

PRETRIAL SERVICES RESEARCH-ACTION SITE

PIERCE COUNTY COUNCIL – PUBLIC SAFETY COMMITTEE
SEPTEMBER 28, 2020

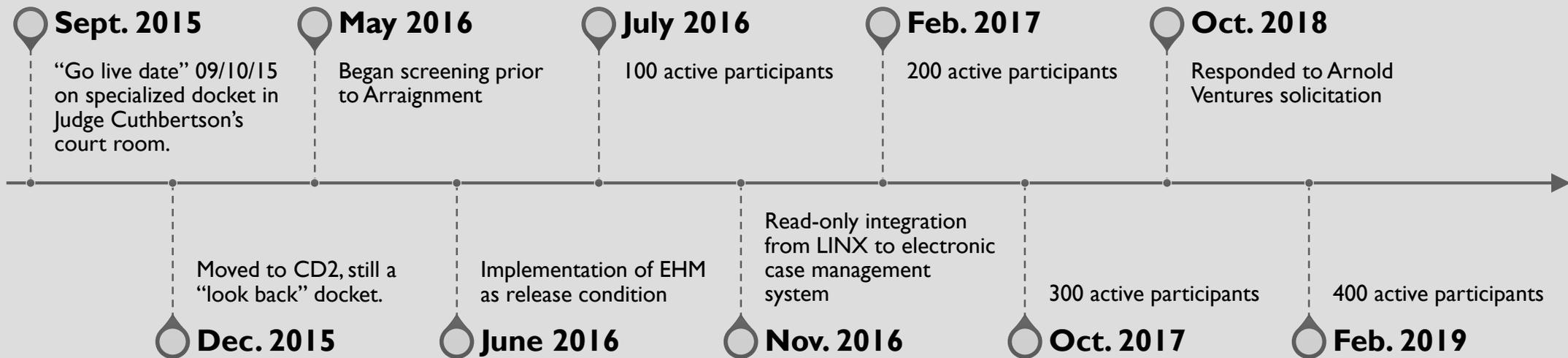
OBJECTIVES

- Review history and current status of Pierce County Superior Court Pretrial Services (housed with Superior Court Clerk).
- Explain benefits and importance of being a Research-Action Site.
- Share policy team's vision, mission, and values.
- Introduction to Advancing Pretrial Policy and Research (APPR).
- Review guiding pretrial legal principles.
- Introduce collaborative policy team.
- Review first year milestones.

- BTC program through Pierce County Alliance ended in 2009
- June 2015 Pierce County Jail population study conducted by James Austin Ph.D. resulted in the following:
 - 1023 of 1186 inmates were presentence (86%)
 - 931 (91%) felony and 92 misd (9%)
 - Primary charge: UPCS (13%), Burglary (9%), Robbery (6%)
 - Average bail \$8,600 and median bail \$1,000
 - Average length of stay (LOS) 97 days and median LOS 48 days
 - Provided risk assessment (not validated for current population and requires client interview)



