PRETRIAL 2.0

Rebooting Pretrial Services in San Diego County

NAPSA 47th Annual Conference
September 9, 2019

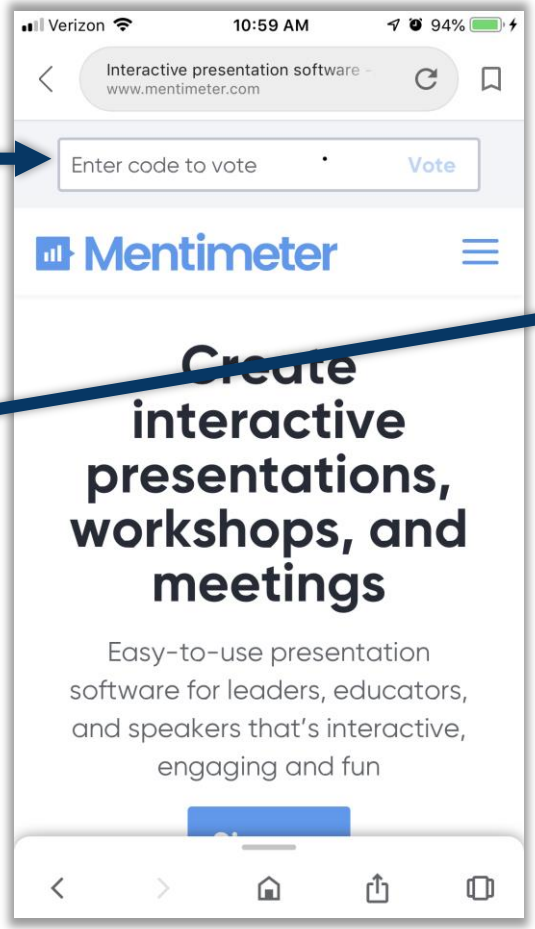
Asking Questions

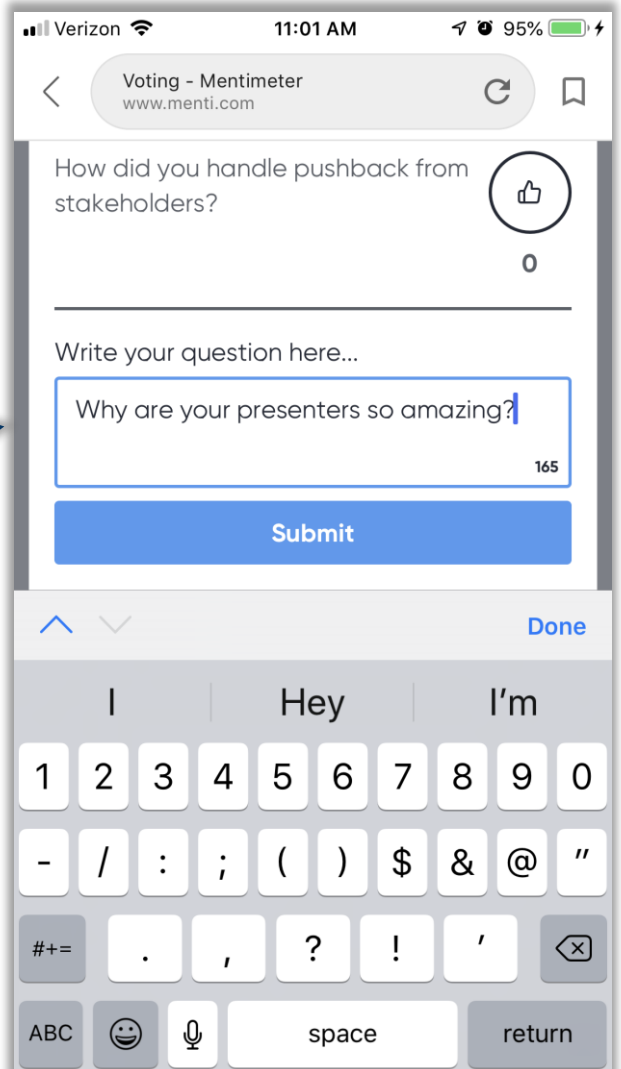
Rebooting PTS

San Diego County

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

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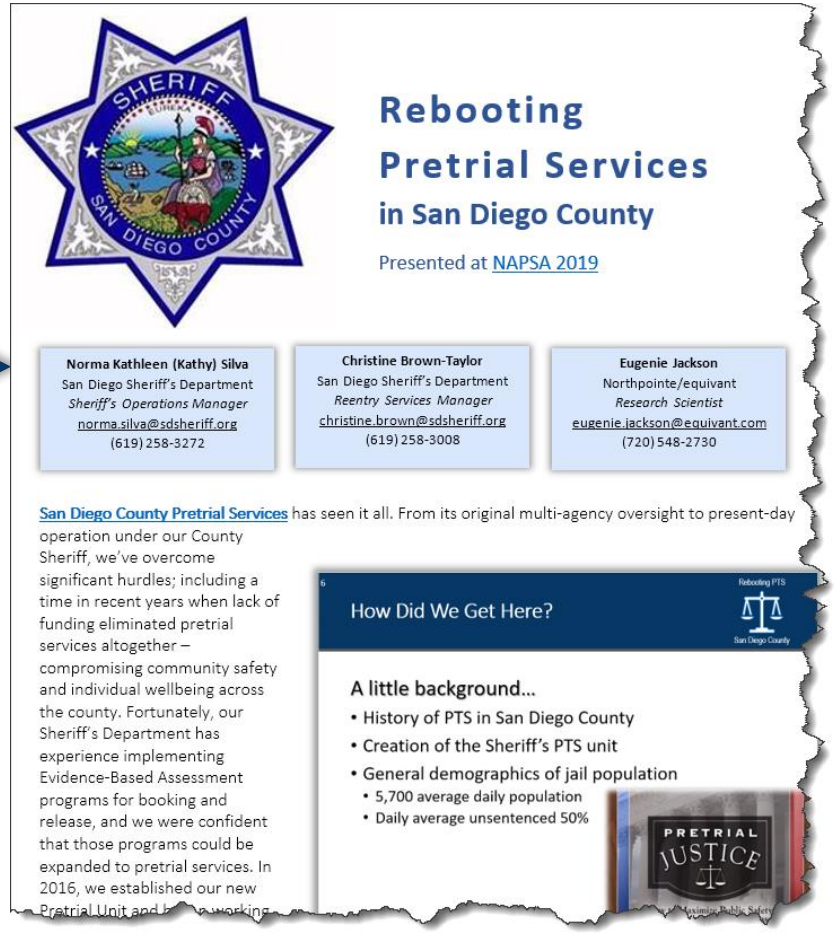
Getting answers **during and after** this workshop:

- 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

Presented at NAPSA 2019

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San Diego County Pretrial Services has seen it all. From its original multi-agency oversight to present-day operation under our County Sheriff, we've overcome significant hurdles; including a time in recent years when lack of funding eliminated pretrial services altogether – compromising community safety and individual wellbeing across the county. Fortunately, our Sheriff's Department has experience implementing Evidence-Based Assessment programs for booking and release, and we were confident that those programs could be expanded to pretrial services. In 2016, we established our new Pretrial Unit and

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%

PRETRIAL 2.0

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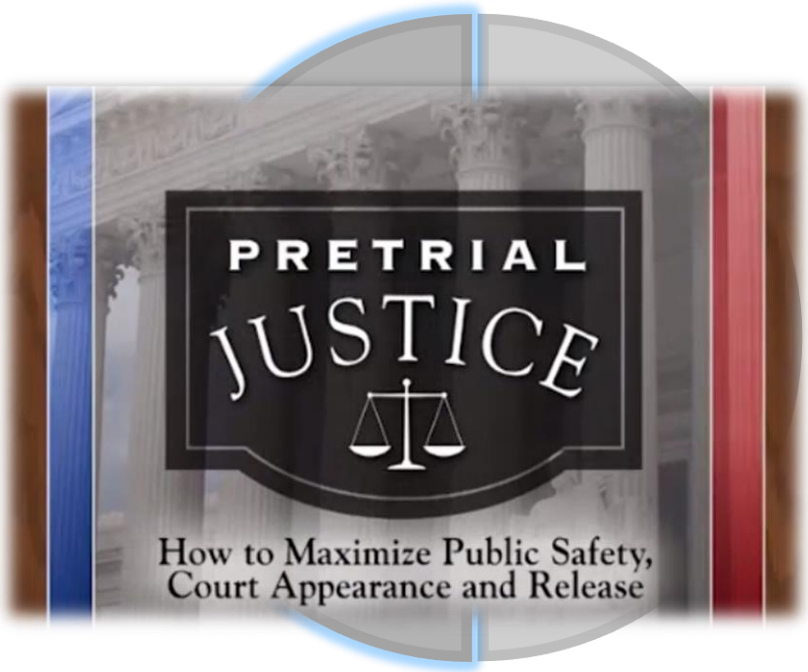

