

# Q2 Q3



## Quarterly Report to the Pretrial Subcommittee

In Custody Defendants: Public Safety Assessment (PSA)

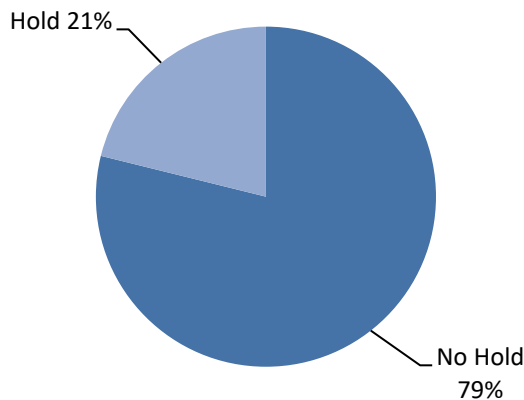
Reporting Period:

June 1, 2017 – September 30, 2020

### Key Take Aways

# 11,145

PSA's Generated



Holds at Time of Arrest

# 34

Average Age In Custody

### About the Public Safety Assessment

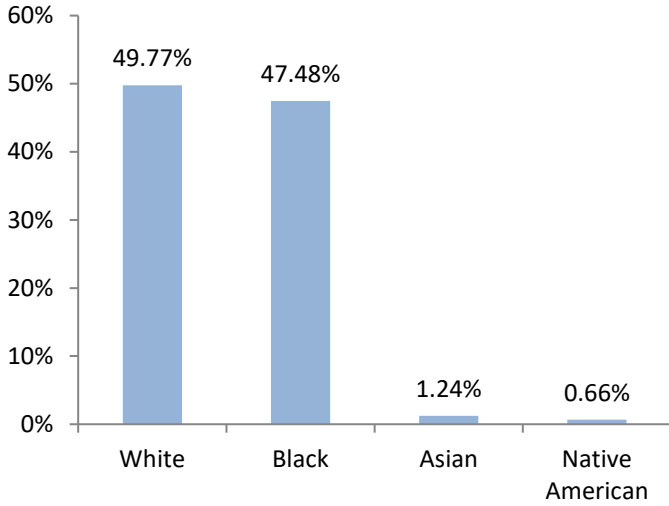
The Public Safety Assessment (PSA) was implemented in Dane County in April 2017 as part of a collaborative assessment project with the Laura and John Arnold Foundation (LJAF) and the Access to Justice Lab (A2J) at Harvard Law School. The PSA was developed by LJAF to assist pre-trial judges gauge the risk a defendant poses by helping to predict the likelihood that an individual will commit a new crime if released before trial, and to predict the likelihood that an individual will fail to return for a future court hearing. The PSA will also flag defendants who present an elevated risk of committing a violent crime.

The following report is derived from PSAs generated during the reporting period. PSAs are relevant for defendants who are ***in custody*** awaiting their initial appearance and does not apply to defendants who have posted bail prior to their initial appearance. All data presented in this report should not be construed to provide any causal claims related to the PSA and subsequent court decisions. An Appendix is attached to provide comprehensive information on quarter and year-to-date statistics. *Summary statistics are provided for Quarter 2 and Quarter 3, 2020 due to a suspension of PSA service on March 18, 2020. PSA service resumed on July 27, 2020.*

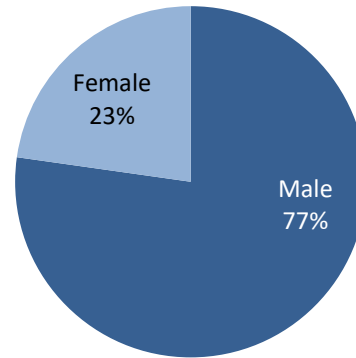
# Demographic Characteristics

For the 11,145 PSAs generated, the average age at arrest is about 34 years old. The majority of defendants (10,330) are non-Hispanic or Latino (~93%), 782 (~7%) defendants have Hispanic or Latino ethnicity.

