



CHARLESTON COUNTY  
CRIMINAL JUSTICE COORDINATING COUNCIL

# ANNUAL REPORT

# 2022



Released Spring, 2023

Charleston County Criminal Justice Coordinating Council

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*Cover Image provided by Ashleigh N. Wojslawowicz*

## TABLE OF CONTENTS

|   |    |
|---|----|
| A MESSAGE FROM LEADERSHIP .....   | 4  |
| MEMBERSHIP.....   | 5  |
| EXECUTIVE SUMMARY.....  | 8  |
| CJCC DATA AND 2022 HIGHLIGHTS.....  | 10 |
| STRATEGIC PLAN SUMMARY .....  | 12 |
| JAIL USE.....   | 14 |
| ARRESTS, DIVERSION AND DEFLECTION .....                                       | 26 |
| BOND AND REENTRY .....  | 42 |
| CASE PROCESSING.....  | 56 |
| COMMUNITY ENGAGEMENT AND RACIAL AND ETHNIC DISPROPORTIONALITY/DISPARITY ..... | 65 |
| APPENDIX.....   | 72 |



## A MESSAGE FROM LEADERSHIP

Thank you for your interest in Charleston’s local criminal justice system and our CJCC. It is a great honor to issue the 2022 Annual Report, as our vision remains to foster a criminal justice system that is fair, just, and equitably applied. As leaders within the CJCC, we are encouraged by the consistent progress we’ve seen since the CJCC started in 2015. Through data-guided and collaborative problem-solving, the strategies we have implemented are achieving results. Important strides have been made in some of the most long-standing and complex challenges in our local criminal justice system, all while welcoming new transitions within our CJCC staff – to include Director Ellen S. Steinberg, J.D. and Research Manager Dr. Ashleigh N. Wojslawowicz.

Notably, the CJCC has remained synonymous with local criminal justice data in the past year – including recent publication partnerships with Justice System Partners. In addition, Charleston County was awarded a \$130,982 grant by the John D. and Catherine T. MacArthur Foundation to develop a plan to help break the link between jail use and chronic homelessness for its Most Visible Persons, an initiative identified and made possible through CJCC data support. With the plan approved by the foundation and Charleston County Council, Charleston County Department of Community Development expects to receive \$644,018 in grant monies for program implementation.

While there is much to be proud of in terms of the CJCC’s results to-date, the work continues. The CJCC advances progress on concrete goals and objectives as the FY 21 – FY 23 Strategic Plan comes to a close, and we anticipate new direction rooted in input from community members. We are committed to learning, growing, and identifying specific actions to make our local system more efficient, effective, and equitable.

We are deeply grateful to the Charleston community and the entire CJCC team for their leadership, compassion, and persistent determination to make our local criminal justice system the best it can be. We encourage you to stay engaged with us as we continue to progress, and to support us in helping to ensure the CJCC endures as a sustainable entity within the local criminal justice system.

Sincerely,

***Jason Bruder***

**Chairman**

Charleston Police Department

***Keith Smalls***

**Co-Vice Chair**

My Community’s Keeper  
Mentor Group

***Lea Ann Adkins***

**Co-Vice Chair**

One80 Place

There are positional members of the CJCC who are members due to the position they hold. These individuals serve on the CJCC for as long as they occupy the position entitling them to membership and can appoint a designee, listed below. The CJCC also includes a dozen community representatives identified through an open application process. Community representatives serve for a period of two years in staggered terms, and their voices and input are considered in the decision-making process. In addition, the CJCC has dedicated staff with relevant experience to help carry out its vision and mission.

## POSITIONAL MEMBERSHIP

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### COUNTY COUNCIL

*Robert L. Wehrman*  
Council Member

### SHERIFF

*Kristin Graziano, Sheriff*  
*Scott Rywelski, Captain*

### CITY OF CHARLESTON POLICE CHIEF

*Luther Reynolds, Chief*  
*Jason Bruder, Captain*

### MOUNT PLEASANT POLICE CHIEF

*Mark Arnold, Chief*  
*Tyrone Simmons, Deputy Chief*

### NORTH CHARLESTON POLICE CHIEF

*Reggie Burgess, Chief*  
*Karen Cordray, Deputy Chief*

### JAIL ADMINISTRATOR

*Abigail Duffy, Director*  
*Kimeca Mayweathers, Lieutenant*

### SOLICITOR

*Scarlett Wilson, Ninth Circuit Solicitor*  
*Charles Young, Director of Case Management*

### PUBLIC DEFENDER

*Cameron Blazer, Ninth Circuit Public Defender*  
*Megan Ehrlich, Chief Public Defender*

### CLERK OF COURT

*Julie Armstrong, Clerk of Court*  
*Robert Duncan, Operations Manager*

### DIRECTOR OF SUMMARY COURT

*Junerese Rhodan, Director*  
*Phylis Williams, Deputy Director*

### VICTIM ADVOCATE

*Karen Winn, Victim/Witness Coordinator*  
*Martina Johnson, Detention Victim Advocate Supervisor*

### CHIEF ADMINISTRATIVE MAGISTRATE

*Joanna Elizabeth Summey, Chief Magistrate*  
*Amanda S. Haselden, Magistrate*

### CIRCUIT COURT CHIEF ADMINISTRATIVE JUDGE

*Bentley Price, Chief Administrative Judge*

### PROBATE COURT JUDGE

*Irvin Condon, Probate Judge*  
*Peter Kouten, Associate Judge of Probate*

### DIRECTOR, CHARLESTON DORCHESTER MENTAL HEALTH CENTER

*Jennifer Brush, LPC, CPM, Executive Director*  
*Dennis Puebla, CPM, Director of Special Operations*

### DIRECTOR, CHARLESTON CENTER

*Dr. Chanda Funcell, Executive Director*  
*Jon Apgar, Program Manager of Clinical Services*

### AGENT-IN-CHARGE, SOUTH CAROLINA DEPARTMENT OF PROBATION, PAROLE, AND PARDON SERVICES

*Mitchell A. Ray, Agent-In-Charge*  
*Kescia Holmes, Assistant Agent-In-Charge*

### DIRECTOR OF NORTH CHARLESTON MUNICIPAL COURT

*Angela Cartrette, Director/ Court Administrator*  
*Francie Austin, Legal Council*

### DIRECTOR OF CHARLESTON MUNICIPAL COURT

*Lindsey Byrd, Judge*  
*Simone Withers, Sr. Docket Clerk*  
*Dana Rice, Sr. Docket Clerk*

**DIRECTOR OF MOUNT PLEASANT MUNICIPAL COURT**

*Laurie Wilson, Director/ Court Administrator*

*Carol Neal, Deputy Court Administrator*

**VETERANS JUSTICE OUTREACH COORDINATOR, VA CHARLESTON**

*Meredith Miller, Veterans Justice Outreach Coordinator*

*Shanta Barron-Millan, LISW, Veterans Justice Outreach Coordinator*

**LEGAL DIRECTOR, AMERICAN CIVIL LIBERTIES UNION OF SOUTH CAROLINA**

**DIRECTOR, ONE80 PLACE**

*Selena Wilson, Program Officer*

*Lea Ann Adkins, Paralegal, Legal Services*

**COUNTY ADMINISTRATION**

*Eric Watson, Deputy County Administrator, Public Safety*

**EX OFFICIO MEMBER**

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**CHIEF JUSTICE OF SOUTH CAROLINA**

*Honorable Donald W. Beatty*

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**COMMUNITY REPRESENTATIVES**

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**LOCAL CIVIL RIGHTS COMMUNITY**

*Ashley Pennington, J.D.*

**LOCAL FAITH COMMUNITY**

*Rev. David Truluck, Executive Director, SHIELD Ministries*

**LOCAL HISPANIC COMMUNITY**

*Enrique (Henry) Grace, Director, Charleston Hispanic Association*

**LOCAL NONPROFIT COMMUNITY**

*Dr. C. Michael Bowman, Past President—Board of Directors, Father to Father, Inc.*

**LOCAL HEALTHCARE COMMUNITY**

*Michele Reed, Deputy Title IX Coordinator, MUSC*

**LOCAL BUSINESS COMMUNITY**

**LOCAL DEFENSE BAR**

*Lauren E. Williams, Partner, Williams & Walsh, LLC*

**LOCAL GRADUATE PROGRAM COMMUNITY IN RELATED FIELDS OF STUDY**

*Dr. Anthony Bishara, Professor, College of Charleston*

**LOCAL CRIME SURVIVOR COMMUNITY**

*Keith Smalls, Executive Director, My Community's Keeper Mentor Group*

**LOCAL FORMERLY INCARCERATED COMMUNITY**

*Marcus Tyler McDonald, Director, Charleston Black Lives Matter*

**LOCAL COMMUNITY-AT-LARGE**

*Nadine Carmon, CEO/ Founder, Break the Cycle Foundation*

**ONE DESIGNATED LIAISON FROM ANY OTHER ENTITY DEEMED APPROPRIATE BY THE EXECUTIVE COMMITTEE**

*Christopher Welch, CLAS/ Health Equity Consultant*

## CJCC STAFF

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**DIRECTOR**

*Ellen S. Steinberg, JD*

**RESEARCH MANAGER**

*Dr. Ashleigh N. Wojlawowicz*

**SYSTEM UTILIZATION MANAGER**

*Susanne J. Grose*

**COMMUNICATION & OUTREACH COORDINATOR**

*Adina Baer Gross, MBA*

**PRETRIAL ANALYST**

*Robert Brimmer*

**PRETRIAL ANALYST**

*Karyn Houston*

**PRETRIAL ANALYST**

*James Vincini*

**ADMINISTRATIVE ASSISTANT**

*Sharon Stokes*

## EXECUTIVE SUMMARY

The mission of the Charleston County Criminal Justice Council (CJCC) is to assist in making sustainable, data-driven improvements to Charleston County's criminal justice system and thereby improve public safety and community well-being. Since its inception in 2015, the CJCC has continued to work collaboratively with our elected and senior officials, law enforcement leaders, judicial and court leadership, behavioral health professionals, victim and legal advocates and diverse community members with an ongoing commitment to accountability and transparency.

The CJCC strives to achieve a local criminal justice system that improves public safety, upholds justice, and cost-effectively uses taxpayer dollars. As we do so, we are guided by our vision of fostering a local criminal justice system that is fair, just, and equitably applied.

The 2022 Annual Report presents an in-depth review of local system functions, which include **Jail Use**, trends in **Arrests, Diversion, and Deflection** efforts, **Bond and Reentry** practices, and **Case Processing** within the local judicial branch. This report incorporates data spanning between 2014 and 2022, and in many instances examines timely comparisons between 2020 and 2022 - illustrating the overall impacts and system response to the COVID-19 pandemic in our area.

Several brief take-aways from this report include, how in Jail Use, there continues to be an overall decline in local jail use since 2014. Yet not surprisingly the data reflects an *active post-pandemic* increase in the number of local bookings, individuals, and charges since 2021. In Arrests, Diversion, and Deflection, 2022 saw firearm possession violations remained the most frequently booked charge for the second year in a row. DUI and trespassing remained the second and third most frequent, respectively. Also, Tri-County Crisis Stabilization Center activity increased for the second year in a row. In the Bond and Reentry practices we note Pretrial Service Reports are routinely conducted and provide consistent, objective and readily available information to Bond Court judges. Of further note is that Charleston County remains the only County in South Carolina where Pretrial Service Reports are routine, and Public Defenders represent defendants (who have less than \$500.00 cash when arrested) at their first Bond Court hearing. The data also shows that a minority, (37.2%) of pretrial releases return to jail on a new arrest and most re-arrest occur within six months of pretrial release. The Case Processing data shows the number of individuals with pending charges increased from 7,347 individuals (Q4, 2021) to 7,560 in 2022. And yet, for the first time since 2017, the rate of charges disposed to charges filed (clearance rate) has surpassed 100%.

The purpose of this report is to inform stakeholders and community members of local criminal justice data, with the intent of equipping others to direct and better utilize resources within their span of control. Further, as this report identifies data fluctuations across multiple areas, it solidifies the necessity of considering how these changes impact application and the evaluation of policy and procedure effectiveness.

As the CJCC moves forward, our membership and I will continue to enact deliberate, data-guided solutions to achieve positive results for the residents of Charleston County.



## EXECUTIVE SUMMARY

Sincerely,

*Ellen S. Steinberg, J.D.*

**Director**

Charleston County

Criminal Justice Coordinating Council

## CJCC DATA AND 2022 HIGHLIGHTS

The Charleston County Criminal Justice Coordinating Council (CJCC) Annual Report provides an accounting of progress made to improve the local justice system, including progress on the Strategic Plan for Fiscal Years 2021- 2023 initiatives identified by committee members and community stakeholders. In this report, narratives are utilized to describe objective criteria advancement and incorporate data reporting for evidence-based application. Data contained in this report is resourced through the CJCC's centralized data warehouse and related databases unless noted otherwise.

### CONTRIBUTING DATA SOURCES (15 TOTAL)

**Law Enforcement:** Charleston County Sheriff's Office (CCSO), Charleston Police Department (CPD), North Charleston Police Department (NCPD), and Mount Pleasant Police Department (MPPD)

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

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

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

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

**Community Based Services:** Charleston Dorchester Mental Health Department (CDMHC)

As emphasized in prior annual reports, the transition to a data-guided system is challenging, including variances among different systems. Data constructs are fluid, as information pertaining to cases and individuals proceed through the system and/ or expungement occurs. Such dynamic changes - including changes in the disposition codebooks, arrest/charge descriptions, and differences in booking procedures - create challenges when assessing progress and trends.

To combat the challenges of dynamic data, in 2017, the CJCC developed a database that draws from all of the contributing data sources to provide a static point-in-time record of key statistics. This database provides a means for trend and statistical analysis, and does not include person or case level identifiers. This allows for a more consistent and stable means to measure progress over time. The CJCC also increased data capacity with the development and launch of dashboards, which are available on a routine basis and provide efficient, timely, and relevant data. This report derives from a combination of static and dynamic data sources .

Throughout 2022, the CJCC continued to bring community and system actors together to improve the local criminal justice system, in both increased analytic capacity and adaptation to post-pandemic challenges of COVID 19. Notably, the CJCC continued to strengthen its presence as an important entity within the local criminal justice system .

Building on significant steps toward sustainability in 2021<sup>i</sup>, a Governance Committee reviewed recommendations to CJCC bylaws. Committee recommendations were unanimously approved by CJCC members in early 2022, ensuring the CJCC is able to better meet the needs of the community and continue collaboration enhancement in the years to come.

On October 11, 2022, Charleston County Council passed a resolution honoring founding director Danford, commending her for "...contributions and expertise in leading the way forward to make Charleston County's criminal justice system more effective, equitable, and efficient and extends genuine appreciation to her on behalf of all the citizens of this County<sup>iii</sup>."

Finally, the John D. and Catherine T. MacArthur Foundation awarded the CJCC the Safety & Justice Challenge Capstone Grant. This grant will help institutionalize strategies to improve public safety and community well-being, as efforts are expanded to statewide and national platforms. The CJCC is prepared to share its knowledge with future partners, serving as a resource for other jurisdictions that intend to replicate CJCC strategies in their own communities.

## STRATEGIC PLAN SUMMARY

Development of the FY 21 – FY 23 Strategic Plan was guided by a Dialogue to Change (DTC) process founded upon the belief that people and institutions can use an equity lens, connect across differences, share honestly, consider diverse views, and work together to identify and offer actions toward change. Through DTC, the CJCC engaged over 1,200 community members in setting the course for a the strategic plan with quantitative and qualitative data gathered throughout the process:

- 450 people participated in large events about critical system challenges.
- 101 people participated in 11 recurring small group dialogues led by community facilitators.
- More than 650 people took part in a community survey.
- 100 people participated in a concluding action forum to solidify community priorities.

This information guided workgroups of community representatives and CJCC members to develop and publish the Fiscal Year 2021 – 2023 Strategic Plan which launched in July of 2020. The plan includes a description of the planning process, collaborative working groups, and strategic Initiatives.

A summary of the FY21-22 Strategic Plan Initiatives are provided on the following page.



# Charleston County Criminal Justice Coordinating Council

## FY 21-23 Strategic Plan Initiatives

### Community Engagement & Addressing Inequity



Increasingly accessible and available information



Community-engaged research study on the impacts of racial & ethnic disproportionality & disparity

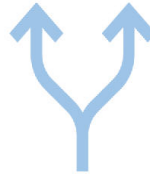


Development of a Race Equity Fellowship program

### Strengthening Jail Diversion & Deflection from the Criminal Justice System



Small-scale pilot program to improve outcomes among familiar faces and uncover system gaps



Research into the impacts of diversion & deflection on criminal justice and behavioral health outcomes



Dashboards of trends in crime, diversion and deflection, arrests and jail use

### Focusing on Fairness & Reentry



Steps to ensure fair, just and meaningful bond hearings such as observations and dashboards



Development of a proposal for better pretrial options



Get Connected. Get Help.  
United Way's 211 / SC211.ORG

Improving information access about available services among justice-involved populations

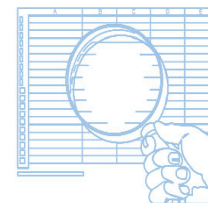
### Case Processing Advancements



Analysis of key case processing indicators in General Sessions Court to help problem solve



General Sessions Court text reminders



Routine jail population review



## BACKGROUND

Consistent with improvements to the local criminal justice system, there has been a sustained reduction in the local jail population since the launch of the CJCC’s efforts. As reported in previous annual reports, significant overall reductions in local jail use have occurred since 2014.

Analysis of trends in local jail use provides valuable insights into the functioning of the local criminal justice system. Overall reductions in local jail use continued through 2022 compared to 2014 figures, however slight increases have been noted between 2021 and 2022 numbers. The data presented in this section describe jail use trends since 2014, with particular attention paid to recent trends between 2021 and 2022. The following data are covered, sourced from the Sheriff Al Cannon Detention Center (SACDC):

- A. Average Daily Population
- B. Admissions and Releases
- C. Jail Population Review (source data: SACDC and Pretrial Services Database)
- D. Average Length of Stay
- E. Charges by Court Type
- F. Rates and Relative Rates

### STRATEGIC PLAN 2021-2023 CONNECTIONS

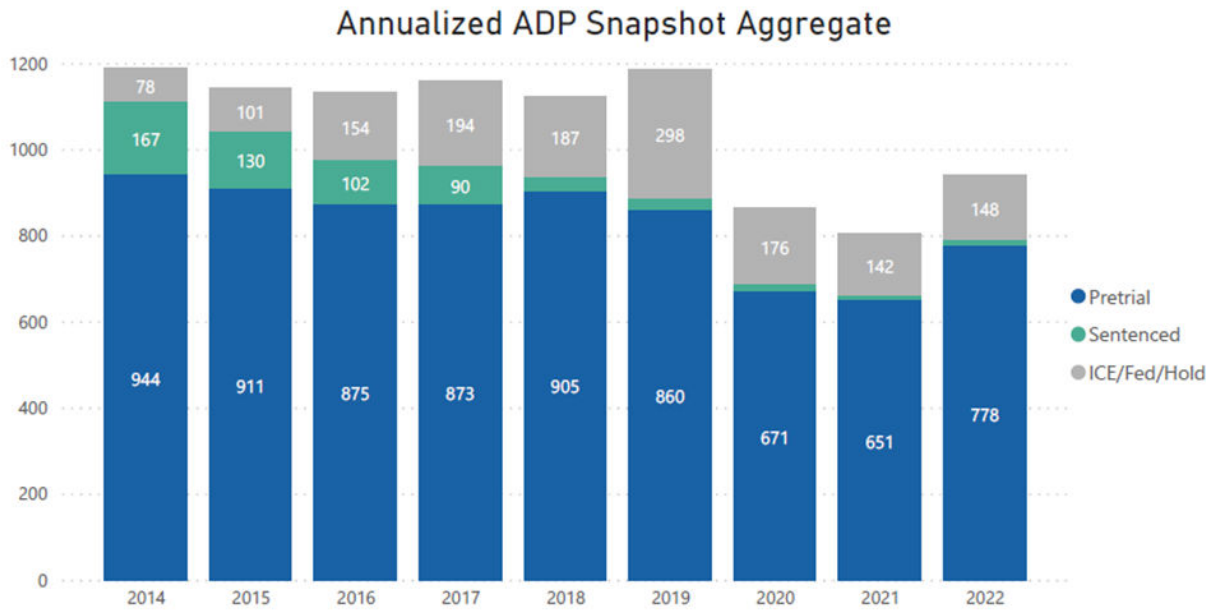
The **Jail Population Review (JPR)** process recognizes that absent regular reviews of the jail population, defendants who are not a threat to public safety or a flight risk might be unnecessarily detained. Weekly jail population reviews (JPR) have been implemented, and a corresponding dashboard for use by the Court, the Solicitor, the Public Defender (jail and other courts as needed) was developed and is utilized to help the Case Processing workgroup monitor ongoing trends.

## A. Average Daily Population

The average daily population (ADP)<sup>1</sup> of the local jail is the metric by which the jail population is measured. Jail use is driven by admissions (i.e., bookings), lengths of stay, and releases. The local ADP is the sum of the pretrial and sentenced population and excludes uses of jail by non-local jurisdictions such as the federal government or other counties.

### From 2014 to 2022:

- The annualized local ADP (pretrial and sentenced) of the jail decreased from 1,111 to 791 (28.8%).
- The annualized sentenced population decreased from 167 to 13 (92.2%).
- The annualized pretrial population reduced from 944 to 778 (17.6%).
- The nonlocal population increased from 78 to 148 (89.7%).



### COVID-19 Impacts on Jail Populations

Following the significant changes in local jail use that have occurred since 2014, it is important to pay close attention to recent trends between 2020 and 2022 given the impacts of the COVID-19 pandemic and the “norm-reset” of 2022.

In comparing 2020 and 2022 numbers:

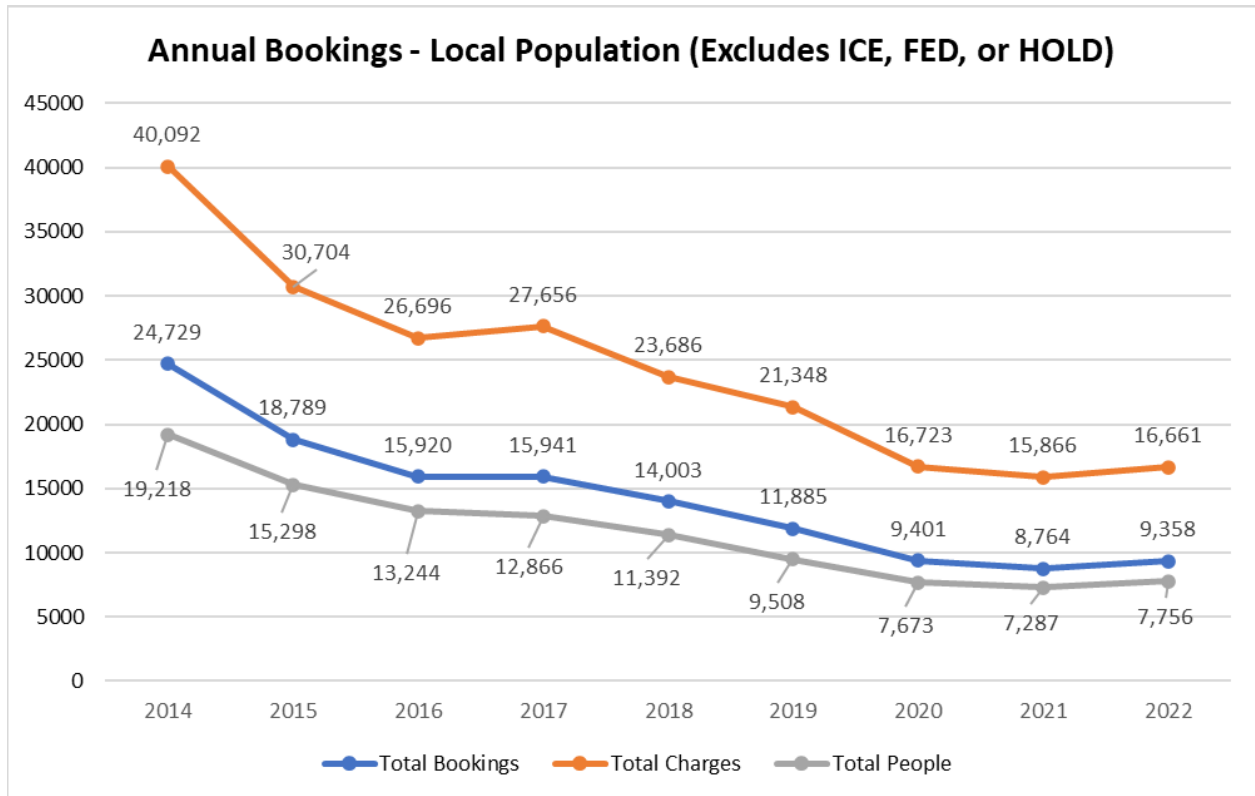
- The local ADP increased from 687 to 791 (15.1 %).
- The sentenced population reduced from 16 to 13 (18.8%).
- The non-local population reduced from 176 to 148 (15.9%).
- The pretrial population increased from 671 to 778 (16%).

