



County Ideas
that Work

Using Pretrial Risk Assessment to Guide Release and Detention Decision-Making

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March 17, 2016

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Poll Questions

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Using Pretrial Risk Assessment to Guide Release and Detention Decision-Making

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March 17, 2016



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Topics

1. Overview of Risk-Based Pretrial Decision-Making
2. Example of Local Effectiveness:
Mesa County, CO
3. Q&A

Who supports pretrial risk assessment and decision-making?

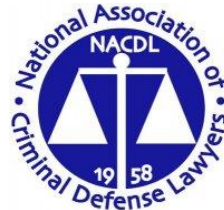


1. The justice system

2. The public



System/Reformer Support



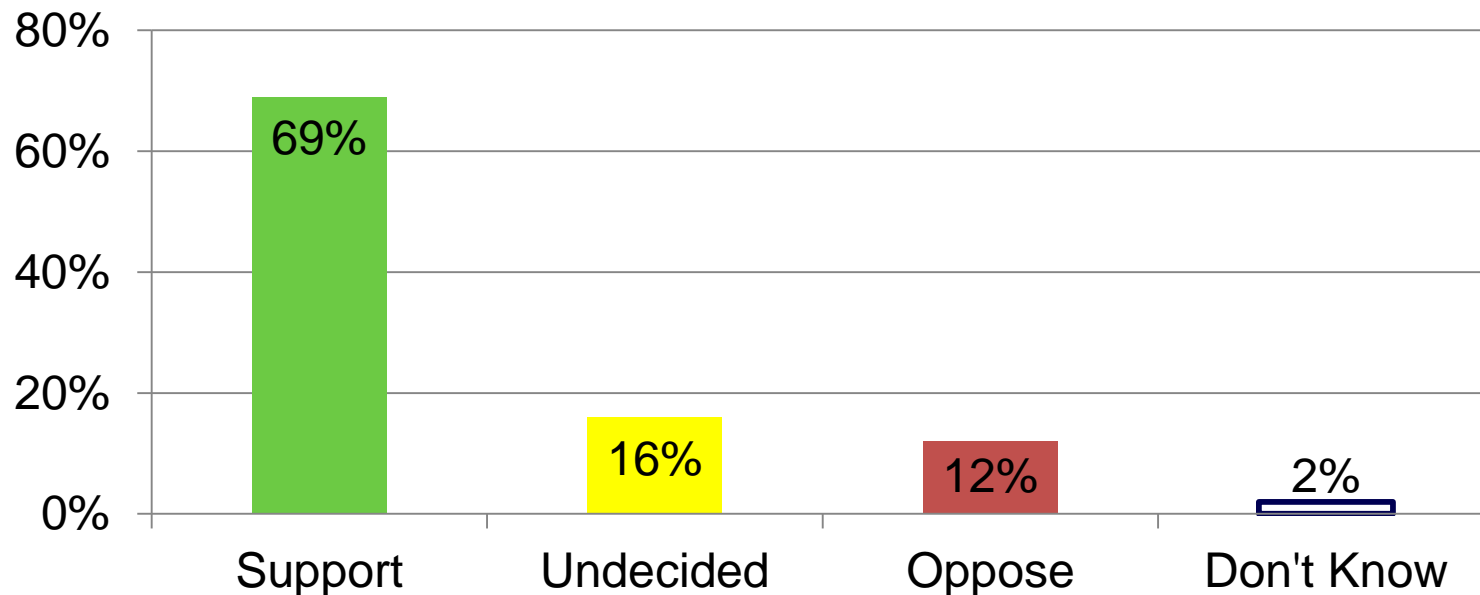


According to public polling, about what percentage of common citizens support the use of pretrial risk assessment tools instead of money bail?

- a. 25%
- b. 40%
- c. 55%
- d. 70%

Public Support

Risk Assessment Instead of Cash Bail Bonds



Question:

Some have proposed using risk-based screening tools instead of cash bail bonds to determine whether defendants should be released from jail before trial. This risk assessment would take into account such factors as [drug use history, mental health, employment status, residency, and community ties] or [the charge in question, criminal history, any warrants or previous failures to appear for court]. Under this system, high-risk defendants would be held in jail until trial and low-risk defendants would be released with conditions and be monitored and supervised. Would you support or oppose this proposal to use risk assessment instead of cash bail bonds to determine whether defendants should be released from jail before trial, or are you undecided? **[IF SUPPORT/OPPOSE]** And do you feel that way strongly, or not-so strongly?

.....

