

Monitoring Pretrial Reform in Harris County

Eighth Report of the Court-Appointed Monitor

March 3, 2025

THE OFFICIAL WEBSITE OF THE
**INDEPENDENT MONITOR FOR THE
*O'DONNELL V. HARRIS COUNTY DECREE***
REGARDING MISDEMEANOR
BAIL PRACTICES

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Executive Summary

- **The ODonnell Consent Decree:**
 - *Misdemeanor Bail Reform:* In Harris County, secured money bonds are no longer required for most misdemeanor cases under the court rule adopted as part of the 2019 settlement in *O'Donnell v. Harris County*. Most people arrested for misdemeanors are now released promptly without waiting for a bail hearing.
 - *Bail Options Unchanged for Cases with Public Safety Concerns:* People charged with misdemeanors that potentially present public safety risks (e.g., repeat DWIs, family violence, prior bond violations or outstanding warrants) are not automatically released, however. A hearing officer makes a bail decision, usually at a bail hearing at which they have the traditional options to decide whether to require financial bonds, protective orders, pretrial supervision requirements, or other release conditions.
 - *Better Bail Hearings:* Defense attorneys continue to represent people at bail hearings, as required by the Judge's Rule 9 and the Consent Decree. Before 2017, people arrested in Harris County usually had no defense attorney at these hearings. Judges also must give greater attention to more rigorous bail requirements.

- **Major Consent Decree Accomplishments:**
 - *Court Appearance:* The County is currently implementing an approved plan to make use of the budget allocation to improve court appearance. The County is now piloting a new website, <https://myharriscountycase.com>, where people can readily look up information about upcoming appearances in their cases.
 - *Data:* Much of the relevant information about the misdemeanor bail process is now available in an automated report. We have continued work to provide feedback on Harris County's public data portal. We now have improved data regarding persons flagged as homeless or with mental health assessment requests, as well as data concerning pretrial supervision conditions, and report these new analyses in this report.
 - *Training:* The Deason Criminal Justice Reform Center at the SMU Dedman School of Law conducted trainings in early 2024. The County is now hiring a staffer to conduct trainings in the future.
 - *Indigent Defense:* The County is continuing to develop plans in response to the National Association for Public Defense (NAPD) evaluation of Harris County's misdemeanor indigent defense systems. We have had a series of discussions regarding how to implement a plan for the earlier appointment of counsel.

- **Ongoing Work by the Monitor Team:**

- *Data Development:* We analyzed data prepared by Harris County and provided continual feedback on data development in regular meetings concerning the assembly and validation of data regarding misdemeanor cases.
- *Community Work Group:* We convened biannual meetings of our Community Work Group, to share our work and solicit input from our diverse community stakeholders. Members share their perspectives for the “Community Viewpoints” column found in our reports.
- *Regular Meetings:* We held regular meetings with the parties and Harris County stakeholders, including weekly calls, monthly meetings with both judges and hearing officers, and periodic calls with public defenders and prosecutors. Our next public meetings will be held in-person on April 18, 2024.
- *Feedback:* We provided feedback to the parties on several improvements to the hearing process, the designed and implemented training, and the assessment work regarding holistic defense services and nonappearance.
- *Review of Violations:* We are extremely grateful for the work that has begun to build an improved system to permit all County actors to review potential Rule 9 violations and prevent delays and errors in case processing.

- **Our Findings:**

- *Data Analysis:* Our updated findings largely confirm what we reported in our first seven reports. The bail reforms under the ODonnell Consent Decree have saved Harris County and residents many millions of dollars, improved the lives of tens of thousands of persons arrested for misdemeanors, and these large-scale changes have produced no increase in new offenses by persons arrested for misdemeanors.
 - *Overall, the work suggests that repeat offending by persons arrested for misdemeanors has remained stable in recent years.*
 - The numbers of persons arrested for misdemeanors have declined since 2015.
 - The numbers of those arrested for misdemeanors who had new charges filed within one year have also declined.
- The analyses conducted show:

Misdemeanor Case and Defendant Characteristics

- The number of misdemeanor arrestees has declined by more than 15 percent between 2015 (N=49,228) and 2024 (N=42,448).
- The number of misdemeanor arrestees with co-occurring felonies has increased over time (1,216 in 2015 vs. 3,817 in 2024). It is unclear why the number of such persons has increased over time, but one possible explanation is that the increase is largely driven by a rising number of felony cases filed.

- The number of misdemeanor cases is roughly 20 percent higher than that of misdemeanor arrestees, but following a similar downward trend from 2015 (N=60,549) and 2024 (N=52,851), with somewhat higher case counts after 2020.
- The sex distribution of misdemeanor arrestees in Harris County has been very stable during the last ten years, with males making up approximately 75 percent of arrestees annually.
- Black and white arrestees accounted for approximately 40 and 60 percent of the misdemeanor arrestees in Harris County in each year between 2015 and 2024.
- Overall, Latinx persons account for more than 40 percent of the misdemeanor arrestees. However, unlike trends in sex and race distributions, the ethnic distribution has gradually shifted over time, as the share of Latinx arrestees rose from 41 percent in 2015 to 47 percent in 2024.

Bond Amounts and Holds

- Misdemeanor arrestees were released on a bond before the first court setting in only 49 percent of the time in 2015, but this share has constantly increased, reaching 68 percent in 2017 (the year when the preliminary injunction became effective) and 84 percent in 2019 (the year when Local Rule 9 became effective).
- The rate slightly declined in 2020 but has remained very stable at around 80 percent since then.
- More than 85 percent of the cases filed in 2024 involved initial pretrial detention lasting less than three days. Still, even after 2020, approximately 10 percent of the misdemeanor cases filed resulted in the arrestees being detained in jail for more than seven days before release.
- Bond forfeiture and bond revocation all reflect discretionary judicial decisions about whether a person missed court or violated a bond condition and, separately, whether the person's reasons for doing so warranted a forfeiture, surrender, or revocation. Therefore, the data that we have on such failures has its limitations. We report that the failure rate among all bonds increased between 2015 (17%) and 2018 (30%), but has gradually declined since then and remained stable at around 25 percent since 2019.
- When considering each bond type separately, surety and cash bonds tend to have the lowest one-year failure rate (15 percent in 2023) and personal bonds the highest failure rate (31 percent in 2023). The one-year failure rate of the general order bond, which now accounts for the majority of pretrial release of misdemeanor arrestees, is somewhere in the middle, currently at 28 percent as of 2023.
- At bail hearings, defense counsel and ADAs frequently do not specify a bond request, and when requests are made, they often differ substantially.
- Further, indigency status is frequently unrecorded at the time of bail hearings.

Case Outcomes

- Our data reveal a noticeable decline over time in the share of cases resulting in a criminal conviction. The conviction rate fell from 60 percent in 2015 to 27 percent in 2019, and further to 20 percent in 2023, while the combined rate of dismissal or acquittal surged from 31 percent in 2015 to 65 percent in 2023.
- When removing undisposed cases from this analysis, there is also a marked increase in the share of misdemeanor cases acquitted or dismissed, rising from 31 percent in 2015 to 75 percent in 2023.
- However, the distribution of misdemeanor jail sentences has remained very consistent between 2015 and 2023. Throughout these years, about 80 percent of the misdemeanor cases resulted in jail sentences of 90 days or less, and approximately 90 percent were sentenced to 180 days or less.

Repeat Offending

- The one-year repeat arrest rate has stayed remarkably constant during our study period, consistently hovering around 23 percent, except for a small, temporary dip among persons initially arrested in 2019.
- Similarly, the rate of one-year felony repeat arrest has remained largely stable, fluctuating between 11 and 12 percent.

Nonappearance Mitigation Initiatives

- The Consent Decree required Harris County to adopt practices to help misdemeanor be present in court. Court date reminders and the Community Assistance Referral Program (CARP) are two leading efforts.
- The Seventh Monitor Report (March 2024) found previous difficulties enrolling people with unsecured bonds were fully remedied with stable enrollment rates of 59% for personal bonds and 72% for GOBs. However, secured bond releasees continue to be disproportionately excluded from reminders due to ongoing enrollment implementation problems in the Sheriff's Records Division.
- Court date reminders successfully reduce the odds of missing arraignment by 50%. Reminders are especially beneficial for releasees with unsecured bonds, a group that is otherwise at higher risk of nonappearance.
- The CARP program has successfully engaged about 35% of misdemeanor defendants released on GOB bonds; 26% of GOB releasees also receive at least one service referral.
- Odds of missing arraignment are 31% lower for people engaged by the CARP program. However, among engaged defendants, those who receive targeted referrals have 15% higher odds of nonappearance. This evidence suggests nonappearance is driven more by structural disadvantages than by deliberate avoidance, and emphasizes the need for continued investment in interventions to support the most vulnerable defendants.

- **Next Monitoring Steps:**

- Assist in development systems to detect, remedy, and prevent errors and violations of the Consent Decree.
- Assist in further implementation of improvements to pretrial hearings and accompanying procedures to facilitate compliance with the Consent Decree.
- Review County plans that follow recommendations made in NAPD indigent defense study and monitor the implementation of court appearance plan.
- Conduct further data analysis regarding vulnerable populations and cost analysis.

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Introduction

On March 3, 2020, Professor Brandon L. Garrett at Duke University School of Law, was appointed to serve as Monitor for the ODonnell Consent Decree, along with Professor Sandra Guerra Thompson, University of Houston Law Center, who serves as the Deputy Monitor. The Monitor team includes research experts from the Public Policy Research Institute (“PPRI”) at Texas A&M University, and the Wilson Center for Science and Justice (“WCSJ”) at Duke University School of Law.

Our role is wholly independent of any of the parties in the ODonnell case. We report to the federal court regarding the progress of this Consent Decree. We were appointed because the prior system of misdemeanor bail was found unconstitutional after years of litigation, which we took no part in, and which the parties settled prior to our appointment. As such, our work pertains only to misdemeanor cases in Harris County.

The parties envisioned a seven-year term for the monitorship because the ODonnell Consent Decree sets out a comprehensive plan for misdemeanor bail reform. People mean different things by both the term “bail” and the phrase “bail reform.” Harris County is implementing a quite comprehensive model for misdemeanor cases, which governs more than just decisions whether to release a person or detain them pretrial. First, there are required releases after booking for low-level misdemeanors. Second, for those defendants not entitled to release without a hearing, magistrates conduct bail hearings. The Consent Decree requires public defense representation, discovery and due process protections, making the hearings far more robust. Third, the Consent Decree aims to increase court appearance rates over time with sound rules and supports to help people comply with legal obligations, including new court appearance rules and electronic court notifications. Fourth, the Consent Decree calls for evaluations of the system, including third-party recommendations regarding indigent defense and court appearance, and a publicly accessible data portal, with responses in progress.

For those reasons, we emphasize that the Consent Decree is a long-term undertaking, with key pillars implemented, but others still in progress. These improvements will require assessment and implementation over time. Thus, while we have described in our reports highly positive results, we will continue to update our findings over time. In this seventh report, we describe how key pillars of the Consent Decree are now in place. Additional implementation remains in progress, including responses to recommendations regarding improving court appearance, court notifications, and indigent defense in misdemeanor cases in Harris County.

I. Community Viewpoints

First-Hand Accounts of ODonnell’s Impact

The ODonnell Consent Decree requires the release of most people charged with misdemeanors without requiring that they pay money, except for people charged with some offenses that have public safety implications like domestic violence, a subsequent drunk driving

charge, or someone already out on a bond or who has a pending warrant. The latter cases are decided initially by judicial magistrates. In this edition of *Community Viewpoints*, the ODonnell Monitor team shares the stories of a few people who have benefited from the bail reforms ushered in by the ODonnell litigation.

These stories were first brought into the public domain through the hard work of advocates at the Texas Jail Project who produced a short film called *Freedom Stories*. At a recent community meeting with the ODonnell Monitor team, a panel discussion included two of the people whose stories are told through this project: Terranisha Collins and Andrea Whitley. Ms. Collins also told her story as part of a national public radio show, *Here and Now*. Both were also featured storytellers in musician John Legend’s *A National Conversation on Bail Reform*. We recount their stories below.

Pretrial Freedom Allows Young Parents to Return to their Children



Terranisha Collins says her journey of sharing her story with the public started when she was locked up in 2021. Terranisha had moved to Houston around 2017 where she began to raise a family. As the mother of seven young children, she feels the weight of responsibility of a young mother. She says, “Me missing time with them, even a small amount of time, is very detrimental. They really need me. Pretrial freedom means to me is me being able to not miss a beat with my children.”

Police arrested her after a neighbor accused her of making a threat, and she called the police. “I actually called the police for my own safety and ended up being detained,” she says. A neighbor had falsely accused her of damaging her truck. “I said, ‘No, and if you tell the police I did anything to your truck, I’m gonna beat your ass.’ I said it, plain like that,” said the single mom of seven.

Had it not been for the ODonnell reforms, while she was in jail, perhaps for days, there would have been no one to care for her seven young children. Instead, she was promptly released. Terranisha says that the experience also taught her “different ways that I could handle certain situations and not just immediately go off, but instead keep my peace to avoid charges.”

Terranisha says her experience of being arrested and released under ODonnell has also strengthened her faith. “What’s driving me [to continue tell my story publicly] is it’s giving a voice for the people that don’t feel like they’re getting heard or seen. . . that it may help others who are in a situation like me,” she states. She urges anyone who’s trying to help with the jail reforms “to have more of a heart and more of an ear to listen to stories about this situation, like mine.”

Pretrial Freedom Allows People to Get a Fair Defense

The ODonnell reforms have allowed thousands of people to get out of jail promptly, giving their attorneys the chance to present their defenses. For people who are released pretrial,

frequently their cases result in dismissal of charges if they stay out of trouble or complete therapeutic courses. For Terranisha, her release under ODonnell meant she had the chance to defend herself against the charge and did not feel forced to plead guilty. She says: “If I was still there [in jail], I would have ended up signing the plea deal so then I would have convicted myself and agreed to something that I never done.” Instead, she explains, “I was able to go home. It gave me time to get it thrown out completely.”

ODonnell Bail Reform “Changed My Life”—Getting the Treatment Jail Does Not Provide



Andrea Whitley is a Houston attorney who found herself on the other side of the criminal justice process—as a defendant. She had struggled with substance abuse which led to her DWI arrest. Because of the ODonnell bail reform, she says, “I was able to walk out of jail without paying bond. It changed my life.”

Andrea recalls how her husband was understandably angry when he picked her up from the jail. She says, “Going home in silence, walking into the bedroom and having my husband look me straight to the face and say, ‘You’re an alcoholic and you’re going to treatment.’”

For Andrea, her prompt release under the ODonnell reforms meant freedom, which for her carried life-changing significance. She explains that the shock of arrest and release, and her husband’s reaction gave her a second chance to confront her issues: “That’s what freedom was—it was a break. It was an understanding that there was a problem that I needed to face. And from there the path of freedom blew wide open. It empowered me to connect with myself. There’s no treatment or resources for you within the system to confront your problem.”

Forced Guilty Pleas and Jail’s Life-Altering Consequences

For Andrea, the chance to go home meant facing her alcoholism and getting treatment. Before ODonnell, a poor person would not have had this opportunity. In the past, a person charged with DWI in Harris County would likely have had to post a \$2,000 bond for release. For many without access to that much money, they would often turn to a commercial bondsman who would have charged them a \$200 non-refundable fee to post the bond on their behalf. Andrea explains, “I realized how a mere \$200 could be the difference between freedom and life-altering consequences like job loss, family strain, or mental health crises.”

The ODonnell reforms mean that whether rich or poor, people in Harris County charged with non-violent, low-level offenses can now avoid the destabilizing effects of spending days or weeks in jail and are released without having to pay. Before ODonnell, the poor were forced to make a terrible choice. Andrea explains, “I learned that, [for people stuck in jail because they

cannot post bond], there are a lot of people who just plead guilty because they just want to go home. That was really impactful for me.”

Now sober for over two years, Andrea, like Terranisha, has participated in many events on bail reform, sharing her story. These community events have given her new insights. “Every time I come to these events, I meet more people who have done something and been in the system, and it widens my eyes,” she says. “I learned about the reforms and about the lawyers who came before me and made ODonnell possible.”

II. Policy Assessment and Reporting

In this eighth report, we describe our work, focusing on the time-period following the completion of our seventh report on March 3, 2024.¹ Our goal is to assess the implementation of this Consent Decree and assist officials in Harris County in meeting their goal of making the Harris County misdemeanor system a national model. Our work continues to be informed by regular conversations with County stakeholders and an intensive analysis of court records, ranging from docket entries to videos. We have welcomed suggestions from Harris County officials, local stakeholders, and the public, and we look forward to future conversations. As our Monitor Plan described, during this time period, we have:

- (1) Conducted regular meetings with the parties to discuss progress under the Consent Decree, as well as conducted regular meetings with hearing officers, judges, and a wide range of stakeholders.
- (2) Conducted in-person site visits and public meetings.
- (3) Continued to convene the Community Working Group.
- (4) Examined and advised on the implementation of the court appearance reminder system.
- (5) Continued data collection and analysis and incorporated this work into the seventh six-month Monitor Report, as well as advising on development of a public data dashboard.

This Report describes our work reviewing the implementation of a range of policies under the Consent Decree. We held our most recent site visit on October 24-25, 2024. We had valuable meetings with community members, representatives of the parties, and a wide range of professionals who work in the misdemeanor bail system in Harris County.

After five years of experience under this Consent Decree, we highlight one fundamental need: there is still no established system for detecting errors and failures to comply with the Consent Decree, and then, once detected, remedying those errors and failures to comply. These have involved larger scale issues, such as when computer systems have failed and larger numbers of cases were not timely processed, and more individualized issues with designating people for the appropriate type of bond, or timely bail review. When errors have come to light it has typically not been the parties (apart from the plaintiffs) who have identified those errors. Nor is there an established system for remedying those errors. There are no staff members, whether at the Sheriff's office or elsewhere, who are specifically tasked with assuring prompt release of a

¹ We started our work upon our appointment on March 3, 2020. In the motion to appoint us as Monitor, our submission to the Court included a Proposal and Budget for Year 1 of work, which described our team members, timelines, an organization chart, and a budget for all participants. That information, and subsequent Work Plans, are available on our Monitor website (<https://sites.law.duke.edu/odonnellmonitor/>). Our Year 6 Work Plan is included here as Appendix E.

person detained in violation of the Consent Decree. Instead, there are good faith but ad hoc efforts to communicate any issues, if identified in a timely fashion, with the appropriate judge, who have generally promptly responded.

The monitors and parties have long agreed that there is a need for better ways to detect and prevent these errors, since our own spot-checking, or notifications from counsel, are no substitute for a robust and automated system, with persons assigned with authority to remedy errors should they arise.

The Harris County Research and Analysis Division (RAD) continues to work to improve the ability to flag cases that might raise concerns with Consent Decree compliance, including cases in which a person did not receive a timely bail hearing or bail review. More resources need to be dedicated to reviewing cases of persons who receive prolonged and unwarranted detention, including in violation of the Consent Decree. We are extremely grateful for the work to build an improved system to permit all of the County actors to prevent delays and errors in case processing.

We underscore that even if any such cases are promptly detected, a formal system, with dedicated process and personnel, needs to ensure that any such instances are promptly remedied. Such a system would ensure that this Consent Decree was complied with, and that any departures are remedied.

Below we describe: (1) studying pretrial hearing outcomes and changes to the magistration hearing process; (2) work with agencies including the Harris County Sheriff's Office; (3) work with the CCCL and the Office of Court Management; and (4) Pretrial Services. We also describe engagement with nonparties, (5) the Harris County Public Defender's Office (HCPD) and the relatively new Office of Managed Assigned Counsel (MAC).

1. Studying Bail Hearing Outcomes

We have continued to examine data regarding misdemeanor bail hearings as well as view videos from bail hearings. We have continued to examine the text of Hearing Officers' pretrial rulings in misdemeanor cases. An ongoing area for improvement continues to be the need for factual findings regarding why or whether, when pretrial conditions are set, there is clear and convincing evidence that no less restrictive conditions can reasonably assure community safety and protect against flight from prosecution. We continue to be impressed by the way in which the vast majority of rulings display real attention and care.

We also continue to observe many of the videos of misdemeanor pretrial hearings conducted, both selecting hearing videos at random and examining videos when individual cases are brought to our attention. We have seen quite careful discussions of appropriate conditions and types of bonds, but we note that it is common for non-financial bond conditions to not be the subject of any discussion at hearings. We also note that we continue to see references to "flight" when, instead, the evidence before the magistrate concerns prior instances of non-appearance. More broadly, we hope that continued conversations and the recent trainings on

Rule 9 and the Consent Decree will continue to improve outcomes and consistency in bail hearings and at bail review hearings in the Judges' courtrooms. We continue to explore the feasibility of additional changes that can improve the quality, fairness, and efficiency of the bail hearing process. We are extremely grateful for ongoing feedback and collaboration with the Hearing Officers.

2. Harris County Sheriff's Office

The Harris County Sheriff's Office ("HCSO") plays a central role in the Consent Decree's success, including by facilitating a wide range of logistics regarding booking, hearings, and release. We are grateful for their cooperation in implementing numerous improvements to the systems used in the past. We have been impressed with the efforts by HCSO to examine data and systems to proactively identify cases of individuals with behavioral health needs and other cases that might risk errors or delays. We continue to discuss with the parties plans for improving the procedures and interdepartmental communication to detect and correct errors and reduce the time it takes to release people after making bond. We are incredibly grateful and fortunate to work with such responsive county officials.

3. CCCL: Court Appearance, Notifications and Attorney Appointments

An important pillar of the Consent Decree reforms has been the changed system for court appearance. The County completed a non-appearance mitigation plan, which was approved. One important part of that work has already been piloted: a new website, <https://myharriscountycase.com>, at which a person can quickly look up their case and locate detailed information about future appearances in that case. We view these new resources aimed at improving court appearance as an extremely important part of the Consent Decree and are so impressed with the hard work and collaboration among multiple County agencies to develop and now implement these plans. We also underscore the importance of having sound information regarding court appearance. We will continue to work with the County and the Judges to improve the data collection system concerning court appearance, as well as improve court appearance outcomes.

We have had a series of conversations regarding the need for timely appointment of counsel in misdemeanor cases. The County retained the National Association of Public Defense to conduct a study of Harris County's indigent defense system. The report noted the need for prompt appointment of counsel at magistration; for persons released prior to magistration, appointment at the time of booking is needed. Currently, the Judges have not authorized magistrates or other designees to appoint counsel prior to the first appearance. Thus, it often takes seven days for counsel to be appointed to handle misdemeanor cases, and we have seen that sometimes it has taken more time than that. Timely appointment would enable the client information obtained by the public defender at magistration, or by pretrial services at the time of booking, to be promptly conveyed to whoever represents the person throughout the rest of the case.

As a result of the delay in appointing counsel, individuals are appearing before CCCL judges unrepresented, at which time judges often impose additional conditions on their pretrial freedom. Timely appointment of counsel will correct this violation. It will also have the highly beneficial effect of promoting court appearances, as well as enabling representation at the first appearance which promotes appearance and sound representation during the entire process.

We have participated in past discussions regarding the logistics involved in ensuring that counsel is promptly appointed after arrest, as is being done in other Texas counties. Unfortunately, at our last site visit in October, no CCCL judge was available to meet with us. We encourage the judges to renew our discussions during our upcoming site visit regarding the specifics of the reforms and the state funding available for such improvements. We view this as a critical improvement that would provide enormous benefits to Harris County.

We also highlight the need for improved processes and data concerning the bail review hearings that judges conduct. Under Rule 9, a person is entitled to a bail review within the next business day of a 15.17 hearing. We continue to observe instances in which bail reviews are not conducted, even though the person did not waive, or was not present. We are grateful for the work of the County to examine what data could help to automatically detect and flag cases in which a valid bail review or waiver has not taken place, in order to correct such issues promptly when they arise. We are extremely grateful for the feedback and collaboration with the CCCL Judges and OCM.

4. Pretrial Services

Pretrial Services has begun to develop a range of improvements to their work, including changes that importantly impact misdemeanor cases. We have discussed the importance of ensuring that only the least-restrictive conditions necessary are imposed and have provided information about how imposing excessive conditions of release can be counterproductive, making it more likely a person will miss court and/or reoffend. We continue to highlight the importance of the noteworthy study released by the Government Performance Lab at Harvard's Kennedy School, finding that CCCL judges and Harris County Pretrial Services reduced the use of punitive conditions for over 2,200 clients on pretrial supervision while observing steady compliance and rates of rearrest.² This pilot project, conducted from October 2020 to June 2022, involved both pretrial staff and judges in reviewing condition placement within 30-120 days to adjust condition intensity and frequency. They would "step down" these conditions of supervision, resulting in substantial cost savings to the County, maximizing the freedom of clients, and, they found, achieving positive public safety results.

Unfortunately, when the Kennedy School study ended, the systematic review and selection of cases eligible for possible reductions of supervision conditions also ended. We encourage Pretrial Services and the judiciary to reestablish the step-down system which has

² Hena Rafiq, *Building a Responsive Pretrial Supervision System in Harris County, TX* (2023), at https://govlab.hks.harvard.edu/building-responsive-pretrial-supervision-system-harris-county-texas?admin_panel=1.

already proven itself to save costs, maximize pretrial freedom and achieve positive public safety benefits. We are extremely grateful for the collaboration and efforts of Pretrial Services.

5. Public Defender’s Office and the Office of the Managed Assigned Counsel (MAC)

The Consent Decree emphasizes that “zealous and effective representation at bail hearings is important to protecting arrestees’ right to pretrial liberty and right against wealth-based detention.”³ Rule 9 and the Consent Decree require that a public defender is available to represent all individuals at bail hearings. Further, the Consent Decree envisions a process of continuous improvement in the public defense services provided at these hearings, including the retention of an expert in holistic defense services and the development of a plan for improving indigent defense.⁴ The County retained the National Association for Public Defense (NAPD) to: (1) evaluate its current misdemeanor indigent defense systems in Harris County; and (2) determine the need for essential support staff and holistic services to promote zealous and effective indigent defense. The NAPD’s report made a series of detailed recommendations.⁵ Harris County is completing plans to respond to these recommendations. Some recommendations have been responded to, but other work is in the planning stages.

III. Data Analysis

The ODonnell Monitor team continues to collaborate closely with the Harris County Research and Analysis Division (RAD) to enhance data management systems for analyzing misdemeanor cases in Harris County. Since our last report, several key updates have been implemented, including the integration of new information on pretrial supervision conditions and refinements in the internal logic used to link misdemeanor case records with corresponding booking records. Additionally, we have worked with RAD to develop a new measure of pretrial liberty, namely, whether a misdemeanor arrestee remained detained until case disposition.

The incorporation of pretrial supervision condition data represents a particularly significant advancement. Many individuals released on bond are subject to specific pretrial supervision conditions, such as ignition interlock requirements and no-contact orders. To deepen our understanding of the current misdemeanor bail system, we have partnered with Harris County Pretrial Services to integrate detailed supervision condition data into our analysis. The availability of these data allows us to assess the prevalence of pretrial supervision among misdemeanor arrestees and examine its impact on subsequent case outcomes and repeat arrests.

Another key data enhancement since the last monitor report is the substantial improvement in the internal logic linking misdemeanor case records with associated booking records. In Harris County’s criminal justice system, raw data are structured such that case-level information (e.g., case filing date, defendant name and ID number, criminal charges, and

³ Consent Decree at ¶37.

⁴ Consent Decree at ¶41, 43.

⁵ See *National Association for Public Defense Harris County Misdemeanor Assessment Report* (July 6, 2021), at <https://www.publicdefenders.us/files/Harris%20County%20Report%20July%202021%20FINAL.pdf>.

disposition type) and person-level information (e.g., booking and release dates) are maintained as separate data sets. Since the early days of the monitorship, RAD has worked diligently to refine an internal system for matching misdemeanor cases with corresponding booking and release dates. While the initial matching logic was reasonably effective, RAD and the monitor team identified areas for further refinement and successfully implemented updates to this logic in 2024, significantly improving the accuracy of case-booking links. We greatly appreciate their ongoing efforts, which have enhanced the quality of our monitoring work and expanded the scope of future analyses.

In this report, our data analyses examine the following topics:

1. Misdemeanor case and arrestee characteristics
2. Misdemeanor cases that belong to “carve-out” categories.
3. Pretrial detention and holds placed.
4. Initial bond decisions.
5. Magistration hearing outcomes.
6. Case disposition outcomes.
7. Repeat arrest rate.
8. Supervision conditions.

1. Misdemeanor Case and Arrestee Characteristics

Our main data source consists of case-level records on all Class A and B misdemeanor cases filed in the Harris County Criminal Courts at Law (CCCL) between January 1, 2015 and December 31, 2024, which was downloaded from the RAD’s database on January 8, 2025.⁶ A noteworthy sample restriction is that 13,736 out-of-county fugitive cases during this period of time are removed from our analysis. Most of these fugitive cases simply result in the arrestee being sent back to the requesting agency and thus are not directly related to the misdemeanor bail reforms in Harris County. As before, all Class C misdemeanor cases, which only involve a fine of up to \$500 without any jail time, are omitted from the analysis.

