



## King County

Office of Performance, Strategy & Budget  
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KING COUNTY COUNCIL

April 2, 2012

The Honorable Larry Gossett  
Chair, King County Council  
Room 1200  
C O U R T H O U S E

Dear Councilmember Gossett:

The enclosed report fulfills the requirement in Section 2 of Ordinance 16953 to provide a quarterly update, beginning in the fourth quarter of 2010, regarding the “progress on the development of and implementation plan for” a pretrial risk assessment tool. This is the sixth progress report and covers activities conducted through 1<sup>st</sup> Quarter 2012.

For the past two years, the County’s criminal justice partners have been examining the emerging national practice of using a pretrial risk assessment tool. In particular, the Adult Justice Operational Master Plan (AJOMP) Advisory Committee charged the Pretrial Risk Assessment Workgroup with reviewing this practice, assessing whether it was applicable in King County, and recommending potential next steps. In April 2010, the Workgroup completed its report within which it noted the potential benefits and limitations of a pretrial risk assessment tool and recommended proceeding with its development. Since the report was completed, the Workgroup has received support from our criminal justice partners and the Council, through Ordinance 16953, for proceeding with development of the tool.

The enclosed progress report for the 1<sup>st</sup> Quarter 2012 highlights all of the major steps accomplished and status of milestones. Through the 1<sup>st</sup> Quarter, the project has made considerable progress. Notable accomplishments include finalization of data collection software, beginning of data analysis, initiation of planning work for future implementation of the tool, and development of an agreement with the Seattle Municipal Court to participate in the project.

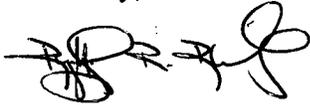
The tool development effort supports the King County Strategic Plan’s goal to “support safe communities and accessible justice systems for all,” and specifically supports the Justice and Safety objectives to “ensure fair and accessible justice systems,” and “ensure offending individuals are appropriately detained or sanctioned.”

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Preparation of this report required approximately three hours of staff time at a cost of approximately \$200.

If you have any questions, please contact Michael Gedeon, Supervising Senior Policy Analyst, Office of Performance, Strategy, and Budget, at 206-263-9698.

Sincerely,



Dwight Dively  
Director, Office of Performance, Strategy and Budget

Enclosure  
4<sup>th</sup> Quarter 2011 Progress Report

cc: King County Councilmembers  
    ATTN: Michael Woywod, Chief of Staff  
          Mark Melroy, Senior Principal Legislative Analyst, BFM Committee  
          Anne Noris, Clerk of the Council  
Claudia Balducci, Director, Department of Adult and Juvenile Detention (DAJD)  
Nate Caldwell, Director, Community Corrections Division, DAJD  
Dwight Dively, Director, Office of Performance, Strategy, and Budget (PSB)  
Krista Camenzind, Budget Supervisor, PSB  
Fred Jarrett, Deputy County Executive, King County Executive Office (KCEO)  
Rhonda Berry, Assistant Deputy County Executive, KCEO  
Sung Yang, Director of External Affairs and Government Relations, KCEO  
Frank Abe, Director of Communications, KCEO  
Carrie Cihak, Strategic Initiatives Director, KCEO  
Gail Stone, Law and Justice Policy Advisor, KCEO

## **Pretrial Risk Assessment Progress Report – 1<sup>st</sup> Quarter, 2012**

The following progress report includes background information on the development of the project, describes the work conducted during this quarter, and a project schedule that summarizes work completed, next steps, and an estimated timeline.

### **Background**

The recommendation to explore the feasibility of implementing pretrial risk assessment in King County was initially made by the Adult Justice Operational Master Plan (AJOMP) teams in 2008 in response to a proviso from the King County Council (“Use of Community Correction Division Review”). The Council accepted the proviso report in June 2008. At approximately the same time, an outside consultant working for Superior Court also recommended exploring pretrial risk assessment in King County.

In April 2009, a pretrial risk assessment workgroup was convened by the Office of Strategic Planning and Performance Measurement. The Workgroup identified several potential benefits of using a pretrial risk assessment tool, including supplying the court with a tool that assesses defendant risk based on factors that are statistically significant predictors of re-offense and failure-to-appear, providing judges with risk scores that are consistent for defendants with similar characteristics, and potentially guiding placement into Community Corrections Division (CCD) programs.

