Las Vegas Justice Court: Pretrial Insights

Prepared for: Clark County Criminal Justice Coordinating Council

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Government Performance Lab

Agenda
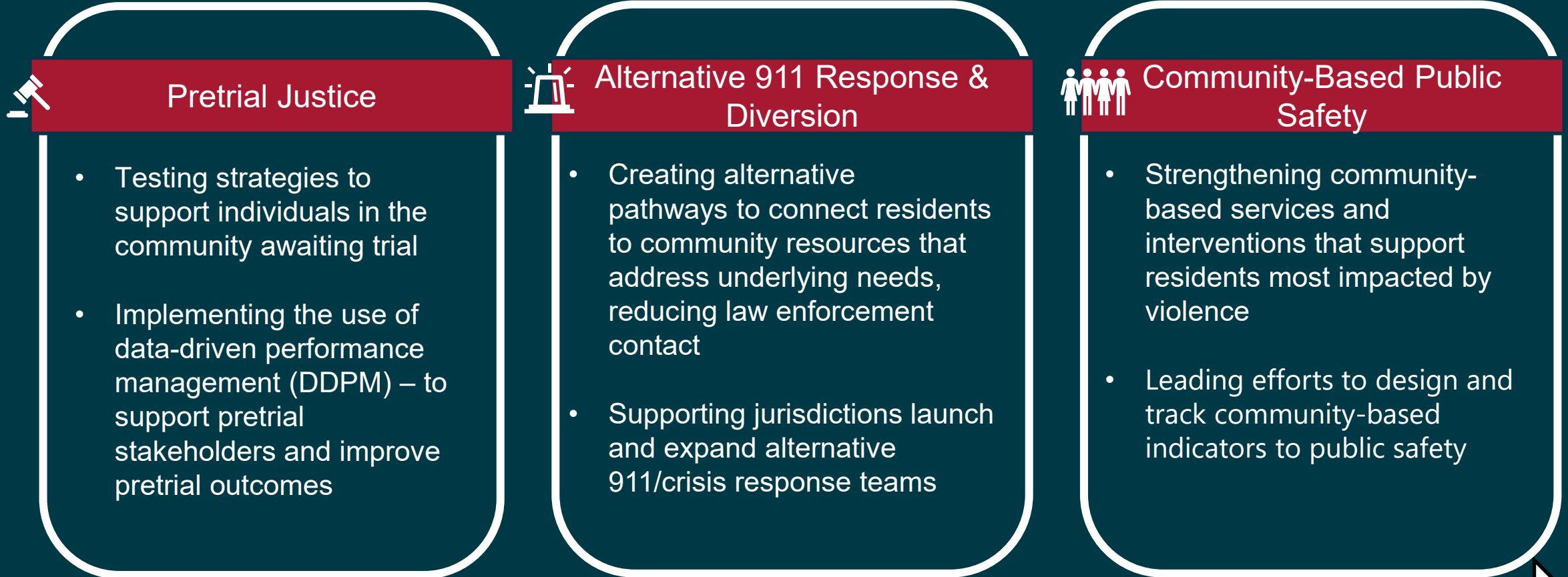
Background

Metric definitions

Findings

Q & A

The Government Performance Lab's Criminal Justice Portfolio

*Our criminal justice team has **supported over 25 jurisdictions** with technical assistance related to pretrial justice, alternative 911 response & diversion, and community-based public safety.*

Pretrial Justice

- Testing strategies to support individuals in the community awaiting trial

- Implementing the use of data-driven performance management (DDPM) – to support pretrial stakeholders and improve pretrial outcomes

Alternative 911 Response & Diversion

- Creating alternative pathways to connect residents to community resources that address underlying needs, reducing law enforcement contact

- Supporting jurisdictions launch and expand alternative 911/crisis response teams

Community-Based Public Safety

- Strengthening community-based services and interventions that support residents most impacted by violence

- Leading efforts to design and track community-based indicators to public safety

Our criminal justice team leverages the GPL's core tools of **data-driven performance management, designing service systems for client success, and results-driven contracting** across all our work.

