

A. Description of the Issue

Identify which of the six focus areas is requested for the fellowship.

The following application proposes a fellowship focused on assessing pretrial practices and supporting data driven pretrial approaches that considers both the rights of the presumed innocent and public safety.

Describe the current and potential challenges facing the criminal justice field in this area.

The pretrial phase of the justice system begins at arrest and ends at case disposition with a complex set of issues involving constitutional law, systematic racism, and conflicting research. Pretrial has been a hot button issue for the general public, public safety professionals, elected officials and most importantly victims and defendants for decades. At the core, pretrial justice should protect the rights of the presumed innocent and support public safety. Validated risk assessments were a part of the solution and have become the norm over the past two decades. Assessments are now under scrutiny for racial disparities and the pretrial field is wrestling with next generation solutions that are driven by research. Additionally, reports have recently focused on the rise in jail populations in rural communities. Rural communities have been slower to adopt pretrial programs due in part to resources and shifting of the costs. This issue deserves exploration and solutions for smaller communities.

Provide data to show the nature and scope of the issue and explain previous or current efforts to address the issue.

As noted by nationally recognized pretrial analyst, Timothy R. Schnacke, America has gone through two generations of bail reform in the 20th century, and we are presently on the third. The sheer volume of individuals incarcerated during the pretrial phase requires investigation. In

2022, *Mass Incarceration: The Whole Pie* reports an estimated 67% of all people in jail and 83% of those in jail under local authority are in the pretrial phase of the system (Sawyer and Wagner, 2022). The cost is significant for the system, the communities, and the individual. In an earlier report released in 2017 by Prison Policy Initiative, an estimated \$13.6 billion is spent annually for pretrial detention by local governments (Wagner and Rabuy 2017). In addition, there is cost to the individual and family through lost wages and disruption to social supports and stability that may have been in place. Finally, incarceration is the precursor to a negative cycle as concluded in *The Hidden Cost of Pretrial Detention* (Lowencamp, Christopher, et al., 2013) with findings from a Kentucky based study:

- Detaining low- and moderate-risk defendants, even just for a few days, is strongly correlated with higher rates of new criminal activity both during the pretrial period and years after case disposition; as length of pretrial detention increases up to 30 days, recidivism rates for low and moderate-risk defendants also increases significantly.
- When held 2-3 days, low-risk defendants are almost 40% more likely to commit new crimes before trial than equivalent defendants held no more than 24 hours.
- When held 8-14 days, low-risk defendants are 51% more likely to commit another crime within two years after completion of their cases than equivalent defendants held no more than 24 hours.

In 2022, *The Hidden Cost of Pretrial Detention - Revisited* was released by Arnold Ventures with similar results.

- Pretrial detention—for any length of time (not just for three days or longer)—is associated with a higher likelihood of a new arrest pending trial.
- Pretrial detention is associated with an increased likelihood of receiving a sentence to jail or prison and a longer sentence compared to those that were released pretrial. This

finding held even when controlling for the outcomes of pretrial release. That is, those that were rearrested or failed to appear on pretrial release were still less likely to receive a sentence to incarceration and received a shorter sentence relative to those that were detained pretrial.

Disparities in incarceration are present particularly when looking at race and the presence of mental health. The *Safety + Justice Challenge, The Problem* (2022) reports the following:

- Black and Latinx persons make up 30% of the U.S. population but account for 51% of the jail population.
- Serious mental health issues are four to six times more common in jails than in the general population.

Recent attention has been paid to the growing number of rural jails with increasing jail populations. In 2022, *Incarceration Trends* published by Vera highlighted that the most dramatic rise in jail populations was happening in smaller cities and rural communities. As exhibited in the table, rural counties rate of incarceration is 291 incarcerated per 100,000

Geography	Per 100,000 residents
Rural Counties	291
Small/Midsize Metro Areas	230
Suburban Counties	146
Urban Counties	156
U.S. Total	196

residents in comparison to 196 per 100,000 residents as a national average. Pretrial agencies are not as prevalent in rural communities leaving the pretrial phase of the rural

justice system lacking information and alternatives.

Describe the applicant's professional interest in working on this issue.

My interest in pursuing a fellowship in pretrial is driven by the desire to see a fair and just system. The decisions made at the pretrial phase have long term impacts on the individual.



Understanding these effects and minimizing or eliminating them contributes to a fair and just system. This fellowship provides me an opportunity to contribute to the pretrial reform movement by advancing the debate on risk assessment and exploring the reasons for low support of pretrial programs in rural communities and practical solutions. It is of particular interest to me that the fellowship deliverables be useful to the practitioners in the field in addition to BJA and policy makers. Rural Strategies, on behalf of [REDACTED] is applying for the pretrial fellowship.

