

Examining the Patterns of Pretrial Rearrest in a Large Southeastern County

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INDIVIDUALS INVOLVED IN the criminal legal system are often subject to a period where they have been charged, but not proven guilty of a crime (that is, the pretrial period). The pretrial period for any case can be as short as the same day (case dismissal) or last up to several days, weeks, or even years (Dobbie & Yang, 2021). The pretrial period can differ for a variety of reasons, including immediate dismissal, plea deals, bench trials, and jury trials. Judicial officials have a substantive amount of discretion when it comes to deciding if an individual is eligible for pretrial release or should be detained until the trial (Copp et al., 2022). This decision process is difficult not only because of the limited time frame, but because it requires judges to consider the due process rights of the individual while accounting for the risk the individual poses to both the victims and the broader community as well as the risk of the charged individual not returning for the court appearance(s). This decision must be made using only the information available to judges and other legal actors, which typically includes the current charge information, prior criminal history record, and the details about the case (Dhami, 2005). To help inform pretrial release decisions, pretrial assessment instruments are used to estimate the likelihood of being arrested for a new charge or failing to appear for future

court appearances. Notably, however, there is a gap in the research on offending generalization or specialization for pretrial populations.

There is a lot of research on the factors associated with a defendant being arrested or missing court during the pretrial stage (Desmarais et al., 2022). For example, research on the Public Safety Assessment (PSA) pretrial risk assessment tool has been used to assess its validity and predictive bias when estimating the likelihood of whether an individual on pretrial release will miss court, be arrested, or be arrested for a violent criminal arrest (DeMichele et al., 2024b). The PSA, used in many jurisdictions, is unique in that it uses criminal history information along with details of the charges associated with the jail booking to develop scale scores associated with new criminal activity (NCA), new violent criminal activity (NVCA),² and failure to appear (FTA). Additionally, research suggests that longer periods in pretrial detention result in an increased likelihood of new criminal activity (NCA) and new violent criminal activity (NVCA) during the pretrial period (DeMichele et al., 2024a; Silver et al., 2024).

² New violent criminal activity accounts for specific charges that are considered violent by either (1) the instrument developers or (2) a specific list of designated violent crimes provided by the jurisdiction. This analysis uses the site's violent crime list, although there is substantial overlap between this list and that selected by the original PSA tool developers.

Although the prior research on the pretrial phase is valuable, little is known about the offense patterns for individuals at pretrial. The current study addresses this gap in research by assessing whether individuals rearrested during pretrial release specialize or generalize in their offense patterns. This information can be beneficial for pretrial services and court officials tasked with assessing the risk of someone who is released committing a serious or violent offense during the pretrial period. This study linked jail admission data from 2017-2018 from a large county in the Southeast with statewide criminal history data from 2017-2019 to observe the unique rearrest patterns of individuals released from jail during the pretrial period. The results of the current study may provide useful information for jurisdictions interested in pretrial system reforms, including the implementation of a pretrial assessment instrument.

Pretrial in the United States

The pretrial phase is often said to be the most consequential part of case processing. Despite the presumption of innocence and the deleterious effect of pretrial detention, judges are in the challenging position of needing to quickly assess whether to release someone and determine what release conditions to apply (e.g., bond, supervision). Judges are essentially tasked with intuitively estimating an individual's likelihood of being rearrested or missing court. Judicial officials have various techniques

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at their disposal to manage the behaviors of defendants (Lowenkamp & VanNostrand, 2013; Wiseman, 2013). Depending upon the jurisdiction, these include release on recognizance, cash bail, and the denial of bail (Hatton & Smith, 2020). The most recent national estimate available suggests there are over 450,000 people detained pretrial on any given day (Zeng, 2023). Furthermore, upon release into the community, judges may order pretrial supervision along with release conditions. For instance, judges might recommend electronic monitoring for specific types of defendants (e.g., those facing violent charges). The process of managing defendants on pretrial is highly discretionary, often requiring judicial officials to make decisions, with limited information and within a limited time frame, about the risk an individual poses to the community. However, efforts have been made by various jurisdictions across the United States to implement a more systematic process for assessing if a defendant poses a risk to other individuals or public safety.

