

# Reimagine Adult Justice

Recommendation #34:

**Expanding Pretrial Release and Removing Limitations**

## **Proposal for Phase 2 of Pretrial Services Expansion**

**Public Protection Committee Meeting  
July 25, 2024**

**Hon. Thomas Nixon  
Presiding Judge**

**Hon. Elena Condes  
Supervising Judge**

**Cory Jacobs  
Pretrial Program Manager**





# RAJ Recommendation #34 Expanding Pretrial Release and Removing Limitations



## Pretrial Expansion Updates

### APRIL 2024

Launch of Pretrial Expansion  
Phase 1: Pretrial Service  
Referral System

### MAY 2024

Recruitment Open for  
Additional Pretrial  
Supervision Officer to  
Increase Caseload Capacity  
from 100 to 125

### JUNE 2024

1 Year Extension of Harvard  
Government Performance  
Lab Pro Bono Technical  
Assistance Award



# RAJ Recommendation #34

## Expanding Pretrial Release and Removing Limitations



### Pretrial Expansion Phase 1: Pretrial Service Referral System

#### ACCOMPLISHMENTS

- Implementation completed in **3 housing units** at Santa Rita Jail as of July 2024
- **Community-based service connections** at time of release
- **Expedited referrals** to Behavioral Health Court and specialized treatment courts

#### BARRIERS

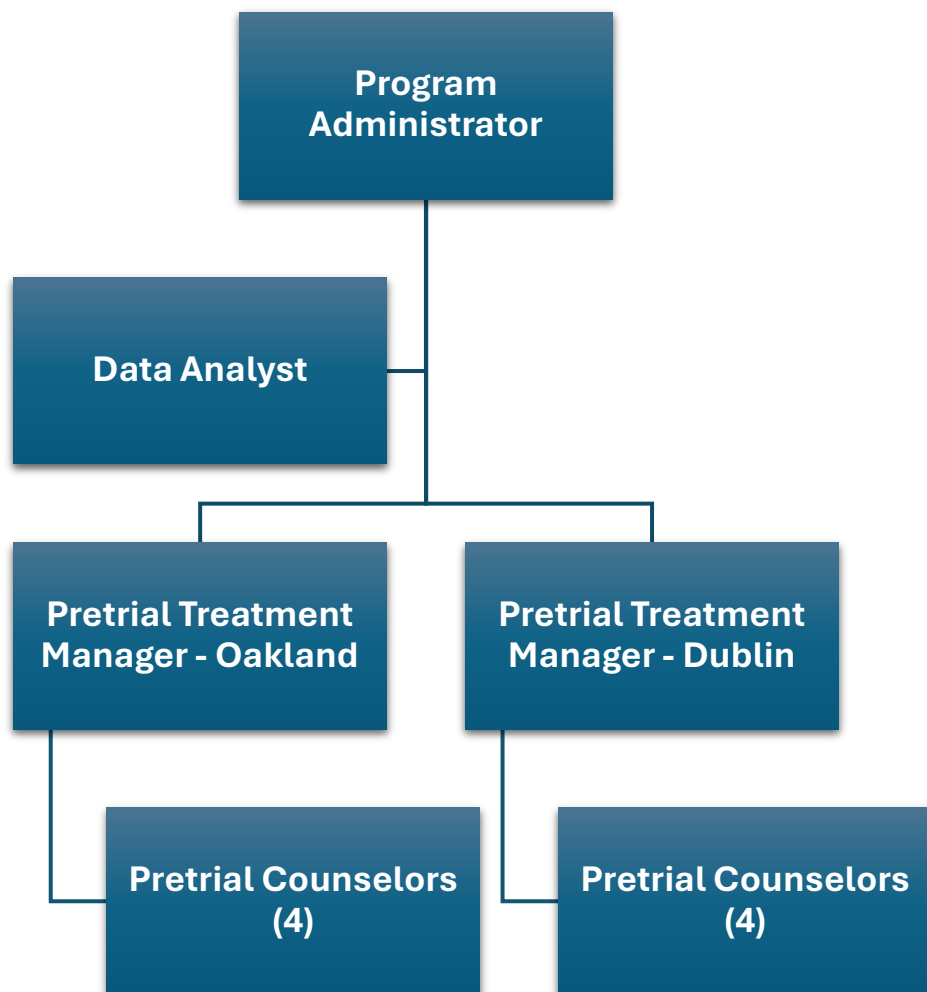
- **Staffing and resource limitations** are barriers to expansion
- **Lack of community-based support and case management** are barriers to service engagement



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## Expanding Pretrial Release and Removing Limitations

### Pretrial Expansion Phase 2: Community-Based Case Management



At any given time, there are **2,500 to 3,000** individuals awaiting trial while on own recognizance release.