How Did We Get Here?

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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 Link to SB-10

Pretrial release/detention

= pretrial services

- Due process & equal protection
- Ability to pay
- Nonmonetary alternatives
- Evidence that nonmonetary conditions are insufficient

Humphrey

Pretrial detention & inability to post cash bail

Link to Opinion

SB-36 Link to SB-36

Pretrial release

= risk assessment tool (pending)

- 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

How Did We Get Here?

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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…

Finetuning Our Pretrial Report Process

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COURT LIST RUN FOR TARGET DATE-REPORTS ASSIGNED

- PTII STATIC ASSESSMENT COMPLETED
- PTII SCORE RECORDED

CRIMINAL BACK GROUND INVESTIGATION CONDUCTED

- SDLaw/eSUN CRIMINAL HISTORY LOCAL/NATIONAL
- JAIL INFORMATION MANAGEMENT SYSTEM
- ARJIS/OFFICER NOTIFICATION SYSTEM
- PROBATION CASE MANAGEMENT SYSTEM
- CJIS-SUPER KEY FOR ACTIVE DV TRO/STAY AWAY ORDERS

COMPLETED REPORTS FORWARDED TO PRETRIAL COUNSELORS

ALL REPORTS TO BE COMPLETED AND UPLOADED FOR COUNSELOR'S REVIEW 24 HOURS PRIOR TO DEFENDANT'S SCHEDULED ARRAIGNMENT

PTS Data Reported Monthly
(fiscal years 2018-2019)

