

2024 FTA Workgroup Data Updates and Recommendations

The Failure to Appear (FTA) workgroup was formed in the summer of 2023 through the Criminal Justice Coordinating Council (CJCC) as a workgroup to explore the impacts of and potential means to reduce court non-appearance. Over the last year of this workgroup, the workgroup has:

- Received various District Court data analyses related to the issuance of warrants for FTA and recognizes the challenges of the District Court's data availability from the Odyssey court management system
- Reviewed the processes of Lawrence Municipal Court related to outreach to defendants to enroll in text notification, the use of text notifications for court reminders, court reminders provided to defendants via live calls, and the process of notification following a missed court date prior to the issuance of a warrant
- Received a presentation from community members about how to improve the usability of Lawrence Municipal and District Court websites
- Received a presentation from community members summarizing existing best or emerging best practices across the country for improving court appearance
- Updated data of jail bookings for FTAs

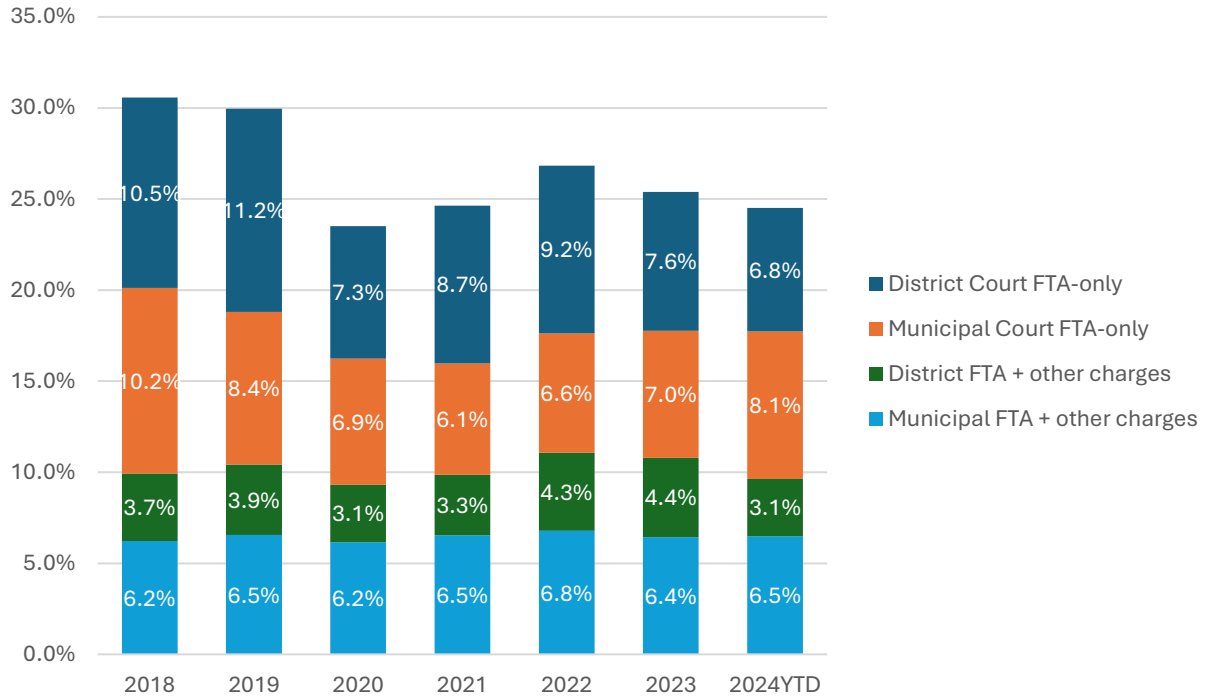
This document includes the updated jail booking data related to FTAs and recommendations from workgroup members for consideration in future efforts to address FTAs.

I. Updates to Jail Data for FTA Bookings:

The data below examines jail bookings into Douglas County Correctional Facility for FTA warrants.

- The first chart below shows the distribution of FTA-only and FTA+other charges of the total jail bookings each year, from 2018 through early September 2024, by District and Municipal Court.
- The second table shows the raw numbers of bookings in each category from 2018 through early September 2024.
- The third and fourth figures address length of stay for FTA and non-FTA bookings from 2022 through early September 2024. The first of these tables shows the median length of stay, while the second table shows the average length of stay for these booking categories.
- The final table in this section displays the release reason for FTA and non-FTA bookings that were released from 2022 through early September 2024. It is important to note on this table that release reason is captured at the charge level, so one booking may have multiple charges with various release reasons.

