



CHARLESTON COUNTY  
CRIMINAL JUSTICE COORDINATING COUNCIL

# ANNUAL REPORT 2019

Charleston County Criminal Justice Coordinating Council

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This report was updated on May 20, 2020. One underlying data issue was identified and promptly corrected. Please see the update on page 15 for more information.

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## A MESSAGE FROM THE CHAIRMAN



**STAN GRAGG**  
*Chairman*

It is a great honor to issue the 2019 annual report as the new Chairman of the Charleston County Criminal Justice Coordinating Council (CJCC). As the Deputy Police Chief in Mount Pleasant, I have been a member of the CJCC since its inception in 2015. I have seen collaborations strengthen, paradigm shifts throughout local law enforcement, and experienced the value of criminal justice leaders and community members coming together to help improve the local criminal justice system (CJS).

We continue to make incremental progress and in 2019 our local jail population is 20% smaller than it was in 2014. There have been fewer arrests with more diversions from jail and deflections into treatment, fewer familiar faces cycling through our jail, more informed bond setting, and increased efficiencies in the early stages of case processing – from public defenders starting representation in bond court, to faster transfers of evidence from law enforcement to prosecution, to faster assignment of prosecutors. And, with our centralized database, we substantially increased our data capacity. In turn, we continue to learn from past progress and can more strategically address our challenges, particularly in matters of pretrial justice, racial equity and recidivism.

These are significant challenges and we recognized the need to more effectively inform and involve the community in tackling them. In 2019, we set and exceeded our goal to engage with 1,000 community members to grow awareness of these issues and involve the community in shaping the CJCC’s next strategic plan. Through large events, community surveys, deeper dive roundtable dialogues and the culminating Action Forum, the community became more knowledgeable about the issues, shared perspectives, and identified important priorities for improving the local CJS. Thank you so very much to everyone that participated, and I hope you find the results included in this report helpful.

This report is part of our ongoing commitment to accountability and transparency. I encourage community members to review the findings, stay engaged with us, and continue to work with us to tackle the challenges ahead. We will be combining community priorities with data findings and best practices from around the country to set specific goals and objectives for the next three years. It will be a comprehensive effort that may evolve as more becomes known about the funding for the CJCC when grant money subsides. I look forward to leading the CJCC throughout this process and the years to come. Please continue to hold us accountable, offer feedback and collaborate with us to help ensure our CJS is increasingly effective, efficient and equitable.

# ABOUT THE CRIMINAL JUSTICE COORDINATING COUNCIL (CJCC)

## MISSION

The mission of the CJCC is to assist in making sustainable, data-driven improvements to Charleston County's criminal justice system (CJS) and thereby improve public safety and community well-being. The CJCC strives to achieve a local CJS that improves public safety, upholds justice and cost-effectively uses taxpayer dollars.

## OBJECTIVES

- Improve data systems for more efficient and effective data sharing and analysis
- Institute mechanisms to sort high risk from low risk, and prioritize jail use accordingly
- Ensure similarly situated individuals are consistently treated similarly and work to reduce racial and ethnic disproportionality and/or disparity (R+EDD) in the CJS
- Enhance capacity to address root causes of behaviors that bring people into the CJS and reduce the likelihood of repeat offending
- Expand options of law enforcement to inform discretionary decisions to use jail on low-level charges and improve police and community relations
- Enhance the availability of effective treatment options in the community
- Reform the management of pretrial populations to uphold justice (i.e., detention based upon risk for flight or danger, rather than one's ability to pay a monetary bond)
- Improve the timeliness of case processing in General Sessions, including assignment of counsel, receipt of discovery, and court scheduling practices

## MEMBERSHIP

- Charleston County Council
- Charleston County Sheriff's Office
- Charleston Police Department
- North Charleston Police Department
- Mount Pleasant Police Department
- Ninth Circuit Defender
- Ninth Circuit Solicitor
- Charleston County Clerk of Court
- Judiciary, including Circuit, Magistrate and Municipal Court Leadership and the Chief Justice of the Supreme Court of South Carolina (ex-officio)
- Charleston Center
- Charleston Dorchester Mental Health Center
- Probation, Parole and Pardon Services
- Victim Advocacy
- Veterans Justice Outreach (Veterans Affairs)
- American Civil Liberties Union
- One80 Place
- Twelve diverse community representatives



Drawing on these objectives, the CJCC developed and began implementing a transformation plan with support from the John D. and Catherine T. MacArthur Foundation's Safety and Justice Challenge (SJC).<sup>1</sup> The CJCC actively advances efforts through the work of diverse implementation teams with related expertise. As each of these strategies advances, the CJCC continues to learn, grow and adapt to achieve its mission.

In October of 2018, the Charleston County CJCC was one of 13 sites from across the country selected for additional funding from the SJC based on the promise and progress of work to date, bringing the total SJC investment in Charleston to \$4.95 million from 2015 to 2020. The CJCC continues to utilize this funding to advance local criminal justice system improvements and safely reduce Charleston County's jail population.

The 2019 Annual Report is a publication of the Charleston County Criminal Justice Coordinating Council (CJCC) as part of the CJCC's ongoing commitment to accountability and transparency. The CJCC is a collaborative council of criminal justice system leaders and community representatives. Since its inception in 2015, the CJCC has taken a data-guided approach to improve Charleston's criminal justice system (CJS). The CJCC studies trends to identify challenges and implements strategies to address them.

In 2015, the CJCC carefully examined jail use for the calendar year 2014 to see how Charleston County was utilizing the Sheriff Al Cannon Detention Center (SACDC). Findings indicated:

- The most frequent charges resulting in jail use were municipal and magistrate charges (e.g., simple possession of marijuana) that also disproportionately impacted the black community.
- Individuals living with mental illness, substance use disorders and homelessness were among the most frequent users of the jail, often cycling through repeatedly.
- Defendants in bond court rarely had representation and judges had minimal information to use when setting bonds. Three-quarters of the time judges ordered financial bonds.
- Defendants that were unable to secure release lingered in jail for long lengths of stay while waiting for their cases to resolve.
- Delays in the earliest stages of a case, such as transferring evidence from law enforcement to prosecution and assigning attorneys for defense and prosecution, added to the time it took to bring cases to justice.
- The net result was nearly 25,000 local admissions to jail with an average daily population of 1,111 locally detained individuals, including 167 sentenced (15%) and 944 pretrial (85%).

The primary purpose of jail in South Carolina is to hold defendants awaiting court who pose a public safety or flight risk that cannot be reasonably managed in the community as well as people serving sentences of ninety days or less. Unnecessarily incarcerating defendants awaiting court that are not a safety or flight risk results in significant costs to individuals, families and communities<sup>2</sup>. Research has shown a variety of negative impacts from pretrial detention, such as higher rates of conviction and harsher sentences than those released, who have the benefit of demonstrating their ability to behave responsibly in the community<sup>3</sup>. Detained defendants, especially those that pose lower risk of pretrial failure, may become further destabilized and less capable of being healthy, contributing members of society<sup>4</sup>. They can experience loss of housing and income, separation from children or other family members in need of care, untreated mental health and substance use conditions, and develop further needs that place them at elevated risk of future arrest<sup>5</sup>. Jails are also expensive. The approved budget for fiscal year 2019 included \$39,470,000 of Charleston County's general fund for the SACDC<sup>6</sup>.

In recent years, the CJCC launched strategies to address these challenges, improve the local CJS, and better utilize the jail for its primary purpose, including:

- Building a centralized database to track progress across the CJS and study trends.
- Deflecting and diverting people from jail on municipal and magistrate charges that can be handled without resorting to incarceration.
- Increasing law enforcement's use of options other than jail to help individuals get the help they need (e.g., Tri-county Crisis Stabilization Center).
- Providing bond court judges with more information to consider when setting bonds, including public defender representation, prosecutorial representation, and objective and reliable Pretrial Service Reports.

- Expediting efficiencies in the early stages of case processing (e.g., transferring evidence and assigning attorneys faster).
- Conducting jail population reviews to shorten pretrial lengths of stay.
- Initiating a court reminder service to reduce missed court appearances.
- Conducting analysis of racial and ethnic disproportionality across the CJS, providing racial equity training for prosecutors and tracking additional data to identify and address disparity.
- Increasing capacity for data analysis and evaluation (e.g., pretrial outcomes and recidivism).
- Expanding community engagement to better inform and involve the community in improving the local CJS and shaping the CJCC's next strategic plan.

CJCC efforts have been primarily funded by the John D. and Catherine T. MacArthur Foundation's Safety + Justice Challenge (SJC), a cutting-edge initiative to change the way America thinks about and uses jails. The goals of the SJC are to reduce over-reliance on jails, address racial and ethnic disparities in the CJS, and engage the broader community in system change.

By 2019, jail use in Charleston County changed significantly from 2014. Highlights include:

- The local average daily population (ADP) reduced by 20%.
- Bookings, individuals booked, and charges all fell roughly 50%.
- General Sessions court cases are the most frequent reasons for jail use rather than municipal and magistrate cases.
- Law enforcement's use of diversion and deflection options within the Charleston Dorchester Mental Health Center options grew significantly.
- Pretrial outcome analysis demonstrated most defendants release at some point in the pretrial period and when they do:
  - ◊ Most stay out of trouble; new arrest rates remain low.
  - ◊ Pretrial service reports do a good job of predicting risk of pretrial failure.
  - ◊ Financial bond releases have more new arrests than releases on personal recognizance.
  - ◊ New arrests happen more often than appearance violations and they happen most often in first six months of release.
  - ◊ Releases that have a new arrest often have more than one in the pretrial period.
- Early case processing efficiencies improved; however, time to disposition remains longer than desired.
- While the number of familiar faces cycling through the jail reduced significantly, more can be done to focus resources on those that most need them to stay out of trouble, make it to court, and limit returns to jail.

The CJCC continues its commitment to achieve an increasingly effective, efficient and equitable local criminal justice system. Moving forward, the CJCC will develop its next strategic plan to address these challenges while reducing reliance on the generous support of the SJC. The 2020 strategic plan shall utilize data findings and community priorities to design a plan to help protect public safety, minimize harms and cost-effectively focus limited system resources.

# CJCC DATA AND CAPACITY

This report contains a review of progress made in calendar year 2019, as well as recent trends. The review of progress includes a narrative for each of the strategies and overall jail use trends. All data contained in this report comes from the CJCC's centralized data warehouse and its related databases unless noted otherwise.

## CONTRIBUTING DATA SOURCES (15 TOTAL)

**Law Enforcement:** Charleston County Sheriff's Office (CCSO), Charleston Police Department (CPD), North Charleston Police Department, Mount Pleasant Police Department and the Officer Tool Database (OTD)

**Summary Courts:** Charleston County Magistrates (CMS-Mag), Charleston Municipal Court, North Charleston Municipal Court and Mount Pleasant Municipal Court

**General Sessions:** Charleston County Clerk of Court (CMS-GS), Ninth Circuit Solicitor, Charleston County (PbK), Ninth Circuit Defender, Charleston County (DD)

**Jail:** Charleston County Sheriff's Office, Sheriff Al Cannon Detention Center (SACDC)

**Pretrial:** Pretrial Services Database (PSD) and Court Reminder System (CRS)

As mentioned in earlier reports, the transition to data-guided system reform while working with numerous disparate information systems is extremely challenging. Variances among the different systems occur and the data continually change as cases and individuals move through the system and/or expungements occur. Such dynamic activity makes it difficult to mark progress and assess trends over time. For example, analysis of the key statistics for a given time period depends upon when the analysis is completed.

In order to combat the challenges of dynamic data, in 2017, the CJCC developed a historic database<sup>7</sup> that draws from all of the contributing data sources to provide a static point-in-time record of key statistics. This allows for a more consistent and stable means to measure progress over time. The historic database marks a significant enhancement to the CJCC's data capacity making for more efficient, timely and useful data. Data provided in this report is from a combination of static and live data sources.

### A NOTE ON CALCULATIONS

Percent change is determined through the following formula:

$$\% \text{ change} = (\text{new figure} - \text{old figure}) / \text{old figure}$$

Calendar year 2019 included an increase in data availability and analytic capacity such as the provision of dashboards to a wider group of stakeholders, updated ways to analyze jail use, and the provision of data to inform a new jail population review group. Throughout 2019, the CJCC continued to increase data availability and analytic capacity.

Highlights include:

- Growing capacity to perform increasingly sophisticated studies for populations of interest (e.g., familiar faces, persons incarcerated for probation violations, etc.),
- Continuing to address jail data changes, and refine analysis as necessary, as a result of the 2018 implementation of an upgraded Jail Management System (JMS), and
- Development of General Sessions data trends and visualizations to inform jail population review.

The CJCC experienced the challenges of staff turnover and several months delay in court source data in 2019. These challenges interrupted the court reminder service and some of the processes for capturing aggregate statistics in the historic database. In addition, another court source underwent an update to a new records management system which created a lack of data for that particular source for the last two months of the year. While working through these challenges, the CJCC's staff continued to adapt and evolve as needed.

During the year, the CJCC also completed a CJCC and State Administrative Agency (SAA) capacity assessment<sup>8</sup> with the Justice Management Institute. The results indicated our CJCC is a high functioning CJCC. Examples of indicators included:

- Successfully engaged stakeholders to implement change,
- Works on issues that are important to the CJS, and
- Provides beneficial research, information and data to assist members in making decisions.

The assessment also provided guidance to promote greater coherence between state and local policy makers to effect justice system change and build capacity to respond to strategic priorities established by the SAA, who administers federal pass-through dollars in South Carolina.

In addition, the CJCC initiated a committee to prepare for the transition beyond SJC funding reliance into a sustainable, data-guided resource within Charleston County's CJS. The committee began by researching different CJCCs across the country. Highlights included:

- Necessity of CJCCs to be independent and centralized in order to objectively focus on the system.
- Most CJCCs are government funded and supplemented by grants.
- CJCCs can also serve as the planning and coordination entity for distribution of block grant resources (e.g. management of grants coordination, statistics and administration).