Predicting Pretrial Outcomes

Actuarial assessment instruments have been used to support criminal legal system decisions for the past 100 years (Burgess, 1936) and were first used to support pretrial decisions in the 1960s (Ares et al., 1963). Briefly, the RNR model argues that services during supervision and confinement should appropriately match the risks and needs of an individual, while also addressing general and specific responsivity factors (Bonta & Andrews, 2016). In the context of the RNR model, risks are the static and dynamic factors contributing to an increased likelihood of experiencing a negative outcome, needs are the criminogenic dynamic factors that can be addressed with treatment, general responsivity is the mode of implementing the treatment, and specific responsivity concerns the strategies used to address the barriers to treatment (Bonta & Andrews, 2016). For example, an individual with high risk and needs in substance use might receive cognitive behavioral therapy focused on addressing substance use problems. Similar to the post-conviction use of the RNR model, pretrial supervision techniques or the use of pretrial detention needs to appropriately match the risks of an individual (Lowder & Foudray, 2021). This adaptation has led to the widespread implementation of pretrial assessment instruments to estimate the risk an individual poses to public safety and to assist judges with setting appropriate supervision conditions

(Desmarais et al., 2022). For example, the PSA and the Release Conditions Matrix (RCM) provide judicial officials with an understanding of how likely an individual is to experience a failure to appear or a new criminal arrest. The RCM is a tool individualized to a jurisdiction's available pretrial supervision conditions, designed with the intention of helping guide pretrial supervision decisions and limiting the number of individuals detained during the pretrial period. The RCM informs release recommendations, such as pretrial supervision, court reminders, electronic monitoring, and drug testing (Labrecque et al., 2024).

Pretrial assessment research has largely demonstrated that pretrial assessment instruments are predictive of pretrial outcomes, provide beneficial information to judicial officials, and could be used to better balance public safety and individuals' rights when implemented properly (Desmarais et al., 2022). For example, recent research on the PSA suggests that use of a pretrial assessment instrument to make release decisions has the potential to increase the number of individuals released into the community without increasing the number of new crimes committed by individuals on pretrial (DeMichele et al., 2023; Lowenkamp et al., 2020). Moreover, the existing evidence highlights that the indicators captured on the PSA are good predictors of failure to appear, new criminal arrest, and new violent criminal arrest, albeit the magnitude of the prediction varies across jurisdictions (DeMichele et al., 2024b). This pattern of findings is consistent with the broader literature on pretrial assessment instruments, suggesting that these tools can be extremely beneficial when judicial officials are making decisions surrounding pretrial release and pretrial detention (Desmarais et al., 2021). Nonetheless, we know little about what charges individuals are arrested for while on pretrial release.

The Current Study

Recent research on pretrial assessment instruments largely focuses on creating instruments that predict if an individual will experience a failure to appear or new criminal arrest (Desmarais et al., 2021). The types of new offenses individuals are arrested for during the pretrial period, however, is not well understood. No research exists evaluating if pretrial arrests are similar to or distinct from the initial charging offense. For example, if an individual was on pretrial release for an aggravated assault, is that individual more

likely to be arrested for an aggravated assault or is there no discernible pattern in the new arrests? Considering the importance of maintaining public safety, it could be beneficial to understand if there is specialization or generalization in the association between the initial offense and new pretrial arrests (Eker & Mus, 2016). In the current context, specialization is defined as being arrested for a crime similar to the initial offense, while generalization means being arrested for a crime different from the initial offense (Mazerolle & McPhedran, 2018).

Exploring the generalization or specialization of offending in pretrial populations is important for judicial officials and practitioners, as it can provide additional information to guide the decisions surrounding release and conditions. For example, research on offending specialization has been used to guide strategies for community supervision among those convicted of sex offenses (Alexander, 2010). This includes the creation of specialized caseloads, unique treatment plans, and strategies to mitigate risk among individuals who have an increased likelihood of engaging in behaviors similar to the initial offense (Turner et al., 1992). Yet no research on offending generalization or specialization has been conducted with pretrial populations. For example, supervision strategies could be implemented to mitigate drug arrests and violent arrests during pretrial if it is discovered that individuals tend to specialize in a certain type of behavior during the pretrial stage.

