

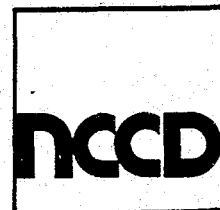
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SUPERVISED/PRETRIAL RELEASE
TEST DESIGN EVALUATION

EXECUTIVE SUMMARY

80-IJ-CX-K014

95221



NATIONAL COUNCIL ON CRIME AND DELINQUENCY
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SUPERVISED PRETRIAL RELEASE
TEST DESIGN EVALUATION

EXECUTIVE SUMMARY

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June, 1984

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EVALUATION OF SUPERVISED PRETRIAL RELEASE:

EXECUTIVE SUMMARY

I. INTRODUCTION

Public demand for greater restraint in pretrial release comes at a time when virtually all urban jails are tremendously crowded. Lawsuits have forced jail managers to restrict the use of jails in many cities including New York, Chicago, Baltimore, New Orleans, San Francisco, Miami, Portland and San Diego. The increased use of pretrial detention is an important contributor to overcrowded jails. The U.S. Department of Justice reported that in 1982 the national jail population was almost 210,000 -- an increase of one-third since 1978. This survey also revealed that the proportion of jail inmates who are pretrial detainees had increased from 54 percent in 1978 to 60 percent in 1982.

The pretrial handling of the felony defendant is a topic of heated national debate. There are some who argue that pretrial release practices are overly lenient and increase danger to the public. They call for new bail release laws which heed the future dangerousness of the pretrial defendant. President Reagan has repeatedly urged reform of the bail system to protect citizens from dangerous criminals. The President's views have been echoed by other national leaders such as Chief Justice Warren Burger and Senator Edward Kennedy (Wheeler and Wheeler, 1982). Recently California voters overwhelmingly approved a state constitutional amendment inducing "public safety" as a major criterion in all felony pretrial decisions.

The enormous capital outlays required for new jail bed construction have discouraged most jurisdictions from expanding their pretrial detention capacities. This public policy dilemma -- of increased pressure to tighten controls on pretrial release together with the severe shortage of correctional resources for pretrial detention -- has stimulated an exploration of new methods of pretrial release.

Supervised Pretrial Release (SPR) represents one option that is responsive to both sides in the national debate on pretrial release. Defendants in supervised release agree to comply with court-ordered conditions that are closely monitored and more restrictive than typically required in Own Recognizance (O.R.) release. Ideally, supervised release programs focus on defendants who are too risky to release on O.R. but who constitute good pretrial release candidates if provided appropriate levels of supervision and services. Thus, SPR programs incorporate (1) careful screening for eligibility, (2) a range of controls in lieu of pretrial detention, and (3) potential release options for defendants who are passed over by O.R. programs and who cannot post bail but who may still constitute good risks for pretrial release.

II. The National Test Design of Supervised Pretrial Release

In March 1980, the National Institute of Justice (NIJ) began a national test design of the SPR concept. As part of its research and development mandate, NIJ

proposed to field test a number of approaches for supervising defendants released pretrial to assure their appearance at court. The field test required that key program elements of supervised pretrial release be uniformly implemented and evaluated at three sites. Specific goals of the test were:

1. To assess the impact of different types of supervised release conditions on the failure to appear rates of program participants.
2. To assess the impact of different types of supervised release conditions on the rates of pretrial crime of program participants.
3. To assess the impact of the supervised release program on pretrial release practices and jail populations.
4. To assess the costs of SPR to victims and the criminal justice system.

The three sites chosen for the field test were: Dade County, Florida, Milwaukee County, Wisconsin and Multnomah County, Oregon.

This Executive Summary is intended to provide the reader with a condensed summary and simplified overview of the major findings resulting from the three year evaluation. These findings are followed by a discussion of the policy implications which flow from the analysis as they relate to the issue of supervised pretrial release. A description of a model SPR program also is provided for practitioners interested in implementing a similar program for their jurisdiction. Those interested in a more detailed discussion of the research design, data analysis and conclusions should consult the full final report.

