

RESEARCH-ACTION SITE PROGRESS REPORT

Thurston County, Washington



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).

Contents

Forward	1
Thurston County, Washington	1
Local Interest in Pretrial Justice	2
A Foundation for Change	2
Working Toward Solutions	4
Validation and Implementation of the PSA	4
Providing Meaningful Preliminary Hearings	5
Reducing Reliance on Financial Release Conditions	5
Responding to Domestic and Intimate Partner Violence	6
Building Data Sustainability	6
Educating the Public	7
Thurston County's Roadmap for Pretrial Advancement	7

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.

Thurston County, Washington

Sitting at the south end of Puget Sound in western Washington, Thurston County is home to Olympia, the county's largest city and state capital. Historically, lumber was the largest industry, but as home to the state's capital, the county saw an economic and population boom in the 1950s when government jobs increased and people began to move to Olympia and surrounding cities.

Local Interest in Pretrial Justice

Thurston County has a notable history of engaging in local, collaborative pretrial initiatives to maximize community safety, rehabilitation, accountability, and cost-effectiveness. For example, in 2015, the Pretrial Services Department (PSD), which had been under the authority of the superior court, became an independent county agency overseen by a governing board. PSD has continued to optimize public safety, court appearances, and cost savings by promoting the well-being of people during the pretrial period. It also prioritizes providing resources where they are most needed: for those who would benefit from more support to succeed pretrial. PSD is committed to pursuing innovative justice initiatives that uphold the ideals of the county board of commissioners, which seeks to provide citizens with a criminal legal system that is safe, equitable, and effective.

A workgroup of pretrial system stakeholders convened in 2017 to evaluate the county's existing pretrial assessment tool. They concluded that the tool, which had not been locally validated and which relied on subjective information, did not meet system needs and lacked the trust and support of the stakeholders who used it. In applying to be a Research-Action Site, Thurston County expressed a strong interest in implementing the Public Safety Assessment (PSA), a pretrial assessment tool that would allow for valid and reliable universal screening and produce results that stakeholders could confidently use to inform their pretrial decisions.

A Foundation for Change

APPR helped Thurston County build a solid foundation for systemic change by establishing an advisory committee of members with diverse experiences, expertise, and perspectives. Judge Christine Schaller leads the policy team, which includes judges, representatives from the prosecutor's and public defender's offices, pretrial services, and law enforcement. The policy team's original members have remained active since its kickoff in 2019. The team invited new members from law enforcement and a local behavioral health provider, Olympic Health and Recovery Services, to join the committee in 2020. As is natural with long-term collaborative work, the committee has experienced some changes in membership that have brought new viewpoints and dynamics to the team.

"The 'aha' for me was having law enforcement at the table. They have been with us as we mapped our current system and studied the law and research. As we all do, they understand that improving our pretrial system won't lead to less safety but more safety. Without having them at the table, that would have been a more complicated message."

—Judge Erik Price, Washington Court of Appeals

Thurston County Research-Action Site Advisory Committee

City of Lacey Police Department	Thurston County Pretrial Services
City of Olympia Police Department	Thurston County Prosecutor's Office
City of Tumwater Police Department	Thurston County Public Defense
Olympic Health and Recovery Services	Thurston County Public Information Office
Thurston County Board of County Commissioners	Thurston County Sheriff's Office
Thurston County Corrections Bureau*	Thurston County Superior Court
Thurston County District Court	

*In Thurston County, the Corrections Bureau runs the jail.

APPR guided the policy team through the initial steps essential to sustainable and effective systems improvement. The policy team adopted a shared vision, mission, and values; mapped its current system from the first contact with law enforcement through case disposition; studied state and federal laws governing pretrial release and detention and examined the county's practices; and reviewed local data and empirical research around pretrial procedures to inform its deliberations. Through these efforts, the policy team established workgroups to develop proposed policy changes. The workgroups oversee specific activities related to improving first appearance hearings, reducing the use of financial conditions of release, and responding to domestic violence.

Vision

A fair and just pretrial system that protects our community.

Mission

To enhance public safety while simultaneously maximizing court appearance and pretrial release.

Values

Collaboration: Commitment to actively partner in order to achieve the mission and vision.

Accountability: Responsibility and commitment to complete the work at hand to achieve a successful outcome.

