

Advancing Pretrial Justice with the Public Safety Assessment (PSA)

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INFO: Texas Association of Pretrial Services Annual Conference

Agenda

Basics of Pretrial Assessments

Pretrial Assessment Tools and Risk

PSA Overview

Release Conditions Matrix

Faculty



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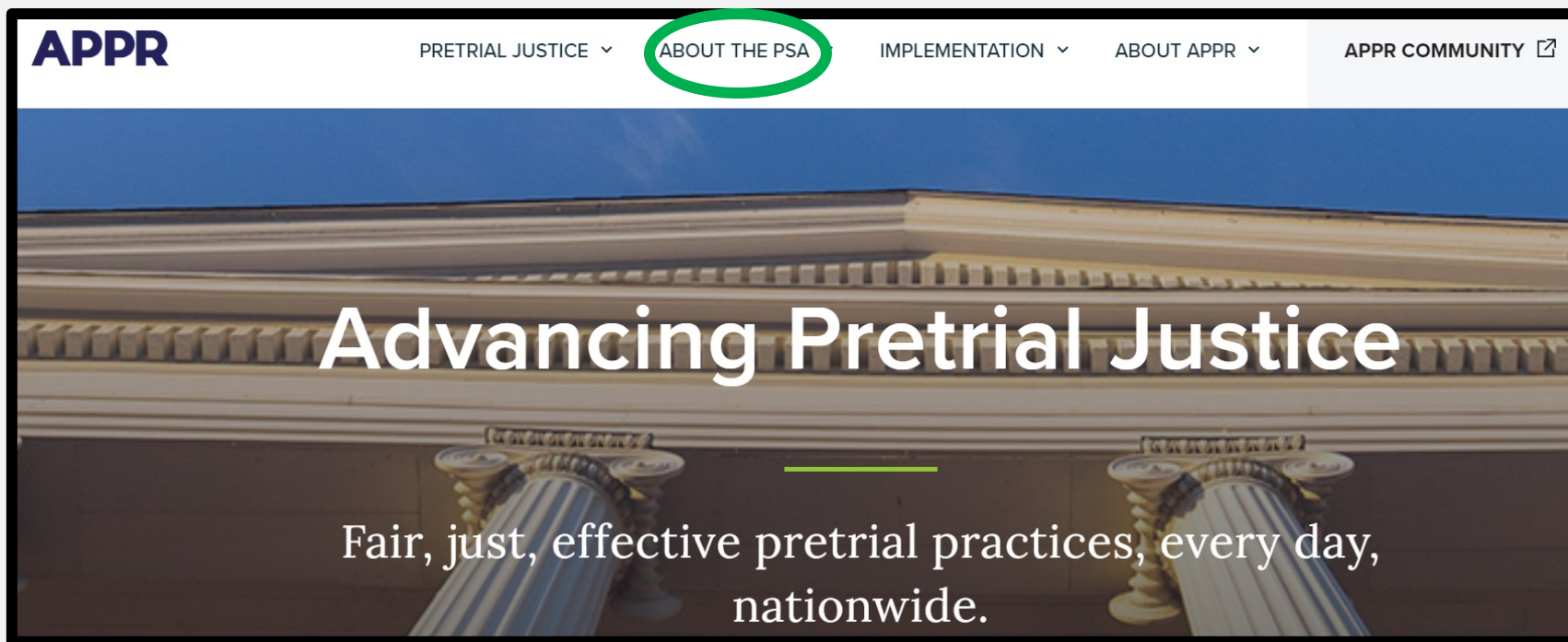
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About the Public Safety Assessment

