
Early Representation in Contra Costa County

Documents, 2015–2019

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1. Statement of the Problem

Although it's typically serious felony crimes that grab headlines across the nation, the majority of cases that clog America's criminal courts and overwhelm its jails are low-level, misdemeanor offenses.ⁱ As is common across the country, in Richmond, CA, a low-income, urban city of 105,000 people located in northern California's West Contra Costa County, an indigent person who is cited and released for a misdemeanor offense generally does not receive legal representation until his or her first court appearance – often, many months after arrest. It is only then, at first appearance, that an indigent person receives the benefit of public counsel. This lack of early representation during the critical months between arrest and arraignment gives rise to a host of grave and lasting consequences for indigent people as they try – and often fail – to navigate the criminal justice system, without the support and advocacy provided by those with the means to hire private attorneys well in advance of first appearance.

The first indicator of the negative consequences of this gap in representation for indigent people charged with misdemeanor offenses is the high rate of failures to appear (FTA). Studies find “that many defendants fail to appear not only because they fear the consequences of [or don't understand] the legal proceedings, but also because they are unable to arrange for transportation to court, they have other, competing responsibilities (*e.g.* work, care of child or other person), or they are disorganized, forgetting the appointment or losing critical information (*e.g.* citation, contact, or location.”ⁱⁱ Language and literacy issues also play a part in FTAs. This truth is strikingly apparent in the Richmond branch of the Superior Court: Of the 65-90 misdemeanor arraignments per week, the court estimates that as many as one-third fail to appear for the initial date. As a result, currently approximately 15-20% of public defender misdemeanor cases originate with a client who has been arrested on a bench warrant for a failure to appear.

The reasons for high rates of FTA can best be understood by examining the common

procedures that lead up to arraignment. For the majority of misdemeanor cases in Richmond, an arresting officer issues a citation and releases the suspect, rather than making a custodial arrest. Each citation provides a date and time for the cited person to come to court, offering no other explanation of the legal process. Despite the high percentages of monolingual Spanish-speaking people in West Contra Costa County, these citation forms are written only in English; and for those with limited literacy in any language, these forms can be hard to interpret. In addition, the court dates specified on the citations are often subsequently changed, and defendants may not receive (or understand) subsequent letters notifying them of changes to the court dates. Finally, no information is provided regarding legal assistance, such as contact information for the Office of the Public Defender, or a brief summary of services available through that office.

In turn, many indigent persons fail to make it to the court date provided on the citation. The reasons most commonly cited in relevant literature are that defendants forgot the court date, did not understand the citation, could not afford to miss a day of work, had no childcare, had no transportation to court, feared the immigration or legal consequences of coming to court, or did not understand the court process, among a host of other reasons.

Unfortunately, when a person fails to appear for arraignment, the judge issues a warrant for arrest. In turn, police officers or Sheriff's deputies eventually execute that warrant and take that person into custody, generating all of the adverse impacts that follow from any period of incarceration. The costs of this cycle of collateral consequences can be devastating to family and thus community stability: "When people are in jail, jobs are lost, bills go unpaid, financial aid for school is terminated, evictions are served, and children and spouses lose a vital member of the family unit. These are counter-productive, often irreversible disruptions in a [defendant's] life."ⁱⁱⁱ

In fact, the criminal implications of an arrest following a failure to appear are sharply disproportionate to the underlying misdemeanor offense that triggered this costly cycle. It is well

recognized that, as compared to persons who are financially able to post bond or are released on their own recognizance, persons held in custody are far more likely to plead guilty at arraignment as a way to avoid additional time in custody. But by pleading guilty at that early stage, defendants surrender the opportunity for defense counsel to investigate the merits of the case, provide mitigating evidence to the district attorney and the court, advocate for diversion opportunities, or file motions that may result in dismissal of the charges.

The Office of the Public Defender proposes to address these multiple points of failure in the justice system by establishing the West County Misdemeanor Early Representation Project (MERP). MERP is designed to bridge this gap in representation for individuals cited for misdemeanor offenses in Richmond. Through an innovative partnership of the Public Defender's Office and the Richmond Police Department, MERP will ensure that, at the time a citation is issued, cited-released persons will receive printed information (in English and in Spanish) advising them of the immediate availability of legal representation, at no cost, and provided at a familiar, readily-available community resource center. With MERP, legal representation for indigent clients can begin within days – if not hours – of their arrest and cite-release.

This project has the strong support of multiple local justice partners, including the District Attorney, the Court, the Sheriff, the Richmond Police Department, and the West County Reentry Resource Center, all of which have signed letters of support (attached). In addition, the Contra Costa County Office of the Public Defender will partner with subgrantee the Justice Management Institute (JMI) for ongoing research, strategic planning, support and evaluation of the project.

MERP is consistent with Principle 3 of the ABA Ten Principles of a Public Defense Delivery System: Ensuring that counsel is assigned as soon as feasible after a client's arrest.^{iv} MERP is also consistent with the principles and best practices of holistic defense, which emphasize the importance of seamless access to legal and non-legal services that meet clients' needs provided

through interdisciplinary means.^v It is consistent with the national focus on justice reinvestment, which emphasizes the importance of using data-driven approaches to increase judicial efficiencies and outcomes while reducing burdens on justice partners and ensuring the most appropriate use of jail resources.^{vi} And it is consistent with procedural justice theory, which emphasizes the importance of ensuring that justice-involved individuals understand the process and feel that they have access to helpful resources.^{vii}

Program Design and Implementation (30%)

A. **Project Design:** In its two-year pilot phase, MERP will be staffed with a 1 FTE bilingual Special Assignment Attorney and a .5 FTE bilingual paralegal, supervised by a .1 FTE Supervising Attorney. Providing pre-arraignment legal advice and representation, MERP staff will track clients' criminal process, consistently and effectively notify clients of future court dates, advocate with the District Attorney's office for pre-filing disposition options, conduct investigation and other case preparation, and keep clients informed of all aspects of the judicial process. By operating at the community-based West County Reentry Resource Center, MERP will offer a further innovative benefit, providing early representation alongside multiple, co-located social service resources (drug and alcohol services, mental health care, financial planning and public benefits, family support and reunification services, probation services, and peer mentoring) to support client success, both during and after the judicial process. MERP's early representation and connection to services will maximize the likelihood that indigent clients charged with misdemeanor offenses will successfully navigate the justice system, minimizing inefficiencies and costs to themselves, their communities, and the justice system.

MERP's lean staffing plan will be substantially leveraged by the program's location at the Resource Center, allowing MERP staff to work with Center staff to ensure that clients build comprehensive plans to address civil and criminal legal needs, housing, employment, behavioral

health services, and family supports, as needed. Further, as a highly visible community hub of information and resources for justice-involved individuals, the Center will foster ongoing contact with clients, enhancing MERP's capacity to remain in contact with clients. Furthermore, MERP staff will be able to provide clients with automated appointment reminders through the Center's data management system; studies of such automated systems to remind clients of upcoming court dates have demonstrated substantial impact on reducing FTAs. For example, the Court Appearance Notification System in Multnomah County, Oregon and the Reminder Notification System in King County in Washington State have reduced FTAs by anywhere from 38%-60%.^{viii} Finally, MERP will work with the countywide information resource (211.org), to ensure that clients who call 211 after-hours are informed of MERP's location and services.

B. Project Goals: The ultimate intentions of MERP are as follows: i) Improve case results for indigent persons charged with misdemeanor offenses by diverting cases pre-filing and improving case dispositions through early case evaluation, case investigation, and intervention with the District Attorney's Office prior to first court appearance; ii) Reduce the numbers of arrest warrants issued for indigent persons by reducing FTA rates at the first arraignment date; iii) Reduce the financial and human-resource costs to law enforcement and the justice system of processing FTA arrest warrants for misdemeanor cases; iv) Eliminate or mitigate the collateral consequences to the individual of a custodial arrest.

C. Outreach and Access: Access to early representation will be achieved as follows: i) As an active member of this collaborative pilot project, the Richmond Police Department has agreed that, in making a citation for a misdemeanor offense, RPD officers will provide the cited person with a **printed information sheet**, in English and in Spanish, outlining MERP's services and providing the address and phone number for the Center. The information sheet will explain, in clear and simple language, that legal advice and representation is available free of charge for

those who request it; ii) Staff **presentations and informational materials at the Center** will highlight MERP's services and benefits. Center staff and MERP partners will provide regular orientations to Center clients related to judicial process to help familiarize the larger community to these resources; iii) Information about the program will be provided **brochures** disseminated through community-based organizations and hosted on the Center's website and the County's 211.org website; iv) MERP staff will conduct **consistent information sessions** at various community locations to reach persons who may qualify for MERP services.

