

## The Whatcom County District Court announces new “Monthly Pretrial Check-In Reporting” Program

Pretrial incarceration of people accused of crimes impacts not only the accused, but the criminal justice system, and the community as well. In an effort to minimize those consequences, the Whatcom County District Court will soon be implementing a new pilot pretrial release program, “Monthly Check-In Reporting” as an alternative to traditional forms of pretrial release on bail or bond. The new release option is based on the court’s experience with existing pretrial supervision options, post-conviction probation supervision, and evidence based research which suggests that consistent periodic contact with a court increases the likelihood of compliance with court ordered conditions of behavior and appearance at future court hearings.<sup>1</sup> The option is also based on CrRLJ 3.2(b)(7) which allows the imposition of “any condition other than detention deemed reasonably necessary to assure appearance as required,” and RCW 10.01.160 which allows collection of costs for pretrial supervision up to \$150. Using this authority, some success has already been achieved with defendants charged with DUI when periodic reporting has been coupled with monitoring for abstinence from alcohol/drug use. Both abstinence and reappearance among those defendants seem to have been positively impacted by the pretrial supervision.

As the option’s title suggests, defendants released under the pilot program will be required to make personal contact with the court’s probation department on a monthly basis until pending charges are fully resolved. Functionally, defendants placed into the supervision option would be required to immediately report to the court’s probation department upon their release from jail or the courtroom. Once there, clerical staff would perform a brief intake interview and obtain necessary contact information. The defendant would be assigned a monthly check-in window to reappear in probation to confirm his/her whereabouts (contact information) and verify law abiding behavior. The once a month reporting window would allow the defendant to report sometime (at the defendant’s choosing) during the scheduled week, Monday through Friday during regular office hours. At the check-in defendants would interact briefly with a staff member to provide any updated information and they would be reminded of their upcoming court hearing dates/times. Beginning this fall, defendants will be able to receive text message reminders of their upcoming hearings and appointments. The judicial officer assigned to the case would be notified by probation staff of a failure to report or any new charge(s) so appropriate action can be taken. Such action may range from simply summoning of the defendant back into court for a review of his/her situation to the immediate issuance of an arrest warrant. As the typical criminal case has a pretrial lifespan in the District Court of about six months, defendants would on average experience five monthly reporting appointments in addition to their initial intake visit. Each defendant would be assessed a single \$25 fee for the supervision. The supervision fee can be paid across 90 days and even worked off, either in full or in part, by performing community service at a local nonprofit organization of their choosing. The effectiveness of the program will be assessed by the court in an ongoing manner.

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<sup>1</sup> See for example, Lowenkamp, C. and VanNostrand, M. (2013): pages 3-4. *Exploring the Impact of Supervision on Pretrial Outcomes*, Laura and John Arnold Foundation. <https://csgjusticecenter.org/wp-content/uploads/2013/12/Exploring-the-Impact-of-Supervision-on-Pretrial-Outcomes.pdf>