## B. Admissions & Releases

There was a significant decrease in the number of local jail admissions and releases between 2014 and 2022.

- There were 24,729 local bookings in 2014 on 19,218 people (i.e., people can be booked more than once within the year, as well as booked on multiple charges per admittance).
- In 2022, bookings had decreased to 9,358 (62.2% decrease) on 7,756 people (59.6% decrease).
- Similarly, the number of local charges brought to the jail decreased from 40,092 in 2014 to 16,661 in 2022 (58.4%).

As noted previously, it is important to review recent trends given the impacts of the COVID-19 pandemic. Between 2020 and 2021 local admissions continued to decline, as fewer individuals were brought to the jail and booked on fewer charges. However, in 2022 the numbers of bookings, people charged, and charges all increased.



- In 2020, there were 9,401 bookings for 7,673 people.
- In 2021 there were 8,764 bookings (a decrease of 6.8%) on 7,287 persons (5% decrease).
- In 2022, bookings increased to 9,358 (6.8% increase) on 7,756 people (6.4% increase).

Likewise, the number of local charges brought to the jail decreased from 16,723 in 2020 to 15,866 in 2021 (5.1%) and then increased to 16,661 in 2022 (5%).

| Year | Total Bookings | Total Charges | Total People |
|------|----------------|---------------|--------------|
| 2014 | 24,729         | 40,092        | 19,218       |
| 2015 | 18,789         | 30,704        | 15,298       |
| 2016 | 15,920         | 26,696        | 13,244       |
| 2017 | 15,941         | 27,656        | 12,866       |
| 2018 | 14,003         | 23,686        | 11,392       |
| 2019 | 11,885         | 21,348        | 9,508        |
| 2020 | 9,401          | 16,723        | 7,673        |
| 2021 | 8,764          | 15,866        | 7,287        |
| 2022 | 9,358          | 16,661        | 7,756        |

| 2022 Bookings by Race |       |
|-----------------------|-------|
| Race                  | Count |
| Did Not Indicate      | 24    |
| Asian                 | 25    |
| Black                 | 4,924 |
| Hispanic              | 132   |
| Indian                | 11    |
| Native American       | 4     |
| Pacific Islander      | 3     |
| Unknown               | 8     |
| White                 | 4,227 |

Each year the number of admissions and releases have been similar. .

For 2022 bookings, the total numbers indicate there were 9,358 bookings on 7,756 people with 16,661 charges.

For 2022 releases, the total numbers indicate 9,871 releases on 8,235 individuals with 17,777 charges, resulting in a **5.5 % higher rate of releases than bookings.**

| 2022 Bookings by Gender |       |
|-------------------------|-------|
| Gender                  | Count |
| Female                  | 1,879 |
| Male                    | 7,478 |
| Other                   | 1     |

| 2022 Bookings by Age<br>(All Population) |       |
|--|-------|
| Age Group                                | Count |
| 18 - 20 Years                            | 553   |
| 21 - 25 Years                            | 1,322 |
| 26 - 30 Years                            | 1,476 |
| 31 - 35 Years                            | 1,573 |
| 36 - 40 Years                            | 1,257 |
| 41 - 45 Years                            | 1,030 |
| 46 - 50 Years                            | 671   |
| 51 - 55 Years                            | 533   |
| 56 - 60 Years                            | 449   |
| 60 Years +                               | 494   |

| 2022 Annual Local Jail Population Releases by Count |               |              |                |
|---|---------------|--------------|----------------|
| Year  | Total Charges | Total People | Total Releases |
| 2014  | 39,672        | 19,264       | 24,633         |
| 2015  | 31,288        | 15,533       | 18,913         |
| 2016  | 26,735        | 13,388       | 15,937         |
| 2017  | 27,773        | 13,001       | 15,981         |
| 2018  | 23,613        | 11,443       | 13,955         |
| 2019  | 21,418        | 9,613        | 11,889         |
| 2020  | 17,510        | 7,904        | 9,581          |
| 2021  | 15,383        | 7,322        | 8,697          |
| 2022  | 17,777        | 8,235        | 9,871          |

## C. Jail Population Review Reporting

Absent regular reviews of the jail population, defendants who are not a threat to public safety or a flight risk may be unnecessarily detained. As stated in Standard 10-1.1 of American Bar Association Criminal Justice Standards on Pretrial Release, “Deprivation of liberty pending trial is harsh and oppressive, subjects defendants to economic and psychological hardship, interferes with their ability to defend themselves, and, in many instances, deprives their families of support .”<sup>2</sup>

In April 2020 the CJCC initiated weekly Jail Population Review (JPR) lists for use by the Court, the Solicitor, the Public Defender (and other courts as needed) for consideration of potential release from SACDC via bond modification and/or disposition. Statutorily violent, aggravated assaults and sex crimes are excluded from the JPR process. Cases flagged for General Sessions JPR include those detained and calculated to be lower risk as per the Charleston Pretrial Risk Assessment Instrument (CPRAI), as well as those recently detained within the previous 3 to 14 days<sup>3</sup>. In addition to General Sessions lists, JPR lists are provided for detainees held solely on matters related to Summary Courts, violations of probation, and Family Court matters.

In October 2021, a new local Jail Population Review dashboard was created to provide JPR stakeholders an overview of the current jail population along with various key indicators such as race, gender, court type, pretrial or sentenced status, age of case, most frequently occurring charges, and bond types. Further workgroup review incorporated financial amounts as well as persons detained awaiting General Sessions Court and/or Summary Court on financial bonds less than \$5,000.

In 2021, bookings flagged for JPR increased by 30% from 2020 figures. Of those, 87.5% were released and 12.5% remained detained as of year-end.

In 2022, bookings flagged for JPR decreased by 5.8%. Of those, 86.6% were released and 13.4% remained detained as of December 31st, 2022.

The table below provides an overall summary of JPRs in the 2022 period. While the JPR can be a valuable tool, it does not necessarily have a cause-and-effect relationship to release from detention as there are a multitude of factors that contribute to release or detention.

| 2022 Jail Population Review      |     |         |        |        |          |       |
|----------------------------------|-----|---------|--------|--------|----------|-------|
| Bookings by Court                | GSC | Summary | DPPPS* | Family | ≤\$5K ** | TOTAL |
| <b>Total Flagged</b>             | 439 | 195     | 86     | 101    | 183      | 1,004 |
| <b>Black</b>                     | 253 | 114     | 46     | 68     | 98       | 579   |
| <b>White</b>                     | 182 | 78      | 39     | 31     | 83       | 413   |
| <b>Other</b>                     | 4   | 3       | 1      | 2      | 2        | 12    |
| <b>Female</b>                    | 64  | 36      | 12     | 6      | 35       | 153   |
| <b>Male</b>                      | 375 | 159     | 74     | 95     | 146      | 849   |
| <b>Flagged &amp; Detained***</b> | 72  | 17      | 11     | 15     | 20       | 135   |
| <b>Flagged &amp; Released***</b> | 367 | 178     | 75     | 86     | 163      | 869   |

\*SC Department of Probation, Parole and Pardon Services

\*\*Held, unable to post total bonds of \$5,000 or less - either General Sessions or Summary Court

\*\*\*As of 12/31/2022

## D. Average Length of Stay

As the admissions to jail have declined since 2014, the average length of stay (ALOS) among releases increased across the population groups between 2014 and 2022. ALOS calculations are based on the number of unique adult bookings released in 2022. It should be noted that averages can be impacted by outliers, for example individuals released who experienced a substantial length of stay.

- The ALOS for all populations was 12 days in 2014 and increased to 33 days in 2022 (175%).

|             | ALOS By Population Group |              |          |           |
|-------------|--------------------------|--------------|----------|-----------|
|             | All                      | ICE/Fed/Hold | Pretrial | Sentenced |
| <b>2014</b> | 12                       | 18           | 10       | 19        |
| <b>2015</b> | 18                       | 25           | 16       | 25        |
| <b>2016</b> | 21                       | 30           | 18       | 28        |
| <b>2017</b> | 22                       | 25           | 21       | 28        |
| <b>2018</b> | 24                       | 39           | 19       | 66        |
| <b>2019</b> | 29                       | 39           | 22       | 72        |
| <b>2020</b> | 31                       | 54           | 25       | 87        |
| <b>2021</b> | 28                       | 112          | 20       | 96        |
| <b>2022</b> | 33                       | 95           | 29       | 44        |



- The ALOS for the pretrial population was 10 days in 2014 and increased to **29 days in 2022** (190%).
- The ALOS for the sentenced population was 19 days in 2014 increased to **44 days in 2022** (131.6 %).
- The ALOS for the non-local population was 18 days in 2014 and increased to **95 days in 2022** (427.8%).

More recent comparisons indicate the increasing ALOS pattern changed somewhat between 2020 and 2021 and 2022. These lengths of stays are situated within the onset, height, and outcome of the COVID-19 pandemic:

- The ALOS for all populations was 31 days in 2020, 28 days in 2021 (9.7% decrease from 2020) and 33 days in 2022 (17.9% increase since 2021).
- Pretrial ALOS was 25 days in 2020 and 20 days in 2021 (20% decrease since 2020) and 29 days in 2022 (45% increase since 2021).
- Sentenced ALOS was 87 days in 2020 and 96 days in 2021 (10.3% increase from 2020) and 44 days in 2022 (54.2% decrease from 2021).
- The ALOS for the non-local population was 54 days in 2020 and 112 days in 2021 (107.4% increase) and 95 days in 2022 (15.2% decrease from 2021).

## E. Charges by Court

Between 2014 and 2022 there were changes to the local<sup>4</sup> charges booked by court type<sup>5</sup>, which may have also had an impact on length of stay. The total number of charges admitted to the jail per court type decreased between 2014 and 2022.

- Summary Court<sup>6</sup> (Municipal and Magistrate) charges decreased the most from 26,922 in 2014 to 6,238 in 2022 (76.8 %). In 2014, Summary Court charges comprised 67.5% of all local charges booked. In 2022, Summary Court charges comprised 38.4% of all local charges booked.
- General Sessions Court charges decreased from 11,179 in 2014 to 9,358 in 2022 (16.3%). For the fourth consecutive year, General Sessions Court charges have been the most frequently occurring.
- In 2014, General Sessions Court charges comprised 28% of all local charges booked. In 2022, General Sessions Court charges comprised 57.6% of all local charges booked.
- Specialty Court (Drug and Mental Health Courts) charges decreased from 109 in 2014 to 36 in 2022 (67%).
- Family Court charges decreased from 1,347 in 2014 to 375 in 2022 (72.2%).
- Probation and Parole charges decreased from 339 in 2014 to 253 in 2022 (25.4%).

| 2022 CHARGES BY COURT TYPE |       |
|----------------------------|-------|
| Court                      | Count |
| General Sessions           | 9,358 |
| Summary Court              | 6,238 |
| Family Court               | 375   |
| Probation                  | 253   |
| Unknown                    | 343   |
| ICE                        | 4     |
| Federal Court              | 26    |
| Drug Court                 | 20    |
| Fugitive                   | 26    |
| Mental Health              | 16    |
| Null                       | 2     |

*Note.* Unknown/Null records occur when court types were not specified.

| Year | Summary Court | General Session Court | Family Court | Probation & Parole | Drug Court | Mental Health Court |
|------|---------------|-----------------------|--------------|--------------------|------------|---------------------|
| 2014 | 26,922        | 11,179                | 1,347        | 339                | 64         | 45                  |
| 2015 | 19,110        | 9,689                 | 1,424        | 222                | 72         | 31                  |
| 2016 | 15,361        | 9,973                 | 898          | 228                | 42         | 31                  |
| 2017 | 14,796        | 11,494                | 701          | 352                | 46         | 45                  |
| 2018 | 11,337        | 10,691                | 617          | 379                | 44         | 23                  |
| 2019 | 8,803         | 10,714                | 667          | 427                | 30         | 20                  |
| 2020 | 5,996         | 9,538                 | 301          | 337                | 12         | 12                  |
| 2021 | 5,333         | 9,574                 | 232          | 288                | 20         | 5                   |
| 2022 | 6,238         | 9,358                 | 375          | 253                | 20         | 16                  |

More recent fluctuations showed that from 2020 to 2021 there were decreases among Summary Court, Family Court, and Probation and Parole and small increases among General Sessions and Probate/Specialty Court charges in Court. However, from 2021 to 2022, most of those trends reversed; there were **increases** among Summary Court, Family Court, Specialty Court (Drug Court & Mental Health Court) and **decreases** among General Sessions. Probation and Parole alone continued its pattern in decreasing from 2020 to 2022.

- Summary Court decreased from 5,996 in 2020 to 5,333 in 2021 (11.1 %) and then increased to **6,238 in 2022** (17%).
- Specialty Courts increased by one from 24 in 2020 to 25 in 2021 (4.2%), and then increased to **36 in 2022** (44%).
- Family Court decreased from 301 in 2020 to 232 in 2021 (22.9%) and then increased to **375 in 2022** (61.6%).
- General Sessions Court increased by 36 from 9,538 in 2020 to 9,574<sup>7</sup> in 2021 (0.4%) and then decreased by 216 to **9,358 in 2022** (2.3%).
- Probation and Parole decreased from 337 in 2020 to 288 in 2021 (15.5%) and then decreased to **253 in 2022** (12.2%).

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## F. Rates and Relative Rates

The Charleston County Criminal Justice Coordinating Council (CJCC) remains steadfast in its commitment to reducing Racial and Ethnic Disproportionality and/or Disparity (R+EDD) and improving the local criminal justice system.

Disproportionality refers to under or overrepresentation of a group when compared to the general population. In this report, disproportionality is measured in two ways. The first examines absolute numbers of persons involved in the local criminal justice system converted into a rate per 1,000 in the population. The second looks at the relative rate index (RRI) (i.e., comparing the rate for one group [Black] to another group [White]). An RRI of 1 indicates no disproportionality; the further an RRI is from one, the greater the disproportionality.

The data below describes population, rates, and relative rates associated with jail use through 2022. The following data are sourced from the SACDC and the US Census Bureau ACS-1 Year Estimates.

*It should be noted that US Census information is based upon 2021 estimates due to the current gap existing between 1-year and 5-year projections following the 2020 Census. 2020 information was used from the 2020: ACS 5-Year Estimates.*

1. Trends in County Population Review
2. Trends in Detention Rates
3. Trends in Local Booking Rates

### TRENDS IN COUNTY POPULATION REVIEW

Census Bureau population estimates indicate that the overall population of adults in Charleston County increased between 2014 and 2021, although it decreased slightly for individuals identifying as Black. The overall population of adults increased by 28,976 (9.5 %) from 2014 to 2021.

- The population of Black adults decreased by 3,647 (4.5 %) from 2014 to 2021.
- The population of White adults increased by 14,072 (6.6%) from 2014 to 2021.
- The population of adults identifying as something other than White or Black increased by 18,551 (170.1%) from 2014 to 2021.

| Charleston County Total Population: 413,024<br>Adult Estimated Population: 333,300<br>Charleston County Race Demographics (All Ages) |       |
|--|-------|
| White  | 70.6% |
| Black or African American*   | 25.2% |
| American Indian and Alaska Native*   | 0.4%  |
| Asian*   | 2.0%  |
| Native Hawaiian and Other Pacific Islander*  | 0.1%  |
| Two or More Races  | 1.8%  |
| Hispanic or Latino   | 5.5%  |
| White alone, not Hispanic or Latino  | 66.0% |
| Note. *Includes persons reporting only one race  |       |

Since 2018, the overall population of Charleston County increased by 7,370 (2.3%). While both the Black adult and White adult populations have decreased, those who identified as “Other” have increased.

- The population of Black adults decreased by 4,799 (5.8 %) from 2018 to 2021.
- The population of White adults decreased by 4,394 (1.9 %) from 2018 to 2021.
- The population of adults identifying as something other than White or Black increased by 16,563 (128.5 %) from 2018 to 2021.

| Charleston County Adult Population |            |            |            |            |
|------------------------------------|------------|------------|------------|------------|
| Year                               | Total ≥ 18 | Black ≥ 18 | White ≥ 18 | Other ≥ 18 |
| 2014                               | 304,324    | 81,265     | 212,155    | 10,904     |
| 2015                               | 311,159    | 81,524     | 216,731    | 12,904     |
| 2016                               | 317,126    | 82,927     | 222,663    | 11,536     |
| 2017                               | 321,850    | 82,077     | 228,460    | 11,313     |
| 2018                               | 325,930    | 82,417     | 230,621    | 12,892     |
| 2019                               | 330,609    | 80,689     | 229,616    | 20,304     |
| 2020                               | 327,540    | 81,739     | 228,672    | 17,129     |
| 2021                               | 333,300    | 77,618     | 226,227    | 29,455     |

Rates were calculated using population estimates in the table above. The data source for the 2014 – 2021 Population Estimates for Race, Age and Gender were ACS 1-Year Estimates. The 2020 ACS 5-Year estimates were used to calculate 2020 rates. 2021 ACS 1-Year estimates were used to calculate 2021-2022 rates and relative rates.

| Incident Rates per 1,000 by Race |                             |                 |
|----------------------------------|-----------------------------|-----------------|
|                                  | Adult Population (Estimate) | Rates per 1,000 |
| White                            | 236,643                     | 3,432           |
| Black                            | 83,325                      | 7,572           |
| Other                            | 13,332                      | 252             |
| All                              | 333,300                     | 11,268          |

Charleston County has a diverse and growing population that is also changing in its demographic composition. However, due to inconsistent methods of recording race and ethnicity data at all points in the system, it is not yet possible to analyze R+EDD accurately for demographic groups other than

Black and White at this time. This report, therefore, is focused on rates and relative rates as it relates to individuals identifying as Black or White.

### TRENDS IN DETENTION RATES

Rates of detention are calculated based upon the average daily population monthly snapshot data provided by the SACDC, inclusive of pretrial, sentenced, and non-local populations. Please note, due to transitions in data systems, monthly detention demographic data are not

| Monthly SACDC Average Daily Population Counts |                           |                           |                           |                           |
|---|---------------------------|---------------------------|---------------------------|---------------------------|
| Year  | Confined Population Total | Confined Black Population | Confined White Population | Confined Other Population |
| 2014  | 1,189                     | 895                       | 293                       |                           |
| 2015  | 1,142                     | 822                       | 319                       |                           |
| 2016  | 1,131                     | 806                       | 317                       |                           |
| 2017  | 1,157                     | 845                       | 296                       |                           |
| 2020  | 864                       | 565                       | 279                       | 20                        |
| 2021  | 803                       | 548                       | 240                       | 14                        |
| 2022  | 938                       | 631                       | 286                       | 21                        |

*Note.* Confined Other Population data was collected from 2020 – 2022, but not reported until this report release.

available for 2018 and 2019. Therefore, these years are excluded from the analysis. Total figures are inclusive of Black, White, and other groups.

Rates of adult detention in Charleston County at SACDC significantly decreased from 2014 to 2021. Notably, the overall reduction was greatest among individuals identifying as Black, however 2022 counts indicate increases across all categories.

*For 2022, monthly SACDC Average Daily Population counts were expanded to include those who were not identified as Black or White and those who did not identify race. Numbers were rounded to the nearest whole number.*

Yearly Range Comparisons for monthly SACDC average daily population counts show overall deductions between 2014 and 2022 (21%). However, slight increases were noted between 2021 and 2022 numbers (Total 18%) for both Black and White adults. Rates for those classified as “Other” were unable to be calculated prior to 2020.

| Monthly SACDC Average Daily Population Counts |         |         |         |
|---|---------|---------|---------|
| Year Range Comparisons                        |         |         |         |
| Year Range                                    | Total   | Black   | White   |
| 2014 - 2022                                   | - 251   | - 264   | -7      |
| % Change                                      | - 21.1% | - 29.5% | -2.4%   |
| 2014- 2021                                    | - 386   | - 347   | -53     |
| % Change                                      | - 32.5% | - 38.8% | -18.1%  |
| 2021-2022                                     | + 135   | + 83    | + 46    |
| % Change                                      | +16.8%  | +15.1%  | + 19.2% |

**RATE PER 1,000 POPULATION**

Calculations to determine Rate Per 1,000 were performed using previously identified estimated census figures for 2021 and rounded to the nearest whole number. It should be noted that figures posted for 2020 and 2021 previously used 2019 census data. The detention rate per 1,000 Population for Charleston County has been corrected to reflect updated information. Information for 2022 utilizes 2021 census data, as 2022 data remains unavailable.

| Detention Rate Per 1,000 Population<br>Charleston County, SC |       |       |       |
|--|-------|-------|-------|
| Year   | Total | Black | White |
| 2014   | 47    | 132   | 17    |
| 2015   | 44    | 121   | 18    |
| 2016   | 43    | 117   | 17    |
| 2017   | 43    | 124   | 16    |
| 2020   | 32    | 83    | 15    |
| 2021   | 29    | 85    | 13    |
| 2022   | 34    | 91    | 16    |

Overall, detention rates per 1,000 of the Charleston County Population decreased significantly since 2014. However, increases were noted for all populations between 2021 to 2022. Rates per 1,000 were rounded to the nearest whole number when inserted into the chart for visualization purposes.

Noted figures include:

- The overall rate of adult detention increased 17% from 2021 to **33.81 per 1,000 adults in 2022** and decreased 28% overall since 2014 (46.89 per 1,000 adults).
- The rate of detention among Black adults increased 7% to **90.87 per 1,000 Black adults** in 2022, from 2021 (84.73 per 1,000 Black adults) and decreased 31% overall from 2014 (132.14 per 1,000 Black adults).
- The rate of detention among White adults increased by 17% to **15.74 per 1,000 White adults** in 2022, compared to 2021 (12.73 per 1,000 White adults) and decreased 13% overall from 2014 (16.59 per 1,000 White adults).

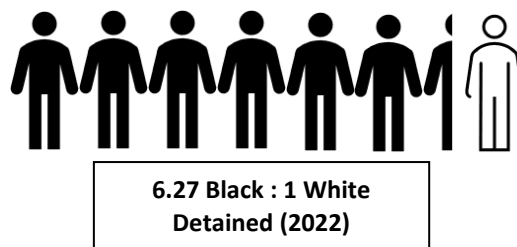
**RELATIVE RATES OF ADULT DETENTION**

The relative rate of adult detention among the Black and White population in Charleston County continued to decrease from 2014 to 2022.

