

## Strategic Plan Development

Data Behind the Plan

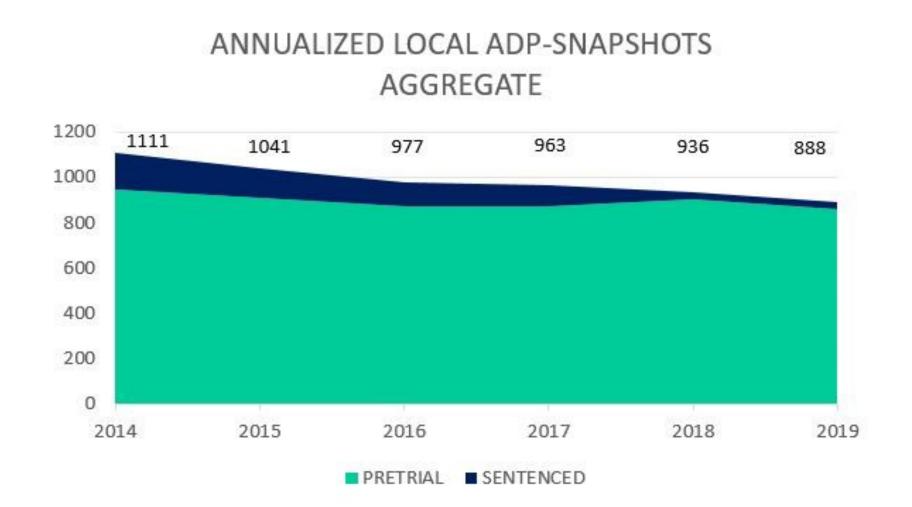
All data was previously published in a CJCC Annual or Midyear Report, unless otherwise noted.



## Changes in Jail Use

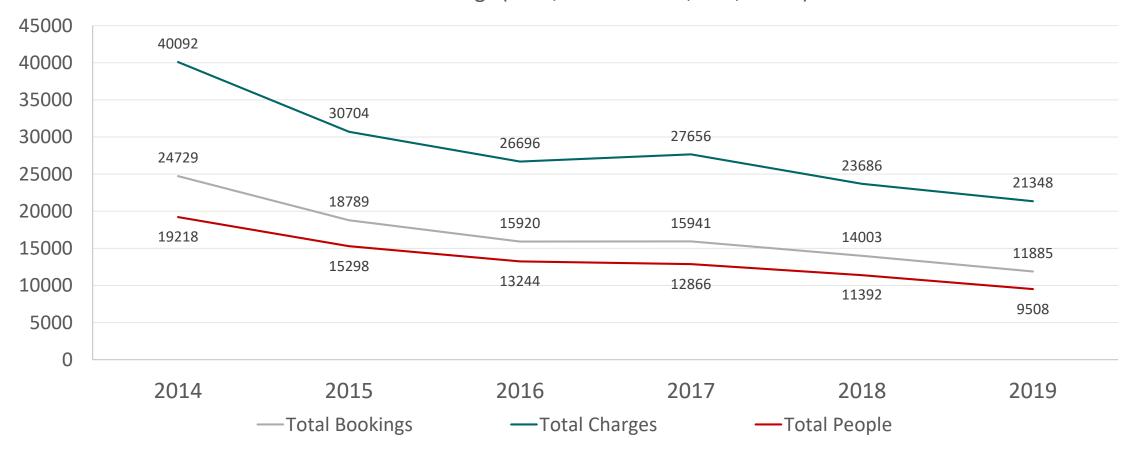
2014 - 2019

The local ADP reduced by 20% since 2014; sentenced population reduced by 83% and pretrial is 97% of the local ADP.



## Bookings, individuals booked, and charges have all fallen roughly 50% since 2014.

Annual Bookings (local, excluded ICE, FED, HOLD)

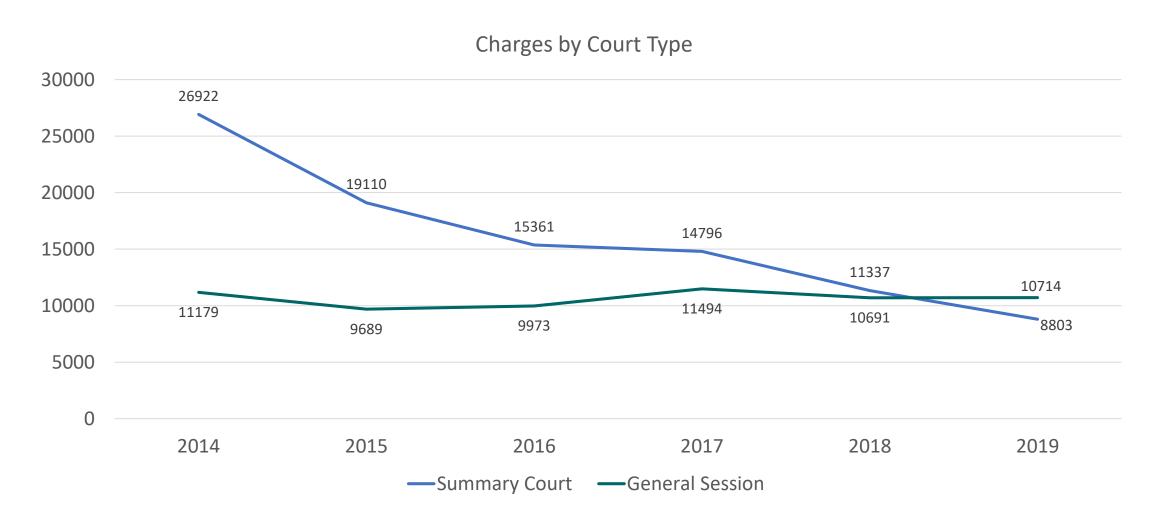


## Average length of stay increased by 142% since 2014

### Average Length of Stay by Population Group



## General Sessions are the most frequent reasons for jail use (Summary -67% & GSC – 4% since 2014)





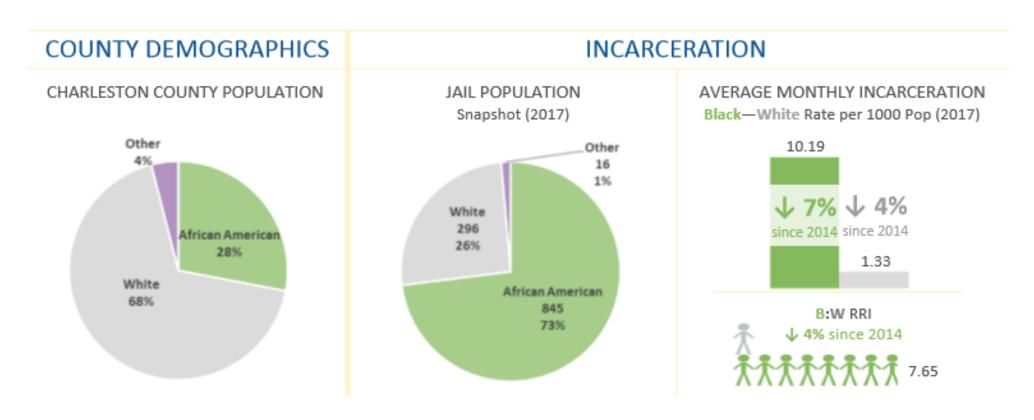
## Community Engagement and Racial and Ethnic Disproportionality and Disparity (R+EDD) Workgroup

Establish specific and innovative community engagement efforts to address R+EDD and support system improvement efforts

# The 2018 Midyear Report explored a variety of racial and ethnic disproportionalities and disparities (R+EDD) locally and nationally

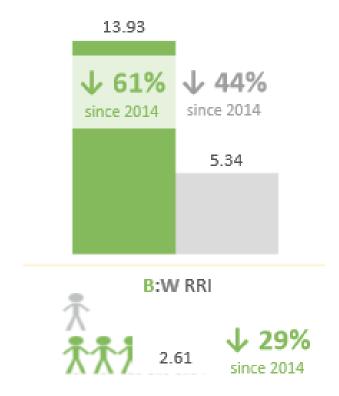
- Socioeconomic factors such as disproportionalities in income, housing stability, educational attainment, and other objective measures of wellbeing, factors often exacerbated and reinforced through CJS involvement
- Key findings from the literature on the costs and consequences of R+EDD in the criminal justice system (e.g., public safety, legal, economic, and societal impacts); and a review of best practices in REDD reduction (e.g., increasing procedural justice and utilization of racial equity tools).
- In-depth disproportionality analysis and data visualizations for a variety of local R+EDD trends among local criminal justice decision points from 2014 to 2017.

Incarceration in the SACDC in 2017 occurred 7.65 times as often for black individuals than white individuals (declined 4% from 2014 – 2017)



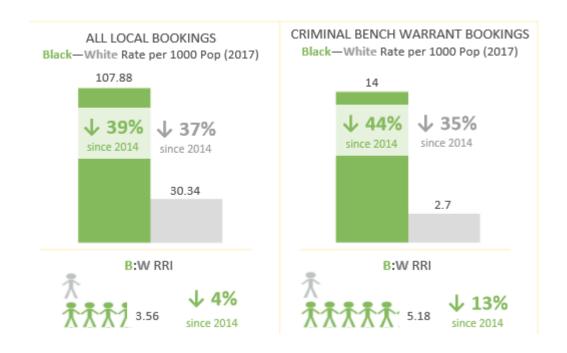
Law enforcement efforts to reduce jail bookings among five single, low-level target charges resulted in fewer uses of jail and a 29% reduction in the relative rate from 2014 - 2017.

TARGET (SINGLE) CHARGE BOOKINGS Black—White Rate per 1000 Pop (2017)



In 2017, black individuals were booked into the jail on five, low level target charges 2.61 times as often than white individuals. A rate 29% lower than it was in 2014.

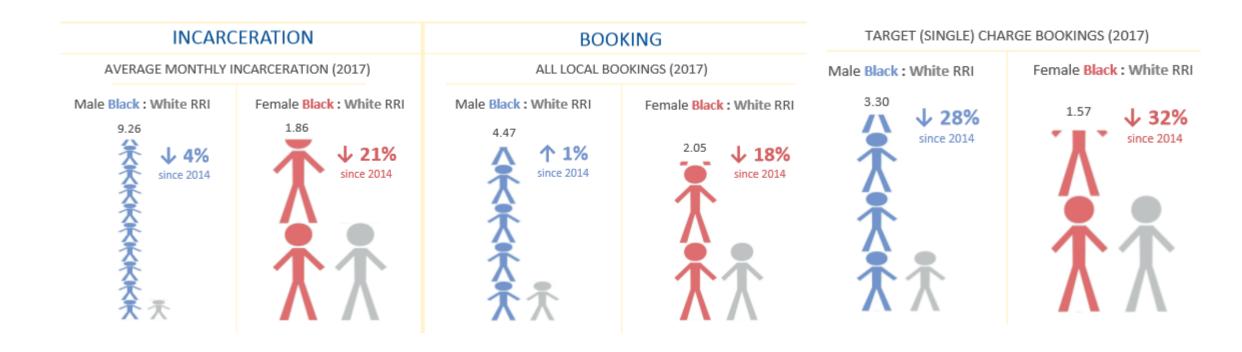
As bookings reduced between 2014 and 2017, there were also reductions in the relative rate among all local bookings and criminal bench warrant bookings.



In 2017, black individuals were booked into the jail 3.56 times as often than white individuals. A rate 4% lower than it was in 2014.

In 2017, black individuals were booked into the jail on criminal bench warrants 5.18 times as often than white individuals. A rate 13% lower than it was in 2014.

## The change in relative rates at booking varied by gender as well from 2014 – 2017.



The single-charge booking with the most disproportionality in 2017 was unlawful carrying of firearm, with an RRI of 13.56. It also varied by gender.

