

2015 California Pretrial Summit

*Releasing Arrestees: Designing Decisions to
Enhance Public Safety*



JUDICIAL COUNCIL
OF CALIFORNIA

OPERATIONS AND PROGRAMS DIVISION
CRIMINAL JUSTICE SERVICES

February 17–18, 2015

**San Diego Rooms
Milton Marks Conference Center
Judicial Council of California
455 Golden Gate Avenue
San Francisco, CA**

Agenda

PROGRAM DESCRIPTION

Pretrial programs have operated in California for over a quarter of a century. While programs differ in many ways—the entity that operates the program, the timing of pretrial release determinations, the use of risk assessment instruments—they share in their focus on public safety and evaluating defendants' risk of reoffending or failure to appear in court. Following realignment, expansion of pretrial programs has taken on an added urgency for a state where jail overcrowding in many counties has raised serious concerns for the entire criminal justice system.

This two-day session is an opportunity to convene judges, court executive officers, and criminal justice partners to explore court processes and the role of pretrial programs, recent research on risk assessment, supervision and the use of technology, various program models, and justice partner coordination.

TUESDAY, FEBRUARY 17

9:00 – 10:00 a.m. **Registration**

10:00 – 10:10 a.m. **Welcome and Introduction**

*Ms. Shelley Curran, Senior Manager, Criminal Justice Services, Operations
and Programs Division, Judicial Council*

Hon. J. Richard Couzens (Ret.), Judge, Superior Court of Placer County

10:10 – 10:20 a.m. **Recidivism Reduction Fund Grant Program**

Ms. Shelley Curran

10:20 – 10:45 a.m. **The Impact of Pretrial Programs and the Role of Judicial Leadership**

*Ms. Cherie Garofalo, Director of Operations, Juvenile, Family Law and Self-
Help Services, Superior Court of Orange County*

Hon. Donald Coleman, Presiding Judge, Superior Court of Ventura County

Hon. Mark Boessenecker, Judge, Superior Court of Napa County

10:45 a.m. – 12:15 p.m.	An Overview of Pretrial Law and Procedures <p>This session will provide the legal framework and standards governing pretrial detention and release: constitutional considerations, statutory guidance on release decisions, how pretrial programs and bail factor into release decisions, bail and departures from the bail schedule, timeframes from arrest to arraignment, public safety considerations, and victim notification issues.</p> <p><i>Hon. J. Richard Couzens (Ret.)</i> <i>Hon. James Brandlin, Judge, Superior Court of Los Angeles County</i></p>
12:15 – 1:00 p.m.	LUNCH
1:00 – 2:00 p.m.	Pretrial Populations: Who is in Jail, Who is Out, and Who is Deciding? <p>This plenary session will discuss and identify the changing composition of jail populations; factors contributing to increased jail populations; the impact of jail caps; data on pretrial populations; impact of pretrial time in jail on length of sentence; release decisions, failures to appear and new offenses.</p> <p><i>Ms. Meghan Guevara, Managing Associate, Crime and Justice Institute</i> <i>Ms. Sonya Tafoya, Research Associate, Public Policy Institute of California</i></p>
2:00 – 3:00 p.m.	Pretrial Assessment: Determining Risk to Ensure Public Safety <p>Many jurisdictions use validated assessment tools to determine offender risk with the goal of ensuring public safety and appearance in court. This session will discuss the components of risk assessment instruments, their appropriate use in pretrial programs, differences between pretrial and post-conviction assessment tools, and the effective use of risk assessment information by the courts and justice partners in pretrial decisions.</p> <p><i>Dr. Marie VanNostrand, Project Manager, Luminosity</i></p>
3:00 – 3:10 p.m.	Transition to Auditorium
3:10 – 3:15 p.m.	Introduction of Chief Justice <p><i>Ms. Shelley Curran</i></p>
3:15 – 3:30 p.m.	Remarks by the Chief Justice <p><i>Hon. Tani G. Cantil-Sakauye, Chief Justice, Supreme Court of California</i></p>
3:30 – 3:45 p.m.	Break
3:45 – 4:30 p.m.	Team Breakouts: Current Pretrial Practices and Options for Initiating or Expanding Pretrial Programs <p>Attendees will be divided into county teams to discuss the status of their current efforts to address the pretrial population, preliminary thoughts about implementation steps, and how they might move to enhance and improve their current pretrial programs. The discussion might include current pretrial practices, opportunities for developing or strengthening an existing pretrial program, and local collaboration, needs, and challenges.</p>
4:30 – 4:50 p.m.	Team Breakout Report Back
4:50 – 5:00 p.m.	Day One Wrap-Up
5:00 p.m.	ADJOURN DAY ONE