The relative rate of detention in 2014 was 7.97 Black adults to every one White adult. In 2022, the relative rate of detention decreased to 6.27 Black adults to every one White adult. However, individuals identifying as Black continue to be overrepresented among local bookings.

| Relative Rate Index for Detention |                       |
|-----------------------------------|-----------------------|
| Year                              | Black: White Confined |
| 2014                              | 7.97                  |
| 2015                              | 6.86                  |
| 2016                              | 6.82                  |
| 2017                              | 7.93                  |
| 2020                              | 5.67                  |
| 2021                              | 6.66                  |
| 2022                              | 6.27                  |

*Note. Figures posted for 2020 and 2021 in the 2021 Annual Report calculated relative rate index using 2019 U.S. Census data. This chart has since been revised to reflect updated 2021 Census estimations, to include 2022 calculations, as this is the most recent U.S. Census data available.*





## TRENDS IN LOCAL BOOKING RATES

*Note: 2020 and 2021 U.S. Census data has been updated since the 2021 Annual Report, thus numbers have been updated accordingly.*

Rates of local booking activity are calculated based upon SACDC booking data provided by the SACDC in conjunction with the following population estimates: Data source for 2014 – 2021 Population Estimates for Race Age and Gender: ACS 1-Year Estimates Detailed Tables. Data source for 2020 - 2022 population estimates for race and age were 2021 ACS population estimates due to current availability of data.

| Local Booking Counts by Race |        |        |        |
|------------------------------|--------|--------|--------|
| Year                         | Black  | White  | Total  |
| 2014                         | 14,446 | 10,195 | 24,729 |
| 2015                         | 10,432 | 8,246  | 18,789 |
| 2016                         | 8,499  | 7,180  | 15,920 |
| 2017                         | 8,946  | 6,753  | 15,941 |
| 2018                         | 7,498  | 6,160  | 14,003 |
| 2019                         | 6,421  | 5,296  | 11,885 |
| 2020                         | 5,011  | 4,230  | 9,401  |
| 2021                         | 4,700  | 3,871  | 8,764  |
| 2022                         | 4,924  | 4,227  | 9,358  |

| 2022 Bookings by Race |       |
|-----------------------|-------|
| Race                  | Count |
| Did Not Indicate      | 24    |
| Asian                 | 25    |
| Black                 | 4924  |
| Hispanic              | 132   |
| Indian                | 11    |
| Native American       | 4     |
| Pacific Islander      | 3     |
| Unknown               | 8     |
| White                 | 4,227 |

Rates of local bookings in Charleston County decreased from 2014 to 2021, with slight increases noted for 2022.

In total, 9,358 bookings were recorded for 2022, with 4,924 associated with Black individuals and 4,227 associated with White. 207 bookings were associated with those who were not identified as Black or White (Other).

- The overall rate of local bookings decreased by 65% per 1,000 population from 81.26 in 2014 to **28.08** in 2022. Between 2021 and 2022, a 7% increase was observed from 26.29 to 28.08 per 1,000 of the overall adult population.

| Local Booking Rate Per 1,000 Population |        |       |       |
|---|--------|-------|-------|
| Year                                    | Black  | White | Total |
| 2014                                    | 177.76 | 48.05 | 81.26 |
| 2015                                    | 127.96 | 38.05 | 60.38 |
| 2016                                    | 102.49 | 32.25 | 50.2  |
| 2017                                    | 109.00 | 29.56 | 49.53 |
| 2018                                    | 90.98  | 26.71 | 42.96 |
| 2019                                    | 79.58  | 23.06 | 35.95 |
| 2020                                    | 61.30  | 18.49 | 28.7  |
| 2021                                    | 60.55  | 17.11 | 26.29 |
| 2022                                    | 63.44  | 18.68 | 28.08 |

- The rate of local bookings among Black adults decreased by 64% per 1,000 Black adults from 177.76 in 2014 to **63.44** in 2022. Between 2021 and 2022, a 5% increase was observed from 60.55 to 63.44 per 1,000 of the Black adult population.
- The rate of local bookings among White adults decreased by 61% per 1,000 White adults from 48.05 in 2014 to **18.68** in 2022. Between 2021 and 2022, a 9% increase was observed from 17.11 to 18.68 per 1,000 of the White adult population.

**RELATIVE RATE — BLACK: WHITE BOOKINGS**

The relative rate of adult jail booking among the Black and White population in Charleston County also decreased from 2014 to 2021. However, individuals identifying as Black continue to be overrepresented among local bookings.

*It should be noted that 2020 and 2021 figures reported in the 2021 Annual Report were revised to reflect the most recent Census Bureau reporting. 2022 figures were reported based on 2021 1-Year estimates due to 2022 numbers not yet available.*

| Relative Rate Index Jail Bookings |              |
|-----------------------------------|--------------|
| Year                              | Black: White |
| 2014                              | 3.69         |
| 2015                              | 3.36         |
| 2016                              | 3.18         |
| 2017                              | 3.69         |
| 2018                              | 3.41         |
| 2019                              | 3.45         |
| 2020                              | 3.31         |
| 2021                              | 3.53         |
| 2022                              | 3.39         |

- The relative rate of local bookings in 2014 was 3.69 Black adults to every one White adult. In 2021, the relative rate of local bookings was 3.53 Black adults to every one White adult.
- In 2022, The relative rate of local bookings was 3.39 Black adults to every one White adult.



**3.39 Black : 1 White Bookings (2022)**

**Key Points Summary**

- There has been an overall decline in local jail use since 2014.
- The local annualized jail population decreased in total by 29% between 2014 - 2022.
- Many low jail use indicator numbers reported during the height of the COVID-19 pandemic have increased in 2022 reflecting an active post-pandemic criminal justice system.
- The number of local bookings, individuals, and charges have all increased since 2021.
- Since 2020, the pretrial population increased by 15.9% and the local ADP increased by 15.1%, while the sentenced population reduced 18% and the non-local population reduced by 15.9%.
- Relative Rates among the overall population for bookings has increased between 2021 and 2022, however rates between Black and White adults have continued to decrease since 2014.
- Despite improvements, Black adults continue to be overrepresented within the incarcerated and booked population.

# ARRESTS, DIVERSION, AND DEFLECTION

## BACKGROUND

Consistent with improvements to the local criminal justice system, there has been a sustained shift in arrests, diversion, and deflection practices since the launch of the CJCC's efforts. As previously reported in the Data Behind the Strategic Plan<sup>8</sup> and prior annual reports, related strategies deliberately prioritized alternatives to jail for lower-level charges that were most frequently booked and that disparately impacted communities of color. Strategies also supported law enforcement's increasing use of community-based services like the Tri-County Crisis Stabilization Center so people can get the help they need without falling deeper into the criminal justice system. These changes fundamentally changed jail use in Charleston County. In addition, the CJCC has been utilizing data to better understand drivers of local jail use as well as the population of individuals who cycle in and out of the local jail frequently.

The data below describe arrest, diversion, and deflection trends through 2022.

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

### STRATEGIC PLAN 2021-2023 CONNECTIONS

In 2022, the CJCC's workgroup to strengthen diversion and deflection continued implementing three strategic initiatives pursuant to the strategic plan.

The first initiative, **Most Visible Persons (MVP) case conferencing**<sup>9</sup> works to interrupt the cycle of booking, release, and repeat among the most active familiar faces. The MVP initiative involves inter-agency case conferencing with service providers, law enforcement, and judicial stakeholders. A report of this initiative<sup>10</sup> noted that the people who were identified as MVP regularly experienced housing instability and or co-occurring substance use and mental health disorders. Furthermore, that housing was the primary system gap for this population.

In 2022 Charleston County applied for and was awarded a \$130,982 grant by the John D. and Catherine T. MacArthur Foundation to develop a plan to help break the link between jail use and chronic homelessness for its MVP clientele. The plan was approved by the foundation and approved by Charleston County Council on March 21, 2023. With the plan approved, Charleston County's Department of Community Development expects to receive \$644,018 in grant monies for implementation.

The second initiative is **Diversions and Deflection Research**. A study conducted by Justice System Partners together with the CJCC, Charleston Dorchester Mental Health Center, and local law enforcement was published in August 2022 entitled, “Examining the Impacts of Arrest Deflection Strategies on Jail Reduction Efforts”.

The study examined:

1. How does the Tricounty Crisis Stabilization Center (TCSC) impact arrests for individuals with severe mental health diagnoses (SMHD) and jail reduction efforts?
2. How do police make decisions about who and when to deflect individuals to community services broadly and to the TCSC specifically?

The study, with its quantitative and qualitative findings and recommendations, was published and can be found on the CJCC website<sup>11</sup>.

The third initiative, **Crime and Jail Use Tracking**, involved the development and implementation of a regularly occurring dashboard to assist Divert & Deflect workgroup monitoring of crime trends, diversion, deflection, as well as arrests and jail use activity. This initiative was incorporated in early 2021.

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## A. Crime Rates

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Data from the South Carolina Incident-Based Reporting System (SCIBRS) and the FBI National Incident-Based Reporting System (NIBRS) provide statistical data about crime at the county, state, and national levels<sup>12</sup>. These data sources are a useful source of official information about trends in crime across South Carolina<sup>13</sup>.

SCIBRS crime data are based on incident reports submitted by state and local law enforcement agencies to the State Law Enforcement Division (SLED). Offenses are classified according to the SCIBRS definitions rather than according to local ordinances, state statutes or federal statutes. SCIBRS collects in-depth data for Group A offenses, which are divided into three categories.

**Crimes Against Persons** (e.g., murder, rape, and assault) are those whose victims are always individuals.

**Crimes Against Property** (e.g., robbery, burglary, shoplifting) include crimes to obtain money, property or some other benefit.

**Crimes Against Society** (e.g., gambling, prostitution, drug violations, and weapons violations) represent society’s prohibition against engaging in certain types of activity.

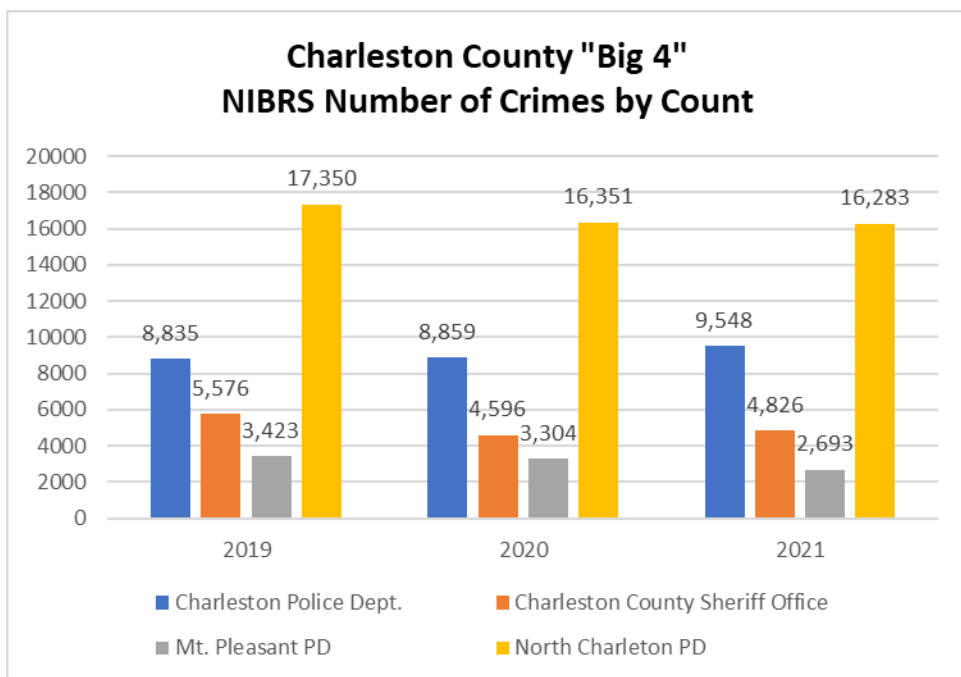
SCIBRS annual data is made available for the prior year – for example in 2022 data for 2021 was released. Multiple agencies are listed as reporting for Charleston County between 1991 to 2021, however not all agencies provide data each year or for every category. The number of reporting agencies in Charleston County for 2021 data ranged from 13 to 20.

| Crimes Against Persons                    | Crimes Against Property                   | Crimes Against Society                   |
|---|---|--|
| Murder and Non-negligent Manslaughter     | Arson                                     | Drug/ Narcotic Violations                |
| Negligent Manslaughter                    | Burglary/ Breaking and Entering           | Drug Equipment Violations                |
| Kidnapping, Abduction                     | Destruction/ Damage/ Vandalism            | Betting/ Wagering                        |
| Forcible Rape                             | Counterfeiting/ Forgery                   | Operating/ Promoting/ Assisting Gambling |
| Forcible Sodomy                           | False Pretenses/ Swindle/ Confidence Game | Gambling Equipment Violations            |
| Sexual Assault with an Object             | Robbery                                   | Pornography/ Obscene Material            |
| Forcible Fondling                         | Shoplifting                               | Prostitution                             |
| Incest                                    | Theft from Building                       | Purchasing Prostitution                  |
| Statutory Rape                            | Theft from Motor Vehicle                  | Assisting/ Promoting Prostitution        |
| Aggravated Assault                        | Theft of Motor Vehicle Parts/ Accessories | Weapon Law Violations                    |
| Simple Assault                            | All Other Larceny                         | Animal Cruelty                           |
| Intimidation                              | Motor Vehicle Theft                       |  |
| Human Trafficking/ Commercial Sexual Acts | And 12 Others                             |  |

In 2020 the Charleston Police Department, Charleston County Sheriff’s Office, Mount Pleasant Police Department, and North Charleston Police Department (collectively referred to as the “Big 4”) represented 97% of the crimes reported among the 12 agencies reporting from Charleston County (33,110 of 33,978 crimes reported).

For 2021, these same agencies represented 96.8% of crimes reported among the 13 agencies reporting from Charleston County (33,350 of 34,469 crimes reported).

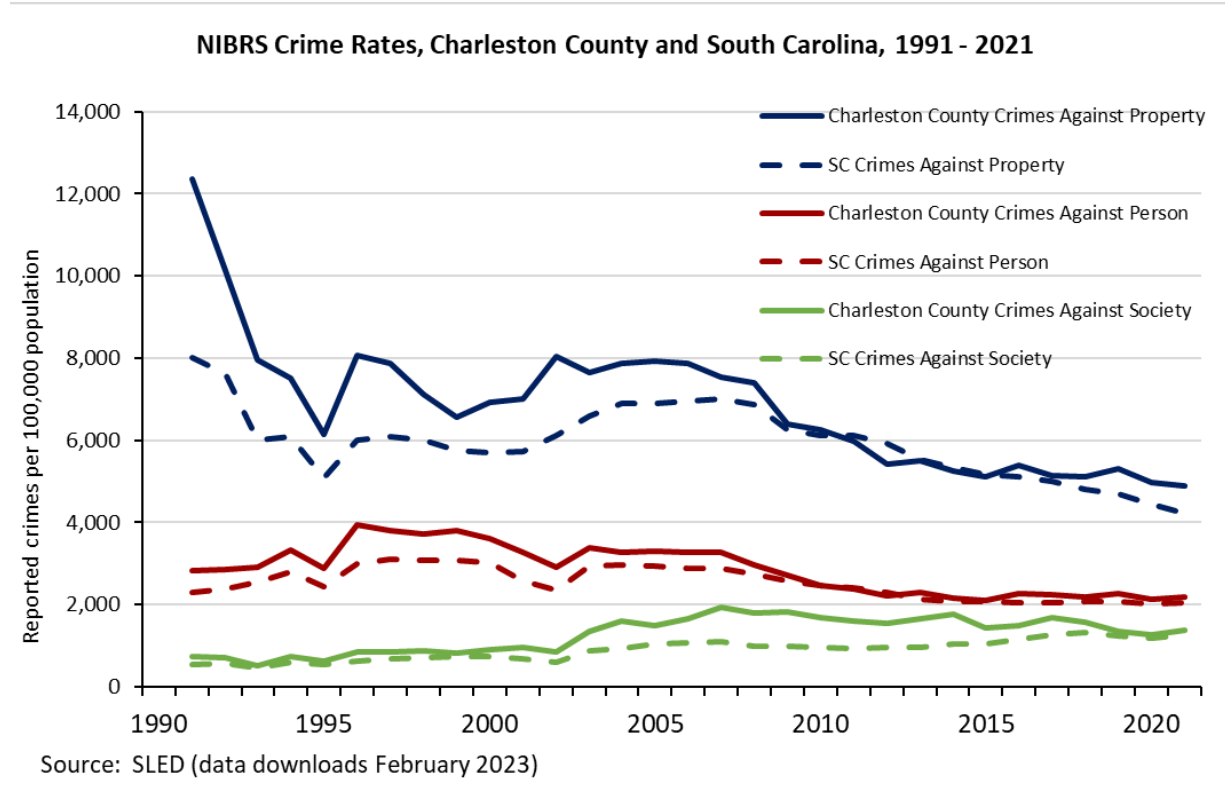
Statewide in 2021, 237 of 277 state and local law enforcement agencies reported crime data





to SLED at least once during the year. Crime data are reported in both the rate per 100,000 as well as the number. For example, a rate of 2,000 per 100,000 indicates 2% of the population reported a crime and 98% did not. The number (amount) of crime reported is also important, as crime counts vary by crime type (e.g., property crimes outnumber crimes against society).

**CRIME RATES OVERVIEW**

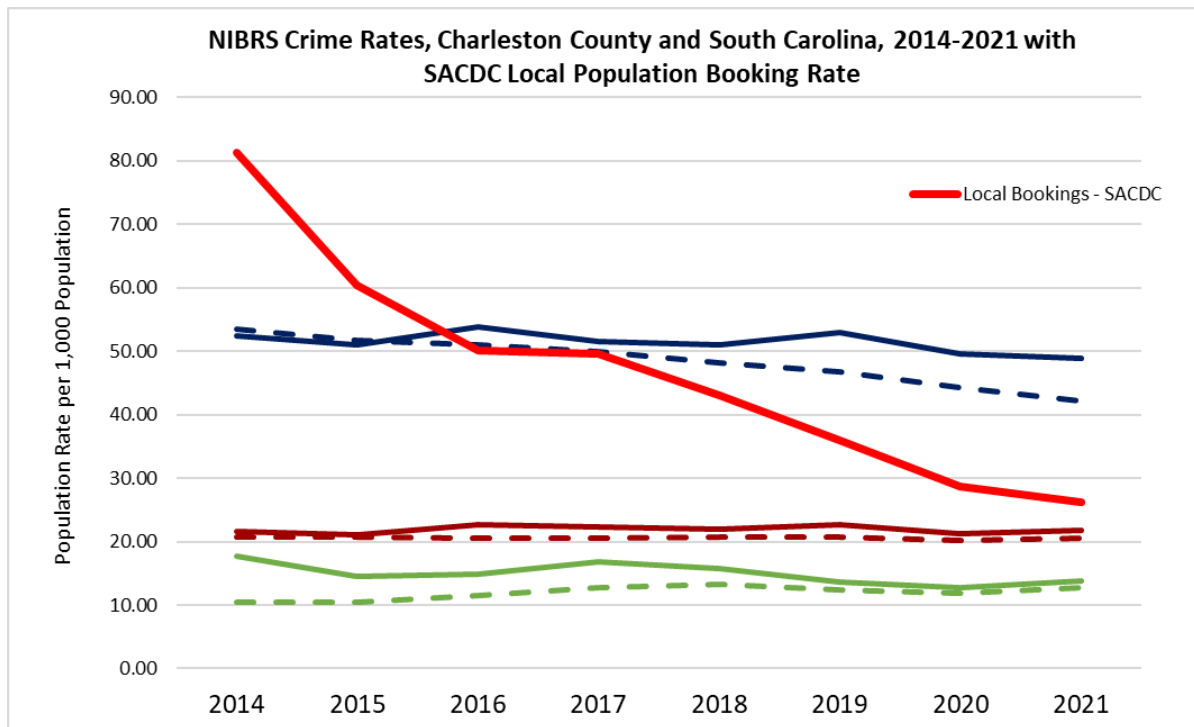


Rates of reported crimes against persons in Charleston County and in South Carolina were less in 2021 compared to reported figures in 1991. Between **1991** and **2021**, **South Carolina** crimes against persons rates decreased by 11% from 2,299.38 per 100,000 population to 2,048.35 per 100,000.

In addition:

- The number of reported crimes against persons increased by 22.2% between 1991 and 2021 (82,095 to 100,290).
- The number of reported crimes against persons increased between 2020 and 2021 by 1.5% (98,849 to 100,290).

Overall, crime rates reported have followed similar trends between South Carolina state and Charleston County from time of available state data records (1991). Between 1991 and 2021, crime rates in South Carolina and in Charleston County displayed relatively similar trends. However, in recent years Crimes Against Property appear to be an exception.



More current examination of state and county comparisons are of interest when compared with SACDC local population booking rates. Since 2014, overall local population booking rates have decreased, while reported crimes against person, property, and society have remained relatively consistent through 2021.

#### CRIMES AGAINST PERSON

Between 1991 and 2021, **Charleston County** crimes against persons rates decreased by 23% from 2,832 per 100,000 population to 2,179.77 crimes per 100,000 population.

- The number of reported crimes against persons decreased from 8,629 to 8,485 (1.6%).

For **Charleston County**, simple assault crimes were the most reported in this category (4,879) for 2021, followed by aggravated assault (1,651) and intimidation (1,462).

#### CRIMES AGAINST PROPERTY

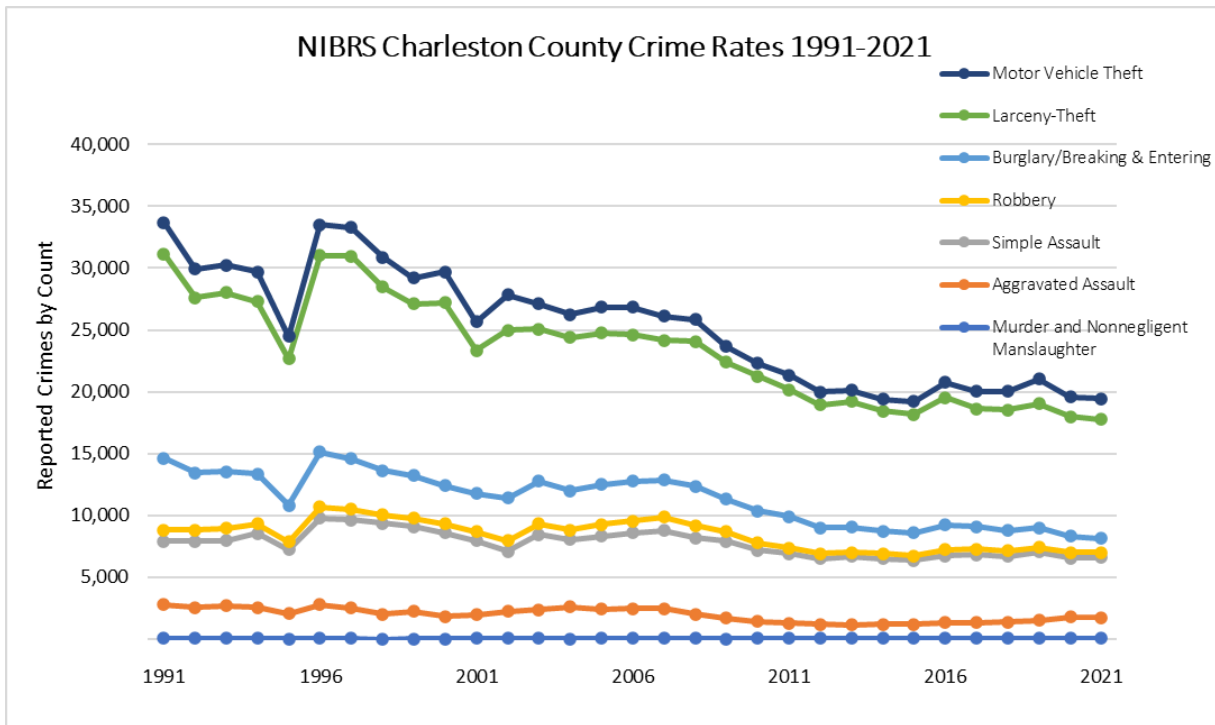
Rates of reported crimes against property in Charleston County and in South Carolina were lower in 2021 than they were in 1991.

