APPR ADVANCING PRETRIAL POLICY & RESEARCH

Pretrial Performance Measures

DATE: November 7, 2024

PRESENTER: Michael R Jones, Tara Boh Blair, Orleny Rojas, Alison Birchard

INFO: Training Session #4 for the Association of Pretrial Professionals of Florida (APPF)

Welcome and Introduction

*Michael R Jones, Tara Boh Blair, Orleny Rojas*

Advancing Pretrial Policy and Research (APPR) seeks to achieve fair, just, and equitable pretrial practices that positively impact people, systems, and the community. APPR's mission is to support and engage pretrial professionals and community members in the meaningful delivery of data-informed pretrial justice. APPR is managed by the Center of Effective Public Policy (CEPP) and supported by Arnold Ventures (AV).

This training and supplemental resources were prepared and delivered to advance pretrial justice from the various diverse viewpoints of the training faculty. The training content, supplemental resources, and faculty views are not intended to represent the official opinion or policies of APPR, CEPP, and/or AV.
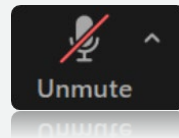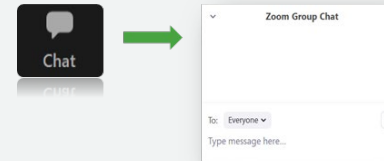
Zoom Etiquette

- Keep your video turned on. We want to see you!
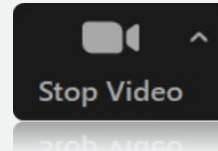
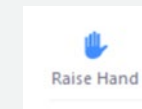- Mute yourself when not talking.
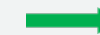
- Use the chat box if you have comments or questions.

- Rename yourself: First and Last Name, Organization

    Hover on your image, click on the three dots, click on "Rename"

- Raise your hand if you want to say a comment or question out loud.

- APPR will be recording this session. Please take a moment to consent to the "pop-up" message.

What Florida jurisdiction do you work in?

Learning Objectives

1) Learn about the benefits of using data to evaluate and improve your pretrial system

2) Identify ways that important performance measures can be defined and expressed

3) Practice calculating a few pretrial performance measures while integrating considerations of equity

4) Recognize APPR resources, including advancingpretrial.org and the APPR Community

Session 1 Agenda

1. Be welcomed and introduced to APPR

2. Meet the faculty and get to know one another

3. Hear from a fellow practitioner about their performance measures in action

4. Learn some basics about pretrial performance measures
…

advancingpretrial.org

Session 1 Agenda (cont.)

…

5. Become informed about how to integrate consideration of equity into your performance measures

6. Practice integrating consideration of equity into a few performance measures

7. Receive an introduction to APPR's pretrial performance measures

8. Participate in a concluding Question and Answer discussion

What is one question about pretrial performance measures you would like answered during this training?

