

October Study – 2012

Virginia Department of Criminal Justice Services

Summary

The Virginia Community Criminal Justice Association presented results of a study of pretrial screenings occurring in October 2011, in an effort to better understand the release decisions and outcomes for pretrial defendants. This current report continues that “October Study,” using the Department of Criminal Justice Services’ Pretrial and Community Corrections (PTCC) case management system, in conjunction with the Virginia Compensation Board’s Local Inmate Data System (LIDS), to study the outcomes of pretrial screenings completed in October 2012.

As with the 2011 report, this 2012 October Study reviews the jail status (released vs. detained in jail) of investigated defendants seven days after their initial appearance. The bond type, secured bond amounts, and risk levels identified using the the Virginia Pretrial Risk Assessment Instrument (VPRAI) are examined for each group (Released/Detained).

As the data show, over half of the defendants (53%) were still in jail seven days after their pretrial screenings. This includes defendants identified as being at Below Average or Low risk on the VPRAI. The average secured bond amounts for those still in jail was generally (though not always) higher than for those released, suggesting the size of the bond may be related to an individual’s release.

Virginia Pretrial Services

Virginia has a total of 30 Pretrial Services Agencies to provide services to Virginia’s courts. These programs provide services to 84 of the 134 localities.

Pretrial Services Agencies conduct investigations and complete risk assessments on all defendants committed to jail pending trial at the District Court level. These pretrial investigations are also provided to the Circuit Courts in cases of direct indictment and for bond reviews. These investigations take place at the jail shortly after arrest and focus on the stability of the defendant’s home and employment situation, as well as his/her prior criminal record and history of substance abuse and mental illness.

The PTCC identified 3,763 screenings by Pretrial Services Agencies in October 2012. These records were provided to the programs for review, to provide any missing data. Seventeen programs responded with updated information. After updates, 237 records (6.3%) were missing jail, bond, or risk assessment data, and were dropped from the analysis. The results presented here are based on the remaining 3,526 cases.

Results

Overall, the results of the 2012 October Study were similar to those of 2011:

- Of those investigated in October 2012, 47% (n=1,668) were released after seven days, 42% (n=1,477) were held without bond, and 11% (n=381) were still in custody due to an inability to meet the requirements of a secured bond (Figure 1).
- Of those still held without bond seven days after screening (1,477), 29% were identified as having a risk level of Average or less, on the VPRAI (Figure 2).

- Of those given a secured bond (381 cases), but remaining in jail after seven days, 43% were identified as having a risk level of Average or less on the VPRAI (Figure 3), and 92% were held on bonds of \$5,000.00 or less (Figure 4).
- For defendants given a secured bond, the average bond amount for those released was lower than for those who were still held after seven days (Figure 5). This was also true within risk levels, with the exception of those identified as of Below Average risk. For defendants still in jail the average bond amount increased with a defendant's level of risk, as identified by the VPRAI. This is a change from the 2011 study, in which defendants still in jail with a Below Average risk level had the highest average bond amount. (Note: the 2011 study looked at average bond amounts only for those still in jail after seven days.)

Data from PTCC and LIDS allowed some analysis beyond that conducted for the 2011 report.

- Figure 6 presents the most serious offense type and severity (as reported in LIDS), by release status.
 - For defendants released within seven days of their screening, the most serious committing offenses were usually non-violent/non-drug misdemeanors (33%), or non-violent/non-drug felonies (24%).
 - For defendants still held without bond seven days after screening, the most serious committing offenses were usually non-violent/non-drug felonies (36%), or violent felonies (28%).
 - For defendants given a secured bond but remaining in jail after seven days, the most serious committing offenses were usually non-violent/non-drug felonies (41%), or non-violent/non-drug misdemeanors (34%).
- Figure 7 presents the average bond amounts for defendants given a secured bond, by offense type and severity (as reported in LIDS) and release status.
 - Regardless of release status, the average bond amounts were higher for defendants with a felony charge as compared to those with a misdemeanor as their most serious committing offense.
 - For most offense types, the average bond amounts for defendants released within seven days were lower than the average amount for those still in jail. However, the reverse is true for defendants charged with a violent felony.
- Over 90% of defendants were in one of twenty-one jails. Figure 8 presents the proportion of the total number of cases, by release status, from each jail.