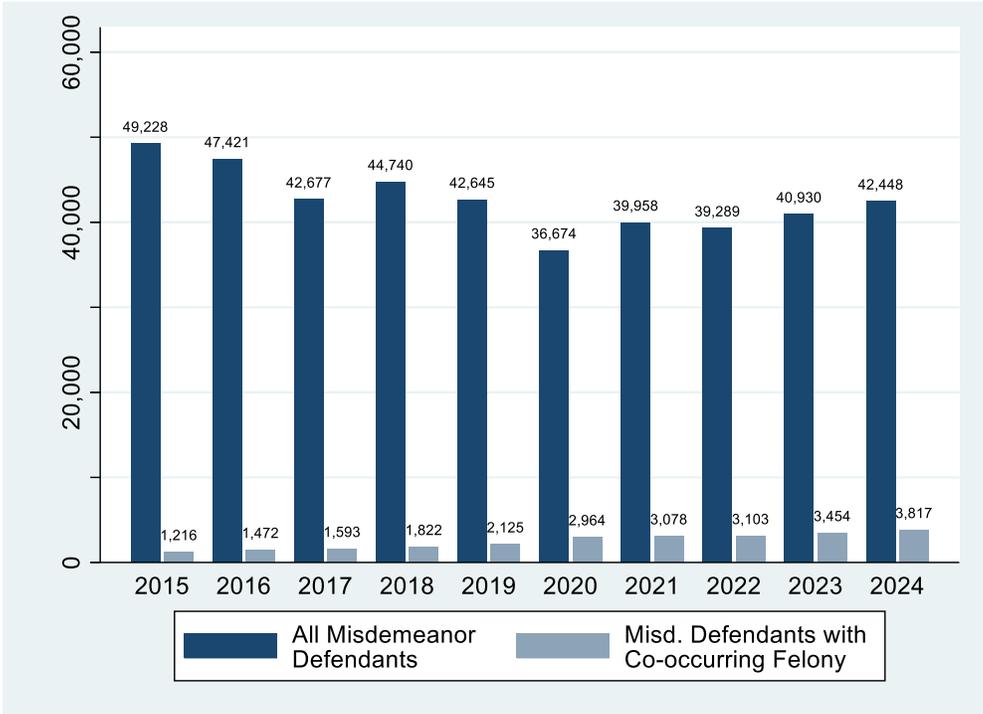
We begin our analysis by presenting the number of persons arrested for misdemeanors in Harris County between 2015 and 2024, by the year of case filing date. For this person-level count, if a person is arrested multiple times during a calendar year, we count this as a single observation. As shown in Figure 3.1, the number of misdemeanor arrestees has declined by more than 15 percent between 2015 (N=49,228) and 2024 (N=42,448).

Figure 3.1 also shows the number of people arrested for misdemeanors with co-occurring felonies, that is, those who were arrested for a misdemeanor and a felony on the same date and were likely subject to different pretrial jail and bond policies from other misdemeanor arrestees. If a person was arrested for a misdemeanor multiple times during a calendar year, and any of these arrests involved a co-occurring felony, we consider this person to have a co-occurring

⁶ It is important to note the vintage date of our data, as a small number of cases may be sealed, expunged, or corrected over time, which will update and revise existing misdemeanor case records in the database.

felony. While the total number of misdemeanor arrestees has generally declined since 2015, we observe that the number of misdemeanor arrestees with co-occurring felonies has increased over time (1,216 in 2015 vs. 3,817 in 2024). It is unclear why the number of such persons has consistently and substantially increased over time, but one possible explanation is that this increase is largely driven by a rising number of felony cases filed in Harris County in recent years. We elaborate further on this point by presenting the annual counts of felony cases in Harris County below (Table 3.20).

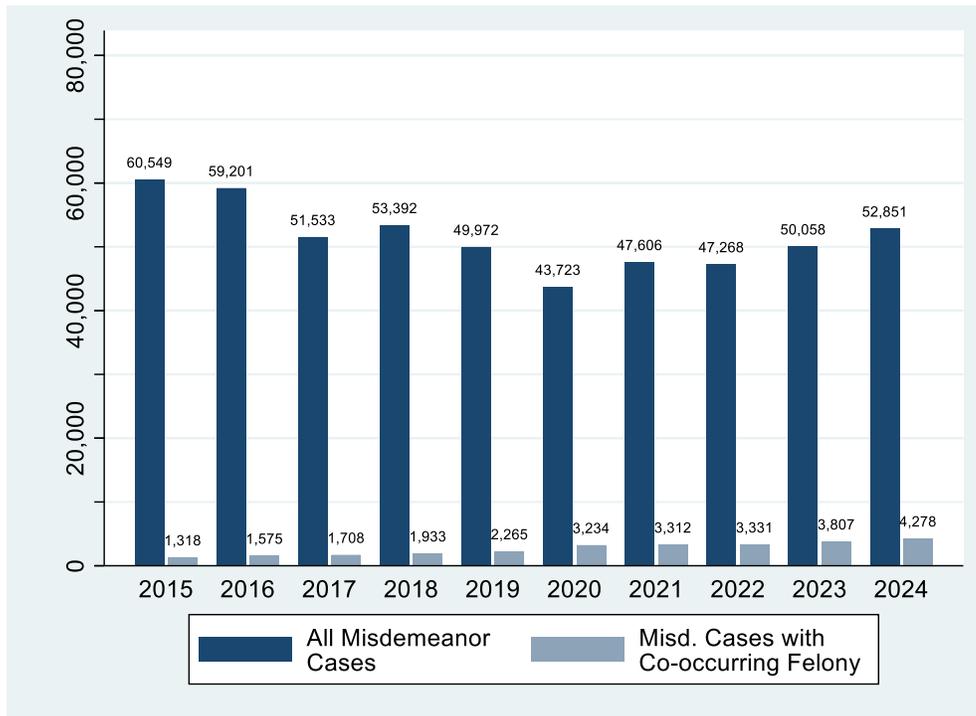
Figure 3.1: Number of Persons Arrested for Misdemeanors by Year



The number of people arrested for misdemeanors, presented in Figure 3.1, understates the number of misdemeanor cases, as some individuals may be arrested multiple times during a calendar year, and some are charged with multiple offenses from a single arrest. Figure 3.2 presents the annual counts of misdemeanor cases, which should be more closely aligned with the prevalence of misdemeanor offenses in Harris County. As expected, the number of misdemeanor cases is roughly 20 percent higher than that of misdemeanor arrestees, but following a similar downward trend from 2015 (N=60,549) and 2024 (N=52,851), with somewhat higher case counts after 2020. Also, as in Figure 3.1, the number of misdemeanor cases with co-occurring felonies has more than tripled between 2015 and 2024.

Overall, we conclude that misdemeanors in Harris County have declined between 2015 and 2024, but the recent uptick since 2020 suggests a need for further observation to determine whether this trend will persist.

Figure 3.2: Number of Misdemeanor Cases Filed by Year



Reflecting the offense categories used by the FBI’s National Incident-Based Reporting System (NIBRS), we present in Table 3.1 the breakdown of the misdemeanor cases by the offense type. Specifically, we linked the Texas offense codes to NIBRS offense codes using the crosswalk published by the Texas Department of Public Safety.⁷

When looking at the count of misdemeanor cases by offense type, we find changing trends in misdemeanor offense distributions between 2015 and 2024. For instance, the share of thefts among all misdemeanor cases has fallen from 16 percent in 2015 to 10 percent in 2024, while the share of weapon violation cases has increased from 3 percent in 2015 to 6 percent in 2024. Despite the substantial decline in the total number of misdemeanor cases, the number of misdemeanor assault cases has nearly doubled between 2015 (N = 7,559) and 2024 (N = 11,726).

We note that these trends may reflect changes in charging practices and priorities, in addition to underlying criminal behavior and arrests. We also note that the four offense types presented in Table 3.1 account for approximately one-half of the total misdemeanor cases filed in Harris County in 2024.

⁷ The offense code crosswalk is available at: <https://www.dps.texas.gov/section/crime-records/nibrs-technical-documentation> (last accessed on February 29, 2024).

Table 3.1. Number of Misdemeanor Cases by Year and Offense Type

Year	Assault		Theft		Trespass		Weapon Violation		Others	
2015	7,558	(12%)	9,759	(16%)	5,479	(9%)	1,561	(3%)	36,192	(60%)
2016	7,738	(13%)	6,794	(11%)	5,853	(10%)	2,142	(4%)	36,674	(62%)
2017	7,370	(14%)	5,916	(11%)	5,383	(10%)	2,310	(4%)	30,554	(59%)
2018	9,639	(18%)	5,415	(10%)	4,582	(9%)	2,290	(4%)	31,466	(59%)
2019	9,430	(19%)	6,069	(12%)	2,172	(4%)	2,328	(5%)	29,973	(60%)
2020	10,484	(24%)	3,989	(9%)	1,565	(4%)	3,430	(8%)	24,255	(55%)
2021	11,201	(24%)	3,636	(8%)	2,148	(5%)	4,659	(10%)	25,962	(55%)
2022	11,055	(23%)	4,330	(9%)	3,043	(6%)	4,218	(9%)	24,622	(52%)
2023	12,229	(24%)	5,113	(10%)	3,456	(7%)	3,658	(7%)	25,602	(51%)
2024	12,180	(23%)	5,292	(10%)	3,523	(7%)	3,379	(6%)	28,477	(54%)

Below we describe demographic characteristics of misdemeanor arrestees in Harris County, covering sex, race, ethnic, and income distributions. Harris County follows the U.S. Census Bureau, in adhering to 1997 Office of Management and Budget definitions, in which a person may self-identify as having both races (with categories of White, Black or African American, American Indian or Native Alaskan, Asian, and Native Hawaiian or Other Pacific Islander) and ethnicity (Hispanic, Latino or Spanish).⁸ A person is allowed to choose one race category, and the existing data may not reflect how a person would self-identify if they were given the option to select more than one category or self-identify as a mixed race. Regarding ethnicity, we use the term Latinx throughout this report. We note that an arrestee’s ethnicity information is not required to be filled out and is often not filled out by the Sheriff’s Office. As in Figure 3.1, we present in the figures below the sex, race, and ethnic distribution at the person-level.

Figure 3.3 indicates that the sex distribution of misdemeanor arrestees in Harris County has been very stable during the last ten years, with males making up approximately 75 percent of arrestees annually. This sex ratio closely aligns with recent arrest statistics published by the FBI, showing that males accounted for 73% of all arrests made in 2023.⁹ We also note that an arrestee’s sex information is available in virtually all misdemeanor cases. For example, out of 42,448 misdemeanor arrestees in Harris County in 2024, information on sex is missing for only 44 persons.

⁸ More information about the race and ethnicity definitions used by the U.S. Census can be found at: <https://www.census.gov/topics/population/race/about.html>.

⁹ See Federal Bureau of Investigation, Crime Data Explorer, at <https://cde.ucr.cjis.gov/>

Figure 3.3: Sex Distribution of Misdemeanor Defendants

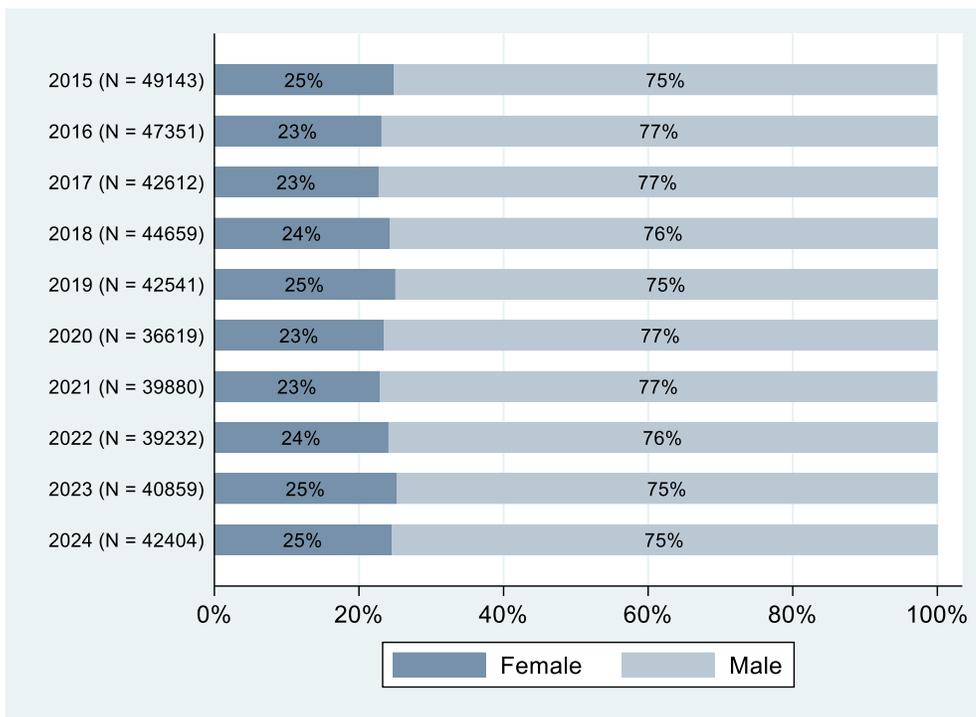
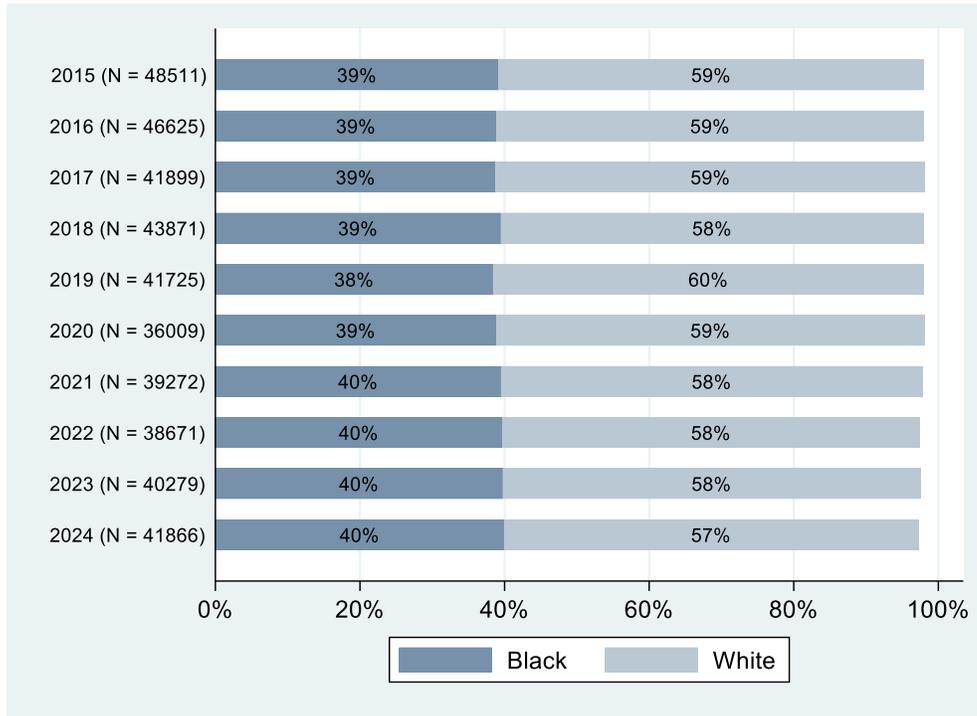


Figure 3.4 illustrates the race makeup of misdemeanor arrestees. A person may be identified as one of the five racial groups, namely, (1) White, (2) Black or African American, (3) American Indian or Native Alaskan, (4) Asian, and (5) Native Hawaiian or Other Pacific Islander. However, in reality, black and white individuals represent 98 percent of the misdemeanor arrestees. (For brevity, we do not separately report the shares of the other three racial groups.) As in the sex distribution, the race makeup of misdemeanor arrestees has also been remarkably stable over time. Despite the significant changes in the total number of misdemeanor cases (Figure 3.2) and offense composition over time (Table 3.1), black and white arrestees consistently accounted for approximately 40 and 60 percent of the misdemeanor arrestees in Harris County in each year between 2015 and 2024.

When compared to the national statistics, the share of black misdemeanor arrestees in Harris County in 2024 (40 percent) is somewhat higher than the FBI’s reported national average from 2023 (27 percent).¹⁰ Some of this disparity likely comes from the difference in the racial composition of Harris County relative to the national average. According to the U.S. Census Bureau’s 2023 Population Estimates Program (PEP), the share of black population in Harris County was 20.6 percent, while the national average was 13.6 percent. We note Figure 3.4 presents the racial distribution among misdemeanor arrestees in Harris County, while the FBI’s national arrest statistics include misdemeanor and felony cases.

¹⁰ See Federal Bureau of Investigation, Crime Data Explorer, at <https://cde.ucr.cjis.gov/>

Figure 3.4: Race Distribution of Misdemeanor Defendants



Unlike sex and race, information on defendant ethnicity is often not recorded and unobserved for many misdemeanor defendants. For example, ethnicity information is missing for more than 60 percent of misdemeanor arrestees between 2015 and 2024. To overcome this data limitation, we implement an imputation technique which predicts individuals' ethnicity based on their neighborhoods of residence and last names.¹¹ More specifically, for each misdemeanor arrestee, we utilize the last address observed at the time of each case filing to identify the associated Census tract and use the tract-level ethnic composition, as well as their last names, to predict their ethnicity. In a small number of cases where the persons' addresses were invalid or missing, we only use their last names as a predictor of their ethnicity. Our imputation method yields reasonably accurate results, with predicted ethnicity matching actual ethnicity in 92 percent of the 149,787 misdemeanor arrestees whose ethnicity information is available.

¹¹ We used the R package `wru` for this prediction. The package predicts individuals' race and ethnicity by applying a well-established statistical technique, the Bayes' Rule, to the U.S. Census Bureau's Surname List from 2010, which contains information on the nationwide racial and ethnic composition associated with each last name, and the Decennial U.S. Census data, which include the racial and ethnic composition in each Census tract in 2010.

Figure 3.5: Ethnic Distribution of Misdemeanor Defendants

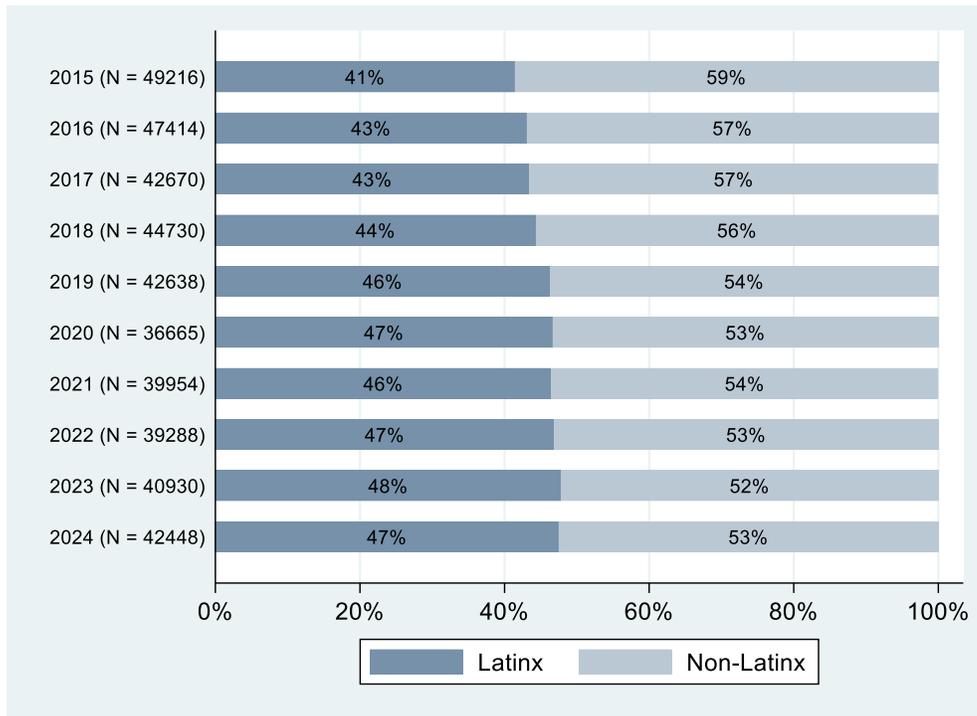


Figure 3.5 presents the ethnic distribution of misdemeanor arrestees. We find that, overall, Latinx account for more than 40 percent of the misdemeanor arrestees. However, unlike trends in sex and race distributions, the ethnic distribution has gradually shifted over time, as the share of Latinx arrestees rose from 41 percent in 2015 to 47 percent in 2024. This increase mirrors the growing share of Latinx population in Harris County, which increased from 42 percent in 2015 to 44 percent in 2023.¹² In fact, the share of Latinx misdemeanor arrestees in 2023 (48 percent) is very close to the share of Latinx population share in Harris County in the same year (44 percent). We cannot directly compare the ethnic distribution of misdemeanor arrestees in Harris County with national statistics, however, because ethnicity information is often missing in FBI’s arrest statistics as well.

An important limitation of the sex, race, and ethnicity measures presented above is that they categorize people based on a single dimension only, although multiple factors may be needed to help us better understand individuals’ circumstances and backgrounds. For example, Latinx and non-Latinx whites on average may come from different socioeconomic backgrounds, potentially leading to systematic differences in their experiences with the criminal justice system. To explore this intersection of race and ethnicity more closely, we combine our measures of race and ethnicity and present in Table 3.2 the distribution of each race-by-ethnicity group among misdemeanor arrestees whose race is observed. For brevity, we only focus on black and white individuals, who make up 98 percent of the misdemeanor population in Harris County.

¹² See U.S. Census Bureau, at <https://data.census.gov/>.

We observe that the vast majority of white arrestees are of Latinx origin across all years considered, and this trend has become even more pronounced in recent years. For example, Latinx whites accounted for 43 percent of misdemeanor arrestees in 2024, whereas non-Latinx Whites comprised only 14 percent. On the other hand, the ethnic distribution among black misdemeanor arrestees has remained nearly constant, with approximately 3 percent of misdemeanor arrestees identifying as Latinx blacks and 37 percent as non-Latinx blacks over the last decade. The corresponding shares from the general population in Texas were 0.4 percent and 12 percent, respectively.

Table 3.2. Race and Ethnicity Distribution of Misdemeanor Arrestees by Year

Year	Count	Latinx White	Non-Latinx White	Latinx Black	Non-Latinx Black
2015	48,511	18,418 (38%)	10,115 (21%)	1,256 (3%)	17,750 (37%)
2016	46,625	18,455 (40%)	9,089 (19%)	1,192 (3%)	16,945 (36%)
2017	41,899	16,632 (40%)	8,237 (20%)	1,124 (3%)	15,138 (36%)
2018	43,871	17,761 (40%)	7,900 (18%)	1,208 (3%)	16,107 (37%)
2019	41,725	17,627 (42%)	7,235 (17%)	1,212 (3%)	14,810 (35%)
2020	36,009	15,449 (43%)	5,898 (16%)	1,037 (3%)	12,947 (36%)
2021	39,272	16,665 (42%)	6,225 (16%)	1,219 (3%)	14,296 (36%)
2022	38,671	16,524 (43%)	5,824 (15%)	1,229 (3%)	14,108 (36%)
2023	40,279	17,473 (43%)	5,797 (14%)	1,365 (3%)	14,645 (36%)
2024	41,866	17,965 (43%)	6,023 (14%)	1,393 (3%)	15,322 (37%)

2. Misdemeanor Cases that Belong to “Carve-out” Categories

Under Local Rule 9, which became effective on February 16, 2019, all persons arrested for misdemeanors must “have unsecured bail amounts set initially at no more than \$100 and be promptly released on a personal bond with or without other non-financial conditions as soon as practicable after arrest,” except for those who belong to the following “carve-out” categories:

- 9.4.1 Individuals arrested and charged for protective order and bond condition violations.¹³
- 9.4.2 Individuals arrested and charged for domestic violence (namely, assault or terroristic threat against family and intimate partners).
- 9.4.3 Individuals arrested and charged for repeat DWI within the past five years.
- 9.4.4 Individuals arrested and charged with any new offense while on any form of pretrial release.
- 9.4.5 Individuals arrested on a capias issued after a bond forfeiture or bond revocation.

¹³ We note that noncompliance with conditions of pretrial release is likely more common than is reflected by the number of charges filed for alleged violations of bond conditions because not every alleged violation may result in a report of noncompliance.

9.4.6 Individuals arrested while on any form of community supervision for a Class A or B misdemeanor or a felony offense.

The first three carve-out categories concern the type of offense committed (e.g., domestic violence and repeat DWI), while the last three relate to the person's status at the time of arrest (e.g., pretrial release and community supervision). These categories are not mutually exclusive, and a single case may belong to more than one carve-out category. For example, a person arrested for a repeat DWI while under community supervision would belong to the third and sixth carve-out categories at the same time. With the cooperation of the OCM, RAD worked very hard to build a system which determines the carve-out status of a given case based on the offense penal code and existing pre-trial conditions, such as pretrial release, bond forfeiture, and community supervision. We are extremely grateful to RAD and OCM data teams for their hard work. At the same time, we note that the monitor team has also continued refining the internal logic to enhance the accurate identification of a given misdemeanor case's carve-out status and has shared the results with RAD.

For example, in our previous monitor reports, we considered a repeat DWI within the past five years (Carve-out Category 9.4.3) to include all DWI cases where another DWI case was filed against the same person within the past five years. However, upon a closer reading of the Consent Decree and through active discussion with the court officials, we learned that repeat DWI carve-out cases should be restricted to cases where a person was arrested and charged for repeat DWI, with the previous DWI charge having resulted in a conviction within the past five years. We therefore removed instances where the initial DWI case was filed but later acquitted or dismissed and updated our carve-out measure accordingly.

Our updated measures of carve-out case counts and shares are presented in Table 3.3. The first column indicates that approximately 20 percent of the misdemeanor cases filed in 2015 and 2016 fell into one of the six carve-out categories, but this share has steadily increased since then, peaking at 37 percent in 2021. Since then, however, the share has declined, reached 27 percent in 2024.

Subsequent columns of the table present the distribution of each carve-out category over time. Three key patterns emerge. First, the distribution of carve-out cases is highly uneven. In 2024, for example, protective order and bond violations (Category 9.4.1) and repeat DWI (Category 9.4.3) together accounted for less than 3 percent of all misdemeanor cases, whereas domestic violence (Category 9.4.2) and new arrests while out on bond (Category 9.4.4) made up approximately 25 percent. Second, similar to the overall share of carve-out cases, the shares of certain carve-out categories have noticeably fluctuated over time. For example, the shares of domestic violence and new arrests while out on bond rose from 7.7 percent and 8.3 percent in 2015 to 15.8 and 17.7 percent in 2021, before decreasing to 14.1 and 9.2 percent in 2024. Lastly, 2024 saw the largest decline in the share and number of carve-out cases in Harris County, primarily driven by the decline in the number of arrests while out on bond (6,539 in 2023 vs. 4,851 in 2024). It is noteworthy that the number of new arrests while out on bond has now declined for four consecutive years. The reasons for this decline remain unclear; however, it may

reflect changes in bond approval rates, bond duration, and/or the likelihood of repeat arrests while on bond.

Table 3.3. Carveout Offenses by Case Filing Year and Category

Year	Case Count	Carveout Category						
		Any	9.4.1	9.4.2	9.4.3	9.4.4	9.4.5	9.4.6
2015	60,549	12,399 (20.5%)	263 (0.4%)	4,635 (7.7%)	599 (1.0%)	5,027 (8.3%)	407 (0.7%)	2,545 (4.2%)
2016	59,201	12,647 (21.4%)	329 (0.6%)	4,713 (8.0%)	630 (1.1%)	5,060 (8.5%)	582 (1.0%)	2,416 (4.1%)
2017	51,533	12,145 (23.6%)	314 (0.6%)	4,635 (9.0%)	687 (1.3%)	4,462 (8.7%)	1,033 (2.0%)	2,339 (4.5%)
2018	53,392	15,274 (28.6%)	355 (0.7%)	6,598 (12.4%)	693 (1.3%)	5,315 (10.0%)	1,874 (3.5%)	2,146 (4.0%)
2019	49,972	14,771 (29.6%)	501 (1.0%)	6,426 (12.9%)	754 (1.5%)	5,847 (11.7%)	1,450 (2.9%)	1,824 (3.7%)
2020	43,723	15,696 (35.9%)	729 (1.7%)	7,053 (16.1%)	685 (1.6%)	6,822 (15.6%)	1,848 (4.2%)	1,612 (3.7%)
2021	47,606	17,835 (37.5%)	1,114 (2.3%)	7,519 (15.8%)	635 (1.3%)	8,403 (17.7%)	2,513 (5.3%)	1,619 (3.4%)
2022	47,268	17,029 (36.0%)	995 (2.1%)	7,440 (15.7%)	497 (1.1%)	7,264 (15.4%)	2,795 (5.9%)	1,444 (3.1%)
2023	50,058	16,917 (33.8%)	977 (2.0%)	8,036 (16.1%)	516 (1.0%)	6,539 (13.1%)	2,734 (5.5%)	1,359 (2.7%)
2024	52,851	14,480 (27.4%)	842 (1.6%)	7,442 (14.1%)	533 (1.0%)	4,851 (9.2%)	2,170 (4.1%)	766 (1.4%)

3. Pretrial Detention and Holds Placed

Next, we examine the length of pretrial detention experienced by persons charged with misdemeanors by calculating the time (in days) between their booking and release dates. As in our previous reports, our focus is on how the length of initial pretrial detention has changed following recent misdemeanor bail reforms. To be clear, we define initial pretrial detention as any instance where a misdemeanor arrestee was detained within seven days of the case filing date and, if detained, measure the length of that initial detention.

