



**VIRGINIA CRIMINAL
SENTENCING COMMISSION**

Virginia's Pretrial Data Project Status Update

June 13, 2022



Virginia Pretrial Data Project Overview

In 2016, the General Assembly directed the Virginia State Crime Commission to study various aspects of Virginia's pre-trial system.

The original purpose of the study was to answer questions regarding the effectiveness of various pre-trial release mechanisms and conditions of pretrial release in **ensuring public safety and appearance at court proceedings.**



There was a **significant lack of data** readily available to answer many important questions related to the pretrial system.

As a result, the Virginia Pre-Trial Data Project was established.

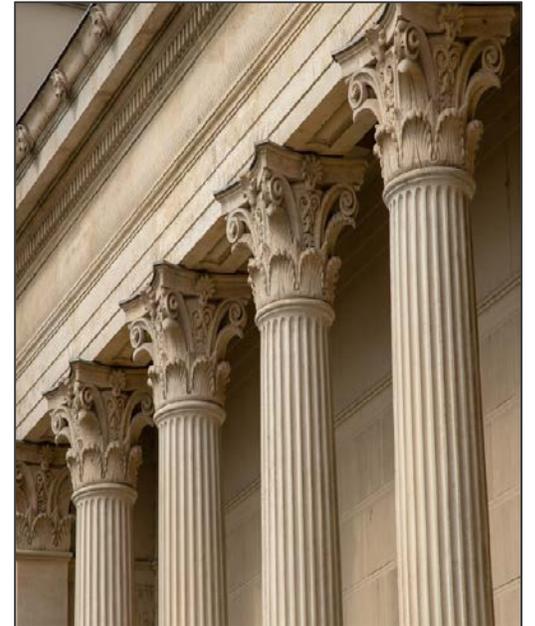


Virginia Pretrial Data Project Overview

The Project was an unprecedented, collaborative effort between numerous state and local agencies representing all three branches of government.

The goal was to compile data sufficient to answer many questions, including but limited to:

- **What percentage of defendants are released pretrial?**
- **How long do defendants remain in jail prior to pretrial release?**
- **What is the average bond amount set?**
- **What proportion of defendants do not show up for court appearances?**
- **What proportion of defendants are arrested for a new crime during the pretrial period?**



Virginia Pretrial Data Project Overview

The Project consisted of two phases:

1

Developing a cohort of adult defendants charged with a criminal offense in Virginia during October 2017 (referred to as the “contact event”) and

2

Tracking various outcomes within that cohort.

Data for the Project was obtained from many agencies and the Sentencing Commission acted as the central repository for all of the data.



Virginia Pretrial Data Project Overview



Source: Virginia State Crime Commission, *Virginia Pretrial Data Project – Final Report* (September 2021)

Virginia Pretrial Data Project Overview



E-Magistrate System

- Defendants brought before magistrates



Pretrial and Community Corrections (PTCC) Case Management System

- Defendants on pretrial services agency supervision
- Defendants on active local probation



Court Case Management Systems

- Case dispositions and FTA
- Defendants released on summons or charged by direct indictment



Central Criminal Records Exchange

- New in-state arrests
- FTA
- Criminal history



Circuit Court Case Management System

- Case dispositions and FTA
- Defendants released on summons or charged by direct indictment



Corrections Information System (CORIS)

- Defendants on active state probation



Circuit Court Case Management System

- Case dispositions and FTA
- Defendants released on summons or charged by direct indictment



Compensation Board- Local Inmate Data System (LIDS)

- Jail committals and releases
- Lengths of stay

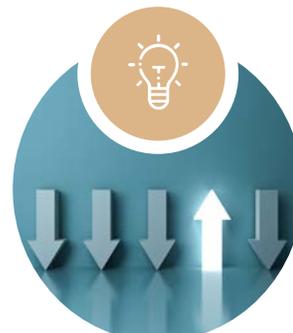


Virginia Pretrial Data Project Overview

Sentencing Commission staff spent a tremendous amount of time compiling the dataset.

The process required numerous iterations of data cleaning, merging, and matching to ensure accuracy when linking information from each data system to each defendant in the Project cohort.