Figure 1. Release/Detention Rates After Seven Days

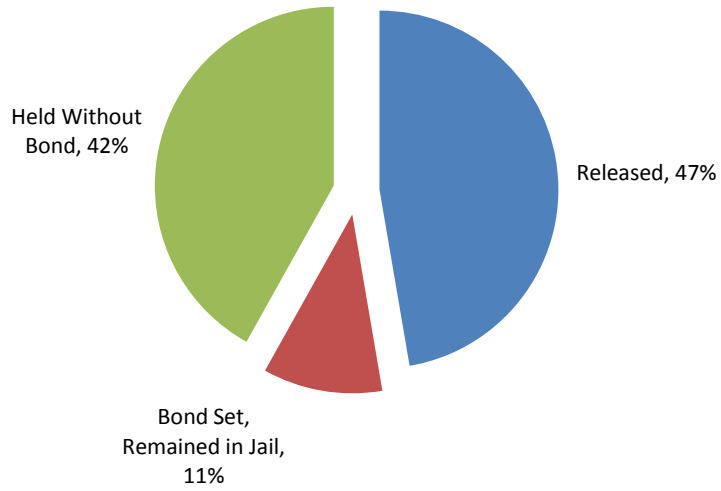
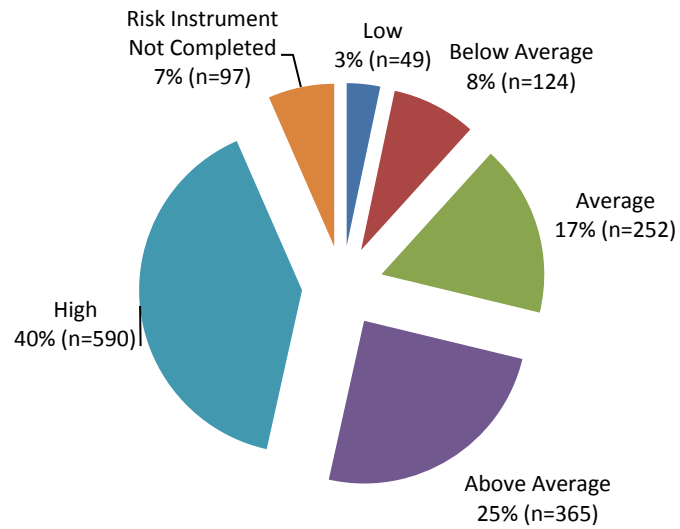
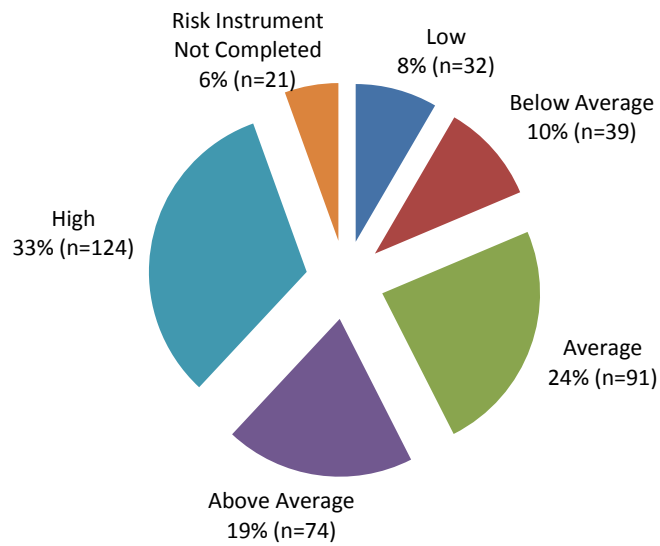


