



February 2016

Nevada Supreme Court's Committee to Study Evidence-based Pretrial Release

Opportunities for Evidence-based Technical Assistance

Deliberative and Pre-decisional

Diagnostic Center Background

The Office of Justice Programs (OJP) established the Diagnostic Center in 2012 for the purpose of assisting community leaders seeking to implement data-driven interventions to address public safety, juvenile justice, criminal justice, and crime victim services issues.

Diagnostic Center engagements address a particular public safety concern of the client community, but interaction with the Diagnostic Center is intended to build community capacity to use data to make evidence-based decisions (current and future) about criminal justice and public safety.

Office of Justice Programs (OJP)

Mission: OJP provides innovative leadership to federal, state, local and tribal justice systems, by disseminating state-of-the art knowledge and practices across America, and providing grants for the implementation of these crime fighting strategies. OJP works in partnership with the justice community to identify the most pressing crime-related challenges confronting the justice system and to provide information, training, coordination, and innovative strategies and approaches for addressing these challenges.

Source: <http://ojp.gov/about/about.htm>

Office of the Assistant Attorney General (OAAG)

Mission: OAAG is a component agency of OJP and is headed by Assistant Attorney General Karol Mason. Ms. Mason leads OAAG in supporting state, local and tribal criminal justice agencies; juvenile justice programs; a wide range of research, evaluation and statistical efforts; and comprehensive services for crime victims.

Source: http://www.ojp.usdoj.gov/about/leadership_kmason.htm



The Diagnostic Center is driving change in criminal justice, juvenile justice and victim services systems across the country

OJP Diagnostic Center Community Engagements

Current Nevada Engagement Topics:

- ▶ Clark County Blue Ribbon for Kids Commission: Child Welfare Reform
- ▶ Las Vegas Metropolitan Police Department (LVMPD) and Clark County Detention Center (CCDC): Inmate Population Management



The Diagnostic Center's defining characteristic is its data-driven approach to tackling persistent public safety challenges

Founded on a practice-based research model, the Diagnostic Center utilizes criminal justice research, program evaluations, local data and collaborative partnerships to assist communities.

The Diagnostic Center applies a three-phased process – **Diagnose, Implement and Assess** – for providing assistance to communities. This approach enables the Diagnostic Center to identify the factors contributing to criminal justice challenges and align them to strategies and solutions that have demonstrated success in addressing similar challenges.

DIAGNOSE

- Diagnostic Center convenes community stakeholders and subject matter experts to:
 - define problem and desired outcomes
 - identify sources of data that illuminate strengths and challenges in the community

IMPLEMENT

- Diagnostic Center helps the community:
 - examine the evidence base
 - identify and implement data-driven programs

ASSESS

- Diagnostic Center helps the community adopt data collection strategies to measure the effectiveness of the programs put in place during the engagement.

The LVMPD requested technical assistance to manage Clark County's inmate population in order to minimize overcrowding

Overview of the Request from the Las Vegas Metropolitan Police Department

- ▶ The CCDC has experienced an increase in its average daily inmate population and average length of stay, thereby exceeding its current operational capacity and posing a safety issue for inmates and staff.
- ▶ The LVMPD seeks technical assistance (TA) to improve inmate population management through the evaluation of the inmate classification system and the exploration of pretrial analysis framework, while leveraging existing reentry and social service programs to reduce recidivism.



Basic Stats:*

- ▶ CCDC's detention population as of December 31, 2015 is 3,517
- ▶ 83 percent of the current population is male, 39 percent African-American and 37 percent white

Legal Status	Inmate	%
Pretrial	2,575	73%
Ineligible for Bail	1,166	33%
Sentenced - Local	812	23%
Sentenced - State	112	3%
Other	18	1%



*Source: Las Vegas Metropolitan Police Department

The Diagnostic Center developed preliminary recommendations for consideration by LVMPD and Clark County stakeholders

The Diagnostic Center conducted interviews and collected data to develop a baseline understanding of factors contributing to increases the jail population.

Stakeholder Interviews:

- ▶ Las Vegas Metropolitan Police Department and Detention Services Division
- ▶ House Arrest Program
- ▶ Clark County Manager's Office
- ▶ Clark County Public Defender's Office
- ▶ Office of the Clark County District Attorney
- ▶ Las Vegas Justice Court and Pretrial Services
- ▶ Clark County District Court
- ▶ Nevada Department of Corrections
- ▶ Department of Public Safety: Parole and Probation
- ▶ North Las Vegas Police Department
- ▶ Henderson Police Department

Data Sources:

- ▶ Las Vegas Metropolitan Police Department and Detention Services Division
- ▶ Las Vegas Justice Court
- ▶ Clark County District Court
- ▶ Relevant national trends and evidence-based practices

Preliminary Recommendations

1. Establish and formalize a Criminal Justice Coordinating Council structure
2. Evaluate and expand alternatives to detention (e.g., specialty courts and house arrest program)
3. Identify opportunities to improve court case processing
4. **Implement an evidence-based pretrial risk management system**

Sample Pretrial Risk Assessment (PRA) Instrument

PRETRIAL RISK ASSESSMENT (PRA)