The committee then began to consider long-term authorization and responsibilities as well as associated staffing and budgetary needs. In addition, the CJCC recruited and selected an AmeriCorps VISTA to help build cost-benefit analysis capacity.

Most importantly, throughout 2019 the CJCC developed and executed a comprehensive community engagement strategy to involve diverse members of the Charleston County community in setting the course for the CJCC's next strategic plan. The strategy included an intentional and inclusive effort to grow awareness of the challenges in the CJS and better understand community priorities for improving the local criminal justice system in the years ahead. Findings from this effort are provided in detail on page 36.

# JAIL USE: AVERAGE DAILY POPULATION

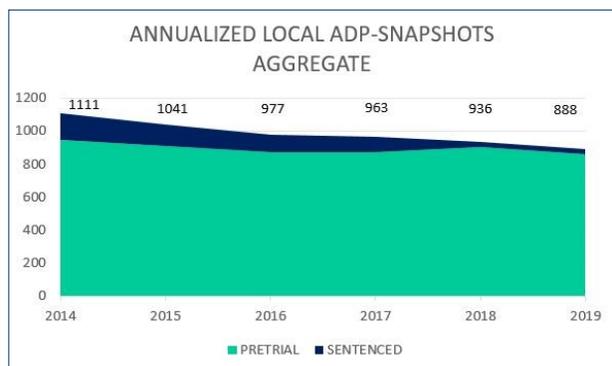
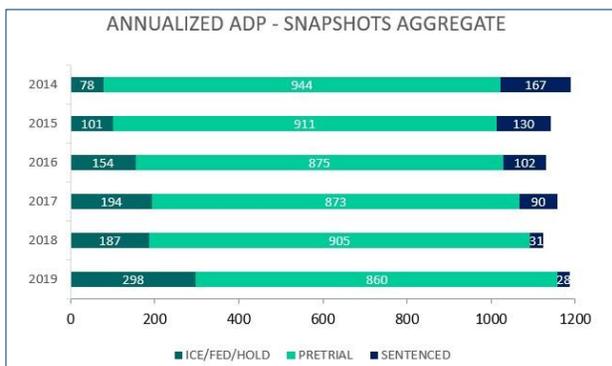
Consistent with improvements to the local criminal justice system, there has been a sustained reduction in the size of the jail population since the launch of the CJCC’s efforts. The data below describe jail use trends since 2014 with particular attention paid to recent trends between 2018 and 2019. The following data are covered, sourced from the SACDC:

- A. Average Daily Population
- B. Admissions and Releases
- C. Average Length of Stay
- D. Charges by Court Type

## A. Average Daily Population

The average daily population (ADP)<sup>9</sup> of the local jail is the metric by which the jail population is measured. Jail use is driven by admissions, lengths of stay, and releases. The local ADP is the sum of the pretrial and sentenced population and excludes uses of jail by non-local jurisdictions such as the federal government or other counties.

- The annualized local ADP (pretrial and sentenced) of the jail was 1,111 in 2014. Since then, the local ADP declined by 223 to 888 in 2019 (20% decrease).
- The annualized sentenced population saw the most significant change, moving from 167 in 2014 to 28 in 2019 (83% decrease).
- The annualized pretrial population fell from 944 in 2014 to 860 in 2019 ( 9% decrease).
- The pretrial population also drove local jail use at an increasing rate. In 2014, 944 of the 1,111 local population were in pretrial status (85%). In 2019, 860 of the 888 local population were in pretrial status (97%).



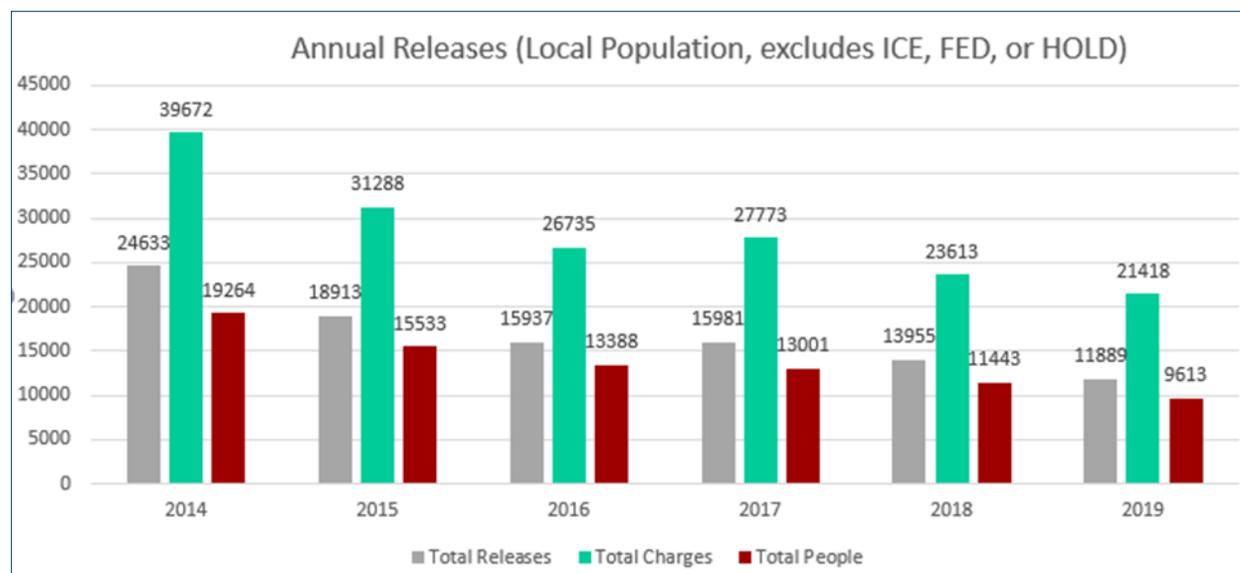
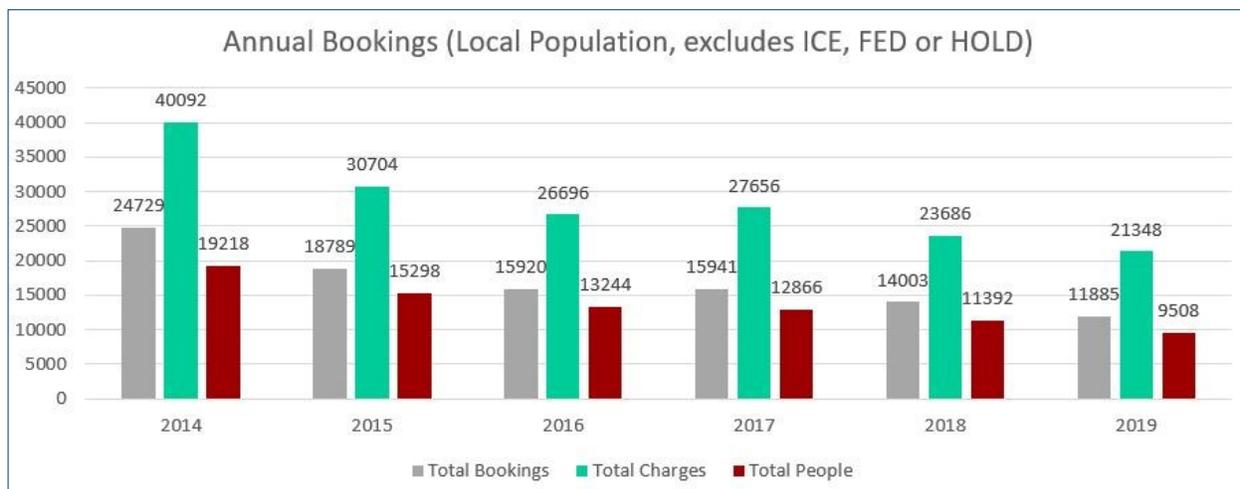
## B. Admissions and Releases

There was a significant decrease in the number of local jail admissions and releases between 2014 and 2019.

- There were 24,729 local bookings in 2014 on 19,218 people (i.e., people can be booked more than once within the year). In 2019, there were 11,885 local bookings (a reduction of 52% since 2014) on 9,508 people (a reduction of 51% since 2014).

- Similarly, the number of local charges brought to the jail decreased from 40,092 in 2014 to 21,348 in 2019 (reduced by 47%).
- Each year the number of releases was similar to the number of admissions.

Following the significant changes in local jail use since 2014, it is also important to pay close attention to recent trends from 2018 to 2019. Local admissions continued to decline between 2018 and 2019, for



example:

- 2,118 fewer bookings (15% reduction)
- 1,830 fewer individuals booked (16% reduction)
- 2,195 fewer charges brought to jail (9% reduction)
- In the same period, roughly the same number that went into the jail came back out.

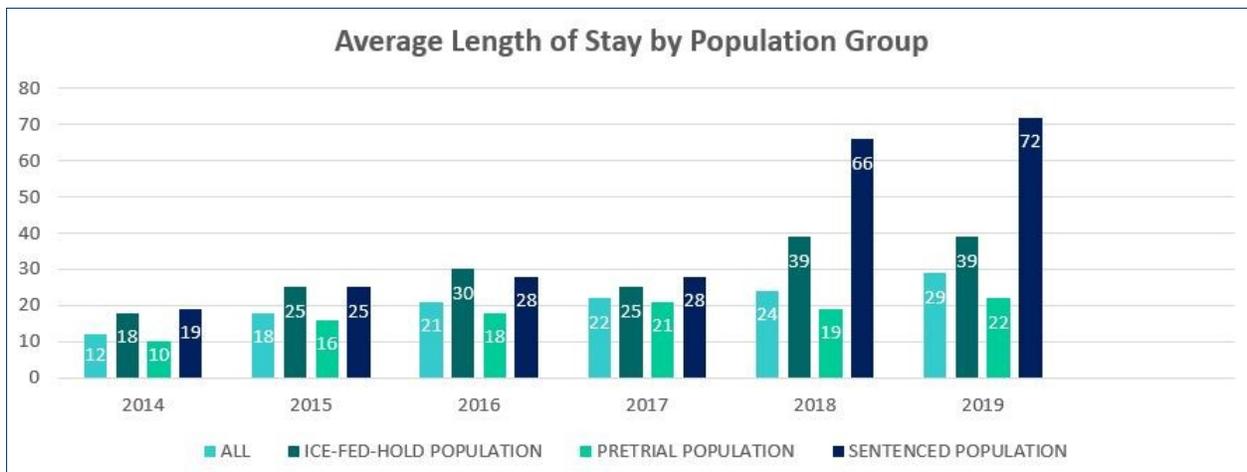
## C. Average Length of Stay

As admissions to jail declined since 2014, the average length of stay (ALOS) increased across population groups between 2014 and 2019.

- The ALOS for all populations was 12 days in 2014 and 29 days in 2019 (142% increase).
- The ALOS for the pretrial population was 10 days in 2014 and 22 days in 2019 (120% increase).
- The ALOS for the sentenced population was 19 days in 2014 and 72 days in 2019 (279% increase).

Recent trends indicate the increasing ALOS pattern continued between 2018 and 2019:

- The ALOS for all populations was 24 days in 2018 and 29 days in 2019 (21% increase).
- Pretrial ALOS was 19 days in 2018 and 22 days in 2019 (16% increase).
- Sentenced ALOS was 66 days in 2018 and 72 days in 2019 (9% increase).



## D. Charges by Court Type

Between 2014 and 2019 there were also shifts in the charges booked by court type also impacting the increase in length of stay. For reference, null records indicate court data was unavailable whereas unknown records indicate court designations not matched to a local court (i.e., out of jurisdiction).

- Summary court (municipal and magistrate) charges decreased the most from 26,922 in 2014 to 8,803 in 2019 (67% reduction) and is no longer the most frequent court type.
- Specialty court (drug and mental health courts) decreased from 109 in 2014 to 50 in 2019 (54% reduction).
- Family court decreased from 1,347 in 2014 to 667 in 2019 (50% reduction).
- General Sessions decreased slightly from 11,179 in 2014 to 10,714 in 2019 (4% reduction) and became the most frequent court type.
- Probation and Parole increased from 339 in 2014 to 427 in 2019 (26% increase).

Charges admitted to the jail per court type between 2018 and 2019 varied somewhat from 2014-2019 trends.

- Summary court continued to decrease from 11,337 in 2018 to 8,803 in 2019 (22% reduction).
- Specialty courts continued to decrease from 67 in 2018 to 50 in 2019 (25% reduction).
- Family court increased from 617 in 2018 to 667 2019 (8% increase).
- General Sessions Court increased minimally from 10,691 in 2018 to 10,714 in 2019 (.2% increase).
- Probation and Parole increased from 379 in 2018 to 427 in 2019 (13% increase).

2014 CHARGES BY COURT		2015 CHARGES BY COURT		2016 CHARGES BY COURT	
Type of Court	Count	Type of Court	Count	Type of Court	Count
SUMMARY COURT	26922	SUMMARY COURT	19110	SUMMARY COURT	15361
GENERAL SESSION	11179	GENERAL SESSION	9689	GENERAL SESSION	9973
FAMILY COURT	1347	FAMILY COURT	1424	FAMILY COURT	898
PROBATION & PAROLE	339	PROBATION & PAROLE	222	PROBATION & PAROLE	228
UNKNOWN	107	DRUG COURT	72	UNKNOWN	75
DRUG COURT	64	UNKNOWN	67	DRUG COURT	42
FEDERAL COURT	49	FEDERAL COURT	58	FEDERAL COURT	38
MENTAL HEALTH COURT	45	MENTAL HEALTH COURT	31	FUGITIVE COURT	33
FUGITIVE COURT	24	FUGITIVE COURT	21	MENTAL HEALTH COURT	31
OUT OF COUNTY COURT	12	OUT OF COUNTY COURT	5	OUT OF COUNTY COURT	12
PROBATE COURT	4	PROBATE COURT	5	PROBATE COURT	3
				NULL	1
				PRELIMINARY COURT	1

2017 CHARGES BY COURT		2018 CHARGES BY COURT		2019 CHARGES BY COURT	
Type of Court	Count	Type of Court	Count	Type of Court	Count
SUMMARY COURT	14796	SUMMARY COURT	11337	GENERAL SESSION	10714
GENERAL SESSION	11494	GENERAL SESSION	10691	SUMMARY COURT	8803
FAMILY COURT	701	FAMILY COURT	617	FAMILY COURT	667
PROBATION & PAROLE	352	PROBATION & PAROLE	379	PROBATION & PAROLE	427
NULL	77	UNKNOWN	228	UNKNOWN	400
UNKNOWN	60	ICE	225	ICE	218
DRUG COURT	46	FEDERAL COURT	79	FEDERAL COURT	39
MENTAL HEALTH COURT	45	DRUG COURT	44	DRUG COURT	30
FEDERAL COURT	44	FUGITIVE COURT	31	FUGITIVE COURT	28
OUT OF COUNTY COURT	6	NULL	29	MENTAL HEALTH COURT	20
PROBATE COURT	2	MENTAL HEALTH COURT	23	NULL	2
		OUT OF COUNTY COURT	3		

### Key Points Summary

- The local ADP reduced by 20% since 2014.
- Bookings, individuals booked, and charges have all fallen roughly 50% since 2014.
- The sentenced population reduced by 83% since 2014.
- The pretrial population makes up a larger share of the ADP than before at 97%.
- Average length of stay has increased by 142% since 2014.
- General Sessions charges are the most frequent reasons for jail use rather than Summary charges.
- Since 2014 Summary charges decreased by 67% while General Sessions charges decreased by 4%.

