



Virginia Pre-Trial Data Project

Final Report

November 4, 2021



Overview

- Project Background
- Key Statewide Findings
- Replication of Project



Project Background

- The Virginia Pre-Trial Data Project (“Project”) is one of the most comprehensive statewide pretrial datasets in the nation.
- The final report on the Project was published in September 2021 and is available at:
<http://vscc.virginia.gov/virginiapretrialdataproyect.asp>
- The final report includes descriptive findings at both the statewide and locality level.



Project Background





Project Background

- 22,986 adult defendants charged with a criminal offense during October 2017 were tracked from their initial charge to the final disposition.
- The Project dataset includes up to 850+ variables for each defendant, such as:
 - Demographics
 - Nature of charge(s)
 - Prior in-state criminal history
 - Public safety and court appearance risk levels
 - Bond type
 - Final case disposition

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Project Background

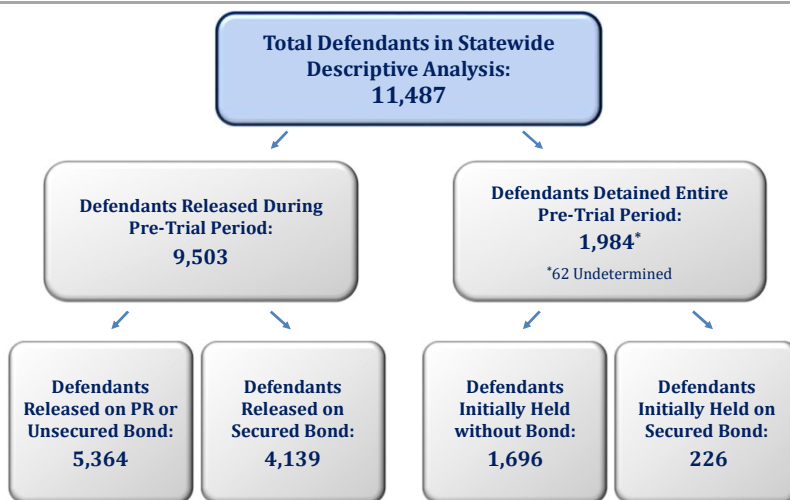
- The 22,986 defendants were classified based on the criminal charges in their October 2017 contact event:
 - **11,487** - new offenses punishable by incarceration where the bail determination was made by a judicial officer
 - 4,227 - new offenses punishable by incarceration where the defendant was released on a summons
 - 3,873 – offenses solely related to a pre-existing court obligation
 - 2,724 - new offenses not punishable by incarceration
 - 675 – unable to classify or track due to insufficient data

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Key Statewide Findings



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Key Statewide Findings - Demographics

- The majority of defendants were male, White, between the ages of 18 to 35, indigent, and residents of Virginia.
 - Defendants who were male, Black, or between the ages of 18 to 35, were significantly overrepresented as compared to their representation within Virginia's overall population.
 - At least 59% of defendants were found to be indigent.

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Key Statewide Findings – Release Status

- The majority of defendants were ultimately released from custody during the pretrial period.
 - Most defendants were released within 3 days.
- The median secured bond amount at release generally did not vary widely across demographics or nature of contact event:
 - \$2,500 for felony contact events.
 - \$2,000 for misdemeanor contact events.



Key Statewide Findings - Outcomes

- When examining court appearance and public safety outcomes, most defendants released during the pretrial period were not:
 - Charged with failure to appear; or,
 - Arrested for a new in-state offense punishable by incarceration.



Key Statewide Findings – PSA Risk Levels

- The Public Safety Assessment (PSA) was used to assign uniform risk levels of:
 - Failure to appear (FTA)
 - New criminal activity (NCA)
- As FTA risk levels increased, the proportion of defendants charged with failure to appear increased.
- As NCA risk levels increased, the proportion of defendants arrested for a new in-state offense punishable by incarceration increased.



Key Statewide Findings – Conviction Rates

- 59% (6,797 of 11,487) of defendants were convicted of at least one charge in their contact event as of December 31, 2018.
 - Conviction rates were similar across sex, race, indigency status, residency status, and attorney type.
- Defendants who remained detained the entire pretrial period had *higher* conviction rates (77%) as compared to defendants who were released during the pretrial period (56%).



Replication of Project

- The Virginia Criminal Sentencing Commission made the Project dataset available at:
<http://www.vcsc.virginia.gov/pretrialdatapoint.html>
 - Download the full October 2017 dataset, excluding any personal or case identifying information.
 - View and filter the October 2017 dataset at a statewide and locality-level based on select variables on a data dashboard.



Replication of Project

- The Virginia Criminal Sentencing Commission will continue to collect and make pretrial data publicly available on an annual basis.
 - First report on pretrial data for FY18 will be published by December 1, 2022.
 - A more robust web-based dashboard for the Project is under development.



Discussion