



A Framework for Pretrial Justice

THE ESSENTIALS OF EFFECTIVE PRETRIAL SYSTEMS AND AGENCIES

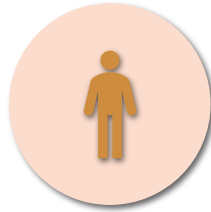


Getting Pretrial Justice Right

BAIL: Requirements to reasonably assure a defendant's appearance in court and, where appropriate, public safety.



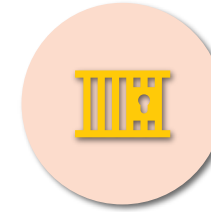
PERTAINS ONLY TO
APPEARANCE AND SAFETY
CONCERNS



INDIVIDUALIZED TO THE
DEFENDANT'S UNIQUE
CHARACTERISTICS



LEAST RESTRICTIVE MEANS
NEEDED TO ENSURE GOALS



DETENTION MEETS DUE
PROCESS
REQUIREMENTS

The Legal Foundation



GOAL: MAXIMIZE RELEASE,
APPEARANCE, AND SAFETY,



EMPHASIS ON THE LEAST
RESTRICTIVE NONFINANCIAL
CONDITIONS.



RESTRICTIONS ON FINANCIAL
BAIL.



DETENTION IS ALLOWED IF
INDIVIDUAL POSES A
THREAT THAT CONDITIONS
CANNOT ADDRESS.

These three components are interrelated and must exist within a legal framework to achieve maximized rates of release, appearance, and public safety.

The Legal Foundation

A wooden gavel is positioned diagonally across the right side of the image. The background is a light-colored document with faint, overlapping text, including words like 'legal', 'law', 'court', and 'equity'. The gavel has a smooth, polished wooden head and handle.

Nevada Constitution

Article I, Section 6

Excessive bail shall not be required, nor excessive fines imposed, nor shall cruel or unusual punishments be inflicted, nor shall witnesses be unreasonably detained.”

Article I, Section 7:

All persons shall be bailable by sufficient sureties; unless for Capital Offenses or murders punishable by life imprisonment without possibility of parole when the proof is evident or the presumption great.

The Legal Foundation

A wooden gavel is positioned diagonally across the frame, resting on a document with faint, illegible text. The gavel's head is in the foreground, and its handle extends towards the right. The background is a light, textured surface with scattered words and phrases, suggesting a legal or judicial context.

**NRS 178.484 Right to bail before conviction;
exceptions; specific requirements for certain offenses.**

Except as otherwise provided in this section, a person arrested for an offense other than murder of the first degree must be admitted to bail.

The Legal Foundation

NRS 178.4851 Imposition of bail or conditions of release; signing and filing of document; arrest for violation of condition.

1. Except as otherwise provided in subsection 4, the court shall only impose bail or a condition of release, or both, on a person as it deems to be **the least restrictive means necessary to protect the safety of the community or to ensure that the person will appear at all times and places ordered by the court**, with regard to the factors set forth in [NRS 178.4853](#) and [178.498](#).
2. A prosecuting attorney may request that a court impose bail or a condition of release, or both, on a person. If the request includes the imposition of bail, the prosecuting attorney must prove by clear and convincing evidence that the imposition of bail is necessary to protect the safety of the community or to ensure that the person will appear at all times and places ordered by the court, with regard to the factors set forth in [NRS 178.4853](#) and [178.498](#).
3. **If a court imposes bail or any condition of release, or both, other than release on recognizance with no other conditions of release, the court shall make findings of fact for such a determination and state its reasoning on the record, and, if the determination includes the imposition of a condition of release, the findings of fact must include why the condition of release constitutes the least restrictive means necessary to protect the safety of the community or to ensure that the person will appear at the times and places ordered by the court.**
4. A person arrested for murder of the first degree may be admitted to bail unless the proof is evident or the presumption great by any competent court or magistrate authorized by law to do so in the exercise of discretion, giving due weight to the evidence and to the nature and circumstances of the offense.

The Legal Foundation



DETENTION:

- Felony arrest with current probation or parole status unless:
 - A court issues an order directing that the person be admitted to bail;
 - The State Board of Parole Commissioners directs the detention facility to admit the person to bail; or
 - The Division of Parole and Probation of the Department of Public Safety directs the detention facility to admit the person to bail.
- Felony arrest and suspended sentence pursuant to [NRS 4.373](#) or [5.055](#) or sentence to residential confinement pursuant to [NRS 4.3762](#) or [5.076](#) unless:
 - A court issues an order directing that the person be admitted to bail; or
 - A department of alternative sentencing directs the detention facility to admit the person to bail.
- Offenses involving operation of vehicles while impaired unless the person has a concentration of alcohol of less than 0.04.

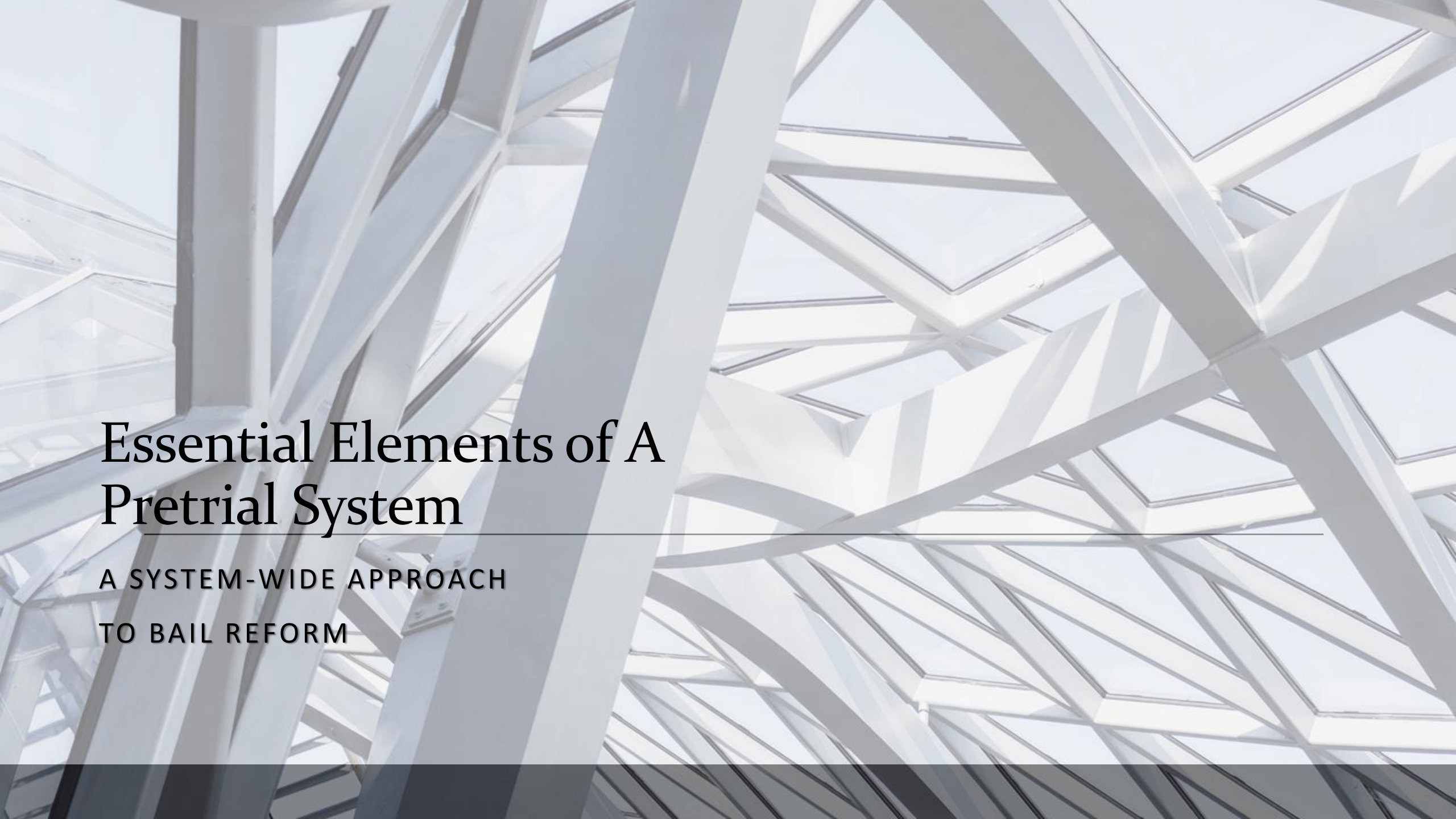
The Legal Foundation

DETENTION:

Domestic Violence charges: admitted to bail no sooner than 12 hours after arrest.