Figure 2. Held without Bond, Remained in Jail by Risk Level



**Figure 3. Bond Set, Remained in Jail
by Risk Level**



**Figure 4. Bond Set, Remained in Jail
by Bond Amounts**

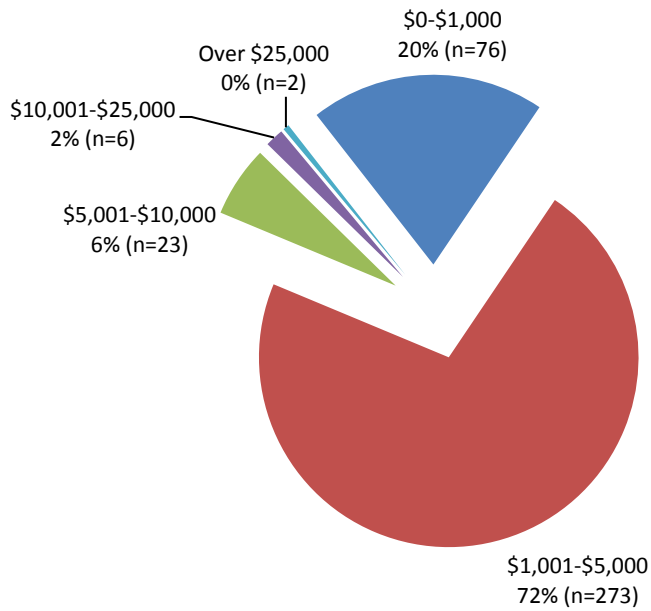