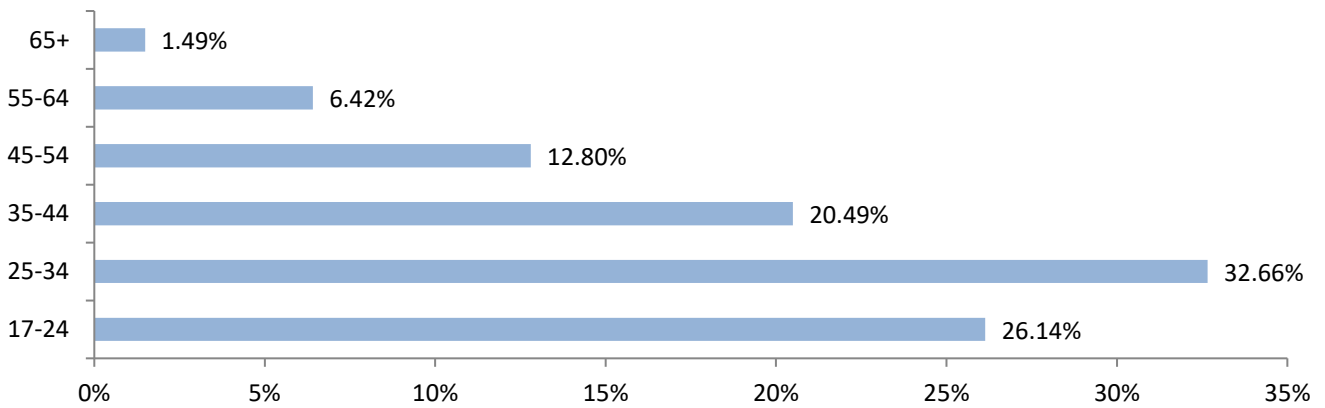
## Race<sup>1</sup>



## Gender



## Age at Arrest

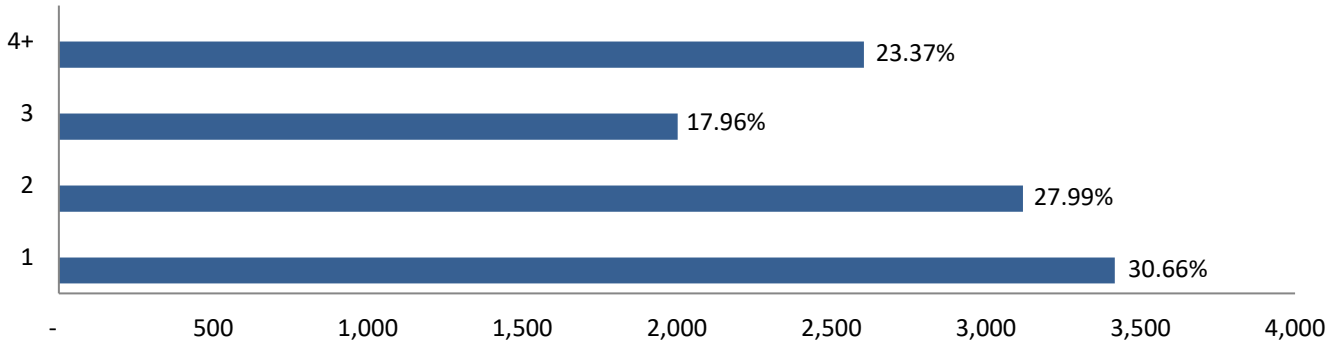


<sup>1</sup> Race is documented as unknown for 94 defendants. A defendant can identify as more than one race.

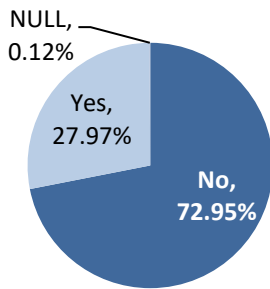
# Charge Information

These measures are for charges from arrest records over the reporting period. PSAs with most serious charge type as a county ordinance or a non-criminal charge are not included in the study, yet are reported below. The maximum number of arrest charges for a defendant is 30. Enhancers to charges are coded as additional charges and are included in the data counts below.