APPR Resources
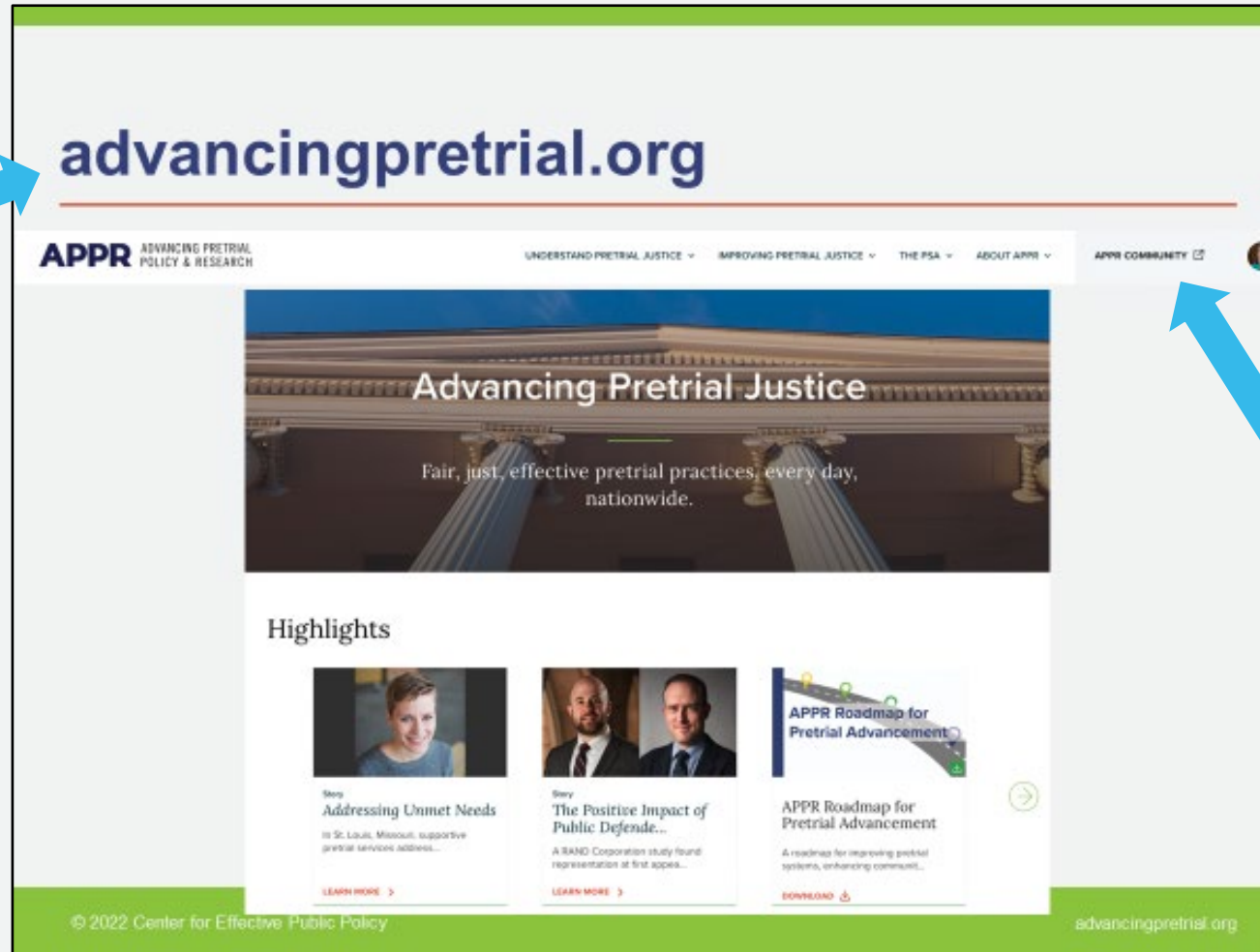
WEBSITE

COMMUNITY

Have you been to the APPR website or Community yet for resources or information?

👍 👎
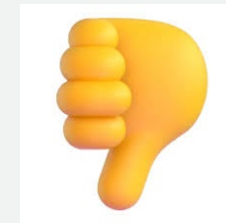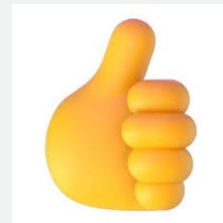
Faculty

Michael R Jones, PhD, Consultant, APPR

Orleny Rojas, JD, Senior Manager for Racial Equity, CEPP

Tara Boh Blair, Senior Manager, CEPP; NAPSA Midwest Director

Alison Birchard, MPH, Research and Planning Manager, Boulder County, Colorado

Brian Brittain, Court Services Manager, Volusia County, Florida; NAPSA Vice President

Polling Question

What main role do you serve in your jurisdiction?

a) Pretrial assessment
b) Pretrial supervision
c) Both assessment and supervision
d) Agency management
e) Agency administrative support
f) Other

Performance Measures in Action

Alison Birchard

Using Data and Research to Promote Successful Pretrial Outcomes and System Reform in Boulder County Colorado

Alison Birchard, MPH
Research and Planning Manager
Community Justice Services
Boulder County, Colorado

Boulder County Community Justice Services

- Community Justice Services (CJS) seeks to promote community safety and pretrial justice through services that are evidence-based, individualized and least restrictive.

- CJS Pretrial Services consists of:
  - Bond Commissioners who provide initial assessment of individuals after arrest to recommend or set bond, as well as recommendations to the court for non-monetary conditions such as pretrial supervision.
  - Case Managers who supervise clients in the community who are court-ordered to supervision as a condition of bond, to support successful completion of the pretrial period.

- Stakeholders in the 20th JD are engaged in efforts to support equity-driven pretrial reform, an intentional and data-informed shift from a money-based system to a risk-based system.

PR Bond Rates Recommended and Ordered
All Bond Commissioner Interviews

CPAT-R
Implemented

*Agreement rate
for 2023 was
77%*

2019 43% 50%
2020 39% 64%
2021 38% 63%
2022 55% 60%
2023 57% 57%

■ % PR Bond Rec   ■ % PR Bond Ord
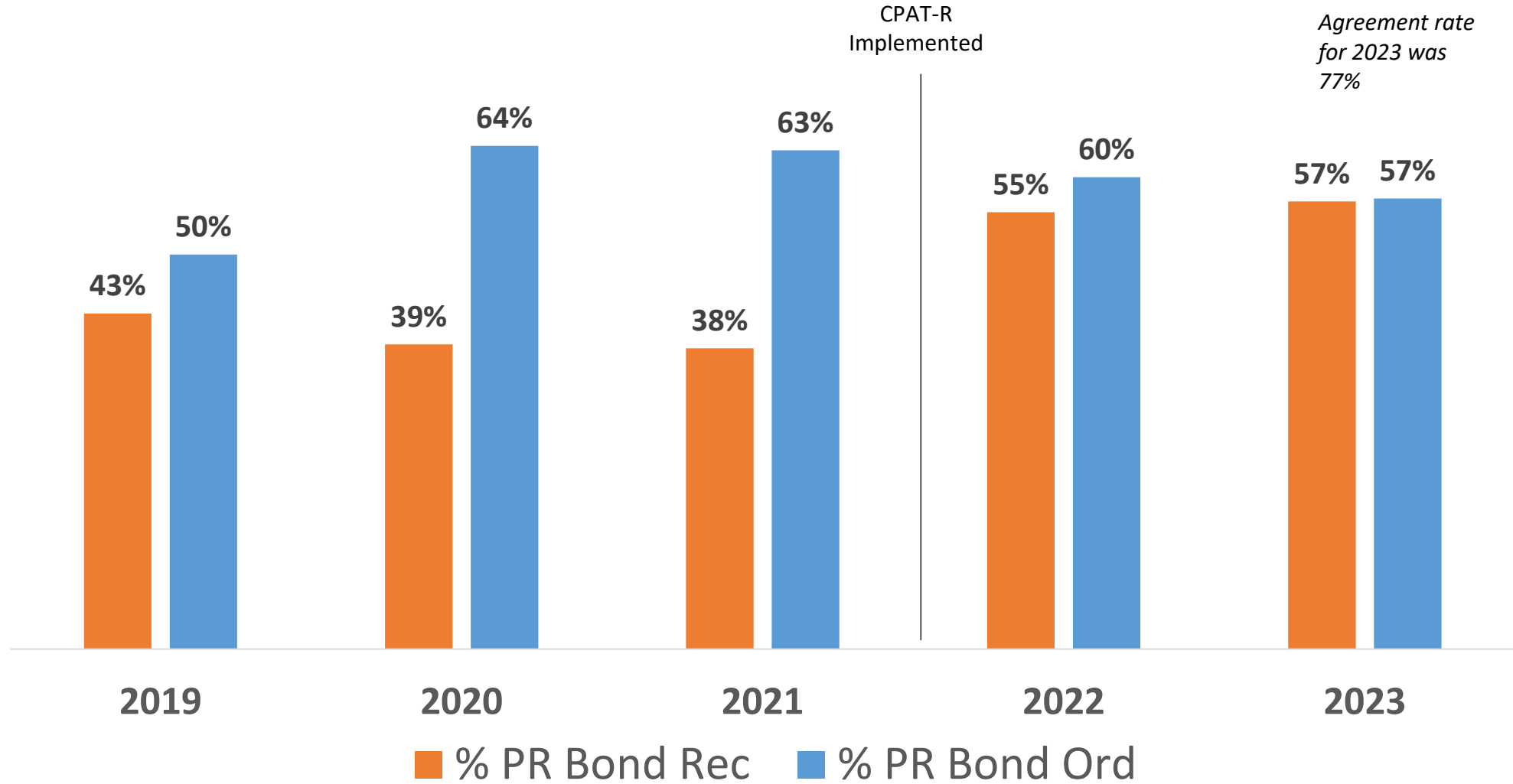
Key Findings from Advancing Pretrial Policy and Research