III. MAJOR FINDINGS

A. Types Of Defendants Selected For SPR

A total of 3,232 felony defendants were interviewed as candidates for SPR at the three sites. Approximately 52 percent of those interviewed actually entered the experimental SPR study and had the following distinguishing characteristics:

- All SPR defendants had felony charges and had been denied pretrial release at their initial court appearance.
- The most frequent criminal charges SPR defendants faced were for burglary (22 percent), theft (12 percent), assault (11 percent), robbery (10 percent), and drug related crimes (10 percent).
- SPR defendants spent an average of 9 days in pretrial detention before release to SPR.
- The median bail amount was \$2,000.
- SPR defendants had an average of 5 prior arrests and 2 prior convictions.

- In terms of their social characteristics SPR defendants could be described as follows:
 - Youthful (age 16-26 years)
 - Male (89 percent)
 - Black (49 percent), White (25 percent) and Cuban/Haitian (18 percent)
 - Unmarried (89 percent)
 - No dependents (64 percent)
 - Unemployed (52 percent)
 - Living with their parents or some other family relative (48 percent)
 - Having a phone available at their place of residence (68 percent)
- Comparison of these characteristics with other felony defendants booked into jail showed that the SPR defendants' characteristics were defendants similar to those felony defendants who were not released or had difficulty in gaining immediate pretrial release.
- Across all three sites, the SPR defendants comprised only 5 percent of all felony jail bookings.

B. Levels Of Supervision And Services Delivered

After screening by staff, defendants were randomly assigned to two test groups. The supervision only group was to receive: (1) one phone contact plus two face-to-face contacts per week during the first 30 days of release and (2) one phone contact per week after the initial 30-day period. Any combination of three missed phone or in-person contacts would constitute a violation of supervision requirements. For the supervision plus services group, the minimum requirements included: (1) one phone contact and one face-to-face contact per week during the first 30 days and (2) appropriate participation in a designated service. A combination of two consecutive missed in-person contacts with the service agency and one missed contact with SPR staff constituted a violation of pretrial conditions.

In actuality the sites reported the following levels of supervision and types of services:

- The median length of SPR supervision was 48 days.
- During that time an average of 16 phone contacts and 12 face-to-face contacts (or a total of 28 contacts) were made by staff per defendant.
- Eighty percent of the SPR defendants met the required number of weekly phone contacts. Only 60 percent met the required number of face-to-face contacts.
- For those defendants receiving social services, they received one type of service which principally was vocational/employment training or drug/alcohol counselling.

Despite efforts to maintain standards of supervision and services for all three jurisdictions, each site established unique styles of providing supervision and

services to their defendants. Portland placed strong emphasis on tight supervision maintained through frequent phone contacts and strict enforcement of release conditions. Services were principally delivered by external social service agencies. Milwaukee relied heavily on frequent face-to-face contacts to supervise their defendants. Conditions of release were strictly enforced. Services were delivered by staff, emphasizing employment services. In marked contrast to the other sites, Miami provided levels of supervision and services generally below the test design standards. Services were infrequently or not at all delivered, release conditions were rarely enforced, and the project continually suffered from excessive caseload sizes that frustrated efforts to provide minimum levels of supervision or services.

C. Impact On Court Appearance Rates

The first major impact question to be answered by the research was to learn if supervision and services suppressed failure to appear and fugitive rates.² Analysis was done comparing the randomized groups as well as defendants released through other means.

- Most SPR defendants (86 percent) appeared for all of their required court hearings.
- Court appearance rates varied significantly among the three sites ranging from a low of 81 percent in Miami to a high of 98 percent in Portland.
- Court appearance rates were systematically higher for SPR defendants compared to felony defendants released on O.R., citation, and bail.
- Court appearance rates were essentially equivalent for both the supervision only and supervision plus services test groups.
- Most FTAs occurred within the first four weeks of release. However, there was a moderate increase in FTAs prior to sentencing suggesting that supervision must be consistently applied throughout the duration of a defendant's pretrial release status.
- Fugitive rates were low in all three sites ranging from 2 percent in Milwaukee and Portland to 8 percent in Miami. These rates were generally lower or equivalent to fugitive rates for persons released on O.R., citation, or bail.
- Miami had higher FTA and fugitive rates compared to the other two sites.