This process was manually intensive and required meticulous attention to detail, as Virginia does not have a uniform, statewide data system to conduct an automated merging of such information.



Virginia Pretrial Data Project Overview



Individuals in the study cohort:

ADULT DEFENDANTS charged with a criminal offense during October 2017 followed through

DISPOSITION of the case or December 31, 2018, whichever came first.



800+ VARIABLES were collected or computed for each defendant.



Outcome measures for defendants released pretrial:

PUBLIC SAFETY: Whether the defendant had a new in-state arrest for an offense punishable by incarceration during the pretrial period.

COURT APPEARANCE: Whether the defendant was charged with failure to appear during the pretrial period.



Data also included:

Whether the defendant's charges were heard in a locality served by a Pretrial Services Agency.

Whether the defendant received Pretrial Supervision as a condition of his/her bond.



Virginia Pretrial Data Project Next Steps



The information provided by the Pre-Trial Data Project was **well-received by the General Assembly** and there was considerable interest in having the project continue.

The 2021 General Assembly passed legislation directing the **Sentencing Commission to continue this work.**

The Commission's first report is due **December 1, 2022.**

The **final data set** (with personal/case identifiers removed) must be made available on the Commission's website.

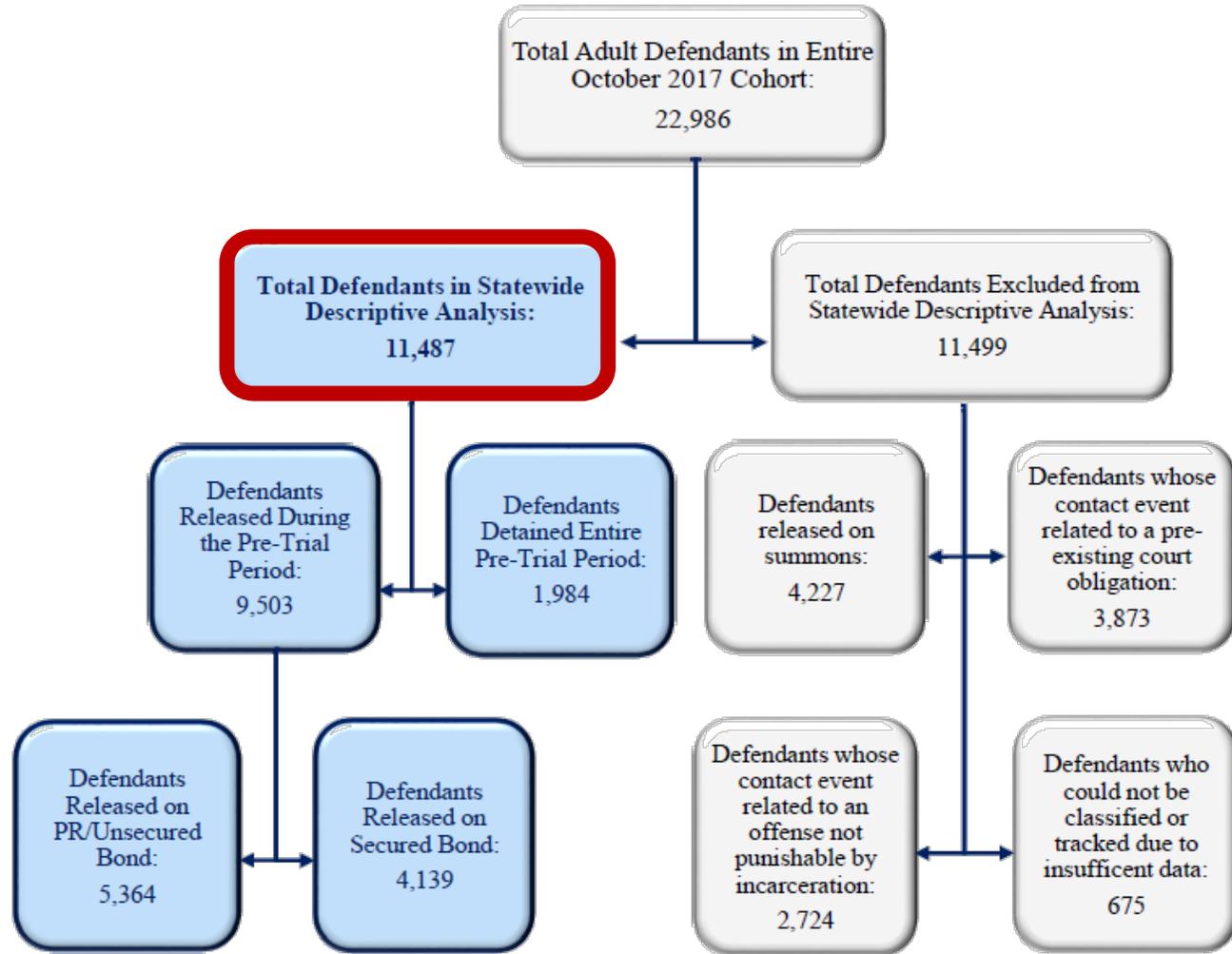
An **electronic interactive data dashboard tool** on the website must display aggregated data based on characteristics or indicators selected by the user.