### MOST FREQUENT CHARGES

CHARGE (2017)	B:W RRI*
SIMPLE POSSESSION OF MARIJUANA	8.03
DRIVING UNDER INFLUENCE	0.83
PUBLIC INTOXICATION	1.02
DRIVING UNDER SUSPENSION	6.69
MAN, DIST ICE, CRACK, CRNK 1ST	3.17
UNLAWFUL CARRY FIREARM	13.56
SHOPLIFTING (MISDEMEANOR)	1.79
FAILURE TO PAY CHILD SUPPORT	6.67
POSSESSION OF COCAINE 1ST OFFENSE	4.59
3RD DEGREE ASSAULT & BATTERY	5.45

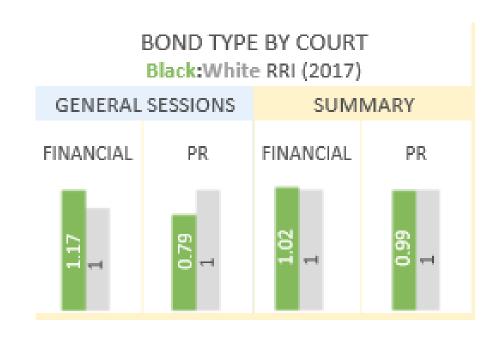
<sup>\*</sup>RRI based on single-charge bookings only

#### MOST FREQUENTLY BOOKED CHARGES

CHARGE (2017)	BM:WM RRI*	BF:WF RRI*
SIMPLE POSSESSION MARIJUANA	11.18	3.37
DRIVING UNDER INFLUENCE	1.05	0.51
PUBLIC INTOXICATION	1.28	0.42
DRIVING UNDER SUSPENSION	8.46	4.36
MAN, DIST ICE, CRACK, CRANK 1ST	4.44	0.97
UNLAWFUL CARRY FIREARM	17.42	3.73
SHOPLIFTING (MISDEMEANOR)	2.13	1.51
FAILURE TO PAY CHILD SUPPORT	8.15	2.90
POSSESS COCAINE 1ST OFFENSE	5.87	2.48
3RD DEGREE ASSAULT & BATTERY	2.70	0.92
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<sup>\*</sup>RRI based on single-charge bookings only

While rates of booking per 1,000 population and relative rate indexes declined from 2014 to 2017, local bookings had the highest amount of disproportionality among key decision points in the CJS.



The relative rate in bond court in 2017 was close to 1, meaning little disproportionality by bond type.

This 2018 report was the beginning of the process in identification and monitoring R+EDD at major decision points in the system.

- It was expected to be a continuing and complex process that requires broad and deep collaboration between community members and system leaders.
- Subsequent steps to-date
  - Developing a R+EDD toolkit based upon best practices in the field (available at the time)
  - Solicitor led initiatives (continuance tracking transparency and race equity training)
  - Comprehensive community engagement strategy of 2019, also know as, Dialogue to Change
  - Secure additional VISTA assistance in FY21 to advance data visualization and community engagement

#### Dialogue to Change

**GOAL:** Raise awareness and engage 1,000 community members to help set the course for the next strategic plan

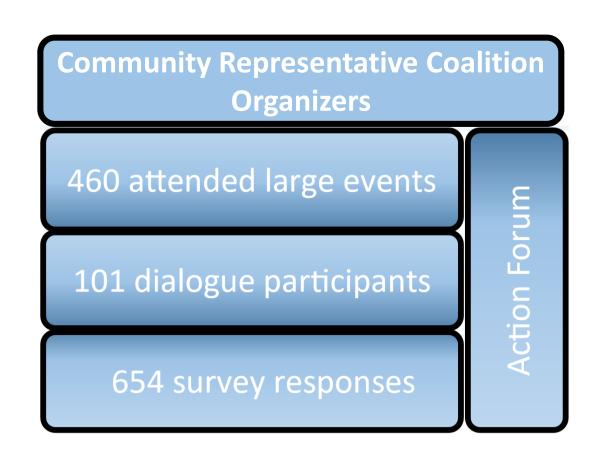


- The strategy utilized a "dialogue to change" process developed with technical assistance provided by Everyday Democracy with the support of grant funding provided by the John D. and Catherine T. MacArthur Foundation's Safety and Justice Challenge.
- The "Dialogue to Change" process is founded upon the belief that people and institutions can use an equity lens, connect across differences, share honestly, consider diverse views, and work together to identify and offer actions toward change.

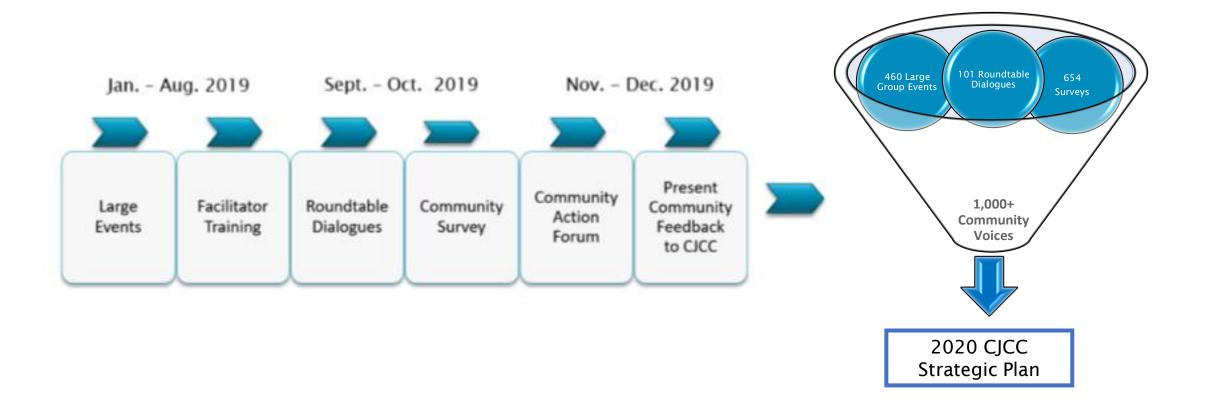
### Dialogue to Change

#### Core objectives to inform and involve the community:

- 1. Build an infrastructure for outreach and meaningful engagement (e.g., everyone's voice has an opportunity to be heard and people of different backgrounds come together)
- 2. Dialogue in constructive spaces to share perspectives on key criminal justice system challenges, foster relationships, and explore ideas for moving forward.
- 3. Conclude with an Action Forum to determine community priorities for the CJCC's next strategic plan.



### Dialogue to Change: Step by Step Process



### 460 Large Event Participants (93% likely to attend future events)

Date & Location	Large Event Title	Partners	Format & Attendance
1/29/19 Grace Episcopal Church, downtown Charleston	Okra Soup: Discussion of Criminal Justice and Racial and Ethnic Disparity	Moderated by Rev. Dr. Kylon Middleton of Mt. Zion AME with Ninth Circuit Solicitor Scarlett Wilson, City of Charleston Chief of Police Luther Reynolds, Charleston Branch NAACP President Dot Scott, and CJCC Project Director Kristy Danford	Presentation and tabletop discussions (150)
7/1/19 Mount Pleasant Town Hall	What Happens After Arrest: A Discussion of Liberty, Justice and Safety	Moderated by Deputy Chief Stan Gragg of the Mount Pleasant Police Department with Supreme Court Justice George C. James Jr., State Representative JA Moore of House District 115, Ninth Circuit Solicitor Scarlett Wilson, Charleston County Chief Public Defender Meghan Ehrlich, CJCC Project Director Kristy Danford and System Utilization Manager Christina Parnall	Presentation and Q&A (65)
7/23/19 Greek Orthodox Church of The Holy Trinity, downtown Charleston	Life after Incarceration in Charleston: Now What?	Moderated by CJCC Community Representative for the formerly incarcerated, Keith Smalls with Charleston Police Chief Luther Reynolds, CJCC Project Director Kristy Danford and eight individuals from Turning Leaf Project and Fresh Start Ministries	Large and small group discussions (130)
8/12/19 Felix C. Davis Community Center, North Charleston	Race in Charleston's Criminal Justice System: Unpacking Matters of Racial Equity	Moderated by Executive Director of the YWCA LaVanda Brown with North Charleston Police Chief Reggie Burgess, Charleston Police Chief Luther Reynolds, LaTisha Vaughn of Tri-County Cradle to Career, Ninth Circuit Solicitor Scarlett Wilson and CJCC Project Director Kristy Danford	Large and small group discussions (115)

## 101 Participants in eleven, 3-week recurring Roundtable Dialogues

Roundtable Dialogues Locations			
John's Island Regional Library	John's Island	Mondays	5:45 pm – 7:45 pm
<b>Dorchester Road Regional Library</b>	North Charleston	Mondays	5:45 pm – 7:45 pm
<b>Wando Mount Pleasant Library</b>	Mount Pleasant	Tuesdays	5:30 pm – 7:30 pm
Cynthia Graham Hurd St. Andrews	West Ashley	Tuesdays	6:00 pm – 8:00 pm
Library			
Otranto Road Regional Library	North Charleston	Tuesdays	5:45 pm – 7:45 pm
Joseph P. Riley, Jr. Center for Livable	Downtown	Wednesdays	11:00 am – 1:00 pm
Communities			
Accabee Community Center (Perry-	North Charleston	Wednesdays	6:00 pm – 8:00 pm
Webb Community Center)			
New Covenant Church of God	North Charleston	Thursdays	11:00 am – 1:00 pm
Grace church Cathedral	Downtown	Thursdays	5:30 pm – 7:30 pm
<b>Custom Development Solutions (CDS)</b>	Mount Pleasant	Thursdays	5:30 pm – 7:30 pm
<b>Charleston County Public Library</b>	Downtown	Fridays	3:30 pm – 5:30 pm

### Roundtable Dialogues: 33 Survey Responses

### **Participant Perspectives**

- 94% well managed by the facilitators
- 100% kept on track with the participant guide
- 97% encouraged all participants to share their perspective
- 100% allowed me to learn from different points of view
- 100% allowed my point of view to be heard
- 50% did not know about the CJCC before the dialogues
- 90% would recommend dialogues to others as a way to get involved in their community
- 91% were motivated to take action to support making improvements to the local CJS

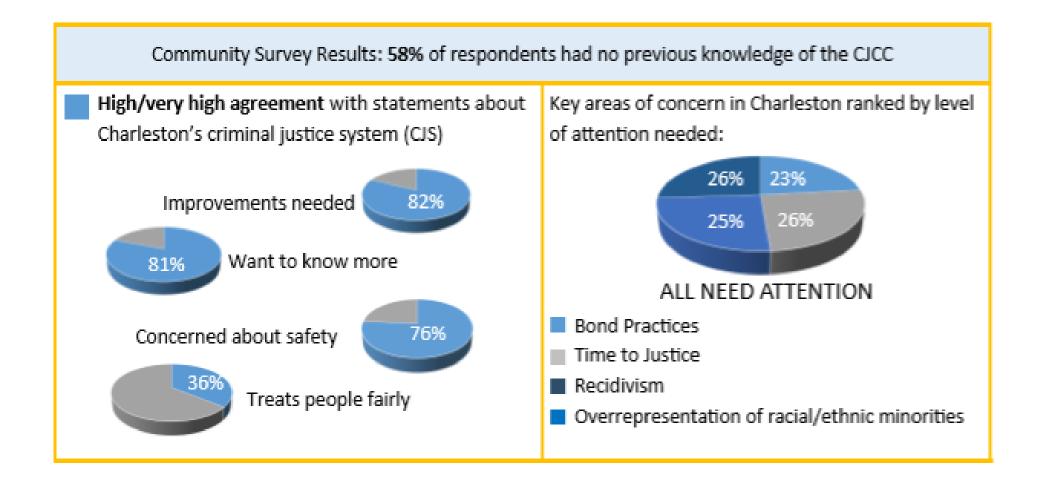
## High and very high awareness before and after participating in the dialogues

- Pretrial challenges in the Charleston CJS: 44% before to 84% after
- Challenges of reentry and recidivism in the Charleston CJS: 38% before to 90% after
- Challenges of racial/ethnic disparity in the Charleston CJS: 69% before to 97% after
- How the CJS affects different people 53%: before to 94% after
- Work of the CJCC 28%: before to 81% after
- Ways to get involved in your community around CJ issues: 34% before to 81% after

### Qualitative Analysis: Roundtable Dialogues

- Racial bias and socioeconomic factors, such as poverty and low educational attainment, exacerbate disparity in the justice system
- The everyday conduct and behaviors of system agents, such as police officers, defense attorneys, prosecutors, and judges impacts perceptions of trustworthiness, accountability and transparency of the criminal justice system.
- Engagement strategies such as transparent reporting, public forums and community conversations are helpful in improving the local justice system.
- There are major challenges for individuals returning to the community from incarceration, such as system-related financial obligation, housing, treatment,, transportation, employment and regaining community trust.
- Outcomes produced by the local criminal justice system need to be improved.

