

County Elected Officials Guide to Criminal Justice System Decision Making

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Prepared and Submitted by:



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Introduction

There are many primary components that comprise the criminal justice system: law enforcement, jail, courts, prosecution, defense, pretrial services, probation, prison and parole. One component often overlooked is county elected officials. Public safety is consistently rated a top priority for county residents; as such, county elected officials strongly influence the criminal justice system by passing ordinances, establishing policies, selecting program administrators and staff, setting public safety priorities, and, perhaps most importantly, making funding decisions that impact the system directly and indirectly.

Despite their important role, many county officials find their involvement in shaping the justice system challenging for several reasons:

- The criminal justice system is complex because it is guided by voluminous federal and state statutes and case law, which may not be areas of expertise for some county officials;
- The criminal justice system consists of agencies and organizations that fall under distinctive levels of jurisdictional control (e.g., municipal, state, or federal) outside the influence of county elected officials. For example, in many jurisdictions, municipalities are responsible for policing and counties for jail operations, while the state oversees the court system;
- The criminal justice system is comprised of independently elected local officials, such as sheriffs, prosecutors, and judges, who act with a fairly high degree of autonomy and authority given by law and are accountable to voters and not other elected officials; and/or
- Because of residents' expectations for public safety, restraining criminal justice expenditures is often difficult. As a result, the system typically accounts for a substantial portion of annual county budgets. Counties invest almost \$93 billion in justice and public safety services annually.

This guide will assist county officials in navigating the challenges of the criminal justice system and strengthening their public safety decision-making role. Outlined below is a six-step process that will enable county elected officials to acquire relevant justice data and to engage system stakeholders in meaningful dialogue that will yield fair and effective solutions to common criminal justice issues.

Step 1: Acquire Baseline Data on the Criminal Justice System

Administering an effective criminal justice system is a fiscal and social responsibility that is rooted in the ability to obtain, analyze, and meaningfully present data that describe how the system operates. System level data are critical to identifying problems and making informed decisions. County officials can seek baseline data on the criminal justice system, and thereafter support the regular and continued acquisition of such data. Listed below are key data elements that should be available in every county. Further information, including the likely sources for these data, can be found in Appendix A.

- Crime rates
- Calls for service
- Counts and rates for:
 - Adult felony arrests
 - Adult misdemeanor arrests
- Adult summons (citations)
- Jail bookings
- Jail releases
- Jail average length of stay (ALOS)
- Jail average daily population (ADP)
- Commitments to state prison
- Criminal cases filed
- Criminal case dispositions
- Average time to disposition for criminal cases
- Pretrial release rate
- Pretrial success rate
- Process measures by program (e.g., number of individuals placed on regular probation, in drug court, etc.)
- Outcome measures by program (e.g., 3, 6, and 12 month recidivism for individuals released from probation; number of failures to appear by individuals released on their own recognizance or placed in pretrial supervision; etc.)

Step 2: Bring Together Criminal Justice Stakeholders

After acquiring baseline data, county officials are in position to engage key justice stakeholders in a group discussion about the criminal justice system. A successful approach is to frame this discussion as an opportunity to openly share perspectives, including routine challenges, on the criminal justice system. It is extremely important to keep the focus of the group discussion on knowledge sharing and the prospect of making the justice system better for stakeholders and the community, without any finger pointing or blame.

Two primary objectives of the group discussion with key criminal justice stakeholders are promoting systemic thinking and building collaboration. Criminal justice agencies commonly operate as silos, working as independent entities, and this fragmentation may lead to significant inefficiencies and possibly a breakdown in the fundamental principles of justice: fairness, due process, impartiality, and equality. Systemic thinking focuses specifically on doing what is best for the criminal justice system and the community, rather than the isolated interests of individuals or agencies. Encouraging systemic thinking among criminal justice stakeholders breaks down barriers by focusing on the big picture and, more importantly, creating a common purpose and a shared vision. A common purpose and shared vision then become catalysts for collaboration whereby criminal justice stakeholders work together to design and implement policies that resolve issues and enhance the criminal justice system overall.

Criminal justice coordinating councils, or CJCCs, are valuable entities for bringing together justice stakeholders and institutionalizing collaboration. CJCCs are a formal or informal body that meets regularly (i.e., monthly or bi-monthly) to actively coordinate and manage the local criminal justice system. These councils address issues that cross over multiple agencies and/or jurisdictions with the goal of developing integrated solutions. Jail crowding, for example, is a common issue tackled by CJCCs because inmate population levels are strongly influenced by the actions of law enforcement, prosecutors, judges, and others, and resolving the issue requires a coordinated effort from system partners. Because CJCCs are system-oriented, they do not get involved in the inner workings of specific justice agencies or offices.