2017-2020 Pretrial Data Project Selected Findings

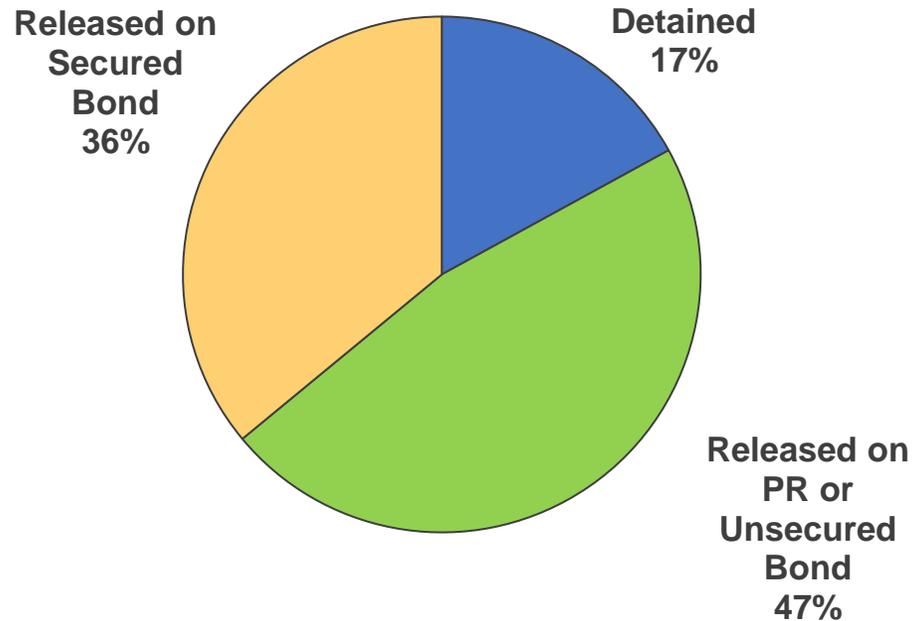
Nearly 23,000 adult defendants charged during October 2017 were tracked through final case disposition or until December 31, 2018, whichever came first.

Approximately half (11,487) of these contact events included a new criminal offense punishable by incarceration where the bail determination was made by a judicial officer.



2017-2020 Pretrial Data Project Selected Findings

Pre-Trial Release Status of Defendants in Cohort



Classification of Most Serious Offense	Pretrial Release Status		Defendants
	Released	Detained	
Felony	74%	26%	5,697
Misdemeanor	92%	8%	5,540
Special	88%	12%	232
Undetermined	94%	6%	18
Number of Defendants	83%	17%	11,487

Of the 9,503 defendants released pretrial, 81% were released within 3 days.

This analysis is based on the 11,487 contact events that included a new criminal offense punishable by incarceration where a bail determination was made by a judicial officer.



2017-2020 Pretrial Data Project Selected Findings

Pre-Trial Release Status and Defendant Demographics

This analysis is based on the 11,487 contact events that included a new criminal offense punishable by incarceration where the bail determination was made by a judicial officer.

