

MONTANA JUDICIAL BRANCH

Pretrial Funding – DP 103

\$873,098 in FY26 and \$873,247 in FY27

Funded on an OTO basis since 2017

- The program, established by the 2017 Legislature, requires the use of an evidence-based detention risk assessment and recommendations for managing defendants who are released awaiting trial. **The project is designed to maximize public safety, maximize court appearance, and maximize the appropriate use of release and detention.**
- By way of background, the Judicial Branch adopted the Arnold Foundation's Public Safety Assessment. The PSA is a tool to analyze each defendant's current and prior criminal conduct and previous failure to appear in court. The research-based factors, including a focus on violent offenses, provides a judge with additional information about whether a defendant can be successful in the community while awaiting trial.
- The project is currently deployed in seven counties (50% of the District Court caseload) - **Lewis and Clark, Butte Silver Bow, Lake, Missoula, Yellowstone County**, Cascade, and Big Horn Counties. PSAs are conducted by staff FTE in the OCA and available to each court in time for initial appearances.
- The five original pilot counties receive the bulk of the funding to support local pretrial services. **Seventy percent of the funding (\$615,000 each year) is distributed to the five pilot counties based on a formula using crime statistics.**
- Counties involved in the project receive funding to assist defendants awaiting trial to remain law-abiding, at work, and participating in necessary support services. Pretrial services give Judges the tools necessary to release defendants while maximizing public safety and ensuring defendants appear in court.
- Montana's PSA and pretrial release guide was developed by a MT team of prosecutors, public defenders, court officials and law enforcement personnel.
- The program, which has been funded OTO since 2017, has extensive performance measures, which are routinely updated and available on the Branch's website: [Montana Judicial Branch Pretrial Program](#).