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The Unmet Promise of Pretrial Assessment, Release and Referral

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Advantages of Pretrial Services



- Unique gatekeeping function with many opportunities to serve troubled individuals;
- Some women may be identified for the first time in their lives as having serious mental health, substance abuse, trauma, housing, childcare, safety, and other issues;
- Many of these issues may be addressed by key community services;

The Importance of Assessments



- Informs diversion decisions and other pretrial release options (Risk Levels and Specific Needs);
- Judges are more likely to support alternatives if they have assessment-based information on risk and needs;
- Addressing these needs (both gender-neutral and gender responsive) could reduce the likelihood of pretrial failure;

Advantages of Pretrial Assessments

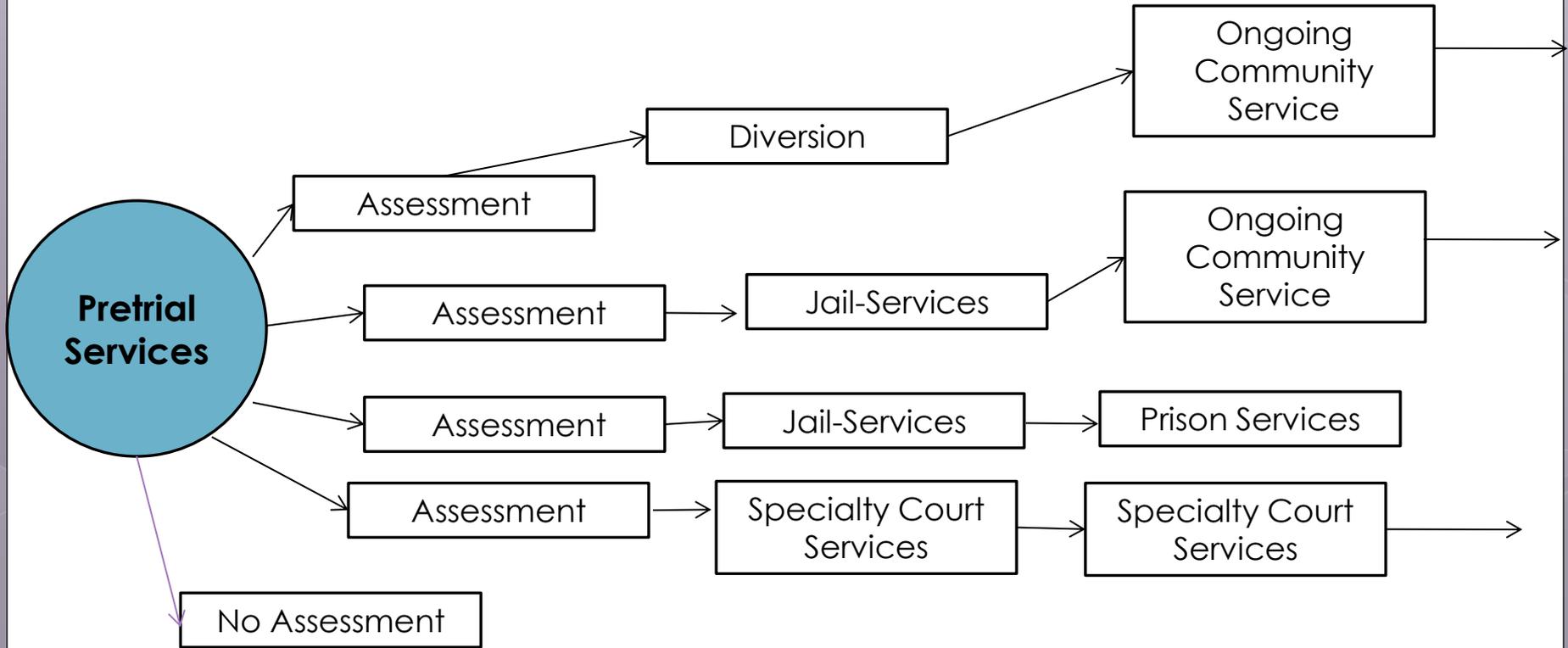


- Informs pretrial supervision (Risk Levels and Specific Needs);
- Guides programing during jail terms and pretrial supervision;
- Needs screens can prevent over-assessing;
- Assessments can guide work at later decision points.