WEDNESDAY, FEBRUARY 18

7:30 – 8:00 a.m. **Breakfast**

8:00 – 8:05 a.m. **Review Day Two Agenda**
Hon. J. Richard Couzens (Ret.)

8:05 – 9:30 a.m. **Pretrial Program Models: Responding to Criminal Justice System Changes**

Throughout California, courts have partnered with criminal justice system stakeholders in the development of pretrial programs. This session will explore how different pretrial program models have been designed and implemented through collaboration, as well as the challenges they have encountered in responding to recent changes in the criminal justice system. Specifically, the session highlights the critical role of the courts in working with other justice system partners to develop effective pretrial programs, and the ways in which various pretrial program models have evolved.

Ms. Leah Wilson, Court Executive Officer, Superior Court of Alameda County

Ms. Lesha Roth, Director, Contra Costa County Probation Department

Mr. David Koch, Deputy Chief Probation Officer, Sonoma County Probation Department

Mr. Bill Penny, Assistant Chief Probation Officer, Santa Cruz County Probation Department

Mr. Garry Herceg, Director, Office of Pretrial Services, Santa Clara County

9:30 – 10:15 a.m. **Pretrial Programs: An Effective Alternative to Bail?**

This session examines the role of bail and bail schedules, the relationship between bail and pretrial services, and concerns regarding the potentially disparate impact of bail decisions and of risk assessments.

Hon. Mark Boessenecker, Judge, Superior Court of Napa County

Mr. David Robinson, Sheriff, Kings County

Ms. Robin Lipetzky, Public Defender, Contra Costa County

10:15 – 10:30 a.m. **BREAK**

10:30 – 11:15 a.m. **Justice Partners Roundtable Discussion**

Participants break out by discipline for a discussion about roles and responsibilities in developing and maintaining a pretrial program, challenges, and solutions.

- Judicial Officers
- Court Staff
- District Attorneys
- Public Defenders
- Law Enforcement
- Probation

- 11:15 a.m. – 12:15 p.m. **Common Challenges to Evidence-based Pretrial Justice**
 This session will review the most common barriers to implementation and administration of evidence-based pretrial programs, including building partnerships and addressing technical issues, and will provide strategies for overcoming barriers to implementing and maintaining evidence-based pretrial programs.
Moderated by Mr. Michael Roosevelt, Senior Court Services Analyst, Criminal Justice Services, Operations and Programs Division, Judicial Council
Ms. Meghan Guevara
Hon. Hilary Chittick, Judge, Superior Court of Fresno County
Ms. Mary Butler, Chief Probation Officer, Napa County Probation Department
- 12:15 – 1:15 p.m. **WORKING LUNCH – Technical Assistance – Questions & Discussion**
Ms. Meghan Guevara
- 1:15 – 2:00 p.m. **Pretrial Teams Breakout: Solutions and Action Steps**
 Building on the breakout at the end of day one, this session will focus on action steps for developing, expanding or improving a pretrial program; resources needed; and Judicial Council support.
- 2:00 – 2:15 p.m. **Closing Remarks**
- 2:15 – 2:25 p.m. **BREAK**
- 2:25 – 3:00 p.m. **Recidivism Reduction Fund Grant: Administrative Duties and Responsibilities**
 Individuals responsible for or delegated to oversee the Recidivism Reduction Fund Grant should attend this session to learn about the fund reporting and other administrative responsibilities.
Mr. Paul Fontaine, Supervisor, Grants Administration, Finance, Judicial Council
- 3:00 p.m. **ADJOURN SUMMIT**