### 654 Community Survey Responses



### Action Forum: Community Priorities Identified

#### **Community Priorities**

Increase Education, Training, & Awareness for Justice System Stakeholders

- Special trained units for special populations (mental health)
- Training (sensitivity), substance abuse, language/ human

**Create More Opportunities for Community Residents to Become Actively Involved and Engaged** 

- Community "buy-ins"
- More CJCC & community involvement

**Build on Efforts and Activities that the CJCC is Already Doing** 

- Provide adequate funding for CJCC based on qualitative results
- Focus on the challenges of re-entry from prison and jail (even for a short time, example of regaining SSI benefits)

Establish partnerships and collaborations that will support local justice reform

- Prevention before intervention
- Find community leaders who will be the face and voice of this advocacy



## Divert & Deflect Workgroup

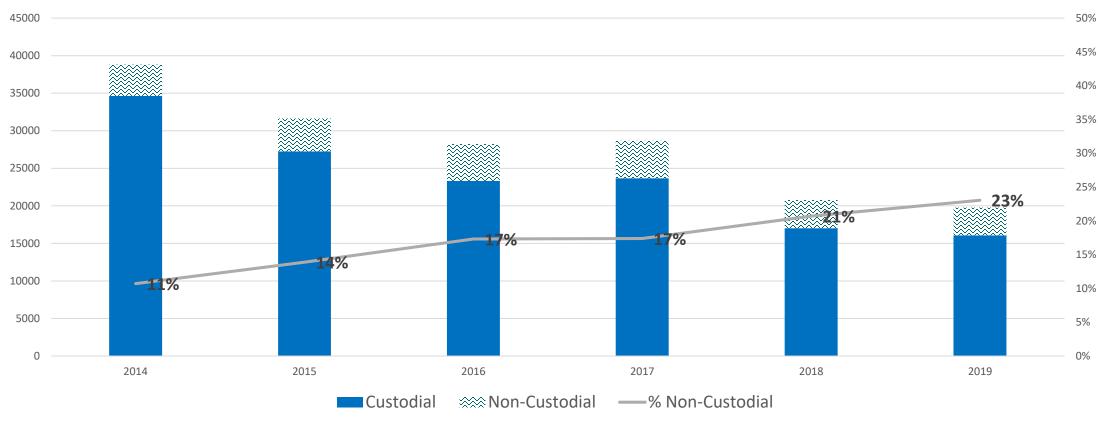
Update, innovate and improve upon efforts to divert and/or deflect individuals from the criminal justice system as appropriate.

### County Contextual Trends

- The population of adults in Charleston county increased by 17% from 2010 to 2018.
- Big 4 reported UCR crimes decreased 14% from 2009 to 2017
  - Reported violent decreased 19%
  - Reported property decreased 14%
- Big 4 UCR arrests decreased 40% from 2009 to 2018
  - Violent crime arrests decreased 27%
  - Property crime arrests decreased 26%

# Arrests by the Big 4 police agencies decreased 49%, and non-custodial arrests increased from 11% to 23% of all arrest charges.





<sup>\*</sup>Note: 2018 and 2019 data excludes records that could not be classified as custodial or non-custodial.

## SPM is no longer the most frequently occurring charge booked; it's DUI 1st.

#### **Most Frequently Occurring Charge**

#### 2014

- Simple Possession Marijuana
- 2,785

#### 2016

- Simple Possession Marijuana
- 1,340

#### 2018

- Driving Under the Influence
- 1,322

#### 2015

- Simple Possession Marijuana
- 1,727

#### 2017

- Simple Possession Marijuana
- 1,572

#### 2019

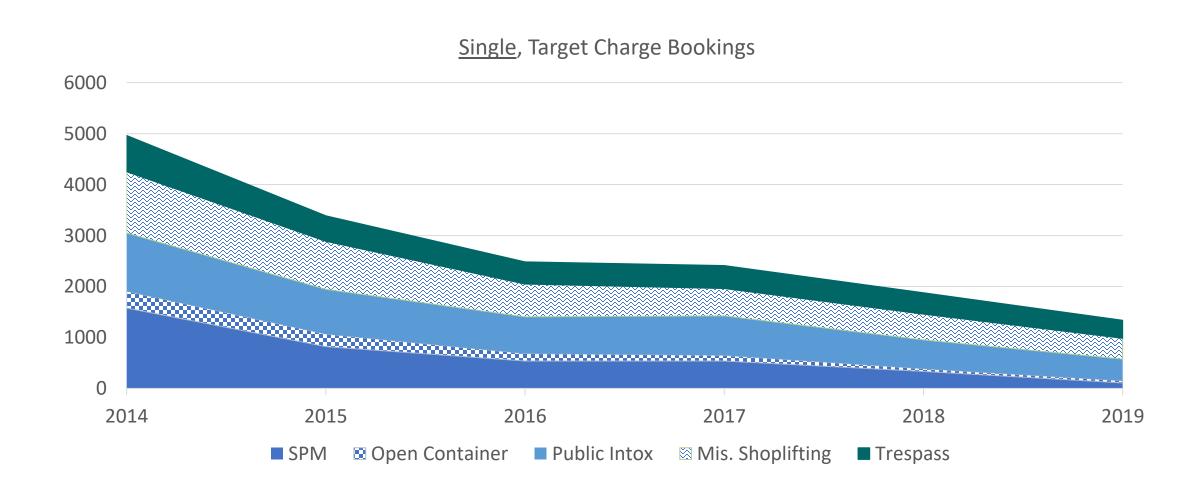
- Driving Under the Influence
- 1,198

Top 15 Charges 2019

Charge Description	Count
DRIVING UNDER INFLUENCE (DUI) 1ST	1198
FIREARM POSSESSION VIOLATIONS	912
SHOPLIFTING	656
FAILURE TO PAY CHILD SUPPORT	637
PUBLIC INTOX	620
SIMPLE POSSESSION OF MARIJUANA (SF	584
TRESPASS	579
DUS 1ST OFFENSE	558
PUBLIC DISORDERLY CONDUCT	520
VIOLATION OF PROBATION	475
ASSAULT AND BATTERY 3RD DEGREE	442
DOMESTIC VIOLENCE 2ND DEGREE	421
POSS OF COCAINE 1ST OFFENSE	374
PWID MARIJUANA	353
FAIL TO STOP FOR BLUE LIGHT	341

Increased between 2018 & 2019

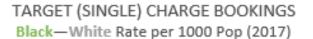
### Single, target charge bookings reduced 73%

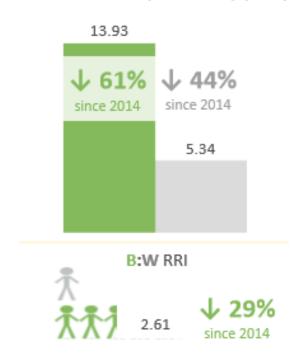


## Analysis of relative rates at booking from 2014 to 2017 indicated decreasing RRIs

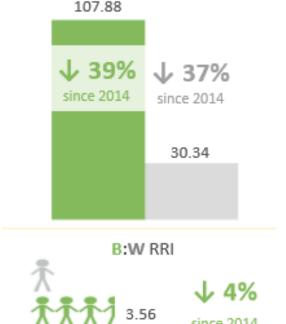
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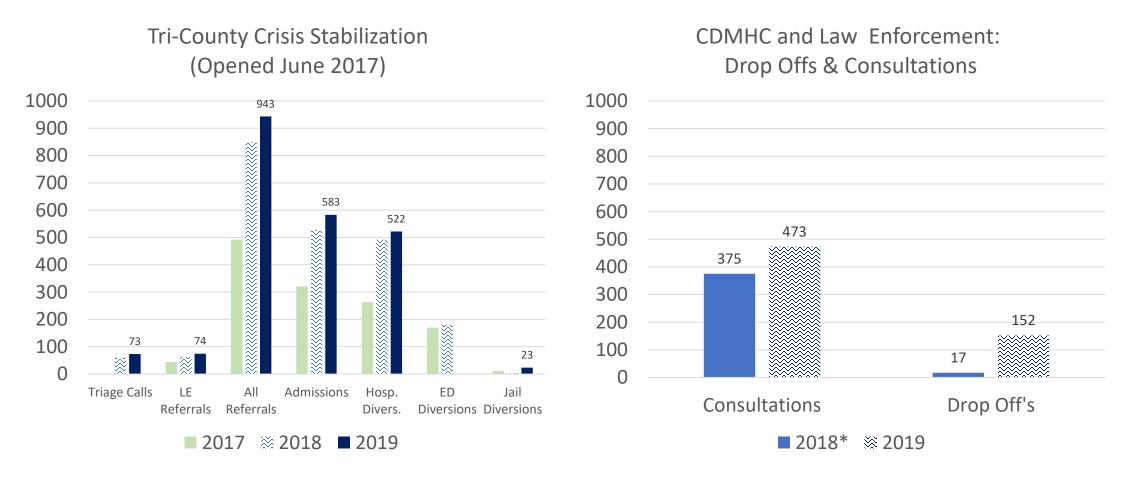




## ALL LOCAL BOOKINGS Black—White Rate per 1000 Pop (2017) 107.88

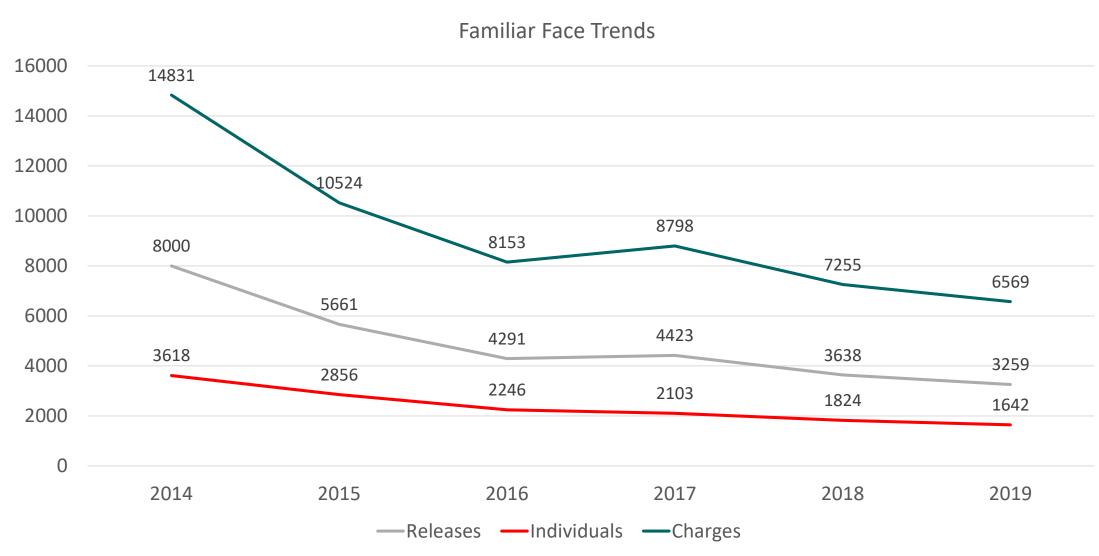


## Law enforcement's use of CDMHC diversion and deflection options increased significantly.

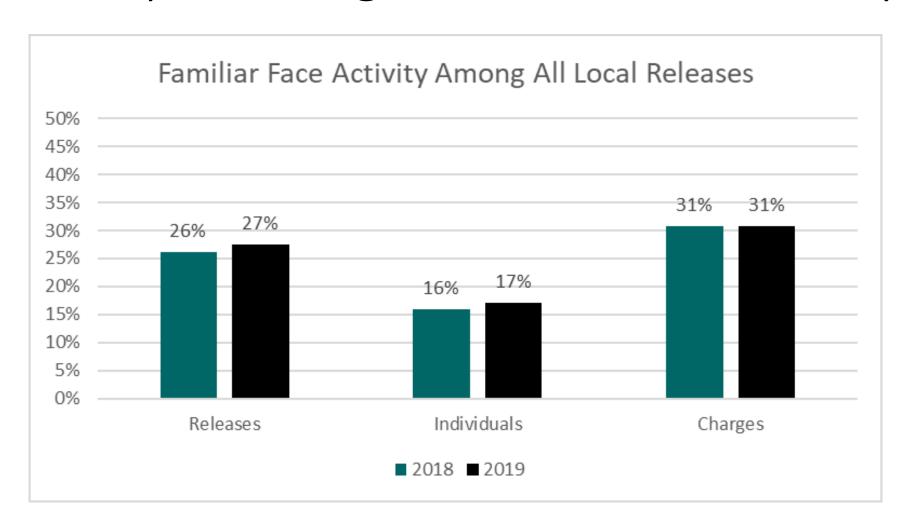


<sup>\*2018</sup> first year of data collection by CDMHC, partial data from Oct. to Dec. is included as well as the 2019 calendar year.