Purpose of Risk-Based Pretrial Decision-Making

- Protects public safety and delivers justice to offenders and victims
- Enables wise spending of limited tax dollars



Features of Risk-Based Pretrial Decision-Making

- Matrix/praxis/guidelines/decision-making framework
- Pretrial risk tool is integrated into a decision-making matrix/framework
- Provides guidance to help assure:
 - the right people are detained
 - the right people are released (and right away)
- Many jurisdictions have successfully implemented such guidelines

About what percent of the highest risk defendants are released from jails today when jurisdictions do not use risk-based decision-making?

- a. 10%
- b. 25%
- c. 50%
- d. 90%

Local Effectiveness: **Mesa Co, CO**



Local Effectiveness: Mesa Co, CO

- Why we started to do risk-based pretrial decision-making
- Who we convened
- Our process over time



Local Effectiveness: Mesa Co, CO



- Our Goals:
 - Integrate an Evidence-Based Risk Assessment
 - Maximize Law Abiding Rates
 - Maximize Court Appearance Rates
 - Maximize Release Rates: What risk levels are being held pretrial detention, and why?
 - Create a consistent Pretrial Violation Response Guide
 - Track Outcomes
 - Make Date-Driven Adjustments



Local Effectiveness: Mesa Co, CO



Implementation of Empirical Risk Assessment - Colorado Pretrial Assessment Tool (CPAT)

Category 1	91% Public Safety, 95% Court Appearance
Category 2	80% Public Safety, 85% Court Appearance
Category 3	69% Public Safety, 77% Court Appearance
Category 4	58% Public Safety, 51% Court Appearance

- Presents a baseline to compare with local outcomes



Local Effectiveness: Mesa Co, CO

Bond Guidelines Implemented April 2013

CPAT Categories	Felony VRA Crimes (C.R.S. 24-4.1-302)	Drug Distribution & Aggravated DARP	Domestic Violence DVSI 11 or Greater	Domestic Violence DVSI 10 or Less	Other Felony Crimes	Misd. VRA Crimes (C.R.S. 24-4.1-302)	Misd. & Traffic (Does not include DUI)
Cat 1	Cautionary Bond w/PTS	PR w/PTS	PR w/PTS	PR w/PTS	PR No Supervision	PR No Supervision	PR No Supervision
Cat 2	Cautionary Bond w/PTS	Cautionary Bond w/PTS	PR w/PTS	PR w/PTS	PR No Supervision	PR No Supervision	PR No Supervision
Cat 3	Cautionary Bond w/PTS	Cautionary Bond w/PTS	PR w/PTS	PR w/PTS	PR w/PTS	PR w/PTS	PR No Supervision
Cat 4	Cautionary Bond w/PTS	Cautionary Bond w/PTS	Cautionary Bond w/PTS	PR w/PTS	PR w/PTS	PR w/PTS	PR w/PTS
Cash Only Range	\$100 - \$100,000	\$100 - \$50,000	\$100 - \$10,000	\$100 - \$10,000	\$100 - \$10,000	\$100 - \$1,000	\$0
Secured Bond Range	\$1,000 - \$1,000,000	\$1,000 - \$500,000	\$1,000 - \$100,000	\$1,000 - \$10,000	\$1,000 - \$100,000	\$1,000 - \$10,000	\$0

Appearance Rates

Safety Rates

Release Rates

Local Effectiveness: Mesa Co, CO

New Data-Driven Matrix Implemented January 1, 2015

CPAT Risk Category	These bond guidelines are presumptions. Deviation from the presumptions may be appropriate based on case specific circumstances.						
	1	2	3	4	5	6	7
	Felony VRA Crimes (C.R.S. 24-4.1-302)	Drug Distribution	Aggravated DUI & DARP	Domestic Violence DVISI 11 or Greater	Domestic Violence DVISI 10 or Less	Other Felony Crimes & Misdemeanor VRA (C.R.S. 24-4.1-302)	Other Misdemeanor, and Traffic Offenses
Cat 1	PR or Cash Only w/ PTS	PR with PTS	PR with PTS	PR with PTS	PR No Supervision	* PR No Supervision	* PR No Supervision
Cat 2	PR or Cash Only w/PTS	PR or Cash Only w/PTS	PR or Cash Only w/PTS	Cash Only w/PTS	PR No Supervision	* PR No Supervision	* PR No Supervision
Cat 3	Cash Only w/PTS	Cash Only w/PTS	Cash Only w/PTS	Cash Only w/PTS	PR or Cash Only w/ PTS	PR or Cash Only w/ PTS	*PR No Supervision
Cat 4	Cash Only w/PTS	Cash Only w/PTS	Cash Only w/PTS	Cash Only w/PTS	Cash Only w/PTS	Cash Only w/PTS	PR or Cash only w/ PTS

Longest periods of Pretrial Incarceration

No More Money Ranges!



