

THE JEFFERSON COUNTY BAIL PROJECT: IMPACT STUDY FOUND BETTER COST EFFECTIVENESS FOR UNSECURED RECOGNIZANCE BONDS OVER CASH AND SURETY BONDS



**CLAIRE M.B. BROOKER
MICHAEL R. JONES
TIMOTHY R. SCHNACKE**

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SUMMARY

In early 2010, Jefferson County, Colorado, conducted a Bail Impact Study, which was a pilot project to determine, among other things, the impact of using fewer secured money bonds on four bail outcomes: (1) public safety; (2) court appearance; (3) compliance with supervision; and (4) pretrial jail use.¹ This study was part of the larger Jefferson County Bail Project, a comprehensive undertaking to understand and improve the County’s bail administration.² Results showed that the increased use of secured financial conditions of bond did not enhance court appearance, public safety, or compliance with other conditions of supervision. Secured bonds did, however, increase pretrial jail bed use. These findings suggest that when secured money bonds are set, it results in higher taxpayer cost with no public safety, court appearance, or compliance with supervision benefits.

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INTRODUCTION

In 2007, Jefferson County’s Criminal Justice Coordinating Committee³ embarked on a comprehensive review of the way local justice officials administered bail (the “Jefferson County Bail Project”) and directed its staff, the Criminal Justice Planning Unit (CJP), to research the topic. A review of the current legal and empirical research led County criminal justice leaders to question the existing traditional money bail system it had used for decades and to consider making changes. The characteristics of the traditional money bail system in Jefferson County, and as described generally in the literature, were a heavy reliance on secured money bonds, particularly surety bonds, and the use of a charge-only based money bond schedule that enabled many defendants to be released from jail custody prior to an assessment of their risk to public safety and for failing to appear in court. County criminal justice lead-

ers wanted to test proposed changes to this system to ensure that the impact of change at the local level would not negatively impact their system’s pretrial operations or outcomes, and therefore requested a pilot project be conducted before changes might be made permanent.⁴

Several changes were implemented for the Bail Impact Study, based on national best-practice standards.⁵ The judges suspended the existing money bail bond schedule for fourteen weeks and set bonds pursuant to a “process and schedule,” which was modeled after best-practices in the administration of bail.⁶ The County’s Pretrial Services Unit conducted risk assessments on all defendants arrested and booked into the detention facility. That information was provided to the court, which held bond-setting advisements every day (including

1 This paper presents only the final analysis of the Study’s pretrial outcomes. It does not describe the lengthy, detailed analyses or discussions of the Study’s impacts on criminal justice agency operations.
2 For an overview of the Project in its entirety, see Timothy R. Schnacke, Michael R. Jones, Claire M.B. Brooker, and Hon. Margie Enquist, *The Jefferson County Bail Project: Project Summary Presented to the Attorney General’s National Symposium on Pretrial Justice* (May 23, 2011) found at <http://pretrial.org/Success/The%20Jefferson%20County%20CO%20Bail%20Project%20Summary%20May%202011.pdf>.
3 At the time of the Bail Project, the CJCC (formerly the “Jefferson County Criminal Justice Strategic Planning Committee” or “CJSPC”) was a coordinating committee similar to that described by Robert Cushman in the document, *Guidelines for Developing a Criminal Justice Coordinating Committee*, U.S. Dep’t of Justice, Nat’l Inst. of Corr., NIC Accession No. 017232 (Jan. 2002).
4 The Jefferson County Justice Services Division successfully applied for a Byrne/Justice Assistance Grant from the Colorado Division of Criminal Justice to help fund the pilot project. See *Colorado Division of Criminal Justice, Justice Assistance Grant Program - 2009 Recovery Application*, available from the Jefferson County Criminal Justice Planning Unit.
5 See generally, *American Bar Association Standards for Criminal Justice (3rd Ed.) Pretrial Release* (2007). Because the ABA Standards are based on legal and evidence-based practices, those Standards served as a basis for the Jefferson County Bail Project and its Impact Study (see also, Marcus, *The Making of the ABA Criminal Justice Standards, Forty Years of Excellence*, 23 *Crim. Just.* (2009)).
6 See Chief Judge Order 2009-09: *In the Matter of the Jefferson County Bail Impact Study* (Dec. 22, 2009).