## Familiar face releases, individuals, and charges also decreased (50%-59% since 2014)



## Familiar face release activity remains a consistent percentage of all release activity

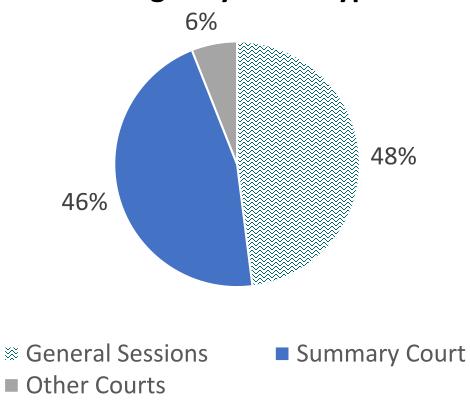


## During 2019, 1,501 familiar face individuals were booked into the SACDC and released 2,994 times.

### **Most Frequent Charges in 2019**

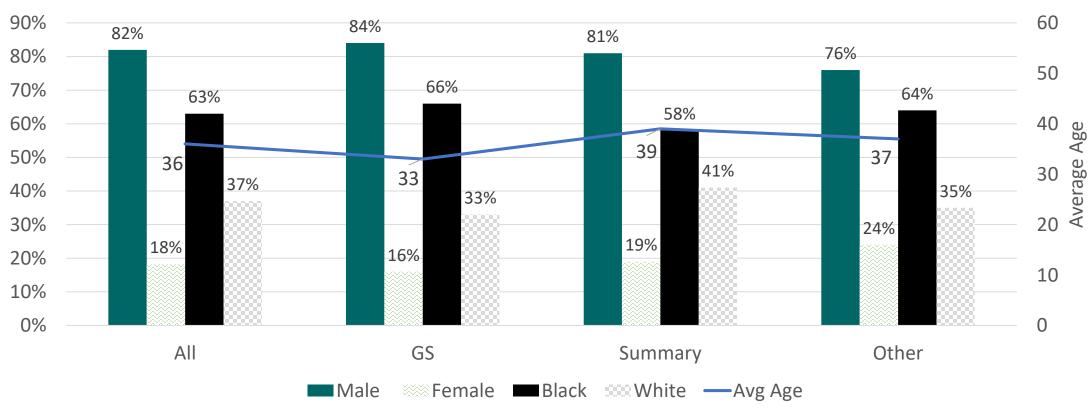
Charge	Frequency
Trespassing	347
Firearm violations	256
Public intoxication	195
Violation of probation	174
Shoplifting (enhancement)	142
Simple possession of marijuana	140
Disorderly conduct	136
DUS (driving under suspension)	125
Contempt of family court	124
Shoplifting <\$2000	124
Fail to stop for blue light	115
DUS 3rd and subsequent	104
Assault and battery 3rd degree	98
Breach of peace	97
Domestic violence 2nd	93

### **Charges by Court Type**

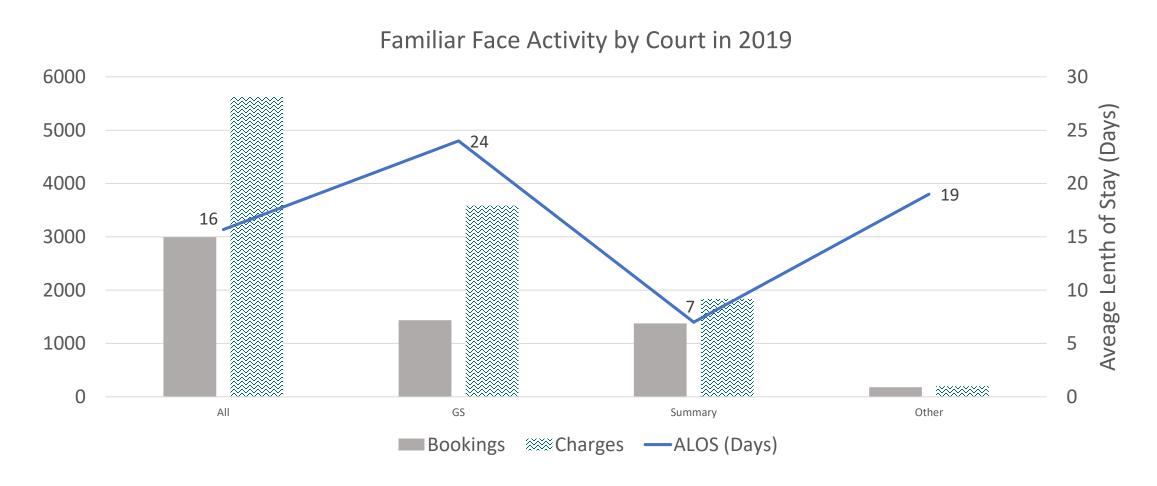


On average, familiar faces were booked on two charges, stay in jail for 16 days, are 36 years old, mostly male, 63% black and 37% white

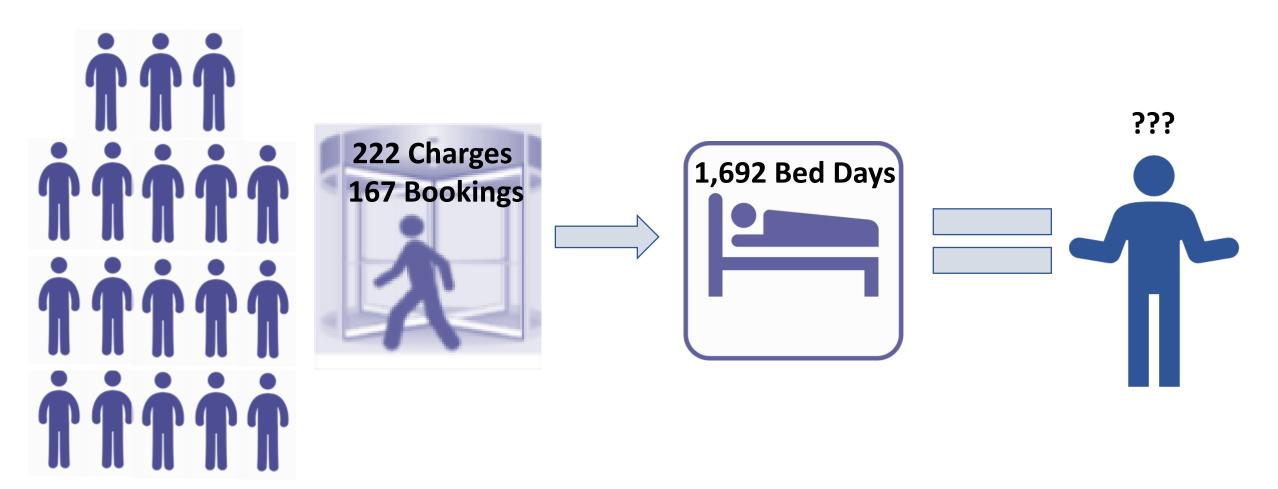




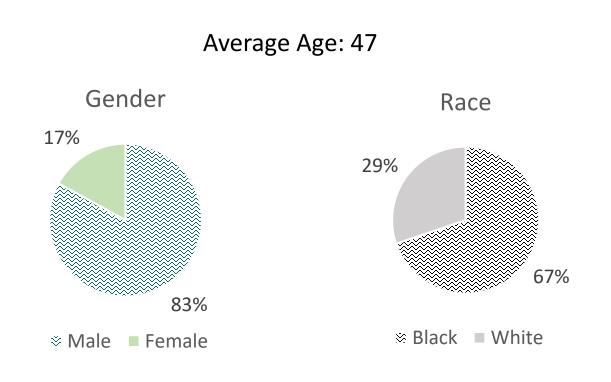
## 46,952 Bed Days in 2019: Length of stay varies by court type



The 18 most active familiar faces in 2019 were booked 167 times on 222 charges and consumed 1,692 jail bed days.



Most Active: Average 47 years old, 83% male and 67% black, and most frequently charged with trespassing and various crimes against public order.



Charge	Frequency
Trespassing	78
Public intoxication	53
Disorderly conduct	10
Open container	9
Drinking in public	8
Breach of peace	6
Assault and battery 3rd deg.	5
Grand larceny	5
Malicious injury to real property	4
Shoplifting <\$2000	3

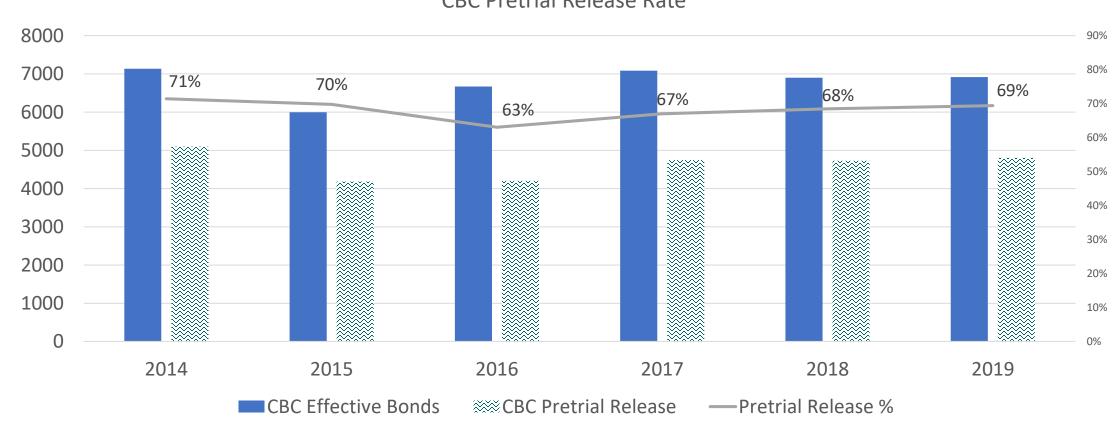


## Bond & Reentry Workgroup

Update, innovate and improve upon procedural justice and recidivism outcomes for individuals from booking to reentry from incarceration.

# CBC pretrial release rates remained fairly steady...so has the time to release

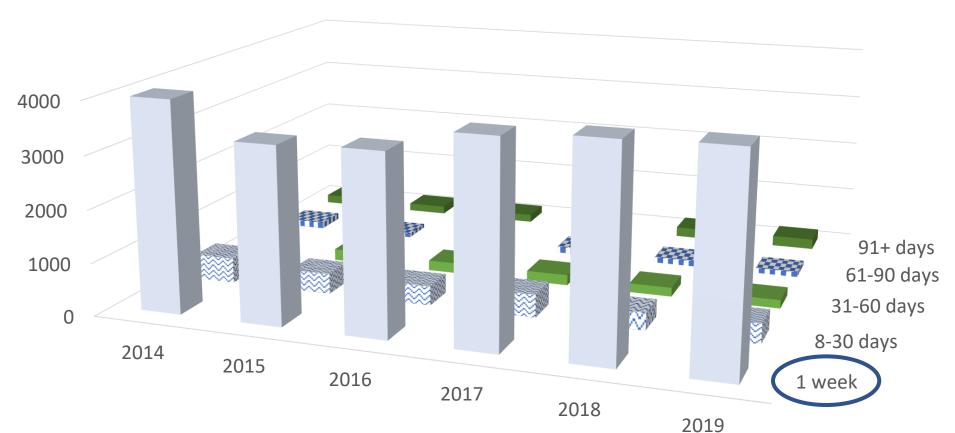




Supplemental analysis run during April of 2020, using SACDC and CMS data sources. Therefore, dataset is based upon data available at that time and will vary somewhat from earlier reports.

