

Dane County Pretrial: Pretrial Insights

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HARVARD Kennedy School
Government Performance Lab

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:

Assess how pretrial stakeholders can make data-informed adjustments to right-size the supervision caseload while maintaining safety and court appearance rates.

Research Focus Areas:

1. Caseload Overview

- Understand the state of pretrial operations

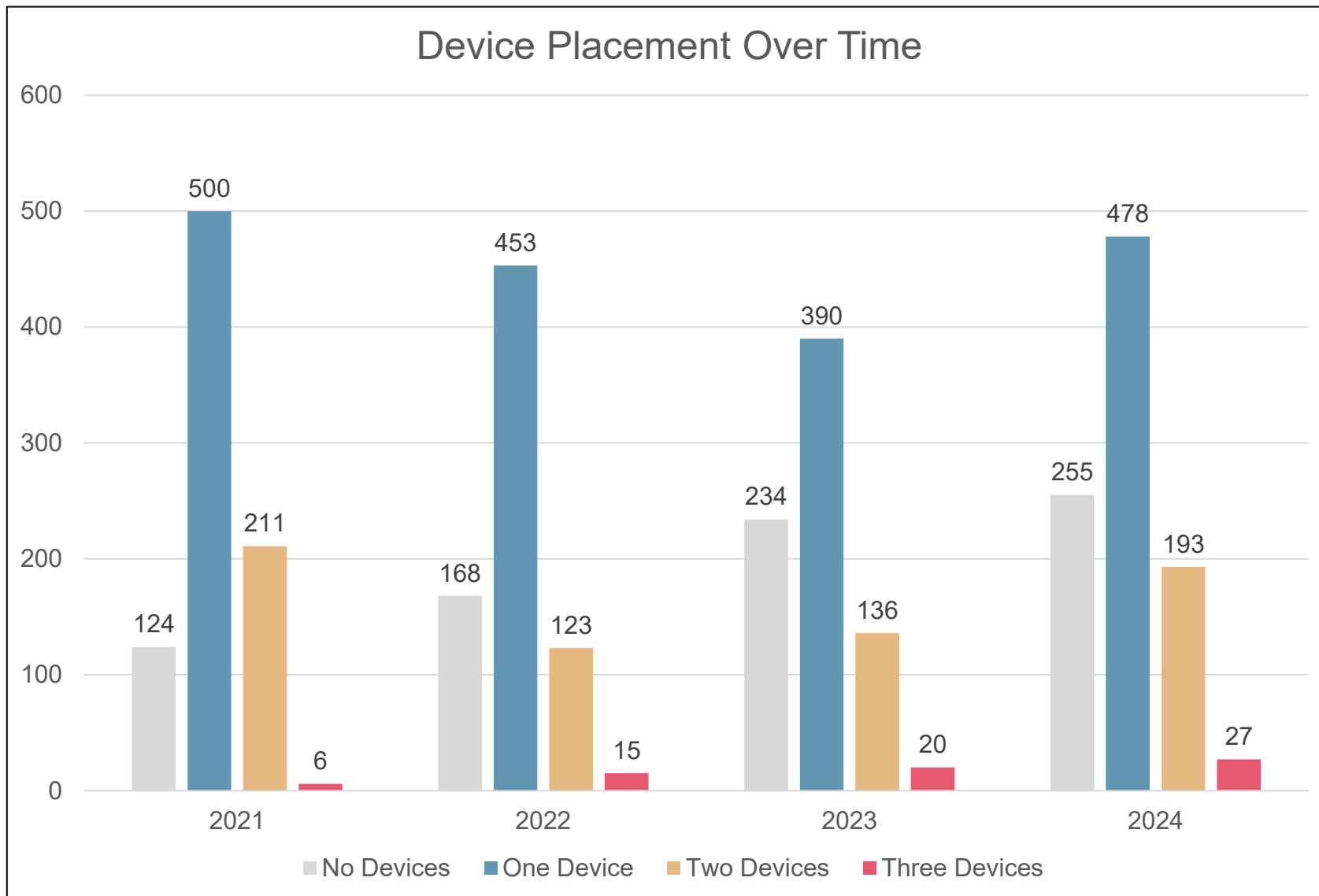
2. Outcomes Research

- Assess how often people are appearing for their court hearings, avoiding new arrests, and complying with their release conditions while on pretrial release
- Analyzed 5,275 cases from 2018 – early 2025 to understand trends in outcomes over time

Key Definitions

- **Safety Rate:** the percentage of individuals on pretrial supervision who are not charged with a new criminal offense pending case disposition
- **Appearance Rate:** the percentage of individuals on pretrial supervision who appear for all scheduled court hearings pending disposition
- **Success Rate:** the percentage of individuals on pretrial supervision who appear for all scheduled court hearings and who are not charged with a new criminal offense pending disposition

The pretrial supervision caseload is primarily composed of individuals with some form of device

