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# NEW PROCESS IN WORKS TO BETTER ASSESS DEFENDANT RISK WHEN SETTING BONDS

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BELOIT — Prosecutors and community leaders are looking at other ways to assess defendant risk when assigning bond. Changes could take effect later this year.

The policy team is in the process of implementing a process called Evidence-Based Decision Making (EBDM) into several areas of prosecution and sentencing. The objective is to better evaluate the risk an offender poses to the community.

Specifically, the team is looking at six areas of improving the criminal justice process in Rock County, including:

- Pretrial assessment and monitoring
- Criminogenic risk screening and assessment
- A pre-charge diversion program
- An enhanced Deferred Prosecution Program (DPP)
- Behavioral health information sharing
- Stakeholder education and engagement

Pretrial risk assessments are used by criminal justice departments across the country as a means of evaluating whether a particular individual poses a significant threat to the community, according to Rock County Court Commissioner Steve Meyer. Typically, the assessments consist of questions that focus on the defendant's current offense, criminal history, employment, residency, drug abuse and mental health, according to the Pretrial Justice Institute. This information, when cross-referenced with the information provided over time from previous offenders of similar assessed risk, helps court commissioners set bonds and keep high-risk defendants off the streets.

"We do not want to put low- and medium-risk offenders with high-risk offenders, because science shows they can become high-risk offenders (in prison)," Beloit Police Chief David Zibolski said. "It will not only benefit the community, it will benefit offenders, so they are not influenced in negative ways."

Zibolski cited a 2013 Columbia University study which found that low-risk defendants held in jail for two or three days were 39 percent more likely to be re-arrested than low-risk defendants who were released on the first day after being arrested.

Those held four to seven days were 50 percent more likely to be arrested, and those held 8 to 14 days were 56 percent more likely to be arrested. The study also said similar patterns held for medium-risk offenders held for short periods but not high-risk defendants, who did not see an increase in criminal activity in correspondence to jail time during the pretrial stage.

Rock County Criminal Justice System Planner/Analyst Elizabeth Pohlman McQuillen said a pretrial risk assessment program could be implemented later this year.

"We hope to implement a pilot program this spring, with a revised pretrial system coming in late 2017," McQuillen said.

Another component of the EBDM model include the criminogenic risk screening, which focuses on the criminogenic needs of the offender to reserve more intensive services for high-risk offenders.

A pre-charge diversion program would seek to help correct the behavior of low-risk offenders and limit formal intervention. An enhanced Deferred Prosecution Program (DPP) similarly would target low- and medium-risk offenders with an alternative to criminal charges with the goals of lowering recidivism, increasing public safety, making victims whole and allocating more resources to higher-risk individuals. Behavioral health information sharing would seek to address mental illness, diverting those who qualify to alternate interventions than the criminal justice system.

The final target area is stakeholder education and engagement, which would involve buy-in and support from key justice system partners and the community at large to proceed.

Rock County Chief District Judge James Daley, District Attorney David O'Leary and Sheriff Robert Spoden are among the EBDM policy team members, a list that also includes local leaders Beloit City Attorney Elizabeth Krueger, President of the NAACP Beloit Branch Dorothy Harrell and Zibolski.

"I would really like to see this EBDM work," Zibolski said. "It characterizes the offender in terms of their risk to the community. We are working to have a solution where court commissioners would know the risk and make decisions accordingly."