



Supporting Individual Agency in the Pretrial Release Process

An Innovation Fund Case Study from Durham and Santa Clara Counties

Carla Vasquez-Noriega, Marina Duane, Travis Reginal, and Jesse Jannetta

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Pretrial detention is a main driver of the US's high incarceration rates: approximately 75 percent of people in jails nationwide have yet to be convicted of the charge for which they were arrested (Ortiz 2015, figure 3). To address the overincarceration of people before trial, policymakers and local leaders are attempting to find suitable community alternatives. However, such attempts often focus more on altering decisions by justice system actors and less on engaging justice-involved people in the process.

This case study, part of a series highlighting work supported by the Safety and Justice Challenge Innovation Fund, examines how Durham County, North Carolina, and Santa Clara County, California, provided defendants with information and opportunities so their decisions could facilitate pretrial release and success. Durham County designed and launched an electronic court date reminder system to reduce failures to appear (FTAs), and Santa Clara County carried out a multimedia campaign to increase nonmonetary pretrial releases.

Introduction

While the presumption of innocence suggests that defendants should be able to maintain their liberty before trial, jail populations have steadily increased over the past 40 years largely due to the increasing use of pretrial detention (Levin and Haugen 2018). Pretrial detention increases the likelihood of conviction, sentences to incarceration, future FTAs, and reoffending among people detained (Dobbie, Goldin, and Yang 2018; Lowenkamp et al. 2013; Oleson et al. 2014). Even a brief detention can lead to job loss, impede future employment, disrupt daily life, and break family bonds (Duane et al. 2017; Pew Charitable Trusts 2010).

BOX 1

The Safety and Justice Challenge Innovation Fund

The John D. and Catherine T. MacArthur Foundation launched the Safety and Justice Challenge Network in 2015 to create fairer, more effective local justice systems. Twenty competitively selected jurisdictions received financial and technical support to rethink justice systems and implement data-driven strategies to safely reduce their jail populations. In 2016, MacArthur partnered with the Urban Institute to expand this network by establishing the Innovation Fund to test bold and innovative ideas on how to safely reduce the jail population while maintaining or enhancing public safety. Innovation Fund jurisdictions received small grant awards, light touch technical assistance, and access to the Challenge's peer learning network.

In addition to causing harms to the detained people, jail stays can also be very costly to taxpayers. For example, supervised pretrial release in Santa Clara County costs \$15 a day, compared with \$159 a day for pretrial detention (Pretrial Justice Institute 2017); in Washington, DC, the daily costs are \$18 and \$204, respectively (Kainu 2016). Many strategies can facilitate pretrial release and help people keep their jobs and families intact (VanNostrand, Rose, and Weibrecht 2011). Efforts to develop and maximize various pretrial release pathways often require justice system actors to make their approaches and decisionmaking more supportive of pretrial release, but in many cases people who are directly affected can be overlooked. A less explored, yet promising, pretrial strategy is empowering people and their families to influence decisions and drive their cases.

Criminal justice actors understand the details of their own policies and practices, but affected people and their families can find these same details confusing and opaque. This confusion can impede defendants' rights and success because it limits how detained people or their families influence case progress or resolution. Empowering people may be particularly important for a criminal justice system that many perceive unfair and unjust (Pew Research Center 2013). Yet developing communication strategies to engage and empower people requires a shift in mindset for many justice agencies.

This case study presents the experiences of two counties as they implemented communication strategies focused on engaging pretrial detainees in securing optimal pretrial release and successfully navigating the pretrial release period. Durham County sought to remind anyone released before trial about their court dates by signing them up for a user-friendly web-based service. Santa Clara County executed a multimedia campaign to inform detainees about nonmonetary release options and reduce overreliance on money bails. Each campaign focused on developing effective messages by understanding the perspectives of defendants and their family members, explaining what steps they should take to access beneficial services, and using multiple avenues to reach the intended audience.

BOX 2

Case Study Methods

Urban Institute researchers interviewed four Durham County and five Santa Clara County stakeholders who helped design and implement their respective Innovation Fund–supported projects. Transcripts of the 45- to 60-minute interviews were analyzed to identify common themes and recommendations from all stakeholders. Urban researchers also drew from regular technical assistance consultation calls with each county’s project team and consulted written program material, video resources, and performance measurement reports.

