



Systems Evaluation Project (SEP): Measuring Quality by Looking at System Outcomes

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February 2010

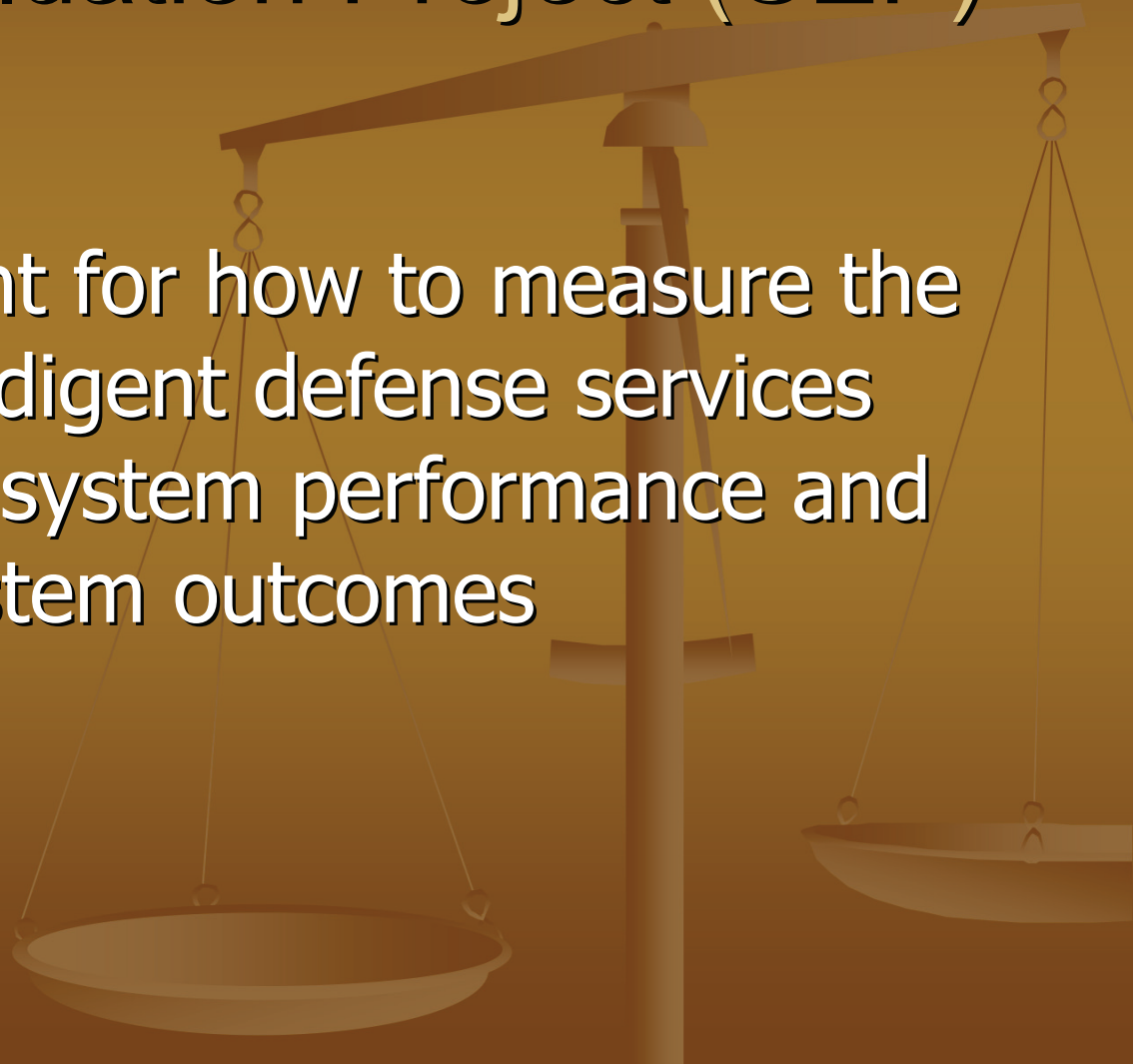
Rebecca's Story



- 20-year-old single mother of two children
- Works as a grocery store clerk and struggles to provide for her family
- Arrested for shoplifting and providing false information to the police
- Magistrate set \$1,000 bond, which she cannot afford
- Next court date is 2 weeks away and she will lose her job if she misses work for that long
- Her rent is due and her children have been in the custody of a local social

North Carolina's Systems Evaluation Project (SEP)

SEP is a blueprint for how to measure the quality of indigent defense services by looking at system performance and system outcomes