Figure 5. Average Bond Amount by Release Status & Risk Level

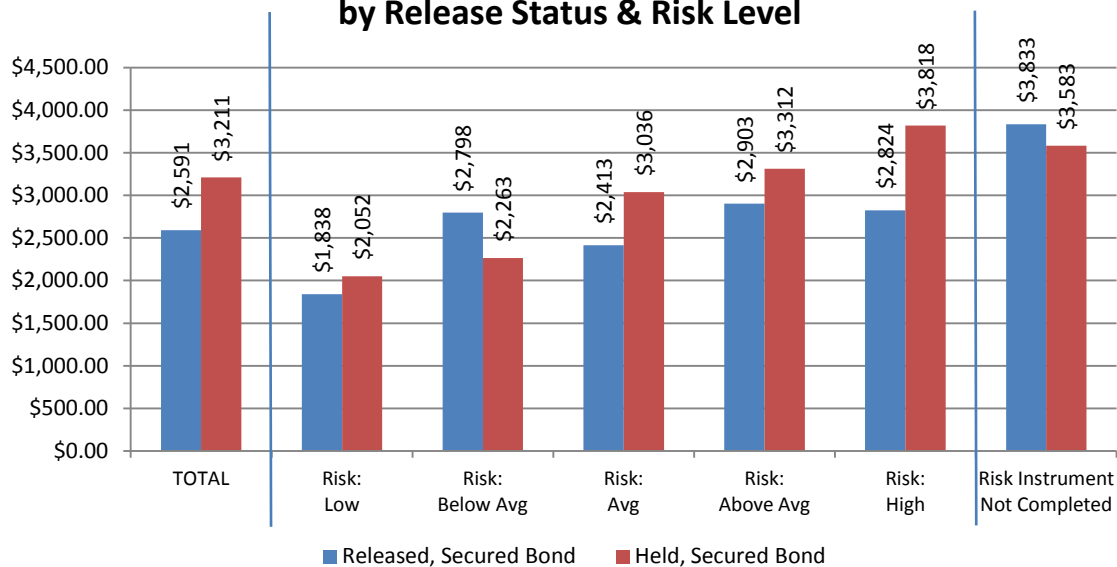
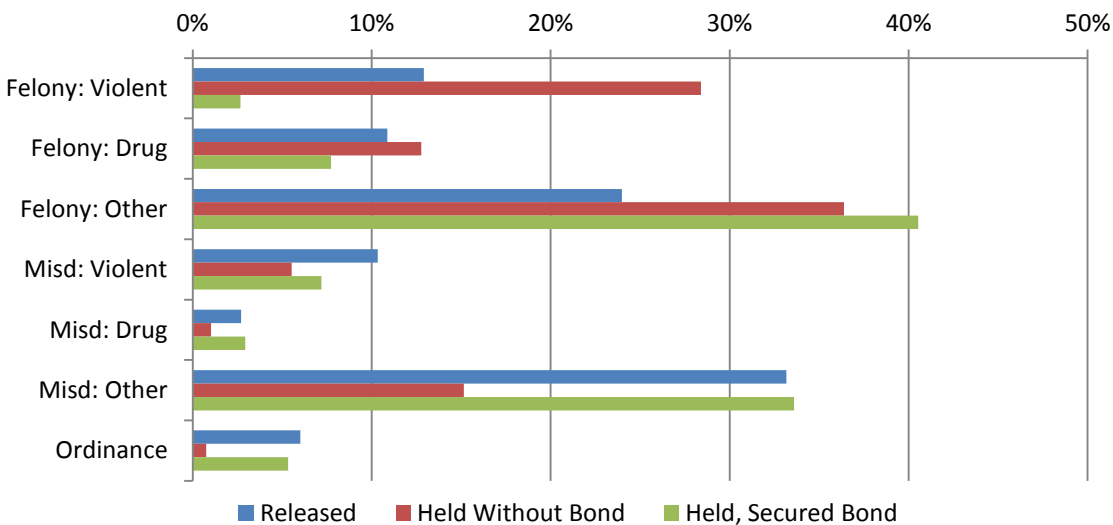
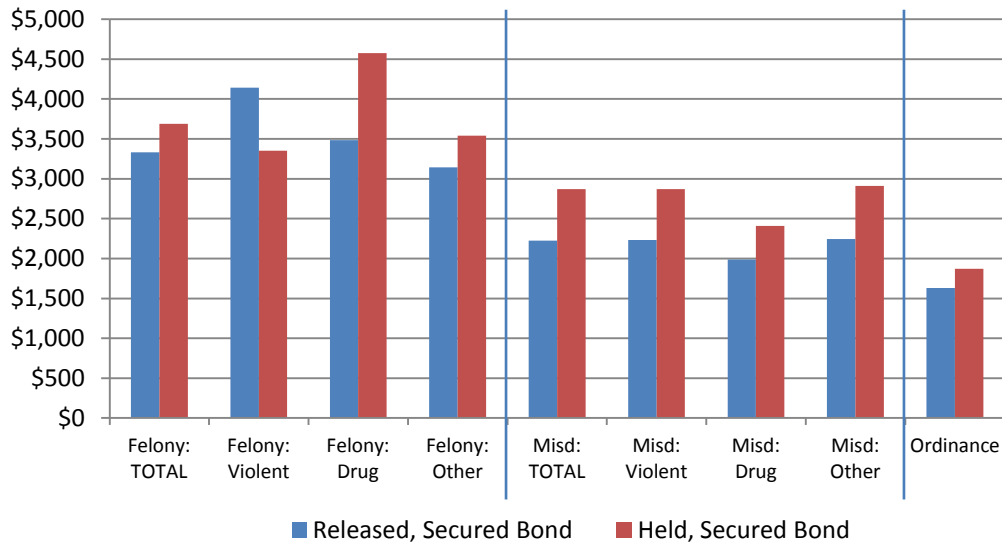


