

**Validation of the
5th Judicial District Pretrial Release Point Schedule
On Polk County Defendants**

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Polk County Pretrial Release Point Schedule Validation Study

Introduction & Summary of Findings

This study was undertaken at the request of the 5th district department of correctional services. The author has extensive experience in validating risk assessment scales, and was on the team of researchers that developed the Iowa juvenile court intake risk assessment, and the Iowa sex offender risk assessment (when she was an analyst with the Iowa Division of Criminal and Juvenile Justice Planning).

Because this was her first validation of a pretrial risk assessment, the author consulted with John Clark, Director of Technical Assistance of the Pretrial Justice Institute in Washington, DC. In addition to discussing methodology, Mr. Clark looked at the 5th district's point schedule and indicated the assessment items were "very standard" compared to other such instruments. Additionally, Paul Stageberg, PhD of the Iowa Division of Criminal and Juvenile Justice Planning indicated that the point schedule looked unchanged since the 1970's, with the possible exception that the cut-point for pretrial release eligibility was lowered by one point. Mr. Stageberg also provided a peer review of this research effort and its findings.

As documented in this report, the current pretrial point schedule was found to be --

- A good predictor of failure to appear charges overall;
- An excellent predictor of failure to appear charges among Black Non-Hispanic defendants; and
- Not predictive for women defendants. This is likely related to the low rate of failure to appear among women defendants (which is less than half the rate of failure to appear for male defendants). A policy of generally considering all women defendants to be good candidates for pretrial release (as long as customary conditions such as having a verified release address are met) may be the best solution in light of the research.

The study also looked at the predictive strength of the individual items of the point schedule. While a majority of the items were good to excellent predictors of failure to appear charges, a few were not. A revised point schedule was developed that further strengthens the predictive power of the point schedule. The revised point schedule eliminates items that are poor predictors, and increases points for criminal record (an excellent predictor). The revised point schedule results in an increase in the number of defendants who would be eligible for pretrial release, without increasing the rate of failure to appear. The revised point schedule also reduces the disproportionate impact of the current point schedule on Black Non-Hispanic defendants.

Methodology

The study population for the validation consisted of defendants who were interviewed for pretrial release during FY2007, per the Iowa Corrections Offender Network (ICON). This data were then linked to ICON information on defendants receiving pretrial supervision, as well as bond event information contained in the Iowa Court Information System (ICIS), in order to identify those defendants who were released from jail prior to disposition of the interview charges. This was necessary in order to accurately compute rates of failure to appear for each risk level per the pretrial release point schedule. That is, defendants remaining in jail have no opportunity to choose to fail to appear.

Matching of defendants between ICON and ICIS was facilitated via the link available in the Iowa Justice Data Warehouse. However, because some defendants' cases have since been expunged in ICIS, outcome information recorded on the pretrial release form was also consulted in many instances. One case was discarded from the study because the person who was interviewed was found to be a juvenile, and was taken to Meyer Hall, as noted on the pretrial release form.

Point schedule information was collected from the pretrial release form and input into the study database. Where available, the verified score information was entered; otherwise, the initial assessment was used. Three defendants were placed on pretrial release twice during the period, and the point schedules for each separate instance of pretrial were examined.

The measure of recidivism used to validate the point schedule was failure to appear charges per ICIS. That is, the primary question under study was: Does the pretrial release point schedule predict defendants' likelihood of failure to appear in court?

The predictive strength of the point schedule was measured using the Mean Cost Rating (MCR) statistic, "perhaps the most satisfactory statistical index of predictive selectivity" (Inciardi, Babst, Koval 1973). MCR is a special case of Somers' D (Greene, Hoffman, Beck 1994), and appropriate to use with ordinal data. MCR measures the effectiveness of a risk assessment instrument by weighing the costs of assessing cases incorrectly at each risk level with the benefits of assessing risk correctly at each risk level in regards to a third factor such as recidivism (Berkson, 1947). MCR scores vary from 0.00 to 1.00; a score of zero indicates that there is no prediction of recidivism, and a score of 1.00 indicates a perfect prediction. "For a device to show any utility for screening or predictive purposes, it must demonstrate a value of MCR of at least .250 and a value of at least .350 to significantly improve on existing judgments (Fischer, 1985)."

The predictive strength of the individual items that comprise the point schedule was examined using both gamma and Somers' D. Gamma is also appropriate for ordinal data; scores vary from -1.00 to 1.00, with the extreme ends indicating perfect prediction (depending on the direction of association), and zero indicating no prediction.

Overview of Pretrial Release in Polk County: FY2007

First, ICON information regarding pretrial release recommendations and decisions was examined. Many defendants receive more than one interview – an initial and a follow-up; in these cases, the follow-up interview was chosen, in order to reflect the final recommendation and decision. In all there were 2,602 defendants interviewed for pretrial release in FY2007. The level of agreement between the pretrial release recommendation and decision is high (Figure 1). The decision-maker agreed with the recommendation in 2,299 cases, or about 99.1% of the 2,319 cases where a recommendation was made.

