




Pretrial Diversion Performance Measurement Overview
Lewis and Clark County
January 1, 2019 to December 31, 2022

- **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 Lewis and Clark County between January 1, 2019, and December 31, 2022. During that time-period, 2778 or 76% of the Public Safety Assessment-related cases were closed.
 - About 81% or 2243 defendants were released pre-trial from detention. Of those, about 78% were released on their own recognizance. The other 22% had some form of cash bail required for release.
 - Of the defendants not released pre-trial, 18% were a level 1 on the PSA, 44% were a level 2, and 38% were a level 3.
 - For defendants released pre-trial, 86% 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, 76% of the defendants remained law-abiding. 284 people were arrested for new misdemeanors and 252 for new felonies. 137 of these were violent offenses.
 - 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.

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

County Lewis and Clark **Start Date** 1/1/2019 **End Date** 12/31/2022

Assessment Volume

1) Number of Public Safety Assessments (PSAs) completed 3675
Criteria: # of PSAs completed-Open or closed cases

Defendants' Case Closures

2) Number of court cases closed for which a PSA was done 2778
**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 2243
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 720
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 457
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 1739
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 491
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 1 946
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) 858

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) 387

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 566

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 192

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 202

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 207

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 1 102

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 2 249

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 3 217

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 1940

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) 1711

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 284

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 252

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 137

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.

Report Prepared by: _____

Date: _____

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