Pretrial Focus on Needs is Recent

- Pretrial service agencies began in the 1960s and 1970s to facilitate pretrial release as an alternative to bail;
- Since then:
 - Deinstitutionalization of the mentally ill and inability of CMHCs to provide adequate service to severely mentally ill;
 - Greater awareness of child abuse and domestic violence;
 - Emerging drug problem and the “War on Drugs”;
 - Welfare reform;
 - Economic changes and shifts in the dynamics of poverty.
- Sociopolitical shifts have brought many more seriously troubled individuals to the attention of pretrial service agencies.

Assessment-based Pre-entry Model



Additional Support

Clinical Services



Courts

Community Corrections

Community Partners

Programming

The Jail

Families/Partners

The Importance of FTAs

- This failure could contribute to individuals being drawn further into the system;
- Once individuals are in the system, it is difficult for them to extricate themselves;
- Gender responsive factors are related to FTAs, including mental health and trauma, especially true for women.



Inventory of Need (ION)

- Residence
- Family of Origin
- Significant Other
- Children
- Education
- Financial
- Medical
- Trauma
- Mental Health
- Support and Barriers
- Programming Goals
- Financial Worksheet

Assumptions of the Assessments

- The main goal is to address needs related to adverse outcomes;
- The needs are gender responsive and gender-neutral;
- Identification of needs is assessment-based;
- Identified needs are addressed through case management and evidence-based programming;
- Assessment/case plans can transition to other correctional agencies.



Integrating Gender Responsive Resources into the Legal Framework

- Pretrial Services Agencies (PSA) are uniquely positioned to broker an array of services to meet the needs women at the **gateway** of the criminal justice system;
- PSAs can partner across community-based resources to access brief interventions to lay the groundwork for an uninterrupted EBP continuity of care model that promotes escalated levels of effective intervention post-adjudication:
 - Agreements to blend funding to intervene early on;
 - Reimbursements to PSA by behavioral health and health providers for client arrest and linkage information;
 - Grants/Seed funding to demonstrate improved outcomes.

Important Considerations

- State/Local Laws on Bail;
- Laws Protecting Confidentiality;
- Organizational Structure of PSA;
- Existence of Gender Responsive Resources for Women;
- Local System's Training Needs;
- Crafting Policies and Procedures;
- Automation;

Important Considerations (cont'd.)

- Timing relative to other client concerns, e.g., legal, child care, detox, mental health;
- Population mobility and complexity;
- Willingness to build women's collaborative;
- Strategic allocation of resources:
 - Responsive and trained staff;
 - Integrated information systems:
 - Ability to catalog risk and respond appropriately within the legal framework;
 - Sharing with whom, when, and for what purpose?

Hamilton County's Use of Gender Responsive Assessment Tools

- Tool is incorporated into pretrial release screening and supervision processes to identify and respond to the needs of women early in the criminal justice process;
- Can minimize pretrial misconduct through progressive intervention strategies:
 - Suggests the need for brief interventions and/or the need for more comprehensive assessments;
 - Facilitates engagement to meet immediate and long term needs of women within their communities;
 - Informs judges of meaningful pretrial release options.



Implementation Progress in Dutchess and Milwaukee Counties

- Administer pretrial ION, following initial screening with a gender neutral pretrial tool, with medium and high risk women only;
- Training for sites in GR research, interviewing and case management skills;
- ION administration began June 2014;
- Interview takes 45 minutes on average for each female defendant.



Implementation Progress in Dutchess and Milwaukee Counties (cont'd.)

- Initial reaction of women defendants very positive; they appreciate pretrial officers taking the time to get to know them;
- Dutchess County has developed a “Pretrial ION Administrative Guide”;
- Importance of availability of gender responsive services in the counties to which women can be referred;
- Research to study validity and usefulness of ION in the two pilot sites conducted by Dr. Krista Gehring.