Figure 6. Release Status (7 Days) by Most Serious Committing Offense *



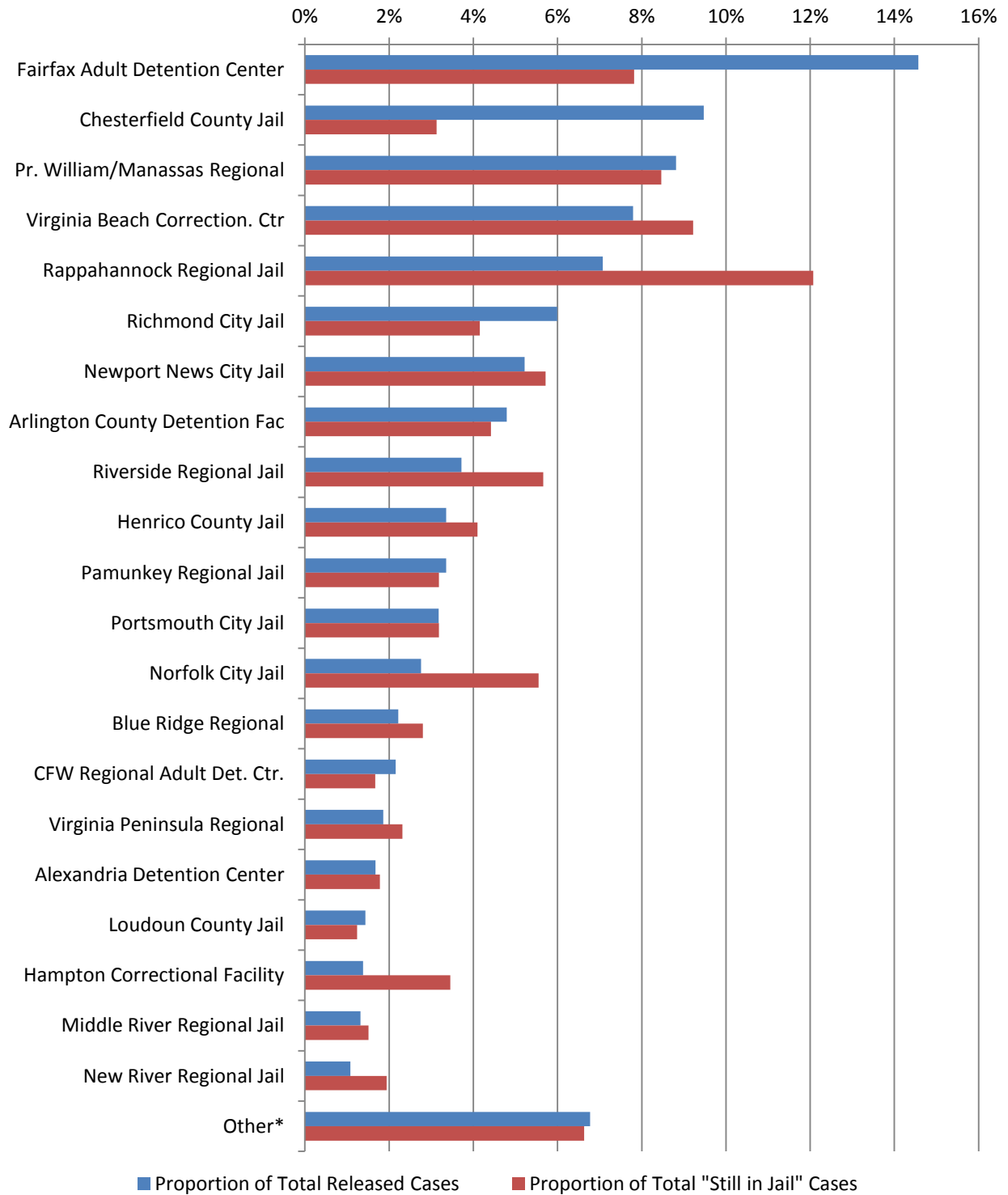
*Based on data in LIDS. PTCC data also includes offense information, but was missing in more of the records in this analysis (3.5% vs. 0.6%).

**Figure 7. Average Bond Amount
by Most Serious Committing Offense* & Release Status**



*Based on data in LIDS. PTCC data also includes offense information, but was missing in more of the records in this analysis (3.5% vs. 0.6%).

**Figure 8. October Study 2012 Cases
Proportion From Each Jail, by Release Status**



*Fewer than 1% of cases came from each of the following jails: Albemarle-Charlottesville Reg., Central Virginia Regional Jail, Rockingham-harrisonburg Reg., Fauquier County Jail, Northern Neck Regional Jail, Chesapeake City Jail, Middle Peninsula Regional, Southside Regional Jail, Meherrin River Regional Jail, Gloucester County Jail, Mecklenburg County Jail, Danville City Jail, Hampton Roads Regional Jail, Sussex County Jail, Montgomery County Jail, and Western Tidewater Regional.