

D R A F T [February 2014]

The Urban Institute

**National Pretrial Reporting Program
Jurisdictional Capacity Survey**



On behalf of the Bureau of Justice Statistics – the statistical research arm of the U.S. Department of Justice – the Urban Institute (UI), a non-profit research organization located in Washington, D.C., and the Pretrial Justice Institute (PJI) are exploring the feasibility of collecting nationally representative statistics on pretrial outcomes and performance. This effort is known as the *National Pretrial Reporting Program* (NPRP). Generating nationally representative statistics on pretrial practice is crucial for understanding national trends in criminal case processing and identifying ways to improve system efficiency and defendant outcomes.

To develop the data collection methods for NPRP, UI and PJI are fielding a survey to understand both the variation in pretrial practices across jurisdictions and the information jurisdictions have available about their pretrial populations. Your jurisdiction is one of several jurisdictions selected across the country to participate in this jurisdictional capacity survey (JCS). Enclosed is a letter from the National Association of Pretrial Services Agencies (NAPSA) and the National Association of Counties (NACo) endorsing this survey.

Although this survey is voluntary, we appreciate your cooperation to make the results comprehensive, accurate, and timely. Your feedback will be invaluable to our effort in identifying the types of pretrial data that should be collected at the national level as well as the feasibility of collecting such data elements. *All answers, including your contact information, will be kept strictly confidential. Under the BJS Use of Data Statute (42 U.S.C. § 3735): “Data collected by the Bureau shall be used only for statistical or research purposes, and shall be gathered in a manner that precludes their use for law enforcement or any purpose relating to a private person or public agency other than statistical or research purposes.”*

If you have questions about this survey or need assistance, please e-mail UI at NPRP@urban.org or call UI at 1- 855-709-0870. Also, please feel free to contact Tracey Kyckelhahn, the BJS Project Manager, at Tracey.Kyckelhahn@ojp.usdoj.gov should you have any questions about this project. Thank you for your cooperation in this important data collection effort.

Sincerely,

Bureau of Justice Statistics

William J. Sabol, Ph.D.

Acting Director

Bureau of Justice Statistics



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Instructions for Completing the Survey

1. The survey consists of 37 questions, some of which may require you to look up information or consult with another agency in your jurisdiction. We do not expect that your agency will be able to answer all or even the majority of the questions. This survey is simply intended to provide feedback about the types of data elements that jurisdictions like yours collect about their pretrial population and the effort required to compile such data. Therefore, any information you provide will be useful; we are equally interested in learning about which questions you cannot answer as we are in receiving completed responses. We also recognize that pulling together this data may be a time-consuming process. Please complete all the questions that you are able to and let us know how long each one took – the survey will prompt you to report this information. Again, all of this feedback will be invaluable to us as part of the NPRP process.
2. We acknowledge that technical definitions for common terms relating to pretrial case processing may vary widely across jurisdictions. Some of the legal and procedural terms used in this survey may not be entirely clear or applicable to your jurisdiction. Please answer all questions in a way that **most closely** reflects pretrial operations in your jurisdiction. Should you need to give an explanation for an answer or define any of the terms used as they specifically relate to your jurisdiction, please use the space provided at the end of the survey.
3. Please return the survey by Month-Day, 2014.
4. If you need assistance to answer any question, please email NPRP@urban.org or call UI at 1-855-709-0870.

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Survey Completed By:

First Name _____	Last Name _____	Position Title _____
Organization Name _____		Organization Type (e.g. jail, sheriff's office, etc.) _____
Official Address _____		
Telephone _____		Email _____

SECTION A: PRETRIAL ORGANIZATION

A1. Is your agency responsible for reporting to another entity or authority on matters related to the management of the pretrial population?

- Yes
- No
- Other _____

If yes, please list all the entities to which you report.

Entity Name	Point of Contact	Email and/or Telephone
_____	_____	_____
_____	_____	_____
_____	_____	_____

A2. Is your agency responsible for the supervision and/or treatment of pretrial defendants (in other words, is your agency considered a pretrial agency)?

- Yes
- No

A3. Does your agency have access to case-level data regarding pretrial defendants?

