

2021 SONOMA COUNTY PRETRIAL PROGRAM ANNUAL REPORT

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Background

How this Report Is Organized

This annual report presents program data on the booking, assessment, and release processes, in addition to key program outcomes. While the report focuses on the period since the start of the pilot program (fiscal year 2020-2021 and the first half of fiscal year 2021-2022), data back through fiscal year 2015-2016 are included to portray trends. The purpose of this report is to provide a robust picture of the program and how it functions within the pretrial system, while also identifying both strengths and opportunities to inform program improvement efforts.

Program History

Sonoma County envisions a pretrial system that protects the public, ensures the rights of defendants, and relies on fair and efficient administration of justice in pretrial decision-making. In January 2015, Sonoma County justice partners first established a Pretrial Services Program (PSP). The PSP was a result of extensive collaboration and coordination among all of the criminal justice stakeholders, including the Court, District Attorney's Office, Public Defender's Office, Sheriff's Office, Probation Department, Santa Rosa Police Department, Behavioral Health, and the Information Systems Department. Between 2015 and 2019, over 17,000 pretrial risk assessments were conducted, and nearly 5,000 people were released onto pretrial monitoring. Further, as a result of the PSP, the use of monetary bail declined, while still achieving strong public safety and Court appearance outcomes. While Sonoma County demonstrated positive outcomes under the PSP, partners recognized that opportunity existed to further strengthen the system, increase reliance on risk-based decision making, and expand the use of pretrial release. In 2019, Sonoma applied to participate in the Judicial Council of California's Pretrial Pilot Program, and secured funding to support: (1) increased use of safe and efficient pre-arraignment and pretrial release, (2) implementation of the least restrictive interventions and monitoring practices necessary to ensure public safety and reduce failures to appear, (3) adoption of a validated, transparent pretrial risk assessment tool, (4) assessment and reduction of racial/ethnic and gender bias in the pretrial system, and (5) building stronger collaboration and data exchange among the justice partners.

Pretrial Program Expansion

Under the Pretrial Pilot Program, which launched in July 2020, Sonoma County expanded and strengthened its pretrial program through the following activities:

- Adopted the Public Safety Assessment (PSA) in lieu of the existing locally developed Sonoma Pretrial Risk Assessment Tool (SPRAT)



- Expanded the population eligible for pretrial release by ensuring individuals booked into custody on new charges are assessed with the PSA
- Shifted the responsibility for conducting in-custody pretrial assessments from the Sheriff's Office to Probation staff
- Expanded the opportunity for pretrial release to the pre-arraignment period for individuals, excluding those arrested for serious or violent felonies, or Probation, Post-Release Community Supervision, or Parole holds
- Expanded and streamlined communication and data sharing between the Court and Probation
- Revised pretrial release policies to ensure the least restrictive monitoring practices are used
- Enhanced the county's Court date reminder system to incorporate the most effective methods for providing reminders of upcoming Court hearing dates, including sending text message reminders and offering reminders in Spanish

In order to implement these activities, a series of cross-agency workgroups formed consisting of staff from the Court, Probation and justice partners. These workgroups included:

- **The pretrial assessment and monitoring workgroup** was tasked with developing proposed policies and practices related to the assessment process and monitoring practices. This included drafting the pretrial release conditions matrix, and establishing pretrial monitoring practices and release conditions that are based on legal foundations of pretrial justice, lessons learned from the prior pretrial program, and current research on supporting people in succeeding on pretrial release.
- **The information systems development workgroup** was tasked with establishing systems and processes to share assessments and release decisions electronically across agencies.
- **The program reporting and measurement workgroup** was tasked with determining what data will be collected and analyzed to inform ongoing program design and quality improvement efforts and meet the pretrial pilot program's requirements.

The three workgroups were overseen by a Pretrial Advisory Team, consisting of leadership of the criminal justice partner agencies, who were responsible for final policy decisions and overseeing the implementation of the pretrial pilot program. With support from an external consultant, throughout 2020 and into 2021, the Pretrial Advisory Team convened for a series of meetings to make policy decisions, participate in training, and review preliminary program data.



Booking and Assessment Process

When an individual is booked into the Main Adult Detention Facility (MADF) with a new booking charge (also called an on-view charge), a pretrial assessment (i.e., the PSA) is administered to inform a judicial officer's pretrial release decision. Assessments are not conducted for people booked on non-bailable charges, civil charges only, or held on Parole or out-of-county holds. Additionally, if the Sheriff's Office intends to release a person on citation or monetary bail (including \$0 bail), an assessment is typically not conducted. Beginning July 2020, Probation staff, including Probation Assistants and Deputy Probation Officers, began administering the PSA in the MADF, replacing the Sonoma County Pretrial Risk Assessment Tool (SPRAT). The SPRAT was an empirically derived, locally developed pretrial risk assessment tool that prior to July 2020 had been administered by correctional officers in the jail at booking, and under the direction of the Sheriff's Office. Justice partners selected the PSA to replace the SPRAT due to the extensive research behind its development and validation, coupled with the tool's transparency and the expansive resources available to support implementation. Further, Probation's prior analysis of program data suggested that the SPRAT, which included a series of "enhancements," led to more restrictive supervision decisions, likely detracting from the SPRAT's ability to accurately assess a person's likelihood to reoffend or fail to appear.

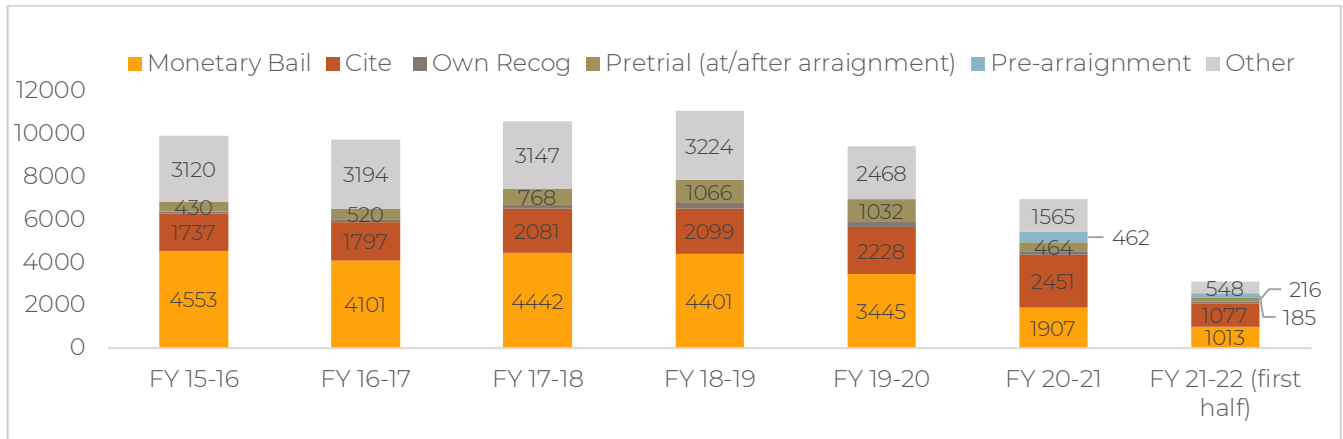
Prior to the pretrial pilot program, SPRAT assessments were primarily conducted by Sheriff Office staff in the jail five days a week. When Probation staff assumed responsibility for conducting pretrial assessments with the PSA in July 2020, initially Probation staff conducted assessments in the jail 20 hours a day, from 6:00 AM until 2:00 AM the following day, 7 days a week. However, by mid-April 2021, due to budget limitations, staffing and hours were reduced to 6:00 AM to 6:00 PM, 7 days a week. In addition to assessing individuals at booking, Pretrial Services will also complete assessments for individuals out of custody from whom the Court refers for assessment.

Bookings Trends

Chart 1 below depicts the trends of total bookings with new on-view charges, into the MADF, broken out by fiscal year and by the type of release associated with the booking. Pre-arraignment release was first introduced with the start of the pretrial pilot program in FY 20-21. The total number of on-view bookings into the MADF increased marginally after the first two years of the Pretrial Services Program in FY 15-16, but has been declining overall since FY 19-20. The total number of bookings with new on-view charges declined by 18% from FY 18-19 to FY 19-20, and by 25% in FY 20-21. Among all bookings, the proportion of individuals released on monetary bail has been declining in recent years while the proportion of those released on citation and \$0 bail has increased. These trends reflect changes in arrest and booking practices in response to the COVID-19 pandemic. In June 2020, the Superior Court adopted an emergency bail schedule, setting the monetary bail amount for most misdemeanor and felony offenses at \$0, with some charge-based

exclusions. Many law enforcement agencies also modified their practices, increasing their use of citations in the community and reducing custodial arrests.¹

Chart 1. Booking release types for bookings with new on-view charges over time *



* Note: Release type reflects the *initial* release type on a booking. A person could still be placed onto pretrial monitoring at a later date as the case progresses. \$0 bail, which was first introduced in June 2020, is included in the “cite” release category. Release reasons of “Other” includes: Time Served, Enroute to State Prison, Released to Drug Court, Released to Probation.

The following two charts depict the breakdown of total bookings with new on-view charges by race/ethnicity and gender. Chart 2 shows that the proportion of white defendants booked with new on-view charges declined from 61% of all bookings in FY 15-16 to 51% of all bookings during the first half of FY 21-22, while the proportion of Latinx defendants increased from 28% of all bookings to 36% during this time period. Bookings for Black defendants have remained constant. Chart 3 shows that the distribution of bookings by gender has remained relatively constant, with a modest decline in the percentage of females booked on new charges over time, from 23% to 19%.

¹ In response to COVID-19 surges in December 2020 and January 2022, the Sheriff’s Office sent requests to law enforcement agencies requesting they “consider alternatives to booking arrestees” and limit “bookings at MADF to those cases involving violent, sexual or serious crimes that would place public safety at risk if the person were not booked.”

CHART 2. Bookings by race/ethnicity over time

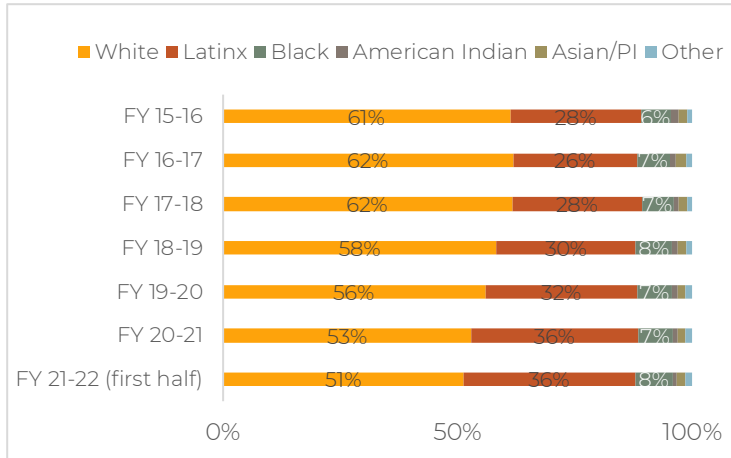
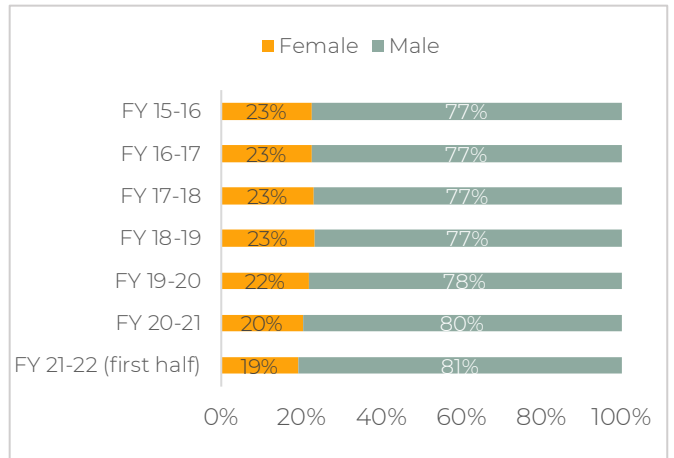


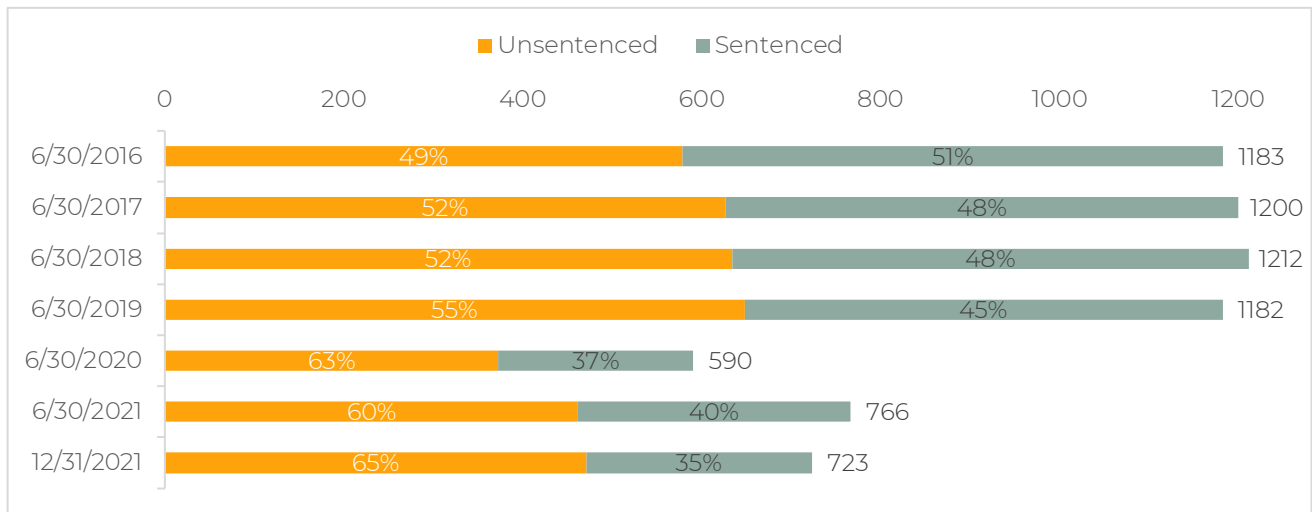
CHART 3. Bookings by gender time



Sentenced versus un-sentenced individuals in custody

In recent years, as the total population in custody has declined, there has also been a shift in the proportion of individuals who are sentenced versus un-sentenced (pretrial). Chart 4 below presents the proportion of individuals in custody at MADF who are sentenced versus un-sentenced over time, based on a series of snapshots from the last day of the fiscal years that are included in this report. As shown below, prior to the launch of the Pretrial Pilot and the emergency bail schedule in June 2020, the proportion of sentenced versus un-sentenced individuals in custody was relatively even. Starting in 2020, while the total number of people in custody both sentenced and un-sentenced has declined considerably, the *proportion* of un-sentenced/pretrial individuals has increased.