D. Impact On Pretrial Arrest Rates

Analysis was also completed to evaluate the impact of SPR on pretrial arrests. Here again comparisons were made among the sites and between the randomized test groups.

- Most SPR defendants (88 percent) successfully completed their period of pretrial supervision without being arrested.
- Pretrial arrest rates were similar for both the supervision only and supervision with services test groups.
- Unlike the analysis of FTAs and, despite the low level of supervision, Miami's pretrial arrest rates were essentially equivalent to the other site's arrest rates.

The finding that the pretrial arrest rates for the Miami SPR program were roughly equivalent to the other two sites, independent of the fact that Miami provided minimal supervision to its SPR clients is especially noteworthy. If supervision were to have an independent effect on arrest rates, one would have expected Miami to have higher pretrial crime rates which it did not.

These results also suggest that neither supervision nor supervision plus services are inherently superior in reducing pretrial crime. An alternative explanation is that defendants charged with more serious crimes are less likely to commit additional crimes while on pretrial release due to other factors surrounding the defendant's criminal case (e.g., the threat of imprisonment if convicted, frequent contact with counsel, etc.). Lazar's (1981) national study of pretrial release produced a similar finding - that supervision improves court appearance rates but exerts little influence on rate of pretrial crime - as did earlier studies of supervised release programs in Des Moines, Philadelphia and Washington, D.C. (NCCD, 1973; NIJ, 1980).

E. Predicting FTA and Pretrial Arrests

Despite the generally low rates of FTA and pretrial arrests among the SPR defendants, analysis was done to isolate the defendant and programmatic factors discriminating the large number of successes from the few failures. Developing stable predictors is a difficult task because FTAs and pretrial arrests, as observed above, are relatively rare events. For example, one could predict, without any information, that every SPR client would not FTA and this prediction would be correct nearly 90 percent of the time. While it is unlikely that predictive analysis could measurably improve staff release recommendations, the discovery of factors associated with FTAs and pretrial arrest would, at a minimum, identify defendants who should receive the higher level of supervision.

Bivariate analysis was first done to select defendant characteristics associated with FTAs and pretrial arrests. Stepwise multiple regression analysis was then used to identify which of these variables were most predictive of FTAs or pretrial arrests with the following results.

- Only a small proportion of the variance in FTAs (8.6 percent) and pretrial arrests (7.6 percent) could be explained by the variables tested in the regression equations.
- The best predictors of FTAs were the number of face-to-face and phone contacts per week. As the rate of these contacts increased, the rates of FTA decreased.

- Other predictors of FTAs were defendants charged with property crimes who had no telephone at their place of residence, and who did not pay utility payments.
- The best predictors of pretrial arrest were the number of prior felony arrests and age at arrest. Younger defendants with more numerous prior arrest records were more likely to be arrested.
- Other predictors of pretrial crime were the number of face-to-face contacts, defendants charged with property crimes, and the number of prior jail sentence and prior commitments to drug centers.

A second statistical technique, discriminant function analysis, was used to see if one could identify successful from failures using the same variables. As expected, this method of prediction correctly classified only 21 percent of the defendants who FTA and only 4 percent of those were arrested pretrial. Conversely, the model correctly predicted 99 percent of the successful cases, demonstrating again the difficulty in isolating these few cases likely to fail.

F. The Costs of SPR to Victims

Data were also collected on the number and types of crimes committed by defendants while on SPR. The research also attempted to measure the amount of personal injury or property loss suffered by the victims of these criminal events. Also examined was how prosecutors and courts handled instances of pretrial crime by SPR clients.

- Twelve percent of all SPR defendants (including non-randomized mandated cases) were re-arrested while under SPR supervision.
- Two percent of all SPR releases were rearrested for crimes of violence. Seven percent were re-arrested for property crimes.
- Two percent of all SPR releases were arrested more than once.
- Of all the SPR releases who were re-arrested, about half (49 percent) were again released on pretrial status principally through O.R. or bail. About half (48 percent) of these charges were later dismissed by the court or dropped by the prosecution.
- The total amount of property stolen and damaged resulting from this re-arrest was approximately \$106,000.
- The average non-reimbursable loss to victims was estimated to be \$600 per property crime.
- 46 citizens suffered personal injury.
- Fifteen percent of these victims suffered injuries requiring hospitalization.
- Most victims (54 percent) did not know the defendant.