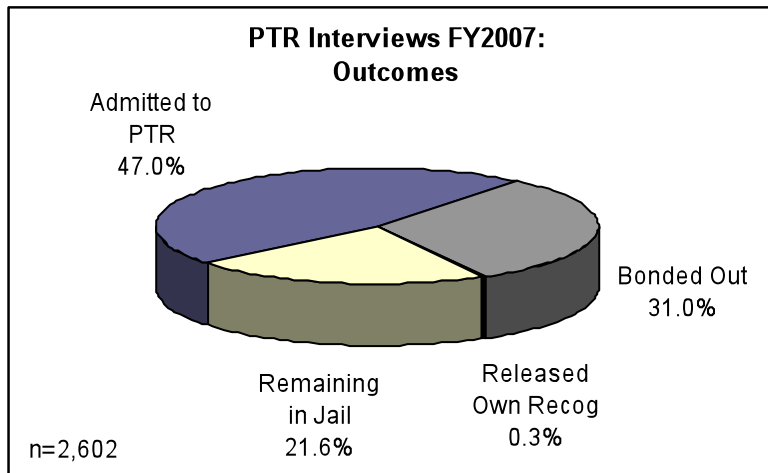
Figure 1: FY2007 Polk County Pretrial Interviews: Recommendations vs. Decisions

Recommendation	Total Interviews	Decision:					
		Bond Not Permitted	No Release	Release on Bond	Release on Own Recognizance	Release with Services	Unknown
Bond Not Permitted	1,145	1,134	2	8			1
No Recommendation	283	3					280
Release on Bond	945	3		940		2	
Release on Own Recognizance	12				12		
Release with Services	217	1		2		213	1
<i>Total Interviews</i>	2,602						
<i>Total Recommendations for Release:</i>				1,174			
<i>Total Decisions for Release (regardless of recommendation)</i>				1,177			

Highlighted cells denote cases where the decision-maker agreed with the recommendation.

Figure 2 shows release outcomes for all 2,602 pretrial release interviews, after cases were matched against pretrial release supervision records and bond events in ICIS. Regarding the large number of defendants admitted to pretrial release, please note many of these individuals were released on bond, but also placed on pretrial release. Also, many of the 31% who were released on bond had recommendations of “bond not permitted,” but posted bail nevertheless, usually through a bail bondsman.

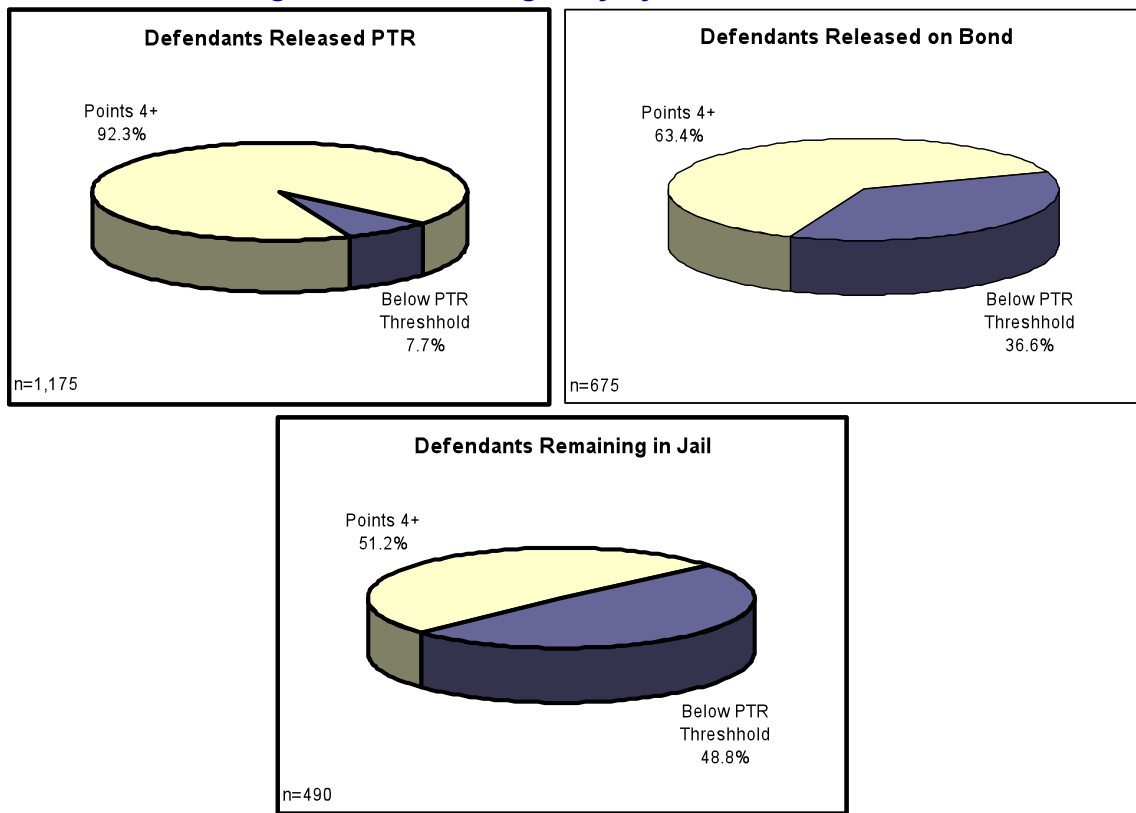
Figure 2



Of the 2,602 defendants interviewed, pretrial release point schedules were found for 2,345 or about 90.1%. Among defendants released from jail (which will comprise the validation sample), assessments were available for 1,855 or about 91.0% of the 2,039 defendants who were released.

All five of the defendants released on their own recognizance who had point schedule information scored as eligible for pretrial release. Figure 3 describes eligibility based on the point schedule for the remaining groups.