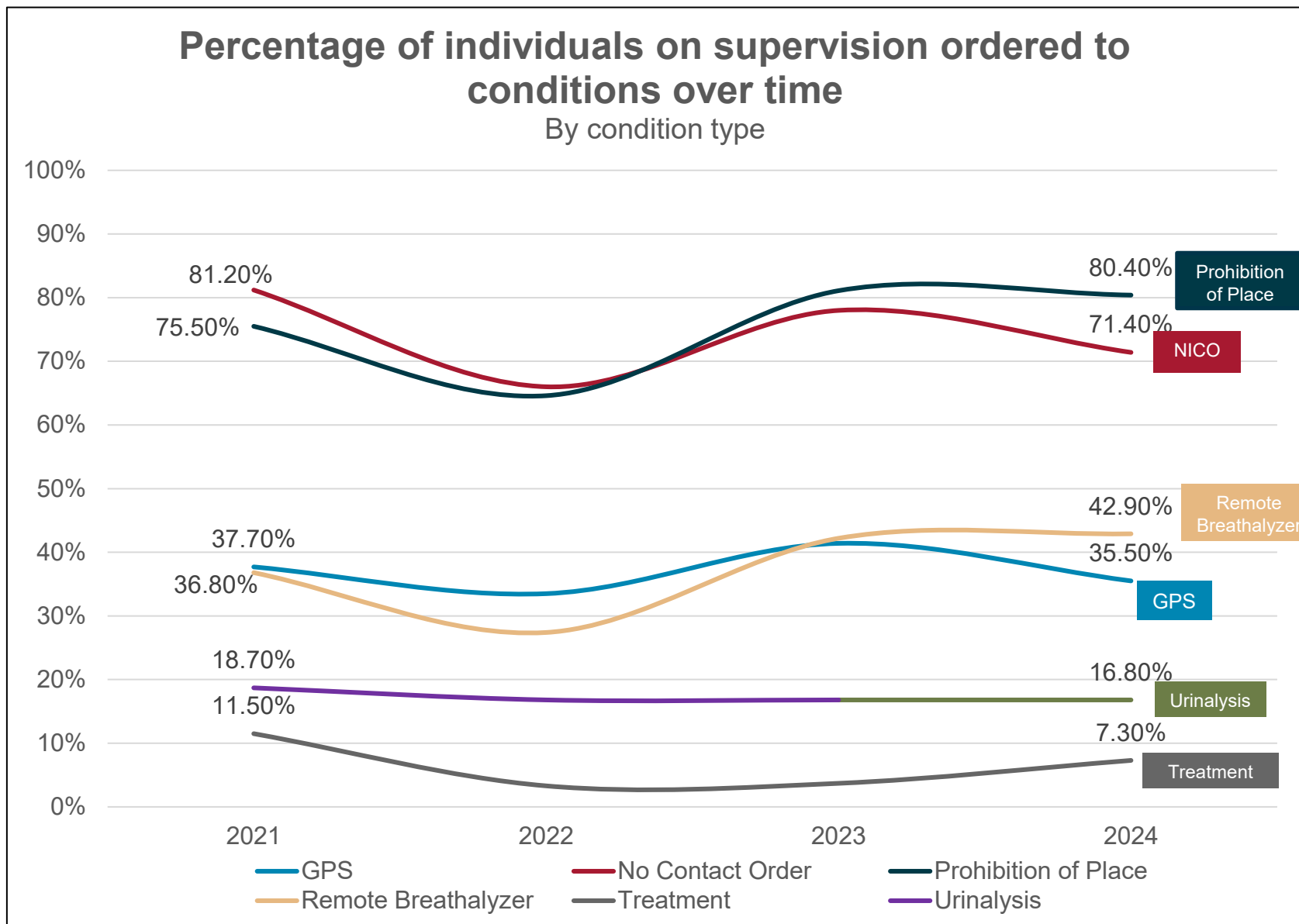


Key Takeaways

- Devices are consistently a release condition for a significant portion of the caseload. There is also often a use of multiple devices for individuals.
- In 2025, 84 people have already been ordered to multiple devices.
- Devices are one of the most restrictive pretrial conditions and are costly to the county. Opportunities to right-size device use should be explored to ensure device use is focused on the highest-risk cases.