Phase 2 will target our **moderate-risk population** which includes approximately **1,500** individuals at any given time but can be applied to any individual within our larger pretrial population.

Community-based case management offers an **alternative to pretrial detention** while **mitigating risk factors** and establishing **supportive service connections**.



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## Expanding Pretrial Release and Removing Limitations



### Pretrial Expansion Phase 2: Primary Objectives

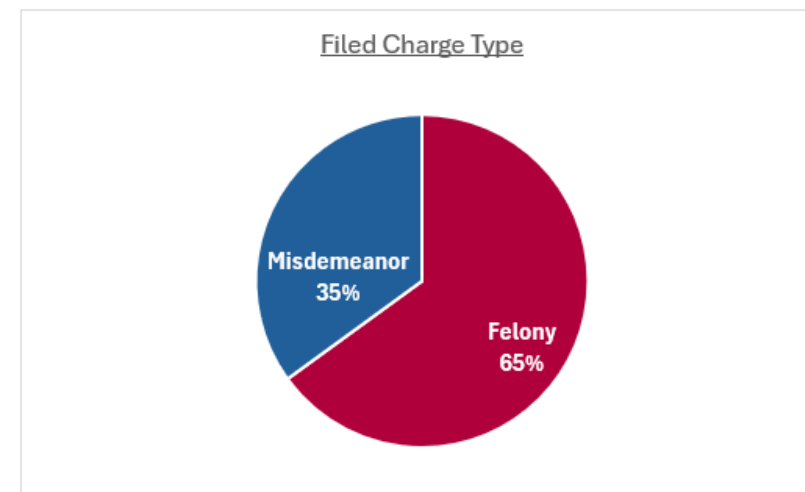
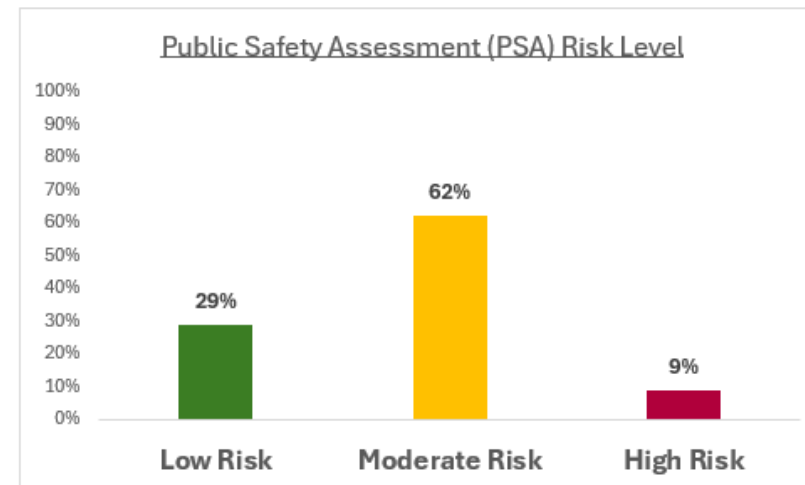
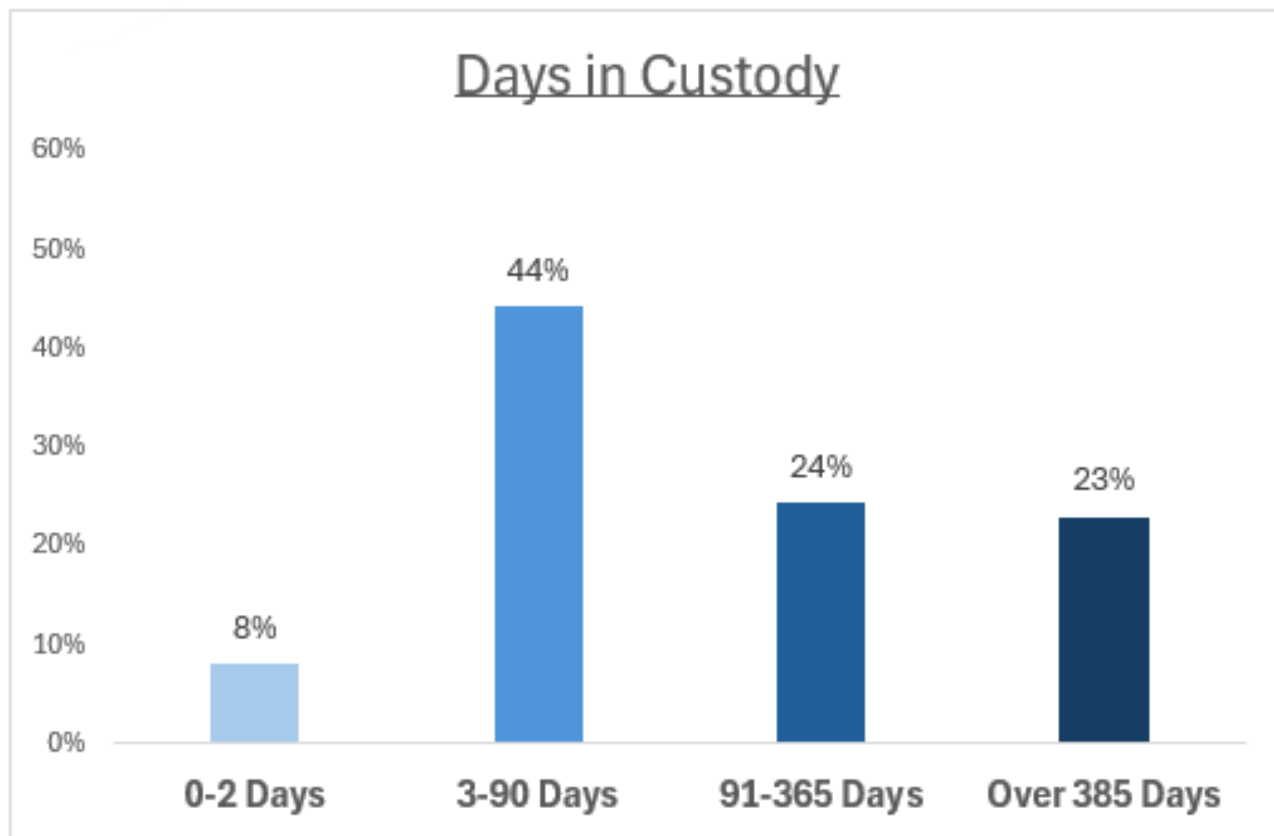
- Facilitate **service and resource connections** at the time of release
- **Create care plans** and identify additional needs
- Support individuals in **overcoming barriers to service engagement** such as transportation, childcare, and mental health challenges
- **Reduce recidivism and victimization** by addressing underlying needs through sustainable community-based service connections.
- **Reduce pretrial detention** by expediting time to release and reducing rearrests and bench warrants
- Increase referrals to **Collaborative Courts**
- Increase referrals to **CalAIM**
- Collaborate with community-based providers to **address service gaps** and **build capacity** for identified service needs