Strategies That Can Reach Pretrial Populations

Durham County’s Court Reminder System

The Durham County Detention Center had an average daily population of 480 in 2017, 83 percent of whom were detained pretrial. Analysis of pretrial detention drivers revealed that 19 percent, or 840 of 4,357 people booked at pretrial, were detained because of an FTA. Simply put, people ended up in jail because they missed their designated court date. In many instances, people do not realize that missing a court date triggers the automatic issuance of a warrant for arrest in North Carolina and could result in jail custody.

Faced with high daily jail populations and rising custodial costs, Durham County leaders realized they needed a better way to address FTAs than incarceration. Under the leadership of Criminal Justice Resource Center (CJRC), criminal justice and county stakeholders decided to develop and implement an automated reminder system. The primary goal of the web-based system was to reduce failure to appear in court by reminding Durham County residents of their pending court dates. A secondary goal was to improve customer service by providing more timely information to those with court dates. This strategy also fit with the overall direction of the Durham County court to go paperless. The court reminder system innovation reduces the paperwork created and the time court staff have to spend providing people with information about their court date in person or over the phone.

For the time and money invested [in the automated notification system], even if 6 people are not arrested, that’s a win. And it’s not just 6 people, it’s their families that are affected.

—Durham County stakeholder

BUILDING THE COURT DATE REMINDER SYSTEM

Implementation of the automated reminder system, which launched in June 2017, was a joint effort between CJRC and the county's information services and technology (IS&T) department. CJRC was responsible for overall execution, and the IS&T department provided significant technical expertise to design and launch the website. The effort received broad support from county and criminal justice leaders, including the Clerk of Courts, Public Defender's Office, District Attorney's Office, and Chief District Judge. All these partners participated in the advertising and outreach efforts.



Court date reminder poster. Image courtesy of Durham County.

Once the necessary partners were engaged, CJRC worked on the three critical technical components of the court reminder system: developing the code, connecting data feeds, and sending data to the third-party vendor commissioned to send reminders by text, email, or phone. Durham County's IS&T department developed the code for the website, drawing on prior expertise developing similar projects for criminal justice partners. The IS&T team also tested the code and adjusted it when technical issues arose. According to the IS&T team, website development did not require a large commitment of time or money.

CJRC worked with the Administrative Office of the Courts (AOC) and the jail to establish data exchange. The system needed to access the AOC's calendar so reminders could be sent on schedule. It took several meetings with AOC to work out the data-sharing parameters. The reminder system needed to access jail data to measure performance—to establish a baseline of those who were detained because of FTAs, and to track defendants who used the service to see whether they failed to appear in court.

Durham County worked with the third-party vendor to provide options for how reminders—scheduled for three days and one day before the court hearing date—were delivered based on defendants' preferences to receive the reminders by text, call, or email. Multiple options were necessary to encourage defendants to sign up and to reach people who might not have a cell phone that receives text messages or might not have access to a computer to check emails. CJRC provided the

information gathered through the notification system to the third-party vendor, which delivered the phone and text message reminders. The IS&T department sent out the email reminders.

ADVERTISING THE NOTIFICATION SYSTEM TO THE COMMUNITY

As signing up for the court date notifications was voluntary, CJRC understood that it needed a well-executed public relations strategy for the intervention to have the desired impact. CJRC's multifaceted outreach plan was guided by insight gathered from people who were incarcerated for FTAs.

CJRC hired a graphic designer to create posters that advertised the opportunity to sign up for notifications. The posters included a QR code that people could scan with a smartphone to take them directly to the website. CJRC also developed brochures, business cards, and a video.

CJRC, with the permission from the sheriff's office, talked to people in the jail who were being held for FTAs about the best places to advertise their court reminder system. The feedback they received included placing signage in convenience stores, bus terminals, public housing common areas, pawnshops, social services offices, the courthouse, and the detention center. To reach wider audience, some promotional material was produced in Spanish. The website and reminders language are also available in Spanish.

The business cards and poster directed defendants to the court reminder website, where they could easily sign up to receive court date reminder through text, phone, or email. CJRC created a video that highlights the three steps for people to sign up:

- "Step 1: Go to courtre reminders.dconc.gov
- Step 2: Fill out the short form and provide contact information
- Step 3: You will receive a text message, voicemail, and/or email alert three days before your court data, and another the night before."¹

The video is also played in the common areas of Durham County government buildings and courts.