Violation of a temporary or extended order for protection: admitted to bail no sooner than 12 hours after arrest if:

- (a) The arresting officer determines that such a violation is accompanied by a direct or indirect threat of harm;
- (b) The person has previously violated a temporary or extended order for protection of the type for which the person has been arrested; or
- (c) At the time of the violation or within 2 hours after the violation, the person has:
 - (1) A concentration of alcohol of 0.08 or more in the person's blood or breath; or
 - (2) An amount of a prohibited substance in the person's blood or urine, as applicable, that is equal to or greater than the amount set forth in subsection 3 or 4 of [NRS 484C.110](#).



Essential Elements of A Pretrial System

A SYSTEM-WIDE APPROACH
TO BAIL REFORM



Release Options Following or In Lieu of Arrest

The legal principle of release on the least restrictive conditions starts with the initial contact with law enforcement. High functioning jurisdictions use citation releases or summonses by law enforcement in lieu of custodial arrests for non-violent offenses when the individual's identity is confirmed and no reasonable cause exists to suggest the individual may be a risk to the community or miss the ensuing court date.



No Local Exclusions to Release Consideration

Pretrial systems screen all defendants eligible by statute for pretrial release consideration.

Local justice systems do not impose limitations on pretrial screening and assessment eligibility beyond those established in the controlling bail law.

Criminal Case Screening

Trained and experienced prosecutors screen arrest filings before initial appearance to determine the most appropriate action.

Early screening helps:

- reduce needless pretrial detention based on bail decisions made using arrest charges;
- aid prosecution in determining the most appropriate recommendations for pretrial release or detention;
- dispose of weaker cases sooner and target resources to higher level cases; and
- identify defendants eligible for diversion and other alternatives to adjudication.

Screening outcomes range from dismissing or reducing charges, offering defendants referrals to diversion or problem-solving courts and preparing bail recommendations for initial court appearance.



Criminal Case Screening

Effective case screening by prosecutors can increase the efficiency of both the Prosecutor's Office and the Courts... One benefit of such case screening is that some of the resources of the Prosecutor's Office can be concentrated on processing selected cases involving dangerous crimes or repeat offenders.

Merrill, w. and Milks, M. (1973). Case Screening and Selected Case Processing in Prosecutors' Offices. Washington, D.C.: National Institute of Justice NCJ#: 8043



Active Defense Counsel

Defense counsel engaged before initial appearance and prepared to represent the defendant regarding bail.

- The U.S. Supreme Court ruled in *Rothgery v Gillespie County*, 554 U.S. 191 (2008) that the initial bail hearing is a critical stage in the criminal case because liberty is at stake. Therefore, this decision point requires legal representation.
- The American Bar Association’s “Ten Principles of a Public Defense Delivery System” recommend that clients are screened for eligibility and defense counsel assigned as soon as feasible after clients’ arrest, detention, or request for counsel. Counsel should be furnished upon arrest, detention, or request, and usually within 24 hours thereafter.



Collaborative Stakeholders

Inter-agency coordination that help allocate scarce resources efficiently, reduce jail overcrowding, and increase public confidence in and support for criminal justice processes, enhancing system performance and, ultimately, the integrity of the law.

Coordinating bodies include all three branches of government and other relevant stakeholders and address specific and systemic issues. Within the pretrial context, coordinating bodies analyze current performance (e.g., of detain/release decisions), and suggest opportunities for improvement.



A Clear and
Elevating Goal



Results-driven
Structure



Competent Team
Members



Unified
Commitment



Collaborative
Climate



Standards of
Excellence



External Support
and Recognition



Principled
Leadership

TeamWork: What Must
Go Right/
What Can Go Wrong,
Carl E. Larson and Frank
M. LaFasto. 1989. Sage
Publications



Pretrial Services Agencies:

A dedicated pretrial services agency ensures that management of essential functions occurs under a single organization goal and better coordination among elements—for example, ensuring that release recommendations match supervision resources and capacity. A single management structure also provides better staff direction and motivation to critical work priorities and clearer lines of communication. The justice system has also a single actor responsible for pretrial functions.

Preferably, the pretrial services agency should be a separate, independent entity. Jurisdictions may incorporate pretrial services agencies within a larger “parent” organization, if that component has:

1. a clearly-defined, pretrial service-related function as its purpose;
2. staff assigned only to pretrial-related work with pretrial defendants; and
3. management that can make independent decisions on budget, staffing, and policy.



Pretrial Services Agencies:



HELP COURTS MAKE INFORMED
BAIL DECISIONS



PROMOTE 3M'S AND POSITIVE
OUTCOMES



ENSURE REALISTIC,
ENFORCEABLE, AND
MEASURABLE RELEASE
OPTIONS.

Agency Functions



Assess

Background investigation

- Defendant interview
- Criminal history check

Validated

Outcome

Assessment

Recommendations



Promote

Supervision

Monitoring

Support



Integrate

Needs Assessment

Substance Abuse

Mental Health



Measure

Metrics

Satisfaction

Feedback



Essential Elements of A Pretrial Services Agency

THE BASICS FOR HIGH FUNCTIONING
PRETRIAL SERVICES AGENCIES

Agency Functions



Assess

Background investigation

- Defendant interview
- Criminal history check

Validated

Outcome

Assessment

Recommendations



Promote

Supervision

Monitoring

Support



Integrate

Needs Assessment

Substance Abuse

Mental Health



Measure

Metrics

Satisfaction

Feedback

A mission statement identifies a program's focus and desired outcomes.

1. Tells the world who you are and why you're important.
2. Guides agency structure and day-to-day operational decisions.
3. Focuses Leadership, Staff and Customers on goals and principles.
4. Gives Management a clear leading message and set of principles.
5. Helps define agencies within a larger organization.





*Promote pretrial justice and
enhance community safety*

*To promote fair and effective
bail decisions and outcomes.*



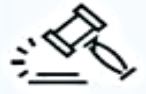
Mission

To promote pretrial justice and enhance community safety.

Strategic Goals & Management Objective

SG 1

Judicial Concurrence



SG 2

Continued Pretrial Release



SG 3

Minimize Rearrest



SG 4

Maximize Court Appearance



MO

Efficient Agency Administration



Strategic Objectives & Management Sub-Objectives

SO 1.1:

Risk Assessment

SO 2.1:

Effective Case Management

SO 3.1:

Risk-Based Supervision

SO 3.2:

Assessment-Driven Treatment

SO 4.1:

Appearance Notifications

SO 4.2:

FTA Investigations

MSO 1.1:

Customer-Centric Culture

MSO 1.2:

Continuous Improvement

Key Strategies

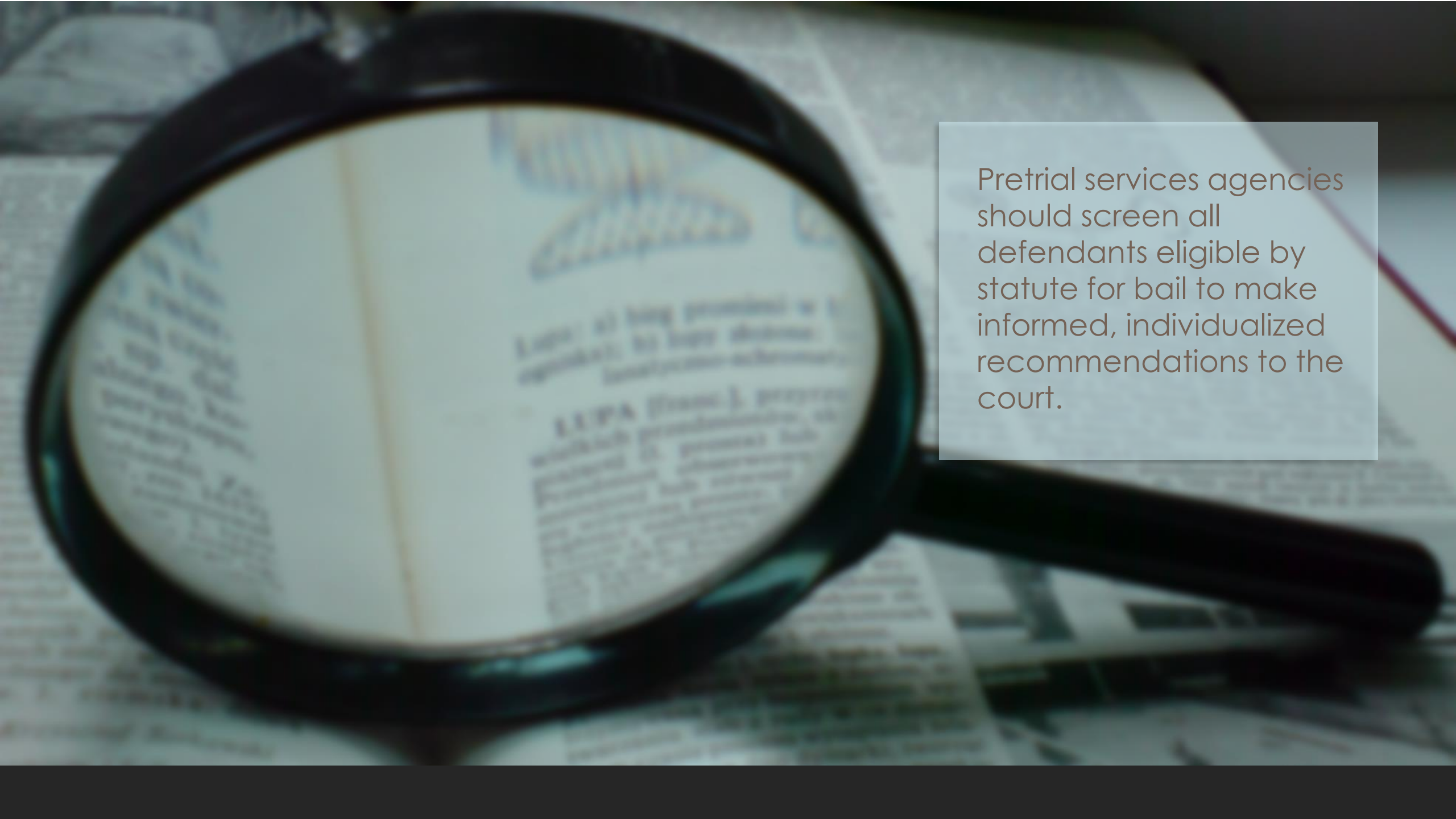
1. Revalidate risk assessment.
2. Revise PSR.
3. Implement risk-based recommendations.

1. Implement risk-based case management and supervision plans.
2. Respond timely to defendant conduct.
3. Upgrade client management system.

1. Prioritize sanctions for high-risk defendants.
2. Support proper assignment to high intensity supervision and timely installation of GPS devices.
3. Ensure timely assessment and connection to behavioral health services.
4. Assure the use of evidence-based treatment protocols.

1. Increase the use of alternative notification methods (e.g., text, email).
2. Update court date notification templates.
3. Respond timely to requests for FTA investigations.

1. Value employee contributions and development.
2. Partner to accomplish mission.
3. Provide timely drug testing results.
4. Maintain adequate data infrastructure.
5. Use human-centered design for strategic plan and policies.
6. Apply effective budget, procurement and facilities procedures.
7. Modernize IT services.

A magnifying glass with a black handle and frame is positioned over a document. The lens is focused on a section of the document, which contains some text and a blue circular stamp. The background is a blurred newspaper page.

Pretrial services agencies should screen all defendants eligible by statute for bail to make informed, individualized recommendations to the court.

Defendant
Interview

Criminal
History
Check

Verification

Risk
Assessment

-
- Screening should occur before the defendant's initial court appearance so that the judicial officer can factor screening results into his or her release decision.
 - Screening results also can help determine the defendant's eligibility for pretrial diversion options or the need for referrals to behavioral health or social services programming to augment pretrial supervision.
 - Recommendations should not depend on a defendant's participation in a screen



RISK
LEVEL

Pretrial Risk

WHAT WE KNOW:

WHAT WE'RE LEARNING



“ADMISSION TO BAIL ALWAYS INVOLVES A RISK THAT THE ACCUSED WILL TAKE FLIGHT. THAT IS A CALCULATED RISK WHICH THE LAW TAKES AS THE PRICE OF OUR SYSTEM OF JUSTICE.”

Stack v. Boyle 342 U.S. 1 (1951) at p. 8.



Keep violent career criminals in jail pending trial

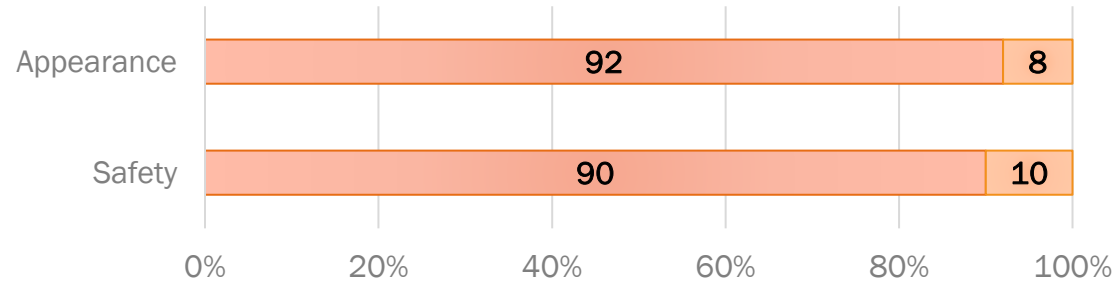
Of the 16,090 defendants released into the D.C. community to await trial during the 2022 fiscal year, 1,270 were rearrested on new criminal charges while their original cases were still pending, according to the city's Pretrial Services Agency. Activists say this is *only* 8 percent, and most of the rearrests are not for violent crime. **It's still unacceptably high.**

Pretrial Risk:

The likelihood of a missed court appearance or new filed case pending adjudication.

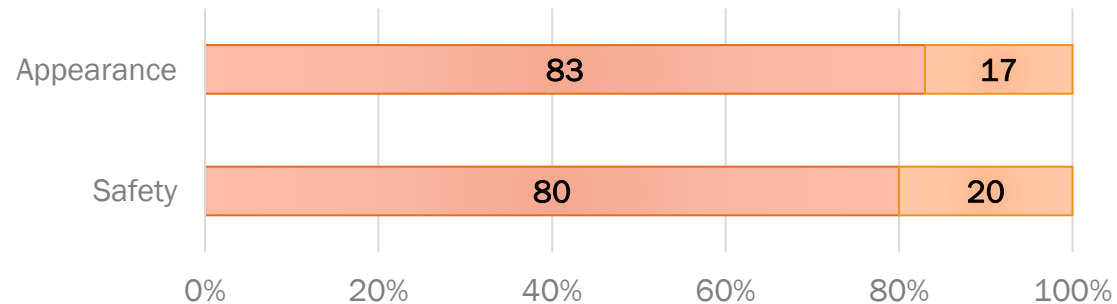


Appearance and Public Safety Rates by Percentages--Washington, D.C.