CHART 4. Proportion of Sentenced vs. Un-sentenced Individuals in Custody Over Time



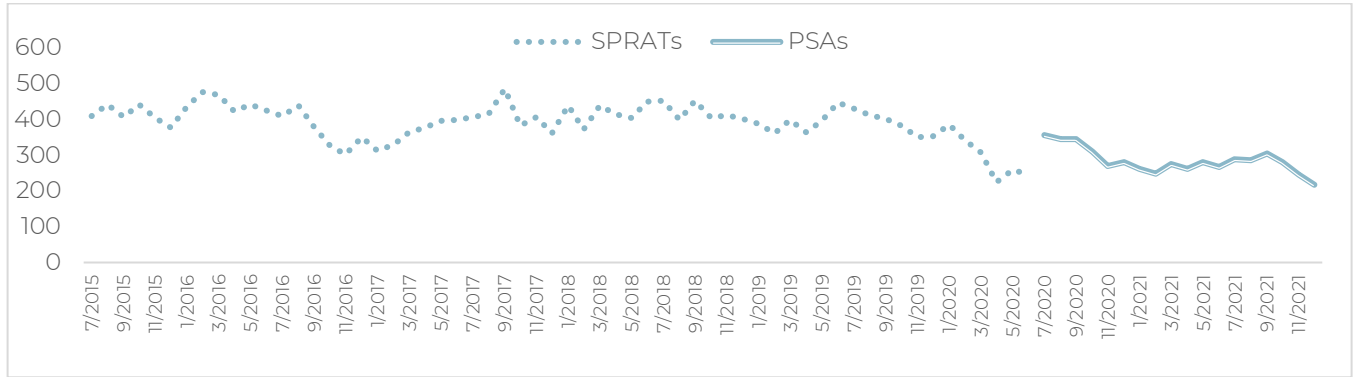
Assessments Conducted

The Public Safety Assessment (PSA) is a nine-item actuarial assessment tool developed by Arnold Ventures. It assesses the likelihood of failure to appear (FTA) in Court pretrial, new criminal arrest (NCA) while on pretrial release, and new violent criminal arrest (NCVA) while on pretrial release. A summary of the PSA factors and scoring is included in **Appendix A**. In 2021, the Judicial Council of California completed a local validation of the PSA as part of the Pretrial Pilot. Results of the initial validation study² indicate that the PSA has high predictability for Sonoma County: individuals with higher FTA or NCA scores were indeed more likely to fail to appear or have a new arrest compared to those with lower scores. The PSA is scored automatically using existing in-county criminal history data and then updated manually to include out-of-county criminal history and archived local history from several decades prior. An interview is not required to complete the PSA and calculate FTA, NCA and NVCA scores. Since the COVID-19 pandemic, interviews are conducted when possible by phone to gather additional information for the pretrial assessment report that may inform pretrial monitoring strategies and/or the judicial officer's release decision. The report includes the PSA scores for failure to appear, new criminal arrest, and new violent criminal arrest, as well as the scored release level based on the Release Conditions Matrix adopted by justice partners. It also includes eligibility status for pre-arraignment release, charge information, a summarized probable cause statement, a defendant's financial information, and any relevant narrative.

Since the start of FY 15-16, 28,672 pretrial assessments have been administered. Chart 5 below shows the monthly trends for completed SPRATs and PSAs. During the first few months after the transition to the PSA, there was a spike in assessments completed as a result of an effort to assess, using the PSA, many of the individuals who had been previously assessed under the SPRAT and were now on pretrial monitoring at the time of the start of the pilot program.

² The 2021 PSA validation study for Sonoma County can be accessed at: <https://sonomacounty.ca.gov/WorkArea/DownloadAsset.aspx?id=2147593684>. Given the relatively small sample size and short follow-up period, the analysis was unable to detect differences between racial/ethnic and gender groups. A follow-up study is expected in 2022.

CHART 5. Total Assessments Conducted by Month



While most pretrial assessments are administered in custody at booking, assessments may be conducted out-of-custody upon a Court referral. Chart 6 below presents the breakdown of assessments completed by year and custody status. Since the transition to the PSA and the start of the Pretrial pilot in July 2020, there has been a decline in the number of out-of-custody assessments completed.

CHART 6. Pretrial Assessments by Custody Status Over Time

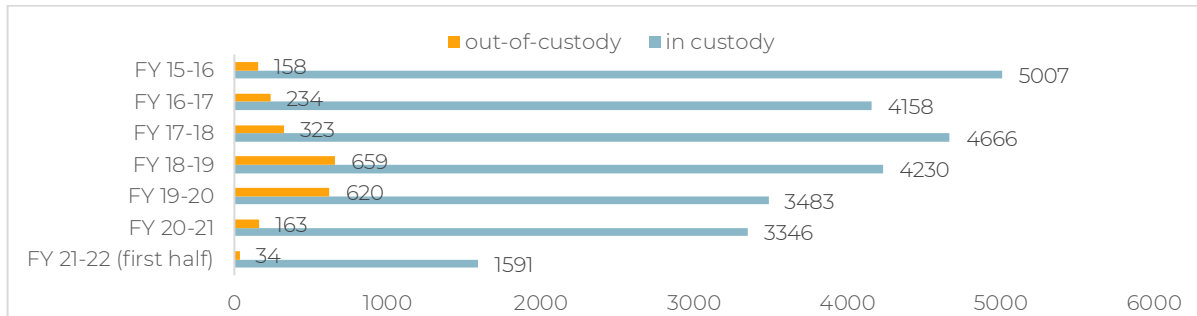
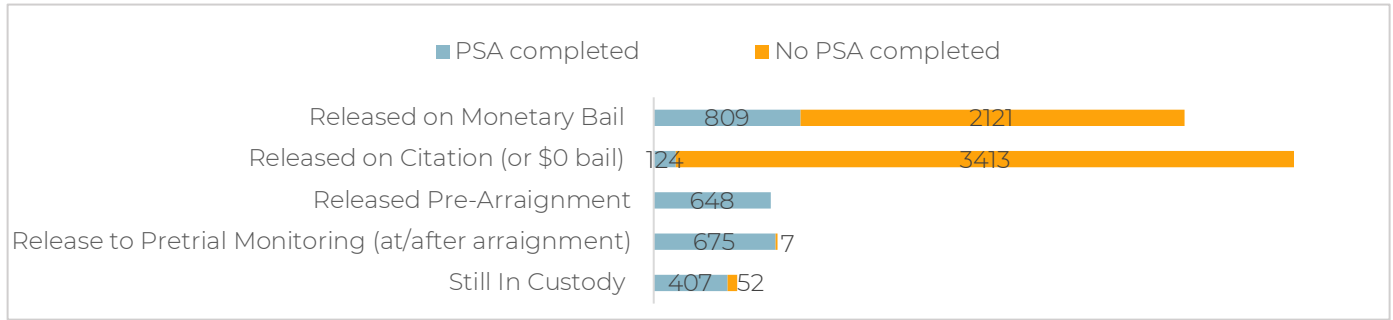


Chart 7 below presents the releases from custody since July 2020 by release type, and whether or not a PSA was completed. Since the launch of the pilot, nearly all individuals released from custody on pre-arraignment release, pretrial release (at or after arraignment), or who were still in custody by the end of 2021, had received a PSA. Those released on monetary bail or citation (including \$0 bail) were far less likely to receive a PSA, as shown in the chart below. Note that while individuals may be released on monetary bail or citation from custody initially, it is possible that they may be placed onto pretrial monitoring at a later date as the case progresses (with or without a PSA being scored).

CHART 7. Bookings with New On-View by Initial Release Type and PSA Status (July 2020 – Dec 2021)



The distribution of assessments by race/ethnicity and gender over time is presented in Charts 8 and 9 below, showing a similar trend to the distribution of bookings with new on-views.

CHART 8. Assessments by Race/Ethnicity by FY

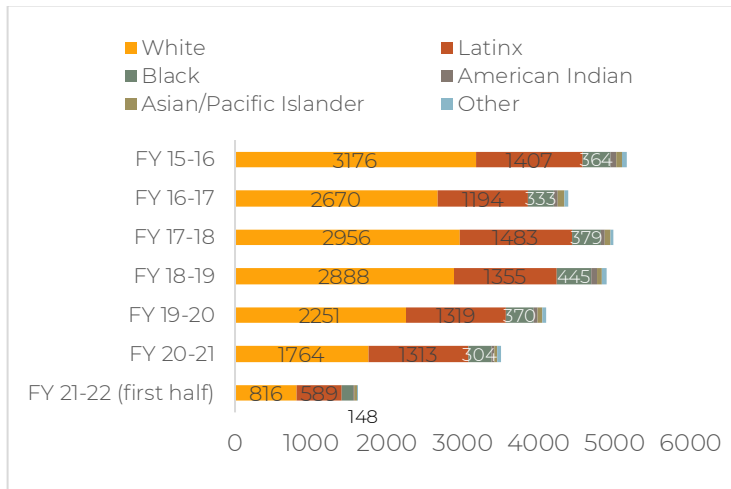
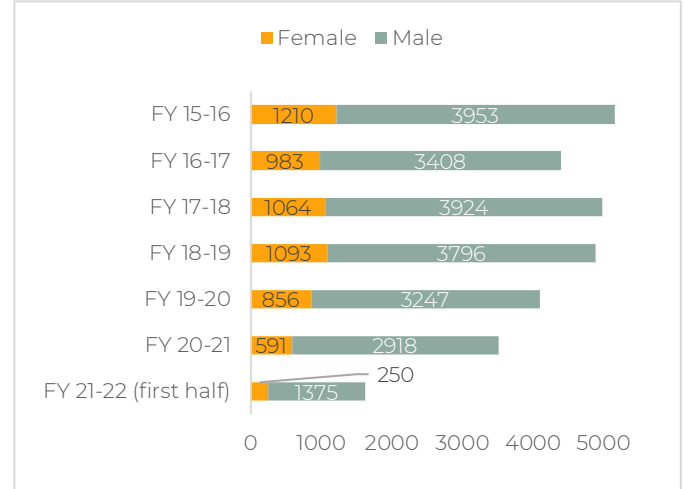


CHART 9. Assessments by Gender



Since the start of the Pilot program in July 2020, 5,123 Public Safety Assessments have been administered and submitted. These assessments have been fairly evenly split between people booked on felony and misdemeanor charges, as shown in Chart 10 below. The most common booking charge types associated with the assessments are domestic violence charges, followed by DUI charges. **Appendix B** summarizes the types of charges included in each charge category.

CHART 10. PSAs by severity level

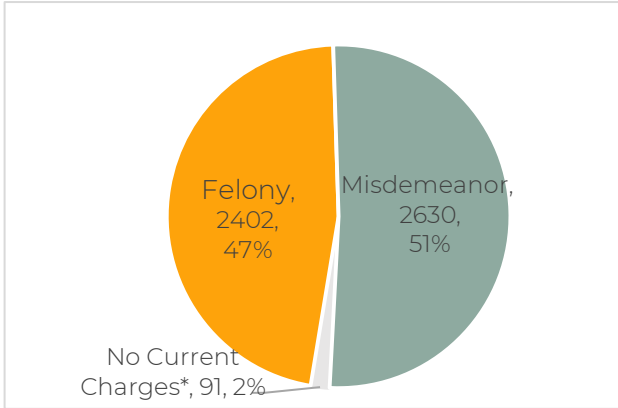
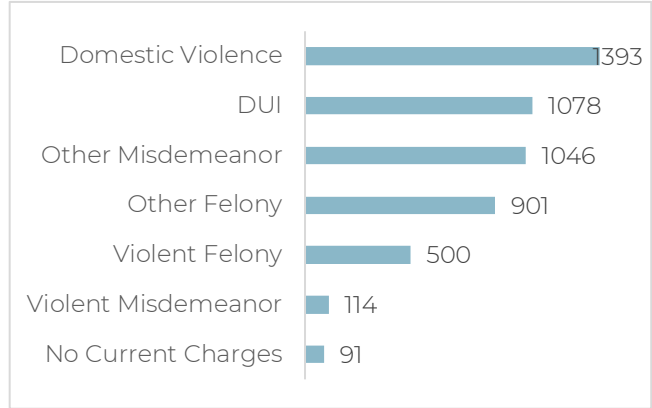


CHART 11. PSAs by charge type



*No current charges represents PSAs that are run on someone out-of-custody with no current booking or pending filed charges at the time of assessment. This typically includes assessments conducted for people booked into custody on a Violation of Probation only, or for people who are referred by the Court for a PSA but have no undisposed charges (but could, for example, be pending a violation).