To learn more about CJCCs, visit the NACo website at NACo.org/webinars to watch the webinar recording entitled "From Silo to System: The Importance of Criminal Justice Coordinating Councils" and the National Network of Criminal Justice Coordinating Councils at jmijustice.org

Membership of CJCCs generally includes, at a minimum, the following individuals: sheriff, police chief, prosecutor, defense bar representative and/or public defender, administrative criminal judge, administrative juvenile judge, pretrial services director, and chief probation officer. Since CJCCs have independently elected officials as members, they normally operate in an advisory capacity and the general goal is to obtain consensus

on implementing change through interdependence and shared responsibility. County elected officials are frequently effective leaders of CJCCs because they have:

- Credibility to bring together other elected officials and agency leaders from across the criminal justice system;
- Neutrality from the perspective of a system that, by design, is adversarial in nature and multijurisdictional;
- Access to supportive resources widely needed by the criminal justice system, such as behavioral health and social services; and
- Influence over the county budget and investments in the criminal justice system.

To assist county elected officials in forming and potentially leading a CJCC, consideration should be given to creating a dedicated staff position for the council. Dedicated, well-qualified staff with justice-related experience can be extremely useful with regularly compiling, analyzing and presenting justice system data, as well as organizing meetings and assisting with initiatives that emerge from the CJCC. Another possible avenue is to create a partnership with faculty at a local university or community college to lend support, especially with building and maintaining a criminal justice dataset. However, this option should be considered a temporary solution until dedicated criminal justice planning staff is acquired.

Useful Tips for Organizing a Criminal Justice Coordinating Council:

- Request an initial one-year commitment from key stakeholders to actively participate
- Require stakeholders, not proxies, to attend
- Create bylaws that define the systemic mission, objectives and structure of the CJCC
- Establish ground rules for meeting conduct, decision making, and information sharing
- Focus on the system and public safety and avoid territorial boundaries and politics
- Maintain balance so that no one individual or justice organization controls the council or meetings
- Identify 3-5 initiatives that the CJCC can mutually work together to address over the first year
- Make every meeting productive out of respect for stakeholders' time
- Form committees to work on tasks between CJCC meetings
- Hire qualified staff to assist with CJCC efforts

Step 3: Ask the Right Questions

County officials can successfully lead criminal justice reform by asking the right questions. Good data (see Step 1) provide opportunities to identify areas that may be the underpinnings, or drivers, of issues that arise in CJCC discussions, and help answer the system level questions that can be addressed with policy changes. Because the criminal justice system is typically comprised of 5-10 different but interdependent agencies, it may be useful to adopt a decision point framework or flow chart to visualize the entire justice system. For example, the “Seven Key Justice System Decision Points” flow chart on the next page depicts the decisions to arrest, detain pretrial, release pretrial, prosecute, adjudicate, sentence, and modify sentence. When each decision point is annotated with data, e.g. numbers of individuals or cases, such a framework can help identify a measure that is disproportionately large in comparison to nearby measures (i.e., “bulges” in the system flow) or one that is over capacity, and thereby indicative of a system dysfunction or inefficiency. Thus, depicting the complex justice system with its component pieces assists the formulation of meaningful questions that can shape criminal justice policy, and helps prevent errors that occur when data are evaluated out of context.

The following are sample key questions; an exhaustive table describing the policy implications and related data elements is available in Appendix B.