Devices Include: GPS, Remote Breathalyzer, and Urinalysis

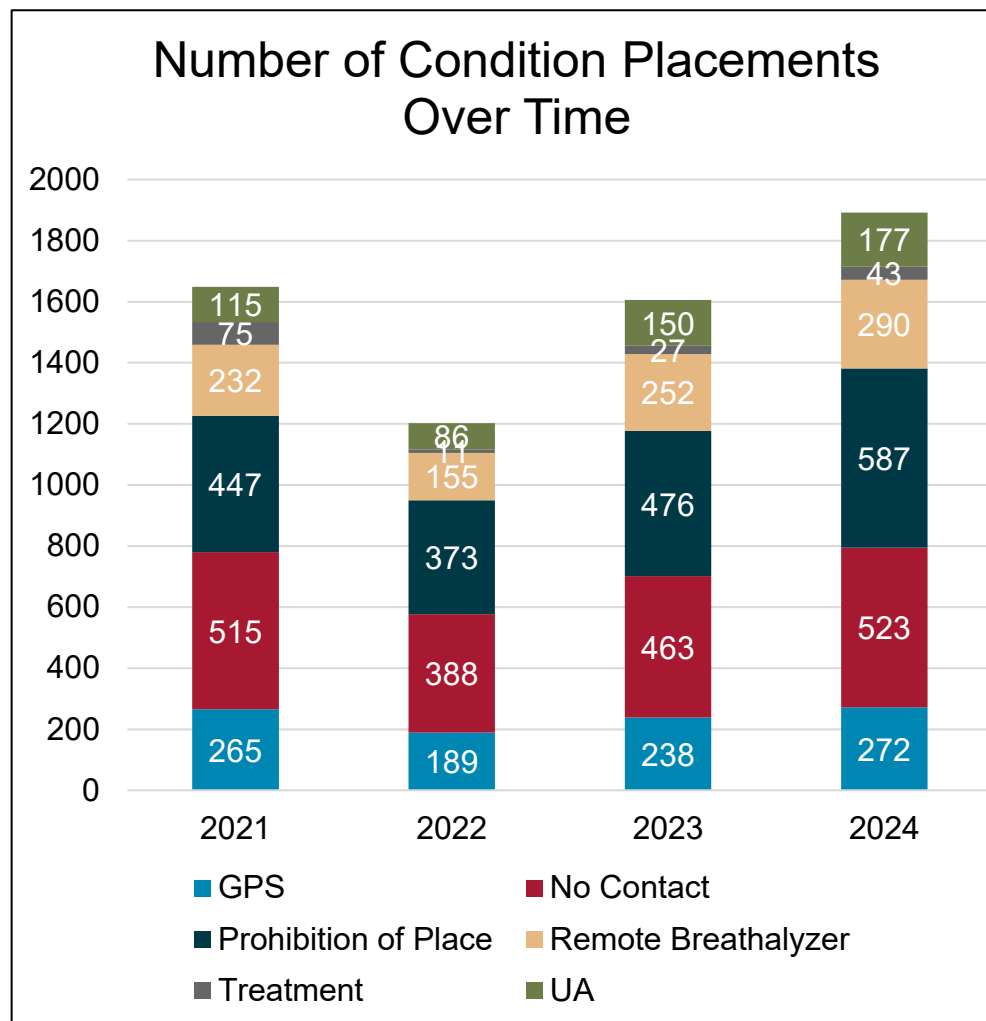
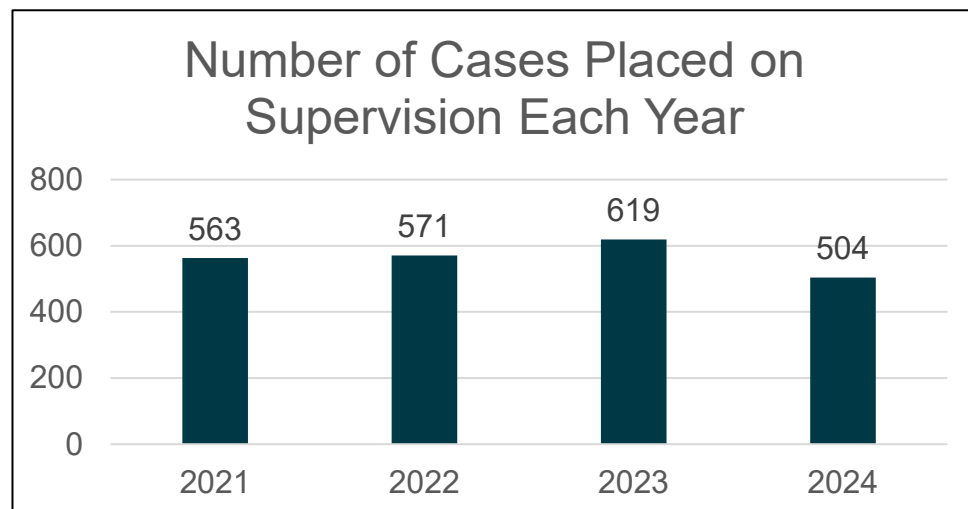
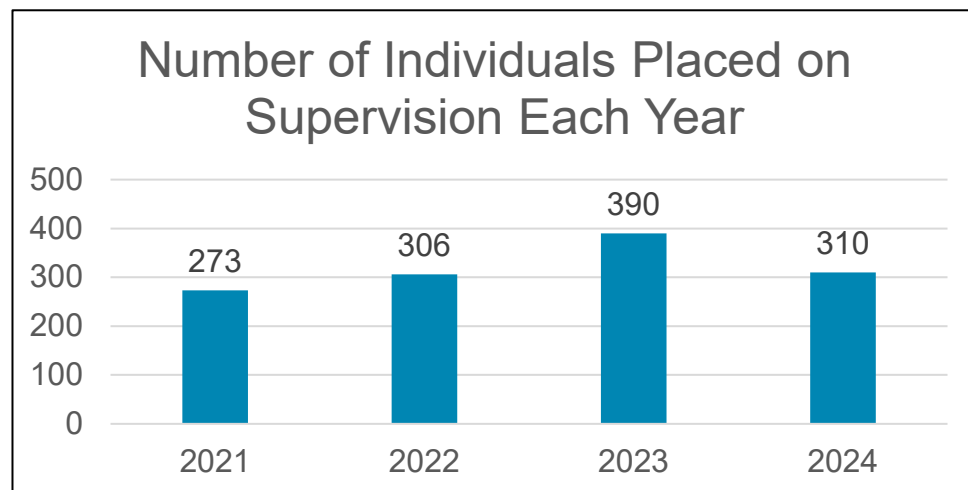
The use of remote breathalyzer and prohibition of place conditions has increased over time



Key Takeaways

- Overall, condition use has slightly increased over time particularly with remote breathalyzer and place prohibition conditions. Remote breathalyzers are often a very intensive condition (and in the case of Dane County, the most common condition to result in a violation).
- The increase in the use of conditions coupled with the use of multiple devices may be a reason to consider reviewing the caseload for any condition adjustments.