- Pretrial assessment tools can reliably predict future outcomes and improve decision making.

- Using a tool in combination with other pretrial improvements (such as a structured matrix) shows promise for safely reducing detention.

- People held pretrial for even 2-3 days are significantly less likely to appear for court compared to people held for no more than 1 day, particularly among people assessed as being statistically most likely to succeed pretrial.

- There is no clear association between drug testing and improved pretrial outcomes.

- According to a national study, people assessed as being statistically most likely to succeed pretrial are significantly less likely to appear for court and/or remain arrest-free if they have substance abuse testing as a condition than if they are released without it.

Pretrial Research Summaries | Advancing Pretrial Policy & Research (APPR)

Colorado Pretrial Assessment Tool -Revised

CPAT-R

Risk Category	Tool Score	Public Safety	Court Appearance	Overall Combined Success Rate	Percent of Defendants
1	0 - 7	97%	91%	89%	42%
2	8 - 11	82%	71%	59%	25%
3	12 - 14	78%	67%	55%	17%
4	15 - 20	74%	66%	54%	16%

Terranova, Victoria A. and Ward, Kyle C. 2020. *Colorado Pretrial Assessment Tool Validation Study: Final Report*
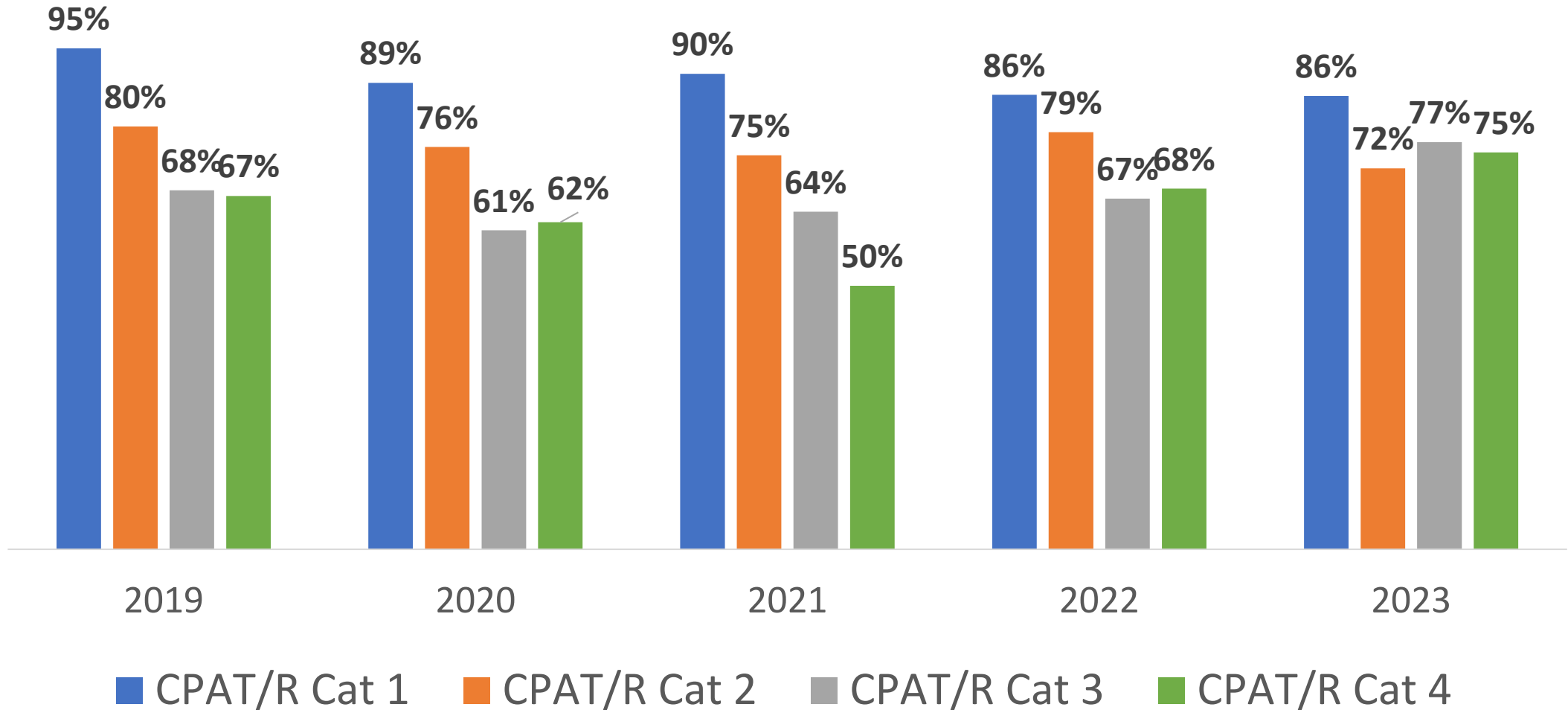
CPAT-R Category	NON VRA OFFENSES AND MISDEMENOR VRA OFFENSES	MISDEMEANOR DV AND SEX OFFENSE	OTHER VRA FELONIES	FELONY DOMESTIC VIOLENCE ENHANCER	FELONY SEX OFFENSE
1	**A** (316) SAM Rec: 5% SAM Ord: 10%	**E** (544) SAM Rec: 2% SAM Ord: 8%	**I** (214) SAM Rec: 6% SAM Ord: 16%	**M** (195) SAM Rec: 6% SAM Ord: 17%	**Q** (63) SAM Rec: 5% SAM Ord: 6%
2	**B** (258) SAM Rec: 6% SAM Ord: 13%	**F** (123) SAM Rec: 7% SAM Ord: 18%	**J** (72) SAM Rec: 3% SAM Ord: 19%	**N** (67) SAM Rec: 4% SAM Ord: 16%	**R** (7) SAM Rec: 43% SAM Ord: 43%
3	**C** (326) SAM Rec: 10% SAM Ord: 16%	**G** (87) SAM Rec: 6% SAM Ord: 13%	**K** (67) SAM Rec: 15% SAM Ord: 15%	**O** (34) SAM Rec: 12% SAM Ord: 18%	**S** (1) SAM Rec: 0% SAM Ord: 0%
4	**D** (528) SAM Rec: 17% SAM Ord: 21%	**H** (75) SAM Rec: 5% SAM Ord: 13%	**L** (85) SAM Rec: 7% SAM Ord: 16%	**P** (31) SAM Rec: 3% SAM Ord: 6%	**T** (2) SAM Rec: 0% SAM Ord: 50%