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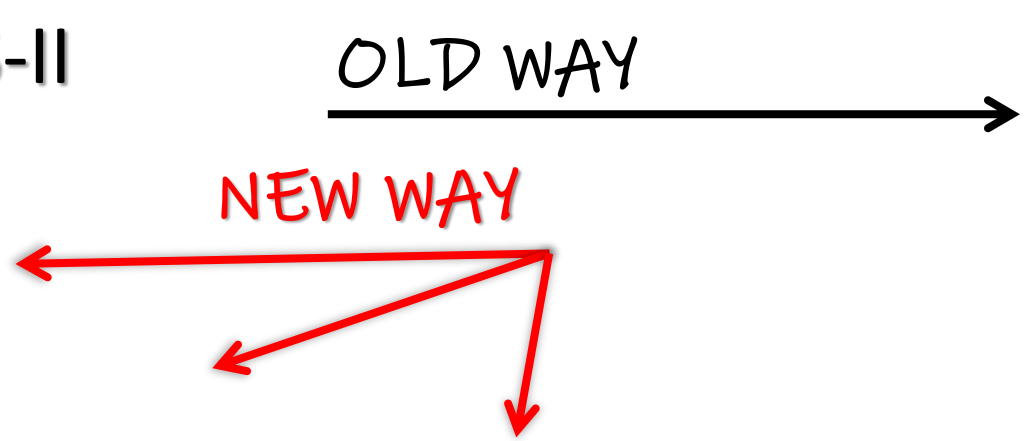
- 91% appearance rate
- 99% safety rate
- 89% success rate
- 36% concurrence rate for release recommendations
- YTD: 957 released SOR and OR

California Pretrial Assessment (CAPA)

Rebooting PTS

San Diego County

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

California Pretrial Assessment (CAPA)

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	CAPA Item	Response categories	Possible points
1	Number of pending charges or holds	0, 1+	0, 2
2	Top charge is a felony property or fraud offense	No, Yes	0, 2
3	Number of times sentenced to jail 30 days or more	0-2, 3+	0, 1
4	Number of times failed to appear for scheduled court hearing (previous 2 years) *	0, 1, 2+	0, 1, 2
5	Any previous convictions, either misdemeanor or felony *	No, Yes	0, 1
6	History of drug abuse (restricted to information in the case file and rap sheet)	No, Yes	0, 2
7	On probation or parole at time of current offense	No, Yes	0, 1

California Pretrial Assessment (CAPA)

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Data gathering considerations

- Data sources
- Offense dates
- Disposition dates
- Sample size

California Pretrial Assessment (CAPA)

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Gathering 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

	Felony	Misdemeanor
CASE CLOSED	0.21	0.35
DETAINED	0.30	0.05
RELEASED	**0.49**	0.60
Total	2,506	5,328

Sample: Case Closed/Detained/Released

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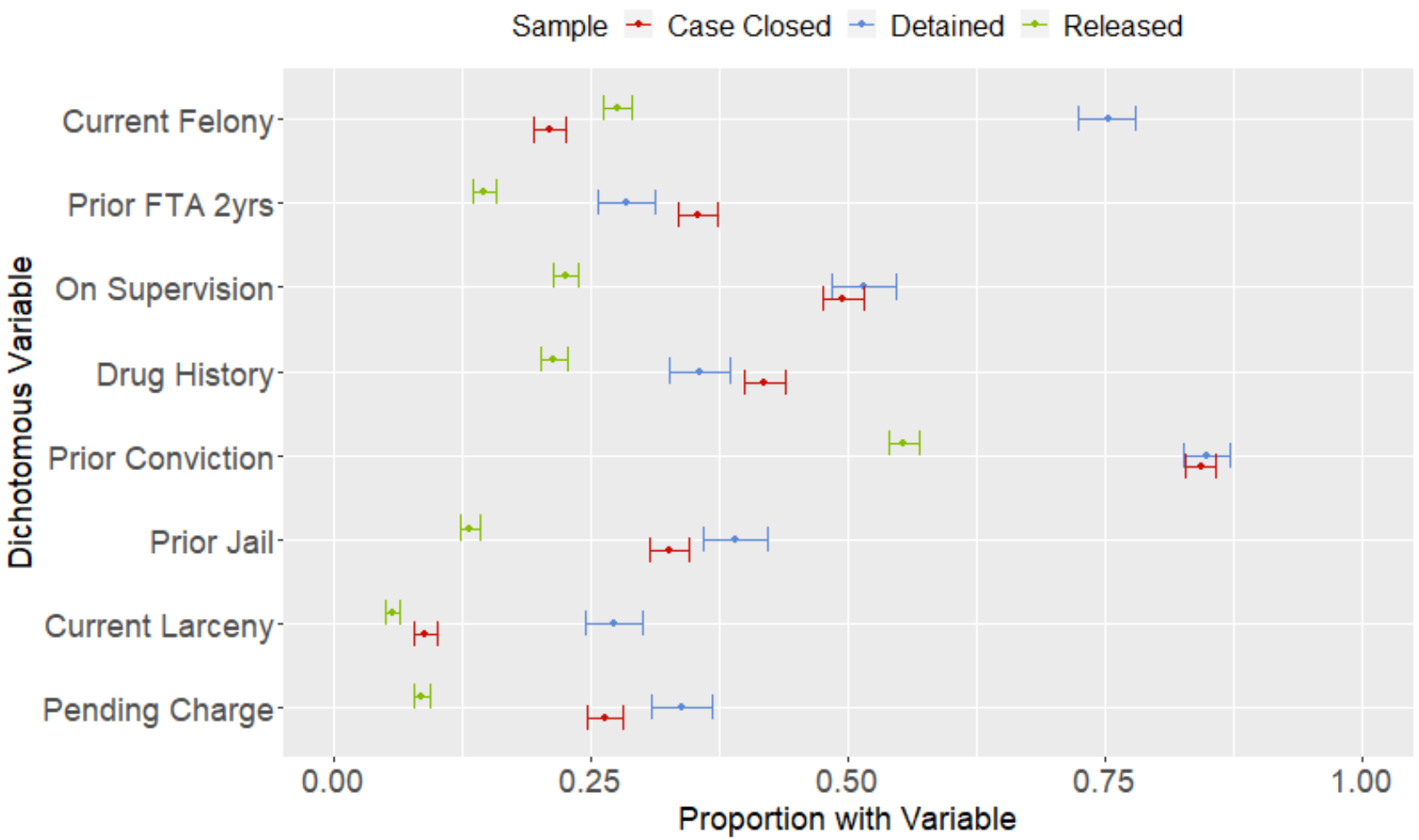

