



**Working with Judges to Reduce  
Condition Use and Pretrial  
Caseloads in Harris County, TX  
A Step-Downs Program**

# Introductions



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# Audience Questions

## Raise your hand if...

1. Your jurisdiction struggles with over conditioning (UAs, devices, etc.)

2. Judges in your jurisdiction decide what conditions are placed on pretrial clients

3. Your agency covers the cost of electronic and alcohol monitoring

4. Your agency struggles with large caseloads for pretrial staff

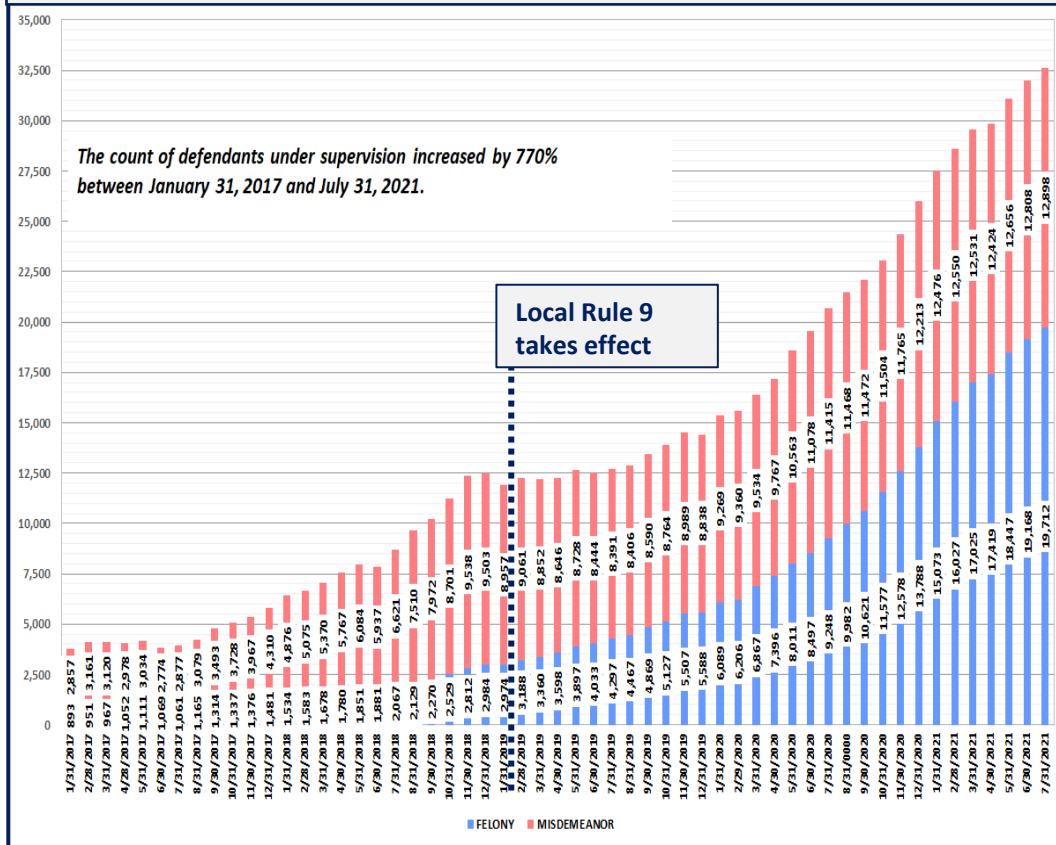
5. Your jurisdiction struggles with long case disposition times

6. Your agency operates a step-downs program or reviews conditions over time

7. Your agency connects clients to services in the community

# Harris County Pretrial Services (HCPS) saw significant caseload increases following misdemeanor bail reform

Clients on Supervision with Harris County Pretrial Services, Jan 2017 to July 2021



## Challenges for Pretrial:

- Pretrial agency staff were struggling to manage a significant increase in their caseloads
- Clients were dealing with the negative impacts of burdensome pretrial conditions on their civil liberties
- Time to case disposition was steadily rising, resulting in longer periods of pretrial supervision
- Agency had various limitations to analyzing data on caseloads (resources, staff capacity, etc.)
- Condition placements and supervision requirements set by judges, not by the pretrial agency

# Judges in Harris County wanted to address over conditioning and large caseloads but did not have the necessary tools

## Challenges for Judges:

- **Large caseloads** make it difficult to review cases after initial condition placement
- Magistrates in the county can also play a role in condition placement
- Typical process was for conditions to be placed at the beginning of a case and for **conditions to stay the same** until case disposition
- **Clear data about compliance** with bond conditions was **not available** for judges to review
- Agency **did not have staff resources** to share regular statistics with judges about their condition use



