

Judicial Council Pretrial Pilot Program

October 22, 2019

Judicial Council Award

\$68M awarded to 16 trial courts—\$5.7M to Sonoma County

Program Goals:

- increase safe release of arrestees before trial
- use least restrictive monitoring practices possible while *protecting public safety and ensuring court appearances*
- validate and expand the use of risk assessment tools
- pre-arraignment risk assessment and release decision
- statewide evaluation to assess bias

Pretrial Pilot Staffing

THE SUPERIOR COURT OF CALIFORNIA
COUNTY OF SONOMA



Commissioner (2)
Web Developer (2)
Program Administrator (1)
Legal Process Clerk (1)

Probation Officer IV (2)
Probation Officer II (4)
Probation Assistant (2)

Additional costs:

- development of Public Safety Assessment tool/data repository
- electronic monitoring
- office space

History of Pretrial in Sonoma County

2009: *Criminal Justice Master Plan* recommends pretrial program

2012: First full-year Community Corrections Partnership Plan includes pretrial funding

2015: 689 pretrial grants

2018: 2,119 pretrial grants

2019: SB 10 (Bail Reform Bill) passes

2019: Referendum on SB 10 qualifies for 2020 ballot

2019: Judicial Council awards Superior Court expansion funding for Pretrial Pilot Programs

Features of Pretrial Programs

- validated tools determine risk
(e.g., failure to appear, new criminal activity)
- release decisions based on risk, not finances
- Probation monitors arrestees at level determined by court

Outcomes of Current Program

Pretrial Outcome	# Successful Outcomes	% Total Releases
No Failures to Appear	1,495	85%
No New Criminal Referrals	1,479	84%

(Of 1,765 Exits in CY 2018)

Outcomes of Current Program

Of 286 new criminal referrals in 2018, most (73%) were misdemeanor charges, and 27% were for felonies. Considering all 1,765 individuals whose pretrial grant ended in 2018, only 3% ended due to a new felony.

Sonoma County Pilot Program Goals

- increase use of pretrial release
- use least restrictive monitoring practices necessary to ensure public safety and minimize failures to appear
- adopt a validated, transparent pretrial risk assessment tool
- assess and reduce bias in the pretrial system
- strengthen collaboration among justice partners

Next Steps

- Collaboration with Justice Partners
- Court contracts with Probation to provide pretrial risk assessments and monitoring of defendants released from custody

Recommended Actions:

Authorize the Chief Probation Officer to approve an agreement with the Superior Court for the term August 1, 2019, through June 30, 2021, accepting \$3,012,909, under which Probation will perform pretrial risk assessments and monitor arrestees in the community.

Adopt a Resolution adjusting the FY 19-20 Probation budget to increase appropriations and revenue by \$1,477,582 to expand the pretrial program using Judicial Council award funding.

Adopt a Resolution amending Probation's allocation list to add 2.0 Probation Officer IV positions, 4.0 Probation Officer II positions, and 2.0 Probation Assistant positions time-limited through June 30, 2021.