The current study seeks to address this gap in the literature on pretrial arrest patterns by assessing the correspondence between initial offenses and new arrests within a large Southeastern county. Five research questions guide the current study: (RQ1) How often are released individuals rearrested? (RQ2) What are the rearrest patterns for those released pretrial? (RQ3) What types of crimes are individuals most frequently rearrested for on pretrial? (RQ4) How do the rearrest charges vary from the initial charge type? Last: (RQ5) Is the nature of the charge type at booking associated with the pretrial arrest charge type?

Data and Methods

To address these research questions, this study uses data on jail admissions from a large Southeastern county between 2017 and 2018 to capture information on (1) the charges associated with the jail booking, (2) the court case and disposition of those charges (if pertinent), and (3) the nature of an individual's

jail booking (i.e., pretrial or not) and release. Details on arrests during the pretrial period are captured using statewide criminal history data from the state criminal history repository through 2019.

Measures of Interest: This study examines patterns of rearrest by classifying charges associated with the jail bookings and charges that occur during the pretrial period to the National Corrections Reporting Program (NCRP) broad charge categories of (1) violent, (2) property, (3) drug, (4) public order, or (5) other offenses. In addition, we capture detail on the severity of the charges associated with the booking and charge severity for any arrests during the pretrial period. To determine the most serious charge associated with a booking and with a pretrial arrest, we first privilege felony charges over misdemeanor charges and rank those charges hierarchically by NCRP category following the order described above. For these analyses, we look only at the charges associated with the first pretrial arrest during an individual's pretrial period.

To answer our research questions, we provide a series of descriptive and inferential statistics. To assess if significant relationships are present in our measures of interest, we use chi-square statistical tests, which test if the distribution of one measure (e.g., new arrest charge type) significantly differs between two or more groups (e.g., most serious charge at booking). Additionally, we use multinomial logistic regression to model the relationship between most serious charge at booking and the most serious charge type for pretrial arrests, controlling for other criminal history factors from the PSA's NCA scale score and the age of an individual. From this multinomial logistic regression model, we derive outcome-specific predicted probabilities, which are the probability between 0 and 100 that an individual has a certain outcome (e.g., pretrial arrest for a property crime) compared to all other possible outcomes (i.e., no pretrial arrest or any other type of pretrial arrest charge type).

Results

This analysis begins by providing a descriptive picture of the analytical sample of jail bookings between 2017 and 2018. As shown in Table 1, roughly 60 percent of the bookings ($N = 33,910$) were released from jail (released $N = 20,214$) prior to case disposition. Approximately 25 percent ($N = 4,948$) of the released individuals were rearrested during pretrial. Thus, to answer RQ1, roughly

a quarter of those released pretrial are rearrested. Looking at all jail bookings, we can see that the individuals in this sample are predominantly Non-White (85 percent) and mostly male (78 percent). When exploring the characteristics of the sample by whether an individual was detained or released, we find substantial variation. White individuals were more likely to be released (63 percent) compared to Non-White individuals (59 percent). Similarly, females (72 percent) had substantially higher release rates compared to males (56 percent). When examining release by the most serious charge at booking, 60 percent of those booked on violent charges were released pretrial compared to those booked on drug (63 percent), property (55 percent), or public order (55 percent) charges.

To answer RQ2 regarding rearrest patterns for those released pretrial, the bottom half of Table 1 describes the distribution of the characteristics of the released sample by whether they experienced an arrest during the pretrial period. In this sample, Non-White individuals (25 percent) have a higher rate of pretrial arrest than White individuals (20 percent). Furthermore, males (27 percent) are more likely to be arrested during the pretrial period than females (18 percent). When examining the overall released population by most serious charge type at booking, it is notable that the modal category of charge type is violent, comprising 33 percent of all released bookings. This is followed by property charges (29 percent) and drug charges (20 percent), with these three charge types making up more than four fifths of all released jail bookings. Finally, both public order offenses and other arrest offenses represent 9 percent of the released jail bookings.³ However, the pretrial arrest rates by charge type vary substantially. For those booked on violent charges, only 23 percent of these individuals had an arrest during the pretrial period. This same arrest rate was observed for both those originally booked on drug charges and those charged with public order offenses as their most serious charge. In contrast, roughly 30 percent of individuals booked on property charges experienced a pretrial arrest, while those booked on "other" charges had the lowest pretrial arrest rate (16 percent). Thus, at first glance, we do not observe a higher rate of reoffending during

the pretrial period for those booked on violent charges compared to other common charge types, and those booked on property charges have significantly higher rearrest rates.