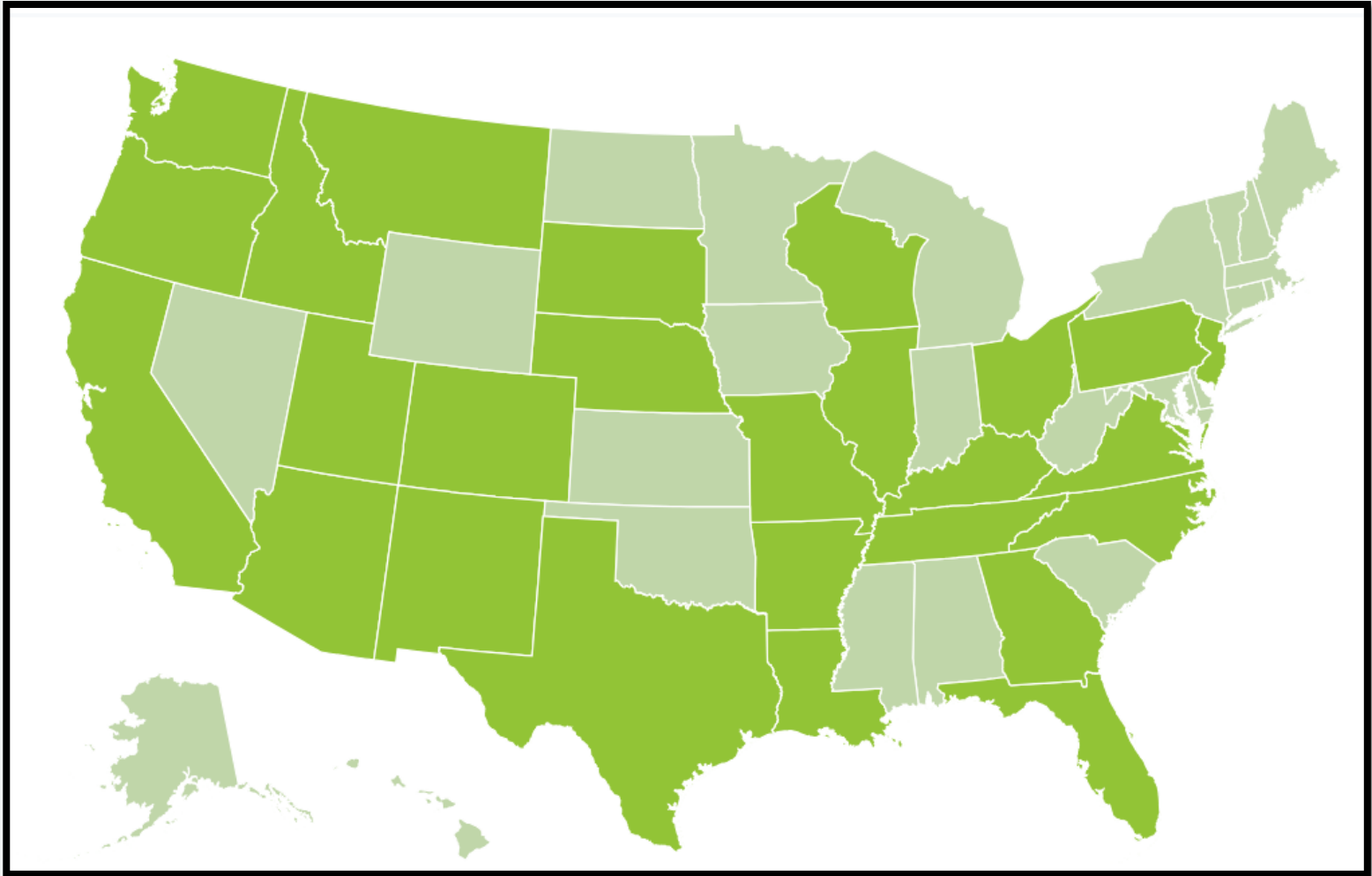
[What Is the PSA?](#)[How It Works](#)[PSA Map](#)[PSA Research](#)[Implementing the PSA](#)[PSA Guides](#)

PSA Research

The Public Safety Assessment (PSA) is an actuarial pretrial assessment developed by Arnold Ventures (AV). It is used in **hundreds of localities** and continues to undergo rigorous evaluation. Validation and implementation studies are important to evaluate how the PSA contributes to a local jurisdiction's pretrial goals. Rigorous evaluation also contributes to the field's understanding of pretrial practices.

[Help](#)

Public Safety Assessment



PSA Key Findings

- The PSA can improve the accuracy of pretrial outcome predictions
- Implementation of the PSA can increase rates of release without compromising court appearance or public safety
- Quality implementation of the PSA and *related pretrial strategies* is key to sustainable change



Basics of Pretrial Assessments

Dr. Kelvin Banks

Three Pretrial Questions

- 1. Whom should we release and whom should we detain, and why?**
- 2. How should we release people, and why?**
 - Use an assessment to guide the setting of release conditions
- 1. How should we detain people, and why?**

Purpose of Pretrial Assessment

- Why do we do pretrial assessment?
 To Predict
- Helps identify who is likely to succeed or fail on pretrial release
- Why predict? Provides an opportunity to intervene and assist before failure occurs

How do all Assessments Work?