Equity: Stakeholders are dedicated to equitably achieving a common goal, which demands compromise amongst competing perspectives.

Fair: Equal-handed – free from bias, prejudice, favoritism, and self-interest.

Safety: The responsibility to protect members of the community from harm inflicted through criminal behavior.

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, it identified the most significant changes on which to focus their time and resources.

Validation and Implementation of the PSA

In 2019, Thurston County began taking steps toward implementing the PSA. Policy team members learned about the assessment in monthly meetings and established ad hoc subcommittees to develop policies for the PSA. They collaboratively developed a list of state-specific offenses considered “violent” for the purposes of scoring the PSA and measuring the rate of new violent criminal arrests. They also created three resources for judges and attorneys to use when making pretrial release decisions: (1) a pretrial assessment report that includes a person’s PSA scores and other pertinent information, (2) a Release Conditions Matrix (RCM) that matches the PSA’s scores with least-restrictive conditions of release, and (3) a bench card explaining the PSA and RCM for judges to reference during the first appearance hearing (called a preliminary hearing in Thurston County).

Essential to implementation, Thurston County also worked closely with RTI. The historical [validation and bias testing](#) conducted by RTI found that the PSA had good predictive validity and showed no significant difference in performance across race and sex. The validation also found that most people in Thurston County are highly likely to appear in court and refrain from a new criminal arrest while on pretrial release. Nearly 60 percent of the pretrial sample scored 1 or 2 on the PSA’s two six-point scales, with 1 representing more likely to succeed and 6 representing less likely to succeed. In addition, the validation found that nearly 80 percent of the sample was likely to refrain from a new violent criminal arrest. This is consistent with national data showing that the vast majority of people succeed on pretrial release. This knowledge has helped Thurston County allocate its pretrial services to the population that needs the most assistance to succeed pretrial.

In April 2023, APPR provided comprehensive onsite training to Thurston County’s PSD staff and system stakeholders in preparation for an anticipated launch of the PSA in Fall 2023. The training focused on the PSA factors, scoring, and related policies. After that, PSD staff participated in formal sessions to practice scoring the PSA. Additionally, APPR collaborated with PSD leadership to create a quality assurance manual for the PSA to ensure consistent and accurate scoring and delivered a second round of training for the stakeholders involved in preliminary hearings. Thurston County conducted a soft launch of the PSA in September 2023 and implemented the tool in October 2023. During this time, APPR was onsite to assist PSD with implementation.

Thurston County is addressing a challenge that arose during the implementation process. The case management system, purchased from an outside vendor, does not currently permit the extraction of data necessary to assess the impact of the PSA on pretrial outcomes or track the performance

measures identified by the policy team. Thurston County PSD is awaiting a response from the case management system's proprietor on a request to program these queries into the system.

Providing Meaningful Preliminary Hearings

Thurston County's detailed mapping of its pretrial system led the policy team to recognize the need to enhance communication and information sharing among decision makers at and before the preliminary hearing. To address this issue, the policy team established an ad hoc workgroup, led by District Court Judge Sam Meyer, a policy team member, and comprising representatives from the superior court, PSD, the prosecuting attorney's office, the public defender's office, and both the corrections and local police departments. In collaboration with the Center for Justice Innovation (CJI), APPR's technical assistance partner, the workgroup reviewed APPR's [overview and checklist](#) for meaningful first appearance hearings and, in March 2023, formulated recommendations for improvement.

Previously, a public defender represented clients at the preliminary hearing if an attorney had not been appointed or hired, but the public defender did not meet clients in advance. Thurston County has since ensured that defense attorneys can meet clients in jail before the preliminary hearing and that both parties are present at the hearing. The county is also working to dedicate prosecuting attorneys to preliminary hearings once staffing shortages are addressed and to ensure that all people receive a paper copy of their release conditions after their hearing. In addition, the policy team is considering the workgroup's recommendations to enhance information sharing between the police departments and the prosecution and defense, and to improve communication across the courts.

Reducing Reliance on Financial Release Conditions

For the past four years, the public defender's office has gathered data on the money bond amounts proposed by the defense and prosecution, and the actual amounts imposed by the superior court, across different charges. APPR and its data partners have been analyzing this data quarterly since 2020, revealing that pretrial detention is often due to people's inability to pay lower bond amounts.