Despite less cases/people being placed on supervision, the number of condition placements increased between 2023 and 2024



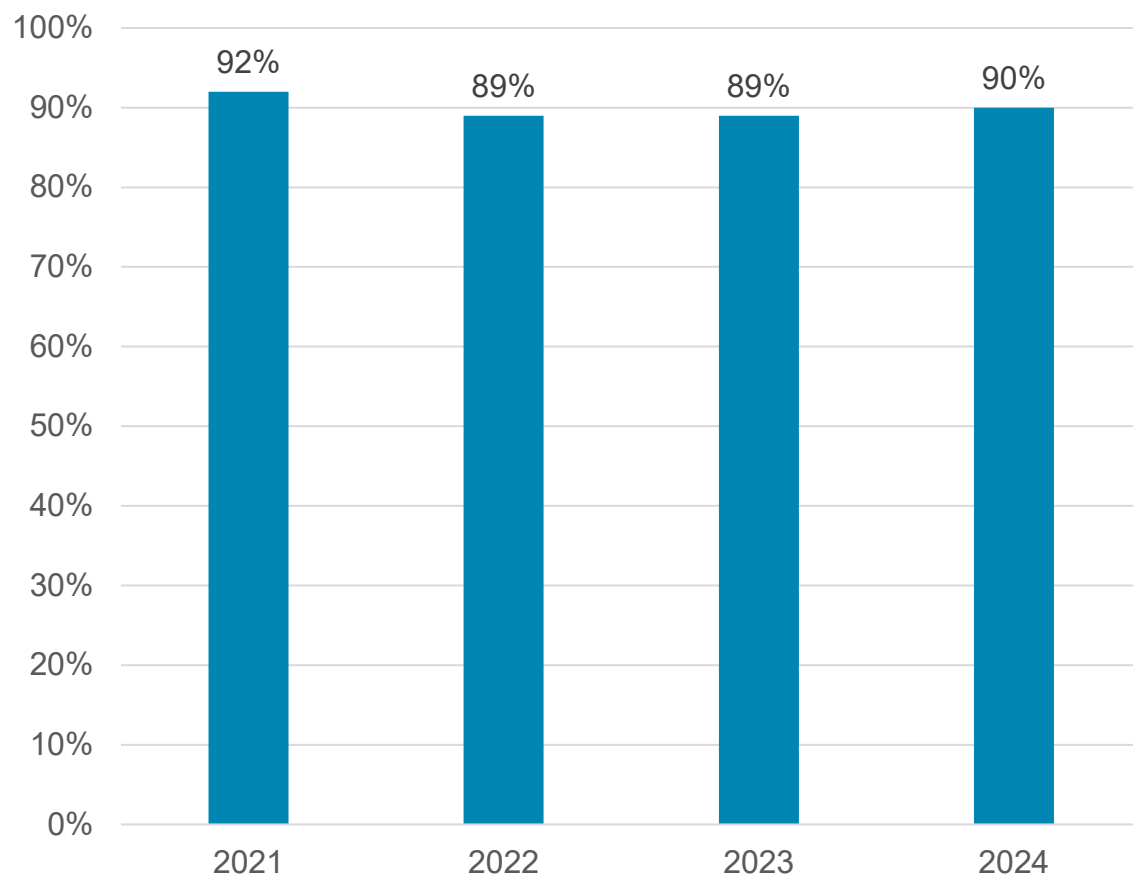
Key Takeaways

- Overall, the number of condition placements increased between 2022 and 2024 (57% increase) despite the number of cases/individuals on supervision being similar.
- This may indicate that more individuals are being released with conditions and more individuals are being assigned more than one conditions.

Appearance rates have been consistently high for individuals on pretrial supervision

In Dane County, most clients on pretrial supervision attend all of their scheduled court hearings.

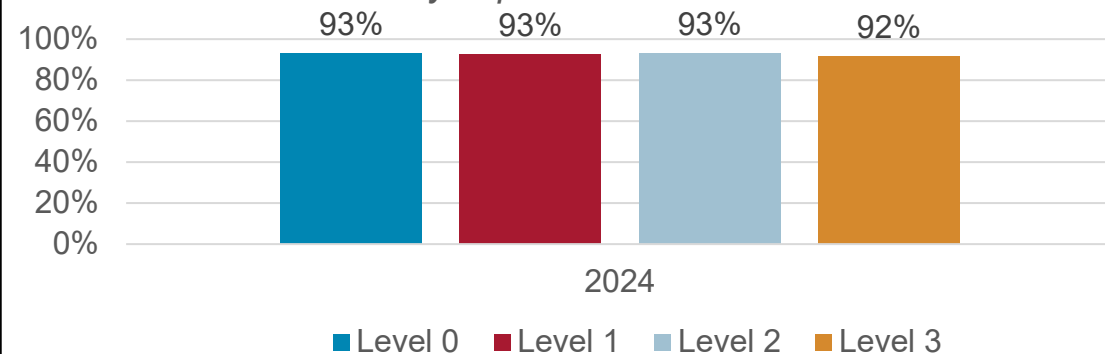
Average Appearance Rate Over Time
For pretrial supervision clients



Key Takeaways

- Overall, the appearance rates for the pretrial supervision population have been consistently high. This could indicate that pretrial supervision can be a good release option for those who need it (high risk populations) or who would have otherwise been detained.
- The appearance rates for individuals on pretrial supervision are higher than the broader pretrial population (~64% appearance rate).
- In 2024, appearance rates were consistent among all supervision levels.