Use information from people's past to predict future behavior

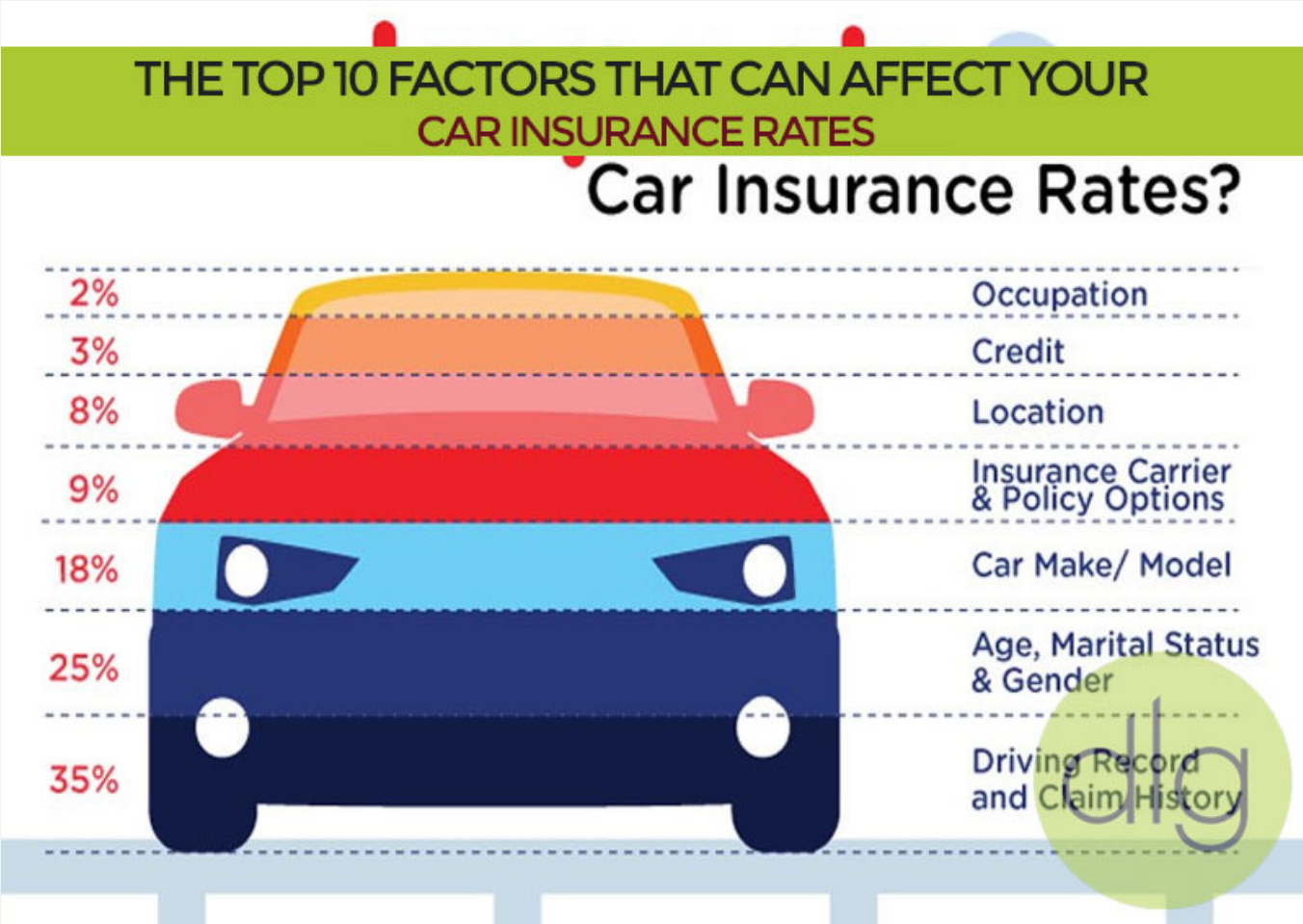
- Other pending cases
- Prior FTAs
- Prior convictions (types)
- Prior sentences



Might also use other information

- Person's age
- Current charges

Assessments in Practice



Actuarial Pretrial Assessment Tools

- Various actuarial tools exist in the U.S.
 - Pretrial: PSA, VPRAI-R, ORAS-PAT, CPAT-R, PTRR
 - Many non-pretrial industries
- The PSA is an actuarial pretrial assessment—it uses research-based factors to predict the likelihood of pretrial success
- These factors are characteristics that, when present, indicate a decreased likelihood of pretrial success
- Pretrial assessment results, along with other information, can help inform pretrial decisions

Bias in Pretrial Assessments

- Bias is inherent in all methods of assessment because they all rely on data/information from the past to predict the future
- Actuarial pretrial assessment tools have advantages:
 - Promote consistency
 - Increase transparency
 - Provide data for evaluation & improvement

No studies to date show actuarial tools worsen existing disparities

Pretrial Assessment Tools and Risk

Jessica Ireland

Discussion Question

- What information is helpful to know when setting conditions of release?



