



PRESS RELEASE

To: Local Media
From: Hector X. Gonzalez, Jr., Court Executive Officer
Date: June 26, 2020
Re: Tuolumne County Pretrial Pilot Program

Starting June 30, 2020, Tuolumne County will begin a new Pretrial Pilot Program using a two-year grant to improve pretrial release practices. The overall purpose of the Pretrial Pilot Program is to improve the process courts use to determine who will be released and who will be detained prior to trial. Tuolumne County is one of 17 counties selected by the Judicial Council of California (JCC) to receive a Pretrial Pilot Program Grant. The grant will support efforts to improve Tuolumne County's pretrial justice system so as to address jail overcrowding, reduce failures to appear and prioritize community safety, reduce discrimination based on wealth and race, and ensure that incarceration is reserved only for those who jeopardize public safety. Nearly 100% of the increase in jail populations in the United States over the last 20 years is the result of the increase in pretrial detention. The cost of pretrial detention is a significant burden. California alone is estimated to spend \$1.5 billion annually on pretrial detention.

The JCC awarded Tuolumne County \$632,000 to conduct a Pretrial Pilot Program with the following goals:

- (1) Increase the safe, pretrial release of people from jail before their case is over;
- (2) Transparently and validly assess their likelihood of returning to court and remaining arrest-free;
- (3) Monitor people while they are on pretrial release using research-based practices; and
- (4) Reduce bias based on wealth, race, ethnicity, and gender.

What "Pretrial" Means

In our country, everyone who is charged with a crime is considered innocent until proven guilty. When a person is arrested and booked into jail, pretrial decision makers consider three things when deciding to release or detain people while they wait for a resolution to their case: community safety, the likelihood the person will return to court, and respect for the person's right to liberty. The U.S. Supreme Court has said that during the pretrial period, liberty is the norm and detention before trial is the carefully limited exception.

Data shows that most people in our county are successful while on pretrial release. In fiscal year 2018-19, 233 people remained in the community during the pretrial phase, with 78 percent successfully attending all court hearings and remaining arrest-free.

Local Effort that Created the Tuolumne County Pretrial Pilot Program

Quote from Tuolumne County Superior Court Presiding Judge, Donald Segerstrom:

"Even before the issue of bail reform became a major political topic, Tuolumne County was faced with a jail over-crowding problem so serious that immediate action was required. Working together with our justice partners, the Tuolumne County Superior Court instituted a local pretrial release program that focused on making sure public safety was the guiding factor. That local program allowed us to successfully apply for the Pretrial Pilot Program Grant from the Judicial Council of California to continue this work. The Pretrial Pilot Program will allow us to make sure there is space in the jail for sentenced prisoners and that pretrial detention is limited to those persons who represent a threat to public safety."

The Tuolumne County Pretrial Team that has worked together to create the Pretrial Pilot Program includes local judges, the Probation Department, the Sheriff's Department, the District Attorney's office, and the Public Defender's office. This team will continue to work together to identify strengths and areas for improvement for the Pretrial Pilot Program.

Quote from Tuolumne County Chief Probation Officer, Dan Hawks:

"In developing a local program, we spent a tremendous amount of time and energy working collaboratively with justice system partners and experts in the field of pretrial services. Ultimately, we developed a local process which considers the relevant legal mandates, relies on best practice approaches, and which utilizes the best available risk assessment tool from a public safety standpoint. I believe Tuolumne County's Pretrial Program can provide a model to other small counties looking to achieve great outcomes on a limited budget."

An important tool the Tuolumne County Pretrial Pilot Program will use is the Public Safety Assessment, or PSA, a pretrial assessment that provides additional research-based information to support pretrial decision making. The PSA will assist judges in understanding the likely level of risk, and inform the judge's decisions about the conditions of release to help people "succeed" while on pretrial release. To succeed in the Pretrial Pilot Program means that persons released do not commit any new crimes while waiting for trial and they appear for all their court proceedings.

About the JCC's Pretrial Pilot Program

The JCC's [Pretrial Pilot Program](#) aims to increase the safe and efficient release of people before trial; use the least restrictive monitoring practices possible while protecting public safety and ensuring court appearances; validate and expand the use of pretrial assessment tools; and assess any bias.

End of Press Release