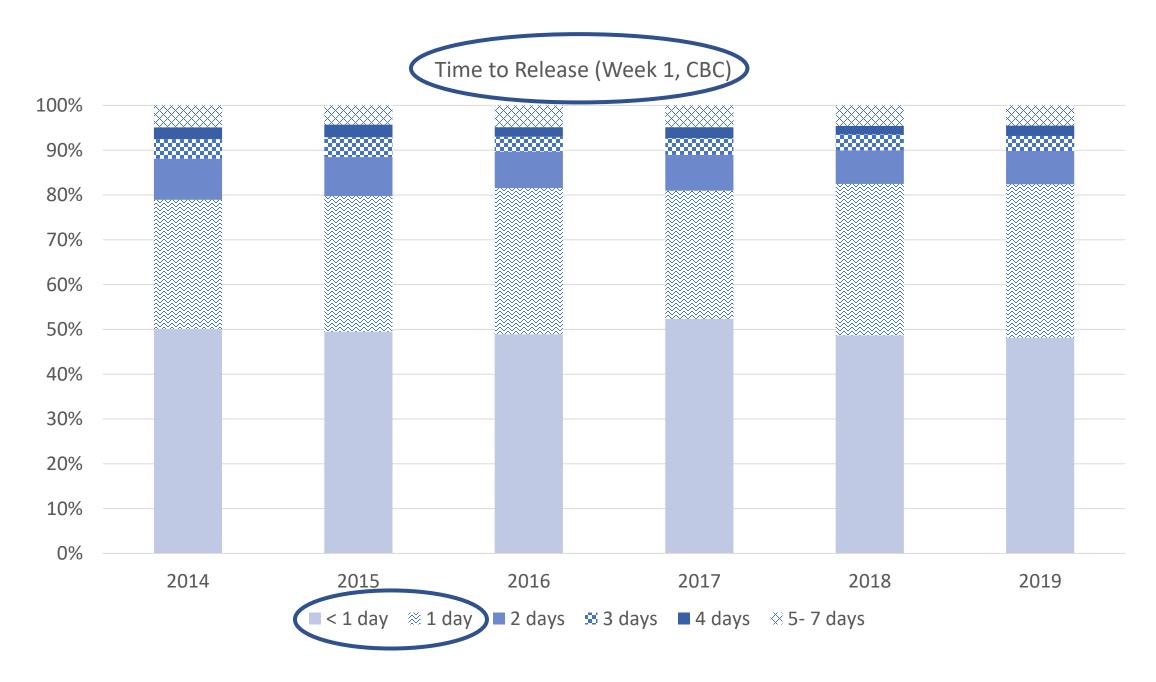
### Time to Release (CBC Pretrial Releases)





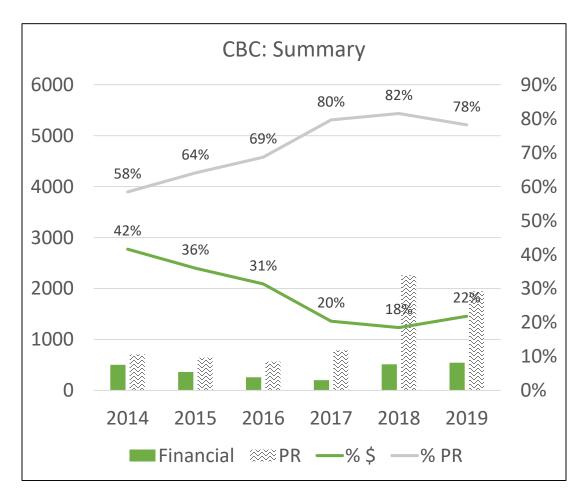
2019
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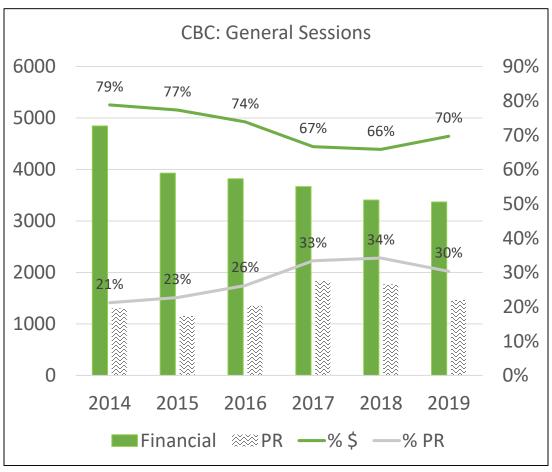
	2014	2015	2016	2017	2018	2019
■1 week	4005	3339	3395	3815	3918	3959
	483	387	369	440	333	381
■ 31-60 days	310	224	198	202	174	163
<b>№</b> 61-90 days	126	79	90	124	108	97
■ 91+ davs	171	156	154	165	193	202



Supplemental analysis run during April of 2020, using SACDC and CMS data sources. Therefore, dataset is based upon data available at that time and will vary somewhat from earlier reports.

# Money as a condition to release decreased more in Summary than it did GSC

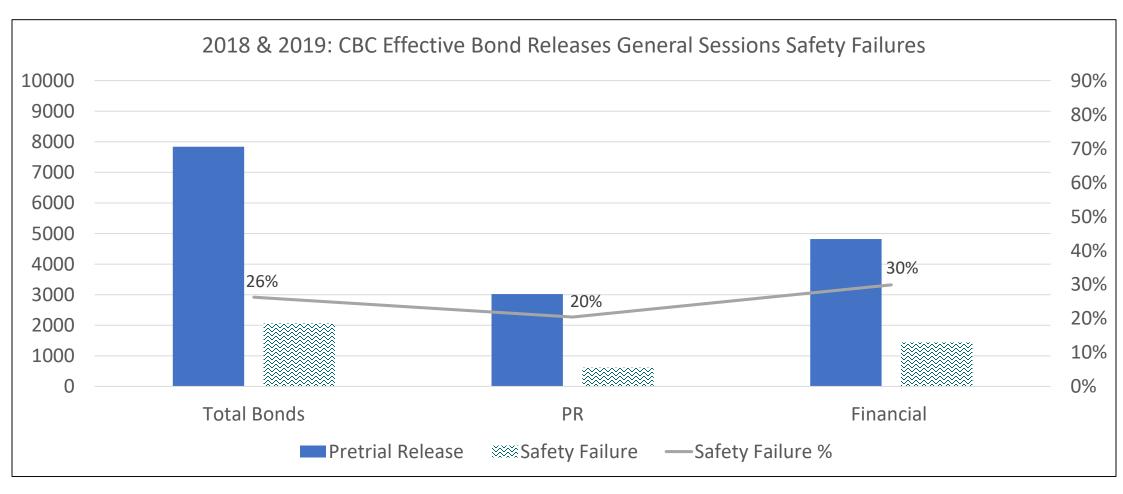




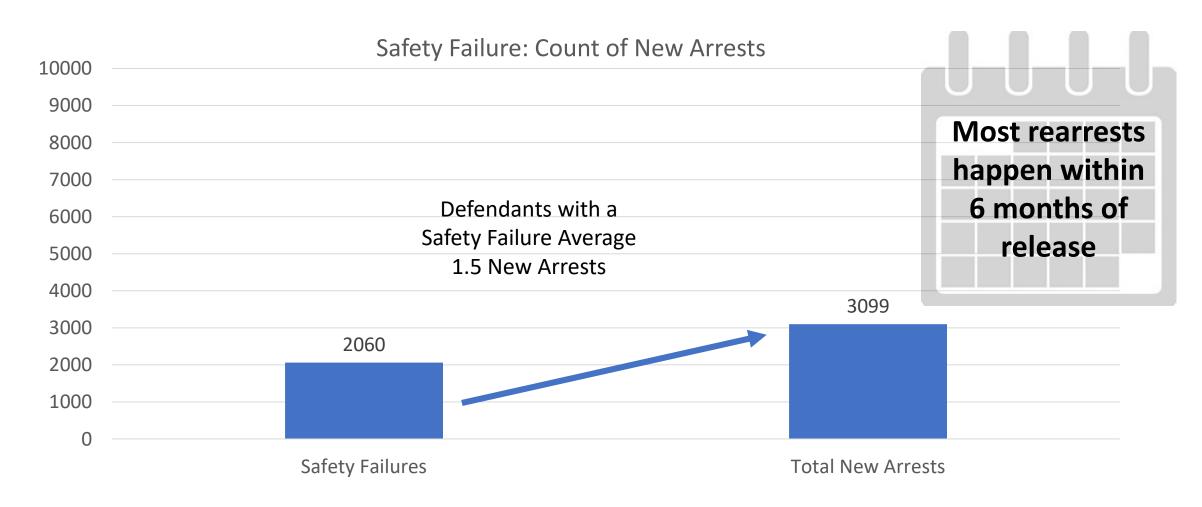
# Key findings from the General Sessions Bonds and Pretrial Outcomes Study (2014-2018)

- Each year financial bonds outnumbered PR bonds, ranging from 78% to 64% of bonds set.
- Pretrial release rates remained in the 80th percentile between 2014 and 2018 (from 86% to 84%).
- The pretrial release rate among financial bonds was between 83% and 75%.
- The rate of safety failures, or at least one return to the SACDC on a new arrest, ranged from 35% to 40% on bonds set between 2014 and 2017.
- The safety failure rate for 2018 bond sets was 20%, though the vast majority of 2018 cases were still pending at the time of the analysis and this rate was expected to rise.
- Each year, financial bonds experienced higher safety failure rates than PR bonds.
- Most safety failures occurred within the first six months of release, and those that experienced a safety failure often failed more than once.

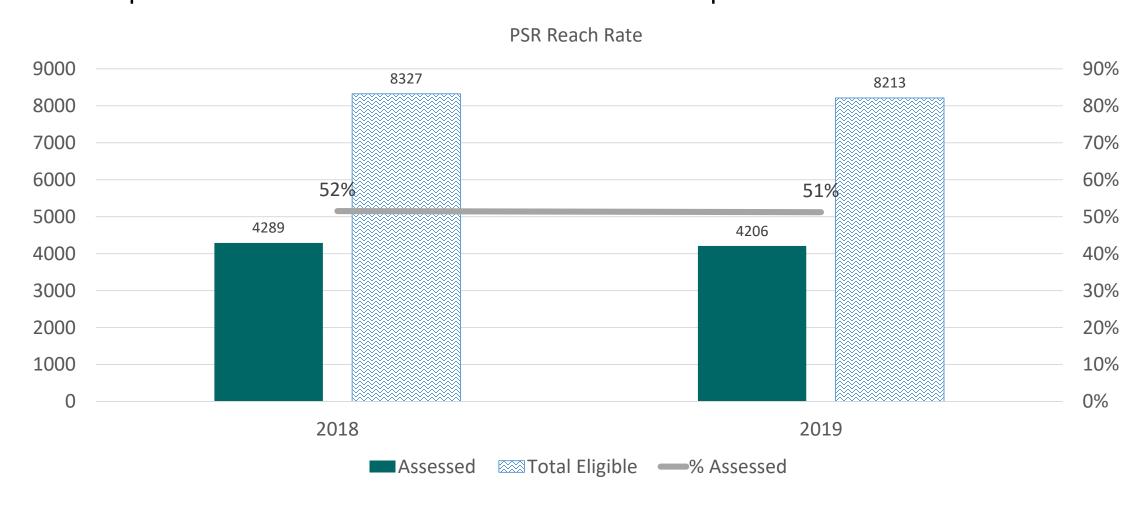
Updated GSC pretrial outcome study (findings hold for 2018 & 2019): To date, most are staying out of trouble in the pretrial period. Financial bond releases have more safety failures than PR bond releases.



