Today’s webinar will begin in a few moments.

Find information about upcoming NACo webinars or view recordings of past webinars by visiting www.naco.org/webinars
Front-End Justice Reform:
The Role of Risk Assessments in Cost-Saving Justice Reform
Tips for viewing this webinar:

• The questions box and buttons are on the right side of the webinar window.

• This box can collapse so that you can better view the presentation. To unhide the box, click the arrows on the top left corner of the panel.

• If you are having technical difficulties, please send us a message via the questions box on your right. Our organizer will reply to you privately and help resolve the issue.
Webinar Recording and Evaluation Survey

- This webinar is being recorded and will be made available online to view later or review.

- After the webinar, you will see a pop-up box containing a webinar evaluation survey. Thank you in advance for completing this survey. Your feedback is important to us.
Question & Answer Session Instructions

• Type your question into the questions box at any time during the presentation, and the moderator will read the question on your behalf during the Q&A session.
NACo’s Work on Pretrial Justice

• The Delivery of Pretrial Justice in Rural Areas: A Guide for Rural County Officials

• Jail Population Management: An Elected County Official’s Guide to Pretrial Services

For more information about NACo’s Criminal Justice Programs and to view the recorded webinar, please visit: http://www.naco.org/justice.
Today’s Speakers:

Elizabeth Simoni  
Executive Director  
Maine Pretrial Services, Inc.

Hon. Gregory Donat  
Judge, Tippecanoe Superior Court #4  
Tippecanoe County, Ind.

Commissioner Mary Stern  
Yamhill County Commissioner  
Yamhill County, Ore.
PRETRIAL RISK ASSESSMENT

Elizabeth Simoni, J.D.
Executive Director
Maine Pretrial Services, Inc.
Pretrial justice policies and practices exist to provide due process to the accused, eliminate inappropriate detention, and maintain community safety.
The purpose of pretrial risk assessment is to identify the likelihood of failure to appear in court and the danger to the community posed by a defendant pending trial.
WHO USES PRETRIAL RISK ASSESSMENT?

• It is estimated that there are between 200 and 300 pretrial programs nationally

• There is no information nationally about pretrial services in more than 2,000 counties nationally.
Use of an objective and research based pretrial risk assessment

- Strongly recommended by the American Bar Association

- American Bar Association Standards for Criminal Justice

- Strongly recommended by the National Association of Pretrial Services Agencies
  Standards

- National Association of Pretrial Services Agencies Standards on
Best Predictors of Pretrial Failure

- Primary charge
- Pending charges
- Prior misdemeanor arrests
- Prior felony arrests
- Prior failures to appear
- Employment status
- Residence status
- Substance abuse
Maine Pretrial Risk Assessment Instrument

- **Risk Factors**
  - 1. Charge Type  
    - Felony or Misdemeanor
    - YES: 1  
    - NO: 0
  - 2. Pending Charge(s)  
    - Yes or No  
    - YES: 1  
    - NO: 0
  - 3. Criminal History  
    - Yes or No  
    - YES: 1  
    - NO: 0
  - 4. Two or More FTA Convictions  
    - Yes or No  
    - YES: 2  
    - NO: 0
  - 5. Two or More Violent Convictions  
    - Yes or No
    - YES: 1
  - 6. Less than 1yr at Current Residence  
    - Yes or No  
    - YES: 1  
    - NO: 0
  - 7. >2 yrs continuous employment/primary child caregiver  
    - Yes or No
    - YES: 1
  - 8. History of Drug Abuse  
    - Yes or No  
    - YES: 1  
    - NO: 0

- **TOTAL**
  - YES
  - NO

- **Risk Level**
  - LOW-1
  - BELOW AVERAGE-2
  - AVERAGE-3
  - ABOVE AVERAGE-4
  - HIGH-5-9
Pretrial Risk Assessments Should

- Be validated to assure accuracy
- Equitably classify defendants regardless of race, ethnicity, gender, or socioeconomic status
- Be consistent with applicable state statutes
Identify the Risk Level

**Low Risk**
- defendants can be safely released with limited or no conditions

**Moderate Risk and Higher Risk**
- defendants can be best managed by using appropriate release conditions
# System Benefits

**Criminal Justice Benefits:**
- More informed release/detention decisions
- Enhanced public safety
- Efficient case processing (reduced failures to appear, reduced pretrial misconduct)

**Taxpayer/Community Benefits:**
- Reduction in jail crowding and boarding cost avoidance
- Safer community
- Protection of witnesses and victims
Cost Savings/Cost Avoidance

Maine Pretrial Services
Average cost of one full time employee
$67,000.00 per year
Oxford County, Maine

Average cost savings/cost avoidance generated by one full time employee:
9,994 bed days saved
x $26 day = $259,844
minus cost of FTE = $192,844 costs avoided
Maine Pretrial Statewide Savings 2012

- 123,406 bed days saved
- 123,406 x $26 per day = $3,208,556

Minus cost of all pretrial county contracts
($1,014,100) = $2,194,456

TOTAL COST AVOIDANCE FOR MAINE COUNTIES CONTRACTING FOR MAINE PRETRIAL SERVICES

$2,194,456
SAVING MONEY CAN STILL BE SAFE

1533 Defendants Released

1516 Defendants Appearing for Court

1427 Defendants with No New Criminal Conduct

- N=1533

- 1516=98.8% Appearance rate

- 1427=93% Safety rate
Implementation Issues

• Validation process
• Evidence based
• Training/certification process
• Stakeholder cross training, buy-in needed to prevent “pushback”
• Resource limitations
General Lessons Learned

• Keep data (Resource: NIC’s “Measuring What Matters”)
• Use consistent measurements.
• Involve stakeholders early and often!
• Be knowledgeable about the research.
• Do not use post-conviction tools.
Maine Lessons Learned

- Aroostook County Experience
- Androscoggin County Experience
- Kennebec County Experience

- Overcrowding
  - Capacity
  - Stakeholder Shifts
National Association of Pretrial Services Agencies

NAPSA support is available across the United States.
If you need assistance, please contact Elizabeth Simoni, and I will connect you with the appropriate help in your region.
We are glad to offer support anytime!
napsa.org
Elizabeth Simoni, J.D.

Executive Director
Maine Pretrial Services, Inc.
9 Green Street, Suite 3-A
Augusta, Maine 04330
207-831-6849
elizabeth.simoni@mainepretrial.org
Now Speaking...

Hon. Gregory Donat

Judge, Tippecanoe Superior Court #4

Tippecanoe County, Ind.
The Indiana Risk Assessment System: Pretrial Assessment Tool (IRAS-PAT)
The Indiana Risk Assessment System: Pretrial Assessment Tool (IRAS-PAT)

Please State Reason if Professional Override:

Reason for Override (note: overrides should not be based solely on offense):

Other Areas of Concern. Check all that Apply:

___ Low Intelligence*
___ Physical Handicap
___ Reading and Writing Limitations*
___ Mental Health Issues*
___ No Desire to Change/Participate in Programs*
___ Transportation
___ Child Care
___ Language
___ Ethnicity
___ Cultural Barriers
___ History of Abuse/Neglect
___ Interpersonal Anxiety
___ Other ________________________________

*If these items are checked it is strongly recommended that further assessment be conducted to determine level or severity.
Question & Answer Session Instructions

• Type your question into the questions box at any time during the presentation, and the moderator will read the question on your behalf during the Q&A session.
Thank you for participating in NACo’s webinar.

For more information about NACo’s Criminal Justice programs, visit:
http://www.naco.org/justice

With any questions about this webinar, please contact: mlevine@naco.org