Draft

Name: _____ Assessment Date: ___/___/___
 Case #: _____ County: _____ Assessor: _____
 DOB: ___/___/___ Gender: Male Female # of Current Charges: _____
 Most Serious Charge: _____ Bail Amount: \$ _____
 Race: Hispanic White Black Asian Nat. Amer. Other _____
 Verified Cell Phone #: _____ Address: _____
 City State Zip

SCORING ITEMS

SCORE

1. Does Defendant Have a Pre-Existing Pending Criminal Case at Booking?
 - a. Yes 3 pts. _____
 - b. No- 0 pts. _____
2. Age at First Arrest First Arrest Date ___/___/____
 - a. Under age 21 yrs. 2 pts. _____
 - b. 22-35 yrs. 1pts. _____
 - c. 36 Plus. 0 pts. _____
3. Prior Misdemeanor Arrests Total # Misd Arrests: _____ Total # Misd Convict: _____
 - a. Two or less- 0 pts. _____
 - b. 3- 5 - 1 pt. _____
 - c. 6 plus - 2 pts. _____
4. Prior Felony Arrests Total # Felony Arrests: _____ Total # Felony Convict: _____
 - a. None or One - 0 pts. _____
 - b. 2 - 4 - 1 pt. _____
 - c. 5 plus - 2 pts. _____
5. Prior Arrests - Violence: Total # Arrests _____ Total # Convict: _____
 - a. None - 0 pts _____
 - b. 1 or more - 2 pts _____
6. Prior FTAs Past 24 Months Date of last FTA Warrant: ___/___/____
 - a. None - 0 pts. _____
 - b. 1 FTA Warrant - 1 pt. _____
 - c. 2 or more FTA Warrants - 2 pts. _____
7. Employment Status at Arrest List Employer: _____
 - a. Employed Full Time or FT Student or Retired - 0 pts. _____
 - b. Employed Part-Time (LT 30 hours) - 1 pt. _____
 - c. Unemployed - 2 pts. _____
8. Residential Status Date of Residency: ___/___/____
 - a. Living in current residence 6 mos. or longer - 0 pts. _____
 - b. Not lived in same residence 6 mos. or longer - 1 pt. _____
 - c. Homeless - 3 pts. _____
9. Substance Abuse
 - a. No evidence of drug abuse/alcoholism - 0 pts _____
 - b. Prior multiple arrests for drug possession/alcohol/drunkenness - 1 pt. _____

Total Score: _____

Risk Level: (Circle One) 0-3 pts. LOW 4 - 6 pts. MODERATE 7+ pts. HIGHER
 Over-Ride? Yes No
 Over Ride Reason(s): Mental Health Disability Gang Member Flight Risk
 Other Reason: _____

Final Recommended Risk Level; LOW MODERATE HIGHER

FOLLOW-UP DATA

Draft

Booking Date: ___/___/___ Release Date: ___/___/___

Method of Release: Cash Bail Surety Bond Court OR

Other Release Method: _____

Was Defendant Re-Arrested Prior to Court Disposition? Yes No

If Yes, Date of Re-Arrest ___/___/___ Most Serious Charge: _____

Did Defendant FTA and Have a Warrant Issued? Yes No

If Yes, date of FTA ___/___/___

Was Defendant Re-Booked to Jail? Yes No

If Yes, date of Re-Booking: ___/___/___

Final Court Dispositions:

Charge	Disposition Date	Disposition	Sentence Length
1			
2			
3			
4			
5			

Pretrial Risk Assessment (PRA) Pilot Study: Proposed Task and Preliminary Timeline

Activities by Responsible Party

- ▶ OJP Diagnostic Center
- ▶ NV Supreme Court Committee
- ▶ County-level Agency

February 12: Presentation to Nevada Supreme Court's Committee to Study Evidence-based Pretrial Release Convene key stakeholders to discuss Diagnostic Center TA support to LVMPD and next steps.

March 1: Pilot Test and Finalize Prototype PRA Data Form

Develop and distribute finalized data form/spreadsheets to participating counties for data collection.

April 4: Completed Data Forms

Collate data forms and spreadsheets for statistical analysis.

April 15: Validation Analysis

Conduct series of quantitative analyses and finalize instrument with instructions manual.

April 18: Present Results to Nevada Supreme Court's Committee to Study Evidence-based Pretrial Release

Provide instrument validation results, recommend implementation plan including training and follow-up analysis.

February, 2016

February 2016: Authorization to Proceed

Committee provides Diagnostic Center authorization for Pilot Study.

Identification of Key Stakeholders and Participating Agencies

Identification of Key Personnel

Participating pilot agencies provide Diagnostic Center points of contact for data collection and further evaluation.

March, 2016

March 1: Data Collection Participating pilot agencies draw random samples of released defendants from three counties

- 500 sample for Clark County
- 500 sample for Washoe County
- 250 sample for third county (TBD)

Mid-March Check-In Check progress on data collection, identify any challenges.