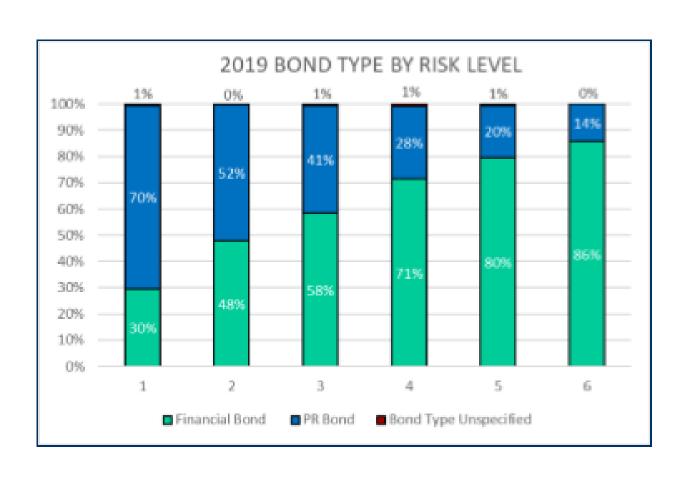
Updated GSC pretrial outcome study (findings hold for 2018 & 2019): Most safety failures happen in first six months of release. Those that do <u>not</u> stay out of trouble experience safety failures an average of 1.5 times to-date.



PSRs, implemented in 2018, provide judges with more information to consider when setting bonds. They were available about 50% of the time through 2019. In 2020, anticipate a 90%+ reach rate with the updated PSR.



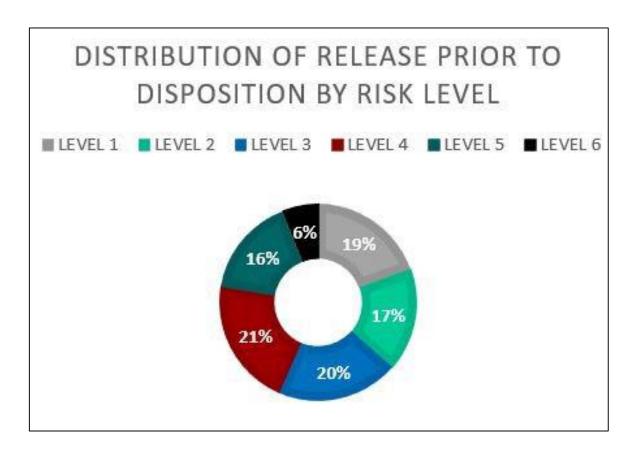
Effective PR bonds are given out more frequently in cases with lower levels of risk and effective financial bonds are given out more frequently in cases with higher levels of risk

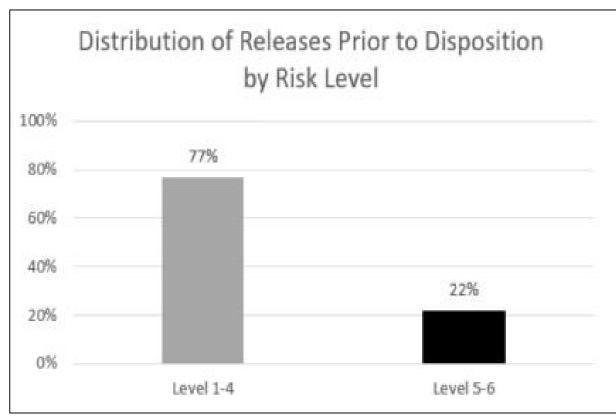


# Key Findings from the Risk-Based Pretrial Outcome Study (2018 Report)

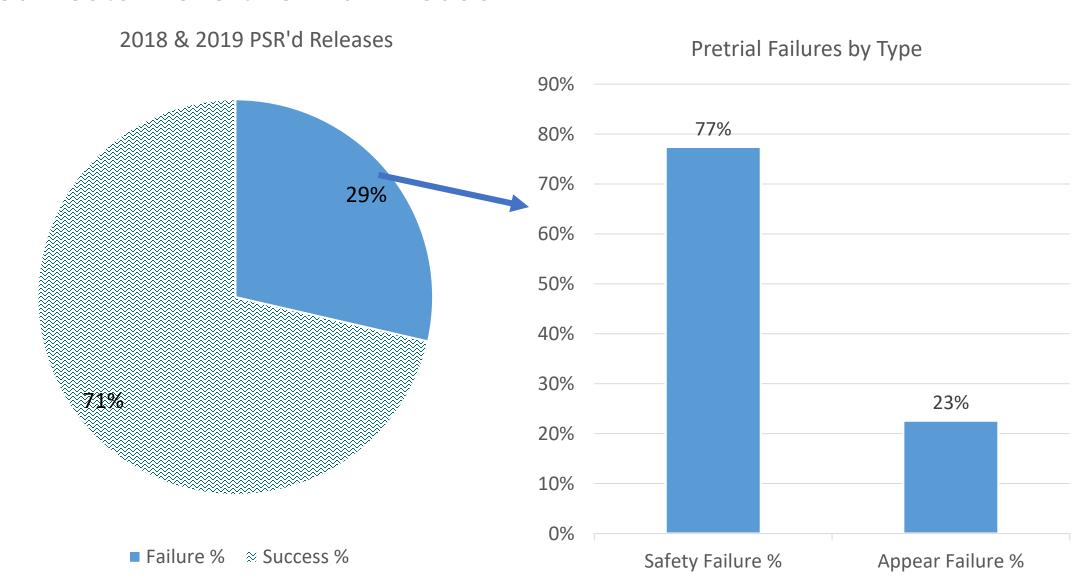
- Most pretrial releases fell in the lower risk levels.
- Data on defendants' assessed risk and release outcomes indicated the VPRAI-R properly assessed for risk of re-arrests and failure to appear during the pretrial period. The pretrial failure rate (rearrest and/or failure to appear) increased as the risk level increased.
- Releases on financial bonds failed more often than releases on PR bonds. Overall, pretrial failure rates were higher for financial bonds than PR bonds at risk levels 1, 2, 3 and 4. Pretrial failure rates in risk levels 5 and 6 were nearly equal among financial and PR bonds.
- Most releases did not fail. At the time of the analysis, 22% of releases
  experienced a pretrial failure. It was expected this percent would increase over
  time as many of the cases were still pending.
- Safety failures occurred more often than appearance failures, and they most often occurred within the first six months of release.

Updated risk-based pretrial outcome findings (2018 & 2019) hold as well. Most risk-assessed released were in the lower levels of risk.

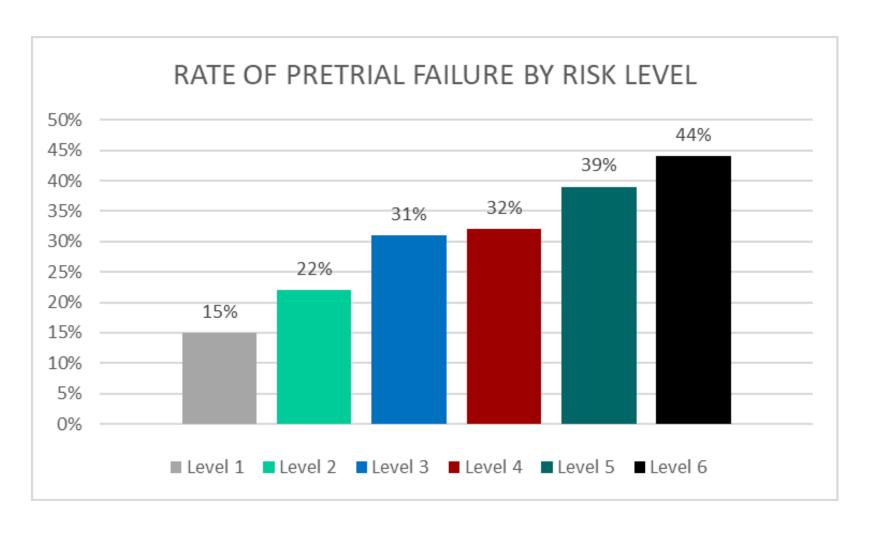




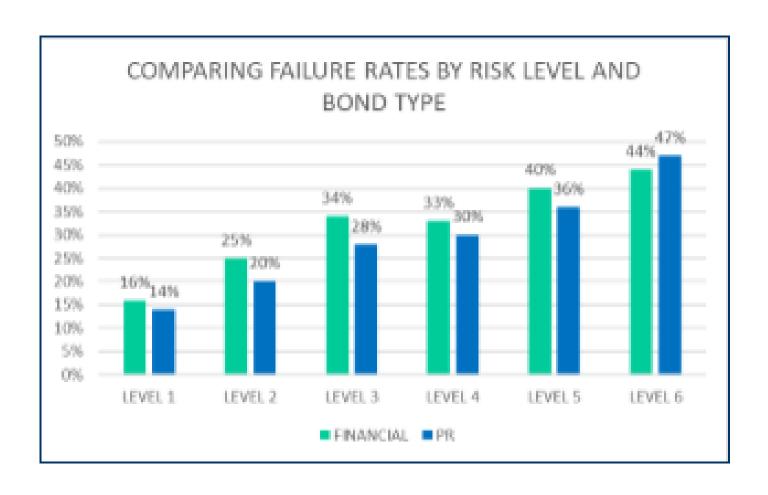
To date, most kept out of trouble. Among those that did not, rearrests were the main reason.



Failure rates increased as risk level increased. Expect the distribution to improve in 2020 with the updated PSR (e.g., 10% to 65%).



Pretrial failure rates are higher among effective financial bonds than effective PR bonds at risk levels 1-5.



### **Best Practices**

- The National Association of Pretrial Service Agencies sets standards for pretrial release (in concert with the American Bar Association standards for pretrial release). The Standards are... aspirational. They point the way toward criminal justice processes that are fairer, more rational, more open, more accountable and more effective.
- There is also a well-established framework to build a fair, just and effective pretrial justice system.
  - 13 key components (many of which exist in Charleston, others need more work)
- Research provided by the National Institute of Corrections in its Framework for Pretrial Justice
  - Supervised defendants at-risk of pretrial failures are more likely to <u>appear in court and remain arrest-free</u> than other defendants. Supportive supervision that provides or engages moderate and high-risk defendants with opportunities for substance use or mental health treatment, vocational services, or housing assistance, is a helpful strategy to achieve desired pretrial outcomes. Examples include:
    - assistance to secure stable housing, which can make court notifications easier and bolster the likelihood of making it to court
    - engaging defendants with substance use disorders in targeted treatment can help prevent returns to jail for continued abuse of drugs or alcohol.
  - The framework also indicates while in pretrial status and presumed innocent, services should be offered
     voluntarily rather than required as a condition of release.
- The Risk Needs Responsivity (RNR) Model is a widely respected model used post-conviction to address individual needs known to cause criminal behavior.
  - Match level of service with risk of reoffending, assess and target criminogenic needs, maximize the individual's ability to benefit from the intervention.