## ARRESTS, DIVERSION AND DEFLECTION

The data below describes arrest, diversion and deflection trends, ranging from policing practices to the use of the Tri-County Crisis Stabilization Center (TCSC). The following data are covered for the years of 2018 and 2019. For information on prior years, see previous annual reports.

- A. Custodial and non-custodial arrests (source data: Charleston County Sheriff's Office, Charleston Police Department, North Charleston Police Department, Mount Pleasant Police Department, and the SACDC)
- B. Most frequently occurring charges (source data: SACDC)
- C. Single, target charge activity (source data: SACDC)
- D. Tri-County Crisis Stabilization Center and triage services (source data: TCSC)

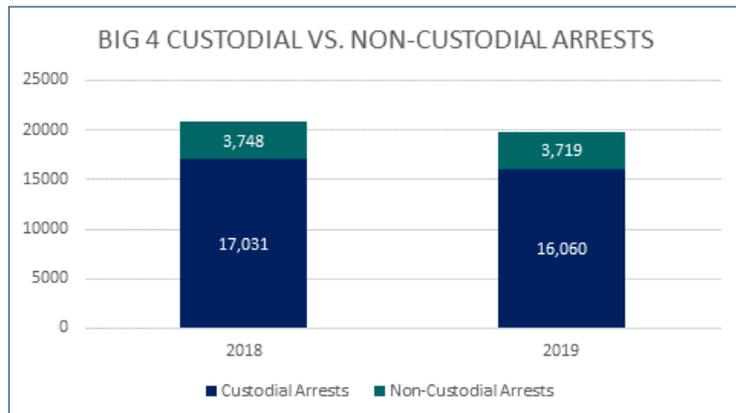
### A. Custodial and Non-Custodial Arrests

Overall, data indicate the four largest law enforcement agencies in the County (Charleston Police Department, North Charleston Police Department, Mount Pleasant Police Department, and Charleston County Sheriff's Office), also known as the Big Four, continue to represent the majority of jail use among local law enforcement agencies.

- In 2018, the Big Four represented 12,463 bookings out of 14,003 (89% of all local bookings).
- In 2019, the Big Four represented 10,752 bookings out of 11,885 in 2019 (90% of all local bookings).

The Big Four also experienced a decline in arrest charges between 2018 and 2019.

- The combination of custodial and non-custodial arrest charges made by the Big Four decreased from 20,779 in 2018 to 19,779 in 2019 (5% reduction).



- Custodial arrest charges reduced from 17,031 in 2018 to 16,060 in 2019 (6% reduction).
- Non-custodial arrest charges reduced from 3,748 in 2018 to 3,719 in 2019 (1% reduction). Non-custodial arrest charges represented 18% of all arrest charges in 2018 and 19% in 2019.

Please note, 2018 and 2019 arrest data was updated to the extent feasible upon the identification and prompt correction of an underlying data issue in a portion of the arrest data. At the time of the update, there were 2,167 arrest records from the 2018 year and 1,116 arrest records from the 2019 year that could not be classified as custodial or non-custodial due to the absence of necessary information. These were excluded from the analysis.

### B. Most Frequently Occurring Charges

Consistent with the decline in charges brought to the jail, the volume and type of most frequent charges coming into the jail also shifted over time. Please note, 2018 data was regrouped<sup>10</sup> to ensure consistent comparison<sup>11</sup> with 2019 data.

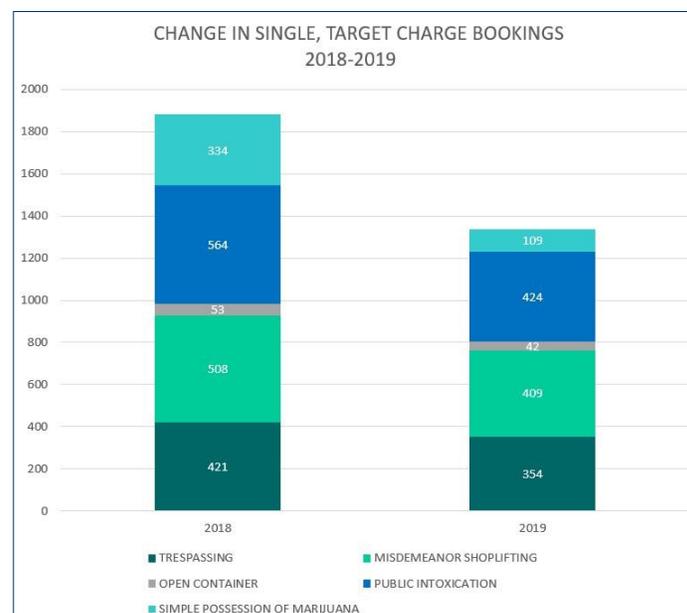
- Driving Under the Influence is the most frequently occurring charge.
- Overall, charge counts fell for all most frequently occurring charges between 2018 and 2019 except for firearm possession violations<sup>12</sup> and failure to pay child support.
- Lower level charges such as Simple Possession of Marijuana, Driving Under Suspension, Public Intoxication, Trespassing, and Shoplifting continue to be among the most frequently occurring charges entering the jail.

Top 15 Charges 2018		Top 15 Charges 2019	
Charge Description	Count	Charge Description	Count
DRIVING UNDER INFLUENCE (DUI) 1ST	1322	DRIVING UNDER INFLUENCE (DUI) 1ST	1198
SIMPLE POSSESSION OF MARIJUANA (SE	1122	FIREARM POSSESSION VIOLATIONS	912
FIREARM POSSESSION VIOLATIONS	906	SHOPLIFTING	656
SHOPLIFTING	807	FAILURE TO PAY CHILD SUPPORT	637
PUBLIC INTOX	772	PUBLIC INTOX	620
ASSAULT AND BATTERY 3RD DEGREE	687	SIMPLE POSSESSION OF MARIJUANA (SE	584
TRESPASS	677	TRESPASS	579
PUBLIC DISORDERLY CONDUCT	658	DUS 1ST OFFENSE	558
DUS 1ST OFFENSE	658	PUBLIC DISORDERLY CONDUCT	520
FAILURE TO PAY CHILD SUPPORT	566	VIOLATION OF PROBATION	475
VIOLATION OF PROBATION	530	ASSAULT AND BATTERY 3RD DEGREE	442
DOMESTIC VIOLENCE 2ND DEGREE	478	DOMESTIC VIOLENCE 2ND DEGREE	421
POSS OF COCAINE 1ST OFFENSE	476	POSS OF COCAINE 1ST OFFENSE	374
PWID MARIJUANA	455	PWID MARIJUANA	353
DOMESTIC VIOLENCE 3RD DEGREE	408	FAIL TO STOP FOR BLUE LIGHT	341

### C. Single, Target-Charge Activity

A specific strategy the CJCC employed to rethink jail use in Charleston County was to reduce single target charge bookings<sup>13</sup> for simple possession of marijuana, open container, trespassing, public intoxication and misdemeanor shoplifting. Single target charge bookings for these charges continued to decline between 2018 and 2019.

- Collectively, single, target charge bookings declined from 1,880 in 2018 to 1,338 in 2019 (29% decrease).



## D. Tri-County Crisis Stabilization Center and Triage Services

Another specific strategy employed by the CJCC to rethink jail use in Charleston County was to utilize appropriate real-time alternatives to jail for individuals living with mental illness, substance use disorders, and/or homelessness. The Charleston community is fortunate to have an array of around the clock community-based options for diversion and deflection. These options include Mobile Crisis, EMS Telehealth, embedded clinicians within law enforcement agencies, and the Tri-County Crisis Stabilization Center (TCSC). Officers can access a clinician by phone and/or drop off an individual in real-time to identify appropriate alternatives and assistance for individuals living with mental illness, substance use disorders, and/or homelessness. These options are available whether the person they are trying to help is in jeopardy of a criminal charge or not.

The TCSC is a community-wide effort collaboratively funded by the South Carolina Department of Mental Health, Charleston Dorchester Mental Health Center (CDMHC), Medical University of South Carolina, Roper Saint Francis, Charleston Center, Charleston County Sheriff’s Office, Berkeley Mental Health Center, and CJCC. The TCSC contains 10 beds operated by the CDMHC, located in the Charleston Center (with an onsite detoxification unit) along with two contract beds at One80 Place for individuals experiencing homelessness. The Center also houses room for a Sobering Center that has not yet opened due to staff vacancies. The table below indicates an increase in TCSC activity from 2018 to 2019 (data provided by the TCSC), including a significant increase in the number of jail diversions.

Data also indicate law enforcement’s growing use of options to divert and deflect individuals to care through numerous pathways in addition to the TCSC, such as Mobile Crisis, EMS Telehealth, and drop offs to the main CDMHC location. In 2019:

TCSC ACTIVITY	2018	2019
ALL REFERRALS	847	943
LAW ENFORCEMENT REFERRALS	62	74
ADMISSIONS	526	583
JAIL DIVERSIONS	3	23
HOSPITAL & ED DIVERSIONS	672	522
TRIAGE REFERRALS	60	73

- There were 152 law enforcement drop offs to the main CDMHC location. This is the first complete year this data is available.
- Embedded CDMHC clinicians working within local law enforcement agencies provided 473 consultations to officers, an increase from 375 in 2018 (26% increase).

**Key Points Summary**

- The Big 4 police agencies make up 90% of booking activity.
- Non-custodial arrests by the Big 4 represent 20% of arrest charges.
- Nearly all most frequently occurring charges declined from 2018 to 2019; however, firearm possession charges and failure to pay child support increased.
- While lower level charges continue to be among the most frequently occurring, simple possession of marijuana is no longer the most frequently occurring charge.
- Single, target charge bookings continued to trend downward, reducing 29% from 2018 to 2019.
- Use of CDMHC diversion and deflection options has grown significantly since 2018.

# PRETRIAL RISK MANAGEMENT

## Background

The primary purpose of jail in South Carolina is to hold defendants awaiting court who pose a public safety or flight risk that cannot be reasonably managed in the community as well as people serving sentences of ninety days or less. Please refer to the Executive Summary for additional discussion on the harms of unnecessary pretrial detention. Charleston County's Centralized Bond Court chose to use a pretrial service report (PSR) in order to better inform bond-setting judges and provide a consistent, objective and reliable way to assess for risk of rearrests and/or missing court. The PSR is a two-page form of information provided for use in initial bond hearings. The PSR summarizes core information about the defendant and provides the results of a pretrial risk assessment.

Following a period of data collection and analysis, the Virginia Pretrial Risk Assessment Instrument-Revised (VPRAI-R) was deemed appropriate for use<sup>14</sup> in the PSR. It went into effect Jan. 8, 2018. The CJCC 2018 annual report<sup>15</sup> includes key findings which clearly indicated the VPRAI-R was working as intended. However, due to limited staff, technological and logistical constraints associated with the video interview process, only 51.5% of eligible cases were risk assessed.

The desire to see if the predictive abilities of the existing instrument could be improved through local validation as well as increase the number of cases being risk-assessed led to a more robust analysis<sup>16</sup> by the JFA Institute in 2019. The researchers found the VPRAI-R produced satisfactory results and could be improved. The researchers then created a locally validated instrument, known as the Charleston Pretrial Risk Assessment Instrument (CPRAI).

Researchers found all relevant tests proved the CPRAI to be superior to the VPRAI-R. The CPRAI is more predictive than the VPRAI-R and provides greater definition in risk levels (e.g., failure rates from 10% in risk level one to 65% in level four). It allows more cases to be assessed as all the necessary items needed for the CPRAI can be obtained without an interview. The researchers also did not locate any persistent or sustained bias by gender or race.

Like the VPRAI-R, the CPRAI provides an objective, reliable and valid assessment for risk of re-arrest and failure to appear during the pretrial period. It predicts whether a defendant falls into a group that is more likely or less likely to get re-arrested and/or miss court while in the community on pretrial release. It is not capable of predicting future violence or intentional flight from justice.

An updated PSR with the CPRAI went into effect on Jan. 8, 2020. Skilled pretrial analysts continue to rely upon data from the FBI's National Crime Information Center, South Carolina Department of Probation, Parole and Pardon Services, Ninth Circuit Solicitor Office, court indexes and the jail to compile information used to complete the PSR. Data will continue to be collected and reported for follow up evaluations of predictive accuracy as well as continued monitoring for any racial or gender bias. The process for newly booked defendants to access representation by a public defender in bond court was also made more efficient, as a result of the risk assessment change.

As with the past version of the PSR, the updated PSR is not intended to be the sole factor used in making bond decisions. Judges consider the factors required by law, information provided by the state and defense during the bond hearing, and the PSR prior to rendering a decision appropriate to each individual case.