weekends and holidays) for the duration of the pilot project. Prosecutors were present at each advisement, and public defenders represented all felony defendants during the hearings. Due to a provision in Colorado statute (which was amended in 2013), public defenders could not represent misdemeanor defendants, but they gave these defendants general instructions on making a more meaningful bond argument. Pursuant to the “process and schedule,” judicial discretion was not diminished, but judges

were encouraged through both the new process and schedule’s guidelines and during en banc discussions to set more unsecured bonds and fewer secured bonds. Although 96% of cases were legally eligible for unsecured (PR) bonds, and 66% of cases remained statutorily eligible without needing prosecutor consent, overall, judges set PR bonds in 30% of cases during the Study. However, this represented roughly a doubling of PR bonds set by judges from a baseline observation the previous fall.

METHOD

During the Study, planning staff and pretrial services staff tracked every case with a bond set at advisements held each day from January 4th through April 9th, 2010.⁷ Planning staff analyzed a total of 1,277 cases, 1,202 (94%) of which had reached disposition and closed by March of 2011. Of these 1,202 cases, 80 cases were excluded (33 for which no bond was set, 1 for which a “no bond hold” was set, 44 for which cash and surety bonds were concurrently set in different monetary amounts, and 2 for which bond-post status was unclear) leaving 1,122 cases in the final sample for analysis.

The effect of secured (cash or surety-option) versus unsecured (personal recognizance) money bonds

on pretrial outcomes of public safety, court appearance, compliance with supervision, and pretrial jail use was measured using a quasi-experimental design.⁸ The efficacy of one bond type typically cannot be directly compared to another on the outcome measures of public safety, court appearance, or compliance with supervision because in the traditional money bond system, a judge likely orders different types of bond for different types of defendants, which makes any attribution of defendant behavior to the bond type difficult to ascertain empirically. However, the quasi-experimental design with systematic case assignment employed for the Study allowed for such a comparison. The bond type definitions and outcome measurement methods are summarized below.

Bond Type Definitions

<p>Secured Bond A bond where money has to be paid upfront before a defendant can be released from custody. It can be in the form of a cash-only or surety-option bond. The money can be forfeited if the defendant fails to appear for court.</p> <p>Cash-Only Bond A type of secured bond where the full amount of the bond must be paid to the court prior to release and is returned if all court appearances are made.</p> <p>Surety-Option Bond A surety bond is a type of secured bond where a fee is paid, and often collateral is given, to a commercial bail bonding business which, in turn, promises full payment of the bond to the court in the event that the defendant fails to appear for court. In Jefferson County, this type of bond was typically set as an option by the judge. That is, a defendant can either use a commercial surety agent or personally post the full amount in cash to the court.</p> <p>Unsecured Bond A bond where money is promised to be paid if the defendant fails to appear for court, but money does not have to be paid to gain release from custody. In Colorado this is called a personal recognizance (PR) bond. This type of bond may or may not have a co-signer who promises to pay the court the full monetary bond amount if the defendant fails to appear.</p>
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⁷ Jefferson County Pretrial Services Program supervisors, Leslie Holmes and Jessie Masciotro, were instrumental to the Study’s completion, as well as the 2011 bond review analysis, through the extensive work they and their staff provided in designing, gathering, and entering case-level data.

⁸ In Colorado, the amount of money on any bond (secured or unsecured) cannot be legally forfeited for a new arrest, having new charges filed with the court, or for failing to comply with supervision conditions other than not appearing in court. Money bonds therefore have no legal relationship to public safety or compliance with other supervision conditions other than appearing for court. However, both types of money bonds (secured and unsecured) carry the potential penalty of paying money to the court in the event that a defendant fails to appear for court while on bond.