Pre-Arrest Review

When a PSA is administered, Pretrial Services staff determine whether the individual is eligible for pre-arrest release. Per statute, individuals are eligible for pre-arrest release *unless* any of the following criteria are met: (1) booking on a no-bail warrant, (2) booking on a charge that falls under PC 1270.1a or a violent felony per PC 1319, (3) the person is currently on Felony Probation, Mandatory Supervision, Post-Release Community Supervision, or state Parole, or (4) booking on a charge under PC 1319.5 *and* has had three or more failures to appear in the last 3 years that result in bench warrants being issued. Additionally, under local policy adopted by the justice partners, individuals who either scored a 6 on the PSA New Criminal Arrest scale, are on an existing grant formal probation for a misdemeanor, or who are booked on a new charge while already under pretrial monitoring, are not *recommended* for pre-arrest release, but discretion is left to the judicial officer.

For individuals eligible for pre-arrest release per statute, a judicial officer (Commissioner) will receive the assessment report electronically via the software DocuSign prior to the arraignment hearing. The commissioners, who review assessment reports 7 days a week in two batches, will make a release decision and transmit the signed release order to Probation and the Jail for processing. Copies of the release decision are also provided to the District Attorney and Public Defender Offices electronically via the software DocuSign. Individuals who are not eligible for pre-arrest release will still receive a PSA, and an assessment report is shared with the Court and justice partners, to be reviewed in Court at the arraignment hearing, occurring within 2 Court days (i.e., days when the Court is open).

Chart 12 below shows the breakdown of PSAs by eligibility status for pre-arrest review from July 2020 to December 2021. For individuals assessed out of custody, pre-

arraignment release is not applicable. Among those assessments done in-custody where the person was *not* eligible for pre-arraignment release, the distribution of reasons for ineligibility are shown in Chart 13. Note that more than one reason can apply for a person.

CHART 12. PSAs by Pre-Arraignment Review Status

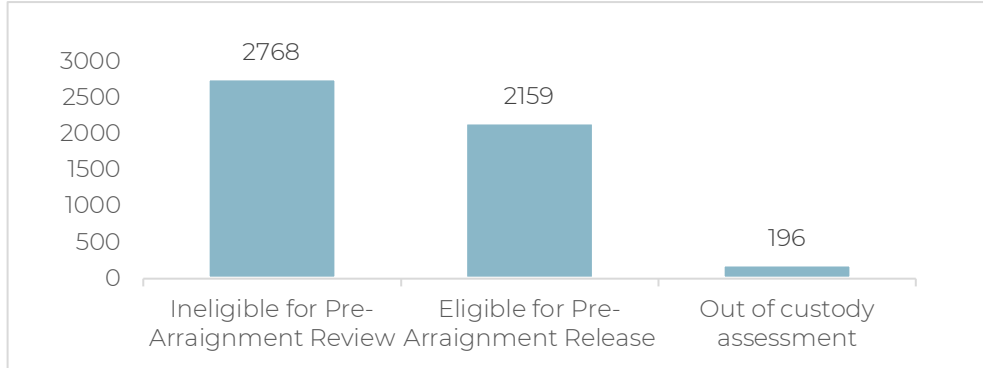
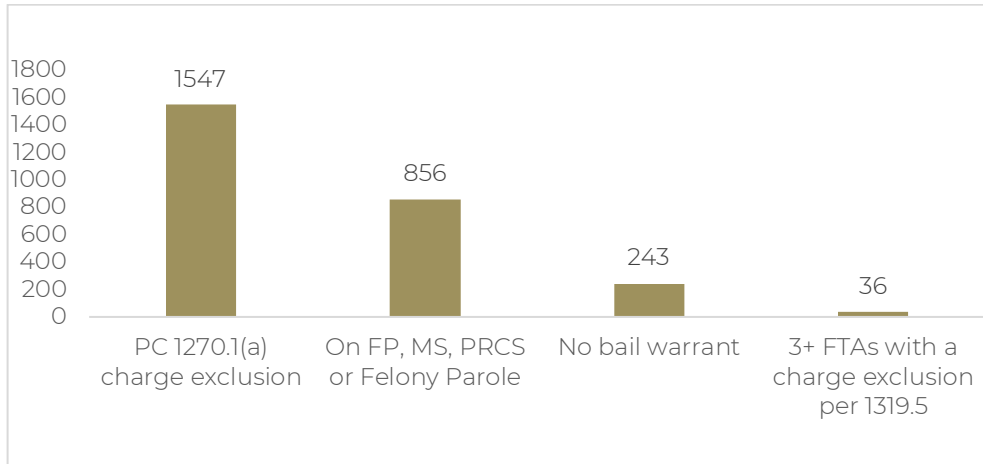


CHART 13. Reasons for Pre-arraignment Ineligibility



Note: Reasons for ineligibility are missing for 374

Scored Release Levels

The PSA provides a set of three scores that assess the likelihood of three pretrial outcomes: failure to appear (FTA), new criminal arrest (NCA) while on pretrial release, and new violent criminal arrest (NVCA) while on pretrial release. Scores correspond with the locally developed Release Conditions Matrix (RCM), shown below, which is a grid that matches the scores with a presumptive, or scored, level of release. A copy of the RCM with more detailed descriptions of the corresponding release levels and the conditions that may accompany each release level are provided in Appendix C. Unlike the SPRAT, the PSA does not provide a recommendation for pretrial release or detention. Consistent with pretrial best practices and the law, the release decision rests with the judicial officer. The PSA scores, in combination with the Release Conditions Matrix, provide guidance on what would be an appropriate monitoring level when people are released.

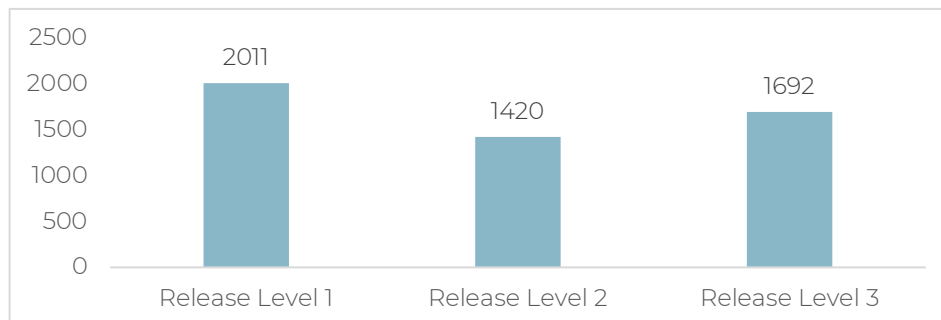
Sonoma County Pretrial Release Conditions Matrix
(using borrowed success rates from national data)

	New Criminal Activity (NCA) Scaled Score					
Failure to Appear (FTA) Scaled Score	1 91% Likely Arrest-Free	2 85% Likely Arrest-Free	3 78% Likely Arrest-Free	4 68% Likely Arrest-Free	5 55% Likely Arrest-Free	6 47% Likely Arrest-Free
1 89% Likely to Appear	Level 1	Level 1				
2 85% Likely to Appear	Level 1	Level 1	Level 1	Level 2	Level 3	
3 81% Likely to Appear		Level 1	Level 1	Level 2	Level 3	Level 3*
4 73% Likely to Appear		Level 2	Level 2	Level 2	Level 3	Level 3*
5 69% Likely to Appear		Level 2	Level 2	Level 2	Level 3	Level 3*
6 65% Likely to Appear				Level 2	Level 3	Level 3*

*NOTE: Pre-arraignment release is not recommended per local guidance for arrestees with a NCA score of 6.

Chart 14 below presents a distribution of the scored release levels for individuals assessed with the PSA from July 2020 to December 2021, based on the locally developed Release Conditions Matrix. Data will be presented later in this report comparing the scored release levels to the actual release levels ordered (see Chart 27 in the section on Adherence to the Release Conditions Matrix).

Chart 14. Distribution of Release Conditions Matrix's Scored Release Level



Pretrial Release Decisions

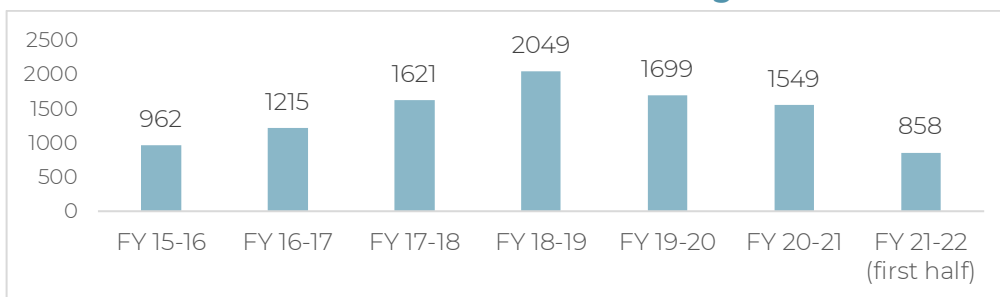
With the launch of the pilot program in July 2020, updated pretrial monitoring standards went into effect to better align with legal and best practices. These changes included a shift to utilize case-specific conditions, rather than blanket conditions for everyone on pretrial monitoring, as well as adhering to the principle of utilizing the least restrictive conditions necessary to assure Court appearance and public safety. A shift in the terminology used by Probation and stakeholders from pretrial “supervision” to pretrial “monitoring” reflects this change in practice.

Beginning in FY 20-21, individuals released onto pretrial monitoring could be released onto Level 1, Level 2, or Level 3 monitoring. A summary of the release activities and conditions associated with each level is shown in the table below.

Release Activities and Conditions	Pretrial Release Level		
	Level 1	Level 2	Level 3
Mandatory Statutory Conditions	X	X	X
Report to Pretrial Services as Directed or Upon Release	X	X	X
Court Reminder	X	X	X
Periodic Criminal History Checks		X	X
Monthly Phone Check In		X	X
Monthly Face-to-Face Check In			X
Other Case-Specific Conditions (monitoring by Pretrial Services is NOT required)		If Court-Ordered	If Court-Ordered
Other Case-Specific Conditions (monitoring by Pretrial Services is required)			If Court-Ordered

Since the start of FY 15-16, 9,953 pretrial releases have been ordered. While the total number of releases to pretrial monitoring peaked in FY 18-19, the number of releases has been in decline each year since, as shown in Chart 15 below, and aligning with overall booking trends presented above (i.e., fewer bookings are associated with fewer pretrial releases).

CHART 15. Total Releases to Pretrial Monitoring Over Time



Despite the decline in the total number of people released onto pretrial monitoring in recent years, the average daily population (ADP) of individuals on pretrial monitoring has

continued to increase year-over-year since the start of the program (see Chart 16). This increase in average daily population can be attributed to the increase in the average length of time a person spends on pretrial monitoring, shown in Chart 17. Among terminations ending in FY 18-19, the average duration of pretrial monitoring was 68 days. Among terminations ending in the first half of FY 21-22, however, the number of days on pretrial monitoring was nearly double that at 132 days. The COVID-19 pandemic created a significant backlog in court cases, contributing to the notable jump in the length of pretrial monitoring between FY 19-20 and FY 20-21.

CHART 16. Average Daily Population on Pretrial Monitoring

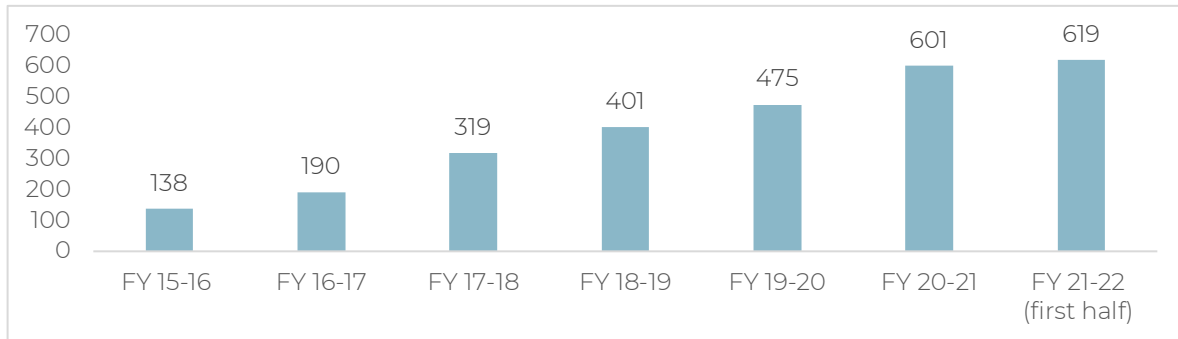
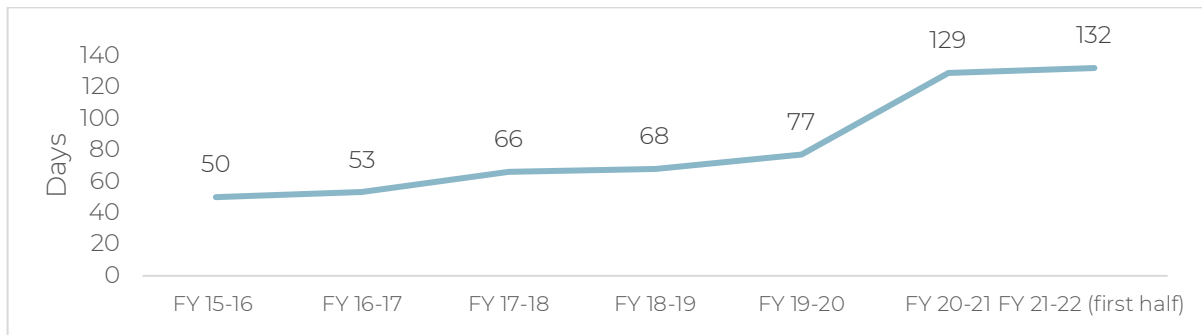


CHART 17. Average Length of Time on Pretrial Monitoring



The graphs below show the distribution of releases to pretrial monitoring by race/ethnicity and gender. Similar to the booking and assessment trends, over time the proportion of individuals ordered to pretrial monitoring who are white has declined, while the proportion of Latinx individuals released to pretrial monitoring has increased. Males consistently represent the greatest share of people on pretrial monitoring, with the proportion of females decreasing modestly over time.

