Workgroup C:
Defining and Measuring Data Outcomes

Pretrial Release Outcome Comparison Project

May 21, 2018

Purpose

- <u>Primary research question</u>:

  ➢ Do FTA and new arrest rates vary across pretrial release mechanisms? If so, by how much?

    ▪ What are the *between*-group and *within*-group variations overall and across jurisdictions?

Types of Release Mechanisms (IVs)

- Summons;
- ROR;
- ROR with pretrial supervision;
- Unsecured bond, no supervision
- Unsecured bond, pretrial supervision
- Secured bond, no supervision;
- Secured bond, pretrial supervision only;
- Secured bond, bail bondsmen only (surety, property, other);
- Secured bond, bail bondsmen PLUS pretrial supervision; and,
- *Other forms of supervision whether or not carried out by pretrial services or bail bondsmen* (may need to become CV).
  - ➢ GPS, HEM, other special conditions.

Outcome Variables (DVs)

- Failure to Appear (FTA):

  ➢ Warrant for FTA under Virginia Code Section 19.2-128; Capias; Show cause; Contempt of court; or continuance of case without issuing any process.

- New Criminal Activity (NCA):

  ➢ New arrest

  ➢ New charge

  ➢ New magisterial-level interaction

    ▪ Type of NCA: felony or misdemeanor; violent or non-violent?

Methodology

- Task #1:

  ➢ Determine variations across pretrial release mechanisms with the best available data.
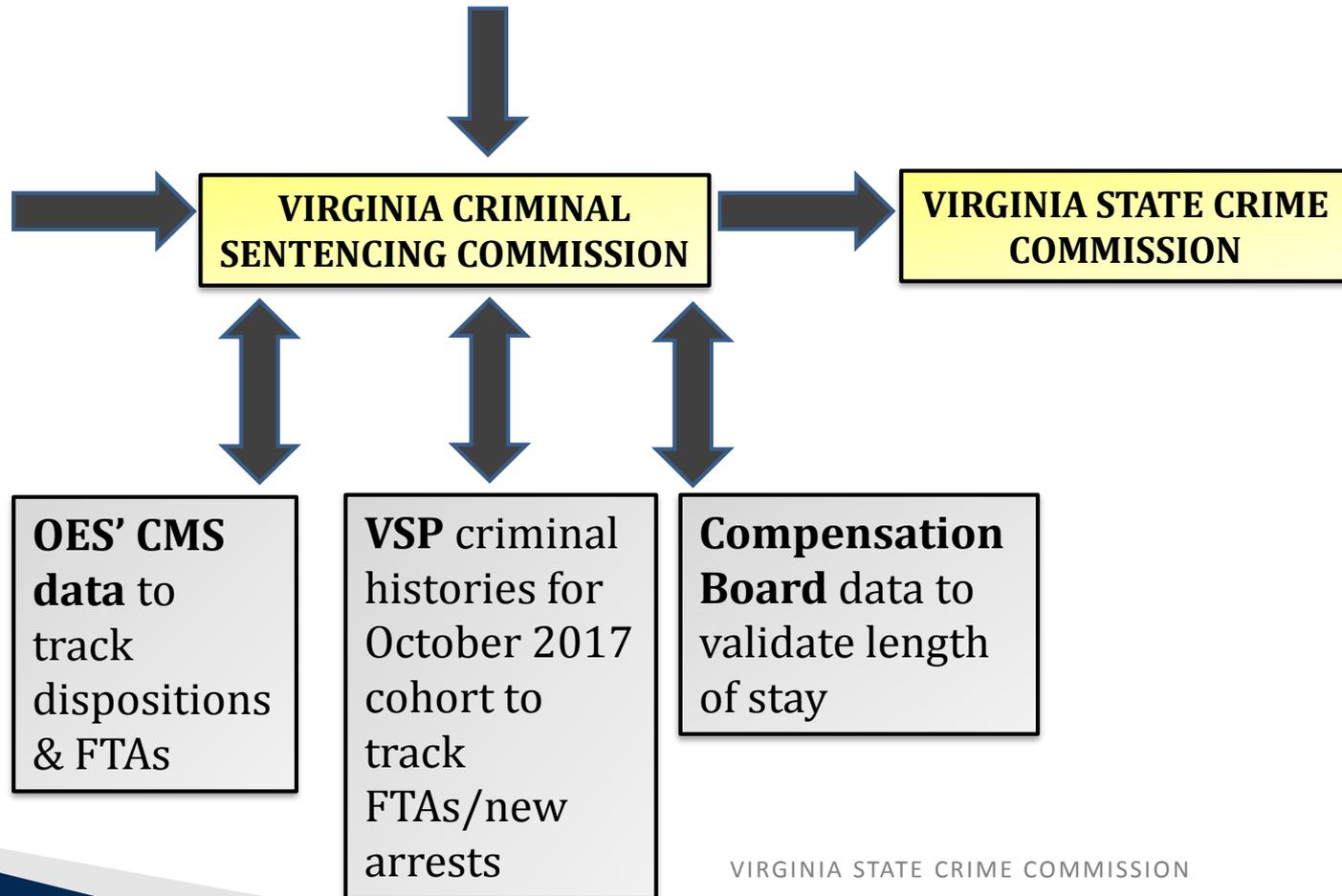
  Q: What is the best available data and where do we find it?

  A: By a combination of existing resources...

  (and a lot of elbow grease!)

DCJS providing data for all pretrial services placements in October-November 2017. Also will provide FTA/new arrest data for cross-validation with criminal histories.

OES providing **E-mag data** for all charges brought before magistrates in October 2017 with follow-up data from November 1, 2017 - August 31, 2018.

VIRGINIA CRIMINAL SENTENCING COMMISSION

VIRGINIA STATE CRIME COMMISSION

OES' CMS data to track dispositions & FTAs

VSP criminal histories for October 2017 cohort to track FTAs/new arrests

Compensation Board data to validate length of stay

Potential Data Limitations

- Limited to adults.

- Limited time frame (October 2017 cohort only)

- E-mag data does not capture summons or direct indictments.
  - This will be somewhat addressed with a separate data request to OES for total summons and direct indictments filed in October 2017 with disposition status.

- May or may not be able to reliably capture out-of-state arrests from criminal history request.

- May or may not truly capture 100% of FTAs, new arrests, and other bail condition violations due to variations in how these charges are handled and recorded.

Data Implications

- Task #2:

  - Use findings to inform legislative, policy, and process decision-making relating to the pretrial process in Virginia.

  Which questions would YOU like to see answered?

Discussion

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