Released only: Intact vs. Missing DA Case Number

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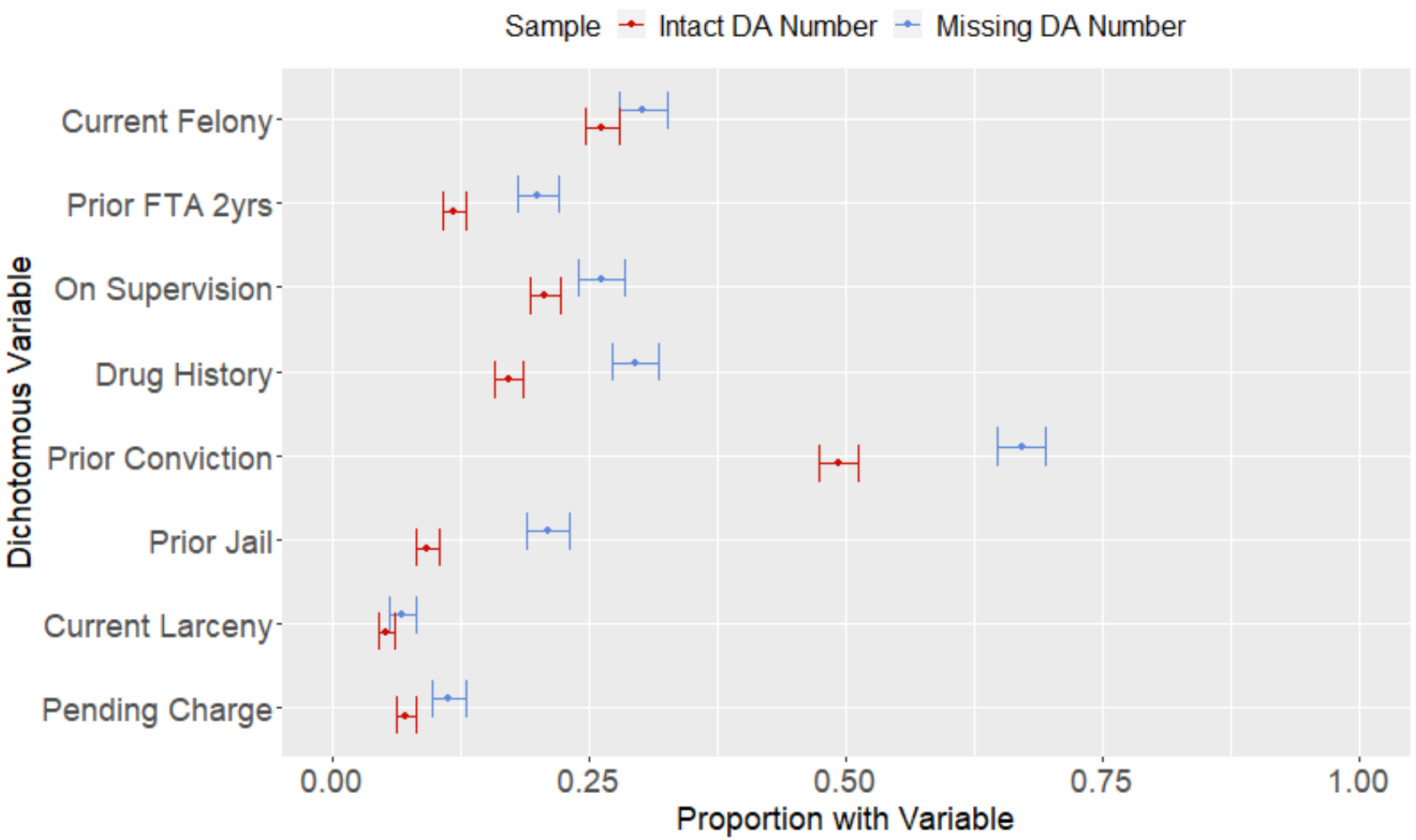

