

# Incarceration Prevention and Reduction Task Force: Pretrial Processes Workgroup

12:30 - 1:30 p.m., October 7, 2022. Hybrid meeting

If you require special assistance to participate, please contact the County Council Office at least 96 hours in advance.

## Meeting Participation Information

Meetings are held in a hybrid format. Members of the public may attend via Zoom webinar using the join link below or in person at the County Council office located at 311 Grand Avenue, Suite 105. All committee members will participate remotely via Zoom. Zoom attendees will join the meeting without audio or video controls. The Webinar Host will invite attendees to speak at the appropriate time during the meeting.

[Link to join meeting](#)

Call in phone number: (253) 215-8782

Webinar ID: 812 2453 1204

Password: 17783

## AGENDA

**Packet Pages**

**Topics of discussion for this meeting will include the Superior Court Pretrial Services Unit and the risk assessment tool, including (but not limited to):**

1. Electronic Home Monitoring and other monitoring recommendations for the different risk tiers: Discussion *(continued from August)*
  2. Violent crimes definition: Discussion *(held from August)* 1 – 2
  3. Performance measure ranking and data elements Report with Dr. Peterson: Discussion *(held from Aug.)* 3 – 5
- Public Comment**
1. If you would like to speak, virtually “raise your hand.”
    - a. Online: select the Raise Hand icon
    - b. Phone: Press \*9
  2. *When called upon to speak, unmute your microphone. Inform the Webinar Host if you would like to enable your video during your comments.*
  3. Please state your full name for the record.
  4. Staff will disable your microphone when you are done speaking.

## Upcoming Meetings

Visit the [Task Force website meeting calendar](#) for the most up-to-date meeting schedule

At this time, all meetings are held in a hybrid format. Members of the public may attend meetings via Zoom webinar or in person at the County Council office, 311 Grand Ave Suite 105, Bellingham.

[Pretrial Processes Workgroup](#), as needed, including:

February 9

April 20

<u>IPR TASK FORCE</u>	<u>COMMITTEES</u>				
	<u>BEHAVIORAL HEALTH</u>	<u>LEGAL &amp; JUSTICE SYSTEMS</u>	<u>CRISIS STABILIZATION FACILITY</u>	<u>INDEX</u>	<u>STEERING</u>
Monthly 2 <sup>nd</sup> or 3 <sup>rd</sup> Monday 9-11 AM	Monthly 3 <sup>rd</sup> Tuesday 9:00-10:30 AM	Monthly 2 <sup>nd</sup> Tuesday 11:30 AM – 12:30 PM	Quarterly, 3 <sup>rd</sup> Thursday 9:30-11:00 AM	Bi-monthly 1 <sup>st</sup> Thursday 1:30-3:00 PM	Monthly Various Thursdays 11:00 AM - 12:30 PM
October 17 November 14 December 19	October 18 November 15 <b>December 13*</b> <b>(11:30-1:00)</b>	October 11 November 8 <b>December 13</b>	October 20	December 1	November 3 December 8

**This document identifies the State of Washington offenses that meet the definition of a violent offense for the purpose of administering the Public Safety Assessment (PSA). The PSA definition specifies that offenses are considered violent when a person causes or attempts to cause physical injury to another person. The specific criminal offenses that meet the PSA definition of a violent offense have been identified and are listed below. Note: all attempts, conspiracy, solicitation, and accessory before the fact, of any of the offenses below also meet the definition of a violent offense for the purpose of administering the PSA.**

Number	Title
9.41.230 inclusive	Aiming or discharging weapons, dangerous weapons
9A.40.090.	Luring
9.41.225.	Use of a machine gun in felony - Penalty
9.40.105.	Tampering with fire alarm or firefighting equipment - Intent to commit arson - Penalties
9.68A.040.	Sexual exploitation of a minor - Elements of crime - Penalty
9.68A.100.	Commercial sexual abuse of a minor - Penalties
9.68A.101.	Promoting commercial sexual abuse of a minor - Penalty
9.68A.102.	Promoting travel for commercial sexual abuse of a minor - Penalty
9.81.020.(1)(a, b, & c)	Subversive activities made felony - Penalty
9.94.010.	Prison riot - Penalty
9.94.030.	Holding person hostage - Interference with officer's duties
9A.28.020	<i>Criminal attempt [of a designated violent offense]</i>
9A.28.030	<i>Criminal solicitation [of a designated violent offense]</i>
9A.28.040.	<i>Criminal conspiracy [of a designated violent offense]</i>
9A.32.030.	Murder in the first degree
9A.32.050.	Murder in the second degree
9A.32.055	Homicide by abuse
9A.32.060.	Manslaughter in the first degree
9A.32.070.	Manslaughter in the second degree
9A.36.011.	Assault in the first degree
9A.36.021.	Assault in the second degree
9A.36.031.	Assault in the third degree
9A.36.041.	Assault in the fourth degree
9A.36.045.	Drive-by shooting
9A.36.080.(1)(a)	Malicious harassment — Definition and criminal penalty
9A.36.100.	Custodial assault
9A.36.120.	Assault of a child in the first degree
9A.36.130.	Assault of a child in the second degree
9A.36.140.	Assault of a child in the third degree
9A.40.020.	Kidnapping in the first degree
9A.40.030.	Kidnapping in the second degree
9A.40.040.	Unlawful imprisonment
9A.40.100.	Trafficking
9A.40.110.	Coercion of involuntary servitude
9A.44.040.	Rape in the first degree
9A.44.050.	Rape in the second degree
9A.44.060.	Rape in the third degree
9A.44.073.	Rape of a child in the first degree
9A.44.076.	Rape of a child in the second degree
9A.44.079.	Rape of a child in the third degree
9A.44.083.	Child molestation in the first degree
9A.44.086.	Child molestation in the second degree
9A.44.089.	Child molestation in the third degree
9A.44.093.	Sexual misconduct with a minor in the first degree
9A.44.096.	Sexual misconduct with a minor in the second degree
9A.44.100.	Indecent liberties
9A.44.160.	Custodial sexual misconduct in the first degree
9A.44.170.	Custodial sexual misconduct in the second degree
9A.46.110.	Stalking
9A.48.020.	Arson in the first degree
9A.48.030.	Arson in the second degree
9A.52.020.(1)(b)	Burglary in the first degree
9A.56.200.	Robbery in the first degree
9A.56.210.	Robbery in the second degree
9A.84.010.	Riot

