

# Pretrial Supervision

Cherise Fanno Burdeen  
Executive Director  
Pretrial Justice Institute



# Agenda

1. Checking in on Your Plans
2. Best Practices in Pretrial Supervision
3. Local Strategies and Challenges
4. Crowdsourcing Solutions

# Get Out the App

- Log in to the SJC app
- Pull up “Cross-Cutting Issues Work Session—  
Pretrial Supervision” in the Agenda
- Click on “Polls” on the top ribbon

# Conference of Chief Justices



“Imposing conditions on a defendant that are appropriate for that individual following a valid pretrial assessment substantially reduces pretrial detention without impairing the judicial process or threatening public safety.”

# What do we know about pretrial success?

- What is pretrial success?
  - Court dates kept and no new arrests
  - Least restrictive conditions to achieve above
- Risk assessment scores tell you the “unmitigated risk”
- If “low risk” = 93% chance of success..
  - That’s the unmitigated chance

# What do we know about mitigating risk?

- Low risk  $\neq$  supervision
- **Moderate risk = supervision/risk mitigation**
- High risk  $\approx$  supervision
- No mitigation options for those with a very low likelihood of pretrial success? Prove it and detain.

# Need to find a placement

Assessed Risk	Increased Likelihood of Recidivate Within 12 Months	Increased Likelihood of Recidivate Within 24 Months
Low	27%	28%
Moderate	32%	30%
High	33%	28%

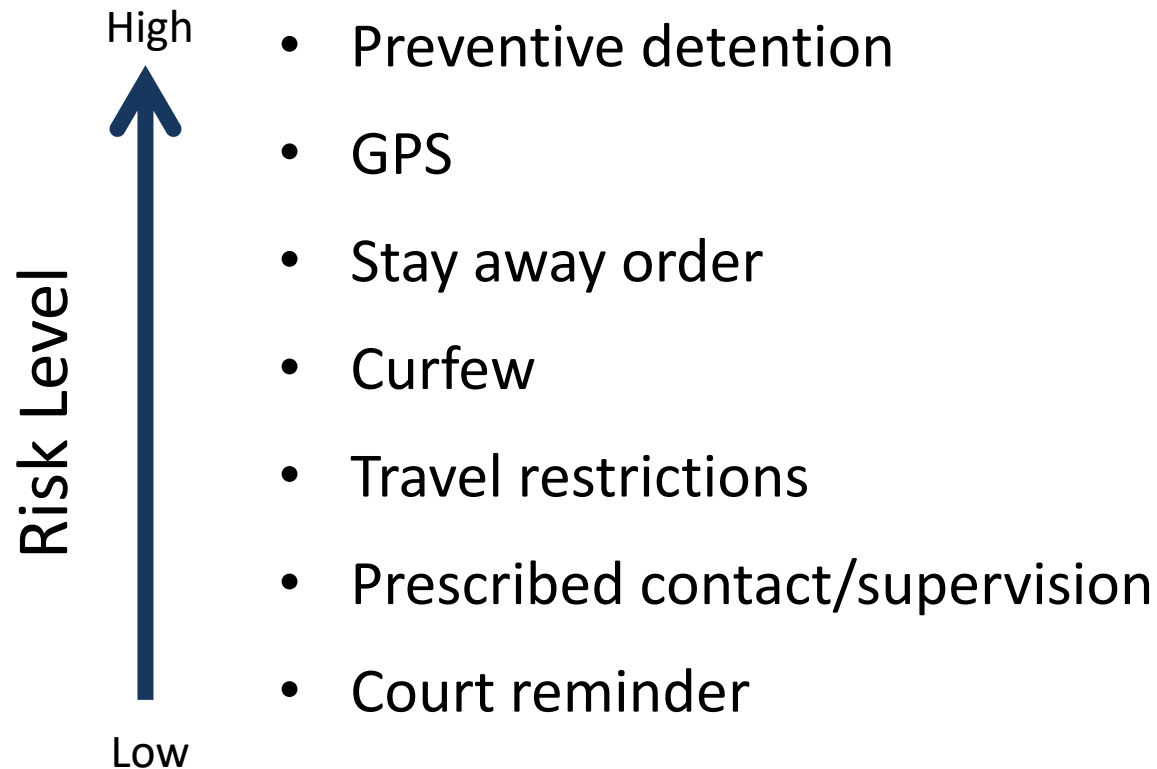
# What Do Quality Pretrial Supports Look Like?





# Supervision Levels

## Level of Supervision/Monitoring



# Supervision Levels

Pretrial Support Level	Description
No active supervision needed	Court date reminder notices
Basic supervision	Weekly reporting by telephone, court date reminder notices
Enhanced supervision	Weekly reporting by telephone, monthly in-person reporting to case manager or kiosk, drug/alcohol assessment and placement in monitoring or treatment if indicated, court date reminder notices
Intensive supervision	GPS monitoring, weekly in-person reporting to case manager or kiosk, drug and alcohol assessment and placement in treatment or monitoring if indicated, court date reminders

	Most Serious Charge					
Pretrial Risk Category	Less Serious Misdemeanor	More Serious Misdemeanor	Less Serious or Non-Violent Felony	Driving Under the Influence	Domestic Violence	Serious or Violent Felony
Lower	Recognizance Release with Court Reminder	Recognizance Release with Court Reminder	Recognizance Release with Court Reminder	Recognizance Release with Basic Supervision	Recognizance Release with Basic Supervision	Recognizance Release with Enhanced Supervision (if Released); or Detained
Medium	Recognizance Release with Basic Supervision	Recognizance Release with Basic Supervision	Recognizance Release with Basic Supervision	Recognizance Release with Enhanced Supervision	Recognizance Release with Enhanced Supervision	Recognizance Release with Enhanced Supervision (if Released); or Detained
Higher	Recognizance Release with Basic Supervision	Recognizance Release with Enhanced Supervision	Recognizance Release with Enhanced Supervision	Recognizance Release with Enhanced Supervision (if Released); or Detained	Recognizance Release with Enhanced Supervision (if Released); or Detained	Recognizance Release with Enhanced Supervision (if Released); or Detained

# Key Considerations

- ✓ Not one-size-fits-all
  - ✓ Risk-based placement
    - ✓ Expedient assessment and placement
      - ✓ Graduated responses to violations
        - ✓ Respect constitutional rights
          - ✓ Focus on success, not failure

# Guiding Standards



- **Criminal Justice Section Standards: Pretrial Release**

American Bar Association

- **Standards on Pretrial Release**

National Association of Pretrial Services Agencies

# Gallery Walk

- 5 posters around the room representing different support decision points
- Spend some time at each one—
  - Note the strategies your site will be using, if you've decided
  - Note your challenges and concerns
  - Chat with others, share ideas, see what you can come up with...



[www.pretial.org](http://www.pretial.org)

<http://www.pretial.org/solutions/supervision-monitoring/>



facebook.com/pretrial



@pretrial



tim@pretial.org