- The social characteristics of these victims were similar to the defendants. Disproportionate numbers were black, Hispanic, with no or minimal occupational skills and a high unemployment rate.

G. Criminal Court Dispositions Of SPR Cases

Considerable attention has traditionally been directed toward analyzing the relationship between pretrial release and court disposition. Researchers have observed that defendants remaining in custody throughout their pretrial hearings are more likely to be convicted and receive more severe sanctions than those released. Consequently, analysis was done to learn how the courts sentenced SPR defendants in relation to other felony defendants and to what extent failure on SPR affected sentencing.

- A significant proportion of SPR defendants had their cases dropped for prosecution or dismissed by the court. The dismissal/drop rate ranged from 15 percent in Milwaukee to 67 percent in Miami.
- If convicted, most SPR defendants (73-85 percent) were placed on community supervision, - typically probation.
- Only a small proportion of all SPR defendants, ranging from 17 percent in Portland and Milwaukee to less than 2 percent in Miami, were committed to state prison.
- The rate of commitment to state prison, however, was three to four times higher for SPR defendants who FTA'd or who were re-arrested than for SPR defendants who reported no FTAs or re-arrests.
- These court disposition rates for SPR defendants were relatively similar to the disposition rates of other felony defendants released via bail and O.R.
- Felony defendants who were not released to SPR or any other method of pretrial release had significantly higher commitment rates to prison.

H. Impact On Jail Crowding

By releasing defendants to SPR who otherwise would have remained in detention for substantial periods of time, it was hypothesized that bed space would be freed up and jail crowding eased. This objective goal is particularly important in terms of justifying the high operating costs of intensive supervision programs like SPR.

Based upon data collected for the SPR clients and other felony bookings on lengths of detention stays, the number of theoretical bed space saved by SPR was calculated. Using a statistical estimation procedure, SPR hypothetically saved a total of 93,408 detention days or a total of 256 beds for the three sites.

A more direct measure of the impact of SPR on jail crowding is the actual size of the pretrial jail population in each jurisdiction as measured before and

after SPR began. All three sites reported a slight decrease in their jail populations after SPR was introduced but thereafter the jail populations remained fairly constant or increased slightly. The difference in beds saved between the theoretical estimate and the actual experiences of each site is explained by external factors that exerted greater influence on jail population growth (e.g., a court-ordered cap on the jail population in Portland or the sudden and massive immigration of Haitians and Cubans into Miami). SPR was also limited in controlling pretrial jail populations because it applied to such a small proportion (5 percent) of the felony pretrial bookings across all sites. Nevertheless, there were indications in Portland and Milwaukee that SPR did help control the growth of the pretrial population.

I. The Costs Of SPR To The Criminal Justice System

Analysis was also done to estimate the extent that SPR programs could produce cost savings for the criminal justice system. Since a primary goal of SPR was to reduce jail crowding the focus was on savings in jail operations and construction costs.

The methods for evaluating SPR's costs are somewhat complicated and require some explanation here. Two types of costs were estimated, operating costs and construction avoidance costs. Operating costs cover expenditures associated with the daily operations of a facility or program. These can be broken down into broad categories such as salary, fringe benefits, supplies, and administrative support. In assessing the operating cost savings, SPR's program costs are compared with the jail's operating costs for a similar population (i.e., what would it cost to maintain a 60-75 inmate population in SPR rather than in jail).

Construction avoidance costs estimate how much money would be saved by using SPR to avoid future cell construction. Estimates are based on how many beds SPR frees up by accepting defendants who otherwise would not be released. The key assumption here is that without SPR crowding would have continued and ultimately resulted in additional funds for construction of new beds.