Distribution of bookings by FTA category



	2018	2019	2020	2021	2022	2023	2024YTD
District Court FTA-only	539	487	208	284	281	264	164
Municipal Court FTA-only	525	366	198	200	200	242	196
District FTA + other charges	191	169	90	109	131	151	76
Municipal FTA + other charges	320	286	176	214	207	223	157
Other bookings	3,575	3,059	2,186	2,468	2,233	2,586	1,827
Total bookings	5,150	4,367	2,858	3,275	3,052	3,466	2,420

Notes: The first category (District Court FTA-only) and third category (District FTA + other charges) can include bookings with Municipal Court FTAs as long as each booking has at least one District Court FTA. The second category (Municipal Court FTA-only) and fourth category (Municipal FTA + other charges) do not include any District Court FTAs.

Median days in custody

	2022	2023	2024YTD
District Court FTA-only	5.0	4.0	1.8
Municipal Court FTA-only	0.9	0.8	0.8
District FTA + other charges	33.5	34.8	31.5
Municipal FTA + other charges	3.0	2.9	3.9
Other bookings	0.7	0.7	0.6

Average days in custody

	2022	2023	2024YTD
District Court FTA-only	20.9	23.6	16.5
Municipal Court FTA-only	4.7	4.1	2.5
District FTA + other charges	57.5	68.6	63.0
Municipal FTA + other charges	44.0	27.9	44.2
Other bookings	14.5	14.8	14.0

Release reason (2022-2024YTD charges)

	District Court FTA-only	Municipal Court FTA-only	District FTA + other charges	Municipal FTA + other charges	Other bookings
Number of Charges	1,312	1,248	1,479	2,216	11,479
Cash/Surety/Credit Card Bond	23%	29%	15%	14%	17%
Charge Dismissed/Not Filed	6%	2%	12%	9%	13%
Dept of Corrections	1%	0%	8%	3%	3%
House Arrest	2%	3%	1%	2%	2%
Judge's Authority	8%	19%	6%	11%	1%
Other Agency	2%	3%	8%	5%	5%
Other/Blank	10%	2%	11%	10%	17%
Own Recognizance	33%	29%	22%	29%	35%
Probation/Parole	10%	8%	9%	7%	3%
Time Served	5%	5%	8%	9%	5%
Total	100%	100%	100%	100%	100%

Notes: Percentages are calculated for all charges and not all bookings. One booking can have multiple charges, each with its own release reason.

II. Workgroup Member Recommendations for Consideration

Below please find the recommendations from workgroup members for consideration in future iterations of FTA-related work in the jurisdiction:

1. **Establish a baseline of critical data and relevant key information** necessary for a full understanding of the FTA issue in Lawrence and Douglas County.
 - a. **Data:** Gather and analyze FTA data from the Douglas County Jail, District Court and the Municipal Court
 - i. The District Court presented a fairly comprehensive set of data regarding FTAs. An update of that information on an ongoing basis would be a worthy goal to maintain. The challenge that stands is how do we assess what the raw data tells us about our FTA rates.
 - ii. Local data should be compared against surrounding Kansas Districts, statewide and nationally.
 - b. **Understand Current Practices:** In light of “Best Practices to reduce FTAs” described in various publications and white papers, conduct a comprehensive review of policy, procedures and systems in the Municipal and District Courts that are currently in place to inform court users or are intended to reduce FTAs.
 - c. **Financial Impact:** Conduct a thorough analysis of the costs incurred for the act of an individual failing to appear in the Municipal and District Courts, but also to the individuals that fail to appear.
 - i. Costs to the judicial systems, including, but not limited to those occurred by the Courts and administration, City Police, Sheriff’s Office, Douglas County Jail (bookings and jail expense), public defenders, and all other public impacted.
 - ii. Costs to the person failing to appear, including the additional expense, additional attorney fees, potential jail time, potential for increased recidivism, time away from work, and possible loss of jobs, to name a few.
2. **Willful FTA vs. FTA from inadvertence or lack of resources:** Research (or present research that already exists) and report on whether there is data available that helps identify who is most at risk for willful failure to appear versus failures to appear that result from inadvertence or lack of resources to help the person appear as directed.
 - a. Are there techniques that are more effective or can we think of how to approach those individuals differently than those who willfully fail to appear?
 - b. Are there screening variables that pretrial could use to assess this risk on a case-by-case basis? Is that something that the DA Office should consider before charging a case? Is there a role for LE in contributing input into those decisions/predictions? How are such assessments validated?
3. **Develop a collaborative effort to standardize communications and messaging**, whether written, electronic or online, across all entities having contact with court users.
 - a. These entities include, but are not limited to, the Municipal and District Courts, Lawrence Police Department, Sheriff’s Office, defense attorneys (private and public defenders).
 - b. This initiative would help ensure that all court users receive consistent and easily understood messaging and are fully aware of consequences for FTA.

4. **Draft Actions that are Recommended to be taken** by the Municipal and District Courts, their administration, and all other entities that have “touch points” with users of the court system.
5. **Establish metrics for tracking** fulfilment of recommendations, reduction in FTAs, and cost savings to the City of Lawrence and Douglas County. For example: Reduce the share of FTA-only bookings by a specified percentage for both District Court and Municipal Court.