## Qualitative feedback from stakeholders actively working with the population reentering

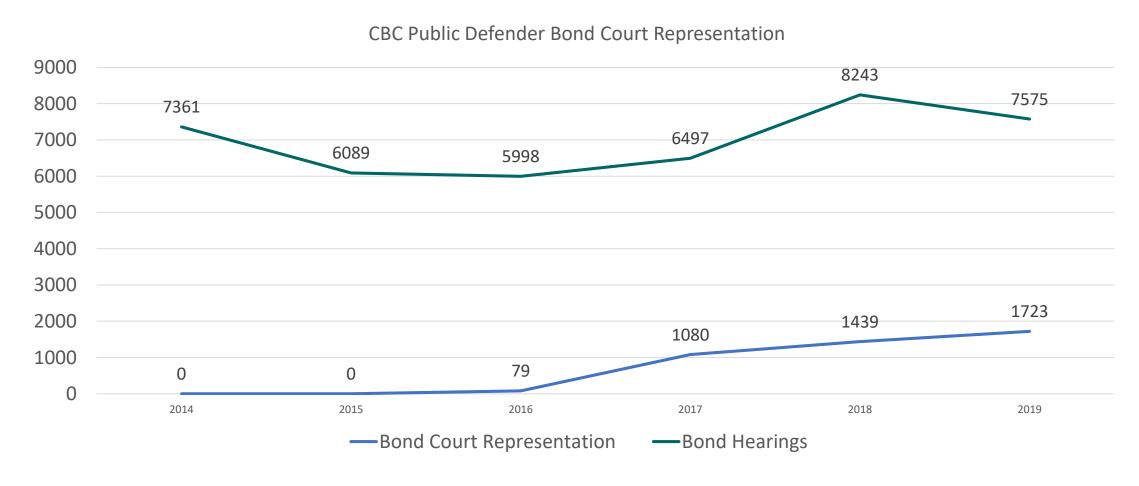
- Providers do not know when someone will release.
- It is difficult to stay connected with released individual after release.
- Embedded clinicians and programs in the jail are limited in their reach (e.g., waitlist for PIER program and mental health staff triage to individuals exhibiting the most severe symptoms in between what gets court ordered).
- The HUD definition of homelessness can create a barrier to housing resources.
- Incarceration can disrupt access to benefits.
- Information about what services are available for whom in jail and the community is not widely known or accessible.
- Time spent in jail for those that need to be there should be time well-spent (rehabilitative).
- Community feedback stressed the need to make improvements, low perceptions of fairness, focus on the challenges of re-entry, and grow opportunities for engagement, partnerships and collaborations.



## Case Processing Workgroup

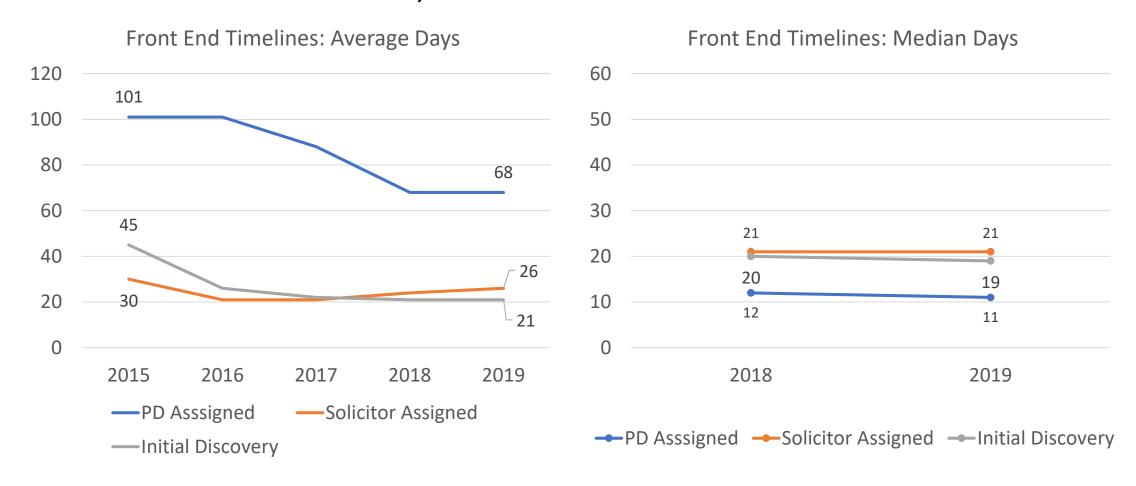
Update, innovate and improve the processing of cases in the court of General Sessions

Increase in bond court representations by public defender attorneys from 0 in 2015 to 1,723 in 2019, representing 23% of CBC bond settings.

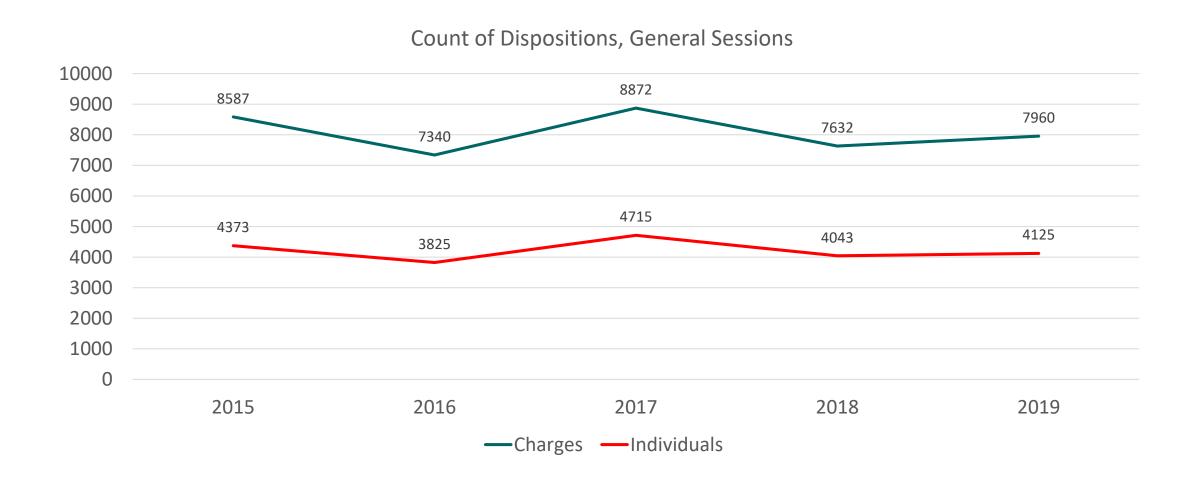


Using data collected by the public defender's office as well as data collected by pretrial staff while pretrial services was performing indigence screenings.

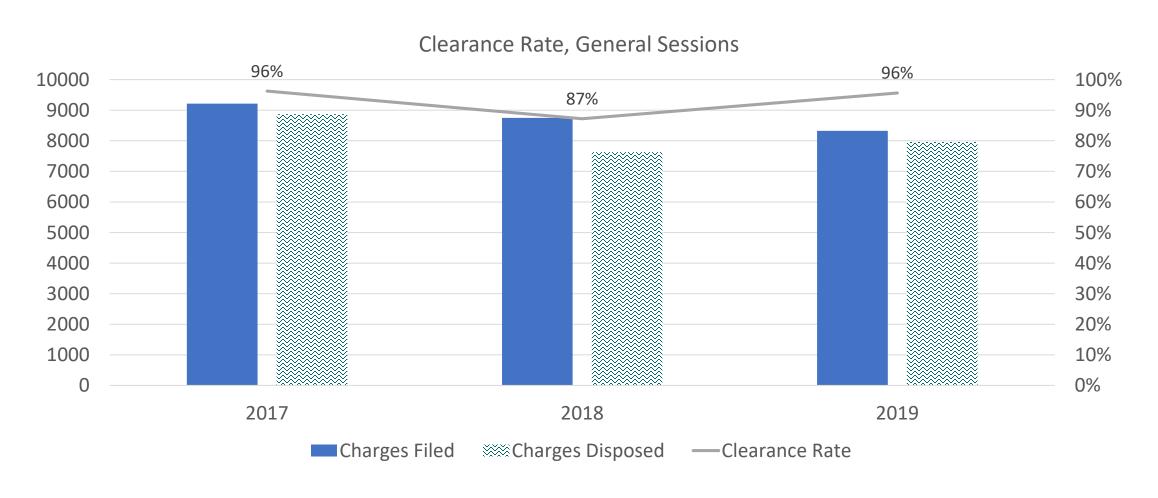
# Consistent or improved timeliness in early case processing steps (e.g., assignment of attorneys and transfer of evidence)



## Count of dispositions per year is fairly steady

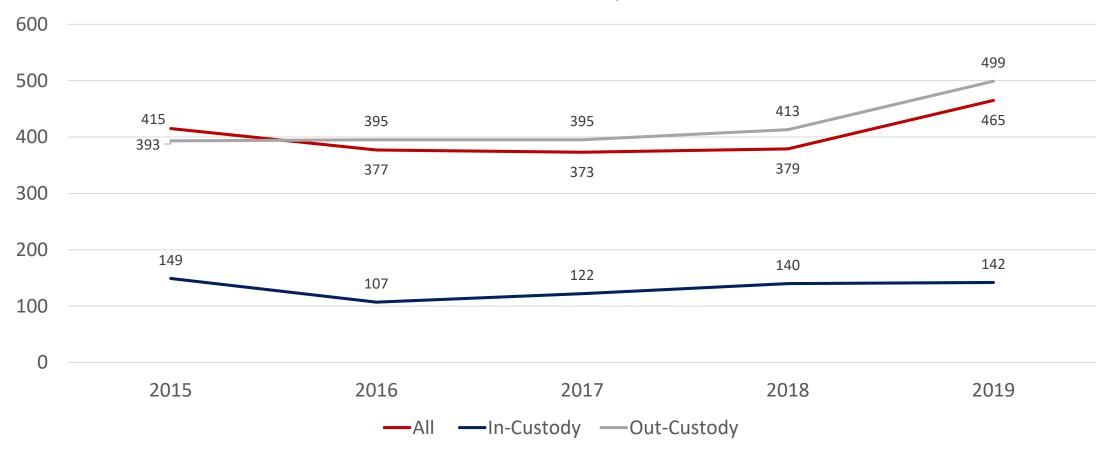


# In general, nearly as many charges filed get disposed each year.



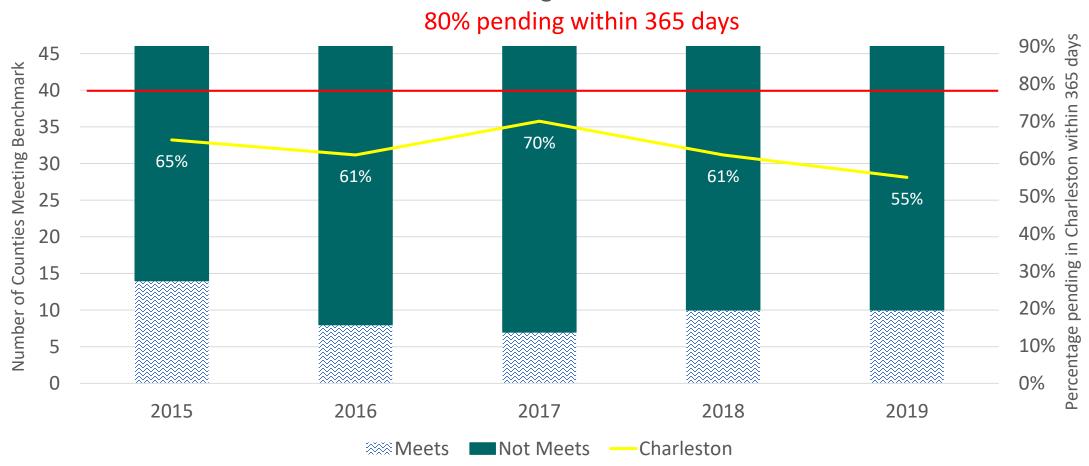
### Median time to disposition increased