An overview of our research

Guiding Goal:

Analyze the data of individuals who are placed on Pretrial Compliance Unit supervision during pretrial. Assess how the Pretrial Compliance Unit and/or other court stakeholders can make data-informed adjustments to right-size the supervision caseload while maintaining court appearance rates.

Research Focus Areas:

1. **Caseload Overview**
   - Understand the state of pretrial operations in Las Vegas and any trends
2. **Outcomes Research**
   - Assess how often people are appearing for their court hearings, avoiding new arrests, and complying with their release conditions while on pretrial release
3. **Equity Analysis**
   - Discern if any conditions are associated with more successful outcomes for certain subpopulation groups

Pretrial Compliance Unit Levels

Pretrial Compliance Unit: Presumptive Monitoring Levels

PCU Level	Report to PCU within 48 hours	After Each Court Date Check-in	Check-ins (App or in Person)	Compliance Solution
Level I	✓	✓	Monthly: Scheduled	AIR Check-in App
Level II	✓	✓	Bi-Weekly: Random and Scheduled (1 of each per month)	AIR Check-in App or AIR Mobile Phone
Level III	✓	✓	Weekly: Random and Scheduled (2 of each per month)	AIR Check-in App or AIR Mobile Phone
Level IV	✓	✓	Weekly: Random and Scheduled (2 of each per month)	AIR Mobile Phone + Air Connect, GPS monitoring with Bluetooth Technology

*Location can be determined at time of check-in

Source: Las Vegas Justice Court - Pretrial Services Division Website

Defining metrics and population

NAPSA* Pretrial Metric

- **Court appearance rate (AR)** measures the percentage of released people who appear for all scheduled court appearances pending case disposition.

How We Measured It

- We counted the number of bench warrants and assumed each issuance correlated perfectly with a failure to appear in court.

Important Considerations

- The reported rate may be an underestimation of the true rate.
- Calculated only from people in the criminal court process who are ordered on PCU supervision at pretrial (not from OR population)

Pretrial Population

People ordered to PCU

*National Association of Pretrial Services Agencies
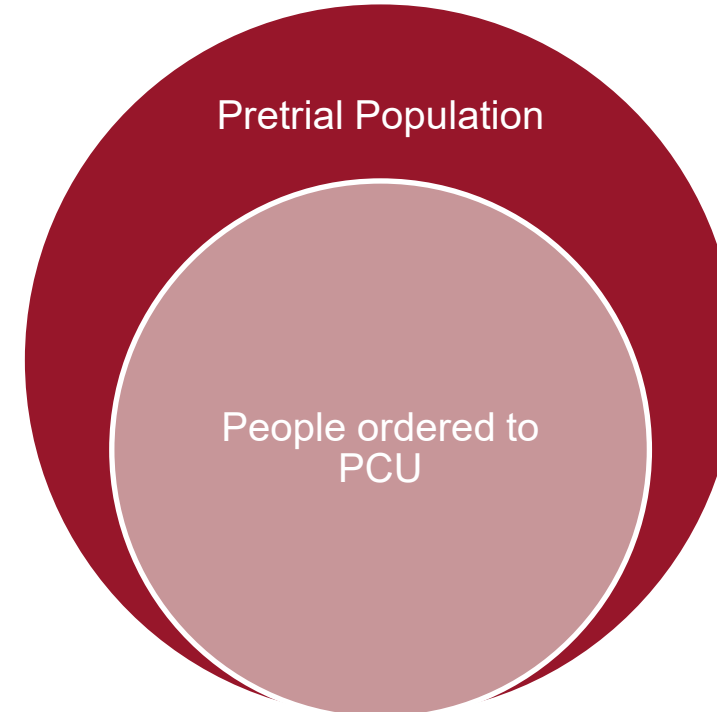
Enrollment and Caseload Patterns