Figure 3: Pretrial Eligibility by Outcome: FY2007



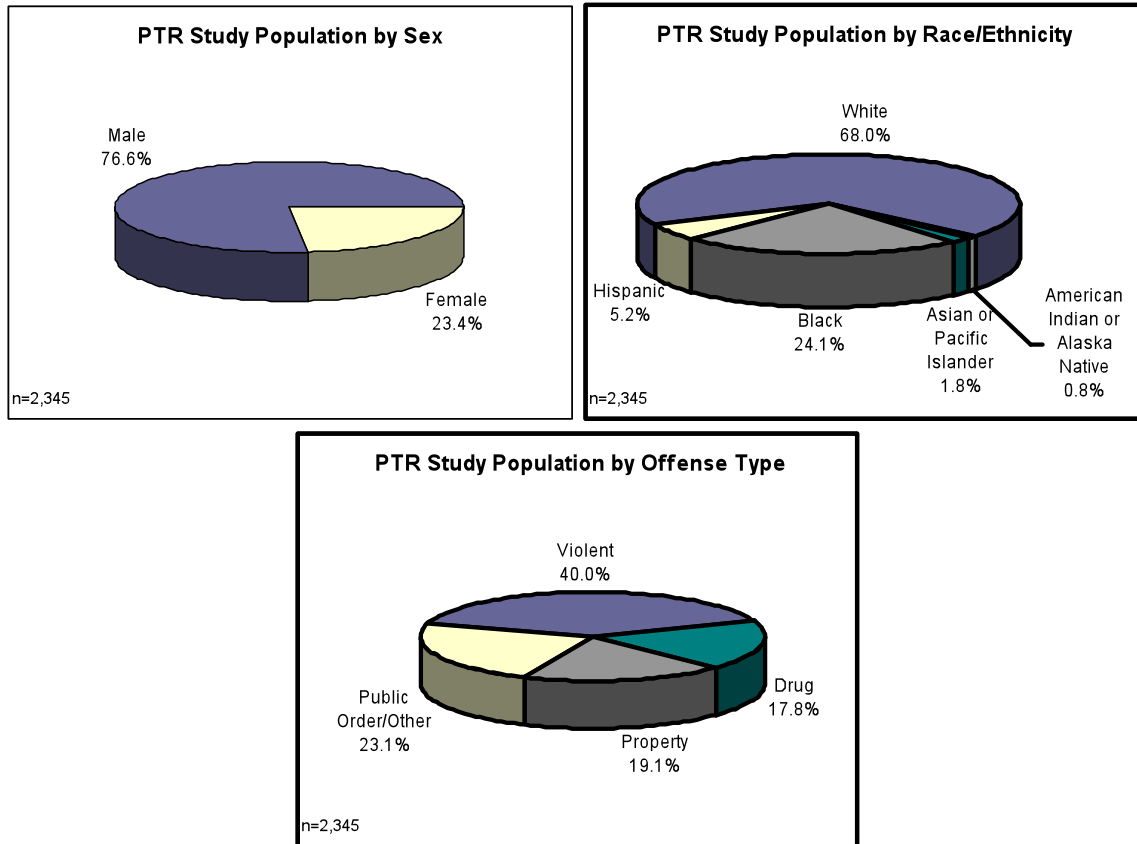
The Validation Study Population

About 90.1% of defendants who were interviewed for pretrial release had assessments available, and could therefore be included in the study (Figure 4).

Outcome Group	Total Interviewed	Number w/Assessments	Percent w/Assessments
Admitted to PTR	1,222	1,175	96.2%
Bonded Out	807	675	83.6%
Released Own Recognizance	10	5	50.0%
Remaining in Jail	563	490	87.0%
Totals	2,602	2,345	90.1%

Further details regarding defendants with pretrial release point schedule information were gathered, so that these factors could be analyzed in comparison with pretrial release eligibility based on the assessment. Figure 5 describes the study population by sex, race/ethnicity, and by offense type. Regarding offense type, the most serious charge – meaning the charge carrying the longest maximum penalty – is reported.

Figure 5: Characteristics of the PTR Study Population



Disproportionate Outcomes by Race/Ethnicity

Analysis of defendant characteristics found differences in the rate of release for some race/ethnic groups. Specifically, lower percentages of defendants who are Native American, African American or Latino/Hispanic were released when compared to the release rate of White, non-Hispanic defendants (Figure 6). These differences were found to be statistically significant at the 95% confidence level.

Race/Ethnicity	PTR	Bond	ROR	Jail	Totals	Percent Released
American Indian or Alaska Native	7	4	1	7	19	63.2%
Asian or Pacific Islander	31	7	0	4	42	90.5%
Black	235	149	1	181	566	68.0%
White	848	484	3	260	1,595	83.7%
Hispanic	54	31	0	38	123	69.1%
Totals	1,175	675	5	490	2,345	79.1%

A comprehensive analysis of factors contributing to disproportionality in pretrial release eligibility and decision-making is beyond the scope of this study. However, comparison of point schedule information for defendants remaining in jail finds lower percentages of Native American and Black, non-Hispanic defendants remaining in jail who score eligible for pretrial, compared with Whites remaining in jail (Figure 7).

Race/Ethnicity	Total Defendants	N Below PTR Threshold	N Eligible	Percent Eligible
American Indian or Alaska Native	7	6	1	14.3%
Asian or Pacific Islander	4	1	3	75.0%
Black	181	129	52	28.7%
Hispanic	38	18	20	52.6%
White	260	142	118	45.4%
Totals	490	296	194	39.6%

As will be discussed later in this report, the validation findings led to creation of a revised point schedule that reduces the disproportionality of the point schedule with regard to race/ethnic group, especially for African-American defendants.