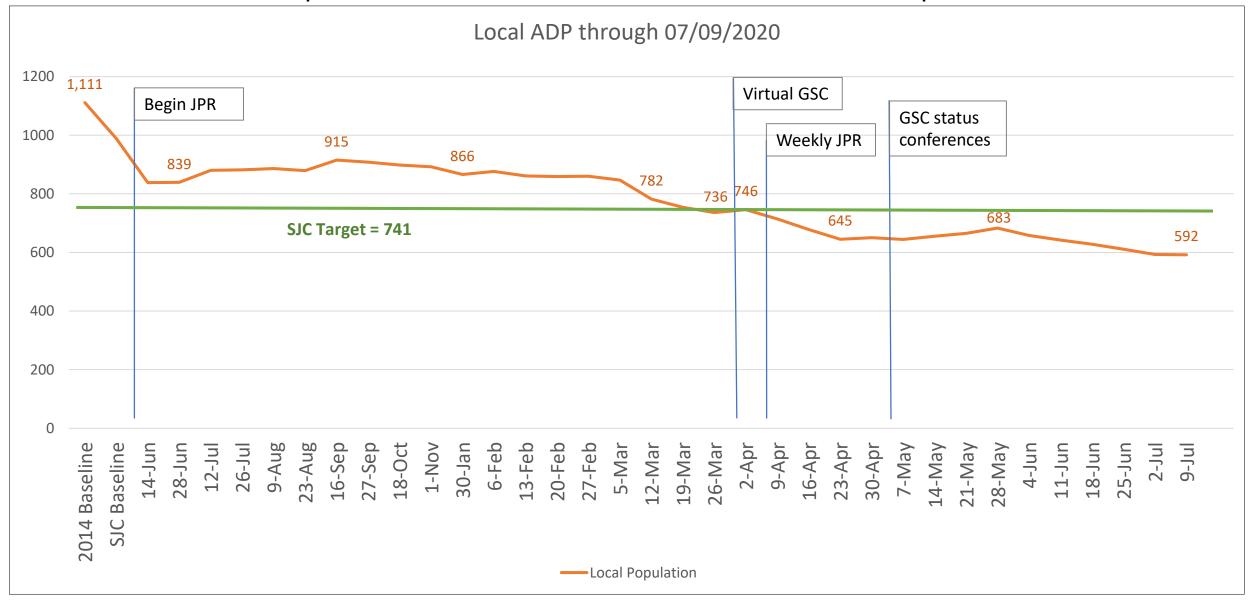


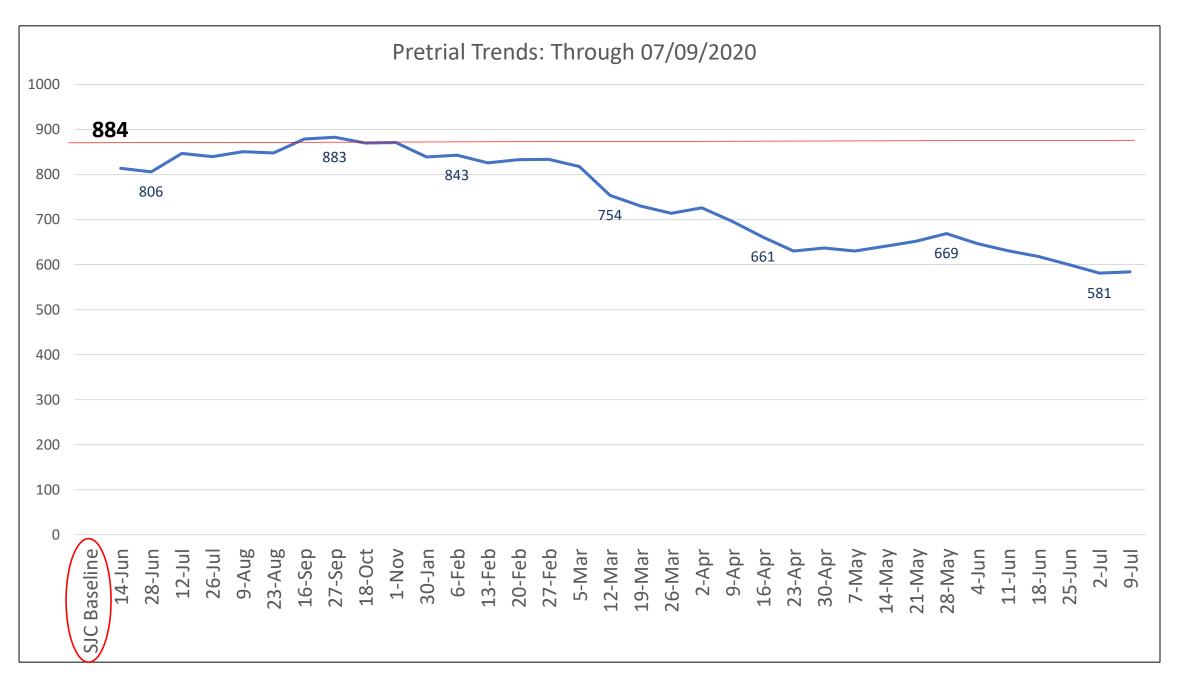
## Few counties in South Carolina meet the statewide benchmark. Charleston is not one of them.



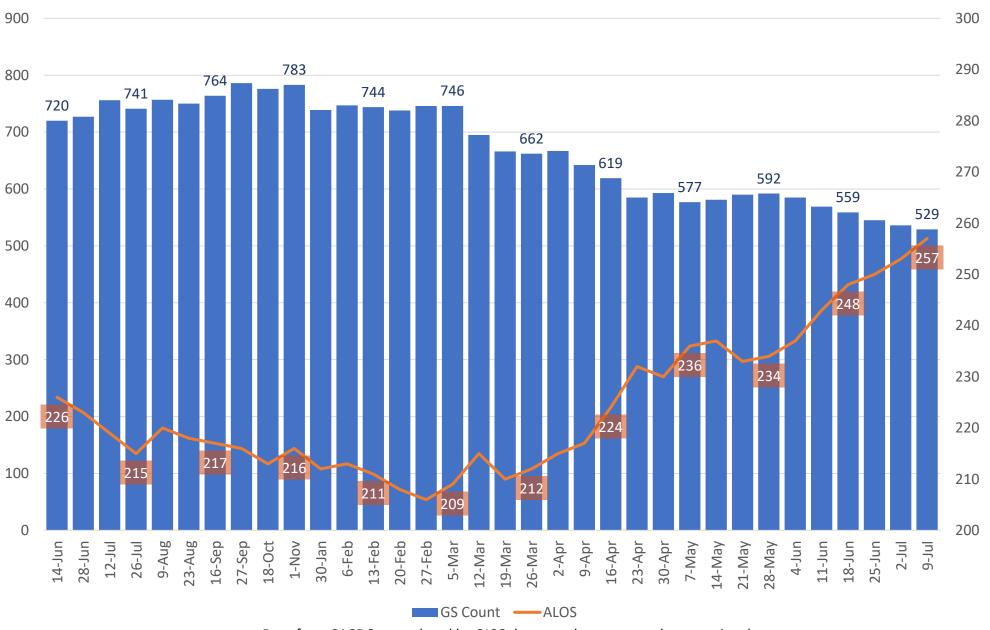


### There has been a sharp decrease in the local ADP since the COVID-19 pandemic started.



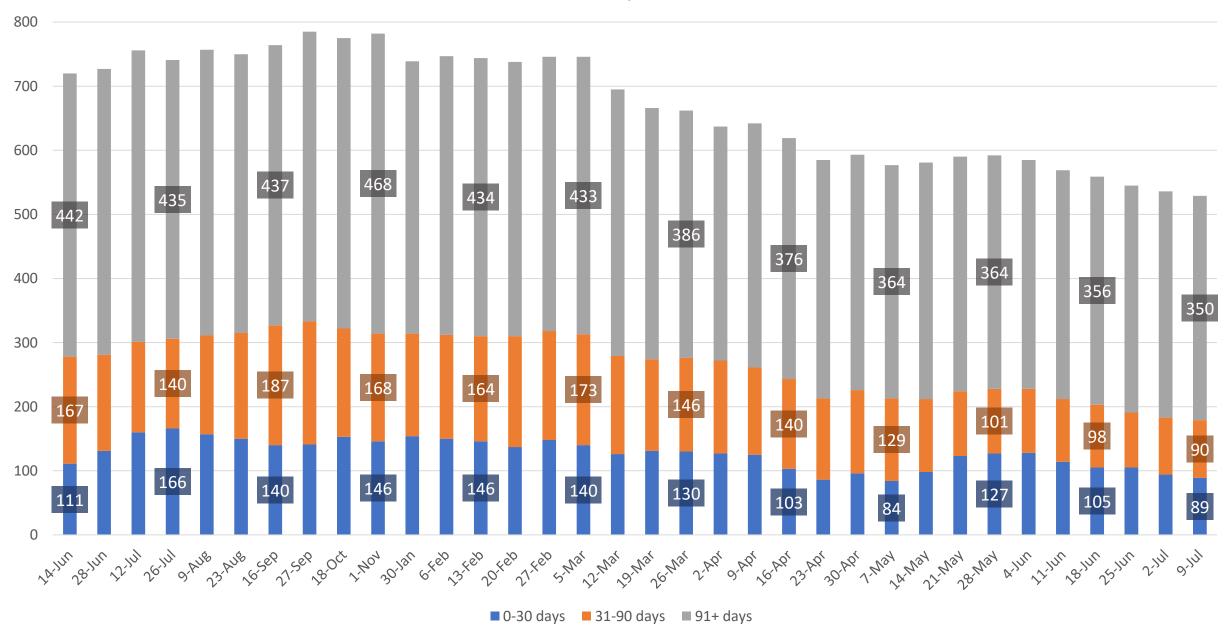


#### Pretrial GS Detainees, Count and ALOS

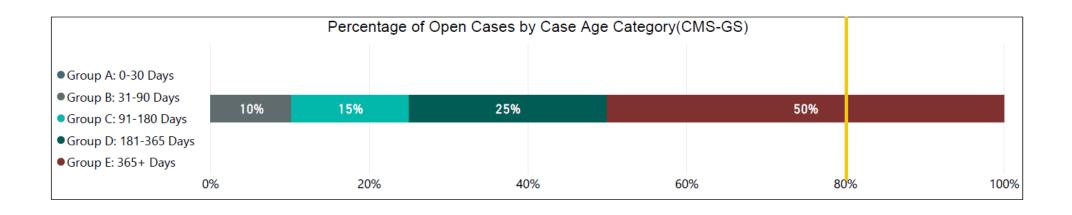


Data from SACDC as analyzed by CJCC data warehouse on each respective day

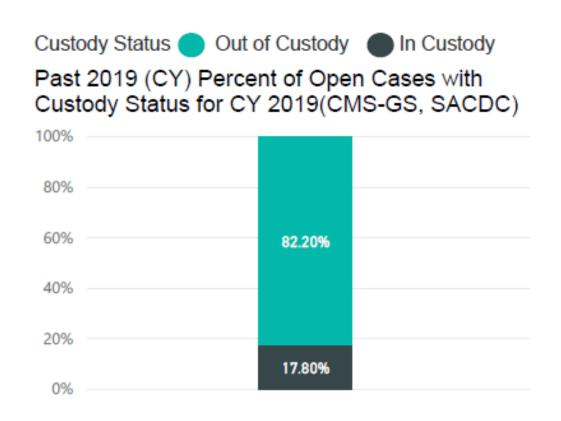
### GS Pretrial Detainees, Time in Detention

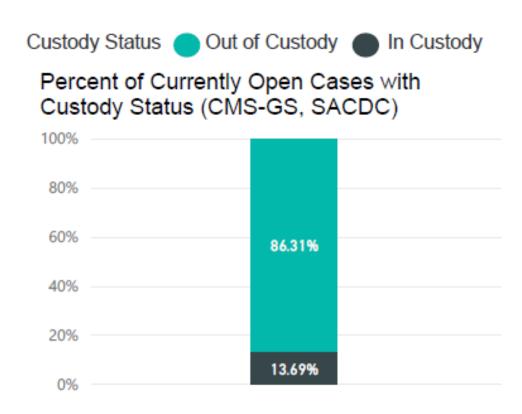


<b>Types of Dispositions, 2020</b> Disposition Type		rcent of Grand Total	Median TTD
Data current through end of May, 2020			
Trial Guilty	14	0.51%	882
Trial Not Guilty	13	0.47%	821
Nolle Prosequi	722	26.12%	691
Failure to Appear	82	2.97%	690
Dismissed - Prosecutorial Discretion	1	0.04%	626
Judicial Dismissal	63	2.28%	609
Pled Guilty	1222	44.21%	515
Drug Court	18	0.65%	478
Dismissed Not Indicted	551	19.93%	269
Mental Health Court	3	0.11%	202
No Billed	1	0.04%	175
Remand to Mag/Muni Ct/Sent to Family Ct	12	0.43%	157
Dismissed at Preliminary Hearing	61	2.21%	87
Revocation Hearing - Probation Continued	1	0.04%	36
Total	2764	100.00%	515



## Pending caseload by custody status





Supplemental analysis of CMS data, as analyzed after the end of the 2019 calendar year.

Supplemental analysis of CMS data, as analyzed at the end of May 2020.