

# Pretrial Assessment and Decision Framework Overview

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## Learning Objectives

- Why structure pretrial decision making?
- Learn about Pretrial Decision Frameworks
- Understand the structure and principles of a Release Conditions Matrix
- Develop a Release Conditions Matrix

## Why structure pretrial decision making?

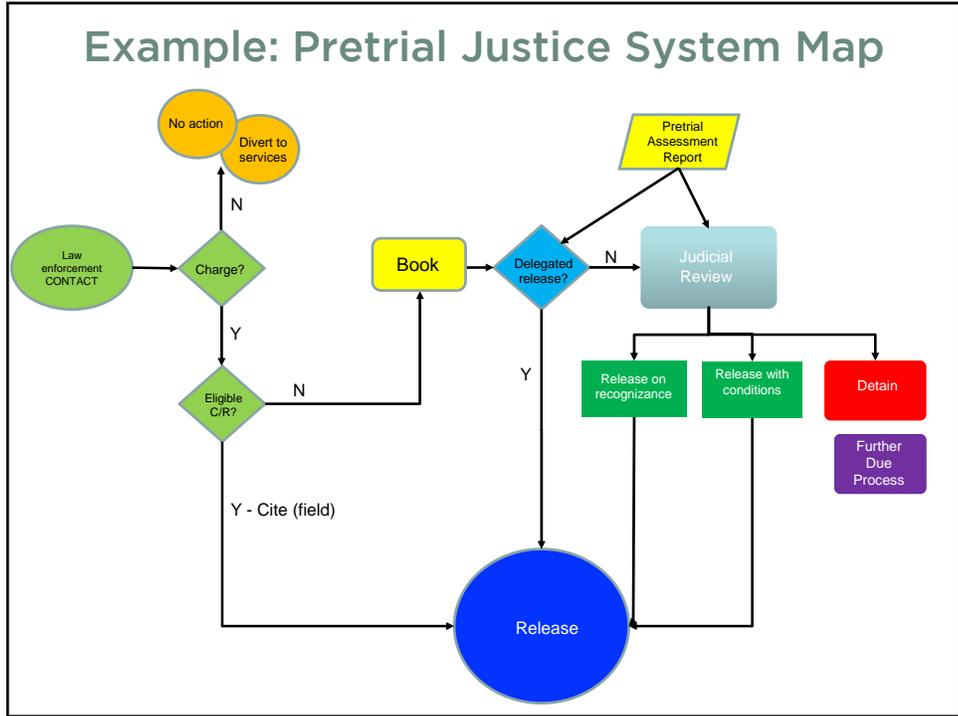
- Honor constitution and local laws
- Adhere to research
- Provide consistency
- Create system accountability
- Express shared principles/values
- Apply resources effectively



## Pretrial Decision Framework

- System-level
  - vs. *Pretrial Services*
  - starts before arrest
- Articulate sequence of major pretrial decisions
- Locally based





## Example Text for Decision Framework

- Decision 1: Law enforcement officer decides to make initial contact.
- Decision 2: Law enforcement officer decides to divert the person, issue a citation, or make a custodial arrest.
- Decision 3: Judicial officer determines probable cause.
- Decision 4: Prosecutor decides whether to file criminal charges.
- Decision 5: Judicial officer decides to release the person or hold the person for a release or detention hearing.
- Decision 6: Judicial officer decides to release or detain the person.
- Decision 7: Judicial officer decides pretrial release conditions.



## Promoting Pretrial Success: *Assess, then Assist*

- **Pretrial Assessment** - Assesses statistical likelihood of pretrial outcomes
  - *Court appearance*
  - *New arrest*
- **Release Conditions Matrix** - Links the assessment results to specific actions that can *assist* individuals in being successful on pretrial release

Decision #7



## Release Conditions Matrix

- Helps judicial officers use assessment results to make release-condition decisions that
  - align with the law
  - are consistent with research on effectiveness
  - are guided by the person's likelihood of pretrial success
  - efficiently apply resources
  - reflect local policies, values, & presumptions



## Group Exercise

- Construct a sample release conditions matrix
  - grid
  - table
  - other considerations



	<b>"Lower Risk" of New Arrest</b> (90% likely to law-abide; 10% likely to be arrested)	<b>"Medium Risk" of New Arrest</b> (70% likely to law-abide; 30% likely to be arrested)	<b>"Higher Risk" of New Arrest</b> (50% likely to law-abide; 50% likely to be arrested)
<b>"Lower Risk" of Failure to Appear</b> (90% likely to appear; 10% likely to FTA)			
<b>"Medium Risk" of Failure to Appear</b> (70% likely to appear; 30% likely to FTA)			
<b>"Higher Risk" of Failure to Appear</b> (50% likely to appear; 50% likely to FTA)			

	Pretrial Release Levels			
Activities to Assist (Conditions)	1	2	3	(4)

## Contacts

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