Case and Pretrial Outcome Measurement Methods:

Case
Measured by counting each docket number from the advisement date to the case closure date as indicated in Colorado’s online court information system.

Court Appearance
Measured by counting the number of defendants who attended all court events for their case after initially posting bond and being released from jail. If the court’s online data records indicated that the “party failed to appear,” the defendant was not counted as appearing in the court appearance statistic.

Pretrial Jail Use
Measured by counting the time from bond setting to bond posting, or from bond setting to case closure if the bond was never posted.

Public Safety
Measured by counting a defendant’s new arrests/filings for offenses with dates that occurred between the initial bond posting date and court case closure date according to Colorado’s online court information system.

Technical-Only Violations (compliance with supervision)
Measured by counting whether the defendant had a technical-only bond violation while under supervision. These violations exclude court appearance or public safety violations.

Judges in Jefferson County rotate through the task of setting bond at first advisement, with each judge taking either a full day or a full week at a time.⁹ This systematic rotation and case assignment created, in effect, random assignment of cases because each judge was required to set bond on all cases entering the court while the judge was on duty. Nevertheless, while all judges saw similar cases, a review of the data illustrated that judges set more or less different bond types for their defendants. One group of judges set more unsecured bonds and fewer surety-option and cash-only bonds (the “Many Unsecured Bonds Group”), and another group set more

surety-option and cash-only bonds (with more frequent surety-option bonds) and fewer unsecured bonds (the “Many Secured Bonds Group”).¹⁰ These two groups formed the comparison samples for the Study’s quasi-experiment. Charts 1 and 2 show the distribution of bond types by judge and the cutoffs used for choosing which judges were included in the two groups used in subsequent analyses. The “Many Unsecured Bonds” group includes judges R, M, N, O and P and the “Many Secured Bonds” group includes judges S and T.¹¹ Judges who set bond types in a “more hybrid” manner were excluded from the Study.

⁹ The seven county court (misdemeanor-level) judges primarily had the task of holding advisements on a rotating weekly basis. The 14-week Study allowed each of those judges to have two “duty weeks” to test the new bail administration procedure. Seven district court (felony-level) judges also participated in the Study by sharing the responsibility of holding advisements on the weekends.

¹⁰ The comparison groups were selected based on the initial bond setting. The judge who sets bond at first advisement does not necessarily remain the judge through case disposition. Likewise, the bond set at initial advisement can later be modified.

¹¹ The letters associated with the different judges are arbitrary labels used for this study and do not indicate a real-life court division.

Chart 1: Unsecured Bonds Set

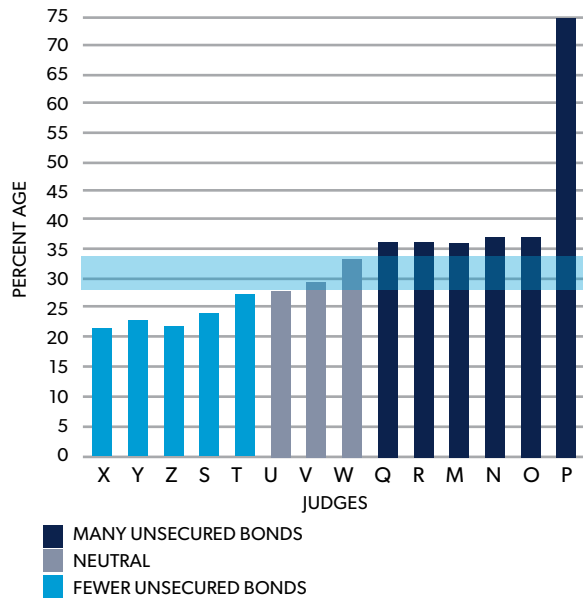
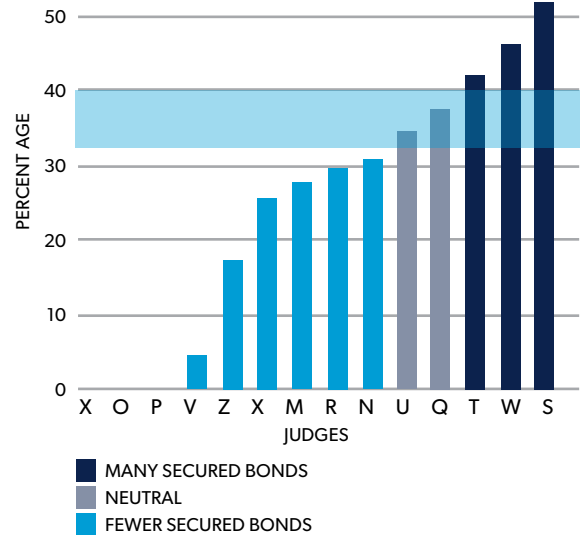