CHART 18. Pretrial Monitoring by Race/Ethnicity

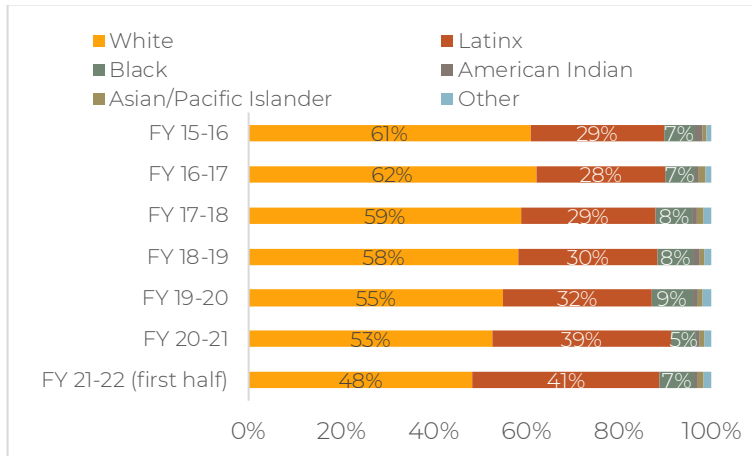
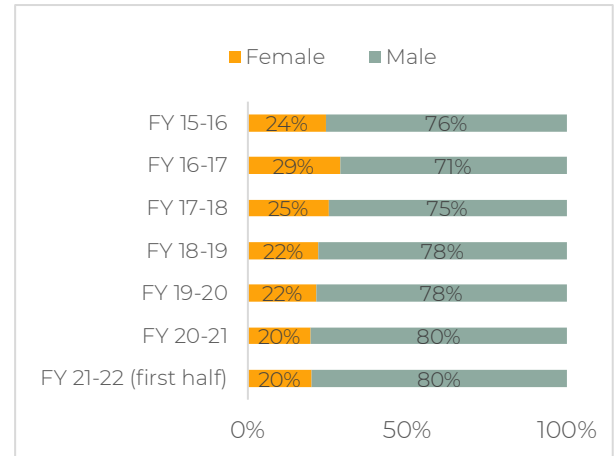
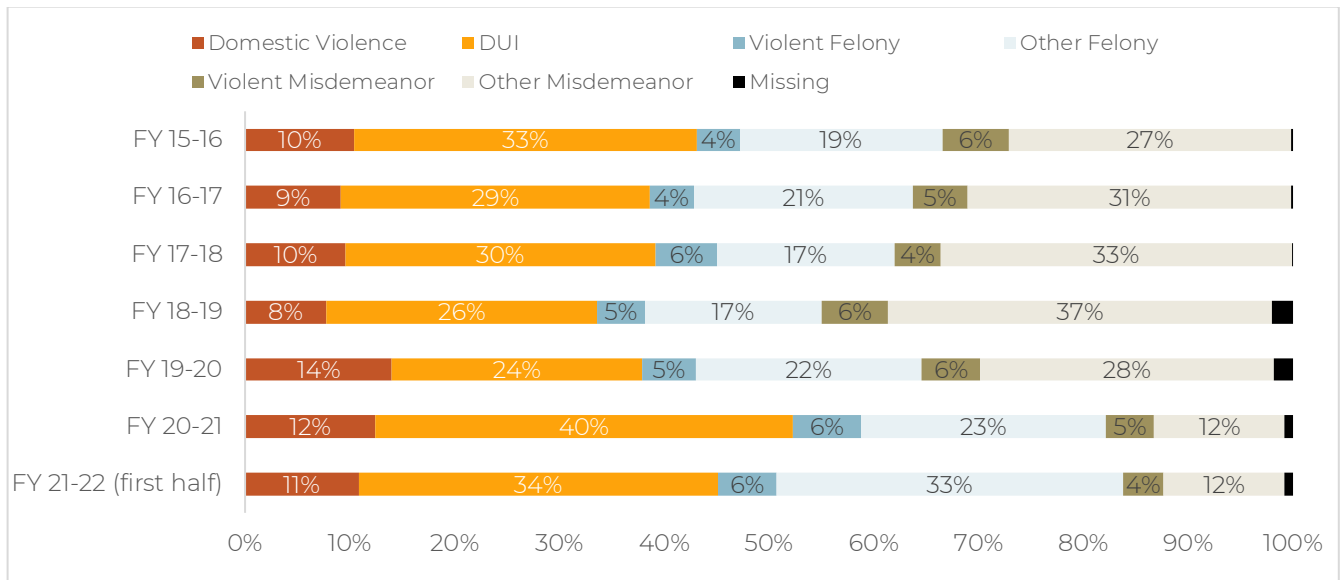


CHART 19. Pretrial Monitoring by Gender



Since FY 20-21, DUI charges and other non-violent felony charges have represented the most common charges associated with pretrial releases, a departure from prior four years of the program, during which cases with “other misdemeanor” charges represented the largest share of releases to pretrial monitoring. With the increased use of citations and \$0 bail since the onset of the pandemic, many individuals who may have in the past been assessed and placed onto pretrial monitoring have instead been released on citation or under the emergency bail schedule. A breakdown of the charges associated with pretrial releases over time is shown in Chart 20 below.

CHART 20. Releases to Pretrial Monitoring by Charge Category Over Time



Pretrial Monitoring Levels Ordered

Since July 2020, among all pretrial releases, the majority (59%) are to the most restrictive monitoring level - Level 3 - with the smallest share of individuals released at Level 1 (14%).

This distribution, however, varies based on whether the release is pre-arraignment or not: pre-arraignment releases ordered are somewhat more evenly distributed across release levels, with the largest share of releases ordered to Level 2 monitoring (48%). Comparatively, among releases at or after arraignment, nearly three-quarters (71%) are to Level 3.

When Commissioners deny someone for pre-arraignment release, they will indicate a reason(s) for the denial. Chart 22 below shows the reasons indicated below. Note that more than one reason may apply for a given case.

CHART 21. Releases by Pre-arraignment Status & Level

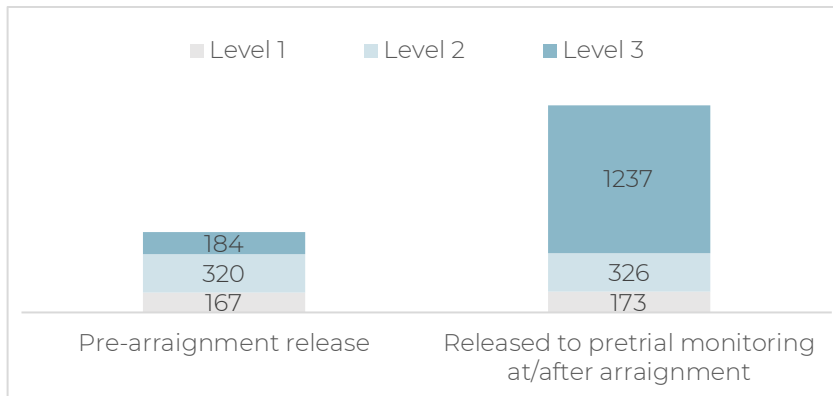
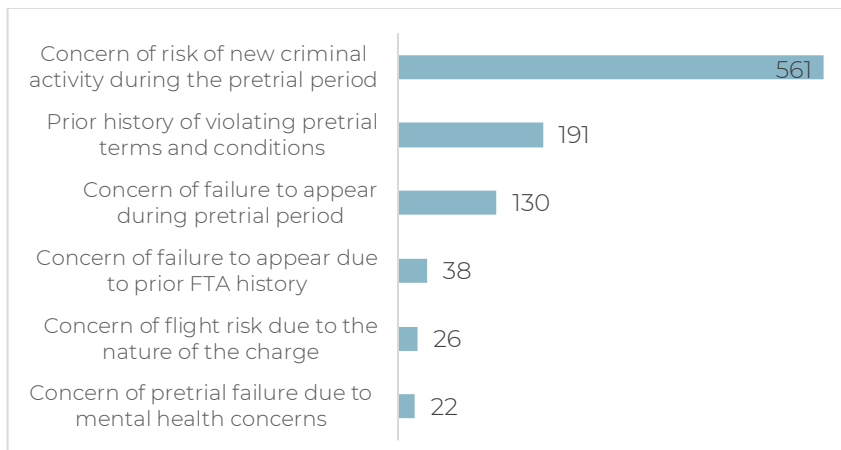
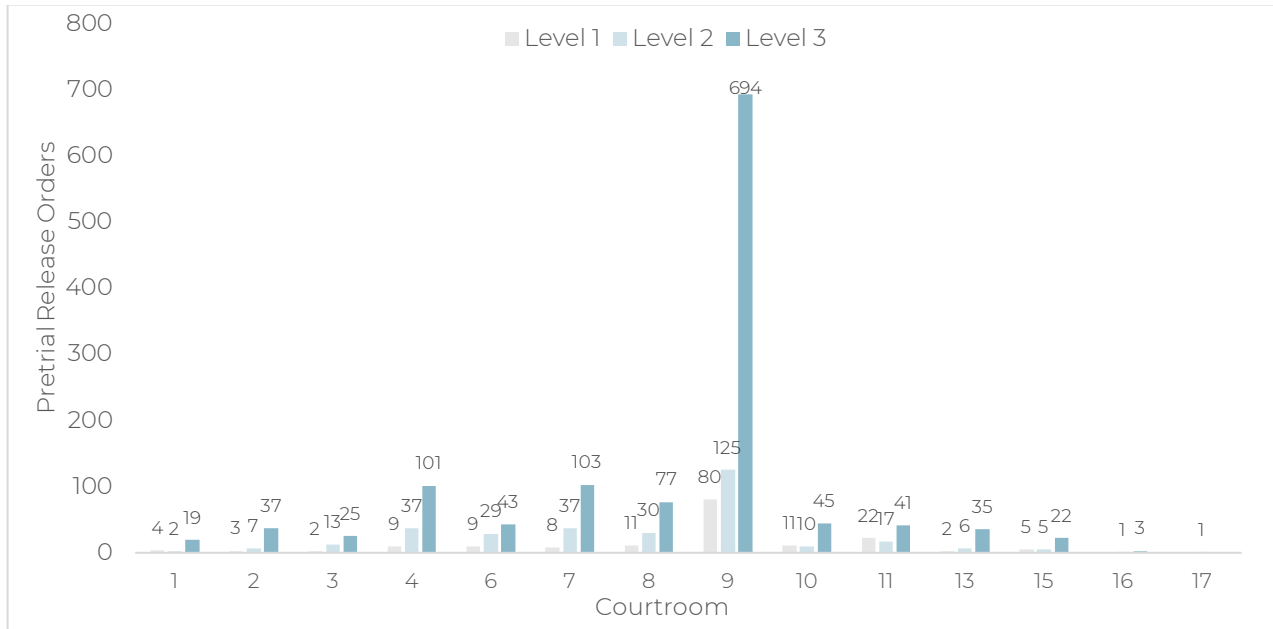


CHART 22. Reasons for Pre-arraignment Denials



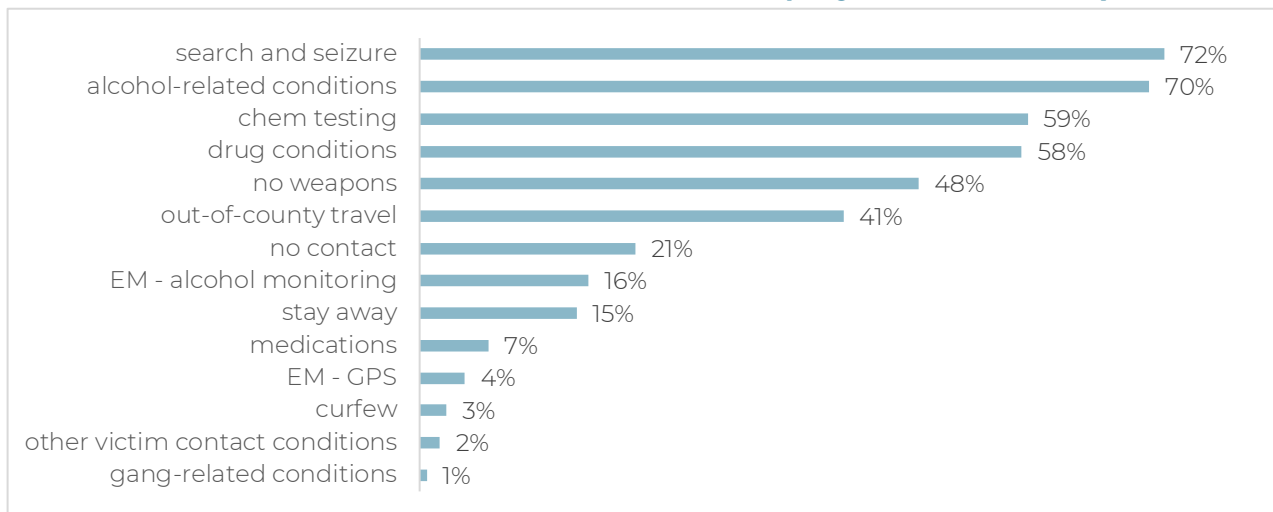
Department 9, the Courtroom which presides over Early Case Resolution (ECR) Court, accounts for just over half of all orders to pretrial monitoring at or after arraignment, 77% of which are for Level 3 monitoring. The distribution of pretrial monitoring orders by Courtroom and release level is shown below in Chart 23.

CHART 23. Pretrial Monitoring Releases by Courtroom and Release Level (July 2020 – Dec 2021)



Prior to July 2020, when a person was released onto pretrial monitoring, a set of standard terms and conditions applied, such as warrantless search and seizure, random chemical testing, out-of-county travel restrictions unless Pretrial Services is notified, prohibition of firearms and weapons, prohibition of use of alcohol or controlled substances. Beginning in July 2020, Sonoma County adopted the use of case-specific conditions, whereby the judicial officer would establish specific terms and conditions intended to support Court appearance and public safety, based on the nature of the unique case or individual. Chart 24 below shows the frequency of various terms and conditions ordered in conjunction with all pretrial monitoring releases from July 2020 through December 2021. Warrantless search and seizure, as well as alcohol-related terms were ordered most frequently, in at least 70% of all cases, followed by chemical testing and drug-related terms. Electronic alcohol monitoring was ordered for 16% of all pretrial monitoring releases during this time period.