Three scenarios or simulations were done to illustrate how SPR can add or reduce criminal justice costs depending upon how it is used. The first two simulations addressed operating costs only. The first operating cost model assumes that SPR did not result in a reallocation of the jail's existing operating budget. In this case, SPR was simply an additional program funded by the county with no corresponding adjustment in the jail's existing operating costs. The second scenario assumes that SPR's operating costs were covered by eliminating or transferring jail staff and using these savings to finance the SPR program. Reductions of jail operating expenditures are made possible only because the pretrial population has been reduced by SPR.

The third scenario, which is probably the most realistic of the three, assumed that SPR is funded with additional revenues from the county with no associated decrease in the jail operations budget because the jail is already crowded. The SPR program is used to reduce the pretrial population to its design capacity. Consequently, there are minimal operational cost savings in inmate support expenses.

Based upon these cost analysis models the following conclusions were reached:

- SPR, if used to avoid construction costs, will produce substantial criminal justice system savings (estimated at \$400,000 per year using the assumptions noted in the construction avoidance model).
- SPR, if not used in lieu of construction or to reduce the current operating budget of the jail by reducing existing jail personnel will add substantially to existing criminal justice system costs (estimated at \$130,000 per year using the assumptions noted above).
- Since most jails are overcrowded and understaffed, SPR is unlikely to produce any immediate cost savings and is more likely to increase operating expenses. However, in the long term it may reduce the need for increased capital outlays for new jail beds.

IV. POLICY IMPLICATIONS AND CONCLUSIONS

Having reviewed the major findings of SPR programs under actual field conditions, what broad conclusions can be reached regarding the utility of SPR? Is it a program worthy of consideration by judges and practitioners interested in improving pretrial release standards and performance? More specifically what can be said relative to the following central questions?

1. Does SPR Endanger Public Safety?
2. Are Services Needed?
3. Will SPR Reduce Jail Crowding?
4. Will SPR Reduce Costs?
5. Do Practitioners Support SPR?
6. What Would A Model SPR Program Look Like?

A. Does SPR Endanger Public Safety?

No. Compared to other pretrial release programs SPR does not pose a higher risk to public safety. A primary objective of the SPR test design was to learn if there existed a pool of defendants who either could not secure immediate release because of financial reasons or who were viewed as marginal risks by the court, but who could be safely released under proper supervision. The research clearly showed that SPR cases report generally lower FTA and fugitive rates than other pretrial release options (bail, O.R., etc.).

B. Are Services Necessary To Reduce Pretrial Arrests and FTAs?

No. The most rigorous component of the SPR test design evaluated the effects of supervision alone versus supervision with services. Analysis consistently showed that the delivery of social services had no systematic impact on FTAs, fugitive, or pretrial crime rates. This is not to say that services should never be afforded defendants in obvious need. Rather, these services should be selectively reserved for a carefully screened minority of defendants requiring crisis level intervention. Pretrial agencies staffed principally with professionally

trained social workers, drug counselors, and employment specialists will have no greater impact on defendant behavior than an agency whose staff is oriented toward supervision.

Intensive supervision, which is often lacking in many pretrial programs, is the centerpiece of SPR. Indeed, pretrial release programs should be encouraged to expand their activities from screening and court recommendations for release to providing varying levels of supervision intensity. In particular, the relatively efficient use of routinized phone contacts which increases accessibility to defendants would likely enhance appearance rates and improve credibility with the court.

This is not to advocate intensive supervision for all defendants, many of whom pose no or little threat to the public. Pretrial agencies must be prepared to offer meaningful levels of supervision to the defendant charged with felonies or serious/gross misdemeanors if they expect the court to act favorably on release recommendations.

C. Can SPR Reduce Jail Crowding?

SPR by itself will not reduce a jail's population but it can be used to help alleviate jail crowding if used in concert with other policy options. Many factors contribute to the size of a jail's pretrial population. This study observed that far reaching external events such as race riots, changing law enforcement and court policies, federal and local court orders capping jail populations, and changing demographic characteristics influence how large the jail population will grow. SPR, by design, is limited to only a small percentage of those felony defendants unable to gain immediate release. Since misdemeanor defendants comprise the major bulk of jail admissions (NCCD, 1984), a felony focused program like SPR can only have a limited impact on pretrial crowding. SPR is only one component of a full array of pretrial services and options available to the court to manage its jail population within available resources.

