

Boulder County COVID Outcomes

District Attorney's Office and Community Justice Services Collaboration

Presentation to the Colorado Commission on Criminal and Juvenile Justice

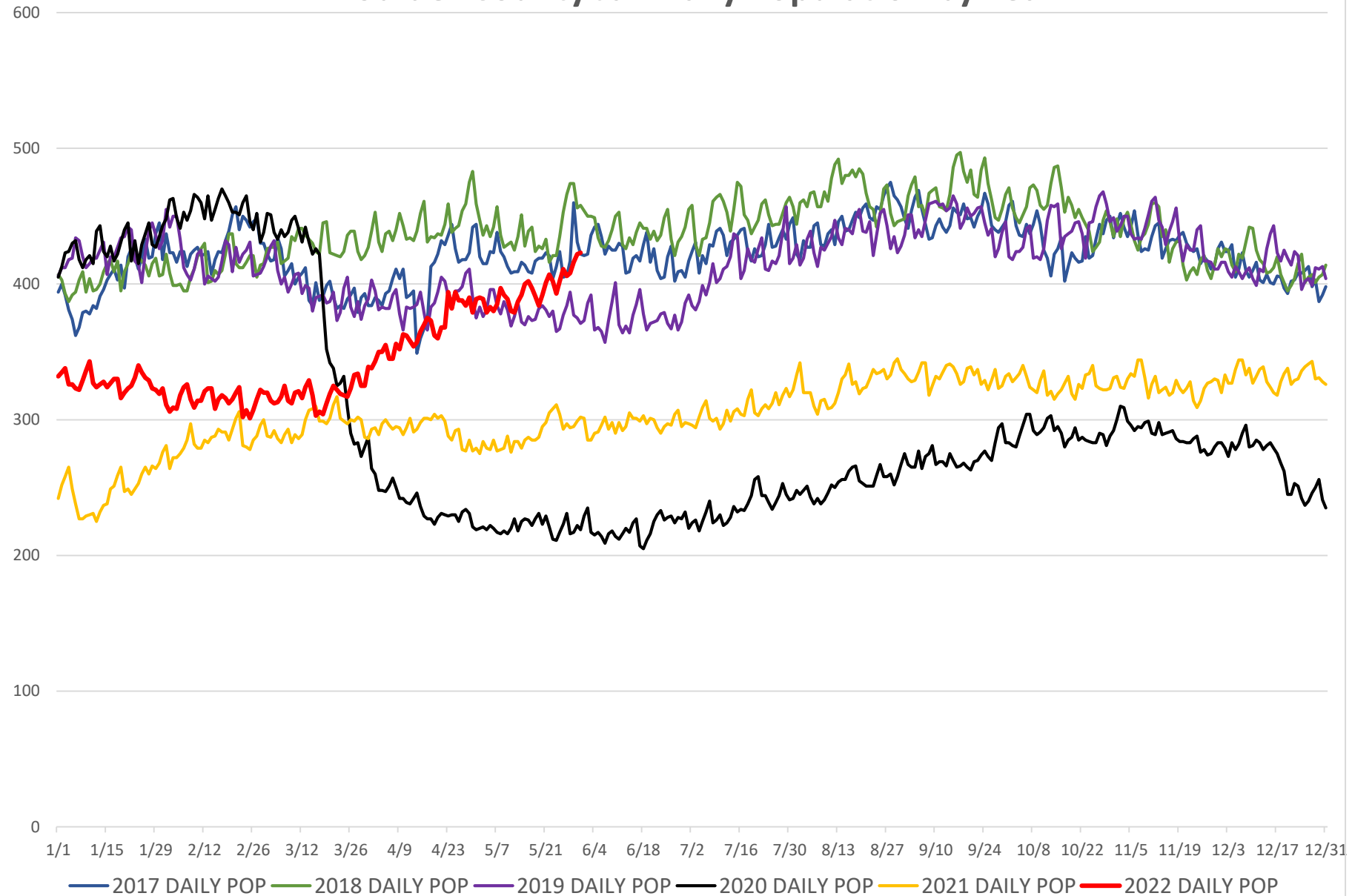
June 10, 2022



Background

- In March of 2020, the onset of COVID 19 necessitated swift and significant response in order to reduce the jail population.
- Through system-wide collaboration, and over the course of the first month of COVID, the jail population was reduced by 46% through releases that included:
 - The immunocompromised
 - Those with 45 days or less left of their sentence
 - Those on work release
- In addition, new arrest standards and presumptive PR bond eligibility were put in place to reduce the number of individuals booked into the jail.

Boulder County Jail Daily Population by Year



Goal of the Study

- The goal of the study is to understand public safety and court appearance outcomes for individuals released from jail during the first 3 months of COVID.
- Findings from the study will help inform what practices may be maintained once the threat of COVID abates, to support ongoing efforts to ensure public safety and effectively manage the jail population in Boulder County.