Enrollment patterns reveal individuals are being placed on Levels 3 & 4 and rarely on Level 1
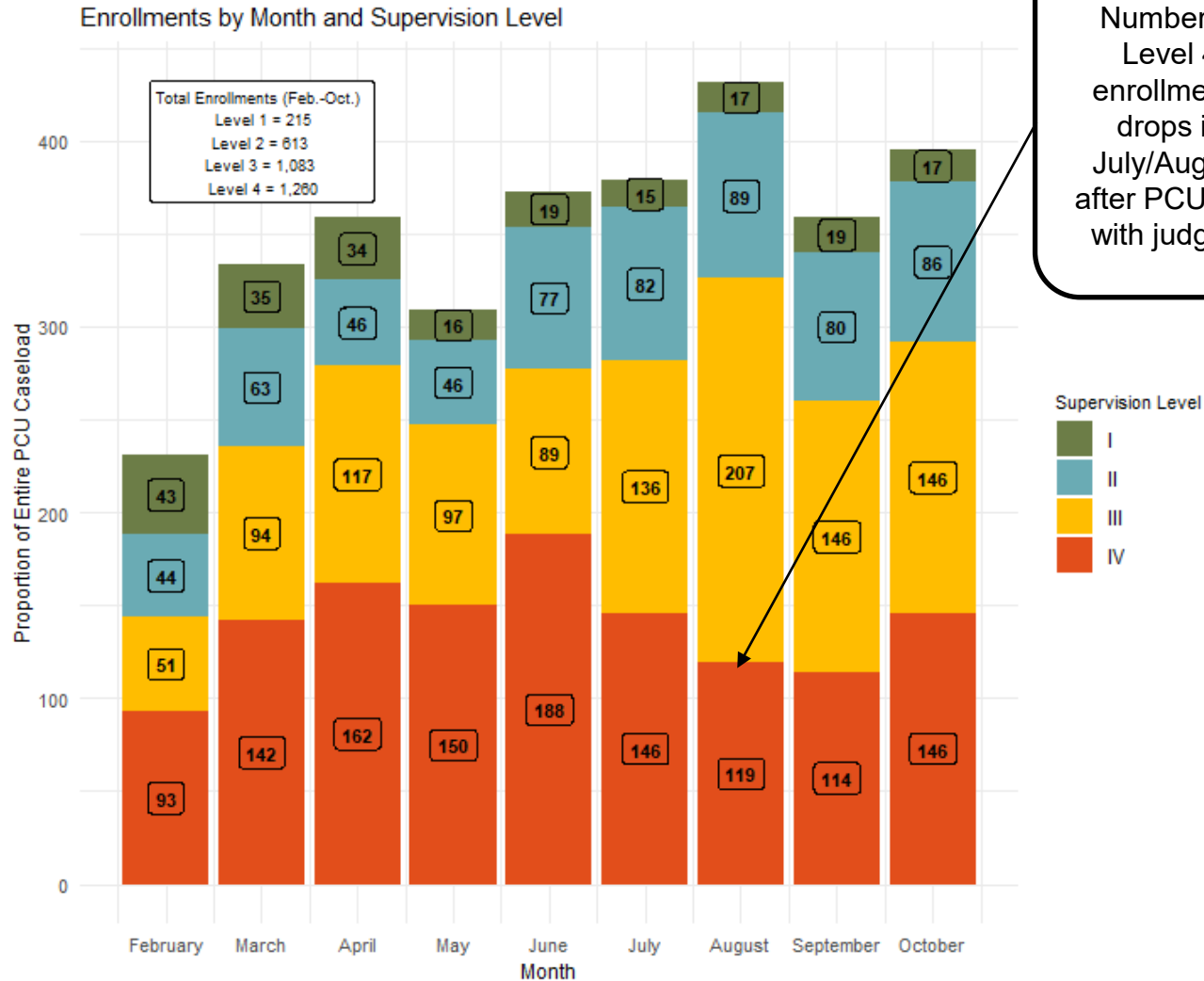