## Incentive-Based Supervision Pilot Solutions:

- Establish **new criteria** for client compliance
- Develop a **standardized system for tracking** client compliance in real-time and training agency staff on it
- Equip judges with more **representative data on client compliance**
- Provide judges regular lists of individuals who had met the compliance criteria in their courtrooms and create a **process for judges to adjust their supervision requirements**
- Have judges review **quarterly data dashboards** about condition use and public safety changes

# The GPL and HCPS piloted a mechanism for judges to regularly review client data and adjust supervision conditions in real time

## Select Judges Received Weekly List of Individuals in their Courtrooms Recommended for Step-Downs / Condition Adjustments

Eligible Step Downs & Device Removal Considerations to Review						
Client Name	Case #	Charges in Pilot Court	Days on Supervision	Days of Compliance	Type of Device	Approved for Step-Down/Device
Drug Testing Step-Downs						
Robert Jones	2455454	Theft	212	Two Consecutive Negative Drug Tests	N/A	Yes
Hena Rafiq	54545	DWI 1st	75	Two Consecutive Negative Drug Tests	N/A	Yes
Device Removal Considerations						
Tier 1: Clients with Non-Violent Charges or DWI 1st						
John Smith	4355809	Theft Possession	432	60 days of no recorded bond	EMS	Yes
Janey Smith	43980594	DWI 1st	132	70 days of no recorded bond	IID	No
Tier 2: Clients with Violent Charges or DWI 2nd+						
Lindsay Graef	12379873	Aggravated Assault	132	120 days of no recorded bond	EMS	Yes
Tom Jones	8973287	DWI 2nd	154	150 days of no recorded bond	IID	Yes

All **charges** in pilot courts were shared with judges; amount of compliance needed was based on charges

**Days on Supervision** gave judges info on how long the condition had been in effect since judges were likely to consider adjustments after 60+ days

## Types of Step-Downs & Adjustments Recommended

### Phase I

- Supervision Level Step-Downs
  - after 30-60 days of full compliance, clients were dropped down one supervision level
- Remote Reporting Step-Downs
  - after two check-ins, clients were allowed to report remotely
- Drug Testing Step-Downs
  - after two consecutive negative drug tests, clients were stepped off of drug testing

### Phase II

- Drug Testing Step-Downs
- Device Removal Recommendations
  - after 60-120 days of compliance, clients were recommended for device removals

# Judges were provided regular data and had touchpoints with HCPS/GPL in order to build trust in step-downs

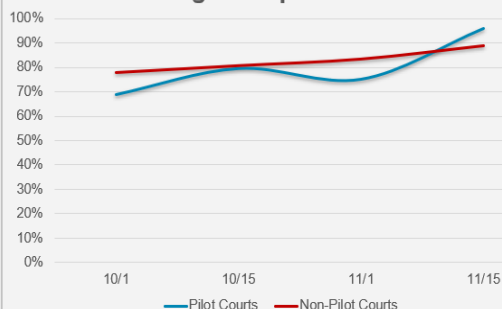
## Judicial Touchpoints

- Recruited judges via **1:1 meetings** and peer word of mouth
- Emailed pilot court judges a **weekly lists of clients** on supervision who reached supervision compliance thresholds in their courtroom
- Convened **quarterly meetings** with all pilot court judges to review condition trends

Is the Incentive-based Supervision pilot leading to changes in overall compliance?

Early indications show no significant changes in compliance rates since pilot launch

Average Compliance Rates



### How compliance is measured:

- Compliance looks at how well a given client is keeping up with their bond requirements/pretrial supervision requirements
- Compliance increase or stability indicates that clients in your court room have been completing their drug tests, meeting their device requirements, and reporting as required

### Why this matters:

- Compliance with court conditions is the earliest / most accessible public safety information we have
- Stable or increased compliance rates with lower resource / intensity supervision may be beneficial for County & clients

### Trends may indicate:

- Step-downs have not led to changes in overall compliance

## Data Shared

- Safety Rate: *% clients not rearrested during pretrial supervision period*
- Compliance Rate: *% clients compliant with all bond conditions at their last check-in*
- Condition Use: *% clients that judges placed on intensive conditions over time and compared to other courts*
  - Drug-testing
  - Electronic and alcohol monitoring
- Cost Savings: *\$ savings for clients and Pretrial agency via condition adjustments made by judges*
- Client Impact: *anecdotes from clients on condition removal experience*