What do Pretrial Assessment Tools Measure?

Risk of
What?

How Much
Risk?

Risk of What?

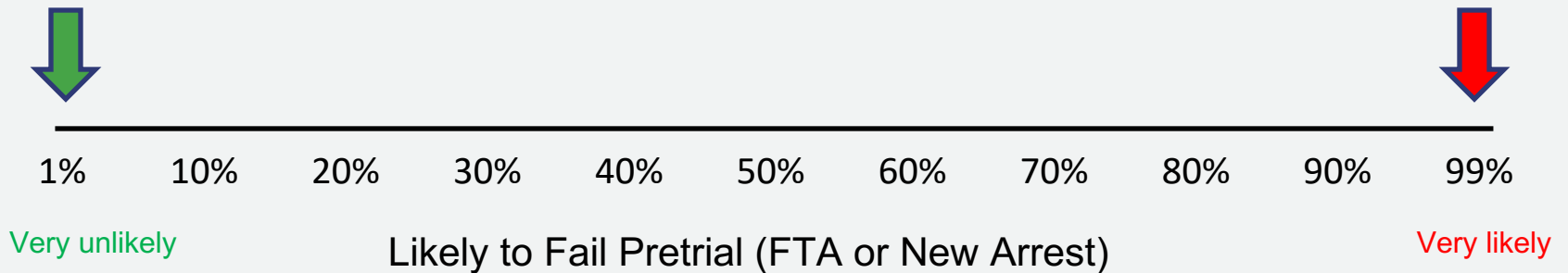
- **Different types of pretrial failure**
 1. Failure to appear
 2. Flight
 3. New arrest for any offense
 4. New arrest for a specific offense (e.g., violent)
 5. Technical violation

Actuarial pretrial assessments only measure:

(1) Failure to appear and (3) New arrest for any offense*

How Much Risk?

- Risk is not an either-or proposition
- Risk exists on a continuum or scale



Public Safety Assessment

Jessica Ireland

What Makes the PSA Unique?

Arnold Ventures sought to develop a pretrial assessment that would:

- Predict the likelihood of failure to appear and new criminal arrest separately.
- Predict the likelihood of new violent criminal arrest.
- Assess factors that did not depend on interviews.
- Improve overall predictive accuracy.
- Be applicable anywhere in the United States.
- Be available without cost.

PSA Development and Characteristics

- Developed from data from 750,000 cases across the country
- Tested hundreds of factors for their statistical relationship to pretrial outcomes
- Uses the most predictive factors from the research
 - current charge, criminal history, and age
- Validated on 500,000 new cases in different jurisdictions
- Does not require an interview with the person
- Validated in dozens of jurisdictions over the past 10 years

PSA Factors

PSA FACTORS AND PRETRIAL OUTCOMES			
PSA FACTOR	FTA	NCA	NVCA
1. Age at current arrest		✓	
2. Current violent offense			✓
2A. Current violent offense and 20 years old or younger			✓
3. Pending charge at the time of the arrest	✓	✓	✓
4. Prior misdemeanor conviction		✓	
5. Prior felony conviction		✓	
5A. Prior conviction (misdemeanor or felony)	✓		✓
6. Prior violent conviction		✓	✓
7. Prior failure to appear in the past 2 years	✓	✓	
8. Prior failure to appear older than 2 years	✓		
9. Prior sentence to incarceration		✓	

PSA Scores

Factor Weights & Score Construction

- Strongest predictive factors are given higher weights.
- Factor weights differ by outcome (FTA, NCA, NVCA).
- The scores reflect two scales and a potential flag:
 - Failure to Appear: Scale of 1 – 6
 - New Criminal Arrest: Scale of 1 – 6
 - New Violent Criminal Arrest: Yes or No “flag

Failure to Appear (FTA)

FTA refers to a person missing a pretrial court hearing and the court, in response, issuing a warrant, capias, or other similar response.

Failure to Appear: Points

PSA FACTOR	RESPONSE	POINTS
Pending charge at the time of the arrest	No	0
	Yes	1
Prior conviction (misdemeanor or felony)	No	0
	Yes	1
Prior failure to appear in the past 2 years	No	0
	Yes, just 1	2
	Yes, 2 or more	4
Prior failure to appear older than 2 years	No	0
	Yes	1

The PSA converts the total number of FTA points to a final, scaled score ranging from 1 to 6.

Failure to Appear: Scaled Score

TOTAL FTA POINTS	SCALED FTA SCORE
0	1
1	2
2	3
3 or 4	4
5 or 6	5
7	6

New Criminal Arrest (NCA)

NCA refers to a person being arrested while on pretrial release. It includes both a custodial arrest and an arrest by citation or summons.

