

Q3



Quarterly Report to the Pretrial Subcommittee

In Custody Public Safety Assessment (PSA)

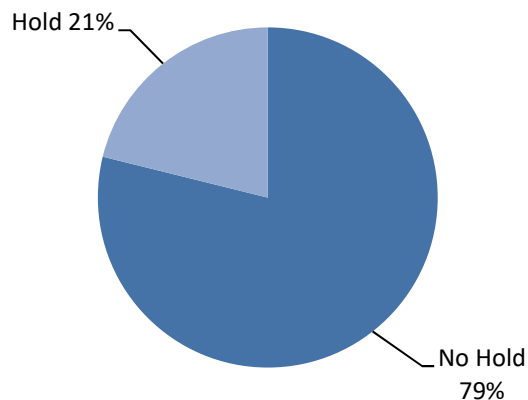
Reporting Period:

June 1, 2017 – September 30, 2019

Key Take Aways

8,635

PSA's Generated



Holds at Time of Arrest

34

Average Age In Custody

About the Public Safety Assessment

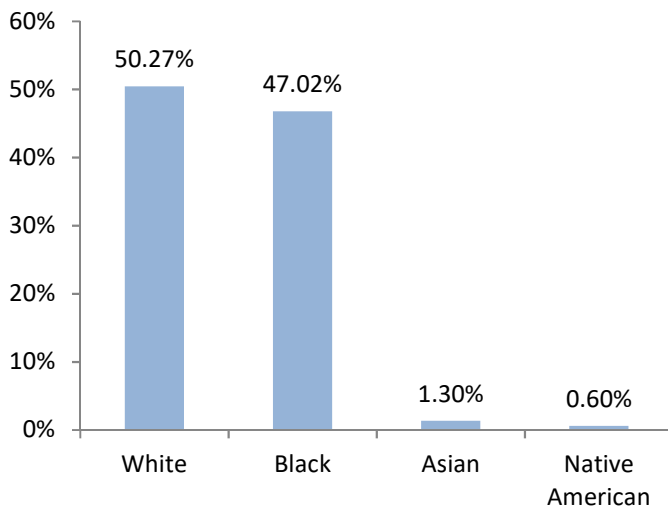
The Public Safety Assessment (PSA) was implemented in Dane County in April 2017 as part of a collaborative assessment project with the Laura and John Arnold Foundation (LJAF) and the Access to Justice Lab (A2J) at Harvard Law School. The PSA was developed by LJAF to assist pre-trial judges gauge the risk a defendant poses by helping to predict the likelihood that an individual will commit a new crime if released before trial, and to predict the likelihood that an individual will fail to return for a future court hearing. The PSA will also flag defendants who present an elevated risk of committing a violent crime.

The following report is derived from PSAs generated during the reporting period. PSAs are relevant for defendants who are ***in custody*** awaiting their initial appearance and does not apply to defendants who have posted bail prior to their initial appearance. All data presented in this report should not be construed to provide any causal claims related to the PSA and subsequent court decisions. An Appendix is attached to provide comprehensive information on quarter and year-to-date statistics.

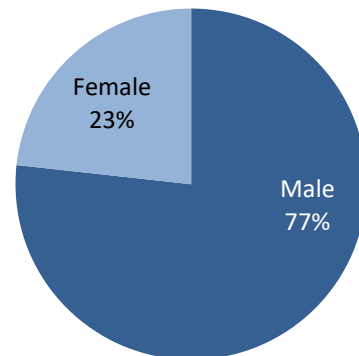
Demographic Characteristics

For the 7,570 PSAs generated, the average age at arrest is about 34 years old. The majority of defendants (7,068) are non-Hispanic or Latino (~93%), 481 (~6 %) defendants have Hispanic or Latino ethnicity.