Opinion Poll: If you had to pick one of the following as the top-most priority for your jurisdiction's pretrial system, which would you choose?

- a. Get the most public safety possible
- b. Get the most court appearance possible
- c. Ensure costly pretrial jail use is minimal



Local Effectiveness: Mesa Co, CO

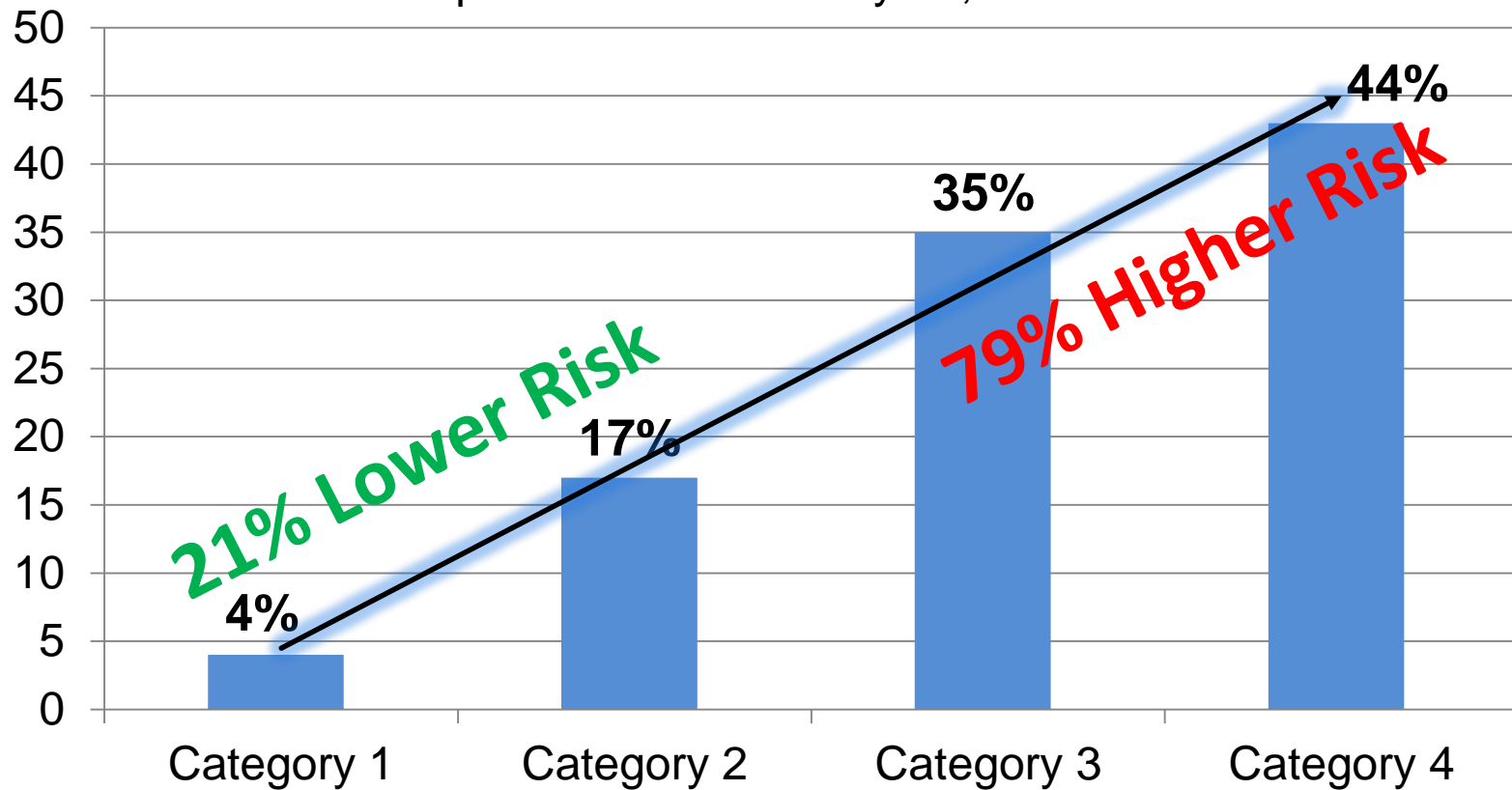
- Local Data Enhanced Change
 1. Analyzed current available data with stakeholders
 2. Set new data targets to track
 3. Committed to analyzing, reporting, and adjusting practices based on outcomes
 4. Gained support for system upgrades