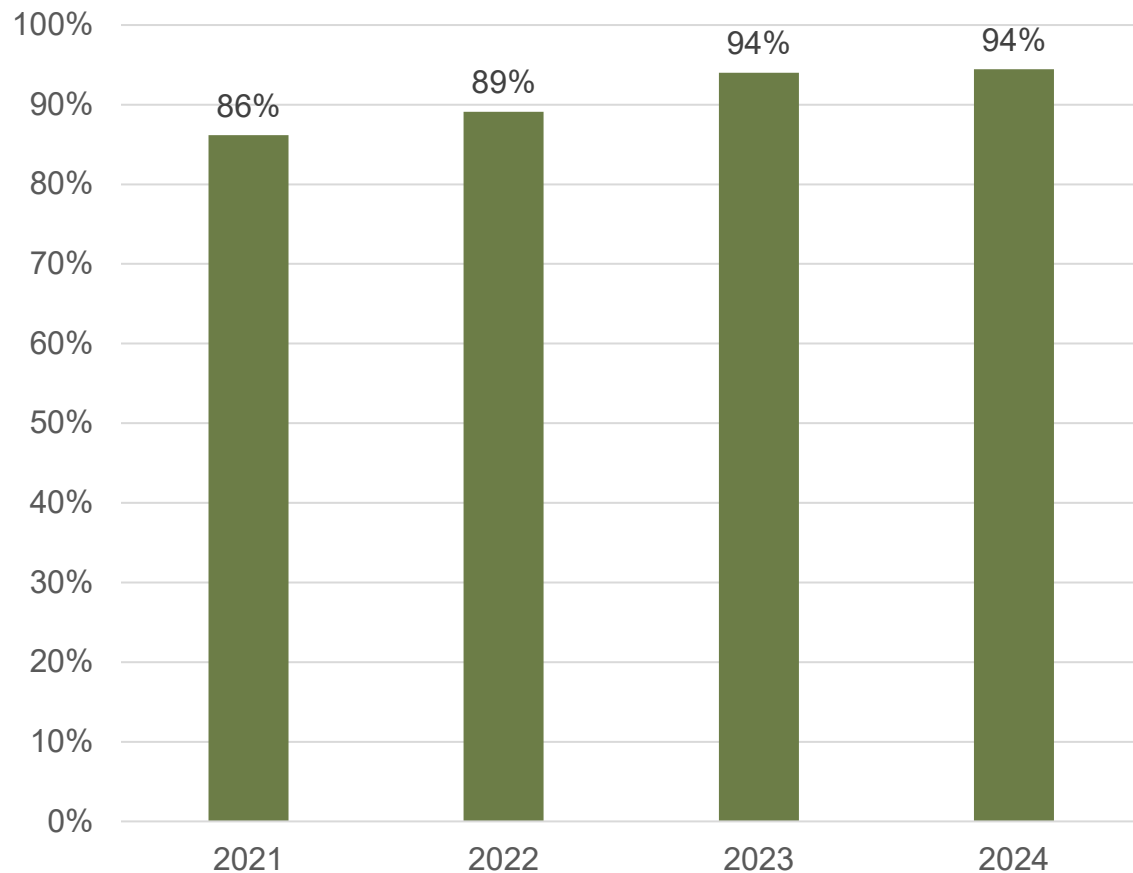
Average Appearance Rate – 2024
by supervision level



Safety rates have been consistently high for individuals on pretrial supervision

In Dane County, most clients on pretrial supervision are not charged with a new criminal offense while pending case disposition.

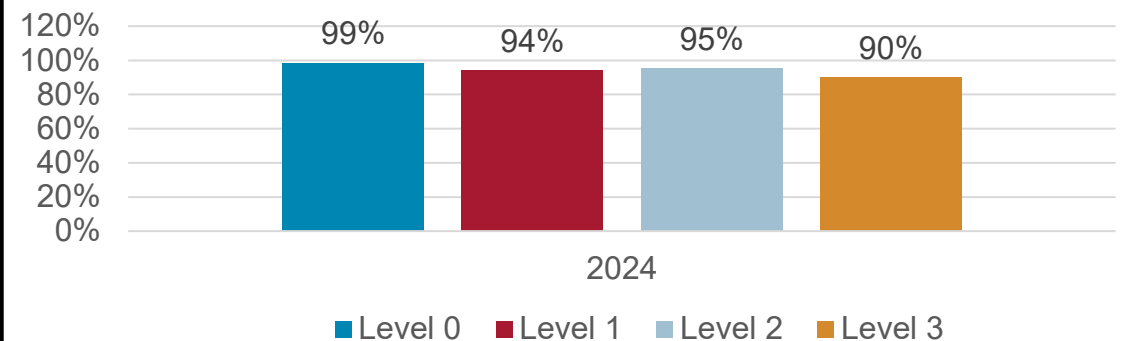
Average Safety Rate Over Time
For pretrial supervision clients