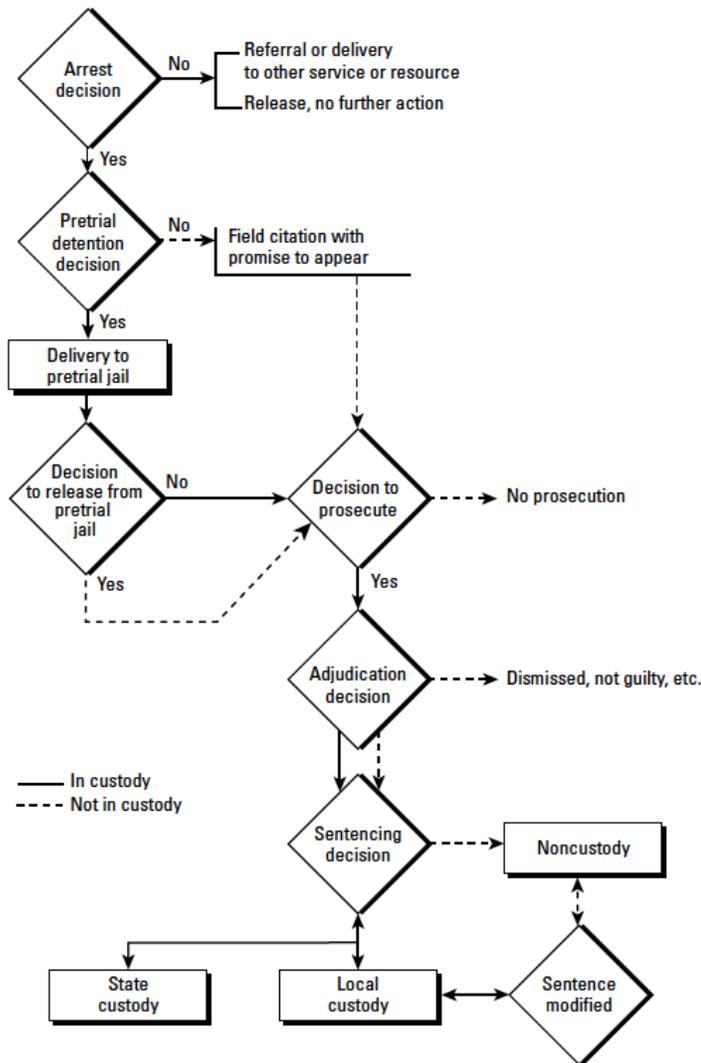
- What proportion of law enforcement encounters result in arrest?
- How often do police issue summons in lieu of arrest and what are the criteria for that option?
- Is crime increasing?
- What offenses are driving crime rate trends?
- What proportion of pretrial defendants is released and what proportion is detained in jail?
- Are the criteria for releasing/detaining pretrial defendants risk based?
- What is our public safety rate for individuals released pretrial? What is their court appearance rate?

Key Questions to Determine the Presence of Racial and Ethnic Disparities

Most jurisdictions are committed to a fair and effective criminal justice system. Good data can inform a jurisdiction if its criminal justice policies have disparate impacts on any community groups (e.g., racial and ethnic minorities, women, men). To do so, the criminal justice data elements in Appendix A can be broken out demographically. Combined with county demographic data, relative representations of each group at every stage of the criminal justice process can be determined. For example, if Latinos comprise 16% of a county’s adult population, but represent 54% of adult arrests, a system level question might be “What is law enforcement’s arrest policy and why does it disproportionately affect Latinos?” Another key question may be about the concentration of minority groups deeper in the criminal justice system. For example, if Latinos represent 54% of all arrests but 62% of cases filed, a key question is “Why does Latinos’ representation in our criminal justice system become concentrated between arrest and case filing?”

- Is our jail facility safe, modern, and operating within its capacity?
- Are case filings increasing?
- What proportion of cases filed result in a plea and what proportion go to trial?
- What are average, longest, and shortest times, to disposition for criminal cases?
- What is the recidivism rate for individuals sentenced to probation?
- What percentage of individuals successfully completes probation?
- How do our commitments to state prison compare to neighboring counties' commitments?
- What proportion of sentences is modified?
- What is the rate of successfully completed sentences?
- Are legal and evidence-based practices (LEBP) in place throughout our criminal justice system, and what are the sources of "evidence" supporting their effectiveness?

Flow Chart of Seven Key Criminal Justice Decision Points



Source: Robert C. Cushman, *Guidelines for Developing a Criminal Justice Coordinating Committee*, National Institute of Corrections, January 2002

Step 4: Identify Opportunities for Improvement

The discussions on the data with stakeholders and the CJCC should reveal useful information about the system's strengths and weaknesses. As collaborative partners, county officials and the CJCC membership can identify priority areas and develop strategies to enhance those areas. A systematic approach could be:

- *Build consensus around an area where improvement is needed.* Identify areas where there is general agreement that improvement or change is needed. Adopt a collaborative, problem solving orientation.
- *Clearly define the problem.* Prepare a statement that quantifies the problem and puts it into context by comparison to other jurisdictions or national trends.
- *Identify and select alternative approaches, focusing on legal and evidence-based practices:* Obtain research on the state of the art knowledge and legal and evidence-based practices around the topic the CJCC is focused on. Research professional standards and survey other jurisdictions' practices.
- *Formulate implementation strategies.* After a new process has been selected, determine the who/what/where/when of implementation.
- *Set goals and expectations.* Be clear and specific about the outcomes or improvements that the CJCC expects. Use comparative analysis with model jurisdictions to set realistic goals.
- *Have data systems in place.* Data collection *before* and *after* can determine if the intended outcomes have been achieved.
- *Identify potential areas of resistance.* Understanding who or what may create resistance to new policies and practices in advance will allow the CJCC to develop strategies for handling the resistance and increase the likelihood of success.