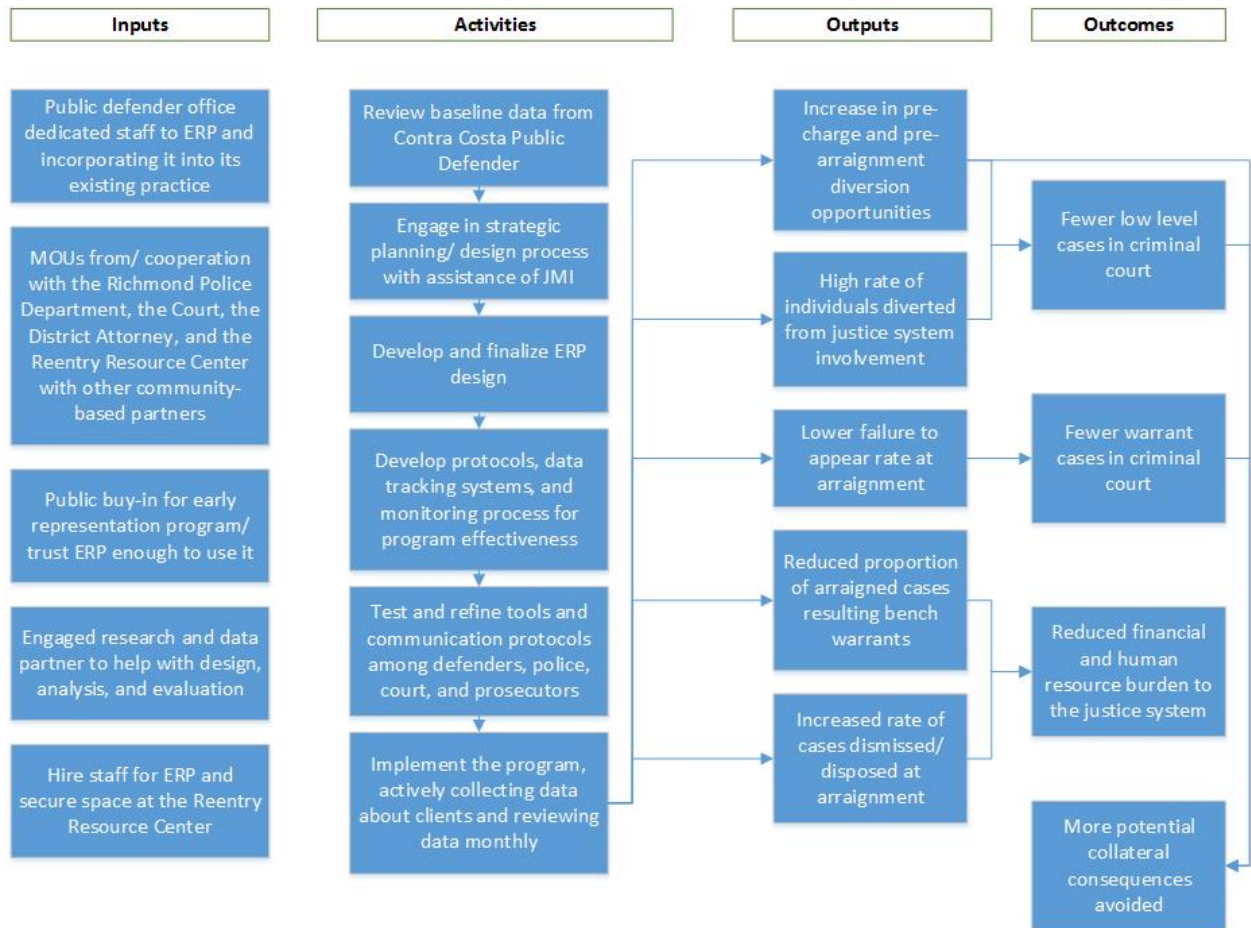
D. Legal Representation: Representation by MERP staff will proceed in a tiered approach, depending on the stage of the case. Because a significant percentage of arrests by law enforcement do not result in prosecutions, the tiered intervention will fall into two categories:

Tier One/Post-Arrest and Pre-Filing: For people who have been cite-released but against whom a complaint has not yet been filed, MERP staff will regularly check with the court to see if criminal charges have been filed and to notify individuals accordingly. In addition, MERP staff will gather information to determine whether immediate investigation needs to be conducted and will take steps to preserve critical evidence in the event that a charge is filed. Staff will work with the client to address barriers to meeting court dates, such as access to transportation and childcare or intervening with employers. Finally, MERP staff will evaluate each case to determine whether early advocacy and intervention with the DA is appropriate, to avoid the filing of charges or to negotiate an early disposition.

Tier Two/Post-Filing and Pre-Arraignment: Once MERP staff is alerted that the District Attorney has filed a criminal complaint, MERP will schedule an appointment with the client. The attorney will flag cases eligible for diversion and will assist those clients with the diversion process. For cases that are not to be diverted, MERP staff will begin investigation requests, request surveillance footage and other potential time-sensitive evidence, and gather mitigating

facts and personal information to aid in plea negotiation and case preparation. Such cases will thereafter be assigned to a Public Defender staff attorney for the remainder of the representation.

E. Roles and Responsibilities of the Research Partner: In partnership with its subgrantee research partner, the Justice Management Institute, MERP will track multiple data points to evaluate program success, as indicated in the following logic model.



As detailed in the project timeline (attached), the project will proceed in five steps:

- Step 1: Gather baseline information, refine logic model and finalize program design:

Justice Management Institute (JMI) will serve as an active partner throughout the design, implementation, and evaluation of the MERP. At the onset, JMI staff will work with MERP project partners (including the Public Defender, the District Attorney, the Court, the Sheriff, and

the Richmond Police Department) to gather and aggregate relevant data from across these systems. These data will be linked together into a single data set, using common, unique identifiers across information systems. To establish an appropriate baseline against which to compare the results of the MERP, JMI will gather retrospective data for at least the three years prior to the project's implementation. Key data to be collected will include demographics of arrestees and defendants (especially primary language spoken); rates of failures to appear; rates of bench warrants issued in arraignment court for failures to appear; case type; arraignment dates set forth on citations versus actual arraignment dates; numbers of misdemeanor cases diverted; number of cases disposed at arraignment by disposition; and caseload data for judges, prosecutors, and defenders. To maintain client confidentiality, client data will be anonymized. At the aggregate level, JMI will also analyze financial data to establish average costs of issuing citations, making arrests, arraignments, and other key events. As data are collected and analyzed, JMI staff will work with project staff to refine the logic model, refine shared expectations for program outputs and outcomes, and foster ongoing communication with the project's partners.

- Step 2: Develop program infrastructure: Immediately upon securing funding, the Office of the Public Defender will undertake the following tasks: 1) Finalize agreements with the Richmond Police Department and the West County Reentry Resource Center to facilitate program launch and implementation; 2) Hire and/or assign appropriate staff; 3) Design an information sheet to be handed out by law enforcement and an informational brochure to be distributed throughout the community; 4) Develop intake forms and data tracking tools; 5) Develop program protocols; 6) Design a data system to monitor program data and use it to inform program development; and 7) Conduct training sessions and informational sessions with local law enforcement, the courts, the Sheriff's Office, the Office of the District Attorney, and relevant community-based organizations to ensure a smooth launch of the program. During this

stage, JMI will help ensure that agreements, hiring, and materials developed are consistent with the program model and best practices. Intake and data tracking tools as well as protocols for interviewing arrestees or defendants and responding to their questions will also be reviewed and documented as part of the implementation study. Core activities such as eligibility screening, assignment, negotiation with prosecutors, and protecting client confidentiality will be addressed and incorporated into a project manual for MERP. JMI will work with the Office of the Public Defender to develop a data tracking system that integrates with their existing case management system, collecting the process and outcome data essential to testing program success. JMI will also develop approaches to conduct cost/benefit analysis, consistent with justice reinvestment.

Step 3: Implement and Evaluate: We anticipate that the infrastructure for representation will be in place on or before December 1, 2015. As of that date, the MERP staff will be on-site at the Reentry Resource Center, and the Richmond Police Department will begin providing new arrestees with information about MERP at the time they are issued a citation. Concurrent with the launch date, MERP staff will promote the program through a press release and widespread dissemination of informational brochures at appropriate sites throughout West County. Immediately upon accepting clients, MERP staff will begin capturing and tracking data under the guidance of and in close coordination with JMI. As discussed above, this data will be tracked in a system jointly designed by JMI and the Office of the Public Defender.

- Step 4: Evaluate Process and Outcome Measures and Present Findings: Throughout MERP implementation, the Office of the Public Defender and JMI will conduct monthly meetings to review data, troubleshoot any problems and to identify any opportunities or emerging trends. The Public Defender and JMI will also conduct quarterly meeting to present progress to the larger community of stakeholders. Within 15 months of implementation, JMI will make a presentation of findings to the stakeholder group. This presentation will provide a forum

for all parties to respond to the data, recommend changes, and strategize for sustainability. JMI will then prepare a final report summarizing the findings, including client outcomes, lessons learned, cost analysis, replication, and scalability.

2. Capabilities and Competencies

A. *Contra Costa County Office of the Public Defender*: The Contra Costa County Office of the Public Defender (CCCPD) is uniquely situated to ensure the success of this program. With a staff of 75 attorneys, the CCCPD provides vertical representation for indigent persons throughout the county. The office has two branches, one in Richmond serving West County clients and one in Martinez serving Central and East County clients. Public Defender Robin Lipetzky, the Department Head since 2010, is a statewide leader in Public Defender office management and best practices. As a board member with the California Public Defenders Association, Ms. Lipetzky chairs the Committee on Office Management and the Conference of Chief Public Defenders.

B. *Data*: The Office of the Public Defender has access to relevant data from multiple sources: The Office of the Public Defender maintains a monthly report that tallies all new cases referred to the office, by case type and geographic location. The Court maintains records of the numbers of misdemeanor cases calendared and, of those, the numbers of failures to appear. It also maintains data on the numbers of arrest warrants issued by the court for failures to appear. The Richmond Police Department maintains data on the numbers of citations issued for misdemeanor offenses. Finally, the Office of the District Attorney maintains data on the numbers of misdemeanor cases filed by geographic area and by police agency. All of the external sources (the Court, the Richmond Police Department and the Office of the District Attorney) have agreed to make their data available to the project. By drawing these data sources, the Office of the Public Defender and JMI will be able to accurately and efficiently to capture both baseline data

and ongoing data to provide a thorough and thoughtful analysis of the program's outcomes.