Methodology

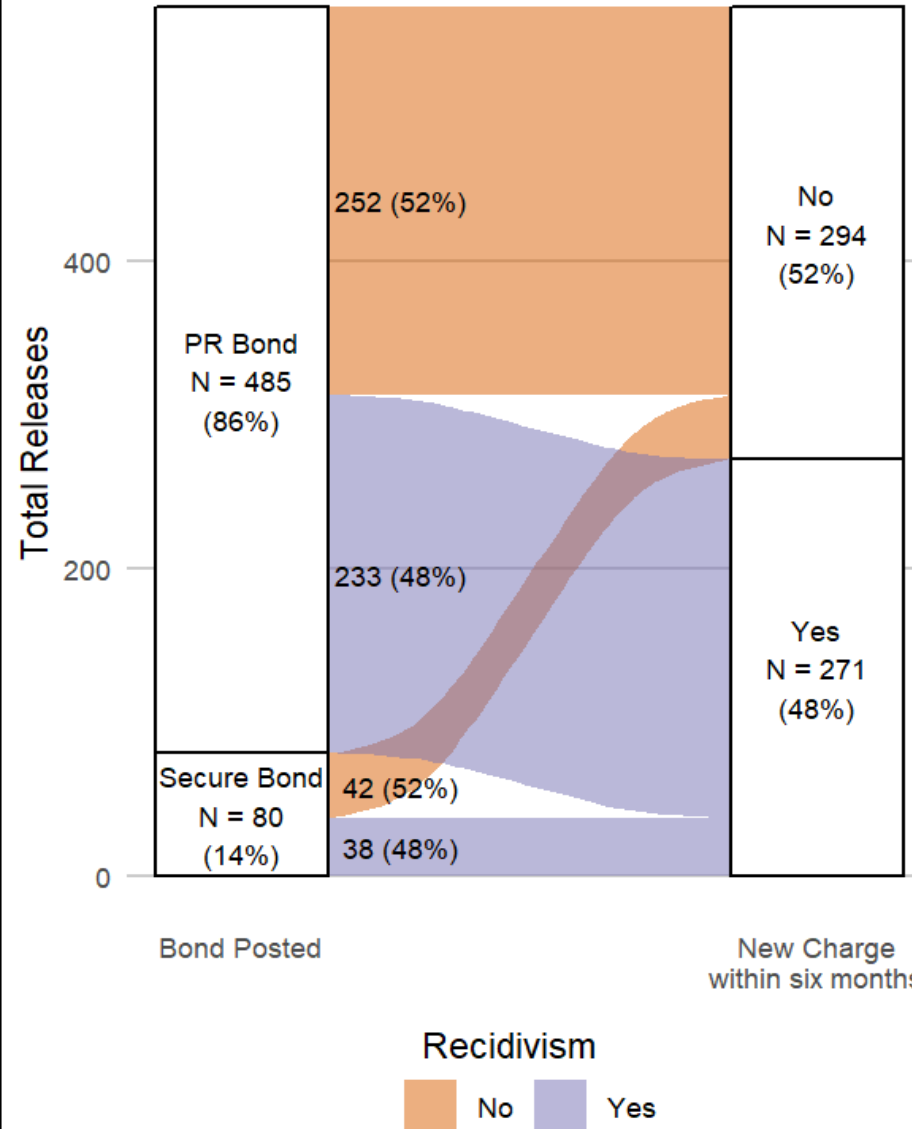
- Data pull of all jail releases during the first three months of COVID (3/16/2020 – 6/15/2020).
- Tracked public safety and court appearance for the six-month period after release.
- Also pulled jail releases for the same three-month period in 2019 for comparison.

Recidivism

	Total Releases	New Bookings (and Summons in 2020)	Recidivism Rate
2019 Recidivism <ul style="list-style-type: none"> • only BoCo • excludes summonses 	1,368	399	29%
2020 Recidivism <ul style="list-style-type: none"> • only BoCo • includes summonses 	802	248	31%
2020 Recidivism <ul style="list-style-type: none"> • all CO JDs (excluding Denver) • includes summonses 	802	348	43%