CHART 24. Pretrial Terms and Conditions Ordered (July 2020 - Dec 2021)



The Justice-Mental Health Collaboration Program

The Justice-Mental Health Collaboration Program (JMHCP) identifies people with mental health impairment (with or without co-occurring substance use issues) and informs the Court that they could be connected with supportive services in the community if released for their pretrial period, instead of remaining in custody. Starting in June 2018, JMHCP participants have been connected with Behavioral Health Division therapy services and up to 8 individuals were housed at a transitional house with supportive services. A community partner, InterFaith Shelter Network (IFSN) has run the supportive transitional housing program since the beginning of this program. IFSN acquired an 8-bed house in late 2019, dedicated to providing supportive transitional housing to JMHCP participants. Community-based case management was added to the program at the beginning of 2021, also provided by IFSN. The case management services range from a light touch phone call once or twice a month to full wrap-around services (mental health counseling, life skills classes, resource navigation, assistance finding housing, transportation to Court, etc.).

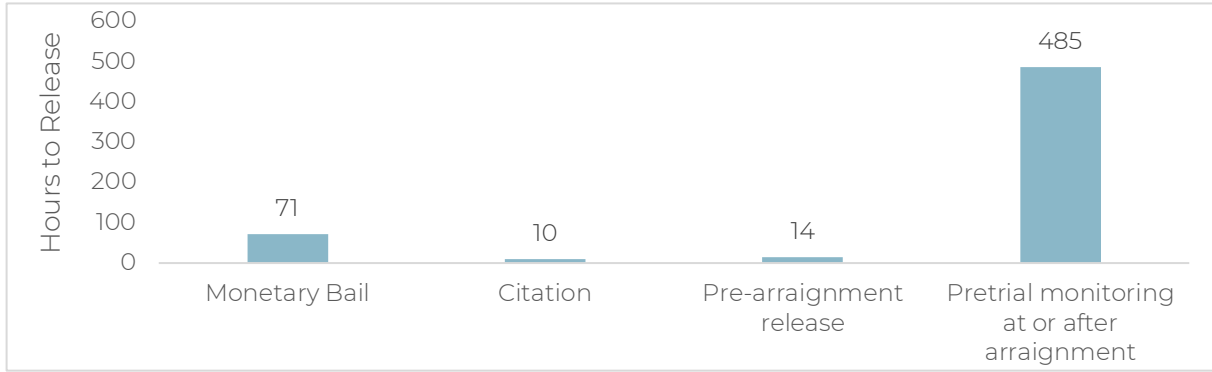
Through December 2021, JMHCP has enabled the pretrial release of 194 unique individuals, 100 of whom were released since the start of the Pretrial Pilot. Supportive transitional housing services were provided to 46 total individuals, with 33 of them being served since the beginning of the Pretrial Pilot through the end of December 2021.

Average Duration in Jail until Pretrial Release

With the introduction of pre-arraignment release, Sonoma County aimed to have pre-arraignment release decisions made within a 12-hour window from booking. Analysis of the average duration between booking and release for individuals booked into custody and released between July 2020 and December 2021 shows that those released pre-arraignment are released on average in one-fifth of the time compared to individuals released on monetary bail (see Chart 25). Those released on citation leave the jail the soonest, within an average of 10 hours, compared to 14 hours for those leaving on a pre-arraignment release to monitoring. Individuals released to pretrial monitoring from Court at or after arraignment have the longest average time to release, at 485 hours, or roughly 20 days. There are a number of possible reasons for why it may take so much longer on average to be released to pretrial monitoring from Court at or after arraignment, compared to releases on citation, monetary bail, and pre-arraignment release. Sometimes these cases are more complex or carry more substantial charges, and the Court may seek additional information before making a release decision, such as victim information. Additionally, releases to monitoring at or after arraignment can only happen during limited times (i.e., during a scheduled hearing) and delays to the Court processes since the pandemic have impacted Court calendars.



CHART 25. Number of hours to release by booking release type (July 2020 – Dec 2021)



Adherence to the Release Conditions Matrix

As seen in Chart 26, of the 2,407 pretrial monitoring releases ordered since July 2020, just one-third of all release levels aligned with the scored, or presumptive, release level from the Release Conditions Matrix. Releases were most commonly (35%) ordered at a level higher than the scored release level, and rarely (2%) ordered at a level lower than the scored release level. This follows a trend from when the SPRAT was used, when releases skewed to the most restrictive level.

Between July 2020 and December 2021, 720 pretrial monitoring releases, or 30% of all monitoring releases, were ordered for individuals with no recent PSA administered. While individuals *initially* released from custody pre-arraignment or to pretrial monitoring at or after arraignment almost always had a PSA completed (as shown above in chart 7), those individuals released from custody on monetary bail or citation often do not have a PSA completed. When they return to Court, the Court places them onto pretrial monitoring, the judicial officer usually does so without a PSA completed.

The vast majority of people placed onto pretrial monitoring with no recent PSA are to the most restrictive monitoring level - Level 3 - representing a missed opportunity to consider actuarial assessment results in hundreds of pretrial placement decisions.

CHART 26. Adherence to the Release Conditions Matrix

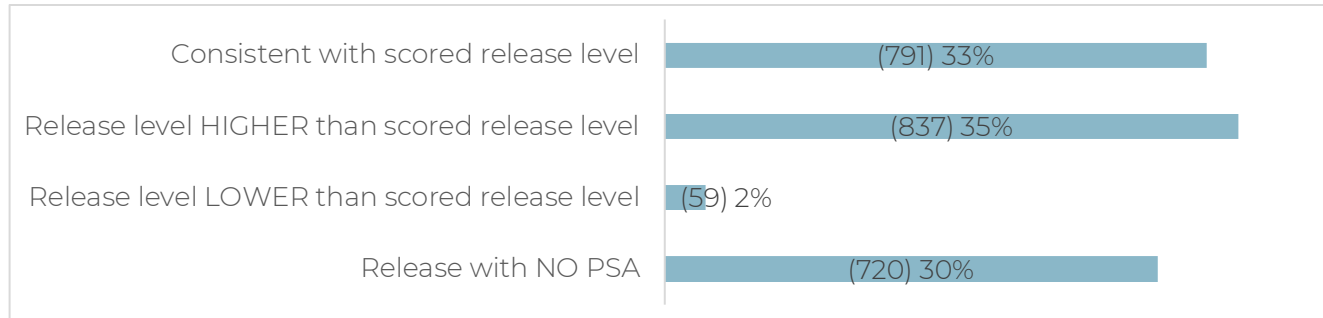
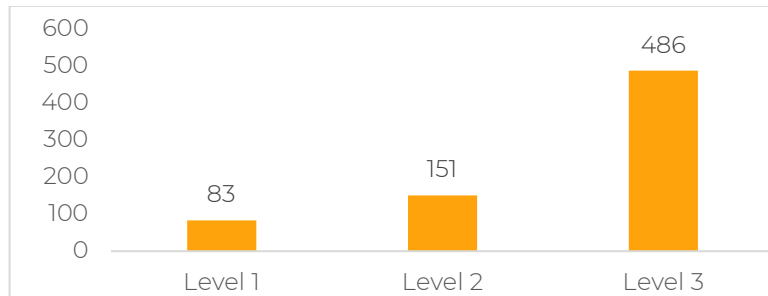


CHART 27. Pretrial Releases Ordered With No PSA

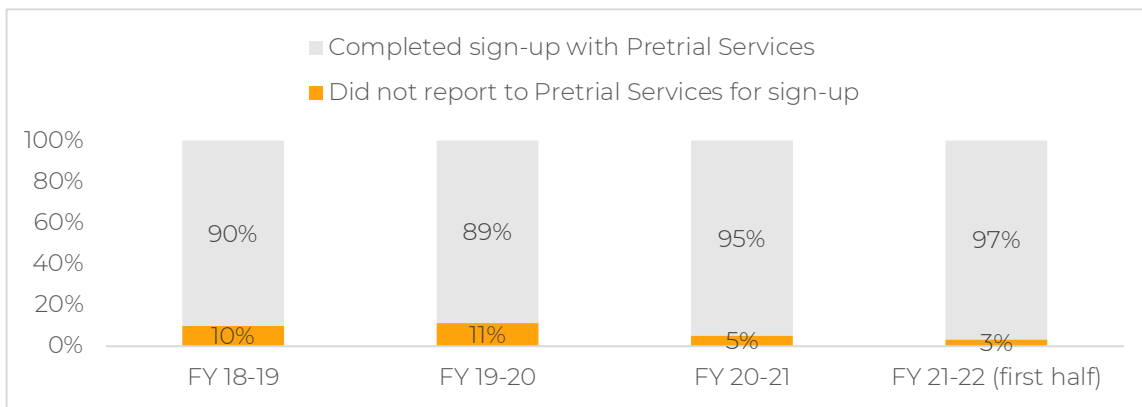


Program Monitoring Outcomes

Pretrial Monitoring Sign-Ups

Individuals ordered to pretrial monitoring are directed to report to Pretrial Services to complete a sign up process with a Pretrial Services staff. At this initial meeting, the Pretrial Officer reviews the individual’s terms and conditions of their release and explains the requirements and expectations of conduct while on pretrial monitoring. For those released pre-arraignment, this sign-up occurs in the jail before the person’s release. As shown in Chart 28, sign-up rates increased and have remained very high (95%+) since July 2020, in part because the opportunity to fail to report to sign up has been virtually eliminated for people released pre-arraignment.

CHART 28. Pretrial Sign-Ups Over Time (July 2018 to Dec 2021)



Note: reliable sign-up data are not available prior to 2018.

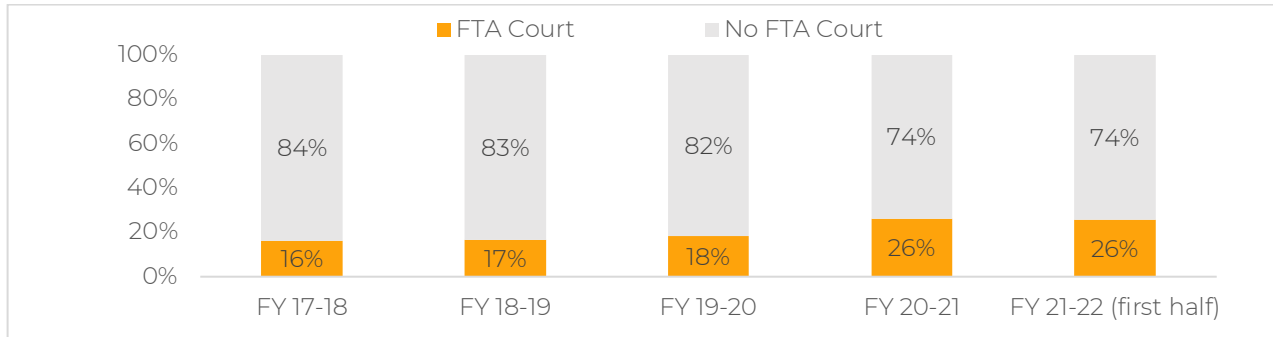
Primary Outcomes

Appearance at all Court hearings and remaining arrest-free during the pretrial period are the primary intended outcomes for participants on pretrial monitoring. Failure to appear in Court is identified by the presence of any bench warrant for failure to appear or contempt of Court signed during the pretrial release period. New arrests are identified by the presence of any new jail booking into MADF that occurs during period of pretrial monitoring. Arrests for new violent offenses, identified by any booking charge that is classified as violent per the PSA Violent Offense list, are also tracked.

Rates for the pretrial outcomes (appearance at Court hearings and no new arrests) over time are shown in Charts 29 and 30 below. Since the start of the Pretrial pilot in July 2020, 74% of all individuals terminating pretrial monitoring did not have a FTA warrant, and 85% remained arrest-free. New arrests for violent offenses were rare, occurring in 2% of all terminated pretrial monitoring cases. Since the start of the Pilot and the COVID-19 pandemic, FTA rates and new arrest rates have increased modestly, compared to prior. One contributing factor may be the marked increase in duration of pretrial monitoring: With roughly a doubling in the average length of time on pretrial monitoring since FY 18-19, there is more time and opportunity for an adverse outcome to occur. Additionally, with

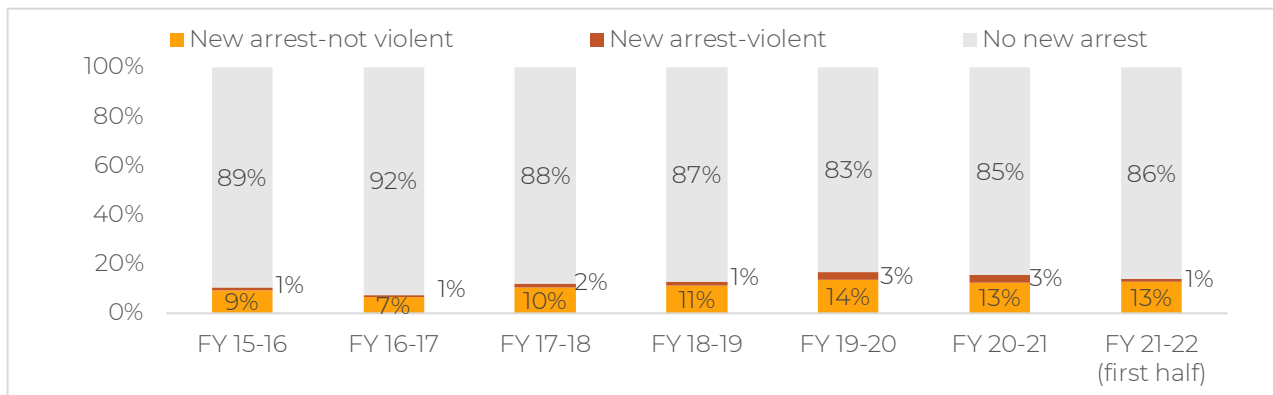
the widespread use of \$0 bail, the population placed on pretrial monitoring likely differs, compared to the pre-pandemic era, as many individuals released on citation/\$0 bail might have been released on pretrial monitoring, had \$0 bail not existed.