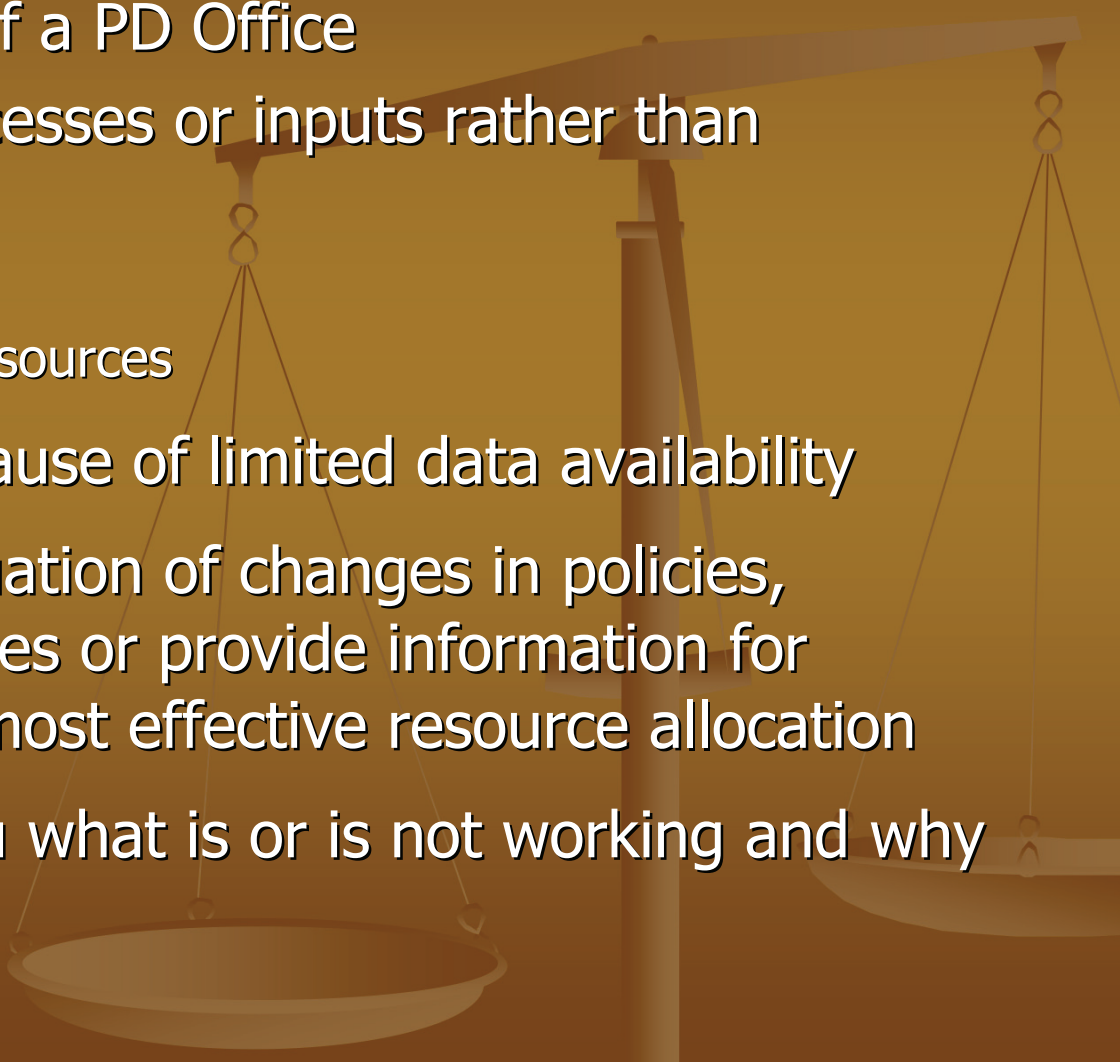


Overview of Presentation

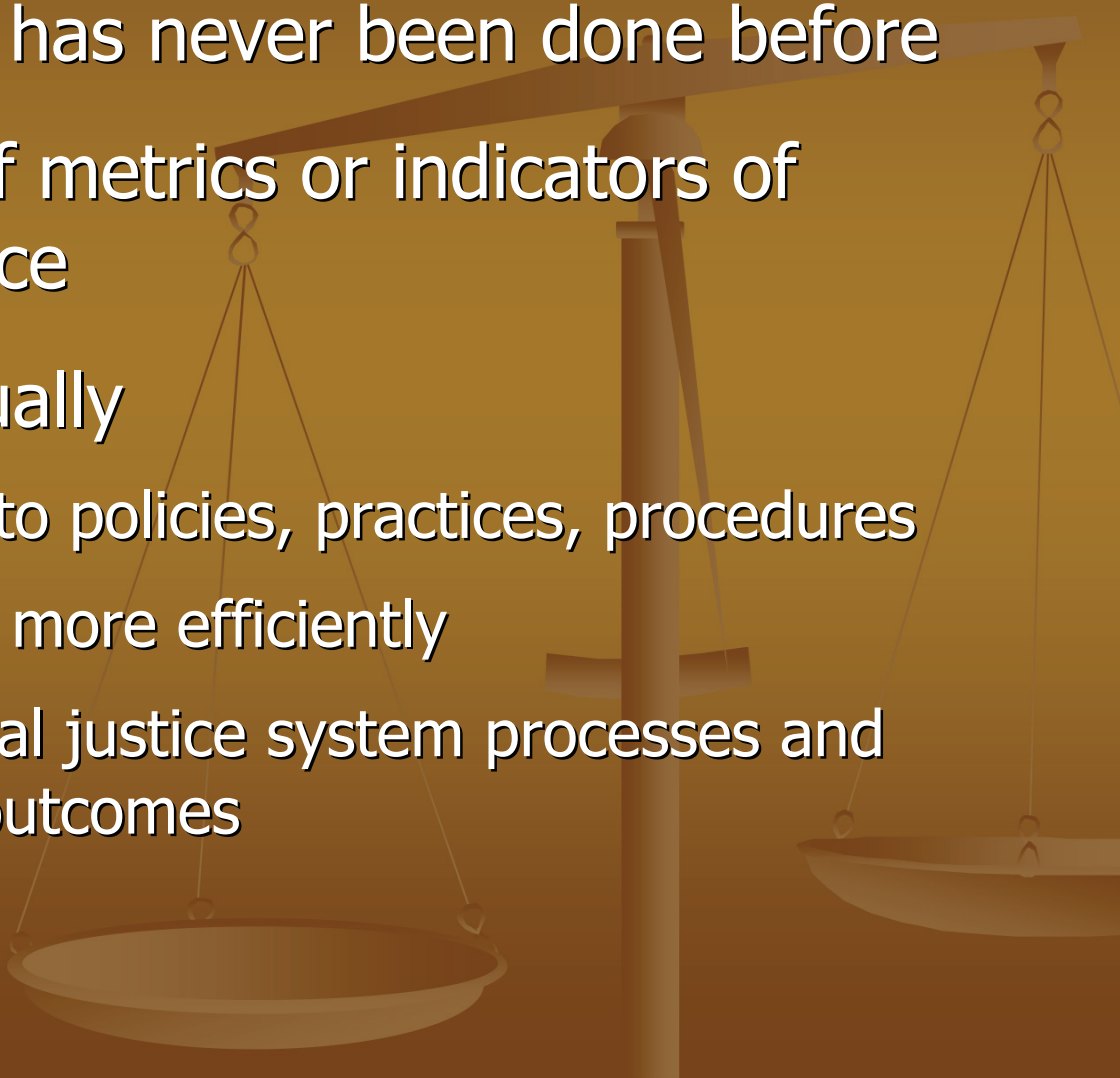


- Understand the power and transformative nature of data
- Understand what is unique and innovative about Systems Evaluation Project (SEP)
- Understand that we can measure and quantify indigent defense outcomes and quality

The SEP Difference: Indigent Defense Evaluations to Date

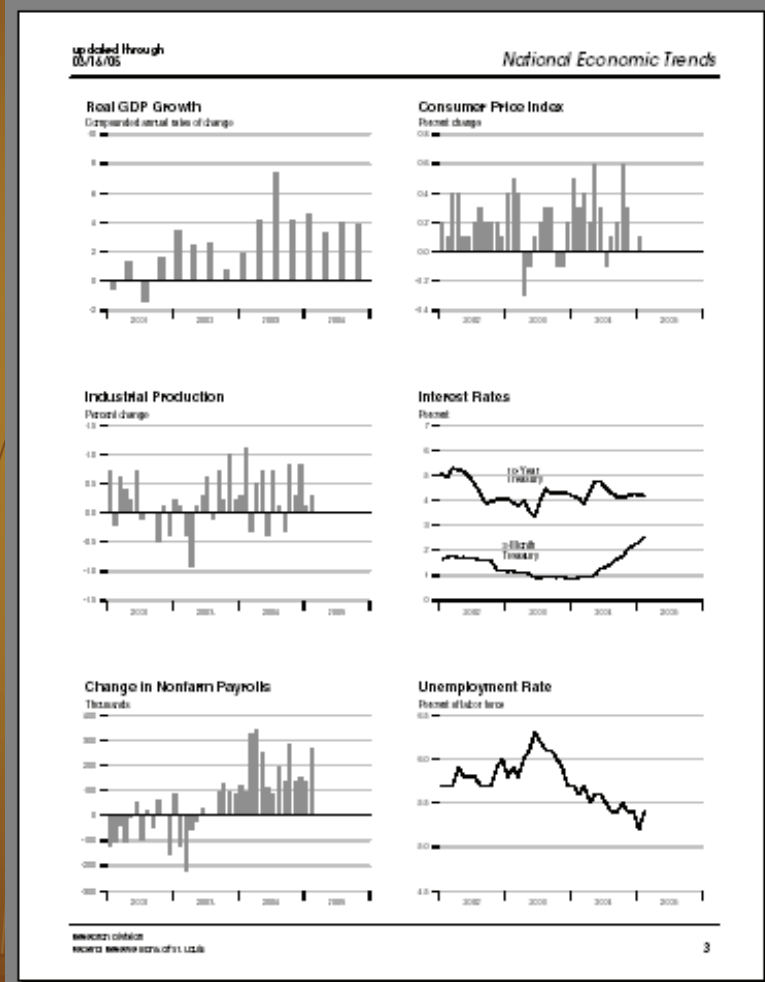
- One-time snapshots of a PD Office
 - Tend to focus on processes or inputs rather than outcomes
 - Caseloads
 - Lack of funding and resources
 - Fairly predictable because of limited data availability
 - Do not allow for evaluation of changes in policies, practices, or procedures or provide information for managers about the most effective resource allocation
 - Do not always tell you what is or is not working and why
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SEP: Unique and Innovative

