

EXHIBIT B-5

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

MARANDA LYNN O'DONNELL, et al.

Plaintiffs,

v.

HARRIS COUNTY, TEXAS, et al.

Defendants.

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Case No. 16-cv-01414

(Class Action)

The Honorable Lee H. Rosenthal

U.S. District Judge

DECLARATION OF NATALIE MICHAILIDES

1. My name is Natalie Michailides. The facts set forth in this declaration are based on my personal knowledge, unless otherwise indicated, and, if called as a witness, I could and would testify thereto. I am over eighteen years of age and of sound mind to declare to the facts stated herein.
2. I am the Executive Director of Harris County Pretrial Services ("PTS"). PTS is responsible for providing information to support release decision making and monitoring. PTS monitors defendants released with court ordered bond conditions and the agency reports to the judges the defendant's compliance with the conditions. Monitoring is intended to promote compliance with court orders, including court appearances and avoiding a new arrest event. Additionally, we provide accurate and timely information to judicial officers in Harris County—both Criminal Law Hearing Officers at the Joint Processing Center and elected judges—to assist them with making informed pretrial decisions starting at the initial Probable Cause Hearing appearance at the Joint Processing Center (JPC).

3. Eliminating the Consent Decree and components of Local Rule 9 would force a significant workload increase to PTS's staffing and divert resources away from higher-risk cases or more serious offenses. Outcome data has demonstrated that the current processes have not caused significant harm to public safety.

I. Pretrial Services Plays an Essential Role in Promoting Pretrial Success.

1. The pretrial phase of a criminal case spans the critical window from the moment of arrest through the final disposition of the criminal charge. During this period, Pretrial Services is tasked with promoting pretrial success, which is assessed by two primary metrics: a defendant's appearance in court and the avoidance of new criminal activity.
2. There are two broad categories of missed court appearances. First—and by far the most common—are people who miss court for logistical or financial reasons, *e.g.*, they cannot afford transportation or traffic, they cannot miss a shift at work, they forgot when their court date was scheduled, they were unable to secure childcare, or their car broke down. The second category of people who miss court are those who are intentionally fleeing prosecution. This category is extremely small. In my experience, the reasons people miss court can almost always be mitigated by court reminders, logistical, or material support.
3. In FY 2025, 79,072 new cases were referred to PTS for supervision. Almost 35,000 cases were misdemeanors and approximately 42,000 cases were felonies. Approximately 23,000 cases (29%) were ordered supervision without a companion felony from the same arrest event, meaning their highest charge was a misdemeanor.
4. PTS functions at all points of the justice system prior to sentencing and is one of the few stakeholders that requires on-going direct contact with the defendant. Pretrial Services two core functions are to gather information for the criminal courts and hearing officers

as well as monitor defendants with court ordered conditions intended to mitigate pretrial failure.

5. Based on the court ordered condition of release, Case Managers are assigned a varying number of defendants to monitor during the pretrial process. The varying levels of monitoring are based on type of condition they are ordered to such as no contact, drug testing, or electronic monitoring.
6. Over 83% of cases we supervised in FY 2025 were concluded successfully, while about 17% experienced some form of non-compliance.
7. Our 2025 budget was \$29,151,690. In that same year, we had the budget for 280 positions. But on average, throughout the year, we had 39 vacancies throughout the agency. These vacancies are difficult to fill, especially pretrial officers under the Pretrial Screening Division at the JPC, because when there is a weather event they are required to stay if needed, 24-hour a day shift work, daycare, time away from family, and suboptimal schedule.
8. As a result of the Consent Decree the agency hired 4 additional Position Control Numbers (PCN) to function as Justice Navigators to answer questions for people entering the justice buildings during business hours. It is unknown how many staff were provided for PSD due to the Consent Decree because there were concurrent initiatives and changes happening during the timeframe of the Consent Decree.

II. PTS Screens Arrestees at the JPC.

1. Once a person arrives at the JPC, the person will be searched, change into jail-issued clothing, and fill out an intake questionnaire. They are then moved to the receiving area of the JPC on the second floor. Once charges are finalized, the defendant will speak with a pretrial officer from my agency.