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## Expanding Pretrial Release and Removing Limitations

### Snapshot of Santa Rita Jail Population (N = 1,658)



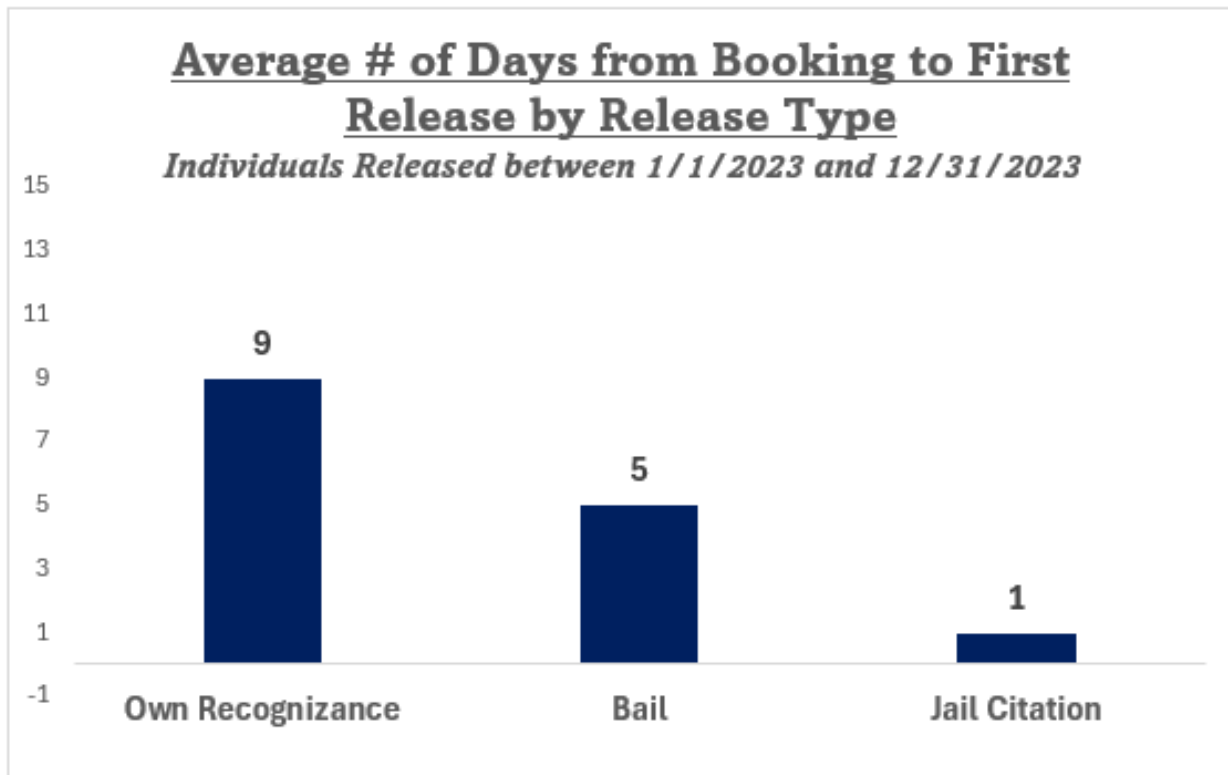
**NOTES:**  
Jail population data was collected on June 20, 2024.  
Risk levels are calculated using Public Safety Assessment (PSA) at the time of booking.  
PSA risk level analysis only includes defendants who had a PSA completed at the time of booking.



# RAJ Recommendation #34

## Expanding Pretrial Release and Removing Limitations

### Barriers to Own Recognizance (OR) Release



#### Time to OR Release is Impacted by:

- Assessments and evaluations for mental health and substance abuse treatment
- Identification of service needs
- Availability of care plans
- Identification of available providers