FIFTH JUDICIAL DISTRICT PRE-TRIAL RELEASE POINT SCHEDULE

<u>INT</u>	<u>VER</u>	<u>RESIDENCE</u> —staying with mom or friends for a while, a mailing address or under a bridge is not a stable address. Central Iowa = bordering counties.
3	3	Presently resided one year or more within central Iowa at a stable address
2	2	Presently resided six months within central Iowa <u>OR</u> five years in State of Iowa
1	1	Resides in the State of Iowa

+1 +1 Owns home or one year or more at same residence

OR

FAMILY TIES

3	3	Lives with spouse/partner and has a telephone <u>OR</u> lives with spouse/partner and has weekly contact with family
2	2	Lives with spouse/partner <u>OR</u> parents/grandparents <u>OR</u> lives alone but has significant stability at current address(owns house/has lived there a year)
1	1	Lives with adult family member whom he/she gives as a reference

NOTE—If common law or a partner, must have been living together for two years

EMPLOYMENT—Pt employment does not include temporary services

4	4	Present full-time job one year or more <u>OR</u> continued FT/ PT employment for past two years
3	3	Continued full-time employment for one year
2	2	Continued full-time employment for six months <u>OR</u> continued part-time employment for one year
		<u>OR</u> retired
1	1	Present job still available <u>OR</u> receives unemployment compensation or welfare/disability or is a full-time primary child care giver/adult care giver

NOTE—Deduct one point if job is not steady or is seasonal

EDUCATION

3	3	Enrolled in school full-time and has attended regularly for one school year
2	2	Enrolled in school full-time and has attended regularly for one semester
1	1	Enrolled in school

CRIMINAL RECORD (a deferred judgment is considered to be a conviction)

2	2	No convictions
1	1	Serious or simple misdemeanor convictions
0	0	Aggravated misdemeanor convictions <u>OR</u> two misdemeanor convictions in the last year
-1	-1	One felony conviction <u>OR</u> four misdemeanor convictions in the last year
-2	-2	Two felony convictions
-3	-3	Three felony convictions

NOTE—Deduct one point if defendant has been convicted of a forcible felony: Murder, Sexual Abuse, Kidnapping, Robbery, Arson-1st, Burglary-1st, Felonious Assault

MISCELLANEOUS

-1	-1	Two or More Failure to Appear (admitted or documented)(simples, truancy issues, COC, etc.)
-1	-1	Present drug or alcohol abuse
-1	-1	Obvious mental health issues

TOTAL POINTS—Must score at least four(4) points to be considered for pre-trial release.

NOTE—Score interview side...at the time of arrest. Score verification after Initial appearance and no contact order(if applicable). **MUST HAVE A VERIFIED RELEASE ADDRESS WHICH SHOULD NOT BE A MOTEL.**

Predictive Power of the Current Point Schedule

The 5th judicial district pre-trial release point schedule is printed on the preceding page. The predictive strength of the total points, as well as the individual items that make up the point schedule, were evaluated for the 1,855 defendants who were released prior to trial.

Tracking of these defendants found eight (8) were charged with failure to appear prior to disposition of the charges under study. Therefore the overall failure to appear rate was 0.4%, or less than one-half of one percent. The failure to appear rate for those scoring ineligible for pretrial release (but who were released) is 1.5%, which is significantly higher than those who scored eligible (Figure 8). The Mean Cost Rating (MCR) is .445, indicating good prediction.¹

The MCR of the point schedule for men is .531, indicating very good prediction (Figure 9). However, the MCR of the point schedule for women is 0, indicating no prediction (Figure 10). With regard to this finding, only one female defendant was charged with failure to appear, and she scored a 9 on the point schedule. Failure to predict for women may be due in part to the low rate of failure to appear for female defendants – less than half the rate compared with male defendants. However, it may also be due to lack of study of gender-responsive factors that may predict failure to appear for female defendants.

Figure 8: Current Point Schedule – Predictive Strength

Current Score Categories	Current Cut-Offs	Count	Fail to Appear Charge	FTA Rate
No Release	Low thru 3	337	5	1.5%
Eligible for Pretrial Release	4 and Over	1,518	3	0.2%
All Cases		1,855	8	0.4%

Mean Cost Rating (MCR): .445 (Good)

Figure 9: Predictive Strength for Males

Current Score Categories	Current Cut-Offs	Count	Fail to Appear Charge	FTA Rate
No Release	Low thru 3	263	5	1.9%
Eligible for Pretrial Release	4 and Over	1,152	2	0.2%
All Cases		1,415	7	0.5%

Mean Cost Rating (MCR): .531 (Very Good)

Figure 10: Predictive Strength for Females

Current Score Categories	Current Cut-Offs	Count	Fail to Appear Charge	FTA Rate
No Release	Low thru 3	74	0	0.0%
Eligible for Pretrial Release	4 and Over	366	1	0.3%
All Cases		440	1	0.2%

Mean Cost Rating (MCR): .0 (No Prediction)

¹ Descriptive terms (e.g., Good, Very Good, etc.) were chosen by the author. The terms Poor and Weak describe results that fall below the Fischer benchmarks for acceptable prediction.

It was not possible to assess the predictive strength of the point schedule with regard to Native American, Asian and Latino/Hispanic defendants due to their low numbers. The MCR of the point schedule for African-American defendants is .738, indicating excellent prediction (Figure 11). As shall be discussed later, it was possible to create a revised point schedule that achieves better overall prediction, and reduces disproportionality for Black defendants.