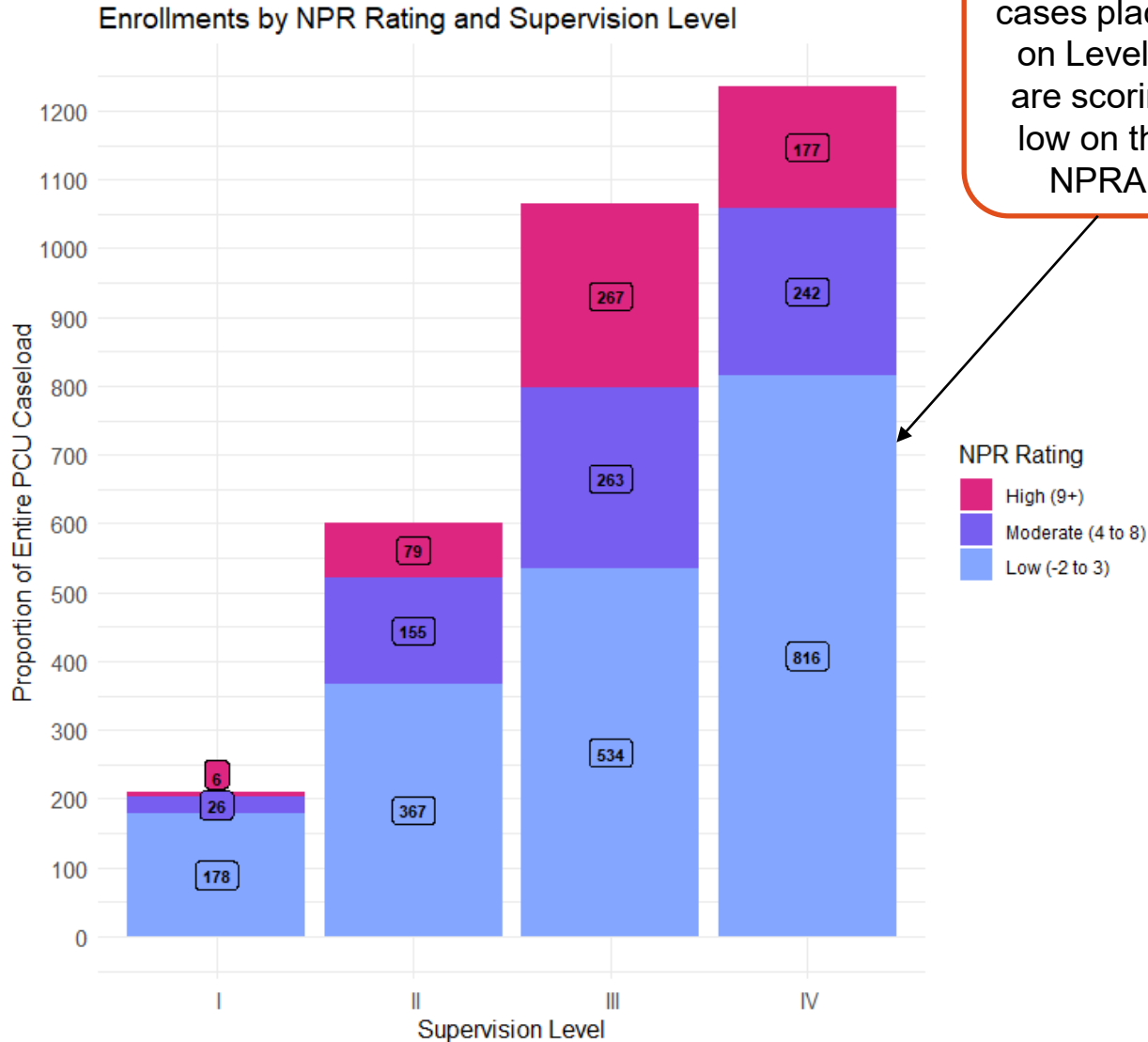
Number of Level 4 enrollments drops in July/August after PCU met with judges.