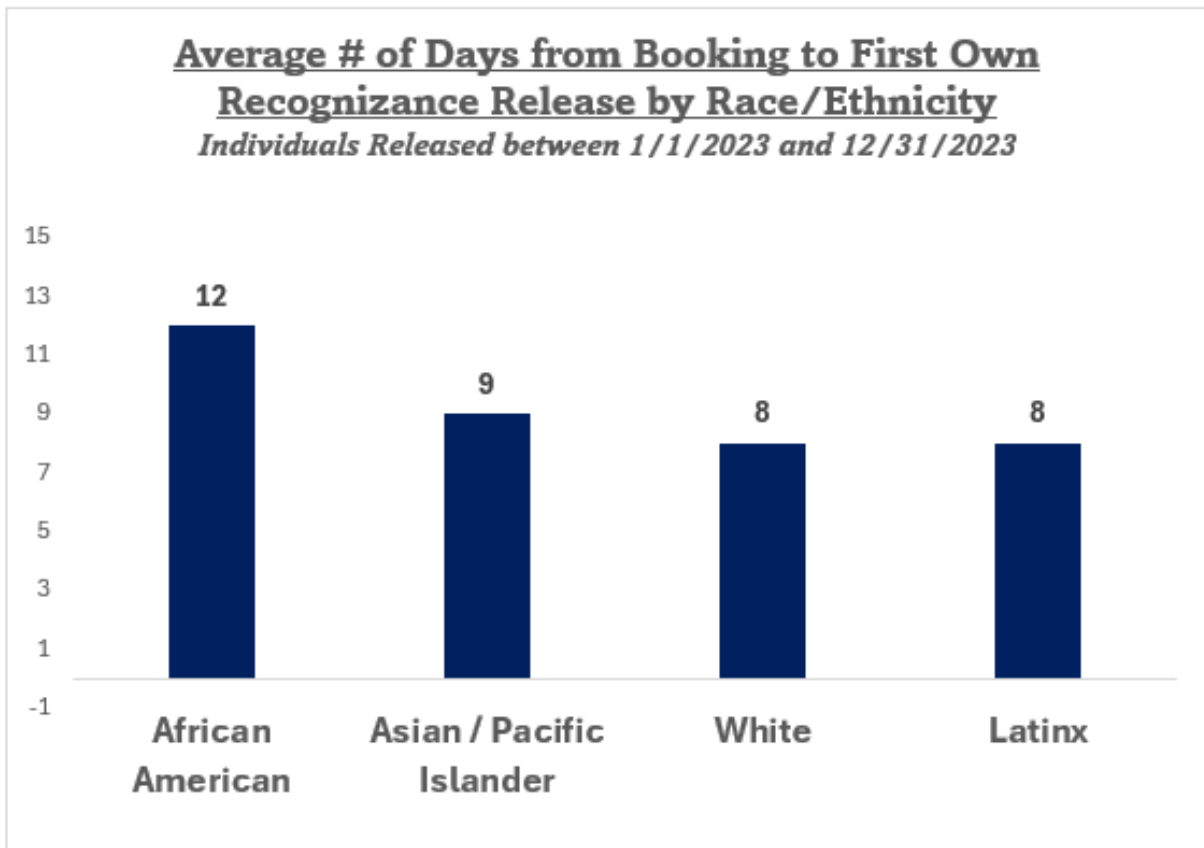
**NOTES:**

Analysis includes individuals who were arrested for new charges or arrest warrants and released between 1/1/2023 and 12/31/2023.  
Time in custody is calculated from the booking date to release date.



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## Barriers to Own Recognizance (OR) Release



- African American individuals spend more time in custody before initial OR release compared to White individuals.
- African American individuals are less likely to be released on jail citations compared to White individuals.

**NOTES:**

Analysis includes individuals who were arrested for new charges or arrest warrants and released between 1/1/2023 and 12/31/2023.

Time in custody is calculated from the booking date to release date.