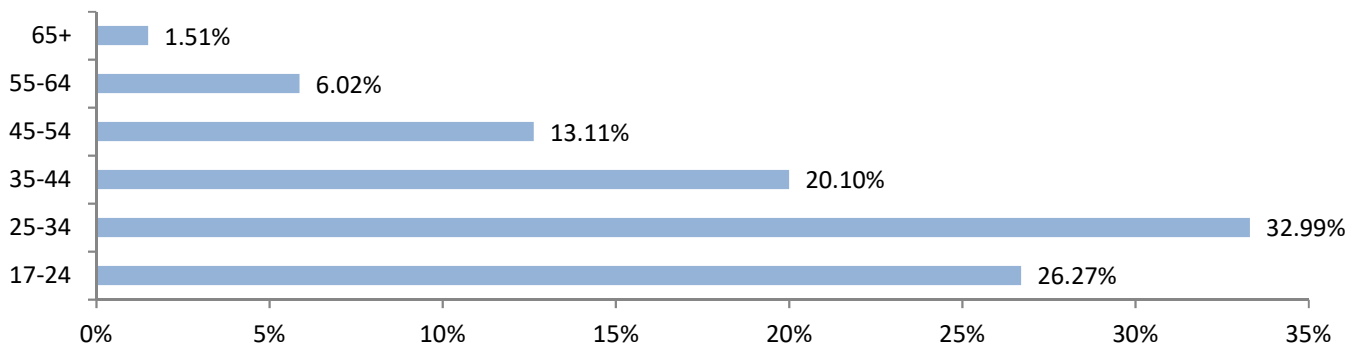
Race¹



Gender



Age at Arrest

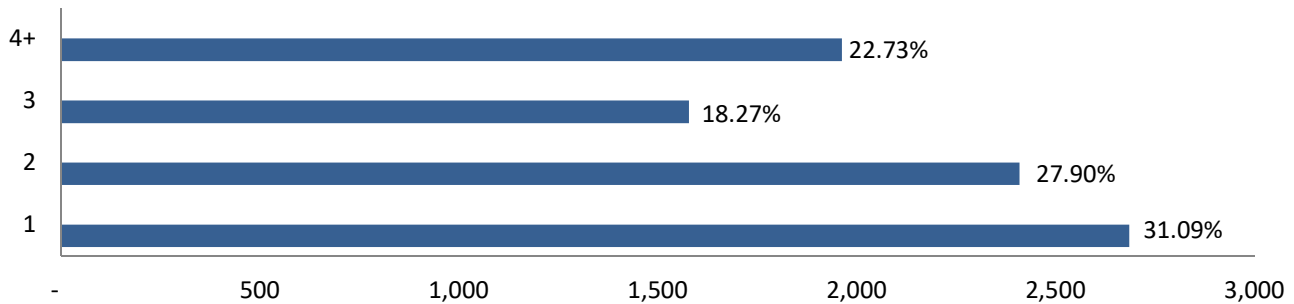


¹ Race is documented as unknown for 70 defendants. A defendant can identify as more than one race.

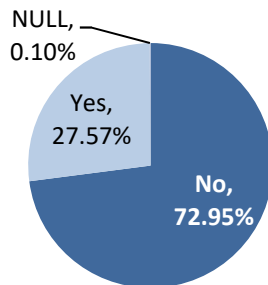
Charge Information

These measures are for charges from arrest records over the reporting period. PSAs with most serious charge type as a county ordinance or a non-criminal charge are not included in the study, yet are reported below. The maximum number of arrest charges for a defendant is 30. Enhancers to charges are coded as additional charges and are included in the data counts below.

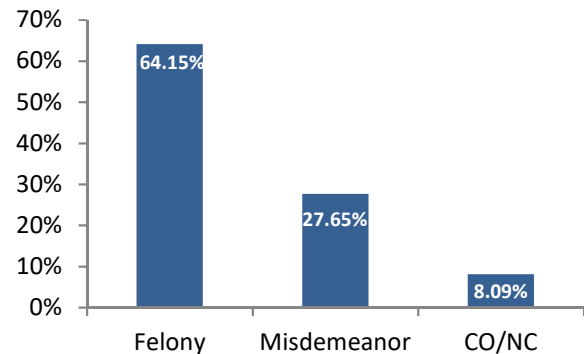
Number of Charges per Arrest



Are Any Charges Violent?

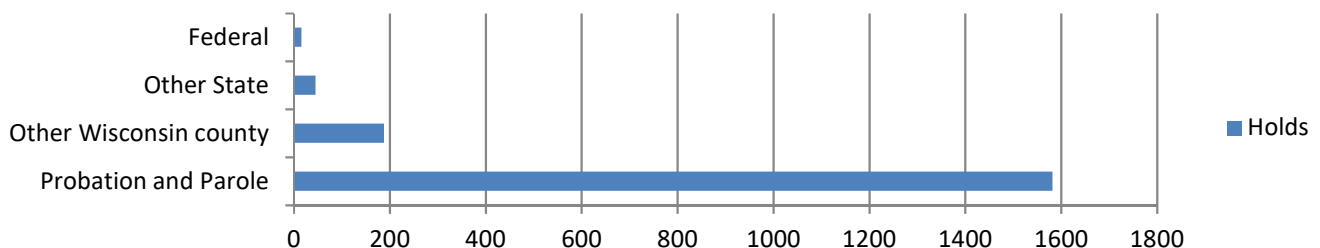


What is the most serious Charge Type?