Ideally, the above approach will culminate in a formal plan that is adopted via consensus with the CJCC. The formal plan should outline each initiative, or objective, and the specific tasks required to complete the initiative. For each of the tasks, an "owner" of the work should be identified and target start and completion dates set. Additional agencies or staff involved should also be noted in the plan, along with the resources that are needed to complete the tasks. Finally, the plan should determine the outcome that is expected when the tasks are completed. Below is a brief and simplistic example:

<i>Objective:</i>	Implement policy on issuing citations/summons
<i>Tasks:</i>	1) Review national models, 2) draft and adopt policy, 3) train officers
<i>Owner:</i>	Police chief
<i>Co-owner(s):</i>	Sheriff and CJCC
<i>Resources:</i>	Staff attorneys
<i>Start date:</i>	November 1, 2016
<i>Completion date:</i>	May 31, 2017
<i>Outputs:</i>	Policy approved by police department and 100% of officers trained

Step 5: Support the Plan

Engaging in the process of acquiring data, bringing together justice stakeholders to review the data and system, and identifying opportunities will assuredly yield strategies that will improve the criminal justice system and heighten public safety. Routinely, the above process will reveal solutions that do not require any, or very little, financial investments. A significant amount of the criminal justice system's shortcomings is the result of disconnects between agencies or a lack of awareness that policies or practices in one part of the system have unintended consequences in another. Bringing together stakeholders to communicate and engage in a thoughtful and deliberate review of the criminal justice system's current state often leads to problem solving that transpires into favorable compromises, procedural changes, and/or resource sharing. In addition, the process of relying on data and forming a cohesive group of justice leaders may provide the incentive necessary for key justice stakeholders, particularly elected officials, to embrace more substantial reform efforts. For example, several jurisdictions have been able to make sweeping pretrial justice reforms by analyzing their jail population and instituting policies and practices to safely release low risk defendants on non-monetary conditions. These changes did not require a financial commitment, but rather political will and the backing of the collective system leaders.

Money for some strategies will always be a necessity, however. If feasible, financial support for data-driven justice solutions developed by a jurisdiction's criminal justice leadership is likely a strong investment in resolving poignant public safety problems and incentivizing justice system collaboration. When it is not feasible for a county to fully fund proposed solutions, there are other avenues that county elected officials may pursue to push criminal justice reform efforts forward. These alternative funding strategies include the following:

Beyond Money: Advocacy in the Community is Invaluable

New initiatives, especially those that break away from long standing approaches to public safety, require advocacy in the community and media from key stakeholders and county elected officials. County elected officials, in particular, can be extremely influential in supporting criminal justice reform efforts because of their dual role of protecting public safety and being good stewards of taxpayer dollars. Below are useful approaches to championing justice reform in public:

- Shape the message about the reform initiative from the start rather than letting others do it;
- Develop talking points for all justice stakeholders to stay on message when describing a new initiative;
- Use the CJCC as a collective front to drive reform and have the council share in the "wins" and "losses";
- Present a unified front in the face of criticism and accept responsibility collectively; and
- Avoid abandoning an initiative quickly if something unfavorable happens, which is always a possibility, and focus on assessing the issue and making adjustments.

- Funding Shifts

Based on a data-driven analysis, if a proposed solution promises to produce better results than an existing program or service, then a reduction or elimination of funds should be considered for the existing program or service and redirected toward the proposed solution. In recent years, there has been an abundance of criminal justice research that distinguishes effective and ineffective programs and services, and this knowledge can help guide local funding shift decisions.

- Piloting

Approaching a new solution as a pilot project provides an opportunity to test the strategy without fully committing long-term to the initiative. Test piloting offers several advantages, including lower start-up costs, faster implementation, greater flexibility for experimentation and fine-tuning, and easy termination if not successful. Furthermore, piloting an initiative provides additional time to determine detailed costs and benefits, as well as potential funding sources.

- Savings Reinvestment

Ideally, the solutions developed through the data discussion and collaboration with the system stakeholders will produce more efficient and effective policies, programs, and operations that will generate cost savings. Cost savings may emerge through fewer arrests, reduced inmate population levels, less criminal cases filed or pending, or decreased supervision caseloads. Lower costs in these areas may allow for reinvestment of budget dollars through the shifting of funds and/or resources (and the sustainment of pilot initiatives). Reinvestment savings may also emerge through cost avoidance, as anticipated expenditures, such as staffing increases or jail expansion, are no longer necessary due to the implementation of more effective solutions.