Timeframe: 01/01/2023 – 04/30/2024

Court Appearance Rate by CPAT/R Category
Supervised Cases

	2019	2020	2021	2022	2023
CPAT/R Cat 1	97%	98%	93%	85%	84%
CPAT/R Cat 2	88%	87%	77%	74%	58%
CPAT/R Cat 3	78%	68%	58%	54%	44%
CPAT/R Cat 4	65%	52%	40%	41%	30%
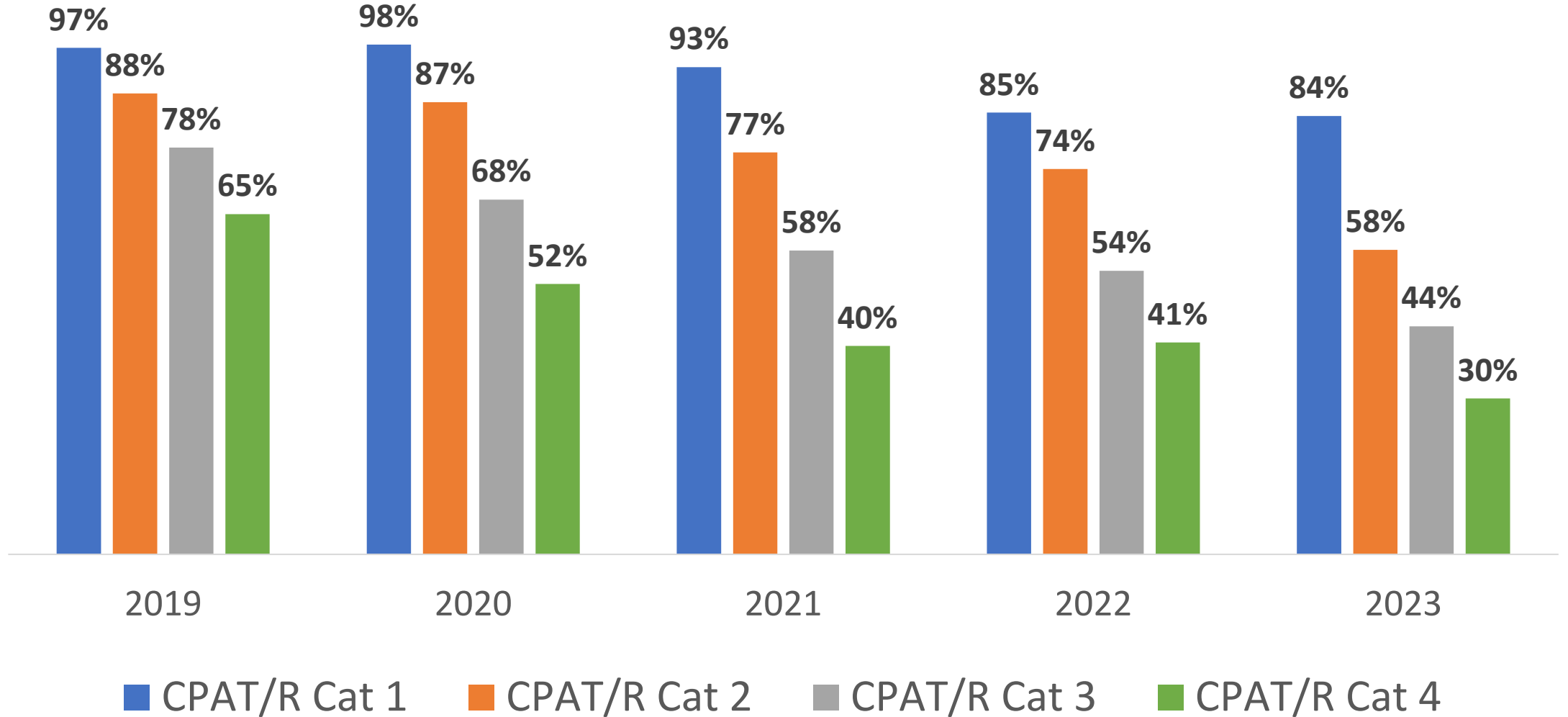
Public Safety Rate by CPAT/R Category
Supervised Cases