The PSA converts the total number of NCA points to a final, scaled score ranging from 1 to 6.

New Criminal Arrest Points

PSA FACTOR	RESPONSE	POINTS
Age at current arrest	23 or older	0
	22 or younger	2
Pending charge at the time of the arrest	No	0
	Yes	3
Prior misdemeanor conviction	No	0
	Yes	1
Prior felony conviction	No	0
	Yes	1
Prior violent conviction	No	0
	Yes, 1 or 2	1
	Yes, 3 or more	2
Prior failure to appear in the past 2 years	0	0
	Yes, just 1	1
	Yes, 2 or more	2
Prior sentence to incarceration	No	0
	Yes	2

New Criminal Arrest: Scaled Score

TOTAL NCA POINTS	SCALED NCA SCORE
0	1
1 or 2	2
3 or 4	3
5 or 6	4
7 or 8	5
9 to 13	6

New Violent Criminal Arrest (NVCA)

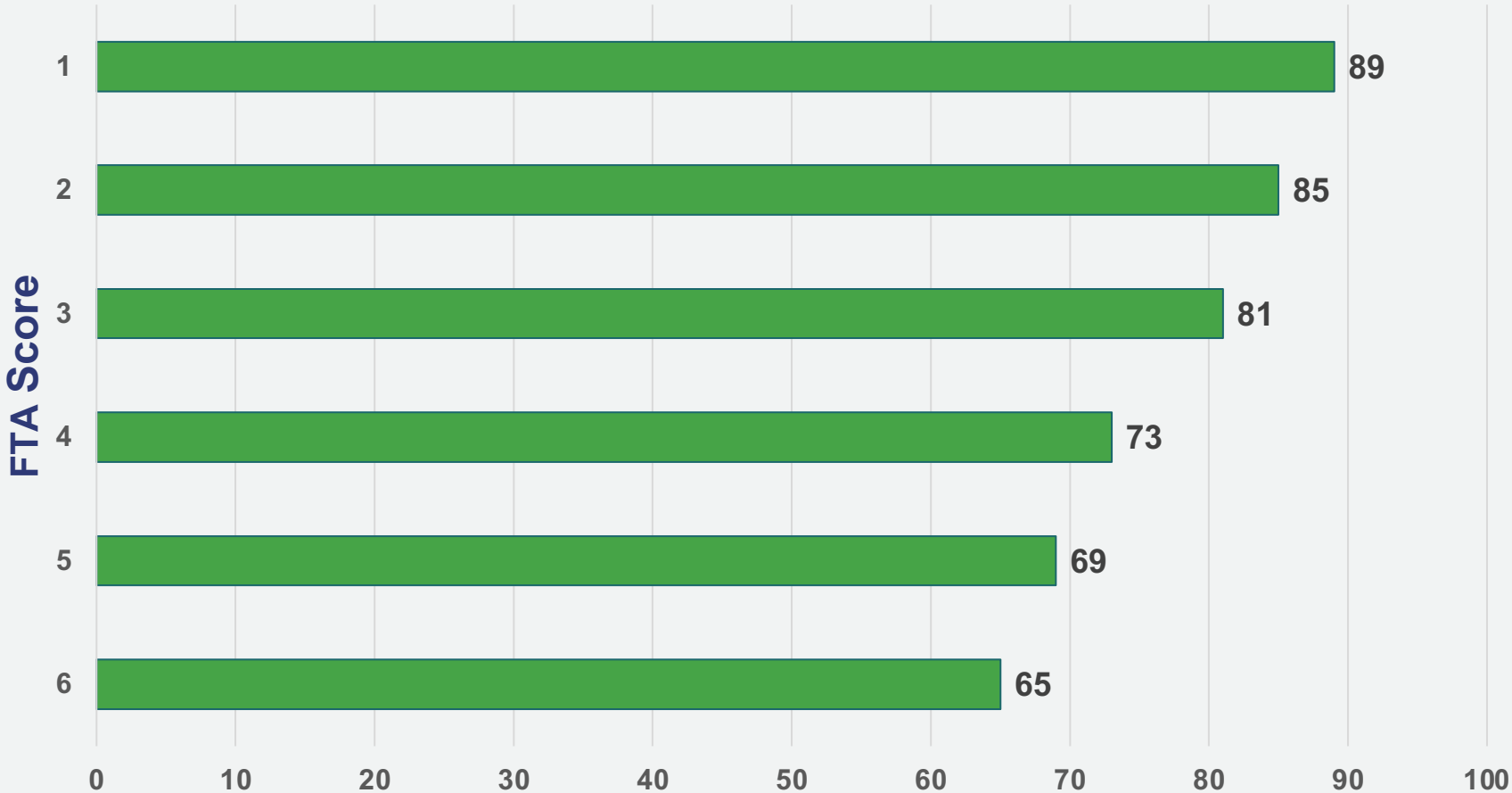
NVCA refers to a person being arrested for a violent offense while on pretrial release. It includes both a custodial arrest and an arrest by citation or summons.