C. Collaboration: In addition to the ability to track the necessary data, the Office of the Public Defender has a proven history of successful collaboration with its criminal justice partners and with community-based organizations. With California's great experiment in criminal justice reform launched in 2011, Contra Costa County has emerged as a leader in innovative and strategic collaborations among government and non-government agencies to effect positive change.^{ix} The Public Defender has been central to many of these collaborative efforts, including the formation of the state's first AB109 Community Advisory Board. The Public Defender sits on the Steering Committee for the West County Reentry and Resource Center, which will house the project. Recently, the Office of the Public Defender was instrumental in convening and facilitating a collaborative partnership of multiple government agencies and community-based organizations that resulted in a successful bid for a three-year, \$3.045 million Byrne Justice Administration Grant to create a county-wide Youth Justice Initiative to advance collective capacity to improve outcomes for youth across the county. In addition, the Office of the Public Defender currently engages with the community in multiple projects to improve the quality of representation to clients and to mitigate the effects of incarceration and criminal justice involvement. The Office operates a Clean Slate program in which it partners with the Department of Employment & Human Services to petition the court to remove barriers to employment for those seeking work. In the juvenile justice arena, the Office has worked closely with West County community groups to help young people divert from the juvenile justice process or complete probation. The Office has conducted focus groups and Know Your Rights programs with many community organizations. Finally, with the recent passage of California's Proposition 47, which provided the opportunity to reduce low-level felony convictions to misdemeanor status, the Office has conducted extensive outreach to community groups, faith-

based organizations, and homeless shelters to identify persons eligible for relief under the new law. Through these existing projects, the Office has forged strong relationships with West County community groups, which will facilitate a smooth project launch.

D. Participation of Other Criminal Justice Stakeholders: The Public Defender has secured the support of all partners necessary to ensure the success of this program. Attached are letters of support from the Richmond Police Department, the Officer of the District Attorney, the Richmond Court, the West County Reentry Resource Center, and the Office of the Sheriff.

E. Project staff: The Office of the Public Defender will staff the project with a .1 FTE Supervising Attorney, 1 FTE Staff Attorney, and a .5 FTE Staff Legal Assistant. **Michelle Dawson, Supervising Attorney** of the Richmond branch of the Office of the Public Defender, will serve as the project's Supervising Attorney. Ms. Dawson has been with the Office of the Public Defender for 18 years. As the Managing Attorney for the West County Office, she has solid relationships with the Richmond Court, the staff of the Richmond DA's Office, the Richmond Police Department, and West County community organizations. The **MERP Staff Attorney** (to be hired) will be a bilingual English/Spanish speaker with extensive knowledge of the collateral consequences of misdemeanor convictions. The attorney will be versed in the principles of procedural justice and holistic defense. Additionally, the attorney will have experience working in collaboration with community organizations. The **MERP Paralegal** (to be hired) will be a bilingual English/Spanish speaker skilled in data collection and with a working knowledge of the relevant databases. This employee will also be trained in intake procedures to include financial screening and conflict checks and will be responsible for ensuring compliance, accuracy, and privacy in coordinating data with Center staff and partners.

F. Research Partner, Justice Management Institute: Founded in 1993, JMI has a long history of conducting action research in partnership with local criminal justice agencies across

the country. JMI's approach to research focuses on helping criminal justice agencies understand and define issues in service delivery and to develop and test new and innovative strategies for addressing the issues. In fact, JMI is currently engaged in an action research project with Comal County, TX to assess the provision of indigent defense services through an intensive planning and data-driven process, to define a new model for service delivery, and to assess whether or not outcomes are improved for defendants. In that project, JMI is using a quasi-experimental design to track outcomes both pre- and post-implementation and a qualitative formative case study design to assess implementation and provide on-going feedback for program improvement. Other relevant and recent examples of research include an assessment of resource allocation for the Florida Public Defender's Association and case management for the Baltimore County, MD courts. As a partner and subgrantee, JMI will dedicate three staff members to this project:

Elaine Borakove, JMI's President, will serve as Principal Investigator, overseeing the strategic planning, data analysis, and overall evaluation design and implementation. Ms. Borakove is a member of the Michigan State Fellows Development group to create a curriculum for action researchers engaged as partners for BJA-funded demonstration sites. She is the PI and author of numerous research efforts using the action research approach, including the development and assessment of performance measurement in prosecution; strategies to address specific types of crimes such as gang violence, hate crimes, and elder abuse; and evaluation of sexual assault response models. She will directly supervise **Franklin Cruz, Program Director**, who will serve as Senior Analyst for this project, coordinating data collection and analysis throughout the two-year period, conducting strategic planning, facilitating project meetings to use data to make refinements to the MERP design, and ultimately crafting the final findings and recommendations in collaboration with the Principle Investigator. Mr. Cruz brings 15 years' experience in criminal and juvenile justice, specializing in criminal defense. He served as Chief Operating Officer of the

Bronx Defenders, a nationally recognized public defender office. **Aimee Wickman** will serve as an analyst on this project, liaising directly with data analysts in Contra Costa, supporting the development and review of protocols and project materials, and conducting baseline analyses of data throughout implementation. Ms. Wickman also brings expertise in the area of indigent defense, having worked substantively at the Spangenberg Group with systems nationwide.

3. Plan for Collecting the Data Required for this Solicitation's Performance Measures

MERP staff, in conjunction with JMI, will gather baseline data from the various sources described above (Public Defender database, court system, Richmond Police Department statistics, and District Attorney filing statistics). As part of program intake and client management, staff will gather detailed client-based data (number of clients, type of case, demographic information, services provided). MERP will also work with the Richmond Police Department to gather data on citation arrests and types of crimes, and with the Court to gather hearing dates and warrant information. The data will be stored concurrently by MERP and JMI. JMI will provide analytic and evaluative reports at 90-day intervals, at which time MERP staff and JMI will discuss the performance measurements to assess findings.

A commitment to justice reinvestment and to procedural justice is foundational to this pilot project, and proof of concept – including financial savings, increased efficiencies, and just outcomes – is a primary goal of this project. The project's short-term and long-term outcome metrics include the following: Reduction in the 30% FTA rate in misdemeanor arraignment court in Richmond; reductions in the 15-20% of cases that begin as in-custody warrant hearings for FTA; improved understanding into the characteristics of individuals who fail to appear at first arraignment hearing; increases in number of clients diverted out of the criminal justice system, thus avoiding records of conviction.

4. Sustainability: Cost-benefit analysis will include estimates of the cost reductions and

increased efficiencies as collateral consequences of reduced rates of FTA; JMI will collect available financial data (Task 1) to inform the project's ability to demonstrate its benefits throughout the justice system, both to influence the use of the County's funds and to attract additional financial support (public and private) for the project. Further, MERP's collaborative approach (e.g., prosecutors, judges, police officers, etc.) will create and maintain an engaged constituency who can advocate for the program's continuation and expansion.

ⁱ This reflects the national trend. (Roberts, J. *Why Misdemeanors Matter* 56 U.C. Davis Law. Rev. 277, 280 [hereinafter referred to as Roberts].)

ⁱⁱ *An Experiment in the Law: Studying a Technique to Reduce Failure to Appear In Court*, Alan J. Tomkins, et al, University of Nebraska Public Policy Center, 2010, page 2.

ⁱⁱⁱ *Smart Justice Spokane Court Notification*, compiled by Mary Lou Johnson, Attorney, and Julie Schaffer, Attorney for Center for Justice, Smart Justice Campaign, available at smartjusticespokane.org

^{iv} Principle 3: Clients are screened for eligibility and defense counsel is assigned and notified of appointment, as soon as feasible after clients' arrest, detention or request for counsel.

^v "Holistic Defense is an innovative, client-centered and interdisciplinary model of public defense that... yields better outcomes in court, and, in helping to stabilize clients' lives, better life outcomes for clients"; see https://www.bja.gov/Funding/HolisticDefensePR_03-13.pdf

^{vi} Justice reinvestment is a data-driven approach to improve public safety, reduce corrections and related criminal justice spending, and reinvest savings in strategies that can decrease crime and reduce recidivism; see <http://csgjusticecenter.org/jc/category/jr/>

^{vii} See http://cops.usdoj.gov/html/dispatch/09-2013/fairness_as_a_crime_prevention_tool.asp

^{viii} *Contra Costa County: A Model for Managing Local Corrections*, James Austin, PhD, et al, JFA Institute, January 2014

FTA Reduction Project Proposal

Submitted to the Community Corrections Partnership by the Office of the Public Defender,
December 4, 2015

1. Request

The Office of the Public Defender is requesting funding for 1 FT Public Defender III and 1 FT Legal Assistant in order to launch an innovative and cost-saving Failure to Appear (“FTA”) Reduction Project.

2. Background and Context

The majority of cases that fill the criminal courts in Contra Costa County are low-level, misdemeanor offenses. In the wake of Proposition 47’s passage, misdemeanor filings have increased substantially in Contra Costa County. Currently the Richmond Superior Court schedules between 65-90 misdemeanor arraignments per week. Twenty to thirty percent of the defendants do not show up for their arraignment dates and bench warrants are issued.

Courts, law enforcement the Public Defender and District Attorney’s offices bear direct costs because of these FTAs. Warrants must be generated and processed by the courts and law enforcement must then use personnel to act on these warrants to look for and arrest these individuals. Once they are arrested, individuals are booked into jail and held usually for more than a day before being brought to court for a warrant hearing. These FTAs have a cost not only to our justice system but also to the arrested individuals, their families and our communities because of the collateral effects of short-term incarceration on areas like jobs, housing and school.

The FTA Reduction Project would address these costly FTAs by implementing measures to reduce the number of FTAs for indigent persons in our Superior Court in Richmond. This Project is designed to provide immediate representation for persons cited for misdemeanor offenses in order to reduce incarceration and other collateral consequences, such as warrants, arrests, and time spent in-custody, for cite-released persons in Richmond.

