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Pretrial Diversion Performance Measurement Overview

Butte Silver Bow County

January 1, 2019 to December 31, 2021

- **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 Butte Silver Bow County between January 1, 2019, and December 31, 2021. During that time-period, 1,670 or 97% of the Public Safety Assessment-related cases were closed.
- About 60% or 1,008 defendants were released pre-trial from detention. Of those, about 47% were released on their own recognizance. The other 52% had some form of cash bail required for release.
- Of the defendants not released pre-trial, 31% were a level 1 on the PSA, 39% were a level 2, and 30% were a level 3.
- For defendants released pre-trial, 93% 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.*) (18 as a percentage of 3)
- In the closed cases, 83% of the defendants remained law-abiding. 87 people were arrested for new misdemeanors and 82 for new felonies. 24 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 Butte/Silverbow **Start Date** 1/1/2019 **End Date** 12/31/2021

Assessment Volume

1) Number of Public Safety Assessments (PSAs) completed 1723

Criteria: # of PSAs completed-Open or closed cases

Defendants' Case Closures

2) Number of court cases closed for which a PSA was done 1670

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 1008

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 258

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 220

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 476

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 524

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 1 351

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)	350
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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)	295
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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	671
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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	208
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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	180
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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	223
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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	208
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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	263
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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	203
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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 941

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) 839

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 87

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 82

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 24

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: _____

Last Updated: 11-12-2018