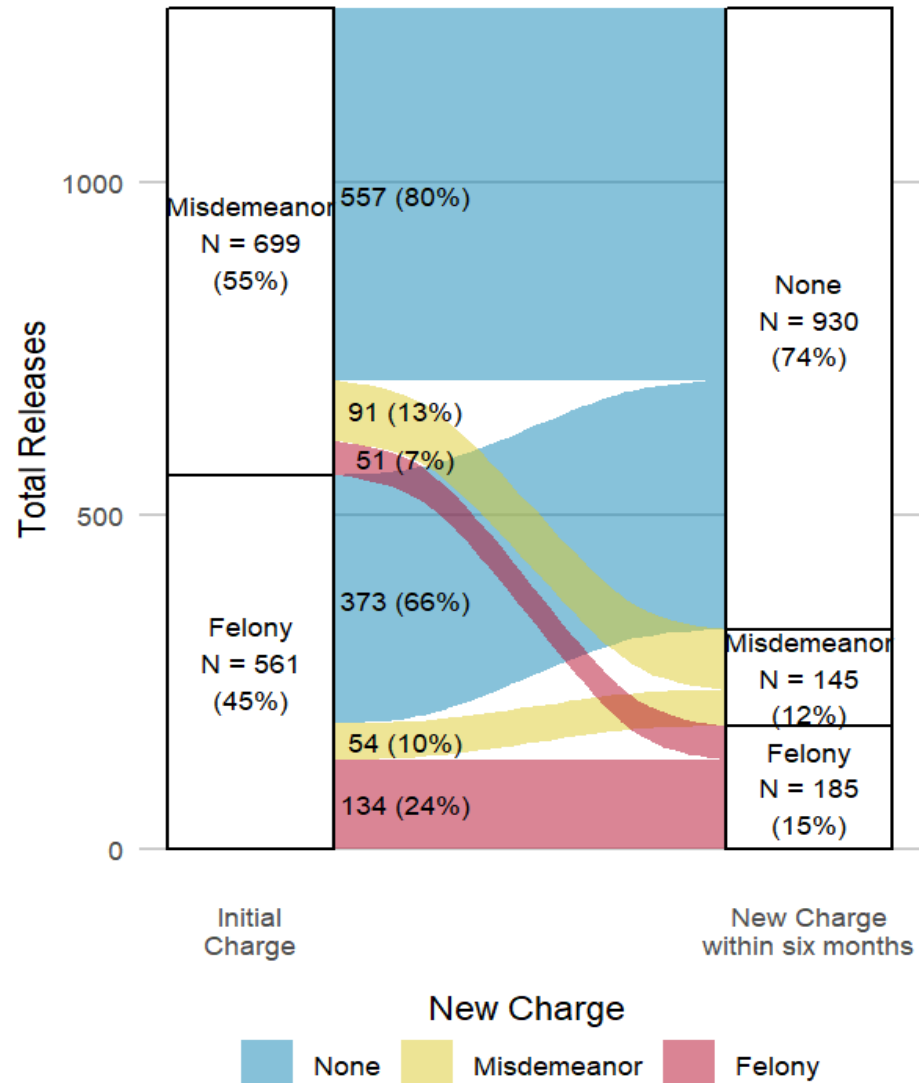
Bond Posted and Recidivism - 2020

New charge within 6 months
Sentenced-only releases excluded



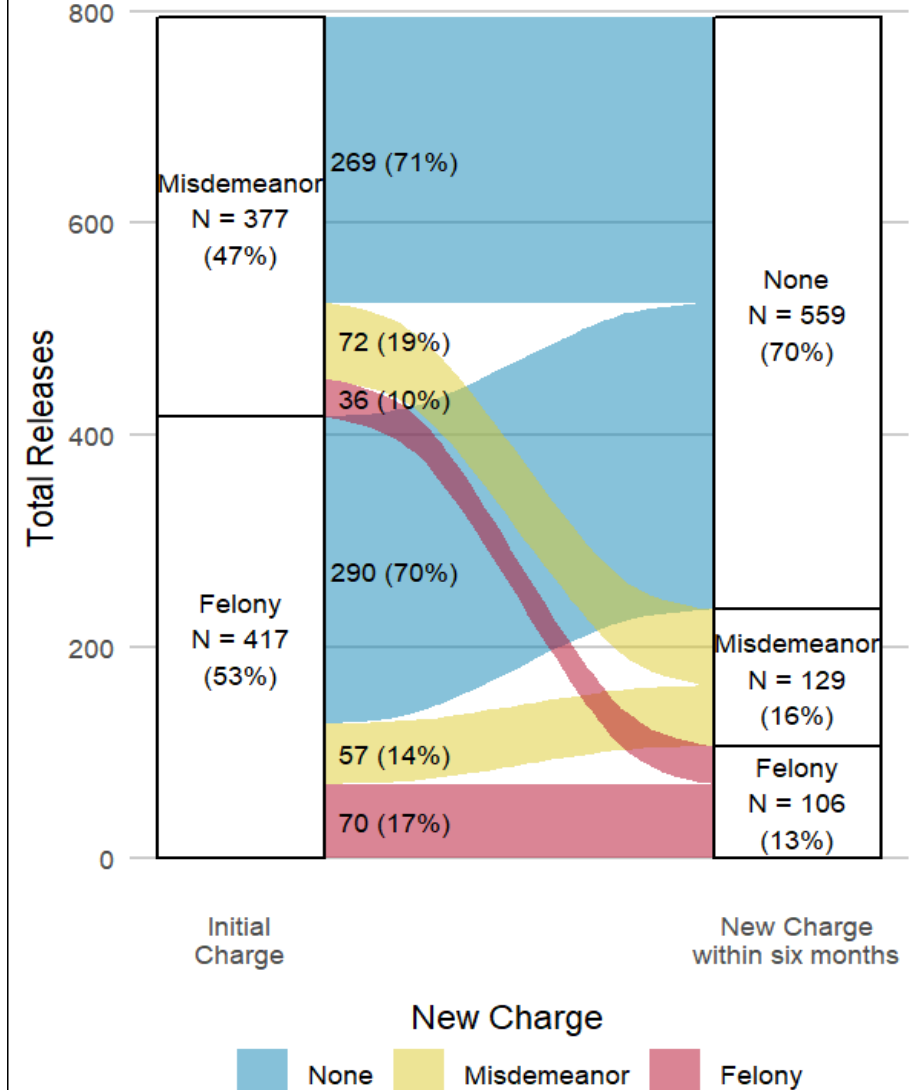
Charge Severity Escalation - 2019

New charge + level within 6 months

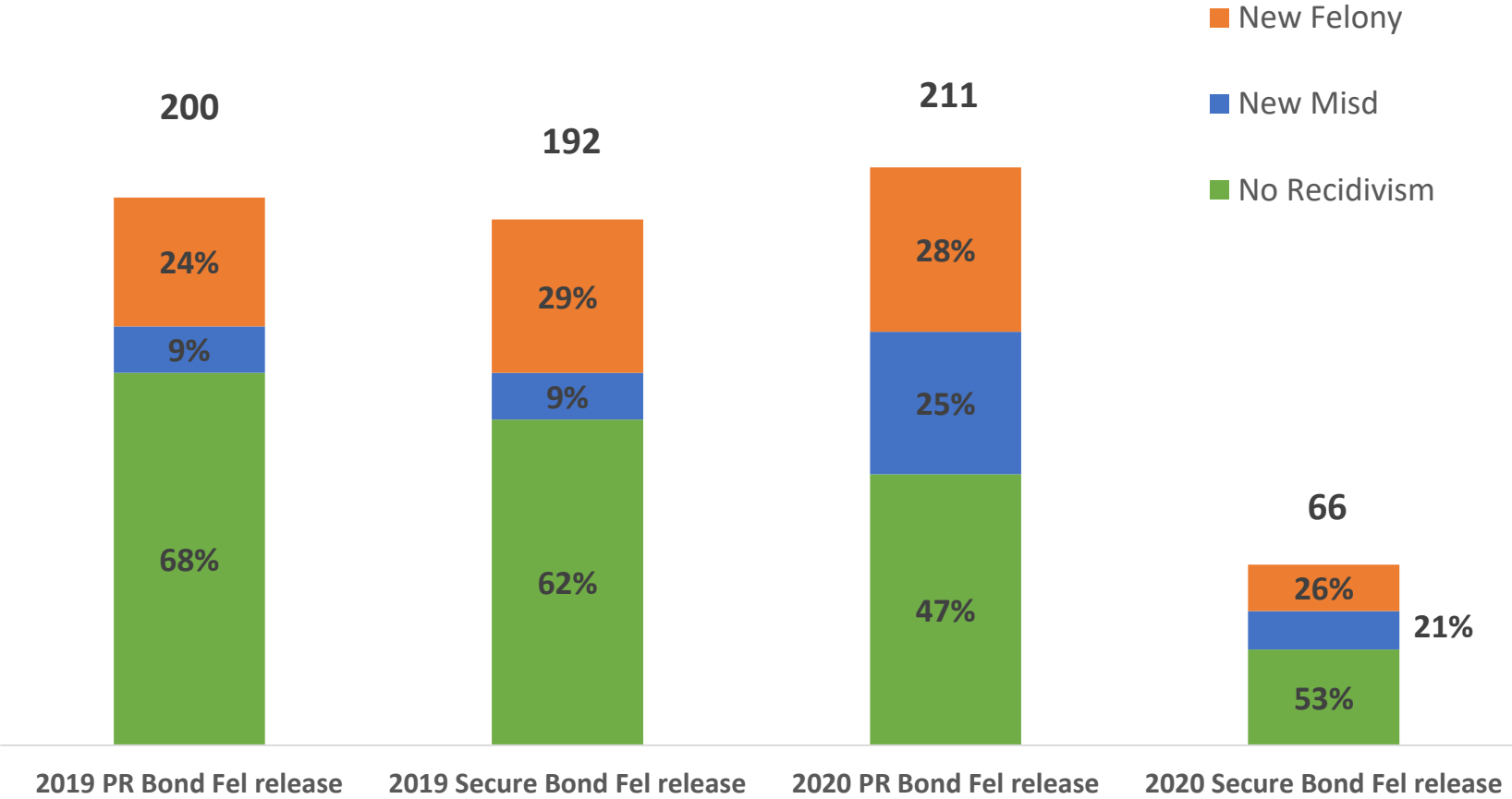


Charge Severity Escalation - 2020

New Boulder County charge within 6 months

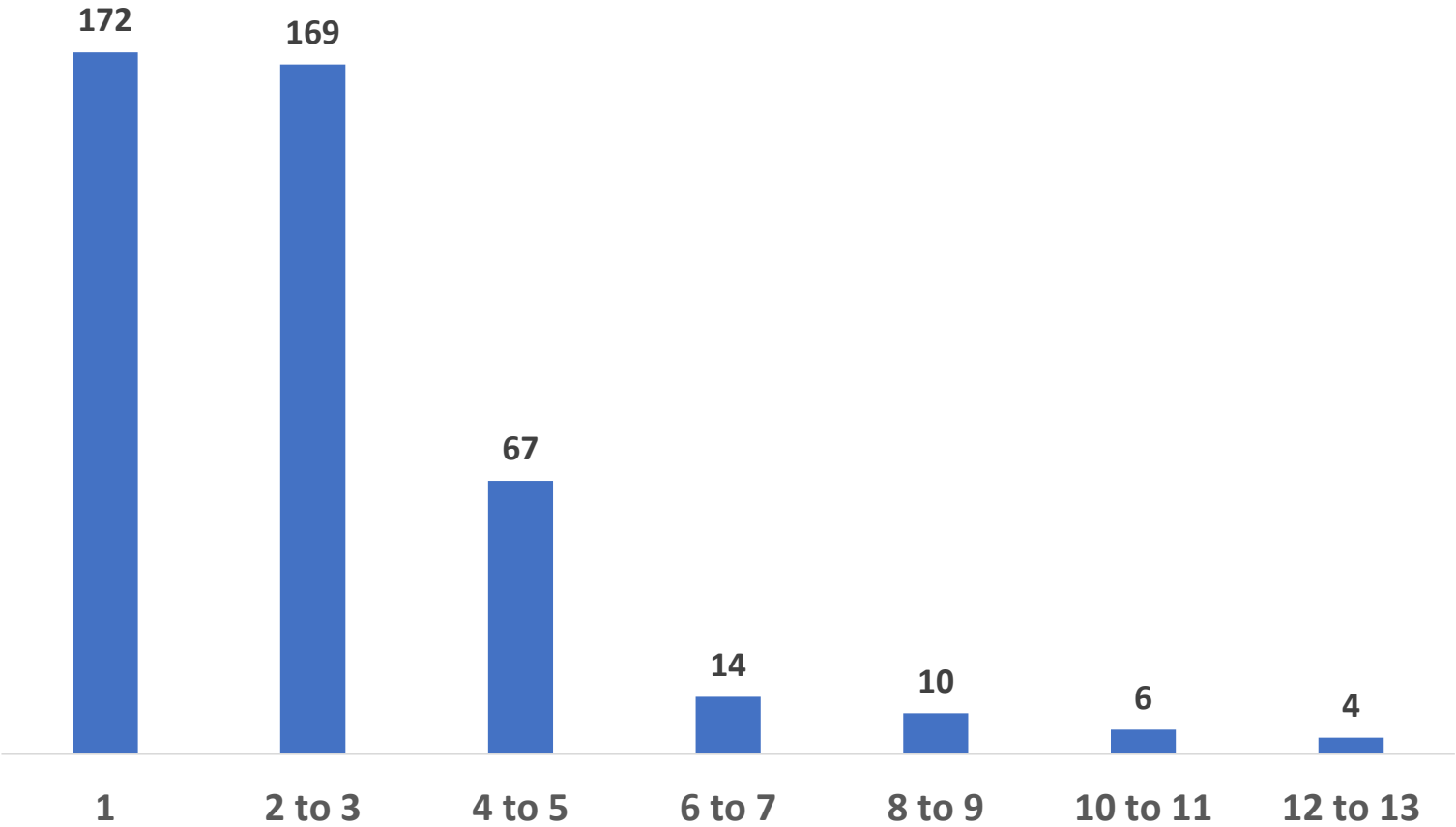


Escalation PR Bond vs. Secure Bond 2019 and 2020

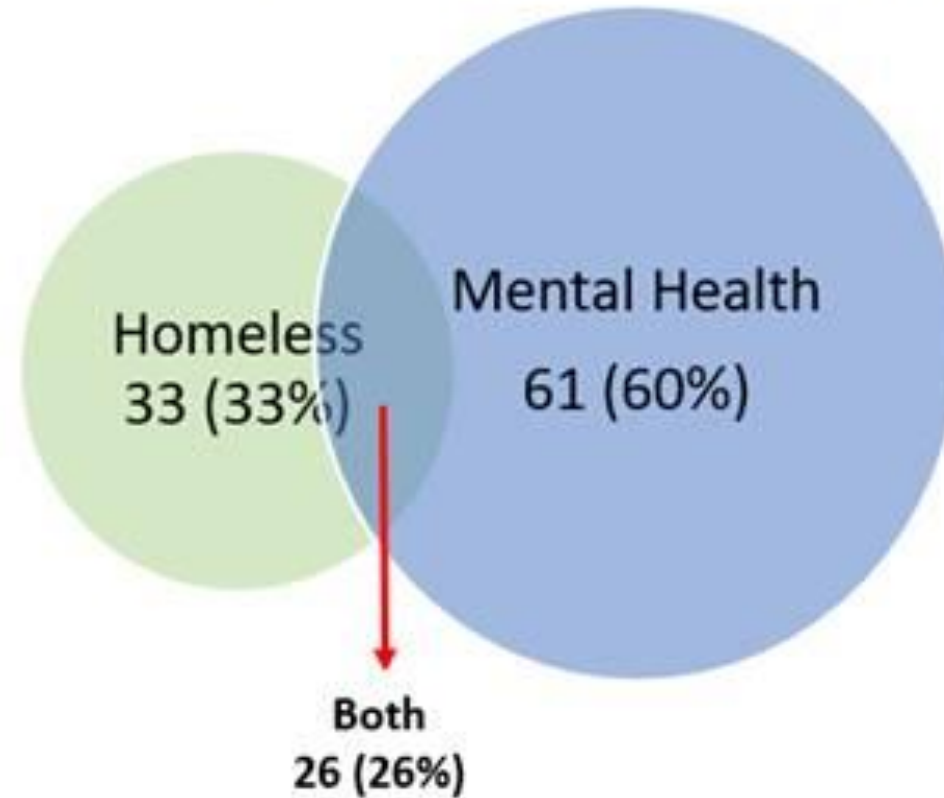


Initial Charge Type	Initial Charge Count	% Recidivating	% Recidivating Same Crime Type
Property	231	50%	23%
DV	210	37%	15%
DUI	106	22%	10%
Violent	284	37%	7%

Total New Recidivism Cases from 2020 releases



4 or more cases 2020 Cases (n=101)



Recidivism: Key Takeaways

Overall recidivism rates were comparable in 2019 and 2020 when looking at new charges within Boulder County.

In 2019, the recidivism rate was lower for PR bonds than for secured bonds.

In 2020, the recidivism rate was comparable by bond type when looking at new cases statewide.

Though fairly low in both years, the rate of escalation from misdemeanor to felony was somewhat higher in 2020 compared to 2019.

In 2020, felony releases had a higher recidivism rate than 2019, with new misdemeanor charges making up the majority of the increase.

The proportion of felony releases that had a new felony were comparable by bond type in 2019 and 2020.

Those who had an initial property charge had a higher rate of recidivism than other charge types.

23% of individuals who recidivated had four or more recidivism events.

