

## Pretrial Release and Detention Process

*Submitted by: Research Advisory Committee  
rac.006.A11*

**WHEREAS**, the execution of four Lakewood Washington police officers by a dangerous convicted felon previously charged with assaulting two deputy sheriffs and subsequently approved for pretrial release for yet another offense brought to light the critical need to conduct comprehensive dangerousness assessments for all arrestees before they are released on any pretrial status; and

**WHEREAS**, the IACP, in collaboration with the Pretrial Justice Institute and the Bureau of Justice Assistance held a roundtable of law enforcement and justice leaders to further explore this critical and urgent officer and public safety concern, resulting in the publication entitled *Law Enforcement's Leadership Role in the Pretrial Release and Detention Process*; and

**WHEREAS**, a primary role of government is to ensure the safety and well-being of its citizens, and government leaders are responsible to protect the lives of police officers serving their nation; and

**WHEREAS**, it is the responsibility of the criminal justice system to continually evaluate the impact of policies, procedures and common practices by developing standards that support individual rights, crime prevention, and public safety; and

**WHEREAS**, the United States Supreme Court has held that danger to the community is a legitimate consideration when setting bail or pretrial release conditions; and

**WHEREAS**, numerous jurisdictions set bail according to the offense title without taking into consideration any verified or validated information regarding individual risks posed by the individual defendant; and

**WHEREAS**, many states have no legal option to detain unmanageably dangerous pretrial defendants other than by setting high cash or surety bail in the hopes the defendant cannot pay; and

**WHEREAS**, a government run or government funded pretrial services program designed through a rigorous process of applied research and performance measurement is fundamental to the determination of a meaningful and reliable dangerousness assessment for use by the judiciary; and

**WHEREAS**, according to the Bureau of Justice Statistics, two million defendants are released annually from pretrial detention by approximately 14,000 commercial bail agents nationwide; and

**WHEREAS**, according to Federal Bureau of Investigations' Law Enforcement Officers Killed and Assaulted data, 25% of offenders who feloniously killed law enforcement officers during the period 1995 – 2009 were under supervision of the judicial system at the time of the murder; now, therefore, be it

**RESOLVED**, the International Association of Chiefs of Police (IACP) calls for a national law enforcement summit to address the need for bail reform and in particular the urgent need for more robust pretrial services that conduct dangerousness assessments for use by the judiciary when considering pretrial release as detailed within the publication launched by IACP in collaboration with the Bureau of Justice Assistance and the Pretrial Justice Institute, titled *Law Enforcement's Leadership Role in the Pretrial Release and Detention Process*.