Chart 2: Secured Bonds Set



We compared these two groups of judges using statistical significance tests. Each group of judges set bond, and had defendants post bond, in over 200 cases. To answer different research questions, the two judge groups were compared using all cases with a bond set (n=536) and also using just those cases where bond was posted (n=422). The statistical test employed on the major research questions was the chi-square test using a confidence interval of 95% (i.e., we can be at least 95% confident that the results found were not due to chance). We were not able to conduct statistical tests on all data as the nature of some of the data in the Study is not normally distributed or bi-modal and has high standard deviations. Additional descriptive analysis is provided on all 1,122 cases in the results section regarding pretrial jail use due to delayed and prevented release by bond type, the affordability of cash bonds, and the inevitability of a sentence to detention for those who do not post bond and remain in custody for their entire pretrial period.

In Jefferson County, it was common judicial practice at the time of the Study to order the vast majority of cases to supervision, regardless of the bond type set. Accordingly, the analysis of the two judge groups included only cases that were also ordered to pretrial supervision at advisement.¹² Moreover, because of the lack of cases posting bond that were not ordered to pretrial supervision, this study did not test the effectiveness of supervision itself (i.e., do defendants with similar case characteristics and bond types have different pretrial outcomes if they were ordered to pretrial supervision compared to those who were not). Finally, this study did not test the impact of the type and amount of pretrial supervision used. The study only tested the impact of bond type on pretrial release outcomes when supervision was held constant (i.e., pretrial supervision was ordered at advisement on all cases).¹³

12 The “Many Unsecured Bonds” judge group ordered supervision on 81% of all bonds set and of those who posted bond, 89% were ordered to pretrial services supervision at advisement. The “Many Secured Bonds” judge group ordered supervision on 86% of all bonds set and of those who posted bond, 88% were ordered to pretrial services supervision at advisement.

13 Some defendants may not have remained under pretrial services supervision for the entire duration of their court case.

RESULTS

Quasi-Experimental Design Results

Using the chi-square test, we determined that the comparison judge groups were statistically similar in the types of cases they saw, but discovered that the groups had statistically different bond types set and posted (see Tables 1, 2, and 3). Chi-square tests showed no statistically significant difference between the number of felony and misdemeanor/traffic cases in each judge group ($p > 0.05$) for the comparisons made using both bonds set and bonds posted. However, there was a significant difference in the types of bonds set and posted for those cases ($p < 0.0005$). This finding held true when the groups were compared using all three bond types (unsecured, cash-only, and surety-option) and when only two bond types, unsecured versus secured (cash-only and surety-option combined) were analyzed for the comparisons using both bonds set and bonds posted.