	Pretrial Release Status		Defendants
	Released	Detained	
Gender			
Male	79%	21%	8,383
Female	92%	8%	3,104
Race			
White	85%	15%	6,657
Black	80%	20%	4,625
Other/Unknown	92%	8%	205
Indigency Status			
Indigent	77%	23%	6,818
Not Indigent	90%	10%	4,224
Undetermined	96%	4%	445
Number of Defendants	83%	17%	11,487



2017-2020 Pretrial Data Project Selected Findings

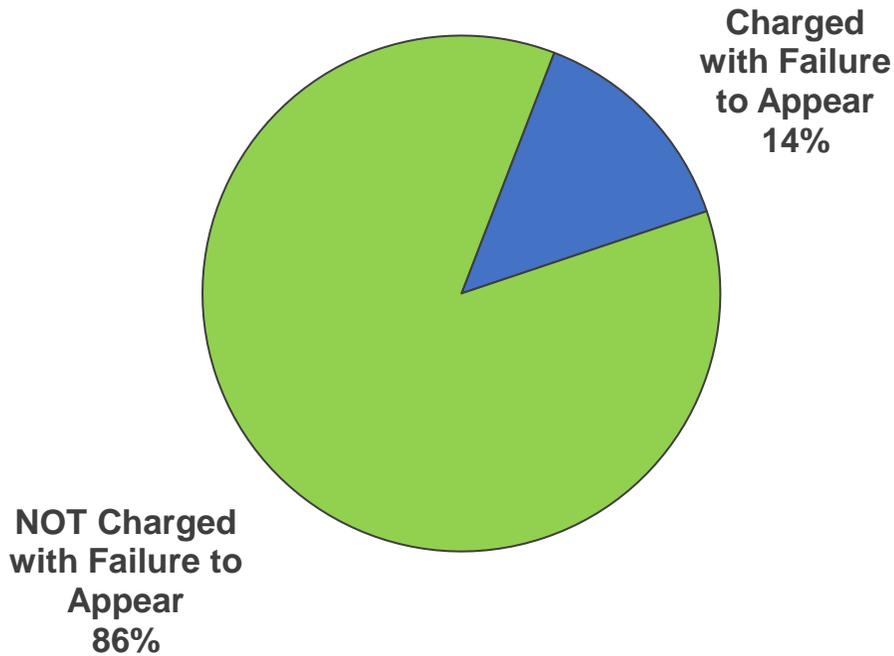
Of the 11,487 contact events that included a new criminal offense punishable by incarceration where a bail determination was made by a judicial officer, **9,503 defendants were released during the pretrial period.**

	Bond Type at Release		Defendants
	PR or Unsecured Bond	Secured Bond	
Gender			
Male	53%	47%	6,658
Female	64%	36%	2,845
Race			
White	58%	42%	5,633
Black	53%	47%	3,681
Other/Unknown	69%	31%	189
Indigency Status			
Indigent	51%	49%	5,267
Not Indigent	62%	38%	3,810
Undetermined	72%	28%	426
Total Released Defendants	56%	44%	9,503