2. Pretrial officers typically work an eight-hour shift apart from the midnight shift which is a ten-hour shift. The officers under the Pretrial Screening Division are assigned to one of three shifts covering 24 hours, seven days a week. During our busiest shifts, it is optimal to have 14 pretrial officers working at a time to do the following: compiling criminal histories for misdemeanor warrants, completing Public Safety Assessments for felony charges, PSRs, interviews for affidavits, GOB paperwork, compiling of information for Hearing Officers, work Probable Cause Hearings for Hearing Officer support and bond conditions, and instruct defendants that receive bond conditions.
3. For individuals eligible to receive a General Order Bond (“GOB”) under Local Rule 9 and the Consent Decree, the pretrial officer’s interview with the person is abbreviated.

To complete the GOB, pretrial staff at the JPC perform the following tasks:

- a. Identification of a defendant that is eligible for a GOB is provided from the Harris County District Attorney's Office (DAO) via the DAO’s online portal.
- b. The Pretrial Officer (PTO) conducts an interview with the defendant to gather demographic, personal, and contact information that will populate into the GOB for the Court Appearance form. (Attachment 1)
- c. Once the interview is completed, the defendant and PTO review the GOB Court Appearance form and General Conditions of Release and Supervision form. (Attachment 2)
- d. The defendant and the PTO sign both documents. Per the CCCL Judges’ instruction in Rule 9, a judicial signature is populated once bond and conditions are filed with the District Clerk’s Office. After all signatures have been executed, the pretrial officer verifies the GOB appears in the Harris County District Clerk’s computer database thus confirming that a person's liberties are not being withheld.
- e. The pretrial officer provides copies to the defendant of the GOB bond paperwork, including a list of conditions.
- f. Pretrial Services generates the Public Safety Report (PSR) in the Public Safety Report System for all defendants. As part of Criminal Procedure statutes 17.021 and 17.022, a magistrate must consider the PSR that is generated in the PSRS when setting bail. Prior to 2025, the PSR was run for defendants where the bond is set by

a magistrate. In 2025, the State of Texas passed legislation under Government Code 72.038 (b-1) a defendant that is released under a standing order (i.e. GOB) must also have a PSR.

4. The range of time for an interview with a person being released on a GOB will last between 7-15 minutes.
5. Those defendants who do not receive a GOB require significantly more time and attention. First, a pretrial officer must assemble a packet ahead of the person's magistration hearing. For misdemeanors, this packet will include a financial affidavit and Public Safety Report. For the defendants arrested on a warrant, PTS also accesses the arrestee's full criminal history and provides the full criminal history to the magistrate.
6. Pretrial officers are also essential to the magistration hearing itself. Whether a defendant physically appears before a hearing officer or their packet is reviewed off-docket, PTS has the responsibility of reviewing all bond paperwork for completeness and working with the hearing officer to finalize the bond and conditions of release paperwork. Without completeness of release paperwork a defendant may not be released.
7. The range for an interview with someone who must attend a magistration hearing will last anywhere from five to fifteen minutes. Each packet takes about five to ten minutes to prepare. That means, for each non-GOB eligible case, a pretrial officer must spend fifteen to twenty-five minutes on each defendant.
8. Once a hearing officer has signed the bond paperwork and set conditions of bond, Pretrial Services instructs the defendant regarding their bond conditions and answers any questions. It takes approximately ten minutes to speak with each defendant at this stage. As previously stated, a defendant released on a GOB has no additional interaction with Pretrial Services. In the absence of a GOB, a defendant may have conditions of bond that are more extensive and any person who is granted a personal bond is supervised by PTS.