Since our last report, RAD has refined its logic for matching booking records (person-level information) with associated case records (case-level information). These refinements allow us to compute detention length for each case with greater accuracy and broader scope. As noted in our previous reports, the currently available booking and release data appear to be somewhat incomplete, as some persons were able to post a pre-arranged bond without having to

appear before a bail magistrate and without leaving a formal booking record. For example, following the implementation of Local Rule 9 in 2019, a sizable number of misdemeanor arrestees outside the carve-out categories became eligible for a general order bond, and could secure release without having to appear before a bail magistrate.

To account for this, we identify such persons based on their bond records, and assign them a pretrial detention length of zero days, instead of treating them as “missing” observations. This approach aims to capture more accurately the full impact of the misdemeanor bail reform on the length of initial pretrial detention among misdemeanor arrestees. Cases without both booking and bond records are still considered as missing observations and excluded from our analysis. Table 3.4 shows the distribution of initial pretrial detention length at the case-level, using this methodology.

Table 3.4 reveals a clear trend; misdemeanor cases filed after the bail reforms tend to involve shorter initial pretrial detention periods. For example, in 2015 and 2016, misdemeanor arrestees were released from jail within two days 73 percent of time, while 13 percent remained detained for three to seven days, and another 14 percent experienced pretrial detention longer than seven days. This distribution has significantly shifted over time, as by 2024, more than 85 percent of the cases involved initial pretrial detention lasting fewer than three days. However, even after 2020, approximately 10 percent of the misdemeanor cases filed still resulted in the arrestees remaining in jail for more than seven days before release.

Table 3.4: Distribution of Initial Pretrial Detention Duration, All Misdemeanor Cases

Year	Initial Pretrial Detention Length			Obs.
	0-2 Days	3-7 Days	> 7 Days	
2015	42,497 (73%)	7,862 (13%)	8,109 (14%)	58,468
2016	42,751 (74%)	7,277 (13%)	7,809 (14%)	57,837
2017	42,000 (84%)	3,508 (7%)	4,719 (9%)	50,227
2018	44,463 (86%)	2,611 (5%)	4,815 (9%)	51,889
2019	42,523 (87%)	2,337 (5%)	3,860 (8%)	48,720
2020	35,768 (85%)	1,873 (4%)	4,244 (10%)	41,885
2021	39,396 (86%)	2,130 (5%)	4,408 (10%)	45,934
2022	38,129 (84%)	2,346 (5%)	5,054 (11%)	45,529
2023	40,736 (85%)	2,086 (4%)	5,290 (11%)	48,112
2024	41,372 (86%)	2,356 (5%)	4,583 (9%)	48,311

It is important to examine how many misdemeanor arrestees are released from pretrial detention within the first few days, but another key outcome to consider is how many remain detained throughout the entire pretrial period. We address this question in Table 3.5, which presents the number of misdemeanor cases in which the arrestee’s initial booking continued until the case disposition date. In essence, this analysis amounts to comparing each case’s release date with its disposition date, and necessarily omits cases with missing booking and disposition dates. (For the vast majority of cases, booking and release dates are either both recorded or missing.)

Furthermore, we exclude from this analysis misdemeanor cases involving out-of-county fugitives, Class C misdemeanor offense, and co-occurring felony cases (that is, cases where a misdemeanor and felony case were filed against the same person on the same date), as their pretrial detention and release patterns are unlikely to have been influenced by the misdemeanor bail reforms and differ systematically from other misdemeanor cases. Finally, we exclude misdemeanor cases filed in 2024, since most of them remain undisposed as of January 2025, making it difficult to interpret this measure based on a person’s release date and the corresponding case disposition date.

Consider the first row of Table 3.5. We observe that there were 59,231 “relevant” misdemeanor cases in 2015, after excluding out-of-county fugitives, Class C misdemeanor offenses, and those with co-occurring felony cases. Both booking and disposition dates are recorded for 68 percent of these cases. The last column shows that the arrestee remained in initial pretrial detention until case disposition 63 percent of the time. Most importantly, we find that this share has substantially declined, from 63 percent in 2015 to 27 percent in 2017 (the year when the preliminary injunction became effective) to 9 percent in 2019 (the year when Local Rule 9 became effective). Since then, the share has remained stable at approximately 10 percent.

Table 3.5: Initial Pretrial Detention Until Case Disposition

Case Filing Year	Relevant Cases	Cases with Non-missing Booking and Disposition Dates		Initial Booking until Disposition	
2015	59,231	40,437	(68%)	25,287	(63%)
2016	57,626	45,862	(80%)	22,130	(48%)
2017	49,825	39,677	(80%)	10,724	(27%)
2018	51,459	38,859	(76%)	7,470	(19%)
2019	47,707	39,709	(83%)	3,757	(9%)
2020	40,489	32,933	(81%)	2,503	(8%)
2021	44,294	36,738	(83%)	2,793	(8%)
2022	43,937	35,795	(81%)	3,527	(10%)
2023	46,251	36,024	(78%)	3,959	(11%)

Changes in the bail policy can have a substantial impact on the duration of pretrial detention. Another factor that may also influence this duration is whether the arrestee is subject to an existing hold, which may be placed by other agencies such as the U.S. Immigration and Customs Enforcement (ICE), Texas Board of Pardons and Paroles (BOPP), or law enforcement agencies from other jurisdictions. The last type of hold may be less relevant, however, because out-of-county fugitives are excluded from our main data.

Figure 3.6: Share of Misdemeanor Cases with an Active Hold

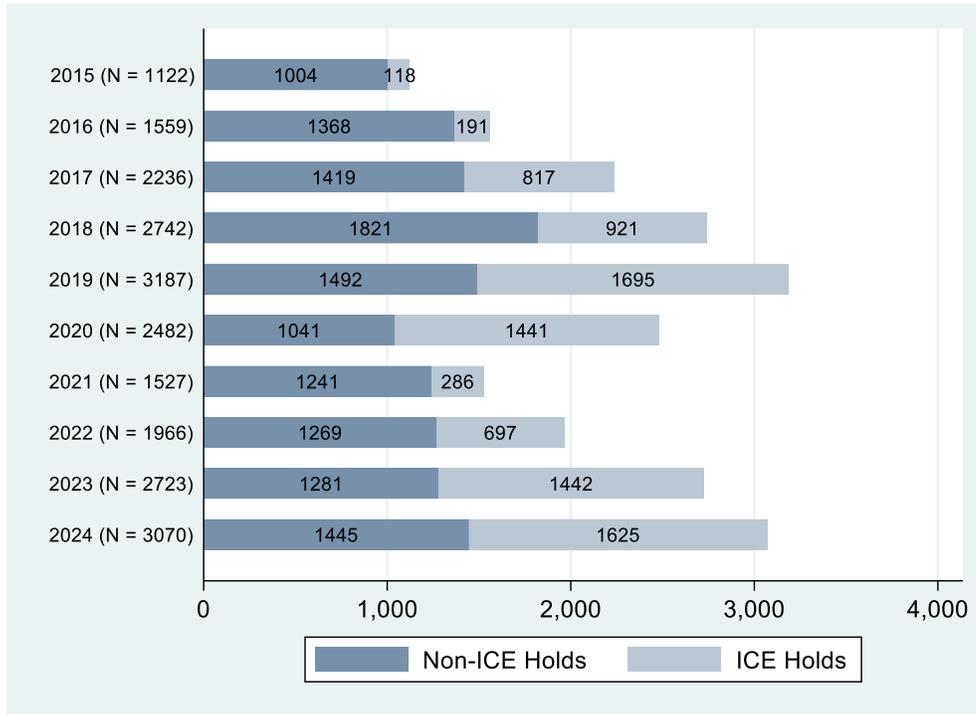
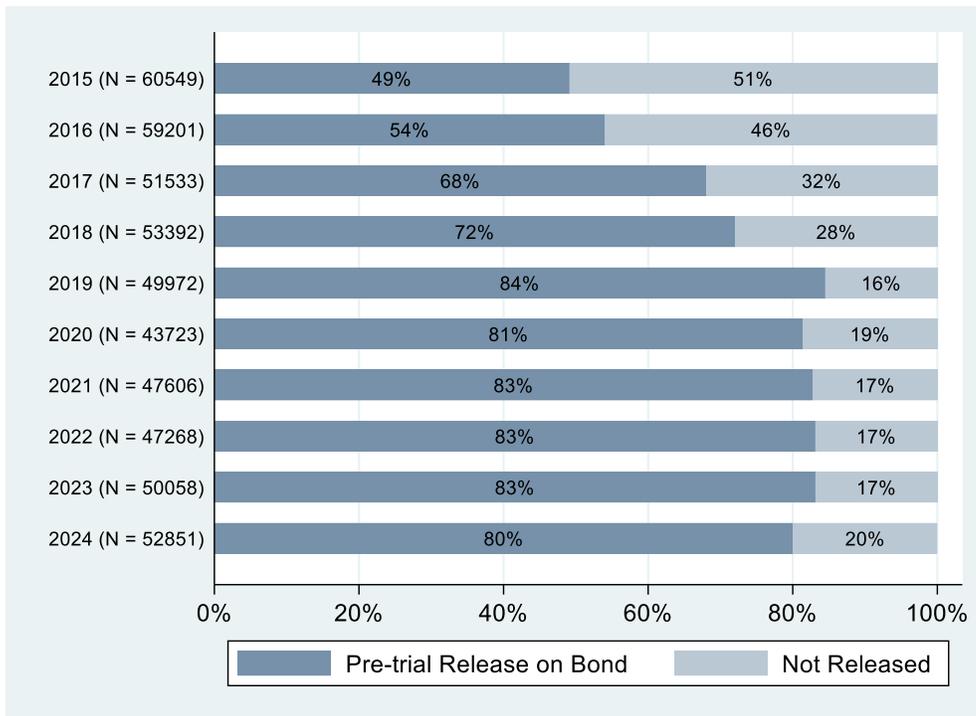


Figure 3.6 shows that the frequency and composition of holds have varied considerably during our analysis period. The number of cases in which the arrestee was subject to an active hold nearly tripled from 1,122 in 2015 to 3,187 in 2019, then declined to 1,527 in 2021 before rising again to 3,070 in 2024. Moreover, the figure indicates that these changes are primarily driven by changes in ICE holds, which ranged from 118 in 2015 to 1,625 in 2024, whereas the number of non-ICE holds has remained largely stable between 2015 and 2024.

4. Initial Bond Decisions

The recent misdemeanor bail reforms in Harris County were initiated by a federal class action lawsuit brought by a group of misdemeanor arrestees who remained in jail pretrial due solely to their inability to post a financial bond. Accordingly, the resulting bail reforms were designed to eliminate the existing bail system that imposed a fixed, prescribed bond amount for the offense in question, and instead promote a new, individualized misdemeanor bail system based on lawful justification. For instance, Local Rule 9 explicitly requires most misdemeanor arrestees who do not belong to one of the carve-out categories to be released on a general order bond, with an initial unsecured bond amount of \$100 or less. We thus expect a higher rate of pretrial release on bond and a less frequent use of secured bond after the implementation of these bail reforms, and it is crucial to test these hypotheses based on the actual bond decision data.

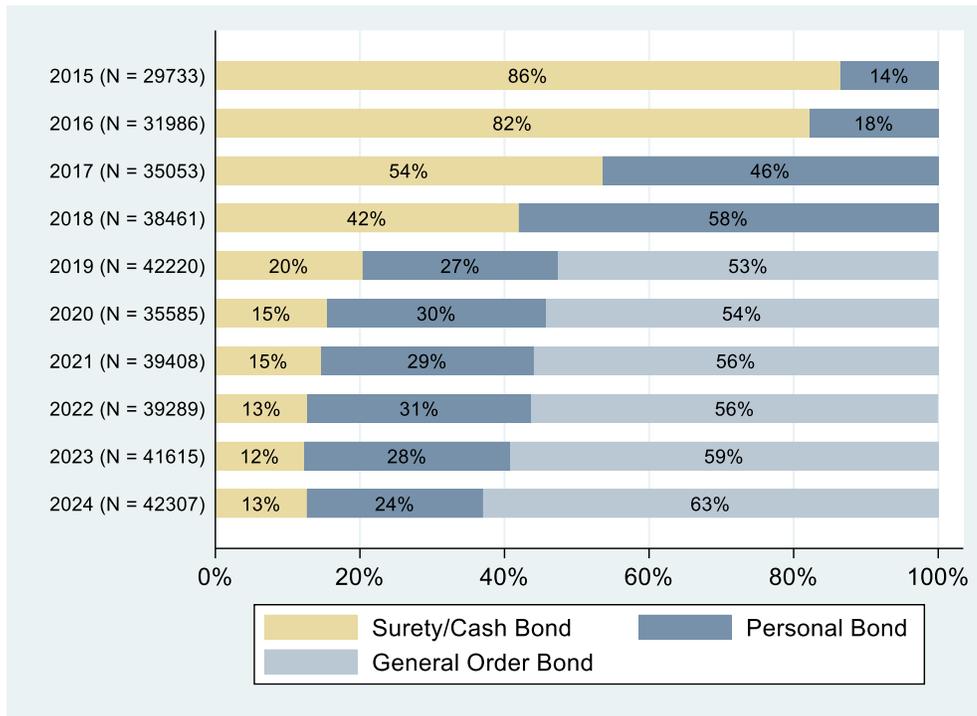
Figure 3.7: Share of Misdemeanor Cases in which Defendants Were Released on a Bond before First Setting



As seen in Figure 3.7, the rate of initial pretrial release has substantially increased in recent years. Misdemeanor arrestees were released on a bond before the first setting in only 49 percent of the time in 2015, but this share has constantly increased, reaching 68 percent in 2017 (the year when the preliminary injunction became effective) and 84 percent in 2019 (the year when Local Rule 9 became effective). The rate slightly declined in 2020 but has remained very stable at around 80 percent since then. The significant increase in the pretrial release rate between 2015 and 2020 suggest that the reforms were effective in promoting pretrial liberty of many misdemeanor arrestees who, in the absence of the bail reforms, would have had to remain in jail due to their inability to post a financial bond.

Figure 3.8 presents the distribution of initial bond approvals by bond type. Prior to the bail reforms, most initial bond approvals involved surety or cash bonds, which require an upfront payment and thus prevented persons who lacked the financial resources from being released pretrial (86 percent in 2015 and 82 percent in 2016). However, after the implementation of the preliminary injunction, the share of surety and cash bonds sharply fell down to 54 percent in 2017 and 42 percent in 2018. Moreover, after Local Rule 9 in 2019, the share of surety and cash bonds has declined even further and reached 13 percent in 2024.

Figure 3.8: Types of Initial Bond Approvals



By contrast, the use of personal bonds and general order bonds, which do not require arrestees to pay to be released, has become far more common and now accounts for the vast majority of the bond approvals. For example, 24 percent of initial bond approvals involved personal bonds, while 63 percent involved general order bonds, respectively. These changes should have lessened the financial burden of persons arrested for a misdemeanor offense, and helped to alleviate the gap in pretrial liberty between those who could and those who could not afford to pay the cost of secured bail.

Next, we analyze the distribution of bond amounts and how it has evolved over time to explore the impact of misdemeanor bail reforms. Although a majority of bond approvals now consist of personal bonds and general order bonds, which do not involve a financial payment at the time of release, thousands of bond approvals in 2023 and 2024 still involved surety or cash bonds. Moreover, it is important to document the distribution of bond amounts from early years (e.g., 2015 and 2016) to better understand the financial burden that made it difficult for many low-income individuals to post a bond and be released from jail pretrial.

The top panel of Table 3.6 presents the distribution of initial bond amounts set. Before 2017, virtually all bond approvals (more than 99 percent of the time) involved a bond amount of \$500 or more, and approximately 40 percent of the bond approvals required the person to pay \$3,000 or more, either directly or indirectly through the bond company. Bond amounts less than \$500 were nearly non-existent. The share of bond approvals set at \$3,000 or more decreased in

2017 (28 percent) and 2018 (13 percent), but more than 99 percent of the bonds still required a bond amount equal to or higher than \$500.

However, the bond amount distribution drastically changed in 2019, when Local Rule 9 was first implemented, requiring misdemeanor arrestees who do not belong to one of the carve-out categories to be released on “unsecured bail amounts set initially at no more than \$100.” This requirement seems to have had a major impact on the patterns of actual bond decisions, as nearly two-thirds of the bond approvals since 2019 involved bond amounts set at \$100 or less. Meanwhile, initial bond amounts set at \$500 or more have become less common and only account for roughly 30 percent of the bond approvals in 2024.

Another key measure of the financial burden associated with pretrial release is how much money an arrestee actually had to post, either by actually paying it via cash/secured bonds or promising to pay it in case of non-appearance. The difference between the bond amounts set and posted, and the difference between the number of bond approvals and actual bond postings, can shed light on how many persons received a bond “approval” but had to remain in jail because they could not afford the bond amount.

To this end, we present the distribution of bond amounts posted in the bottom panel of Table 3.6. We note that, even before the general order bonds were introduced in 2019, most of the initial bonds set at \$100 or less were successfully posted. For example, in 2018, out of 527 cases requiring a bond amount of \$100 or less, arrestees successfully posted bond 84 percent of the time (444 cases). On the other hand, when the initial bond amount was set at \$3,000 or more, only 63 percent of the bond approvals in 2018 actually resulted in a bond posting and pretrial release (3,741 out of 5,934 cases).

However, the number of initial bonds of \$100 or less rose sharply since 2019, likely reflecting the implementation of Local Rule 9 and general order bonds that year. Since the general order bond is a judicial release order pre-approved by the CCCL judges and is a non-secured bond that does not require a cash payment at the time of release, it should not be surprising that the vast majority of the bond approvals with \$100 or less bond amounts since 2019 (most of which should be general order bonds) are successfully posted and result in pretrial release of the arrestee. For example, in 2024, out of 32,539 misdemeanor cases with an initial bond amount set at \$100 or less, bonds were successfully posted in 98 percent of the cases (N = 31,907).

Even for cases with higher bond amounts, the bond posting rate has increased. When the bond amount was set between \$500 and \$2,999, the posting rate rose from 75 percent in 2015 to 79 percent in 2024. Likewise, even among the cases with very high bond amounts set (\$3,000 or higher), the bond posting rate nearly doubled from 31 percent in 2015 to 56 percent in 2024.

Table 3.6: Distribution of Initial Bond Amount Set and Posted

Year	Initial Bond Amount Set								Obs.
	\$100 or Less		\$101-\$499		\$500-\$2999		\$3000 or More		
2015	7	(0.01%)	1	(<0.01%)	30,664	(59%)	21,642	(41%)	52,314
2016	14	(0.03%)	7	(0.01%)	32,663	(60%)	21,979	(40%)	54,663
2017	199	(0.43%)	16	(0.03%)	33,029	(71%)	13,068	(28%)	46,312
2018	527	(1.16%)	94	(0.21%)	38,983	(86%)	5,934	(13%)	45,538
2019	28,604	(62%)	323	(0.70%)	12,655	(28%)	4,366	(10%)	45,948
2020	25,837	(66%)	408	(1.04%)	8,450	(21%)	4,616	(12%)	39,311
2021	29,076	(67%)	463	(1.07%)	9,994	(23%)	3,821	(9%)	43,354
2022	28,904	(67%)	551	(1.28%)	10,196	(24%)	3,388	(8%)	43,039
2023	30,462	(67%)	519	(1.14%)	10,714	(24%)	3,808	(8%)	45,503
2024	32,539	(69%)	510	(1.09%)	9,845	(21%)	4,027	(9%)	46,921

Year	Initial Bond Amount Posted								Obs.
	\$100 or Less		\$101-\$499		\$500-\$2999		\$3000 or More		
2015	7	(0.02%)	1	(<0.01%)	23,001	(77%)	6,724	(23%)	29,733
2016	14	(0.04%)	6	(0.02%)	25,049	(78%)	6,917	(22%)	31,986
2017	167	(0.48%)	14	(0.04%)	28,444	(81%)	6,428	(18%)	35,053
2018	444	(1.15%)	57	(0.15%)	34,219	(89%)	3,741	(10%)	38,461
2019	27,892	(66%)	231	(0.55%)	10,527	(25%)	3,570	(8%)	42,220
2020	24,847	(70%)	307	(0.86%)	6,979	(20%)	3,452	(10%)	35,585
2021	28,223	(72%)	361	(0.92%)	8,459	(21%)	2,365	(6%)	39,408
2022	28,180	(72%)	426	(1.08%)	8,662	(22%)	2,021	(5%)	39,289
2023	29,842	(72%)	391	(0.94%)	9,008	(22%)	2,374	(6%)	41,615
2024	31,907	(75%)	359	(0.85%)	7,790	(18%)	2,251	(5%)	42,307

As shown above, the misdemeanor bail reforms helped many persons who would have remained in jail because of their inability to post the financial bond to be released pretrial. Given that the reforms have changed the composition of people released on bond, it is of interest to examine how and whether the increased number of bonds are successfully completed. To explore this important issue, we analyze the data on bond forfeiture and revocation. The data currently available to us do not contain information on why a bond was forfeited or revoked, but both bond forfeiture and revocation can be viewed as an indicator that the bond “failed” due to non-appearance, a new offense committed while on bond, or other important violations.

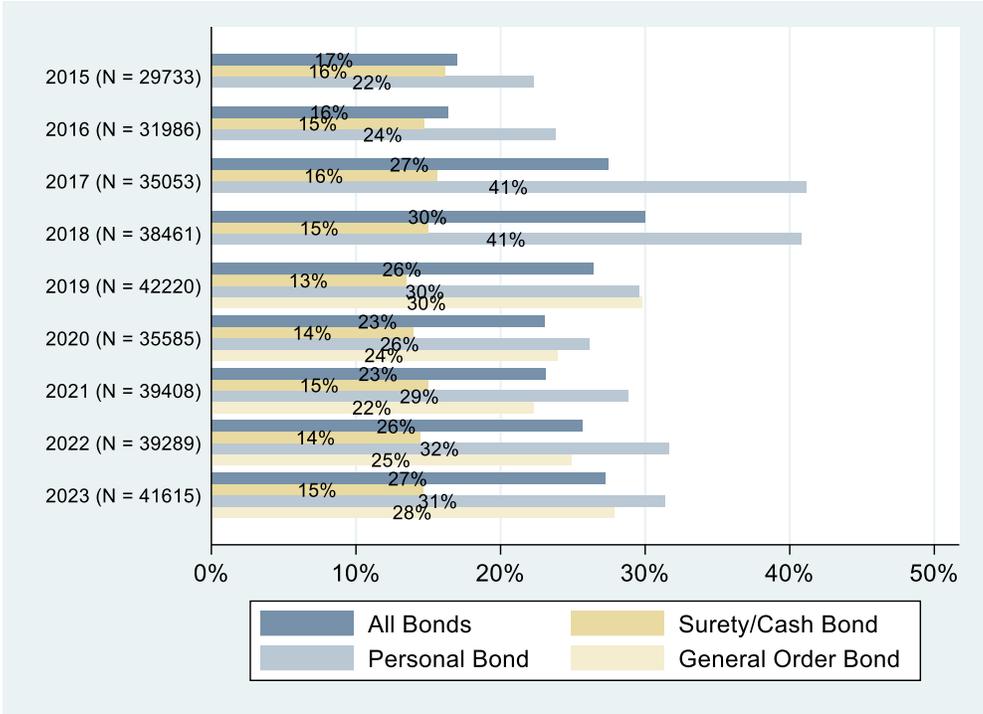
When constructing this measure of bond failure, we only include bond failures observed within one year of the bond approval date, rather than using different follow-up periods for bonds approved in different years. (Bonds approved in 2015 can be followed up for nine years, whereas those approved in 2024 can only be followed up for one year.) Moreover, based on the actual bond data, we confirmed that most bond failures take place within the first few months of the approval date. For example, among all misdemeanor cases filed in 2019, 75 percent of the bond failures took place within 142 days of approval, and 90 percent occurred within 353 days. Since

most bonds approved in 2024 cannot be followed up to one year yet, our analysis focuses on cases filed between 2015 and 2023.

We underscore, however, that bond-failure data may be a poor proxy for assessing non-appearance rates. Bond forfeiture and bond revocation all reflect discretionary judicial decisions about whether a person missed court or violated a bond condition and, separately, whether the person’s reasons for doing so warranted a forfeiture, surrender, or revocation. Different judges will make different decisions given the same real-world facts. However, beginning in December 2020, a new set of definitions were adopted as the Consent Decree’s court appearance policy was operationalized by OCM, which should help us obtain a more reliable measure of non-appearance in the future.

Figure 3.9 presents the one-year failure rate of initial bonds by the year of case filing and type of bond approval. The failure rate among all bonds increased from 17 percent in 2015 to 30 percent in 2018, but gradually declined afterwards, stabilizing at around 25 percent since then. When broken down by bond type, surety and cash bonds consistently had the lowest one-year failure rate (15 percent in 2023) while personal bonds had the highest failure rate (31 percent in 2023). The one-year failure rate of general order bonds, which now account for most pretrial releases of misdemeanor arrestees, is somewhere in the middle, currently at 28 percent as of 2023.

Figure 3.9: Rate of Bond Failures within 365 Days, by Bond Types



Another important limitation of the previous misdemeanor bail system in Harris County was that it had disparate racial and ethnic effects, as the jail population included a disproportionately large number of blacks and Latinx persons relative to the general county population. While the jail population composition is a useful measure, additional measures may provide a more comprehensive understanding of racial and ethnic inequality in the misdemeanor bail system. To this end, we examine the rate of initial pretrial release by sex, race, and ethnicity in Table 3.7. The top panel shows the overall rate of pretrial release for each demographic group, and the bottom panel focuses on the rate of pretrial release on non-secured bonds such as personal bond and the general order bond.

The top panel of the table shows that, prior to the misdemeanor bail reforms, there were substantial disparities in pretrial release rates across sex, racial, and ethnic groups. For example, in 2015, females (57%) were 10 percentage points more likely to be released than males (47%), whites (55%) 16 percentage points more likely than blacks (39%), and Latinx (58%) 15 percentage points more likely than non-Latinx (43%). Since then, however, these gaps have narrowed considerably, and by 2019, there were only minor differences in pretrial release rates across sex, racial, and ethnic groups. For example, among all misdemeanor cases filed in 2024, the female-male and black-white differences in pretrial release rates both narrowed to just 3 percentage points.

A slightly different pattern emerges when considering the rate of pretrial release on non-secured bonds, namely, personal bonds and general order bonds. In 2015 and 2016, non-secured bonds were rarely approved, and there were little differences between blacks and whites, and Latinx and non-Latinx, in terms of the pretrial release on non-secured bonds. As the number of persons released on non-secured bonds increased in 2017, the rate of pretrial release on non-secured bonds differed by roughly 5 percentage differences between blacks and whites (35% vs. 29%) and Latinx and non-Latinx (30% vs. 33%). However, after the implementation of Local Rule 9 and the Consent Decree in 2019, these differences became more modest. By 2024, disparities in the rate of pretrial releases on non-secured bonds by sex, race, and ethnicity had declined to 3 percentage points or less.

Table 3.7: Initial Pretrial Release Rate by Sex, Race, and Ethnicity

Year	By Sex		By Race		By Ethnicity	
	Female	Male	Black	White	Latinx	Non-Latinx
(A) Pretrial Release on Any Bond						
2015	57%	47%	39%	55%	58%	43%
2016	64%	51%	45%	60%	62%	49%
2017	74%	66%	62%	71%	73%	65%
2018	77%	71%	67%	75%	76%	69%
2019	87%	84%	82%	86%	86%	83%
2020	83%	81%	79%	83%	84%	79%
2021	86%	82%	80%	85%	85%	81%
2022	84%	83%	80%	85%	86%	81%
2023	86%	82%	81%	84%	85%	82%
2024	82%	79%	78%	81%	82%	78%
(B) Pretrial Release on PR/GOB						
2015	11%	5%	7%	6%	6%	7%
2016	15%	8%	11%	9%	9%	10%
2017	35%	31%	35%	29%	30%	33%
2018	46%	40%	46%	40%	40%	43%
2019	68%	67%	69%	66%	67%	67%
2020	69%	69%	68%	69%	71%	67%
2021	73%	70%	70%	71%	73%	69%
2022	73%	72%	72%	73%	74%	71%
2023	75%	72%	73%	73%	73%	73%
2024	72%	69%	70%	70%	71%	69%

5. Magistration Hearing Outcomes

As shown above, in many misdemeanor cases filed after 2019, the arrestee could be released on a general order bond set at \$100 or less, bypassing the need for a magistration hearing or payment at the time of release. However, even in 2024, general order bonds only accounted for about 60 percent of all misdemeanor bond approvals, and the other 40 percent was determined at the magistration hearing. These hearings involve the bail magistrate, defense counsel (either from the Harris County Public Defender’s Office or a private attorney), and Assistant District Attorney (ADA), and determine the probable cause for further detention and the specifics of the bond, including the type and amount.

Below, we explore some of the key decisions made at these hearings, such as the type of bond approvals and requests, the set bond amounts, and the arrestee’s indigency status. An important feature of our magistration data is that it contains comprehensive information on both bond approvals (determined by the magistrate) and requests (made by the defense counsel and ADAs). We also note that, the county adopted an electronic magistration form in March 2021,

which has been used by all hearing officers since then. This system ensures a standardized record of all bond requests and decisions during this timeframe. Accordingly, our analysis focuses on roughly 111,000 misdemeanor magistration hearings that took place between March 10, 2021 and December 31, 2024.