California Pretrial Assessment (CAPA)

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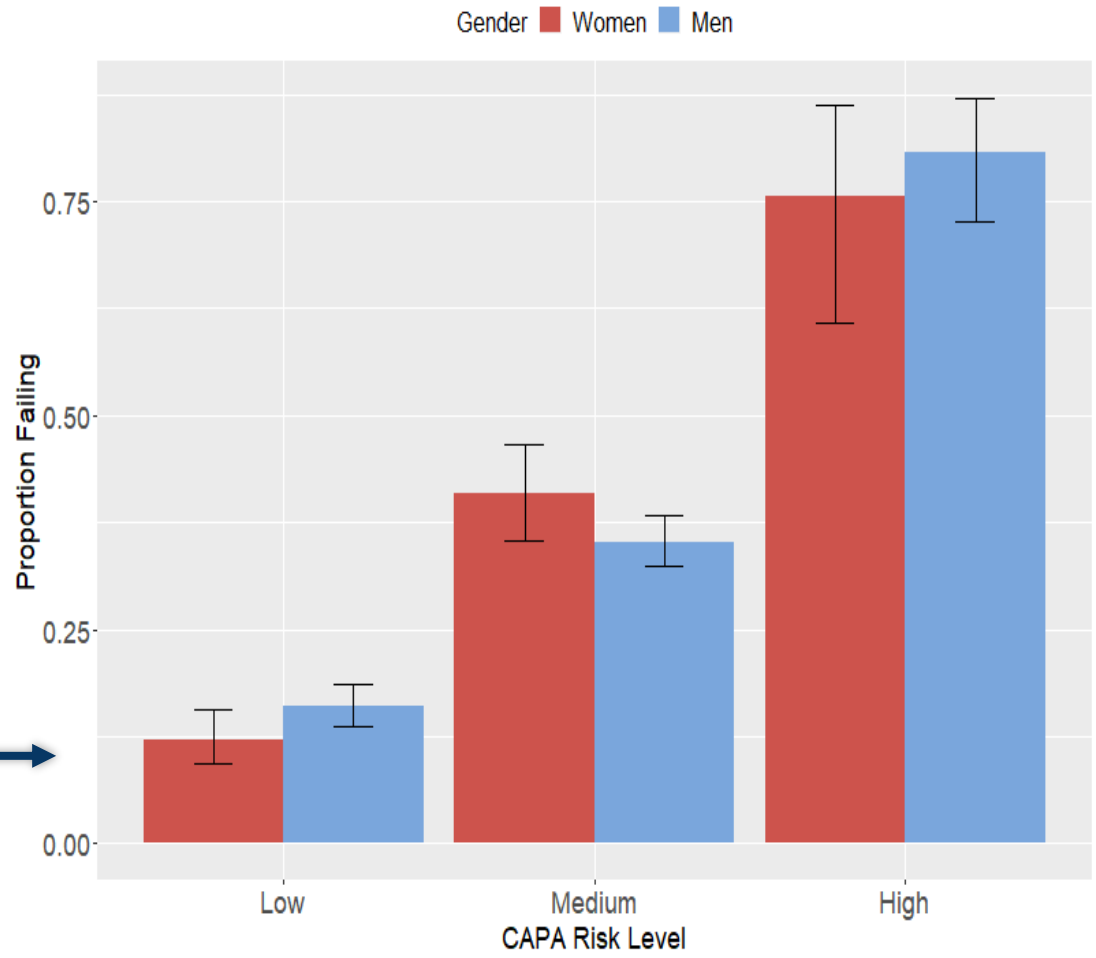
- A *useful* risk assessment tool predicts that individuals classified as “high” will have a meaningfully higher failure rate than the base failure rate, while those classified as “low” will have a lower failure rate.
- In an *unbiased* assessment tool, there are no statistical differences in the **failure 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



California Pretrial Assessment (CAPA)