- Yes (skip to Section B)
- No (skip to A4)

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A4. If your agency is not responsible for pretrial defendants or your agency does not have access to case-level data, please provide the following information for the agency/agencies that is/are responsible for collecting and/or maintaining information on your jurisdiction’s pretrial population and case-level data.

Entity Name	Point of Contact	Email and/or Telephone
_____	_____	_____
_____	_____	_____
_____	_____	_____

[Thank you for your time. You are now done with the survey. We will contact the appropriate agency to complete the survey using the contact information you provided above.]

SECTION B: PRETRIAL POPULATION

B1. Please indicate the stages at which pretrial defendants are referred, or otherwise made known, to your agency (check all that apply).

- Arrest
- Booking
- Initial appearance
- Arraignment
- Preliminary hearing
- Other _____



B2. Does the above figure closely reflect the general case flow of pretrial defendants in your jurisdiction?

- Yes
- No

If no, please explain.

B3. Indicate the stages at which your agency collects or obtains access to case-level data on pretrial defendants (check all that apply).

- Arrest
- Booking
- Initial appearance
- Arraignment
- Preliminary hearing

The first stage you indicated above makes up your working definition of the pretrial population for the remainder of this survey.

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B4. In your jurisdiction, do the police issue a citation, or summons, to appear in court to an arrestee accused of committing the following (check all that apply):

- Traffic infractions
- Petty offenses
- Misdemeanors
- Felonies
- None of the above

SECTION C: PRETRIAL FUNCTIONS

C1. Does your jurisdiction use an actuarial risk assessment tool to assess the risk of pretrial defendants?

Yes

No

C1a. If yes, what is the name of the actuarial risk assessment tool that your jurisdiction uses?

C1b. How is information from the actuarial risk assessment tool maintained? (Check all that apply.)

Electronically

Paper files

Other _____

C2. Please indicate the available supervision and treatment options for the pretrial population in your jurisdiction. (Check all that apply.)

Curfews

Electronic monitoring

Supervision is not provided

Other (please specify) _____

C2a. Please indicate the available treatment options for the pretrial population in your jurisdiction.

Substance abuse treatment

Mental health treatment

Treatment is not provided

Other (please specify) _____

C3. Please indicate the financial release mechanisms that your jurisdiction offers.

Cash

Deposit bond

Surety bond

Property bond

Other (please specify) _____

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C3a. Please indicate the non-financial release mechanisms that your jurisdiction offers.

- Citation
- Release on recognizance
- Unsecured bond
- Supervised release
- Other (please specify) _____

C4. Does your jurisdiction allow defendants to be released on financial bond while under pretrial supervision?

- Yes
- No

SECTION D: PRETRIAL RELEASE DECISION

D1. What was the caseload of the pretrial population (as defined in **B3**) for 2012?

For questions D2 – D4

- Please report data for the total population only if it is not possible to distinguish between felony and misdemeanor charges.
- If exact numbers are not available, please provide best estimates. Indicate that you have provided an estimate by checking the “Est.” box.
- If you are not able to provide an estimate, please write “-99” in each box.

D2. While awaiting case adjudication, how many of the defendant population in 2012, as reported in **D1**, were:

	Felony (#)		Misdemeanor (#)		Total (#)	
	(Most serious charge)	Est.	(Most serious charge)	Est.		Est.
Released		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Detained		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>

D3. While awaiting case adjudication, how many defendants reported in **D2** were released by the following mechanisms:

	Felony (#)		Misdemeanor (#)		Total (#)	
	(Most serious charge)	Est.	(Most serious charge)	Est.		Est.
Financial release (total)		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Cash		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Deposit		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Surety		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Property		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Non-financial release (total)		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Citation		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Release on recognizance		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Unsecured bond		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Supervised release		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>

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D4. While awaiting case adjudication, how many defendants reported in **D2** were

	Felony (#)		Misdemeanor (#)		Total (#)	
	(Most serious charge)	Est.	(Most serious charge)	Est.		Est.
...detained on financial bail?		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
...detained without bail?		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>

Now that you have answered questions D2-D4, the next couple of questions ask about the level of effort in completing these questions.

D5. What is the total number of labor hours for all persons involved in answering items **D2-D4**?

