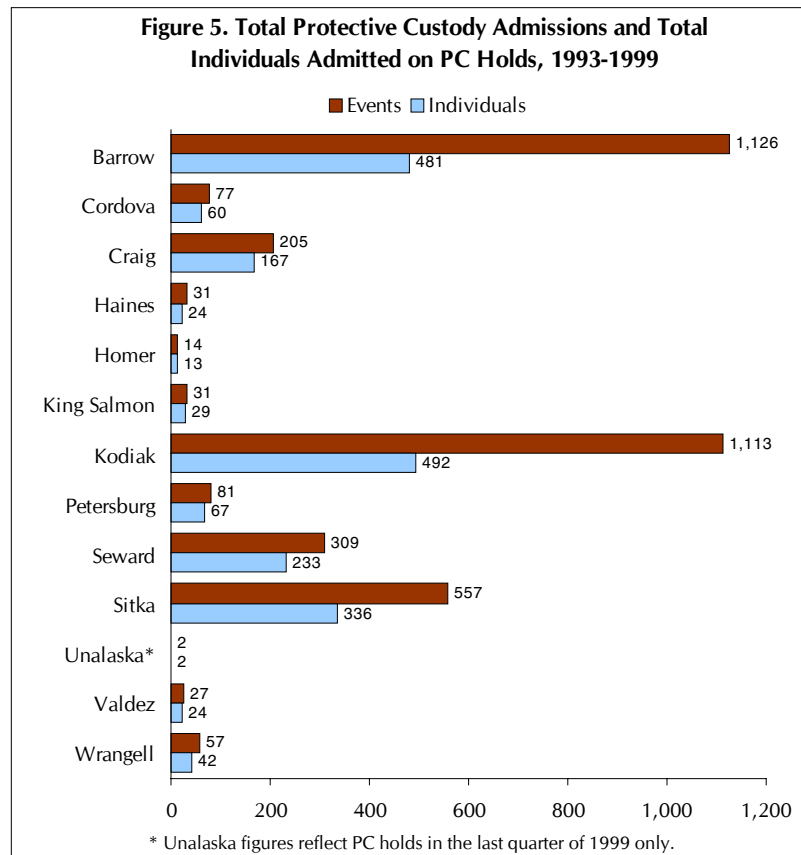
**Table 3. Average Age of Protective Custody Holds in Alaska Community Jails, by Facility, 1993-1999**

	Number of admissions	Mean age
Barrow	1,124	38.38 years
Cordova	77	39.80
Craig	205	35.29
Haines	31	33.18
Homer	14	40.17
King Salmon	31	35.79
Kodiak	1,113	37.68
Petersburg	81	33.72
Seward	264	36.23
Sitka	557	36.43
Unalaska*	2	23.55
Valdez	27	34.09
Wrangell	57	35.55
<b>Total</b>	<b>3,583</b>	<b>37.68 hours</b>

Note: Date of birth data was missing for 47 PC holds, including 45 holds in Seward.

\* Unalaska figures reflect PC holds in the last quarter of 1999 only.

**Figure 5. Total Protective Custody Admissions and Total Individuals Admitted on PC Holds, 1993-1999**



The 3,630 PC holds could be attributed to 1,931 individuals—an average of almost two PC holds per person in the data set (1.88) (see Figure 5). A large proportion of these individuals appeared in the data set only once (72.8%), but inebriates are very likely to reappear. Fewer than five percent (4.82%) appeared in jail more than five times (N=95), but this small group accounted for 1,056 PC admissions to the jails, a substantial percentage of the total (29.09%). Thirty-six people were admitted as protective custody holds more than ten times each. The record was 48 PC holds in seven years—nearly seven each year.

**Table 4. Protective Custody Holds in Alaska Community Jails, by Facility, 1993-1999**

	PC admissions		Persons admitted for PC	
	Number	% of total	Number	Mean holds per person
<b>Barrow</b>	1,126	31.0 %	481	2.34
<b>Cordova</b>	77	2.1	60	1.28
<b>Craig</b>	205	5.6	167	1.23
<b>Haines</b>	31	0.9	24	1.29
<b>Homer</b>	14	0.4	13	1.08
<b>King Salmon</b>	31	0.9	29	1.07
<b>Kodiak</b>	1,113	30.7	492	2.26
<b>Petersburg</b>	81	2.2	67	1.21
<b>Seward</b>	309	8.5	233	1.33
<b>Sitka</b>	557	15.3	336	1.66
<b>Unalaska*</b>	2	0.1	2	1.00
<b>Valdez</b>	27	0.7	24	1.13
<b>Wrangell</b>	57	1.6	42	1.36
<b>Total</b>	<b>3,630</b>		<b>1,931 **</b>	<b>1.88</b>

\* Unalaska figures reflect PC holds in the last quarter of 1999 only.

\*\* Detail adds to more than 1,931 because some individuals appeared in more than one jail.

Clearly, some of those held for protective custody are serious alcoholics who have been drinking for many years. They contribute to the high mean age for all PC holds.