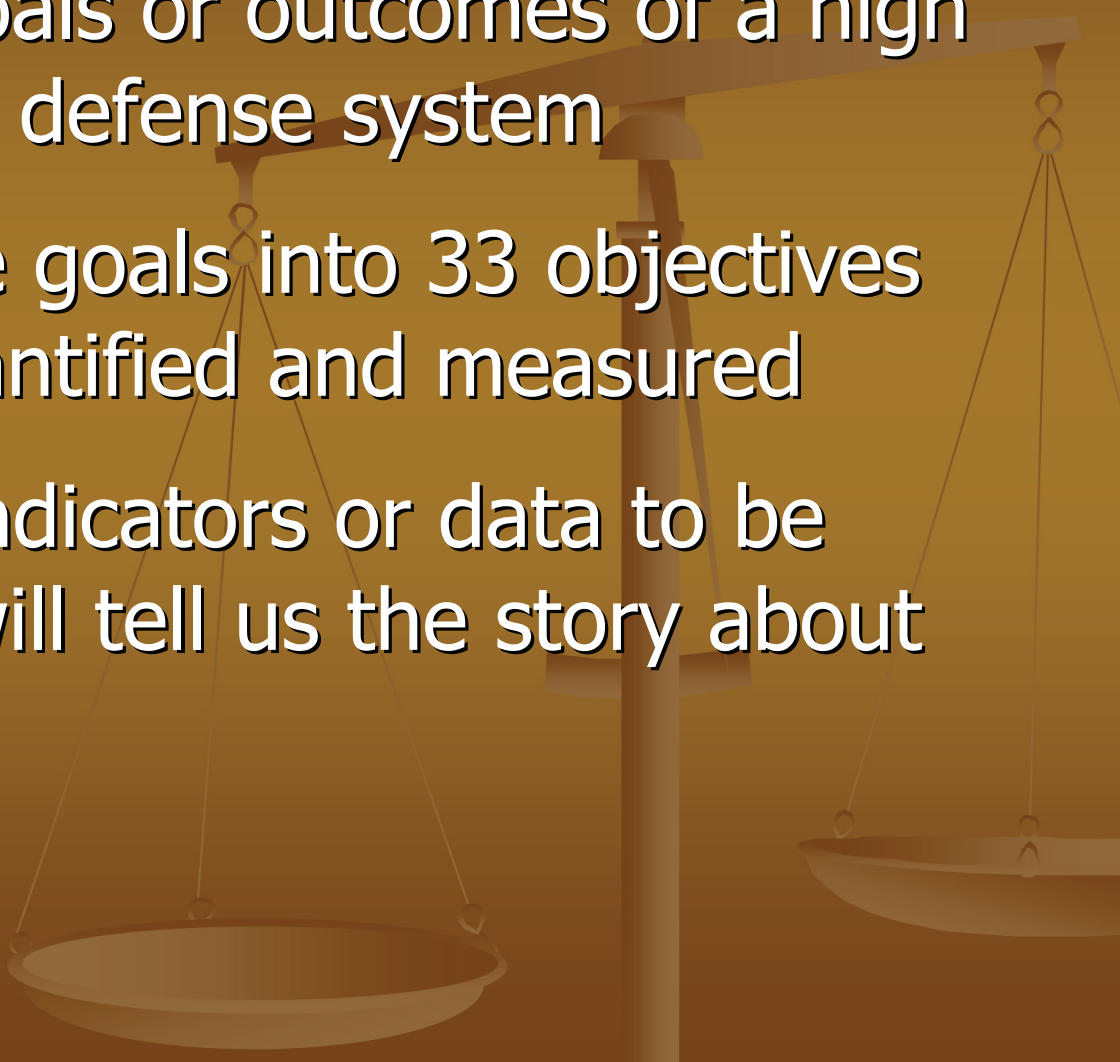
- SEP is doing what has never been done before
 - Set up a system of metrics or indicators of system performance
 - Track data continually
 - Evaluate changes to policies, practices, procedures
 - Allocate resources more efficiently
 - Understand criminal justice system processes and indigent defense outcomes
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Widely Used Methodology