Given that these two groups of judges saw the same types of cases but set different types of bonds, we applied the chi-square test to determine the impact of those bonding decisions on public safety, court appearance, compliance with other conditions of supervision, and pretrial jail use. In order to answer the question of whether the type of bond posted impacts the pretrial outcomes of a defendant, Table 1 presents the comparison of the two judge groups for all bonds posted ($n=422$). In order to answer the question of whether setting a particular bond type at advisement has an impact on pretrial outcomes, regardless of whether that bond is posted or not, Tables 2 and 3 present the comparison of the two judge groups for all bonds set ($n=536$). We found the following:

Outcome Measure: Public Safety

There was no significant difference in the public safety rate between the two judge-groups for defendants who posted bond (see Table 1). Although the judge groups did differ significantly in the percentage of defendants who never posted bond (see Table 2), there was no significant difference in the overall public safety rate between the two judge groups for all bonds set, including those who did and did not post bond (see Table 3).

Outcome Measure: Court Appearance

There was no significant difference in the court appearance rate between the two judge-groups for defendants who posted bond (see Table 1). Although the judge groups did differ significantly in the percentage of defendants who never posted bond (see Table 2), there was no significant difference in the overall court appearance rate between the two judge groups for all bonds set, including those who did and did not post bond (see Table 3).

Outcome Measure: Compliance with Supervision

There was no significant difference in the compliance with supervision rate between the two judge-groups for those who posted bond (see Table 1).

Outcome Measure: Pretrial Jail Use

There was a significant difference in the percentage of defendants who did not post bond between the two judge-groups (see Table 2). As a result, the estimated pretrial jail cost for those who did not post bond was higher for the “Many Secured Bonds” group (see Table 2).

Table 1: Public Safety and Court Appearance for Those who Posted Bond, by Judge Group

Judge Group	Total # of Cases	Charge Type *		Bond Type **			Court Appearance Rate *	Public Safety Rate (No New Arrest/Filing)*	Technical-Only Violation Rate*
		Felony	Misd./T	Unsecured (PR) Bond Posted	Cash-Only Bond Posted	Surety-Option Bond Posted			
“Many Unsecured Bonds”	211	43% (91)	57% (120)	56% (119)	30% (64)	13% (28)	90% (189)	79% (166)	40% (85)
“Many Secured Bonds”	211	46% (98)	54% (113)	39% (82)	27% (58)	34% (71)	85% (180)	77% (163)	45% (95)

Study Data Analyzed: Cases closed by March 2011 (up to a 14-month pretrial time period), ordered to Pretrial Services supervision at advisement, initial bond posted (rates calculated by person).
 * Chi-square test showed no statistically significant difference between the comparison groups (p>0.05).
 ** Chi-square test showed a statistically significant difference between the comparison groups (p<0.05).

Table 2: Pretrial Jail Bed Use, by Judge Group, for All Bonds Set

Judge Group	Total # of Cases	Charge Type*		Bond Type**			% of Defendants Not Posting Bond by Case Closure**	Estimated Pretrial Jail Cost for Defendants Not Posting Bond @ \$65/Day ^a
		Felony	Misd./T	Unsecured (PR) Bond Set	Cash-Only Bond Set	Surety-Option Bond Set		
“Many Unsecured Bonds”	244	42% (102)	58% (142)	47% (114)	32% (77)	22% (53)	19% (47)	\$385,000
“Many Secured Bonds”	292	50% (145)	50% (147)	27% (80)	26% (75)	47% (137)	29% (85)	\$685,000

Study Data Analyzed: Cases closed by the end of March 2011 (up to a 14-month pretrial time period), ordered to Pretrial Services supervision at advisement, posted and not posted bond.
 *Chi-square test showed no statistically significant difference between the comparison groups (p>0.05).
 **Chi-square test showed a statistically significant difference between the comparison groups (p<0.05).
 a. This calculation uses the average pretrial period for those not posting bond in the “Many Unsecured Bonds” and “Many Secured Bonds” judge groups, which was 126 days and 124 days, respectively. The judge may have intended for some of these defendants to remain in custody, which may reduce the estimated savings.

