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Moderator

Anne Milgram J.D.
Vice President of Criminal Justice
Laura and John Arnold Foundation

Presenters

Chris Lowenkamp
Lecturer
University of Missouri - Kansas City

Tara Boh Klute
Chief Operating Officer
Pretrial Services - Kentucky Administrative Office of the Courts

Holly Szablewski
Judicial Review Coordinator
Milwaukee County
Why Pretrial Matters

Anne Milgram

laura and john arnold foundation®
Who is in our criminal justice system?

- **Low-risk defendants:**
  Defendants are extremely likely to return to court and highly unlikely to commit another crime.

- **Moderate-risk defendants:**
  Defendants can often be managed in the community through interventions, supervision, and services.

- **High-risk defendants:**
  There is a significant chance that, if released, defendant will commit more crimes, skip court appearances – or both.
State and local spending

Billions


Police | Courts | Corrections

731% increase in corrections
582% increase in courts
470% increase in police
The Evidence Behind Pretrial

Chris Lowenkamp, Ph.D.
New criminal activity
New violent criminal activity
Failure to appear
The impact of detention on low-risk defendants

**new criminal arrest**

<table>
<thead>
<tr>
<th>Days</th>
<th>Likelihood (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2-3 days</td>
<td>39%</td>
</tr>
<tr>
<td>4-7 days</td>
<td>50%</td>
</tr>
<tr>
<td>8-14 days</td>
<td>56%</td>
</tr>
<tr>
<td>15-30 days</td>
<td>57%</td>
</tr>
</tbody>
</table>

* = statistically significant at the .01 level or lower
The impact of detention on low-risk defendants

2-year recidivism

<table>
<thead>
<tr>
<th>Duration</th>
<th>Recidivism Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>2-3 days</td>
<td>17%</td>
</tr>
<tr>
<td>4-7 days</td>
<td>35%</td>
</tr>
<tr>
<td>8-14 days</td>
<td>51%</td>
</tr>
<tr>
<td>15-30 days</td>
<td>46%</td>
</tr>
</tbody>
</table>

* = statistically significant at the .01 level or lower
The impact of detention on low-risk defendants

* = statistically significant at the .05 level or lower
State-Level Leadership: Integrating Data-Driven Assessment Tools

Tara Boh Klute
KY Pretrial Services

- Created in 1976 as part of the Bail Bond Reform Act when commercial bail was abolished
- Practices mandated by statutes and Supreme Court rules
- Statewide program within the Judicial Branch of government (KY Court of Justice)
- 288 employees divided into 50 programs covering all 120 counties
- Provides investigation, supervision and diversion services
KY Pretrial Reform

• Internal Reform (2005-2009)
  – Adopted LEBP, Performance and Outcomes Measures, Quality Assurance, Training and Staff Development

• Engaging Stakeholders (2009-Present)

• Legislative Changes (Annually)

• Continual research used to make policy, procedural and resource allocation decisions
Pretrial Release Outcomes

Data from AOC PRIM database

- 219,645 Arrests (68%)
- 0 Unable to make bail case disposed w/in 48 hours (3%)
- 22% PT Release
- 7% Unable to make bail case disposed more than 48 hours
- 3% Still in Custody as of 4-30-14

April 1, 2013 to March 31, 2014
Pretrial Release Outcomes
Data from AOC PRIM database

PT Release Rate

<table>
<thead>
<tr>
<th>Risk Level</th>
<th>Release Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low Risk</td>
<td>80%</td>
</tr>
<tr>
<td>Moderate Risk</td>
<td>62%</td>
</tr>
<tr>
<td>High Risk</td>
<td>44%</td>
</tr>
</tbody>
</table>
Pretrial Release Outcomes
Data from AOC PRIM database 11-1-12 to 10-31-13

Appearance Rate
Public Safety Rate
Local-Level Leadership: Integrating Data-Driven Assessment Tools

Holly Szablewski
MILWAUKEE COUNTY PRETRIAL RE-DESIGN

The move to data-driven decision making:

• Developed funding proposal for County Board to reinstate pretrial screening (2009-2010)
• Multiple Stakeholder Sessions (Bail Setting, Risk Assessment & Praxis Training, Validation Study Presentation)
• NIC Evidence-Based Decision Making Initiative Site
• Reconstruction of MCPRAI & development of Praxis
• Grant from Wisconsin Office of Justice Assistance to pilot risk-based pretrial screening
• County Board fully funds Universal Pretrial Screening program (2012)
• Data-driven policy changes
BOND TYPE COMPARISON
PRE & POST SYSTEM CHANGES

PRB   CASH

2012
60%  40%

2009
36%  64%
# Release Rates

## 2012 Release Rate

<table>
<thead>
<tr>
<th></th>
<th>N</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Released</td>
<td>2,620</td>
<td>75</td>
</tr>
<tr>
<td>Detained</td>
<td>873</td>
<td>25</td>
</tr>
<tr>
<td>Total Cases</td>
<td>3,493</td>
<td>100</td>
</tr>
</tbody>
</table>

## 2013 Release Rate

<table>
<thead>
<tr>
<th></th>
<th>N</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Released</td>
<td>4,120</td>
<td>74%</td>
</tr>
<tr>
<td>Detained</td>
<td>1,426</td>
<td>26%</td>
</tr>
<tr>
<td>Total Cases</td>
<td>5,546</td>
<td>100</td>
</tr>
</tbody>
</table>
2013 RELEASE OUTCOMES

All Defendants

- Appearance Rate 82%
- Public Safety Rate 87%
FACILITATED DISCUSSION

Moderator

Anne Milgram J.D.
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Taking the First Step: Medicaid Enrollment Strategies within the Criminal Justice System
June 3, 2014
3:00-4:30PM ET

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