	2019	2020	2021	2022	2023
CPAT/R Cat 1	95%	89%	90%	86%	86%
CPAT/R Cat 2	80%	76%	75%	79%	72%
CPAT/R Cat 3	68%	61%	64%	67%	77%
CPAT/R Cat 4	67%	62%	50%	68%	75%

■ CPAT/R Cat 1   ■ CPAT/R Cat 2   ■ CPAT/R Cat 3   ■ CPAT/R Cat 4

Court Appearance Rate by Bond Type
Supervised Cases

	2019	2020	2021	2022	2023
PR Bonds	79%	68%	55%	56%	55%
Secured Bonds	81%	77%	65%	70%	61%
Overall	80%	71%	58%	60%	57%

■ PR Bonds   ■ Secured Bonds   ■ Overall
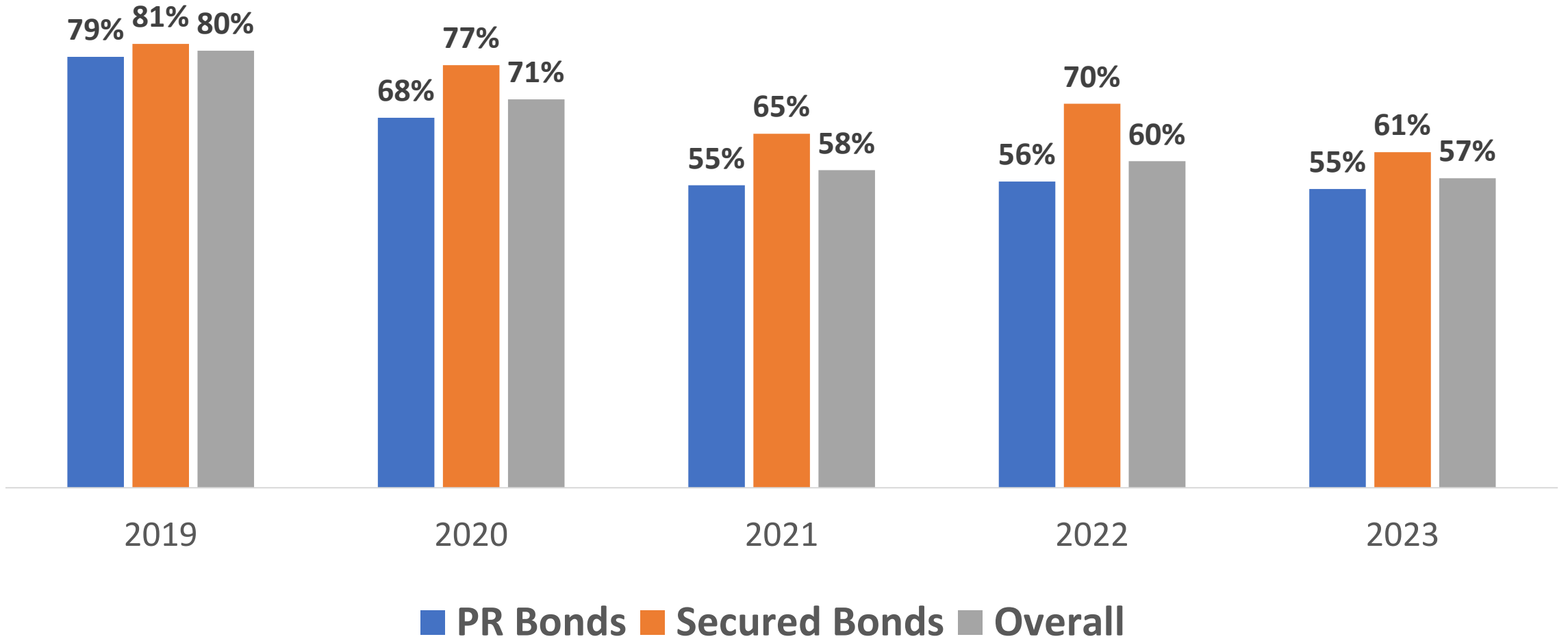
Public Safety Rate by Bond Type
Supervised Cases

Year	PR Bonds	Secured Bonds	Overall
2019	78%	73%	76%
2020	70%	68%	69%
2021	67%	61%	65%
2022	77%	64%	74%
2023	79%	75%	78%