Pretrial Services Agency for the District of Columbia (2022). Congressional Budget Justification and Performance Budget Request: Fiscal Year 2023. (p. 33)

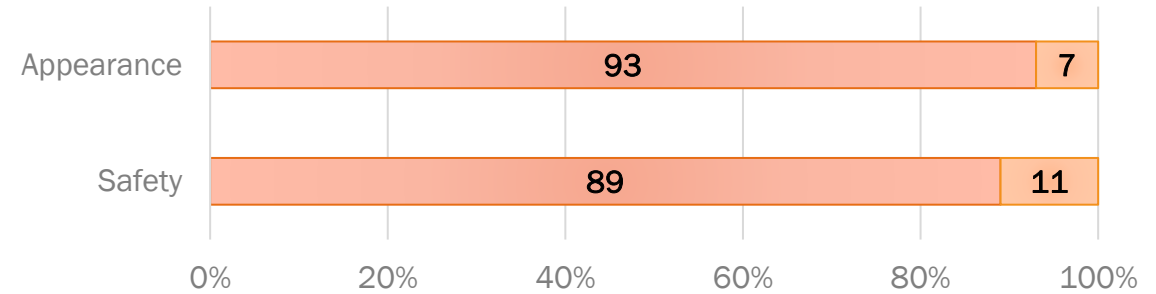
Appearance and Public Safety Rates by Percentages--Felony Defendants, Cook County (Chicago), Illinois.



Stemen, D. and Olson, D. (2020). Dollars and Sense in Cook County: Examining the Impact of General Order 18.8A on Felony Bond Court Decisions, Pretrial Release, and Crime. Chicago, IL: John D. and Catherine T. MacArthur Foundation.

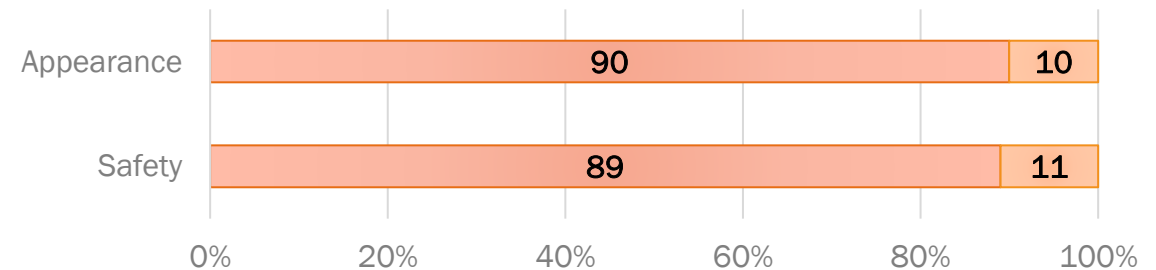
Collins, K. (2018). *Allegheny County Pretrial Services Outcome Reports: 2018*. Pittsburgh, PA: Allegheny County Pretrial Services.

Appearance and Public Safety Rates by Percentages--Allegheny County (Pittsburgh), Pennsylvania.



Grant, G.A. (2019). *Criminal Justice Reform: Report to the Governor and the Legislature*. Trenton, NJ: Administrative Office of the Courts. p. 5-6.

Appearance and Public Safety Rates by Percentages--New Jersey.



Pretrial Release and New Violent Arrests

Fewer than 2% of felony-charged defendants in large urban counties were rearrested on a new violent charge pending trial.

Fewer than 1% of felony-charged individuals in Cook County (Chicago), Illinois whose cases were filed from October 2017 to September 2019 were charged with a new violent offense.

Only 1% of defendants in Washington, D.C. were rearrested for a violent offense in FY 2019.

Separate studies in 2008 found that 9% of rearrests among defendants charged with domestic violence in Washington, D.C. and New York City involved a new domestic violence charge.

Fewer than 1% of defendants in New Jersey were rearrested for a violent charge in FY 2018.

Fewer than 1% of defendants in New York City were rearrested on felony offenses per month in 2021.



Public Safety Assessment--Court

Virginia (VPRAI Revised)

Ohio (ORAS/PAT)

Federal Court (FPRAI)

Colorado (CPAT)

Florida RAI

Alaska

Nevada (NPR)