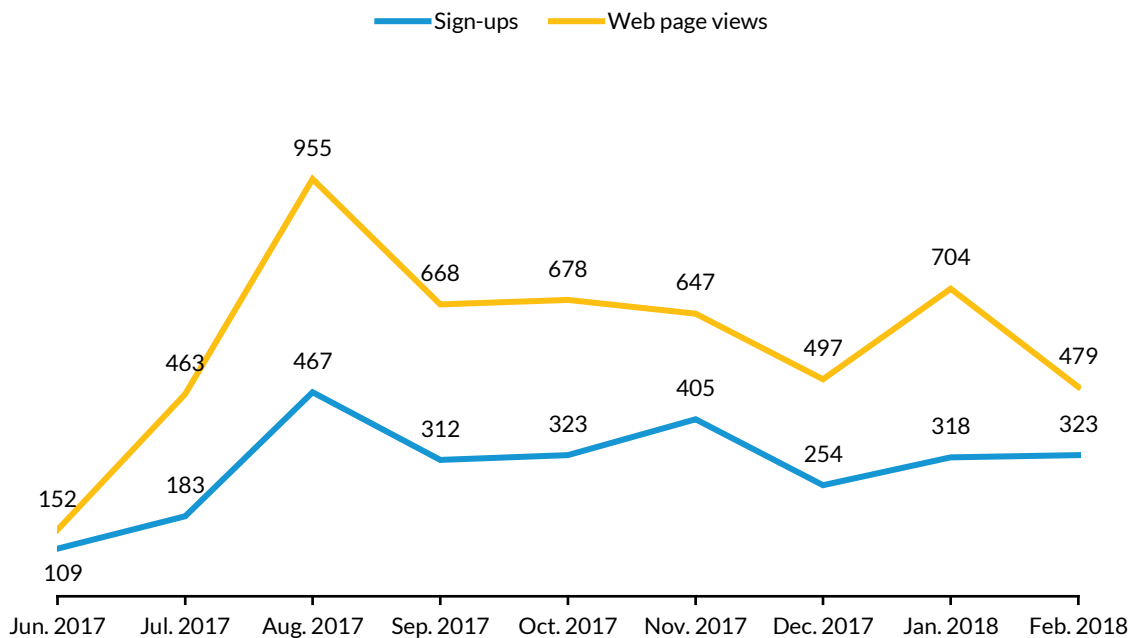
In addition to the multimedia campaign, the team hired an intern who was stationed in the court to promote the new website and ask people if they wanted to sign up for the court-reminder system. The intern had forms to collect the necessary information. CJRC felt that a personal touch would encourage sign ups from people who may not respond to receiving a business card or seeing a poster. Having someone at the court was also an opportunity to address concerns arising from distrust of the criminal justice system.

MEASURING SUCCESS AND REFINING THE SYSTEM

The Durham County project team tracked the progress of their court reminder system through their IS&T department. They focused on several key performance metrics: number of enrollments, number of web page views, share of people with court dates that signed up for reminders, and share of people who signed up for reminders and failed to appear. The data collected by the IS&T department revealed the following:

- Between June 2017 and March 2018, the website was visited more than 5,400 times, and almost 2,700 people enrolled in the automated reminder service (figure 1 shows the monthly breakdown). Slightly more than half (54 percent) of sign-ups occurred during the first appearance at court, and 14 percent occurred at pretrial services.
- Of all cases with a scheduled court date from June 2017 to June 2018, 24 percent had a respective sign-up recorded in the reminder system. The share of sign-ups grew steadily, starting with less than 1 percent in June 2017 and reaching 35 percent by June 2018.
- Early results indicate that the new reminder system is effective. The share of people who failed to appear for their scheduled court dates steadily dropped by 6 percentage points from September 2017 to May 2018. Specifically, 10 percent of people who signed up for the reminder system failed to appear in September 2017, compared with only 4 percent who failed to appear in May 2018. The share of people who did *not* sign up for the reminder system and failed to appear has remained constant, at around 7 percent, from September 2017 to May 2018.

FIGURE 1
Activity on Durham County Court Reminder Website, June 2017–February 2018



Source: Durham County project team.

CJRC has made concerted efforts to solicit feedback and improve the effectiveness of this service. The project team included a feedback button on the website so users could share their experience.