3. Project Design

- The Project will be a partnership between the Public Defender, the Richmond Police Department, and the West County Reentry Success Center
- The Project will be housed in Richmond at the newly-opened community-based Reentry Success Center
- The Project will assure that, at the time of citation, the officer making an arrest will provide printed information, in English and Spanish, advising individuals of the availability of immediate legal representation and providing contact information for the Public Defender’s Office
- The Project staff will provide pre-arraignment legal advice and representation and will:
 - o Assist clients with developing a Court Appearance Plan
 - o Track the progress of a client’s criminal process
 - o Consistently and effectively notify the client of future court dates
 - o Advocate with the District Attorney’s office for pre-filing disposition options
 - o Conduct investigation and other case preparation
 - o Keep the client informed of all aspects of the judicial process

- This early legal representation will be provided at the Reentry Success Center in Richmond alongside multiple co-located social services such as drug and alcohol services, mental health care, public benefits, family support and reunification services, probation services, and peer mentoring
- These co-located services will support client success both during and after the judicial process

4. Outcomes

- The FTA Reduction Project will:
 - o Reduce the number of FTAs for indigent persons cite-released on misdemeanor offenses in Richmond
 - o Reduce the number of arrest warrants issued for indigent persons due to FTAs at arraignment
 - o Reduce the burdens imposed by FTAs on justice system partners
 - o Eliminate or mitigate the collateral consequences of custodial arrests
 - o Improve outcomes for indigent persons charged with misdemeanor offenses by providing early case evaluation, case investigation, and intervention with the District Attorney's Office prior to first court appearance
 - o If successful, provide a model for FTA reduction County-wide

5. Budget (7/1/16-6/30/17)

Employee Classification	Salary and Benefits
1 FT Deputy Public Defender Special Assignment Classification	\$73,839
1 FT Legal Assistant	\$77,241
	\$151,080 Total

EAST COUNTY EARLY REPRESENTATION AB109 QUARTERLY REPORT
(OCTOBER - DECEMBER 2016)

1. SUMMARY OF QUARTERLY ACTIVITIES AND PROGRESS

Early Representation has successfully continued to contact hundreds of individuals facing misdemeanor charges from incidents with the Antioch Police Dept. We are regularly contacted by people who receive the Early Representation program's green information cards at the courthouse or a letter we've written them. We've also been able to reach out to people using the phone numbers they've provided to the police on their citations, and other contact information they may have provided the court in an earlier criminal matter. We've worked with 550 individuals so far.

We've also continued to identify systemic issues causing people to FTA, such as incorrect addresses obtained by the police or kept on record by the court, and the delay between the date of the incident and the date in which charges are filed.

We've also continued to work closely with Uptrust, the text message reminder service, and by gathering information from participants, we have revised text language and the service's overall functionality based on our own needs and those of our clients.

2. PERFORMANCE MEASUREMENTS AND DEMOGRAPHIC DATA

Prior to the Early Representation program, the FTA rate was 57% in misdemeanor cases coming from the Antioch Police Dept. Our latest statistics have brought that number down to 33% (58 bench warrants issued out of 178 total people on calendar for their first court appearance). As was explained in last quarter's report, this statistic does not accurately measure the Early Representation program's success because none of the program's "true" participants, i.e. those who we've contacted soon after the incident occurs due to the citations we receive from the police, have had charges filed against them. As such, the FTA statistic above reflects only those people that have had their first court appearance within the quarter, and for whom we did not receive a citation and only had one to three days to contact them in advance of their first court date. We are hopeful that as the program continues and the cited individuals do eventually have charges filed on them, we will be able to reduce the FTA rate even more significantly.

We have also prevented 19 "bench warrant arrests," which means we were able to contact a defendant with a bench warrant, inform them of such warrant, instruct them to come to court to recall the warrant, and appear with them in court to do so. In these cases, we were not able to prevent the FTA, but we still saved the police and the county money by preventing an unnecessary arrest and booking on an FTA bench warrant. If the person voluntarily comes to court to recall the warrant, they are far more likely to be able to fight their case outside of custody. This is obviously of tremendous benefit to the defendants themselves.

As a side note, the fact that these situations are so common continues to support our theory that a large part of FTAs can be attributed to the individual's ignorance of the warrant and not an intentional attempt to avoid the criminal justice system.

We have received citations for more than 250 people cited by the Antioch Police. In 100% of these cases, criminal charges have not yet been filed, necessarily meaning that

charges are also not filed in time for the date written on the police citation itself. Our early contact with these individuals includes instructing them to come to court on the date written on their citation anyway to obtain a document from the court clerk that says they came to court on the day they were supposed to and no charges were filed yet. This can be helpful for their criminal cases in the future. Though not everyone wants to, or is capable of, coming to court for this reason, 36% of cited individuals have done so and brought us a copy of such document, and at this time most individuals take the opportunity to sit down face-to-face with the Early Representation attorney to speak about the incident more in depth and receive information and advice.

Additionally, we are conducting a more in-depth analysis of demographic tendencies of FTAing, including its relation to the type of charge(s) filed, the delay between the incident and the filing date, and the defendant's race, gender, and age.

3. ISSUES, CHALLENGES, ACHIEVEMENTS

Issues include the charge filing delays described above. We are also continuing to find challenges in contacting transient people and people with drug addiction, who often have no contact information whatsoever. Finally, we are identifying issues with the green cards that advertise the Early Representation program (distributed by the police and the court) and are working toward revisions of its text and format to increase the cards' success in motivating cited and charges individuals to contact us for help.

Anecdotal Achievements:

- We've continued to refer many participants to various types of programs and meetings that are relevant to their criminal matter(s) and/ their general benefit (e.g. substance abuse programs and meetings, anger management, couples counseling, theft awareness classes, parenting classes). We've created pamphlets that are user-friendly, i.e. they sort programs by those that accept Medi-Cal, those conducted in Spanish, those closest to the participant's home, etc.
- We received a citation for an individual and noticed that he was in custody--as such, we were able to monitor if he was being held in custody for an inappropriate amount of time, i.e. more than 72 hours when charges have not been filed. In this instance, we found that this individual was being held in jail without charges because the jail informed us they were doing a courtesy hold for another county in which the individual had criminal matters pending or an existing warrant out. While this was not an inappropriate hold, it is unique to Early Representation to have an individual on our radar months before they appear in court for the first time in Contra Costa.
- One person who received a citation for Reckless Driving was very grateful to be working with a Public Defender so soon after the event and he decided to provide us with many pictures virtually proving his innocence or in the alternative, making a good case for an illegal police stop. He also brought us a signed statement with his version of the events. This is not uncommon in the Early Representation program, and it reduces the initial investigation needs when the criminal case is filed or at least immediately points the

permanent attorney in the right direction regarding where to take the individual's defense.

- We have continued to inform people cited for driving offenses like Driving on a Suspended License, Driving Without a License, and Reckless Driving that these offenses can or will be charged as misdemeanor crimes, not traffic tickets. We inform these people that they (or better, *we*) will be checking with the *criminal* court to see if and when charges are filed and when they must come to court. A common misconception is that these offenses will be dealt with in traffic court, so when the individual first comes to court and is informed by the traffic court clerk that they are not in the system, the matter has not concluded.
- In at least two circumstances this quarter, we contact the defendants' relatives and discovered that they were in inpatient substance abuse treatment programs for several months. As a result, we were able to appear on their behalves and push arraignments out several months until the individuals complete and are released from their programs. In one of these cases, we were able to speak with the program and they confirmed the defendant was there until a given date.
- We frequently answered several questions about a common source of confusion: after getting a DUI, the DMV revokes the person's license. The process to get one's license back with the DMV is *entirely separate* from the criminal DUI charge that often comes much later, but both processes often require the same type of DUI class. Individuals sometimes assume that since they've gone through the DMV procedure, the matter is over and there is nothing criminal pending.
- We appeared in court on behalf of several people when we noticed that the defendant's address on file with the court was incorrect, e.g. it was an apartment building but the address was missing a unit number, the zip code was wrong, etc. Without speaking to the defendant (who we could not contact because we too do not have their correct address), we appeared to prevent the court from issuing a bench warrant because of its own error in having a faulty address. When this happens, the court sets the arraignment back several weeks and then tries to find the right address and send a new letter to appear to that person.
- When people receive a citation for Domestic Violence, Child Abuse, or a related incident, the person often loses custody of their child/children to the other parent, or both parents lose custody to Child Protective Services. We dealt with many people in this circumstance and answered questions about how these custodial processes work alongside pending criminal charges.
 - Side note: this is one of many examples in which the charge-filing delays severely negatively impact people--for example, a person could lose custody of their children just due to such an arrest, and they won't have the chance to fight their case, including possibly proving their innocence, until more than one year later! Meanwhile, their children are taken from them, possibly indefinitely.
- We had been in regular contact with the mother an existing Public Defender client for whom the Early Representation attorney had appeared to hold several warrants based on the client's institutionalization in several psychiatric hospitals. Recently, the client's mother called the attorney because someone had tried to serve her son with court

papers. We were able to explain that this means there is a civil lawsuit pending, we looked up the lawsuit on the county court website, and saw that he was being sued by a large debt collector. We referred the mother to Bay Area Legal Aid's consumer law unit, which advises and represents people in this exact circumstance free of cost. The client's mother felt comfortable reaching out to the Early Representation attorney with a non-criminal legal question because of the trusting relationship she had built over several months.

- After contacting a woman who had received a citation, she explained that she was currently applying to be a real estate agent and needed advice on how to answer some of the application questions pertaining to her criminal record and status. The woman had no prior criminal record and no charges had yet been filed on the citation incident. One of the application questions asked if she "had any criminal charges pending," and after reviewing the application's wording with colleagues, we concluded that she could answer that question honestly with a "no," and advised that she update her application with the real estate board if and when charges were filed (which we would inform her of).
- In a few circumstances, we contacted a person in regard to their upcoming arraignment for a new misdemeanor charge and noticed that a bench warrant had been issued because the new charge constituted a violation of their preexisting felony probation. After consulting with our felony probation violation attorney, we instructed those people to first go to the Martinez court to have those felony warrants recalled there, because if they had come to the Pittsburg court first for the misdemeanor arraignment, the court would have possibly remanded them into custody and transported them to the Martinez court (several days later) to answer for the felony matter. By going to the Martinez court initially, the defendants at least had the chance for the felony probation attorney to argue against their remand.
- In a large amount of cases, the cited individual is incapable of receiving and/or understanding information about their criminal matters because they are transient, suffer from severe mental health illnesses, or both. Through Early Representation, we have been able to get in contact with the person's relatives, with whom we can explain the situation, offer our services, and have a reliable person to contact when charges are filed and the person does get a court date.
- A man that we contacted after he was cited mentioned that he was getting evicted currently, so we referred him to Bay Area Legal Aid's housing unit for help.
- We contacted one woman after she was cited for Child Abuse, and she told us that she was severely depressed and considering suicide. We referred her to several suicide prevention programs, hotlines, and other resources. But for Early Representation, we would not have been in contact with her for perhaps another year later when charges were filed, which may have been too late.
- We have explained the rules and significance of restraining orders to numerous people. Most people don't understand that even one text message is a restraining order violation and can result in an entirely new misdemeanor charge. They also don't understand that they can be charged with such a violation even when the protected party is affirmatively reaching out to them. We advise these people to comply strictly with their restraining

orders and if the protected party attempts contact, to save all evidence of this (phone records, email records, social media records, etc.).