Table 3.8 summarizes the bond requests made by defense counsel and ADAs, as well as the final bond decision made by the bail magistrate. Between 2021 and 2023, personal bonds were approved approximately 70 percent of the time, while secured bonds were granted in about 25 percent of the cases. However, in 2024, the share of personal bonds declined to 61 percent. The hearing officer may also explicitly deny a bail, but such instances are very rare (less than 1 percent of the time). The shares of personal bond approvals, secured bond approvals, and bail denials do not add up to 100 percent because the bail magistrate may order the defendant to be further detained “until further order of the Court.”

Furthermore, Table 3.8 highlights that defense counsel and ADAs frequently do not specify a bond request, and when requests are made, they often differ substantially. For example, in 2024, defense counsel explicitly made a bond request in 48 percent of all magistration hearings (N=30,156), advocating for a personal bond 36 percent of the time and a secured bond 12 percent. Conversely, ADAs made bond requests in 49 percent of the misdemeanor magistration hearings in 2024, mostly requesting a secured bond (48 percent) and rarely requesting a personal bond (0.1 percent) or bond denial (0.8 percent).

Table 3.8: Bond Type Request and Outcome in Magistration Hearing

	Personal Bond	Secured Bond	Bail Denied	No Request Made	Obs.
(A) Year = 2021					
Actual Outcome	72.0%	25.8%	0.9%		21,931
Defense Request	37.8%	6.9%		53.3%	21,931
ADA request	0.3%	42.6%	2.2%	49.6%	21,931
(B) Year = 2022					
Actual Outcome	77.4%	20.8%	0.3%		28,601
Defense Request	28.5%	6.3%		48.5%	28,601
ADA request	0.1%	34.0%	1.5%	44.3%	28,601
(C) Year = 2023					
Actual Outcome	69.9%	28.0%	0.2%		31,036
Defense Request	29.9%	8.2%		41.1%	31,036
ADA request	0.1%	37.8%	1.0%	35.1%	31,036
(D) Year = 2024					
Actual Outcome	60.9%	36.8%	0.2%		30,156
Defense Request	35.6%	12.2%		30.3%	30,156
ADA request	0.1%	47.9%	0.8%	20.1%	30,156

Table 3.9 presents the distribution of bond amounts requested by defense counsel and ADAs, along with the actual bond amount set by the magistrate. As in Table 3.8, we find that defense attorneys tend to make request lower bond amounts, while ADAs ask for higher amounts, with the actual bond amount set by the magistrate falling in between. For example, in 2024, defense counsel requested a bond amount of \$1,000 or less in approximately 85 percent of the cases, compared to 24 percent for ADAs. The requested bond amounts from both parties significantly diverge from the distribution of actual bond amounts set, where \$1,000 approximately corresponds to the 54th percentile. We also note that all three bond amount distributions have largely remained stable between 2021 and 2024.

Table 3.9: Distribution of Bond Amount Requests in Magistration Hearing

	Bond Amount Set	ADA Request	Defense Request
(A) Year = 2021 (N = 21,931)			
\$100 or Less	13.6%	6.1%	16.5%
\$500 or Less	42.3%	20.0%	50.2%
\$1000 or Less	59.3%	26.0%	75.8%
\$5000 or Less	94.1%	80.6%	97.8%
\$10000 or Less	98.3%	94.8%	99.6%
(B) Year = 2022 (N = 28,601)			
\$100 or Less	14.9%	5.3%	24.5%
\$500 or Less	42.4%	17.3%	56.7%
\$1000 or Less	59.6%	22.7%	79.4%
\$5000 or Less	93.5%	71.1%	97.6%
\$10000 or Less	98.1%	90.2%	99.5%
(C) Year = 2023 (N = 31,036)			
\$100 or Less	10.0%	4.5%	26.0%
\$500 or Less	37.7%	15.8%	54.4%
\$1000 or Less	53.7%	23.2%	77.9%
\$5000 or Less	92.8%	70.0%	96.8%
\$10000 or Less	98.0%	89.6%	99.4%
(D) Year = 2024 (N = 30,156)			
\$100 or Less	9.5%	2.9%	29.2%
\$500 or Less	36.9%	15.3%	72.6%
\$1000 or Less	53.9%	24.0%	86.1%
\$5000 or Less	91.2%	69.3%	97.9%
\$10000 or Less	97.7%	89.0%	99.7%

Under Local Rule 9, bail magistrates are required to review the arrestee’s financial information collected through an affidavit and ask the person to sign it. They are also expected to determine the maximum amount of bail the arrestee can afford before making a final bond decision. Furthermore, an arrestee identified as indigent—defined as having an income at or below 200% of the federal poverty level, being a full-time student, homeless, institutionalized, or eligible for public assistance due to financial hardship—is presumed eligible for pretrial release without the imposition of payment or fees for their release from pretrial detention. Therefore, the determination of an arrestee’s indigency status can have a substantial impact on the person’s ultimate bond outcomes.

Despite the importance of indigency status at the magistration hearing, Table 3.10 shows that indigency status is often left unrecorded by the hearing officer. In 2021 and 2022, the indigency status information was missing in approximately 40 percent of magistration hearings. However, this number has declined to 31 percent in 2023 and 29 percent in 2024. Potentially reflecting this shift, we also observe an increasing share of misdemeanor arrestees identified as indigent, from 51 percent in 2021 to 61 percent in 2024. Combined with the high rate of personal bond approvals at the magistration hearing, these findings suggest that a significant number of misdemeanor arrestees in Harris County are likely low-income individuals who are unable to afford the amounts needed for release on secured bonds.

Table 3.10: Indigency Status

Year	Indigent	Not Indigent	Unable to Determine	Missing Data	Obs.
2021	50.9%	4.3%	5.7%	39.1%	21,931
2022	51.2%	4.1%	4.8%	39.8%	28,601
2023	59.1%	6.0%	4.0%	31.0%	31,036
2024	60.8%	2.2%	8.2%	28.9%	30,156

6. Case Disposition Outcomes

Recent academic studies find evidence that pretrial detention may significantly aggravate arrestees’ eventual case disposition outcomes, because the detention may hamper their ability to gather supporting evidence and/or increase the pressure to accept an unfavorable plea deal to avoid continued detention and uncertainty associated with a future trial.¹⁴ Given that Harris County’s bail reforms substantially increased the likelihood of prompt pretrial release of misdemeanor arrestees, it is plausible that these reforms have also influenced the trends in misdemeanor case dispositions. We thus proceed to explore the patterns of misdemeanor case disposition outcomes before and after the implementation of these bail reforms.

¹⁴ Gupta, Arpit, Christopher Hansman, and Ethan Frenchman. “The heavy costs of high bail: Evidence from judge randomization.” *Journal of Legal Studies* 45.2 (2016): 471-505.

Figure 3.10 presents the distribution of case dispositions by the year of case filing. For this analysis, we focus on cases filed between 2015 and 2023 because many cases filed in 2024 are not disposed yet. In fact, a non-trivial share of cases filed in 2021 (6%), 2022 (9%), and 2023 (13%) still remain undisposed, which introduces some complexity to our interpretation of the data. Nevertheless, our data reveal a noticeable decline over time in the share of cases resulting in a criminal conviction. Specifically, the conviction rate fell from 60 percent in 2015 to 27 percent in 2019, and further to 20 percent in 2023, while the combined rate of dismissal or acquittal surged from 31 percent in 2015 to 65 percent in 2023.

Figure 3.10: Case Disposition Outcomes

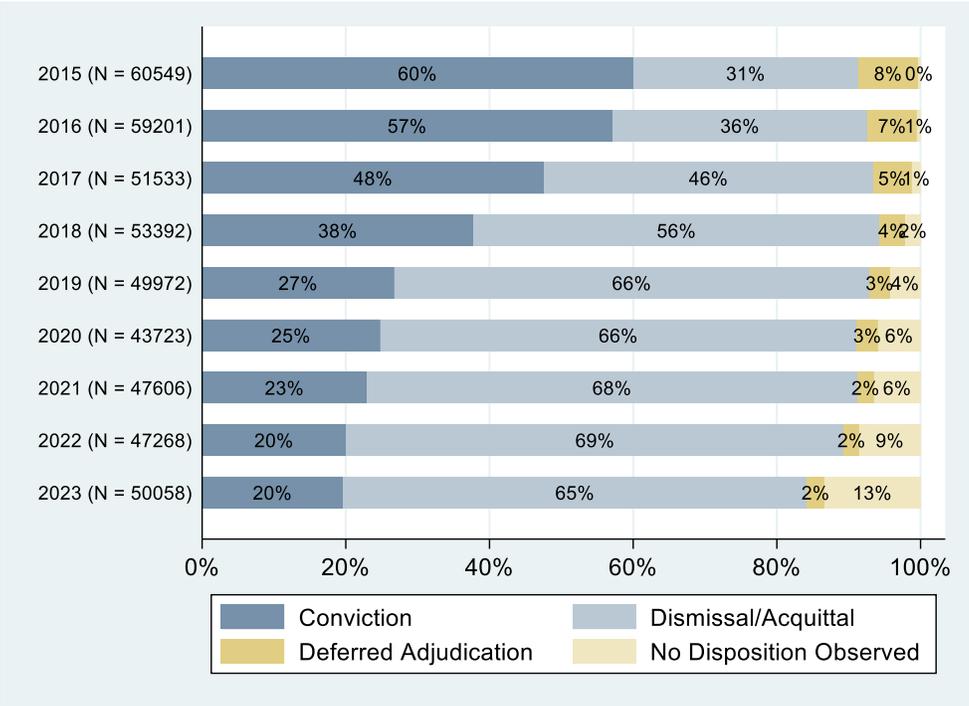
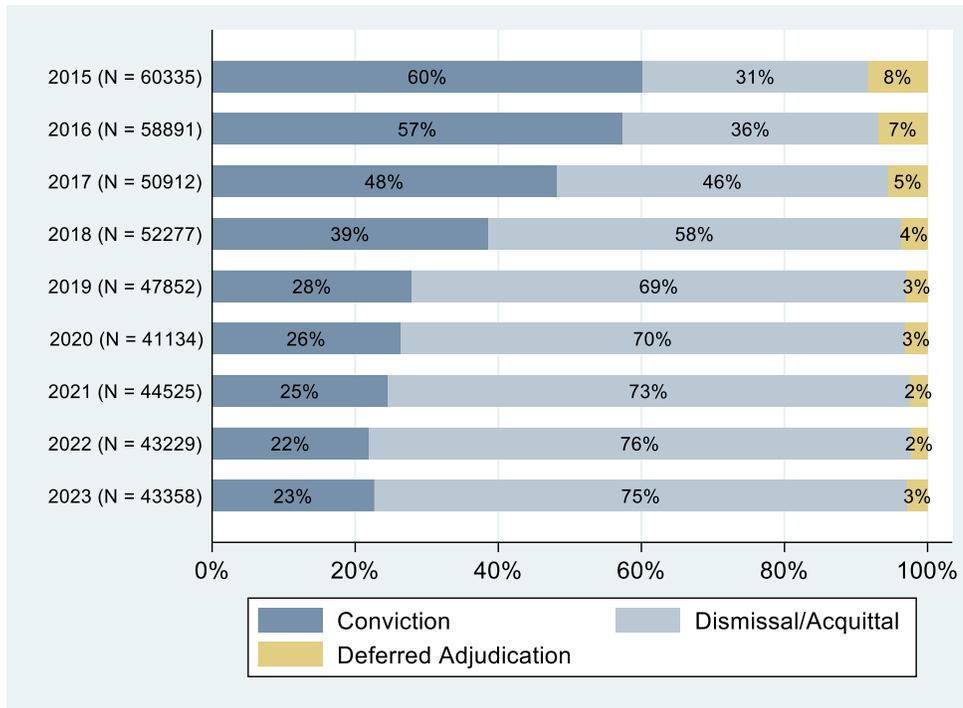


Figure 3.11 once again shows the distribution of case dispositions, but this time without cases that are not disposed yet. The figure further highlights a large and steady reduction in the conviction rate over time, moving from 60 percent in 2015 to 23 percent in 2023. At the same time, there has been a marked increase in the share of misdemeanor cases acquitted or dismissed, which increased from 31 percent in 2015 to 75 percent in 2023.

In addition to the case disposition, we also consider the length of jail sentence, if given, as another key disposition outcome. The reduction in conviction rates over time, presented in Figures 3.10 and 3.11, may be driven by a shift in the nature of misdemeanor conviction, which could change the average length of sentencing among those convicted, provided that jail sentences are closely correlated with the types of misdemeanor offenses. Alternatively, it is also plausible that the declining conviction rate over time is not significantly correlated with the types of misdemeanor offenses being convicted, resulting in little changes in the distribution of jail sentence lengths.

Figure 3.11: Case Disposition Outcomes, Cases with Observed Disposition Only



Somewhat surprisingly, Table 3.11 shows that the actual distribution of misdemeanor jail sentences has remained remarkably consistent between 2015 and 2023. Across all years considered, about 80 percent of the misdemeanor convictions with a jail sentence resulted in jail sentences of 90 days or less, and about 90 percent received sentences of 180 days or less. What makes this consistency even more remarkable is that both the number and share of misdemeanor cases resulting in jail sentence have declined substantially during this period. For example, the number of misdemeanor cases resulting in a jail sentence fell from 37,480 (62%) in 2015 to 9,904 (23%) in 2023.

Table 3.11: Distribution of Jail Sentences

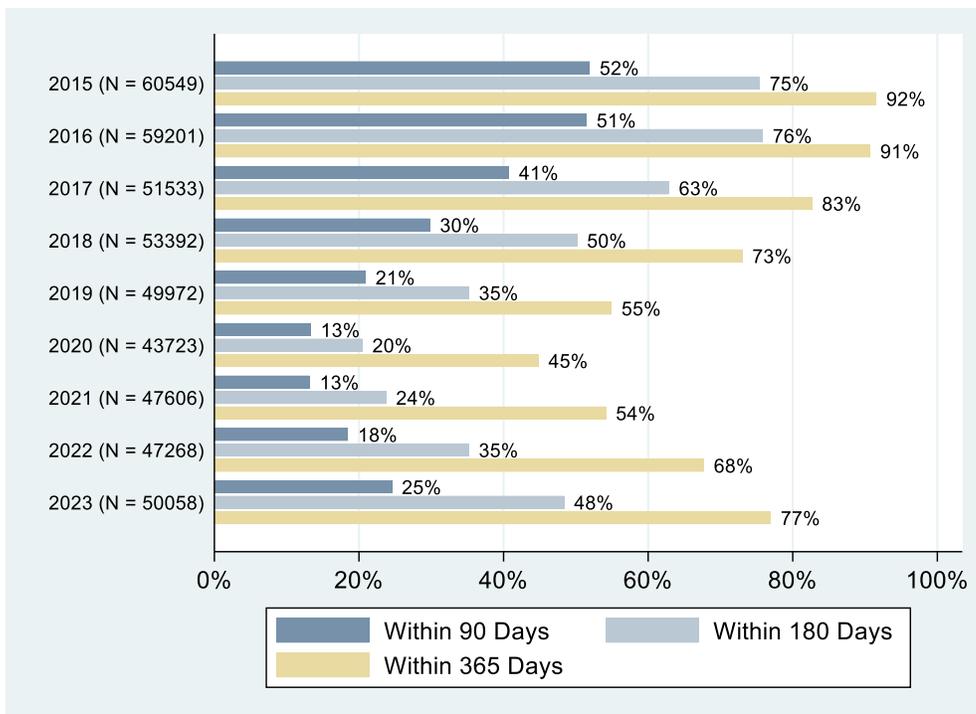
Year	Case Count	Jail Sentence	Length of Jail Sentence		
			30 Days or Less	90 Days or Less	180 Days or Less
2015	60,335	37,480 (62%)	26,577 (71%)	31,690 (85%)	34,745 (93%)
2016	58,891	34,702 (59%)	24,892 (72%)	29,438 (85%)	32,194 (93%)
2017	50,912	24,913 (49%)	16,811 (67%)	20,442 (82%)	22,807 (92%)
2018	52,277	20,356 (39%)	13,638 (67%)	16,781 (82%)	18,886 (93%)
2019	47,852	13,511 (28%)	8,925 (66%)	10,966 (81%)	12,603 (93%)
2020	41,134	10,945 (27%)	7,138 (65%)	8,520 (78%)	10,078 (92%)
2021	44,525	11,038 (25%)	7,712 (70%)	8,783 (80%)	10,182 (92%)
2022	43,229	9,563 (22%)	7,031 (74%)	7,936 (83%)	8,910 (93%)

2023 43,358 9,904 (23%) 7,214 (73%) 8,181 (83%) 9,209 (93%)

We also examine the time it takes for misdemeanor cases to reach disposition and how this timeline has evolved in recent years. One potential concern with the bail reforms that allowed many misdemeanor arrestees to be released on unsecured bonds is that some of them may fail to appear for subsequent court dates, potentially causing a delay in the time-to-disposition. It is difficult to test this hypothesis directly, because there have been several co-occurring factors that contributed to an increased case backlogs during our study period. For example, Hurricane Harvey forced the closure of the courthouse in 2017, and COVID-19 pandemic significantly disrupted all aspects of the county’s criminal justice system.

Notwithstanding these challenges, we find a steady increase in time-to-disposition for many misdemeanor cases between 2015 and 2020. For example, in 2015, more than 90 percent of the misdemeanor cases were disposed within 365 days, but this share plummeted to 45 percent in 2020. However, this trend appears to have reversed since 2020, with misdemeanor cases filed in subsequent years progressing more swiftly, as the share of cases disposed within 365 days of the case filing date rose between 45 percent in 2020 to 77 percent in 2023. Additional data in the coming years will be needed to confirm this trend reversal, but a growing number of cases disposed in a shorter timeframe is a positive development for the misdemeanor system in Harris County.

Figure 3.12: Time in Days between Case Filing and Disposition



The last case outcome we consider is how often a misdemeanor case results in a dismissal, guilty plea, or an actual trial. Studies suggest that pretrial detention can be coercive, in the sense that arrestees detained pretrial are more likely to plead guilty than those who are not detained.¹⁵ Given that the misdemeanor bail reforms in Harris County substantially reduced both the probability and length of pretrial detention, the reforms may have influenced how often a misdemeanor case is resolved by a plea of guilty.

Table 3.12 presents the distribution of misdemeanor case outcomes, including dismissals, guilty pleas, and trials, among all disposed misdemeanor cases. (Here, guilty pleas include deferred adjudication, a type of diversion that can be reached only through a guilty plea.) We find that the share of case dismissals has substantially increased over time, from 31 percent in 2015 to 46 percent in 2017 to 79 percent in 2019. This shift is mirrored by a corresponding decline in the share of cases resulting in a guilty plea.

We also note that misdemeanor trials remain extremely rare, and their frequency has declined over time. Specifically, the share of misdemeanor cases resulting in trial fell from 0.56 percent in 2015 to 0.14 percent in 2019, and has remained at around 0.15 percent since then.

Table 3.12. Case Outcome Distribution

Year	Disposed Case Count	Case Outcome		
		Dismissed	Guilty Plea	Trial
2015	60,335	18,591 (31%)	40,836 (68%)	336 (0.56%)
2016	58,891	20,675 (35%)	37,486 (64%)	197 (0.33%)
2017	50,912	23,301 (46%)	27,016 (53%)	169 (0.33%)
2018	52,277	29,886 (57%)	21,883 (42%)	131 (0.25%)
2019	47,852	32,861 (69%)	14,653 (31%)	68 (0.14%)
2020	41,134	28,859 (70%)	11,986 (29%)	74 (0.18%)
2021	44,525	32,358 (73%)	11,902 (27%)	68 (0.15%)
2022	43,229	32,597 (75%)	10,246 (24%)	58 (0.13%)
2023	43,358	32,180 (74%)	10,373 (24%)	72 (0.17%)

Although misdemeanor cases that involve a trial are rare, it remains important to examine whether their case outcomes distinctively differ from those of other cases. To this end, Table 3.13 presents the distribution of eventual case outcomes for cases that proceeded to trial. Although the shares tend to fluctuate over time, the conviction rate has remained relatively stable, exceeding 50 percent in all years considered. We also note that these shares stand in stark contrast with the conviction rate for all misdemeanor cases, which has declined from 60 percent in 2015 to 23 percent in 2023.

¹⁵ Thomas, C., Cadoff, B., Wolff, K. T., & Chauhan, P. (2022). How do the consequences of pretrial detention on guilty pleas and carceral sentences vary between misdemeanor and felony cases? *Journal of Criminal Justice*, 82, 102008.

Table 3.13. Eventual Case Outcome, Trial Cases Only

Year	Count	Conviction	Acquitted
2015	336	223 (66%)	113 (34%)
2016	197	134 (68%)	63 (32%)
2017	169	100 (59%)	69 (41%)
2018	131	71 (54%)	60 (46%)
2019	68	38 (56%)	30 (44%)
2020	74	38 (51%)	36 (49%)
2021	68	43 (63%)	25 (37%)
2022	58	33 (57%)	25 (43%)
2023	72	42 (58%)	30 (42%)

Tables 3.14, 3.15, and 3.16 examine the disposition distributions by sex, race, and ethnicity. We observe that male misdemeanor arrestees are more likely to plead guilty than female arrestees, and this gap has remained stable across all years considered (e.g., 31% in 2020 vs. 26% in 2023 for males; 23% in 2020 vs. 18% in 2023 for females). Males also seem to be more likely to resolve their cases through trial, although the difference is modest.

We also find that black arrestees are more likely than white arrestees to have their cases dismissed (76% vs. 72% in 2023), but this black-white disparity tends to be smaller than the male-female gap. Similarly, we observe little difference in dismissal and guilty plea rates between Latinx and non-Latinx, both before and after the bail reforms.

Table 3.14. Case Outcome Distribution, by Sex

Year	Female Arrestees			Male Arrestees		
	Dismissed	Plea	Trial	Dismissed	Plea	Trial
2015	38%	60%	0.51%	29%	70%	0.57%
2016	45%	53%	0.32%	32%	67%	0.34%
2017	55%	44%	0.26%	43%	56%	0.35%
2018	66%	33%	0.17%	55%	45%	0.27%
2019	77%	23%	0.12%	66%	33%	0.15%
2020	77%	23%	0.17%	68%	31%	0.18%
2021	77%	22%	0.07%	71%	28%	0.18%
2022	80%	19%	0.04%	74%	25%	0.16%
2023	81%	18%	0.15%	72%	26%	0.17%

Table 3.15. Case Outcome Distribution, by Race

Year	Black Arrestees			White Arrestees		
	Dismissed	Plea	Trial	Dismissed	Plea	Trial
2015	29%	69%	0.36%	31%	67%	0.68%
2016	33%	65%	0.23%	36%	63%	0.40%
2017	46%	53%	0.21%	45%	54%	0.40%
2018	57%	42%	0.19%	56%	43%	0.29%
2019	71%	28%	0.15%	67%	33%	0.14%
2020	74%	26%	0.18%	67%	32%	0.19%
2021	76%	24%	0.09%	70%	29%	0.21%
2022	78%	21%	0.11%	73%	26%	0.16%
2023	76%	22%	0.15%	72%	26%	0.17%

Table 3.16. Case Outcome Distribution, by Ethnicity

Year	Latinx Arrestees			Non-Latinx Arrestees		
	Dismissed	Plea	Trial	Dismissed	Plea	Trial
2015	31%	68%	0.59%	31%	67%	0.54%
2016	36%	63%	0.38%	35%	64%	0.30%
2017	44%	55%	0.35%	47%	52%	0.32%
2018	56%	43%	0.28%	58%	41%	0.23%
2019	66%	33%	0.16%	71%	28%	0.13%
2020	66%	33%	0.15%	73%	26%	0.20%
2021	69%	30%	0.19%	75%	24%	0.12%
2022	73%	26%	0.13%	77%	22%	0.13%
2023	72%	26%	0.14%	76%	22%	0.18%

7. Repeat Arrest Rate

In this section, we explore the pattern of repeat offenses by persons charged with misdemeanors using several different measures, namely, 1) the share of *persons charged with misdemeanors* and then with a new offense within a year of the initial case filing date (person-level repeat-offense), 2) the share of *misdemeanor cases* in which the same person was charged with a new crime (case-level repeat-offense) within a year of the initial case filing date, 3) the share of misdemeanor cases in which a new crime was filed against the same person before the current case was disposed (pretrial repeat-offense), and 4) the share of misdemeanor cases filed each year that were charged against former misdemeanor arrestees from the previous year.

Consider the first two measures first. To obtain the case-level repeat-arrest rate, we follow all misdemeanor cases filed during a calendar year and compute the share of cases followed by a new criminal case filing within 365 days. To compute the person-level repeat-

arrest rate, we follow all misdemeanor cases filed against the same person during a calendar year and consider whether any of these cases was followed by a new criminal case filing with 365 days. The case-level rate should be higher than the person-level rate, as multiple cases filed against the same person on the same day will be double-counted under the case-level measure. For example, if a person was charged for two separate offenses on the same day and again charged for a new offense a month later, this is counted as two cases with a new case filed under the case-level measure but a single person with a new case filed under the person-level measure. It is important to note that just because a case is filed does not mean that the person is found guilty or convicted. Our analysis shows only new cases filed. It does not reveal whether the person was actually guilty or convicted of the offense in question. We also note that cases filed in 2024 are omitted when considering these one-year re-arrest measures, because many of them cannot be followed up to a year yet. The data concerning cases filed in 2023 are the most recent data included in this report.

We begin our analysis in Figure 3.13 by presenting the person-level repeat-arrest rate. From the figure, it is evident that the one-year repeat arrest rate has stayed remarkably constant during our study period, consistently hovering around 23 percent, except for a small, temporary dip among persons initially arrested in 2019. Similarly, the rate of one-year felony repeat arrest has remained largely stable, fluctuating between 11 and 12 percent. It is particularly noteworthy that the one-year repeat arrest rate among misdemeanor arrestees has remained stable, despite the substantial changes in the misdemeanor bail system that influenced the patterns of pretrial detention and case disposition in Harris County.

Figure 3.13: Share of Misdemeanor Arrestees with a New Case Filed within 365 Days

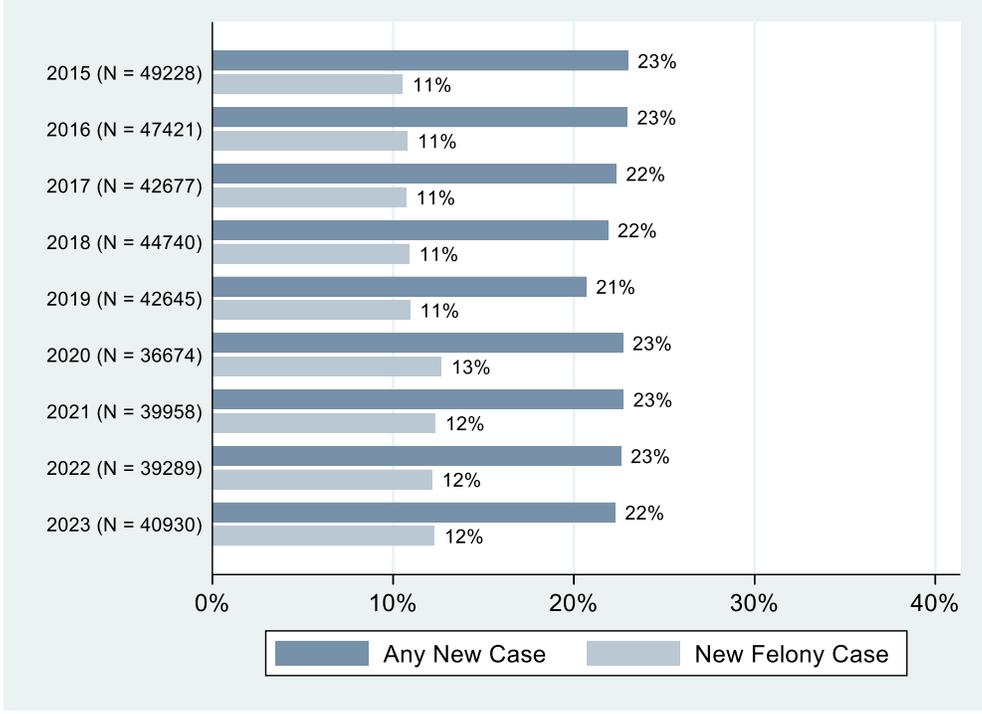


Table 3.17 presents the number of one-year repeat arrests by the type of new offense and the year of initial case filing, with a focus on six major offense types for brevity. The data indicate that re-arrests for the most severe crimes, such as murder and robbery, among misdemeanor arrestees are relatively rare, whereas re-arrests for offenses like assault and theft are far more common. For example, out of 39,526 persons arrested for a misdemeanor in 2023, 77 (0.19 percent) were re-arrested for murder and 420 (1.0 percent) for robbery within a year, whereas 3,036 persons (7.4 percent) and 1,888 (4.6 percent) were re-arrested for assault and theft, respectively. We also note that, unlike the overall repeat arrest rate, the re-arrest rates for specific offenses have changed more considerably over time. For example, the repeat arrest rate due to assault has increased from 4.8 percent in 2015 to 7.4 percent in 2023, while drug-related offenses decreased from 7.2 percent in 2015 to 3.5 percent in 2023.