Table 3: Public Safety and Court Appearance for All Bonds Set, by Judge Group¹⁴

Judge Group	Total # of Cases	Charge Type*		Bond Type**			Court Appearance Rate*	Public Safety Rate (No New Arrest/Filing)*
		Felony	Misd./T	Unsecured (PR) Bond Set	Cash-Only Bond Set	Surety-Option Bond Set		
“Many Unsecured Bonds”	244	42% (102)	58% (142)	47% (114)	32% (77)	22% (53)	92% (224)	82% (201)
“Many Secured Bonds”	292	50% (145)	50% (147)	27% (80)	26% (75)	47% (137)	90% (262)	83% (242)

Study Data Analyzed: Cases closed by March 2011 (up to a 14-month pretrial time period), ordered to Pretrial Services supervision at advisement, posted and not posted bond (rates calculated by person).
 *Chi-square test showed no statistically significant difference between the comparison groups (p>0.05).
 **Chi-square test showed a statistically significant difference between the comparison groups (p<0.05).

¹⁴ The technical-only violation rate was not included in this analysis because it is a measure that is only relevant for those who post bond.

Descriptive Analysis

Detention and Delayed Release

Additional descriptive analysis of the data for all judges during the Study period showed a notable difference between bond types in the percentage of defendants who did not post bond as well as the delayed release of defendants who did post bond (see

Table 4).¹⁵ Pretrial detention and delayed release was higher for both types of secured bonds (cash-only and surety-option) compared to unsecured bonds. Table 5 shows an annualized estimate of the cost of this delayed pretrial release and detention. This is consistent with national data showing that release on a secured bond takes longer on average than release on a non-financial bond.¹⁶

Table 4: Detention Rates and Release Times, by Bond Type

Bond Type	Total # of Cases	Defendants' Bond Posting Status by Case Closure:		Average # of Days to Post Bond When Bond Was Posted
		% Posted	% Not Posted	
Unsecured (PR)	348	97% (337)	3% (11)	0.2
Cash-Only	400	64% (254)	37% (146)	6.9
Surety-Option	374	51% (189)	49% (185)	9.1
Total or Average	1,122	70% (780)	30% (342)	4.5

Study Data Analyzed: Cases closed by the end of March 2011, for all judges, single bond type set at advisement, ordered and not ordered to Pretrial Services supervision at advisement, posted and not posted bond.

Table 5: Annualized Estimate of Pretrial Jail Costs, by Bond Type

Bond Type	# of Cases Extrapolated Annually	Estimated Avg. Daily # of Pretrial Beds Needed ^b for Defendants Who:		Annual Estimated Total Pretrial Cost (at \$65 Per Day in Jail) For Defendants Who:	
		Post Bond	Do Not Post Bond	Post Bond	Do Not Post Bond ^c
Unsecured (PR)	1,291	1	13	\$23,725	\$308,000
Cash-Only	1,484	18	172	\$427,050	\$4.1M
Surety-Option	1,388	17	218	\$403,325	\$5.2M
Total	4,163	36	403	\$854,100	\$9.6M