It is worth highlighting that most pretrial arrests (58 percent) are for misdemeanors, regardless of the severity of the initial charge. Table 2 shows the distribution of the severity of charges at booking compared to the severity of the pretrial arrest for those who were arrested. Specifically, for those who were booked on a felony charge and were arrested during the pretrial period, 52 percent of those pretrial arrests are for misdemeanors only. For individuals who were initially booked on a misdemeanor charge and who are arrested during the pretrial period, 64 percent of those pretrial arrests are for new misdemeanors as opposed to felonies.

It should also be noted that most individuals who are booked and released pretrial do not experience an arrest during the pretrial period. Importantly, 76 percent of all individuals released pretrial do not experience a pretrial arrest ($N = 15,266$). To answer RQ3 regarding the most common pretrial arrest types, Table 3 shows the distribution of pretrial arrest charge types for all individuals released pretrial. When looking at jail bookings with a pretrial arrest observed, the most common charge type is a property charge, representing 31 percent of all pretrial arrests ($N = 1,532$) and 8 percent of all pretrial release bookings. This is followed by drug and public order offenses, which both make up 24 percent of pretrial arrest charges ($Ns = 1,189$ and $1,194$ respectively) and 6 percent of pretrial release bookings. Violent arrests during the pretrial period, however, are the lowest represented of the major charge categories, comprising 21 percent of all pretrial arrests ($N = 1,024$) and only 5 percent of all pretrial release bookings.

To answer RQ4, Figure 1 shows a plot that describes how the original broad charge categories correspond with the broad pretrial arrest charge types, displayed as possible combinations. Here, it is evident that the overall largest category of pretrial arrests is for property charges, and within that grouping, the combination of "Property Booking Charge → Property Pretrial Arrest" is the modal combination, comprising 17 percent of all Booking Charge → Pretrial Arrest charge combinations. Similarly, the "Violent Booking Charge → Violent Pretrial Arrest" is the modal combination within all violent bookings that had an arrest during the pretrial period, representing 10 percent of all charge

³ Public order offenses include charges like traffic offenses, public drunkenness, weapons offenses, and others. "Other" offenses include unspecified felonies or misdemeanors and court-related offenses.

combinations. This pattern is repeated for drug charges (9 percent) and public order charges (3 percent) where, within booking charges that have an arrest during the pretrial period, specialization is the most common arrest type. However, having the same booking charge and pretrial arrest charge type only

represents 39 percent of all booking/pretrial arrest charge type combinations. Yet, as shown in Table 4 (which shows the distribution of pretrial arrest charge types by booking charge type) specialization (e.g., X Booking Charge → X Pretrial Arrest Charge) is the norm and modal response within each charge type, with

the exception of “other offenses,” which was rarely observed during pretrial arrest. Here, we can see that for individuals booked on drug charges who had a pretrial arrest, 50 percent of those arrests were for drug charges. Similarly, for those booked on property charges who had a pretrial arrest, 48 percent of those

TABLE 1.

Sample Descriptives by Released Status and New Arrest Rates in Southeastern County Jail Bookings (2017-2018)