■ U.S. Economic Indicators



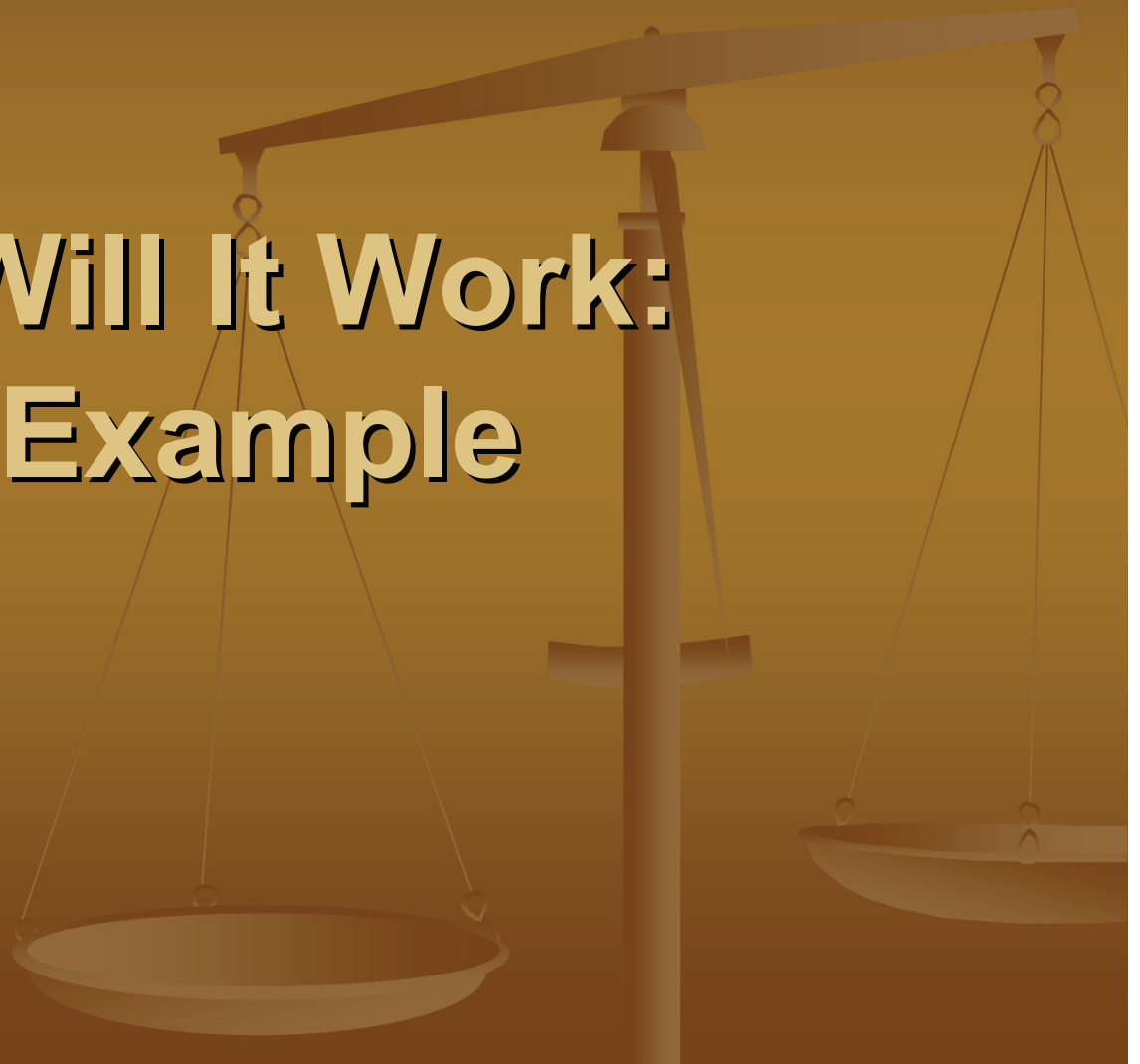
SEP System Performance Measures

- Identified 11 goals or outcomes of a high quality indigent defense system
 - Broke down the goals into 33 objectives that can be quantified and measured
 - Identified the indicators or data to be collected that will tell us the story about performance
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SEP System Performance Measures Development