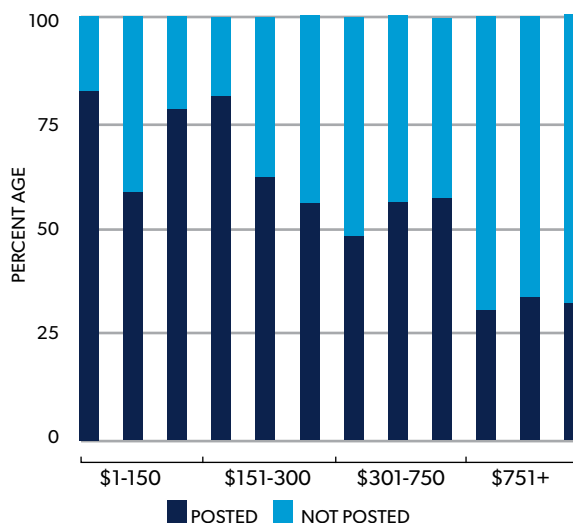
Annualized Estimate Using Data from Table 4 (multiplier = 3.71).
 b. The estimated average daily number of beds needed is calculated by multiplying the total number of cases by the percentage of cases with or without a posted bond from Table 4 and by the average number of days to post for each bond type (or the overall average pretrial period calculated in the Study for those who did not post bond (116 days)), and dividing by 365 (see, Mark A. Cunniff, Jail Crowding: Understanding Jail Population Dynamics, U.S. Dep't of Justice, Nat'l Inst. of Corr., NIC Accession No. 017209 (Jan. 2002)).
 c. The judge may have intended for some of these defendants to remain in custody, which may somewhat reduce the estimated savings.

15 Due to the large standard deviations in each group, we were unable to use a t-test to determine if the difference between the average number of days to post bond for the comparison judge groups was statistically significant (the average time to post for all cases with a bond set was 2.7 days for the “Many Unsecured Bonds” judge group and 4.0 days for the “Many Secured Bonds” judge group).

16 Thomas H. Cohen & Brian A. Reaves, *Pretrial Release of Felony Defendants in State Court, State Court Processing Statistics, 1990-2004* (BJA 2007) at 5.

Study data illustrate that pretrial detention and delayed release occurred across the range of cash-only bond amounts in our study period with a trend of higher detention percentages and longer posting times associated with higher bond amounts (see Chart 3 and Table 6). This is consistent with national data showing a direct relationship between bail amount and probability of pretrial release for felony defendants.¹⁷

Chart 3: Pretrial Detention by Cash-Only Bond Amount



Data includes initial cash-only bonds set during the Study for all cases closed by September 2010.

Table 6: Detention and Delayed Release by Cash-Only Bond Amount

Cash-Only Bond Amount	Total # of Cases	% Posted	% Not Posted	Avg. Time to Post in Days When Bond Was Posted
\$1-50*	6	83% (5)	17% (1)	8
\$51-100	48	60% (29)	40% (19)	2
\$101-150	19	79% (15)	21% (4)	1
\$151-200	34	82% (28)	18% (6)	2
\$201-250	40	65% (26)	35% (14)	1
\$251-300	19	58% (11)	42% (8)	2
\$301-400*	12	50% (6)	50% (6)	0
\$401-500	72	58% (42)	42% (30)	2
\$501-750	17	59% (10)	41% (7)	8
\$751-1000	37	32% (12)	68% (25)	8
\$1001-5000	23	35% (8)	65% (15)	11
\$5001+*	9	33% (3)	67% (6)	18

Data includes initial cash-only bonds set during the Study for all cases closed by September 2010.
 * Statistics may be unreliable due to small sample size.

¹⁷ Cohen & Reaves, *supra* note 16, at 3.

Data collection performed in 2011 revealed that seventy-four percent of 934 defendants interviewed who were still in custody 48 hours after they were advised said they had no ability to post the secured amount of their bond. Similarly, a further review of presentenced inmates in September 2012 found that approximately 100 defendants were being held in jail due to a bond amount of \$500 or less and 90 additional inmates were held on a bond amount of \$1,000 or less.

Disposition of Detained Cases Pretrial

Finally, we looked at the case outcome of the 229 closed cases that were ordered to supervision at advisement but never posted bond (see Table 7). Forty-two percent of those incarcerated for the entirety of their pretrial period were released to the community upon case disposition.

