

RESEARCH-ACTION SITE PROGRESS REPORT

Fulton County, Georgia



About APPR

Advancing Pretrial Policy and Research seeks to achieve fair, just, and equitable pretrial practices that positively impact people, systems, and the community. APPR's mission is to support and engage pretrial professionals and community members in the meaningful delivery of data-informed pretrial justice. APPR is managed by the Center for Effective Public Policy and supported by Arnold Ventures.



Center for Effective Public Policy

The **Center for Effective Public Policy** (cepp.com) leads APPR's technical assistance, training, resource development, and website management (advancingpretrial.org).

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Forward

Research-Action Sites are counties competitively selected to partner with Advancing Pretrial Policy and Research (APPR) to improve their pretrial systems. Research-Action Sites are APPR's most intensive technical assistance cohort and receive assistance to build capacity for both technical change (e.g., policies, practices, and processes) and adaptive change (e.g., cultural shifts, collaborative activities, vision/mission statements).

Led by the Center for Effective Public Policy, each site is guided through a process aimed at building its capacity to use data, research, and collaboration to advance pretrial justice. APPR's approach is anchored in its [Roadmap for Pretrial Advancement](#), which includes four implementation strategies and eleven policy strategies that impact each stage of the pretrial process. APPR's national research partner, RTI International (RTI), studies each site's approach to understand its challenges and to propose solutions for creating equitable, just, and effective pretrial policies and practices. Experienced technical assistance advisors work with local stakeholders, including community members and justice-impacted people, to create and deliver a robust strategic plan to achieve the jurisdiction's goals.

The first Research-Action Sites were invited to participate in APPR in 2019. This meant that when the COVID-19 pandemic began in March 2020, sites were still in the early stages of building collaborative workgroups and establishing their vision and goals for pretrial advancement. The pandemic forced APPR and its local partners to develop novel approaches to the work. In-person technical assistance was no longer possible: most meetings, even those between individual stakeholders, were held remotely, and entire systems—particularly courts, jails, and law enforcement—had to be quickly overhauled to respond to these unprecedented circumstances. While progress and engagement ebbed and flowed, the Research-Action Sites stayed with the project throughout. The cooperation, understanding, and system improvements they have achieved, which are detailed in this report, are a reflection of that commitment.

Fulton County, Georgia

Fulton County is the most populous county in Georgia, with over one million residents. Its county seat is Atlanta, the state's capital and largest city. It played an important role in the 1960s Civil Rights Movement and is home to the Martin Luther King, Jr. National Historical Park. Many major multinational corporations are headquartered in Fulton County, including Coca-Cola, Home Depot, and Delta Air Lines.

Local Interest in Pretrial Justice

For many years, Fulton County has participated in different initiatives aimed at improving its pretrial decision making, reducing the size of the county jail population, and addressing the system's significant racial disparities. In 2016, the county participated in the local Justice Reinvestment Initiative, which resulted in the creation of a performance dashboard associated with six desired outcomes related to case prosecutions and adjudications, rearrest rates, and the provision of mental health services. Since 2020, Fulton County has participated in the Stepping Up initiative, which focuses on reducing the number of people with mental illness in jail. Among other things, this work enhances data collection and reporting to better identify people with mental illness, a substance use disorder, and/or housing instability, and to link them with needed community services.

In 2019, Fulton County applied to be a Research-Action Site. The county's application focused on implementation of the Public Safety Assessment (PSA) to replace a locally developed pretrial assessment tool that had never been validated. Their goal was to use research-based information and data to support their decision making and to build on the county's existing pretrial release program, which has been a critical part of the system since 1963. In particular, stakeholders wanted the judiciary to have an evidence-based tool to aid them in making pretrial determinations and to investigate other potential improvements to their system.

As an APPR Research-Action Site, Fulton County's policy priorities have extended well beyond implementation of the PSA. The county is now working to, among other things, increase diversion, expand the use of nonfinancial conditions of release, and decrease the time it takes to indict cases—all with the goal of reducing unnecessary pretrial detention and enhancing the fairness and equity of its pretrial system.

