

**Virginia Pretrial Services Stakeholder Group**  
**Work Group C: Defining and Measuring Data Outcomes**  
**Meeting Summary**

**Date of Meeting:** May 21, 2018

**In attendance**

Christina	Arrington	Virginia State Crime Commission
Leon	Baker	Virginia Department of Criminal Justice Services
Baron	Blakley	Virginia Department of Criminal Justice Services
David	Bourne	1-800-FOR-BAIL/Virginia Bail Association Legislative Chair
Andreas	Brielmaier	Culpeper County Criminal Justice Services
Ross	Carew	OAR/Jefferson Area Community Corrections
David	Cotter	Virginia Department of Criminal Justice Services
Dave	Eber	Prince William Office of Criminal Justice Services
Meredith	Farrar-Owens	Virginia Criminal Sentencing Commission
Neal	Goodloe	OAR/Jefferson Area Community Corrections
Liz	Greenwood	Virginia State Crime Commission
Jody	Hess	Office of the Executive Secretary of the Supreme Court of Virginia
Jack	Irvin	Virginia Department of Criminal Justice Services
Kari	Jackson	Virginia State Compensation Board
Chang	Kwon	Virginia Criminal Sentencing Commission
Jim	McDonough	Virginia Department of Criminal Justice Services
Dorena	Murray	Dee's Bail Bonds
Elizabeth	Murtagh	Charlottesville Public Defender
Captain Tricia	Powers	Virginia State Police
Kenneth	Rose	Virginia Department of Criminal Justice Services
Kristi	Wright	Office of the Executive Secretary of the Supreme Court of Virginia

**Meeting overview 5/21/2018**

**I. Compare pretrial outcomes in jurisdictions with pretrial services and jurisdictions without pretrial services.**

1. Reviewed plan for study methodology and amend as needed.

*Task #1*

- Determine the variations across pretrial release mechanisms
- Central repository is Virginia Criminal Sentencing Commission

Updated 6/21/2018

- Cohort – Office of the Executive Secretary of the Supreme Court of Virginia provided data for all charges brought before magistrates in October 2017, follow up data from November 1, 2017 through August 31, 2018
  - Magistrate decision events - charges
  - Office of the Executive Secretary’s Court Case Management System (CMS) data to track dispositions and failure to appear events
  - Virginia State Police criminal histories will be used to identify new arrest events. Out of state criminal history will not be available for this study.
  - Virginia Department of Criminal Justice Services’ data on pretrial service; cross validation
  - Compensation Board LIDs data will be used to validate length of jail stay
- Limitations: adults only, time frame, E-mag data does not capture summons or direct indictments, may not be able to capture out of state arrests, and may not truly capture every instance of a failure to appear in court, new arrests, and other bail condition violations.

*Task #2*

- Use findings to inform legislative, policy, and process decision making.

**II. Analyze the impact of pretrial services programs on local jail populations.**

1. Reviewed and discuss the methodology that will be used to analyze the impact of pretrial services on local jail populations.

**Data Questions:**

1. Do magistrates in localities served by a pretrial services agency have higher release rates at initial bail hearings?
2. Do jails served by a pretrial services agency have higher pretrial release rates?
3. Do jails served by a pretrial services agency have shorter average lengths of stay in jail for inmates awaiting trial?
4. Do jails served by a pretrial services agency have a smaller proportion of pretrial inmates remain in jail during their entire awaiting trial period?

**Proposed Cohort:** To complete the analysis of the impact of pretrial services on local jails, it is proposed that the same cohort be used for this analysis. This would include all bail decision events made by magistrates from October 1, 2017.

2. Reviewed and discuss data sources that will be used to analyze the impact of pretrial services on local jail populations.

**Data Sources:**

- 1) E-Mag: This database is maintained by the Office of the Executive Secretary and was developed for use by magistrates.
- 2) LIDS: This database is maintained by the Virginia Compensation Board and designed to capture jail data used for reimbursement of state funds to local and regional jails. The jail data collected from LIDS is also used to assist with jail forecasting.

3. Reviewed and discuss the proposed measures that will be used to analyze the impact of pretrial services on local jail populations.

**Desired Data (by jail and by locality)**

- Initial bail hearing decisions
  - Number and percentage of bail decision events conducted by magistrates that result in release at the initial bail hearing.
  - Number and percentage of bail decision events conducted by magistrates that result in a commitment order to jail.
- Decisions after commitment order issued
  - Number and percentage of releases following the initial commitment order to jail, by release type
  - Recognizance
  - Unsecured bond
  - Secured bond
- Average Length of Stay in jail for those released by release type
  - Recognizance
  - Unsecured bond
  - Secured bond
  - All release types
- Number and percentage of defendants detained entire period awaiting trial
  - On secured bond
  - Denied bail
  - On other hold
- Awaiting Trial Average Daily Population

**III. Ascertaining methods to better define and track statewide appearance, public safety, and success rates.**

1. Discuss how appearance, public safety and success rates are currently defined and calculated.
  - *Appearance rate* – percentage of supervised defendants who make all scheduled court appearances
  - *Public Safety rate* – percentage of defendants released during the pre-trial stage who are not arrested with a new alleged criminal activity during the pre-trial stage.
    - *Sub-measure:* The percentage of defendants that are released during the pre-trial stage who are not arrested for a violent misdemeanor or felony offense.
  - *Success Rate* - Success rate is measured by the percentage of released defendants who are:
    - *Appear for all scheduled court appearances, and*
    - *Are not charged with a new alleged criminal activity while released on bail.*
2. Discuss proposed definitions for appearance, public safety, and success rates.