Between 1991 and 2021, **South Carolina** crimes against property rates decreased by 47.5% (from 8,022.17 per 100,000 population to 4,214.31 per 100,000). The number of reported crimes against property reduced by 28% from 286,423 to 206,339.

In the same period, **Charleston County** crimes against property rates decreased by 60.4% (from 12,369 per 100,000 population to 4,895 crimes per 100,000 population). Further, the number of reported crimes against property decreased by 49.4% from 37,681 to 19,055. In addition, between 2020 and 2021:

- Crime against property rates decreased an additional 1.4% from 4,966 to 4,896 per 100,000.
- The number of reported crimes against property decreased from 19,330 to 19,055 (1.4%).

For **Charleston County**, property destruction/ vandalism (3, 554 counts) and all other larceny (3,233) were the most reported crimes in this category for 2021, followed by theft from motor vehicle (2,623) and shoplifting (2,098).



### CRIMES AGAINST SOCIETY

Between 1991 and 2021, rates of reported crimes against society increased in both Charleston County and South Carolina.

In **South Carolina**, the crimes against society rates increased by 130.3% from 550.64 per 100,000 population to 1,268.06 per 100,000 population between **1991** and **2021**. Further,

- The number of reported crimes against society increased from 19,660 in 1991 to 62,086.
- Between 2020 and 2021, the number of reported crimes against society increased by 6.4% from 58,343 to 62,086.

Within the same period, **Charleston County** crimes against society rates increased by 84.7% from 744.79 per 100,000 population to 1,375.68 per 100,000.

- The number of reported crimes against society increased by 136% from 2,269 to 5,355.
- Between 2020 and 2021, the number of reported crimes against society increased by 8.6% from 4,933 to 5,355.

For **Charleston County**, drug/narcotic violations were the most reported crimes (3,383) in 2021, followed by weapon law violations (1,149) and drug equipment violations (629).

| South Carolina and Charleston County Crime Rate per 1,000 |        |       |       |       |       |       |       |       |
|---|--------|-------|-------|-------|-------|-------|-------|-------|
| South Carolina  | 1991   | 1995  | 2000  | 2005  | 2010  | 2015  | 2020  | 2021  |
| Crimes Against Person                                     | 22.99  | 24.48 | 30.19 | 29.34 | 24.63 | 20.77 | 20.12 | 20.48 |
| ... Property  | 80.22  | 50.98 | 57.02 | 69.10 | 61.14 | 51.78 | 44.36 | 42.14 |
| ... Society   | 5.51   | 5.45  | 7.39  | 10.34 | 9.70  | 10.50 | 11.92 | 12.68 |
| Charleston County   |        |       |       |       |       |       |       |       |
| Crimes Against Person                                     | 28.32  | 28.91 | 36.04 | 32.94 | 24.69 | 21.04 | 21.19 | 21.80 |
| ... Property  | 123.69 | 61.33 | 69.22 | 79.24 | 62.55 | 51.04 | 49.66 | 48.95 |
| ... Society   | 7.45   | 6.14  | 8.97  | 15.02 | 16.90 | 14.43 | 12.67 | 13.76 |

The provided charts identify Charleston County rates per 1,000 population to be higher than South Carolina state figures. These comparisons appear to be consistent when considering more dense populations tend to exhibit higher rates of crime when compared to more rural areas. Additional examples are provided in the examination of specific offenses such as: shoplifting, theft from vehicle, and weapon law violations (see below).

| Offenses of Interest – State and County Comparisons |      |      |      |
|---|------|------|------|
| Rates per 1,000 Population                          | 2019 | 2020 | 2021 |
| Shoplifting – South Carolina                        | 5.45 | 4.94 | 3.96 |
| Shoplifting – Charleston County                     | 6.43 | 5.42 | 5.39 |
| Theft from Vehicle – South Carolina                 | 5.64 | 5.56 | 5.25 |
| Theft from Vehicle – Charleston County              | 7.45 | 7.19 | 6.74 |
| Weapon Law Violations – South Carolina              | 1.71 | 1.89 | 2.01 |
| Weapon Law Violations – Charleston County           | 2.30 | 2.61 | 2.95 |

## B. Custodial and Non-Custodial Arrests

Overall, data indicates the four largest law enforcement agencies in the County (Charleston Police Department, North Charleston Police Department, Mount Pleasant Police Department, and Charleston County Sheriff’s Office), continue to represent most of the jail use among local law enforcement agencies.

Of all local bookings, the Big Four represented 94% in 2014 and 2015, 92% in 2016, 93% in 2017, 89% in 2018, 90% in 2019 and 2020, 89% in 2021, and **90% in 2022**.

- In 2022, the Big Four represented **8,419 local bookings out of 9,358 (90% of all local bookings)**. This is consistent with the prior year 2021, where the Big Four Represented 7,779 local bookings out of 8,764 local bookings (89%).
- Between 2014 to 2022, there was a decline in local bookings made by the Big Four.

- Between 2014 and 2022, **85%** of all arrest charges made by the “Big 4” were custodial, while **15%** were non-custodial.

An overall decline in arrest charges<sup>14</sup> for the Big Four between 2014 and 2021 saw a slight increase in total arrest charges in 2022.

The combination of custodial and non-custodial arrest charges made by the Big Four saw an overall decrease of 62% from 2014 totals (38,791), despite a slight increase for 2022 figures.

- Between 2020 and 2021, the combination of custodial and non-custodial arrest charges made by the Big Four decreased by 15% (15,186 in 2020; 12,867 in 2021).
- Between 2021 and 2022, custodial and non-custodial arrest charges made by the Big Four increased by **14.4%** from 12,867 to **14,715**.

Considering the significant changes in arrest charges that have occurred since 2014, it is important to pay close attention to more recent trends from 2021 to 2022, as these figures fall within the societal “reset” of the COVID-19 pandemic.

Between 2021 and 2022:

- Custodial arrest charges **increased by 14.7%** from 10,844 to 12,441 in 2022.
- Non-custodial arrest charges **increased by 12.4%** from 2,023 to 2,274.

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## C. Most Frequently Occurring Charges

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The volume and type of most frequent charges coming into the jail has shifted over time. In 2014, the most frequently occurring charge booked was simple possession of marijuana with approximately 2,785 charges. While the number of simple possession of marijuana charges has decreased each year since 2014 (decreased by **89%** to **297 in 2022**), it continued to be the most frequently booked charge throughout 2017 and 2018. By 2019, simple possession of marijuana fell to the sixth most frequently booked charge surpassed by the most frequently booked charge of driving under the influence 1<sup>st</sup>, followed by firearm possession violations, shoplifting, contempt of family court, and public intoxication. In 2022, simple possession of marijuana was 13<sup>th</sup> in the Most Frequently Occurring Charges.

Comparisons include a review of most frequently occurring charges in 2019 and 2022 – as these numbers most closely reflect pre- and post-pandemic figures. In addition, contrasts are made between 2021 and 2022 to note more recent fluctuations.

| Most Frequently Occurring Charges<br>2022                                  |       |
|--|-------|
| Charge Description   | Count |
| Firearm Possession Violations  | 1,036 |
| Driving Under Influence (DUI) 1ST  | 1,010 |
| Trespass   | 520   |
| Simple Assault   | 449   |
| Shoplifting (Misdemeanor)  | 447   |
| General Sessions & Probate Contempt of Court                               | 439   |
| Manufacture/PWID other substances and Schedule I II III (1 <sup>ST</sup> ) | 418   |
| Public Disorderly Conduct  | 406   |
| Possession of a Weapon During a Violent Offense                            | 335   |
| Contempt of Family Court   | 325   |
| Public Intoxication  | 325   |
| Domestic Violence 2 <sup>nd</sup> Degree                                   | 311   |
| Simple Possession Marijuana (SPM)  | 297   |
| Failure to Stop for Blue Light   | 296   |
| Violation of Probation   | 291   |

| Most Frequently Occurring Charges<br>2021                                  |       |
|--|-------|
| Charge Description   | Count |
| Firearm Possession Violations  | 1,023 |
| Driving Under Influence (DUI) 1ST  | 906   |
| Trespass   | 428   |
| Public Disorderly Conduct  | 364   |
| Possession of a Weapon During a Violent Offense                            | 363   |
| Domestic Violence 2 <sup>nd</sup> Degree                                   | 357   |
| Simple Assault   | 351   |
| Failure to Stop for Blue Light   | 338   |
| Manufacture/PWID other substances and Schedule I II III (1 <sup>ST</sup> ) | 312   |
| Violation of Probation   | 303   |
| Public Intoxication  | 292   |
| Simple Possession of Marijuana (SPM)                                       | 278   |
| Shoplifting (Misdemeanor)  | 237   |
| Driving Under Suspension, 1 <sup>ST</sup>                                  | 230   |
| Possession Less Than One Gram  | 211   |

| Most Frequently Occurring Charges<br>2020       |       |
|---|-------|
| Charge Description                              | Count |
| Driving Under Influence (DUI) 1ST               | 915   |
| Firearm Possession Violations                   | 887   |
| Shoplifting (Misdemeanor)                       | 443   |
| Trespass  | 412   |
| Public Disorderly Conduct                       | 408   |
| Simple Assault                                  | 383   |
| Domestic Violence 2 <sup>nd</sup> Degree        | 378   |
| Violation of Probation                          | 353   |
| Failure to Stop for Blue Light                  | 329   |
| Driving Under Suspension 1 <sup>st</sup>        | 318   |
| Public Intoxication                             | 313   |
| Simple Possession of Marijuana (SPM)            | 308   |
| Possession of a Weapon During a Violent Offense | 304   |
| Possession of Cocaine 1 <sup>st</sup> Offense   | 283   |
| Contempt of Family Court                        | 281   |

| Most Frequently Occurring Charges<br>2019       |       |
|---|-------|
| Charge Description                              | Count |
| Driving Under Influence (DUI) 1st               | 1,198 |
| Firearm Possession Violations                   | 912   |
| Shoplifting (Misdemeanor)                       | 669   |
| Contempt of Family Court                        | 637   |
| Public Intoxication                             | 620   |
| Simple Possession of Marijuana (SPM)            | 593   |
| Trespass  | 579   |
| Driving Under Suspension 1 <sup>st</sup>        | 558   |
| Public Disorderly Conduct                       | 520   |
| Violation of Probation                          | 475   |
| Simple Assault                                  | 451   |
| Domestic Violence 2 <sup>nd</sup>               | 421   |
| Possession of Cocaine 1 <sup>st</sup> Offense   | 374   |
| PWID Marijuana                                  | 353   |
| Possession of a Weapon During a Violent Offense | 340   |

Between 2019 and 2022 there were:

**Decreases in:** simple possession of marijuana (50%); public intoxication (48%); violation of probation (39%); misdemeanor shoplifting (33%); domestic violence 2<sup>nd</sup> degree (26%); public disorderly conduct (22%), driving under influence (DUI) 1<sup>st</sup> (15.7%), trespass (10%), simple assault (0.4%).

**Increases in:** firearm possession violations (13.6%).

During 2022, the most frequently occurring charges included: firearm possession violations, driving under the influence (DUI) 1<sup>st</sup>, trespass, simple assault, and shoplifting.

It is also important to pay close attention to more recent trends **from 2021 to 2022** to note post-pandemic trends.

Between **2021** and **2022**, the following observations were made:

- **Increases in:** firearm possession violations (1.3%); driving under influence (DUI) 1<sup>st</sup> (11.5%); trespass (21.5%); public disorderly conduct (11.5%), simple assault (28%); manufacture/PWID other substances and Schedule I II III (1<sup>ST</sup>) (34%); public intoxication (11%); simple possession marijuana (6.8%), shoplifting (88.6%).
- **Decreases in:** possession of a weapon during a violent offense (7.7%); domestic violence 2<sup>nd</sup> degree (13%); failure to stop for blue lights (12.4%); violation of probation (4%).

#### **New Charges to the Most Frequently Occurring Charges:**

The following charges made their first appearance in the Top 15 Charges list in 2022 since the monitoring of this information by the CJCC in 2014:

- General Sessions & Probate Contempt<sup>15</sup> of Court
- Contempt of Family Court<sup>16</sup>

*Please note, the analysis of most frequently booked charges continues to improve year over year as charge description groupings are developed based upon the different variations in the data at the time. Hence, charge counts may vary somewhat from past reports. In addition, charges listed as*

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## D. Single, Target-Charge Activity

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One of the original strategies the Charleston County CJCC employed was to reduce single, target-charge bookings for: **simple possession of marijuana, open container, trespassing, public intoxication, and misdemeanor shoplifting**. Between 2014 and 2021, these bookings declined significantly (84%) from 4,963 to 790.

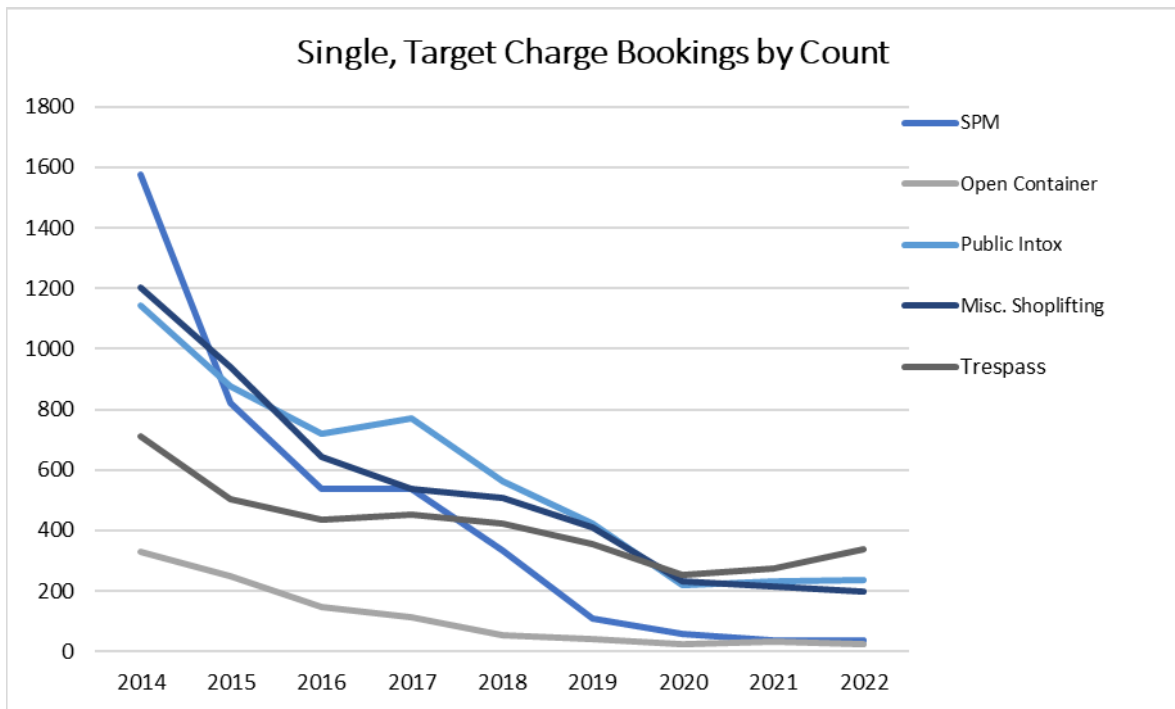
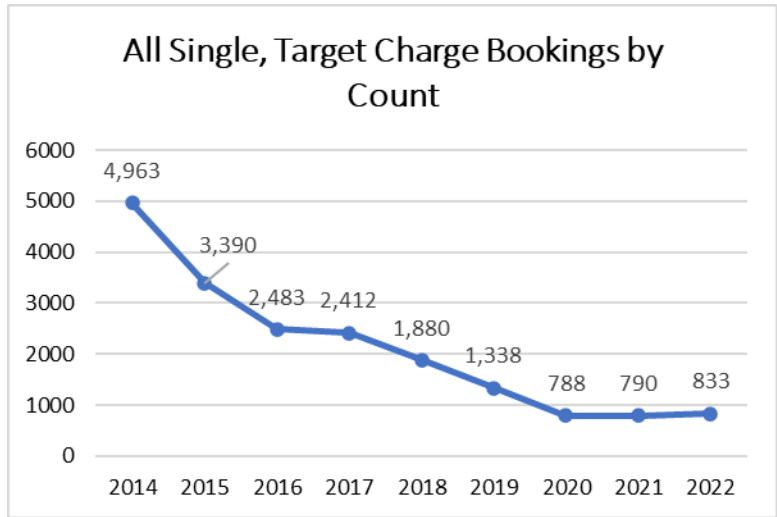
Consistently highlighted throughout this report is the critical component of reviewing recent trends in light of a society recovering from the impacts and influences of world-wide pandemic. Collectively, single, target-charge bookings increased less than one percent between 2020 and 2021 (788 vs. 790), and between 2021 and 2022 a **5.4% increase was observed (833)**. Variation was also observed among each targeted, single charge booking compared 2021 data and the start of data recording (2014).

In 2022, the following observations were made:

- **Simple Possession of Marijuana** remained consistent with 36 single charge bookings compared to 35 in 2021. This is an overall decrease of 97.7% from 2014 (1,576).



- **Open Container** decreased from 34 in 2021 to 26 – an overall decrease of 92% from 2014 (330).
- **Public Intoxication** remained consistent with 236 single charge bookings compared to 232 in 2021. This is an overall decrease of 79.3% from 2014 (1,143).
- **Misdemeanor Shoplifting** decreased from 213 in 2021 to 196 – an overall decrease of 83% from 2014 (1,204).
- **Trespass** increased from 275 in 2021 to 339. This is a yearly increase of 23.3%, but an overall decrease of 52.3% from 2014 (710).



## E. Tricounty Crisis Stabilization Center and Triage Services

Another specific strategy employed by the CJCC to rethink jail use in Charleston County was to utilize appropriate real-time alternatives to jail for individuals living with mental illness, substance use disorders, and/or homelessness. The Charleston community is fortunate to have an array of around the clock community-based options for diversion and deflection from jail. These options include the Charleston Dorchester Mental Health Center’s (CDMHC) Mobile Crisis, EMS Telehealth, embedded clinicians within law enforcement agencies, the 911 Consolidated Dispatch Center, and the Tricounty Crisis Stabilization Center (TCSC).

When help is needed, officers can access a clinician immediately by phone and/or drop off an individual at the TCSC to identify appropriate alternatives and assistance for individuals living with mental illness, substance use disorders, and/or homelessness. These options are available whether the person they are trying to help is in jeopardy of a criminal charge or not.

The TCSC is a community-wide effort collaboratively funded by the South Carolina Department of Mental Health, Charleston Dorchester Mental Health Center (CDMHC), Medical University of South Carolina, Roper Saint Francis, Charleston Center, Charleston County Sheriff’s Office, Berkeley Mental Health Center, and CJCC. The TCSC contains 10 beds operated by the CDMHC, previously located in the Charleston Center (with an onsite detoxification unit) along with two contract beds at One80 Place for individuals experiencing homelessness.

In November 2022, TCSC temporarily closed to relocate and upgrade its licensure with SC Department of Health and Environmental Control (DHEC). Upon re-opening in 2023, the facility is now located within the new Teddie E. Prior, Sr. Social Services Building, 3685 Rivers Avenue, North Charleston, SC. Besides, TCSC, this new social services building houses a variety of different services including: the Department of Alcohol and other Drug Abuse Services, SC DHEC (administration and clinics), the South Carolina Department of Social Services, and South Carolina Connections Medicaid. In addition, this location will also house South Carolina’s first Sobering Center. The Sobering Center contains 10 beds and provides an alternative to jail for an individual who may require the use of the facility’s resources. Average length of stay is 6-8 hours for each client, where they are monitored by nurses and receive supportive care. The Teddie E. Prior, Sr. Social Services Building fosters greater opportunity for collaboration with service providers and easier access to client-base due to readily accessible public transportation.

| Tricounty Crisis Stabilization Center Activity   |      |      |       |       |      |
|--|------|------|-------|-------|------|
|  | 2018 | 2019 | 2020* | 2021* | 2022 |
| <b>Law Enforcement Referrals</b>                 | 62   | 74   | 8     | 3     | 3    |
| <b>All Referrals</b>                             | 847  | 943  | 212   | 414   | 543  |
| <b>Admissions</b>                                | 526  | 583  | 118   | 186   | 288  |
| <b>Hospital &amp; Emergency Dept. Diversions</b> | 672  | 522  | 84    | 174   | 258  |
| <b>Jail Diversions</b>                           | 3    | 23   | 1     | 0     | 3    |

*Note. Only partial data are available for 2020 (January to March) and 2021 (February to December) due to closures associated with the COVID-19 pandemic.*

Notably, TCSC referral and admissions increased considerably from 2020 to 2021.

- **Referrals** increased by 95% from 212 in 2020 to 414 in 2021.

From 2021 to 2022, referrals increased again by 31% (541).

- **Admissions** increased by 58% from 118 in 2020 to 186 in 2021.

From 2021 and 2022, admissions increased again by 55% (288).

The TCSC closed for the majority of 2020 and into early 2021 due to the pandemic. Law enforcement referrals to TCSC reduced considerably once it reopened as a PCR Test was required for admission.

Nonetheless, diversion and deflection activity in other areas persisted. The data below indicates law enforcement’s use of options to divert and deflect individuals to care through numerous pathways, such as Mobile Police Triage, law enforcement consultation with embedded clinicians, and drop offs to the main CDMHC location.

| Charleston Dorchester Mental Health Center/Law Enforcement Activity |               |                   |                      |
|---|---------------|-------------------|----------------------|
|   | Consultations | Clinic Drop Off's | Mobile Police Triage |
| <b>*2018</b>  | 375           | 17                | *                    |
| <b>2019</b>   | 473           | 152               | *                    |
| <b>2020</b>   | 670           | 103               | 274                  |
| <b>2021</b>   | 498           | 185               | 234                  |
| <b>2022</b>   | 520           | 160               | 156                  |

*Note. Asterisks denote prior to availability of a complete year of data.*

Notably, while there was a decrease in consultations (-26%) and mobile police triage (-15%) activity from 2020 to 2021, there was a considerable increase (80%) in clinic drop offs by law enforcement in the same period.

By 2022 there was an increase in consultations from 2021 (4%) while clinic drop offs and mobile police triage activity decreased (-14% and -33% respectively).

## F. Analysis of Familiar Face Releases

Familiar Faces are individuals that frequently cycle through the jail and are booked and released from the jail multiple times in a given time period. In this analysis, Familiar Faces have three or more bookings within a two-year period. Please note, at this time the CJCC is unable to evaluate and interpret year-to-year Familiar Face comparisons due to a necessary refinement<sup>17</sup> in the query process required to retrieve familiar face data.

In 2022, there were 756 persons identified as a Familiar Face, who released from SACDC 1,717 times on 3,503 charges, utilizing 41,056 bed days with an average length of stay of 23 days.