PIERCE
COUNTY
PRETRIAL
HISTORY



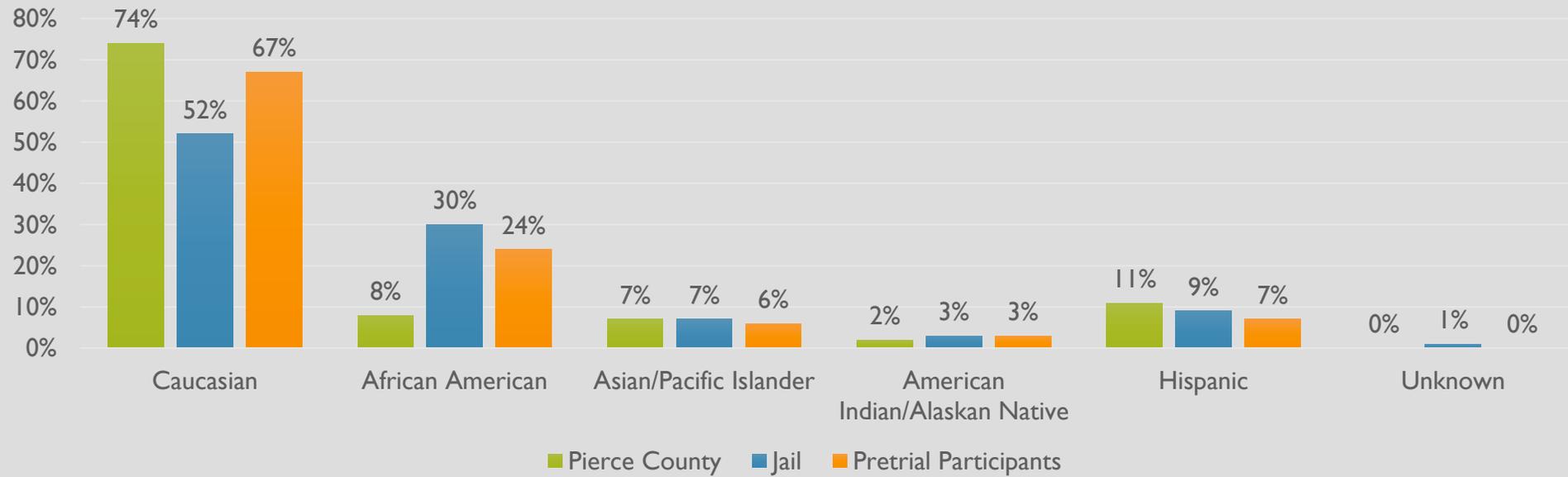
PIERCE COUNTY SUPERIOR COURT CLERK PRETRIAL SERVICES TIMELINE



PROGRAM STATUS

- 450 active participants
- 2019 Stats:
 - 1643 referrals
 - 44% referral rate
 - 128 EHM referrals
 - Appearance rate per person: 53.8%
 - Cumulative appearance rate: 88% (5898 of 6699 hearings attended)
 - 726 cases successfully reached resolution:
 - 93 diverted,
 - 41 served additional confinement (27 jail and 14 prison),
 - 80 cases dismissed.

RACIAL DISPROPORTIONALITY





RESEARCH-
ACTION
SITE
CONTEXT

- Pierce County Superior Court Pretrial chosen as one of five sites nationwide to participate in 2019.
- Advancing Pretrial Policy and Research (APPR) project is an initiative of the National Partnership for Pretrial Justice (NPPJ) collective, supported by \$48 million in pretrial justice grants from Arnold Ventures.
- APPR is providing technical and implementation assistance to assess and evaluate our system, implement improvements, and collect data over the next 4 years.
- Independent evaluation conducted by Research Triangle Institute International to evaluate the impact of the Public Safety Assessment
- Aimed at reducing wealth- and race-based discrimination and ensuring pretrial incarceration is only used when necessary to protect public safety
- Research and feedback from Center for Court Innovation regarding racial disparities in data-driven risk assessments

- **VISION:** Protect the community while eliminating racial, economic, cultural, and other disparities in pretrial release decisions.
- **MISSION:** Improve the process by which the pretrial jail population is determined through utilization of objective evidence-based decision-making.
- **VALUES:**
 - Equity
 - Social Justice
 - Transparency
 - Opportunity for community-based interventions
 - Person-focused instead of resource-focused.



PIERCE
COUNTY
RESEARCH-
ACTION
SITE POLICY
TEAM



PROJECT OUTCOMES:

- 5-year commitment to research and evaluation
- Washington Pretrial Reform Taskforce
- Local validation of Public Safety Assessment and universal screening
- All justice-related departments collaborate together
- Evidence-based reforms designed and implemented, tailored to local data and needs
- Plans developed for future data-driven justice projects
- All pretrial decision points scrutinized, as well as racial disproportionality at all intercepts
- Feedback received from community, victims, and justice-involved persons
- Project will not take the place of judicial discretion and prosecutorial and defense input
- Implementation of the Public Safety Assessment alone will not effectuate systemic change

ADVANCING PRETRIAL POLICY & RESEARCH (APPR)

- APPR's mission is to demonstrate equitable improvements in pretrial outcomes through high-fidelity implementation and comprehensive research on pretrial assessments, policies, and practices.
- Works with criminal justice professionals and their community partners to maximize pretrial outcomes and increase fairness and equity.
- Provides intensive technical assistance to up to 10 Research-Action Sites over five years.
- Learn more at www.advancingpretrial.org

APPR GUIDING PRINCIPLES

“In our society, liberty is the norm, and detention prior to trial or without trial is the carefully limited exception.” U.S. V. Salerno (1987).