- It is very common that when a person comes to their arraignment for a DUI, Driving on a Suspended License, or other driving-related crime, the person is at risk for being put on an ankle monitor or having their car keys confiscated by the court. As a result of the Early Representation program's unique opportunity to speak to people *before* their arraignment, we can and do advise people to attend AA or similar meetings and substance abuse programs, bring proof of such programs to court, and leave their car keys at home and get a ride to court from someone else. This has prevented several people from being put on an ankle monitor and/or having their keys taken many times.
- When an individual is on probation or is completing a diversion program for a previous case and we receive a new citation for that person, we can advise the person on how the cited incident might impact or violate their probation or diversion terms and advise them on how to prepare for that.

4. OUTCOMES AND LESSONS LEARNED

See above?

5. COORDINATION AND COLLABORATION WITH NETWORK PARTNERS

We presented on the nature of the Early Representation program and its successes to the Reentry Center in Richmond as well as the non-profit organization Rubicon and brainstormed ways in which these organizations can work together with the Public Defender's Office to better use our Early Representation services. For example, Rubicon agreed to receive a list of people who have bench warrants out or who have been cited by the police, and who we have been unable to contact--if any of these people are Rubicon participants, Rubicon will let them know about the warrant and the Early Representation program and pass along our contact information. We also learned about Rubicon's services and how to refer Early Representation participants to their organization based on specific needs.

6. DISSEMINATION, OUTREACH

See 5. above.

8. NEXT STEPS

Early Representation received a federal grant to implement the program in West County with the Richmond Police Department. The West County program officially begins in February 2017.

The East County Early Representation program plans to expand to at least one or two more police agencies in the area in the coming months. A new Public Defender attorney will be taking over the East County program as the current attorney will be transferred to the Public Defender's Richmond office to work on the new West County program.

Fact Sheet:

Smart Defense Sites Advance Equal Justice Innovation

The Smart Defense Initiative is part of the U.S. Department of Justice, Bureau of Justice Assistance (BJA) **Smart Suite** of criminal justice programs, which support criminal justice professionals in building evidence-based, data-driven criminal justice strategies that combine the expertise of researchers and practitioners for maximum, sustained, and measurable impact.

Each of the six Smart Defense sites pairs practitioners with researchers to implement and test innovative strategies for creating fairer and more effective indigent defense systems, in line with the American Bar Association's *Ten Principles of a Public Defense Delivery System*.

The goal of the project is to develop evidence-based approaches to help ensure that no person faces the loss of liberty without first having the aid of a lawyer with the time, ability, and resources to present an effective defense. Most sites are now reporting their preliminary findings.



Alameda County, California

Piloting public defender representation at arraignment.

Program Agency: Alameda County Public Defender Office

Research Partner: Impact Justice

Prior to receiving its grant, Alameda was the only one among California's larger counties unable to provide counsel at a client's first court appearance – arraignment – where pre-trial release decisions are made that can have profound immediate and long-term consequences for the client.

With the grant, the Alameda County Public Defender Office (ACPDO) hired three attorneys to provide representation at arraignment on a pilot basis. The assigned assistant public defenders are collecting data, including demographic information, charges and arraignment outcome. Through preliminary data review, Impact Justice is finding that the intervention has resulted in better case outcomes and less time in custody for represented clients.

ACPDO is also developing communication materials to support its counsel at first appearance project in conjunction with Silicon De-Bug and the Albert Cobarrubias Justice Project. The template for an informational pamphlet called “The First 24” (i.e., hours after arrest) is completed but not yet launched.

Contra Costa County, California

Partnering with police to improve misdemeanor citation and release.

Program Agency: Contra Costa County Office of the Public Defender

Research Partner: Justice Management Institute

The Contra Costa County Smart Defense project is designed to reduce issuance of failure to appear (FTA) warrants in misdemeanor cases where a citation is issued in lieu of arrest. The Contra Costa Office of the Public Defender (OPD), working in conjunction with the Richmond Police Department, developed an information card that police officers provide to individuals at the point of citation. The multilingual card provides contact information for the OPD so that cited individuals can consult with an attorney prior to their initial court date. Truly a system-wide intervention, OPD staff have trained Richmond Police Department officers about the process, and worked with the District Attorney and Court Clerk to obtain police reports and early discovery to better serve clients.

OPD’s recently launched Smart Defense program offers public defender advice and consultation to individuals well in advance of their initial court dates. An experienced public defender and a legal assistant began working with cited individuals in early February 2017. OPD staff are based at a community Re-Entry Success Center, which offers one-stop linkages to other referral services housed at the Center. And with timely receipt of police reports and discovery, the Misdemeanor Early Representation Project better prepares OPD attorneys to ensure clients will appear on their initial court dates.

The project’s research partner, the Justice Management Institute (JMI), is examining the Contra Costa County court data system to understand its structure to determine how to best reduce manual data entry and code entries to avoid data analysis problems. JMI is also working with OPD to develop performance measures for the project.

Kentucky

Supervising and supporting contract attorneys handling conflict of interest cases.

Program Agency: Kentucky Department of Public Advocacy

Research Partner: University of Louisville Department of Justice Administration

The Kentucky Department of Public Advocacy (DPA) is responsible for providing representation to indigent criminal clients in all parts of the Commonwealth outside Louisville-Jefferson County, and operates public defender offices across the state. In cases presenting a conflict of interest to staff public defenders, representation is provided by private counsel who are on contract with DPA. DPA identified

areas in the present conflict counsel system which do not comply with two of the ABA's Ten Principles that it seeks to address. Interventions include additional support services provided to conflict counsel working in one region (the "target zone") and specialized training offered to all conflict counsel in the state.

The University of Louisville has conducted and analyzed a self-assessment survey sent to all of DPA's conflict attorneys in the target region, as well as a pre-training survey administered to attorneys who attended a special training in May 2016. This data allows the DPA, for the first time, to look at actual hours spent by conflict attorneys on various types of cases, which had previously been unknown due to the structure of the DPA contract system. Also, through the analysis, DPA has been able to identify areas where conflict attorneys are demonstrating proficiencies as well as areas that could be strengthened. For instance, future training topics will address the use of investigators and pre-trial motion practice.

It is expected that results of the Smart Defense project will provide DPA leadership with information to seek funding for a permanent support structure for its contracted, conflict of interest attorneys.

New York City, New York

Developing performance indicators for assigned counsel and a data system to track their representation.

Program Agency: New York City Mayor's Office for Criminal Justice

Research Partner: Center for Court Innovation

Most indigent defense representation in New York City is provided by several independent, non-profit organizations, or "institutional providers," including the oldest and largest, the New York Legal Aid Society. Case volume is high; for instance, there were more than 365,000 arraignments in 2013, of which 95% involved clients who are indigent. While most are represented by institutional providers, in conflict of interest cases, private attorneys from New York City's Assigned Counsel Plan (ACP) are appointed.

Through this grant, the Center for Court Innovation has completed a detailed needs assessment of the ACP. The assessment presents findings and recommendations across 15 areas, including: governance, administration, the ACP attorney panels, technology and the vouchering system. Notably, it presents a single, coherent picture of the ACP governance structure, which had previously been murky to almost all involved with the ACP. The needs assessment will play a guiding role for the Mayor's Office for Criminal Justice's plans and actions to reform the ACP system, through the end of the Smart Defense grant period and beyond.

The Mayor's Office for Criminal Justice and the city's Department of Finance (DoF) have presented a proposed budget to the Mayor's Office of Management and Budget (OMB) to rebuild the ACP's IT vouchering system and provide for collection of attorney performance indicator data. The budget proposal also includes a request for additional staff to aid the two current ACP supervisors.

Texas

Reporting the state of indigent defense in 254 Texas counties through a new web portal.

Program Agency: Texas Indigent Defense Commission

Research Partner: Texas A&M University Public Policy Research Institute

The funding, delivery and oversight of indigent defense services in Texas is primarily a county responsibility. Indigent defense practices vary widely throughout the state's 254 counties, making it difficult to easily access data about individual programs or to compare systems across counties.

Through the grant, Texas seeks to expand the reporting and public accessibility of county-level indigent defense data from all 254 counties through the creation of an indigent defense portal. Initially, five large pilot counties will contribute data to the portal for system testing and review.

When complete, the portal will provide detailed and easy to navigate information on indigent defense systems in all of Texas' counties for use by multiple audiences, including the Texas Indigent Defense Commission (TIDC), the public, courts, elected officials, funders, bar associations, and the advocate community. The project builds upon the current TIDC web portal to create the Texas A.C.T. Smart Web Portal, which will be a highly accessible communication system informing jurisdictions of their performance on multiple quality indicators, and keeping policymakers apprised of "the state of indigent defense" in Texas. It will serve as a resource to help counties learn how to elevate their current performance and to understand why it is important to do so.

Wisconsin

Integrating court data with public defender system data for more robust analytic capacity.