Key Takeaways

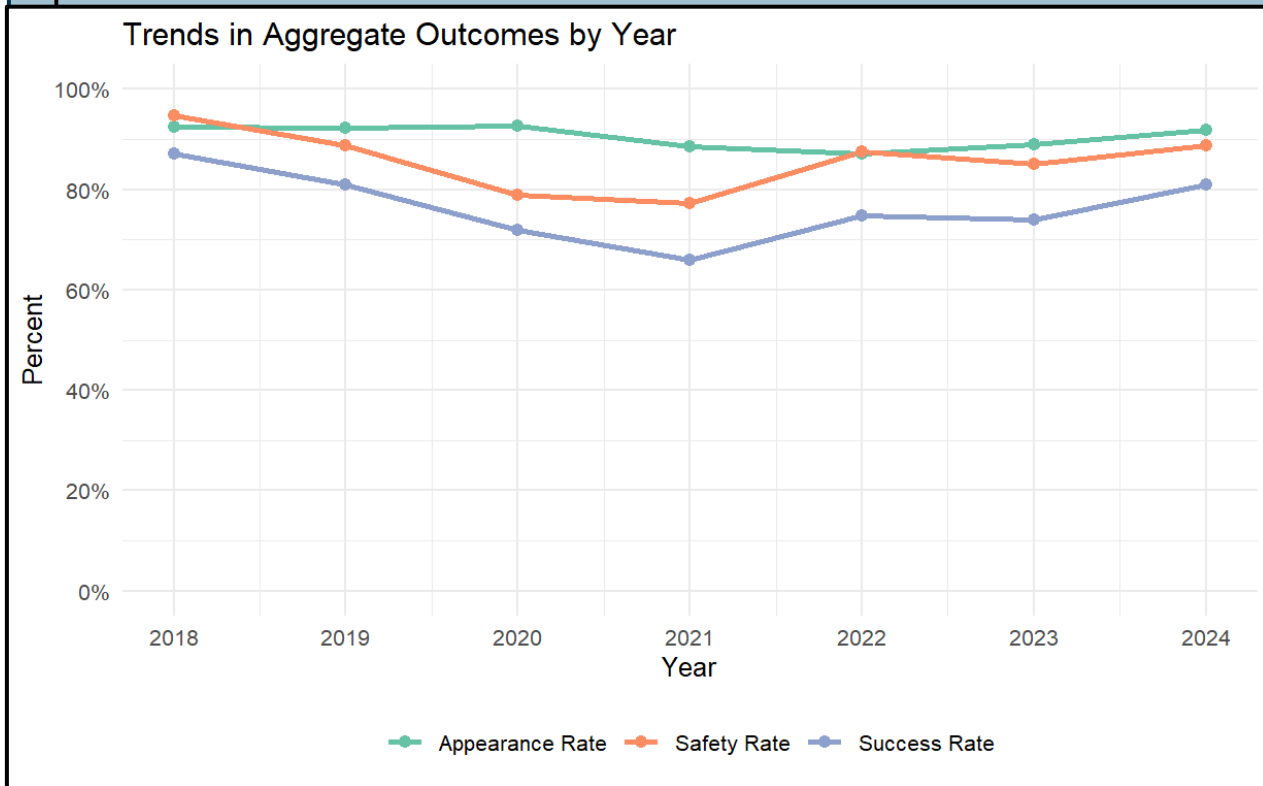
- Overall, the safety rates for the pretrial supervision population have been consistently high. This could indicate that pretrial supervision can be a good release option for those who need it (high risk populations) or who would have otherwise been detained.
- The safety rates for individuals on pretrial supervision are higher than the broader pretrial population (~77% safety rate rate).
- In 2024, safety rates were consistent among all supervision levels.

Average Safety Rate – 2024
by supervision level



Pretrial outcomes continue to be high and stable

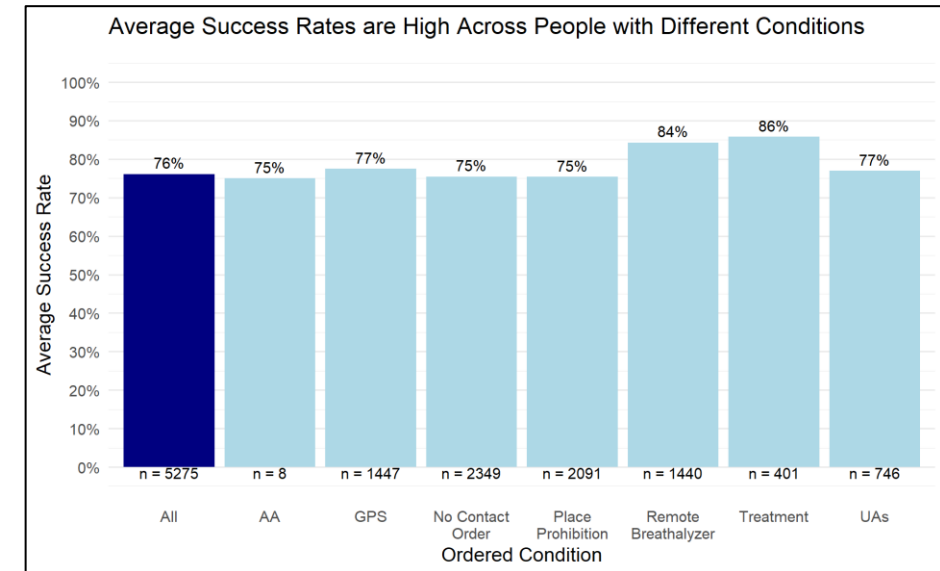
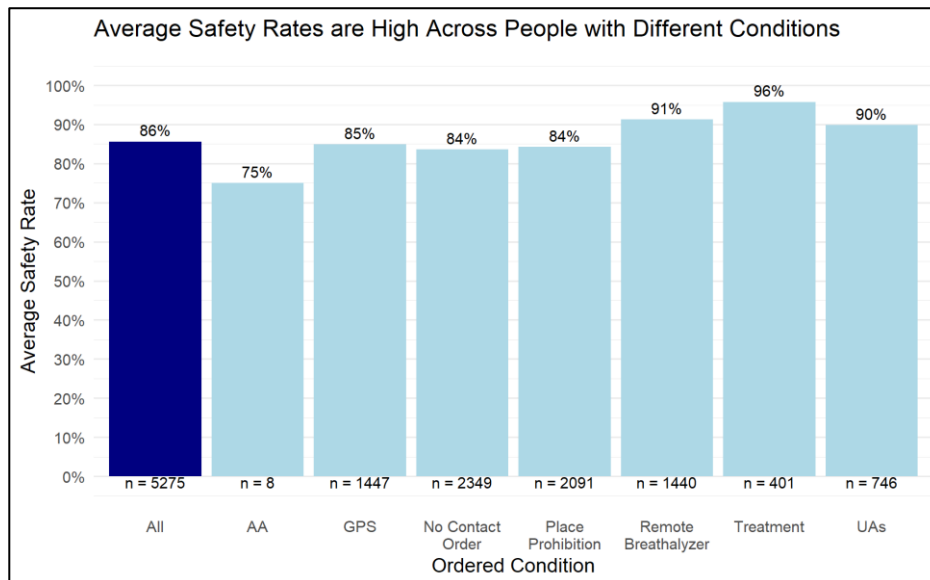
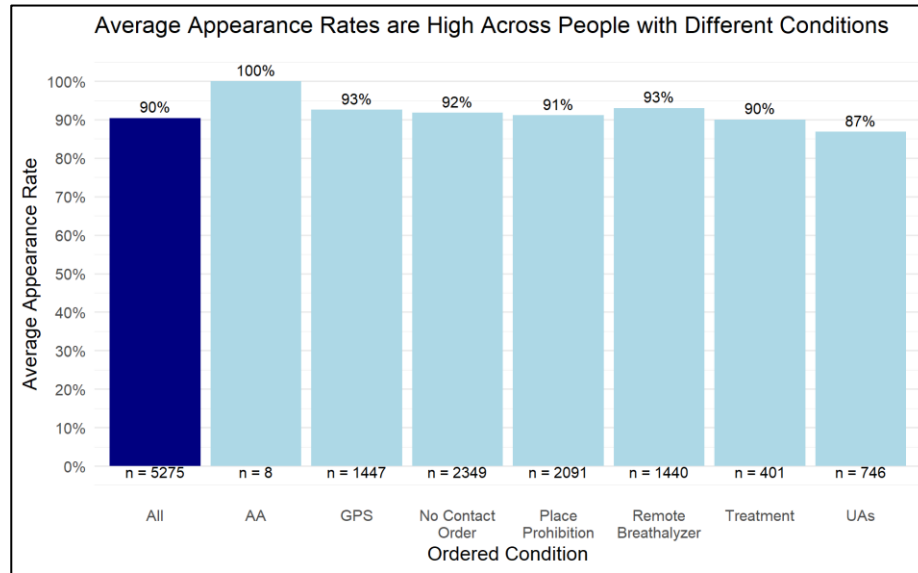
In Dane County, most clients are successful while on pretrial supervision and the success outcomes are currently trending upwards.