In April 2010, the Workgroup recommended proceeding with a research study to develop a pretrial risk assessment tool once funding was secured. A research consultant would be needed to conduct the study and construct a draft tool to be tested for validity. The Workgroup, in parallel, would develop a detailed implementation plan that would include timelines and costs for such items as software development and training. Upon completion of this work, stakeholders, particularly the courts, would have an opportunity to assess if the proposed tool was achieving its intended goals and if implementation was still feasible.

The Office of Performance, Strategy and Budget (PSB) identified federal funding for the project in August and included appropriation authority in the 2011 budget. The budget was adopted in November 2010, and the Department of Justice approved King County’s request to reprogram federal funds in January 2011. PSB and the workgroup selected Assessments.com (ADC) as the consultant and hired a project manager in March 2011. ADC began work in May 2011. The Workgroup approved the research methodology, data collection protocols and the final list of defendant factors to be collected for the study in August 2011. Data collection staff was trained in October, and data collection began in November, 2011.

### **First Quarter 2012 Activities**

Several highlights of the activities in the first quarter of 2012 include:

- In January, follow-up training sessions were held with data collection staff. Staff provided further feedback on the progress of data collection and suggested minor software changes to improve the consistency of data collection and entry procedures across screeners. Based on this feedback, final changes were made to the software in mid-January. Data collection is now fully underway, with an average of 32 interviews being conducted each day.

- In February, the project's research consultant successfully matched all defendant information for the study from criminal justice system databases and the ADC manual-entry database and began analysis of study data.
- With input from King County Information Technology Services (KCIT), the workgroup began implementation planning for pretrial risk assessment to prepare for the possibility that implementation could occur shortly after the conclusion of the current project. The project manager and CCD identified goals for the implementation planning process, created a timeline for development of the implementation plan, determined immediate funding needs, and worked with other criminal justice agencies (Office of the Public Defender, the Courts, Prosecuting Attorney's Office) to assign individuals to the implementation planning team.
- On January 6<sup>th</sup>, County project representatives from the workgroup, joined by Presiding Superior Court Judge Richard McDermott, gave a presentation to the Seattle Municipal Court (SMC) Executive Judicial Committee to describe the goals of the project and encourage SMC participation. SMC agreed to participate in the project in late January, and the project manager is currently working with the Prosecuting Attorney's Office and SMC to finalize a contract.

## Summary Steps and Timelines

| Steps  | Workgroup Estimated Timeline | Contract Timeline  | Revised Timeline    | Status   |
|--|------------------------------|--|---------------------|--|
| <p><b>1. Seek Out Potential Partners, Identify Funding, and Hire Research Consultant</b></p> <ul style="list-style-type: none"> <li>• Explore potential partnerships with other jurisdictions;</li> <li>• Identify funding to cover the cost of developing the tool;</li> <li>• Develop and issue the Request for Proposals for the research consultant to analyze potential factors for the tool and test tool.</li> <li>• Select research consultant and hire project manager.</li> </ul>                      | Sep 2010 - Dec 2010          | Sep 2010 – Apr 2011  | Sep 2010 – Apr 2011 | Funding identified and RFP issued. Workgroup reached out to potential partners.  |
| <p><b>2. Complete Data Collection and Research on Potential Factors for the Tool</b></p> <ul style="list-style-type: none"> <li>• Finalize a potential list of factors that may be correlated to failure to appear and risk of re-offense.</li> <li>• Consultant develops data collection and research methodology.</li> <li>• Approach to preventing disproportionate minority confinement (DMC) contribution developed and implemented.</li> <li>• Receive data collection software and train staff</li> </ul> | Jan 2011- Feb 2011           | May 2011 – Jul 2011 (note: consultant work initiated on May 1, 2011) | May 2011 – Sep 2011 | Research consultant contract completed. Project Manager hired. Data collection protocols, research methodology and factor list finalized. DMC approach developed. Received data collection software. |
| <p><b>3. Build the Study Sample</b></p> <ul style="list-style-type: none"> <li>• <i>Prospectively</i> collect data on each factor for a large set of defendants booked into the jail. Note that significant portions of the data collection may largely be a manual process.</li> </ul>  | Feb 2011 – Aug 2011          | Jul 2011 – Mar 2012  | Oct 2011 – Jun 2012 | Staff training complete. Data collection began on November 21, 2011. Research consultant began analysis in February, 2012.   |
| <p><b>4. Collect Outcome Data and Analyze Results</b></p>  | Aug 2011 – Feb 2012          | Apr 2012 – Mar 2013  | Jul 2012 – Jun 2013 |  |