■ PR Bonds   ■ Secured Bonds   ■ Overall
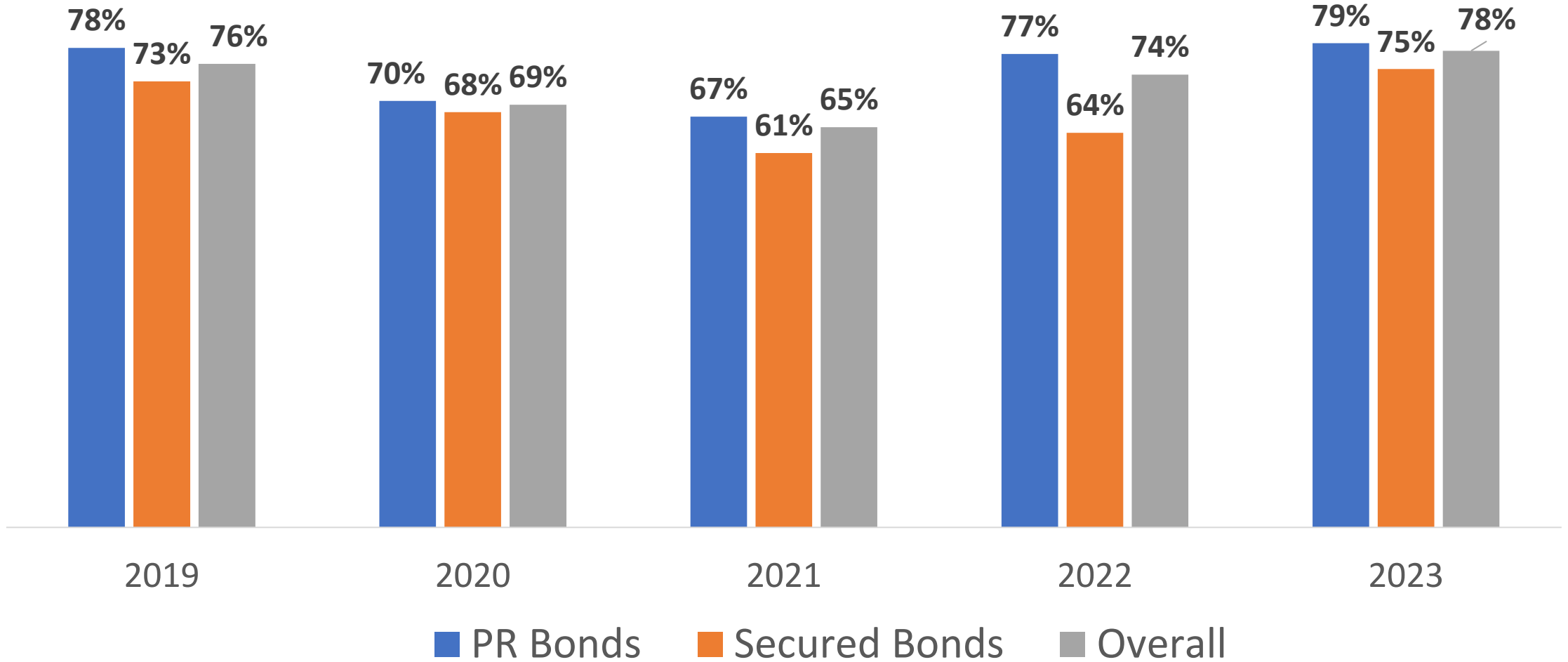
Thank You!

For more information please contact Alison Birchard at
abirchard@bouldercounty.gov

Basics of Pretrial Performance Measures

Tara Boh Blair

Pretrial Performance Measures Defined

A numeric description of an activity, event, or group of people that is relevant to the pretrial phase

Rate or Percentage

Count

Average

APPR's measures can pertain to both the pretrial system and a pretrial agency

Pretrial Performance Measures Defined
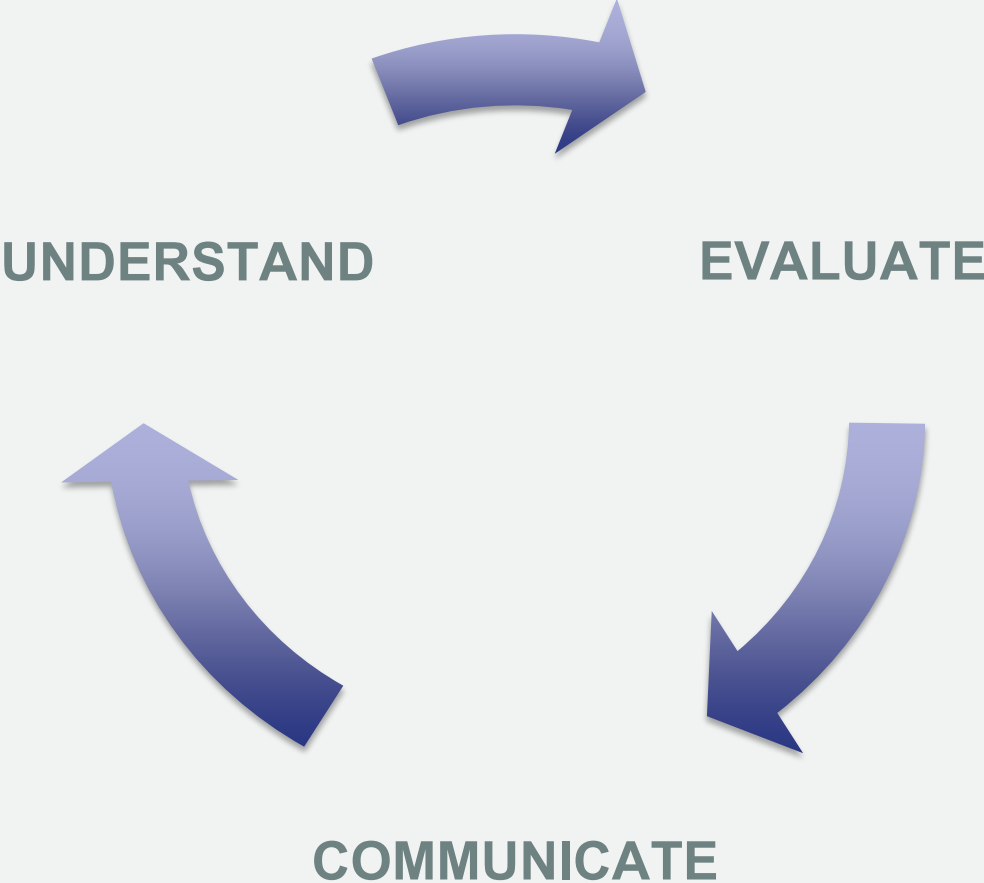
1) Outcome Measures

- Pertain to results or end-goals

2) Process Measures

- Pertain to the methods or activities to get to those results or end-goals

Why the Measures are Important

UNDERSTAND

EVALUATE

COMMUNICATE

Ask Tara

- What questions do you have?

  - … about outcome vs process measures?