	Detained		Released - No Arrest		Released - Arrested		Total	
	N	%	N	%	N	%	N	%
All Jail Bookings	13,696	40.4	15,266	45.0	4,948	14.6	33,910	100.0
Released Jail Bookings	--	--	15,266	75.5	4,948	24.5	20,214	100.0
All Jail Bookings								
	Detained		Released				Total	
	N	%	N	%			N	%
Non-White	11,811	40.9	17,042	59.1			28,853	85.1
White	1,885	37.3	3,172	62.7			5,057	14.9
Female	2,067	27.8	5,377	72.2			7,444	22.0
Male	11,628	43.9	14,834	56.1			26,462	78.0
Most Serious Offense								
Violent	4,413	39.5	6,762	60.5			11,175	33.0
Drug	2,345	37.1	3,980	62.9			6,325	18.7
Property	4,742	45.1	5,763	54.9			10,505	31.0
Public Order	1,515	45.5	1,816	54.5			3,331	9.8
Arrested - Other	681	26.5	1,893	73.5			2,575	7.6
	Mean	Median	Mean	Median	Mean	Median	Mean	Median
Age at Booking	36.4	34	34.0	31	32.6	30	34.8	32
Released Jail Bookings								
			Released - No Arrest		Released - Arrested		Total	
			N	%	N	%	N	%
Non-White			12,742	74.8	4,300	25.2	17,042	84.3
White			2,524	79.6	648	20.4	3,172	15.7
Female			4,388	81.6	989	18.4	5,377	26.6
Male			10,876	73.3	3,958	26.7	14,834	73.4
Most Serious Offense								
Violent			5,199	76.9	1,563	23.1	6,762	33.5
Drug			3,075	77.3	905	22.7	3,980	19.7
Property			4,013	69.6	1,750	30.4	5,763	28.5
Public Order			1,396	76.9	420	23.1	1,816	9.0
Arrested - Other			1,583	83.6	310	16.4	1,893	9.4

Source: Southeastern County jail bookings (2017-18). Individuals released are determined to be released and at risk for pretrial new criminal activity. 4 individuals omitted from sex cross-tabulation due to missingness. Percentages in the “Detained”, “Released (NCA/No NCA)” columns show row percentages. Percentages in the “Total” columns show column percentages.

TABLE 2.
Distribution of Charge Severity by Booking Charges and New Pretrial Arrest Charges

Booking Charge Severity	Pretrial Arrest Severity					
	Felony Pretrial Arrest		Misdemeanor Pretrial Arrest		Total	
	N	%	N	%	N	%
Felony	1120	48.3%	1200	51.7%	2320	47%
Misdemeanor	949	36.2%	1676	63.8%	2625	53%
Total	2069	41.8%	2876	58.2%	4945	100%

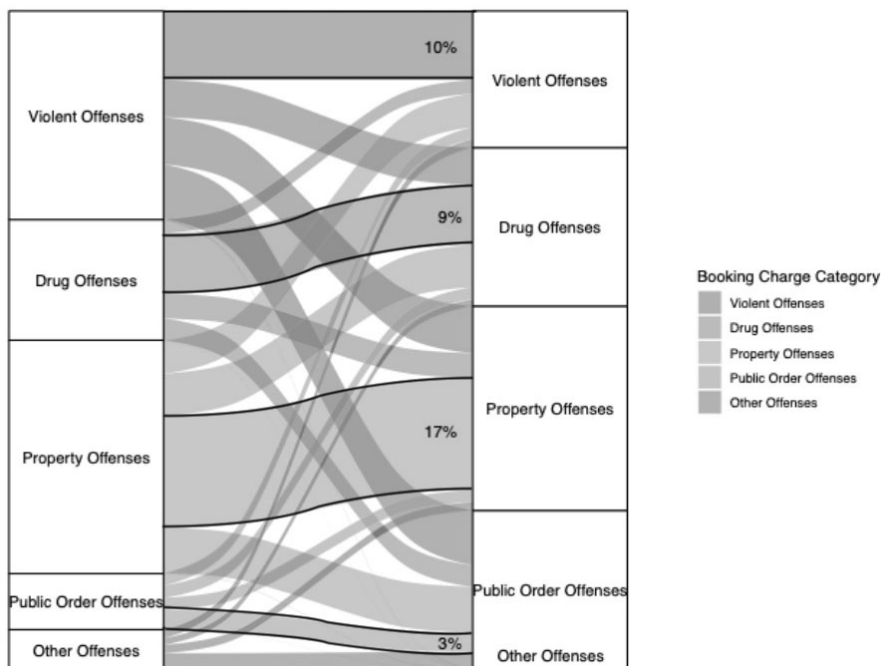
Source: Southeastern County Jail Bookings from 2017-2018. New arrest data come from Statewide Criminal History Database from 2017-2019. 3 charges omitted due to lack of charge severity detail

TABLE 3.
Distribution of NCA Charge Types

Pretrial Arrest Charge Category	All Bookings		Pretrial Arrest Only	
	N	%	N	%
No Pretrial Arrest	15266	76	0	0
Violent Offenses	1024	5	1024	21
Drug Offenses	1189	6	1189	24
Property Offenses	1532	8	1532	31
Public Order Offenses	1194	6	1194	24
Other Offenses	9	0	9	0
Total	20214	100	4948	100

Source: Southeastern County Jail Bookings from 2017-2018. New arrest data come from Statewide Criminal History Database from 2017-2019. Total Sample N = 20214 of individuals released from jail during the pretrial period and determined to be at risk for a new arrest during the pretrial period. Pretrial arrest coded as arrest between the release date from jail and the date of disposition of the original charges. Charges coded to the National Corrections Reporting Program broad categories.