Jurisdiction validated

Washington, DC

Allegheny County, PA

El Paso, TX

Static

History of FTA*

Previous Felonies*

Previous Incarcerations

Pending Charges*

Previous Misdemeanors*

Age*

Dynamic

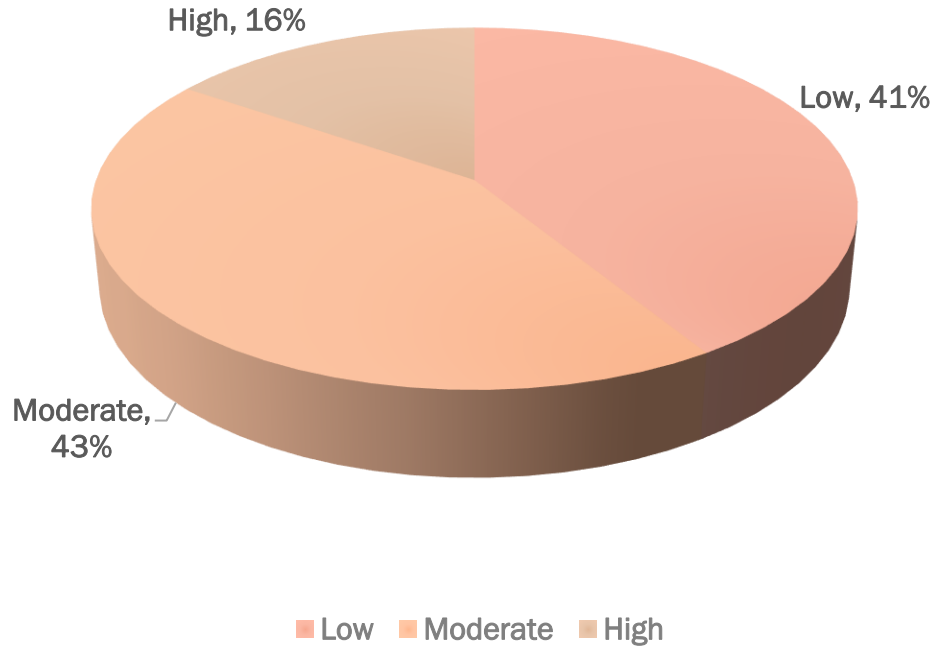
Substance Abuse*

Residence*

Employment*

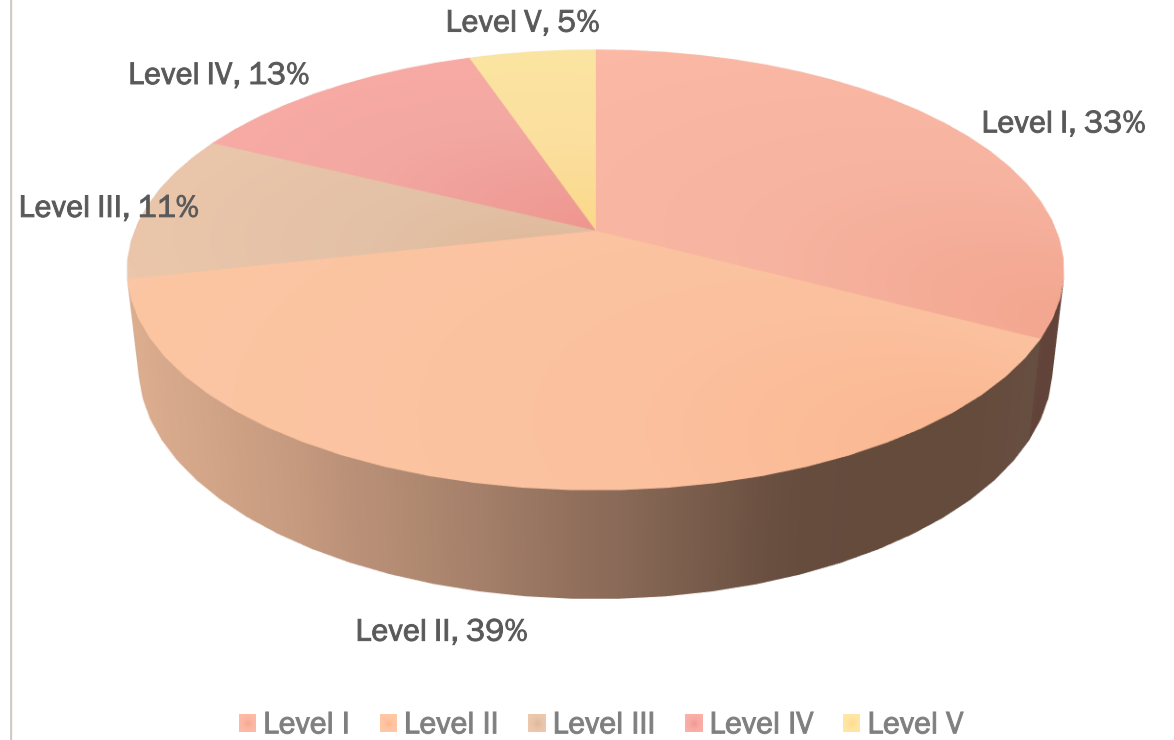
*=Included in the NPR

Monroe County (Bloomington), INDIANA

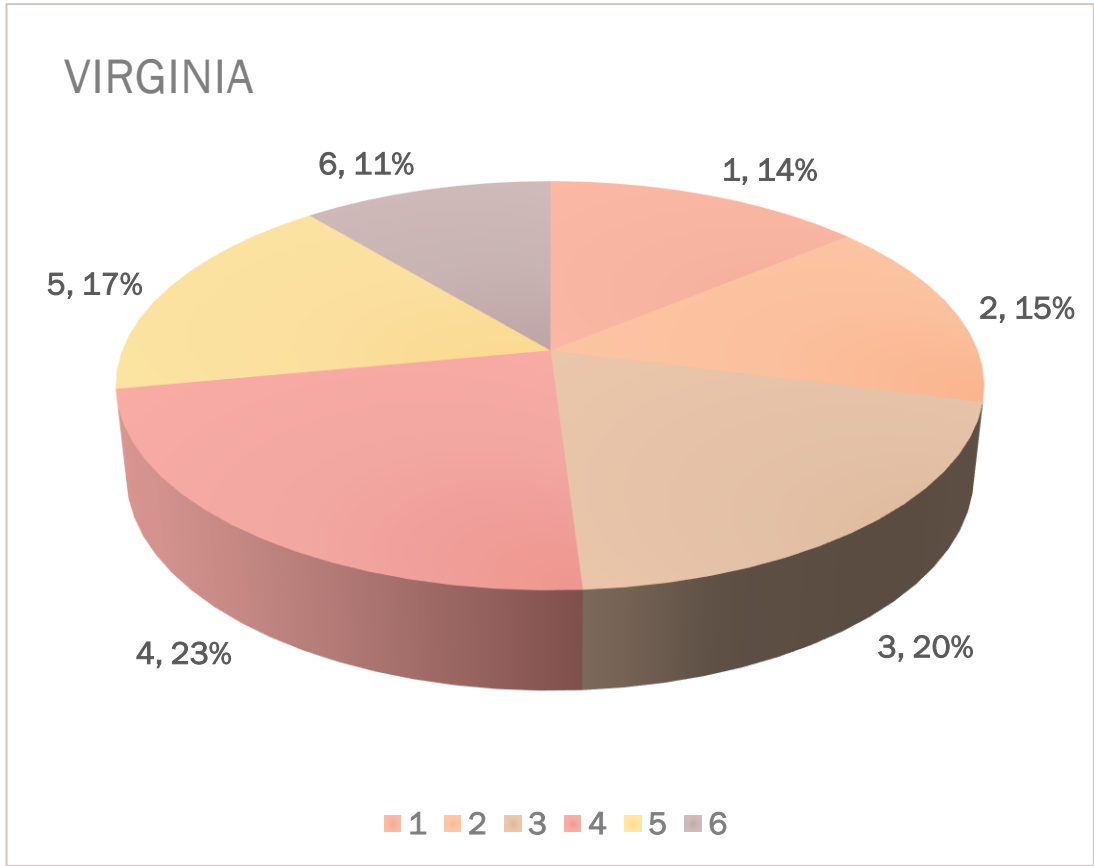


Monroe Circuit Court Pretrial Services
Performance and Outcome Measures

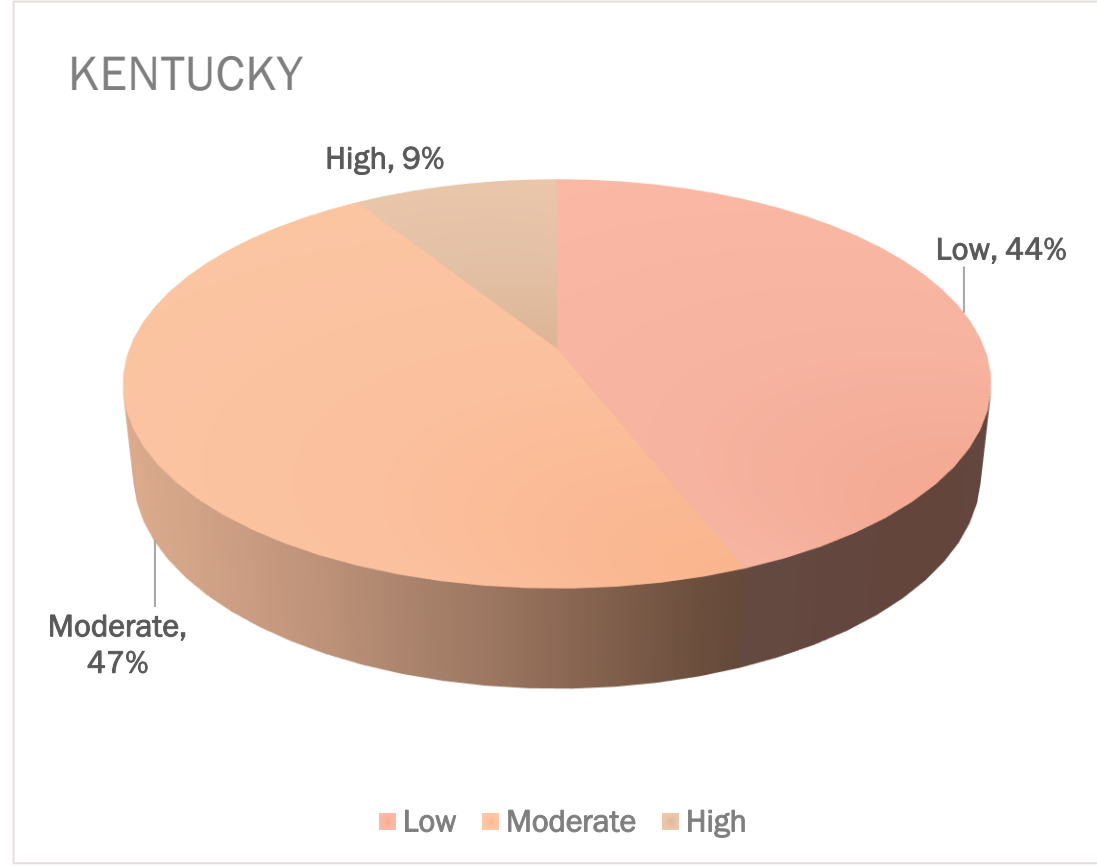
Harris County (Houston), TEXAS



Harris County Pretrial Services 2020 Annual
Report.