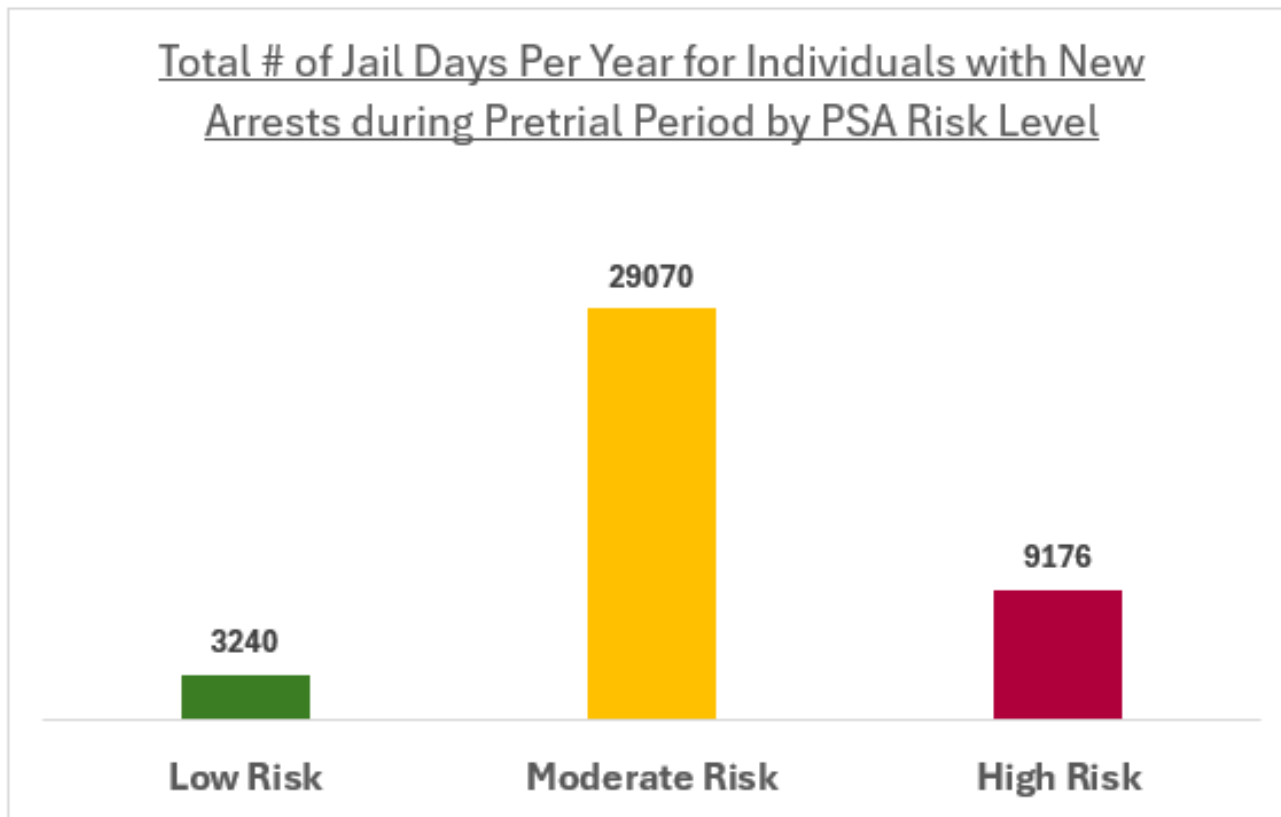




# RAJ Recommendation #34

## Expanding Pretrial Release and Removing Limitations

### The Revolving Door



On average, defendants spend **9** days in custody from booking to first own recognizance release.

**26%** of defendants released on their own recognizance are arrested again during the pretrial period.

Over **40,000** jail days per year are due to new arrests during the pretrial period.

*Risk levels are calculated using the Public Safety Assessment (PSA) at the time of booking.*



# RAJ Recommendation #34

## Expanding Pretrial Release and Removing Limitations

### Pretrial Expansion Phase 2: Impact of Target Population

Cost of Jail Days Per Year for Individuals with New Arrests during Pretrial Period by PSA Risk Level



New arrests for moderate-risk defendants account for **over 29,000 jail days** per year.

New arrests for moderate-risk defendants cost approximately **\$11 million** per year.

Reducing recidivism for moderate-risk population by 50% saves approximately **\$5.5 million per year**.

New arrests for moderate-risk population occur, on average, **60 days** after release.

Analysis based on jail cost of \$383.87 per person per day



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## Pretrial Expansion Phase 2: Impact of Target Population

### What Can Community-Based Case Management Achieve Within the First 60 Days of Release?

- Identify additional needs and develop **personalized care plans**
- Facilitate **service and program connections**
- Identify and **address barriers** to service engagement
- Connect clients to community-based resources to **address basic needs**
- **Coordinate with service providers** to ensure clients' service needs are met
- Help clients utilize and increase **natural supports**



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## Expanding Pretrial Release and Removing Limitations



### Pretrial Expansion Phase 2: Long-Term Outcomes

#### COST SAVINGS

##### JAIL POPULATION

- Expedite time to release
- Reduce new arrests
- Reduce bench warrants

##### COMMUNITY SUPERVISION

- Reduce sentences to formal Probation
- Reduce Post-Release Community Supervision (PRCS) cases

#### PUBLIC SAFETY

##### RECIDIVISM & VICTIMIZATION

- Reduce future criminal justice involvement
- Create sustainable connections to community-based supports

##### FAMILIES & COMMUNITIES

- Disrupt cycles of incarceration
- Disrupt intergenerational cycles of crime
- Build capacity for services and resources in communities



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## Expanding Pretrial Release and Removing Limitations



## Pretrial Expansion Phase 2: Statewide and National Impact

### CONTRIBUTIONS TO STATEWIDE AND NATIONAL RESEARCH

Research on the impact of supportive service connections and community-based case management during the pretrial period is limited.

### ALTERNATIVE TO PROBATION-LED PRETRIAL PROGRAM MODELS

More alternatives to probation-led pretrial program models are starting to emerge to reduce over-supervision of low and moderate-risk populations.

### EXAMPLE OF COLLABORATIVE EFFORT TO ACHIEVE PRETRIAL REFORM

Alameda can show other jurisdictions how evidence-based pretrial reform can be achieved through cross-agency partnerships.