The Durham team also focused on enhancing the end-user experience and started capitalizing on their internal and external partnerships. For example, they partnered with Duke University’s Center for Advanced

Hindsight to review the website and text messages to ensure that the language was effective for the target population. Eventually, the Center for Advanced Hindsight decided to send out three different types of tailored texts, which were randomly assigned to users: (1) a generic reminder that the recipient has an upcoming court date; (2) a reminder that the recipient has a court date and should remember to handle any necessary child care and work arrangements; (3) a reminder that the recipient has a court date, along with a warning that they might be arrested and fined if they fail to show up. As of this writing Durham County is waiting for the results of that pilot to see which messages are the most effective.

Santa Clara County's No-Cost Release Campaign

Santa Clara County, which contains the city of San Jose, operates a jail system with an average daily population of around 3,400 in 2017. Following California statute, essentially everyone is offered the option of a bonded release, and Santa Clara's jail and other locations were full of advertisements for bail bonds businesses. This had fed a common perception among people booked in the jail that posting money bond was *the* way to get released before trial.

Most bail releases involve detainees or their families working with a bonding company that provides the full bond amount up front in exchange for a percentage of that amount, which the company keeps as long as the person appears in court, regardless of the case outcome. Paying a nonrefundable portion of a bond (generally 10 percent) is burdensome for a predominately low-income jail population (Rabuy and Kopf 2017). This burden falls disproportionately on African American and Latinx people, who are more likely to be detained pretrial and are assigned higher bail amounts (Demuth 2006).



No Cost Release Campaign logo. Image courtesy of Santa Clara County.

Santa Clara County offers extensive nonmonetary release options to defendants through the Office of Pretrial Services. However, Santa Clara County stakeholders working on pretrial reform believed that many people were posting bond before Pretrial Services' outreach efforts reached them. The No Cost Release campaign was designed to challenge the public's common misconception that a person must pay monetary bail or plead guilty to be released from jail. The campaign sought to make people

aware of the availability of pretrial release options that would not cost them money and to provide the information necessary to exercise that option.

The No Cost Release campaign was a component of a broad pretrial justice reform strategy for Santa Clara County. In 2014, the county created a Bail and Release Work Group composed of the Office of Pretrial Services, Office of Reentry Services, Office of the Public Defender, Sheriff's Office, and other local service organizations. The work group's main objective was to analyze the county's pretrial process and adopt evidence-based practices to eliminate racial and ethnic disparities in the system. The role of the campaign within the pretrial reform agenda was to increase public awareness around pretrial release alternatives and reentry services, provided through Reentry Services and Pretrial Services. The underlying theory of change was that providing information would reduce the pressures for low-income defendants and their families and help them secure minimally burdensome pretrial release by empowering them with knowledge of available services.

The No Cost Release campaign emphasized two pretrial release alternatives for detainees who can be safely released. One was own recognizance (OR) release, which allowed for a detainee's release on the condition that he or she will return to court of his or her own volition. The other option was the similar supervised own recognizance release program (SORP), which had the added condition of being supervised by a pretrial officer. This option was used for higher-risk detainees, who may have substance use issues, alcohol use issues, mental health disorders, or a record of domestic violence. People released under SORP may be subject to drug and alcohol testing and may be assigned an electronic monitoring device.

Pretrial Services officers came to the jail every day to interview interested people and assess their eligibility for OR/SORP release. At booking, people could express their interest in an OR or SORP release option by asking to speak with Pretrial Services while in the main booking area. People already detained on pretrial could also request to speak to Pretrial Services staff while in custody. However, the program strove to make sure clients were aware of their release options *before* posting bail or being housed.

Santa Clara County used its own Pretrial Services Risk Assessment Tool, based on the Virginia Pretrial Risk Assessment Instrument and validated locally, to measure pretrial release risk. This information was then presented to judges, who made the release decision. This process could arrive at release as quickly as a bail release, particularly if defendants requested to meet with Pretrial Services early in their detention period. Upon release, individuals could seek out support from the county's Reentry Resource Center. The center provided access to health assessments, medical services, public benefit enrollment, social service referrals, job referrals, legal services, and education services. These resources were available to anyone released from custody, regardless of their length of stay.

The work group met monthly to craft the campaign's message and decide the most effective channels to disseminate it. The campaign's message had to be accessible to people held pretrial and their family members who might also have questions about the pretrial process and resources available. As such, the Work Group condensed the self-advocacy spirit of the campaign theme into the short, punchy slogan "Just Ask." This motif carried throughout the suite of materials.

