



JUDICIAL COUNCIL
OF CALIFORNIA

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FACT SHEET

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Pretrial Pilot Program

The Budget Act of 2019 (Assem. Bill 74; Stats. 2019, ch. 23) earmarked \$75 million to the Judicial Council to launch and evaluate two-year pretrial projects in local trial courts. The projects aimed to increase the safe and efficient release of arrestees before trial, use the least restrictive monitoring practices possible while protecting public safety and ensuring court appearances, validate and expand the use of risk assessment tools, and assess any bias.

Findings derived from the data and the activities reported during the program, which was funded from July 2019 through December 2022, are highlighted below.*

Analyses

Program implementation was associated with the following outcomes:

- An increase in pretrial release rates for both misdemeanors (5.7%) and felonies (8.8%).
- Black individuals booked on misdemeanors had a 9% increase for pretrial release, compared to a 4.8% increase for White individuals.
- A decrease in rearrest/rebooking rates while released pretrial for both misdemeanors (5.8%) and felonies (2.4%).
- A significant decrease in failure to appear rates for misdemeanors (6.8%) and an increase for felonies (2.5%).

Failure to appear rates may improve by shortening case disposition time and implementing a court date reminder system. A separate study by the Superior Court of Alameda County showed its reminder system improved court appearance rates

* For more detail on the research methodology used for the analyses, see *Pretrial Pilot Program: Final Report to the Legislature*, pages 17–28 (July 21, 2023), available at https://www.courts.ca.gov/documents/Pretrial-Pilot-Program_Final-Report.pdf.

from 47% to 87%. By the end of the three-year pilot program, 14 courts had implemented reminder systems, and now most trial courts in the state have reminder systems, including both manual and automated phone calls and text messages.

Risk Assessment Tool Validation

For each of the four tools studied, there was a strong association between risk score and outcomes of interest, including failure to appear, new arrest during the pretrial period, new filing, new conviction, and new violent arrest during the pretrial period. Higher scores on each tool corresponded with a higher incidence of each outcome of interest, indicating that the risk assessment tools work as intended.

Automated Risk Assessments

The Superior Courts of Los Angeles and Sacramento Counties automated the scoring of the PSA tool, resulting in the automatic generation of risk scores for each individual booked into jail.

Public Education

Pilot projects provided local training for the courts and public forums on risk assessments. Some pilot projects submitted press releases to local news outlets, created and posted fliers in jails to inform in-custody individuals of pretrial release services, wrote articles to the local bar journal, and updated public webpages.

Judicial Officer Leadership and Collaboration

In webinars, court leadership and officers shared that judicial officer leadership and collaboration with court staff and justice partners were imperative in creating an effective and efficient pretrial program.

Data Collection Technology

A technical framework was developed to form a data warehouse system that automatically ingests, processes, and joins data submitted by the courts and their justice partners. This provided the courts with access to full information on program activities and outcomes in a central location, making it possible for courts to conduct their own analyses of program data.

Contacts:

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Additional resources:

California Pretrial Release Program, <https://www.courts.ca.gov/pretrial.htm>
Pretrial Release Program Year 1 Report to the Legislature, 2023,
<https://www.courts.ca.gov/documents/Pretrial-Release-Report-to-the-Legislature-2023.pdf>