Figure 11: Predictive Strength for Blacks (Non-Hispanic)

Current Score Categories	Current Cut-Offs	Count	Fail to Appear Charge	FTA Rate
No Release	Low thru 3	103	3	2.9%
Eligible for Pretrial Release	4 and Over	282	0	0.0%
All Cases		385	3	0.8%

Mean Cost Rating (MCR): .738 (Excellent)

Figure 12 on pages 10 through 12 describe the predictive strength of the individual items of the point schedule. The majority of items are good to excellent predictors of failure to appear. One factor – Present Drug or Alcohol Abuse – is a weak predictor. Three items were found to be poor predictors: Family Ties, Two or More Failure to Appear (which includes several types of situations as described on the point schedule), and Obvious Mental Health Issues.

With regard to Employment, the one-point deduction for unseasonal or unsteady work was found to lower the predictive strength of the Employment item. Without the point deduction, the gamma score for Employment is -.441 and the Somers' D is -.330 – a slight improvement in predictive strength.

The point deduction associated with Criminal Record, however, was found to produce stronger prediction than if it were taken out.

**Figure 12: Predictive Strength of Individual Items
Current Point Schedule**

Current Residence	Point Scale	Count	Fail to Appear Charge	FTA Rate
1+ years central Iowa at stable address	3	1,078	2	0.2%
6 months central Iowa <u>or</u> 5 years in Iowa	2	673	6	0.9%
Resides in Iowa	1	95	0	0.0%
Not as above	0	9	0	0.0%

Gamma: -.498; Somers' d: -.290 (Good)

Residence - Home Ownership	Point Scale	Count	Fail to Appear Charge	FTA Rate
Owns home <u>or</u> 1+ year at same residence	1	569	0	0.0%
Not as above	0	1,286	8	0.6%

Gamma: -1.000; Somers' d: -.308 (Good to Excellent)

Figure 12 (cont.): Predictive Strength of Individual Items Comprising Point Schedule

Family Ties	Point Scale	Count	Fail to Appear Charge	FTA Rate
Lives w partner/spouse & has phone or weekly contact w family	3	381	1	0.3%
Lives w partner/spouse <u>or</u> parents/grandparents <u>or</u> lives alone but has significant stability at current address	2	627	4	0.6%
Lives w adult family member whom he/she gives as a reference	1	127	0	0.0%
Not as above	0	720	3	0.4%

Gamma: -.007; Somers' d: -.005 (Poor)

Current Employment (deduct point for unsteady/seasonal work)	Point Scale	Count	Fail to Appear Charge	FTA Rate
Full-time 1+ years <u>or</u> continued FT/PT for past 2 years	4	672	1	0.1%
Continued FT for 1 year <u>or</u> previous category w point deducted	3	73	0	0.0%
Continued FT for 6 months <u>or</u> continued PT for 1 year or retired <u>or</u> previous category w point deducted	2	127	1	0.8%
Job still available <u>or</u> receives unemployment compensation <u>or</u> welfare/disability <u>or</u> is a FT primary child care giver/adult care giver <u>or</u> previous category w point deducted	1	469	2	0.4%
Not as above <u>or</u> previous category w point deducted	0	508	4	0.8%
Not as above plus point deducted	-1	6	0	0.0%

Gamma: -.420; Somers' d: -.314 (Good)

Current Education	Point Scale	Count	Fail to Appear Charge	FTA Rate
Enrolled in school FT and has attended regularly for 1 school year	3	65	0	0.0%
Enrolled in school FT and has attended regularly for 1 semester	2	16	0	0.0%
Enrolled in school	1	54	0	0.0%
Not as above	0	1,720	8	0.5%

Gamma: -1.000; Somers' d: -.073 (Interpret as Good to Excellent)

Figure 12 (cont.): Predictive Strength of Individual Items Comprising Point Schedule

Criminal Record (deduct point for forcible felony)	Point Scale	Count	Fail to Appear Charge	FTA Rate
No convictions	2	639	0	0.0%
Serious or simple misdemeanor convictions	1	563	2	0.4%
Aggravated misdemeanor convictions <u>or</u> two misdemeanor convictions in the last year	0	295	2	0.7%
One felony conviction <u>or</u> four misdemeanor convictions in the last year	-1	207	2	1.0%
Two felony convictions <u>or</u> previous category w point deducted	-2	85	0	0.0%
Three felony convictions <u>or</u> previous category w point deducted	-3	59	1	1.7%
Three felony convictions plus point deducted	-4	7	1	14.3%

Gamma: -.634; Somers' d: -.540 (Excellent)

Miscellaneous Item 1: Failure to Appear	Point Scale	Count	Fail to Appear Charge	FTA Rate
2 + Fail to Appear	-1	56	0	0.0%
Not as above	0	1,799	8	0.4%

Gamma: 1.000; Somers' d: .030 (Poor - association in wrong direction)

Miscellaneous Item 2: Substance Abuse	Point Scale	Count	Fail to Appear Charge	FTA Rate
Present drug or alcohol abuse	-1	1,019	5	0.5%
Not as above	0	836	3	0.4%

Gamma: -.156; Somers' d: -.076 (Weak)

Miscellaneous Item 3: Mental Illness	Point Scale	Count	Fail to Appear Charge	FTA Rate
Obvious mental health issues	-1	61	0	0.0%
Not as above	0	1,794	8	0.4%

Gamma: 1.000; Somers' d: .033 (Poor - association in wrong direction)

The Revised Pretrial Release Point Schedule

In summary, the current pretrial release point schedule was found to be a good predictor of failure to appear. However, three of the items are actually poor predictors of failure to appear, and the one-point deduction in Employment was found to weaken prediction for the item. This researcher therefore sought to improve the predictive strength of the point schedule.