FIGURE 1.
Jail Booking Charge and NCA Charge Combinations



arrests were for property charges. This pattern is repeated with public order charges (35 percent) and violent offenses (33 percent), although it should be noted that the contrast between “specialization” and “generalization” is least stark for those booked on violent charges.

Table 5 shows the top five most common specific charge types of pretrial arrest within each broad charge category type at the time of jail booking. Looking at those who were booked on violent charges and who experienced a pretrial arrest, 12 percent were arrested for assault and battery. However, this is followed by 11 percent arrested during the pretrial period for operating a motor vehicle without a license. Similarly, shoplifting and possessing marijuana are within the top charge types for those booked on violent charges who experience an arrest during the pretrial period. For individuals booked on property charges who are arrested pretrial, 16 percent are arrested again for shoplifting, followed by 9 percent arrested for criminal trespass against property (i.e., damaging property up to a certain value). In this table, specialization is more apparent for those booked on drug charges, as four of the top five pretrial arrest charges (37 percent) are associated with a new arrest on drug charges. This points to evidence of differences in the rate of specialization within each booking charge type.

To test the specialization or generalization relationship empirically and answer RQ5, we ran a multinomial logistic regression model of the different pretrial arrest charge types as outcomes. Figure 2 shows the predicted probabilities of each response category (i.e., each arrest charge type) by jail booking charge type, controlling for the criminal history factors captured in the PSA’s NCA scale score. Here again, it is evident that not being arrested for new charges is the most common outcome. However, within booking charge types, even when controlling for criminal history factors included in the NCA scale, having a specific booking charge type can be associated with having a higher predicted probability of that same pretrial arrest charge type occurring compared to other charge types. This pattern is most clear for property, violent, and drug charges, where the corresponding jail booking charge type is significantly associated with a greater probability of having that pretrial arrest charge type compared to all other arrest-specific outcomes.

Net of criminal history factors, for those booked on property charges, their predicted

probability of being arrested for a property charge during the pretrial period is 11 percent compared to a new violent (4 percent) or drug (5 percent) arrest. Similarly, those who are booked on drug charges have a 9 percent probability of being arrested on new drug charges during the pretrial period. This is more than the total probability that they are arrested for a new violent, property, or public order charge combined. In contrast, for individuals booked on a violent charge, the predicted probability that they experience a new arrest for a violent charge is 7 percent compared to 4 percent each for a new drug or property arrest or 6 percent for a new public order arrest. This suggests that, while there is still evidence of specialization for those booked on violent charges, it is less pronounced compared to those who are booked on property or drug charges. Taken as a whole, this contributes to a broader finding: although not being arrested for a new charge pretrial is the norm and true for most individuals, for those who are booked on a specific type of charge *and end up being arrested for new charges*, they are most likely to be arrested for the same type of charge they were booked on.

Discussion

The decision to release an individual during the pretrial period is vital to maintaining public safety and ensuring due process while seeking to limit the potentially harmful impacts of pretrial detention. Yet little is known about the characteristics of rearrest during the pretrial period. This study provides key insights into the rearrest patterns for those released during the pretrial period of their court case in one Southeastern jurisdiction. First, most individuals (76 percent) who are released pretrial are not arrested for a new charge during the pretrial period. Yet, second, for those who are arrested, they are more likely to be arrested for a new misdemeanor charge, even if they were originally booked on a felony charge. Both findings dispel myths surrounding pretrial release—as most people do not commit new crimes while their current case is pending, and if they are arrested, the new charge is often a misdemeanor. When exploring this pattern by booking charge type, the pattern becomes more nuanced. Looking at the types of charges that people are originally booked on, violent charges are the most common (33 percent) for those who are eventually released. However, when exploring patterns of arrests during the pretrial period, although the most common outcome is no