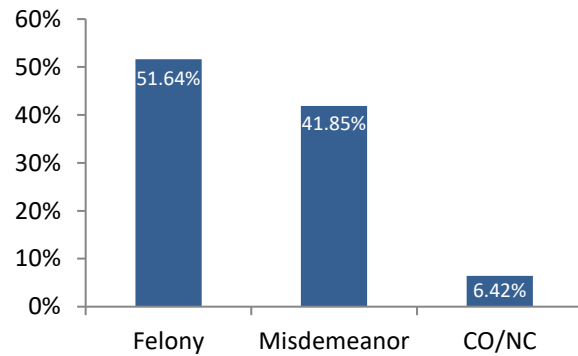
## Number of Charges per Arrest



## Are Any Charges Violent?

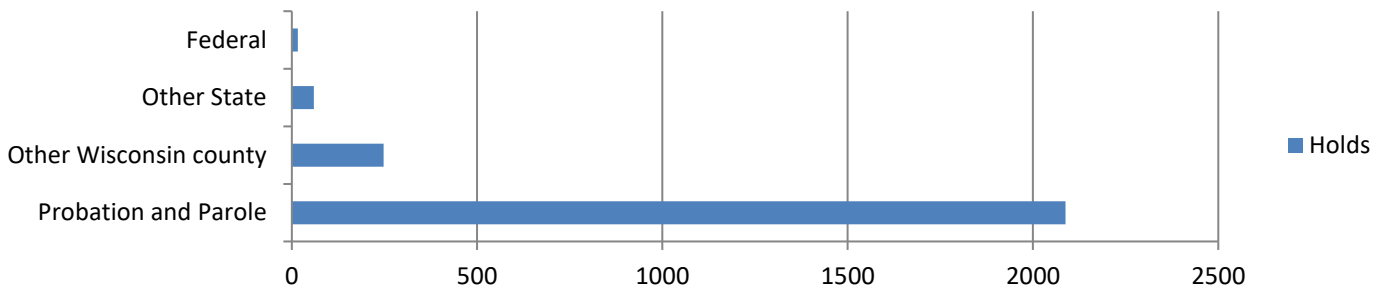


## What is the most serious Charge Type?



## Hold at Arrest

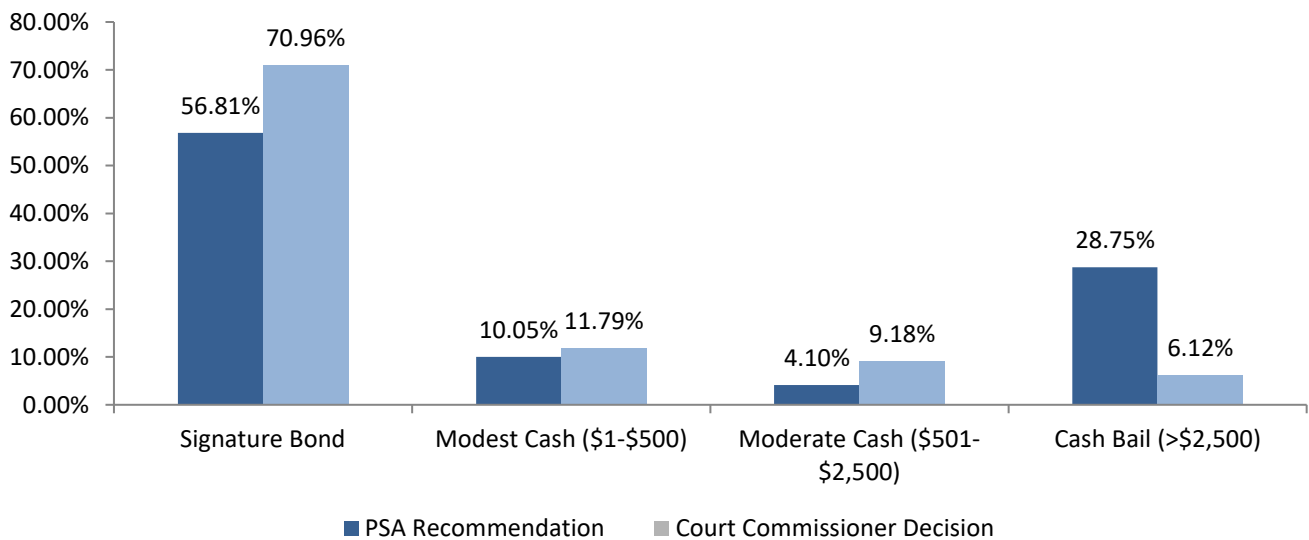
This measure identifies whether a defendant has a hold at the time of arrest. The vast majority of defendants (8,748, 78.37%) had no hold. 2,088 (18.70%) defendants had a probation and/or parole hold, 248 (2.22%) defendants had a hold from another Wisconsin county, while 59 (0.53%) had a hold from another state. 16 (0.14%) defendants had a federal hold. Defendants could have more than one hold at time of arrest. The figure below displays the total number of holds by type for defendants with one or more holds at time of arrest.