Program Agency: The Wisconsin State Public Defender

Research Partner: University of Wisconsin Population Health Institute

Though the Wisconsin State Public Defender's current case management system is relatively robust, it is not integrated with that of the state court system, the Consolidated Court Automation Program (CCAP). Integration between these systems will build significant capacity for SPD within two ABA Principles: controlling attorney workload and systematic supervision and review of defense counsel for quality and efficiency.

Through the grant, the Reporting, Analysis and Mining Project (RAMP), the Wisconsin State Public Defender (SPD) will vastly enhance its existing CMS with improved and expanded data collection and then use that data to assist in oversight and monitoring of services provided by public defenders and assigned counsel throughout the state. Automatic data feeds from CCAP will be integrated into the SPD's CMS and new performance indicators will produce richer reports about system

performance. RAMP will further the ability of the SPD to use data to analyze indigent defense and tie its funding requests to rigorous system performance.

Reports produced by RAMP allow managers to compare work performed by OPD staff attorneys with work performed by conflict counsel, enable OPD to track the number of withdrawals by counsel, and allow OPD to review attorney trial history, including the number of bench and jury trials, case type, and what the dispositions were. These reports, along with other data from the RAMP system, will be used by managers in annual staff attorney evaluations. Additionally, one of the newly created RAMP functions will allow staff attorneys to see the historical outcomes for a given type of case, in a given county, for a given judge.

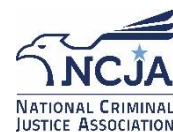
When completed, RAMP will use data to facilitate evidence-based decision-making around key performance indicators, to develop strategies for assisting with quality representation, and to respond to external requests for info. RAMP will identify critical data needs and analysis to inform the SPD's biennial budget process and to assist SPD in responding to requests for information from internal and external stakeholders.

The National Legal Aid & Defender Association is the national training and technical assistance provider for the Smart Defense Initiative. Founded in 1911, NLADA is America's oldest and largest non-profit association devoted to ensuring excellence in the delivery of legal services to those who cannot afford counsel. For over 100 years, NLADA has pioneered access to justice at the national, state and local level.



Contact: Marea L. Beeman, Director, Defender Research Initiatives, NLADA, m.beeman@nlada.org

NLADA partners with the National Criminal Justice Association (NCJA) to provide training and technical assistance to the Smart Defense sites. NCJA represents state, tribal and local governments on criminal and juvenile justice issues, and provides its expertise on strategic planning, evidence-based practices, and justice information sharing.



Contact: Jack Cutrone, Senior Policy Advisor, NCJA, jcutrone@ncja.org



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Early Representation Program West County Proposal

Submitted to the Community Corrections Partnership by the Office of the Public Defender
October 19, 2018

1. Request

The Office of the Public Defender (CCPD) is requesting funding for 1 FT Special Assignment Attorney and 1 FT Legal Assistant to continue our existing innovative and cost-saving Early Representation program (EarlyRep) in West County. This program began as a partnership with the Richmond Police Department in February 2017 and has been funded by a U.S. Department of Justice grant, which will lapse in March 2019.

2. Background and Context

EarlyRep is a pilot program, which due its success has now been expanded to all three regions of the county. Each site partners with law enforcement agencies in the region and employs one attorney and one Legal Assistant. EarlyRep's purpose is to alleviate the burdens felt by all criminal justice partners caused by high failure to appear (FTA) rates in misdemeanor cases, which are often the result of a simple lack of understanding of the court process and timing delays between the incident and arraignment. The program gives individuals access to an attorney from the time of police contact to help them navigate the criminal justice process and ensure that they make their court dates.

Prior to EarlyRep, more than 50% of those with a misdemeanor case in Contra Costa FTA'ed at their court dates. FTAs are costly and burdensome for all criminal justice partners. When an individual misses court, an arrest warrant is issued. As a result, courts expend resources processing warrants, and police agencies expend resources in finding and arresting individuals and booking them into jail, where they may remain for several days before seeing a judge. Many of these cases involve low-level misdemeanor charges that would not normally involve jail time, absent an FTA. The costs of arrest and incarceration also carry a host of collateral consequences that can be devastating to arrestees and their families. Reducing FTAs also helps police agencies by shortening the duration of a criminal case so that officers are less likely to have to testify many years after an incident occurred.

EarlyRep has proven that the FTA problem can be improved substantially by giving individuals who are accused of misdemeanor offenses information about their court dates and access to due process resources. As shown below, the effectiveness of the EarlyRep program is dramatic:

County Region	Law Enforcement Agency	Launch Date	No. of Participants	FTA Rate Reduction
East	Antioch Police & Calif. Hwy. Patrol	July 2016	2,424	57% to 17%
West	Richmond Police & Calif. Hwy. Patrol	Feb. 2017	1,272	52% to 20%
Central	Calif. Hwy. Patrol & others pending	Sept. 2018	TBD	TBD

This program has garnered statewide and national attention, including the award of a Smart Defense grant from the US DOJ. The EarlyRep team has presented about the program at various conferences around the country, including the Right to Counsel Conference at the US DOJ, the American Society of Criminology, and the Judicial Council of California. The program has attracted media attention from the East Bay Times, the American Bar Association Journal, KQED Radio, and others.

3. Program Design and Outcomes

The West County EarlyRep Program is a partnership between CCPD and the Richmond Police Department. After police contact for a misdemeanor incident, EarlyRep staff immediately attempt to reach individuals to offer assistance using request for prosecution forms provided by RPD. Officers also distribute an information card with the EarlyRep phone number to each individual following the incident. The court clerks' office and partnerships with community-based organizations provide additional outreach. Utilizing innovative technology by Uptrust, individuals can text message the program for help, and multilingual automated reminder texts are sent in advance of their court dates.

The EarlyRep team provides various levels of assistance to participants, including:

- Explaining the criminal justice process and case filing timelines;
- Practicing early intervention by connecting clients with social services and community resources;
- Consulting on the specific offense, potential case resolutions, and probation or diversion terms;
- Negotiating with the District Attorney's Office prior to charges being filed;
- Preparing individuals for their first court appearance; and
- Appearing at arraignment court dates with participants.

In Richmond, the EarlyRep program has been especially successful at resolving cases pre-filing. The EarlyRep attorney meets regularly with the District Attorney's office to discuss individual cases. These "pre-filing" conferences have proven very successful at reducing unnecessary filings in some cases and achieving early resolutions at arraignment in others.

The East and West County EarlyRep programs have dramatically reduced FTA rates since inception. Identifying the trends and causes of FTAs encourages all justice partners to collaborate in identifying more efficient practices that avoid costly FTAs, streamline filing practices, and reduce unnecessary arrests and the resulting costs. The EarlyRep model engages all criminal justice system partners in establishing better practices and benefits all involved stakeholders.

4. Budget for FY 19/20

Employee Classification	Salary & Benefits
1 FT Deputy PD, Special Assignment Attorney	\$77,246
1 FT Legal Assistant	\$98,188
Total annual salary cost	\$175,434
*Salaries for April-June 2019	\$43,858

*This request is for one additional quarter of bridge funding as the US DOJ funding lapses in March of 2019, before the beginning of FY 19-20.

The Bureau of Justice Assistance

The Early Representation Program of the Contra Costa Public Defenders (CCPD), the public defender office serving the County of Contra Costa, California, was supported by Grant No. 2016-AJ-BX-0001 awarded by the Bureau of Justice Assistance (BJA). The award to CCPD was part of BJA's *Innovative Solutions in Public Defense* initiative. The Bureau of Justice Assistance is a component of the Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile and Delinquency Prevention, the Office for Victims of Crime, and the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering and Tracking. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice.



The Contra Costa Public Defenders

The Contra Costa Public Defenders (CCPD) is the primary indigent defense provider for individuals charged with criminal offenses and adjudicated in courts with jurisdiction over the County. It has a proven history of successful collaboration with criminal justice partners and with community-based organizations. With California's great experiment in criminal justice reform launched in 2011, CCPD has emerged as a leader in innovative and strategic collaborations among government and non-government agencies to effect positive change.

Driven by the fundamental belief that justice can only be served when the most vulnerable are treated with the same attention, dignity, and respect as the most powerful, CCPD has and continues to provide vigorous, client-centered advocacy to indigent persons accused of crimes in Contra Costa County.



The Justice Management Institute

The program evaluation and this summative report of the Early Representation Program have been prepared for the Contra Costa Public Defenders by the Justice Management Institute (JMI). The evaluation including this report have been supported as part of the grant made to CCPD by the Bureau of Justice Assistance, Grant No. 2016-AJ-BX-0001. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice.

Since 1992, the Justice Management Institute (JMI) has provided cutting edge research, education and training programs, and technical assistance in justice policy, planning, and operations. JMI is known for innovative approaches and solutions for advancing knowledge and practice in the administration of justice. It works collaboratively with justice professionals to shape systems that are responsive, outcome-driven, fairer, more equitable, and more efficient. JMI's work focuses on "doing the right thing" as well as how "to do things right."

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EXECUTIVE SUMMARY

Nationally, one out of every four criminal defendants misses mandatory court appointments, which include their arraignments or first appearances (Crozier, 2000; Schnacke, Jones, & Wilderman, 2012; Siddiqi, 1999; Tomkins & et al., 2012). From the beginning of a criminal case, judges and judicial officers, sometimes informed by prosecutors and defense lawyers, take preventive steps to reduce the likelihood that defendants will fail to appear (FTA). Bail or bond is set to establish a financial incentive to come to court. Pretrial detention is another response. Pretrial supervision is yet another. These mechanisms focus on ensuring that defendants appear, and they are also used to protect the public from the risk of danger that a defendant presents in the estimation of the court.

If a defendant still does not appear, the typical criminal justice response strategy is to issue a bench warrant setting into motion local enforcement to locate, arrest, and bring to court the defendant when required. Underlying these aspects of the criminal justice system is an assumption that defendants are “fleeing” to avoid criminal prosecution and consequences. Justice systems use a variety of strategies to gauge “flight risk.”