B. Program Design

Examination of policy and practice, identifying possible disparate policy and practices, and seeking to understand the prevalence and impact of pretrial in rural communities will be the focus of the proposed fellowship.

The pretrial system is a series of major decision points: arrest, booking, prosecutorial charging, first appearance hearing, and detention hearing. Each stage of the pretrial phase has a body of evidence to examine and build upon driven by field tested practices and data. The goal of the pretrial fellowship is to improve pretrial practices by first reviewing the more recent history of pretrial reform and then exploring the research, data, and practices that have been proven effective at major decision points. The fellowship activities will additionally explore three subcategories: validated risk assessments and racial bias, pretrial prevalence and practices in rural communities, and understand the general public and pretrial practitioners understanding of the system to identify barriers that can be addressed by BJA. The following table provides the four primary objectives, with deliverables and expected timeline. A timeline and task plan are an additional attachment to the application.

<p>knowledge of who makes up the pretrial population (arrest/first arraignment); practices that reduce unnecessary confinement; expedite dismissal when appropriate; timely access to defense council; use of interventions/alternatives/ diversions for low-risk individuals.</p> <p>This work will consider impacts driven by change in practice in response to the pandemic.</p> <p>Up to five program visits will be used to observe and interview identified successful efforts.</p> <p>3.3 Identify pretrial data management systems and dashboards that support improved decision-making.</p> <p>3.4 Provide at least four events of subject matter expertise through technical assistance contacts or conference presentations.</p>	<p>efforts in at least four rural communities.</p> <ul style="list-style-type: none"> ▪ Webinar on rural efforts in pretrial. ▪ Summary of targeted opportunities for BJA to consider for future TTA and funding. 	<p>Months 5-20</p> <p>Months 15-18</p>
<p>Objective 4: Identify how the general public views pretrial practices and barriers to system change from internal and external pretrial stakeholders.</p>		
<p>4.1 Identify the growing body of work examining the general public’s view of pretrial practices.</p> <p>4.2. Hold a series of focus groups with pretrial practitioners to identify barriers to implementing change in practices from internal and external stakeholders. At least one additional focus group will be held with rural practitioners specifically in states/localities with rising jail populations in rural communities.</p>	<ul style="list-style-type: none"> ▪ Community engagement kit for pretrial agencies focused on the general public. ▪ Summary of targeted opportunities for BJA to consider for future TTA and funding. 	<p>Months 15-21</p>

To complete this work the fellow proposes a twenty-one-month fellowship with the following projected level of effort:

Months	% of time devoted to the fellowship	# of days proposed at BJA
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1 – 3	50%	1 day a week or 4 days a month
4 – 6	75%	1 day a week or 4 days a month
7 – 15	80%	4 days a week or 16 days a month
16 – 20	75%	1 day a week or 4 days a month
21	50%	1 day a week or 4 days a month

If the applicant is seeking priority consideration for Priority 1, it should address in this section how the proposed project(s) will promote racial equity and/or the removal of barriers to access and opportunity, and/or contribute to greater access to services, for communities that have been historically underserved, marginalized, and adversely affected by inequality.

Pretrial risk assessments are intended to measure risk of a person failing to appear for court and the risk of the person being arrested during the pretrial phase of the case. Leaders in pretrial practices have worked for years to make assessment tools a part of the decision-making process to increase pretrial release while balancing public safety. More recently criticism has risen stating the assessment tools are inherently biased against persons of color (Pretrial Justice Institute, 2020). The American Civil Liberties Union (ACLU) has gone one step further in the article *What if Algorithms Worked For Accused People, Instead of Against Them* (Horowitz, et, al. June 2022), questioning the justice system’s risk to the accused. These debates can lead to improved pretrial systems but require the same level of effort on solutions as on criticism. The fellow will identify proponents and critics willing to engage in strategies and solutions that eliminate bias based on race and advance pretrial practices that are fair and just.

C. Capabilities and Competencies

Describe the applicant’s knowledge of BJA and/or prior experience working with BJA or its projects, if relevant.

Describe the experience and capability of the applicant, including connections with national organizations, relevant work, and/or academic experience necessary to complete the proposed fellowship activities.

I bring an extensive and relevant work history in pretrial and probation as both a practitioner, national technical assistance provider, program evaluator, and policy advisor. I have a master's degree in business administration and a bachelor's degree in criminal justice with minors in psychology, sociology, and business administration.