Hold at Arrest

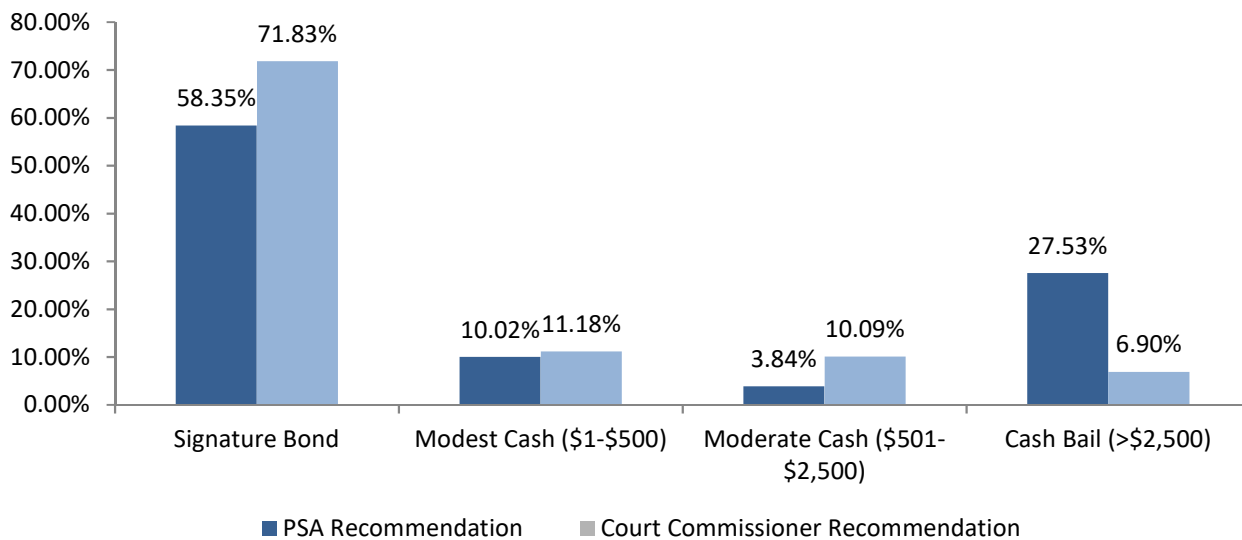
This measure identifies whether a defendant has a hold at the time of arrest. The vast majority of defendants (6,830, 79.1%) had no hold. 1,582 (18.18%) defendants had a probation and/or parole hold, 188 (2.16%) defendants had a hold from another Wisconsin county, while 45 (0.52%) had a hold from another state. 17 (0.20%) defendants had a federal hold. Defendants could have more than one hold at time of arrest. The figure below displays the total number of holds by type for defendants with one or more holds at time of arrest.



PSA Recommendation & Release Decision by Court Commissioners

PSA Recommendation indicates the release recommendation based on a risk factor calculation for each defendant and is designed to assist decision making during initial appearance. This recommendation may or may not be followed and does not provide information on actual release decisions made by the court commissioner. No PSA recommendation was provided for 43 (0.50%) generated PSAs.

Court Commissioner Release Decision provides actual release decisions made by a court commissioner. The figure compares the calculated PSA Recommendation (n=6,139) for each case that had a court commissioner release decision made. No court commissioner release decision was made for 2,496 (28.91%) cases and these cases are not included in the figure below. The majority of cases with no release recommendation occur when a defendant was released prior to their first court date, charges were reduced below a misdemeanor, or for other reasons.² Additional reasons could include dismissed cases or if a defendant has not yet had their initial appearance.



| | PSA Recommendation | | Court Commissioner Decision | |
|-------------------------------|--------------------|--------|-----------------------------|--------|
| | N | % | N | % |
| Signature Bond | 3,582 | 58.35% | 4,463 | 72.70% |
| Modest Cash (\$1-\$500) | 615 | 10.02% | 710 | 11.57% |
| Moderate Cash (\$501-\$2,500) | 236 | 3.84% | 580 | 9.45% |
| Cash Bail (>\$2,500) | 1,690 | 27.53% | 386 | 6.29% |

² Other reasons for cases with no release decision include: a defendant was released to appear, the District Attorney's office declined to prosecute, a defendant was released without bail, a defendant was referred to the deferred prosecution unit, the individual paid cash bail, or the individual pled guilty at first court date. See Appendix for additional information.