Table 7: Disposition of Detained Cases Pretrial¹⁸

Sentence Type	Outcome Frequency
No Incarceration or No Community Supervision (Charges Dismissed, Charges Not Filed, Found Not Guilty at Trial, or Sentenced to Fines and Costs Only)	14% (33)
Community Based Sanction (No Incarceration) (Diversion, Community Corrections, or Probation)	28% (63)
Jail	37% (85)
Department of Corrections	18% (42)
Other	3% (6)
Data include cases closed by the end of March 2011, for all judges, single bond type set at advisement, ordered to Pretrial Services supervision at advisement, no bond posted. Note: Full or partial credit for time served did not affect the sentence-type coding.	

¹⁸ A bond type and amount was set at advisement for these 229 cases. Art. II, Section 19 of the Colorado Constitution and Colorado Revised Statute Section 16-4-101 sets forth limited criteria for denying bail.

CONCLUSION

The Jefferson County Bail Impact Study did not identify any public safety, court appearance, or compliance with supervision benefits to requiring defendants to post a secured money bond (cash-only or surety-option) before they were released. For the Study and in Colorado today, judges have a choice to order either an unsecured personal recognizance bond or a secured bond, in the form of cash or surety, for almost all defendants, and to add conditions (such as pretrial supervision) to both types of bond. The Study’s findings suggest that judges who use more unsecured bonds in lieu of secured bonds are more cost-effective because they use fewer pretrial jail resources to achieve the same public safety rate, court appearance rate, and compliance with other bond conditions. Moreover, the findings revealed that almost half of the defendants detained in the Jefferson County Detention Facility for their entire pretrial period were released to the community upon the disposition of their case. Policy makers exploring ways to improve their administration of bail can reduce their use of secured money bonds and still achieve an appropriate balance between a defendant’s constitutional liberty interest with society’s interest in court appearance, public safety, and saving taxpayer dollars incurred from pretrial jail incarceration.

Study Generalizability and Limitations

This was a robust yet local study. While the results are specific to Jefferson County, they likely apply to other jurisdictions, especially those in Colorado, to the extent that those jurisdictions see similar types of cases, set similar types of bonds, and have a similar pretrial services program that supervises defendants. To ensure broad generalizability, this study’s methods can be tested in and across multiple jurisdictions.

This study controlled for potential differences in defendants’ risk by using near random assignment of defendants to the various judges and by matching groups on defendants’ charge type, the only variable available in the data.¹⁹ Defendants’ risk level was not tested directly as was done in a similar study by Jones (2013) that examined the role of financial bond type on public safety, court appearance, and jail bed use.²⁰ Nonetheless, although the current study and the Jones study used different methods, they found nearly the same pattern of results. Finally, because all bonds in Colorado had a monetary condition, either secured or unsecured, the current study did not test the impact of having no financial condition of bond on pretrial outcomes.

19 The two groups did not significantly differ when looking at charge type.

20 Jones, M. R. (2013). *Unsecured Bonds: The As Effective and Most Efficient Pretrial Release Option*. Washington, DC: Pretrial Justice Institute.

ABOUT THE AUTHORS

Claire M.B. Brooker has served as a criminal justice planner/analyst for the Jefferson County Criminal Justice Planning Unit since 2007. She has a bachelor's degree in political science from St. Norbert College and a master's degree in public policy from the University of Colorado at Boulder.

Michael R. Jones served as the criminal justice planning manager for the Jefferson County Criminal Justice Planning Unit during the Jefferson County Bail Project. He partnered with Tim Schnacke and Claire Brooker to serve as staff support to the jurisdiction's criminal justice coordinating committee as it worked on the Bail Project. Before the Project was completed, he left his position to join the Pretrial Justice Institute to work on similar efforts nationwide. He has a Ph.D. in clinical psychology from the University of Missouri-Columbia.

Timothy R. Schnacke served as a planner/analyst for the Jefferson County Criminal Justice Planning Unit during the Jefferson County Bail Project. He is currently the Executive Director of the Center for Legal and Evidence-Based Practices in Golden, Colorado. He has a law degree from the University of Tulsa, a master of laws degree from the George Washington University, and a master of criminal justice degree from the University of Colorado at Denver.