BUILDING THE CAMPAIGN COMPONENTS

At its launch, the campaign’s interactive media package included an array of physical and digital resources: a website, video (online and on public access television), brochure, and poster. The county purchased the easy-to-remember website domain “NoCostRelease.org” to host all the campaign information. The website included an infographic depicting the pretrial process for a defendant seeking a no-cost pretrial release option. It also listed links and contact information for county agencies that provide related services. Currently, the website is the most public-facing component of the campaign.

The campaign’s “Just Ask” video was the most labor-intensive part of the campaign. The approximately seven-minute video detailed other parts of the system such as the jail booking process, public defender services, and reentry resources. It featured the testimonies of past pretrial service clients. The video was provided to all relevant partners for them to loop it on their office’s televisions. The video and the accompanying poster are currently displayed in the county’s main jail and Elmwood Correctional Facility.

The Santa Clara County project team engaged members of the Custody Alternative Supervision Program (operated by Reentry Services), who had lived experience with pretrial detention and release, to make sure that No Cost Release materials would be accessible and persuasive. They gathered program members twice during the project development process to ask for their feedback on each component of the campaign.

Other materials, such as the poster and brochures, were placed in jail lobbies, dorms, and other agency offices. The poster included a QR code that family members with a smart phone could use to directly access information about no cost release options. While these materials were being posted, the jail stopped posting colorful advertisements for bail bonds companies and replaced them with plain text contact information for these companies. The project team has also been working on getting the materials into more community organizations’ offices.



No Cost Release video screenshot, featuring instructions in English, Spanish, and Vietnamese. Screenshot courtesy of Santa Clara County.

The Office of the County Executive helmed the entire campaign development process. It handled the most technical aspects of development: finding a video producer, liaising with the jail, purchasing TVs, acquiring a domain name, and developing graphics. The work group met monthly to assess progress, address any challenges, and review materials. Work group members wrote the video script, which coherently summarized pretrial release alternatives and reentry services. To handle video production, the county contracted with a local nonprofit media company, CreaTV. As the team moved toward final implementation, members toured facilities to identify the best placement for campaign materials. It took time to find the right placement and attain permissions to get televisions up and running in the waiting room at the jail facilities. The project team relied on a strong partnership with the sheriff's office to get through administrative hurdles to get campaign materials displayed in the jails. The work group continues to tour facilities to ensure the chosen locations optimize exposure for the campaign materials.

To better reach its ethnically diverse residents, Santa Clara County made all materials available in Spanish and Vietnamese. The county relied on volunteers within county agencies and contracted with professional translation companies to help. The project team experienced some difficulties translating certain technical criminal justice system terms correctly in Vietnamese and Spanish. Translating the materials into an accessible tone also proved a challenge, particularly for the items in Spanish. At the time of the campaign's launch, the Spanish-language materials had not yet been finalized.

The No Cost Release Campaign was launched and introduced to the public at a press conference on December 19, 2017. The event featured statements from county leaders and former pretrial clients who spoke of the impact Reentry Services had on their lives. Ahead of the launch, the County Executive's public affairs team put out a media advisory and press release that attracted attention from several local and regional news outlets. In the future, the county plans to tap public access TV and community-based organizations to reach a wider audience. The work group has also created a media toolkit that can be shared with other jurisdictions hoping to mount a similar campaign.