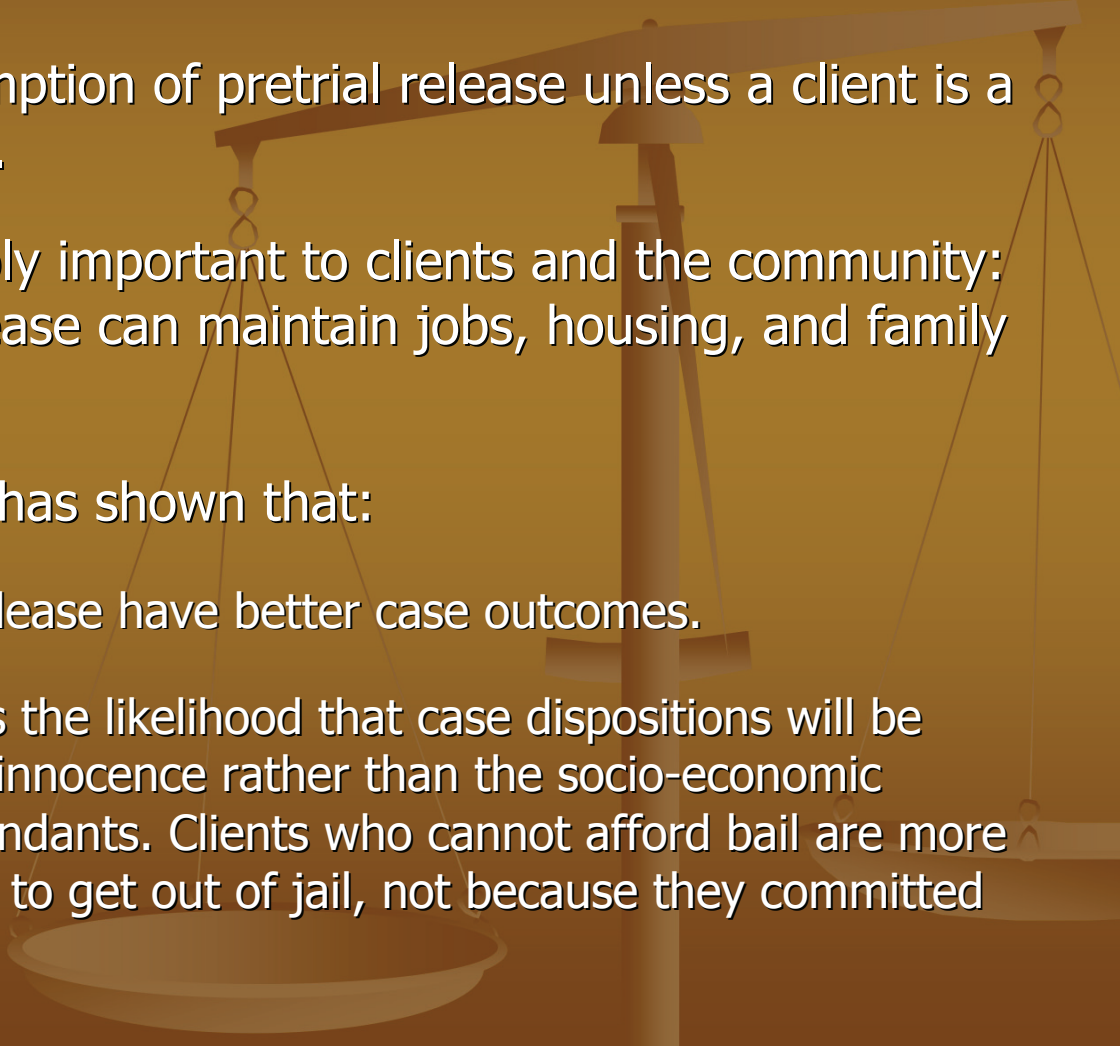
- National conference with indigent defense practitioners and criminal justice researchers to discuss strategies for evaluating indigent defense
- SEP Focus Groups: Asked attorneys, judges, prosecutors, clients, law enforcement, and community organizations about indigent defense
- 2-Year Literature: New developments in criminal justice research, innovations in defense practice, evaluation strategies

How Will It Work: An Example



Goal: Best Possible Outcomes for Clients

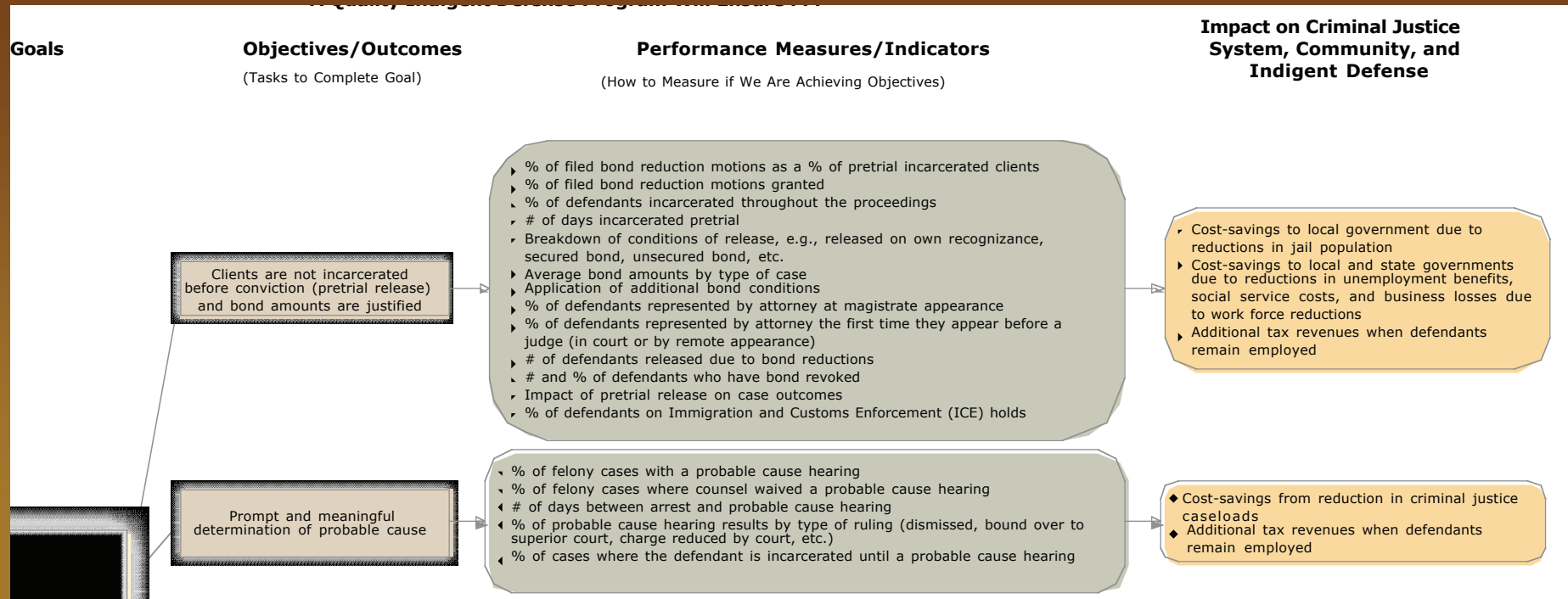
Objective: Clients Are Not Incarcerated Before Conviction