# PSA Recommendation & Release Decision by Court Commissioners

*PSA Recommendation* indicates the release recommendation based on a risk factor calculation for each defendant and is designed to assist decision making during initial appearance. This recommendation may or may not be followed and does not provide information on actual release decisions made by the court commissioner. No PSA recommendation was provided for 67 (0.60%) generated PSAs.

*Court Commissioner Release Decision* provides actual release decisions made by a court commissioner. The figure compares the calculated PSA Recommendation (n=8,093) for each case that had a court commissioner release decision made. No court commissioner release decision was made for 3,052 (27.38%) cases and these cases are not included in the figure below. The majority of cases with no release recommendation occur when a defendant was released prior to their first court date, charges were reduced below a misdemeanor, or for other reasons.<sup>2</sup> Additional reasons could include dismissed cases or if a defendant has not yet had their initial appearance.



	PSA Recommendation		Court Commissioner Decision	
	N	%	N	%
Signature Bond	4598	56.81%	5743	70.96%
Modest Cash (\$1-\$500)	813	10.05%	954	11.79%
Moderate Cash (\$501-\$2,500)	332	4.10%	743	9.18%
Cash Bail (>\$2,500)	2327	28.75%	495	6.12%

<sup>2</sup> Other reasons for cases with no release decision include: a defendant was released to appear, the District Attorney’s office declined to prosecute, a defendant was released without bail, a defendant was referred to the deferred prosecution unit, the individual paid cash bail, or the individual pled guilty at first court date. See Appendix for additional information.

# Appendix

## Study Period to Quarter End and 2<sup>nd</sup> & 3<sup>rd</sup> Quarter, 2020 (7/1/2017 – 09/30-2020) Comparison

Demographic Characteristics		Study Period to Quarter End (n=11,145)		2 <sup>nd</sup> Quarter, 2020 (n=217)		3 <sup>rd</sup> Quarter, 2020 (n=682)	
Measure	Description	N	%	N	%		%
Age at Arrest	17-24	2,913	26.14%	42	19.35%	173	25.37%
	25-34	3,640	32.66%	68	31.34%	207	30.35%
	35-44	2,284	20.49%	51	23.50%	159	23.31%
	45-54	1,427	12.80%	39	17.97%	72	10.56%
	55-64	715	6.42%	14	6.45%	61	8.94%
	65+	166	1.49%	3	1.38%	10	1.47%
Gender	Male	8,608	77.24%	167	76.96%	545	79.91%
	Female	2,537	22.76%	50	23.04%	137	20.09%
Race	White	5,547	49.77%	98	45.16%	327	47.95%
	Black	5,292	47.48%	110	50.69%	339	49.71%
	Asian	138	1.24%	2	0.92%	3	0.44%
	Native American	74	0.66%	5	2.30%	6	0.88%
	Alaska Native	-	0.00%	0	0.00%	0	0.00%
	Native Hawaiian/ Pacific Islander	-	0.00%	0	0.00%	0	0.00%
	No Entry	94	0.84%	2	0.92%	7	1.03%
Ethnicity	Hispanic/Latino	782	7.02%	21	9.68%	49	22.58%
	Non-Hispanic/Latino	10,330	92.69%	195	89.86%	631	92.52%
	No Entry	33	0.30%	1	0.46%	2	0.92%