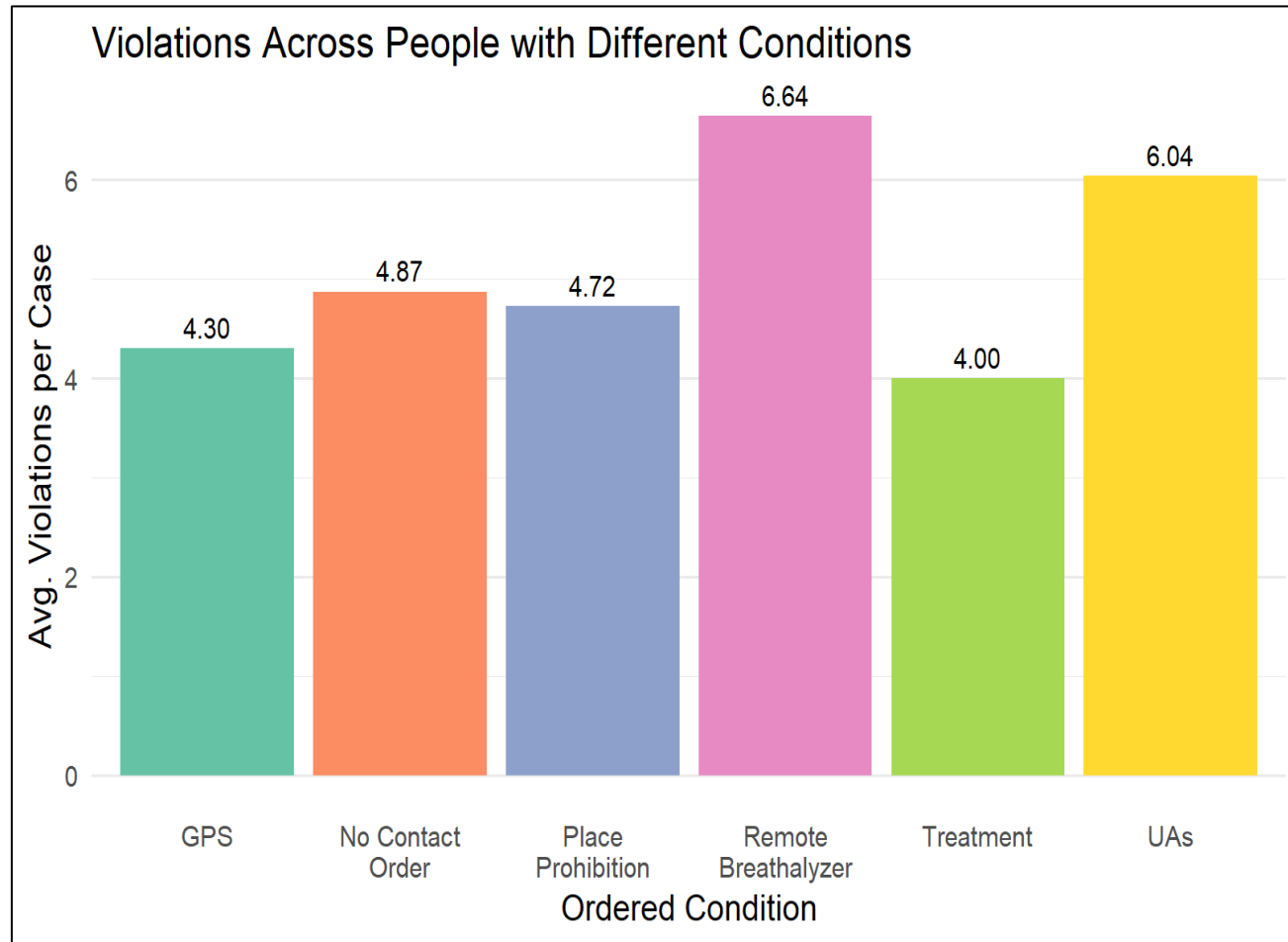
Key Takeaways

- Overall, the pretrial program is effective at ensuring individuals appear at court hearings and do not get a new charge, pending case disposition.
- To maintain these outcomes, the pretrial program needs to be able to effectively manage its caseload and focus on high-risk cases.

