Literature Review: Sheriff Elections and the Carceral System

Sarah Kliment and Gwen Byrne
Background
1 in 100
Americans will be jailed each year

1 in 3 detainees is housed in a jail system

88% of jail detainees are housed in the custody of sheriffs

43 states do not have any term limits for sheriffs

98% of counties elect their sheriffs

60% of the jail population is comprised of pretrial detainees
Article:
Jails, Sheriffs and Carceral Policymaking
Aaron Littman
74 Vand. L. Rev. 861
Sheriffs As Bureaucratic Actors

“Sheriffs’ carceral policymaking reflects their interests as leaders of jail bureaucracies.”

- Sheriffs have a vested interest in partnering with private companies to build new bedspace.
- Between 1978-2013, the number of jails participating in building new beds grew by 50%, from half to three-quarters of all jails.
Figure 1: County Jail Population and Capacity, 1978–2013
Note:
Don’t Elect Me: Sheriffs and the Need For Reform in County Law Enforcement
James Tomberlin
104 Va. L. Rev. 113 (2020)
For example in Georgia, “Clinch County's financial control [over the sheriff] is attenuated because (a) the State mandates Sheriff Peterson's minimum salary … and (b) Clinch County sets the total budget but cannot dictate how Sheriff Peterson spends it… Payment of Sheriff Peterson's budget, when required by the State, does not establish any control by Clinch County over his force policy at the jail or how he trains and disciplines deputies.

Sheriffs often advocate for increased funding because they serve as the largest providers of mental health and addiction care.
Article:
How Partisan is Law Enforcement? Evidence from Sheriff Cooperation with Immigration Authorities
Daniel M. Thompson
Democratic and Republican sheriffs from similar counties make similar immigration enforcement decisions
  ○ This is not limited to immigration enforcement

Democratic sheriff candidates are much more likely to donate to Democratic candidates than for state and federal office than Republicans and vice versa.
FIGURE 2. Republican and Democratic Sheriffs Comply With ICE Detainer Requests at the Same Rate

Each of the large dots represent binned averages of the underlying data. The small dots are the raw data. The blue line comes from a third-order polynomial regression of compliance rate on Democratic vote share fit separately for counties with Democratic and Republican winners.