As a first step, different alternative cut-off scores for the current point schedule were analyzed. Several alternative cut-off scores for pretrial eligibility were found, that were more predictive than the current cut-off of four points and above. Of these, the most predictive involved creation of a medium risk category comprised of defendants scoring four or five. However, what would a medium risk category mean for pretrial release decision-making? The number of defendants in the medium risk group – 412 – is too large to contemplate assignment to intensive pretrial release, for example. The remaining alternative cut-off scores that resulted in better prediction also resulted in a decrease in pretrial release eligibility. Given that 7.7% of the study population placed on pretrial release scored fewer than four points, it appears decision-makers would rather seek sound alternatives that expand, rather than limit, pretrial release eligibility.

Next, alternative revised point schedules were systematically designed and analyzed. This activity was focused on eliminating some or all of the poor predictors, with a goal of increasing overall prediction. Eight different schemes were analyzed in all, in an iterative process where the lessons learned from the previous scheme informed the subsequent attempt. On the following page is the final revised point schedule that resulted.

Compared with the current point schedule, the revised schedule:

- Eliminates Family Ties (poor predictor).
- Eliminates the Miscellaneous items of two or more prior failure to appears, and obvious mental health issues (poor predictors).
- Eliminates the one-point deduction for unsteady or seasonal work (detracts from the predictive strength).
- Increases points for the top two categories in Criminal Record (improves overall prediction).
- Establishes a new cut-off score of two points and above to be eligible for pretrial release.
- Is a stronger overall predictor of failure to appear charges (MCR of .540 compared to MCR of .445 for the current cut-offs).
- Draws a clear line between high risk and low risk defendants with regard to the risk of failure to appear (eliminating any predictive value of defining a medium risk category).
- Results in a 16.2% increase in defendants who score eligible for pretrial release.
- Results in a 28.7% increase in Black defendants who score eligible for pretrial release, thus reducing some of the disproportionate effect of the point schedule.
- Is a better reflection of current decision-making regarding placement on pretrial release.

**FIFTH JUDICIAL DISTRICT PRE-TRIAL RELEASE POINT SCHEDULE
REVISED**

<u>INT</u>	<u>VER</u>	<u>RESIDENCE</u> -staying with mom or friends for a while, a mailing address or under a bridge is not a stable address. Central Iowa = bordering counties.
3	3	Presently resided one year or more within central Iowa at a stable address
2	2	Presently resided six months within central Iowa OR five years in State of Iowa
1	1	Resides in the State of Iowa
+1	+1	Owns home or one year or more at same residence

EMPLOYMENT-Pt employment does not include temporary services

4	4	Present full-time job one year or more OR continued FT/ PT employment for past two years
3	3	Continued full-time employment for one year
2	2	Continued full-time employment for six months OR continued part-time employment for one year OR retired
1	1	Present job still available OR receives unemployment compensation or welfare/disability or is a full-time primary child care giver/adult care giver

EDUCATION

3	3	Enrolled in school full-time and has attended regularly for one school year
2	2	Enrolled in school full-time and has attended regularly for one semester
1	1	Enrolled in school

CRIMINAL RECORD (a deferred judgment is considered to be a conviction)

3	3	No convictions
2	2	Serious or simple misdemeanor convictions
0	0	Aggravated misdemeanor convictions OR two misdemeanor convictions in the last year
-1	-1	One felony conviction OR four misdemeanor convictions in the last year
-2	-2	Two felony convictions
-3	-3	Three felony convictions

NOTE—Deduct one point if defendant has been convicted of a forcible felony: Murder, Sexual Abuse, Kidnapping, Robbery, Arson-1st, Burglary-1st, Felonious Assault

SUBSTANCE ABUSE

-1	-1	Present drug or alcohol abuse
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TOTAL POINTS-Must score at least TWO (2) points to be considered for pre-trial release.

NOTE—Score interview side...at the time of arrest. Score verification after Initial appearance and no contact order (if applicable). **MUST HAVE A VERIFIED RELEASE ADDRESS WHICH SHOULD NOT BE A MOTEL.**

When the information in Figure 13 is compared with similar data for the current point schedule (Figure 8 on p. 9), one may observe that the failure rate of the “no release” group is more than doubled, the number of defendants eligible for pretrial release is increased, and the predictive strength is improved.

Figure 13: Revised Point Schedule --Predictive Strength

Revised Score Categories	Current Cut-Offs	Count	Fail to Appear Charge	FTA Rate
No Release	Low thru 1	162	5	3.1%
Eligible for Pretrial Release	2 and Over	1,693	3	0.2%
All Cases		1,855	8	0.4%

Mean Cost Rating (MCR): .540 (Very Good)

Under the current point schedule, there is little difference in the percent of female defendants who score eligible for pretrial release when compared with men (Figure 14) – despite their much lower rate of failure to appear. Under the revised point schedule, more women are eligible for pretrial release, and a higher percentage of women compared to men score eligible – which is a better reflection of their lower risk.

Figure 14: Pretrial Eligibility by Sex Current vs. Revised Point Schedules			
	Total	Female	Male
Current	1,712	408	1,304
% Eligible	73.0%	74.5%	72.6%
Revised	1,989	499	1,490
% Eligible	84.8%	91.1%	82.9%

Under the current point schedule, just 73.2% of Blacks on pretrial release or bond score eligible for pretrial release – 10.4 percentage points below Whites (Figure 15 below). Under the revised point schedule, more Blacks who are released score as eligible – just 4.3 percentage points below Whites. A substantial increase in eligibility for Blacks overall is observed for the entire assessed population (Figure 15 next page and Figure 16). In all, Blacks make up 34.7% of the increase in defendants scoring eligible for pretrial under the revised point schedule.