9A.88.070.	Promoting prostitution in the first degree	
46.61.520 inclusive	Vehicular Homicide – Under the Influence and Reckless	
79A.60.050 inclusiv	Homicide by Watercraft – Under the Influence and Reckless	
RCW 26.50.110(4)	Violation of order (Domestic Violence - Assault 4)	

Performance Measure	Description	Ranking
<b>Ranking instructions: Rate each item as follows: 1 = high priority. 2 = mid-priority. 3 = low priority or not applicable</b>		
Pretrial Population	Demographics of who is on supervision	
Pretrial supervision population vs. pretrial jail population	Demographics (race + ethnicity) of pretrial defendants released to supervision vs. jail population	
PSA Assessment Rate	The percentage of defendants who get assessed before a release decision is made	
Defense Representation at First Appearance	Just a yes/no	
Average Time to First Appearance Hearing	Time from booking to first appearance	
Release Conditions Matrix Concurrence Rate	How often the release conditions issued concur with those recommended in the matrix	
Court Notification Rate	Percentage of released defendants that received court notifications	
Pretrial Agency Census	Number of pretrial services officers	
Pretrial Staff Caseload	Caseload of each pretrial services officer	
Pretrial Monitoring Report-Ins	Percentages of released defendants who made all required contacts with their pretrial services officer, percentage that missed 1 contact, percentage that missed two, etc.	
Pretrial Release Rate	Percentage of defendants released	
Pretrial Period	Range and averages for time on pretrial status	
Pretrial Detention Rate	Percentage of defendants detained pretrial	
Pretrial Detention Length of Stay	Range and averages for time incarcerated pretrial	
Time to Pretrial Release	Time from booking to release	
Pretrial Release Length of Time	Range and averages for time released pretrial	
Time on Pretrial Monitoring	Range and averages for time on pretrial supervision	
Technical Compliance Rate	Percent of individuals who complied with release conditions	
Judicial Response to Non-Compliance	Outcomes for defendants who fail to comply	
Appearance Rate	Percent that appear for all court hearings	

Timely FTA Warrant Resolution	Percent that resolve FTA warrants within a given time period	
Flight Rate	Percent whose status is unknown	
New Offense Arrest Rate	Percent that commit a new criminal offense	
New Violent Offense Arrest Rate	Percent that commit a new violent criminal offense	
Overall Success Rate	Percent that have no violations, new offenses, or FTA warrants before case resolution	
Judicial adherence to RA tool and Guidelines	Percent of times judges adhere to vs. veer from the risk assessment tool and guidelines	
Overall Success Rate re: judicial adherence to guidelines	Overall success rate (above) for judicial adherence vs. not adhering to RA tool and guidelines	

Data Element	Source(s)	Collected Now
All assessed persons for whom the judge has made a release decision		
Case disposition date	JIS	Yes
Date FTA resolved	JIS	Yes
Date of issuance of FTA	JIS	Yes
FTA(s)	JIS	Yes
Jail booking date		
Jail release date		
Judicial Responses to Non-compliance		
New Offense During Pretrial Release	JIS (does anyone do NCIC checks?)	Yes
New Violent Offense During Pretrial Release	JIS (does anyone do NCIC checks?)	Yes
Number of assessed persons for whom the judge's decision aligns with local release policy as reflected in the RCM		
Number of persons awaiting trial who are not released pretrial		
Number of persons booked into jail awaiting trial for a new offense who are assessed with the PSA		
Number of persons booked into jail awaiting trial for a new offense		
Number of persons booked into the jail		
Number of persons for whom the court has issued an FTA	JIS	Yes
Number of persons monitored by the pretrial agency		
Number of pretrial monitoring staff		
Number of those determined to have intentionally fled		
Pretrial Census for a Period of Time		
Revocation for Technical Violation(s)		
Total number of incidents of non-compliance		
Total Number of Released People		
Total number of unconvicted persons booked into jail awaiting trial for a new offense		
Violation of Release Condition(s)		