CHART 29. Court Appearance Rates among All Terminated Pretrial Monitoring Cases by FY



Note: Complete FTA data prior to 2017 is not available.

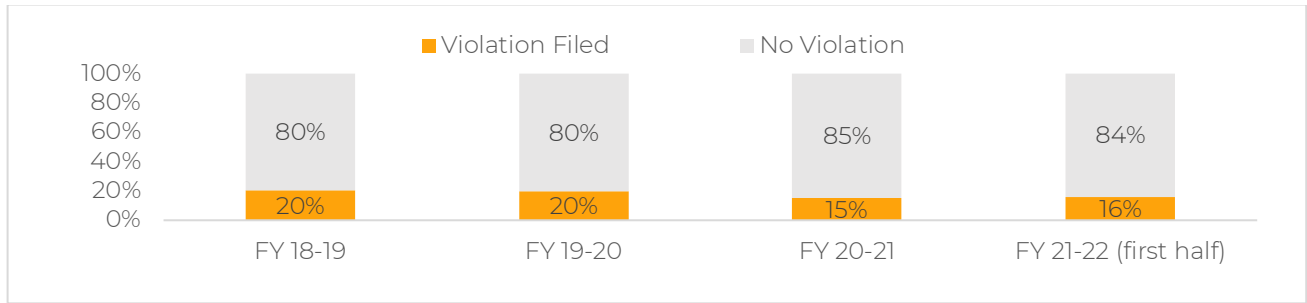
CHART 30. Arrest-Free Rates among All Terminated Pretrial Monitoring Cases by FY



Technical Violations

Pretrial Services responds to violations of pretrial conditions to assure that community safety is upheld and that participants appear for Court hearings. Pretrial release violations are defined as any technical violations filed with the Court for any reason and documented in the Court proceedings between the start of pretrial monitoring and termination. The reason or type of violation is not available. Additionally, a violation may be filed in responses to one of the outcomes above (failing to appear in Court or having a new arrest). Chart 31 below shows that the percentage of pretrial monitoring releases terminating since July 2020 in which a violation was filed has reduced modestly compared to prior years.

CHART 31. Violations Filed with the Court among all Terminated Pretrial Monitoring Cases Over Time



Note: Complete violations data prior to 2018 are not available.

Analysis of Gender and Racial/Ethnic Groups across Pretrial Decision Points

(July 2020 – Dec 2021)

To examine how different gender and racial/ethnic groups experience the pretrial system, Probation conducted a decision-point analysis to identify any disproportionate representation of certain gender or racial/ethnic groups at various points in the pretrial system. To identify over- or under-representation of certain groups in the pretrial system, we used a method of calculating decision-specific relative rate indices (RRIs), often used in criminal justice research to identify racial and ethnic disparities.

First, we calculated the rate of occurrence of an event or decision point for each gender and racial/ethnic group. Key events or decision points explored included:

- **Jail booking for a new on-view charge** – All bookings between 7/1/20 and 12/31/21 that had a new on-view charge are included. This reflects entry into the pretrial system.
- **Completion of a pretrial risk assessment** - Any PSA completed in custody that is associated with a booking between 7/1/20 and 12/31/21 that had a new on-view charge is included.
- **Submission of a PSA for pre-arraignment review** – Any PSA completed in custody and submitted to a Commissioner for pre-arraignment review for bookings that occurred from 7/1/20 to 12/31/21 with a new on-view. Assessments are submitted for pre-arraignment review only for individuals eligible per statute for pre-arraignment release. Eligibility criteria are outlined earlier in this report on page 9.
- **Judicial order for pre-arraignment release** – Any order from a Commissioner for pre-arraignment release associated with a booking between 7/1/20 and 12/31/21 with an on-view charge is included, regardless if the person was *actually* released pre-arraignment. Individuals with an order for pre-arraignment release, but who ultimately posted monetary bail instead (e.g., before the order for pre-arraignment release was received), are included.
- **Order for pretrial monitoring at or after arraignment** – Any release from Court for pretrial monitoring associated with a completed PSA and booking between 7/1/20 and 12/31/21. Individuals released onto pretrial monitoring at or after arraignment with no recent PSA on record are not included.
- **No pretrial monitoring ordered** – Any booking between 7/1/20 and 12/31/21 with an accompanying PSA, for which there has been no record of a release to pretrial monitoring ordered. Note that this includes people for whom pretrial monitoring was denied, in addition to other reasons, such as the individual was released on monetary bail or citation, or the their case was dismissed.
- **Failure to appear in Court while on pretrial monitoring** – Among all terminations for pretrial monitoring between 7/1/20 and 12/31/21, includes anyone who failed to appear in Court, leading to the issue of a bench warrant, while on pretrial monitoring.
- **New arrest and booking into MADF while on pretrial monitoring** - Among all terminations for pretrial monitoring between 7/1/20 and 12/31/21, includes anyone

who was arrested and booked into MADF for a new on-view charge while on pretrial monitoring.

The rate for each decision point is calculated by dividing the number of occurrences of an event for each sub-group by the total number of occurrences in the prior decision point. For example, the rate of PSA assessments conducted for males is calculated by dividing the total number of males with a PSA by the total of number of males booked into the jail on a new on-view charge. Of note, the total population in the County for each sub-group is considered the first decision point.

After calculating the rates of each event noted above for each gender or racial/ethnic group, a relative rate index (RRI) was calculated by comparing that rate to the rate of a reference group. For gender, male defendants serve as the reference group; the rates of each decision point for females is compared to that of males. For the analyses of racial/ethnic groups, the rates for Latinx and Black defendants are compared to white defendants. The reference group will always have an RRI of 1.0. Of note, only white, Black and Latinx defendants were included in the race/ethnicity analysis due to the limited sample size of individuals from other racial/ethnic groups. Counts and rates for each decision point, along with the RRIs for each gender and racial/ethnic group are provided in tables following each chart.

Interpreting the RRI:

- An RRI **below 1.0 indicates the rate of occurrence is less frequent** than the occurrence in the reference group (i.e. males or white defendants), indicating *under-*representation at a given decision point.
- An RRI **greater than 1.0 indicates the rate of occurrence is more frequent** than the occurrence in the reference group, indicating *over-*representation at a given decision point.

Chart 32 presents the RRIs for female defendants across the pretrial system, in comparison to males. As the reference group, the RRI for males (1.0) is represented by the gray line. Results show that compared to males, females are considerably less represented across some decision points, including entry into the system (i.e. rate of bookings into the jail for new on-view charges) and having a PSA conducted. Females are also less likely to have a new arrest while on pretrial monitoring, compared to males, but are more likely to be released to pretrial monitoring at or after arraignment. Table 1 follows Chart 32, displaying some more detailed information including the counts and rates, along with the RRIs, for each decision point.

CHART 32. Relative Rate Indices (RRIs) For Males and Females Across Pretrial Decision Points

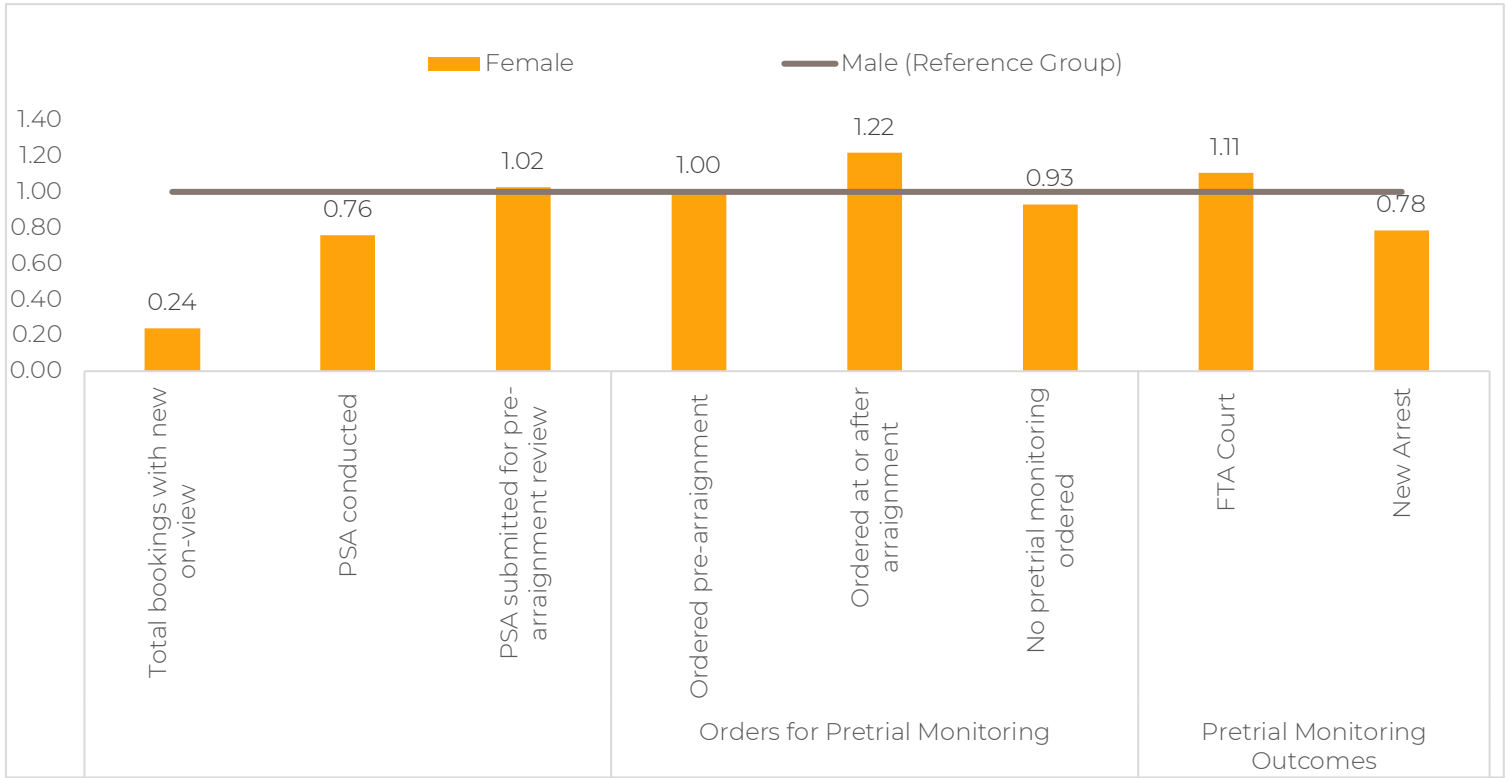


TABLE 1. Decision Point Analysis Counts, Rates and Relative Rate Indices Across Pretrial Decision Points – Gender

Decision Point	Female Count	Female Rate	Male Rate	Male Count	Female RRI	Male RRI
County Population	238,565	0.49	--	250,298	0.51	--
Total jail bookings with new on-view	8,134	0.03	1.0	2,036	0.01	0.24
PSA conducted	3,936	0.48	1.0	749	0.37	0.76
PSA submitted for pre-arraignment review	1,797	0.46	1.0	350	0.47	1.02
Order for pretrial monitoring						
Ordered pre-arraignment release	712	0.54	1.0	150	0.54	1.00
Ordered at or after arraignment	615	0.57	1.0	138	0.69	1.22
No pretrial monitoring ordered	2,608	0.66	1.0	461	0.62	0.93
Total Pretrial Monitoring Terminations	1,898		--	465		--
Pretrial Outcomes						
FTA Court	458	0.24	1.0	124	0.27	1.11
New Arrest	281	0.15	1.0	54	0.12	0.78

County population is based on 2020 Census data for Sonoma County: <https://www.census.gov/quickfacts/fact/table/sonomacountycalifornia/POP010220>. The counts of PSAs conducted are based on the total number of people booked into MADF and who received a PSA at booking between 7-1-20 and 12-31-21. The counts of people released pretrial reflect those booked into the jail during the time period, received the PSA and were released pretrial. Individuals released without a PSA are not accounted for in the pretrial release counts.

Chart 33 below presents the RRIs for Latinx and Black individuals in the pretrial system, in comparison to white defendants (represented by the gray bar), for each pretrial decision point. All individuals from these three racial/ethnic groups with a PSA were included, regardless of charge type. Results from the analysis show that overall, Black defendants are considerably overrepresented at entry to the system: Black individuals in Sonoma County, who represent just 2% of the population, are over 4 times more likely to be booked into the jail on a new on-view charge, compared to white individuals in the county. Many complex social, economic, and historical factors likely contribute to the considerably higher rates of Black defendants booked in the jail on new charges - a consistent and historical trend nationwide. This analysis does not point to the cause of these disparities; but rather it identifies areas warranting further inquiry and possible action.

Across the remaining decision points within the pretrial system, the disparities between Black and white individuals persist but to a lesser magnitude. Black defendants are 35% less likely to have a PSA submitted for pre-arraignment review. In order for an assessment to be submitted for pre-arraignment review, an individual must be eligible for pre-arraignment release, per statute. Eligibility is based on the nature of the booking charge(s) and criminal history (e.g., existing grant of felony Probation, parole, PRCS or MS). This finding suggests that Black individuals with an assessment are less likely to be eligible for pre-arraignment release compared to white individuals. Additionally, among individuals who are reviewed for pre-arraignment release, Black individuals are nearly 40% less likely to have an order for pre-arraignment release compared to whites.