Key Takeaways

- **People are rarely placed on Level 1.** About 20 people are placed on Level 1 each month (<5% of people on supervised release).

- **~75% of PCU's monthly enrollments are for Levels 3 and 4**. With 4 check-ins per month required for these higher supervision levels, a lot of PCU staff time and resources are being spent on monitoring these individuals and GPS technology, respectively.

- **Individual behaviors can have an effect.** After PCU met with judges to discuss the differences between supervision levels, there was an observable dip of Level 4 orders.

Source: Las Vegas Justice Court (February to October 2023 data)

People with "low" NPR ratings are being assigned to PCU at high rates.

Enrollments by NPR Rating and Supervision Level

66% of cases placed on Level 4 are scoring low on the NPRA

Key Takeaways:

- **Most people on PCU are scoring low on the NPRA.** As a reminder, Dr. Austin's has previously recommended that people with low scores be released on recognizance.

- **Strong evidence of the overuse of PCU across the board.** There is also rare cares where people with high ratings are placed on Level 1.

- **PCU is currently assessing whether the large number of low- and moderate-scoring cases on Level 4 are from corridor stay-away orders**
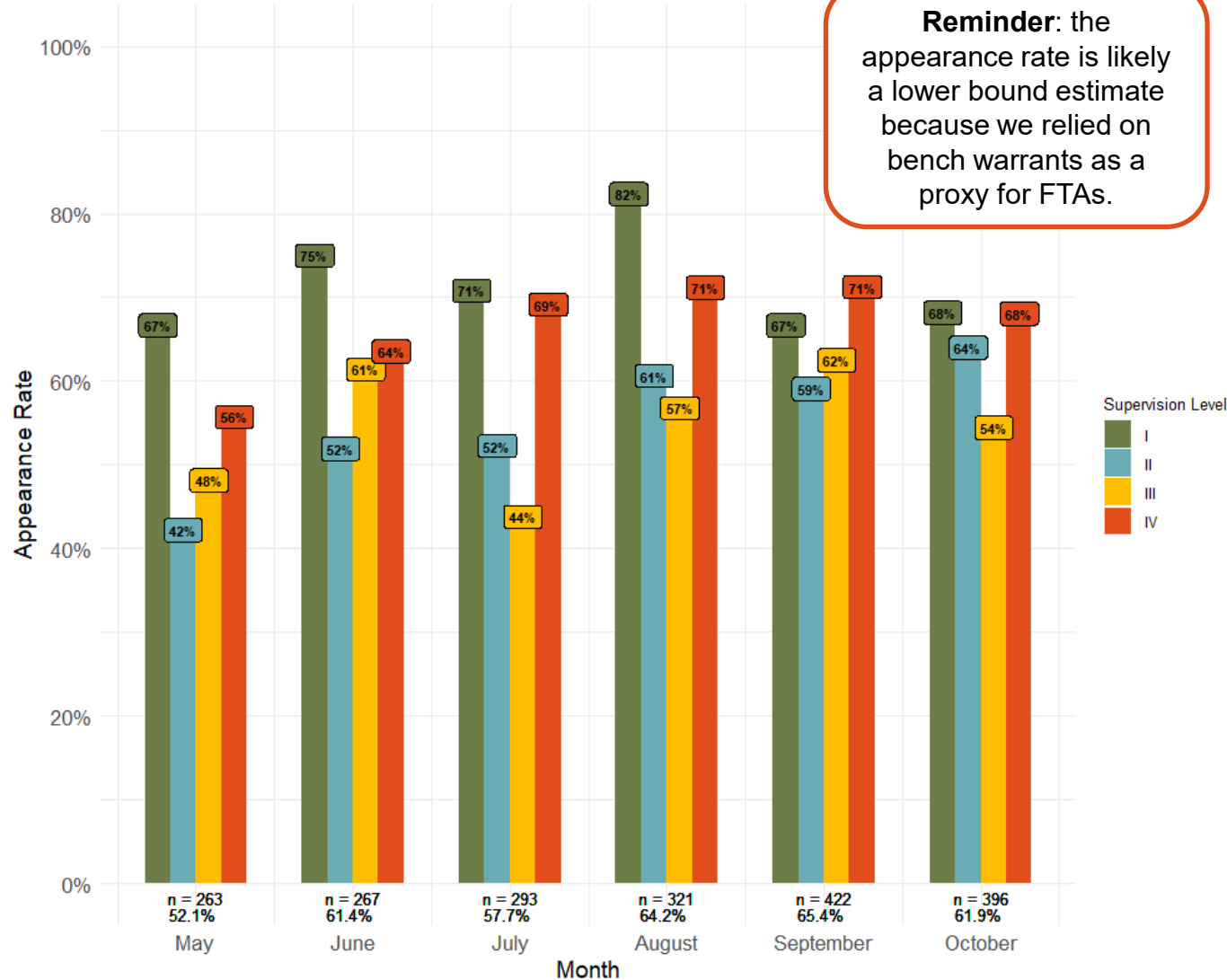
Source: Las Vegas Justice Court (February to October 2023 data)