Compared to the overall local jail population, Familiar Faces represent 9% (756/8,235) of the people, 20% (3,503/17,777) of the charges and 17% (1,717/9871) of releases coming out of the jail and 14% (112/791) of the jail annualized local population.

| 2022 Familiar Faces Release Information |               |
|---|---------------|
| <b>Total Familiar Faces</b>             | <b>1,717</b>  |
| <b>Total Inmates</b>                    | <b>756</b>    |
| <b>Total Charges</b>                    | <b>3,503</b>  |
| <b>Total Bed Days</b>                   | <b>41,056</b> |
| <b>Average Length of Stay</b>           | <b>23</b>     |
| <b>Average Daily Population</b>         | <b>112</b>    |

Familiar Faces are divided into two distinct groups: those with **3-4 bookings** in 2 years and those with **5 or more bookings**.

The Familiar Face **3-4 Bookings category** is comprised of:

- 79% (598) of all Familiar Face persons
- 71% (2,484) of Familiar Face charges
- 66% (1,131) of all Familiar Face releases
- Consumed 74% (30,186) of Familiar Face bed days, staying an average length of 26 days.

**66% of Familiar Face releases were booked and released 3 times or more in a 2-year period on 2,484 charges.**

The Familiar Face **5 or more Bookings category**<sup>18</sup> is comprised of:

- 21% (158) of all Familiar Face persons
- 29% (1,019) of Familiar Face charges
- 34% (586) of all Familiar Face releases
- Consumed 26% (10,870) of Familiar Face bed days, with an average length of stay of 18 days.

#### EXPANDED FAMILIAR FACE ANALYSIS

Additional analysis was done to learn more about familiar faces by joining SACDC data with data from the Pretrial Services Database to the extent data matching was possible. The charts below represent an expanded analysis of the findings from 2022.

- There were 715 Familiar Face individuals booked and released 1,617 times on 3,085 charges in 2022.
- On average they were booked on approximately two charges and stayed in jail for 15 days.
- Familiar Faces were on average 37 years old, mostly male, 59% Black, and 41% White.
- The number of Familiar Face releases decreased 75% from 8,000 in 2014 to 2,038 in 2022.
- The number of charges among Familiar Faces releases decreased 70% from 14,831 in 2014 to 4,520 in 2022.
- The number of unique, Familiar Face individuals reduced 72% from 3,618 persons in 2014 to 1,013 in 2021.

| Expanded Analysis 2022 |             |
|------------------------|-------------|
| Familiar Face Metric   | Count       |
| Unique Individuals     | 715         |
| Total Bookings         | 1,617       |
| Total Charges          | 3,085       |
| Average Stay (Days)    | 15          |
| Ave Charges/Booking    | 1.91        |
| Ave Age Booked         | 37.30       |
| Black Bookings         | 952 (59%)   |
| White Bookings         | 662 (41%)   |
| Other Bookings         | 3 (.19%)    |
| Female Bookings        | 246 (15%)   |
| Males Bookings         | 1371 (85%)  |
| Most Frequent Charge   | Trespassing |

While the most frequent Familiar Face charge is trespassing, 48% of bookings were General Sessions Court (GSC) driven; 48% were Summary Court driven; and 4% were Other Court driven. Each booking is grouped under “General Sessions” if it includes at least one General

Court charge. Similarly, bookings grouped in “Summary Court” have at least one Summary Court (Magistrate or Municipal Court) charge and no General Sessions charges. Those in the “Other Courts” grouping have no General Sessions or Summary but there were charges for another court, such as Family Court, Probation and Parole, Mental Health Court, and Drug Court.

| 2022 Familiar Face Most Frequent Charges                                   |       |
|--|-------|
| Charge Description   | Count |
| Trespassing  | 271   |
| Forearm Possession Violation   | 181   |
| General Session & Probate Contempt   | 110   |
| Disorderly Conduct   | 105   |
| Shoplifting (Misdemeanor)  | 93    |
| Probation Violation  | 91    |
| Public Intoxication  | 88    |
| Shoplifting (GSC)  | 88    |
| Breaking into Auto   | 77    |
| Manufacture/PWID other substances and Schedule I II III (1 <sup>ST</sup> ) | 75    |

### MOST ACTIVE FAMILIAR FACES

Analysis was performed to further examine Familiar Faces booked and released to identify *the most active* among them. In this analysis of the most frequent Familiar Faces, these individuals cycled in and out of the jail **seven or more times in 2022**.

There were 14 individuals who were booked 144 times on 184 charges. They averaged 1.28 charges per booking and stayed an average of 8 days in the jail. 15 bookings were released within 24 hours. They had an average age at booking of 45 years. The most frequently occurring charge was trespassing, along with other crimes against public order such as shoplifting, disorderly conduct and public intoxication. These types of charges are often symptomatic of underlying issues such as homelessness, mental health and/or substance use disorders.

| Most Frequent 10 Charges of Most Active Familiar Faces |       |
|--|-------|
| Charge Description                                     | Count |
| Trespass   | 69    |
| Public Intoxication                                    | 25    |
| Disorderly Conduct                                     | 18    |
| Simple Assault   | 12    |
| Shoplifting (Misdemeanor)                              | 9     |
| Open Container   | 4     |
| Resisting Arrest                                       | 4     |
| Shoplifting (GSC)                                      | 4     |
| Soliciting Ride/Employment                             | 4     |
| Breach of Peace  | 3     |

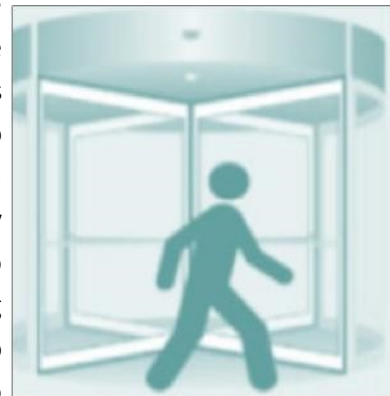
### STRATEGIC INITIATIVE MOST VISIBLE PERSONS (MVPs)

Efforts have been made to better understand and address the Familiar Face population in recent years. Building on this work and the FY 21 – 23 Strategic Plan, the CJCC developed and implemented a small-scale pilot program to help build the initial infrastructure necessary to identify, engage and provide wrap-around services to these individuals utilizing existing resources. In late 2020, a workgroup developed eligibility criteria for the target population, informed consent documents, client engagement protocols, and fostered collaboration

| 2022 Most Active Familiar Faces |       |
|---------------------------------|-------|
|                                 | Count |
| Unique Individuals              | 14    |
| Times Booked & Released         | 144   |
| Charges                         | 184   |
| Ave Charges/Booking             | 1.28  |
| Average Stay (Days)             | 8     |
| Total Bed Days                  | 1,171 |
| Average Age                     | 45    |
| Female Bookings                 | 48    |
| Male Bookings                   | 96    |
| Black Bookings                  | 78    |
| White Bookings                  | 66    |

among existing resources with technical assistance from Policy Research Incorporated (PRI). The initiative “Most Visible Persons (MVP)” highlighted the plan to engage individuals in a unique case management style to achieve better outcomes and interrupt the cycle of frequent incarceration. The plan for the pilot was to start on a small scale and to work with four clients per quarter, allowing the workgroup to navigate system gaps as they occurred and were identified.

Work through 2022 continued to prove the MVP process to be time consuming and messy. In some cases, it required multiple team meetings in a single week to address urgent issues such as an MVP’s unexpected release, lack of shelter, vulnerability to physical threat, or any number of other crises that arise in such an unstable population. Sometimes it was a challenge to simply locate an individual released to the street to provide assistance to them without phone or other means of maintaining communication to receive help. Clientele’s willingness to participate in this program varied, especially when released to



familiar circumstances, even if those circumstances were unstable or potentially dangerous. The MVP team learned that system gaps provide opportunities for further collaboration and system improvement and expanded workgroup membership. In 2022, Charleston County sought and was awarded grant funding to plan and implement enhanced housing options for this population. Moving into 2023, the MVP workgroup will continue at current capacity until system partnerships and community resources expand allowing the initiative to grow.

### Key Point Summary

- The Big Four police agencies consistently make up the majority of local booking activity.
- As the overall total charges booked into the jail have reduced since 2014, there have been notable changes in the most frequently booked charges.
- In 2022, firearm possession violations remained the most frequently booked charge for the second year in the row. DUI 1st and trespassing remained the second and third most frequent, respectively.
- As the majority of Single, Target-Charge Bookings remained consistent or decreased, trespassing increased by 23.3%.
- Tricounty Crisis Stabilization Center activity increased for the second year in a row (2021, 2022).

# BOND AND REENTRY

## Background

Black's Law Dictionary defines bail as: To procure the release of a person from legal custody, by undertaking that he shall appear at the time and place designated and submit himself to the jurisdiction of the court<sup>19</sup>.

Section 17-15-10, SC Code of Laws 1976, annotated states:

(A) Person charged with noncapital offense may be released on his own recognizance; conditions of release; bond hearing for burglary charges.

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

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

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

Unnecessarily incarcerating defendants awaiting court that are not a safety or flight risk results in significant costs to individuals, families and communities<sup>20</sup>. Research has shown a variety of negative impacts from pretrial detention, such as higher rates of conviction and harsher sentences than those released, who have the benefit of demonstrating their ability to behave responsibly in the community<sup>21</sup>. Detained defendants, especially those that pose lower risk of pretrial failure, may become further destabilized and less capable of being healthy, contributing members of society<sup>22</sup>. They can experience loss of housing and income, separation from children or other family members in need of care, untreated mental health and substance use disorders, and develop further needs that place them at elevated risk of future arrest<sup>23</sup>.



Consistent with CJCC efforts to improve the local criminal justice system, there has been a sustained focus on practices within Centralized Bond Courts (CBC). Deliberate steps included making bond hearings fairer with public defender representation and Pretrial Service Reports to better inform the Court about the risks of re-arrests and/or missing court. In addition, a significant amount of data has been gathered and analyzed to better understand related policies and practices. The data routinely indicate the majority of defendants release pretrial, most often in the first few days, and those that do not can be detained for a long time (e.g., over 600 individuals awaiting Circuit Court with an average length of stay of over 250 days).

At the end of December 2022, 686 people were awaiting Circuit Court with an average length of stay of 257 days at SACDC.

In addition, several studies have found the majority of pretrial releases do not get into trouble while waiting for court. The minority that are re-arrested most often receive new charges within six months of release, and they tend to get re-arrested more than once. Notably, rates of success on pretrial release decrease as risk level increases. Further, releases on financial bonds consistently have worse outcomes.

## Bond Data

The following sections describe areas of analysis regarding Centralized Bond Court practices:

- A. Effective bonds (source data: CMS Magistrate, CMS GS and SACDC)
- B. Pretrial Service Reports (source data: Pretrial Services Database, CMS Magistrate, and SACDC)
- C. Bond Court Observations (source data: Bond Court Observation Tool)
- D. Pretrial outcome studies (source data: CMS Magistrate, CMS GS, Pretrial Services Database, Charleston, North Charleston and Mount Pleasant Municipal Courts, and SACDC)
- E. Widely Accessible Directory of Services (source data: United Way SC 211)

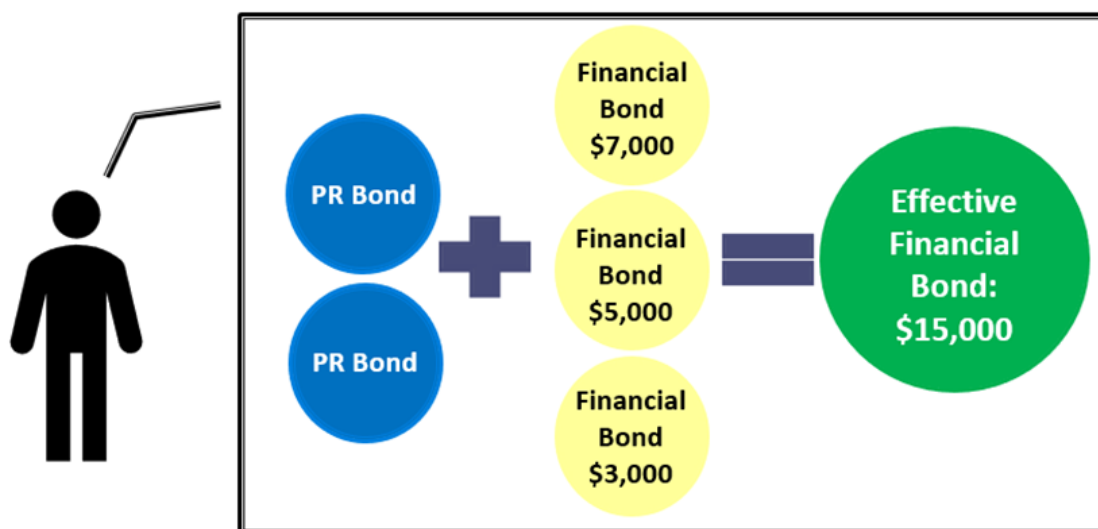
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## A. Effective Bond

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

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



*A person facing five charges, with three containing financial bonds totaling \$15,000, and two being PR bonds, would have an "effective financial bond" set at \$15,000.*

Grouping by effective bond means combining all bonds set on an individual per bond hearing. The type and amount of bonds are determined based upon the totality of bonds, also known as the effective bond. Effective bond analysis allows for a more informative measure of bond practices compared to counting individual bonds on each charge. For example, one person at one bond hearing may have five charges and receive five bonds, some financial at \$X per bond and some PR.

The defendant must meet all bond conditions to be released from jail, and the total amount of money necessary to do so (if they are assigned financial bond types). Therefore, an effective PR bond would signify that one individual at one bond hearing received only PR bonds. On the other hand, a person facing five charges with three financial bonds totaling \$15,000 and two PR bonds, would have an effective financial bond set at \$15,000.

Effective bond trend<sup>26</sup> in Centralized Bond Court (CBC)<sup>27</sup> between 2014 and 2022 indicate:

- There were 847 fewer effective bonds (PR and Financial) in 2022 than 2014, from 7,361 to 6,487 (12% decrease).
- The use of effective financial bonds has continued to decrease over time; between 2021 and 2022, the percentage of financial bonds decreased 1%.

In examining the use of effective bonds historically in Charleston County:

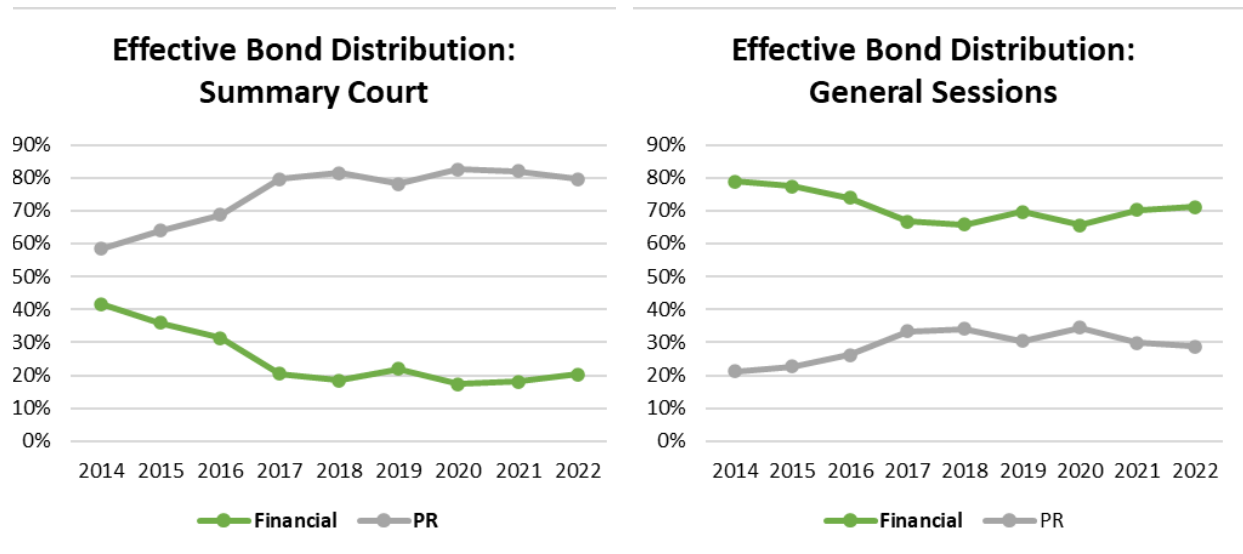
- In 2014, there were 5,349 effective financial bonds (73%) and 2,012 effective PR bonds (27%).
- In 2022, there were 3,472 effective financial bonds (54%) and 3,015 effective PR bonds (46%).
- Between 2014 and 2022, effective financial bonds saw a -35% decrease and effective PR bonds saw a 50% increase of effective PR bonds.

| Effective Bond Distribution in CBC: All |           |       |       |      |      |
|---|-----------|-------|-------|------|------|
|   | Financial | PR    | Total | % \$ | % PR |
| <b>2014</b>                             | 5,349     | 2,012 | 7,361 | 73%  | 27%  |
| <b>2015</b>                             | 4,290     | 1,799 | 6,089 | 70%  | 30%  |
| <b>2016</b>                             | 4,080     | 1,918 | 5,998 | 68%  | 32%  |
| <b>2017</b>                             | 3,873     | 2,624 | 6,497 | 60%  | 40%  |
| <b>2018</b>                             | 4,163     | 4,080 | 8,243 | 51%  | 49%  |
| <b>2019</b>                             | 4,142     | 3,433 | 7,575 | 55%  | 45%  |
| <b>2020</b>                             | 3,370     | 3,015 | 6,385 | 53%  | 47%  |
| <b>2021</b>                             | 3,487     | 2,898 | 6,385 | 55%  | 45%  |
| <b>2022</b>                             | 3,472     | 3,015 | 6,487 | 54%  | 46%  |

Effective bond trends vary considerably by court type. There was an increase in the number of General Sessions Court effective bonds and an increase in Summary Court effective bonds from 2014 to 2022. This increase is partially attributed to the transfer of City of Charleston Municipal Court bonds setting to the Centralized Bond Court prior to 2022.

The proportion of effective financial bonds reduced in Summary Court from 42% in 2014 to 20% in 2022. Effective PR bonds increased from 58% in 2014 to 80% in 2022.

- Between 2021 and 2022, financial bonds in Summary Court increased (18% to 20%) while PR bonds decreased (82% to 80%).



The proportion of effective financial bonds reduced in General Sessions Court from 79% in 2014 to 71% in 2022, while effective PR bonds increased from 21% in 2014 to 29% in 2022.

- Between 2021 and 2022, financial bonds in General Sessions Court increased slightly (70% to 71%), while effective PR bonds decreased slightly (30% to 29%).

In 2022, effective financial bonds remained the most common bonds set in General Sessions and other court<sup>28</sup> cases while effective PR bonds remained the majority in Summary cases. In recent years, the average dollar amount of effective financial bonds<sup>29</sup> set in CBC has decreased since 2018 for General Sessions and Other court cases, while it increased in Summary Court cases.

| CBC Bond Average Amount |                 |                  |                       |                     |
|-------------------------|-----------------|------------------|-----------------------|---------------------|
| Year                    | Average Overall | GS Court Average | Summary Court Average | Other Court Average |
| 2018                    | \$33,085.00     | \$36,339.00      | \$6,006.00            | \$44,633.00         |
| 2019                    | \$32,011.00     | \$35,722.00      | \$2,119.00            | \$48,361.00         |
| 2020                    | \$32,725.00     | \$36,384.00      | \$2,833.00            | \$26,054.00         |
| 2021                    | \$33,533.06     | \$37,309.61      | \$3,349.70            | \$26,056.47         |
| 2022                    | \$30,568.85     | \$ 34,806.26     | \$3,650.37            | \$ 31,639.87        |

Between 2021 and 2022, average overall financial bond amounts decreased -9% from \$33,533.06 to \$30,568.85.

- Summary Court saw a 9% increase in bond averages, while General Session Court bond averages decreased by 9%.
- Other court averages (not General Sessions or Summary Court) saw a 21% increase in financial bond amounts.

## B. Pretrial Service Reports

Charleston County's Centralized Bond Court decided to use a pretrial service report (PSR) to better inform bond-setting judges and provide a consistent, objective and reliable way to assess for risk of rearrests and/or missing court. The PSR summarizes core information about the defendant, incorporating factors in a pretrial risk assessment.

The PSR was first implemented in January 2018 following a period of data collection and analysis that deemed it appropriate for use in Charleston County<sup>30</sup>. Thereafter, the PSR was upgraded to a revised version in January of 2020 following subsequent data collection and analysis. Notably, the transition to the upgraded version allowed for increased predictively and increased productivity. The percentage of PSRs provided to the Court in eligible bond hearings increased from 51% in 2019 to 92% in 2020 without any additional staff. Data is continually collected for follow up evaluations of predictive accuracy as well as continued monitoring for any racial or gender bias.

Acknowledging the ongoing debate among bail reform advocates that risk assessments are inherently biased, the National Association of Pretrial Service Agencies (NAPSA) continues to recommend the use of pretrial risk assessments instruments. NAPSA Standard 2.8<sup>31</sup> issued in 2020 states, "Stakeholders making bail decisions should use validated risk assessments to inform those decisions." This standard emphasizes empirical research, the importance of maximizing pretrial release and carefully limiting pretrial detention, and provides direction for development and validation steps in ensuring appropriate use and safeguards against disparity.

The PSR provides an objective, reliable and valid assessment for risk of re-arrest and failure to appear during the pretrial period. It predicts whether a defendant falls into a group that is more likely or less likely to get re-arrested and/or miss court while in the community on pretrial release. It is not capable of predicting future violence or intentional flight from justice. Skilled pretrial analysts using data from the FBI's National Crime Information Center (NCIC), South Carolina Department of Probation, Parole and Pardon Services, Ninth Circuit Solicitor Office, court indexes and the jail, compile the information used to complete the PSR. The PSR is not intended to be the sole factor used in making bond decisions. Judges consider the factors required by law, information provided by the state and defense during the bond hearing, and the PSR prior to rendering a decision appropriate to each individual case.

An overview of the 2022 pretrial data is as follows.

| Risk Levels  | Count | Percentage of Total Levels |
|--------------|-------|----------------------------|
| Risk Level 1 | 2933  | 44.2%                      |
| Risk Level 2 | 2294  | 34.6%                      |
| Risk Level 3 | 997   | 15.0%                      |
| Risk Level 4 | 408   | 6.2%                       |

- There were 7,354 eligible cases in which Pretrial Service Report (PSR) could have been completed. Of those, 6,632 (90%) had a completed PSR.
- Of the 7,354 eligible cases, 4,031 included at least one General Sessions charge. Pretrial staff completed PSRs on 3,684 (91%) of the 4,031.
- 79% of completed assessments were categorized as having lower levels of risk (Level 1 or 2), while 21% resulted in a higher level risk (Level 3 or 4).

Effective bond type by risk level analysis indicates 2,742 of those bond sets had an effective PR bond, and 3,060 had an effective financial bond.