A Foundation for Change

A grounding element of APPR's Research-Action Site initiative is establishing a high-functioning collaborative team that represents community and system stakeholders who, together, agree on a vision for their pretrial system and for meaningfully engaging with their colleagues, partners, and neighbors in the process of change. Prior to joining the APPR initiative, Fulton County did not have a sustainable, cross-functional policy team that effectively identified and implemented data-driven improvements in the pretrial system.

Through its work as a Research-Action Site, the county assembled a team that initially included all system stakeholders. Over time, that team expanded to include advocacy groups and formerly incarcerated and other system-impacted people. These groups add critical perspectives and context to the team's discussions. For example, The Bail Project and Women on the Rise have underscored the importance of reentry services to all formerly incarcerated people, the need for public and system user education on pretrial procedures, and the impact of pretrial decisions on immediate and downstream outcomes. To build on these efforts, a workgroup focused on improving community engagement began convening in early 2024.

Fulton County Research-Action Site Policy Team Members

Atlanta Police Department	Pretrial Services
The Bail Project	Pretrial Supervision
Community members	Public Defender's Office
Court Administration	Solicitor General's Office
Familiar Faces Project	Superior Court
Fulton County Information Technology	Women on the Rise
Jail Population Review Committee*	
Magistrates Court	

* The Jail Population Review Committee comprises some members of the Research-Action Site Policy Team and other system stakeholders. It is connected to the Justice Policy Board, an influential group created by political leaders in Fulton County and the city of Atlanta.

Guided by APPR, policy team members developed a model of working collaboratively to reach consensus on the group's vision, mission, and values, and on targeted pretrial policy improvements. Even as key players transitioned off the committee, the county has maintained this policy team as an effective, collaborative body. The diverse team has remained active and engaged in the work for four years. As one project partner said, "[I've] never seen a team stay together and work on things in Fulton County like this."

Vision

Prompt, fair, and safe outcomes for all justice-involved individuals, undertaken with fiscal responsibility, to better serve and protect the community and individual rights.

Mission

Our mission is to improve our pretrial system by providing necessary information to decision makers and system partners before key decisions are made, help educate the public regarding the nature and operation of pretrial work, effectively and appropriately utilize pretrial diversion options, and create sustainable collaboration.

Values

Individuals will be treated with fairness; equality, regardless of race, circumstances, or availability of resources; and dignity and respect.

The pretrial system will operate with unbiased decision making, efficiency, fiscal responsibility, due process, inclusivity of stakeholders and citizens, transparency, and consistency.

“The varied viewpoints and expertise brought together under APPR create great potential for meaningful reform that upholds the presumption of innocence and addresses pretrial problems holistically. The Bail Project is grateful for the opportunity to participate in this effort to take concrete steps toward solutions.”

–The Bail Project

Working Toward Solutions

After studying their system as a whole and examining current practices, the policy team discussed possible areas for advancement. Recognizing that there is no single solution, system stakeholders, community groups, and community members identified the most significant changes on which to focus their time and resources.

Validation and Implementation of the PSA

Fulton County’s top priority was to implement the PSA in order to provide decision makers with critical, locally validated information that would assist with pretrial determinations. APPR’s assistance has included conducting a historical validation using local data to test how the PSA performs in predicting pretrial outcomes, including how it predicts for race and gender. APPR’s national research partner, RTI, conducted this study using two years of data from the county (2017–2018). The [validation](#) concluded that the tool was predictive of pretrial outcomes in Fulton County and showed no statistically significant evidence of bias based on race or gender.

In 2021, these findings and others were presented to the policy team by RTI, APPR, and the Center for Justice Innovation, also an APPR project partner. The presentation focused on the purpose and value of validation studies and the potential benefits of implementing the PSA as part of a broader effort to make pretrial improvements.

The policy team, with APPR’s support, used the validation data to develop a comprehensive presentation to educate system stakeholders about the PSA and the results from the validation study. The presentation included details about the success rates at each PSA score, providing stakeholders with a more nuanced understanding of how frequently people reappear in court and remain arrest-free on pretrial release. The validation showed that Fulton County had high pretrial success rates: 83 percent of people appeared for court and 75 percent remained arrest-free. Over the course of eight months in 2022, key members of the policy team, along with RTI and APPR, presented this information to magistrates, state and superior court judges, assistant district attorneys, solicitors general, and public defenders.

