



**Office of Court Administrator  
Pretrial Services  
301 S. Park Ave.  
Helena, MT 59620**

### **Facts about the Public Safety Assessment (PSA)**

- The PSA was created using the largest, most diverse set of pretrial records ever assembled: 1.5 million cases from approximately 300 different cities and counties, 7 state court systems (Colorado, Connecticut, Florida, Maine, Ohio, Virginia, and Kentucky), the District of Columbia, and the federal court system.
- Researchers analyzed hundreds of factors that could potentially predict pretrial law-abiding behavior and appearance in court.
- The PSA consists of 9 factors that predict defendants' likelihood to appear in court and to remain crime free while on pretrial status.
- The 9 factors are those that are the most predictive of defendant's law-abiding behavior and appearance in court.
- Over 250 jurisdictions have implemented the PSA and have found it to accurately predict released defendant's law-abiding behavior and court appearance.
- Administering the PSA is cost effective. No face-to-face interview with the defendant is required to score the PSA.
- The PSA is objective. It does not consider subjective factors such as: race, gender, income, religion, home address and family.
- The PSA, when used in conjunction with the Montana Pretrial Release Guidelines, helps judges consistently apply effective release conditions.
- The PSA and the Guidelines help to minimize dual system errors: releasing higher risk defendants and detaining lower risk defendants.
- The PSA and Guidelines do not impede a judge's discretion or authority in any way. The decision to release or detain a defendant or order certain release conditions always rests with the judge regardless of a PSA score or the Guidelines.
- The PSA supports the goal of providing a defendant with a meaningful first court appearance.
- Hundreds of counties are presently using the PSA in 24 states.

### **Facts related to Office of Court Administrator's Pretrial Project (OCA)**

- The pretrial project started in 2018 per MCA 3-1-708.
- The OCA project was developed with the assistance of the Arnold Foundation, the founders, and developer of the PSA.
- The PSA processors are well trained and certified in reading and interpreting the CJIN/NCIC and the Montana Court Data system.
- To ensure PSA accuracy and consistency, quality assurance reviews are done on a regular basis.
- The result of the PSA is distributed to the designated judge, prosecutor, and defense attorney at a minimum of two hours prior to the scheduled court appearance.
- The program started with five pilot counties, Butte/Silverbow, Lake, Lewis and Clark, Missoula, and Yellowstone County.

### **Relevant studies have shown:**

- Criminal history factors, such as those obtained without an interview, are the strongest predictors of pretrial success and failure.
- Pretrial assessment tools that contain only non-interview-dependent factors are as predictive as those that include interview-dependent factors.
- Supervision and treatment resources targeted toward lower-risk defendants produce little, if any, positive effect, and actually may cause defendants to fail more on pretrial release.
- Regular "check-ins" with pretrial case managers enhances defendant success.
- "Court reminders" to defendants improve court appearance rates.