The mean number of admissions per person for each facility holding inebriates is shown in Table 4. We should note here that the number of people in the individual facilities totals more than the number of people in the aggregate -- 1,970 versus 1,931. This results from the fact that some individuals were held for protective custody in more than one facility. One person who was admitted for protective custody purposes 32 times in seven years appeared in the records of four jails. Since the concern in this

research is the impact of PC holds on the jails, he was included in the count of people for each of the four facilities.

The facilities in Barrow and Kodiak each processed more than 30 percent of all the PC holds listed in the data set. For Barrow, the 1,126 PC holds were 18 percent of all Barrow admissions for the seven years. For Kodiak, PC holds were 14.4 percent of all admissions (N=7,709). Although the number of PC holds in Sitka was only half of those in Kodiak, they were 17.6 percent of all Sitka admissions (N=3,157). Kodiak and Barrow processed the largest number of admissions of all jails in the consortium. Kotzebue ranked third with 6,037 admissions, but Homer and Seward processed more admittees than Sitka, so the large proportion of PC holds in Sitka was not necessarily related to the total number of admissions. In no other jail did PC holds constitute as much as ten percent of all admissions. Some of the excess PC holds in Barrow and Kodiak can be attributed to the large number of repeat offenders in both of these locations.

Note from the mean number of admissions per person in Barrow (2.34) and Kodiak (2.26) that these jails do considerable repeat business in PC holds. In Barrow there were 12 individuals who were admitted to the jail at least ten times for protective custody. They were barely 2.5 percent of all people admitted on PC holds, but accounted for 20 percent of all PC admissions (N=230).

In Kodiak, those with ten or more PC holds were 4.27 percent of all persons held for protective custody (N=21). This small group accounted for just over 30 percent of all Kodiak protective custody admissions. One of these Kodiak repeaters accumulated 48 PC admissions during the seven years under study. One of the Barrow repeaters accumulated 46. In Sitka there were five people with at least ten PC holds over the seven-year period. They accounted for 66 admissions, or 11.8 percent of all Sitka PC admissions.

**Table 5. Duration of Protective Custody Holds, Alaska Community Jails, 1993-1999**

	PC admissions			Persons admitted for PC	
	Number	Mean hours held per hold	Total hours held	Mean hours held per person	Maximum hours held
<b>Barrow</b>	1,126	8.81 hours	9,919.78 hours	20.62 hours	431.30 hours
<b>Cordova</b>	77	10.52	810.08	13.50	36.25
<b>Craig</b>	205	7.95	1,630.42	9.76	80.90
<b>Haines</b>	31	9.70	300.80	12.53	54.07
<b>Homer</b>	13	7.74	100.63	8.39	24.83
<b>King Salmon</b>	31	14.15	438.55	15.12	39.50
<b>Kodiak</b>	1,112	10.09	11,216.15	22.78	534.65
<b>Petersburg</b>	81	10.51	851.53	12.71	57.65
<b>Seward</b>	308	11.78	3,629.23	15.71	81.73
<b>Sitka</b>	554	9.35	5,181.68	15.26	214.57
<b>Unalaska*</b>	2	9.77	19.53	9.77	9.87
<b>Valdez</b>	26	11.29	293.53	12.76	43.00
<b>Wrangell</b>	57	11.51	655.93	15.62	102.03
<b>Total</b>	<b>3,623</b>	<b>9.67 hours</b>	<b>35,047.84 hours</b>	<b>18.08 hours</b>	

Note: Seven cases were missing data and are not represented in this table.

\* Unalaska figures reflect PC holds in the last quarter of 1999 only.

An additional indication of the impact of repeat offenders on total numbers is the percentage of PC holds which appeared only once in the data set. In most jails the percentage for one-time-only PC holds was over 80 percent; in Sitka, however, the percentage was 73.8, in Kodiak 70.5, and in Barrow 59.9. Of all of the 1,970 people in the data set, 73.4 percent appeared only once (N=1,946).

The jails are variously impacted by protective custody holds, but those in communities without other sleep-off options must commit substantial resources to the processing and holding of inebriates. Title 47 of the Alaska Statutes provides for a maximum stay of 12 hours in the facility for each inebriate. People in a severely intoxicated state may be difficult to log in, may be physically sick, may even have alcohol poisoning. They require regular observation and, if medical problems are noted, immediate care. The short stay permitted under the law may therefore require more jail resources than longer stays for different reasons. These resource expenditures are not quantifiable under the current research protocol. However, we can assess the amount of jail time spent on PC holds and extrapolate from these data how costly PC holds can be.