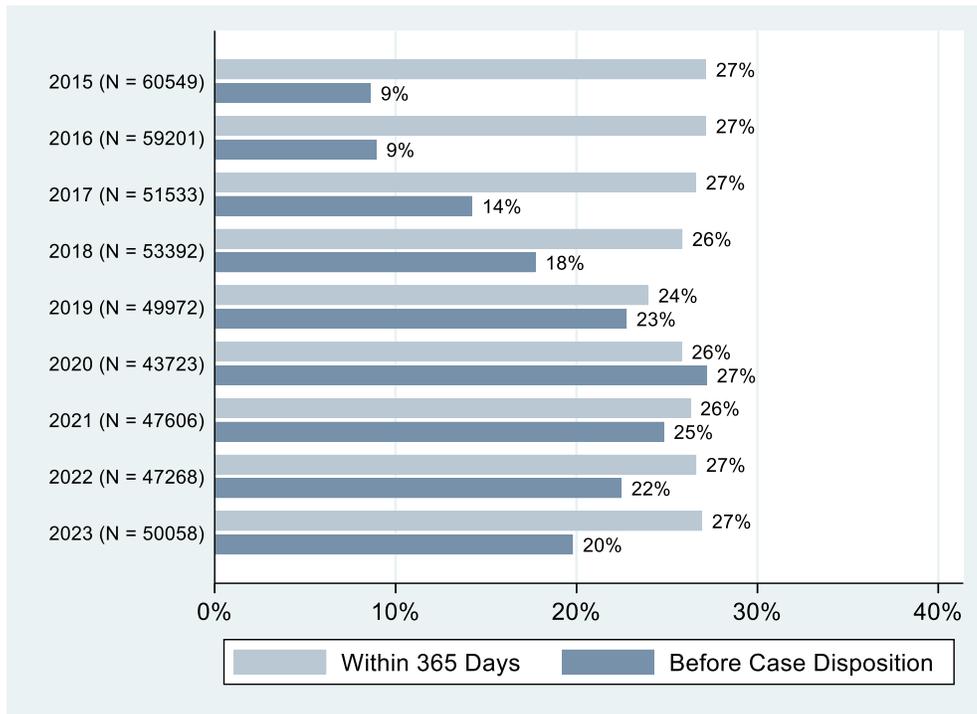
Table 3.17: Number of Misdemeanor Arrestees with a New Case Filed within 365 Days, by Offense Type

Year	Murder		Robbery		Assault		Arrestee Count
2015	68	(0.14%)	433	(0.9%)	2,359	(4.8%)	49,228
2016	57	(0.12%)	398	(0.8%)	2,392	(5.0%)	47,421
2017	50	(0.12%)	374	(0.9%)	2,420	(5.7%)	42,677
2018	68	(0.15%)	434	(1.0%)	2,739	(6.1%)	44,740
2019	60	(0.14%)	461	(1.1%)	2,756	(6.5%)	42,645
2020	94	(0.26%)	436	(1.2%)	3,051	(8.3%)	36,674
2021	86	(0.22%)	420	(1.1%)	3,162	(7.9%)	39,958
2022	76	(0.19%)	441	(1.1%)	3,088	(7.9%)	39,289
2023	77	(0.19%)	420	(1.0%)	3,036	(7.4%)	40,930
Year	Theft		Drug		Weapon		Arrestee Count
2015	2,224	(4.5%)	3,548	(7.2%)	520	(1.1%)	49,228
2016	1,953	(4.1%)	3,296	(7.0%)	608	(1.3%)	47,421
2017	1,772	(4.2%)	2,303	(5.4%)	541	(1.3%)	42,677
2018	1,743	(3.9%)	2,237	(5.0%)	549	(1.2%)	44,740
2019	1,735	(4.1%)	1,585	(3.7%)	616	(1.4%)	42,645
2020	1,287	(3.5%)	1,427	(3.9%)	894	(2.4%)	36,674
2021	1,514	(3.8%)	1,499	(3.8%)	947	(2.4%)	39,958
2022	1,715	(4.4%)	1,316	(3.3%)	768	(2.0%)	39,289
2023	1,888	(4.6%)	1,434	(3.5%)	545	(1.3%)	40,930

Figure 3.14 presents the case-level repeat arrest rate. As expected, the one-year case-level repeat arrest rates (in which multiple cases filed against a same person may be double-counted) tend to be higher than the corresponding person-level rates (in which double-counting is ruled out). However, the person-level repeat arrest rates have also displayed remarkable consistency, minimally fluctuating between 26 and 27 percent in each year between 2015 and 2023, with the only exception of 2019.

Figure 3.14 also presents our third measure of repeat offense, namely, the (case-level) rate of repeat arrest prior to the disposition of the initial case, which serves as an indicator of pretrial reoffending and thus carries significant implications for public safety. However, the interpretation of this metric is slightly more complicated, because it can be affected by both the actual changes in criminal risks of misdemeanor arrestees and variations in the time-to-disposition among misdemeanor cases over time. This concern can be particularly relevant in a setting like Harris County, where the timeframe for case disposition has seen considerable variability in recent years (as depicted in Figure 3.12). Indeed, we find that the rate of repeat arrest before disposition closely mirrors the trends in case disposition times. Whereas only 9 percent of misdemeanor cases filed in 2015 were followed by another case before the initial case was disposed, this share escalated to 27 percent in 2020, later falling to 20 percent in 2023. Overall, lengthening of time-to-disposition in Harris County seems to be a primary factor driving the increase in the rate of pretrial repeat arrest.

Figure 3.14: Share of Misdemeanor Cases with a New Case Filed Against Same Person



We now extend the above analysis by examining the number and share of repeat arrests, this time considering whether a bond was filed for the initial misdemeanor case and the type of bond filed. Since the misdemeanor bail reforms allowed many more misdemeanor arrestees to be released on bond, it is highly likely that the number of repeat arrests among persons who were released on bond has also increased over time. However, it is less clear whether the rates of repeat arrests among those who did and did not bond out have undergone significant changes over the same time period. On the one hand, some speculate that persons who are released on unsecured bonds may perceive the new bail system as more lenient, and thus become more likely

to commit new offenses, expecting another easy, prompt release even if re-arrested. On the other hand, the higher probability of prompt pretrial release under the new system may help lower the risk of repeat offense and re-arrests, in light of the research findings that pretrial detention exacerbates criminal behavior by disrupting the arrestees’ normal life and separating them from their employment, family, and support networks.¹⁶

Table 3.18 presents the number and share of misdemeanor cases followed by another case within a year, by bond filing status. We note that the number of one-year repeat arrests among those who were pretrial released has nearly doubled between 2015 (N=5,560) and 2023 (N=10,571). Following the preliminary injunction in 2017 and Local Rule 9 in 2019, there was also a noticeable increase in the number of misdemeanor cases in which the person was released on bond during this time period (from 29,733 in 2015 to 41,615 in 2023). As a result, the one-year repeat arrest rate among those who were released on bond did not change much over time, especially since 2017. Likewise, the one-year repeat arrest rate among those who were not released pretrial has also remained unchanged between 2015 and 2023 (35 percent).

Table 3.18. Number of Misdemeanor Cases with New Cases Filed by Bond or No Bond Filed

Year	Bond Filed	Case Count	New Case Filed	
			Within 365 Days	
2015	No	30,816	10,886	(35%)
2016	No	27,215	10,492	(39%)
2017	No	16,480	6,131	(37%)
2018	No	14,931	5,295	(35%)
2019	No	7,752	2,555	(33%)
2020	No	8,138	2,795	(34%)
2021	No	8,198	3,095	(38%)
2022	No	7,979	2,764	(35%)
2023	No	8,443	2,915	(35%)
2015	Yes	29,733	5,560	(19%)
2016	Yes	31,986	5,587	(17%)
2017	Yes	35,053	7,580	(22%)
2018	Yes	38,461	8,507	(22%)
2019	Yes	42,220	9,427	(22%)
2020	Yes	35,585	8,496	(24%)
2021	Yes	39,408	9,424	(24%)
2022	Yes	39,289	9,819	(25%)
2023	Yes	41,615	10,571	(25%)

¹⁶ See, e.g., Dobbie, Will, Jacob Goldin, and Crystal S. Yang. “The effects of pre-trial detention on conviction, future crime, and employment: Evidence from randomly assigned judges.” *American Economic Review* 108.2 (2018): 201-240.

Table 3.19. Number of Misdemeanor Cases with New Cases Filed by Bond Type or No Bond Filed

Year	Bond Type	Case Count	New Case Filed Within 365 Days	
2015	Cash	25,714	4,897	(19%)
2016	Cash	26,302	4,608	(18%)
2017	Cash	18,783	2,873	(15%)
2018	Cash	16,147	2,351	(15%)
2019	Cash	8,600	1,318	(15%)
2020	Cash	5,497	1,010	(18%)
2021	Cash	5,759	1,151	(20%)
2022	Cash	5,010	858	(17%)
2023	Cash	5,113	870	(17%)
2015	PR	4,019	663	(16%)
2016	PR	5,684	979	(17%)
2017	PR	16,270	4,707	(29%)
2018	PR	22,314	6,156	(28%)
2019	PR	11,426	3,146	(28%)
2020	PR	10,776	3,413	(32%)
2021	PR	11,603	3,693	(32%)
2022	PR	12,163	4,160	(34%)
2023	PR	11,857	4,003	(34%)
2015	GOB	N/A	N/A	
2016	GOB	N/A	N/A	
2017	GOB	N/A	N/A	
2018	GOB	N/A	N/A	
2019	GOB	22,194	4,963	(22%)
2020	GOB	19,312	4,073	(21%)
2021	GOB	22,046	4,580	(21%)
2022	GOB	22,116	4,801	(22%)
2023	GOB	24,645	5,698	(23%)
2015	No Bond	30,816	10,886	(35%)
2016	No Bond	27,215	10,492	(39%)
2017	No Bond	16,480	6,131	(37%)
2018	No Bond	14,931	5,295	(35%)
2019	No Bond	7,752	2,555	(33%)
2020	No Bond	8,138	2,795	(34%)
2021	No Bond	8,198	3,095	(38%)
2022	No Bond	7,979	2,764	(35%)
2023	No Bond	8,443	2,915	(35%)

Table 3.19 presents a more granular analysis, this time breaking down the repeat arrest counts and rates by the type of initial pretrial bond. We find that persons released on either a secured bond and general order bond have similar rates of one-year repeat arrests of around 20 percent, whereas those who were not released, or released on a personal bond, tend to have higher repeat arrest rates. However, as before, we do not observe any significant fluctuations in repeat arrest rates within each category over time, especially since 2017.

One important caveat of the repeat-arrest analyses shown above is that the repeat arrest rate is likely influenced by both the characteristics of initial cases filed and the prevailing conditions within the criminal justice system. For example, the notably low one-year repeat arrest among misdemeanor cases filed in 2019 may suggest that persons arrested in 2019 had lower criminal risks than those arrested in other years, but perhaps a more likely explanation is the significant reduction in misdemeanor case filings in 2020 due to the widespread impact of the Covid-19 pandemic. Similarly, the observed gradual increase in repeat arrests leading to new felony charges over time could indicate a higher propensity among recent misdemeanor arrestees to commit serious felonies. Yet, this trend might also reflect an overall increase in felony case filings in Harris County, independent of the misdemeanor arrestee's previous history.

Given these complexities, a backward-looking measure of repeat arrest, which represents the share of current criminal cases that can be attributed to former arrestees, might offer additional insights. Specifically, our measure would track the number and proportion of criminal cases filed in a given year against individuals previously arrested for misdemeanors in the preceding year. Criminal cases filed in 2015 are omitted from the analysis, because we cannot determine whether they involve individuals charged in 2014 due to the data availability issue.

Table 3.20 presents the breakdown. Although the numbers of misdemeanor and felony cases filed against former misdemeanor arrestees have fluctuated somewhat over the years, the share of repeat arrests by these individuals has remained remarkably consistent. Throughout the analysis period, approximately 20 percent of misdemeanor cases each year were filed against individuals previously arrested for misdemeanors in the year before. Even more striking is the stability in the proportion of felony cases filed against former misdemeanor arrestees, which has ranged between 20 and 21 percent throughout the analysis period.

Table 3.20. Number of Criminal Cases Filed Against Persons Charged with Misdemeanor Cases in the Previous Year

Year	Current Offense Type	Case Count	Former Misd. Arrestees
2016	Misdemeanor	59,201	12,087 (20%)
2017	Misdemeanor	51,533	10,035 (19%)
2018	Misdemeanor	53,392	9,956 (19%)
2019	Misdemeanor	49,972	8,375 (17%)
2020	Misdemeanor	43,723	7,309 (17%)
2021	Misdemeanor	47,606	8,147 (17%)
2022	Misdemeanor	47,268	8,641 (18%)

2023	Misdemeanor	50,058	9,353	(19%)
2024	Misdemeanor	52,851	10,288	(19%)
2016	Felony	36,717	7,670	(21%)
2017	Felony	33,906	7,010	(21%)
2018	Felony	35,305	6,995	(20%)
2019	Felony	36,394	7,346	(20%)
2020	Felony	39,846	8,065	(20%)
2021	Felony	42,149	8,286	(20%)
2022	Felony	41,290	8,236	(20%)
2023	Felony	42,886	8,814	(21%)
2024	Felony	45,128	9,236	(20%)

8. *Supervision Conditions*

A notable data expansion since our last monitor report is the integration of arrestees’ supervision records, collected and maintained by Harris County Pretrial Services (HCPS), into our misdemeanor data. We are extremely grateful to HCPS for graciously sharing the supervision records with the monitor team and RAD.

Although HCPS has operated its supervision program for many years, it has recently adopted a new data management system in October 2022, making it difficult to directly compare supervision records before and after 2022. Additionally, we also note that many of the misdemeanor cases filed in 2024 remain undisposed yet and therefore are not suitable for the current analysis. As a result, our current analysis focuses exclusively on misdemeanor cases filed in 2023, and explores whether cases with and without supervision conditions systematically differ in terms of observable characteristics and key case outcomes.

We begin our analysis by presenting a breakdown of misdemeanor cases by supervision conditions. Table 3.21 shows that 37 percent of the cases involved one or more supervision conditions, with the most common conditions related to alcohol (19 percent), drug (26 percent), no-contact orders (21 percent), and no-weapon requirements (21 percent). Alcohol-related supervision conditions prohibit the arrestee from using, possessing, or consuming alcohol; require them to obtain a portable alcohol testing device; or mandate the installation of an ignition interlock device on their vehicle. Similarly, drug-related supervision conditions may require the arrestee to have randomly-scheduled drug tests and/or prohibit the arrestee from using, possessing, or consuming marijuana and other controlled substances. No-contact conditions may require the arrestee to avoid contact with the prosecution’s witness, complainant, or victim, whose names may be specified. No-weapon conditions prohibit the arrestee from using or possessing a firearm or other weapons. Examples of other, less common supervision conditions include curfews and GPS monitoring.

Table 3.21. Misdemeanor Cases Filed in 2023, by Supervision Conditions

	Misd. Case	Supervision Condition				
	Count	Any	Alcohol	Drug	No-contact	No-weapon
Total	50,058	18,510 (37%)	9,440 (19%)	12,818 (26%)	10,300 (21%)	10,731 (21%)
Female	12,059	4,251 (35%)	1,965 (16%)	2,755 (23%)	2,637 (22%)	2,313 (19%)
Male	37,916	14,237 (38%)	7,464 (20%)	10,047 (26%)	7,652 (20%)	8,405 (22%)
Black	20,668	7,194 (35%)	2,772 (13%)	4,557 (22%)	4,758 (23%)	4,677 (23%)
White	27,488	10,618 (39%)	6,281 (23%)	7,776 (28%)	5,191 (19%)	5,678 (21%)
Latinx	22,997	8,947 (39%)	5,356 (23%)	6,609 (29%)	4,325 (19%)	4,772 (21%)
Non-Latinx	27,061	9,563 (35%)	4,084 (15%)	6,209 (23%)	5,975 (22%)	5,959 (22%)

Subsequent rows of Table 3.21 show the distribution of supervision conditions by the arrestee’s demographic characteristics. The total share of cases with supervision conditions remains consistent across different sex, race, and ethnic groups, hovering around 37 percent. Even when broken down by supervision type, we find little differences across these demographic groups, with the only notable exception that blacks and non-Latinx arrestees are less likely to be subject to alcohol-related supervision conditions than other groups. Lastly, we note that our finding here is in line with Table 3.7, which showed minimal differences in pretrial release patterns across different demographic groups.

Next, we explore differences in pretrial release, case disposition, and repeat arrest patterns between misdemeanor cases with and without supervision conditions. Table 3.22 reveals that cases with a pretrial supervision condition are more likely to involve pretrial release than those without (87% vs. 81%). The two groups also exhibit sizable differences in the distribution of bond types, as cases with supervision conditions are more likely to involve a personal bond (37% vs. 16%) and less likely to involve a general order bond (38% vs. 56%).

Moreover, cases with supervision conditions tend to have a lower dismissal rate (68% vs. 79%) and a higher conviction rate (29% vs. 19%). Despite these differences, the two groups have similar repeat arrest rates, in terms of both (1) a new arrest made within one year of the initial case filing date and (2) a new arrest made pretrial.

Table 3.22. Bond, Case Disposition, and Repeat Arrest Outcomes, by Supervision Conditions

	Any Supervision Condition	
	No	Yes
Total Misd. Case Filed in 2023	31,548	18,510
Bond Posted	25,494	16,121
	(81%)	(87%)
Bond Type = Secured Bond	3,029	2,084
	(10%)	(11%)
Bond Type = Personal Bond	4,931	6,926
	(16%)	(37%)
Bond Type = GOB	17,534	7,111
	(56%)	(38%)
One-year Bond Failure	7,231	4,093
	(28%)	(25%)
Case Disposed	26,865	16,493
Disposition = Dismissed	21,136	11,187
	(79%)	(68%)
Disposition = Conviction	5,020	4,806
	(19%)	(29%)
Disposition = DADJ	708	499
	(3%)	(3%)
New Arrest within 365 Days	8,607	4,879
	(27%)	(26%)
New Arrest Pre-trial	5,426	3,160
	(20%)	(19%)

IV. Cost Study and Project Management

This section of the Monitor report considers two responsibilities performed by the Public Policy Research Institute (PPRI) at Texas A&M University. Evaluating costs associated with implementation of the Consent Decree, is addressed in Part A, “Current Status of Programs to Increase Court Appearance.” Part B offers an update on milestone attainment for Consent Decree implementation.¹⁷

¹⁷ Considerable progress has been made on assessing costs associated with implementation of the Consent Decree. However, variable construction and model development are both still underway. For instance, new variables such as defense and prosecutor costs as well as fees and fines paid by defendants are still being acquired or cleaned. In addition, with more data, the Monitor team is now able to refine the conceptual basis for cost estimations. Therefore, rather than publishing partial or tentative conclusions, full results will be shared once complete data is available and conceptual models have been fully developed.

A. Programs to Increase Court Appearance

Under Section VIII of the Consent Decree, “Promoting Pretrial Release Through Programs to Increase Court Appearance,” Harris County was asked to implement new initiatives to mitigate defendant nonappearance in court. The sections that follow describe current status of the county’s two leading approaches – electronic court date reminders and the Community Assistance Referral Program. For each of these initiatives, multivariate research methods are used to address three key questions:

- 1) How is each nonappearance mitigation program currently operating?
- 2) What types of individuals are included or excluded from participation?
- 3) Does program participation successfully reduce nonappearance?

Methods

For both court date reminders and CARP evaluation, logistic regression methods were used to examine factors influencing two defendant outcomes: (1) enrollment and (2) nonappearance in court. Within this overarching analysis framework there were differences in sample characteristics and outcome definitions between the two programs.

For the court date reminder analysis: The sample included misdemeanor-only cases entering custody through bond or booking between March 1 and December 31, 2024. March 2024 marked the first month in which enrollment protocols were operational for defendants across all bond types. Before this date, secured bond cases were systematically excluded from the notification system (see Figure 4.1). “Enrollment” for reminders was defined as having a court reminder message documented in the JWeb notification data table prior to arraignment.

For the CARP analysis: The sample included misdemeanor-only cases with GOB bonds entering custody through bond or booking between January 1, 2023 and December 31, 2024. This date range covers the full period of CARP program operations. “Enrollment” was defined as having engaged with CARP staff for an educational interview about court appearance upon exit from the Justice Processing Center after initial booking. For both programs “Nonappearance” defined as an arraignment where the Setting Type was “Required-Not Waived” and the Court Appearance code indicated the person was “Not Present.”¹⁸

Multivariate logistic regression analysis was used to identify factors influencing the key outcomes of enrollment and nonappearance. Unlike simple descriptive comparisons, this approach provides greater analytical rigor by statistically controlling for other variables that

¹⁸ Court settings are classified by the CCCL Courts as (a) Regular Setting-Defendant Appearance Not Waived; (b) Regular Setting-Defendant Appearance Waived; (c) Required Setting-Defendant Appearance Not Waived; and (d) Required Setting-Defendant Appearance Waived. Defendant attendance is documented as (a) Not Present; (b) Present; or (c) Waived. Because the meanings in combination may be ambiguous and applied differently between judges, defendants are deemed to have missed a court appearance only if the setting is “required and not waived” and the person was “not present.”

could offer alternative explanations for the observed results. This allows for greater confidence that any changes in nonappearance outcomes are attributable to the program rather than external factors.

Logistic regression results are reported and interpreted as odds ratios:

- An odds ratio greater than 1 means an increase in the independent/predictor variable (e.g., enrollment) increases the likelihood of the dependent/outcome variable (e.g., court nonappearance). For example, an odds ratio of 1.3 means a one-unit increase in the independent variable will increase the odds of the dependent variable by 30%.
- An odds ratio less than 1 means an increase in the independent/predictor variable (e.g., enrollment) decreases the likelihood of the dependent/outcome variable (e.g., court nonappearance). For example, an odds ratio of 0.7 means a one-unit increase in the independent variable will decrease the chance of the dependent variable by 30%.

Court Date Reminder System Implementation and Outcomes

A 2022 nonappearance study required by the Consent Decree and conducted by Ideas42 named “forgetting” as a primary reason people miss court dates.¹⁹ In February 2022, Harris County launched an electronic court date reminder system, also stipulated by the Consent Decree, to help reduced missed appearances. The following sections review the system’s current status, including evidence of its effectiveness for improving court attendance.

1. Court date reminder enrollment remains high and consistent for most bond types but has been steadily declining among individuals released on secured bonds.

Since resolving early implementation problems described in the Sixth and Seventh Monitor Reports, Harris County’s court date reminder system has functioned smoothly for people with unsecured bonds. Figure 4.1 shows since August of 2023, a majority of individuals released on personal (59%) or GOB bonds (72%) have successfully registered to receive text notices of court dates. However, the Seventh Monitor Report (March 2024) identified a significant remaining enrollment gap for those released on secured bonds through the Sheriff’s Records Division, with only about 20% receiving reminders.

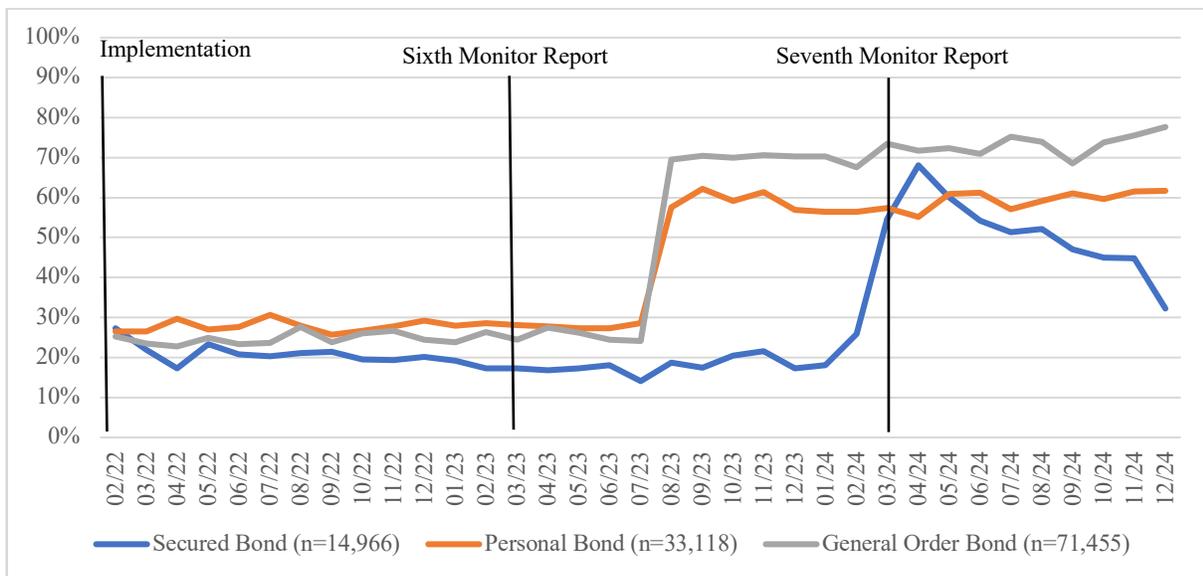
Under the Records Division reminder enrollment protocol, staff are required to visually inspect each signed cash or surety bond form before transfer to the District Clerk’s Office, identify defendants who opted in for reminders, and manually enter their information into the JWeb database which generates court notifications. When administrators were informed of the enrollment deficiency in January of 2024, they explained that the official responsible for overseeing the process had retired a year earlier without properly informing or training others in

¹⁹ See, McAuliffe, Shannon, Samantha Hammer, Alissa Fishbane, and Andrea Wilk (July 2022). *Navigating the Real-Life Challenges of Appearing in Court: Recommendations for addressing wealth-based barriers to court appearance in Harris County*. New York, NY: Ideas42. The study found forgetting court dates to be a secondary consequence of more general scarcity. Court users described other priorities competing for attention: jobs or job loss, childcare, evictions or homelessness, medical crises, and mental health challenges as examples.

the department. To correct this issue, a plan was developed to accurately identify and enter reminder enrollments.

Between February and April 2024, significant efforts were made to implement the necessary enrollment practices. Initially these measures showed success, with reminder enrollment among secured bond releasees rising to 68% by April 2024. However, soon thereafter participation declined, eventually dropping to just 32% by December 2024. This ongoing issue indicates that, while the court date reminder enrollment is operating as intended for many Harris County releasees, persistent shortcomings within the Records Division continue to limit access to this critical resource for secured bond defendants, undermining efforts to improve court appearance rates.

Figure 4.1: Court Date Reminder Enrollment by Bond Type Filed



2. The odds of participating in the court date reminder system are highest for people released on unsecured bonds and are lowest for vulnerable populations and those with past criminal involvement.

Before assessing the effectiveness of court date reminders, it is important to first examine access to the system. Awareness of participation patterns helps identify operational gaps, ensure equitable access for all defendants, and inform targeted strategies to boost enrollment where needed, especially among those who may benefit most. Results in Table 4.1 reveal the following:

- **Bond type** is the strongest determinant of court date reminder enrollment. Defendants released on unsecured GOB or personal bonds are over three times more likely to receive court appearance notifications (OR=3.22, 222% higher odds) compared to those with secured cash or surety bonds. This disparity is largely due to persistent enrollment

barriers within the Sheriff's Records Division which continues to limit participation among secured bond releasees.

- **Vulnerable populations** are less likely to be enrolled for court date reminders than individuals without impairments. Homeless defendants have 46% lower odds of enrollment (OR=0.54), while those who are both homeless and mentally ill have 35% lower odds (OR=0.65). Defendants with mental illness alone see a smaller reduction in program access (OR=0.81, 19% lower odds), suggesting homelessness presents the greater barrier to receiving reminder notices.
- Defendants with **court-appointed attorneys** are slightly less likely to be enrolled for reminders (OR=0.93, 7% lower odds). This modest effect may stem from the broader challenges associated with indigency which can disrupt engagement with the legal process. However, it also suggests an opportunity for appointed defense counsel to play a more active role helping clients sign up for the notification service to minimize risk of bond failures.
- People with more serious **criminal histories** have lower odds of receiving court date reminders. Carveout charges reduce odds of enrollment by 35% (OR=0.65), and criminal charges in the past three years lower the odds by 8% (OR=0.92). Notably, both groups—those with past charges and those with carveout offenses—are also more likely to receive secured bonds which, as previously shown, are associated with suppressed reminder enrollment.
- The reminder system does not effectively reach individuals with a **history of bond failure**; a forfeiture in the past three years does not affect enrollment. To improve court appearance rates, stakeholders may wish to explore targeted strategies to encourage signup among this high-risk group.
- **Demographics** are marginally related to the odds of reminder enrollment. Females are more likely to have signed up than are males (OR=1.22, 22% higher odds). African American releasees have 14% higher odds than White peers (OR=1.14) and Hispanic releasees have 11% higher odds compared to non-Hispanic defendants (OR=1.11).
- **Charges** are included in the model primarily as a control variable.²⁰

Table 4.1. Logistic Regression Results Predicting

²⁰ NIBRS Group B Offenses specified in the National Incident Based Reporting System (NIBRS) include a wide range of crimes primarily focused on less serious or property-related offenses. Examples include bad checks, vagrancy, disorderly conduct, drunkenness, nonviolent family offenses, liquor law violations, peeping tom, and trespassing. Driving under the influence is a Group B Offense but was extracted and reported separately. Group A Offenses specified in the National Incident Based Reporting System (NIBRS) are serious crimes that include the offenses shown here (i.e., assault, burglary, larceny-theft, and weapon law violations) and “other” violations such as forgery, drug offenses, fraud, gambling, prostitution, and theft. Additional Group A Offenses ordinarily charged as felonies include homicide, rape, robbery, aggravated assault, and arson.