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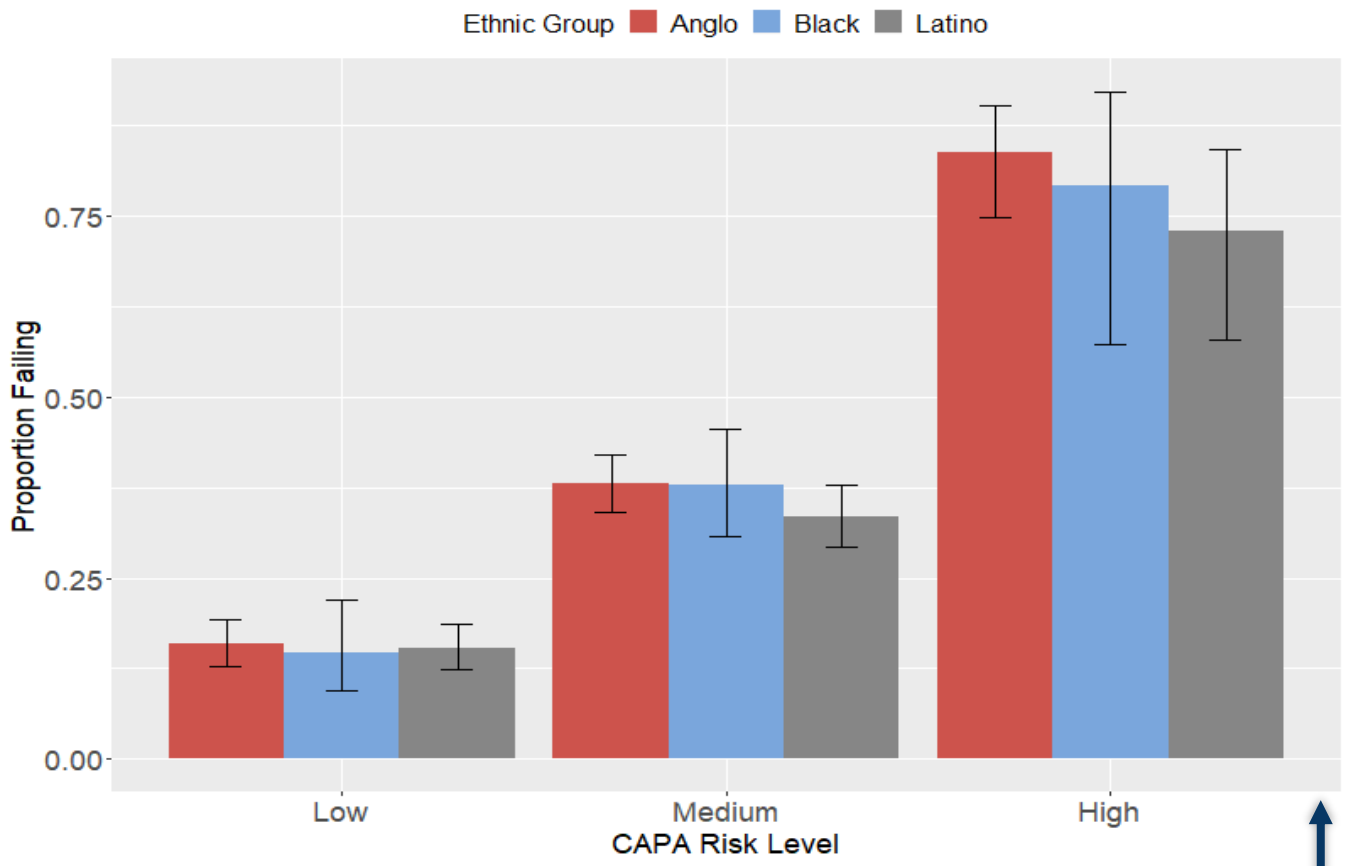

Different ethnic groups have similar failure rates within risk levels for NCA and FTA combined using CAPA

California Pretrial Assessment (CAPA)

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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

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

Consensus in field of recidivism research	AUC range
Poor	Less than 0.65
Fair	0.65 – 0.69
Good	0.70 – 0.75
Excellent	Greater than 0.75