**South Carolina Constitution, Article 1, § 15:**

All persons shall be, before conviction, bailable by sufficient sureties, but bail may be denied to persons charged with capital offenses or offenses punishable by life imprisonment, or with violent offenses defined by the General Assembly, giving due weight to the evidence and to the nature and circumstances of the event. Excessive bail shall not be required, nor shall excessive fines be imposed, nor shall cruel, nor corporal, nor unusual punishment be inflicted, nor shall witnesses be unreasonably detained. (1970 (56) 2684; 1971 (57) 315; 1998 Act No. 259.)

**S.C. Code Ann. § 17-15-10:**

(A) A person charged with a noncapital offense triable in either the magistrates, county or circuit court, shall, at his appearance before any of such courts, be ordered released pending trial on his own recognizance without surety in an amount specified by the court, unless the court determines in its discretion that such a release will not reasonably assure the appearance of the person as required, or unreasonable danger to the community or an individual will result. If such a determination is made by the court, it may impose any one or more of the following conditions of release:

- (1) require the execution of an appearance bond in a specified amount with good and sufficient surety or sureties approved by the court;
- (2) place the person in the custody of a designated person or organization agreeing to supervise him;
- (3) place restrictions on the travel, association, or place of abode of the person during the period of release;
- (4) impose any other conditions deemed reasonably necessary to assure appearance as required, including a condition that the person return to custody after specified hours.

(B) A person charged with the offense of burglary in the first degree pursuant to Section 16-11-311 may have his bond hearing for that charge in summary court unless the solicitor objects.

HISTORY: 1962 Code Section 17-300; 1969 (56) 383; 2012 Act No. 286, Section 3, eff June 29, 2012; 2015 Act No. 58 (S.3), Pt III, Section 12, eff June 4, 2015

## Pretrial Risk Management Data

The data below describes the state of pretrial risk management practices between 2018 and 2019. The following aspects of local pretrial risk practices are covered:

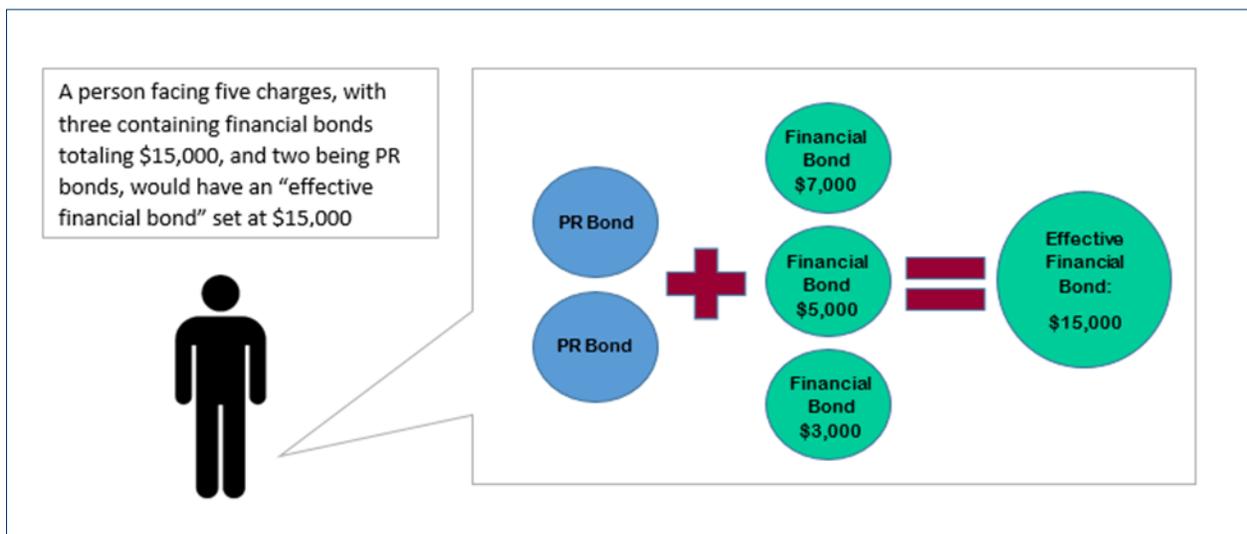
- A. Effective bonds (source data: CMS Magistrate, CMS General Sessions and SACDC)
- B. Pretrial risk assessment (source data: Pretrial Services Database, CMS Magistrate, and SACDC)
- C. Updated pretrial outcome studies (source data: CMS Magistrate, CMS General Sessions, Pretrial Services Database, Charleston, North Charleston and Mount Pleasant Municipal Courts, and SACDC)
- D. Update to automated court reminders (source data: Court Reminder System, CMS General Sessions, Pretrial Services Database)

### A. Effective Bonds

**Personal Recognizance Bond:** Defendant will be released from jail on defendant's promise to appear at court and will not have to pay any money.

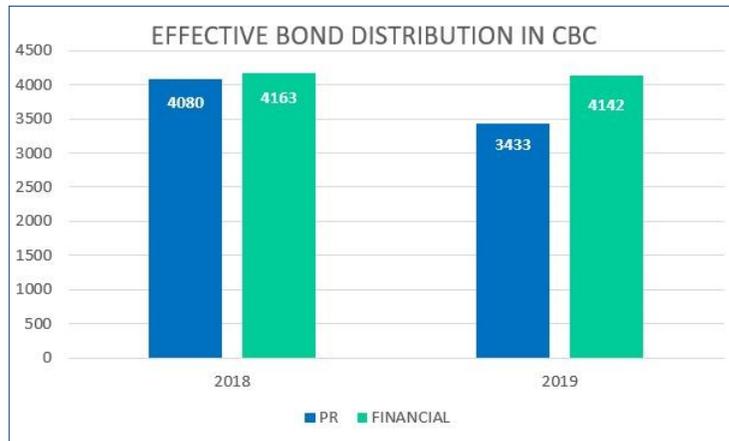
**Financial Bond:** Defendant will be released from jail if the defendant is able to satisfy the total amount of financial bonds, whether they are structured as a cash or surety bond.

Grouping by effective bond means combining all of the bonds set on an individual per bond hearing. The type and amount of bonds are determined based upon the totality of bonds, also known as the effective bond. Effective bond analysis allows for a more informative measure of bond practices compared to counting individual bonds on each charge. For example, one person at one bond hearing may have five charges and receive five bonds, some financial at \$X per bond and some PR. The defendant must meet all of the bond conditions in order to be released from the jail, and the total amount of money necessary to do so (if they are assigned financial bond types). Therefore, an effective PR bond would signify that one individual at one bond hearing received only PR bonds. On the other hand, a person facing five charges, with three financial bonds totaling \$15,000 and two PR bonds, would have an effective financial bond set at \$15,000.



Effective bond trends<sup>17</sup> in Centralized Bond Court<sup>18</sup> (CBC) between 2018 and 2019 indicate:

- There were 668 fewer effective bonds in 2019 than 2018, from 8,243 to 7,575 (8% decrease).
- The proportion of effective PR type bonds decreased since 2018. In 2018, there were 4,163 effective financial bonds (51%) and 4,080 effective PR bonds (49%). In 2019, there were 4,142 effective financial bonds (55%) and 3,433 effective PR bonds (45%).



The average dollar amount<sup>19</sup> of effective financial bonds set in CBC decreased since 2018 in most categories.

- The overall average amount of effective financial bonds for 2018 was \$33,085, and in 2019 it decreased slightly to \$32,011.
- In 2018, the average Summary level effective bond was \$6,006 and the average GS level bond was \$36,339. In 2019 the average Summary level financial bond decreased to \$2,119 and the average GS level bond decreased to \$35,722.
- There was an increase in the average bond amount in the other court category<sup>20</sup> of \$48,361 in 2019 from \$44,633 in 2018.

CBC Effective Bond	2018	2019
CBC ALL	8243	7575
GS COURT	5176	4835
SUMMARY COURT	2773	2489
OTHER COURT	294	251
FINANCIAL	4163	4142
PR TYPE	4080	3433

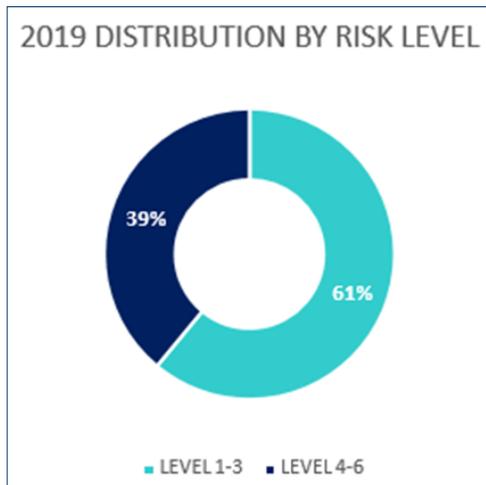
CBC Average Bond Amount	2018	2019
AVERAGE OVERALL	\$33,084.97	\$32,010.73
GS COURT AVERAGE	\$36,338.65	\$35,722.24
SUMMARY COURT AVERAGE	\$6,006.23	\$2,119.17
OTHER COURT AVERAGE	\$44,632.71	\$48,361.34

## B. Pretrial Risk Assessment

By law, a judge must set bond for defendants within 24 hours of arrest (30 days for certain serious cases and repeat violent offenses). Each arrested person has a right to an individualized decision made by a judge about the terms of their release, as pretrial detention is only to be used when other reasonable safeguards cannot assure court appearance or protect the community from harm. As seen on page 19, the South Carolina constitution strictly limits the cases in which bond can be denied.

An overview of the pretrial data from the VPRAI-R is below. There were 4,206 individuals assessed throughout 2019.

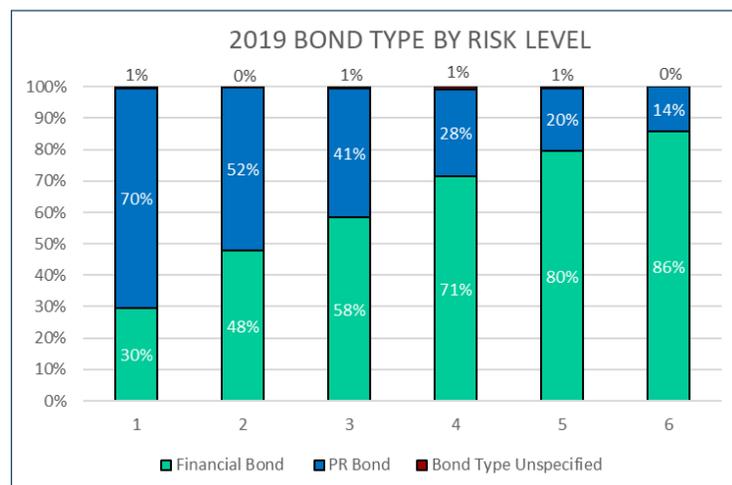
- In 2019, there were 8,213 eligible cases in which risk assessment could have occurred. Of those, 4,557 included at least one General Sessions charge. Pretrial staff risk-assessed 4,206 (51%) of all eligible cases and 2,846 (62%) of General Sessions cases.
- The majority, 2,569 (61%), of risk assessments resulted in a Level 1 – 3 (out of 6) and 1,634 (39%) resulted in a Level 4-6. There were also 3 nulls in the data (i.e., did not result in a finalized assessment score).
- For reference, data from 2018 indicated 64% were in levels 1-3 and 35% were in levels 4-6.



Risk Level	Count	%
null	3	0%
1	1084	26%
2	707	17%
3	778	18%
4	814	19%
5	585	14%
6	235	6%
<b>Total</b>	<b>4206</b>	

The effective bond results by risk level<sup>21</sup> indicate a relationship between the risk level of assessed defendants and different bond types.

- 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.



- The frequency with which effective PR bonds are given is highest at the lowest level of risk (Risk Level 1), making up 70% of those effective bonds.
- At the highest level of risk (Risk Level 6), financial bonds are given with the most frequency, making up 86% of those effective bonds.
- Overall, use of financial bonds increased among all risk levels since 2018.

Risk Level Bond Types	PR	Financial	Unspecified
Risk Level 1	668	284	6
Risk Level 2	338	312	2
Risk Level 3	300	426	4
Risk Level 4	215	554	6
Risk Level 5	115	461	3
Risk Level 6	34	205	0
<b>Total</b>	<b>1670</b>	<b>2242</b>	<b>21</b>

Effective Financial Bonds Per Risk Level 2018-2019	2018	2019
Risk Level 1	20%	30%
Risk Level 2	33%	48%
Risk Level 3	46%	58%
Risk Level 4	61%	71%
Risk Level 5	79%	80%
Risk Level 6	82%	86%

### C. Updated Pretrial Outcome Studies

As noted earlier, the 2018 Annual Report included a study of pretrial outcomes based on bonds set at Centralized Bond Court between 2014 and 2018 as well as risk-based outcomes for the first year the pretrial risk assessment was in use (2018). This section provides a summary of prior findings and an update of outcomes to date for bonds set in 2018 and 2019.

#### Methodology and Definitions

All jail releases that were tied to a bond-setting in Centralized Bond Court were matched to bond and court disposition data. The data sources included CMS-Mag, CMS-GS, Pretrial (PSD), Charleston, North Charleston and Mount Pleasant Municipal Courts and SACDC.

**Safety Violation** is when a defendant returns to jail before disposition of the case, for a reason other than a bench warrant.

**Appearance Violation** is when a defendant fails to appear for court, resulting in a bench warrant, failure to appear (FTA) or a Tried in Absentia (TIA) disposition. Appearance violations were determined through the existence of a bench warrant or an appearance related disposition of TIA or FTA<sup>22</sup>.

**Release Rate** is the percentage of defendants that were able to secure release from jail before the disposition of their case.

**Effective Bond** determination is the combination of all the bonds set on an individual per bond hearing. The defendant must meet all these bond conditions in order to secure release from the jail. As noted earlier, the combination of these bonds establishes all the conditions that must be met to secure release, and the total amount of money required when there are financial bonds.

**Returns to Jail** were determined upon returns to the SACDC after the date a defendant is released on bond and before the date of their case disposition (or date of analysis if the case is not yet disposed).