Local Effectiveness: Mesa Co, CO

Mesa County Jail Pretrial Population By Empirical Risk Level

Snap-Shot from February 19, 2016

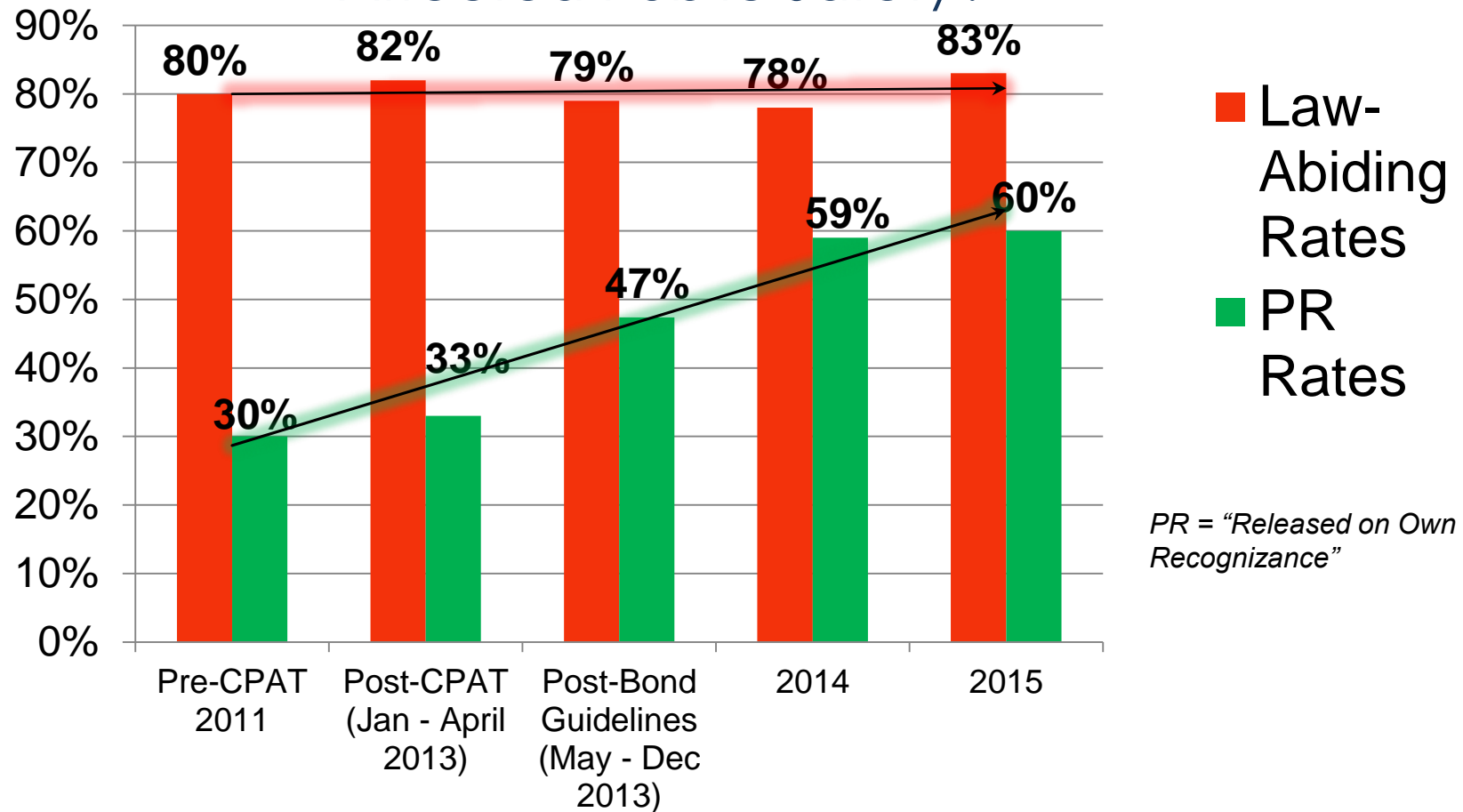


N=211

An additional 18.5% unknown due to inability to interview, refusals to interview, etc. These numbers include holds that we have no control over, such as ICE holds, Parole holds, etc.

Local Effectiveness: Mesa Co, CO

How has an Increase in PR Rates
Affected Public Safety?



**Law-Abiding Rate is Supervised Group Only YTD through Oct 2015; The unsupervised group cannot currently be tracked.*



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Questions?

Type your question into the questions box.

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