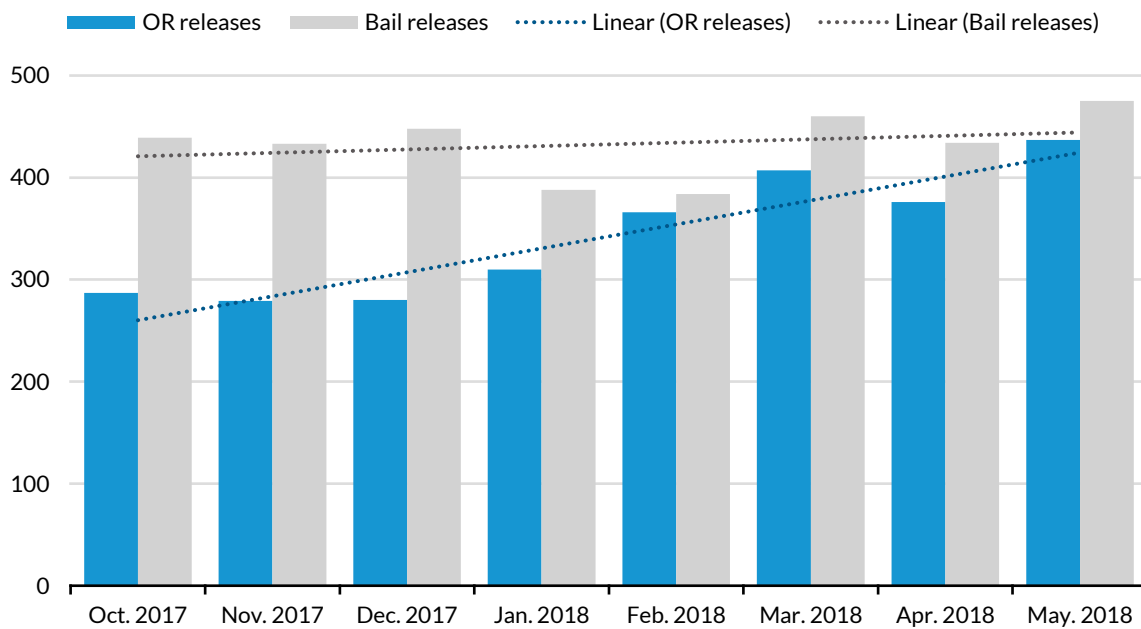
MEASURING IMPACT

While the Santa Clara County partners were developing the No Cost Release campaign, they were also defining performance metrics for the effort. At the most basic level, a successful campaign would result in an increase in OR/SORP pretrial releases relative to releases on money bond. However, while such a trend would suggest the No Cost Release campaign had an impact, other state and local efforts under way could also impact those trends, most notably the *Humphrey* decision requiring judges to assess ability to pay and alternatives to custody when setting bond amounts.²

Data on pretrial release type trends were provided to the partners by the Santa Clara County sheriff's office, which had the requisite information on the nature of releases from the jail. The early trend in releases is promising: the number of own recognizance (including supervised own recognizance releases) increased while the number of monetary bail releases decreased after the No Cost Release campaign launched in December 2017 (figure 2). However, this initial analysis covers only the first few months of the campaign, so any conclusions remain very preliminary.

The No Cost Release campaign planning team has identified other metrics and measurements to understand whether the campaign was engaging detainees and their families. These include surveys that Pretrial Services embedded in its intake process to measure exposure to the No Cost Release video, brochures, and posters. The project team is also tracking the number of page views for the campaign website. The most immediate indication of reaching the target population was a spike in the number of detainee calls to Pretrial Services after the launch of the campaign.

FIGURE 2
Santa Clara County Pretrial Releases by Type, October 2017–May 2018



Source: Santa Clara County.

Lessons Learned

The projects supported by the Innovation Fund in Durham and Santa Clara Counties differed in several ways, but a strong common thread was the focus on engaging people and those around them in important aspects of the pretrial process to mitigate negative impacts of involvement with the criminal justice system. Critically, in both places, the actions that system partners wanted defendants to take were voluntary; this required the system to be a persuasive and credible messenger rather than the more common mode of making and enforcing demands. Looking across the experiences of Durham and Santa Clara Counties, several common lessons emerged.

Engage the people you’re trying to reach in the design of your communications strategy. The teams in Durham and Santa Clara Counties recognized that they needed insight from defendants themselves on where and how they could best be reached. Durham County interviewed people who were jailed for

failure to appear to make sure the reminder system was being advertised at the appropriate places. The Santa Clara team engaged defendants in a similar way, soliciting input from Custody Alternative Supervision Program participants to ensure that the campaign material was accessible and persuasive.

Incorporate voices of lived experience. In addition to soliciting the perspectives of people with lived experience of pretrial detention in design of the No Cost Release Campaign, Santa Clara County sought out former pretrial and reentry service clients to participate in the campaign's video. In fact, the first voice in the video is a woman who was released on SORP talking about things she was able to do because she was not detained pretrial. Highlighting the experiences of past beneficiaries put the reasons for seeking a release through pretrial services and the benefits of doing so in relatable terms for the intended audience.