- Criminal law has a presumption of pretrial release unless a client is a flight or public safety risk.
 - Pretrial release is incredibly important to clients and the community: clients out on pretrial release can maintain jobs, housing, and family stability.
 - Evidence-based research has shown that:
 - Clients out on pretrial release have better case outcomes.
 - Pretrial release increases the likelihood that case dispositions will be based on actual guilt or innocence rather than the socio-economic backgrounds of the defendants. Clients who cannot afford bail are more likely to plead guilty just to get out of jail, not because they committed the offense.
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Data Tells a Story: County A's Story

Goal: Best Possible Outcomes for Clients					
(not actual data)	County A Average	County B Average	County C Average	County D Average	Statewide Average
<i>Clients are Not Incarcerated before Conviction (Pretrial Release) and Bond Amounts are Justified</i>					
% of defendants incarcerated throughout the proceedings	30.0%	5.0%	20.0%	18.0%	23.0%
# of days incarcerated pretrial	45	17	30	24	33
Average bond amounts by type of case	\$ 1,000	\$ 400	\$ 700	\$ 500	\$ 500
% of filed bond reduction motions as a % of pretrial incarcerated clients	15.0%	50.0%	45.0%	48.0%	47.0%
% of filed bond reduction motions granted	3.0%	15.0%	9.0%	11.0%	10.0%
% of Defendants out on bond who failed to appear	5.0%	6.0%	5.0%	5.4%	5.3%

- County A average bond amounts are significantly higher than most of the state
- County A incarcerates defendants pretrial more often and for longer
- Defense attorneys in County A do less bond reduction work than the rest of the state
- County A's failure to appear rates are not significantly better than the rest of the state



- Impact on Criminal Justice System and Community
 - Impact to local governments due to jail and social service costs, such as foster care, unemployment benefits, and financial assistance programs
 - Impact on local businesses from sudden loss of employees
 - Impact on state tax revenues

Data Tells a Story and Makes the Case for Reform and Resource Allocation

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- County A's tough bond policies are costing that county \$55 per day per incarcerated defendant for an average of 45 days AND FTA rates are not lower.
- IDS sees that aggressive bond motion practices are working elsewhere and needs to put more resources into securing pretrial release in County A

Rebecca's Story Before SEP



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Rebecca's Story After SEP



A year before Rebecca's arrest, SEP publishes its pretrial release study, which described bond practices in County A and suggested that changes in bond practices could:

1. Reduce jail overcrowding
2. Save taxpayer money in reduced jail costs and child protective services, and increase tax revenues
3. Reduce family disruption that was counter-productive for children
4. Relieve disproportionate punishment for a category of misdemeanor offenses
5. Not have a negative impact on public safety

Rebecca's Story After SEP



- A coalition of defense attorneys, judges, social service and advocacy programs, community representatives, and elected officials effectively advocate for reform in County A regarding pretrial release practices in misdemeanor offenses.
- IDS creates an online bond motions bank for defense attorneys to utilize
- IDS initiates a pilot project in a PD office to see if having attorney representation at the initial appearance before a magistrate improves pretrial release rates

Rebecca's Story



Bond amounts are lowered and pretrial release rates rise for misdemeanor defendants in County A

- Magistrates and judges benefit from having more complete information on which to make bond decisions
- Defense attorneys benefit from time and labor savings from fewer client jail visits, access to bond-motions bank, and improved client trust