**Any Pretrial Failure violation** was determined by the existence of one or more of the above violations (Safety and/or Appearance). For example, if an individual has a safety violation and an appearance violation on the same bond setting it is considered one Any Failure violation.

In the General Sessions analysis, bond settings were further refined to only include those that featured one or more General Sessions charges. Only the cases resulting in pretrial release were further analyzed for pretrial outcomes. Bond settings were limited to those taking place between January 8, 2018 (launch of Pretrial Service Report) and December 31, 2019. Some cases were still pending at the time of the analysis, due to their recent occurrence.

## Results

### 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 80<sup>th</sup> 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 analysis of General Sessions Bonds and Pretrial Outcomes in 2018 and 2019 found similar results.

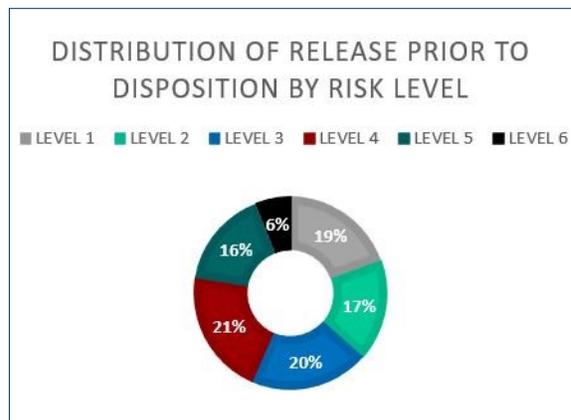
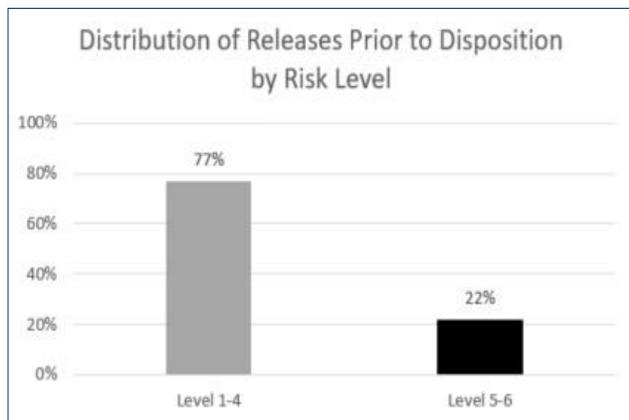
- There were 9,166 General Sessions effective bonds set in Centralized Bond Court from January 8, 2018 through 2019. Of those, 3,035 were PR (33%) and 6,131 (67%) were financial.
- Of the effective bonds set in the period, 7,842 of 9,166 (86%) released pretrial. The releases include nearly all PR bonds, 3,019 of 3,035 (99%) and 4,823 of 6,131 (79%) financial bonds.
- Of the 7,842 pretrial releases, 2,060 (26%) returned to jail with a safety violation while still on bond.
- The rate of safety failures was higher for financial releases, with 1,443 failures (30%), than PR releases, which had 617 failures (20%).
- Pretrial releases that experienced safety failure continued to return to jail more than one time, an average of 1.5 times. There was a total of 3,099 new arrest returns to jail among the 2,060 releases with at least one safety failure.
- Of those that returned to jail on a safety violation to-date, the majority occurred within the first six months of release.

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

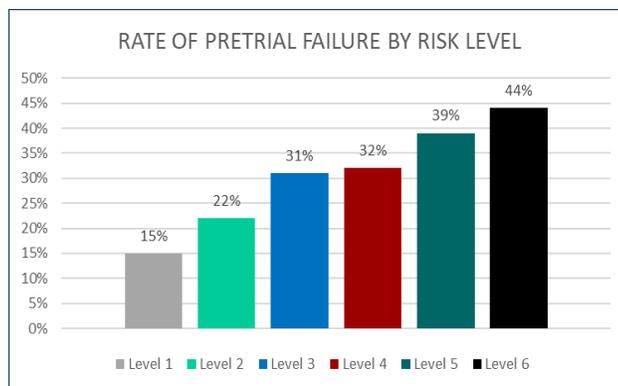
- Most pretrial releases fell in the lower risk levels.
- Data on defendants' assessed risk and release outcomes indicated the VPRAI-R properly assessed for risk of re-arrests and failure to appear during the pretrial period. The pretrial failure rate (re-arrest and/or failure to appear) increased as 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 results of Risk-Based Pretrial Outcomes between 2018 and 2019 found similar results.**

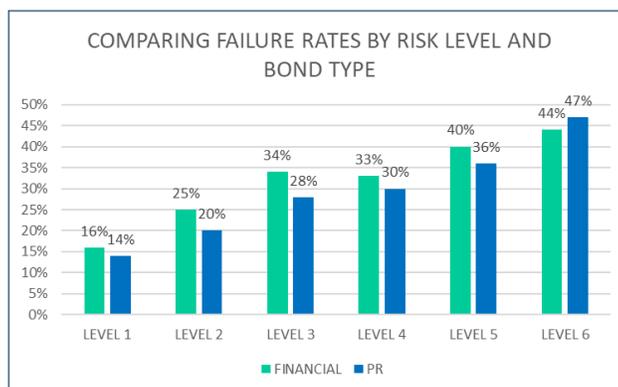
- There were 4,635 risk-assessed releases between January 8, 2018 and December 31, 2019. Most (77%) releases fell in the four lower risk levels as indicated in the charts below.
- Risk level 1: 899 (19%), risk level 2: 796 (17%), risk level 3: 932 (20%), Risk level 4: 963 (21%), risk level 5: 757 (16%), risk level 6: 288 (6%).



- To date, the majority of 2018-2019 pretrial releases have succeeded. Overall, 29% (1,327 of 4,635) experienced any pretrial failure.
- The rate of any failure increases as the risk level increases.
- The highest risk level 6 carries a 44% rate of any pretrial failure, while risk level 1 carries a 15% rate of failure.



- Pretrial failure rates are higher among effective financial bonds than effective PR bonds at risk levels 1-5. At risk level 6, PR failure rate exceeded that of financial bonds by 3%.
- Safety failures occurred more often than appearance failures, and they most often occurred within the first six months of release.



Risk Level	Bond Type	Pretrial Release	Any Failure %	Any Failure Count	Safety Failure Count	Appear Failure Count
1	FINANCIAL	316	16.1%	51	48	8
	PR	583	14.2%	83	61	25
2	FINANCIAL	364	24.5%	89	74	19
	PR	432	19.7%	85	64	29
3	FINANCIAL	524	33.6%	176	153	35
	PR	408	27.9%	114	91	32
4	FINANCIAL	630	32.7%	206	178	50
	PR	333	30.0%	100	79	33
5	FINANCIAL	584	39.9%	233	198	53
	PR	173	35.8%	62	54	14
6	FINANCIAL	231	43.7%	101	88	20
	PR	57	47.4%	27	22	6
Total		4635	28.6%	1327	1110	324

## Limitations

Due to the inclusion of some recent and pending 2019 cases, pretrial outcomes (safety and appearance violations) will continue to change. Additionally, some of the pretrial defendants that were still detained as of December 31, 2019 may end up being released from jail before their disposition, affecting the overall release rate. Any bond settings that did not result in release prior to disposition or prior to the end of the 2019 year (whichever came first) were not further analyzed for pretrial outcomes.

Pretrial outcome findings are also dependent upon the data available within data sources at the time of analysis as the quality of the data therein. Returns to jails other than the SACDC and court activity outside of the data sources mentioned are not included. Thus, these findings on safety failures may be under-reported.

## D. Automated Court Reminders

October 2018 marked the initial launch of automated court reminder system. Individuals screened by pretrial staff that indicated a desire to be notified of their General Sessions court dates were the first to be enrolled in this system. Court reminders were provided by text message at various intervals prior to the court appearance and were designed to increase attendance at court dates and to decrease the issuance of criminal bench warrants. In 2019, the court reminder system was operational between January and April, sending a total of 769 reminders in the period. Thereafter, the reminder system went offline due to a long-term disruption in some of the data required to run the system.

In 2020, the court reminder team plans to resume the notification process with the vendor, as well as identify a more efficient mechanism of receiving defendants' permission to enroll for service pursuant to the changes in process made with the launch of the C-PRAI.

## Key Points Summary

- The number of bonds set in central bond court fell by 8% since 2018.
- The proportion of financial bonds to PR bonds has risen slightly from 51% to 55%.
- The average effective financial bond set in 2019 was \$32,011, a 3% decrease since 2018, though this varies by court.
- 51% of the total eligible population was reached for pretrial risk assessment, including 62% for General Sessions cases. This rate is expected to rise considerably in 2020.
- Most pretrial assessments resulted in lower risk levels for pretrial failure.
- Frequency of financial bonds ordered increased by risk level (e.g., 30% financial in risk level 1 and 86% in risk level 6).
- Updated pretrial outcomes for 2018-2019 find consistent results from previous studies.
- Updated General Sessions outcome study found most defendants release pretrial and:
  - ◇ Most stay out of trouble in the pretrial period, the overall safety failure rate remains low (26%).
  - ◇ Financial bond releases continue to have more safety failures than PR bond releases.
  - ◇ Most safety failures happen in first six months of release.
  - ◇ Those that do not stay out of trouble experience safety failures an average of 1.5 times.
- Updated Risk Based outcome study found:
  - ◇ Most risk-assessed releases were in lower levels of risk (77% levels 1 – 4 of 6).
  - ◇ Most stay out of trouble; the overall failure rate remains low (29%).
  - ◇ Failure rates increase as risk level increases (15% in level 1 and 44% in level 6).
  - ◇ Financial bond releases fail more often than PR releases in levels 1-5 of 6.
  - ◇ Safety failures continue to happen more often than appearance failures and they happen most often in first six months.

## CASE PROCESSING

In 2019, the Court continued to lead implementation of the administrative order from 2017 and focused efforts on the oldest pending cases. Efforts to sustain efficiencies in early case processing milestones continued. For instance, the Solicitor's Office continued to advance work with law enforcement and defense to further expand the technology to support faster and more efficient transfer of evidentiary data.

In addition, law enforcement, victim advocates, public defenders and the assistant solicitor became increasingly present in Centralized Bond Court to help provide the bond judge with as much information as possible. A jail population review committee was formed to continually monitor the population incarcerated while awaiting court and advance case movement. Finally, stakeholders became more familiar with working dashboards generated by CJCC staff to support active monitoring of different sub-populations held in the jail pretrial.

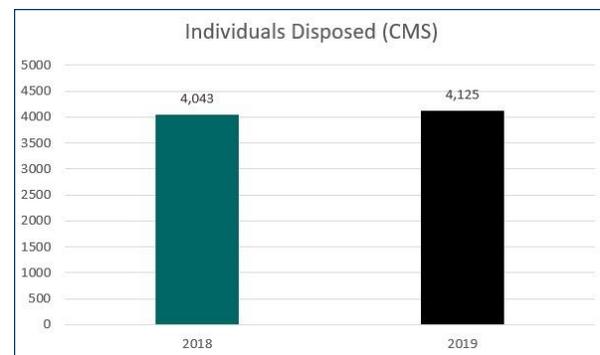
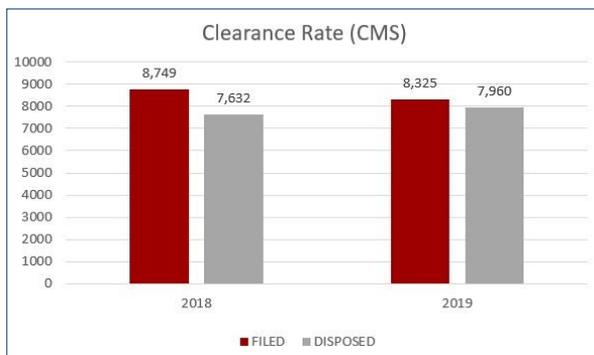
Data is presented in comparison to the prior year and, where applicable, reference to 2017 data are provided. The data below describes practices in General Sessions (GS) case processing, including:

- A. Disposition activity (source data: CMS-GS and SACDC)
- B. Front end indicators (source data: CMS-GS, PbK, SACDC, DD)

### A. Disposition Activity

Findings from examining the trend of General Sessions disposition (case completion) activity in Charleston (as recorded in CMS data) from 2018 to 2019 include:

- Total number of charges filed decreased by 424 from 8,749 in 2018 to 8,325 in 2019 (5% decrease).
- Total number of charges disposed increased by 328 from 7,632 disposed charges in 2018 to 7,960 in 2019 (4% increase).
- The Clearance Rate, or rate of charges disposed to charges filed, increased from 87% in 2018 to 96% in 2019. For reference, the clearance rate in 2017 was 96% (9,216 cases filed and 8,872 disposed).
- Similarly, the number of individuals disposed increased by 82, from 4,043 in 2018 to 4,125 in 2019 (2% increase). For reference, there were 4,715 individuals disposed in 2017.



The largest increase in type of disposition from 2018 to 2019, according to CMS disposition data, was in guilty pleas. There were also notable increases in case dispositions for dismissed not indicted, trials, drug court and failure to appear. Conversely, there were also a few categories that saw decreases such as dismissed at preliminary hearing and judicial dismissal.