Odds of Court Date Reminder Enrollment

(Cases Entering Custody March 1, 2024 to December 31, 2024; n=35,609)

	Comparison Group	Odds of Enrollment	Odds Ratio	p-value	95% Confidence Interval
Unsecured Bond	Secured Bond	222% higher	3.22	0.00	(3.03, 3.42)
Impaired Driving	NIBRS Group B	40% higher	1.40	0.00	(1.30, 1.52)
Weapon Charge	NIBRS Group B	39% higher	1.39	0.00	(1.24, 1.55)
Female	Male	22% higher	1.22	0.00	(1.15, 1.28)
Drug Charge	NIBRS Group B	15% higher	1.15	0.02	(1.02, 1.29)
African American	White	14% higher	1.14	0.00	(1.07, 1.21)
Hispanic	Non-Hispanic	11% higher	1.11	0.00	(1.05, 1.18)
Other Non-White	White	--	1.02	NS	(0.91, 1.15)
Over Age 30	≤ Age 30	--	1.00	NS	(0.96, 1.05)
Bond Failures (3 yrs.)	No Bond Failure (3 yrs.)	--	0.93	NS	(0.84, 1.03)
Appointed Attorney	No Appointed Atty.	7% lower	0.93	0.01	(0.89, 0.98)
Any Charges (3 yrs.)	No Charges (3 yrs.)	8% lower	0.92	0.01	(0.86, 0.98)
Assault Charge	NIBRS Group B	14% lower	0.86	0.00	(0.80, 0.93)
Mentally Ill	No Impairment	19% lower	0.81	0.00	(0.76, 0.87)
Other Grp. A NIBRS	NIBRS Group B	19% lower	0.81	0.00	(0.74, 0.88)
Theft Charge	NIBRS Group B	26% lower	0.74	0.00	(0.68, 0.81)
Burglary	NIBRS Group B	27% lower	0.73	0.00	(0.66, 0.81)
Both HM and MI	No Impairment	35% lower	0.65	0.00	(0.58, 0.72)
Carveout	Non-Carveout	35% lower	0.65	0.00	(0.61, 0.70)
Homeless	No Impairment	46% lower	0.54	0.00	(0.46, 0.64)

3. Court date reminders reduce the odds of a missed arraignment by 50%. Reminders are especially beneficial for releasees with unsecured bonds, a group that is otherwise at higher risk of nonappearance.

After analyzing enrollment patterns, the regression model was modified to address a second key question: Do court date reminders reduce nonappearance? Results presented in Table 4.2²¹ show three main findings:

²¹ See Appendix F for the full regression model predicting effect of court reminders on nonappearance (Table 4.2).

- **Court date reminders reduce the odds of missing arraignment by 52% (OR=0.48).** Reminders are an effective means to help defendants be present in court. As a result, more work can be done during regularly scheduled dockets with fewer resets and re-arrests, and releasees are less likely to experience the consequences of failures to appear such as bond revocations, detention, or harsher sentences. This finding is a strong endorsement of the notification system.
- Having **unsecured bond raises the odds of missing court by 12% (OR=1.12).** Surety bond companies with financial interests at stake stay in close contact with their clients to make sure of attendance. However, releasees with unsecured GOB or personal bonds lack structured support systems to help them keep track of court dates, causing higher rates of nonappearance.
- **For this reason, court date reminders are especially valuable for releasees with unsecured bonds,** reducing their odds of missing arraignment by an additional 25% (OR=0.75) beyond the general effect of notification enrollment. Defendants with secured bonds do not experience the same level of benefit because alternative support systems already contribute to better court attendance.

Table 4.2. Logistic Regression Results Predicting Effect of Court Date Reminders and Bond Type on Arraignment Nonappearance
(Cases Entering Custody March 1, 2024 to December 31, 2024; n=35,609)

	Comparison Group	Odds of Nonappearance	Odds Ratio	p-value	95% Confidence Interval
Enrolled	Not Enrolled	52% lower	0.48	0.00	(0.41, 0.55)
Unsecured Bond	Secured Bond	12% higher	1.12	0.03	(1.01, 1.23)
Enrolled & Unsecured	Enrolled & Secured Bond	25% lower	0.75	0.00	(0.68, 0.82)

Conclusions. Overall, we find court date reminders reduce the odds of nonappearance at arraignment by 52% with the greatest benefit observed among releasees with unsecured bonds who are most in need of appearance supports. However, ongoing problems implementing consistent protocols in the Sheriff’s Records Division continue to constrain signups from individuals with secured bonds. Multivariate results also show vulnerable populations and those with prior criminal histories are less likely to be enrolled, revealing further disparities in access to this effective tool.

Community Assistance Referral Program (CARP)

The Community Assistance Referral Program (CARP) is a key initiative within Harris County’s \$250,000 annual investment in nonappearance mitigation mandated by the Consent

Decree. Outlined in the Harris County, Texas Nonappearance Plan,²² CARP operates through a contract with the Harris Center for Mental Health and IDD focusing on addressing mental health and scarcity-related needs that may hinder court appearance. Because CARP program responds to Consent Decree requirements, services are directed toward misdemeanor releasees with GOB bonds. Other bond types and case levels are therefore excluded from analysis.

The CARP program ensures that at least one Harris Center staff member, including multilingual personnel, is stationed around the clock at the Justice Processing Center to interview GOB releasees as they exit the jail. During peak hours (6 a.m. to 10 p.m.), two staff members are present to manage higher volumes. Under this staffing model the program can reach approximately one of every three eligible defendants to provide essential information needed to comply with first appearance requirements. Core benefits provided to everyone engaged by the program include:

- A review of the date, location, and purpose of the arraignment;
- Steps to take if releasees are unable to attend or if they miss their appearance;
- Instructions to find information about future hearings including the MyHarrisCountyCase.com website and app;
- A branded folder to organize case-related paperwork;
- A reminder call before the scheduled appearance date; and
- A personalized assessment of needs for transportation, mental health services, housing, or other assistance to help releasees be present in court.

Individuals with identified needs are referred to any of a dozen community services or benefit programs, with higher-need defendants often receiving multiple recommendations. Specifically, 41% receive a single referral, 22% are directed to two resources, and 37% are referred to three or more (Table 4.3). The following sections draw further conclusions about CARP participation patterns and impacts reducing absences from court.

Table 4.3. Number and Type of CARP Service Referrals
(GOB Cases Entering Custody January 1, 2023 to December 31, 2024)

	Number of Referrals	% of CARP-Engaged with Each Referral (n=15,197)	% of GOB Releasees with Each Referral (n=43,964)
Bus Passes	2,461	16.2%	5.6%
SNAP	1,773	11.7%	4.0%
The Harris Center MH/SA Treatment	1,206	7.9%	2.7%
Employment Assistance	1,029	6.8%	2.3%

²² Harris County, Texas, *Harris County, Texas Nonappearance Plan: Presented to the O'Donnell Monitor in Accordance with Section 55(a) of the Consent Decree*, Civil Action No. 4:16-CV-1414, *Maranda Lynn O'Donnell, et al. v. Harris County, Texas, et al.* (United States District Court for the Southern District of Texas, Houston Division, approved November 14, 2023, by Commissioners Court).

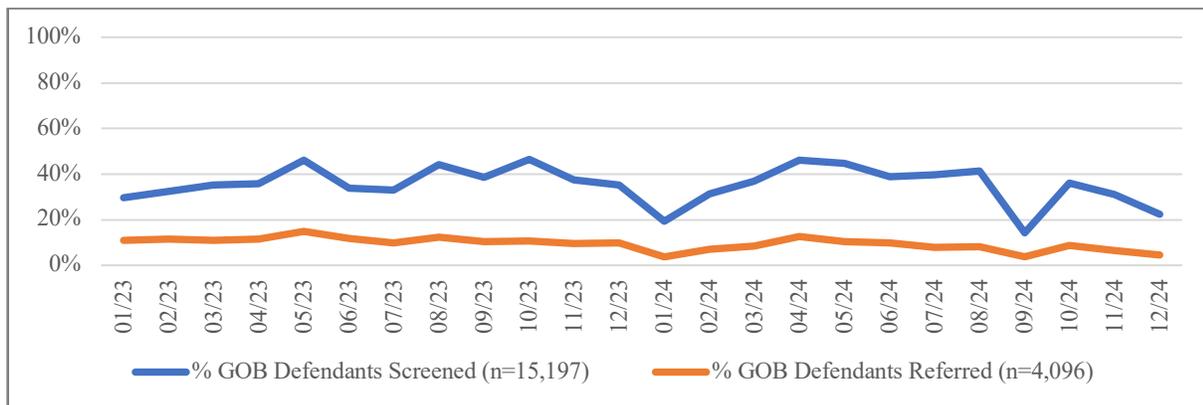
Housing – Voucher	949	6.2%	2.2%
Housing – Shelter	716	4.7%	1.6%
Clothing	533	3.5%	1.2%
Individual Therapy	460	3.0%	1.0%
Medicare/Medicaid	428	2.8%	1.0%
The Harris Center Respite/Rehab/Re-Entry	108	0.7%	0.2%
Social Security Insurance	57	0.4%	0.1%
Group Therapy	7	0.0%	0.0%

4. On average, 35% of GOB releasees are engaged by CARP staff for an educational interview. Of those, about a quarter receive additional service or benefit referrals.

Since the CARP program began in January 2023, an average 35% of GOB releasees have received case-related information from Harris Center staff (n=15,197) ranging from 14% to 46% in any given month (Figure 4.2). While staff aim to connect with as many eligible defendants as possible, the program's success requires spending time to build the trust and rapport needed for open discussion of personal circumstances. Each interview lasts at least 15 minutes, with many extending to 30 minutes and particularly complex cases approaching an hour. Moreover, defendants are missed when groups exit simultaneously, meaning it is not always possible to engage each one.

About one in four people completing interviews (26%, n=4,096) have circumstances that warrant targeted referrals. As shown in Table 4.4, the most common resource needs are bus passes (16%) and SNAP nutrition assistance (12%). A smaller share – 5% to 8% of defendants -- require mental health or substance abuse treatment, employment services, or housing assistance through vouchers or shelter placements. The least common referrals (affecting 3% or fewer) are for basic needs such as clothing, healthcare, or SSI enrollment or for specialized treatment like individual or group therapy, respite, or rehabilitation. As later findings illustrate, individuals in need of these extra supports face the highest risk of missing court, making them a key factor driving costs of nonappearance.

Figure 4.2: GOB Releasees Engaged and Referred by CARP Staff



5. Vulnerable populations and those with past criminal involvement have lower odds of CARP program engagement.

Understanding the characteristics of GOB releasees who are most and least likely to engage with the CARP program can help refine selection procedures and ensure that those who stand to benefit most receive the support they need.

- **Vulnerable populations** are less likely than people without impairments to be engaged for interviews. Those who are both homeless and mentally ill have particularly low odds of participation (OR=0.62, 38% lower odds), though being homeless (OR=0.67) or mentally ill alone (OR=0.78) also reduced the odds of CARP contact by 33% and 22% respectively.
- In terms of **demographics**, females have 14% higher odds of CARP engagement than males (OR=1.14). African American releasees have marginally higher odds compared to White defendants (OR =1.07, 7% higher odds). Hispanic releasees (OR=0.86, 14% lower odds) and older defendants are slightly less likely to have CARP experience (OR=0.92, 8% lower odds).
- Indicators of criminal severity such as **prior charges or bond failures** did not significantly impact the odds of a CARP engagement. Because only GOB releasees are included, **bond type** and **carveout status** are not relevant to participation analysis.
- Charges are included in the model primarily as a control variable.²³

Table 4.4. Logistic Regression Results Predicting Odds of CARP Engagement
(GOB Cases Entering Custody January 1, 2023 to December 31, 2024; n=50,464)

	Comparison Group	Odds of Engagement	Odds Ratio	p-value	95% Confidence Interval
Drug Charge	NIBRS Group B	31% higher	1.31	0.00	(1.18, 1.47)
Theft Charge	NIBRS Group B	24% higher	1.24	0.00	(1.15, 1.33)
Burglary	NIBRS Group B	21% higher	1.21	0.00	(1.12, 1.32)
Female	Male	14% higher	1.14	0.00	(1.09, 1.19)
Assault Charge	NIBRS Group B	11% higher	1.11	0.01	(1.03, 1.19)
African American	White	7% higher	1.07	0.02	(1.01, 1.12)
Bond Failures (3 yrs.)	No Bond Failure (3 yrs.)	--	1.03	NS	(0.95, 1.13)
Appointed Attorney	No Appointed Atty.	--	1.02	NS	(0.98, 1.06)

²³ See footnote 20.

Other Grp. A NIBRS	NIBRS Group	--	0.99	NS	(0.92, 1.07)
Weapon Charge	NIBRS Group	--	0.98	NS	(0.91, 1.06)
Impaired Driving	NIBRS Group	--	0.96	NS	(0.91, 1.01)
Other Non-White	White	--	0.96	NS	(0.87, 1.05)
Any Charges (3 yrs.)	No Charges (3 yrs.)	--	0.96	NS	(0.90, 1.02)
Over Age 30	≤ Age 30	8% lower	0.92	0.00	(0.88, 0.96)
Hispanic	Non-Hispanic	14% lower	0.86	0.00	(0.82, 0.91)
Mentally Ill	No Impairment	22% lower	0.78	0.00	(0.73, 0.83)
Homeless	No Impairment	33% lower	0.67	0.00	(0.52, 0.87)
Both HM and MI	No Impairment	38% lower	0.62	0.00	(0.54, 0.70)

6. Odds of missing arraignment are 31% lower for GOB releasees engaged in CARP. On the other hand, engaged defendants selected for targeted referrals have 15% higher odds of nonappearance reflecting the greater structural challenges they face in life.

The CARP program plays a positive role in improving court attendance among GOB releasees. Findings presented in Table 4.5²⁴ show that early engagement, informative resources, and reinforced accountability through phone reminders reduce the odds of nonappearance at arraignment by 31% for CARP participants compared to statistically similar peers who did not receive program support (OR=0.69). This is important because improving court attendance directly impacts case resolution, judicial efficiency, and defendant outcomes.

However, among the subset of engaged defendants with additional service referrals, a counterintuitive trend emerges. People referred to external community programs have 15% higher odds of missing their arraignment (OR=1.15) compared to those who interacted with CARP staff without a referral. This implies that individuals demonstrating need for additional supports may face more intractable challenges that require deeper intervention to improve court attendance.

Table 4.5. Logistic Regression Results Predicting Effect of CARP Engagement on Arraignment Nonappearance
(GOB Cases Entering Custody January 1, 2023 to December 31, 2024; n=50,464)

	Comparison Group	Odds of Nonappearance	Odds Ratio	p-value	95% Confidence Interval
Engaged by CARP	Not Engaged	31% lower	0.69	0.00	(0.65, 0.73)
Engaged & Referred	Engaged & Not Referred	15% higher	1.15	0.00	(1.06, 1.25)

²⁴ See Appendix F for the full regression model predicting effect of CARP engagement on nonappearance (Table 4.4).

7. Releasees with more referrals, or with referrals responding to transportation or basic needs, are most likely to miss arraignment.

To further document the relationship between service needs and nonappearance, two new regression models were constructed focusing only on GOB releasees who were engaged by CARP and excluding those with no program contact.

The first model (Table 4.6)²⁵ testing the impact of referral counts on nonappearance finds a clear linear trend: as the number of service recommendations increases, so do the odds of missing arraignment. Compared to people with no referrals, one referral increases the odds of nonappearance by 54% (OR=1.54). Two referrals raises the odds to 65% (OR=1.65). Releasees with three or four referrals are 95% more likely to miss court (OR=1.95); and those with five or more referrals are 147% more likely to be absent (OR=2.47).

Table 4.6. Logistic Regression Results Predicting Effect of the Number of Service Referrals on Arraignment Nonappearance
(Engaged GOB Cases Entering Custody January 1, 2023 to December 31, 2024; n=14,470)

	Comparison Group	Odds of Nonappearance	Odds Ratio	p-value	95% Confidence Interval
1 Referral	No Referrals	54% higher	1.54	0.00	(1.36, 1.76)
2 Referrals	No Referrals	65% higher	1.65	0.00	(1.39, 1.96)
3-4 Referrals	No Referrals	95% higher	1.95	0.00	(1.65, 2.30)
5+ Referrals	No Referrals	147% higher	2.47	0.00	(1.98, 3.10)

The second model (Table 4.7)²⁶ shows that referral types also matter. People who need assistance with either transportation or basic clothing and housing needs are most likely to have difficulties appearing in court:

- Odds of nonappearance were highest for releasees requiring bus passes due to a lack of basic transportation (OR=1.85, or 85% higher odds). Notably, because transportation is already recognized as a key barrier to court attendance, the CARP team is actively working to expand available options. Over the next year, they plan to implement a more flexible and comprehensive transportation strategy to improve court accessibility.
- Individuals with a need for suitable clothing (OR=1.43) had 43% higher odds of missing arraignment, while those in need of shelter housing faced a 35% higher likelihood of nonappearance (OR=1.35).

²⁵ See Appendix F for the full regression model predicting effect of referral count on nonappearance (Table 4.6).

²⁶ See Appendix F for the full regression model predicting effect of referral type on nonappearance (Table 4.7).

- Other forms of individualized assistance did not have a statistically significant impact – either positive or negative – on court appearance rates.

These findings highlight how the same hardships that create a need for community assistance also make it more difficult for defendants to attend court. In this way, the CARP referral process successfully identifies the small, high-risk group that disproportionately contributes to missed court appearances. This interplay between socioeconomic hardship and court appearance raises an important question: Could investment in enhanced support services for this most vulnerable population be a strategic way to meaningfully improve court attendance rates and generate overall savings for both defendants and Harris County? The CARP referral process could provide a targeted approach to addressing root causes of nonappearance rather than just reacting to missed court dates.

Table 4.7. Logistic Regression Results Predicting Effect of the Type of Service Referrals on Arraignment Nonappearance
(Engaged GOB Cases Entering Custody January 1, 2023 to December 31, 2024; n=14,470)

	Comparison Group	Odds of Nonappearance	Odds Ratio	p-value	95% Confidence Interval
Bus Passes	No referrals	85% higher	1.85	0.00	(1.63, 2.09)
Clothing	No referrals	43% higher	1.43	0.01	(1.12, 1.83)
Housing – Shelter	No referrals	35% higher	1.35	0.01	(1.08, 1.69)
SNAP	No referrals	--	1.10	NS	(0.94, 1.30)
The Harris Center MH/SA Treatment	No referrals	--	1.05	NS	(0.67, 1.66)
Employment Assistance	No referrals	--	0.91	NS	(0.76, 1.09)
Housing – Voucher	No referrals	--	1.06	NS	(0.86, 1.31)
Individual Therapy	No referrals	--	1.12	NS	(0.83, 1.52)
Medicare/Medicaid	No referrals	--	0.83	NS	(0.63, 1.09)
The Harris Center Respite/Rehab/Re-Entry	No referrals	--	1.02	NS	(0.84, 1.24)
Social Security Insurance	No referrals	--	0.67	NS	(0.33, 1.38)
Group Therapy	No referrals	--	1.45	NS	(0.29, 7.21)

Conclusions. The evidence demonstrates a clear positive impact for the CARP program, reducing nonappearance odds by 31% for those they engage. The smaller share of defendants identified as needing additional referrals face greater barriers, with their odds of missing arraignment increasing by 15% relative to CARP participants without referrals. The number and type of referrals – particularly those addressing essential needs like transportation, clothing, and housing – also correlate with higher nonappearance rates, underscoring the significant structural challenges these individuals face. This has important policy and programmatic implications, suggesting that nonappearance is driven more by structural disadvantages than by deliberate

avoidance, and emphasizing the need for targeted interventions to support the most vulnerable defendants.

B. Project Management

PPRI is also charged with maintaining information necessary to manage the monitorship and assure careful tracking of Consent Decree implementation. The project management function is at the operational center of the monitorship, receiving real-time progress updates from the Parties, integrating their work into a comprehensive plan, and communicating status information back to all sectors involved. A status summary of Consent Decree requirements due in this reporting period is presented in Appendix G.

APPENDIX

A. The Monitorship Structure

1. Monitorship Goals

As described in our first report, the O'Donnell lawsuit laid bare in stark terms the failings of a money bail system in terms of racial, ethnic and socioeconomic fairness, wise use of taxpayer dollars, prevention of the needless suffering of vulnerable people, and the promotion of public safety. After three years of litigation, the parties reached a settlement consisting in this landmark Consent Decree, approved on November 21, 2019.²⁷ The O'Donnell Consent Decree represents the first federal court-supervised remedy governing bail. The Consent Decree sets forth a blueprint for creating a constitutional and transparent pretrial system to protect the due process and equal protection rights of people arrested for misdemeanor offenses.²⁸

First, under the Consent Decree, people arrested for low-level misdemeanors are promptly released. The Consent Decree incorporates the new Harris County Criminal Courts at Law (CCCL) Rule 9, which sets out bail policies.²⁹ Persons arrested for misdemeanors that do not fall within a set list of carve-out offenses must be promptly released under General Order Bonds. Allowing this group to be quickly released without paying allows them to return to their jobs, take care of their children, and avoid the trauma and danger of incarceration.

Second, the Consent Decree has brought about more rigorous bail hearings with greater attention paid to the issues that matter—whether a person should be released and on what least-restrictive conditions—though much work remains to ensure that the hearings and the recorded findings comply with Rule 9 and the Consent Decree. Persons arrested for misdemeanors that fall within the list of carve-out offenses must receive a magistration hearing, complying with Rule 9, at which there must be clear and convincing evidence supporting the pretrial conditions set and any decision to detain a person. All misdemeanor arrestees have access to a public defender to represent them at that hearing. Counsel has access to the client and information needed to prepare for the hearing. New trainings on the Consent Decree policies are being conducted. Completed work to study indigent defense in misdemeanor cases will inform plans and standards for misdemeanor representation, including to ensure that defense lawyers have access to social workers, investigators, and other support staff necessary to provide effective representation to people arrested for misdemeanor offenses.

Third, following this pretrial stage, misdemeanor arrestees now benefit from a defined set of court appearance rules that, with limited exceptions, is uniform among the 16 misdemeanor

²⁷ Consent Decree, O'Donnell et al v. Harris Cty., No. 16-cv-01414 (S.D. Tex. Nov. 21, 2019), ECF 708 [hereinafter, Consent Decree].

²⁸ *Id.* at ¶12 (noting “[T]he terms of this Consent Decree are intended to implement and enforce fair and transparent policies and practices that will result in meaningful, lasting reform...”).

²⁹ Rules of Court, Harris County Criminal Courts at Law, Rule 9 (as amended through April 22, 2020), at <http://www.ccl.hctx.net/attorneys/rules/Rules.pdf>; Consent Decree ¶ 30.

courts. The Consent Decree sets out a new process for waiving or rescheduling appearances. People can change some court dates so they can make it to court without undue hardship due to illness, lack of childcare and other issues. Further, a new court notification system is to be built by Harris County. New work will study the causes of non-appearance and improve the ability to address those causes.

Fourth, the Consent Decree provides that robust data will be made available, including regarding misdemeanor pretrial release and detention decisions and demographic and socioeconomic information regarding each misdemeanor arrestee, as well as prior data dating back to 2009.³⁰ The Consent Decree provides for public meetings and input, Harris County reports to be published every sixty days, and for Harris County to make information available online regarding the implementation of the Decree.³¹

Finally, the Consent Decree calls for a Monitor, with a set of responsibilities to evaluate compliance with the Decree and to approve a range of decisions to be made as the Decree is implemented. After applying to serve as Monitor, and proposing to conduct the work described below, we started our work upon our appointment on March 3, 2020. As we will describe below, remarkable changes have occurred in the Harris County misdemeanor system since the adoption of Rule 9 and then the Consent Decree. Key elements of the Consent Decree have now been implemented. Important work also remains, and all involved look forward to the work to come, as we build a model misdemeanor pretrial system in Harris County.

The principal task of this Monitorship, as set out in the Consent Decree, is to report to the Court as we oversee and support Harris County officials implementing a new pretrial justice system. This system is intended to restore the public’s trust, safeguard constitutional rights, and accomplish the aims of bail: to maximize pretrial release while keeping the community safe and promoting the integrity of the judicial proceedings by preventing persons from fleeing justice. Thus, as the Consent Decree summarizes in its Introduction, this Decree: “is intended to create and enforce constitutional and transparent pretrial practices and systems that protect due process rights and equal protection rights of misdemeanor arrestees.”³² From the Consent Decree, we distilled nine guiding principles:

- (1) **Transparency** – A transparent system keeps the public informed about how and why the system operates as it does—what rules and procedures apply and how effectively the system is meeting its goals.
- (2) **Accountability** – We view accountability as part of an ongoing process of systemic evaluation and improvement with community participation.
- (3) **Permanency** – We must not only evaluate progress, but also ensure that the administrative measures, policies, and processes can work well long-term.

³⁰ Consent Decree, *supra*, at ¶83-85.

³¹ *Id.* at ¶87-88.

³² Consent Decree, *supra*, at ¶1.

- (4) **Protecting constitutional rights** – We must protect civil and human rights, including the constitutional rights of arrestees.
- (5) **Racial, ethnic, and socioeconomic fairness** – We must continue to measure and remedy disparities concerning racial, ethnic, and socioeconomic unfairness in pretrial detention.
- (6) **Public safety and effective law enforcement** – We must seek to manage risk and improve public safety.
- (7) **Maximizing liberty** – We must seek to maximize pretrial liberty and to minimize criminal legal involvement of people in Harris County.
- (8) **Cost and process efficiency** – We will work to measure the wide range of costs implicated by the pretrial misdemeanor system to advise on the most cost-effective means for realizing the goals of a just system.
- (9) **Evidence-based, demonstrated effectiveness** – In our approach to all of these goals, we should establish a system that is self-monitoring and can make ongoing improvements.

Thus, this Monitorship reflects a belief that an efficient and effective system, operated on the basis of relevant information and empirical data, will promote social justice while also meeting the goals of law enforcement and public safety.

2. The Monitor Team

Our interdisciplinary team includes experts in law, social science, behavioral health, economic analysis, indigent defense, and project management. Team biographies are included in Appendix B. The team includes:

- Monitor, Professor Brandon L. Garrett (Duke University School of Law)
- Deputy Monitor, Sandra Guerra Thompson (University of Houston Law Center)
- Dottie Carmichael, David Shi, and Andrea Sesock (Public Policy Research Institute at Texas A&M University)
- Songman Kang (Sungkyunkwan University)

Our full organization chart is also included in Appendix C.

THE OFFICIAL WEBSITE OF THE
**INDEPENDENT MONITOR FOR THE
 O'DONNELL V. HARRIS COUNTY DECREE**
 REGARDING MISDEMEANOR
 BAIL PRACTICES
sites.law.duke.edu/odonnellmonitor

Brandon Garrett
Duke University School of Law

Sandra Guerra Thompson
University of Houston Law Center

Dottie Carmichael
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AT DUKE LAW

UNIVERSITY OF
HOUSTON
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ATM
LIBERAL ARTS
TEXAS A&M UNIVERSITY
PUBLIC POLICY RESEARCH INSTITUTE

3. Consent Decree Authority

This Report contains the Monitor’s review of compliance for the fourth six month time period that the Monitor has been in place. The Consent Decree provides in Paragraph 115 that such reports shall be conducted every six months for the first three years of the decree:

The Monitor will conduct reviews every six (6) months for the first three years the Monitor is in place and annually for each year thereafter that the Monitor is in place to determine whether the County, CCCL Judges, and Sheriff have substantially complied with the requirements of this Consent Decree.

Further, the Consent Decree states in Paragraph 117:

Every six (6) months for the first three years after the Monitor is appointed and annually for each year thereafter, the Monitor will file with the Court, and the County will publish, written public reports regarding the status of compliance with this Consent Decree, which will include the following information:

- a. A description of the work conducted by the Monitor during the reporting period;
- b. A description of each Consent Decree requirement assessed during the reporting period, indicating which requirements have been, as appropriate, incorporated into policy (and with respect to which pre-existing, contradictory policies have been rescinded), the subject of training, and carried out in actual practice;
- c. The methodology and specific findings for each compliance review conducted;

- d. For any requirements that were reviewed or audited and found not to have been implemented, the Monitor's recommendations regarding necessary steps to achieve compliance;
- e. A projection of the work to be completed during the upcoming reporting period;
- f. A summary of any challenges or concerns related to the County, CCCL Judges, and Sheriff achieving full and effective compliance with this Consent Decree;
- g. Whether any of the definitions in the Consent Decree need to be updated, and whether any additional terms need to be defined;
- h. For each requirement of the Consent Decree that is assessed whether the requirement is producing the desired outcomes of:
 - i. Maximizing pretrial liberty;
 - ii. Maximizing court appearance; and
 - iii. Maximizing public safety; and
- i. The feasibility of conducting an estimated accounting of the cost savings to the County through any reductions in pretrial detention, including comparing estimated costs of jailing misdemeanor arrestees prior to trial for each year the Monitor is in place relative to the costs of jailing misdemeanor arrestees prior to trial in each of 2015, 2016, and 2017 and order an accounting if feasible.