The criminal justice system in Contra Costa County, California uses these same strategies. However, in 2015, the Contra Costa Public Defenders (CCPD) sought funding from the Bureau of Justice Assistance at the US Department of Justice to address a local practice that it believed resulted in many avoidable bench warrants and arrests. In Summer 2016, CCPD launched the Early Representation Program (ERP) in the City of Antioch. Shortly thereafter, in early 2017, it launched another ERP in the City of Richmond supported by federal grant dollars.

Stated briefly, the problem ERP sought to mitigate the unintended consequences faced by those individuals who received arrest citations¹ from the Richmond. Those consequences were not a response to the offense cited. They were the outcomes of a series of gaps in the criminal justice system to coordinate the multiple agencies involved and communicate effectively with each other and with those members of the public who received arrest citations.

The information people received when the Richmond Police Department (RPD) issued arrest citations for low-level misdemeanors was poor and misleading. Having an arrest citation did not

¹ The term “arrest citations” will be explained in further detail in the report, but, in short, in the City of Richmond, the police department issued citations after a custodial arrest. As Richmond ERP was being launched, the Contra Costa Public Defender Office learned that the practice of issuing citations in the City of Richmond was quite different than what it had experienced in the City of Antioch where CCPD started the first ERP. The Richmond Police Department rarely involved the issuance of a ticket and release of an individual. Unlike other jurisdictions across the county, common practice was to conduct a custodial arrest for low level misdemeanors, after which a citation would be issued. In some cases, release papers from the city or county jail provided the cited individuals with the next court date. Regardless, there were the same issues of incorrect court dates and high incidence of decisions not to charge the individuals.

mean that the person would be criminally charged. The date to appear was incorrect. Many of these individuals spent months not knowing what came of the arrest citation. Some were charged with a criminal offense, but that criminal case might be filed at any point during the following months or year, at a time often unknown to these individuals. Notices explaining that charges had been filed did reach some of these individuals, but many did not receive these letters, because the justice system had incorrect contact information. In the confusion, those who were charged, often did not appear at the arraignment date scheduled for their cases. The consequences for not appearing to their arraignments: a bench warrant and an arrest that landed them in jail.

The ERP model was simple, even if time intensive, and presented challenges to implement:

- (1) Find cited individuals quickly;
- (2) Inform them of the status of their "case," including whether it was filed as a formal criminal case;
- (3) Identify and address negative consequences that may have resulted from criminal justice involvement;
- (4) Provide necessary supports to ensure they appeared in court on time; and
- (5) Represent them at arraignment.

ERP dedicated resources to communicating with individuals who received arrest citations for low-level misdemeanor offenses and keeping them informed of their responsibilities to the court – closing a point of failure in the criminal justice system.

Despite many challenges and limitations with the data available for analysis, reasonable estimates of the effects could be made, and they are remarkable on program and policy levels.

- Every defendant who was part of ERP was subject to significant efforts to contact them. The rate at which these ERP defendants were issued bench warrants was about half of the baseline rate.
- Defendants who were successfully contacted were issued bench warrants only 10 percent of the time – nearly 75 percent below the baseline.
- As many as 25 percent of clients received legal assistance outside of traditional public defense relating to collateral consequences. Richmond ERP provided these services before the arraignment of its clients' criminal cases.

These results are notable on their own, but what elevates them to remarkable is what they reveal about the criminal justice system in Contra Costa County and, more accurately, of systems throughout the nation. ERP demonstrated in only its first two years of implementation that a large portion of those individuals missing arraignment for these low level charges were doing so not because they were avoiding prosecution but because of lack of communication and reasonable

obstacles such as not being to leave work or not having transportation to reach court. The court's response to defendants "fleeing" was penalizing many individuals who were doing anything but.

Furthermore, ERP demonstrated that excess or unnecessary bench warrant arrests have destabilizing consequences for these defendants, which according to the research, likely threatens public safety more broadly.

Although further and more rigorous evaluation is needed, the Justice Management Institute's (JMI) analysis found that the ERP intervention did have a pronounced downward effect on the rate at which bench warrants are issued, and therefore the number of arrests. However, JMI also finds that the program evaluation results provide a platform for re-examination of practices to communicate with the public and defendants, to reduce failure to appear, and to respond to nonappearance in ways that are consistent with the circumstances of the defendant and the state of knowledge about what enhances and compromises public safety.

POLICE DEPARTMENT
OFFICE OF THE CHIEF OF POLICE



April 15, 2015

U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Assistance
Smart Defense Initiative

Re: Letter of Commitment in Support of the Contra Costa County Public Defender's Office Grant Proposal for *Smart Defense Initiative Answering Gideon's Call: Improving Public Defense Delivery Systems*

Dear Selection Committee:

The Richmond Police Department serves a diverse community of approximately 111,000 residents. Over the past several years, our police department has enacted a series of reforms to better connect the police with the community. As a result, Richmond has gone from a city that has historically struggled with significant poverty and high crime rates, to one boasting the lowest homicide rate in 33 years during 2014. At a time when the nation is struggling with police shootings, the use of deadly force is notably minimal in Richmond, as RPD has implemented a variety of programs focused on good decision-making under stress, de-escalation of critical incidents, engaging with the mentally ill, and building trust between police and community residents.

RPD has also welcomed partnerships with the community and other stakeholders in the criminal justice system with the goals of pursuing public safety, crime reduction, and strengthening our neighborhood problem-solving efforts. We believe the Early Representation Program (ERP) is an example of the kind of partnership that could be very beneficial to our residents.

The Early Representation Project proposed by the Contra Costa County's Public Defender's Office aligns well with our efforts to keep Richmond safe and to ensure that criminal justice resources are expended wisely. At the current time, misdemeanor arrests make up about half of the total number of arrests in the City of Richmond. By and large, those arrested for misdemeanor offenses are "cite-released"; these persons are not taken into jail custody. Prior to being released, suspects are given a citation with a notice to appear date in court. Often times, because of court calendars and the timing of the filing of complaints, arrestees do not appear at their first arraignment date; therefore warrants are issued by the court. Our department must use our personnel and other scarce resources to follow up on these warrants and make arrests for individuals who will likely be released shortly thereafter.

If the ERP is funded, the Richmond Police Department will provide information in both Spanish and English about this program to those released with misdemeanor citations. This follows principles of procedural justice in explaining the criminal justice process, as well as providing the contact information for the ERP. Close to 40% of Richmond's population are Hispanic. Many arrestees are solely Spanish-

speaking. We hope that by providing information about the Public Defender's office at the very early stage of arrest, this will decrease the number of Failures To Appear (FTA) in court, and as a result, the number of bench warrants.

We hope that you will strongly consider the proposal submitted by the Public Defender's Office. The Richmond Police Department is in full support of this effort to provide early access to counsel for arrestees.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Magnus". The signature is fluid and cursive, with a large initial "C" and a long, sweeping underline.

Chris Magnus
Chief of Police

Superior Court of California
COUNTY OF CONTRA COSTA
100 - 37th STREET
RICHMOND, CA 94805-2135



U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Assistance
Smart Defense Initiative

Re: Letter of Commitment in Support of the Contra Costa County Public Defender's Office Grant Proposal for *Smart Defense Initiative Answering Gideon's Call: Improving Public Defense Delivery Systems*

To the Selection Committee:

I am the presiding judge of the Richmond branch of Contra Costa County Superior Courts. The branch court is responsible for the administration of criminal, domestic, traffic, small claims and unlawful detainer cases. Our criminal docket consists of misdemeanor and traffic cases and felony cases in their preliminary stages.

Our arraignment court hears between 65-90 misdemeanor cases during the course of a week. On a typical day, four to five of these cases will result in bench warrants because the defendants failed to appear. The cases return to the court in the form of in-custody warrant hearings or add-on matters to clear the warrants. These failures to appear result in additional court hearings, increasing the number of cases on the docket and congesting the in-custody lock-up area in the courthouse. The majority of the misdemeanor cases in West County consist of non-violent offenses, and many of them stem from vehicle code violations.

The Court is in support of the Public Defender's proposal for the Misdemeanor Early Representation Project (MERP). Providing arrestees with information about MERP at the time of arrest and giving them access to counsel in the months before the arraignment hearing will lower the number the failures to appear in court and streamline the processing of misdemeanor cases in the court system.

We hope that you will strongly consider the proposal submitted by the Public Defender's Office. Early intervention of counsel in misdemeanor cases will strengthen the implementation of justice in our courts.

Sincerely,

A handwritten signature in black ink that reads "Barbara Hinton". The signature is fluid and cursive, with a small mark above the 'n'.

Barbara Hinton
Contra Costa County Superior Court Judge
Richmond Branch



OFFICE OF THE DISTRICT ATTORNEY
CONTRA COSTA COUNTY

Mark A. Peterson
DISTRICT ATTORNEY

U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Assistance
Smart Defense Initiative

Re: Letter of Commitment in Support of the Contra Costa County Public Defender's
Office Grant Proposal for *Smart Defense Initiative Answering Gideon's Call:
Improving Public Defense Delivery Systems*

To the Selection Committee:

The Contra Costa County District Attorney's Office writes in support of the Public Defender's proposal for the Early Representation Project in West Contra Costa County.

The mission of the Contra Costa County District Attorney's Office is to seek justice and enhance public safety for all our residents by fairly, ethically, and efficiently prosecuting those who violate the law, and by working to prevent crime. Though we believe in deterrence and incarceration, our attorneys also consider public safety and rehabilitation when resolving cases.

In misdemeanor cases, our office has initiated several diversion programs for first-time and/or low-level offenders so that criminal prosecution can be avoided. The public defender's proposed project will assist in ensuring that eligible individuals access diversion programs prior to the arraignment hearing. Our office also supports the Early Representation Project's efforts to reduce the number of failures to appear at misdemeanor arraignments. The issuance and execution of misdemeanor warrants, as well as corresponding court hearings for those warrants, take up vital court resources and law enforcement efforts that could be focused on other public safety priorities. In addition, our office has begun to look at the issue of fines and fees for certain vehicle code violations, such as driving with a suspended license. ERP's partnership with a research organization will allow our county to assess the extent to which these types of cases occur; this assessment will be a foundation for future reform strategies.