  - … about systemic vs agency-specific measures

Equity in Performance Measures

Orleny Rojas

Relative Rate Index (RRI)

What is RRI, and how do we calculate it?

Example: Relative Rate Indices (RRI) for pretrial jail population in Fairness County in 2020

Data sources: 2020 Jail Population (corrections department data) and 2020 U.S. Census data

1. Divide the number of White pretrial jail population by the White population (Fairness County).

$$\frac{\text{White Pretrial Jail Population}}{\text{White Population}} = \frac{10,769}{462,628} = 0.0233 = 2.33\% \text{ (Rate)}$$

2. Divide the number of Black, Hispanic, Asian, and Native American pretrial jail population by the Black, Hispanic, Asian, and Native American population (Fairness County).

$$\frac{\text{Black Pretrial Jail Population}}{\text{Black Population}} = \frac{2782}{29,382} = 0.0946 = 9.46\% \text{ (Rate)}$$

3. Divide the rates for Black, Hispanic, Asian, and Native American pretrial jail population by the rate for White pretrial jail population.

$$\frac{\text{Black Rate}}{\text{White Rate}} = \frac{0.0946}{0.0233} = 4.1 \text{ (RRI)}$$

Exercise

Calculate the relative rate and index using the following arrest and jail data for Dunking County. The following charts provide Census population data and arrest and jail data.

Arrest and Jail Decision-Making Point

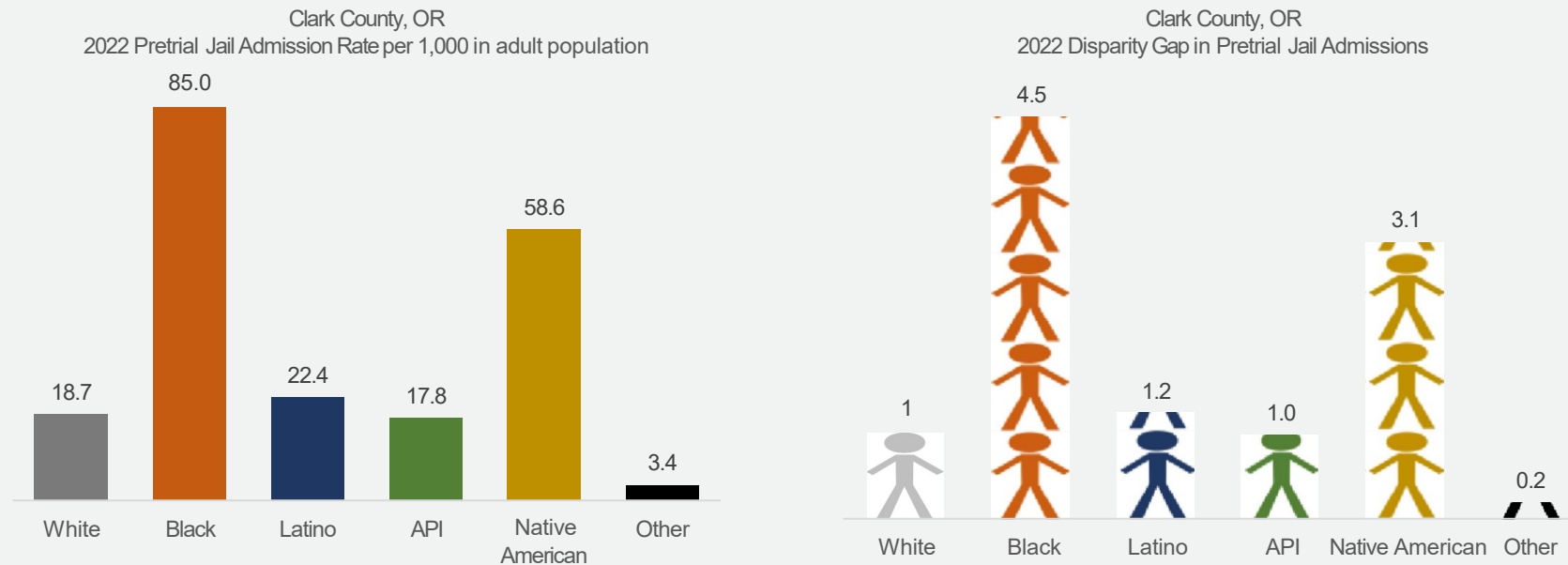| Dunking County 2021 Data	White	Black	Asian
Total population in Dunking County (2020 census)	107,235	1,528	5,174
Number of people arrested	2,490	698	149
Rate of people arrested per 1000 (population)			
Disparity gap (times more likely than white adults to be arrested)			
Dunking County 2021 Jail data	4,215	956	203
Rate of people in jail per 1000 (population)			
Disparity gap (times more likely than white adults in the jail population)			

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Arrest Decision-Making Point

Dunking County 2023 Data	White	Black	Asian
Total population in Dunking County (2022 census)	108,906	2,053	5,918
Number of people arrested in Dunking County (2023)	4,479	889	165
Rate of people arrested per 1000 (population)			
Disparity gap (times more likely than white adults to be arrested)			

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Example of Target Population

Pretrial Jail Admission Rate & Disparity Gap (2021)