Figure 15: Pretrial Eligibility by Race/Ethnicity Current vs. Revised Point Schedules							
	Total Eligible	American Indian or Alaska Native	Asian or Pacific Islander	Black	Hispanic	White	Percent Difference in Eligibility: Whites vs. Blacks
For Releasees Only:							
Current (4+ points)	1,518	8	35	282	76	1,117	
% Eligible	81.8%	66.7%	92.1%	73.2%	89.4%	83.7%	10.4%
Revised (2+)	1,693	8	36	338	82	1,229	
% Eligible	91.3%	66.7%	94.7%	87.8%	96.5%	92.1%	4.3%

Because of rounding, percentage differences may not exactly reflect mathematical results derived from the table.

Figure 15 (cont) : Pretrial Eligibility by Race/Ethnicity – Current vs. Revised Point Schedules

	Total Eligible	American Indian or Alaska Native	Asian or Pacific Islander	Black	Hispanic	White	Percent Difference in Eligibility: Whites vs. Blacks
For All Assessed (includes those remaining in jail):							
Current (4+ points)	1,712	9	38	334	96	1,235	
% Eligible	73.0%	47.4%	90.5%	59.0%	78.0%	77.4%	18.4%
Revised (2+)	1,989	10	39	430	108	1,402	
% Eligible	84.8%	52.6%	92.9%	76.0%	87.8%	87.9%	11.9%

Figure 16: Pretrial Release Eligibility (All Assessed)

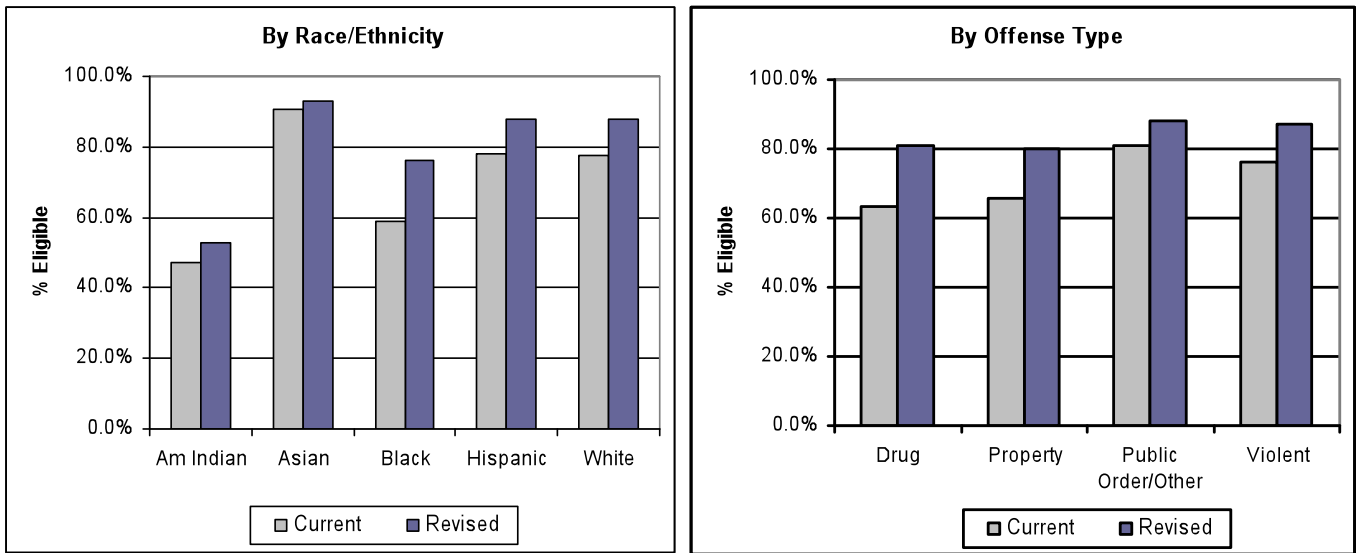
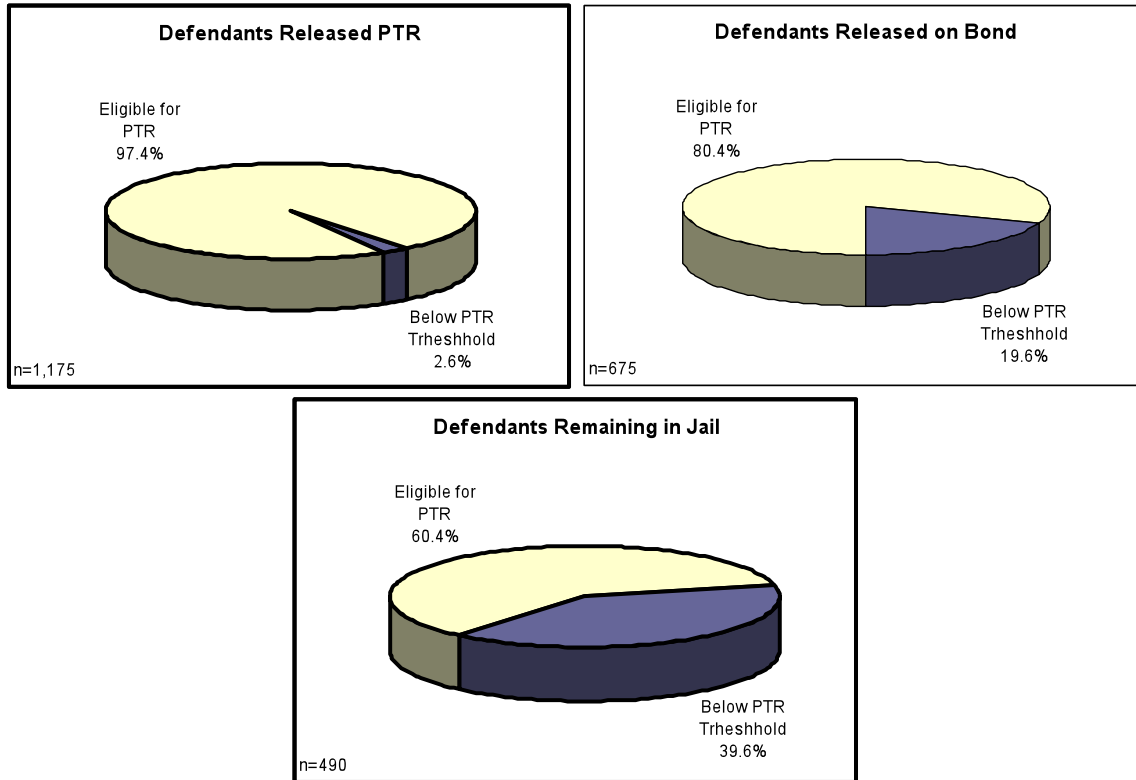