If ERP is funded, our office will work with the Public Defender's Office in reaching resolution of cases when possible including diversion from the criminal justice system. This project will not only ensure that quality representation is provided for defendants. It will also ensure that the court process and the criminal justice system are fair and just for all parties.

Very truly yours,

Mark A. Peterson
District Attorney



WEST COUNTY REENTRY RESOURCE CENTER

April 17, 2015

U.S. Department of Justice, Office of Justice Programs
Bureau of Justice Assistance
Smart Defense Initiative

Letter of Commitment in Support of the Contra Costa County Public Defender's Office Grant Proposal
for Smart Defense Initiative Answering Gideon's Call: Improving Public Defense Delivery Systems

To the Selection Committee:

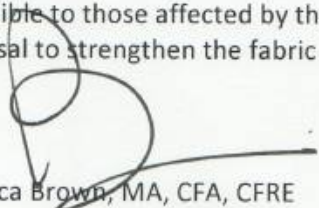
Contra Costa's innovative new West County Reentry Resource Center (the Center) is intended to serve as a central, site-based gathering place for learning, capacity-building, and ready access to reentry-related information and services for formerly incarcerated people and those preparing for release from incarceration. The Center's mission is to gather effective resources into one accessible and welcoming hub, fostering healing, justice, safety and lifelong liberty for the people of our County.

The Center will provide multiple on-site services, such as employment, public benefits, health, housing and legal services. The Early Representation Project (ERP) of the Contra Costa County Public Defender's Office will be a valuable component to the Center's vision of providing a single physical site offering an array of services for community members involved in the criminal justice system.

Misdemeanor cases have a huge impact on our community. Criminal arrests and convictions, even for minor offenses, are major obstacles to future employment, housing and many other collateral issues that affect the livelihood and well-being of individuals and families. The court process can be confusing. Many people miss court dates or have difficulty keeping track of the court process because of instability in their lives. Incarceration, even for short periods of time, can be severely disruptive. Early access to defense counsel can alleviate many of these problems and concerns. An onsite public defender will be able to provide needed legal counsel ranging from the simple task of reminding clients of court dates to working on cases with them to mitigate the effects of criminal justice involvement.

In addition to ERP's individual client services, ERP will provide workshops on court procedure and the legal system. The presence of the Public Defender's Office at the Center will also facilitate collaboration among different justice partners and community-based providers devoted to the Center's continuing efforts to restore lives and enhance both public safety and justice.

The ERP reflects the Center's core values: providing holistic representation in a manner most accessible to those affected by the criminal justice system. We hope that you will strongly consider this proposal to strengthen the fabric of the West Contra Costa County community.


Rebecca Brown, MA, CFA, CFRE
Chair of the Steering Committee, West County Reentry Resource Center

912 Macdonald Avenue, Richmond, CA 94801
V 510 243-0122 F 510 243-0132



CONTRA COSTA COUNTY OFFICE OF THE SHERIFF
DAVID O. LIVINGSTON
SHERIFF - CORONER

March 20, 2015

U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Assistance
Smart Defense Initiative

Re: Letter of Commitment in Support of the Contra Costa County Public Defender's Office Grant Proposal for *Smart Defense Initiative Answering Gideon's Call: Improving Public Defense Delivery Systems*

To the Selection Committee:

The Contra Costa County Sheriff's Office has served the citizens of Contra Costa County since 1850. Our mission is to protect the people in Contra Costa County with honor, courage, commitment, leadership and teamwork. We believe that the business of public safety is a partnership where citizens and deputy sheriffs must work closely together.

Our Custody Services Bureau (CSB) oversees the operation of three detention facilities. The inmate population in these facilities averages in excess of 1,500 people. CSB also oversees transportation of inmates and custody alternatives programs (ankle bracelet and work program in lieu of incarceration). We are also responsible for providing security for the Superior Courts.

The Sheriff's Office supports the Misdemeanor Early Representation Project proposed by the Public Defender's Office. Misdemeanor arrests and warrants take up valuable resources in our department. Our deputies are responsible for processing misdemeanor warrants into the detention facilities and transporting them to and from the courtroom. The proposal would help lower the number of misdemeanor warrants, thereby reducing the number of in-custody inmates that would need to be transported and processed through our detention facilities. Misdemeanor in-custody warrants make up a significant portion of the in-custody court calendar on any given day. If the number of in-custody inmates is high, the lock-up area can become overcrowded and slow down the calendar. Furthermore, the proposal could potentially reduce the amount of custody time for misdemeanors, which would lessen the number of low-risk inmates in our facilities. All of this would allow our deputies to expend these saved resources in other endeavors to protect public safety.

We hope that you will strongly consider the proposal submitted by the Public Defender's Office. The Sheriff's Office is in full support of this effort to provide early access of counsel and to reduce the number of failures to appear in misdemeanor cases.

Sincerely,

DAVID O. LIVINGSTON
Sheriff - Coroner

DOL:sl



M. Elaine Nugent-Borakove, President | Barry Mahoney, President Emeritus

April 22, 2015

Denise E. O'Donnell
Director
Bureau of Justice Assistance
810 7th Street NW
Washington, DC 20531

RE: Letter of Support – FY 2015 Smart Defense Initiative Answering Gideon's Call: Improving Public Defense Delivery Systems, Office of the Contra Costa Public Defender's Proposal for a Misdemeanor Early Representation Project

To Director O'Donnell:

I am writing on behalf of the Justice Management Institute (JMI) to express my support of the Office of the Contra Costa Public Defender Office's proposal to the Bureau of Justice Assistance (BJA) for the FY 2015 Smart Defense Initiative Answering Gideon's Call: Improving Public Defense Delivery Systems grant. The Contra Costa Public Defender proposes an innovative Misdemeanor Early Representation Project (MERP) that addresses a prevalent gap in criminal justice systems nationwide – zealous advocacy and representation of justice-involved individuals as soon as possible after arrest (and before first appearance). In many counties across the country, this period of time, especially when individuals are out-of-custody can span many months leaving arrestees without any advocate to ensure their rights are safeguarded and without anywhere to turn to ask questions, build their own case with counsel, or identify proactive ways to avoid deeper involvement in the court system.

MERP directly addresses this gap, embodying the spirit and letter of the Third Principle of the American Bar Association's definitive characterization of the fundamentals of a quality indigent defense system. That principle reads, "Clients are screened for eligibility, and defense counsel is assigned and notified of appointment, as soon as feasible after clients' arrest detention, or request for counsel." The Contra Costa Public Defender and indeed the Contra Costa criminal justice system represent excellent choices to develop and test this model as a systemic solution to a significant problem in their system – driving up to 50 percent of the misdemeanor arraignments handled by the court. The MERP holds incredible potential to have tangible cost and human resource benefits as it provides representation earlier, diverts cases out of the criminal justice system, and promotes greater dismissals at arraignment.

I am honored that the Contra Costa Public Defender Office has designated my organization as a research partner for the MERP. We are excited to work again in the area of indigent defense improvement as we have recently done in Florida (statewide case-weighting study), in Comal County, TX (ongoing evaluation of a client choice pilot), and Massachusetts (study of legislatively-mandated growth in public counsel representation by 150 percent). I am particularly enthusiastic about this project, because we have found time and again in our work that the most successful justice initiatives bring together system partners and stakeholders to meaningfully plan, monitor, and troubleshoot. The Office of the Contra Costa Public Defender has leveraged

its existing relationships and the local culture of collaboration to involve the local police department, the court, the District Attorney, the Sheriff, and the Reentry Resource Center, a key community-based partner, from the very inception of the MERP concept and model design.

JMI, a 501(c)(3) not-for-profit organization, was formed in 1993 to improve the administration of justice by working with courts, defenders, prosecutors, and other allied professionals to build justice systems that are fairer, more equitable, and more effective, both for the people involved in them and the broader public.

JMI is guided by three principles—**Think, Inspire, Change**. We *think* about emerging and pressing issues by conducting original research and evaluation designed to both understand the nature of the problems facing justice systems and practitioners as well as to test the effectiveness of various approaches to responding to these issues. We have conducted large-scale justice system assessments over the past decade that involve understanding the drivers of inefficiencies in the courts, prosecution, and defense in more than 12 jurisdictions in the past 3 years alone.

JMI *inspires* criminal justice practitioners and policymakers through our education and training programs. Our educational programs, such as the Smarter Sentencing to Reduce Recidivism, apply state-of-the-art research to the practical day-to-day operations of the justice system. Other training is designed to help practitioners improve their overall competencies and effectiveness in managing the work of the criminal justice system. Examples of these trainings include measuring organizational performance, caseload management, strategic planning, building logic models, evidence-based decision making, and improving judicial leadership and skills.

Finally, JMI helps bring change to the administration of justice by providing on-site specialized services to help local justice systems and individual stakeholders within the systems to design and implement different approaches to improve their overall effectiveness. JMI is known for innovative approaches and solutions for advancing knowledge and practice in the administration of justice. In essence, JMI's work focuses on "doing the right thing" as well as how "to do things right." Our work is systems-focused, recognizing that each part of the criminal justice system influences the others. We partner with justice systems to align systems to their common goals and to coordinate practices across all aspects of the justice system. With JMI's rich history and experienced staff, it is able to provide the training and technical assistance needs to support the Smart Pretrial Demonstration Initiative.

I support the Office of the Contra Costa Public Defender's application for the Smart Defense grant and look forward to working with them and their system partners to realize the vision of the Misdemeanor Early Representation Project. Please contact me at (703) 940-0323 or elaineb@jmijustice.org or the designated Program Director for this project, Franklin Cruz, at franklinc@jmijustice.org, if you have any questions about our research experience in this area and the contributions JMI will make to this project.

Sincerely,



M. Elaine Borakove
President