Relevant practitioner experience

My practitioner experience took place in Chesterfield County, Virginia where I worked for Chesterfield/Colonial Heights Community Corrections Services (CCS). The agency served the two suburban communities in proximity to Richmond, Virginia with approximately 370,000 citizens. The agency includes a large pretrial unit with investigators, supervision officers, and intake officers serving all circuit and district courts. I began my work at CCS as the county's criminal justice planner. The planner position provided experience with grant writing, grant management and program planning and implementation. The position worked extensively with a multi-disciplinary board of justice stakeholders that required sensitivity and understanding of conflicting missions, political awareness, and the gift to facilitate successful system improvement with cross sector stakeholders. I transitioned from criminal justice planner position to become the Assistant Director of CCS for the next twelve years. Relevant duties included the direct supervision of a pretrial diversion program for twelve years and the pretrial (investigation/supervision) unit for two years. During this period, the Virginia Pretrial Risk Assessment Instrument was re-validated, pretrial interventions and outcomes were evaluated



using pretrial agencies in Virginia and the *Measuring for Results in Pretrial Services, Performance and Outcomes Measures* was developed. I served as a member of the committees or a leader in the agency that guided and informed this work. In addition, the position has provided me skills in the following areas selected for this proposal and accomplishments of note:

- Certified as a Pretrial Services Professional through the National Association of Pretrial Services Agency (with Honors) 2013 and 2016.
- Sequential Intercept Mapping – trained facilitator completing over ten mapping events in Virginia localities.
- Evidence Based Decision Making Coordinator– National Institute of Corrections EBDM training – local Coordinator for two years.
- Co-authored statewide research and evaluation of practices, including the Virginia Pretrial October Report.
- Restructured programming to align with best practices (assessment, supervision, and treatment).

I transitioned to working at the national level in 2017, becoming a Principal Court Management Consultant with the National Center for State Courts. The consultant position broadened my experience to state, regional, and national projects evaluating policy and practice focused on advancing the justice system using evidence-based or promising practices. The following is a select list of projects I have directed or significantly contributed to over the last five years relevant to this application.

NATIONAL	
Client	Brief Description
Center for Effective Public	Advancing Pretrial Policy and Research (APPR) is supported by Arnold Ventures and led by the Center for Effective Public Policy. APPR is focused on

Policy	<p>“fair, just, effective pretrial practices, every day, nationwide.” I serve as the Project Lead representing NCSC on this ongoing project.</p> <p>Relevancy: large in scope; collaborative; pretrial practices; and pretrial network</p>
National Institute of Corrections – Secondary Trauma	<p>First multi-state study of secondary trauma of pretrial and probation officers to support the development of peer support guidelines. I serve as a project team member of this ongoing project.</p> <p>Relevancy: large in scope; pretrial practitioners</p>
Rural Justice Collaborative	<p>National project to develop a rural collaborative to showcase the strengths of rural communities and highlight their cross-sector collaboration. I serve as the Co-Project Director of this ongoing project.</p> <p>Relevant Project: national; rural; collaborative</p> <p>Relevancy: large in scope; collaborative; and rural</p>
REGIONAL (multi-state)	
Regional Judicial Opioid Initiative (Appalachia/Midwest)	<p>BJA funded Appalachia/Midwest Regional Judicial Opioid Initiative (RJOI), represents eight states focused on impacting opioid related outcomes when courts collectively collaborate. States: Illinois, Indiana, Kentucky, Michigan, North Carolina, Ohio, Tennessee, and West Virginia. I serve as the Project Director of this ongoing project.</p> <p>Relevancy: multi-state; multi-discipline; collaboration</p>
Regional Judicial Opioid Initiative (New England)	<p>BJA funded New England Regional Judicial Opioid Initiative (RJOI), represents six states focused on impacting opioid related outcomes when courts collectively collaborate. States: Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont. I serve as the Project Director of this ongoing project.</p> <p>Relevancy: multi-state; multi-discipline; collaboration</p>
STATEWIDE	
Virginia Pretrial and Probation Workload Assessment	<p>Virginia has engaged in their first pretrial and local probation workload assessment and the first known pretrial workload assessment at a national level. I serve as the Project Director for this ongoing project.</p> <p>Relevancy: pretrial workload</p>
Virginia Pretrial and Probation Funding Assessment	<p>Virginia pretrial and local probation funding assessment builds upon the workload assessment to provide the state funding authority with information on how best to distribute funds across agencies with diverse geography, cost of living, and resources. I serve as the Project Director for this ongoing project.</p> <p>Relevancy: pretrial funding</p>
LOCAL	

Arkansas: Washington County	Assessed the criminal justice system, with a focus on understanding the nature and dynamics of the defendant/offender population, the propensity to grow and change in the future, and how it will affect the planning elements with the criminal justice system. The project focused heavily on pretrial as a primary component of the justice system. I served as a project team member of this project that concluded in 2019. Relevancy: system assessment; pretrial recommendations
Ohio: Summit County	Conducted a comprehensive evaluation of the probation and pretrial department's use of evidence-based practices and implementation of recommendations. I served as the Project Director of this project that concluded in 2021. Relevancy: system assessment, pretrial recommendations

