PRETRIAL 2.0

Rebooting Pretrial Services in San Diego County

NAPSA 47th Annual Conference
September 9, 2019
Asking Questions during this workshop:

• Go to: mentimeter.com
• Enter code: XXXXXX and press Vote + press Ask a question
• Type your question *(max 200 characters)* and press Submit
you can also support other questions...
Getting Answers during and after this workshop:

• Based on timing, we’ll review and answer questions at the end of the workshop

• ALL questions and answers will be published online: equivant.com/SDPTS-NAPSA

• Along with answers to your questions, this site will also include details of the SDPTS journey
Rebooting Pretrial Services in San Diego County
How Did We Get Here?

A little **background**...

- History of PTS in San Diego County
- Creation of the Sheriff’s PTS unit
- General demographics of jail population
  - 5,700 average daily population
  - Daily average unsentenced 50%
How Did We Get Here?

Some legislation...

- All persons arrested must be assessed
- Courts must have PTS; misd. crimes to be released
- Enacted Oct. 1, 2019; on hold by Judicial Council

SB-10
Pretrial release/detention = pretrial services

SB-36
Pretrial release = risk assessment tool (pending)

Humphrey
Pretrial detention & inability to post cash bail

Due process & equal protection
Ability to pay
Nonmonetary alternatives
Evidence that nonmonetary conditions are insufficient
Assessment tools must be validated by scientifically accepted methods
Accurate/reliable assessment of risk of FTA + risk to public safety if released
Minimize disparate impact due to race, ethnicity, gender, age, economic circumstance, and behavior or developmental disability

Rebooting PTS
San Diego County
How Did We Get Here?

**Stakeholder collaboration...**
- Know who to have at the table
- Tackle cross-agency education
- Identify the most important data for all
- Which assessment tool to use?
- Lessons learned...
PTS Data Reported Monthly
(fiscal years 2018-2019)

- 91% appearance rate
- 99% safety rate
- 89% success rate
- 36% concurrence rate for release recommendations
- YTD: 957 released SOR and OR
California Pretrial Assessment (CAPA)

**CAPA is based on the COMPAS PRRS-II**

- *employment status* removed
- *residence length* removed
- *age* excluded from candidate variables
- *drug history* restricted to information in case file and rap sheet
- “*top charge is a felony property or fraud*” replaces “top charge is felony” because SDSO pretrial target population consists mostly of felony defendants
- *summative point scoring* is utilized, making item importance and scoring procedure more intuitive, transparent, and simple
<table>
<thead>
<tr>
<th>CAPA Item</th>
<th>Response categories</th>
<th>Possible points</th>
</tr>
</thead>
<tbody>
<tr>
<td>1  Number of pending charges or holds</td>
<td>0, 1+</td>
<td>0, 2</td>
</tr>
<tr>
<td>2  Top charge is a felony property or fraud offense</td>
<td>No, Yes</td>
<td>0, 2</td>
</tr>
<tr>
<td>3  Number of times sentenced to jail 30 days or more</td>
<td>0-2, 3+</td>
<td>0, 1</td>
</tr>
<tr>
<td>4  Number of times failed to appear for scheduled court hearing (previous 2 years) *</td>
<td>0, 1, 2+</td>
<td>0, 1, 2</td>
</tr>
<tr>
<td>5  Any previous convictions, either misdemeanor or felony *</td>
<td>No, Yes</td>
<td>0, 1</td>
</tr>
<tr>
<td>6  History of drug abuse (restricted to information in the case file and rap sheet)</td>
<td>No, Yes</td>
<td>0, 2</td>
</tr>
<tr>
<td>7  On probation or parole at time of current offense</td>
<td>No, Yes</td>
<td>0, 1</td>
</tr>
</tbody>
</table>
California Pretrial Assessment (CAPA)

Data gathering considerations

• Data sources
• Offense dates
• Disposition dates
• Sample size
California Pretrial Assessment (CAPA)

Gather the data

- Power analysis required 5,000 assessments for released persons
- Assessment dates: October 2018 - December 2018
- Initial data set contained ≈8,000 cases
  - 75% misdemeanor
  - 25% felony

<table>
<thead>
<tr>
<th></th>
<th>Felony</th>
<th>Misdemeanor</th>
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</thead>
<tbody>
<tr>
<td>CASE CLOSED</td>
<td>0.21</td>
<td>0.35</td>
</tr>
<tr>
<td>DETAINED</td>
<td>0.30</td>
<td>0.05</td>
</tr>
<tr>
<td>RELEASED</td>
<td>0.49</td>
<td>0.60</td>
</tr>
<tr>
<td>Total</td>
<td>2,506</td>
<td>5,328</td>
</tr>
</tbody>
</table>
Sample: Case Closed/Detained/Released

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Chart showing proportions of various dichotomous variables for Case Closed, Detained, and Released cases.
Released only: Intact vs. Missing DA Case Number

San Diego County

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California Pretrial Assessment (CAPA)

- A *useful* risk assessment tool predicts that individuals classified as “high” will have a meaningfully higher failure rate than the base failure rate, while those classified as “low” will have a lower failure rate.

- In an *unbiased* assessment tool, there are no statistical differences in the *failure rates* of groups assigned to the *same risk level* (calibration fairness).

*Preliminary results:* Men and women have similar failure rates within risk levels for NCA and FTA combined using CAPA
Different ethnic groups have similar failure rates within risk levels for NCA and FTA combined using CAPA.
Validating the tool

• Local validation
  • Features of local population affect instrument performance
    ➢ Base rate differences across groups
    ➢ Prevalence of groups within population
      (smaller sub-populations may present analysis challenges)

• Frequent validation
  • Account for changes in population over time
Validating & Norming Tool for Local Population

AUC: Area Under Curve measures the discriminative ability of an instrument.

<table>
<thead>
<tr>
<th>Consensus in field of recidivism research</th>
<th>AUC range</th>
</tr>
</thead>
<tbody>
<tr>
<td>Poor</td>
<td>Less than 0.65</td>
</tr>
<tr>
<td>Fair</td>
<td>0.65 – 0.69</td>
</tr>
<tr>
<td>Good</td>
<td>0.70 – 0.75</td>
</tr>
<tr>
<td>Excellent</td>
<td>Greater than 0.75</td>
</tr>
</tbody>
</table>

Preliminary result for CAPA: AUC found to be **0.706** for combined NCA and FTA outcome in San Diego County.
Validating & Norming Tool for Local Population

Ethnicity

Gender
Top 3 Takeaways for PTS Success

WHAT PEOPLE THINK IT LOOKS LIKE

WHAT IT REALLY LOOKS LIKE

Rebooting PTS
San Diego County
Top 3 Takeaways for PTS Success

1. **Collaboration is key**
   - Look for early/quick success opportunities
   - Strive for the "win / win"

2. **Evaluate policies and practices**
   - What is working and what is not
   - New perspectives
   - Language and its interpretation
   - Addressing public safety

3. **Stay abreast of evolving EBP best practices**
   - It’s a continuous process
   - Assessments
   - Supervision
Questions/Answers & Contacts

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