- Results by risk level indicate PR bonds appear to be provided most often under Risk Level 1, compared to financial bonds provided at higher rates for Risk Levels 2-4.

| Effective Bond Type by Risk Level |           |       |            |
|-----------------------------------|-----------|-------|------------|
| Risk Level                        | Bond Type | Count | % of Total |
| Risk Level 1                      | Pure PR   | 1,667 | 28.7%      |
| Risk Level 1                      | Financial | 823   | 14.2%      |
| Risk Level 2                      | Pure PR   | 773   | 13.3%      |
| Risk Level 2                      | Financial | 1,283 | 22.1%      |
| Risk Level 3                      | Pure PR   | 240   | 4.1%       |
| Risk Level 3                      | Financial | 645   | 11.1%      |
| Risk Level 4                      | Pure PR   | 62    | 1.1%       |
| Risk Level 4                      | Financial | 309   | 5.3%       |
| <b>Total</b>                      |           | 5,802 | 100.0%     |

- The frequency with which effective PR bonds are given is highest at the lowest level of risk (Level 1), making up **28.7%** of effective bonds total.
- At the highest level of risk (Level 4), financial bonds are given with the most frequency, making up **83.3%** of effective bonds at that level.

| Effective Bond Type by Risk Level |          |       |                 |             |
|-----------------------------------|----------|-------|-----------------|-------------|
| Risk Level                        | PR Count | PR %  | Financial Count | Financial % |
| <b>Risk Level 1</b>               | 1,667    | 66.9% | 823             | 33.1%       |
| <b>Risk Level 2</b>               | 773      | 34.6% | 1,283           | 62.4%       |
| <b>Risk Level 3</b>               | 240      | 34.6% | 645             | 72.9%       |
| <b>Risk Level 4</b>               | 62       | 6.2%  | 309             | 83.3%       |

## C. Bond Court Observations

Following an extensive study of American Bar Association (ABA)<sup>32</sup> and National Pretrial Services Agencies (NAPSA)<sup>33</sup> standards regarding Pretrial Release and Detention, the bond and reentry workgroup developed and implemented a Bond Court Observation Tool pursuant to the FY 21 – FY 23 Strategic Plan. The purpose of the Bond Court Observation Tool is to help strengthen alignment among Centralized Bond Court practices and national standards. The data helps bond court magistrates note trends observed by impartial parties.

The observation tool was initially developed and piloted in 2020. In 2021, observations occurred in 38 different terms of court and 267 individualized bond hearings. On a quarterly basis, data was compiled and reviewed with bond-setting magistrates. For example, as national standards require that the defendant be advised of the reason for the type of bond offered and CBC Bond Court Judges collectively made it a goal to improve this measure. During the pilot phase of Bond Court Observations in 2020, 64% (21/33) of the time decision rationale was stated by the judge, followed by another increase in 2021 to 76% (208/275) of the time. **In 2022, decision rationale stated by the judge in court increased to 91.7% (99/108).**

Additional observation highlights include:

- Defendants were consistently advised of charges throughout the year (**100% of the time**) and there was overall improvement in the acknowledgement of their rights when compared to 2021 total quarters (33% in 2021 vs. **44.4% in 2022**).
- PSRs were available for all defendants observed (**100%**), with the majority (**78%**) of defendants assessed in the lower levels of risk (Level 1 and 2).
- Bond hearings were individualized to the defendant and the circumstances of his or her life in **all (100%)** bond court observations conducted. However, discussion varied each quarter regarding the ability to pay a financial bond prior to it being ordered.

It is important to note some ABA and NAPSA standards, while not contrary to South Carolina law, represent national standards and best practices. See ABA Standard 10-5.1. (c), ABA Standard 10-5.3 (a), ABA Standard 10-5.3 (e), and NAPSA Standard 2.4.

Furthermore, observations are performed as time allows pretrial analyst staff to perform and do not reflect the total number of bond court hearings that occurred in 2022. Going forward into 2023, this practice will likely transfer to law students with the Charleston School of Law due to growing partnership opportunities.

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## D. Updated Pretrial Outcome Studies

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Multiple CJCC Annual Reports<sup>34</sup> include repeated studies of pretrial outcomes based on bonds set in Centralized Bond Court. Initially, studies were done looking exclusively into release and safety outcomes (i.e., re-arrests, excludes bench warrants) among General Sessions bond settings. As PSR data became increasingly available, more detailed studies were done looking into release, safety, and appearance outcomes. Each year these studies are replicated and reviewed.

Studies of Release and Rearrest Outcomes among General Sessions bonds set in Centralized Bond Court (CBC) have consistently indicated:

- General Sessions bonds set are mostly financial.
- Most defendants are released pretrial.
- A minority of pretrial releases return to jail on a new arrest (bench-warrants excluded).

**Reader Note:** Figures in this current report include rates published in the 2021 Annual Report publication (January 8<sup>th</sup>, 2020 - June 30, 2021) and extend these numbers by one calendar year (January 8<sup>th</sup>, 2020 – June 30<sup>th</sup>, 2022).



Further, Re-Arrest and Appearance Outcomes among Bonds Set have continued to find:

- Most pretrial releases are successful.
- The largest percentage of those who are released pretrial are assessed at lower risk levels (Level 1/ Level 2).
- Most re-arrests occurred within the first six months of release.

#### METHODOLOGY AND DEFINITIONS

This section provides the latest results of two studies conducted in early 2022. The studies further examined various outcomes associated with bonds set in Centralized Bond Court from January 8, 2020 to June 30, 2021. As with past studies, results are expected to change somewhat with time in relation to length of case pendency within General Sessions Court (new releases, dispositions and/or violations may occur).

Time parameters are kept at a 30-month period (January 8<sup>th</sup>, 2020- June 30<sup>th</sup>, 2022), to allow for a minimum of a 6-month failure period for more recent offenders.

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

The original analysis for the above study was completed in early 2022. Review of data for the most recent 18-month period (January 2020 - June 2022) resulted in findings consistent to the above study. Among 9,772 effective bonds set for General Sessions in Centralized Bond Court, 6,728 (68.8%) were financially driven and 3,044 (31.2%) were effective PR Bonds.

| GS Effective Bonds in Central Bond Court |       |         |
|--|-------|---------|
| Type                                     | Count | Percent |
| Financial Driven                         | 6,728 | 68.8%   |
| Pure PR Driven                           | 3,044 | 31.2%   |
| All                                      | 9,772 |         |

Most bookings, 8,834/9,772 (90.4%), were released pretrial. These releases included nearly all PR bonds, 3,025 (99.4%), and 5,809 (86.3%) financial bonds.

| GS Pretrial Releases by Bond Type<br>1/08/2020-6/30/2022 |       |         |
|--|-------|---------|
| Type   | Count | Percent |
| Financial  | 5,809 | 86.3%   |
| Pure PR Driven   | 3,025 | 99.4%   |
| All  | 8,834 | 90.4%   |

- Safety failures continue to be the highest among financial pretrial releases with at least one return to jail, 2,143 (36.9%), and lowest among PR releases, 766 (25.3%).
- Among the 32.9% of pretrial releases that experienced safety violations, there was an average of 1.64 re-arrests. Most re-arrests occurred within six months.
- The 2,909 pretrial releases with safety violations were re-arrested and returned to jail a total of 4,757 times.
- The 2,143 financial releases with safety violations were re-arrested and returned to jail a total of 3,479 times, and the 766 PR releases returned to jail a total of 1,278 times.

Of those that experienced a safety violation, the majority of re-arrests occurred within the first 6 months of release (2,272 of the 4,757 returns to jail).

| Safety Failure: Returns to Jail (Excludes Bench Warrant) |                            |                             |                  |                              |                         |
|--|----------------------------|-----------------------------|------------------|------------------------------|-------------------------|
| Bond Type  | GS-Driven Pretrial Release | At Least One Return to Jail | All Jail Returns | Average # of Safety Failures | Percent Safety Failures |
| PR   | 3,025                      | 766                         | 1,278            | 1.67                         | 25.3%                   |
| Financial  | 5,809                      | 2,143                       | 3,479            | 1.62                         | 36.9%                   |
| All  | 8,834                      | 2,909                       | 4,757            | 1.64                         | 32.9%                   |

**Bond settings** were limited to those taking place in the period (01/08/2020 to 06/30/2021) to allow for a minimum of six months for preliminary pretrial outcomes to occur. Jail releases were then tied to a bond-setting in Centralized Bond Court and matched to bond and court disposition data. Recent cases were often still pending at the time of the analysis due to their recent occurrence.

In the **General Session (GS) analysis**, bond settings were further refined to only include those that featured one or more GS charges. Only the cases resulting in pretrial release were further analyzed for safety violations.

In the **Pretrial Service Report (PSR) analysis**, bond settings associated with PSRs were included and then researched to identify pretrial release, safety and appearance outcomes to-date for those that released from the jail.

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

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

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

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

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

**Any Pretrial Failure Violation** was determined by the existence of one or more of the above violations (Safety and/or Appearance). For example, if an individual has a safety violation and an

## Updated Study of PSR Release, Re-Arrest and Appearance Outcomes among Bonds Set in Centralized Bond Court

The original analysis for the above study was completed in early 2022. Review of the most current data set (January 8<sup>th</sup> 2020 - June 30, 2022) resulted in findings consistent with the aforementioned study, *Updated Study of Release and Re-arrest Outcomes among General Sessions Bonds Set in Centralized Bond Court*. Notably, the Pre-trial Service Report (PSR) analysis provides more detailed information than the preceding study. For instance, PSR examination includes level of risk, release, safety, and appearance outcomes whereas the GS study is limited to safety outcomes.

- Among 9,850 effective bonds set with PSR data, the majority were General Sessions driven, 9,772 (99.2%).
- Of the 9,850 effective bonds set with PSR data, 3,445 (35%) were effective PR bonds and 6,405 (65%) were effective financial bonds.
- The majority (71.3%) were assessed in the lower two risk levels (3,146 Level 1 and 3,885 Level 2)
- Most were released pretrial (8,988, 91.3%).
- Most releases were in the lower half of risk levels (6,548, 72.9%).

| PSR Bonds Ordered |        |         |
|-------------------|--------|---------|
| Types             | Counts | Percent |
| <b>PR</b>         | 3,445  | 35%     |
| <b>Financial</b>  | 6,405  | 65%     |

| PSR's by Level |        |                       |                  |            |
|----------------|--------|-----------------------|------------------|------------|
| Risk Level     | Counts | % Total by Risk Level | Pretrial Release | % Released |
| <b>1</b>       | 3,146  | 31.9%                 | 3,005            | 95.5%      |
| <b>2</b>       | 3,885  | 39.4%                 | 3,543            | 91.2%      |
| <b>3</b>       | 1,971  | 20%                   | 1,714            | 87.0%      |
| <b>4</b>       | 846    | 8.6%                  | 726              | 85.8%      |
| <b>Total</b>   | 9,848  |                       | 8,988            | 91.3%      |

Note. N=2 null values removed from data set.

| Risk Level | Bond Type | Pretrial Release | Any Fail % | Overall Failure | Safety Failure | Appearance Failure |
|------------|-----------|------------------|------------|-----------------|----------------|--------------------|
| <b>1</b>   | Financial | 1266             | 22.7%      | 288             | 235            | 69                 |
| <b>1</b>   | PR        | 1739             | 20.5%      | 357             | 267            | 109                |
| <b>2</b>   | Financial | 2309             | 39.2%      | 906             | 808            | 171                |
| <b>2</b>   | PR        | 1234             | 36.7%      | 454             | 340            | 155                |
| <b>3</b>   | Financial | 1354             | 53.8%      | 728             | 654            | 153                |
| <b>3</b>   | PR        | 360              | 48.9%      | 176             | 148            | 51                 |
| <b>4</b>   | Financial | 628              | 60.7%      | 381             | 345            | 86                 |
| <b>4</b>   | PR        | 98               | 56.1%      | 55              | 44             | 25                 |

Most pretrial releases were successful, and a minority experienced pretrial failure. Lower risk level releases continue to see a greater rate of success than higher risk level releases. As such, rates of success decline as risk level increases. Similarly, rates of failure increase as risk level increases.

| Results by Risk Level |              |                |                    |               |              |              |
|-----------------------|--------------|----------------|--------------------|---------------|--------------|--------------|
| Risk Level            | Counts       | Safety Failure | Appearance Failure | Total Failure | Any Fail %   | Success %    |
| 1                     | 3,005        | 502            | 178                | 645           | 21.5%        | 78.5%        |
| 2                     | 3,543        | 1,148          | 326                | 1360          | 38.4%        | 61.6%        |
| 3                     | 1,714        | 802            | 204                | 904           | 52.7%        | 47.3%        |
| 4                     | 726          | 389            | 111                | 436           | 60.1%        | 39.9%        |
| <b>Total</b>          | <b>8,988</b> | <b>2,841</b>   | <b>819</b>         | <b>3345</b>   | <b>37.2%</b> | <b>62.8%</b> |

Note. Total Failure is defined as when a Safety Failure, an Appearance Failure, or both exist. This distinction is made to isolate failures which are re-offenses (Safety) and those which are failure to appear (Appearance).

To date, most pretrial releases (62.8%) have been successful and 37.2% of releases experienced pretrial failure (safety or appearance violation).

Level 1 releases had a 78.5% rate of success and a 21.5% rate of failure.

Level 2 releases had a 61.6% rate of success and a 38.4% rate of failure.

Level 3 releases had a 47.3% rate of success and 52.7% rate of failure.

Level 4 releases had a 39.9% rate of success and a 60.1% rate of failure.

| Safety Failure by Months |       |
|--------------------------|-------|
| Range                    | Count |
| 0 - 6 MONTHS             | 2,250 |
| 6 - 12 MONTHS            | 1,232 |
| 12 - 18 MONTHS           | 694   |
| 18 - 24 MONTHS           | 292   |
| 24+ MONTHS               | 155   |

Comparisons of the figures reported during the 2021 Annual Report note an overall slight decline in success rates and an increase in failure rates. Results are expected to fluctuate in relation to the length of time a case remains pending within General Session Court (as new releases, dispositions, and/or violations may occur).

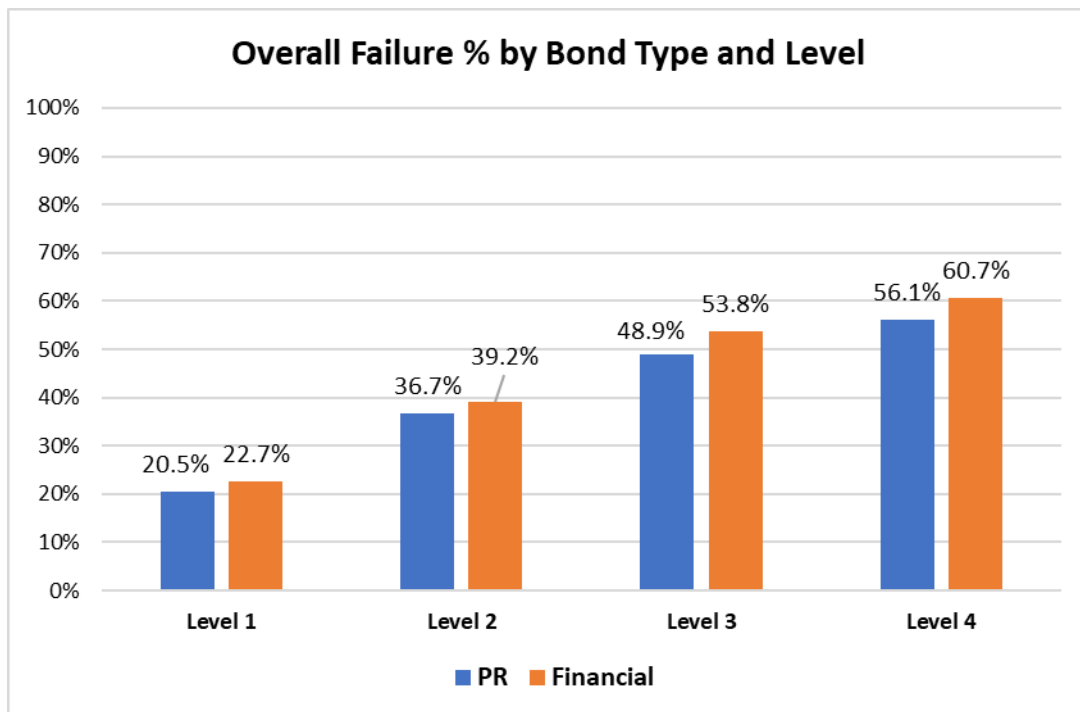
Notably, safety failures occurred more frequently than appearance failures (e.g. 2,841 total safety violations compared to 819 appearance failures).

In addition, among the 37.2% of pretrial releases that were not successful, there were multiple re-arrests noted.

- The 2,841 pretrial releases that were re-arrested (i.e. Safety Violations) returned to jail a total of 4,623 times.

Of those that experienced a safety violation, most re-arrests occurred within the first six months of release (2,250 of the 4,623 total returns to jail).

- Pretrial release on financial bonds experienced pretrial failure at higher rates than PR release in every level of risk.



**LIMITATIONS TO UPDATED BOND AND PRETRIAL STUDIES**

Any bond settings that did not result in release prior to disposition or prior to the end of the 2022 year (whichever came first) were not further analyzed for pretrial outcomes. As such, due to the inclusion of recent and pending cases, pretrial outcomes will continue to change with time. For example, some of the pretrial defendants that were still detained as of December 31, 2022 may end up being released from jail before their disposition, affecting the overall release rate.

Returns to jails other than the SACDC and court activity outside of the data sources mentioned are not included. Pretrial outcome findings are also dependent upon data availability within sources at the time of analysis and the quality of the data therein.

Further, data accuracy is dependent upon specific wording incorporated into queries (i.e. data retrieval processes) at the time of collection. Notably, variances present in disposition codebooks across courts, booking charges, or practices assigning charges for multiple uses requires constant review of procedures.<sup>35</sup> For example, sex offender check-ins were categorized as a booking, when in fact these check-ins were merely adherence to court conditions and not a record of a violation. Moving forward, sex offender check-ins will be removed from all data analyses. Advising of coding fluctuations is critical to ensure data being reviewed is the most appropriate representation of processes in place.

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## E. Widely Accessible Directory of Services

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Pursuant to the FY 21 – FY 23 Strategic Plan , the Bond and Reentry Workgroup partnered with United Way to make reentry information more accessible and available to the public and justice-involved populations using the SC 211 platform. CJCC applied for an AmeriCorps Volunteer in Service to America (VISTA) to focus on addressing gaps in reentry information available in the SC 211 platform and implementing strategies to get reentry information directly to justice-involved populations. CJCC was awarded an AmeriCorps VISTA one year position through the Mayor’s Office for Children, Youth, and Families.

During the first six months of the position, the AmeriCorps VISTA worked with SC 211, providers and community members to identify and address gaps in reentry information available on the SC 211 platform. Meanwhile SC 211 conducted training sessions with local system stakeholders including the Charleston Police Department and the Dorchester Sheriff’s Department. The AmeriCorps VISTA ensured organizations that provide reentry and other services for persons reentering the community after incarceration were added to the 211 SC directory. Listings for those other organizations on SC 211 that provide other services for persons reentering the community, such as treatment for mental and substance use disorders and benefits assistance, have been expanded as well.

While this strategy was successfully completed pursuant to the strategic plan, it will be important to keep 211 updated as new services and service providers become available that will support the justice-impacted to community.

### Key Point Summary

- Effective bonds vary considerably by court type and have shifted significantly since monitoring began in 2014 .
- Pretrial Service Reports are routinely conducted and provide readily available information to bond court judges to be used during hearings.
- Analyses examining release and safety outcomes (i.e., re-arrests, excludes bench warrants) among General Sessions bond settings as well as PSR data have continued from original publications. Findings have continued with current figures:
  - General Sessions bonds set are mostly financial.
  - Most defendants are released pretrial.
  - A minority (37.2%) of pretrial releases return to jail on a new arrest (bench warrants excluded).
  - Returns to jail on new arrests are higher among financial releases compared to PR releases.
  - Most re-arrests occur within six months of pretrial release.

## BACKGROUND

The CJCC has driven consistent improvements within case processing in Charleston County, including public defender representation in Centralized Bond Court and efficient evidence transfers which supports faster assignment of cases within the Solicitor's office.

Reducing the overall time it takes to bring cases to disposition in General Sessions Court has been a persistent struggle, as reported in the *Data Behind the Strategic Plan*<sup>36</sup>. While these challenges existed prior to the COVID-19 pandemic, they have been exacerbated with increased times to disposition and a growing backlog.

As the length of time between the date of arrest and the date of disposition grows longer, so does the risk of pretrial failure (i.e. rearrests and/or missed court appearances).

The data below describes various case processing indicators. Yearly data is presented by year of availability and is indicated within each section.

- A. Disposition Activity (source data: CMS-GS and SACDC)
- B. Front End Indicators (source data: CMS-GS, PbK, SACDC, DD)
- C. Court Reminders (source data: Court Reminder System, CMS GS, and Pretrial Services Database)
- D. Backlog Estimates (source data: CMS-GS)

### STRATEGIC PLAN 2021-2023 CONNECTIONS

Throughout 2022, the case processing workgroup continued to advance strategic initiatives. The workgroup meets regularly to review the indicators of **case processing**, including **backlog estimates** and **jail use** trends to problem solve. In addition, **General Sessions Court text reminders** were enhanced and continue with jail-based enrollments.

## A. Disposition Activity

The number of charges disposed per year has been on the decline since 2015 within the General Sessions Court in Charleston County (as recorded in CMS data).

- Between 2015 and 2021, the number of charges disposed decreased (12.7%) 8,587 to 7,506.
- In 2022, the number of charges disposed increased to 7,907 (5.3%).
- The number of individuals disposed decreased between 2015 and 2021 from 4,373 to 4,005 (8.4% decrease).
- In 2022, the number of individuals disposed decreased to 3,737 (6.7%).



It is also important to pay close attention to recent trends from 2020 to 2022 given the impacts of the COVID-19 pandemic.

- The number of charges disposed increased by 2,046 (34.9%).
- The number of individuals disposed increased by 607 (19.4%).

| Dispositions |         |             |
|--------------|---------|-------------|
| Year         | Charges | Individuals |
| 2015         | 8,597   | 4,373       |
| 2016         | 7,340   | 3,825       |
| 2017         | 8,872   | 4,715       |
| 2018         | 7,632   | 4,043       |
| 2019         | 7,960   | 4,125       |
| 2020         | 5,861   | 3,130       |
| 2021         | 7,506   | 4,005       |
| 2022         | 7,907   | 3,737       |

The clearance rate, or rate of charges disposed to charges filed have also fluctuated in recent years. For reference, a clearance rate of 100% indicates the number of new charges filed are equal to the number of charges disposed. Clearance rates greater than 100% indicate more charges are disposed than new charges filed. When this happens the number of charges pending decreases and backlogs reduce. Clearance rates below 100% indicate there are more new charges filed than disposed. When this happens the number of charges pending increases and backlogs grow.

- The clearance rate increased from 99% in 2021 to 105% in 2022
- 2022 is the first year to record a clearance rate above 100% since data collection began.

| Clearance Rates for General Sessions |               |                  |                |
|--------------------------------------|---------------|------------------|----------------|
| Year                                 | Charges Filed | Charges Disposed | Clearance Rate |
| 2017                                 | 9,216         | 8,872            | 96%            |
| 2018                                 | 8,749         | 7,632            | 87%            |
| 2019                                 | 8,325         | 7,960            | 96%            |
| 2020                                 | 7,669         | 5,861            | 76%            |
| 2021                                 | 7,612         | 7,861            | 99%            |
| 2022                                 | 7,537         | 7,907            | 105%           |

According to CMS disposition data, the three most frequent types of disposition each year are consistently “Dismissed, Not Indicted”, “Pled Guilty” and “Nolle Prosequi”. In comparing 2021 and 2022 figures:

- **Dismissed, Not Indicted** dispositions decreased from 3,083 in 2021 to 2,570 (16.6%).
- **Pled Guilty** dispositions increased 2,351 in 2021 to 2,994 (27.4%).
- **Nolle Prosequi** dispositions increased from 1,587 to 1,728 (8.9%).

Notably, trial related dispositions are consistently rare. For example, the number of trial-related dispositions in 2022 was 26 among 7,907 dispositions (0.3%), or 220 among 36,866 dispositions from 2018 to 2022 (0.6%).