- Resource Leveraging

As local leaders, county elected officials have influence to leverage existing resources, such as behavioral health, housing, medical, and social services, to forge collaborative partnerships with justice agencies and embolden criminal justice initiatives. Indeed, county elected officials can be extremely influential at prioritizing county services for high-risk populations that are involved in multiple county funded systems in order to control costs, improve service delivery, and better serve the interests of the community. Specific examples of leveraging resources include behavioral health agencies providing care to inmates at the jail and housing departments engaging chronically homeless individuals (and frequent users of the criminal justice system) in sustainable living environments.

- Inter-local Partnerships

The financial weight of criminal justice does not fall solely on counties. States and municipalities are also system stakeholders, and forming alliances with other governmental entities or agencies may stimulate the pooling of funds or sharing of resources to achieve common objectives. Again, CJCCs serve as an excellent opportunity to cultivate valuable partnerships across jurisdictional boundaries. In some locations around the country, in fact, CJCC staff is funded by annual contributions from the CJCC membership agencies. This is just a small example of how inter-local partnerships can work together to heighten public safety and enrich the operation of the criminal justice system.

- Outside Funding

Federal grants and technical assistance dollars, sometimes channeled through the state, are periodically available to county governments to ignite criminal justice improvements; however, these funds seem less commonplace and more specialized over the past few years. In contrast, national and local foundations have increased their grant funding for criminal justice reform, particularly investment in innovative strategies that are data-driven and replicable in other jurisdictions. In addition, corporations and businesses are becoming more active in funding pilot initiatives that enrich local communities, including public safety. The data capability recommended here improves a county's competitiveness for these outside funding opportunities.

Step 6: Receive Regular Updates on Progress

*I*nstituting criminal justice reform within a county is a tremendous accomplishment because it requires motivation, determination, and perseverance. Local criminal justice systems, despite being built on laws, are steeped in tradition and culture that are sometimes challenging to change. Launching new solutions should be lauded. Ideally, new initiatives will be successful as planned, but there is also the chance that they may fail. To prevent the latter from happening, it is extremely important that the initiatives are routinely monitored and evaluated to ensure that they are producing the desired results. It may sometimes be necessary to adjust or modify an initiative based on qualitative and quantitative feedback. Receiving regular updates on progress also heightens accountability, reveals changes over time, and focuses attention on the goal.

County elected officials, and the CJCC, can improve the likelihood for success, or minimize losses, by utilizing data tools to track outcomes or outputs (See Step 1). Useful data tools include reports, dashboards, performance measures, evaluations, and cost-benefit analyses. Each of these data tools is briefly described in the chart on the following page.

To learn more about cost benefit analysis tools, visit the NACo website at NACO.org to watch the presentation entitled “User-Friendly Tools for Improving Criminal Justice Outcomes”.

Although it is essential to monitor and assess the outcomes and outputs specific to a new policy, it is equally important for county elected officials, and the CJCC, to maintain a watchful eye over the performance of the criminal justice system overall, particularly baseline information (Step 1). The reason is twofold. First, stakeholders will want to be cognizant of any potential unintended consequences that changes to one part of the system may have on others. For example, the implementation of a specialty treatment court may cause delays in processing other criminal cases, resulting in longer pretrial detention stays. Second, the criminal justice system is dynamic, meaning that it is constantly changing and requiring regular maintenance and check ups. Reports, dashboards, and/or performance measures on baseline information are extremely useful for proactively managing and coordinating the criminal justice system. This information should help trigger county elected officials and the CJCC to recycle through the steps presented in this guide.

Useful Data Tools For Monitoring Criminal Justice Initiatives				
Data Tool	Description	Cost	Advantages	Disadvantages
<i>Reports</i>	Written summaries produced monthly or quarterly that capture basic data elements and trends	Low	Offer salient, general information and some trend data; may provide charts, tables, and other useful graphics	Face value information with little data analysis; information is usually dated when published
<i>Performance Measures</i>	Indicators, or metrics, used to assess how well an initiative is achieving its desired outcomes	Low	Measures specific outputs and outcomes; sets benchmarks, or goals, to achieve; tend to produce objective information	Does not capture unintended benefits or consequences; faulty criteria or poor quality data may undermine indicators
<i>Cost Benefit Analyses</i>	Analyses that compare a program's outputs or outcomes with the costs to produce them	Medium	Identifies the least costly solution to meet a goal; ensures money is being invested wisely	Expresses outcomes primarily in dollar terms; subjectivity in measuring intangible benefits
<i>Dashboards</i>	Electronic information management tools that track key data elements using existing record management systems	Medium to High	Automated real time or near real time updates on initiatives and system performance; effective at visually displaying trends	Requires fairly robust record management systems and technology investment; incoming data must be clean; stakeholders can be overly reactive to short term fluctuations
<i>Evaluations</i>	Studies to assess the design, implementation, improvement, or outcome of an initiative based on data	Medium to High	Provides a more in-depth examination; reveals intended and unintended consequences; utilizes scientific methods	Time consuming to produce; requires research expertise; more costly