- There are only two constitutionally permissible reasons for limiting pretrial liberty: assuring a person’s presence in court and protecting public safety.
- To warrant pretrial detention, there must be a very high likelihood to flee and/or to commit a violent or other very serious offense.
- Detention cannot be imposed without providing robust due process protections, including the right to counsel, to testify and cross-examine witness, and to appeal.
- Release conditions must be individualized for each defendant and should not be imposed categorically or simply based on charges.
- Release conditions imposed must be the least restrictive necessary to provide reasonable assurance of court appearance and public safety.
- Using financial conditions of release to intentionally detain a person is not constitutionally permitted.
- Pre-trial goals:
 - Maximize public safety and law-abiding behavior.
 - Maximize court appearance.
 - Maximize pretrial release and minimize pretrial detention.

POLICY TEAM MEMBERS

- Hon. Sabrina Ahrens – Superior Court Judge
- Michael Blair – Chief of Contract Services, Pierce County Sheriff's Department
- Brooke Burbank – Assistant Chief Criminal Deputy, Prosecuting Attorney's Office
- Libby Catalinich – Director, Office of Communications
- Chris Gaddis – Superior Court Administrator
- Captain Bart Hayes – Tacoma Police Department
- Michael Kawamura – Director, Department of Assigned Counsel
- Andrea Kelley – Pretrial Services Program Manager
- Hon. Stanley Rumbaugh – Superior Court Judge (Policy Team Chair)
- Sarah Colleen Sotomish – Pierce County Executive's Office
- Captain Brian Sutherlin – Pierce County Sheriff Department, Corrections

PROJECT LAUNCH WORKSHOP

Representatives from all 5 RAS attended
4-day workshop in Aug 2019.

Atlanta, GA.

- History of bail
- National pretrial initiatives and trends
- Development of a mission statement and vision for project
- Racial justice and community engagement
- The importance of independent evaluation
- How racism shapes institutional interactions (and what to do about it)
- Legal framework for pretrial justice
- Testimony from other agencies further into pretrial reform process
- Tour of the National Center for Civil and Human Rights Museum

FIRST YEAR'S MILESTONES

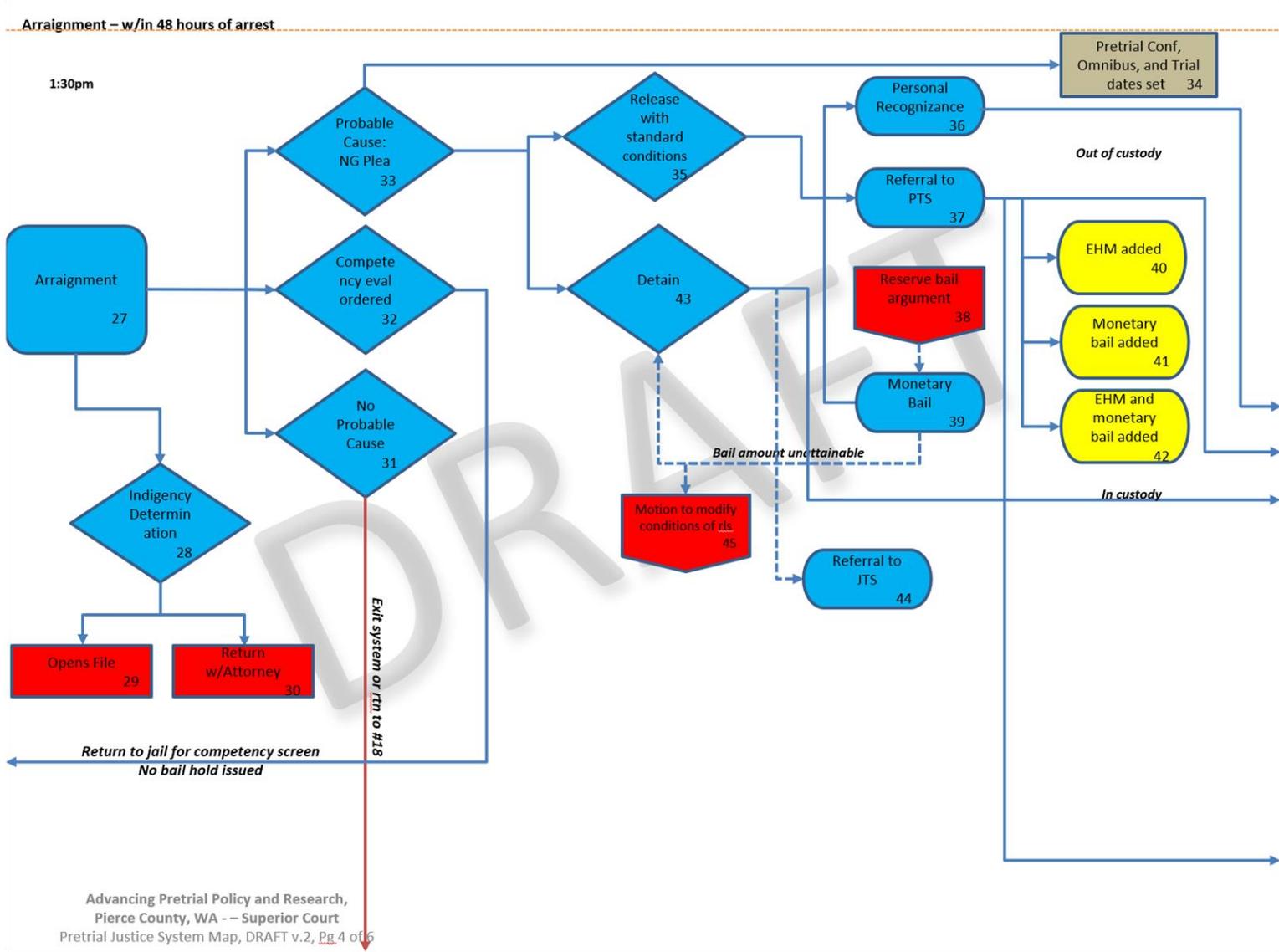
- Development of vision, mission, and values
- Pretrial system mapping with data points
- Developed public website for project
- Development of violent offense list
- Washington State legal analysis
- Communications workgroup established for proactive internal communications
- Data and performance measures workgroup
- Research Triangle Institute Surveys
- Research Triangle Institute Dashboard