As stated throughout this report, it is important to pay close attention to more recent trends, particularly given the impacts of the COVID-19 pandemic. There was variation among the three most frequent disposition types between 2020 and 2022.

- **Dismissed, Not Indicted** dispositions increased from 1,503 to 2,507 (71%).
- **Pled Guilty** dispositions increased from 2,473 to 2,994 (21%).
- **Nolle Prosequi** dispositions increased from 1,408 to 1,728 (22.7%).

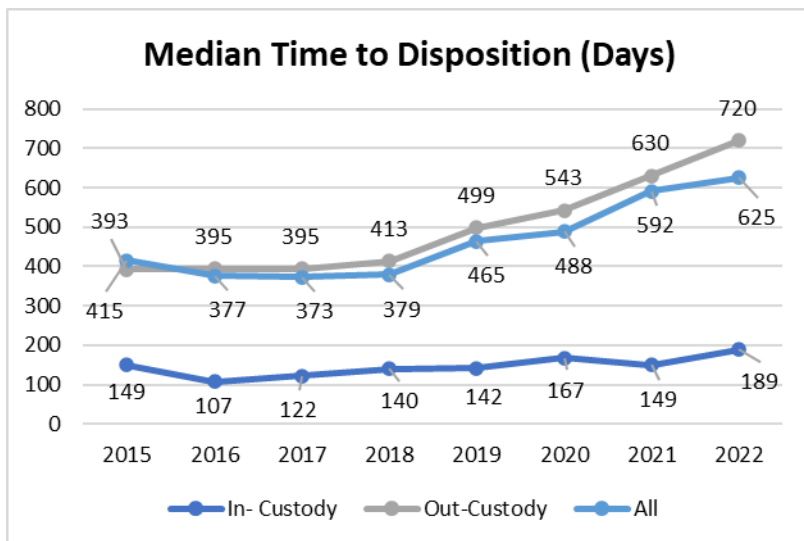
| Dispositions by Type (CMS)                     | 2018  | 2019  | 2020  | 2021  | 2022  |
|--|-------|-------|-------|-------|-------|
| <b>Pled Guilty</b>                             | 3,280 | 3,608 | 2,473 | 2,351 | 2,994 |
| <b>Dismissed Not Indicted</b>                  | 1,259 | 1,334 | 1,503 | 3,083 | 2,570 |
| <b>Nolle Prosequi</b>                          | 2,163 | 2,158 | 1,408 | 1,587 | 1,728 |
| <b>Judicial Dismissal</b>                      | 153   | 120   | 139   | 131   | 90    |
| <b>Remand to Mag/Muni Ct/Sent to Family Ct</b> | 46    | 39    | 38    | 130   | 77    |
| <b>Dismissed at Preliminary Hearing</b>        | 425   | 315   | 113   | 116   | 141   |
| <b>Drug Court/Veteran Court</b>                | 56    | 90    | 49    | 51    | 114   |
| <b>Failure to Appear</b>                       | 141   | 180   | 88    | 34    | 142   |
| <b>Mental Health Court</b>                     | 28    | 19    | 20    | 7     | 21    |
| <b>Trial Not Guilty</b>                        | 20    | 30    | 13    | 5     | 11    |
| <b>Trial Guilty</b>                            | 45    | 51    | 14    | 4     | 13    |
| <b>No Billed</b>                               | 8     | 8     | 1     | 3     | 2     |
| <b>Dismissed - Affidavit Signed</b>            | 0     | 1     | 0     | 1     | 1     |
| <b>Dismissed - Prosecutorial Discretion</b>    | 2     | 1     | 1     | 1     | 1     |
| <b>Trial Not Guilty by Reason of Insanity</b>  | 6     | 5     | 0     | 1     | 2     |
| <b>Revocation Hearing - Revoked in part</b>    |       |       |       | 1     |       |
| <b>Dismissed - Restitution Made Ended</b>      | 0     | 1     | 0     | 0     |       |
| <b>Nolle Prosequi Indicted</b>                 | 0     | 0     | 1     | 0     |       |
| <b>Total</b>                                   | 7,632 | 7,960 | 5,861 | 7,506 | 7,907 |

The number of trial related dispositions decreased to <1% of all dispositions (e.g., 27 of 5,861 in 2020 and 26 of 7,907 in 2022).

- **Trial Not Guilty** dispositions decreased from 13 to 11.
- **Trial Not Guilty by Reason of Insanity** dispositions increased from 0 to 2.
- **Trial Guilty** dispositions decreased from 14 to 13.

Another important case processing indicator is time to disposition. The following measures of timeliness are presented as medians, which is the center value in a data set. Medians are not swayed by outliers.

- The median time to disposition (2015-2022) increased by 50.6% from 415 to 625.
- The median time to In-custody disposition (2015-2022) increased by 26.8% from 149 to 189.



- The median time to Out-of-Custody disposition (2015-2022) increased by 83.2% from 393 to 720.

Between 2021 and 2022 the median times to disposition increased across all custody statuses.

- The median time to disposition (2021-2022) increased by 5.6%.
- The median in-custody time to disposition (2021-2022) increased by 26.8 %.
- The median out-of-custody time to disposition (2021-2022) increased by 14.3%.

| Median Time to Disposition (Days) |       |            |             |
|-----------------------------------|-------|------------|-------------|
| Year                              | All   | In-Custody | Out-Custody |
| 2015                              | 415   | 149        | 393         |
| 2016                              | 377   | 107        | 395         |
| 2017                              | 373   | 122        | 395         |
| 2018                              | 379   | 140        | 413         |
| 2019                              | 465   | 142        | 499         |
| 2020                              | 488   | 167        | 543         |
| 2021                              | 592   | 149        | 630         |
| 2022                              | 625   | 189        | 720         |
| <b>Diff 2022-2015</b>             | 210   | 40         | 327         |
| <b>% Change</b>                   | 50.6% | 26.8%      | 83.2%       |
| <b>Diff 2021-2020</b>             | 104   | -18        | 87          |
| <b>% Change</b>                   | 21.3% | -10.8%     | 16.0%       |
| <b>Diff 2022-2021</b>             | 33    | 40         | 90          |
| <b>% Change</b>                   | 5.6%  | 26.8%      | 14.3%       |

## B. Front End Indicators

For the first time in South Carolina, Public Defenders began providing representation in Centralized Bond Court (CBC) in 2016. Defendants in Bond Court appear before a Magistrate Judge, are advised of the criminal charge(s) against them and a decision is made regarding their liberty.

Also, there have been changes to the initial interview process with pretrial analysts. Whereas prior to 2020 the interviews had several steps before a video conference with a pretrial analyst, we streamlined the process without compromising the integrity of the pretrial service report. Now, a defendant who has less than \$500 cash at the time of arrest can request counsel at the initial bond hearing for a one day appointment.

| Public Defender Representation: Centralized Bond Court |       |    |
|--|-------|----|
| Year   | Count | %  |
| 2014   | 0     | 0  |
| 2015   | 0     | 0  |
| 2016   | 79    | 1  |
| 2017   | 1,080 | 17 |
| 2018   | 1,439 | 17 |
| 2019   | 1,723 | 23 |
| 2020   | 2,128 | 33 |
| 2021   | 2,726 | 43 |
| 2022   | 3,071 | 43 |

- Public Defender representation in Centralized Bond Court increased from 0 in 2014 to 3,071 in 2022.
- Between 2021 and 2022, public defender representation saw an increase of 12.7%.
- Similarly, the percentage of defendants with access to public defender representation in bond court increased from 0% in 2014 to 43.4% in 2022 (3,071).

Data collection has been established to track case movement and help expedite the transfer of discovery from law enforcement to prosecution and attorney assignment. In paying attention to these front end components of case processing, it confirms these improvements positively effect the progress of case disposition.

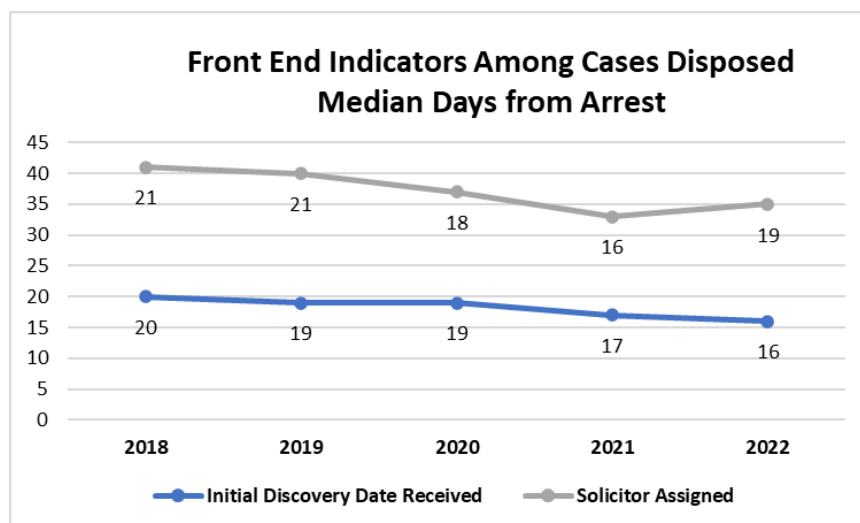
- **Median time to receipt of initial discovery** has consistently decreased since being monitored.
- **Median time to Solicitor assignment** also decreased since being monitored.

| Median Days from Arrest |             |                    |                                 |
|-------------------------|-------------|--------------------|---------------------------------|
|                         | PD Assigned | Solicitor Assigned | Initial Discovery Date Received |
| 2018                    | 12          | 21                 | 20                              |
| 2019                    | 11          | 21                 | 19                              |
| 2020                    | 7           | 18                 | 19                              |
| 2021                    | *           | 16                 | 17                              |
| 2022                    | *           | 19                 | 16                              |

It should be noted that the median time to public defender assignment is no longer tracked due to a change within defender data collection which altered the calculation.

Improving the speed of case assignment and providing reduced time to discovery was an important part of the initial 2016 CJCC Strategic Plan. The purchase and use of the ProDocs software solutions with the support of the Safety + Justice Challenge grant, and the purchase of the hardware storage servers, provided by the Charleston County IT Department, allowed for improvement in these areas. The program for uploading and transferring discovery has been a measurable improvement in the Solicitor’s office and proved itself to be beneficial during the height of the COVID-19 pandemic and years following.

By the end of 2022, the Ninth Circuit Solicitor’s Office had enrolled 16 law enforcement agencies into



ProDocs. At the time of publishing, 383 law enforcement professionals have been trained to utilize the ProDocs website – which allows officials to upload case packages [including all documents and multi-media files (i.e. body worn camera videos, in-car videos as well as other multi-media files)] into a central cloud-based server.

From September 1<sup>st</sup>, 2018 – January 1<sup>st</sup>, 2023, Charleston County law enforcement professionals have uploaded 17,671 cases electronically to the Solicitor’s Office containing over 26,270 warrants. ProDocs allows the Solicitor’s Office to share discovery with the defense counsel efficiently – contributing to reduction of backlog and improving timeliness. By year-end 2022, there were 64 accounts assigned to the Charleston County Public Defender’s office, including General Sessions and Family Courts, and 492 private defense attorneys using the program.

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## C. Court Reminders

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Court Reminder text messages function as appointment reminders – commonly used by medical or other service offices. Numerous studies<sup>37</sup> indicate this is to be an effective mechanism the court can employ to reduce a person’s failure to appear (for court) in the criminal justice process.

In 2019 the CJCC implemented the court reminder system. It was implemented and operational between January and April, sending a total of 769 reminders in the period. Following challenges experienced in 2020 due to the COVID-19 pandemic and data disruption infrastructure challenges, a more efficient mechanism of receiving defendants’ permission to enroll for service was instituted and the system went back online by the fall of 2020. In this move, detention deputies at the SACDC captured the signature and contact information for each person who desired text reminders for General Sessions Court dates. Between September 16, 2020 to December 31, 2020, 835 defendants signed the opt-in consent form, enrolling them into the Court Reminder text messaging service. At that time, the Court Reminder system resumed the notification process for enrolled defendants and sent 661 notifications in the period.

In 2021, 63% percent of General Sessions Court defendants (2,662 of 4,258) booked into the SACDC enrolled for Court Reminders and 5,972 event notifications were sent out; the latter includes notifications sent to those who enrolled prior to 2021. During the height of the pandemic, notifications also served as reminders to keep in contact with their attorneys if they have one and/or information about how to retain counsel if they do not.

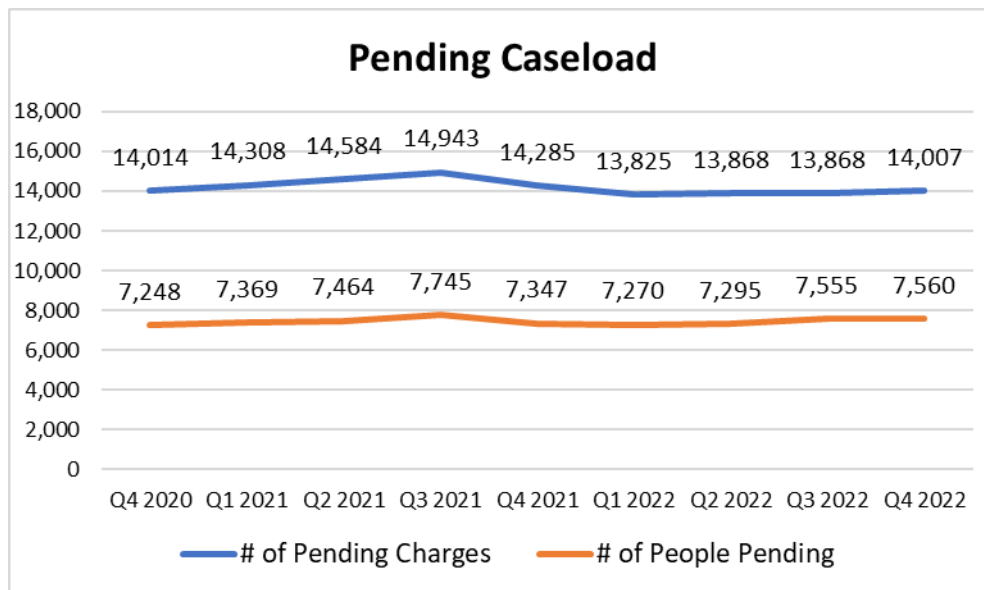
The CJCC is working closely with the court reminder vendor and IT to address new data challenges of 2022, including significant data disruption and opportunities for enhanced data capacity. In late 2022, General Session Court made appearance data available, which going forward will be helpful to measure service effectiveness. As a result, the court reminder system is being further developed to ensure the process remains effective in use and application. Due to these advances, 2022 court reminder data was unable to be compared to prior years. This evaluation period affords the opportunity to simplify and refine the court reminder process, secure future trend analysis, and capture court appearance data.

## D. Backlog Estimates

Backlog<sup>38</sup> estimation is an attempt to predict the future court pending caseload, while taking into account the current pending caseload and the existing pace of General Sessions Court dispositions and new filings. This information includes how long it may take to dispose of the overall caseload, cases older than a year, cases pending less than a year, as well as new cases that accrue in the interim. By the final quarter of 2022, backlog projections improved somewhat from previous years.



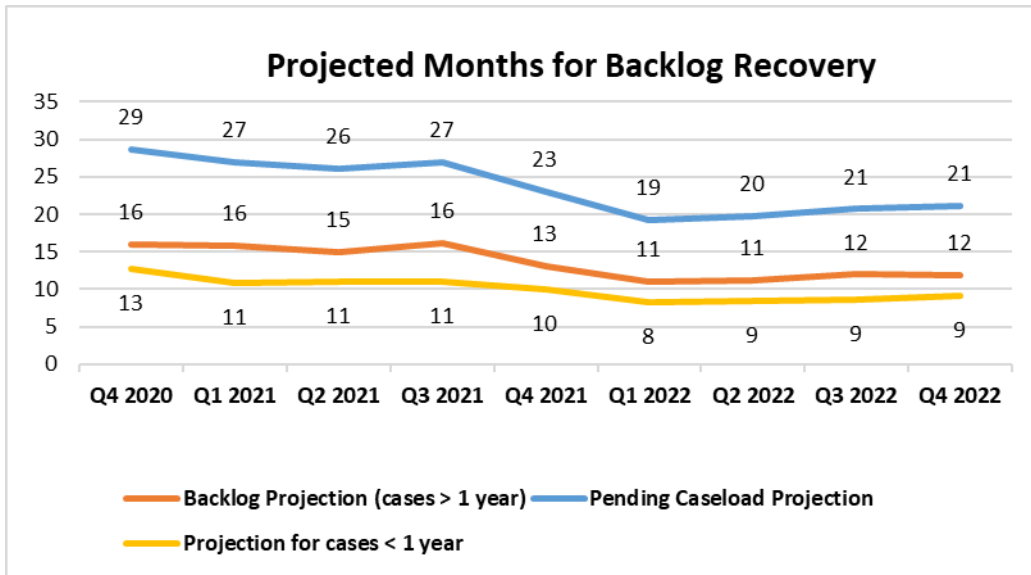
The **monthly average number of dispositions** increased from the fourth quarter (Q4) of 2020 to Q4 2021 – 488 to 626 respectively. These figures increased again by Q4 2022 to 663, for an overall increase of 35.9% between 2020 to 2022.



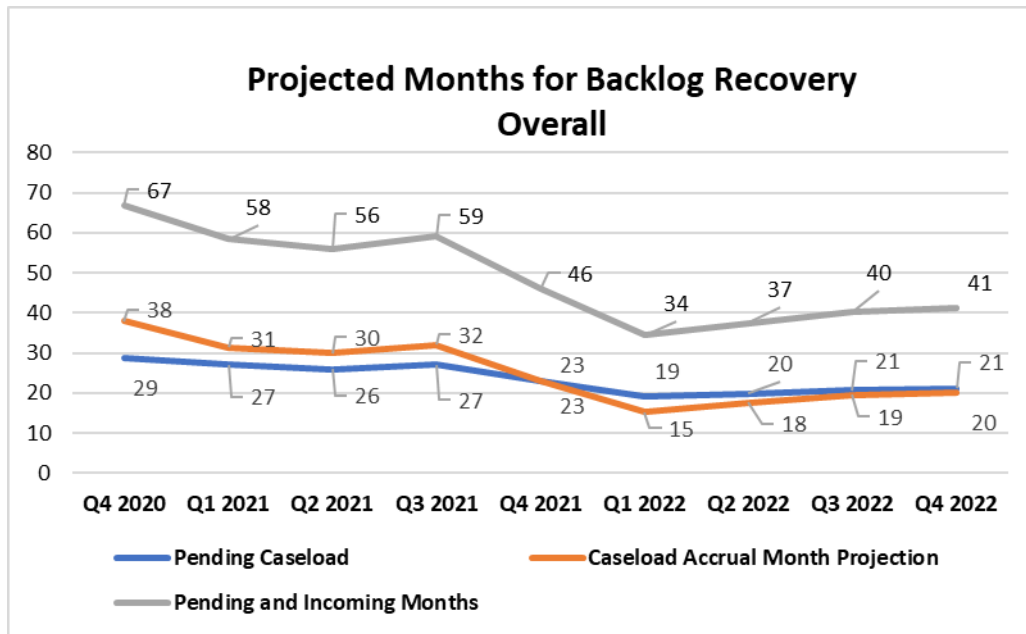
The **number of pending charges** remained consistent from fourth quarter 2020 (14,014) to 2022 (14,007), despite the slight increase in the fourth quarter 2021 (14,285).

The **number of individuals with pending charges** also increased from 7,248 (Q4, 2020) to 7,347 individuals (Q4,2021) and increased again in 2022 to 7,560 – a 4.3% increase overall between 2020 to 2022.

Consistent with the improvements in the pace of case processing in 2021 noted above, the estimated number of months to resolve the pending caseload as well as the number of estimated new cases that would accrue in the interim also improved.



The current caseload was estimated to take 29 months to dispose of in Q4 2020. By Q4 2021, it reduced to 23 months and reduced again to **21 months in Q4 in 2022**. Cases pending a year or more reduced from 16 months in 2020 Q4 to 13 months in 2021 Q4, and to **12 months 2022 Q4**.



Cases pending less than a year reduced from 13 months 2020 Q4 to 10 months Q4 2021, and to **9 months 2022 Q4**.

The estimated number of cases that would accrue during the time it would take to dispose of the current pending caseload also reduced from an estimate 18,531 new cases in Q4 2020 to 14,477 new cases in Q4 2021. While the caseload accrual projections fluctuated throughout 2022, an overall reduction was observed in comparing reported figures from 2021 to 2022 year end (**13,247 in Q4 2022**).<sup>39</sup>



## Key Point Summary

- Overall, the number of charges disposed per year has been on the decline since 2015 within the Court of General Sessions in Charleston County, however slight increases were noted for 2022.
- Disposition activity overall has increased from 2021 to 2022.
- For the first time since 2017, the rate of charges disposed to charges filed (clearance rate) has surpassed 100%.
- The three most frequent types of disposition each year are consistently “Dismissed, Not Indicted”, “Pled Guilty” and “Nolle Prosequi” and trial related dispositions are consistently rare (e.g., <1% of all dispositions from 2018 to 2022).
- Time to disposition data indicates the overall median time to disposition increased by 210 days from 415 days in 2015 to 625 days in 2022 (50.6% increase).
- Efforts put in place to track and help initiate case movement as quickly as possible by expediting the transfer of discovery from law enforcement to prosecution and getting attorneys assigned faster demonstrate improved and continuing progress.

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

## BACKGROUND

Community engagement has always been a core aspect of the CJCC's efforts. By working together, community members and system leaders have the best opportunity to overcome longstanding, complex criminal justice challenges. From the beginning, the CJCC's approach to community engagement has been two tiered to both inform and involve the community while advancing the CJCC's mission. CJCC meetings are open to the public, the CJCC routinely conducts numerous public speaking and community engagement events, and a website featuring regular reports is publicly available as part of the CJCC's commitment to accountability and transparency.

The CJCC has been very conscious and purposeful in engaging the community throughout our existence. The CJCC has had community representatives at the table informing CJCC efforts since it formed in 2015. There are 12 community representatives within CJCC membership and one serving on the CJCC's Executive Committee. Each represents a distinct sector of the community such as civil rights, formerly incarcerated, survivor of crime, business, nonprofit and healthcare communities.

Notably, the CJCC's earliest strategies were designed to impact racial and ethnic disparities. For example, the five most frequently occurring target charges with disparate impacts were identified and targeted for jail diversion. The CJCC also issued a comprehensive report<sup>40</sup> in 2018 documenting a variety of inequities locally and nationally, dissected decision points, and reviewed examples for addressing inequities. The report identified the need for community collaboration when problem solving to address the complexities and challenges of disparate impacts in the CJS. Since then, the CJCC has been building upon this work such as expanding community engagement to build and carry out the CJCC's FY21-FY23 Strategic Plan.

The various community engagement, accountability and transparency measures undertaken by the CJCC are supported by CJCC staff positions. The CJCC staff serve as the thread that keep the full body of positional CJCC members and CJCC community representatives coming together to continually improve our system and advance strategic initiatives. For example, staff provide the support necessary to ensure data is produced to guide improvement efforts, to support the efforts of critical, cross-system workgroups, and to thoughtfully engage leadership and community in improving the local criminal justice system. With staff support, the CJCC is able to carry out its key responsibilities, such as:

- Increase public awareness and promote transparency of the criminal justice system. For example, each spring the CJCC issues an Annual Report such as this one, which provides a comprehensive report on system trends, progress and challenges.