**Proposed Definitions:**

*Failure to Appear:* Failure to appear should be counted for all cases with issued capiases.

*Optional definition #1:* Failure to appear should be counted for all cases with issued capiases that result in revocation of bail.

*Optional Definition #2:* Failure to appear should be measured in any instance where the defendant’s appearance is required and fails to appear, regardless of court action (show cause, capias, or contempt).

Note: The proposed definitions do not take into consideration the disposition of the court action. As an example, the court may dismiss the capias as a result of the defendant being returned to custody.

**Discussion:**

- Discuss how appearance, public safety, and success rates could be calculated.
- Set action items to develop methods to define and track statewide appearance, public safety, and success rates.
- Reviewed and discuss proposed terms that need uniform definition for data entry and tracking.
- Reviewed and discuss proposed definitions for terms that need uniform definition for data entry and tracking
- Reviewed and discuss terms that are shared among other databases that use different terms or definitions.

*New Alleged Criminal Activity:* New alleged criminal activity is defined as one with the following characteristics:

- The alleged offense date occurs during the defendant’s period of release on bail.
- A criminal warrant was issued for an offense that carries the possibility of incarceration.

**Discussion:**

- Do we want to examine the number of new alleged criminal activity events for a pre-trial release event?
- When is a defendant most likely to have a new alleged criminal activity event?

<b>Study Methodology for Comparison of Release Mechanism Outcomes</b>		
<b>Action</b>	<b>Assigned To</b>	<b>Due</b>
Create plan for a prospective, retrospective, and/or combined study(s).	Christina Arrington/Baron Blakely/Meredith Farrar-Owens	May 21, 2018
Identify all release types that will be used for the study.	Christina Arrington/Ken Rose/Kristi Wright	May 21, 2018
Identify the data sources that will be used for the study.	Meredith Farrar-Owens/Christina Arrington/Kristi Wright/Ken Rose	May 21, 2018
Determine the type of cases to be study, e.g., any criminal defendant (misdemeanor or felony) released	Christina Arrington/Baron	May 21, 2018

during a period of time under examination.	Blakely	
Determine the optimal size of the cohort to be used for this study.	Christina Arrington/Baron Blakely	May 21, 2018
For the prospective study, determine the cut off point for cases not reaching final case conclusion (length of time).	Christina Arrington/Baron Blakely/Meredith Farrar-Owens	May 21, 2018

<b>Impact on Jail Populations</b>		
<b>Action</b>	<b>Assigned To</b>	<b>Due</b>
Determine if there is a valid and reliable approach to determining variances between local and regional jails that serve localities with pretrial services versus those that do not.	Baron Blakely/Christina Arrington/Ken Rose	June 18, 2018
Develop methodology to determine the impact of pretrial services on jails.	Christina Arrington/Baron Blakely/Ken Rose	June 18, 2018
Determine data sources of jail data (LIDS, local jail management systems).	Kari Jackson/Baron Blakely	June 18, 2018
Determine measures to be used to best analyze impact of pretrial services on jails.	Christina Arrington/Baron Blakely/Ken Rose	June 18, 2018

<b>Defining Outcome Measures</b>		
<b>Action</b>	<b>Assigned To</b>	<b>Due</b>
Define appearance rate	Ken Rose/Christina Arrington/Meredith Farrar-Owens	June 18, 2018
Define failure to appear	Ken Rose/Christina Arrington/Meredith Farrar-Owens	June 18, 2018
Define public safety rate	Ken Rose/Christina Arrington/Meredith Farrar-Owens	June 18, 2018
Define new alleged criminal activity	Ken Rose/Christina Arrington/Meredith Farrar-Owens	June 18, 2018
Define success rate	Ken Rose/Christina Arrington/Meredith	June 18, 2018

	Farrar-Owens	
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<b>Vocabulary and definitions for data entry and tracking</b>		
<b>Action</b>	<b>Assigned To</b>	<b>Due</b>
Identify terms that will need uniform definitions for data entry and tracking.	Ken Rose/Christina Arrington/Kristi Wright/ Kari Jackson/Meredith Farrar-Owens	June 18, 2018
Develop definitions for terms that have been identified as needing uniformity.	Ken Rose/Christina Arrington/Kristi Wright/ Kari Jackson/Meredith Farrar-Owens	June 18, 2018
Develop a strategy to implement definitions if those terms are shared among other criminal justice databases.	Ken Rose/Christina Arrington/Kristi Wright/ Kari Jackson/Meredith Farrar-Owens	June 18, 2018

<b>Next Meeting</b>			
<b>Date</b>	<b>Time</b>	<b>Location</b>	<b>Notes</b>
TBD			