Findings also show that Latinx defendants are represented across the pretrial system at rates similar to white defendants for many decision points. However, Latinx individuals are 57% more likely to be booked into the jail on new on-view charges compared to white individuals in the County, though are about 30% less likely to have a new arrest during the pretrial period compared to their white counterparts. Table 2 follows Chart 33, displaying some more detailed information including the counts and rates, along with the RRIs, for each decision point. **Appendix D** includes a table with more detailed information on the calculations.

CHART 33. Relative Rate Indices (RRIs) for Racial/Ethnic Groups Across Pretrial Decision Points

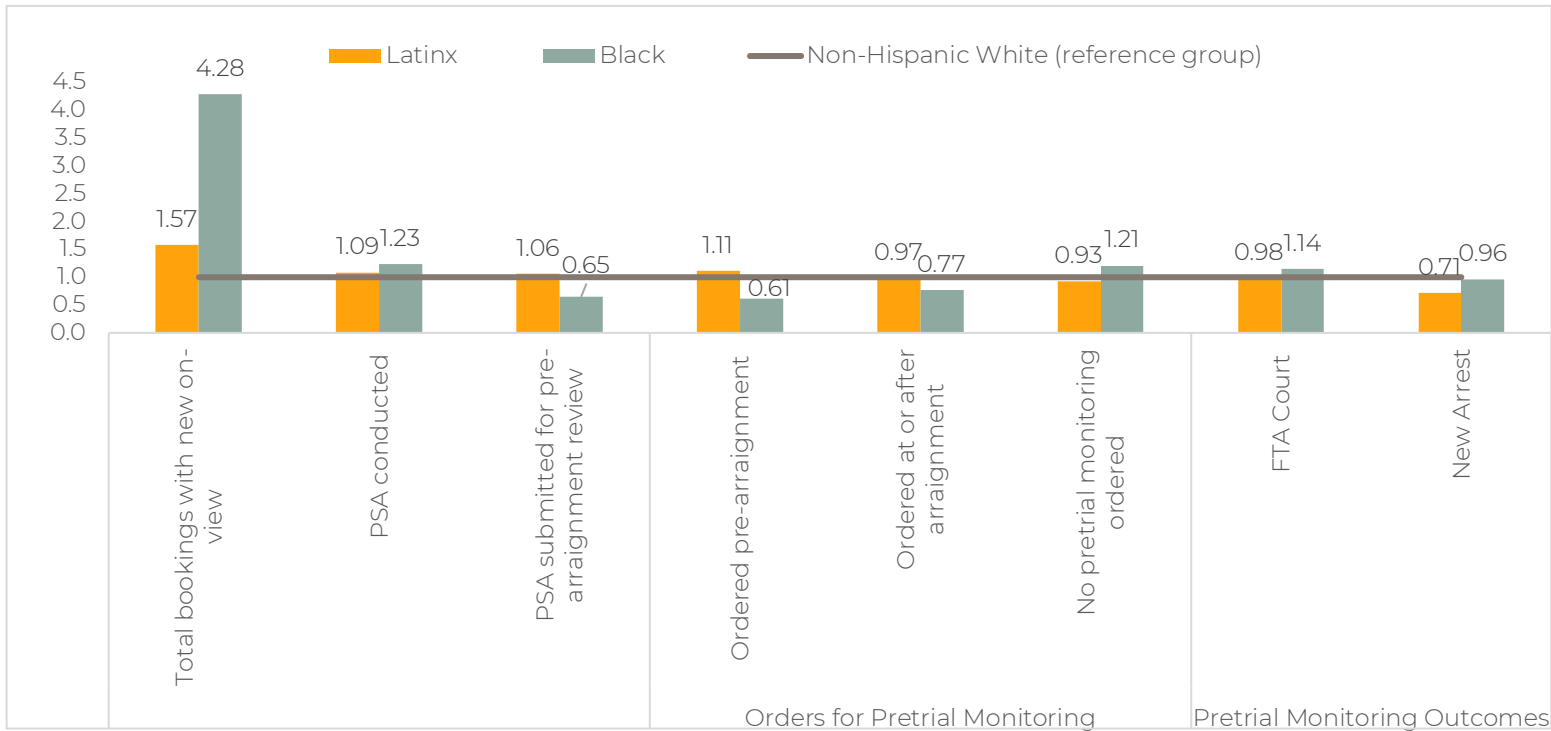


TABLE 2. Decision Point Analysis Counts, Rates and Relative Rate Indices (RRIs) Across Pretrial Decision Points by Race/Ethnicity

Decision Point	White (non-Hispanic)			Latinx			Black		
	#	Rate	RRI	#	Rate	RRI	#	Rate	RRI
County Population	307,495	0.63	--	133,460	0.27	--	10,266	0.02	--
Total jail bookings with new on-view	5,335	0.02	1.0	3,643	0.03	1.57	763	0.07	4.28
PSA conducted	2348	0.44	1.0	1743	0.48	1.09	413	0.54	1.23
PSA submitted for pre-arraignment review	1091	0.46	1.0	859	0.49	1.06	124	0.30	0.65
Order for pretrial monitoring									
Ordered pre-arraignment release	411	0.53	1.0	404	0.59	1.11	25	0.32	0.61
Ordered at or after arraignment	398	0.21	1.0	268	0.20	0.97	60	0.15	0.77
No pretrial monitoring ordered	1545	0.66	1.0	1064	0.61	0.93	328	0.79	1.21
Total Pretrial Monitoring Terminations	1236	--	--	883	--	--	161	--	--
Pretrial Outcomes									
FTA Court	302	0.24	1.0	212	0.24	0.98	45	0.28	1.14
New Arrest	199	0.16	1.0	101	0.11	0.71	25	0.16	0.96

County population is based on 2020 Census data for Sonoma County: <https://www.census.gov/quickfacts/fact/table/sonomacounty/california/POP010220>. The counts of PSAs conducted are based on the total number of people booked into MADF and who received a PSA at booking between 7-1-20 and 12-31-21. The counts of people released pretrial reflect those booked into the jail during the time period, received an assessment and were released pretrial. Individuals released without a PSA are not accounted for in the pretrial release counts.

Limitations to the Decision Point Analyses

There are limitations to these decision point analyses that should be noted. With respect to gender, only binary male and female options exist in the data system, limiting our ability to account for a range of other gender identities among the population. In terms of race/ethnicity, these data are typically not self-report, and may not reflect how a person self-identifies. Additionally, this analysis is limited to only three race/ethnicity categories. Given the relatively small numbers of individuals in the jail booking data for the time period who identify with a racial/ethnic group(s) beyond white, Black, or Latinx, comparisons of rates across these other groups are subject to large fluctuations driven by very small changes in counts. We recognize that limiting the analysis to just these three distinct groups is problematic, as national and state-level data suggest that other communities of color not reflected in this analysis are disproportionately impacted by the criminal justice system. For future reports, we will strive for a more inclusive analysis, for example by expanding the time period in order to achieve a sufficient sample size among additional racial/ethnic groups.

Further, there are decision points that could not be captured in this analysis, such as prosecutorial filing of charges, as well as decision points upstream, prior booking into custody, such as rates of citation versus bookings into custody for different racial/ethnic groups. Additionally, we could not examine pre-arraignment release eligibility across the population of all individuals booked into custody with new charges as this information is not captured for certain groups, such as those released on monetary bail.

Considerations and Future Directions

The following observations and consideration are offered based on Pretrial Services program data from FY 15-16 through the first half of FY 21-22:

- **Sonoma County successfully implemented a number of policies and practices to strengthen the pretrial system**, including: transition to a validated and transparent actuarial assessment tool, revising the pretrial monitoring levels and activities to be more consistent with legal and best practices, expanding the opportunity for safe release without a financial condition via pre-arraignment release, and strengthening collaboration and communication across justice partners.
- **Since the start of the Pretrial pilot in July 2020, 74% of all individuals terminating Pretrial monitoring made their Court appearances, and 85% remained arrest-free.** New arrests for violent offenses are rare, occurring among 2% of all people released to pretrial monitoring.
- **The COVID-19 pandemic, which began a few months prior to the pretrial pilot launch in July 2020, has had significant impact on the pretrial system**, including arrest and booking patterns, the composition of the population released onto pretrial monitoring, the growth in the population on pretrial monitoring, and the duration of pretrial monitoring.
- **While the number of people released onto pretrial monitoring has declined since the COVID-19 pandemic, the average length of stay on pretrial monitoring has grown considerably**, impacting staffing workloads and caseload sizes. Additionally, funding reductions due to the end of the pilot funding have contributed to additional staffing and programmatic constraints. Of note, Probation assumed responsibility for pretrial assessments and monitoring under the revised monitoring practices amidst the pandemic, so there remains an open question as to staffing needs and the optimal staffing levels in a post-pandemic environment.
- **The decline in the use of monetary bail indicates that fewer people are being held in-custody simply because they cannot afford to post their monetary bail amount.**
- **Program data suggest opportunities for program and system improvement:**
 - Since July 2020, the high proportion of releases (30%) without a Public Safety Assessment reveals opportunity to increase use of risk-based decision-making. Individuals *initially* released from custody pre-arraignment or to pretrial monitoring at or after arraignment almost always have a PSA completed. However, individuals released from custody on monetary bail or citation often do not have a PSA completed, and if these individuals return to court and are placed onto pretrial monitoring, often this occurs without a recent PSA completed.
 - Most pretrial release orders are at Level 3 and come with restrictive conditions such as chemical testing conditions and warrantless search and seizure. The high volume suggests there may be room to better adhere to the use of case-



- specific and less restrictive conditions, guided by research on their effectiveness.
- The increase in the average length of stay on pretrial monitoring since 2020 suggests the need to continue to work through the backlog of cases from the COVID-19 pandemic.
- **Data Reflect Differences in How Gender and Racial/Ethnic Groups Experience the Pretrial System**
- A decision point analysis identified some differences in how gender and racial/ethnic groups experience the pretrial system. Males are consistently overrepresented, compared to females, at the front end of the system. Black and Latinx individuals also experience notable disparity upon entry to the system: **Black defendants are over four times more likely to be booked in the jail on a new charge, and Latinx individuals are nearly 1.6 times more likely to be booked into the jail on a new charge, compared to white individuals in the county.** Black individuals in custody are also less likely to have a PSA submitted for pre-arraignment release, and to be released onto monitoring pre-arraignment, compared to white individuals.
 - **Given the disproportionate representation of people of color who enter the pretrial system,** there is need to further explore racial disparities across the justice system more broadly, particularly for decision points further upstream. One example is comparing rates of citation versus bookings into custody for different offenses and racial/ethnic groups. Identifying where in the system the disparities are most severe can inform policies, practices, and trainings to mitigate these disparities and create a more fair, equitable system.
 - **While this analysis does not point to the cause of the disproportionate representation, it is intended to raise further questions and encourage further study and discussion.** Some questions that could be raised include: How might these findings vary by different types of charges? And, how can we analyze our local PSA data to ensure it is not amplifying racial disparities that exist at various decision points? Expanding the analysis of racial/ethnic disparities in the pretrial system to include additional decision points, such as formal prosecutorial charging could also provide key insight into how and where racial disparities persist.
- **Opportunities exist for additional in-depth data analysis,** including development of additional data tables that will enable us to: (1) analyze the broader pretrial system and compare outcomes across release types (e.g., monetary bail, cite), and (2) conduct more detailed analysis of failure-to-appear data and incidents to identify why people are failing to appear. This, in turn, would help to identify practices more effective than the issuance of warrants in preventing or responding to FTAs. Additionally, a more robust PSA validation study is anticipated in 2022 in collaboration with Judicial Council of California. This study will enable us to examine differences in how the tool performs across different race/ethnic and gender groups.

PSA Factors and Pretrial Outcomes

PSA FACTORS AND PRETRIAL OUTCOMES			
PSA FACTOR	FTA	NCA	NVCA
1. Age at current arrest		✓	
2. Current violent offense			✓
2A. Current violent offense and 20 years old or younger			✓
3. Pending charge at the time of the arrest	✓	✓	✓
4. Prior misdemeanor conviction		✓	
5. Prior felony conviction		✓	
5A. Prior conviction (misdemeanor or felony)	✓		✓
6. Prior violent conviction		✓	✓
7. Prior failure to appear in the past 2 years	✓	✓	
8. Prior failure to appear older than 2 years	✓		
9. Prior sentence to incarceration		✓	

This document is used with the Guide to Assessor Training when implementing the Public Safety Assessment. See advancingpretrial.org/guides for more information and a list of all implementation guides.

PSA Points and Scales

Points and Scales/Flag

Calculate points by using the PSA Factor tables below. Then convert total points to scaled scores and the presence or absence of a flag.

Failure to Appear (FTA)

Failure to Appear: Points		
PSA FACTOR	RESPONSE	POINTS
Pending charge at the time of the arrest	No	0
	Yes	1
Prior conviction (misdemeanor or felony)	No	0
	Yes	1
Prior failure to appear in the past 2 years	No	0
	Yes, just 1	2
	Yes, 2 or more	4
Prior failure to appear older than 2 years	No	0
	Yes	1

Failure to Appear: Scaled Score	
TOTAL FTA POINTS	SCALED FTA SCORE
0	1
1	2
2	3
3 or 4	4
5 or 6	5
7	6

New Criminal Activity (NCA)

New Criminal Activity: Points		
PSA FACTOR	RESPONSE	POINTS
Age at current arrest	23 or older	0
	22 or younger	2
Pending charge at the time of the arrest	No	0
	Yes	3
Prior misdemeanor conviction	No	0
	Yes	1
Prior felony conviction	No	0
	Yes	1
Prior violent conviction	No	0
	Yes, 1 or 2	1
	Yes, 3 or more	2
Prior failure to appear in the past 2 years	0	0
	Yes, just 1	1
	Yes, 2 or more	2
Prior sentence to incarceration	No	0
	Yes	2

New Criminal Activity: Scaled Score	
TOTAL NCA POINTS	SCALED NCA SCORE
0	1
1 or 2	2
3 or 4	3
5 or 6	4
7 or 8	5
9 to 13	6

New Violent Criminal Activity (NVCA)

New Violent Criminal Activity: Points		
PSA FACTOR	RESPONSE	POINTS
Current violent offense	No	0
	Yes	2
Current violent offense and 20 years old or younger	No	0
	Yes	1
Pending charge at the time of the arrest	No	0
	Yes	1
Prior conviction (misdemeanor or felony)	No	0
	Yes	1
Prior violent conviction	No	0
	Yes, 1 or 2	1
	Yes, 3 or more	2

New Violent Criminal Activity: Violence Flag	
TOTAL NVCA POINTS	SCALED NVCA SCORE (VIOLENCE FLAG)
0 or 1	1 (NO)
2	2 (NO)
3	3 (NO)
4	4 (YES)
5	5 (YES)
6 or 7	6 (YES)

This document is used with the Guide to Assessor Training when implementing the Public Safety Assessment. See advancingpretrial.org/guides for more information and a list of all implementation guides.