D6. What challenges, if any, did you experience when completing items **D2-D4**?

- 1. All items were completed without challenges.
- 2. Information is not collected.
- 3. Information is collected, but not accessible due to legal or administrative complications. (please explain below)
- 4. Information is collected and accessible, but not easily extracted. (please explain below)
- 5. Information is available for reporting, but is too labor-intensive to provide.
- 6. Other (please explain below)

If you faced any challenges when completing these items, please explain further.

Now let's continue with questions about pretrial processes. After a set of substantive questions, we will repeat questions about the level of effort and challenges in completing those questions for the remainder of this survey.

D7a. What was the average bail amount (in dollars) for *released* pretrial defendants in 2012?

D7b. What was the average bail amount (in dollars) for pretrial defendants in 2012 who were not released?

D8. What is the total number of labor hours for all persons involved in answering items **D7a-b**?

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D9. What challenges, if any, did you experience when completing items **D7a-b**?

- 1. All items were completed without challenges.
- 2. Information is not collected.
- 3. Information is collected, but not accessible due to legal or administrative complications. (please explain below)
- 4. Information is collected and accessible, but not easily extracted. (please explain below)
- 5. Information is available for reporting, but is too labor-intensive to provide.
- 6. Other (please explain below)

If you faced any challenges when completing these items, please explain further.

SECTION E: PRETRIAL MISCONDUCT SECTION

For question E1

- If exact numbers are not available, please provide best estimates. Indicate that you have provided an estimate by checking the “Est.” box.
- If you are not able to provide an estimate, please write “-99” in each box.

E1. How many of the defendant population released while awaiting case adjudication in 2012 – as specified in item D2:

	Count (#)	Est.
...failed to appear (FTA) in court?		<input type="checkbox"/>
...were arrested?		<input type="checkbox"/>
...violated the terms of supervision?		<input type="checkbox"/>

E2. Through your data system, is it possible to track whether FTA cases are brought back into court?

- Yes
- No

E2. Through your data system, is it possible to identify whether those arrested were arrested for a felony offense or a misdemeanor?

- Yes
- No

E4. What is the total number of labor hours for all persons involved in answering question **E1**?

E5. What challenges, if any, did you experience when completing question **E1**?

- 1. All items were completed without challenges.
- 2. Information is not collected.
- 3. Information is collected, but not accessible due to legal or administrative complications. (please explain below)
- 4. Information is collected and accessible, but not easily extracted. (please explain below)
- 5. Information is available for reporting, but is too labor-intensive to provide.
- 6. Other (please explain below)

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If you faced any challenges when completing these items, please explain further.

SECTION F: PRETRIAL SUBPOPULATION BREAKDOWN

For question F1

- If exact numbers are not available, please provide best estimates. Indicate that you have provided an estimate by checking the “Est.” box.
- If you are not able to provide an estimate, please write “-99” in each box.

F1. Please provide the number of detained defendants for the following subpopulations:

		Count (#)	Est.
Race	Non-Hispanic, American Indian or Alaska Native		<input type="checkbox"/>
	Non-Hispanic, Asian		<input type="checkbox"/>
	Non-Hispanic, Black or African American		<input type="checkbox"/>
	Hispanic or Latino		<input type="checkbox"/>
	Non-Hispanic, Native Hawaiian or Other Pacific Islander		<input type="checkbox"/>
	Non-Hispanic, White		<input type="checkbox"/>
	More than one race		<input type="checkbox"/>
Age	17 or below		<input type="checkbox"/>
	18 - 24		<input type="checkbox"/>
	25 - 39		<input type="checkbox"/>
	40 - 54		<input type="checkbox"/>
	55 or above		<input type="checkbox"/>
Gender	Male		<input type="checkbox"/>
	Female		<input type="checkbox"/>
Offense Charged (most serious)	Violent Crime		<input type="checkbox"/>
	Property Crime		<input type="checkbox"/>
	Drug Crime		<input type="checkbox"/>
	Motor Vehicle/DUI		<input type="checkbox"/>
	Other		<input type="checkbox"/>

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F2. What is the total number of labor hours for all persons involved in answering item **F1**?

F3. What challenges did you experience when completing item **F1**?