Conclusion

County elected officials play a valuable and important role in the criminal justice system. Through the use of data, collaboration building, and planning they can ignite change in the criminal justice system to heighten public safety and utilize local resources wisely. Seeking change with little knowledge of the criminal justice system should not be a deterrent, as many in the criminal justice system will openly welcome the opportunity to share information about their hard work and struggles. Likewise, they will embrace leadership from a neutral party that objectively concentrates on making the system better overall and has access to resources to make things happen. The six steps outlined in this guide provide the foundation for county elected officials to embrace this challenge and to become informed decision makers on the criminal justice system.

Appendix C of this guide provides a listing of useful publications and resources that will assist county elected officials in becoming more knowledgeable about the criminal justice system. In addition, there are many national organizations, such as the National Association of Counties, the Justice Management Institute, and the Pretrial Justice Institute, that can offer technical assistance and/or support.

Review of Six-Step Criminal Justice Decision Making Process:

1. Acquire baseline data on the criminal justice system
2. Bring together criminal justice stakeholders
3. Ask the right questions
4. Identify opportunities for improvement
5. Support the plan
6. Receive regular updates on progress



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240.477.7152
pretrial.org

Appendix A: Criminal Justice Baseline Data Elements

Criminal Justice System Baseline Data Measures			
Data Element	Source(s)	Description	Relevance
Crime Rates	<ul style="list-style-type: none"> Uniform Crime Report (UCR) National Incident-Based Reporting System (NIBRS) Local law enforcement agencies 	<ul style="list-style-type: none"> Crimes per 1,000 residents (e.g., violent crimes per 1,000 residents, property crimes per 1,000 residents) Individual offense per 1,000 residents (e.g. motor vehicle thefts per 1,000 residents) 	<ul style="list-style-type: none"> Measures public safety Reveals types of crimes occurring Provides trends in criminal activity Suggests impact of crimes on communities
Calls for Service	<ul style="list-style-type: none"> Local law enforcement agencies 	<ul style="list-style-type: none"> Number of calls for law enforcement 	<ul style="list-style-type: none"> Measures law enforcement workload and demand
Arrests: Traffic, Misdemeanor, and Felony	<ul style="list-style-type: none"> UCR Law enforcement agencies Jail 	<ul style="list-style-type: none"> Arrests (count) Arrests per 1,000 adults (rate) Arrest types per 1,000 residents (e.g. arrests for motor vehicle theft per 1,000 adults) 	<ul style="list-style-type: none"> Quantifies volume at primary point of entry to justice system Determines justice system involvement of local adults Measures law enforcement workload
Adult Citations/ Summons	<ul style="list-style-type: none"> Law enforcement agencies 	<ul style="list-style-type: none"> Number of summons or citations issued to adults Can also be broken out by types 	<ul style="list-style-type: none"> Quantifies volume of lower level offenses and law enforcement workload Reflects local arrest policies and practices
Jail Bookings and Jail Releases	<ul style="list-style-type: none"> Jail 	<ul style="list-style-type: none"> Count of jail bookings Count of jail releases Inmate statuses (pretrial, sentenced, violator, other jurisdiction hold, etc.) 	<ul style="list-style-type: none"> Quantifies in/out volume of jail facility Illustrates agencies utilizing jail Measures jail workload Reveals driver of jail population levels
Jail Average Length of Stay	<ul style="list-style-type: none"> Jail 	<ul style="list-style-type: none"> Average number of days in jail Inmate status (pretrial, sentenced, violator, other jurisdiction hold, etc.) 	<ul style="list-style-type: none"> Indicates average times in pretrial detention and jail sentences when broken out by inmate type Reveals driver of jail population levels
Jail Average Daily Population	<ul style="list-style-type: none"> Jail 	<ul style="list-style-type: none"> Average daily census of inmates – sorted by inmate status (pretrial, sentenced, violator, other jurisdiction hold, etc.) 	<ul style="list-style-type: none"> Measures jail occupancy Depicts composition of jail population Can be compared to jail rated capacity (i.e., maximum population for safe operation of jail)

Criminal Justice System Baseline Data Measures (Continued)