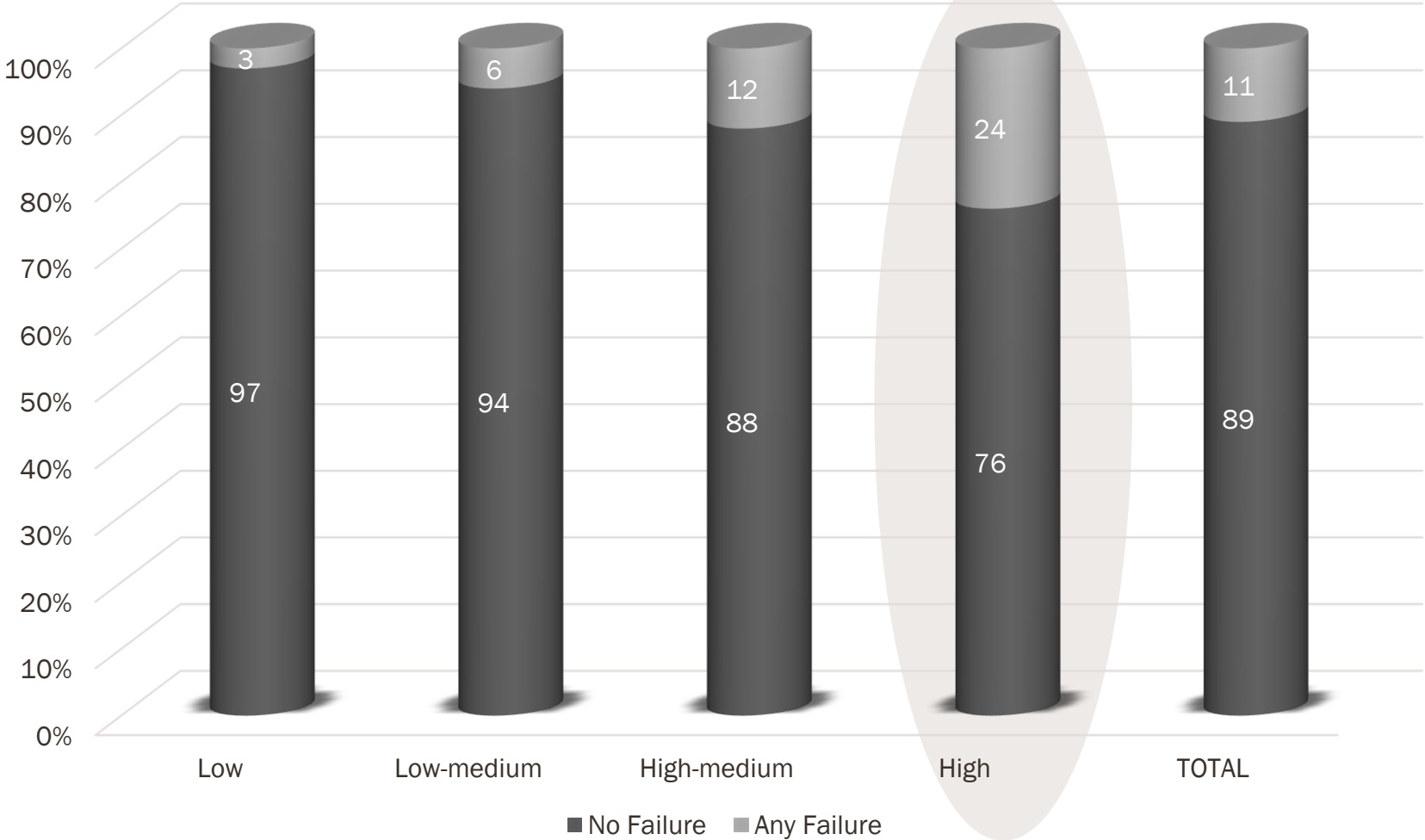


E-mail correspondence with Kenneth Rose Criminal Justice Program Coordinator, Division of Programs and Services/Adult Justice Programs, Virginia Department of Criminal Justice Services, April 18, 2022. Data from July 2020 to June 2021.



E-mail correspondence with Tara Boh Blair, Executive Officer, Department of Pretrial Services, August 31, 2021. Data from Administrative Office of the Courts, Pretrial Services PRIM database as of August 31, 2021.

ALLEGHENY COUNTY



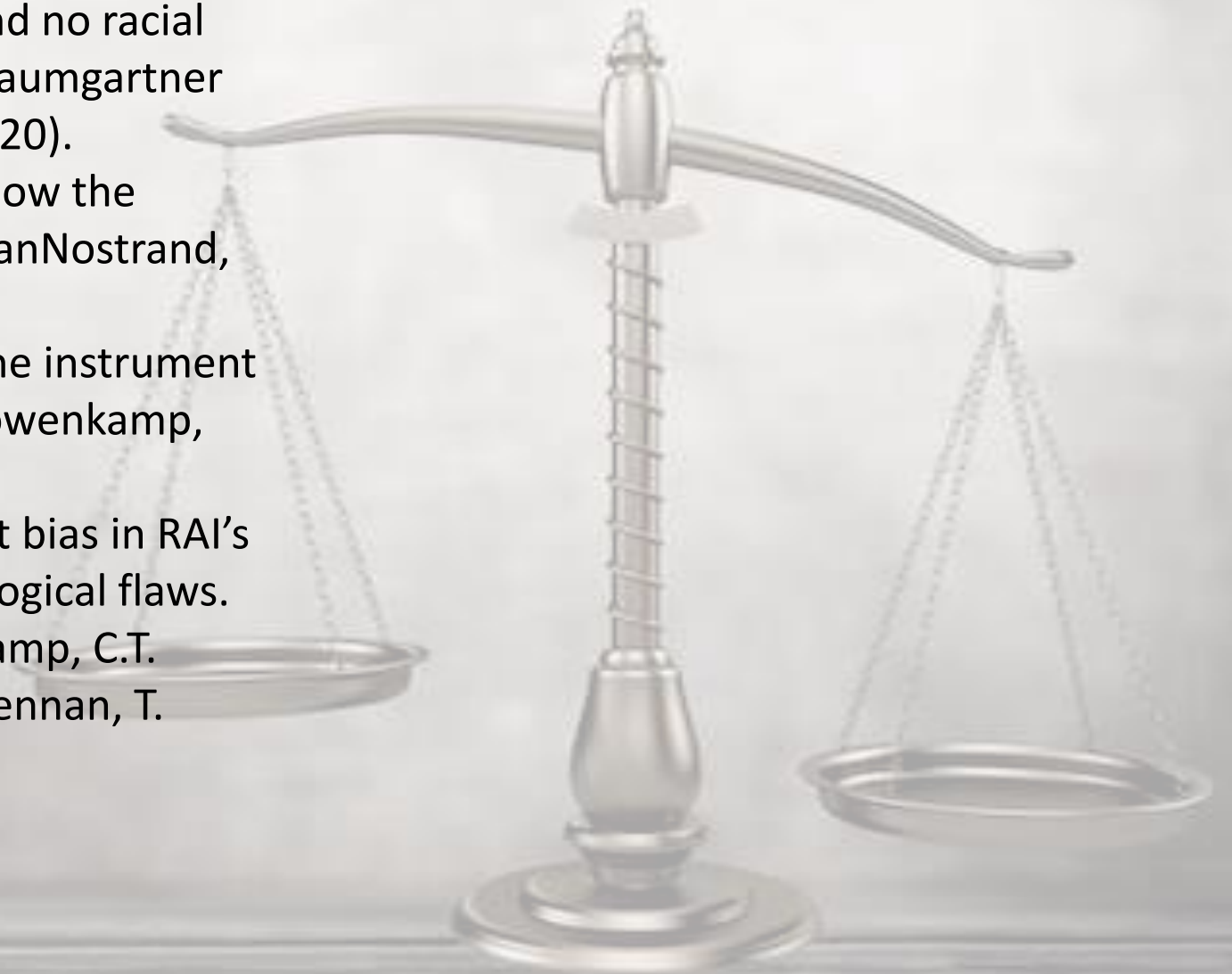


“[P]eople who miss court dates for reasons beyond their control are counted the same as defendants who intentionally avoid court. While bail theoretically discourages people from joining the latter group, there’s little evidence to suggest that absconding is a problem.”