<b>Dispositions by Type (CMS)</b>	<b>2018</b>	<b>2019</b>
<b>Dismissed - Affidavit Signed</b>	0	1
<b>Dismissed - Prosecutorial Discretion</b>	2	1
<b>Dismissed - Restitution Made Ended</b>	0	1
<b>Dismissed at Preliminary Hearing</b>	425	315
<b>Dismissed Not Indicted</b>	1259	1334
<b>Drug Court</b>	56	90
<b>Failure to Appear</b>	141	180
<b>Judicial Dismissal</b>	153	120
<b>Mental Health Court</b>	28	19
<b>No Billed</b>	8	8
<b>Nolle Prosequi</b>	2163	2158
<b>Pled Guilty</b>	3280	3608
<b>Remand to Mag/Muni Ct/Sent to Family</b>	46	39
<b>Trial Guilty</b>	45	51
<b>Trial Not Guilty</b>	20	30
<b>Trial Not Guilty by Reason of Insanity</b>	6	5
	<b>7632</b>	<b>7960</b>

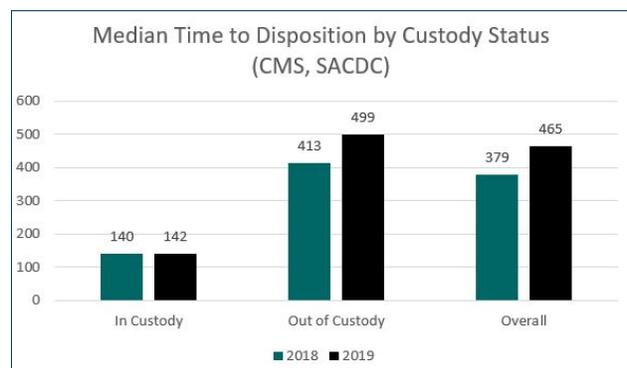
### A BIT OF CONTEXT:

The South Carolina benchmark is to have 80% of pending General Sessions cases at or below 365 days.

- As of December 31, 2017, 3 of 16 circuits (7 of the 46 counties) in South Carolina were meeting the benchmark. Charleston County was recorded at 70%<sup>23</sup>.
- As of December 31, 2018, 3 of the 16 circuits (10 of the 46 counties) in South Carolina were meeting the benchmark. Charleston County was recorded at 61%<sup>24</sup>.
- As of December 31, 2019, 2 of the 16 circuits (10 of the 46 counties) in South Carolina were meeting the benchmark. Charleston County was recorded at 55%<sup>25</sup>.

The following measures of timeliness are presented as medians, meaning the value at the center of the data. A median is distinguished from the mean, or average of all values. The median can capture the measure in the middle without being as easily swayed by an extreme (high or low) value. The median time to disposition increased between 2018 and 2019.

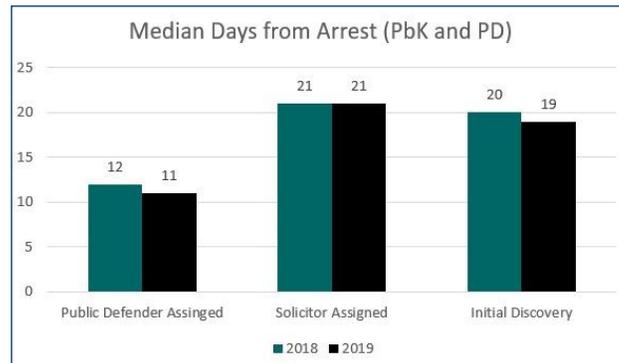
- Median time to disposition increased from 379 days in 2018 to 465 days in 2019. For reference, the median time in 2017 was 373 days.
- Median time to disposition by custody status (whether the defendant was jailed) also shifted from 2018 to 2019, in-custody increase from 140 to 142 days while out of custody increased from 413 to 499 days. For reference, in 2017 the median time for in-custody was 122 days and 395 days for out of custody.



## B. Front End Indicators

Findings from examining important front-end components of case processing demonstrate improved and continuing progress. Available data indicate consistent or improved timeliness in key early case processing milestones.

- Public defender representation at bond court increased by 284 from 2018. In 2019, 1,723 defendants were represented at bond court by public defender attorneys, an increase from 1,439 defendants represented in 2018.
- Similarly, the proportion of defendants with access to public defender representation in bond court relative to all effective bonds in the period grew from 17% (1,439 of 8,243) in 2018 to 23% in 2019 (1,723 of 7,575).
- The median time to assignment of a public defender attorney was reduced from 12 days in 2018 to 11 days in 2019.
- The median time to receipt of initial discovery reduced from 20 days in 2018 to 19 days in 2019.
- The median time to Solicitor assignment was 21 days in 2018 and 2019.



### Key Points Summary

- There were 1,723 bond court representations by public defender attorneys in 2019, 284 more than in 2018, representing 23% of bond settings.
- There remains consistent or improved timeliness in early case processing steps (e.g., assignment of attorneys and transfer of evidence).
- The clearance rate increased from 87% in 2018 to 96% in 2019.
- Fewer charges (-424) were filed in 2019 than 2018 and more charges (324) were disposed.
- Median time to disposition has increased since 2018 with the focus on the oldest pending cases.
- Few circuits in South Carolina meet the statewide benchmark of 80% of cases pending at or below 365 days; Charleston County was recorded at 55% in 2019.

Familiar Faces are individuals that frequently cycle through the jail. In other words, familiar faces are booked and released from the jail multiple times in a given time period. Familiar faces are separated into two sub-categories: those with three to four bookings within a two-year period and those with five or more bookings in a two-year period.

In recent years, efforts have been made to better understand and address the familiar face population. For instance, the CJCC provided embedded clinicians from the CDCMC in the SACDC a daily list of familiar faces booked into the jail and a Sequential Intercept Mapping (SIM) process was completed with technical assistance provided by Policy Research Associates<sup>26</sup>. The SIM assessed the availability of existing resources and gaps in Charleston County to address the needs of individuals with mental illness, substance use disorders and other challenges at different intercept points between the community and CJS. Core ideas generated from the SIM included:

- Expand jail programming for individuals with both high classification and high risk/ need (i.e., those that would typically get excluded yet need it the most)
- Formalize/ enhance the jail transition planning process
- Implement high risk/ high need strategies across the system (to lower recidivism)
- Examine the feasibility and need for alternatives to detention and pre-disposition options



In 2019, work continued on these concepts while recognizing existing limitations (e.g., funding and policy barriers). Resources were provided to expand committee member's perspectives on recidivism reduction and reentry. The SACDC created a case manager position specifically dedicated to reentry. A diverse group of court stakeholders also participated in Evidence-Based Decision-Making Training by the National Center for State Courts. In addition, a series of sessions were held with judges, attorneys, clinicians and practitioners working with this population to identify common challenges and needs between booking and reentry. Finally, additional data analysis was generated for consideration of what can be done in a more targeted way within existing resources and policies as well as what may be more appropriate for a future initiative in preparation for the 2020 strategic plan development.

The data below describes familiar face activity, including jail use and an analysis of the familiar face population. The following data are covered for the years of 2018 and 2019. For information on prior years, see previous annual reports.

- A. Analysis of familiar faces in the jail (source data: SACDC )
- B. Analysis of familiar faces in 2019 (source data: SACDC and Pretrial Services Database)
- C. Analysis of the most active familiar faces in 2019 (source data: SACDC and Pretrial Services Database)

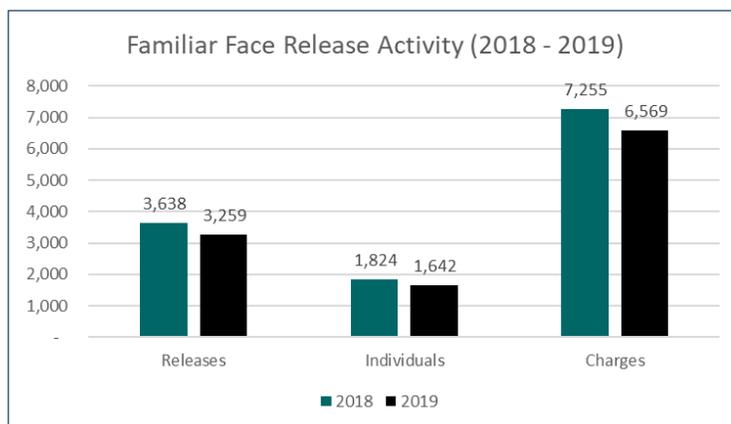
## A. Analysis of familiar face releases

Consistent with prior years, there was a reduction in jail use by familiar face releases between 2018 and 2019, including 379 fewer releases, 686 fewer charges, 6,335 fewer bed days, and 182 fewer individuals. For information on prior years, see previous annual reports. Release records indicate the following trends in familiar face jail use between 2018 and 2019.

- There were 379 fewer familiar face releases in 2019 than 2018 (3,638 releases in 2018 and 3,259 releases in 2019, 10% reduction).

- Familiar face releases had 686 fewer charges in 2019 than 2018 (7,255 in 2018 and 6,569 in 2019, 9% reduction).

- Among the reduction in familiar face release activity, there were also 182 fewer unique familiar face individuals released in 2019 than 2018 (1,824 people in 2018 to 1,642 people in 2019, 10% reduction).



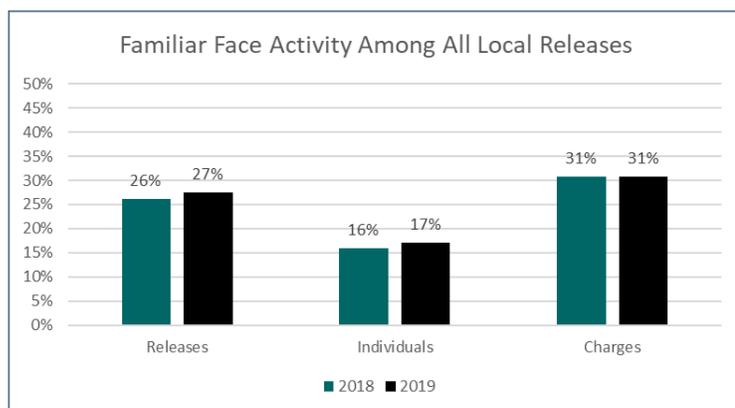
- Familiar faces releases consumed 6,335 fewer bed days in 2019 than 2018 (100,525 in 2018 to 94,190 in 2019, 6% reduction).

- While the ALOS among all familiar faces remained consistent across years, moving to 28 days in 2019 from 27 days in 2018, there was variation among the two familiar face sub-categories noted below.

- The ALOS among familiar faces in the three to four booking category increased from 27 days in 2018 to 31 days in 2019 (15% increase); and the ALOS for familiar faces in the five or more category decreased from 27 days in 2018 to 24 days in 2019 (11% decrease).

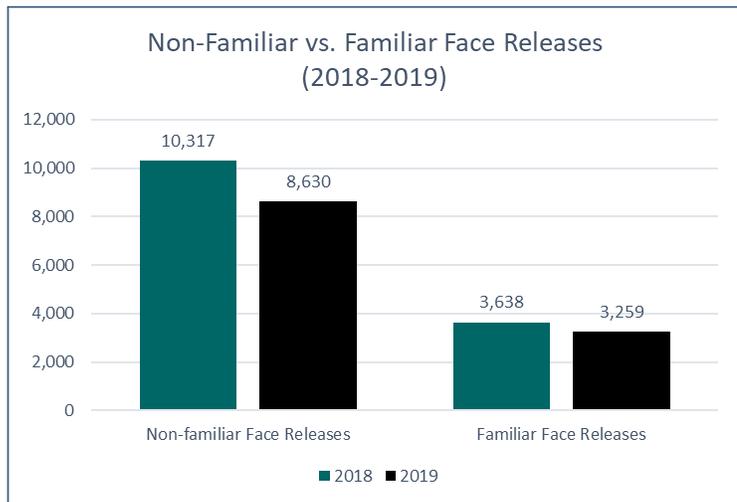
Familiar face release activity remained a consistent percentage of all release activity in the period. Familiar faces comprised:

- 27% of all releases in 2019 (3,259 of 11,889) and 26% in 2018 (3,638 of 13,955)
- 31% of all charges in both years (6,569 of 21,418 in 2019 and 7,255 of 23,613 in 2018)
- 17% of all individuals released in 2019 (1,642 of 9,613) and 16% in 2018 (1,824 of 11,443).



It is important to also consider the reduction of familiar face release activity in the context of non-familiar face activity. Data indicate the non-familiar face population experienced greater reductions in jail use than familiar faces.

- Non-familiar face releases fell by 16% (1,687) from 10,317 in 2018 to 8,630 in 2019 while familiar face releases in the same period fell 10% (397) from 3,638 releases in 2018 to 3,259 in 2019.
- The count of non-familiar face individuals released fell by 17% (1,648) from 9,619 in 2018 to 7,971 in 2019 while familiar face individuals released fell 10% (182) from 1,824 individuals in 2018 to 1,642 in 2019.



## PRETRIAL PRINCIPLES

Research provided by the National Institute of Corrections in its Framework for Pretrial Justice<sup>27</sup> indicates that supervised defendants at-risk of pretrial failures are more likely to appear in court and remain arrest-free than other defendants. It explains that supportive supervision which 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; and
- 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.

## REDUCING RECIDIVISM

While the number of familiar faces cycling through the jail reduced significantly, more can be done to focus resources on those that most need them to stay out of trouble, make it to court, and limit returns to jail. There are a variety of legal and evidence-based options that can reduce the likelihood of recidivism (returning to jail). The Risk Needs Responsivity (RNR) Model<sup>28</sup> is a widely respected model used post-conviction to address individual needs known to cause criminal behavior.

**Risk principle** is matching the level of service to the individual’s risk of reoffending, based on static factors (e.g., age at first arrest, history of arrest, current age) and dynamic factors (e.g., substance abuse, antisocial attitudes).

**Need principle** is assessing criminogenic needs and target them in treatment at the level of intensity appropriate to the level of risk (e.g., riskiest receive the most intensive interventions)

**Responsivity principle** is maximizing the individual’s ability to learn from a rehabilitative intervention by providing cognitive behavior treatment and tailoring the intervention to the individual.

## B. Analysis of familiar faces in 2019

Additional analysis was done to learn more about familiar faces in 2019. During 2019, 1,501 familiar face individuals were booked into the SACDC and released 2,994 times. Statistics for this population are provided in the tables below. On average, familiar faces were booked on roughly two charges, stayed in jail for 16 days, were 36 years old, mostly male, 63% black and 37% white. Of the 30% that had a pretrial risk assessment in 2019, they average a level 4 out of 6. While their most frequent charge is trespassing, 48% were charged with crimes in the court of General Sessions.