Appendix B: PSA Charge Categorization

PSA Charge Categorization

Charge Category	Definition
Domestic Violence	Includes the following offenses: <ul style="list-style-type: none">• PC 243(e)(1)• PC 273.5(a)• PC 273.6• PC 422
DUI	All DUI offenses listed in the California Vehicle Code, i.e. VC 23152 & 23153.
Violent Felony	Any felony charge classified as violent by the PSA Violent Offense list adopted by the Judicial Council of California
Other Felony (non-violent)	Any other felony charge that is not considered violent per the PSA Violent Offense lists, and excluding any felony DV or DUI charges referenced above.
Violent Misdemeanor	Any misdemeanor charge classified as violent by the PSA Violent Offense list adopted by the Judicial Council of California.
Other Misdemeanor (non-violent)	Any other misdemeanor charge that is not considered violent per the PSA Violent Offense list, and excluding any misdemeanor DV or DUI charges referenced above.

Appendix C: Sonoma County Release Conditions Matrix

June 23, 2020

Sonoma County Pretrial Release Conditions Matrix

(using borrowed success rates from national data)

		New Criminal Activity (NCA) Scaled Score					
Failure to Appear (FTA) Scaled Score	1 91% Likely Arrest-Free	2 85% Likely Arrest-Free	3 78% Likely Arrest-Free	4 68% Likely Arrest-Free	5 55% Likely Arrest-Free	6 47% Likely Arrest-Free	
1 89% Likely to Appear	Level 1	Level 1					
2 85% Likely to Appear	Level 1	Level 1	Level 1	Level 2	Level 3		
3 81% Likely to Appear		Level 1	Level 1	Level 2	Level 3	Level 3*	
4 73% Likely to Appear		Level 2	Level 2	Level 2	Level 3	Level 3*	
5 69% Likely to Appear		Level 2	Level 2	Level 2	Level 3	Level 3*	
6 65% Likely to Appear				Level 2	Level 3	Level 3*	

***NOTE:** Pre-arraignment release is not recommended per local guidance for arrestees with a NCA score of 6.

Pretrial Release Activities and Conditions

Release Activities and Conditions	Pretrial Release Level		
	Level 1	Level 2	Level 3
Mandatory Statutory Conditions	X	X	X
Report to Pretrial Services as Directed or Upon Release	X	X	X
Court Reminder	X	X	X
Periodic Criminal History Checks		X	X
Monthly Phone Check In		X	X
Monthly Face-to-Face Check In			X
Other Case-Specific Conditions (monitoring by Pretrial Services is NOT required)		If Court-Ordered	If Court-Ordered
Other Case-Specific Conditions (monitoring by Pretrial Services is required)			If Court-Ordered

Description of Release Activities & Conditions

Mandatory Statutory Conditions: Pursuant to PC Sec. 1318(a), (1) The defendant promises to appear at all times and places, as ordered by the court or magistrate and as ordered by any court in which, or any magistrate before whom the charge is subsequently pending. (2) The defendant promises to obey all reasonable conditions imposed by the court or magistrate. (3) The defendant promises not to depart this state without leave of the court. (4) The defendant agrees to waive extradition if the defendant fails to appear as required and is apprehended outside of the State of California. (5) The defendant acknowledges that he or she has been informed of the consequences and penalties applicable to violation of the conditions of release.

Report to Pretrial Services as Directed or Immediately Upon Release: The released person is required to report to Pretrial Services as directed. Upon judicial order of Pretrial Release, the released person will report to Pretrial Services for an initial sign up. For individuals released pre-arraignment, the initial sign up with pretrial services staff will take place prior to the individual being released from custody. Individuals released at or after arraignment, will report to Pretrial Services after release.

Court Date Notifications: The released person receives all court date notifications and replies, if applicable. The released person is responsible for providing up-to-date contact information (e.g., phone, email, residential address) to Pretrial Services.

Criminal History Checks: The released person's criminal history is checked for new criminal charges at a regular interval.

- Release level 2: criminal history checks will be conducted monthly, using DAT (local criminal history)
- Release level 3: criminal history checks will also include California and out of state criminal record checks through CLETS

Check-Ins: As agreed upon between the released person and pretrial services staff, check-ins with pretrial staff will occur as follows:

- Release Level 2: A monthly check-in will take place between the released person and pretrial services staff by phone or videoconference (i.e. FaceTime, Skype, etc.) or any other approved communication methods. Videoconferencing may be used if the technology is available to the released person.
- Release Level 3: Each month the released person will check-in once by phone or videoconference, or any other approved communication method, and once in-person, face-to-face, with pretrial services staff.

Other Case-Specific Conditions: Additional case-specific conditions may be ordered if deemed necessary to support the defendant in successful completion of pretrial release. A list of possible conditions that could be ordered are provided in the table below. Some conditions are possible for Level 2 or Level 3 releases, whereas other conditions require Level 3.

Additional guidelines on imposing release conditions are provided, following the list of possible conditions that may be ordered on a case-specific basis.

Conditions that may accompany Level 2 or Level 3

- Do not possess or use alcohol.
 - Do not possess or use controlled substances or associated paraphernalia without valid prescription.
 - Submit to warrantless search and seizure of person, property, personal effects, or vehicle at any time of the day or night by any probation department or law enforcement officer.
 - Submit to warrantless search and seizure of residence at any time of the day or reasonable hour of the night by any Probation or law enforcement officer.
 - Do not own, possess, or use any firearms, weapons, or ammunition.
 - Do not drive under the influence of any alcohol or other substances.
 - No marijuana use, even with a 215 card.
 - Do not be in a place where alcohol is the primary item of sale (no bars or liquor stores).
 - Do not contact victim directly or indirectly.
 - May have peaceful contact with the victim. Do not molest, attack, strike, threaten, harass, stalk, sexually assault, or batter victim, & do not disturb victim's peace.
 - Do not congregate/frequent locations that you know, or a Pretrial Service officer informs you, are associated with gang members or wear gang attire/colors or possess gang paraphernalia. Do not associate with any person that you know, or a Pretrial Service officer informs you, is a member of a criminal street/prison gang.
 - Do not contact co-defendant(s) either directly or indirectly.
-
- Submit to random chemical tests as directed by Pretrial Services.
 - Do not leave Sonoma County without notifying Pretrial Services.
 - Wear GPS monitor for ____ days - contact within 2 business days. Notify Pretrial Services of any violations.
 - Wear CAM monitor for ____ days - contact within 2 business days. Notify Pretrial Services of any violations.
 - Reside with/at: _____ Or other address approved by Pretrial Services.

Guidelines for Imposing Specific Release Conditions

Several research studies have shown that pretrial monitoring can improve court appearance rates during pretrial release, especially for accused people with higher assessment scores (e.g., on the PSA), and the following guidelines are relevant to its use:

- In the case where the judicial officer finds imposing additional case specific terms and conditions is the least-restrictive condition that provides reasonable assurance of (a) protecting another individual (e.g., victim, witness) from harm, intimidation, threats or interference caused by the released person during the person's upcoming pretrial release, (b) helps ensure public safety and law-abiding conduct, the judicial officer should add those

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terms and conditions to the pretrial release order (e.g., no contact order, chemical testing, weapons restrictions).

- Specific criminal charges or criminal history do not automatically result in an order to pretrial monitoring nor will any criminal charge or criminal history trigger an imposition of standard pretrial release conditions. Pretrial release conditions will be selected and imposed on a case by case basis.

Appendix D: Decision Point Analysis Tables

Race/Ethnicity Analysis											
DECISION POINT	Description of Decision Point	Denominator	White (non-Hispanic)			Hispanic			Black		
			#	Rate	RRI	#	Rate	RRI	#	Rate	RRI
County Population	2020 census counts for Sonoma County	488,863	307,495	0.63	--	133,460	0.27	--	10,266	0.02	--
Total Jail Bookings with an On-View	All bookings from 7/1/20 to 12/31/21 with a new on-view charge	County population	5,335	0.02	1.0	3,643	0.03	1.57	763	0.07	4.28
PSA conducted	Any PSA completed in custody that is associated with a booking between 7/1/20 and 12/31/21	Total bookings with a new on view	2348	0.44	1.0	1743	0.48	1.09	413	0.54	1.23
PSA submitted for pre-arraignment review	Any PSA completed in custody and submitted to a Commissioner for pre-arraignment review for bookings that occurred from 7/1/20 to 12/31/21 with a new on-view. PSAs are submitted pre-arraignment only for individuals eligible per statute for pre-arraignment release.	Total PSAs conducted	1091	0.46	1.0	859	0.49	1.06	124	0.30	0.65
Not recommended for pre-arraignment release per local policy	NCA score of 6 and/or on pretrial monitoring at the time of a new booking		313			170			47		
Orders for Pretrial Monitoring											
Ordered pre-arraignment	Any order for pre-arraignment release associated with a booking between 7/1/20 and 12/31/21 with an on-view charge is included, regardless if the person was actually released pre-arraignment.	Total PSAs submitted for pre-arraignment release, excluding those not recommended release per local policy	411	0.53	1.0	404	0.59	1.11	25	0.32	0.61
Ordered at/after arraignment	Any release from Court for pretrial monitoring associated with a completed PSA and booking between 7/1/20 and 12/31/21. Individuals released onto pretrial monitoring at or after arraignment with no recent PSA on record are not included.	All PSAs minus those released pre-arraignment	398	0.21	1.0	268	0.20	0.97	60	0.15	0.77
No pretrial monitoring ordered	No order for pretrial monitoring order is associated with the PSA. Note that this includes people for whom pretrial monitoring was denied, in addition to other reasons, such as the individual was released on monetary bail or citation, or the their case was dismissed.	All PSA conducted	1545	0.66	1.0	1064	0.61	0.93	328	0.79	1.21
Total Pretrial Terminations	Total pretrial monitoring terminations between 7/1/20 and 12/31/21		1236	--	--	883	--	--	161	--	--
Pretrial monitoring outcomes											
FTA Court	Anyone who failed to appear in Court, leading to the issue of a bench warrant, while on pretrial monitoring.	Total pretrial monitoring terminations	302	0.24	1.0	212	0.24	0.98	45	0.28	1.14
New Arrest	Anyone who was arrested and booked into MADP for a new on-view charge while on pretrial monitoring.	Total pretrial monitoring terminations	199	0.16	1.0	101	0.11	0.71	25	0.16	0.96

Gender Analysis									
DECISION POINT	Description of Decision Point	Denominator	Male			Female			RRI
			#	Rate	RRI	#	Rate	RRI	
County Population	2020 census counts for Sonoma County	488,863	238,565	0.49	--	250,298	0.51	--	
Total Jail Bookings with an On-View	All bookings from 7/1/20 to 12/31/21 with a new on-view charge	County population	8,134	0.03	1.0	2,036	0.01	0.24	
PSA conducted	Any PSA completed in custody that is associated with a booking between 7/1/20 and 12/31/21	Total bookings with a new on view	3936	0.48	1.0	749	0.37	0.76	
PSA submitted for pre-arraignment review	Any PSA completed in custody and submitted to a Commissioner for pre-arraignment review for bookings that occurred from 7/1/20 to 12/31/21 with a new on-view. PSAs are submitted pre-arraignment only for individuals eligible per statute for pre-arraignment release.	Total PSAs conducted	1797	0.46	1.0	350	0.47	1.02	
Not recommended for pre-arraignment release per local policy	NCA score of 6 and/or on pretrial monitoring at the time of a new booking		480			73			
Orders for Pretrial Monitoring									
	Any order for pre-arraignment release associated with a booking between 7/1/20 and 12/31/21 with an on-view charge is included, regardless if the person was actually released pre-arraignment.	Total PSAs submitted for pre-arraignment release, excluding those not recommended release per local policy	712	0.54	1.0	150	0.54	1.00	
Ordered at/after arraignment	Any release from Court for pretrial monitoring associated with a completed PSA and booking between 7/1/20 and 12/31/21. Individuals released onto pretrial monitoring at or after arraignment with no recent PSA on record are not included.	All PSAs minus those released pre-arraignment	615	0.57	1.0	138	0.69	1.22	
	No order for pretrial monitoring order is associated with the PSA. Note that this includes people for whom pretrial monitoring was denied, in addition to other reasons, such as the individual was released on monetary bail or citation, or the their case was dismissed.	All PSA conducted	2608	0.66	1.0	461	0.62	0.93	
Total Pretrial Terminations	Total pretrial monitoring terminations between 7/1/20 and 12/31/21		1898		--	465		--	
Pretrial monitoring outcomes									
FTA Court	Anyone who failed to appear in Court, leading to the issue of a bench warrant, while on pretrial monitoring.	Total pretrial monitoring terminations	458	0.24	1.0	124	0.27	1.11	
New Arrest	Anyone who was arrested and booked into MADF for a new on-view charge while on pretrial monitoring.	Total pretrial monitoring terminations	281	0.15	1.0	54	0.12	0.78	