PUBLIC SAFETY ASSESSMENT

- Actuarial pretrial assessment – utilizes research-based factors to assess pretrial success or failure.
- These are characteristics that, when present, indicate an increased likelihood of pretrial failure.
- Pretrial assessment results, along with other information, can help inform pretrial decisions.

PSA FACTORS AND PRETRIAL OUTCOMES			
PSA FACTOR	FTA	NCA	NVCA
1. Age at current arrest		✓	
2. Current violent offense			✓
2A. Current violent offense and 20 years old or younger			✓
3. Pending charge at the time of the arrest	✓	✓	✓
4. Prior misdemeanor conviction		✓	
5. Prior felony conviction		✓	
5A. Prior conviction (misdemeanor or felony)	✓		✓
6. Prior violent conviction		✓	✓
7. Prior failure to appear in the past 2 years	✓	✓	
8. Prior failure to appear older than 2 years	✓		
9. Prior sentence to incarceration		✓	

PRETRIAL SYSTEM MAPPING



Pierce County

RACE: American Indian or Alaskan Native, Asian/Pacific Islander, Black

ETHNICITY: Hispanic, Non-Hispanic, Other

GENDER: Female, Male, Unknown

AGE: < 18, 18-25, 26-40

REASON RELEASED: Administrative Booking, Appeal Bond, Appearance Bond

FROM: TO:

MOST SERIOUS CHARGE (OVERVIEW): Violent Offenses, Property Offenses, Drug Offenses

MOST SERIOUS CHARGE: Aggravated Assault, Armed Robbery, Arson

Clear Filters

COUNT 57,853 Bookings	PERCENT 100.00% of Bookings	AVG LENGTH OF STAY 21 Days	AVG AGE 34.85 Years	AVG BOND AMOUNT 421.19 Dollars	AVG DAILY 1,015 Population
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[Bookings Over Time](#)
[Releases Over Time](#)
[Distribution](#)
[Length of Stay](#)
[Age](#)
[Bond Amount](#)
[Jail Population](#)

- All (No Grouping)
- By Race
- By Gender
- By Ethnicity
- By Reason Released
- By Age at Booking
- By Most Serious Charge
- By Most Serious Charge (Overview)



Show table Download as CSV

APPR
DASHBOARD

Pierce County

RACE

All
American Indian or Alaskan Native
Asian/Pacific Islander
Black
...

ETHNICITY

All
Hispanic
Non-Hispanic
Other
...

GENDER

All
Female
Male
Unknown

AGE

All
< 18
18-25
26-40
...

REASON RELEASED

All
Administrative Booking
Appeal Bond
Appearance Bond
...

