

# PRETRIAL NEWSLETTER

The Wisconsin Pretrial Program Manager's Quarterly Newsletter



## Wisconsin Evidence-Based Decision Making (EBDM) Pretrial Pilot Documents Approved

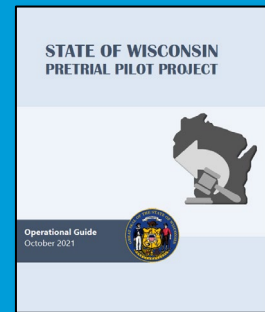
On September 8, 2021, the Wisconsin Criminal Justice Coordinating Council (CJCC) approved the Pretrial Pilot Project's Operational Guide and Outcome and Performance Measures. These documents are a collective work. To all who were involved in this effort, we are all profoundly grateful. Their generous contributions and assistance were invaluable in the creation of these resources.

The Pretrial Pilot Project Coordinators and the Pretrial Program Manager created not only a roadmap and guide to the practical implementation of the evidence-based pretrial risk assessment tool, known as the Public Safety Assessment (PSA), but also developed outcomes and performance measures for Wisconsin. The PSA was developed by the Laura and John Arnold Foundation, now known as Arnold Ventures.

The Operational Guide is intended to assist Wisconsin counties in implementing changes to pretrial practices, including the use of the actuarial pretrial risk assessment tool, the PSA, at the initial liberty decision.

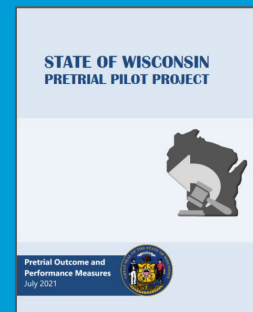
The Outcome and Performance Measures document will help counties analyze how the PSA is implemented and what effects it may have on pretrial outcomes. These measures are a distillation of significant practical experience and conscientious efforts in adhering to the protocol for the PSA and are in alignment with the recommendations of the National Institute of Corrections (NIC) Measuring What Matters Outcome and Performance Measures for the Pretrial Services Field and its [2<sup>nd</sup> Edition](#). We believe that these outcomes and performance measures will be valuable to Wisconsin counties and the statewide efforts to implement evidence-based pretrial reforms.

### Operational Guide



<https://www.wicourts.gov/courts/programs/docs/pretrialopguide.pdf>

### Outcome and Performance Measures



<https://www.wicourts.gov/courts/programs/docs/pretrialoutcomeperfmasures.pdf>

## Measuring What Matters: Outcome and Performance Measures for the Pretrial Services Field 2<sup>nd</sup> Edition Training

Below is a link to a National Institute of Corrections' (NIC) webinar that initially took place on September 23, 2021. This webinar introduces a new NIC publication and highlights key defining outcome and performance measures for pretrial agencies. The session describes how to tie the key measures to the three principles of bail: maximizing release, court appearance, and public safety. Watch the webinar here:

<https://nicic.gov/measuring-what-matters-outcome-and-performance-measures-pretrial-services-field-1>

## Advancing Pretrial Policy & Research (APPR)

### Pretrial Supervision Training Supportive Services

According to APPR's webpage:

<https://advancingpretrial.org/announcement/pretrial-supervision-training-supportive-services/>

“Justice system and community partners increasingly recognize that most people released pretrial appear for their court hearings and remain law-abiding. Accordingly, many pretrial services agencies have wisely shifted their supervision model to prioritize and focus on supportive services rather than surveillance. This training will provide pretrial services staff (directors, supervisors, officers) with evidence-based and practical ways to support people with need-based services.”

Participants must complete a [training registration application](#) by **Friday, November 5**, to attend.

## APPR Scoring App Coming Soon!

APPR is working on a complementary PSA Scoring App that should be released to the field this fall. The PSA Scoring App automates the PSA and integrates a jurisdiction's Release Conditions Matrix, which is used to associate release conditions with PSA scores. The PSA Scoring App also prepares a pretrial assessment report that includes a person's PSA results and the associated release level recommendation based on a jurisdiction's matrix.

## JFA Institute's Research

### The Empirical Case for Pretrial Risk Assessment Instruments

“The findings of rigorous research show that the results of pretrial risk assessment instruments demonstrate good accuracy in predicting new criminal activity, including violent crime, during the pretrial period, even when there are differences between groups defined by race and ethnicity. Furthermore, the scientific evidence suggests they can be an effective strategy to help achieve pretrial system change, including reducing pretrial detention for people of color and white people, alike, when their results are actually used to inform decision-making.”



<http://www.jfa-associates.com/publications/reduce/Desmarais%20Monahan%20Austin.pdf>

## Do you have pretrial updates for the Wisconsin State Courts Pretrial webpage?

Share updates with Ann Olson, Policy Analyst, via email at [Ann.Olson@WICOURTS.GOV](mailto:Ann.Olson@WICOURTS.GOV). Thanks for reading!

## National Association for Court Management Podcast

### The Battle Over Bail Reform: How 5 Courts are Coping with the Challenge



In October 2021, the National Association for Court Management (NACM), posted a podcast episode dedicated to bail reform. According to a summary of the podcast:

“The national movement to reduce or eliminate cash bail continues to spark heated discussion. Several states, including New Jersey and Alaska, have instituted bail reform. Other states such as California have repeatedly seen attempts at reform fail, either in the legislature or at the ballot box. Proponents argue that bail criminalize poverty. Bail doesn’t keep the most dangerous in jail, it keeps the poorest. Opponents point to reported instances where bail reform was followed by an uptick in crime.

This month NACM is looking at the ongoing debate over bail reform and the pivotal role that courts play in this discussion.

Some of the questions explored include:

- What are courts doing now about bail reform?
- What role does generating revenue have in the debate over bail?

- How do risk assessment algorithms play into this discussion?
- What advice do our panelists have for the rest of us regarding courts and bail reform?”

## What’s Happening in Our Neighboring States?

### Illinois

In August 2021, the Illinois Supreme Court announced a new operational structure for pretrial services in the state. All pretrial services will be placed under the authority of the Supreme Court’s Administrative Office of the Illinois Courts (AOIC), including the employment of all pretrial officers. The AOIC will develop and enforce all pretrial standards in support of the implementation of the Criminal Justice Reform Act (“SAFE-T Act”). The SAFE-T Act will take effect January 2023.

To learn more about Illinois’ plan for the future statewide pretrial system, check out: <https://www.illinoiscourts.gov/News/1002/Illinois-Supreme-Court-unveils-plans-for-future-statewide-pretrial-system/news-detail/>

### Olmsted County, Minnesota

Olmsted County was announced a recipient of one of the National Association of Counties’ (NACo) 2021 Achievement Awards in the category of Criminal Justice and Public Safety for the Olmsted County Pretrial Release Program. These NACo awards honor innovative, effective county government programs that strengthen services for residents.

To learn more about this program, check out: <https://www.olmstedcounty.gov/government/county-news-events/county-news/olmsted-county-earns-national-achievement-award-its-pretrial-release-program.>