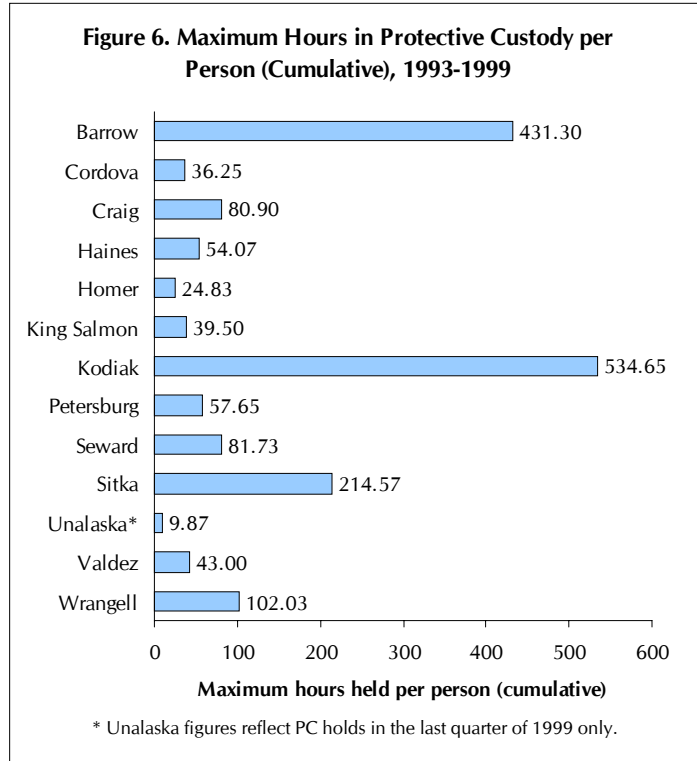
In Table 5 we present the total number of hours each jail spent dealing with protective custody holds during the seven-year period, as well as the mean number of hours for each event and for each person held. Hours held were computed by subtracting admission date and time from release date and time. Seven PC holds were missing one of these variables. In all of the facilities, a total of 35,047.87 hours were spent dealing with PC holds. The total number of hours spent in each facility was, of course, related to the number of P.C. holds. Kodiak had the largest number of people; the 491 individuals spent a total of 11,216.15 hours in the jail over the seven years, while Barrow's 481 people were held a total of 9,919.78 hours.

The mean number of hours held for each event reflects the 12-hour maximum hold. Only in King Salmon was the mean more than 12, and this was explained by jail personnel as a need to

allow detainees who were just passing through to await their planes in the jail in inclement weather. They believe that those PC holds whose stay exceeded 12 hours were waiting in the office, not in a cell.

Seward's mean is very close to the 12-hour maximum and may reflect some holds that exceed 12-hours, but this could be the case for Wrangell and Valdez as well. It is also possible that once an inebriate is sleeping quietly, there is no attempt to wake him or her for release until they are close to the limit.

It is clear that the repeat offenders had an impact on the mean hours held per person. The amount of time an inebriate spent in the Kodiak jail was, on average, 22.78 hours – nearly a full day. For Barrow, the average length of an individual's stay in the jail on PC holds was 20.6 hours. We included in Table 5 the maximum number of hours accumulated by any one person in the jail. A single individual in Kodiak spent 534.65 hours in jail and one spent 431.3 hours in the Barrow jail in protective custody (See Figure 6). Clearly the repeat offenders are accumulating a substantial amount of jail time.



**Conclusion**

The police chiefs whom we consulted prior to applying for a partnership grant were clearly correct in their perception that protective custody holds are a problem for many of the community jails. Although police in some communities can transport inebriates to sleep-off options other than the jail, for many communities the jail is the sleep-off center. For Barrow, Kodiak, and Sitka, protective custody holds constitute more than 14 percent of all admissions to the jails in all seven years. In Seward and Cordova, PC holds are nearly ten percent of all their holds (9.4% in Seward and 9.1% in Cordova). In Homer, Valdez, and Unalaska, the percentage of PC holds was negligible, and for the remainder the percentage of all admissions accounted for by PC holds ranged between four and nine percent. Protective custody admissions were 7.8 percent of all admissions, even including the two facilities which recorded none. If Dillingham and Kotzebue admissions are removed from the total, PC holds constituted 9.81 percent of all admissions to the thirteen jails which listed any.

Since these admissions have not, traditionally, been reimbursed by the state, the resources spent on these holds can be a considerable drain on jail budgets.

The large number of hours spent in the jails for protective custody reasons is an important indication of the impact of these holds on the jails. No other admission reason has a limit of such short duration, yet these holds, short as they are, consumed 35,047.84 hours of jail time. Thousands of PC hours were spent in the Kodiak, Barrow, Sitka, and Seward jails.

It is important to note that a large share of these hours was accumulated by a relatively small number of people. The same people enter the jail over and over again. Because they are alcoholic, they need access to treatment which they are unlikely to receive in the jail. Even though inebriates cannot be forced into a treatment program, community alcohol counselors and sobriety activists might want to play a role in finding sleep-off options which could direct the inebriate toward treatment.

These repeaters consume considerable amounts of resources. One person spent more than 22 days in the Kodiak jail in 12-hour increments. Because of potential medical problems, each inebriate requires more observation than most other admittees. Their hours may consume more resources than equivalent time spent by persons charged with other offenses.

The jails provide a major service to the citizens of their communities by providing a warm, safe place to recover from overuse of alcohol. Some drinking citizens take advantage of these services by overusing them.