D. Can SPR Save Money?

In the short term no; in the long term yes. Most jails are attempting to deal with crowded conditions with staff levels intended to safely operate their facilities at their rated capacities. Starting up an SPR program will require additional funding. In the context of a crowded jail facility, reductions in the jail's current staff cannot be made to "pay" for the new SPR program since staff are presently overworked. Thus, in the short term, jurisdictions will be faced with the immediate costs of funding the new SPR program as well as maintaining its current operating expenditures for the jail and other pretrial functions.

However, SPR can become a means for avoiding future capital construction costs. Cost-savings claims would be justified if there is reasonable evidence that the existence of SPR allows a jurisdiction to reduce its current capital construction program for expansion, replacement, or renovation.

E. What Is The Cost of SPR to Victims?

Whenever persons are released from custody, a certain number of them will commit additional crimes at great social cost. Research efforts are continuing to try to identify those screening models and supervision methods which will minimize the extent of harm inflicted upon the public. Unfortunately, even use of the most sophisticated predictive models cannot prevent the release of defendants who will commit new crimes.

SPR programs as tested here had relatively high success rates. Twelve percent of all the defendants released to SPR were rearrested for additional crimes. Most of these new crimes were for a misdemeanor type property offenses such as petty theft and trespassing. But there were other crimes of a much more serious nature which caused great property loss and physical injury. Victims, on the average, suffered property losses and damages exceeding \$600 per household or per commercial property. Fifteen percent of the victims suffered physical injuries sufficient to require hospitalization. And the unknown costs of medical care must be added to the property losses noted above.

If all the SPR releases had been detained until the court's final disposition (an estimated 50-60 days of pretrial incarceration) these damages and injuries would not have occurred. But a preventive detention policy at this scale would entail the expensive pretrial detention of 88 percent of the SPR defendants who were not rearrested including those defendants whose charges were eventually dropped or dismissed by the court. SPR, as does other community release programs, presents a difficult tradeoff where the justice system eases some of its problems (jail crowding, unnecessary detention of good risks, etc.) at the expense of public safety. Programs like SPR become unacceptable when the costs to public safety become too high.

Given the reality of a small but certain amount of crime to be inflicted upon a community as a result of SPR, we believe it critical for jurisdictions which institute SPR programs to have available victim compensation funds and services for those persons victimized by SPR and other pretrial releases. Such services would ease public concern over the program and provide much needed compensation. A careful monitoring of the extent of injury and property damage should be maintained to constantly evaluate the impact of SPR in the community and to ensure public safety is being maintained at its highest level.

F. Will Practitioners Support SPR?

Yes. One of the less visible but more significant accomplishments of SPR was its acceptance by criminal justice practitioners as a viable pretrial release option. At the beginning there was some concern expressed in Portland by the prosecutors and in Milwaukee by the judges. But over time, as the programs demonstrated they were indeed delivering intensive levels of supervision, they also gained credibility.

Across all the sites, judges denied release in only 10 percent of all cases recommended for SPR release. Judges, in particular, welcomed the creation of a pretrial release option which entailed certainty in supervision, a component not often found in pretrial programs.

The most telling evidence of support lies in the fact that SPR has continued to exist at each site despite the termination of federal grant money. Each site was able to secure local funds largely because each jurisdiction became convinced that SPR was worthy of continued funding. In Miami the program was consolidated within the larger pretrial services agency. Milwaukee cut back on its screening of felony defendants but continues to deliver intensive supervision and services to cases referred by the court. Portland's program has continued intact and remains under the administrative control of the jail administrator. All programs are expected to continue with local funding for the next few years.

G. What Should A Model SPR Program Look Like?

Although much has been learned through this SPR test design, much more data and experience will be needed to refine the concept of SPR. As additional SPR programs are tried and evaluations completed we will learn more about what forms of supervision, administrative structure, and screening techniques will be most effective in identifying the best candidates for release.