Figure 16 also shows changes in pretrial release eligibility by offense type. While there is an increase in eligible defendants for all offense types, eligibility among those charged with drug and property offenses increases the most.

When the information in Figure 17 is compared with similar data for the current point schedule (Figure 3 on p. 5), one may observe that a larger percentage of defendants on pretrial release score eligible for that placement under the revised point schedule. Therefore, the revised point schedule is a better reflection of current decision-making.

Figure 17: Pretrial Eligibility -- Revised Point Schedule



Eligibility among defendants released on bond and those remaining in jail also increased. While there are undoubtedly legitimate reasons for denying release for some eligible defendants, the revised schedule creates a larger pool of defendants for decision-makers to consider for pretrial placement. Additionally, it is the researcher's hope that this statistical validation of the pretrial release point schedule for Polk County defendants provides decision-makers with increased confidence in using the results of the point schedule to make release decisions.

Addendum: Alternative Measures of Recidivism

Previously, data had been obtained from ICIS regarding new charges incurred by persons on pretrial release or bond. During a process of comparing offense date information with ICON, some discrepancies arose – specifically, some offenses were found to have not occurred during the pretrial release period after all. While the number of these discrepancies was small, some doubt arose as to the quality of the data. However, during a meeting with pretrial services staff, the staff offered to manually collect new offense information from the files. This was then compared with the previous data set, and while a few more edits resulted, the process restored confidence in the quality of the ICIS data not only for the defendants granted pretrial release, but for those who bonded out as well.

Two new recidivism measures were developed and tested that made use of new offense information:

1. Failure to Appear or any new charge.
2. Failure to Appear or new felony charge.

As shown in Figures A-1 and A-2, neither the current nor revised point schedules are good predictors of new charges – although the revised point schedule did better. However, when new charges were limited to felonies only, both the current and revised point schedules were found to be good predictors – although again the revised point schedule did better (Figures A-3 and A-4).

**Figure A-1: Current Point Schedule – Predictive Strength
Failure to Appear or Any New Charge**

Current Score Categories	Current Cut-Offs	Count	FTA/New Charge	Failure Rate
No Release	Low thru 3	337	36	10.7%
Eligible for Pretrial Release	4 and Over	1,518	115	7.6%
All Cases		1,855	151	8.1%

Mean Cost Rating (MCR): .062 (Poor)

**Figure A-2: Revised Point Schedule – Predictive Strength
Failure to Appear or Any New Charge**

Revised Score Categories	Current Cut-Offs	Count	FTA/New Charge	Failure Rate
No Release	Low thru 1	162	25	15.4%
Eligible for Pretrial Release	2 and Over	1,693	126	7.4%
All Cases		1,855	151	8.1%

Mean Cost Rating (MCR): .085 (Poor)

**Figure A-3: Current Point Schedule – Predictive Strength
Failure to Appear or New Felony Charge**

Current Score Categories	Current Cut-Offs	Count	FTA/New Felony Charge	Failure Rate
No Release	Low thru 3	337	14	4.2%
Eligible for Pretrial Release	4 and Over	1,518	18	1.2%
All Cases		1,855	32	1.7%

Mean Cost Rating (MCR): .260 (Good)

**Figure A-4: Revised Point Schedule – Predictive Strength
Failure to Appear or New Felony Charge**

Revised Score Categories	Current Cut-Offs	Count	FTA/New Felony Charge	Failure Rate
No Release	Low thru 1	162	12	7.4%
Eligible for Pretrial Release	2 and Over	1,693	20	1.2%
All Cases		1,855	32	1.7%

Mean Cost Rating (MCR): .293 (Good)

With regard to the poor predictive strength of the point schedule for any new charge, this researcher would note there appeared to be a high number of new charges related to violation of a no contact order, contempt of court due to such violations, or new domestic violence charges. While many domestic abusers appear to score favorably for pretrial release, the district might contemplate strategies for more closely supervising these defendants while on release.