Corey, E. and Lo, P. (2019). “The ‘Failure to Appear’ Fallacy.”
The Appeal. <https://theappeal.org/the-failure-to-appear-fallacy/>

- ✓ 3% of felony defendants in large urban counties who missed a court appearance remained fugitives one year after a warrant was issued.
- ✓ NYC's "Safe Surrender" bench warrant resolution program found the most common reasons given by defendants for not surrendering on outstanding warrants were a lack of funds to pay bail or fines (60%) and fear of incarceration on the bench warrant (65%).
- ✓ Officials in San Mateo County (Redwood City), CA identified as common reasons for missed court dates individuals not knowing who to contact to find out where to appear, not understanding the seriousness of the charges, and believing that employment and childcare obligations constituted a valid excuse to miss a court date.
- ✓ In a New York City study on improving appearance rates for individuals released on summons, researchers identified behavioral barriers, including persons forgetting court dates and not seeing court appearance as necessary to resolve minor offenses, that contributed to missed court dates. To minimize these barriers, evaluators redesigned the summons form to highlight the court date, court location, and consequences for failure to appear. The team also implemented follow-up text message reminders for summons court dates. The researchers found that the redesign of the summons form influenced by human behavior reduced failures to appear by thirteen percent (13%).

1. An evaluation of the PSA in Kentucky found no racial disparity in RAI results. (DeMichele M., Baumgartner P., Wenger M., Barrick K., Comfort M. (2020).
2. Revalidations of the VPRAI consistently show the assessment as racially neutral. (Danner, VanNostrand, and Spruance (2016)).
3. A revalidation of the Federal PRA found the instrument neutral on race and outcomes. (Cohen, Lowenkamp, and Hicks. (2018)).
4. The single reference for claims of inherent bias in RAI's has been found to have several methodological flaws. (See Flores. A.W., Bechtel, K. and Lowenkamp, C.T. (2016). Dieterich, W., Mendoza, C. and Brennan, T. (2016)).



Any pretrial risk assessment instrument must be:

- constructed on empirical data from a **pretrial defendant** population;
- transparent about its risk factors and their weighting;
- validated to the defendant population to ensure its effectiveness in predicting the likelihood of pretrial misconduct; and
- tested to ensure racial and ethnic neutrality.





ASSESS

Gather data
Apply the tool
Calculate result



ADJUST

Consider mitigating and
aggravating circumstances
Adjust supervision response as
needed



RECOMMEND

Recommend supervision level and
conditions consistent to risk level
and other factors

Assembly Bill 424 requires that if a court imposes bail or a condition of release that results in a defendant's detention due to inability to post bail, the court must reconsider bail within 24 hours.



NRS 178.488 Right to bail upon review; notice of application to be given district attorney.

1. Bail may be allowed pending appeal or certiorari unless it appears that the appeal is frivolous or taken for delay.
2. Pending appeal to a district court, bail may be allowed by the trial justice, by the district court, or by any judge thereof, to run until final termination of the proceedings in all courts.
3. Pending appeal or certiorari to the appellate court of competent jurisdiction pursuant to the rules fixed by the Supreme Court pursuant to [Section 4 of Article 6](#) of the Nevada Constitution, bail may be allowed by the district court or any judge thereof, by the Court of Appeals or any judge thereof or by the Supreme Court or a justice thereof.
4. Any court or any judge or justice authorized to grant bail may at any time revoke the order admitting the defendant to bail.
5. The court or judge by whom bail may be ordered shall require such notice of the application therefor as the court or judge may deem reasonable to be given to the district attorney of the county in which the verdict or judgment was originally rendered.



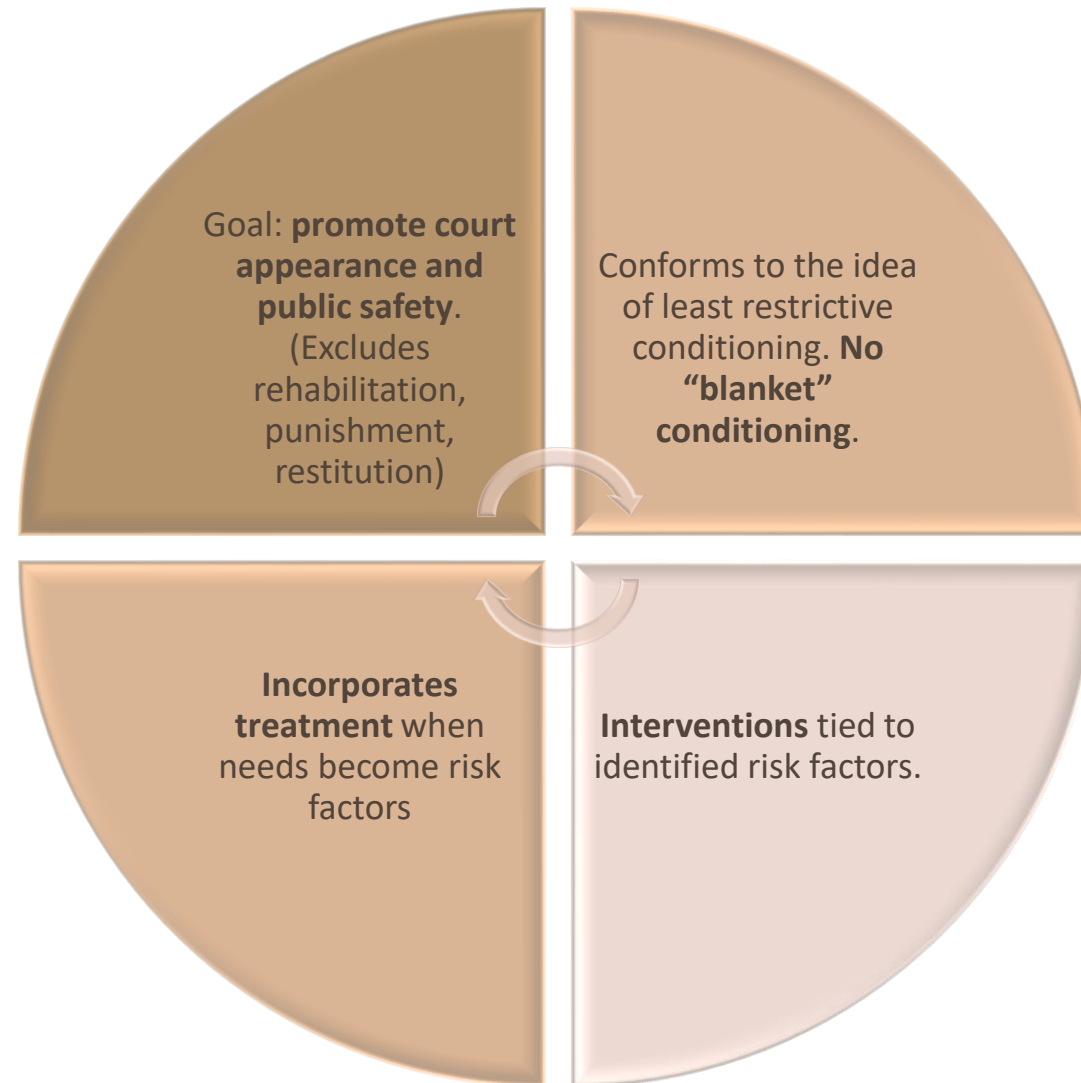
Pretrial Supervision: Promoting Successful Outcomes

Using the least restrictive interventions needed to promote court appearance and community safety



Most individuals make scheduled court dates and remain arrest-free pending adjudication. The goal of supervision, mitigation, and support strategies is to promote that success among the greatest number of individuals.

Promote Success rather than Manage Risk



Supervision Supports



NOTIFICATION OF UPCOMING
COURT APPEARANCES



EARLY AND MEANINGFUL
RESPONSES TO INDIVIDUAL
CONDUCT



NOTIFICATION TO COURT OF
CONDUCT AND POSSIBLE
SUPERVISION ADJUSTMENTS



MITIGATION STRATEGIES



What We Know

- § The body of knowledge about evidence-based and best Pretrial Supervision practices is still developing.
- § Levels of supervision appear to influence outcomes, but individual conditions appear not to influence outcomes.
- § Risk assessment and outcome and performance measurement data suggest that low to moderate supervision levels are appropriate for most defendants.