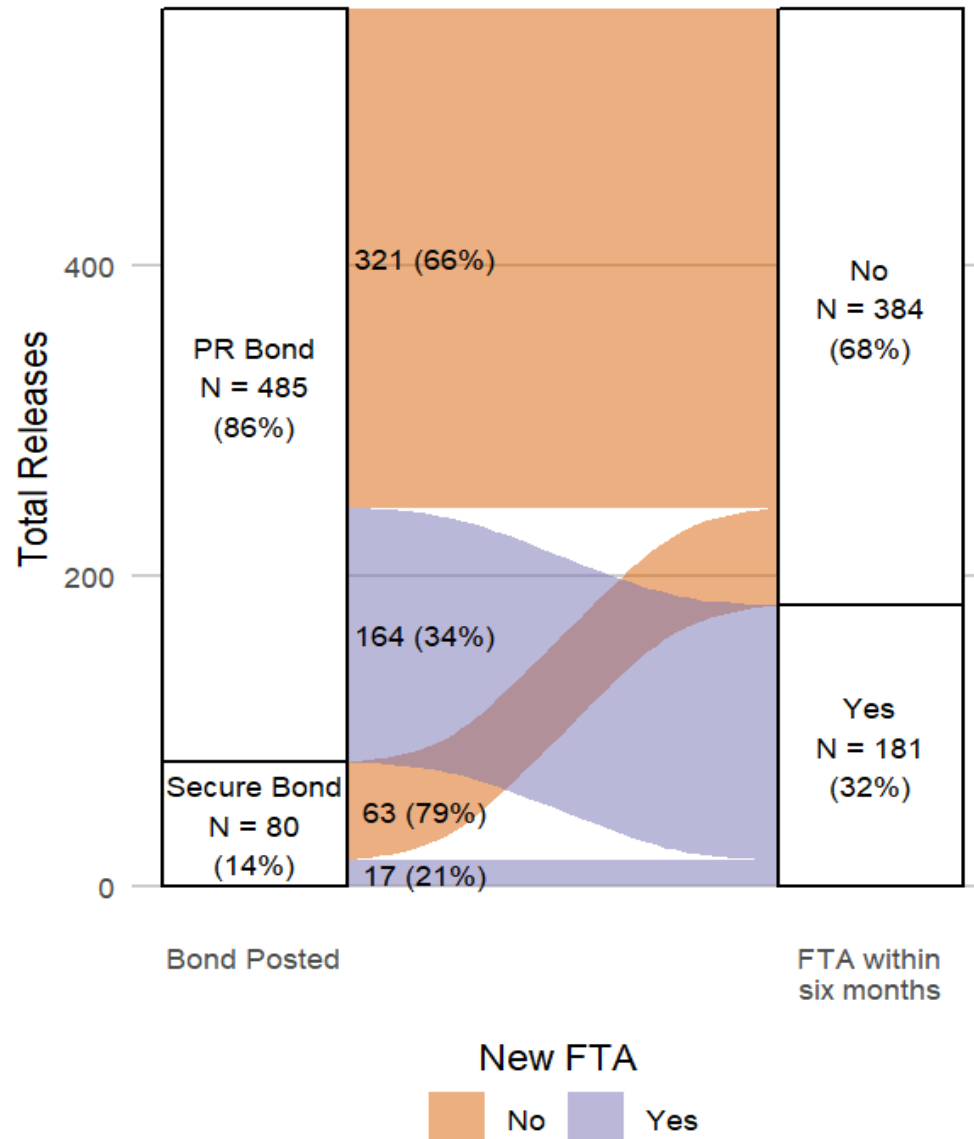
Homeless individuals and those with mental health issues comprised a significant proportion of those with four or more recidivism events.

Court Appearance

Bond Posted and FTAs - 2020

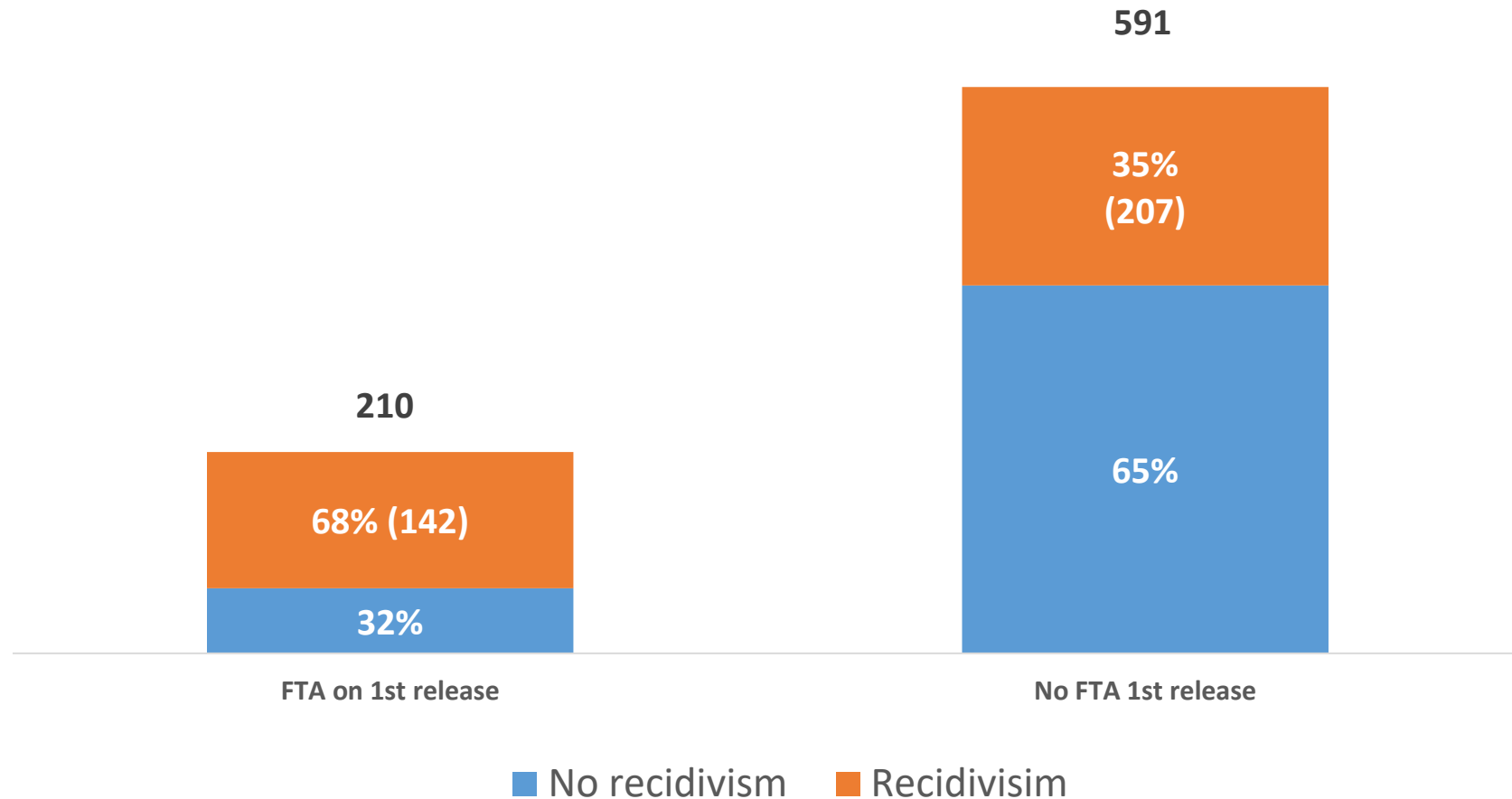
FTA within 6 months

Sentenced-only releases excluded



This study also compared FTA rates by those who were booked on the new charge with those who were issued a summons. They were released, had a new charge, were either booked or received a summons and then their court appearance was tracked. The FTA rate for those who were booked on a new charge was 29%, for those who received a summons it was 48%. It's important to note that some of those booked were still in custody, and therefore more likely to make their court appearances.