Fulton County implemented the PSA on December 5, 2022. Efforts are now underway to expand quality assurance measures to help ensure that the PSA is scored accurately and implemented with fidelity. In fall 2023, CEPP conducted follow-up training on scoring and worked with the pretrial department to incorporate PSA information into pretrial reports. The policy team receives monthly reports on the use of the PSA, and the team is working on delivering a more comprehensive report that includes 13 top-priority performance measures for assessing and improving operations.

Optimizing the Use of Pretrial Supervision and Supportive Services

As part of PSA implementation, Fulton County pretrial managers and staff used data from the PSA validation study to develop a release conditions matrix, or RCM. The RCM recommends one of four levels of supervision tied to PSA scores, each of which is of increasing intensity of monitoring and associated resources and conditions. RCM recommendations are presented to judges to help guide judicial decisions about release. It has been qualitatively reported that, in the majority of cases, the court concurs with the recommended level of supervision.

Prior to PSA implementation, stakeholders felt that release conditions had been overused. Using the PSA and the RCM has begun to reshape the nature of pretrial supervision work and the expectations the court has of it. The number of people recommended for pretrial supervision declined immediately after the PSA was implemented. However, that number turned around soon after the site implemented a new PSA report, which provides more information about PSA factors and scores, adds information about the person's likelihood of success, removes a narrative that focused on negative behavior, integrates the RCM into the report (rather than having it as a separate document), and broadens eligibility for pretrial supervision, which now includes supportive services, such as employment referrals, counseling, and parenting skills workshops. Following these changes, not only are more people recommended for pretrial supervision but more than 80 percent of people assigned to pretrial supervision are now placed on the two lowest supervision levels—that is, the ones with the fewest and least restrictive conditions.

“The data, process, and technical expertise have helped us to be more prepared, more informed, and better stewards in the pretrial justice space. The utilization of the Public Safety Assessment tool and Release Conditions Matrix, we feel, has certainly cemented us as an agency that is moving in the right direction when it comes to implementing comprehensive pretrial strategies that enhance community safety and reduce the nonappearance of persons in the pretrial stage of our justice system.”

—Marlon Greathouse, Deputy Court Administrator, Superior Court of Fulton County

Using Research as a Driver for Policy Improvement

Another grounding element of the Research-Action Site initiative is ensuring an understanding of pretrial research and its implications for policy and practice, objectively assessing local practices against empirical research, and continuously building pretrial competence. To that end, APPR provided extensive research support to the Fulton County Policy Team and facilitated many conversations about how research findings might inform implementation of the PSA and other strategies for achieving their goals.

- RTI developed [Validation and Predictive Bias Testing of the Public Safety Assessment for Fulton County, Georgia](#). APPR's technical assistance team facilitated multiple policy team discussions of the report and the implications for policy change in Fulton County.
- RTI also produced resources on research-informed policy and practice, including [Understanding Local Context](#) and [Studying Pretrial Processes and Decision Making](#).
- APPR published the [Legal Landscape of Pretrial Release and Detention in Georgia](#) in 2020, before PSA implementation, to assist the team in understanding how their proposed policy changes fit within the complex framework of state pretrial laws.
- The Fulton County Policy Team, with assistance provided by APPR personnel and numerous Fulton County staff, developed and completed a system map in October 2020. The system map outlines key decision points and critical stages between initial contact with law enforcement and case disposition options and has been used to inform discussions about policy priorities and areas of focus.
- The city of Atlanta and Fulton County established a Justice Policy Board in 2022 in response to the county's request to lease 700 beds at the city jail. That board created a Jail Population Review Committee, which published a [jail study](#) that found that the average length of stay (LOS) climbed from a pre-pandemic average for all charge severity levels of 47 days to 56 days in 2022. The shutdowns that accompanied the pandemic caused delays in case processing, which ultimately led to a backlog of cases. As courts began to open post-pandemic, the average length of stay began to decrease, but a significant number of people housed in the jail were not yet indicted, limiting further LOS decline. The unindicted jail population is now a primary area of focus for Fulton County.
- RTI's validation also revealed disparities in the jail population, with nonwhite people overrepresented relative to their population in the community (85% vs 54%). These disparities appear to be driven by arrests rather than release decisions. The policy team has provided this data to the Justice Policy Board to support that body's recommendations for pre-arrest diversion options. And, the policy team itself is focusing on expanding diversion options and expediting case resolutions as strategies for reducing the jail population.
- Through other pretrial justice initiatives, Fulton County and the City of Atlanta are working to build data capacity in support of jail reform efforts. The governmental agencies, along with their justice partner CUNY Institute for State and Local Governance, have shown interest in data-driven decision making about the local use of the jail and opportunities for pre-booking diversion and