Clark County, OR
2022 Pretrial Jail Admission Rate per 1,000 in adult population

White	Black	Latino	API	Native American	Other
18.7	85.0	22.4	17.8	58.6	3.4

Clark County, OR
2022 Disparity Gap in Pretrial Jail Admissions

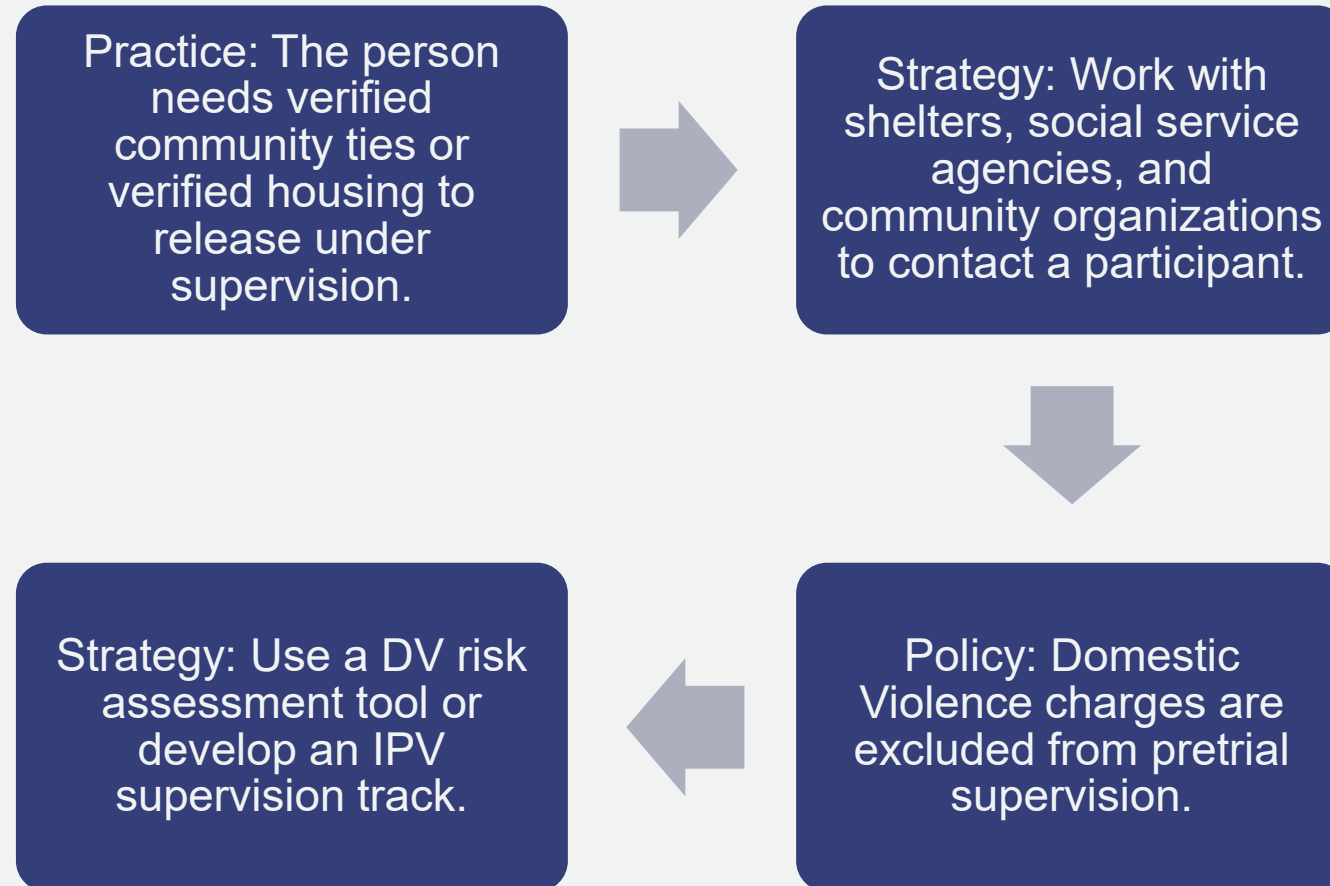| White	Black	Latino	API	Native American	Other
1	4.5	1.2	1.0	3.1	0.2

- 85 Black adults were admitted to jail pretrial for every 1,000 Black adults in the population. Black adults were 4.5 times as likely to be admitted to jail pretrial as White adults.
- 59 Native American adults were admitted to jail pretrial for every 1,000 Native American adults in the population. Native American adults were 3.1 times as likely to be admitted to jail pretrial as White adults.

Data Source: PSA validation jail data

Sample strategies that target disparity

Practice: The person needs verified community ties or verified housing to release under supervision.

→

Strategy: Work with shelters, social service agencies, and community organizations to contact a participant.

↓

Strategy: Use a DV risk assessment tool or develop an IPV supervision track.

←

Policy: Domestic Violence charges are excluded from pretrial supervision.

Measure Progress and Impact

What is the desired outcome?

How does it impact the target population?

Is the strategy achieving the intended goal?

Are there unintended consequences?

Are revisions needed?

Racial Equity Resources

Local and Regional Government Alliance on Racial Equity (GARE): Racial Action Plans
https://www.racialequityalliance.org/wp-content/uploads/2016/11/GARE-Racial-Equity-Action-Plans.pdf

Racial Equity: Getting to Results (GARE)
https://www.racialequityalliance.org/wp-content/uploads/2017/09/GARE_GettingtoEquity_July2017_PUBLISH.pdf

Racial Equity and Inclusion Action Guide: The Annie E. Casey Foundation
https://assets.aecf.org/m/resourcedoc/AECF_EmbracingEquity7Steps-2014.pdf

Haywood Burns Institute: Structural Racism Assessment
https://burnsinstitute.org/wp-content/uploads/2020/10/structuralracism.pdf

Ask Orleny

- What questions do you have?

  - … about **why** equity measures are helpful?

  - … about the Relative Rate Index?

APPR's Pretrial Performance Measures

Michael R Jones

APPR's Performance Measures

- Overview of the **Pretrial Performance Measures Reference Sheet**

Polling Question

Does your home jurisdiction currently produce a report (e.g., daily, monthly, annually) that illustrates different pretrial measures or data?

a) Yes
b) No
c) Unsure

Ask Mike

- What questions do you have?

  - … about the measures on the **Sheet**?

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Concluding Question and Answer Discussion