Invest in inclusive outreach. Justice-involved people tend to have little trust in the justice system and can be wary of further engagement with any element of the system. Both counties invested resources to enhance the ability of their campaigns to overcome such distrust. Durham County created more capacity to engage people in person by hiring someone to connect people to the notification system while they were in court. Santa Clara and Durham Counties made all aspects of their campaign multilingual, communicating an inclusivity that is particularly important for immigrant communities that have high levels of distrust in the criminal justice system.

Leverage existing cross-agency justice reform entities. Both counties relied on cross-agency justice planning entities to oversee their Innovation Fund projects and engage new partners as needed. Durham County's CJRC brought together the necessary local actors to develop the automated notification system and successfully created a county-state partnership necessary to access state-administered court records. Santa Clara County's process for the No Cost Release Campaign relied upon, but also strengthened, existing relationships within the Bail and Release Work Group, and the No Cost Release campaign touched on many recommendations from the group's "Consensus Report on Optimal Pretrial Justice."³

Engage nonsystem partners. The efforts in Durham and Santa Clara Counties benefited from resources and expertise available from nongovernmental organizations in their communities. Durham County partnered with Duke University's Center for Advanced Hindsight to pilot different types of text messages to see which are the most effective in preventing FTAs, and both partners are considering how to continue working together. Santa Clara County had connected to community organizations interested in understanding and spreading the word on pretrial release options. The county also began exploring a partnering with Silicon Valley De-Bug, a local community justice organization, to see if the No Cost Release campaign could be connected to their advocacy and communication efforts on pretrial detention. Santa Clara was working to further expand its reach to medical facilities and local public transit lines.

Iterate using data and feedback from partners. Both sites used feedback to adjust their approaches quickly in response to the performance of their efforts. Durham County's team monitored the court notification website views and sign-ups; when the website did not show the level of traffic envisioned,

the team used Google Analytics to find the most popular website in the county related to pretrial matters. After posting a link to courtremininders.dconc.gov on that popular website (which turned out to be the jail inmate population search website), the team noticed a substantial increase in visits. Santa Clara County's project team sought out feedback from community-based organizations, the faith-based community, and other local agencies who helped the team identify that some defendants may be transferred to alternative housing before they can meet with pretrial services, creating a gap in service access.

Prepare for and respond to new demands on agency capacity. Any cross-agency collaborative effort focused on doing new things will place additional demands on participating agencies and their staff. People engaged in planning can find it overwhelming in addition to handling their regular duties. And successful engagement of defendants can create new demands on the system. The up-front work Durham County did on automating its court reminder system generated future efficiencies. The success of Santa Clara County's campaign, which was designed to spur more engagement with Pretrial Services, created some challenges. Soon after the launch, Pretrial Services started receiving more calls from the jail facilities, generating a need to track and respond to calls that came outside business hours. Additionally, jail administrators became overwhelmed with requests to contact Pretrial Services; the campaign team responded by creating a speed dial number to give detained people direct access to the Pretrial Services, rather than having to go through jail staff.

BOX 3

Materials for Replication

Durham and Santa Clara Counties have created successful strategies that they would like to share with other jurisdictions looking to tackle similar problems. Durham County made its website code available in open source domains such as GitHub. Moreover, the Administration of Courts in North Carolina is interested in making the system available across the whole state by sharing its code with all counties. Santa Clara County prepared a package of the materials it developed for the No Cost Release campaign for use by other jurisdictions, which can be accessed [here](#).

Conclusion

In attempts to reduce pretrial detention rates and imposition of financial burdens on people released pretrial, Durham and Santa Clara Counties developed communication strategies that focused on upholding the rights of people at the pretrial stage. Both strategies offer simple solutions and focus on the people who are affected by the justice system the most. It is important to shift to communication modes that meet people where they are, clearly explain what they need to know to take action, and use persuasive and respectful language to overcome distrust.

Preliminary findings from Durham County’s court notification system and Santa Clara County’s No Cost Release campaign are promising. They are fairly simple interventions to execute, but required thoughtful design and defendant input to be executed well. Both also required modifications as issues emerged during the early implementation stages.

Both interventions also had benefits beyond their immediate goals. One example is creating the foundation to integrate previously siloed data systems. To understand some long-term impacts, project leaders needed to have access to the jail data, which was not previously readily shared with their agencies. Another is the partnerships the project leaders initiated among the justice actors and county officials. Such collaboration not only allowed for a successful implementation of the technical aspects but also prompted conversations for future data integration. In this way, innovation can build the capacity for more innovation, moving toward a more fair and effective justice system.