Rebecca's Story



- State and local government benefit from reductions in jail costs, social service program expenditures and increased tax revenues from increases in employment
- County A benefits from taxpayer savings now that there is no longer a need to build a new jail because of jail overcrowding
- Local businesses benefit from fewer disruptions due to the sudden loss of workers
- Overall, there is increased trust and respect for the criminal justice system within the community

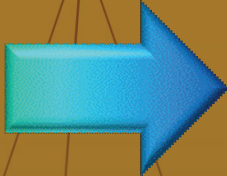
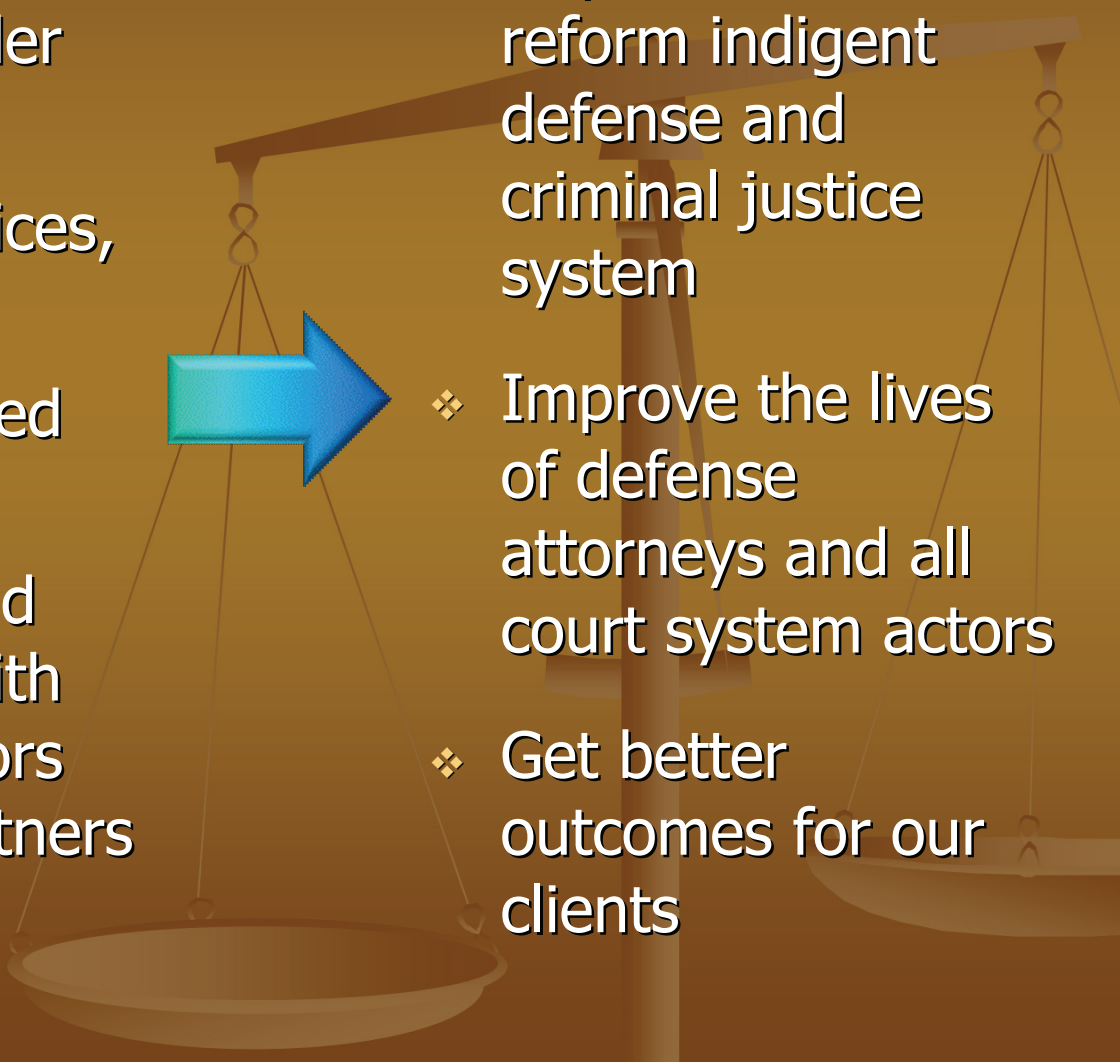
Rebecca's Story After SEP



Rebecca was given a more reasonable bond amount and her family was able to post bond.

As a result she maintained her job and her apartment, and her children avoided the trauma of foster care.

SEP: The Power of Outcome Data

- ❖ Understand criminal justice processes from a broader perspective
 - ❖ Evaluate policies, practices, and resource allocation
 - ❖ Often reveals unexpected information
 - ❖ Creates common ground that fosters alliances with other court system actors and non-traditional partners to advocate for reform
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- ❖ Improve and reform indigent defense and criminal justice system
 - ❖ Improve the lives of defense attorneys and all court system actors
 - ❖ Get better outcomes for our clients
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For Information on SEP

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[www.ncids.org/Systems Eval Proj](http://www.ncids.org/SystemsEvalProj)



The End