Charge Information		Study Period to Quarter End (n=11,145)		2 <sup>nd</sup> Quarter, 2020 (n=217)		3 <sup>rd</sup> Quarter, 2020 (n=682)	
Measure	Description	N	%	N	%	N	%
Number of Charges	1	3,417	30.66%	62	28.57%	171	25.07%
	2	3,120	27.99%	56	25.81%	170	24.93%
	3	2,002	17.96%	38	17.51%	95	13.93%
	4+	2,605	23.37%	61	28.11%	246	36.07%
Any Charge Violent	No	8,015	71.92%	160	73.73%	455	66.72%
	Yes	3,117	27.97%	56	25.81%	226	33.14%
	No Entry	13	0.12%	1	0.46%	1	0.15%

Hold at Arrest Information <sup>3</sup>	Study Period to Quarter End (n=11,145)		2 <sup>nd</sup> Quarter, 2020 (n=217)		3 <sup>rd</sup> Quarter, 2020 (n=682)	
	N	%	N	%	N	%
No Hold	8,748	78.37%	174	79.82%	499	73.17%
Probation and Parole	2,088	18.70%	37	16.97%	150	21.99%
Other WI county	248	2.22%	4	1.83%	24	3.52%
Other State	59	0.53%	3	1.38%	7	1.03%
ICE	11	0.10%	0	0.00%	0	0.00%
USMS	5	0.04%	0	0.00%	0	0.00%
Other	4	0.04%	0	0.00%	2	0.29%

PSA Recommendation	Study Period to Quarter End (n=11,145)		2 <sup>nd</sup> Quarter, 2020 (n=217)		3 <sup>rd</sup> Quarter, 2020 (n=682)	
	N	%	N	%	N	%
Signature Bond	6,892	61.84%	124	57.14%	354	51.91%
Modest Cash Bail (\$1-\$500)	1,048	9.40%	23	10.60%	61	8.94%
Moderate Cash Bail (\$501-\$2,500)	432	3.88%	7	3.23%	23	3.37%
Cash Bail (>\$2,500)	2,706	24.28%	61	28.11%	244	35.78%
Not Provided (Null)	67	0.60%	2	0.92%	0	0.00%

Court Commissioner Release Decision	Study Period to Quarter End (n=11,145)		2 <sup>nd</sup> Quarter, 2020 (n=217)		3 <sup>rd</sup> Quarter, 2020 (n=682)	
	N	%	N	%	N	%
Signature Bond	5,750	51.59%	119	54.84%	346	50.73%
Modest Cash Bail (\$1-\$500)	955	8.57%	15	6.91%	76	11.14%
Moderate Cash Bail (\$501-\$2,500)	745	6.68%	8	3.69%	53	7.77%
Cash Bail (>\$2,500)	496	4.45%	4	1.84%	38	5.57%
Not Provided (Null)	3,199	28.70%	71	32.72%	169	24.78%

<sup>3</sup> A defendant can have more than one hold at arrest

Reason Commissioner Did Not Make a Release Decision	Study Period to Quarter End (n=11,145)		2 <sup>nd</sup> Quarter, 2020 (n=217)		3 <sup>rd</sup> Quarter, 2020 (n=682)	
	N	%	N	%	%	N
Release Prior to First Court Date	885	7.94%	24	11.06%	57	8.36%
Not Part of Study: Reduced Below Misdemeanor	895	8.03%	20	9.22%	29	4.25%
Not Part of Study: Other Reason	1,174	10.53%	17	7.83%	54	7.92%
Dismissed	25	0.22%	1	0.46%	1	0.15%
Other	72	0.65%	0	0.00%	2	0.29%
Pled Guilty	1	0.01%	0	0.00%	0	0.00%
Pending; Initial Appearance has not taken place	147	1.32%	9	4.15%	26	3.81%
Court Commissioner made release decision	7,946	71.30%	146	67.28%	513	75.22%