Notes

- ¹ The video is available at https://www.youtube.com/watch?v=2_IKUfCLAPE.
- ² In re. Humphrey on Habeas Corpus, <https://law.justia.com/cases/california/court-of-appeal/2018/a152056.html>.
- ³ The draft report is available at <https://www.sccgov.org/sites/ceo/documents/bail-release-work-group.pdf>.

References

- Dobbie, Will, Jacob Goldin, and Crystal S. Yang. 2018. “The Effects of Pretrial Detention on Conviction, Future Crime, and Employment: Evidence from Randomly Assigned Judges.” *American Economic Review* 108 (2): 201–40.
- Duane, Marina, Nancy La Vigne, Emily Reimal, and Mathew Lynch. 2017. *Criminal Background Checks: Impact on Employment and Recidivism*. Washington, DC: Urban Institute.
- Kainu, M. 2016. *Initial Detention/Subsequent Release in the District of Columbia*. Washington, DC: Pretrial Services Agency for the District of Columbia.
- Levin, Marc, and Michael Haugen. 2018. *Open Roads and Overflowing Jails: Addressing High Rates of Rural Pretrial Incarceration*. Austin: Texas Public Policy Foundation.
- Lowenkamp, Christopher T., Marie VanNostrand, and Alexander Holsinger. 2013. *The Hidden Costs of Pretrial Detention*. Houston: Laura and John Arnold Foundation.
- Oleson, J. C., Christopher T. Lowenkamp, Timothy P. Cadigan, Marie VanNostrand, and John Wooldredge. 2014. “The Effect of Pretrial Detention on Sentencing in Two Federal Districts.” *Justice Quarterly* 33 (6): 1103–22.
- Ortiz, Natalie. 2015. *County Jails at a Crossroads*. Washington, DC: National Association of Counties.
- The Pew Charitable Trusts, Economic Mobility Project and Public Safety Performance Project. 2010. *Collateral Costs: Incarceration’s Effect on Economic Mobility*. Washington, DC: The Pew Charitable Trusts.
- The Pew Research Center, Social and Demographic Trends Project. 2013. *King’s Dream Remains an Elusive Goal: Many Americans See Racial Disparities*. Washington, DC: Pew Research Center.
- Pretrial Justice Institute. 2017. “Pretrial Justice: How Much Does It Cost?” Rockville, MD: Pretrial Justice Institute.
- VanNostrand, Marie, Kenneth J. Rose, and Kimberly A. Weibrecht. 2011. *State of the Science of Pretrial Release Recommendations and Supervision*. Rockville, MD: Pretrial Justice Institute.

About the Authors



Carla Vásquez-Noriega is a research analyst in the Justice Policy Center at the Urban Institute. Her research focuses on policing, crime prevention strategies, and violence prevention programs. She has experience working on a range of issues, including gunshot detection technology, elder abuse, human trafficking, and jail population reduction initiatives. Vásquez-Noriega received her BA in sociology from Yale University, where she conducted research on housing choice vouchers and segregation.



Marina Duane is a research associate in the Justice Policy Center and has substantial experience in policy research and analysis. Duane researches multidisciplinary justice policies and provides technical assistance to local jurisdictions on implementing evidence-based practices and improving their policies. Her research focuses on various victimization topics, reentry issues, and the intersection of criminal justice and human services delivery. Duane has a bachelor's degree in psychology and English from Dnipropetrovsk National University, Ukraine, and a master's degree in international development from the Graduate School of Public and International Affairs at the University of Pittsburgh.



Travis Reginal is a research assistant in the Justice Policy Center. He is interested in the intersection of deviance, race, and class, as well as the use of emotional intelligence programs to prevent crime and reduce recidivism. Reginal graduated from Yale University with a BA in sociology and a concentration in African American and education studies.



Jesse Jannetta is a senior policy fellow in the Justice Policy Center, where he leads research and technical assistance projects on reentry, justice system change efforts, community-based violence reduction strategies, and the practice of risk assessment in the criminal justice system. He holds a BA in political science from University of Michigan and an MPP from the John F. Kennedy School of Government at Harvard University.

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2100 M Street NW
Washington, DC 20037
www.urban.org

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