Despite these caveats, a number of recommendations for implementation of an SPR program within a jurisdiction can be stated as follows:

V. **MODEL SPR PROGRAM COMPONENTS**

A. Contextual/Administrative Considerations

1. Support for SPR must come from judges, prosecutors, and public defenders. Of the three, judicial support is most critical to the program's success since they alone can grant release from pretrial detention.
2. The program can be placed under the administrative control of probation, sheriff, pretrial services, or private non-profit (PNP) agencies. PNP operated programs tend to be less costly to operate than those of local public agencies due to lower personnel costs. However, public agencies are likely to have more credibility and experience with the courts.
3. Prior to implementation of SPR, there should be some empirical evidence that traditional pretrial release mechanisms (O.R., 10 percent bail, surety bail, citation release) are being used and for the appropriate cases.
4. Funds should be set aside in the SPR budget to provide victim compensation and services to those citizens victimized by released SPR defendants.
5. A basic management information system should be maintained to monitor screening, intervention and outcome measures on a monthly basis.

B. Screening Standards

1. Only defendants charged with felony crimes, who are ineligible or unable to gain pretrial release through other traditional release mechanisms should be screened.
2. Screening should not begin until after charges are filed and initial bail or arraignment hearings are completed. As a rule of thumb, defendants should have been in custody for at least three days prior to screening.
3. Interviewers, in addition to social history data, should have secured an official criminal history record prior to screening which includes a history of previous FTAs.
4. The following defendant characteristics should be considered in determining both release suitability as well as supervision level.
 - a. Severity of Current Offense
 - b. Number of Prior Felony Arrests
 - c. Type of Prior Felony Arrests
 - d. Number of Prior Drug Commitments
 - e. Telephone At Defendant's Residence
 - f. Utility Payments By Defendant

C. Supervision Standards

1. During the first 30 days of pretrial release the defendants should receive a minimum of 1 face-to-face plus 2 phone contacts per week.
2. After the first 30 days, supervision can be adjusted downward to a minimum of 1 phone contact per week at the discretion of staff and with optional face-to-face contacts.
3. The level of supervision should be increased moderately prior to sentencing hearings.
4. Social services are optional and should be reserved for those cases in greatest need.
5. Caseloads should not exceed 25 defendants per caseworker.

D. Outcome Standards

1. The defendant-based appearance rates should approximate 90 percent.
2. The defendant-based pretrial crime rate should not exceed 10 percent.
3. The majority of pretrial crimes committed by SPR defendants while under supervision should be minor property crimes.
4. The defendant-based fugitive rate should not exceed five percent.

FOOTNOTES

- 1 The evaluation used multiple designs and data sets to answer the four major impact questions listed above. To measure the impact of SPR on failure to appear rates (FTAs) and pretrial crime rates, an experimental design was implemented. Defendants eligible for SPR were randomly assigned to two test conditions; (1) supervision only or (2) supervision plus social services.

The study was also interested in learning how the SPR rates compared with other release options (e.g., bail, O.R., etc.). A random sample of felony-charged defendants were analyzed to make comparisons with the SPR defendants within each jurisdiction.

Time series analysis was done to measure the impact of SPR on jail population growth.

Finally, an intensive follow-up survey was completed of all SPR defendants who were re-arrested while under SPR jurisdiction. Each arrest was carefully analyzed to measure the extent of harm (both financial and personal) caused by released defendants.

- 2 In this study, an FTA was defined as missed court appearance resulting in a formal bench warrant for that failure to appear. Instances where defendants missed court appearances but the court chose not to issue a bench warrant were not recorded. This strict definition was necessary to provide comparable and objective data on FTA rates across the three SPR sites. FTA rates can be calculated in two ways: (1) the proportion of defendants who miss at least one of their court appearances or (2) the proportion of total court appearances missed by the defendant. The first method is the most rigorous measure of FTA because it discounts many positive court appearances made by the defendant. The second measure presents a picture of the disruption of the court process caused by FTAs. In the full report both measures of FTA rates are presented. Most of the analysis actually show appearance rates reflecting the proportion of defendants successfully completing their court obligations.

END