- 1. All items were completed without challenges.
- 2. Information is not collected.
- 3. Information is collected, but not accessible due to legal or administrative complications.
(please explain below)
- 4. Information is collected and accessible, but not easily extracted. (please explain below)
- 5. Information is available for reporting, but is too labor-intensive to provide.
- 6. Other (please explain below)

If you faced any challenges when completing these items, please explain further.

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For questions F4 – F5

- If exact numbers are not available, please provide best estimates. Indicate that you have provided an estimate by checking the “Est.” box.
- If you are not able to provide an estimate, please write “-99” in each box.

F4. Please provide the number of defendants who failed to appear in court while released pretrial by the following populations:

		Count (#)	Est.
Race	Non-Hispanic, American Indian or Alaska Native		<input type="checkbox"/>
	Non-Hispanic, Asian		<input type="checkbox"/>
	Non-Hispanic, Black or African American		<input type="checkbox"/>
	Hispanic or Latino		<input type="checkbox"/>
	Non-Hispanic, Native Hawaiian or Other Pacific Islander		<input type="checkbox"/>
	Non-Hispanic, White		<input type="checkbox"/>
	More than one race		<input type="checkbox"/>
Age	17 or below		<input type="checkbox"/>
	18 - 24		<input type="checkbox"/>
	25 - 39		<input type="checkbox"/>
	40 - 54		<input type="checkbox"/>
	55 or above		<input type="checkbox"/>
Gender	Male		<input type="checkbox"/>
	Female		<input type="checkbox"/>
Offense Charged (most serious)	Violent Crime		<input type="checkbox"/>
	Property Crime		<input type="checkbox"/>
	Drug Crime		<input type="checkbox"/>
	Motor Vehicle/DUI		<input type="checkbox"/>
	Other		<input type="checkbox"/>
Release Type	Financial (e.g., cash, surety bond)		<input type="checkbox"/>
	Non-financial (e.g., supervised release, release on recognizance)		<input type="checkbox"/>

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F5. Please provide the number of defendants arrested for a new crime while released pretrial by the following populations:

		Count (#)	Est.
Race	Non-Hispanic, American Indian or Alaska Native		<input type="checkbox"/>
	Non-Hispanic, Asian		<input type="checkbox"/>
	Non-Hispanic, Black or African American		<input type="checkbox"/>
	Hispanic or Latino		<input type="checkbox"/>
	Non-Hispanic, Native Hawaiian or Other Pacific Islander		<input type="checkbox"/>
	Non-Hispanic, White		<input type="checkbox"/>
	More than one race		<input type="checkbox"/>
Age	17 or below		<input type="checkbox"/>
	18 - 24		<input type="checkbox"/>
	25 - 39		<input type="checkbox"/>
	40 - 54		<input type="checkbox"/>
	55 or above		<input type="checkbox"/>
Gender	Male		<input type="checkbox"/>
	Female		<input type="checkbox"/>
Offense Charged (most serious)	Violent Crime		<input type="checkbox"/>
	Property Crime		<input type="checkbox"/>
	Drug Crime		<input type="checkbox"/>
	Motor Vehicle/DUI		<input type="checkbox"/>
	Other		<input type="checkbox"/>
Release Type	Financial (e.g., cash, surety bond)		<input type="checkbox"/>
	Non-financial (e.g., supervised release, release on recognizance)		<input type="checkbox"/>

F6. What is the total number of labor hours for all persons involved in answering items **F4-F5**?

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F7. What challenges did you experience when completing items **F4-F5**?

- 1. All items were completed without challenges.
- 2. Information is not collected.
- 3. Information is collected, but not accessible due to legal or administrative complications. (please explain below)
- 4. Information is collected and accessible, but not easily extracted. (please explain below)
- 5. Information is available for reporting, but is too labor-intensive to provide.
- 6. Other (please explain below)

If you faced any challenges when completing these items, please explain further.

SECTION G: GENERAL COMMENTS

Please use the space below to add any comments or suggestions about how to make the gathering of pretrial information easier and how to encourage participation among jurisdictions when the National Pretrial Reporting Program (NPRP) is fielded in the future. Thank you for completing the survey!