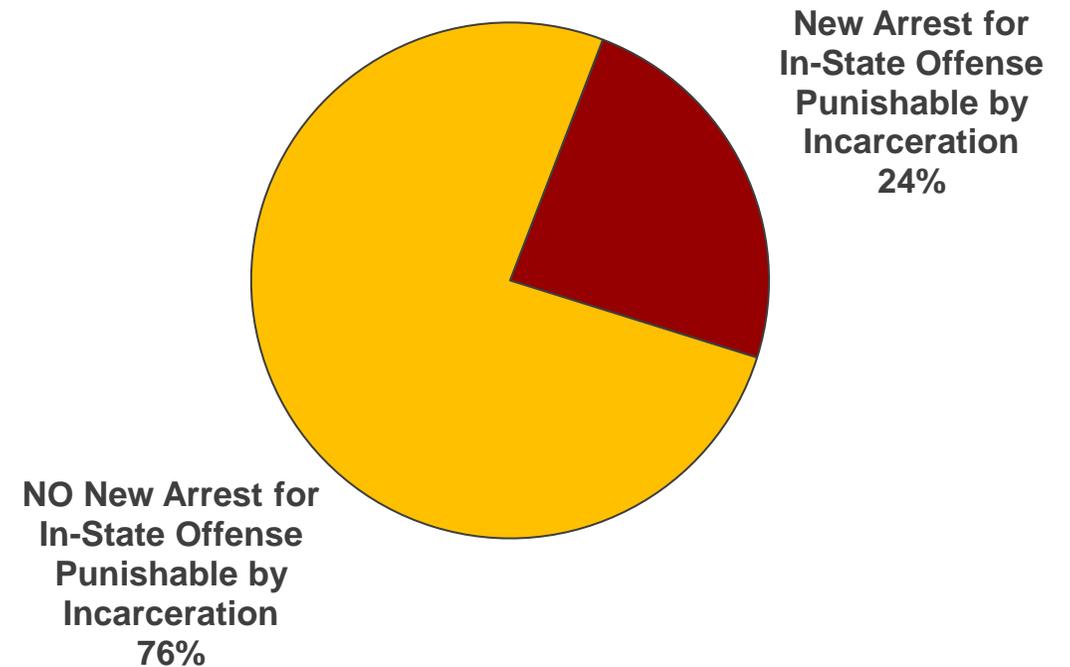


2017-2020 Pretrial Data Project Selected Findings

COURT APPEARANCE Outcomes for Released Defendants



PUBLIC SAFETY Outcomes for Released Defendants



Of the 11,487 contact events that included a new criminal offense punishable by incarceration where a bail determination was made by a judicial officer, **9,503 defendants were released during the pretrial period.**

NEW Virginia Pretrial Data Project Work of Commission in 2021-2022



NEW COHORT

Commission staff selected individuals with pretrial contact events during CY2018.

This will provide a pre-COVID baseline.

For individuals with more than one contact event during the period, only the first event was selected.

FOLLOW-UP PERIOD

The same 15-month follow-up period will be used for the new study.

Follow-up period will run through March 2020.



NEW Virginia Pretrial Data Project Work of Commission in 2021-2022



E-Magistrate System

- Defendants brought before magistrates



Pretrial and Community Corrections (PTCC) Case Management System

- Defendants on pretrial services agency supervision
- Defendants on active local probation



Court Case Management Systems

- Case dispositions and FTA
- Defendants released on summons or charged by direct indictment



Central Criminal Records Exchange

- New in-state arrests
- FTA
- Criminal history



Circuit Court Case Management System

- Case dispositions and FTA
- Defendants released on summons or charged by direct indictment



Corrections Information System (CORIS)

- Defendants on active state probation

NOT
NEEDED



Circuit Court Case Management System

- Case dispositions and FTA
- Defendants released on summons or charged by direct indictment



Compensation Board- Local Inmate Data System (LIDS)

- Jail committals and releases
- Lengths of stay

IN
PROCESS

NEW Virginia Pretrial Data Project CY2018 Cohort

PRELIMINARY

Total charges*	524,170
Total contact events	346,878
First contact events	256,406
Magistrate events	154,527
Direct Indictment events	2,136
Summons events*	99,743

*** Excludes infractions**



NEW Virginia Pretrial Data Project

CHALLENGES

Data quality: Accuracy and Completeness

- **Missing and typos in personal information: birthdate, names, and SSN**
- **Missing and type in VCC information**
- **VCC values not matched with case type**
- **Offense tracking numbers are not consistent across different court databases**
- **Missing or wrong information for jail commitment and release**
- **Different bail type information for each of the charges on the same arrest date**
- **All lead to issues when collapsing charge-based data to cohort- based data**



NEW Virginia Pretrial Data Project CHALLENGES

Data size

- **The CY2018 Cohort also includes the summons cases withailable offenses. This requires significant computing power to select and group the cases in a single data set.**

Database connection

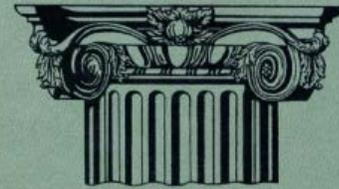
- **No clear link between court database and pretrial supervision database except personal information, contact date and commitment date (first active placement date).**





VIRGINIA CRIMINAL SENTENCING COMMISSION

Questions



VIRGINIA
SENTENCING
GUIDELINES