Statistic	Total (%)
TOTAL BOOKINGS	2994
TOTAL CHARGES	5623
AVG. LENGTH OF STAY (DAYS)	15.68
AVG. CHARGES PER BOOKING	1.88
BLACK BOOKINGS	1872 (63%)
WHITE BOOKINGS	1101 (37%)
MALE BOOKINGS	2448 (82%)
RISK ASSESSED	881 (29%)
AVERAGE RISK LEVEL	3.91
AVERAGE AGE	36

Age	Booking Count (%)
17 <sup>29</sup>	21 (0.1%)
18-24	484 (16%)
25-34	1068 (36%)
35-44	695 (23%)
45-54	416 (13.8%)
55-64	294 (10%)
65+	16 (0.1%)

In the following table, data are further analyzed by court type as indicated by SACDC data. Each booking is grouped under “General Sessions” if it includes at least one general sessions charge. Similarly, bookings grouped in “Summary Court” have at least one summary charge and no general sessions charges. Those in the “Other Courts” grouping have no general sessions or summary court charges, for example, charged with contempt of family court. Of note, the time spent in jail varies by court type.

- When charged in General Sessions, the ALOS increased to 24 days.
- When charged in Summary court, the ALOS is only 7 days while other courts is 19 days.

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

Statistic	General Sessions	Summary Court	Other Courts
TOTAL BOOKINGS	1438 (48%)	1376 (46%)	180 (6%)
TOTAL CHARGES	3585	1837	201
AVG. LENGTH OF STAY	24 days	7 days	19 days
AVG. CHARGES PER BOOKING	2.49	1.34	1.12
RISK ASSESSED	684 (48%)	195 (14%)	2 (1%)
AVERAGE RISK LEVEL	4.10	3.24	4.50
AVERAGE AGE	33	39	37
MALE BOOKINGS	1201 (84%)	1111 (81%)	136 (76%)
BLACK BOOKINGS	954 (66%)	803 (58%)	115 (64%)
WHITE BOOKINGS	480 (33%)	558 (41%)	63 (35%)

## C. Analysis of the most active familiar faces

Analysis was also done to further examine familiar faces booked and released in 2019 to identify the most active among them. The table below provides the number of times each familiar face cycled through the SACDC in the year.

Times booked in 2019	Count	Times booked in 2019	Count
1	676 (45%)	8	3 (0.2%)
2	436 (29%)	9	2 (0.1%)
3	260 (17%)	10	2 (0.1%)
4	71 (5%)	11	1 (0.1%)
5	25 (2%)	12	1 (0.1%)
6	15 (1%)	13	2 (0.1%)
7	6 (0.4%)	14	1 (0.1%)

The analysis identified 18 of the most active familiar faces, each of whom cycled through seven or more times during 2019. Then, statistics were run to better understand this group of 18 as shown in the tables below. These 18 individuals were booked 167 times on 222 charges, staying an average of 10 days each time. They were an average of 47 years old, 83% male and 67% black. They were most frequently charged with trespassing and various crimes against public order, such as public intoxication and disorderly conduct.

Statistic	Booked 7+ times	Charge	Frequency
UNIQUE INDIVIDUALS	18	Trespassing	78
TOTAL BOOKINGS	167	Public intoxication	53
TOTAL CHARGES	222	Disorderly conduct	10
AVG. LENGTH OF STAY	10 days	Open container	9
AVG. CHARGES PER BOOKING	1.33	Drinking in public	8
RISK ASSESSED	38 (23%)	Breach of peace	6
AVERAGE RISK LEVEL	3.29	Assault and battery 3rd deg.	5
AVERAGE AGE	47	Grand larceny	5
MALE BOOKINGS	138 (83%)	Malicious injury to real property	4
BLACK BOOKINGS	112 (67%)	Shoplifting <\$2000	3
WHITE BOOKINGS	48 (29%)		

### Key Points Summary

- Jail use by familiar face releases continued to reduce between 2018 and 2019, including 379 fewer releases, 686 fewer charges, 6,335 fewer bed days, and 182 fewer individuals.
- Familiar faces did not experience as much of a reduction in jail use as non-familiar faces.
- On average, familiar faces are booked on two charges, stay in jail for 16 days, are 36 years old, mostly male, 63% black and 37% white.
- While their most frequent charge is trespassing, 48% are charged with crimes in General Sessions court.
- The 18 most active familiar faces were booked 167 times on 222 charges in 2019, staying an average of 10 days each time. They are an average of 47 years old and are most frequently charged with trespassing and various crimes against public order such as public intoxication and disorderly conduct.
- There are legal and evidence-based options that can be implemented to focus resources on familiar faces that most need them to stay out of trouble, make it to court, and limit returns to jail.

## COMMUNITY ENGAGEMENT AND RACIAL AND ETHNIC DISPROPORTIONALITY AND/OR DISPARITY

Community engagement has always been a core aspect of the CJCC's efforts. The approach has been two-tiered to *inform* and *involve* the community while advancing the CJCC's mission. Since the CJCC's inception, community representatives have been at the table informing CJCC efforts, CJCC meetings have been open to the public, the CJCC has held numerous public speaking events to inform residents, and a website featuring regular reports has been publicly available as part of the CJCC's commitment to accountability and transparency.

Community engagement has also been vital in the CJCC's efforts to reduce racial and ethnic disproportionality and/ or disparity (R+EDD) in the local criminal justice system. The CJCC's 2018 Midyear report<sup>30</sup> explored the array of racial and ethnic disproportionalities that exist locally and nationally and included in-depth analysis for a variety of local R+EDD trends in the CJS (i.e., booking, bonds, CJCC related strategies and enhanced analysis by gender and age). The report identified the need for community collaboration when problem solving to address the complexities and challenges of R+EDD in the CJS. In addition, the report laid out a series of next steps in R+EDD reduction that progressed in 2019, such as expanding community engagement, racial equity training among Solicitor staff, and continued data analysis.

Throughout 2019 the CJCC developed and executed a comprehensive community engagement strategy to involve diverse members of the Charleston County community in setting the course for the CJCC's next strategic plan. The strategy included an intentional and inclusive effort to grow awareness of the challenges in the CJS and better understand community priorities for improving the local criminal justice system in the years ahead. This section provides an overview of the steps taken, organized as follows:

- A. Community Representatives
- B. Dialogue to Change Process and Results
- C. Snapshots throughout the Year

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### A. Community Representatives

Community representatives voice the diverse needs and concerns of Charleston County residents within the CJCC. Representatives attend and participate in CJCC monthly meetings, review CJCC documents, gather and share community input, and provide voice and feedback from the community in the CJCC decision-making process.

There are 12 community representatives on the CJCC and they serve staggered two-year terms. The CJCC has an annual call for community applications during the last quarter of the year to replace half of the representatives. Each representative serves a two-year term not to exceed two subsequent terms. Community representatives select one member to hold the voting seat within the CJCC alongside the positional CJCC members. In 2019 community representatives worked closely with CJCC staff to design and implement the community engagement strategy.

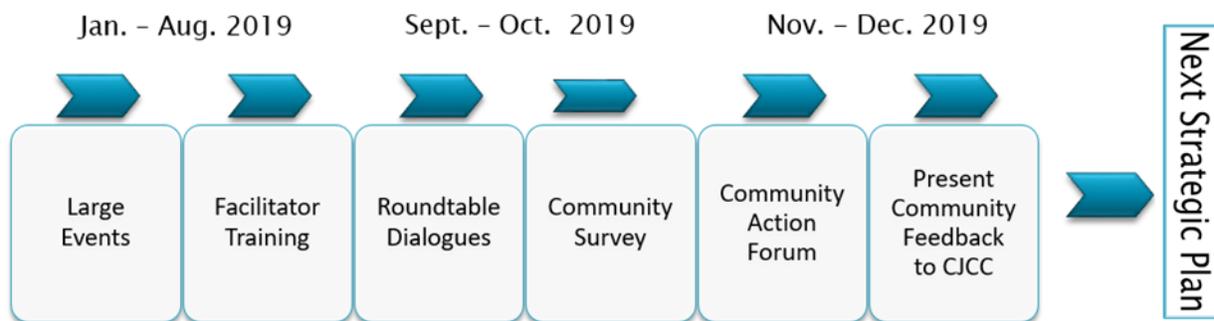
CJCC Community Representatives	
Local civil rights community	Local faith community
Local Hispanic community	Local nonprofit community
Local graduate program community	Local healthcare community
Local community-at-large	Local business community
Local designated liaison from Executive Committee	Local defense bar community
Local victims of crime community	Local previously incarcerated community

## B. Dialogue to Change Process and Results

The 2019 community engagement effort was a productive year of intentionally increased community engagement with the goal of engaging 1,000 community members through a series of events, roundtables and surveys to identify community priorities for improving the local criminal justice system. 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. The process included three distinct phases: Organize (build infrastructure for outreach and meaningful engagement), Dialogue (gather community feedback), and Action (determine community priorities).

### Organize

During the organizational phase CJCC representatives recruited diverse community perspectives and voices to build and grow community relationships and generated the community engagement plan by developing the timeline and goals as well as determining logistics (e.g. trainings, event planning, etc.). CJCC community representatives and members worked to cast a wide net, reach as many community segments as possible and grow a community coalition. The figure below provides a summary of key milestones in the process.



### Dialogue

During the dialogue phase, the diverse community members recruited during the organizational phase met in safe, constructive spaces to share perspectives on key criminal justice system challenges, foster

relationships, and explore ideas for moving forward. The dialogue phase was comprised of large and small gatherings of community members. It included four large community events, eleven weekly local facilitator-led dialogue sessions, and a community-wide survey. During this phase, 1,215 community members participated in at least one means of engagement, exceeding the original goal by 215.

## Large Events

The four large community events focused on key areas for improvement in the local criminal justice system. Events were held on different days, in different locations across the county and included 460 participants.

Participant feedback from the four events showed that 93% of attendees had a high or very high likelihood of attending future events. Participating also increased their knowledge of the local criminal justice system and desire to participate in improving it. For more information on the large events, please see the 2019 Midyear Report<sup>31</sup>.



*Community Representative Keith Smalls discussing what happens after arrest—July 1, 2019*

## Roundtable Dialogues

The CJCC held 11 roundtable dialogues with 101 participants to gather the diverse input of Charleston County residents and generate ideas for action. The facilitator-led roundtable dialogues met weekly for three weeks to have in-depth discussions about safety and justice. As with the large group events, locations and times of dialogue groups varied to accommodate the largest number of community members possible.

Roundtable Dialogue Locations	
John’s Island Regional Library	John’s Island
Dorchester Road Regional Library	North Charleston
Otranto Road Regional Library	North Charleston
Accabee Community Center (Perry-Webb Community Center)	North Charleston
New Covenant Church of God	North Charleston
Cynthia Graham Hurd St. Andrew’s Library	West Ashley
Custom Development Solutions	Mount Pleasant
Wando Mount Pleasant Library	Mount Pleasant
Josepha P. Riley, Jr. Center for Livable Communities	Downtown
Grace Church Cathedral	Downtown
Main Library— Charleston County Public Library	Downtown

Everyday Democracy worked closely with CJCC staff to develop roundtable dialogue materials, including participant and facilitator guides. The guides were grounded in data findings from the 2018 Annual Report as well as the 2018 Midyear Report and covered key progress and challenges within pretrial justice, reentry and recidivism, case processing, and R+EDD in Charleston county’s criminal justice system. They also provided structure to keep the process similar across the different locations and ensure each group had a safe space to dive deep into the key issues and generate ideas for action.

All facilitators were local and trained in facilitation methods by Everyday Democracy. Each roundtable dialogue also had a trained scribe present to take notes and compile feedback for qualitative analysis and use in the action forum. In addition, participants completed surveys about the roundtable dialogue experience.

Data analyzed from each of the roundtable dialogues suggests that community participants held strong perceptions about the local justice system, engaged in robust discussions of critical issues, and generated specific ideas for action for use in the Action Forum. Dialogue participants included a diverse array of community residents (e.g., working professionals, students, formerly incarcerated individuals, crime survivors, retirees, educators, ministers, etc.). Their responses varied by individuals' lived experiences, level of knowledge about the CJCC, length of time residing in Charleston, overall understanding of the local justice system, and ways in which the justice system may have impacted their lives or the life of someone they know. Overall, the dialogues created a safe space for these individuals to share ideas and perspectives about how to best work together to improve the local jail system; to understand how to help more residents have access to and benefit from such ideas; and to identify the ways in which the community and system stakeholders can work on these actions together.



*Everyday Democracy trains facilitators and scribes in preparation for the roundtable dialogues.*

The notes taken by the scribes were analyzed by Everyday Democracy's qualitative method to identify key themes using the raw data captured throughout the dialogues. Reoccurring comments, responses, and concerns were aligned to reveal patterns and identify broad themes and priorities as expressed by the dialogue participants. These themes reflect participant perceptions and/or lived experiences relevant to the questions asked in the discussion materials. Collectively, five broad themes emerged, listed below in no particular order.

## ROUNDTABLE DIALOGUES: KEY THEMES

- 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.
- There are major challenges for individuals returning to the community from incarceration, such as system-related financial obligations, housing, treatment, transportation, employment, and regaining community trust.
- Outcomes produced by the local criminal justice system need to be improved.
- Engagement strategies such as transparent reporting, public forums, and community conversations are helpful in improving the local justice system.

At the conclusion of the roundtable dialogues, participants were also asked to evaluate the dialogue experience. There were 33 respondents.

## Roundtable Dialogue Survey

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

Dialogue experience:

- 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



Otranto Library dialogue participants review group's priorities moving forward

## Community Survey

A community survey was done to collect input from as many members of the community as possible. The survey was available online and in paper in both English and Spanish. Survey respondents were made aware of the survey in numerous ways, including segments on local news, print and social media, community events, CJCC and partner distribution lists and paper copies available in partner lobbies.

The community survey results indicate that many respondents have similar perceptions of the local criminal justice system. For example, most respondents agreed/strongly agreed the local criminal justice system needs to be improved and disagreed/strongly disagreed that the local criminal justice system treats people fairly. Respondents also agreed/strongly agreed they want to know more about the local criminal justice system and all focus areas need of attention.