Multiple years of data indicate that success rates are consistent among individuals with different conditions



How often are technical violations occurring? Does it differ by what conditions an individual has?

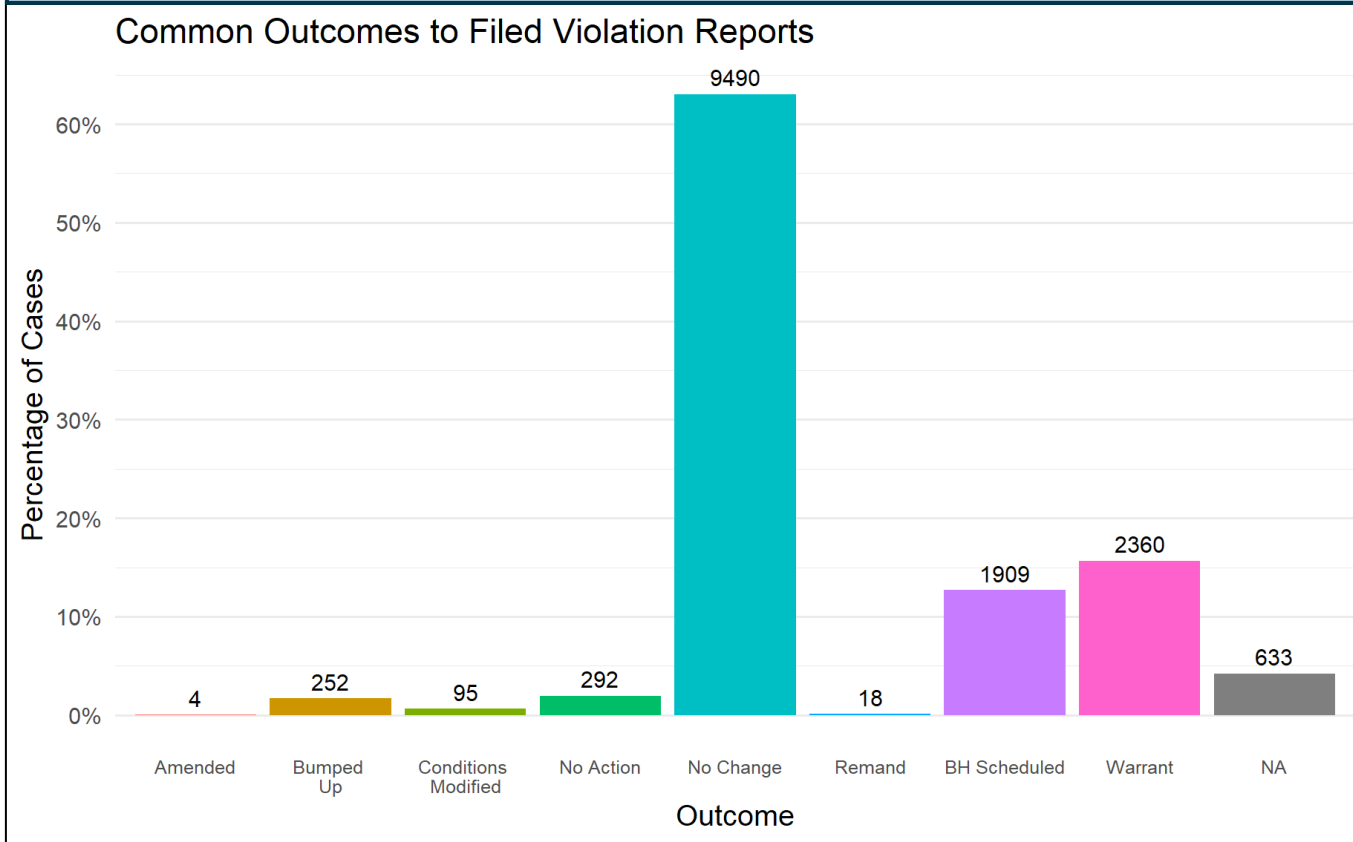


Key Takeaways

- This data looks at cases from 2018 – 2025 to understand the average trends over time.
- Conditions with more frequent requirements (remote breathalyzer and urinalysis) are more likely to result in violations.
- As shared on slide 11, the success rates for individuals is consistent no matter the condition.

When a technical violation occurs what is the response?

Over the last four years, the most common response to violations is no change.



Key Takeaways

- Most reported violations are not serious enough to result in a change to supervision or further action.
- This creates an opportunity to discuss further whether all types of violations need to be reported and if there is anyway to streamline the reports that judges have to review.

Closing Thoughts

Ongoing Data Work:

- Dane County pretrial has developed a process to track capacity, process and outcome metrics at a regular cadence. This will create opportunities for future data discussions.
- The pretrial team is also actively collecting more data about service referrals made for its clients in order to better understand how referrals can help clients be more successful while on supervision.

Data-driven Decisions to Consider in the Future:

- Should cases with dual or triple devices be reviewed for opportunities to prioritize the use of one device?
- Is there a way to save officer and judge time by adjusting what violations need to be reported?
- Are there opportunities to connect some clients with services/treatment vs. using traditional pretrial supervision methods?

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