April, 2016

April 4: Submission of Completed Data Forms Participating agencies submit the required documents:

- Completed data forms
- Formatted spreadsheet
- Completed preliminary analysis
- Reliable checks

May, 2016

May 2: NPRA Implementation Rollout implementation of the pretrial assessment tool.

NPRA Implementation Provide ongoing evaluation and support, as needed.

Ongoing touch base meetings NV Supreme Court and Pilot Study Participating Agencies

The OJP Diagnostic Center

Contact Information for the OJP Diagnostic Center

Community Leaders:

Joe Lombardo, Sheriff

Charles Hank, Deputy Chief

Marcie McMahill, Director of Detention Records

Diagnostic Specialist:

Angela Jackson-Castain

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Key Data Elements – CCDC Population Snapshot (December 31, 2015)

Attribute	Inmates	%
Total Inmates	3,517	100%
Gender		
Male	2,913	83%
Female	604	17%
Race		
White	1,312	37%
Black	1,358	39%
Hispanic	691	20%
Asian	133	4%
Other	23	1%
Gang Member	537	15%
Legal Status		
Pretrial	2,575	73%
No Bail	1,166	33%
Sentenced - Local	812	23%
Sentenced - State	112	3%
Not In Custody	18	1%
Residence		
Nevada	3,305	94%
California	103	3%
Other	109	3%
LOS To Date In Days		
7 days or less	443	13%
8-30 days	805	23%
31-90 days	993	28%
91-180 days	625	18%
181-365 days	337	10%
366+ days	314	9%

Attribute	Inmates	%
Prior Bookings		
None	666	19%
1	548	16%
2	374	11%
3 to 5	741	21%
6 +	1,159	33%

Type of Crime	Inmates	%
Crime Category		
Crimes against person	1,156	33%
Crimes against property	750	21%
Warrants or other holds	586	17%
Controlled substances crimes	351	10%
Traffic, vehicle and watercraft	223	6%
Miscellaneous crimes	152	4%
Crimes against public decency	105	3%
Crimes against public health, safety and welfare	100	3%
Crimes relating to the judiciary	94	3%
Class Level		
A	308	9%
B	1,142	32%
C	239	7%
D	113	3%
E	66	2%
Gross Misdemeanor	254	7%
Misdemeanor	702	20%
Warrant	568	16%
Unknown	121	3%



Las Vegas Justice Court Administration

200 Lewis Avenue
Las Vegas Nevada 89155
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February 11, 2016

Dear Justice Hardesty:

Below is a summary of recommendations from The Las Vegas Justice Court (LVJC) with regards to the Committee to Study Evidence-Based Pretrial Release risk assessment tool and accompanying software. We are pleased to be a pilot site for the new risk assessment tool. LVJC has four people on the Statewide Committee: Chief Judge Joe Bonaventure, Judge Melissa Saragosa, Judge Bitu Yeager and Ms. Anna Vasquez.

Flow of Pre-Trial Operations

LVJC will complete paperwork within 24 hours. The Clark County District Attorney's Office currently files complaints within 72 hours.

Supervision

LVJC only has Intensive Supervision. This consists of defendants checking in on a regular interval to a biometric hand scanner that is currently located outside the Pre-Trial offices inside the Regional Justice Center. LVJC is also installing another biometric hand scanner in the jail. LVJC does not have Supervision Officers in any capacity. If any type of person to person supervision will be recommended, LVJC would need additional staffing resources.

Risk Assessment Tools

LVJC is recommending the Nevada Standardized Pretrial Risk Assessment tool that is to be created by Dr. James Austin, JFA Institute. Dr. Austin is currently working in conjunction with the Department of Justice (DOJ), Office of Justice Programs (OJP) on a project with the Las Vegas Metro Police Department (LVMPD) and the Clark County Detention Center (CCDC). The OJP has been engaged for approximately a year in developing evidence or practice-based solutions and model practices that address the factors contributing to the public safety challenges identified. One of their recommendations is to adopt an evidence based risk assessment tool. LVJC believes that we would benefit from the customization that Dr. Austin would incorporate into the tool. LVJC agrees that an interview can be an important component of a risk assessment tool but suggests a stepped approach. The first tier would consist of non-interview factors such as criminal history, prior FTAs, charge, etc. If the defendant reached a certain amount of points, they would continue on to the interview portion of the tool. This



approach would decrease the amount of time staff would spend on assessments for low risk defendants. LVJC Pre-Trial will be providing a criminal history synopsis in the Assessment report.

We met with Dr. Emily Salisbury from UNLV. Dr. Salisbury authored a pre-trial screening tool for female defendants. LVJC would like for the chosen risk assessment to use this tool or incorporate it into the customized tool Dr. Austin will be creating.

Software

LVJC is recommending that each court use its existing software to measure data and reporting capabilities during the pilot period. This would be a relatively low cost option for each court while piloting the project. Once the pilot project is complete, each court can report to the committee the pros and cons of their software. This would help in determining if Nevada should go with one of the pilot courts software programs or a completely new platform.

Thank you for all your support.

Sincerely,

A handwritten signature in cursive script, appearing to read "Anna M. Vasquez".

Anna M. Vasquez
Division Administrator