In collaboration with CJI, the policy team has been working to understand why people are given low-level money bonds that they may not be able to pay rather than being released on recognizance. The team is considering recommending ways to reduce the use of financial conditions of release. These may include establishing additional nonfinancial release conditions for people charged with nonserious offenses; pursuing strategies to support people's pretrial success; and building consensus among decision makers around various types of nonappearance—everything from intentional absconding to accidentally missing a single date because of health or childcare issues—and how the pretrial system should respond differently to each. Using data collected from January 2023 and going forward, the policy team and CJI will compare pretrial release decisions before and after

PSA implementation, analyzing differences in attorney recommendations and judicial decisions on financial conditions. The policy team will use these ongoing analyses to identify possible steps to reduce the county's reliance on financial release conditions.

Responding to Domestic and Intimate Partner Violence

Thurston County established an ad hoc workgroup—led by a superior court judge and comprising representatives from the prosecuting attorney's office, the public defender's office, PSD, and community advocates and providers—to develop recommendations for improving responses to domestic violence (DV) and intimate partner violence (IPV). The workgroup spent several months reviewing the literature on DV/IPV and determining how the county's policies and practices compare with current evidence-based and best practices. Additionally, RTI conducted a data analysis to help the workgroup better understand the local pretrial population charged with DV/IPV offenses. In May 2023, the workgroup partnered with CJI to review the analysis, identify priority responses, and formulate recommendations for the policy team's consideration.

After reviewing the recommendations, the policy team decided to take a more active role in addressing the high percentage of DV/IPV charges filed in the county. It has asked the judge leading the effort to convene a subset of the workgroup and focus on identifying a DV/IPV assessment tool that Thurston County should consider implementing, understanding what resources and capacity are required to bring that tool online, and determining, if the tool were to be implemented, who would be responsible for its implementation. Toward that end, the workgroup has requested assistance from the DV-RISC project housed at CJI and funded by the U.S. Department of Justice's Office on Violence Against Women.

Building Data Sustainability

Early in the Research-Action Site project, RTI created a jail data dashboard for Thurston County that displays key data and metrics about the jail population. Thurston County worked with RTI toward transferring the management and ownership of the dashboard to the county. The county's IT department met with RTI to understand the requirements for hosting and maintaining the dashboard which, to date, has been managed primarily by RTI in collaboration with APPR's data support team and local data officials. At this moment, discussions within the county are focused on determining who should have what level of access to the dashboard. Additionally, Thurston County has identified its pretrial performance measures, the data elements required to calculate the measures, and the location of the data elements across its data systems. Once the issue of data inaccessibility in the electronic pretrial case management system is resolved, the county will develop a plan for reporting and acting on performance measures.

Educating the Public

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 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.

APPR facilitated regular communications meetings in Thurston County, including with a Communications Workgroup and a Critical Incident Protocol Workgroup. The county announced its selection as a Research-Action Site to local media and created a website, [Advancing Pretrial Justice](#), to increase public awareness and support transparency. It used APPR resources and technical assistance to create several handouts—available on the county's website—explaining the pretrial phase and the role of pretrial agencies. Thurston County used APPR resources to create public and media resources about the PSA, including a press release announcing PSA implementation and a handout explaining Washington's legal principles for pretrial release and detention decisions. The Critical Incident Protocol Workgroup developed a plan to respond to potential negative incidents. The plan will help system stakeholders work together to review negative incidents and avoid blaming other disciplines in the event of a high-profile incident involving someone in the pretrial phase.

Thurston 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 Thurston County's progress in achieving its roadmap activities.

Implementation



Convene an inclusive policy team
➔ **Achieving**



Increase public understanding
➔ **Achieving**



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
➔ ***Working Toward***



Authorize release before first
appearance
➔ ***Future Opportunity***



Offer supportive pretrial services
➔ ***Achieving***



Conduct meaningful first
appearance hearings
➔ ***Achieving***



Respond to behaviors appropriately
➔ ***Working Toward***



Process cases swiftly
➔ ***Working Toward***



Limit pretrial detention
➔ ***Working Toward***



Review the jail population
➔ ***Future Opportunity***

* Superior court cannot issue citations and summonses for felonies.