post-booking expedited release. To support this interest, the partners have joined forces to conduct a foundational data capacity initiative comprised of three overlapping components: (1) a landscape review of pathways into and out of the jail, (2) development of key performance indicators and measurements to better understand the jail's population, and (3) support of the development of a data-driven tool to inform diversion operations and expedited release.

In October 2021, the policy team created the Pretrial Policy and Practice Improvement (PPPI) workgroup to examine key policy issues illuminated by research, data, and system mapping, and to develop recommendations to present to the policy team. The PPPI workgroup determined a need to adopt new approaches to certain pretrial practices and chose to focus on three areas for policy reform: reducing time to disposition for unindicted cases, expanding diversion options, and expanding nonmonetary release at first appearance.

Reducing Time to Disposition for Unindicted Cases

Data provided by RTI through the PSA validation identified that a significant number of people who were detained pretrial were awaiting indictment. These data were echoed in a highly publicized [report](#) by the ACLU of Georgia. Although initial pretrial release determinations are made within 48 hours of arrest, people can be held for many months without any further court involvement when a formal indictment is delayed.

The PPPI workgroup recommended to the Justice Policy Board that a systematic approach be developed to identify and review these cases. The board agreed with this recommendation and formed a special group, including system stakeholders, community representatives, and individuals with The Bail Project, to review cases monthly to help expedite decisions to indict, dismiss, or divert. The group began its work in May 2023 and has reported initial success in moving through a large backlog of cases and keeping new cases moving. The policy team has asked the Justice Policy Board to share data and outcomes associated with their case expedition efforts, and has indicated its willingness to assist with gathering this information and supporting their work in other ways.

“Unequivocally, the APPR project has improved collaboration and communication between the Fulton County justice partners in a way that was lacking prior to 2019. The monthly meetings have allowed for a better understanding among the policy team of the role each department is tasked with in carrying out our daily duties to improve the quality, consistency, and effectiveness of our pretrial system.”

—Felicia Pack, Deputy Director, Fulton County Pretrial Services

Expanding Diversion Options

In response to the increased LOS revealed in the 2022 jail study, the PPPI workgroup is examining the available diversion options and alternatives to incarceration for people held pretrial. As part of

this analysis, the workgroup found that myriad diversion programs exist, but it is unclear the extent to which people are enrolled in the programs and whether the programs address the local population's needs. As such, the PPPI workgroup recommended to the policy team that a systematic review of existing diversion programs be undertaken. The policy team approved this recommendation, and Court Services is now assigned the task of reviewing the criteria for existing diversion programs, along with the number of people placed in these programs and the sources of referrals. The goal of this work is to identify the gaps and barriers in getting people into pretrial diversion and, ultimately, to increase the number of people diverted. The team is developing a resource directory for diversion programs that will highlight identifying criteria and that will be shared with system partners. To measure the success of this planned expansion of diversion, the team plans to examine baseline data provided by the district attorney's and solicitor general's offices, the number of diversion placements, and other trend information.

In addition, a pre-arrest diversion (PAD) center is expected to open in the fall of 2024, using space formerly occupied by the city jail. Law enforcement will use the center as a drop-off point for people who qualify for alternatives to arrest. The PAD center is aimed at reducing the unnecessary detention of people with mental health, housing instability, or substance use issues.

"It's important to have fully informed bail decisions, but the larger question is what we're doing with the people who come into contact with the criminal justice system. Are there ways to partner with community providers to divert people out of custodial situations? We're very much in the process of exploring that in Fulton County."