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

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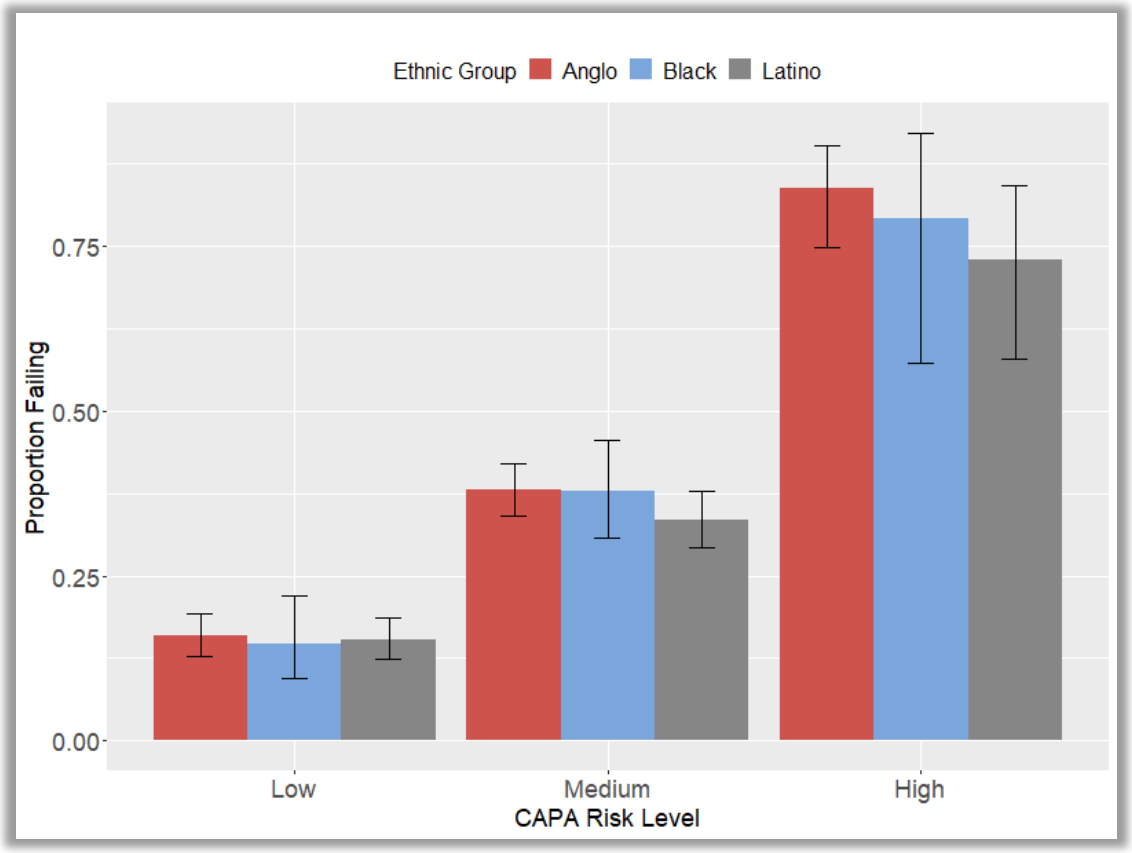
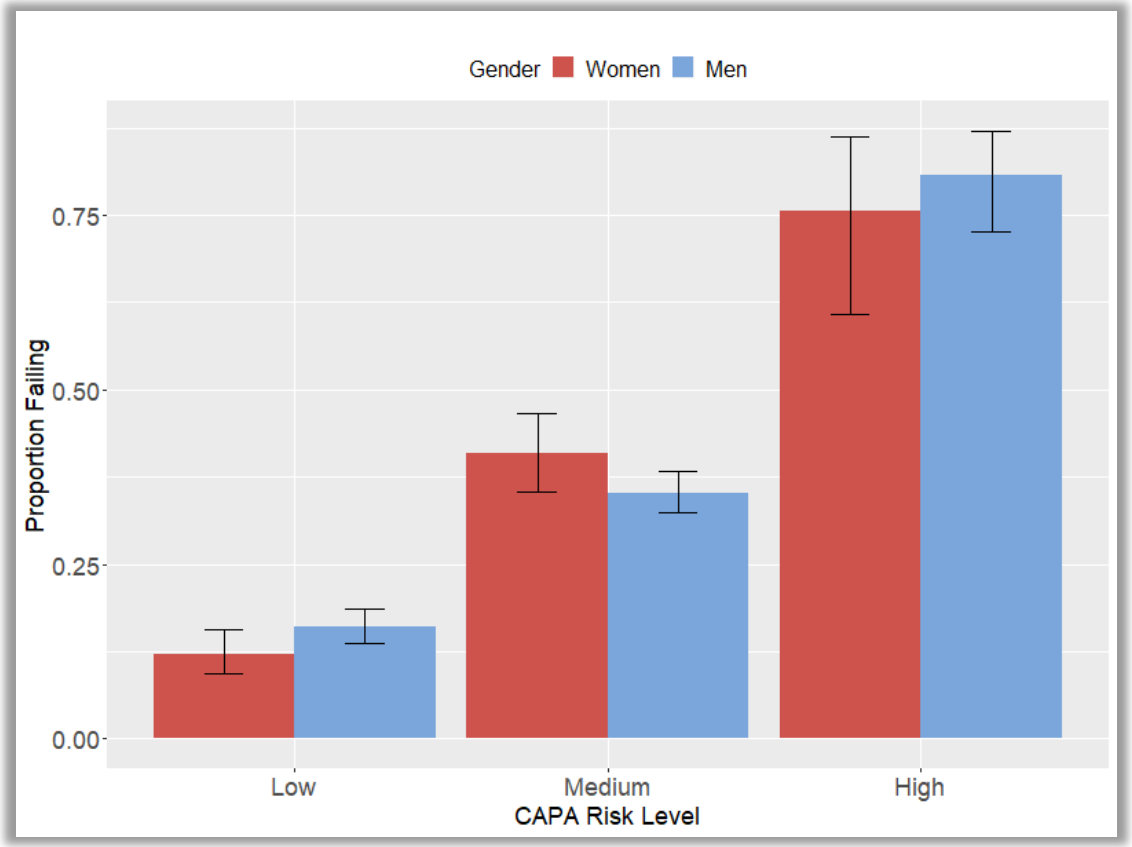