FROM

Jan 2017

TO

Apr 2020

MOST SERIOUS CHARGE (OVERVIEW)

All
Violent Offenses
Property Offenses
Drug Offenses
...

MOST SERIOUS CHARGE

All
Aggravated Assault
Armed Robbery
Arson
...

Clear Filters

COUNT
57,853
Bookings

PERCENT
100.00%
of Bookings

AVG LENGTH OF STAY
21
Days

AVG AGE
34.85
Years

AVG BOND AMOUNT
421.19
Dollars

AVG DAILY
1,015
Population

Bookings Over Time

Releases Over Time

Distribution

Length of Stay

Age

Bond Amount

Jail Population

All (No Grouping)

By Race

By Gender

By Ethnicity

By Reason Released

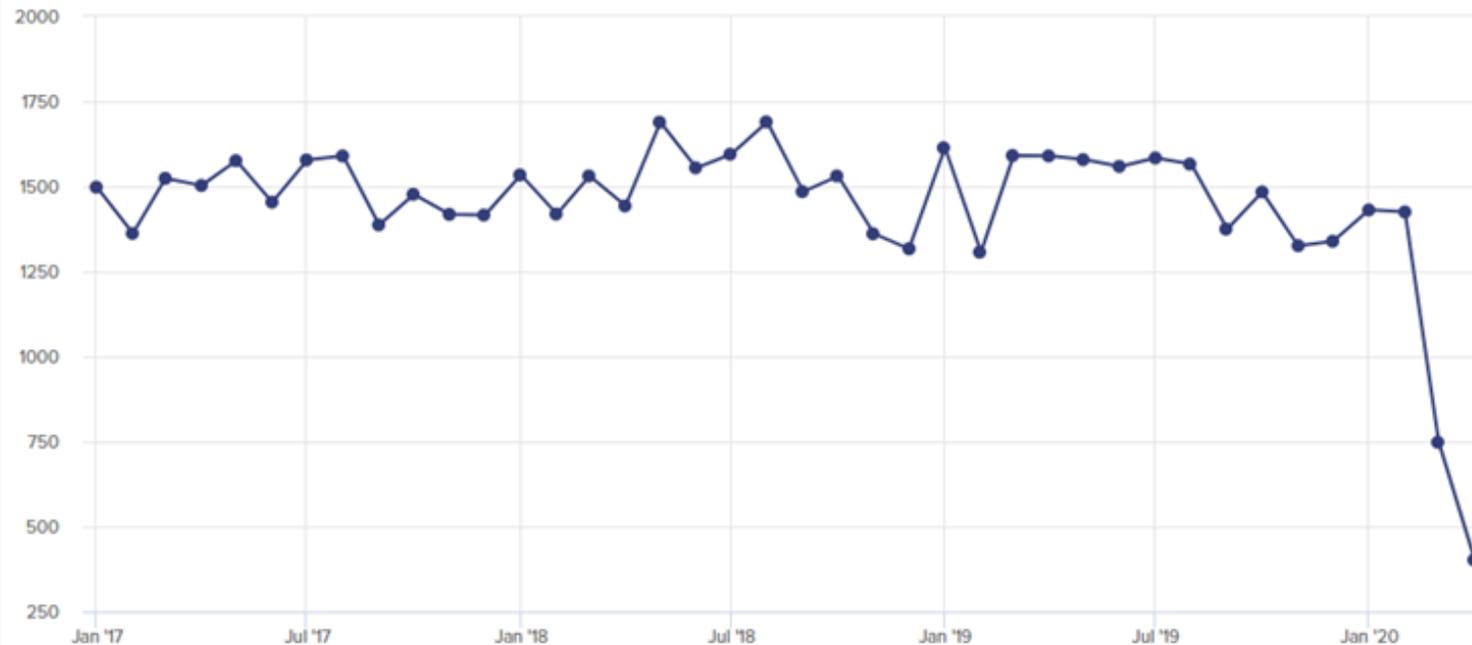
By Age at Booking

By Most Serious Charge

By Most Serious Charge (Overview)

Bookings per Month

Jan 2017 - Apr 2020



Bookings

NEXT STEPS



Historical validation



Develop and implement a strategic action plan



Build a sustainable policy structure and create written policies to achieve a high-functioning pretrial justice system



Develop a critical incident review protocol



Continually build pretrial competence

QUESTIONS AND FEEDBACK?

Research-Action Site public website: <https://www.piercecountywa.gov/6629/Advancing-Pretrial-Justice>