—Judge Robert McBurney, Superior Court of Fulton County

Expanding Nonmonetary Release at First Appearance

The PPPI workgroup is now turning its attention to expanding the nonmonetary conditions of release available to judges at first appearance. The goal is to reduce the county's use of financial conditions as a default condition of release so that people are not held in jail simply because they cannot afford nominal amounts of monetary bond. In July 2023, the group began gathering information regarding existing nonmonetary conditions, the extensive use of cash bonds, implications associated with the PSA and RCM scores, and other matters. Potential options under consideration include expanding judicial education about the PSA, helping judges better understand whether people are released after the setting of monetary bonds, and increasing the use of unsecured judicial release (or UJR, essentially equivalent to release on personal recognizance).

In 2023, the first full year of PSA implementation, 3,095 people were ordered to pretrial supervision. Most individuals (81 percent) were assigned to level-one supervision, which has the least restrictive conditions. Only 21 people were placed on level four, which is intensive supervision.

The workgroup is optimistic that these types of release will continue to increase as magistrates and judges become more comfortable with the PSA, the RCM, and related outcomes.

“Being a part of the Advancing Pretrial Policy and Research project has forced us to ask the tough questions about how we can improve our service delivery to our justice system. We have a fresh perspective on our mission to enhance the overall administration of justice and minimize unnecessary pretrial detention. The unexpected reward of having more meaningful and impactful conversations with our justice partners is an added invaluable result of being a research site.”

—Marlon Greathouse, Deputy Court Administrator, Superior Court of Fulton County

Building Data Sustainability

As a Research-Action Site, Fulton County has committed to building on its existing efforts to ensure that data—rather than anecdotal information—guides decisions around pretrial policy and practice. The county already has an automated, integrated system that includes court, jail, and pretrial data. Through the Research-Action Site work, stakeholders have become more attuned to this data and more proactive in considering how to use it. Fulton County has demonstrated its commitment to operating a more transparent system and elevating data-driven policy and case determinations. This is exemplified by the development of an [Open Government Portal](#), which contains a variety of reports and data on the performance of the criminal legal system. Fulton County commissioners also oversaw development of a Justice and Safety Dashboard and identified pretrial performance measures that will be used to ensure system accountability and inform future decisions and priorities.

In 2022, RTI created a data dashboard to help Fulton County understand its own system and build its internal data capacity. The team identified 23 performance measures for collection and integration into the dashboard. The collection process is occurring in stages.

Educating the Public

APPR supported Fulton County with external communications by meeting with the county communications staff monthly. Communications technical assistance is a unique contribution provided by APPR. Criminal legal system consultants rarely bring this expertise to local stakeholders, yet reforms can be undermined by negative media coverage and disparaging statements from system stakeholders and policymakers. While no amount of technical assistance and preparation can prevent an adverse incident, with APPR’s support, Research-Action Sites are better prepared to manage media inquiries and public pushback to effective, equitable, and legal pretrial reforms.

The Fulton County Superior Court launched a new website in 2022 that included a Pretrial Services section with information about Fulton County’s [Pretrial Services Program](#) and their [Research-Action Site status](#) with APPR. Users accessing the website can find information about the PSA and APPR.

Fulton County's Roadmap for Pretrial Advancement

APPR's [Roadmap for Pretrial Advancement](#) is comprised of two parts: implementation activities that underpin sustainable change and policies and practices to advance effective system improvement. The following illustrates Fulton County's progress in achieving its roadmap activities:

Implementation



Convene an inclusive policy team
➔ **Achieving**



Increase public understanding
➔ **Working Toward**



Continuously educate
➔ **Achieving**



Evaluate pretrial performance measures
➔ **Working Toward**

Policies and Practices



Use citations/summonses
➔ **Future Opportunity**



Use a validated pretrial assessment
➔ **Achieving**



Create diversion options
➔ **Achieving**



Use least restrictive conditions
➔ **Achieving**



Authorize release before first appearance
➔ **Working Toward**



Offer supportive pretrial services
➔ **Working Toward**



Conduct meaningful first appearance hearings
➔ **Working Toward**



Respond to behaviors appropriately
➔ **Working Toward**



Limit pretrial detention
➔ **Working Toward**



Process cases swiftly
➔ **Working Toward**



Review the jail population
➔ **Working Toward**