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| <ul style="list-style-type: none"> <li>• Collect pretrial outcomes (Failure to Appear and Re-offense) and demographic data (gender, race/ethnicity, and age) for each defendant in the study. Portions of this data collection may also be a manual process.</li> <li>• Complete statistical analysis measuring the correlation of each factor to failure to appear and re-offense and examining these results across demographic categories.</li> </ul>  |                                   |                                   |                                   |  |
| <p><b>5. Develop Implementation Plan</b></p> <p>Implementing a pretrial risk assessment tool may have implications for staffing, court process, budget, and technology systems. Until the outdated technology systems are replaced, it will be important to gain an understanding of the net impact of administering a tool on the intake services and court personnel and develop cost-effective interim technology solutions. A team of criminal justice partners would develop an implementation plan covering the following:</p> <ul style="list-style-type: none"> <li>• Determine the target populations to receive the tool.</li> <li>• Define the staffing requirements for intake services.</li> <li>• Outline policies and procedures for each organization and develop training curricula.</li> <li>• Recommend changes in forms and paper flow.</li> <li>• Develop quality assurance mechanisms so that there is feedback to staff if the tool is not completed correctly.</li> <li>• Examine web-based and other technology for implementing tool.</li> <li>• Estimate the start up costs and ongoing budget.</li> </ul> | <p><b>May 2011 - Dec 2011</b></p> | <p><b>Apr 2012 - Dec 2012</b></p> | <p><b>Jul 2012 - Jul 2013</b></p> | <p>Preliminary work to prepare for implementation planning kick-off began in February, 2012.</p> |

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|---|-----------------------|---------------------------|---------------------------|--|
| <p><b>6. Construct and Test Pretrial Risk Assessment Tool</b></p> <p>With the research completed on the potential factors, a draft pretrial risk assessment tool can be constructed and tested.</p> <ul style="list-style-type: none"> <li>• Select factors for tool based on research and public safety priorities. Assign weights to create a draft tool.</li> <li>• Test the draft tool against research database to measure its potential impact on failure to appear, re-offense, jail and CCD utilization, and disproportionality. Adjust factors and weights to create the most effective tool.</li> </ul> | Feb 2012-<br>Apr 2012 | Apr 2013                  | Jul 2013 -<br>Aug 2013    |  |
| <p><b>7. Make Decision Whether to Proceed with Implementation</b></p> <ul style="list-style-type: none"> <li>• Summarize the proposed tool, expected benefits, and implementation costs/logistics with criminal justice partners. Make recommendation whether to proceed.</li> <li>• Submit tool and implementation plan to court for review and approval.</li> </ul>   | Apr 2012-<br>May 2012 | Apr 2013<br>– May<br>2013 | Aug 2013<br>-Sep 2013     |  |
| <p><b>8. Implement Pretrial Risk Assessment Tool</b></p> <p>A team of criminal justice partners would be responsible for monitoring implementation progress and troubleshoot issues when they arise. In particular, this team should periodically monitor the potential impact of the tool on the jail population and key outcomes. Implementation tasks include:</p> <ul style="list-style-type: none"> <li>• Purchasing, implementing, and testing any necessary technology solutions.</li> <li>• Training all affected personnel.</li> <li>• Establishing quality assurance mechanisms.</li> </ul>             | May 2012-<br>Aug 2012 | May 2013<br>– Aug<br>2013 | Sep 2013<br>– Dec<br>2013 |  |

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|--|-------------|-------------|-------------|--|
| <b>9. Re-Evaluate the Tool Every 2 to 3 Years.</b><br>A pretrial risk assessment tool is developed at a point in time and should be periodically evaluated and updated to ensure its relevance and maintain its effectiveness. | <b>2014</b> | <b>2015</b> | <b>2015</b> |  |
|--|-------------|-------------|-------------|--|