Data Element	Source(s)	Description	Relevance
Commitments to State Prison	<ul style="list-style-type: none"> Courts 	<ul style="list-style-type: none"> Number of individuals sentenced to prison from local court system 	<ul style="list-style-type: none"> Measures local contribution to state correctional population
Criminal Cases Filed	<ul style="list-style-type: none"> Courts Prosecutor’s office 	<ul style="list-style-type: none"> Number of criminal cases filed into courts Charge types filed and court level 	<ul style="list-style-type: none"> Indicates court workload Quantifies courts’ “front door” volume
Criminal Case Dispositions	<ul style="list-style-type: none"> Courts 	<ul style="list-style-type: none"> Count of closed criminal cases Charges and dispositions by offense type or level 	<ul style="list-style-type: none"> Measures total volume and range of adjudication types In combination with previous data element, indicates in/out caseflow
Average Time to Disposition for Criminal Cases	<ul style="list-style-type: none"> Courts 	<ul style="list-style-type: none"> Average time between case filing and disposition Charges and/or dispositions by offense type or level 	<ul style="list-style-type: none"> Measures swiftness of justice Indicates courts ability to handle workload Reveals potential causes for delays when broken down by case or courtroom
Pretrial Release Rate	<ul style="list-style-type: none"> Courts Pretrial services agency 	<ul style="list-style-type: none"> Percentage of arrested individuals who are released to community during pretrial phase 	<ul style="list-style-type: none"> Indicates pretrial decision making policy Measures reliance on money bonds
Pretrial Success Rate	<ul style="list-style-type: none"> Courts Pretrial services agency 	<ul style="list-style-type: none"> Percentage of defendants who attend all court dates and remain crime free while on pretrial release 	<ul style="list-style-type: none"> Measures effectiveness of pretrial release process Indicates pretrial re-offense rate or failure to appear in court rate
Process Measures by Program (e.g., regular probation, drug court, etc.)	<ul style="list-style-type: none"> Individual agencies & programs 	<ul style="list-style-type: none"> Can include caseloads, numbers referred, etc. 	<ul style="list-style-type: none"> Describes and quantifies process Indicator of agency workloads
Outcome Measures by Program (e.g., regular probation, drug court, etc.)	<ul style="list-style-type: none"> Individual agencies & programs 	<ul style="list-style-type: none"> Measures related to program goals Can include recidivism rates, completion rates, referrals to services, etc. 	<ul style="list-style-type: none"> Reflects effectiveness of criminal justice interventions

Appendix B: Criminal Justice System Key Questions

Criminal Justice System Key Questions				
Decision Point	Key Questions	Policy Implication	Data Element(s)	Who? (Agency)
Arrest	<ul style="list-style-type: none"> • What proportion of law enforcement encounters result in arrest? • How often do police issue summons in lieu of arrest and what are the criteria for that option? • What offenses are driving crime rate trends? • Is crime increasing? 	<ul style="list-style-type: none"> • Issuing summons is less costly than arrest, maximizes officers' time in the field, and minimizes citizens' penetration into/involvement in criminal justice system • Arrest trends that do not follow crime trends may indicate changes in policing practices 	<ul style="list-style-type: none"> • Arrests • Summons • Crime rates 	<ul style="list-style-type: none"> • Local law enforcement agencies • UCR • NIBRS
Pretrial	<ul style="list-style-type: none"> • What proportion of pretrial defendants is released and what proportion is detained in jail? • Are the criteria for releasing/detaining pretrial defendants risk based? • What is our public safety rate for individuals released pretrial? What is the court appearance rate? 	<ul style="list-style-type: none"> • Jail is costly and pretrial detention should be carefully limited. • Risk based pretrial decision making is a legal and evidence-based practice. • Pretrial practices should simultaneously maximize public safety, release, and court appearance 	<ul style="list-style-type: none"> • Jail inmates by category • Pretrial release rates • Pretrial success rates 	<ul style="list-style-type: none"> • Jail • Pretrial services • Courts
Jail	<ul style="list-style-type: none"> • Who is incarcerated and why? • Is our jail facility safe, modern, and operating within its capacity? 	<ul style="list-style-type: none"> • Composition of jail population may indicate need for community alternatives or solutions • Jails are expensive to build and operate; long term planning is needed if updates are required. 	<ul style="list-style-type: none"> • Jail bookings and jail releases • Average length of stay • Average daily population 	<ul style="list-style-type: none"> • Jail

Criminal Justice System Key Questions (Continued)