9. If a non-GOB eligible arrestee is released and bond conditions are assigned, PTS will have responsibility for monitoring that person while they are released pretrial. Even if a person is released on bond with their only conditions being to appear in court and remain arrest-free, PTS will still have to open a case for that person, monitor their progress through the pretrial process, and close the case once the person's case is resolved. For GOBs, we do not, as a matter of practice, open or maintain cases in our system for those defendants. At any given time, we are responsible for approximately 5,000 to 10,000 defendants on a personal bond with no conditions of supervision other than the basic requirements to appear in court and remain arrest-free.
10. The constant cycle of opening and closing a case within Pretrial Services diverts critical human resources (staff time) away from accused individuals with a more serious, violent charge or defendants who carry a risk of failing to appear for court or a new arrest event. Imposing agency supervision on individuals who present low pretrial risk does not inherently make them more or less likely to fail to appear for court or be rearrested pending trial. Research supports the idea that unnecessary pretrial conditions on low-risk defendants reduces their likelihood of success, as strict supervision can disrupt employment, childcare responsibilities, and essential prosocial stability.
11. The GOB, unlike a Personal Bond, does not have the requirement of Harris County Pretrial Services oversight. The GOB removes the administrative supervision overhead to Pretrial Services.

III. Eliminating GOB Releases Would Greatly Increase Pretrial Services' Workload and Tradeoff with Higher-Risk Cases.

1. As previously explained, those released on GOBs require significantly fewer resources from PTS. We do not create a packet for magistration for them. We do not work with a hearing officer on their bond conditions. We do not admonish them of their conditions

and answer their questions about those conditions. Additionally, we do not supervise them after release.

2. The lower monitoring model makes sense. Those released on GOBs tend to be the lower risk or lower charged defendants. The resources we save on the front-end by quickly screening GOBs can be invested in more serious cases with a higher risk or higher charge profile. It also helps avoid over-conditioning lower-risk arrestees who do not need intensive supervision. The research supports, over-conditioning wastes money, causes unnecessary criminal-system involvement, and generates bond “failures” that have little to do with public safety or the person’s risk to the community.
3. Eliminating GOBs would require either a significant increase in our already-strained budget or the diversion of valuable staff resources away from higher-risk cases or more serious offenses. For example, even if the vast majority of those currently receiving GOBs were released on personal bonds with no conditions beyond appearing in court and no new-arrests, we would have to prepare packets for, work with magistrates on, admonish, and open and close cases for nearly 28,000 more people a year. I would need at least 39 additional staff for the JPC, administrative, and monitoring. The agency is currently facing challenges hiring existing staff positions. This recruitment problem would be exacerbated by the elimination of GOB. For several reasons, shift work has challenges such as time away from family, daycare, and suboptimal scheduling, and caseload sizes.
4. This is a conservative estimate. PTS does not know how magistrates would handle these nearly 28,000 cases. If magistrates increase their reliance on secured bond with conditions or a personal bond with more conditions for those who currently receive GOBs, then the additional staff needed would increase significantly.

5. As Executive Director of PTS, I also cannot be sure if Commissioner's Court would or could actually provide this budget increase. If we did not receive the additional staff and resources, we would have to divert the time of at least 39 staff members to screening and supervising those who currently receive GOBs. That will take resources away from defendants who have a greater need for supervision and impair the safety of the community by inadequately supervising more serious offenses.
6. The following is a summary of anticipated costs to Pretrial Services if GOBs are eliminated:

Labor Estimates

Position Description	Salary	Qty. (no part-time)	Position Salary Costs	Benefits (22.99%)	Group Health (\$25,342/person)	Total Costs
Case Managers and Pretrial Officers	56,910	39	2,219,485	510,260	988,338	3,718,083
Supervisors	113,700	3	341,100	78,419	76,026	495,545
Total	170,610	42	2,560,585	588,678	1,064,364	4,213,627

Non-labor Estimates

Non-labor Description	Cost	Amt.	Total Costs
Employee equipment, supplies or license costs	5,000	42	210,000
CSS Contractor Costs	100,000	1	100,000
Total	105,000	43	310,000

I declare under penalty of perjury that the foregoing is true and correct. Executed on



Natalie Michailides

9/15/2026

Date