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## Pretrial Diversion Performance Measurement Overview

### 1/1/2019 – 12/31/2020

- Maximize public safety by reserving detention for those offenders who pose the greatest risk to reoffend or fail to appear in court
  - Maximize court appearance
  - Maximize the appropriate use of release and detention by use of services designed to fulfill the two goals stated above
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- ☐ Data is collected using the AutoMon case management system. The data still contains "noise" and will continue to need refinement. *(Please note that percentages were rounded and may not add to 100%).*
- ☐ The attached report captured all cases closed between 1/1/2019 and 12/31/2020. During that time-period, 5,575 or 72% of the Public Safety Assessment-related cases were closed.
- ☐ About 78% or 4,354 defendants were released pre-trial from detention. Of those, about 61% were released on their own recognizance. The other 39% had some form of cash bail required for release.
- ☐ Of the defendants not released pre-trial, 23% were a level 1 on the PSA, 37% were a level 2 and 41% were a level 3.
- ☐ For defendants released pre-trial, 83% reported to their court appearances. *(\*\*Please note this reflects cases in which a warrant was issued for the failure to appear. If a defendant did not appear but a warrant was not issued, it is not counted as it doesn't exist in the database.)*
- ☐ In the closed cases, 78% of the defendants remained law-abiding. 11% were arrested for a new misdemeanors and 11% for a new felonies. Only 5% had a new violent offense.
- ☐ The OCA does not maintain or collect county jail data. Thus, it is difficult to assess the impact on overall jail populations, which include not only pre-trial defendants but people convicted who are awaiting a Department of Corrections' placement, serving a misdemeanor sentencing, or awaiting the outcome of a probation violation. Several detention facilities also house federal inmates.
- ☐ The OCA will continue to refine the data collection and reporting with our partner counties.

**MONTANA JUDICIAL BRANCH  
PRETRIAL PROGRAM  
Performance Measures Report**

County All Start Date 1/1/2019 End Date 12/31/2020

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**Assessment Volume**

1) Number of Public Safety Assessments (PSAs) completed 7764

*Criteria: # of PSAs completed-Open or closed cases*

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**Defendants' Case Closures**

2) Number of court cases closed for which a PSA was done 5599

*Criteria: Counting cases that have a disposition date within reporting period AND had a PSA completed.*

*Case driven, not person driven*

**Jail Release Measures**

3) Number of these closed cases for which the defendant was released pretrial from jail 4371

*Criteria: Closed cases within reporting period that had a PSA completed with a release date*

Number of closed cases for which released defendants were:

4. Charged with a violent offense 1576

*Criteria: Closed cases within the reporting period that had a PSA completed with a release date AND a charge with the violent flag.*

5. Assessed as having the violence flag 970

*Criteria: Closed cases within the reporting period that had a PSA completed with a release date AND PSA scored the New Violent Criminal Activity equals YES.*

6. Released on recognizance 2654

*Criteria: Closed cases within the reporting period that had a PSA completed with a release date, with a release decision, bond imposed checked and bond type = Personal Recognizance*

7. Released after paying money bail 1686

*Criteria: Closed cases within the reporting period that had a PSA completed with a release date, with a release decision, bond imposed checked and bond type = Cash and/or Surety*

8. Recommendation from the PSA to Pretrial Release Level 1 1577

*Criteria: Closed cases within the reporting period that had a PSA completed with a release date, with a release decision of Release Level 1 (Passive Monitoring)*

9. Recommendation from the PSA to Pretrial Release Level 2 (Active Monitoring) 1711

**Criteria: Closed cases within the reporting period that had a PSA completed with a release date, with a release decision of Release Level 2 (Active Monitoring)**

10. Recommendation from the PSA to Pretrial Release Level 3 (Active Monitoring) 1000

**Criteria: Closed cases within the reporting period that had a PSA completed with a release date, with a release decision of Release Level 3 (Active Monitoring)**

**Jail Detention Measures**

11) Number of these closed cases for which the defendant was detained (not released) pretrial from jail 1274

**Criteria: Closed cases within the reporting period that had a PSA completed without a release date entered.**

Number of closed cases for which detained defendants:

12. Were charged with a violent offense 447

**Criteria: Closed cases within the reporting period that had a PSA completed without a release date AND a charge with the violent flag.**

13. Were assessed as having the violence flag 441

**Criteria: Closed cases within the reporting period that had a PSA completed without a release date AND PSA scored the New Violent Criminal Activity equals YES.**

14. Were ordered to pay money bail 746

**Criteria: Closed cases within the reporting period that had a PSA completed without a release date, with a release decision, bond imposed checked and bond type = Cash**

15. Would have been on Pretrial Release Level 1 291

**Criteria: Closed cases within the reporting period that had a PSA completed without a release date, with a PSA Recommendation of Release Level 1 (Passive Monitoring)**

16. Would have been on Pretrial Release Level 2 466

**Criteria: Closed cases within the reporting period that had a PSA completed without a release date, with a PSA Recommendation of Release Level 2 (Active Monitoring)**

17. Would have been on Pretrial Release Level 3 521

**Criteria: Closed cases within the reporting period that had a PSA completed without a release date, with a PSA Recommendation of Release Level 3 (Active Monitoring)**

**Pretrial Release Outcome Measures**

Number of closed cases for which released defendants:

18. Made all of their court appearances 3609

*Criteria: Closed cases within the reporting period that had a PSA completed with a release date AND does not have any violations filed for any associated FTA's that resulted in a violation disposition of warrant. The client can have an FTA and a violation filed for the FTA. However, if the violation has a disposition of Warrant, the client is excluded from this list.*

19. Remained law-abiding (were not arrested for any new offense) 3404

*Criteria: Closed cases within the reporting period that had a PSA completed with a release date AND does not have any new arrests entered in the infraction screen within the violations module.*

20. Had a new misdemeanor offense 489

*Criteria: Closed cases within the reporting period that had a PSA completed with a release date AND has a new arrest entered in the infraction screen, within the violations module with a charge class of misdemeanor.*

21. Had a new felony offense 488

*Criteria: Closed cases within the reporting period that had a PSA completed with a release date AND has a new arrest entered in the infraction screen, within the violations module with a charge class of felony.*

22. Had a new violent (misdemeanor or felony) offense 231

*Criteria: Closed cases within the reporting period that had a PSA completed with a release date AND has a new arrest entered in the infraction screen, within the violations module with a charge category of violent.*

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Report Prepared by: \_\_\_\_\_

Date: \_\_\_\_\_

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