Appendix

Study Period to Quarter End and 3rd Quarter-2019 (July 1 – September 30) Comparison

| Demographic Characteristics | | Study Period to Quarter End (n=8,635) | | 3 rd Quarter, 2019 (n=1,127) | |
|-----------------------------|----------------------------------|--|--------|--|--------|
| Measure | Description | N | % | N | % |
| Age at Arrest | 17-24 | 2,268 | 26.27% | 282 | 25.02% |
| | 25-34 | 2,849 | 32.99% | 349 | 30.97% |
| | 35-44 | 1,736 | 20.10% | 226 | 20.05% |
| | 45-54 | 1,132 | 13.11% | 173 | 15.35% |
| | 55-64 | 520 | 6.02% | 83 | 7.36% |
| Gender | 65+ | 130 | 1.51% | 14 | 1.24% |
| | Male | 6,676 | 77.31% | 897 | 79.59% |
| | Female | 1,959 | 22.69% | 230 | 20.41% |
| Race | White | 4,341 | 50.27% | 548 | 59.89% |
| | Black | 4,060 | 47.02% | 551 | 60.22% |
| | Asian | 112 | 1.30% | 11 | 1.20% |
| | Native American | 52 | 0.60% | 8 | 0.87% |
| | Alaska Native | - | 0.00% | 0 | 0.00% |
| | Native Hawaiian/Pacific Islander | - | 0.00% | 0 | 0.00% |
| Ethnicity | Hispanic/Latino | 574 | 6.65% | 99 | 8.78% |
| | Non-Hispanic/Latino | 8,036 | 93.06% | 1024 | 90.86% |

| Charge Information | | Study Period to Quarter End (n=8,635) | | 3 rd Quarter, 2019 (n=1,127) | |
|--------------------|-------------|--|--------|--|--------|
| Measure | Description | N | % | N | % |
| Number of Charges | 1 | 2,685 | 31.09% | 337 | 29.90% |
| | 2 | 2,409 | 27.90% | 273 | 24.22% |
| | 3 | 1,578 | 18.27% | 194 | 17.21% |
| | 4+ | 1,963 | 22.73% | 323 | 28.66% |
| Any Charge Violent | No | 6,245 | 72.32% | 783 | 90.52% |
| | Yes | 2,381 | 27.57% | 344 | 3.98% |
| | No Entry | 9 | 0.10% | 0 | 0.00% |

| Hold at Arrest Information ³ | Study Period to Quarter End (n=8,635) | | 3 rd Quarter, 2019 (n=1,127) | |
|---|--|--------|--|--------|
| | N | % | N | % |
| No Hold | 6,830 | 78.85% | 929 | 82.80% |
| Probation and Parole | 1,582 | 18.26% | 172 | 15.33% |
| Other WI county | 188 | 2.17% | 17 | 1.52% |
| Other State | 45 | 0.52% | 4 | 0.36% |
| ICE | 11 | 0.13% | 0 | 0.00% |
| USMS | 5 | 0.06% | 0 | 0.00% |
| Other | 1 | 0.01% | 0 | 0.00% |

| PSA Recommendation | Study Period to Quarter End (n=8,635) | | 3 rd Quarter, 2019 (n=1,127) | |
|------------------------------------|--|--------|--|--------|
| | N | % | N | % |
| Signature Bond | 5,478 | 63.44% | 670 | 59.45% |
| Cash Bail (>\$2,500) | 806 | 9.33% | 309 | 27.42% |
| Modest Cash Bail (\$1-\$500) | 321 | 3.72% | 90 | 7.99% |
| Moderate Cash Bail (\$501-\$2,500) | 1,987 | 23.01% | 44 | 3.90% |
| Not Provided (Null) | 43 | 0.50% | 14 | 1.24% |

| Court Commissioner Release Decision | Study Period to Quarter End (n=8,635) | | 3 rd Quarter, 2019 (n=1,127) | |
|-------------------------------------|--|--------|--|--------|
| | N | % | N | % |
| Signature Bond | 4,463 | 51.69% | 665 | 59.01% |
| Cash Bail (>\$2,500) | 710 | 8.22% | 93 | 8.25% |
| Modest Cash Bail (\$1-\$500) | 580 | 6.72% | 67 | 5.94% |
| Moderate Cash Bail (\$501-\$2,500) | 386 | 4.47% | 35 | 3.11% |
| Not Provided (Null) | 2,496 | 28.91% | 267 | 23.69% |

| Reason for Commissioner Not Making a Release Decision | Study Period to Quarter End (n=8,635) | | 3 rd Quarter, 2019 (n=1,127) | |
|---|--|--------|--|--------|
| | N | % | N | % |
| Release Prior to First Court Date | 665 | 7.70% | 31 | 2.75% |
| Not Part of Study: Reduced Below Misdemeanor | 742 | 8.59% | 68 | 6.03% |
| Not Part of Study: Other Reason | 935 | 10.83% | 121 | 10.74% |
| Dismissed | 17 | 0.20% | 2 | 0.18% |
| Other | 59 | 0.68% | 2 | 0.18% |
| Pled Guilty | 1 | 0.01% | 0 | 0.00% |
| Pending; Initial Appearance has not taken place | 77 | 0.89% | 43 | 3.82% |
| Court Commissioner made release decision | 6,139 | 71.09% | 860 | 76.31% |

³ A defendant can have more than one hold at arrest