

A STRATEGY FOR SAFER COMMUNITIES

ONE LESS, Fourth Edition E-News

Spring 2013

What is EBDM?

"Evidence-based decision making" (EBDM) is the practice of using research findings to inform or guide decisions across the justice system

An Initiative of the National Institute of Corrections: A Collaborative Project Among the Center for Effective Public Policy, Pretrial Justice Institute, Justice Management Institute and the Carey Group.

YOUR LOCAL EBDM EXECUTIVE TEAM:

- The Honorable David Bottger, Chief Judge, 21st Judicial District
 - Craig Henderson, County Court Judge, 21st Judicial District
 - Pete Hautzinger, District Attorney, 21st Judicial District
 - Stan Hilkey, Sheriff, Mesa County (Co-Chair)
 - Susan Gilbert, Chief Probation Officer, 21st Judicial District
 - Dennis Berry, Director, Mesa County Criminal Justice Services Department
 - Trish Mahre, Chief Deputy District Attorney, 21st Judicial District
 - Bert Nieslanik (Co-Chair), Deputy Director, State of Colorado Alternative Defense Counsel,
 - Jennifer Sheetz, Criminal Justice Data Analyst, Mesa County Criminal Justice Services Department/ DA's Office.
- Contact: Sue Gormley, Local Initiative Coordinator, sgormley23@gmail.com

Mesa County Wins Prestigious Criminal Justice Reform Award

Mesa County's EBDM Project is the recipient of the 2013 Rupert-Tate GAME CHANGER Award presented by the Colorado Criminal Justice Reform Coalition (CCJRC).

The award will be formally presented to the Project's Executive Committee members this fall at the annual CCJRC conference.

The Rupert -Tate Game Changer Award was named for former Colorado legislators, Senator Dorothy Rupert (Boulder) and Representative Penfield Tate (Denver) for their work in 1999 calling for a three-year halt on prison expansion and the creation of a task force to explore more effective alternatives to incarceration.

Their bill, SB 99-95 was not successful, however, from their efforts, a statewide, grassroots movement for criminal justice reform was launched and the Colorado Criminal Justice Reform Coalition was created.

To date, only Dorothy Rupert and Penfield Tate have been honored with this award. Mesa County's EBDM Project is its second award recipient.

Sentencing Alternatives Work Group Developing a Mid-Level Assessment Tool

Mesa County's Sentencing Alternatives Work Group (SAG) is currently evaluating an early case processing, screening and assessment approach that would provide risk and need information to inform diversion, deferred prosecution and plea offer/negotiation decisions. The type and timing of the assessment continues to be evaluated and discussed.

Joel Bishop leads the SAG with Glenn Tapia assisting in the effort as a consultant. Glenn and Joel have taken the feedback from the SAG group and are currently developing a screening tool that will be unique to Mesa County. Glenn Tapia is an expert on assessments and he is leading in the development of a prototype assessment screening tool that will focus on identifying recidivism risk, as well as criminogenic needs.

Future work will focus on:

- Development of a collaborative values and vision statement.
- Determining the "how and when" of this voluntary assessment.
- Finalizing a purpose list.
- Merging our existing sentencing alternatives to a Guide, based on risk level, purpose of sentence, crime charged, etc.
- Developing Policy Guide recommendations for the various processes.

For more information, contact joel.bishop@mesacounty.us

More Pretrial Success!

The Pretrial Stakeholder EBDM Group has finalized the development of a new evidence-based Bond Practice Document that will replace the current bond schedule. In addition, they also completed an evidence-based Violation Response Guide for Pretrial Supervision, as well as an updated SMART Praxis. All of these documents are based on the new empirically derived CPAT tool, and they have been approved for implementation on Monday, April 29, 2013. The old bond schedule will be revoked as of this date. These documents have all been reviewed with system stakeholders, such as the Mesa County Sheriff's Office, Judges, Defenders and District Attorneys, and the training of these agencies for implementation has been completed. For more information, contact joel.bishop@mesacounty.us

EBDM Research Library

The 2012-2013 FINAL Policy Paper on Evidence-Based Pretrial Release prepared for the Conference of State Court Administrators (COSCA) by Arthur W. Pepin, Director of New Mexico Administrative Office of the Courts. <http://cosca.ncsc.dni.us/WhitePapers/Evidence%20Based%20Pre-Trial%20Release%20Final.pdf>.

Other Research and Practice Summaries prepared by Rachele Ramirez (CEPP) specifically for EBDM Initiative are available: For more information, contact sgormley23@gmail.com

Driving/Operating While Intoxicated Cases: Research and Resource Summary, February 2013

Domestic Violence Cases: Research and Resource Summary, December 2012

Low-Intensity Community Supervision: Case Banking and the Use of Kiosk Reporting, 2013

Restitution Research and Common Practices, February 2013

Studies on Veterans Courts, February 2013

Courtroom Data Update

For the purposes of the EBDM Initiative the data we are collecting can and should be used to ensure that our existing and new practices uphold the criminal justice system's core values. Having data available to us does nothing unless it is actually given due consideration and is actively considered in decision-making and evaluation of the status quo.

On March 1, 2013, in an effort to give our local data it's due, statistics comparing the pretrial recidivism rates of Judge Bottger's caseload against all the other District Court Judge's combined caseloads were presented and discussed. A summary of the findings is outlined below.

Judge Bottger

21.7% pretrial reoffense rate
54.6% of reoffenses were felonies
This population represents 71% of the entire felony drug caseload and is responsible for 59.7% of all new cases picked up by the population.

Other Judges

33.6% pretrial reoffense rate
60.25% of reoffenses were felonies
This population represents 29% of the entire felony drug caseload and is responsible for 40.3% of all new cases picked up by the population.

On the whole, Judge Bottger's caseload has produced a substantially lower rate of pretrial reoffense than the other caseloads. Two possible explanations for these results are:

1. The other Judges have higher risk defendants and that increases the likelihood of pretrial reoffense.
2. Judge Bottger's bonding practices curtail pretrial reoffense.

Causation cannot be identified as there are innumerable variables that affect outcomes but continued examination and comparison of these trends will allow us to better identify practices that are associated with decreased pretrial reoffense. For more information, contact Jennifer.Sheetz@mesacounty.us

EBDM MEETING CALENDAR

PRETRIAL WORK GROUP—April 24, 2013, CJS BRIDGER BUILDING, 5:00 P.M.

PSIR—MAY 8, 2013, PROBATION CONFERENCE ROOM, NOON TO 1:00 P.M.

SENTENCING ALTERNATIVES GROUP—May 1, 15, 2013 JUSTICE CENTER, COURTROOM #6, Noon to 1:00 P.M.

EBDM EXECUTIVE MEETINGS—MAY 2 AND JUNE 6, 2013, JUSTICE CENTER, COURTROOM #6, 7 A.M. TO 8:30 A.M.

FORWARD THIS NEWSLETTER TO A COLLEAGUE!