Ethnicity



Gender

Top 3 Takeaways for PTS Success

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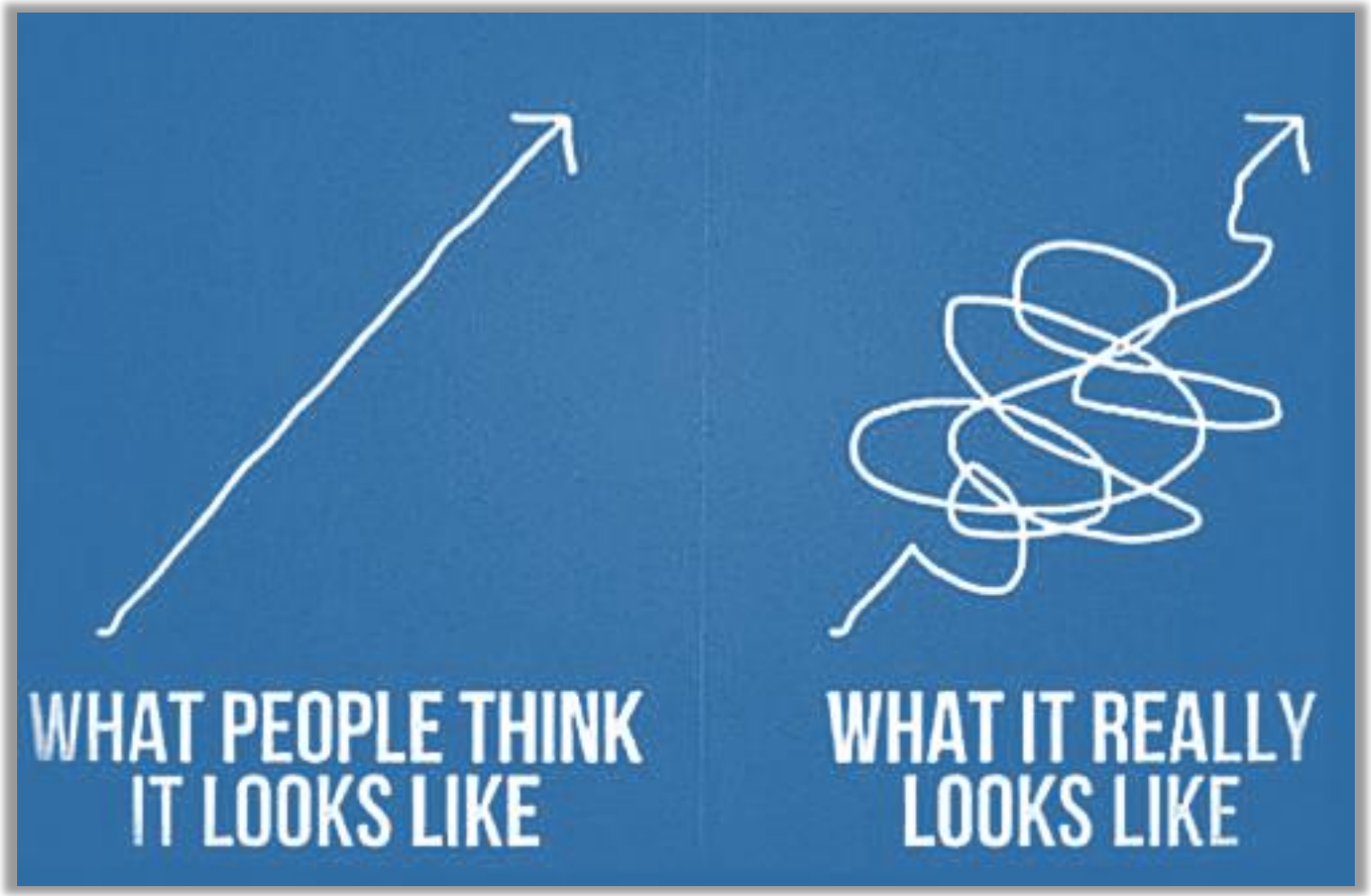

Top 3 Takeaways for PTS Success

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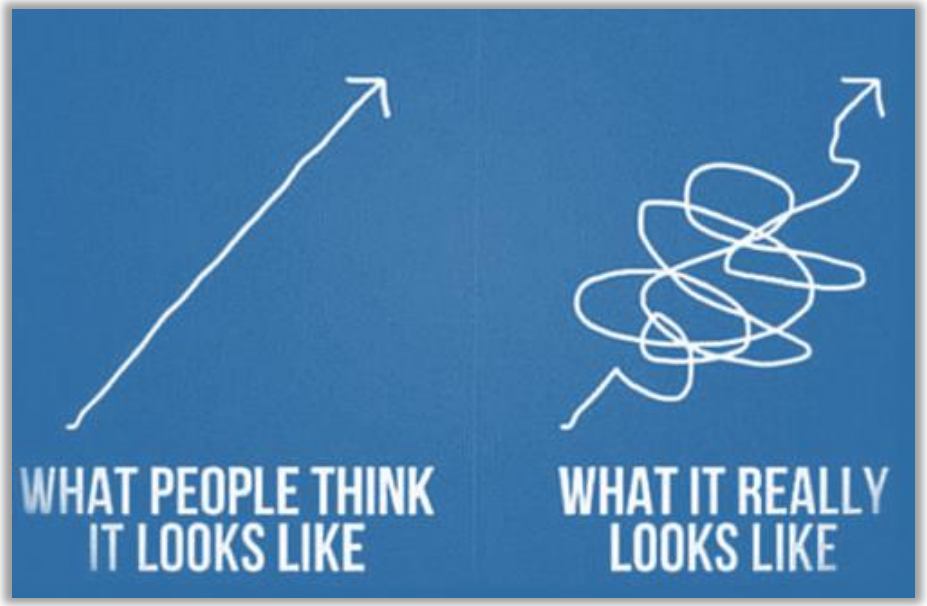
1. Collaboration is key
   - Look for early/quick success opportunities
   - Strive for the "win / win"
2. Evaluate policies and practices
   - What is working and what is not
   - New perspectives
   - Language and its interpretation
   - Addressing public safety
3. Stay abreast of evolving EBP best practices
   - It's a continuous process
   - Assessments
   - Supervision



Questions/Answers & Contacts

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For more details & to review all questions/answers:

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