Decision Point	Key Questions	Policy Implication	Data Element(s)	Who? (Agency)
Prosecute	<ul style="list-style-type: none"> • Are case filings increasing? • What proportion of cases filed result in a plea and what proportion go to trial? 	<ul style="list-style-type: none"> • Trends in case filings reflect the combined decision making of law enforcement, the prosecutor, and the courts. • The profile of case dispositions reflects caseload volume, local philosophy, and access to justice. 	<ul style="list-style-type: none"> • Case filings • Case dispositions 	<ul style="list-style-type: none"> • Courts
Adjudicate	<ul style="list-style-type: none"> • What are average, mean, longest, and shortest times to disposition for criminal cases? 	<ul style="list-style-type: none"> • Citizens should have timely access to justice. 	<ul style="list-style-type: none"> • Average time to disposition for criminal cases 	<ul style="list-style-type: none"> • Courts
Sentencing	<ul style="list-style-type: none"> • What is recidivism rate for individuals sentenced to probation? • What percentage of individuals successfully complete probation? • What proportion of convicted individuals are sentenced to community supervision, jail, and prison? • How do our commitments to state prison compare to neighboring counties'? 	<ul style="list-style-type: none"> • Effective community supervision practices should minimize recidivism. • Failing probation, if it results in an incarceration sentence, can be very costly. • The local judicial policy on sentencing should be legal and evidence based. 	<ul style="list-style-type: none"> • Probation recidivism rate • Probation completion rate • Commitments to state prison • Case dispositions 	<ul style="list-style-type: none"> • Probation • Courts • State Department of Corrections
All Decision Points	<ul style="list-style-type: none"> • Are legal and evidence based practices in place throughout system? • Are we using state of the art knowledge to improve outcomes and apply cost effective solutions? 	<ul style="list-style-type: none"> • County is operating effective and efficient programs • Taxpayer funds are being spent wisely • Individuals will not return to the criminal justice system 	<ul style="list-style-type: none"> • All 	<ul style="list-style-type: none"> • All

Appendix C: Useful Publications and Resources

Criminal Justice System Reform

- Report: From Silo to System <http://www.jmijustice.org/blog/silo-to-system/>
- Website: National Association of Counties www.naco.org
- Website: www.jmijustice.org

Criminal Justice Coordinating Councils

- Website: National Network of Criminal Justice Coordinating Councils (NNCJCC) <http://www.jmijustice.org/network-coordination/national-network-criminal-justice-coordinating-councils/national-network-criminal-justice-coordinating-councils-nncjcc-membership/>
- Webinar: From Silo to System: The Importance of Criminal Justice Coordinating Councils (CJCC) <http://www.naco.org/events/silo-system-importance-criminal-justice-coordinating-councils-cjcc>
- Training: Everything You Need to Know About a Criminal Justice Coordinating Council - A 101 Training for County Officials <http://www.naco.org/resources/everything-you-need-know-about-criminal-justice-coordinating-council-101-training-county>
- Report: Guidelines for Developing a Criminal Justice Coordinating Committee <http://static.nicic.gov/Library/017232.pdf>
- Report: Keeping Your Criminal Justice Coordinating Committee Going Strong <https://www.pretrial.org/download/pji-reports/Keeping%20Your%20CJCC%20Going%20Strong%20-%20Jones%202013.pdf>
- Report: Guidelines for Staffing a Criminal Justice Coordinating Committee <https://www.pretrial.org/download/pji-reports/Keeping%20Your%20CJCC%20Going%20Strong%20-%20Jones%202013.pdf>

Data Collection and Analysis

- Training: Measuring What Matters: Essential Elements of Pretrial Data <http://www.naco.org/blog/measuring-what-matters-essential-elements-pretrial-data>
- Training: Good Questions, Better Data for Improved Justice Outcomes <http://www.naco.org/resources/good-questions-better-data-improved-justice-outcomes>
- Training: User-Friendly Tools for Improving Criminal Justice Outcomes <http://www.naco.org/resources/user-friendly-tools-improving-criminal-justice-outcomes>
- Website: Cost-Benefit Knowledge Bank for Criminal Justice <http://cbkb.org>

Pretrial Justice

- Webinar: Using Pretrial Risk Assessment to Guide Release and Detention Decision-Making <http://www.naco.org/events/using-pretrial-risk-assessment-guide-release-and-detention-decision-making>
- Website: Pretrial Justice Institute <http://www.pretrial.org>

Reducing Racial and Ethnic Disparities

- Webinar: Reducing Racial and Ethnic Disparities (RED) in County Justice Systems <http://www.naco.org/events/reducing-racial-and-ethnic-disparities-red-county-justice-systems>
- Webinar: An Interactive Virtual Discussion on Reducing Racial and Ethnic Disparities (RED) in County Justice Systems <http://www.naco.org/events/interactive-virtual-discussion-reducing-racial-and-ethnic-disparities-red-county-justice-1>

Reforming Criminal Justice Fines and Fees

- Webinar and Interactive Discussion Series: County Officials' Role in Reforming Criminal Justice Fines and Fees <http://www.naco.org/events/webinar-and-interactive-discussion-series-county-officials-role-reforming-criminal-justice>