A summary of findings from the community survey is below. There were 654 survey respondents. Not everyone answered every question; therefore, totals vary by question and were analyzed accordingly. The questions also included various response options; for example, demographic questions included a "prefer not to say" option and perception questions included an "I'm not sure" option. Analysis was conducted accordingly.

## YOUR COMMUNITY. YOUR PRIORITIES.



Complete a survey that will help shape the CJCC 2020 strategic plan by November 1.

*Social media posts on Facebook and Twitter encouraged survey participation and survey link*

### COMMUNITY SURVEY FINDINGS

#### Respondent demographics:

- 61% Female and 36% Male
- 80% lived in Charleston for two years or more
- 63% White/ Caucasian and 23% Black/ African American
- 28% ages 34 and under, 40% ages 35-54, 30% ages 55+

#### Which of the following statements best describes your knowledge about the CJCC :

- 58% First time hearing about the CJCC
- 25% Have a basic understanding of what the CJCC does in Charleston County
- 12% Attended at least one CJCC event or meeting
- 4% CJCC community representative or member

#### I have been personally impacted by the local justice system here in Charleston County:

- 42% Agree/Strongly Agree
- 49% Disagree/Strongly Disagree
- 9% Not Sure

#### High/Very High Agreement with statements about the Charleston County criminal justice system:

- 82% I believe that improvements to the local justice system are needed in Charleston County
- 81% I would like to know more about my local criminal justice system
- 76% I am concerned about safety in the Charleston County community
- 36% I believe the local justice system treats people fairly

#### Priority area rankings indicate all focus area need attention:

- 26% how long it takes to bring a case to justice
- 26% recidivism
- 25% overrepresentation of racial and ethnic minorities in the CJS
- 23% bond practices

#### Is there another area that you are concerned about in Charleston's criminal justice system that was not listed above? If so, please explain here:

- 15% of respondents responded yes. Of those:
  - ◊ 69% added emphasis to the four key focus areas
  - ◊ 31% cited information related to laws/policy, juveniles, etc.

## Action

The final phase of the 'dialogue-to-change' process was the action phase. The objective of this phase was for participants from the dialogue phase (large events, dialogues, and survey) to come together in an Action Forum to determine community priorities and set the course for 2020 strategic plan development.

Approximately 100 community members participated in the Action Forum. The agenda included a review of findings from the large events, community surveys and roundtable dialogues, testimonials from roundtable dialogue participants, and small and large group discussions to narrow down community priorities.

The priorities identified represent ideas for action that individuals (alone and/or in small groups), the community, and the CJCC can take to support improvement efforts moving forward. Ultimately, the results of the action forum identified community priorities for use in the development of the 2020 strategic plan. Throughout 2020 the CJCC will build on these priorities, data findings and best practices to develop and launch its next strategic plan.

### ACTION FORUM RESULTS: 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

## C. Snapshots from 2019

The CJCC uses many different mechanisms to engage the community in the work underway, including traditional and social media, newsletters, public meetings and events and press releases. For instance, the CJCC was in the news 29 times during 2019, distributed 19 newsletters and issued 5 press releases. Below is a series of snapshots from community engagement in 2019.

Okra Soup Supper focusing on racial and ethnic disproportionality within the criminal justice system, Grace Church Cathedral  
January 29, 2019



*Dot Scott, Kristy Danford, Solicitor Wilson, Charleston Police Chief Reynolds, Rev. Middleton*

Charleston County Council recognizes the outgoing CJCC Community Representatives  
February 12, 2019



*Daniel Brownstein, Judge A. Vic Rawl, Kristy Danford, Byron Ray, Sharon Coleman, Chaplain Rich Robinson*

Community event with Concerned Citizens of John's Island  
Wesley United Methodist Church  
February 18, 2019



*Easter LaRoche presents victim advocacy in the CJCC*

Community Representative Kick-Off Meeting  
welcoming the newest representatives  
March 16, 2019



*Dr. Jennifer Baker, Samuel Bellamy, Jr., Lauren Williams, Keith Smalls, Ian Scott*

CJCC Monthly Meeting  
May 22, 2019



*Community Representatives, CJCC members and staff participate in discussion along with members of the public*

What happens after arrest? A discussion of liberty, justice and safety in Charleston County  
Mount Pleasant Town Hall - July 1, 2019



*Christina Parnall, SC Supreme Court Justice George C. James, Jr., Kristy Danford*

Life after incarceration in Charleston: Now what?  
Greek Orthodox Church of the Holy Trinity  
July 23, 2019



*Participants hear from individuals with lived experience*

Promoting the Race in Charleston's Criminal Justice System on August 12, 2019  
YWCA West Ashley



*Project Director Danford and YWCA Executive Director LaVanda Brown discuss the racial equity event with local media*

Race in Charleston's criminal justice system:  
Unpacking matters of racial equity  
Felix C. Davis Community Center in Park Circle  
August 12, 2019

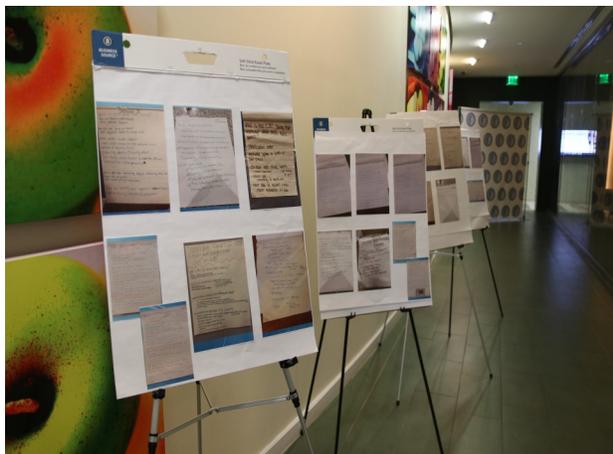


*Ninth Circuit Solicitor Wilson, Chief Reynolds and Chief Burgess discusses race in the local criminal justice system*

Roundtable dialogue  
Joseph P. Riley, Jr. Center for Livable Communities  
College of Charleston  
September 18, 2019



*Participants share what safety and justice means to them*



*Notes from the roundtable discussions on display at the Action Forum*



*Group discussion of community priorities during the Action Forum*

## Key Points Summary

- Efforts in 2019 built upon past work as indicated in the 2018 Midyear Report on R+EDD to include expanding community engagement, racial equity training among Ninth Circuit Solicitor staff, and continuing data analysis.
- In 2019, the CJCC implemented an enhanced community engagement strategy to better involve diverse members of the Charleston County community through an intentional and inclusive effort.
- The strategy followed the “Dialogue to Change” process, 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.
- 1,215 community members participated in at least one means of engagement in 2019, exceeding the goal of 1,000 by 215.
- In total, there were 460 large event participants, 101 dialogue participants and 654 survey respondents (and approximately 100 action forum participants, not included in the 1,215).
- Large events were well attended, increased participant knowledge in key issue areas and generated a high likelihood of attending subsequent events.
- Eleven roundtable dialogues provided a safe space for diverse members of the community to dive deeper into key issues, share perspectives and generate ideas to help improve the CJS.
- Most community survey respondents had similar perceptions of the local CJS, wanted to learn more and thought all focus areas needed attention.
- The results of the action forum identified community priorities for use in the development of the 2020 strategic plan.

## Endnotes

<sup>1</sup> Charleston County Criminal Justice Coordinating Council. (2016). Charleston County Criminal Justice Coordinating Council Phase One Final Report. Retrieved from [https://cjcc.charlestoncounty.org/files/Phase-One-Report\\_CJCC\\_Final.pdf](https://cjcc.charlestoncounty.org/files/Phase-One-Report_CJCC_Final.pdf)

<sup>2</sup> Pilnik, Lisa. (February 2017). NIC Accession Number: 032831. *A Framework for Pretrial Justice: Essential Elements of an Effective Pretrial System and Agency*. And, Subramanian, R. et al (2015). *Incarceration's Front Door: The Misuse of Jails in America*. Vera Institute of Justice, New York, New York.

<sup>3</sup> Digard, Léon, and Swavola, Elizabeth. (April 2019) Vera Evidence Brief For the Record, *Justice Denied: The Harmful and Lasting Effects of Pretrial Detention*.

<sup>4</sup> Digard, Léon, and Swavola, Elizabeth. (April 2019) Vera Evidence Brief For the Record, *Justice Denied: The Harmful and Lasting Effects of Pretrial Detention*.

<sup>5</sup> Digard, Léon, and Swavola, Elizabeth. (April 2019) Vera Evidence Brief For the Record, *Justice Denied: The Harmful and Lasting Effects of Pretrial Detention*.

<sup>6</sup> Fiscal Year 2019 Approved Budget Narrative. <https://www.charlestoncounty.org/departments/budget/files/FY19-Approved-Budget.pdf>, Page 57. Accessed March 2020.

<sup>7</sup> The historical database provides a means for trend analysis from SQL queries. Through these queries data is aggregated for the purpose of statistical analysis. There are no person or case level identifiers in the historical database.

<sup>8</sup> Criminal Justice Coordinating Councils and State Administrative Agencies: Charleston County, SC, Technical Assistance by The Justice Management Institute with the National Network of Criminal Justice Coordinating Councils on behalf of the National Criminal Justice Association (2019).

<sup>9</sup> ADP is calculated based on snapshot files provided by SACDC each month (note: two months of data were unavailable in 2018 due to the jail data system upgrade), and includes all populations (Pretrial, Sentenced, and ICE, FED and HOLD inmates) using confinement reason and sentenced data to classify population groups. Local population excludes ICE, FED and HOLD. Pretrial is defined as anyone with one or more pending charges. Sentenced is defined as anyone with only sentenced charges.

<sup>10</sup> Variations in the way charge descriptions are recorded within SACDC data necessitates charge description groupings to join like charges (e.g., SPM and Simple Possession of Marijuana) in the analysis. Charge description groupings are developed based upon the different variations in the data at the time and may vary somewhat from past reports.

<sup>11</sup> In the process of regrouping the 2018 data for consistent comparison to 2019 data, the following data entry errors were discovered in the 2018 annual report and subsequently corrected, including charge counts for Driving Under the Influence 1st (updated to 1,010 from 937), Domestic Violence 3rd Offense (updated to 404 from 372) and Domestic Violence 2nd Offense (updated to 478 from 349).

<sup>12</sup> All firearm possessions (Unlawful Carry, Prohibited Possession, etc.) have been grouped together for this analysis.

<sup>13</sup> Most frequently occurring charge counts will differ from single, target charge counts (i.e., a single, target charge count will not include additional charges in the booking while most frequently occurring charge counts include all charges booked in the period).

<sup>14</sup> Pretrial Risk Assessment in Charleston County: Preliminary Findings (2017). Center for Court Innovation, New York, NY.

- <sup>15</sup> Charleston County Criminal Justice Coordinating Council 2018 Annual Report (2019), North Charleston, SC.
- <sup>16</sup> Austin, J et al. Development of the Charleston Pretrial Risk Assessment Instrument (CPRAI): Final Report (2019). JFA Institute, Washington, DC.
- <sup>17</sup> This effective bond set includes a third category, termed “Unspecified,” in which an effective bond type could not be assigned due to missing warrant or bond information, or a situation in which bond could not be set at Central Bond Court. There were 44 “Unspecified” bond sets in 2019 year and 46 in 2018. Bond sets falling in the “Unspecified” category are eliminated from the analysis due to their small count.
- <sup>18</sup> Charges arising within the jurisdiction of General Sessions, City of Charleston, County of Charleston, and the small municipalities within Charleston County will have their bonds set at Centralized Bond Court. The City of North Charleston sets its own municipal level bonds.
- <sup>19</sup> Average amounts for effective financial bonds include the average of all financial bonds ordered for all charges per bond hearing. The average dollar amounts by court are slightly adjusted from what was reported in 2018 due to refined analysis.
- <sup>20</sup> The other court category represents less than one percentage of CBC bonds set. In these instances, the SACDC data indicates “probation violation” in the court category (e.g., 89% of the other court data in 2019) or the court is unspecified.
- <sup>21</sup> While the total number of pretrial interviews in 2018 was 4,289, this analysis examined 3,808 interviews, a reduction that is primarily due to expungement.
- <sup>22</sup> Data to indicate appearance failure from one of the municipal court sources was not available for the last two months of 2019.
- <sup>23</sup> South Carolina/ General Sessions Court Circuits Meeting Benchmark. [https://www.sccourts.org/monthlyReports/Dec2017/cr75\\_mon\\_graph.pdf](https://www.sccourts.org/monthlyReports/Dec2017/cr75_mon_graph.pdf). Published December, 2017. Accessed March, 2020.
- <sup>24</sup> South Carolina/ General Sessions Court Circuits Meeting Benchmark. [https://www.sccourts.org/monthlyReports/Dec2018/cr75\\_mon\\_graph.pdf](https://www.sccourts.org/monthlyReports/Dec2018/cr75_mon_graph.pdf). Published December, 2018. Accessed March, 2020.
- <sup>25</sup> South Carolina/ General Sessions Court Circuits Meeting Benchmark. [https://www.sccourts.org/monthlyReports/Dec2019/cr75\\_mon\\_graph.pdf](https://www.sccourts.org/monthlyReports/Dec2019/cr75_mon_graph.pdf). Published December, 2019. Accessed March, 2020.
- <sup>26</sup> Policy Research (2019). Sequential Incept Model Mapping Report for Charleston County, SC. Delmar, NY: Policy Research, Inc.
- <sup>27</sup> Pilnik, Lisa. (February 2017). NIC Accession Number: 032831. *A Framework for Pretrial Justice: Essential Elements of an Effective Pretrial System and Agency*.
- <sup>28</sup> Bonta, James and D. A. Andrews. (June 2007). *Risk-Need-Responsivity Model for Offender Assessment and Rehabilitation*. Ottawa: Public Safety Canada.
- <sup>29</sup> Booking activity predated implementation of Raise the Age legislation on July 1, 2019.
- <sup>30</sup> Charleston County Criminal Justice Coordinating Council 2018 Midyear Report (2018), North Charleston, SC.
- <sup>31</sup> Charleston County Criminal Justice Coordinating Council 2019 Midyear Report (2019), North Charleston, SC.



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