FTA after 1st release & 6 months Recidivism 2020 releases (3/16 - 6/15)



Court Appearance: Key Takeaways

68% did not have an FTA within 6 months of initial release.

66% of those who received a PR Bond did not have an FTA within 6 months.

A greater proportion of those who received a summons had an FTA.

Those who had an FTA on the first release had a higher recidivism rate.

Three-year Pretrial Trends 2019-2021

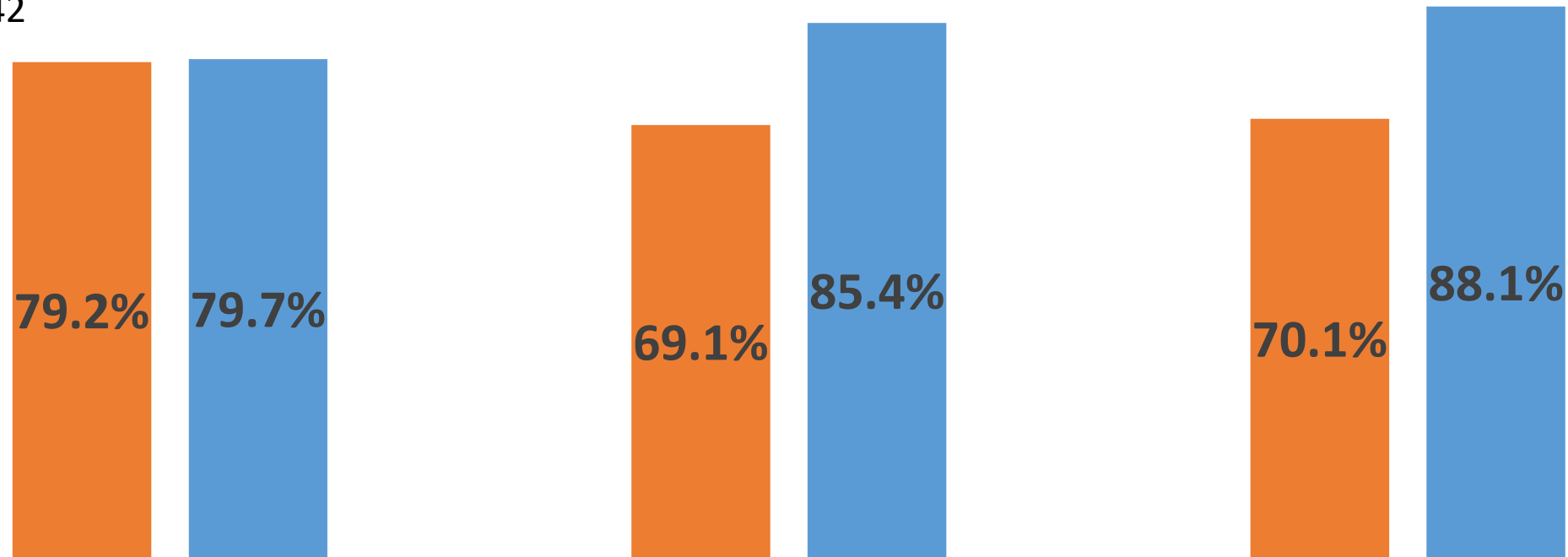
PR Bond Rate CPAT 1s and 2s Recommended and Ordered

Total CPAT 1 and 2 Interviews:

2019 = 1618

2020 = 900

2021 = 942



2019

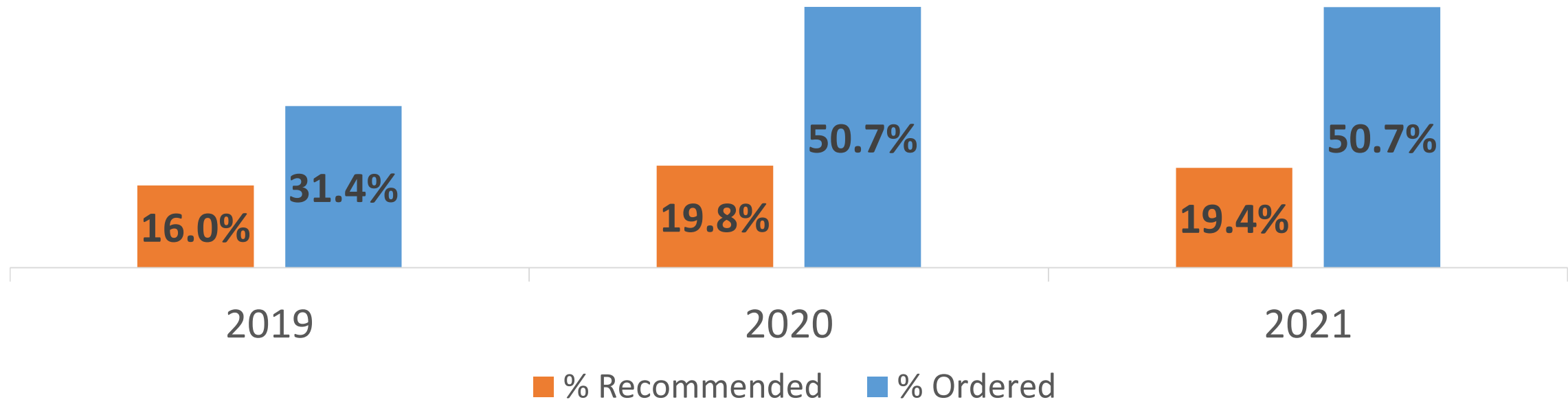
2020

2021

■ % Recommended ■ % Ordered

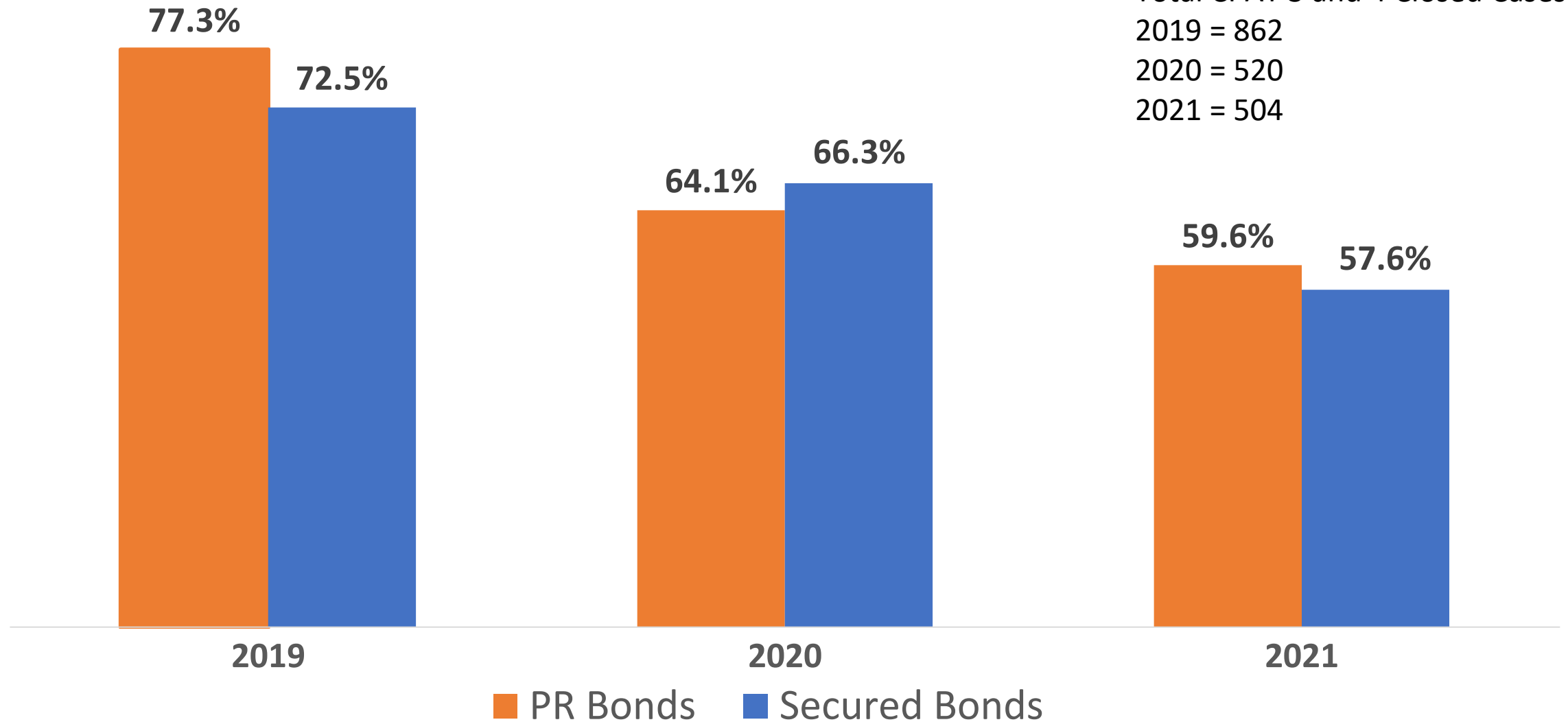
PR Bond Rate CPAT 3s and 4s Recommended and Ordered

Total CPAT 3 and 4 Interviews:
2019 = 1328
2020 = 807
2021 = 912



Public Safety Rate by Bond Type CPAT 3s and 4s

Total CPAT 3 and 4 Closed Cases:
2019 = 862
2020 = 520
2021 = 504



Three-year Pretrial Trends: Key Takeaways

While already fairly high, PR bond rates ordered for CPAT 1s and 2s increased somewhat in 2020 and 2021.

PR bond rates ordered for CPAT 3s and 4s increased significantly during COVID.

The agreement rate between bond type recommended and what was ordered for CPAT 3s and 4s was particularly disparate in 2020 and 2021.

Among CPAT 3s and 3s, public safety rate was comparable regardless of bond type. (PR or secured)

Recommendations

- Address behavioral health needs and stability factors such as homelessness as early in the process of system involvement as possible.
- Develop a better understanding of release conditions that best support successful pretrial outcomes.
- Assess current practices around court date notification to identify areas of opportunity for supporting increased court appearance.
- Gain a better understanding of the interplay between court appearance and recidivism and how best to mitigate increased risk.
- Engage law enforcement in dialogue about the impact of practice changes on outcomes.
- Study the impact of sentencing practices and reform on outcomes.
- Continue to monitor public safety and court appearance outcomes post-COVID to understand whether these outcomes will improve in a post-COVID landscape or are part of a new normal.

Thank You

Alison Birchard
Boulder County Community Justice Services
abirchard@bouldercounty.org