What We Know

“The most notable gap in pretrial monitoring literature is the absence of empirical evaluations regarding the effectiveness of common pretrial release conditions and practices on a person’s likelihood of appearing in court or remaining arrest-free pretrial. Unevaluated conditions include, among others, no contact orders, curfews, and driving interlock devices. Additionally, how pretrial services agencies respond to people’s compliance and noncompliance (or “technical violations”) with court-ordered condition has not, to our knowledge, been studied in terms of impact on court appearance and pretrial arrest.”

Advancing Pretrial Policy and Research (2021). *Pretrial Research Summary: Pretrial Monitoring (Revised April 2021)*. Washington, D.C.:APPR.

Supervision levels tied to assessed risk levels greatly improve pretrial outcomes.

Drawing on data from two states, the Laura and John Arnold Foundation examined the likelihood of new criminal arrest and failure to appear for defendants released pretrial with supervision and those released without supervision. The study found that moderate- and high-risk defendants who received pretrial supervision were more likely to appear in court, and all defendants who were supervised pretrial for 180 days or more were less likely to be arrested for new criminal activity.

Van Nostrand, M. and Lowencamp, C. 2013. *Exploring the Impact of Supervision and Pretrial Outcomes*. New York: LJAF

Improper matching of supervision and risk levels produce poor outcomes.

- Moderate and higher risk defendants who were required to participate in ATD (e.g., drug testing, treatment, electronic monitoring) were more likely to succeed pending trial.
- Lower risk defendants who were required to participate in ATD pending trial were more likely to fail pending trial

VanNostrand, M., & Keebler, G. (2009). Pretrial Risk Assessment in the Federal Court. *Federal Probation*, 72 (2)



Court Notification

Solid evidence-based practice. Should be used as a uniform intervention. Could be the baseline for low/moderate level supervision.

Drug Testing

Results are mixed and dated. Drug use often is a behavior, not a risk factor. Should not be a blanket condition or a proxy for treatment. Keeping up with drug use trends is a must.



This Photo by Unknown Author is licensed under [CC BY](#)

Electronic Surveillance

No evidence of safety benefit, though limited study suggests an appearance outcome benefit. Best used to monitor stay away and curfew conditions. Can encourage nonfinancial release but also increased technical violations. Possible legal issues with targeted populations and costs imposed on defendants.





Regular Reporting

No significant research to date. Best used to verify court dates and as a complement to other conditions.

Issues

1. Infractions versus Violations
2. Addressing failures to appear and arrests
3. Reporting compliance to Court
4. Sequential bail review
5. Need versus Risk

A person in a blue suit is pointing at a tablet with a pen. The background is a blurred image of a bar chart and a line graph, suggesting a business or financial context.

Measuring for Results

Using Outcome and Performance Measures to
Achieve Mission and Goals

A person in a dark suit and tie is holding a tablet computer. The background is a blurred office setting with a bar chart and a line graph overlaid on the image. The text "Data are good..." is written in a yellow, italicized font in the upper left quadrant.

Data are good...

...Results are better

Many pretrial agencies don't define "success" or measure progress towards strategic outcomes. A focus on "busy data" prevents leaders from measuring what really matters to their programs, systems, defendants and communities.

BOTTOM LINE: Pretrial Leaders must move from "data driven" to "results oriented."



Efficiencies: Indicators of an organization's achieving a stated target.
Example: percent of individuals screened for release eligibility.

Outcomes: Indicators of the impact of an organization's actions. Example: Appearance, safety, success and recidivism.

Release Rate



THE PERCENTAGE OF DEFENDANTS WHO SECURE RELEASE PENDING CASE DISPOSITION.

RECOMMENDED DATA: THE TOTAL NUMBER OF INDIVIDUALS ARRESTED FOR CRIMINAL OFFENSES AND THE SUBSET OF THOSE INDIVIDUALS WHO SECURE RELEASE PENDING CASE DISPOSITION.

“RELEASE” IS DEFINED AS DISCHARGE PRETRIAL FROM LAW ENFORCEMENT CUSTODY.

“DISPOSITION” INCLUDES THE END OF THE PRETRIAL STAGE.

Appearance Rate

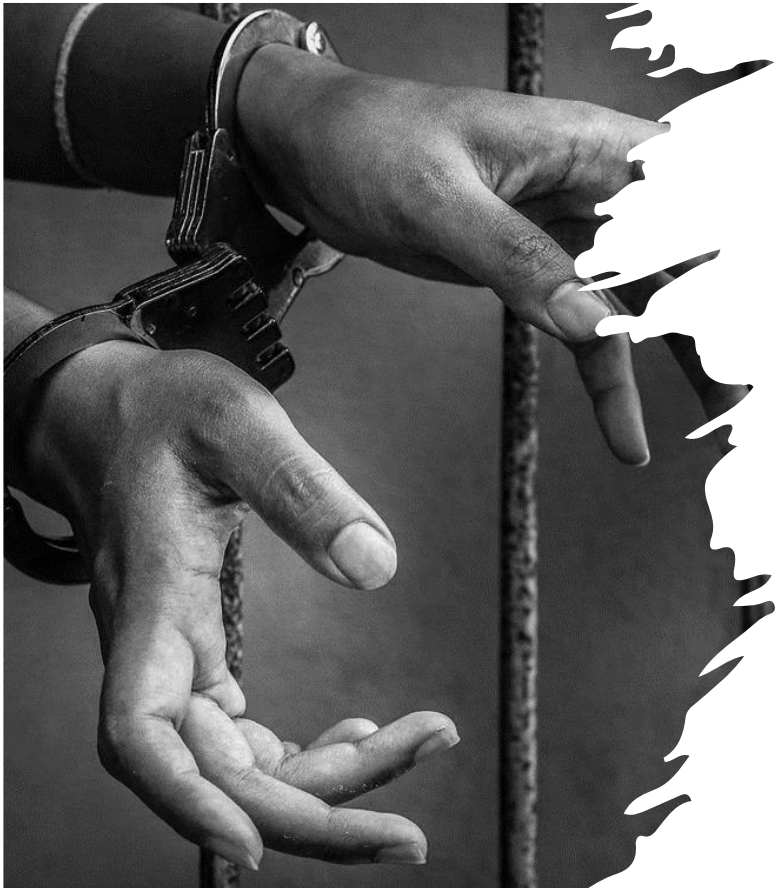
THE PERCENTAGE OF SUPERVISED DEFENDANTS WHO MAKE ALL SCHEDULED COURT APPEARANCES.

RECOMMENDED DATA: Cases with a verified pretrial release and/or placement to the pretrial program and the subset of this population that have no bench warrants/capiases issued for missed scheduled court appearances.

Appearance Rate also may be tracked by various defendant populations, although the primary group targeted should be defendants released to the agency's supervision.



Public Safety Rate



THE PERCENTAGE OF SUPERVISED DEFENDANTS WHO ARE NOT CHARGED WITH A NEW OFFENSE DURING CASE ADJUDICATION.

A new offense is one:

- whose offense date occurs during the defendant's period of pretrial release;
- includes a prosecutorial decision to charge; and
- carries the potential of incarceration or community supervision upon conviction.

Excludes arrest warrants executed for offenses committed before case filing.

RECOMMENDED DATA: the number of defendants released pretrial or placed to the pretrial program and the subset of this population with no rearrests on a new offense. Programs also may track separate safety rates by charges type or severity or defendant populations.

Success Rate

THE PERCENTAGE OF RELEASED DEFENDANTS WHO APPEAR FOR ALL SCHEDULED COURT APPEARANCES AND REMAIN ARREST-FREE.

RECOMMENDED DATA: the total number of defendants released to the program and the subset of this population with no failures to appear or new offenses.

