

April 23, 2019

David E. Krahl  
Assistant Professor, Criminology and Criminal Justice  
University of Tampa  
Delivered by Email

Dear Professor Krahl;

I write today to make clear my objection to a citation to work produced by the Crime and Justice that is out of context and misleading in its use. I am referring to the reference to a Community Resources for Justice analysis in your study called, *Detaining or Releasing Defendants from Pretrial Confinement: A Case for the Continued Use of Surety Bonding as a Cost Containing Mechanism for Secured Pretrial Release*.

I am the executive director of the Crime and Justice Institute (CJI), a nonprofit organization located in Boston, Massachusetts. We provide, among other things, technical assistance to cities, counties, states and the federal government related to criminal justice policy, analysis, training and evaluation. We have been engaged in pretrial research and analysis at the local, state and national level for several years and your study caught our attention because it appears to challenge the assertion that large numbers of criminal defendants are being held in pretrial detention solely as a result of their inability to post secured bond.

Upon reading it, we discovered that you referenced our parent organization, Community Resources for Justice (CRJ)<sup>1</sup> in referring to a conclusion purported to have been made in 2016. This reference was not in a footnote or cited so we were initially unsure to what study or assessment you were referring. The reference struck us as odd because the finding and conclusion ascribed to CRJ did not seem like anything CRJ or its research arm, CJI, would have said, written, implied, or concluded.

Through my colleague Len Engel, we asked for additional information about the reference and, in an email, you stated that it came from a presentation at a National Criminal Justice Association conference in Baltimore in 2016. That presentation focused on an evaluation and validation study of the Delaware pretrial risk assessment tool then in use. CJI's lead researcher, Dr. Kristin Bechtel and her team conducted the evaluation. In the 2016 presentation, CJI included slides that appear to have led to the conclusions asserted by you, Dr. Krahl, in your study.

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<sup>1</sup> Community Resources for Justice is a 140 year old nonprofit organization located in Boston, Massachusetts that engages in various activities under individual programs. The Crime and Justice Institute is one of these individual programs and was the organization contracted by Delaware to conduct the assessment.

The CJI evaluation concluded that the *particular* pretrial risk assessment tool, one that Delaware officials created and implemented, did not meet the expectations that are typical or produce the results expected when an agency employs an assessment tool to assist in making pretrial determinations. The conclusions were based on the evaluation of this tool and this tool only. The conclusions were in no way a finding on the use or effectiveness of pretrial risk assessment tools generally. In fact, the presentation of the findings included information *supporting* the use of appropriate risk assessment tools in making pretrial decisions. Obviously, the context of a particular slide is vital within a multi-slide presentation in explaining the path the researchers took to arrive at a particular conclusion.

However, your study not only ignores context in your attempt to draw your own unsupported conclusion but, in fact, ascribes to CRJ and, by extension CJI, a finding and conclusion that was never made in the referenced presentation. Nowhere in our presentation did we draw a conclusion, generalized or specific, that "...the very risk assessment tool relied upon to determine pretrial success or failure simply does not work as designed." Nor did we state that the answer to the three questions posed in the slide "...was a resounding *no*." This is the sole reference within the text of the study and it seems that you appear to rely heavily on this misrepresentation to validate your conclusion that pretrial risk assessments, generally, do not work.

This reference to our work is at best sloppy and CJI cannot let this misrepresentation go unchallenged. With this, I request that the study be retracted and a correction be issued. We also noticed that the study is prominently displayed on the University of Tampa, Department of Criminology website under "Related News." CJI's reputation for exhaustive research and supported conclusions as well as our role in policy and research conversations in the criminal justice field require that a study promoted by a university, purported to be a work of scholarship be corrected when our name is incorrectly or inaccurately associated with a particular assertion.

Please let us know, at your earliest convenience, your response to this request and what we can expect. We wish to avoid further action on this matter and look forward to your response.

Sincerely,



Christine M. Cole

CC: Kathryn Branch, Chair/Professor, Criminology and Criminal Justice, University of Tampa  
Leonard Engel, Director of Policy and Campaigns, Crime and Justice Institute  
John J. Larivee, President and CEO, Community Resources for Justice