Paragraph 118 adds:

The Monitor will provide a copy of the reports to the Parties in draft form not more than 30 days after the end of each reporting period. The Parties will have 30 days to comment and provide such comments to the Monitor and all other Parties. The Monitor will have 14 days to consider the Parties' comments and make appropriate changes, if any, before filing the report with the Court.

Our Monitor Work Plans are divided into three Deliverables and we describe each of the subjects detailed in Paragraph 117. As in our first two reports, we have divided this report into three parts, reflecting the main components of our work and addressing each subject set out in the Consent Decree: Policy Assessment and Reporting; Cost Study and Project Management; and Community Outreach, Participation, and Working Group.

B. Community Work Group

The Monitor Team relies on the guidance of a Community Work Group (CWG), a dedicated group of community leaders who represent a diverse set of perspectives and specializations. The CWG meets on a quarterly basis with the Monitor Team, as well as with various county officials responsible for the implementation of the Consent Decree.



Hiram A. Contreras served for 36 years with the Houston Police Department. He retired as Assistant Chief of Police in March 1998. While ascending the police ranks, Mr. Contreras' assignments included the Auto Theft, Juvenile, Recruiting, Planning and Research, Northeast Patrol and Major Offenders. He was promoted to the rank of Assistant Chief July 1991. In the same year as a result of a court ruling, he became the only Latinx person to attain the rank of Deputy Chief. This was retroactive as of March 1986. As Assistant Chief he directed the Professional Development Command. At retirement he was directing the Special Investigation Command. In his career with HPD, Mr. Contreras established the first HPD storefront in the city and initiated the Culture Awareness Program. In collaboration with the U.S. Marshal's Service, he initiated the Gulf Coast Violent Offenders Task Force. As commander of the Special Investigations Command, he coordinated HPD's participation with the Department of Justice High-Intensity Drug Trafficking Area Program. Also, he coordinated the International Symposium on the Police Administration and Problems in Metropolitan Cities with the Istanbul Police Department in Istanbul, Turkey. As Assistant Chief, Mr. Contreras, at the request of the Police Executive Research Forum, participated in police promotional assessment centers in Chicago, Denver, and San Francisco. Nominated by President William J. Clinton, Mr. Contreras became U.S. Marshal for the Southern District of Texas in 1998 and served until 2002. His consulting business, Art Contreras & Associates – LLC, specializes in human resource and marketing principles.



Katharina Dechert serves as the Houston Policy & Advocacy Manager for the Tahirih Justice Center, leading the development and advancement of Tahirih's local and state-wide advocacy projects and campaigns to transform the policies and practices that impact immigrant survivors of gender-based violence. Katharina joined Tahirih in 2016 as a legal advocate, supporting survivors in their immigration journey and later working as a Department of Justice Fully Accredited Representative, qualified to represent immigrant survivors before both U.S. Citizenship and Immigration Services and the Executive Office for Immigration Review, which includes the immigration courts and the Board of Immigration Appeals. She has experience working with human rights defenders in Guatemala, as well as previous internships working to advance asylum policy in Ecuador and increase access to justice for survivors of human rights violations at the International Criminal Court - Secretariat of the Trust Fund for Victims. She is a graduate of Wellesley College and prior to joining Tahirih, obtained her Master of International Studies in Peace and Conflict Resolution as a Rotary Peace Fellow at the University of Queensland in Brisbane, Australia.



J. Allen Douglas is the executive director of the Downtown Redevelopment Authority (DRA). In addition, he performs the duties of general counsel for the organization and its related entities Central Houston and the Downtown District. Prior to joining the DRA, Allen practiced law for more than 20 years, beginning his career as a law clerk at Ahmad, Zavitsanos, Anaipakos, Alavi & Mensing P.C. in Houston. He worked for the United States Court of Appeals, Sixth Circuit and the United States District Court, Northern District of Ohio in Cleveland, Ohio. Most recently he was an associate attorney at Littler Mendelson, P.C. and assistant county attorney with the Harris County Attorney's office where he focused on appellate labor, employment, and civil rights cases. Allen has also served as vice-chair of the Midtown Management District's board of directors since June 2015, as well as chair of the organization's Urban Planning Committee.



Tara Grigg Green (formerly Garlinghouse) is the Co-Founder and Executive Director of Foster Care Advocacy Center. Prior to founding Foster Care Advocacy Center, Tara was a Staff Attorney and Skadden Fellow in the Houston office of Disability Rights Texas. There, she helped develop the Foster Care Team to provide direct representation to foster children with disabilities in state child welfare cases, special education litigation and Medicaid appeals. She authored an Amicus Brief in *M.D. v. Abbott*—class action litigation seeking to reform the Texas foster care system—cited by the Fifth Circuit in affirming the State's liability. She has consulted on child welfare policy issues for organizations such as Casey Family Programs, the ABA Center on Children and the Law, the Texas Children's Commission, and the United States Children's Bureau. Tara has published law review articles and research papers on the constitutional rights of children and families and quality legal representation in child welfare proceedings. Her passion for this field comes from her family's experience as a foster family caring for over one hundred foster children. She has received many awards and was recently named the National Association of Counsel for Children's Outstanding Young Lawyer. Tara clerked for the Hon. Micaela Alvarez of the U.S. Southern District of Texas in McAllen. She holds a J.D. from the University of Pennsylvania Law School where she was a Toll Public Interest Scholar, a M.P.P. from the Harvard Kennedy School of Government where she was a Taubman Fellow, and a B.A. from Rice University.



Oudrey Hervey is a retired Navy Commander with 29 years of progressive experience in leadership, Strategic HR, and Executive-level management. He has managed or provided expert advice in Global HR, Executive Coaching, Learning & Development, Diversity, Equity & Inclusion, Policy Design, Emergency Preparedness, Interagency Coordination, Project Management, Federal Grants Mgt., and stakeholder engagement. He has trained over 5,000 people in a multinational environment regarding various topics of individual and institutional excellence. He holds an M.A. degree in National Security and a M.S. degree in Public Service, which together provide him with the ability to work effectively and professionally across the public, private, and federal landscape.

Additionally, he held leadership positions in public, nonprofit, and private organizations where he produced outcomes that increased revenue, alleviated poverty, and built institutional capacity. Oudrey is a certified Global Professional in Human Resources, a Society of Human Resource Management Senior Certified Professional, and a trained Evidence-Based Coach. He is a thought leader and change agent, with a passion for veteran inclusion, affordable housing, and strategic problem solving through a systems-thinking lens. He is a member of the Houston Housing Collaborative and former Vice Chair of the Harris County Housing Policy Advisory Committee.

Oudrey is a Human Development PhD student, beach cruiser enthusiast, recreational boater, and USCG licensed Master of 100-ton vessels.



Frances E. Isbell is the former Chief Executive Officer of Healthcare for the Homeless – Houston (HHH), a Federally Qualified Health Center providing care for 8,500 people annually. As the inaugural CEO of Healthcare for the Homeless – Houston, Ms. Isbell was instrumental in bringing together a large number of community-based agencies, healthcare clinicians, educational institutions, and public organizations to forge a common strategic plan to effectively address the health needs of people experiencing homelessness. The primary aim of this consortium is to increase access to quality healthcare while concurrently reducing costly and ineffective service duplication. Ms. Isbell has received

numerous local and national awards and recognitions for her work, and two of HHH’s programs have been cited as a national best practice. Previous to this position, Ms. Isbell had a private practice in therapeutic counseling and taught Sociology at Houston Community College, North Harris College, and Sam Houston State University. She also has worked as a consultant in organizational development and has worked in clinical administration within large hospital systems. Ms. Isbell holds undergraduate and graduate degrees in Social Rehabilitation/Pre-Law and Behavioral Sciences, respectively.



Jay Jenkins is the Harris County Project Attorney at the Texas Criminal Justice Coalition. Since joining TCJC in 2014, he has promoted broad youth and adult justice reforms in Houston and the surrounding areas. Jay received his J.D. from Northwestern University School of Law, graduating *magna cum laude* in 2009. While at Northwestern, he worked at the Bluhm Legal Clinic’s Children and Family Justice Center, focusing on a number of youth justice issues. In his third year, Jay was

the lone law student at the newly formed Juvenile Post-Dispositional Clinic, where he promoted policy reform throughout Chicago while also advocating on behalf of juvenile clients. Jay was admitted to practice law in the State of Illinois and worked as a civil litigator in the private sector for three years. At TCJC, Jay has researched and pursued reforms related to over-policing and prosecution, while also reimagining the local bail system and supporting indigent defense, and he was instrumental in the development of a first-of-its-kind data dashboard that visualizes more than one million criminal case outcomes in Harris, Dallas, Bexar, and Travis Counties. Jay additionally serves as co-founder and President of the Convict Leasing and Labor Project, which

launched in 2018 to expose the history of the convict leasing system and its connection to modern prison slavery.



Terrance “TK” Koontz currently serves as Statewide Training Coordinator for the Texas Organizing Project. His path to service began after he was arrested in 2010. While sitting in the Harris County Jail, he witnessed the mistreatment of black and brown people and realized that the criminal justice system was essentially about class and racial oppression. Koontz walked away as a convicted felon. Since that time, he has worked without cease to reestablish his life by fighting as an activist and organizing for criminal justice reform. His passion for criminal justice reform is rooted in his experience growing up in communities that were plagued with crime, poverty, and over-policing. In 2015, after the death of Sandra Bland, Koontz became heavily involved in the criminal justice reform movement. He served on the Harris County Criminal Justice Coordinating Council and led a field team of the Texas Organizing Project that mobilized voters in Fort Bend County that helped to elect Brian Middleton, the first African American D.A. in Fort Bend County history. He also served in the office of Harris County Precinct One Commissioner Rodney Ellis as a Community Engagement Coordinator. He has become a highly influential advocate for change in Houston and surrounding areas and has committed his life to criminal justice reform, social reform, and community service. Koontz hopes to continue to play a major role in creating second-chance opportunities for ex-offenders, specifically as it relates to housing and career opportunities.



Becky Landes has been an active participant in the Houston nonprofit community since moving to the area in 1988. Since 2016, she has served in the role of Chief Executive Officer at The Beacon. The Beacon’s mission is to provide essential and next-step services to restore hope and help end homelessness in Houston. Since beginning her career, Becky has maintained a lively interest in building community capacity to deliver successful programs that address the needs of those most vulnerable community members and to support them to move forward in meeting their goals. Following college graduation, her time as a Peace Corps volunteer overseas sparked a passion to continue working in the helping professions. She has experience managing federal, state, and local collaborative projects, serving a myriad of individuals from infants to seniors. Becky holds a Master of Science in Counseling from the University of Houston, Clear Lake and a Bachelor of Arts degree from the College of William and Mary in Virginia. Becky has served on the Continuum of Care (CoC) Steering Committee for the Greater Houston homeless response system known as The Way Home and has enjoyed serving on two local nonprofit boards.



Johnny N. Mata currently serves as the Presiding Officer of the Greater Houston Coalition for Justice, a coalition of 24 diverse civil rights organizations. Through the coalition, Mr. Mata has supported changes in policing use-of-force policies and called for the creation of a citizen review board. He led the effort to reform the Texas grand jury selection process and has strived to improve relations between the police and communities of color. He has also advocated for bail bond reform, victim's rights, protecting the voices of residents affected by community development, and promoting the hiring of Latinx educators and administrators. He served two terms as Texas State Director of the League of Latin American Citizens (LULAC) and six terms as a District Director of LULAC. He worked for 32 years as a community director and human resources professional with the Gulf Coast Community Services Association. He organized the community to create the Latino Learning Center and served as a founding board member. Mr. Mata has received the NAACP President's Award, the OHTLI Award from the Republic of Mexico, the Hispanic Bar Association Lifetime Achievement Award, the Willie Velasquez-KTMD Telemundo Channel 48 Hispanic Excellence Award, Antioch Baptist Church Martin L. King Justice Award, and numerous others. The Houston Community College System awarded him an honorary Associate in Arts Degree in recognition of his achievements in promoting education in the Latinx community.



Maureen O'Connell, M.S.W., founded Angela House in 2001 to serve women coming out of incarceration. She thought it unconscionable that they had so many obstacles and so few opportunities to build a stable life and escape the cycle of recidivism. Sister Maureen created a successful program that has empowered hundreds of women using a standard of care other programs could emulate. Her wide range of experiences prepared her to create this successful ministry: 13 years as a Chicago police officer and police chaplain; 16 years as Clinical Services Coordinator at The Children's Assessment Center in Houston and Victim's Assistance Coordinator for the Archdiocese of Galveston-Houston; and more than 40 years as a Dominican Sister, a religious order known for its commitment to social justice. She developed a program of interventions focused on trauma-informed counseling, addiction recovery, employment readiness and personal and spiritual growth. Sister Maureen served as Executive Director of Angela House for 17 years, retiring in 2018 and joining the Board of Directors in 2019.



Timothy N. Oettmeier most recently served as Executive Assistant Chief of Police before retiring after 42 years of public service as a police officer. As Executive Assistant Chief of Police, he was assigned to the Investigative Operations Command supervising the Special Investigations Command consisting of Auto Theft, Gang, Major Offenders, Narcotics, Vehicular Crimes, and Vice Divisions; the Criminal Investigations Command consisting of the Burglary and Theft, Homicide, Investigative First Responder, Juvenile, Robbery, and Special Victims Divisions; and the Technology Services Command. He was a principal architect for implementing community policing

throughout the agency. He received his Ph.D. in Police Administration from Sam Houston State University in 1982. He helped oversee national police research initiatives by the National Institute of Justice on fear reduction, organizational change, cultural diversity, measuring what matters, and training. He authored department reports, and articles for textbooks and journals on police management issues. Early in his career, the 100 Club of Houston recognized him as an Officer of the Year. Tim was the recipient of the prestigious Police Executive Research Forum's national Gary P. Hayes Award for outstanding initiative and commitment to improving police services. He received Lifetime Achievement Awards from the Houston Police Department, the State of Texas, and from the 100 Club of Houston.

C. Monitor Team Bios

University of Houston Law Center

Sandra Guerra Thompson is the Newell H. Blakely Chair at the University of Houston Law Center. She chaired committees for the transition teams of Houston Mayor Sylvester Turner in 2016 and Harris County District Attorney Kim Ogg in 2017. In 2012, Houston Mayor Annise Parker appointed her as a founding member of the Board of Directors of the Houston Forensic Science Center, Houston's independent forensic laboratory which replaced the former Houston Police Department Crime Laboratory. In 2015, she became the Vice Chair for this Board and served until 2019. In 2009, she was appointed by Governor Perry as the representative of the Texas public law schools on the Timothy Cole Advisory Panel on Wrongful Convictions. Her scholarly articles address issues such as pretrial hearings and prosecutorial ethics, the causes of wrongful convictions, forensic science, sentencing, jury discrimination, and police interrogations. Thompson is an elected member of the American Law Institute and was appointed to the Board of Advisors for the Institute's sentencing reform project. Since 2019, she is an elected member of the Council of the International Association of Evidence Science.

Duke University

Brandon L. Garrett is the L. Neil Williams Professor of Law at Duke University School of Law, where he has taught since 2018. He was previously the Justice Thurgood Marshall Distinguished Professor of Law and White Burkett Miller Professor of Law and Public Affairs at the University of Virginia School of Law, where he taught since 2005. Garrett has researched use of risk assessments by decisionmakers as well as large criminal justice datasets, examining how race, geography and other factors affect outcomes. Garrett will contribute to research design, data analysis plans, and analysis of legal and policy implications of findings, as well as engagement with policymakers. Garrett's research and teaching interests include criminal procedure, wrongful convictions, habeas corpus, scientific evidence, and constitutional law. Garrett's work, including several books, has been widely cited by courts, including the U.S. Supreme Court, lower federal courts, state supreme courts, and courts in other countries. Garrett also frequently speaks about criminal justice matters before legislative and policymaking bodies, groups of practicing lawyers, law enforcement, and to local and national media. Garrett has participated for several years as a researcher in the Center for Statistics and Applications in

Forensic Science (CSAFE), as well as a principal investigator in an interdisciplinary project examining eyewitness memory and identification procedures. Garrett founded and directs the Wilson Center for Science and Justice at Duke.

Texas A&M University

Dottie Carmichael Ph.D. is a Research Scientist at the Public Policy Research Institute at Texas A&M University. Since the passage of the Fair Defense Act in 2001, Dr. Carmichael has collaborated in a program of research sponsored by the Texas Indigent Defense Commission to advance high-quality, evidence-based practice. Her research aims to help jurisdictions balance costs and quality in indigent defense delivery systems. Moreover, she is knowledgeable and experienced in the operation of local governments. Beyond a number of statewide projects, Dr. Carmichael has conducted qualitative and quantitative research in more than thirty jurisdictions including all of the state's major urban areas.

Her work has informed criminal justice and court policy in at least the past six bi-annual state legislatures. Most recently, her investigation of costs and case outcomes in jurisdictions using financial- vs. risk-based pretrial release was a significant resource in efforts to pass bail reform legislation in 2017 and 2019. In addition to leading the state's first defender caseload studies for adult, juvenile, and appellate cases, Dr. Carmichael has evaluated cost- and quality impacts of public defenders, interdisciplinary holistic defenders, the state's regional capital defender office, Innocence Projects operated in publicly-funded law schools, and the school-to-prison pipeline.

Dr. Carmichael's research was cited in Supreme Court Justice David Suter's majority opinion in the landmark 2008 *Rothgery v. Gillespie County* decision. She also led the PPRI research team for the 2010 *Breaking Schools' Rules* report which was subsequently cited by President Obama announcing his "My Brothers Keeper" initiative, and by US Dept. of Education Secretary Arne Duncan and Attorney General Eric Holder announcing new programs and data requirements relating to school discipline.

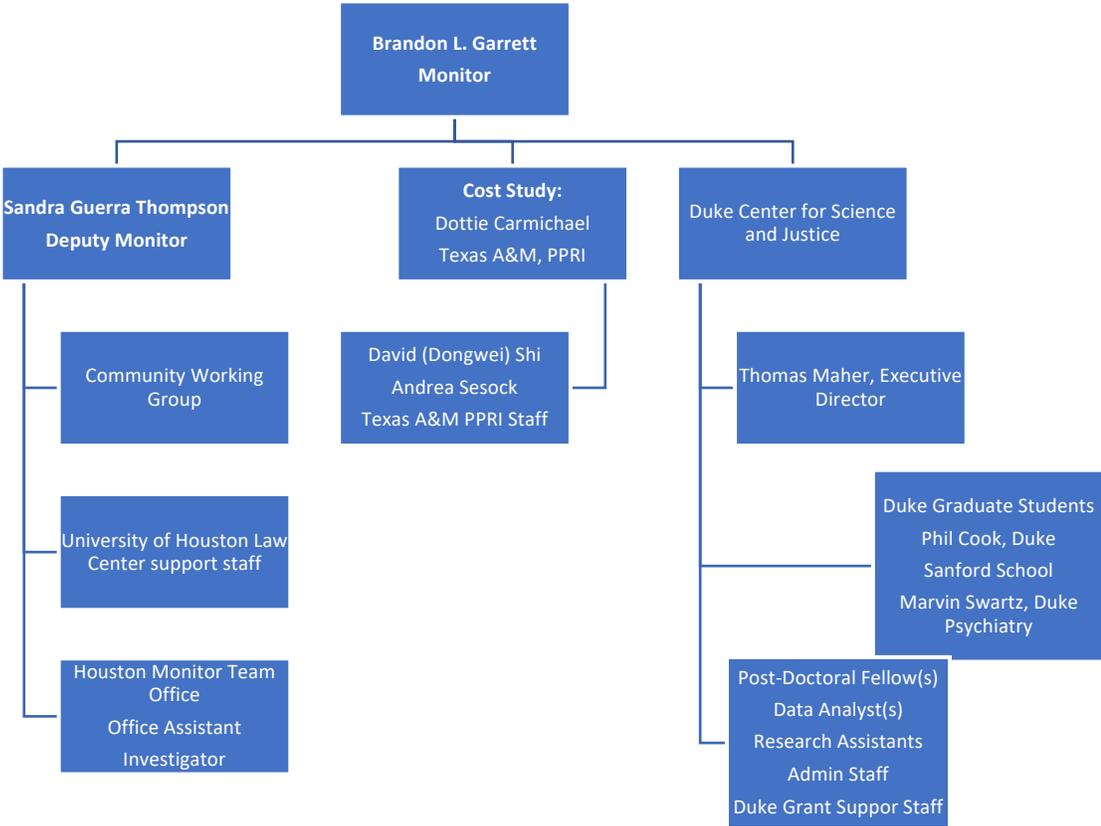
David (Dongwei) Shi, ABD, MS, is a Senior Research Associate at the Public Policy Research Institute at Texas A&M University. Mr. Shi is currently completing a PhD in public policy and administration at the Martin School of Public Policy and Administration at the University of Kentucky, and has earned a M.S. in economics at the University of Wisconsin-Madison in 2018. He is trained in the latest experimental and quasi-experimental research methodologies, and has extensive experience with programming, statistical analysis, data management and analysis of large and complex data sets across different areas including criminal justice.

Sungkyunkwan University

Songman Kang is an associate professor of economics at Sungkyunkwan University in Seoul, South Korea. He earned his B.A. in Economics from the University of Pennsylvania in 2005, and his Ph.D. in Economics from Duke University in 2012. After completing his Ph.D., he worked as a postdoctoral research associate at the Sanford School of Public Policy at Duke University. Kang is an applied microeconomist with extensive research experience in economic

inequality, education, and criminal justice policy. He has published several research papers in prestigious academic journals, including *American Economic Journal: Applied Economics*, *Journal of Econometrics*, *Journal of Population Economics*, and *Journal of Quantitative Criminology*. Kang’s recent research, published in *Journal of Law, Economics, and Organization*, investigated the causal effect on local crime of the Secure Communities program, an interior immigration enforcement policy first adopted in Harris County in 2008 and eventually implemented nationwide in 2013. Kang has also received several honors and grants, including Wigong Award from the Korean Law and Economics Association in 2021, and was selected as the Junior Fellow of NBER Economics of Crime Working Group in 2012-2013.

D. Organizational Chart



E. Year 6 Statement of Work

Monitoring Pretrial Reform in Harris County

Monitoring Plan: Year 6

March, 2025

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Introduction

On March 3, 2020, Professor Brandon L. Garrett at Duke University School of Law, as Monitor, and Professor and Sandra Guerra Thompson, University of Houston Law Center, as Deputy Monitor, with the support team members at the Public Policy Research Institute at Texas A&M University, as well as the Center for Science and Justice (CSJ) at Duke University, were appointed to serve as the Monitor Team for the *ODonnell* Consent Decree.

In January 2019, after an initial preliminary injunction order, which took effect June 6, 2017, and following an appeal, Harris County, the misdemeanor judges, and the sheriff promulgated new bail rules, requiring the prompt post-arrest release on unsecured bonds of the vast majority of people arrested for misdemeanor offenses. Pursuant to the rules, everyone else is afforded a bail hearing with counsel, and most are then also ordered released. These rules provided the foundation for the global Consent Decree, which the parties agreed to in July 2019 and which Chief Judge Rosenthal approved on November 21, 2019. The resulting Consent Decree builds upon the county's new pretrial justice system, so as to bring about lasting change in Harris County. The Decree sets forth a blueprint for creating a constitutional and transparent pretrial system to protect the due process and equal protection rights of misdemeanor arrestees. Under the terms of the Consent Decree, the Monitor will serve a key role in bringing each of the component parts together to ensure a holistic and collaborative approach towards pretrial reform. This new system has the potential to become a model for jurisdictions around the country.

The submission to Court has included a Proposal and Budget for each year of work since May 1, 2020. These annual documents have described team members, timelines, an organization chart, and a budget for all participants. The current Work Plan submitted herein describes the sixth year of our work, set out in quarterly deliverables, with a budget of approximately \$606,412. As with our prior work plans, this Year 6 Statement of Work is divided into three Deliverables: (1) Policy Assessment and Reporting; (2) Cost Study and Project Management; (3) Community Outreach, Participation, and Working Group.

Task I: Policy Assessment and Reporting

This Deliverable describes the tasks associated with reviewing and providing input, and then reporting to the parties and the Court, regarding policies associated with the adoption of Rule 9 and the *ODonnell* Consent Decree. A central goal of the Monitorship will be to ensure that constitutional rights are safeguarded permanently, through the new systems put into place. In Year 6, the Monitor will be producing reports, including: a year-end Monitor Report. The Monitor will be analyzing data from the county and reporting on these data in that report and to the parties. The Monitor will be providing feedback on a series of tasks that the parties must accomplish, as per deadlines set out in the Consent Decree.

Task I:1. Provide Feedback on County Plans and Assessments

Continue to conduct regular meetings/calls with the parties to discuss progress under Consent Decree.

Analyze data, including jail data, court data, hearing videos, and judicial opinions.

Review plans to develop systems and structures to deliver effective indigent defense services (e.g., investigation, mitigation).

Review results of research by outside vendors. Monitor will also prepare its own findings, including for potential academic publication.

Consult with Harris County concerning data variables collected by the County, help ensure the County data concerning misdemeanor pretrial conditions are public; raw data is available for download; and review any reports generated by the County.

Task I:2. Provide Feedback on County Plans and Assessments

Continue to conduct regular meetings/calls with the parties to discuss progress under Consent Decree.

Analyze data, including jail data, court data, hearing videos, and judicial opinions.

Review plans to develop systems and structures to deliver effective indigent defense services (e.g., investigation, mitigation).

Review results of research by outside vendors. Monitor will also prepare its own findings, including for potential academic publication.

Consult with Harris County concerning data variables collected by the County, help ensure the County data concerning misdemeanor pretrial conditions are public; raw data is available for download; and review any reports generated by the County.

Task I:3. Provide Feedback on County Plans and Assessments

Continue to conduct regular meetings/calls with the parties to discuss progress under Consent Decree.

Analyze data, including jail data, court data, hearing videos, and judicial opinions.

Review plans to develop systems and structures to deliver effective indigent defense services (e.g., investigation, mitigation).

Review results of research by outside vendors. Monitor will also prepare its own findings, including for potential academic publication.

Consult with Harris County concerning data variables collected by the County, helps ensure the County data concerning misdemeanor pretrial conditions are public; raw data is available for download; and review any reports generated by the County.

Task I:4. Complete Year-end Report

Continue to conduct regular meetings/calls with the parties to discuss progress under Consent Decree.

Analyze data, including jail data, court data, hearing videos, and judicial opinions.

Review plans to develop systems and structures to deliver effective indigent defense services (e.g., investigation, mitigation).

Review results of research by outside vendors. Monitor will also prepare its own findings, including for potential academic publication.

Consult with Harris County concerning data variables collected by the County, helps ensure the County data concerning misdemeanor pretrial conditions are public; raw data is available for download; and review any reports generated by the County.

Incorporate work into year-end Monitor Report.

Project Timeline and Staffing.

This work will be conducted between March 3, 2025 and March 2, 2026.

Monitor Team Personnel:

- **Prof. Brandon Garrett** (Duke Law School)
- **Prof. Songman Kang.**
- **Research assistants** (Duke Law School and University of Houston Law Center)

Travel:

- Travel: travel to Houston Team Members.

Task II: Cost Study and Project Management

The cost impacts of bail reform in Harris County are being evaluated by the [Public Policy Research Institute](#) (PPRI), a leading interdisciplinary government and social policy research organization at Texas A&M University. There are a range of costs in the pretrial context – not only costs to the system relating to detention, court appearances, prosecution, indigent defense, pretrial services, monitoring, and re-arrest/recidivism, but also costs to the defendant, families, and the community due to loss of freedom, loss of housing, loss of earnings, loss of benefits of spousal/partner assistance, and harm to physical and behavioral health due to pretrial detention. The PPRI team will assist the Monitor to understand relevant costs, assess change over time, and help identify cost-effective methods of realizing priorities under the Decree. PPRI will also lead the project management efforts of the team. Tasks and deliverables are described below.

Task II:1. Acquire and Validate Cost Data

PPRI will continue to work with OJS and Monitor team colleagues to acquire, merge, and prepare datasets needed for analysis and statistical modeling. Data development and validation is a constant demand requiring ongoing close monitoring to ensure data quality. Examples of complex quantitative acquisition and validation efforts have included mental health and homelessness data, geo-location data, booking data, pretrial supervision data, carveout case designation, and court date notification data. In addition, considerable time and attention is invested in qualitative data collection to understand the meaning of variables and the underlying processes for accurate interpretation of statistical results. During the 2025-26 contract year PPRI will continue to collaborate to pursue these objectives. Resulting data products will be used to produce more robust quantitative and qualitative estimates of system, defendant, and victim costs and to demonstrate how these costs have changed in amount and composition since the implementation of the Consent Decree.

Task II:2. Conduct Cost Data Analysis

Cost-related findings based on both existing and newly available data elements will be studied over the course of the year in order to strengthen and calibrate the bail reform process. Analyses determined by the Monitors with input from the Parties and other stakeholders will assess general misdemeanor case processing costs as well as specific cost impacts of changes under the Consent Decree. Results will quantify the relative contributions of independent cost centers and the impact of programs or practices within and between departments. Reports will summarize major findings, offer recommendations, and propose future directions for continued investigation in support of Consent Decree objectives. Findings will be shared at stakeholder meetings, in written reports, and in academic publications.