TABLE 4.
Distribution of Pretrial Arrest Charge Types by Booking Charge Type

Booking Charge Types	Pretrial Arrest Charge Types					Total
	Violent Offenses	Drug Offenses	Property Offenses	Public Order Offenses	Other Offenses	
Violent Offenses	33%	18%	23%	26%	0%	100%
Drug Offenses	12%	50%	21%	18%	0%	100%
Property Offenses	14%	18%	48%	20%	0%	100%
Public Order Offenses	21%	22%	22%	35%	0%	100%
Other Offenses	20%	16%	20%	43%	0%	99%
Total	21%	24%	31%	24%	0%	100%

Source: Southeastern County Jail Bookings from 2017-2018. New arrest data come from Statewide Criminal History Database from 2017-2019. Total Sample N = 20214 of individuals released from jail during the pretrial period and determined to be at risk for a new arrest during the pretrial period. Table N = 4,948 individuals who experienced a pretrial arrest. Table shows charge combinations of the most serious charge type at booking and the pretrial arrest charge type.

TABLE 5.
Top Five Pretrial Charge Types by Jail Booking Charge Type

Most Serious Charge for Jail Booking	Specific Pretrial Arrest Charge Type	N	%
Violent Offense at Jail Booking	Assault and Battery	192	12.3
	Operating a Motor Vehicle Without a License	164	10.5
	Aggravated Assault	111	7.1
	Shoplifting, Value Unknown	101	6.5
	Possession/Use, Marijuana or Hashish	86	5.5
Property Offense at Jail Booking	Shoplifting, Value Unknown	287	16.4
	Criminal Trespass (Against Property)	160	9.1
	Operating a Motor Vehicle Without a License	159	9.1
	Possession of Controlled Substance or Enumerated Drug	96	5.5
	Assault and Battery	94	5.4
Drug Offense at Jail Booking	Possession of Controlled Substance or Enumerated Drug	106	11.7
	Operating a Motor Vehicle Without a License	78	8.6
	Possession/Use, Marijuana or Hashish	77	8.5
	Sale of Marijuana or Hashish	75	8.3
	Possession of Drug Paraphernalia	72	8.0
Public Order Offense at Jail Booking	Operating a Motor Vehicle Without a License	59	14.1
	Possession/Use, Marijuana or Hashish	33	7.9
	Assault and Battery	29	6.9
	Shoplifting, Value Unknown	23	5.5
	Possession of Controlled Substance or Enumerated Drug	21	5.0
Other Offenses at Jail Booking	Operating a Motor Vehicle Without a License	73	23.6
	Assault and Battery	25	8.1
	Possession/Use, Marijuana or Hashish	22	7.1
	Shoplifting, Value Unknown	20	6.5
	Driving Under the Influence of Alcohol	16	5.2

Source: Southeastern County Jail Bookings from 2017-2018. New arrest data come from Statewide Criminal History Database from 2017-2019. Total Sample N = 20214 of individuals released from jail during the pretrial period and determined to be at risk for a new arrest during the pretrial period. 4,948 individuals who experienced a pretrial arrest. Table shows charge combinations of the most serious charge type at booking and the pretrial arrest charge type. This table shows the top 5 specific charge categories for pretrial arrests within the broad charge types at booking.

arrest, the most common pretrial arrest type is for new property charges (31 percent). In fact, those who were originally arrested on property charges are also more likely to be arrested again during the pretrial period (30 percent), compared to other booking charge types (~23 percent). When testing for the presence of specialization vs. generalization, most pretrial arrests (61 percent) are for different charge types than the one an individual was booked on. Yet, within each booking charge type (e.g., originally booked on drug charges), individuals who had a pretrial arrest were more likely to have an arrest of that same type compared to other charge types. This supports specialization, although there is substantial variation within charge types, as those originally booked on drug or property charges have higher likelihoods of being arrested for those same charge types than individuals initially booked on violent charges.

While this research is informative and sets the stage for future research, it should be noted that the patterns observed here are broad and do not account for repeat victimization that varies by charge type (e.g., new trespassing charges associated with prior violent charges). In addition, this study only looks at the charge types of the first event of pretrial arrest and does not examine trajectories of arrests or account for offending patterns observed prior to the jail booking relevant to the study period, outside of accounting for criminal history in the NCA scale scores. Future studies should test this pattern with more granularity and by specific charge type, especially as it relates to individuals released on violent charges.

