

# SMART PROSECUTION

## **Baltimore City State's Attorney's Office Smart Prosecution Initiative Implementing Evidence-Based Risk Assessment during Pre-Trial Phase**

### **Statement of the Problem**

Baltimore City's incarceration rate is three times higher than both state and national averages. The Baltimore City Detention Center (BCDC) detains approximately 4,000 individuals daily.<sup>1</sup> In January 2010, 67% of those held at BCDC were charged with a non-violent crime (e.g., violation of probation, property crime, failure to appear in court, etc.). Nearly half (41%) of those detainees charged with non-violent crimes were charged with a drug offense.<sup>2</sup> According to the Maryland Department of Public Safety and Correctional Services (DPSCS), it costs approximately \$150 per day to house one inmate in BCDC.

### **Strategies and Tactics**

The State's Attorney's Office in partnership with Applied Research Services will develop a locally tailored automated risk assessment for use by prosecutors to evaluate individuals charged at BCDC, and make evidence-based recommendations for release to the Bail Commissioner and the Court. The pretrial risk assessment will identify individuals posing either a low risk or high risk for endangering public safety and failing to appear at future court dates. The goal is to make evidence-based decisions for determining bail and conditions of release for detainees. Implementing the risk assessment will enable prosecutors to recommend release for low risk individuals and prevent them from suffering collateral consequences of detention.

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<sup>1</sup> Justice Policy Institute, "Baltimore Behind Bars", June 2010

<sup>2</sup> Justice Policy Institute, "Baltimore Behind Bars", June 2010

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## **Partnerships and Collaborations**

The State's Attorney's Office developed partnerships and collaborations to identify existing inefficiencies and gather data to improve public safety, reduce criminal recidivism, and reduce unnecessary incarceration. Those partnerships include: (1) Maryland Department of Public Safety and Correctional Services, (2) Pretrial Services Division, (3) Bail Commissioners, and (4) Baltimore Police Department.

## **Research Methodology**

The research partner, Applied Research Services, Inc. (ARS) will gather data from various criminal justice partners, and using that data to create a risk assessment. ARS will provide a report evaluating the implementation and effectiveness of an automated pretrial risk assessment. Research questions will address whether use of a risk assessment reduced the number of detained low risk individuals and thereby reduced the overall jail population for Baltimore City.