

## **CRIM 491-492 Honors Seminar**

### **Pretrial (in)Justice in the United States: The Success and Limits of Pretrial Reform**

Dr. Evan Lowder - Fall 2022 and Spring 2023

#### **Course Overview**

Incarceration rates in the United States (U.S.) far surpass those of other developed nations (World Prison Brief, 2018). Pretrial detention is a major contributor to high incarceration rates. As an illustration, over 10 million unique admissions into U.S. jails occur annually (Zeng, 2020). Individuals who are awaiting formal charges for a crime represent up to two-thirds of local jail populations (Sawyer & Wagner, 2020). Pretrial detention has been shown to adversely impact criminal case outcomes for individuals. For example, relative to their counterparts who achieve pretrial release, individuals who are detained pretrial are more likely to plead guilty and are sentenced to prison more often and for longer durations (Heaton et al., 2017; Williams, 2003; Wooldredge et al., 2015). Racial and ethnic minorities disproportionately experience the harmful effects of pretrial detention (Sutton, 2013; Wooldredge, 2012; Wooldredge et al., 2017), often due to an inability to pay bail (Arnold et al., 2018; Demuth, 2003; Demuth & Steffensmeier, 2004; Sacks et al., 2015; Schaefer & Hughes, 2019). In response to these trends, state and local governments have implemented pretrial reform strategies (Casey & Elek, 2015; Pretrial Justice Institute, 2014; Thigpen & Keiser, 2008). These strategies have included reducing the use of bail bonds, implementing pretrial risk assessments to inform release decisions, and expanding pretrial supervision as a condition of pretrial release. Despite the reach of these efforts, empirical evidence on their success is limited. Legal scholars also have raised concerns about specific reform efforts, arguing they may increase racial disparities and infringe on defendants' due process rights. These issues will be explored in-depth throughout this course.

This course will provide students with a background on the legal and empirical issues in pretrial processing. The course will explore the effectiveness and limits of pretrial reform efforts. Students will gain an understanding of critical issues in pretrial case processing and contemporary trends and controversies. Students will apply knowledge gained from the course to empirical research projects focused on advancing knowledge on pretrial reform.

#### **Course Activities**

In the Fall semester, students will learn about trends in pretrial processing, pretrial reform efforts, special topics areas, and research methodology in the social sciences. Specific topics will include:

- Incarceration trends in the United States
- Legal, theoretical, and practical issues in pretrial processing
- Pitfalls of the bail bond system
- Racial disparities in pretrial processing
- The scope and effectiveness of pretrial reform efforts
- Addressing risk and needs in the pretrial period
- Best practices in correctional rehabilitation

- Current controversies in pretrial reform
- Fundamentals of research methods in social sciences
- Fundamentals of quantitative data analysis

In the Spring semester, students will work in groups to develop and implement empirical research projects focused on understanding: 1) the scope of pretrial reform efforts; 2) the success of pretrial reform efforts; and/or 3) unaddressed gaps in pretrial reform. Students will be encouraged to adopt a multi-stakeholder perspective on their research topics. At the conclusion of the course, students will present their work to the Criminology, Law and Society faculty. Students will be encouraged to present their work at the 2023 OSCAR Celebration of Student Scholarship and Impact. Students will also be encouraged to present their work to criminal justice professionals and researchers and to publish their findings.

### **Course Enrollment**

The Criminology, Law and Society Honors Program is open to Criminology, Law and Society majors who show the ability and drive to benefit from intensive study in the honors seminars. There are no formal course or GPA requirements, although the most promising candidates will be students who have taken challenging courses at Mason and who have earned at least a 3.5 overall/cumulative GPA (a B+ and above grade from CRIM315—Research Methods and Analysis in Criminology is strongly recommended). Students must have permission to participate in this course and are expected to make a one-year commitment to participate in both CRIM 491 and CRIM 492. Students who successfully complete CRIM 491 and 492 with a GPA of 3.5 or above will receive the honors designation in Criminology, Law and Society when they graduate and the letters “RS” will appear on their academic transcripts indicating they have participated in a Research and Scholarship Intensive course. The six credits from these two courses can be applied towards the CRIM electives section of the major and can count toward the criminal justice or the law and society concentration. This seminar will meet on Mondays from 1:30pm-4:10pm in the Fall semester in MTB 1008 (day/time for the Spring semester to be confirmed) on the Fairfax campus. General information on the Honors program is available at <http://cls.gmu.edu/undergraduate/honors-research>. If you are interested in registering for this course, please email Dr. Lowder at [elowder@gmu.edu](mailto:elowder@gmu.edu).

### **About the Instructor**



Dr. Evan M. Lowder is an Assistant Professor of Criminology, Law and Society at George Mason University and directs the Early Justice Strategies lab. She received her Ph.D. in Psychology from North Carolina State University. Her research is focused on strategies to reduce offending and improve behavioral health outcomes among justice-involved adults, with specific emphasis on adults with serious mental illnesses and substance use disorders, pre-arrest and court-based diversion programs, opioid use, and risk and needs assessment. More recently, her work has focused on evaluating pretrial reform efforts, including the use of pretrial risk assessments to inform pretrial release and supervision decisions.

## References

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