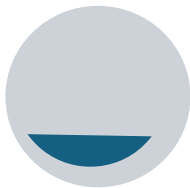


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## Expanding Pretrial Release and Removing Limitations



### Pretrial Expansion Phase 2: Implementation Timeline

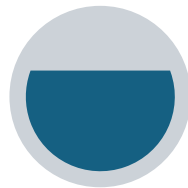


#### **Within 90 Days** **Recruitment and Onboarding**

- Program Administrator
- Management Analyst

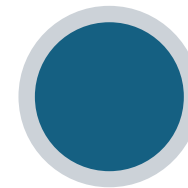
#### **Create New Position Classifications**

- Pretrial Treatment Specialist
- Pretrial Counselor



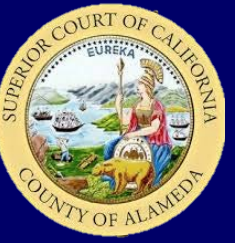
#### **Within 180 Days** **Recruitment and Onboarding:** **OAKLAND TEAM**

- Pretrial Treatment Manager (1)
- Pretrial Counselor (4)



#### **Within 365 Days** **Recruitment and Onboarding:** **DUBLIN TEAM**

- Pretrial Treatment Manager (1)
- Pretrial Counselor (4)



# RAJ Recommendation #34

## Expanding Pretrial Release and Removing Limitations

### Cost of Jail Days Per Year for Individuals with New Arrests during Pretrial Period

Based on jail cost of \$383.87 per person per day

**\$1.3 million**

**Low Risk**

**\$11 million**

**Moderate Risk**

**\$3.5 million**

**High Risk**

**\$5.6 million**

50% reduction in new arrests for moderate risk population results in a cost savings of approximately \$5.6 million per year

**\$8 million**

50% reduction in new arrests for entire population results in a cost savings of approximately \$8 million per year

### Cost of Pretrial Expansion Phase 2

**\$755,700**

**Year 1 Estimated Total Cost\***

**\$1,817,400**

**Year 2 Estimated Total Cost\***

**\$1,972,200**

**Year 3 (Ongoing) Total Cost\*\***

*\* Estimated costs for Years 1 and 2 if funding was received in September 2024. If funding is received later, costs for Years 1 and 2 will decrease.*

*\*\* Total ongoing cost for program expansion after all positions are filled.*





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## Expanding Pretrial Release and Removing Limitations

### Pretrial Expansion Phase 2: Detailed Budget

#### Year 1 (FY24-25)\*

**Total = \$755,700**

**Personnel Costs = \$697,200**

- Program Administrator (1) (Oct-June)
- Management Analyst (1) (Oct-June)
- Pretrial Treatment Manager (1) (Jan-June)
- Pretrial Counselor (4) (Jan-June)

**Technology Costs = \$18,000**

- Case Management Mobile Application (Jan-June)

**Operation Costs = \$40,500**

- Equipment
- Travel/Mileage
- Cell Phone and MIFI Service

#### Year 2 (FY25-26)\*

**Total = \$1,817,400**

**Personnel Costs = \$1,730,400**

- Program Administrator (1) (July-June)
- Management Analyst (1) (July-June)
- Pretrial Treatment Manager (1) (July-June)
- Pretrial Treatment Manager (1) (Oct-June)
- Pretrial Counselor (4) (July-June)
- Pretrial Counselor (4) (Oct-June)

**Technology Costs = \$36,000**

- Case Management Mobile Application (July-June)

**Operation Costs = \$51,000**

- Equipment
- Travel/Mileage
- Cell Phone and MIFI Service

#### Year 3 (FY26-27)/Ongoing\*\*

**Total = \$1,972,200**

**Personnel Costs = \$1,915,200**

- Program Administrator (1)
- Management Analyst (1)
- Pretrial Treatment Manager (2)
- Pretrial Counselor (8)

**Technology Costs = \$36,000**

- Case Management Mobile Application

**Operation Costs = \$21,000**

- Travel/Mileage
- Cell Phone and MIFI Service

\* Estimated costs for Years 1 and 2 if funding was received in September 2024. If funding is received later, costs for Years 1 and 2 will decrease.

\*\* Total ongoing cost for program expansion after all positions are filled.



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