Does more supervision or monitoring lead to better outcomes?

Higher supervision does not necessarily relate to better appearance outcomes

Monthly Appearance Rate by Supervision Level

Reminder: the appearance rate is likely a lower bound estimate because we relied on bench warrants as a proxy for FTAs.
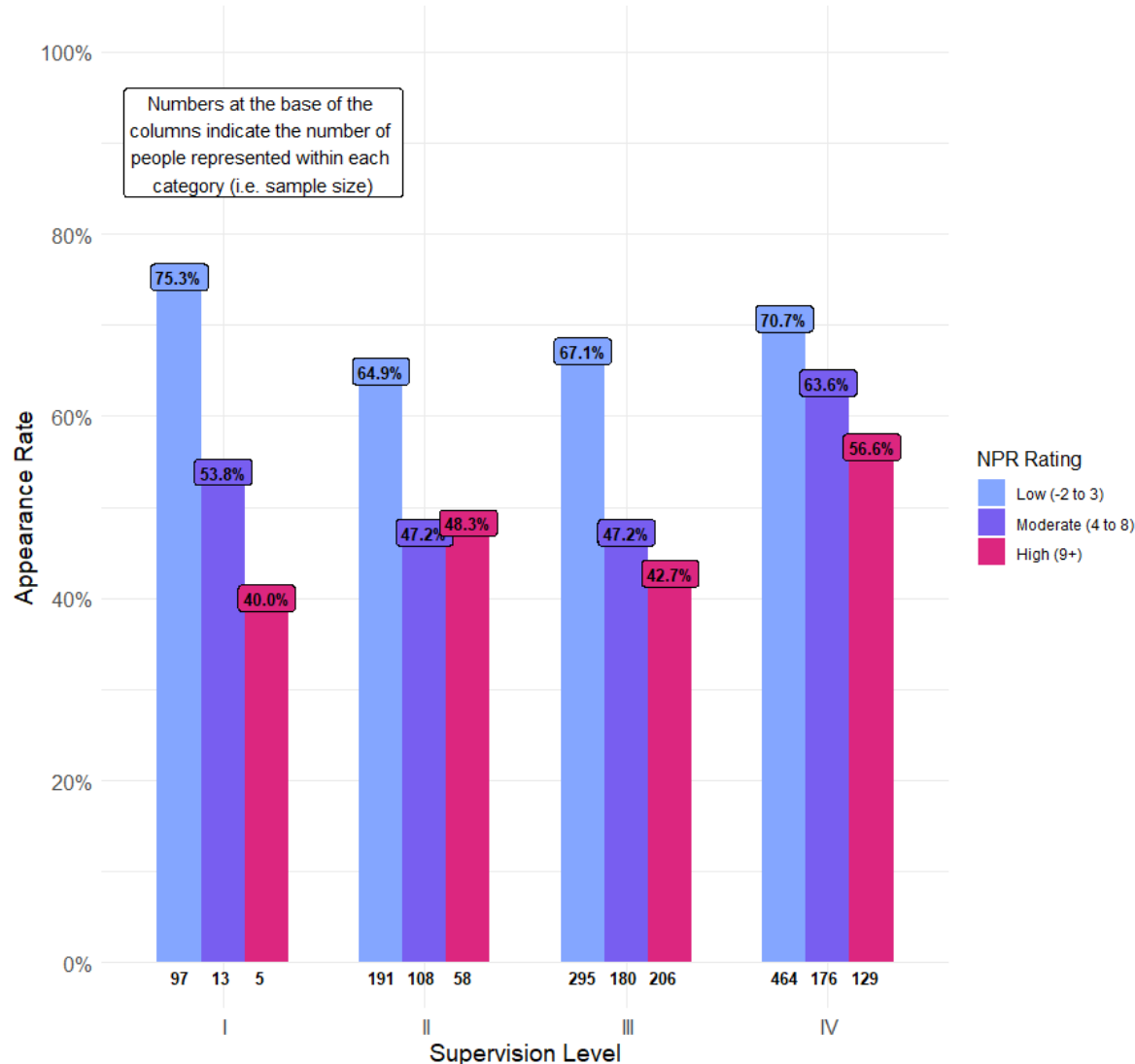
Key Takeaways