Connection with National Organizations

I serve as the project lead representing [REDACTED] initiative. [REDACTED] works with system stakeholders and community members to improve pretrial systems in ways that maximize pretrial outcomes and increases fairness and racial equity. My work has centered on building a network of trained pretrial professionals to provide technical assistance and leading a technical assistance engagement with one community seeking to understand opportunities to improve efficiencies in case flow. I also co-direct a technical assistance initiative focused on secondary trauma experienced by community corrections officers, including pretrial officers. Under this project, I co-led the first statewide assessment of secondary trauma experienced by pretrial and probation officers. This initiative is funded under the National Institute of Corrections. Finally, I co-direct the Rural Justice Collaborative (RJC). The Rural Justice Collaborative recognizes the unique strengths of rural communities and seeks collaborative solutions that are built and field tested in rural jurisdictions. The RJC has created a resource center, identified innovative work in rural communities, and engaged in partnerships

that exponentially magnify the strategies that are working in small communities. The Rural Justice Collaborative is funded by the State Justice Institute.

I recognize the power in relationships and have built strong connections to organizations and individuals engaged in pretrial and probation advancement. Specifically, I have served on a project team for two years with the Executive Director of the [REDACTED] [REDACTED] and will present at the 2022 [REDACTED] conference on secondary trauma and pretrial professionals. In the fall of 2022, I will join a panel of experts at the National Association of Presiding Judges and Court Executive Officers (NAPCO) to discuss strategies for advancing pretrial. Additionally, I have served for four years as the Judicial Committee co-chair of the American Probation and Parole Association (APPA) and hosted two judicial roundtables on pretrial during that time.

Describe any potential barriers to implementing the project and strategies to overcome them. Demonstrate that the applicant possesses the flexibility, skills, and temperament to operate in a fast-moving environment on multiple activities, sometimes with very short turnaround times.

[REDACTED] have not identified any significant barriers for a successful fellowship experience. A hybrid work environment could disrupt the fellow's ability to integrate to BJA. [REDACTED] has worked remotely for almost five years and has mastered using video/audio regularly to build a strong work network. The fellowship includes at least one day a week in the BJA office throughout the fellowship. Flexibility will be exercised to ensure in-office days allow the greatest contact with the team.

[REDACTED] has a work history that demonstrates the ability to manage competing priorities and the work ethic, flexibility, and skill to be appropriately responsive to the organization. [REDACTED]

a vision, mission, charter, Sequential Intercept Mapping, data inventory, logic model, and system improvement plan.

Document the applicant's ability to facilitate national scope projects and communicate with diverse stakeholders.

The Rural Justice Collaborative (RJC) provides me a recent example of work at the national level with diverse stakeholders. I serve as the Co-Project Director of the RJC since inception two years ago. The initial work included a listening session with justice leaders in rural communities. The RJC Advisory Council includes judges, attorneys, law enforcement, behavioral health, community supervision, public health, victim services, and local elected representative. RJC has created a resource center to highlight programs and practices, policies, and research built for rural communities. We have planned and implemented numerous deliverables to extend the reach and awareness of rural needs including a monthly digest, webinars, podcasts, conference presentations, and a growing list of rural innovation sites.

Demonstrate the applicant's expertise working with and developing documents for practitioners and policymakers.

I have honed written communication skills as a consultant. Evaluation reports, program briefs, implementation plans, and strategic plans are only a few of the numerous document types required in my project work. Understanding the audience and the utility of the written documents contributes to that success. I have authored or co-authored dozens of written deliverables for practitioners, policymakers, and funders.

D. Plan for Collecting the Data

██████████ is responsible for all reporting including quarterly data reports, financial reports, semi-annual narrative reports, and final report. In addition, ██████████ maintain the performance measures as shown by timely progress on goals, objectives, and deliverables. The following data will be collected for reporting purposes: (a) number of deliverables completed including reports, toolkits, training curricula, applied research tools, publications; (b) number of deliverables that meet expectations as approved by BJA staff; (c) number of deliverables completed on time; (d) number of conferences, focus groups, and forums attended; (e) number of papers presented at national conferences; (f) number of recommendations made to BJA Policy staff during the length of the fellowship; and (g) number of recommendations made to BJA Policy staff that were implemented. ██████████ uses project management software that allows the financial data and performance measurement data to be tracked at the task level, allowing for ease of reporting. Information collected from the performance measures will be used to measure the project's success as well as guide future funding and policy recommendations in this area.

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