- Collaborative efforts to study the functioning of the criminal justice system, identify areas for improvement, create and execute evidence-based, accountable and efficient transformation strategies. For example, diverse, cross-sector workgroups dedicated to key areas of the system share information, review and discuss data dashboards, objectively identify key system issues, collaboratively problem solve and advance strategic goals.
- Advance innovations guided by research, evaluation and monitoring of policy decisions and program implementations. For example, extensive community engagement, research and analysis guided the development of the CJCC’s current strategic plan, is helping to advance the most visible person (MVP) initiative, and is shaping the development of efforts to curb re-arrests by defendants on pretrial release.
- Provide performance reporting for consideration by the agencies represented on the CJCC and system stakeholders.

In 2022, the CJCC’s Community Engagement/ Racial & Ethnic Disproportionality and/or Disparity workgroup continues its work on three strategic initiatives pursuant to the FY 21 – FY 23 Strategic Plan. The sections below provide an update on each of the initiatives through 2022.

- A. Ongoing engagement
- B. Community-Engaged Research
- C. Development of a Race Equity Fellowship Program

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## A. Ongoing Engagement

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Throughout 2022, there has been a deliberate focus on making information increasingly accessible and available to a broader audience through multiple formats such as numerous social media platforms, quarterly Community Justice Forums and targeted community engagement events.

During the year, the CJCC partnered with TEDxCharleston on the first event and independently hosted three quarterly Community Justice Forums. The forums focus on timely issues related to criminal justice system improvement and include a panel of experts. In each forum, participants are encouraged to register for the forum and ask questions of the panelists. Each forum is broadcast live via Zoom and posted on the CJCC website for viewing thereafter.

TEDxCharleston was held March 23, 2022 at The Charleston Music Hall after a two-year hiatus due to COVID-19. It featured two leaders from the CJCC with unique perspectives on improving our local criminal justice system. Kristy Danford, CJCC Director, presented *Doing More Good than Harm in the Criminal Justice System* where she challenged the audience to use data, rethink our expectations and work together to transform local systems. Keith Smalls, CJCC Community Representative and Co-Vice Chair and Founder/ Executive Director of My Community’s Keeper Mentor Group, presented *Misnomer: Correction Systems*, where he shared what he learned from 19 years under supervision and shares how the punishment and rehabilitation process taught him what does not work.

The next Community Justice Forum, entitled *Join Us in Improving the Local Criminal Justice System*, was held May 31, 2022. The event had 59 registrations. Presenters discussed local system trends, strategic plan progress and more opportunities for community engagement moving forward. The forum, moderated by Gwen Wright of Everyday Democracy, included four panelists:

- Jason Bruder, CJCC Chairman Captain, Charleston Police Department
- Kristy Danford, CJCC Director
- Keith Smalls, CJCC Community Representative, CJCC Co-Vice Chair
- Ellen Steinberg, CJCC Co-Vice Chair, Magistrate, Charleston County

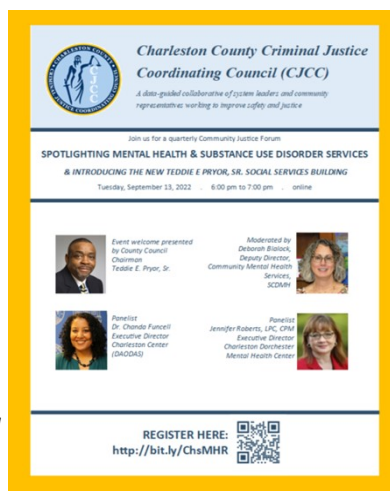
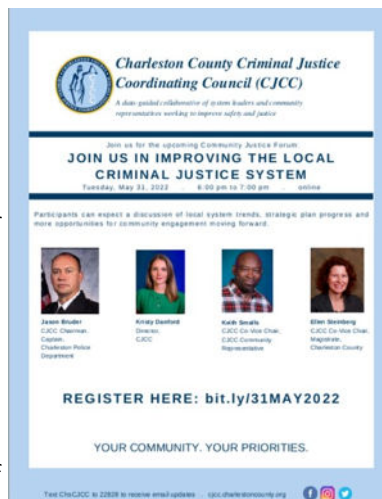


On September 13, 2022 the next Community Justice Forum was held, *Introduction to the new Teddie E. Pryor, Sr. Social Services Building: spotlight on mental health & substance use disorder services*. The event had 82 registrations. The community was invited to hear about the new Social Services Building from Councilmember Pryor, followed by a presentation on available treatment and services for a variety of behavioral health needs. The event was moderated by Deborah Blalock, Deputy Director, Community Mental Services, South Carolina Department of Mental Health.

Panelists included:

- County Council Chairman Teddie E. Pryor, Sr.
- Dr. Chanda Fucell, Executive Director Charleston Center (DAODAS)
- Jennifer Roberts, LPS, CPM Executive Director Charleston Dorchester Mental Health Center

The final Community Justice Forum of 2022 was held December 8, 2022. The event was entitled *What are your rights if charged with a crime? ¿Cuáles son sus derechos si es acusado de un delito?*



This forum was the first in a two-part series entitled, *Know Your Rights*, and was developed in response to community input gathered at 2019 Dialogue to Change events. The event had 43 registrations, and most significantly, this event was presented in both English and Spanish —the first time this has occurred for a CJCC event.

The forum discussed basic constitutional rights and the application of law in various circumstances including the carrying of a gun. It was moderated by the Honorable Jennifer McCoy, JD of Charleston County, with Spanish interpretation provided by Angeles MacKenzie.

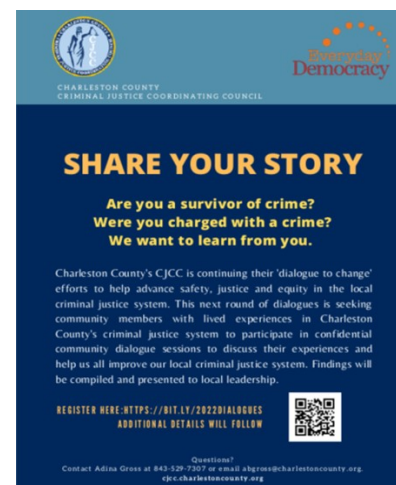
The panelists were:

- Kaitlin M. Cornwell-Goulooze, JD, Public Defender
- Amanda M. Monaco, JD, Public Defender

In addition to large community events, the CJCC in conjunction with community partners hosted smaller, more targeted events aimed at audiences who may otherwise not engage. These events included the following:

- North Charleston Rotary Club: February 7
- Charleston Law School Symposium: February 25
- North Charleston Elementary School 100-Year Celebration: March 9
- Burke High School: March 24
- Nosotros Aqui Facebook Live Group: April 27
- National Conference for State Legislatures: May 2
- National Network of Criminal Justice Coordinating Councils: May 19
- Nosotros Aqui Facebook Live Group: June 27
- Day of Hope Community Event: July 9
- Charleston’s Mayor’s Commission on Homelessness: December 7

In an effort to ensure that feedback and input from those most directly impacted by the local criminal justice system is included in the work underway, CJCC partnered with Everyday Democracy to host *Lived Experience Dialogues* on July 23 and 30, 2022. The facilitated dialogues were for those directly impacted by the local criminal justice system, as individuals who had been through the system personally or as a survivor of crime. The dialogue groups were divided by their experience with the criminal justice system (those charged with a crime or survivor of crime) and gender (identify as female or identify as male) in an effort to make the participants feel as safe as possible. While the participation was relatively modest, the dialogue group discussions were rich and highlighted areas with opportunity for improvement. This report will be published in 2023.





In an effort to help close the revolving door between incarceration and homelessness, as well as address the racially disparate footprint that the criminal justice system has on our community, Charleston County was awarded the MacArthur Foundation Just Home Project. This grant award was in part due to the work of the CJCC’s MVP, or most visible persons, work. The CJCC data illustrates that there are a relatively small number of individuals cycling through the jail frequently consuming a high number of jail bed days. These individuals also have shown to have a history of homelessness, substance use disorders and/or mental health challenges. During the grant-planning period, the Just Home Project planning team conducted facilitated dialogues with individuals struggling with homelessness and with a history of criminal justice system involvement. In exchange for their time, each participant was given a backpack with approximately \$130 worth of supplies such as hygiene items, camping items and blankets. The CJCC team assisted with the planning of the dialogue groups, facilitating the discussions and organizing the participant compensation. Additionally, the CJCC team has been active throughout the grant-planning period.

Also, Charleston County recently installed a Diversity, Equity and Inclusion (DEI) officer and launched a DEI committee. CJCC staffer, Adina Gross, CJCC Communications and Community Outreach Coordinator, is now an active member.

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## B. Disparate Impact Analysis

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To collect and analyze quantitative data surrounding R+EDD in the local criminal justice system data, to the extent it is available, race, ethnicity and gender data has been embedded into routine data dashboards used by CJCC workgroups. This includes crime, jail use, divert and deflect, bond and reentry, case processing, and jail population review dashboards.

Examples of R+EDD data identified through the dashboards include disparate impacts in bookings, charges, lengths of stay and jail population data. Workgroups typically review dashboard data monthly to monitor trends and help guide course correction. All data collected is presented and reviewed quarterly at CJCC meetings.



Further, the CJCC presented a working forum on April 18, 2023 entitled *Understanding Our Communities: What the Data Says*. Attendees learned from experts and facilitated discussions with fellow stakeholders on how to collaborate with one another in order to provide solutions regarding topics which highlighted areas of disparity—to include: Crime & Gun Violence, Education & Youth Support, Housing & Food Insecurity, and Medical & Behavioral Healthcare. As the CJCC is currently undergoing feedback review from this event, a more robust impact assessment will be shared in future publications.

## C. Development of a Race Equity Fellowship

This initiative stretches beyond the justice system with the formation of an equity fellowship program within the Charleston community. Having the fellowship program in Charleston will grow awareness and cultivate effective agents of change to address disparities from a variety of disciplines. Providing solid research and community support, the fellowship can help overcome barriers and take critical steps forward to advance equity in Charleston. The vision for the fellowship program is for graduates to apply what they learn to address R+EDD from a variety of disciplines locally (e.g., education, healthcare, non-profits, business and criminal justice). Fellows will be in positions of authority and complete capstone projects in their areas of expertise. In doing so, fellows will learn from one another while gaining skills, tools and practical experience to serve as agents of change in their own organizations and the capstone projects will generate collective impact to advance equity across our community.

A collaborative steering committee of leaders from around the community (beyond the criminal justice system and representative of the target population for the program) was formed to guide development of the program. Grant funding was awarded to pilot the program and, a request for proposal was issued to hire a curriculum developer, pilot the program, graduate the first cohort of fellows, and train trainers for future cohorts. This past year, the CJCC hired a curriculum developer but the vendor is no longer with the project. Moving forward, the CJCC plans to hire another curriculum developer to continue to develop and grow this program.

### Key Point Summary

- Public forums and annual reports are two ways the CJCC carries out its responsibility to help increase public awareness and promote transparency of the criminal justice system.
- The CJCC regularly hosts and participates in a variety of community events to help inform and involve the community in improving the local criminal justice system.
- Quantitative race, ethnicity and gender data is embedded into workgroup dashboards.
- Development of a proposal for a Race Equity Fellowship Program was completed. Grant funding was also received to develop and pilot the curriculum with the support of a qualified expert.
- The CJCC is planning a working retreat to bring together insights of local leaders and impacted individuals, and subject matter experts to critically think through lessons learned, discuss challenges and opportunities, and identify additional concrete actions to advance equity.



## MOVING FORWARD IN 2023 — STRATEGIC PLAN DEVELOPMENT

As the Charleston County Criminal Justice Coordinating Council continues progress in the upcoming year, we look forward to multiple opportunities and partnerships within the local community to support systematic change.

Data application is the most impactful when it is appropriately situated within both organizational and societal context. Evidence-based approaches to public safety will guide the identification of gaps, areas for improvement, and noted strengths in our community to support efforts of procedural justice through transparency and accountability.

As we better equip and empower our stakeholders through relevant data application, we look towards these same individuals for guidance and input in our next five-year (FY 2024-2029) Strategic Plan development phase. Even more, we welcome the expansion of new relationships as we increase our areas of research, seek to diversify our membership, and expand our focus within the field of public safety for the citizens of Charleston County.



## ENDNOTES

## CJCC DATA AND 2022 HIGHLIGHTS

- i. In 2021, Charleston County Council's unanimous resolution affirmed its support of the CJCC, its goals, mission and operational function to improve the overall criminal justice system in Charleston County (<https://www.charlestoncounty.org/departments/county-council/minutes/2021/05-25-2021-Council-Minutes.pdf>) and transferred oversight function of the CJCC from the Sheriff to the Deputy County Administrator of Public Safety. <https://www.charlestoncounty.org/departments/county-council/minutes/2021/06-22-2021-Council-Minutes.pdf> <https://www.charlestoncounty.org/departments/county-council/minutes/2021/06-22-2021-Council-Minutes.pdf>
- ii. <https://cjcc.charlestoncounty.org/files/CJCC-bylaws.pdf>
- iii. <https://www.charlestoncounty.org/departments/county-council/minutes/2022/10-11-2022-Council-Minutes.pdf>

### JAIL USE; ARREST, DIVERT, AND DEFLECT; BOND AND REENTRY; CASE PROCESSING

1. ADP is calculated using monthly snapshot files provided by the SACDC. Snapshot files include data for all jail populations (pretrial, sentenced and ICE/FED/HOLD inmates). Local population excludes ICE/FED/HOLD inmates. Pretrial population includes incarcerated individuals with one or more pending charges. Sentenced population includes incarcerated individuals who only have sentence charges.
2. American Bar Association Criminal Justice Standards for Pretrial Release [https://www.americanbar.org/content/dam/aba/publications/criminal\\_justice\\_standards/pretrial\\_release.pdf](https://www.americanbar.org/content/dam/aba/publications/criminal_justice_standards/pretrial_release.pdf)
3. Additional limitations General Session jail population review: 1) Current charges could not be statutorily violent, aggravated assault (A&B 1st, ABHAN, DV 1st, DVHAN), sex crime (excepting registry violations); 2) had to at least have a local arrest that was eligible for risk assessment; 3) bond amounts on charges (as shown in jail data) could not exceed \$50,000. Further refining was based on professional expertise (i.e., "what might have a greater viability of release/resolution?")
4. The booking type field from jail data determines the local/non-local status.
5. For reference, null records in charges by court type indicate court data were unavailable whereas unknown records indicate court designations not matched to a local court (i.e., other, none, etc.).
6. Summary Charges include charges from the following courts: Charleston Municipal, Folly Beach Municipal, Isle of Palms Municipal, Magistrate, Mount Pleasant Municipal, North Charleston Municipal, and Sullivan's Island Municipal.
7. In the 2021 Annual Report, this figure was erroneously reported as 2,574 instead of 9,574.
8. CJCC 2020, Data Behind the Strategic Plan. North Charleston, South Carolina. <https://cjcc.charlestoncounty.org/files/Data-behind-the-strategic-plan-2020-FINAL.pdf>
9. Most Visible Persons (MVP) "Most Visible Persons (MVP) Initiative was formerly known as Jail Involved Familiar Face (JIFF)."
10. Criminal Justice Coordinating Council (CJCC), 2022. Divert & Deflect Workgroup Initiative Update: Most Visible Person (MVP) Conferencing To Achieve Improved Outcomes For The Most Active Familiar Faces In The Sheriff Al Cannon Detention Center [Unpublished Manuscript.] North Charleston, SC.

11. Magnuson, Shannon, et al., Examining The Impacts Of Arrest Deflection Strategies on Jail Reduction Efforts, Charleston SC (2022). Justice System Partners. Also <https://cjcc.charlestoncounty.org/files/2022-Examining-the-Impacts-of-Arrest-Deflection-Strategies-on-Jail-Reduction-Efforts.pdf>
12. Reporting System (NIBRS) which was developed by the FBI, using South Carolina as a model and demonstration site. The transition from the UCR Program’s traditional Summary Reporting System (SRS) to a NIBRS-only data collection system at the national level occurred on January 1, 2021. The South Carolina Incident-Based Reporting System (SCIBRS) crime data are based on reports submitted by state and local law enforcement agencies to the State Law Enforcement Division (SLED). Twenty agencies in Charleston County are reporting crime data to SLED.
13. <http://beyond2020.sled.sc.gov/public/View/dispsview.aspx>
14. In 2022, 846 arrest records could not be classified as custodial or non-custodial due to the absence of necessary information and were excluded from the analysis. For context, as end-note 14 indicated in the 2021 Annual Report: in 2018 there were 2,167 such records, in 2019 there were 1,116, in 2020, there were 778 and in 2021 there were 886 records that could not be classified. All unclassified records were excluded from the analysis.
15. In 2022 there was a significant increase in charges coming into SACDC called “General Sessions & Probate Contempt”. Previously this charge was used for a specialty court bench warrants for failure to comply. (Specialty court is a type of General Sessions Court [GSC] charge diversion practice, transferring jurisdiction of a case to either Probate Court, Mental Health Court, or Drug Court for management and supervision. Once all specialty court requirements are met, the defendant may have the GSC charge expunged.) In 2019 according to SACDC data there were 34 instances of this charge, in 2020 there were 19 instances, and there were none in 2021. In 2022, there were 439 instances where someone was charged with this. In 2022, SACDC varied its use of this charge to include bench warrants for GSC failure to appear and GSC failure to comply, in addition to for specialty court bench warrants for failure to comply.
16. In years prior to the 2021 Annual report, this was reported as “Failure to Pay Child Support”, a contempt of Family Court Charge. Upon review of the data, the classification of this charge is more accurately reflected as “Contempt of Family Court”. In 2020, this was the 15th most frequently occurring charge. In 2021, there were 186 Contempt of Family Court charges, and did not occur enough to appear on top most frequent 15 charges. In 2022 it resurfaced as the 11th most frequent charge.
17. Query was refined to correct a typographical error that provided an analysis of 3 years instead of the Familiar Face defined time period of 2 years. Additional adjustments include removing “booking” data of Sex Offender Registration (SOR) Check-ins, as these are not physical arrests or detentions. Future CJCC publication will provide analysis of prior year data under the revised Familiar Face parameters.
18. Please note, the 2021 Annual Report reported “The ALOS for Familiar Faces that booked and released five times or more in 2018 was 27 days the same as it was in 2018.” It should have stated “The ALOS for familiar faces that booked and released five times or more in 2021 was 27 days the same as it was in 2018.” Please also note that updated, improved analyses are underway for 2019 through 2021 Familiar Face data consistent with the 2022 query).
19. Brian A. Garner, editor in chief. Black’s Law Dictionary, 11th edition. 2019. Thomson Reuters.
20. Lisa Pilnik, 2017, NIC Accession Number: 032831. *A Framework for Pretrial Justice: Essential Elements of an Effective Pretrial System and Agency*. And, Subramanian, R. et al (2015). *Incarceration’s Front Door: The Misuse of Jails in America*. Vera Institute of Justice, New York, New York.
21. Léon Digard and Elizabeth Swavola, 2019, Vera Evidence Brief For the Record, *Justice Denied: The Harmful and Lasting Effects of Pretrial Detention*. New Orleans, LA.
22. Léon Digard and Elizabeth Swavola, 2019, Vera Evidence Brief For the Record, *Justice Denied: The Harmful and Lasting Effects of Pretrial Detention*. New Orleans, LA.
23. Léon Digard and Elizabeth Swavola, 2019, Vera Evidence Brief For the Record, *Justice Denied: The Harmful and Lasting Effects of Pretrial Detention*. New Orleans, LA.

24. Justice Systems Partners, Examining the Pretrial Population in Charleston, SC, 2022. Also: <https://cjcc.charlestoncounty.org/files/2022-Examining-the-Pretrial-Population-in-Charleston-County-SC.pdf>
25. Menefee, Michael and Brian Lovins. Validation of the Charleston Pretrial Risk Assessment Instrument-Revised (CPRAI-Revised), October 2022. Justice System Partners.
26. This effective bond set includes a third category, termed "Unspecified," where effective bond type could not be assigned due to missing warrant or bond information, or when bond could not be set at Central Bond Court. Bond sets identified as "Unspecified" are eliminated from the analysis. Yearly unspecified counts are provided by year within parentheses: 2022 (103); 2021 (125); 2020 (106); 2019 (44); 2018 (46). In addition, the following corrections were made from the 2021 Annual Report: the 2021 (125) count was incorrectly reported for 2020, and 2020 counts were not indicated.
27. Charges arising within the jurisdiction of General Sessions, City of Charleston, County of Charleston, and the small municipalities within Charleston County will have their bonds set at Centralized Bond Court. The City of North Charleston sets its own municipal level bonds.
28. The other court category represents less than 1.2% percentage of CBC bonds set. In these instances, SACDC data indicates 88.3% were "P&P" (probation violations) in the court category; and 11.7% indicated the court to be an out of the area court.
29. Average amounts for effective financial bonds include the average of all financial bonds ordered for all charges per bond hearing.
30. Pretrial Risk Assessment in Charleston County: Preliminary Findings (2017). Center for Court Innovation, New York, NY.
31. National Association of Pretrial Services Agency, 2020 (revised), Standards of Pretrial Release, Washington, DC.
32. American Bar Association Criminal Justice Standards for Pretrial Release [https://www.americanbar.org/content/dam/aba/publications/criminal\\_justice\\_standards/pretrial\\_release.pdf](https://www.americanbar.org/content/dam/aba/publications/criminal_justice_standards/pretrial_release.pdf).
33. National Association of Pretrial Services Agency, 2020 (revised), Standards of Pretrial Release, Washington, DC.
34. <https://cjcc.charlestoncounty.org/publications.php>
35. For example, in preliminary 2022 analysis, it was discovered that many courts updated disposition code books, and SACDC changed its utility of the charge "General Sessions and Probate Contempt" to include failure to comply AND failure to appear requiring. These changes necessitated the query to be adjusted and re-run. The upgraded query also excludes any/all Family Court bookings as they are not criminal court matters. In addition, it excludes all bookings where "Criminal Inquiry Only" is the only charge, as this booking type and charge is not a physical detention.
36. CJCC 2020, Data Behind the Strategic Plan. North Charleston, SC. Also <https://cjcc.charlestoncounty.org/files/Data-behind-the-strategic-plan-2020-FINAL.pdf>
37. Advancing Pretrial Policy & Research. Pretrial Research Summary: Court Date Notification Systems. Revised April 2021. Also <https://cdn.filestackcontent.com/security=policy:eyJleHBpcnkiOjQwNzg3NjQwMDAsImNhbgwiOlsicGljayIsInJlYXQlLCJ3cmI0ZSIsIndy aXRlVXJslwic3RvcmluLCJjb252ZXJ0IiwicmVtb3ZlIiwicnVuV29ya2Zsb3ciXX0=.signature:9df63ee50143fbd862145c8fb4ed2fcc17d068183103740b1212c4>
38. Backlog definition: The proportion of cases in a court's inventory of pending unresolved cases that have exceeded established timeframes or time standards. Ostrom, Brian J., et al., National Center for State Courts, 2020, Timely Justice in Criminal Cases: What the Data Tell Us. Williamsburg, Virginia. Also [https://www.ncsc.org/data/assets/pdf\\_file/0019/53218/Timely-Justice-in-Criminal-Cases-What-the-Data-Tells-Us.pdf](https://www.ncsc.org/data/assets/pdf_file/0019/53218/Timely-Justice-in-Criminal-Cases-What-the-Data-Tells-Us.pdf)
39. Overall comparison not shown.
40. CJCC 2018, Charleston County Criminal Justice Coordinating Council 2018 Midyear Report: Racial and Ethnic Disproportionality and/or Disparity in Charleston County's Criminal Justice System, North Charleston, South Carolina.

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