Task II:3. Project Management

In their project management role PPRI will facilitate information-sharing and coordination of activities among members of the monitor team and other stakeholder implementing the Consent Decree. We will assist the Monitor with managing a rolling an agenda of topics for meetings of the Parties, maintain progress notes recording accomplishments and obstacles toward implementing

Consent Decree requirements, collaborate with Harris County staff to document attainment of tasks and timelines, memorialize key work products, and regularly report progress to the Parties, the Federal Court, and the public through status reports on Consent Decree milestones. Costs for this continuous support function will be apportioned evenly across billing for other deliverables over the course of the year.

Task II:4. Produce Ninth Cost Analysis Report

For the Ninth Monitor Report to be submitted March 3, 2026, PPRI will further expand and integrate analysis centering on cost aspects of the Consent Decree. Working with the Monitors, we will identify a menu of informative and useful potential targets for cost-related research based on developments in meetings/calls with key stakeholders, formal plans for system changes generated from within the county and by outside researchers, results of data analyses conducted by the Monitoring team, the academic research literature, and other sources as appropriate.

Project Timeline and Staffing

This work will be conducted between March 3, 2025 and March 2, 2026.

- **Texas A&M, [Public Policy Research Institute](#) (PPRI)** will conduct a multi-year evaluation
- **Dottie Carmichael** (Director and Research Scientist, Texas A&M University, PPRI)
- **David Shi** (Senior Research Associate)
- **Andrea Sesock** (Project Coordinator)
- Travel: to Houston for Texas A&M University Team Members

Task III: Community Outreach, Participation, and Working Group

The Monitor Team recognizes that the permanence of the Consent Decree's implementation will turn on its acceptance by local community leaders and stakeholders. The Monitor Team will convene a Community Working Group, whose composition is detailed in the Monitor's Proposal to Harris County, that would advise the Monitor Team as well as assist in keeping the community informed of the County's progress in implementing the Consent Decree.

Task III:1. Continued Public Outreach and Participation

Convene meetings of the Community Working Group (CWG).

Continue to reach out, with the guidance of the CWG, to local organizations to introduce themselves and offer to meet with community groups interested in learning more about the Consent Decree.

Continue to maintain Monitor website, to provide all Monitorship-related documents to the public, an overview of the goals and process, a calendar with relevant dates, answers to common questions concerning pretrial process under the Consent Decree, and a way for members of the public to share information, including anonymously, with the Monitor.

Task III:2. Continued Public Outreach and Participation

Convene meetings of the Community Working Group (CWG).

Continue to reach out, with the guidance of the CWG, to local organizations to introduce themselves and offer to meet with community groups interested in learning more about the Consent Decree.

The Monitor Team will review County's plan for upcoming public meetings, in consultation with the Community Working Group, to ensure that fully transparent, representative, local, and robust participation is sought and achieved.

Continue to update Monitor website.

Task III:3. Convene CWG and Solicit Additional Public Input

Convene meetings of the Community Working Group (CWG).

Continue to reach out, with the guidance of the CWG, to local organizations to introduce themselves and offer to meet with community groups interested in learning more about the Consent Decree.

Continue to update Monitor website.

Task III:4. Public Meeting, Ninth Monitor Report

Convene meetings of the Community Working Group (CWG).

Continue to reach out, with the guidance of the CWG, to local organizations to introduce themselves and offer to meet with community groups interested in learning more about the Consent Decree.

Fourth public meeting convened.

Incorporate work into upcoming Monitor Report.

Continue to update Monitor website.

Project Timeline and Staffing

This work will be conducted between March 3, 2025 and March 2, 2026.

- **Sandra Guerra Thompson** (University of Houston Law Center)

Houston Meeting Costs:

- Administrative support, food, publicity, space
- Travel: to Houston for Prof. Thompson

Deliverables

Deliverable I	Estimated Delivery Dates	Billable Amount
<p><u>Task I:1.</u></p> <p>Continue to conduct regular meetings/calls with the parties to discuss progress under Consent Decree.</p> <p>Analyze data, including jail data, court data, hearing videos, and judicial opinions.</p> <p>Review plans to develop systems and structures to deliver effective indigent defense services (e.g., investigation, mitigation).</p> <p>Review results of research by outside vendors to study topics such as causes of nonappearance, indigent defense, court forms.</p> <p>Consult with Harris County concerning data variables collected by the County, including data regarding court nonappearances; helps ensure the County develops a data website so that misdemeanor pretrial conditions are public; raw data is available for download; and reviews first of the 60-day reports generated by the County.</p> <p><u>Task II:1.</u></p> <p>The Monitor Team (PPRI) continues work to acquire, clean, link, and prepare datasets and county department budget records for cost analysis.</p> <p>Ongoing statistical and qualitative analysis will be conducted in preparation for the cost analysis report.</p> <p>Project management support includes preparing meeting agendas, keeping notes, tracking Consent Decree progress on Monday.com, and reporting status.</p> <p><u>Task III:1.</u></p> <p>Monitoring Plan re: outreach and participation for the second year.</p> <p>Convene monthly meetings of Community Working Group (CWG).</p>	<p>June 1, 2025</p>	<p>\$194,164</p>

<p>Begin set up of Houston office.</p> <p>Continue to maintain Monitor website.</p>		
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Deliverable 2	Estimated Delivery Dates	Billable Amount
<p><u>Task I:2.</u></p> <p>Continue to conduct regular meetings/calls with the parties to discuss progress under Consent Decree.</p> <p>Analyze data, including jail data, court data, hearing videos, and judicial opinions.</p> <p>Review plans to develop systems and structures to deliver effective indigent defense services (e.g., investigation, mitigation).</p> <p>Review results of research by outside vendors to study topics such as causes of nonappearance, indigent defense, court forms.</p> <p>Consult with Harris County concerning data variables collected by the County, including data regarding court nonappearances; helps ensure the County develops a data website so that misdemeanor pretrial conditions are public; raw data is available for download; and reviews first of the 60-day reports generated by the County.</p> <p>Incorporate work into Monitor Report.</p> <p><u>Task II:2.</u></p> <p>The Monitor Team (PPRI) conducts ongoing research analysis on topics determined in collaboration with the Monitors, the Parties, and other stakeholders. Resulting work products include presentations, reports, and publications.</p> <p>Project management support includes preparing meeting agendas, keeping notes, tracking Consent Decree progress on Monday.com, and reporting status.</p> <p><u>Task III:2.</u></p> <p>Continue Community Outreach.</p>	<p>August 20, 2025</p>	<p>\$147,899</p>

<p>Convene monthly meetings of the Community Working Group (CWG).</p> <p>Review County’s plan for upcoming public meetings.</p> <p>Incorporate work into Ninth Monitor Report. Updates to Monitor website.</p>		
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Deliverable 3	Estimated Delivery Dates	Billable Amount
<p><u>Task I:3.</u></p> <p>Continue to conduct regular meetings/calls with the parties to discuss progress under Consent Decree.</p> <p>Analyze data, including jail data, court data, hearing videos, and judicial opinions.</p> <p>Review plans to develop systems and structures to deliver effective indigent defense services (e.g., investigation, mitigation).</p> <p>Review results of research by outside vendors to study topics such as causes of nonappearance, indigent defense, court forms.</p> <p>Consult with Harris County concerning data variables collected by the County, including data regarding court nonappearances; helps ensure the County develops a data website so that misdemeanor pretrial conditions are public; raw data is available for download; and reviews first of the 60-day reports generated by the County.</p> <p><u>Task II:3.</u></p> <p>The Monitor Team (PPRI) facilitates information-sharing and coordination of activities among ODonnell stakeholders relating to progress under the Consent Decree. Project management support includes preparing meeting agendas, keeping notes, tracking Consent Decree progress on Monday.com, and reporting status.</p>	November 28, 2025	\$112,387

<p>Project management support includes preparing meeting agendas, keeping notes, tracking Consent Decree progress on Monday.com, and reporting status.</p> <p><u>Task III:3.</u></p> <p>Outreach to share results of Ninth Monitor Report.</p> <p>Convene monthly meetings of the Community Working Group (CWG).</p> <p>Updates to Monitor website</p>		
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Deliverable 4	Estimated Delivery Dates	Billable Amount
<p><u>Task I:4.</u></p> <p>Continue to conduct regular meetings/calls with the parties to discuss progress under Consent Decree.</p> <p>Analyze data, including jail data, court data, hearing videos, and judicial opinions.</p> <p>Review plans to develop systems and structures to deliver effective indigent defense services (e.g., investigation, mitigation).</p> <p>Review results of research by outside vendors to study topics such as causes of nonappearance, indigent defense, court forms.</p> <p>Consult with Harris County concerning data variables collected by the County, including data regarding court nonappearances; helps ensure the County develops a data website so that misdemeanor pretrial conditions are public; raw data is available for download; and reviews first of the 60-day reports generated by the County.</p> <p>Incorporate work into year-end Monitor Report.</p> <p><u>Task II:4.</u></p>	<p>March 2, 2026</p>	<p>\$151,962</p>

<p>The Monitor Team (PPRI) produces the Ninth Cost Analysis Report reflecting informative and useful targets for research developed in collaboration with the Monitor and Deputy Monitor, and with input from key stakeholders such as the Parties and the Community Working Group.</p> <p>Project management support includes preparing meeting agendas, keeping notes, tracking Consent Decree progress, and reporting status.</p> <p><u>Task III:4.</u></p> <p>Convene monthly meetings of the Community Working Group (CWG).</p> <p>Third public meeting convened.</p> <p>Continued outreach, with the guidance of the CWG, to local organizations and community groups.</p> <p>Incorporate work into Ninth Monitor Report. Updates to Monitor website.</p>		
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Total Year 6 Budget: \$606,412

F. Full Logistic Regression Models Not Presented Elsewhere

**Table A.1. Logistic Regression Results Predicting
Effect of Court Date Reminders and Bond Type on Arraignment Nonappearance**
(Cases Entering Custody March 1, 2024 through December 31, 2024; n=35,609)

	Comparison Group	Odds of Nonappearance:	Odds Ratio	p-value	95% Confidence Interval
Enrolled	Not Enrolled	52% lower	0.48	0.00	(0.41, 0.55)
Unsecured Bond	Secured Bond	12% higher	1.12	0.03	(1.01, 1.23)
Enrolled & Unsecured	Enrolled & Secured Bond	25% lower	0.75	0.00	(0.68, 0.82)
Bond Failures (3 yrs.)	No Bond Failure (3 yrs.)	241% higher	3.41	0.00	(3.06, 3.80)
Homeless	No Impairment	204% higher	3.04	0.00	(2.57, 3.59)
Both HM and MI	No Impairment	201% higher	3.01	0.00	(2.66, 3.42)
Burglary	NIBRS Group B	122% higher	2.22	0.00	(1.99, 2.49)
Mentally Ill	No Impairment	120% higher	2.20	0.00	(2.04, 2.36)
Theft Charge	NIBRS Group B	55% higher	1.55	0.00	(1.40, 1.71)
Other Grp. A NIBRS	NIBRS Group B	40% higher	1.40	0.00	(1.27, 1.55)
Assault Charge	NIBRS Group B	19% higher	1.19	0.00	(1.08, 1.30)
Over Age 30	≤ Age 30	8% higher	1.08	0.01	(1.02, 1.14)
Hispanic	Non-Hispanic	--	0.98	NS	(0.91, 1.05)
African American	White	--	0.96	NS	(0.90, 1.04)
Any Charges (3 yrs.)	No Charges (3 yrs.)	--	0.94	NS	(0.87, 1.02)
Carveout	Non-Carveout	--	0.94	NS	(0.87, 1.02)
Female	Male	13% lower	0.87	0.00	(0.82, 0.92)
Drug Charge	NIBRS Group B	17% lower	0.83	0.01	(0.73, 0.96)
Weapon Charge	NIBRS Group B	30% lower	0.70	0.00	(0.61, 0.80)
Other Non-White	White	34% lower	0.66	0.00	(0.57, 0.76)
Impaired Driving	NIBRS Group B	40% lower	0.60	0.00	(0.55, 0.66)
Appointed Attorney	No Appointed Atty.	40% lower	0.60	0.00	(0.57, 0.64)

**Table A.2. Logistic Regression Results Predicting
Effect of CARP Engagement on Arraignment Non-Appearance**
(Cases Entering Custody January 1, 2023 through December 31, 2024; 50,464)

	Comparison Group	Odds of Nonappearance:	Odds Ratio	p-value	95% Confidence Interval
Engaged by CARP	Not Engaged	31% lower	0.69	0.00	(0.65, 0.73)
Engaged & Referred	Engaged & Not Referred	15% higher	1.15	0.00	(1.06, 1.25)
Bond Failures (3 yrs.)	No Bond Failure (3 yrs.)	243% higher	3.43	0.00	(3.11, 3.79)
Burglary	NIBRS Group B	135% higher	2.35	0.00	(2.14, 2.58)
Both HM and MI	No Impairment	132% higher	2.32	0.00	(2.02, 2.66)
Mentally Ill	No Impairment	106% higher	2.06	0.00	(1.92, 2.20)
Other Grp. A NIBRS	NIBRS Group B	66% higher	1.66	0.00	(1.52, 1.82)
Theft Charge	NIBRS Group B	55% higher	1.55	0.00	(1.42, 1.69)
Homeless	No Impairment	--	1.40	NS	(0.95, 2.05)
Assault Charge	NIBRS Group B	26% higher	1.26	0.00	(1.15, 1.38)
Over Age 30	≤ Age 30	18% higher	1.18	0.01	(1.12, 1.25)
Hispanic	Non-Hispanic	9% lower	0.91	0.00	(0.85, 0.97)
Any Charges (3 yrs.)	No Charges (3 yrs.)	9% lower	0.91	0.01	(0.84, 0.98)
African American	White	13% lower	0.87	0.00	(0.82, 0.93)
Female	Male	22% lower	0.78	0.00	(0.73, 0.82)
Drug Charge	NIBRS Group B	23% lower	0.77	0.01	(0.65, 0.91)
Appointed Attorney	No Appointed Atty.	25% lower	0.75	0.00	(0.71, 0.80)
Other Non-White	White	33% lower	0.67	0.00	(0.58, 0.77)
Weapon Charge	NIBRS Group B	35% lower	0.65	0.00	(0.58, 0.72)
Impaired Driving	NIBRS Group B	44% lower	0.56	0.00	(0.52, 0.61)

**Table A.3. Logistic Regression Results Predicting
Effect of the Number of Service Referrals on Arraignment Non-Appearance**
(Cases Entering Custody January 1, 2023 through December 31, 2024; n=14,470)

	Comparison Group	Odds of Nonappearance:	Odds Ratio	p-value	95% Confidence Interval
One Referral	No Referrals	54% higher	1.54	0.00	(1.36, 1.76)
Two Referrals	No Referrals	65% higher	1.65	0.00	(1.39, 1.96)
Three or Four Referrals	No Referrals	95% higher	1.95	0.00	(1.65, 2.30)
Five or More Referrals	No Referrals	147% higher	2.47	0.00	(1.98, 3.10)
Bond Failures (3 yrs.)	No Bond Failure (3 yrs.)	254% higher	3.54	0.00	(2.94, 4.27)
Burglary	NIBRS Group B	135% higher	2.35	0.00	(2.14, 2.58)
Both HM and MI	No Impairment	132% higher	2.32	0.00	(2.02, 2.66)
Mentally Ill	No Impairment	106% higher	2.06	0.00	(1.92, 2.20)
Other Grp. A NIBRS	NIBRS Group B	66% higher	1.66	0.00	(1.52, 1.82)
Theft Charge	NIBRS Group B	55% higher	1.55	0.00	(1.42, 1.69)
Assault Charge	NIBRS Group B	26% higher	1.26	0.00	(1.15, 1.38)
Over Age 30	≤ Age 30	19% higher	1.19	0.00	(1.08, 1.31)
Homeless	No Impairment	--	1.40	NS	(0.95, 2.05)
Any Charges (3 yrs.)	No Charges (3 yrs.)	--	0.98	NS	(0.86, 1.13)
Drug Charge	NIBRS Group B	--	0.82	NS	(0.62, 1.08)
Female	Male	18% lower	0.82	0.00	(0.73, 0.91)
Hispanic	Non-Hispanic	19% lower	0.81	0.00	(0.73, 0.91)
African American	White	23% lower	0.77	0.00	(0.68, 0.86)
Other Non-White	White	24% lower	0.76	0.03	(0.59, 0.97)
Appointed Attorney	No Appointed Atty.	33% lower	0.67	0.00	(0.61, 0.74)
Weapon Charge	NIBRS Group B	37% lower	0.63	0.00	(0.52, 0.77)
Impaired Driving	NIBRS Group B	44% lower	0.56	0.00	(0.48, 0.64)

**Table A.4. Logistic Regression Results Predicting
Effect of the Type of Service Referrals on Arraignment Non-Appearance**
(Cases Entering Custody January 1, 2023 through December 31, 2024; n=14,470)

	Comparison Group	Odds of Nonappearance:	Odds Ratio	p-value	95% Confidence Interval
Bus Passes	No referrals	85% higher	1.85	0.00	(1.63, 2.09)
SNAP	No referrals	--	1.10	NS	(0.94, 1.30)
The Harris Center MH/SA Treatment	No referrals	--	1.05	NS	(0.67, 1.66)
Employment Assistance	No referrals	--	0.91	NS	(0.76, 1.09)
Housing – Voucher	No referrals	--	1.06	NS	(0.86, 1.31)
Housing – Shelter	No referrals	35% higher	1.35	0.01	(1.08, 1.69)
Clothing	No referrals	43% higher	1.43	0.01	(1.12, 1.83)
Individual Therapy	No referrals	--	1.12	NS	(0.83, 1.52)
Medicare/Medicaid	No referrals	--	0.83	NS	(0.63, 1.09)
The Harris Center Respite/Rehab/Re-Entry	No referrals	--	1.02	NS	(0.84, 1.24)
Social Security Insurance	No referrals	--	0.67	NS	(0.33, 1.38)
Group Therapy	No referrals	--	1.45	NS	(0.29, 7.21)
Bond Failures (3 yrs.)	No Bond Failure (3 yrs.)	249% higher	3.49	0.00	(2.89, 4.22)
Burglary	NIBRS Group B	127% higher	2.27	0.00	(1.92, 2.69)
Both HM and MI	No Impairment	86% higher	1.86	0.00	(1.41, 2.44)
Mentally Ill	No Impairment	79% higher	1.79	0.00	(1.58, 2.03)
Other Grp. A NIBRS	NIBRS Group B	68% higher	1.68	0.00	(1.42, 1.98)
Theft Charge	NIBRS Group B	66% higher	1.66	0.00	(1.42, 1.94)
Assault Charge	NIBRS Group B	19% higher	1.19	0.04	(1.01, 1.40)
Over Age 30	≤ Age 30	17% higher	1.17	0.00	(1.06, 1.28)
Homeless	No Impairment	--	0.73	NS	(0.39, 1.39)
Any Charges (3 yrs.)	No Charges (3 yrs.)	--	0.99	NS	(0.86, 1.14)
Drug Charge	NIBRS Group B	--	0.83	NS	(0.62, 1.10)
Female	Male	17% lower	0.83	0.00	(0.75, 0.92)
Hispanic	Non-Hispanic	17% lower	0.83	0.00	(0.74, 0.93)
African American	White	23% lower	0.77	0.00	(0.69, 0.87)
Other Non-White	White	24% lower	0.76	0.03	(0.59, 0.97)
Appointed Attorney	No Appointed Atty.	32% lower	0.68	0.00	(0.61, 0.75)
Weapon Charge	NIBRS Group B	36% lower	0.64	0.00	(0.52, 0.78)
Impaired Driving	NIBRS Group B	44% lower	0.56	0.00	(0.48, 0.64)

G. Consent Decree Tasks and Milestones

Section	¶	Due Date	Milestones	Status
7	38	10/1/2024 Done	Provide FY 24-25 PDO allocation > FY 19-20 approved budget - The County will provide funding and staffing at or above the Public Defender Office's FY 19-20 approved budget to meet obligations for zealous and effective misdemeanor representation at bail hearings and at other stages of the process.	STATUS: Done PDO Budget Approved by Commissioner's Court September 2024.
7	41a	12/15/2020 <i>In Progress</i>	Provide support staff for private apptd. counsel at bail hearing - CCCL Judges will establish a process, approve, and provide funding for qualified support staff to assist private appointed counsel at bail hearings.	STATUS: In Progress The Managed Assigned Counsel officially began serving all 16 misdemeanor courts as of December 27, 2021, however, are not yet attending bail hearings. In August 2022, the MAC provide a recommendation to the judiciary should they eventually delegate appointment authority over to the MAC. Status will be changed to "Done" once the requirements of ¶ 41b and 43b have been met.
7	41b	3/1/2021 (Extended) <i>In Progress</i>	Fund at least min. holistic defense staff recommended by expert - Based on the expert's written report and recommendations, in consultation with the Monitor, the County must fund the minimum number of recommended holistic defense support staff.	STATUS: In Progress Funding for holistic defense staff was being provided as part of the Managed Assigned Counsel office grant from the TIDC (212-20-D06). The NAPD report recommendations were submitted to the Commissioner's Court 8/10/21. In August 2022, the MAC provide a recommendation to the judiciary should they eventually delegate appointment authority over to the MAC but they are not yet attending bail hearings. They currently have 20-30 cases per social worker and would like an additional social worker and social worker supervisor but would need additional funding to do so. A supervisor would allow for expanded services. Previous attempts for budget increases have been denied by the County. Status will be changed to "Done" once Harris County Budget Management agrees with OJS, PDO, and MAC on the number of support staff positions to be hired.
7	43 and 44	12/15/2020 (Extended) <i>TBD</i>	Develop written plan for essential defense counsel supports - Defendants must develop a written plan to ensure defense counsel have space to confer with clients before a bail hearing, have access to essential support staff by phone or video conference, can call witnesses and prevent/confront evidence, and can promptly discover information presented to the presiding judicial officer. The plan will be reviewed by the Monitor with input from Class Counsel, and implemented within a reasonable timeline.	STATUS: In Progress Harris County is working collectively with several agencies on a plan. The plan will incorporate recommendations from the NAPD Holistic Defense assessment (¶ 41b) completed on 7/7/21. Many of the recommendations have already been implemented. Budget cuts in September 2022 hindered the implementation of other recommendations. The County continues to work on how they can move forward with developing a plan. Status will be changed to "Done" once a written plan is in place.

Section	¶	Due Date	Milestones	Status
8C	54	3/1/2022 (Extended) <i>Nearly Done</i>	Allocate \$850,000 Year 2 to support court appearance per mitigation plan timeline and budget - After study concludes, absent good cause for a lesser amount, County must allocate at least \$850,000/year toward mitigating causes of nonappearance. County will consult with researchers to determine a reasonable timeline and a budget for implementing the first three years of the plan. To establish good cause, County submits purported cause to the Monitor; Monitor notifies Class Counsel; Monitor makes a determination; Either Party may file a motion to the Court if they disagree with the Monitor's determination.	STATUS: Nearly Done. \$850,000 allocation to mitigate causes of nonappearance was approved by Commissioner's Court as part of the FY23 budget. Will be marked as Done once the completion of recommendations for the Nonappearance Plan is complete.
10	78 and 79	Done	Deliver Year 4 Refresher Consent Decree Training - Defendants will implement the Training Plan on an annual basis with updates and improvements subject to review and approval by the Monitor and Class Counsel.	STATUS: Done Deason Criminal Justice Reform Center, SMU, conducted trainings with attorneys 3/26/24 and 3/27/24 and with the CCCL Judges 4/9/24.
9	81, 82, 84, and 85	8/30/2020 <i>Nearly Done</i>	Provide data for Monitor to evaluate Consent Decree implementation - Defendants will consult with the Monitor to systematically collect, preserve, and integrate data variables sufficient to permit tracking, analysis, and reporting required by the Consent Decree. Will include all existing data relating to misdemeanor cases from 2009 through the present (¶ 84); data variables specified in ¶ 85 to permit tracking, analysis, and reporting of information for each misdemeanor arrestee; and all variables required to generate reports required by ¶ 87 and ¶89. If collection or maintenance of any required data variables is cost prohibitive or infeasible, Defendants may submit a request for exemption to the Monitor.	STATUS: Nearly Done OJS staff are currently integrating data variables from multiple Harris County offices required to permit tracking, analysis, and reporting required by the Consent Decree. Existing data for cases from 2009 through the present are currently available to the Monitor team. Status will be changed to "Done" after all variables specified in ¶ 85 are available. Monitors are still waiting on #S: Any conditions of release or supervision imposed by a judicial officer, the date each was imposed, and the amount of any fees assessed.
11	83	11/15/2020 (Extended) <i>Nearly Done</i>	Make Consent Decree data publicly available - The County will make the raw data that the Defendants are required to collect and maintain under this Consent Decree available for ready public access in a usable format (e.g. an Excel spreadsheet).	STATUS: Nearly Done The ODonnell Public Dashboard went live 9/8/2022 with automated reports of some of the data measures specified in ¶ 89. The OJS data team is in process of adding 6 more measures. Status will be changed to Done after adding additional data measures in ¶ 89 and raw data downloads are posted on the existing public Consent Decree website described in ¶ 90.

Section	¶	Due Date	Milestones	Status
9	88, 89	8/30/2020 <i>Nearly Done</i>	Develop web-based Data Platform - The County will develop a web-based Data Platform that organizes, integrates, analyzes, and presents the information required by ¶ 89 into a public -facing interface. The County may engage a TA provider with expertise in data analytics to create the Data Platform.	STATUS: Nearly Done The ODonnell Public Dashboard went live 9/8/2022 with automated reports of some of the data measures specified in ¶ 89. The OJS data team is in the process of adding 6 more measures. Status will be changed to Done after adding additional data measures in ¶ 89 and raw data downloads are posted on the existing public Consent Decree website described in ¶ 90.
12	92	5/19/2024 <i>Done</i>	Conduct Year 4 Public Meeting - Regular public meetings will be held at least once every six months in at least two geographic locations accessible to the maximum number of residents and including HCTX Consent Decree website simulcast (Sec. 90). Defendants and community groups will determine meeting parameters with approval by the Monitor. Knowledgeable representatives of each Defendant group and the Monitor must be present and report on CD implementation including areas of success and for improvement.	STATUS: Done In-person public meeting was held 4/18/2024 and broadcasted live on the OJS website.
12	92	11/23/2024 <i>Done</i>	Conduct Year 4.5 Public Meeting - Regular public meetings will be held at least once every six months in at least two geographic locations accessible to the maximum number of residents and including HCTX Consent Decree website simulcast (Sec. 90). Defendants and community groups will determine meeting parameters with approval by the Monitor. Knowledgeable representatives of each Defendant group and the Monitor must be present and report on CD implementation including areas of success and for improvement.	STATUS: Done In-person public meeting was held in the community on 10/24/24. A second in-person public meeting was held downtown on 10/25/2024 and broadcasted live on the OJS website.
13	93, 94	5/2/2024 <i>Done</i>	Year 5 review of posted policies - Every six months, defendants will review policies posted at the JPC and the CJC and update as necessary.	STATUS: Done Key policies agreed by the Defendants are currently posted at the JPC & CJC and on the HCTX ODonnell Consent Decree website.
13	93, 94	11/2/2024 <i>Done</i>	Year 5.5 review of posted policies - Every six months, defendants will review policies posted at the JPC and the CJC and update as necessary.	STATUS: Done Key policies agreed by the Defendants are currently posted at the JPC & CJC and on the HCTX ODonnell Consent Decree website.
14	103	3/3/2025 <i>Done</i>	Monitor's Budget: Year 6 - The Monitor will submit a proposed budget annually. The County will fund the Monitor at a reasonable rate.	STATUS: Done Monitor's budget Year 6 was submitted to the county March 3, 2025.

Section	¶	Due Date	Milestones	Status
14	116	3/3/2025 <i>Done</i>	Monitoring Plan: Year 6 - In coordination with the Parties, the Monitor will prepare an annual Monitoring Plan to be made public and published on the County's Consent Decree Website (see Sec. 90). The Plan must delineate requirements of the Consent Decree to be assessed for compliance, identify the proposed methodology, and create a schedule with target dates for conducting reviews or audits.	STATUS: Done Monitor's Year 6 plan was submitted to the county by March 3, 2025.
14	115, 118	1/18/2025 <i>Done</i>	Submit Draft Monitor's Report: Year 5 Comprehensive Assessment - Every six months for the first three years, and annually thereafter, Monitor will provide a draft Monitor's Report (including the information specified in Sec. 117) for review by the Parties. Monitor's Report will present results of reviews to determine whether the County, CCCL Judges, and Sheriff have substantially complied with the requirements of this Consent Decree. Parties will have 30 days to comment; Monitor will have 14 days to consider the Parties' comments before filing the report with the court.	STATUS: Done The year 5 draft monitor report was submitted on 1/18/2025.
14	120	3/3/2025 <i>Done</i>	Publish Monitor's Report: Year 5 Comprehensive Assessment - After 2 years, 5 years, and 7 years, the Monitor publishes a comprehensive assessment covering material outlined in Sec. 120 (county compliance with Consent Decree, whether outcomes are being achieved, whether Consent Decree should be modified, etc.). The comprehensive assessment should address areas of greatest progress and achievement, concerns, and strategies for moving forward. To the extent that modifications to the Consent Decree are needed and the Parties agree, the Parties must move the Court to modify this Consent Decree accordingly. In the event of a disagreement that the Monitor is unable to resolve, the Parties will submit their positions to the Court for resolution.	STATUS: Done The final year 5 monitor report was submitted on 3/3/2025.