# The GPL created a new easy data collection standards to support a step-downs process

1

## STANDARDIZED PRETRIAL OFFICER DATA ENTRY ON COMPLIANCE

- Created simple codes for pretrial officers to add into case notes (ex: “C”, “NC EM”)
- Codes were compatible with existing case management system and process

2

## TRAINED FRONTLINE STAFF & SUPERVISORS

- All pretrial officers and supervisors were trained on how to enter standardized compliance information
- New data collection was monitored for first month to correct mistakes and ensure consistency

3

## ANALYZED CASE NOTES WITH CODES TO IDENTIFY STEP-DOWN ELIGIBLE CLIENTS

- GPL created a script to analyze case notes with codes and identify individuals who have met the eligibility for a step-down
- HCPS IT will take over running this script over once GPL Technical Assistance ends

### HOW TO TRACK & RECORD COMPLIANCE

Task 1  
(Daily)

Pretrial Officers are now required to track compliance for each of their clients at every visit. One of the codes listed below must be used for the compliance to be tracked properly.

Here are the codes to use:

C	Fully Compliant
NC UA	Not Compliant: Positive UA or UA no-show
NC EM	Not Compliant: Electronic Monitoring issue rising to level of technical violation
NC IID	Not Compliant: Ignition Interlock issue rising to level of technical violation
NC	Not Compliant: No-show no-call for scheduled check-in appointment
REP	Not Compliant: Other reason than listed above
NC O	Not Compliant: Other reason than listed above

To enter the compliance code, please go to case notes & choose “contact type” as compliance. It is important that you put the code first and leave some space if you plan on typing in additional case notes. See screenshot below.

The screenshot shows a software interface for entering case notes. A dropdown menu is open, showing options for 'Contact Type'. The selected option is 'NC EM'. A text box below the dropdown contains the code 'NC EM'. A red arrow points to the text box with the label 'Type compliance code here'. Another red arrow points to the dropdown menu with the label 'Choose compliance as the contact type to enter the code'. Below the text box, there is a note: 'Notes: If you plan to include any other text please put the compliance code first & leave space between other comments'.

HCPS Compliance Tracking & Step-Downs Process Guide

3



# The pilot created a new mechanism for HCPS to right-size its caseloads while also increasing client liberties

**1600 step-downs**  
approved from  
November 2020 to  
March 2022

**200 device  
removals** approved  
from November  
2021 to March 2022

**~600 additional UA  
conditions  
removed** through  
one-time condition  
review

Doubled pilot  
participation from **6  
to 13 judges**, with  
growing interest on  
the bench



**Maintained safety  
rates** while reducing  
supervision  
conditions

Convened **six  
quarterly meetings**  
with all pilot court  
judges

Trained **135 staff**

Saved agency and  
clients an estimated  
**\$50,000+**

# HCPS plans to grow and expand its step-downs program to create great client and agency impact

## **Upcoming Goals & Next Steps:**

1. Recruit all criminal court judges in the county to participate in implementing step-downs
2. Train judicial liaisons (court support staff) to make step-down/condition recommendations
3. Involve other parties (ex: defense attorneys) in recommending step-downs/condition removals
4. Reduce initial placement of conditions
5. Implement a standard policy on condition use that is tied to best practices to avoid over conditioning
6. Create service referral pathways that can be used in place of conditions to support clients

# Example To-Do List for Implementing Step-Downs in Your Jurisdiction:

1

## **Establish step-downs criteria in collaboration with stakeholders**

Consider: what conditions do you want to reduce, how long are individuals usually on supervision, how long do cases take to dispose, what data would be easy to attain

2

## **Create a data collection & analysis process that allows you to identify individuals eligible for step-downs**

Consider: what will your current system allow, what information is needed to assess eligibility, how can you automate the process

3

## **Train Staff & Judges**

Consider: who needs to be involved, how can you divide responsibilities, what information does everyone need to know

4

## **Start Making Step-Down Recommendations to Judges**

Consider: who should communicate the recommendations, what information do judges need to review, how long will judges have to review recommendations

5

## **Process Approved Step-Downs at a Regular Cadence**

Consider: who can process step-downs, how will clients be notified

6

## **Monitor Progress Over Time**

Consider: how have step-downs changed caseloads, condition use, etc.

Feel free to reach out at  
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to discuss this further!

# QUESTIONS?

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