Research and Policy Recommendations

Given these results, this study yields several pertinent and actionable research and policy recommendations.

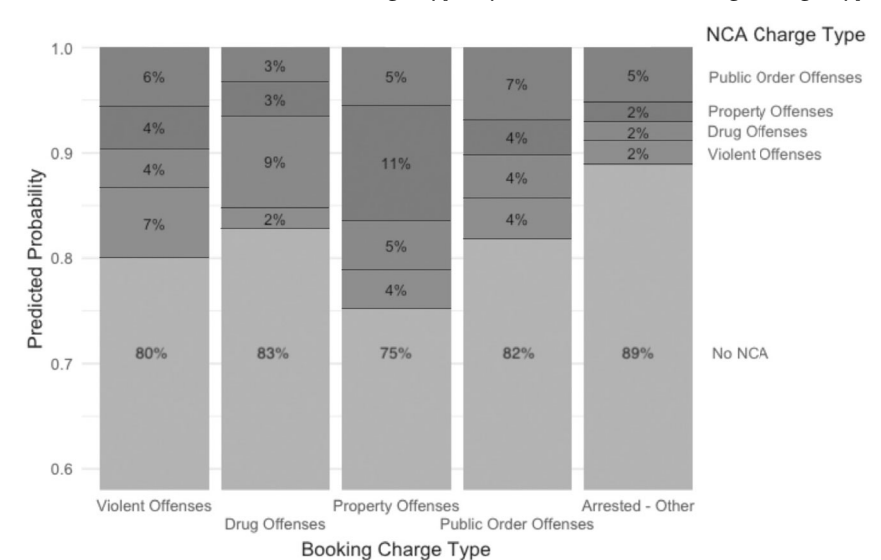
Researchers should expand pretrial assessment research agendas and be responsive to the needs of policy makers and system stakeholders. The research field plays a critical role in the development and validation of pretrial assessment instruments. The concerns expressed by policy makers and system actors about the likelihood of a released individual committing offenses during the pretrial period that are more serious or are possibly violent are not novel. Pretrial services and judicial officials have limited information and time available to inform release recommendations and decisions—so research using local data that directly speaks to the likelihood of an increase in offense severity or change in charge type may be beneficial not only in challenging assumptions about risk, but in building greater awareness of the probability of success during the pretrial period. As a result, there may be more opportunities to refine system recommendations and responses to mitigating pretrial failure.

Policy makers and system stakeholders should seek to collect detailed data on charge type and severity to determine if new charges during the pretrial period align with those at the original jail booking for performance measures and to inform validation studies. Research on the prevalence and type of arrests that occur can only take place if jurisdictions capture these data. To better inform decision-makers on the risks of specific types

and severity of rearrests during the pretrial period, it is essential to gather data that allow researchers to examine these patterns. Along with having performance measures on court appearance and avoiding pretrial arrest, jurisdictions will have the ability to track and report these specific outcomes and possibly refine local pretrial policies and practice.

Rigorous evaluations of pretrial release recommendations and decisions examining these specific pretrial arrest outcomes should be undertaken. Research on release outcomes and pretrial conditions is rather limited, but the results from the current study continue to support that most people are successful during the pretrial period. Further, pretrial arrests do not typically lead to more serious or violent charges—rather, even for those with initial felony charges, pretrial arrests are often less serious. For those booked on property, drug, or violent charges, there is some limited support for specialization in rearrest patterns, but this should be explored within a larger pretrial research agenda that aims to build the evidence on whether specific services should be made available for individuals during the pretrial period (e.g., substance abuse treatment for those arrested on drug charges, anger management for those arrested on violent charges, etc.). Coupled with a validated pretrial risk assessment instrument and pretrial supervision practices, incorporating information on the original booking charge to inform pretrial services provision and supervision plans may provide targeted assistance to those awaiting the resolution of their case and serve to increase public safety, but further research is needed before such efforts become widespread.

FIGURE 2. Predicted Probabilities of NCA Charge Type by Most Serious Booking Charge Type



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