- **Overall, the appearance rate is increasing.** The average monthly appearance rate is gradually increasing. There is not one supervision level that is concerningly dropping.

- **People placed on Levels 1 and 4 tend to have the highest appearance rates.** Data from the most recent months show rates are stabilizing and becoming more consistent between supervision levels.

Source: Las Vegas Justice Court (February to October 2023 data)

Appearance rates reflect NPR rating and vice versa

Average Appearance Rate by NPR Rating

Numbers at the base of the columns indicate the number of people represented within each category (i.e. sample size)

NPR Rating
- Low (-2 to 3)
- Moderate (4 to 8)
- High (9+)

Supervision Level	Low	Moderate	High
I	75.3% (97)	53.8% (13)	40.0% (5)
II	64.9% (191)	47.2% (108)	48.3% (58)
III	67.1% (295)	47.2% (180)	42.7% (206)
IV	70.7% (464)	63.6% (176)	56.6% (129)

Key Takeaways:

- **The observable differences in appearance rates between NPR rating groups are expected.** The assessment considers FTAs in the past two years. People with "moderate" or "high" ratings may have received those ratings due to already established FTA behavior.

- **As such, people who are scored between -2 and 3 (a low rating), do tend to show up for hearings more often, on average, across all supervision levels.**

- **People with low NPR ratings do best on Level 1.** Inversely, people with high NPR rating have the highest average appearance rate on Level 4.

Closing Thoughts

Main Takeaways

- Most people are being placed on higher levels despite having low NPR ratings
- More supervision does not correlate with higher appearance rates
- NPR ratings do appear to be correlated with appearance rates, however

Ongoing Work

- PCU has adopted new data collection practices and is also integrating the court's data to:
  1) Track outcomes for people released on recognizance,
  2) Track public safety rates,
  3) Disaggregate outcomes by demographic groups, and
  4) Track outcomes for people removed from Level 4 following 60-day reviews
- LVJC is looking for ways to sustain data analysis going forward

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