New Violent Criminal Arrest: Points		
PSA FACTOR	RESPONSE	POINTS
Current violent offense	No	0
	Yes	2
Current violent offense and 20 years old or younger	No	0
	Yes	1
Pending charge at the time of the arrest	No	0
	Yes	1
Prior conviction (misdemeanor or felony)	No	0
	Yes	1
Prior violent conviction	No	0
	Yes, 1 or 2	1
	Yes, 3 or more	2

The PSA converts the total number of NVCA points to a scaled score and then to a “violence flag.”

New Violent Criminal Arrest Violence Flag	
TOTAL NVCA POINTS	SCALED NVCA SCORE (VIOLENCE FLAG)
0 or 1	1 (NO)
2	2 (NO)
3	3 (NO)
4	4 (YES)
5	5 (YES)
6 or 7	6 (YES)

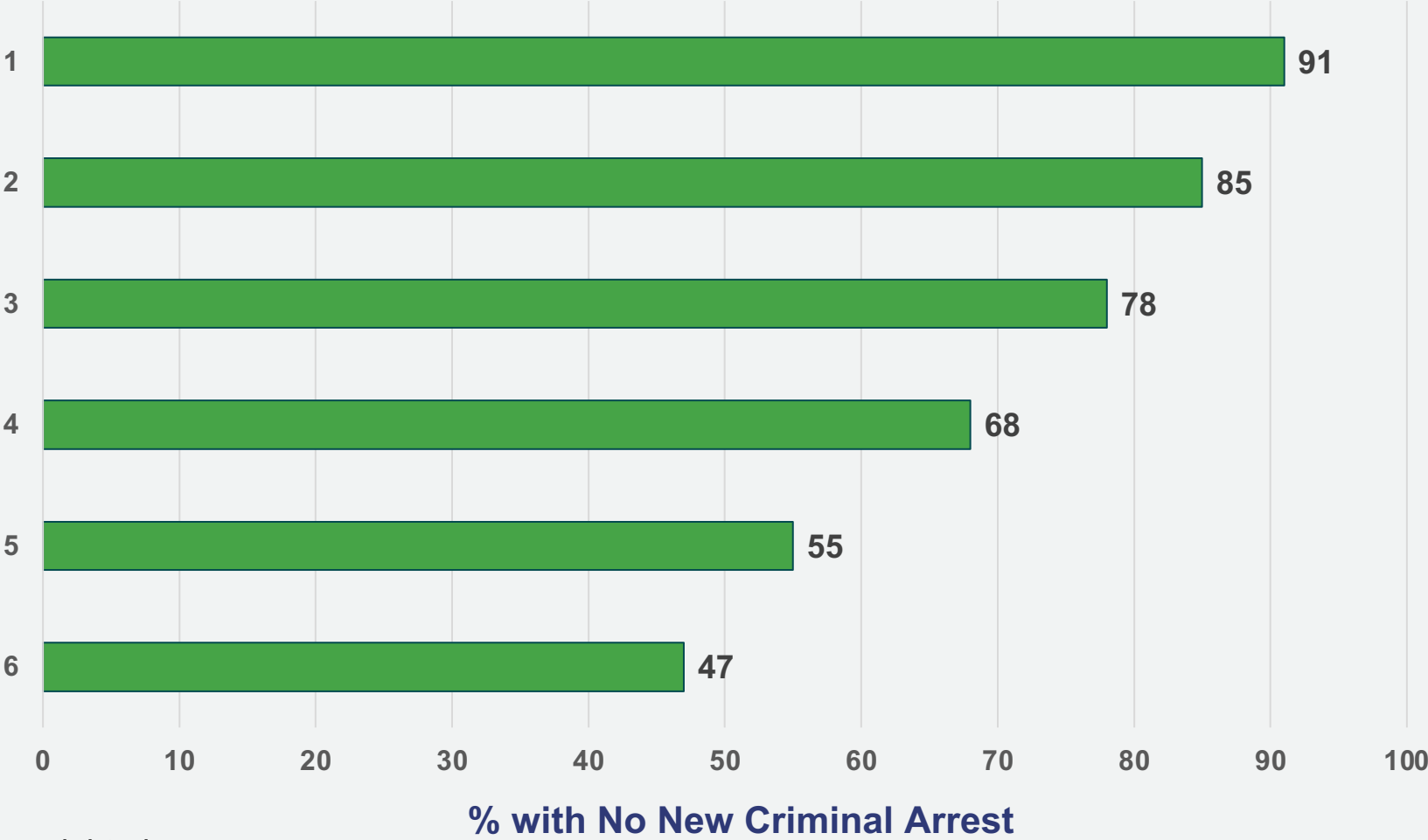
Appearance Rates



* Unweighted averages

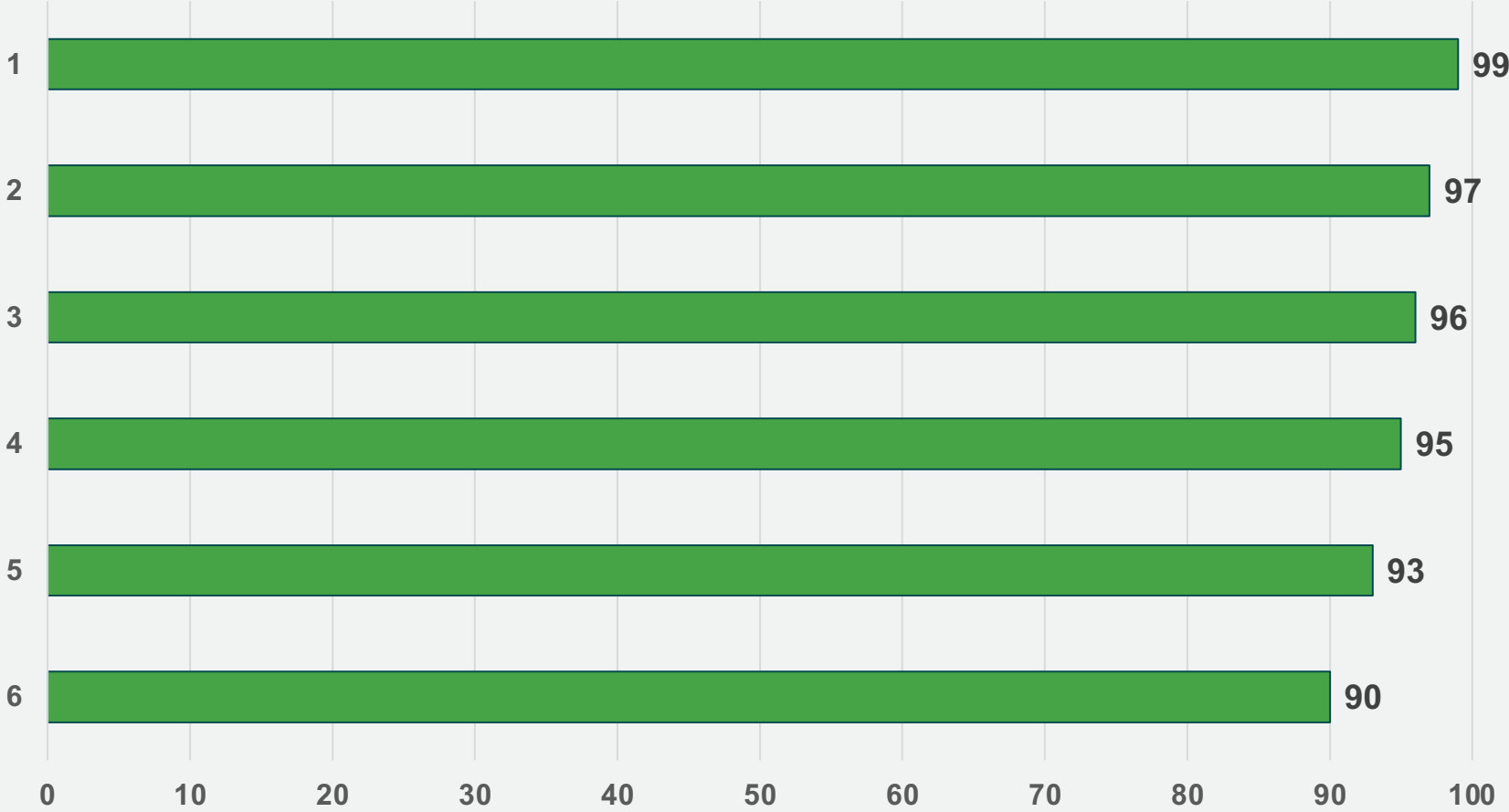
% with No FTA

Arrest-Free Rates



* Unweighted averages

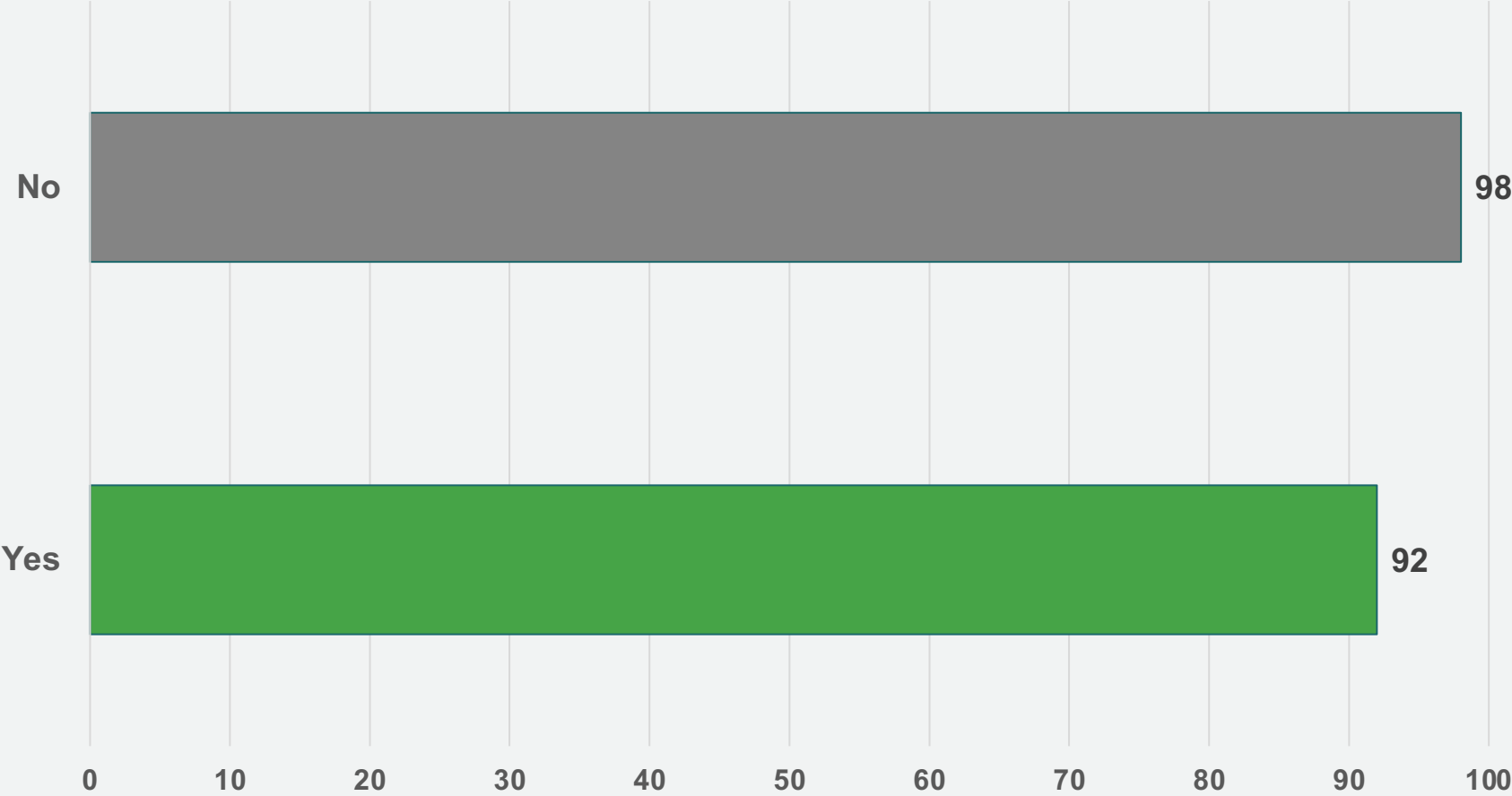
Violent Arrest-Free Rates



* Unweighted averages

% with No New Violent Criminal Arrest

Violent Arrest-Free Rates



* Unweighted averages

% with No New Violent Arrest

Success Rates

People on pretrial release succeed in the vast majority of cases

Approximately 80% of released people succeed on the average

People are very unlikely to be arrested for a new violent offense while on pretrial release

Release Conditions Matrix (RCM)

Jennifer Gibbs

Release Conditions Matrix

- The PSA to **assess** people
- The Release Conditions Matrix **assists** people
- Matrix matches PSA scores to pretrial release conditions
- Enables limited resources to be used on the people who need the most assistance to appear in court and remain law-abiding

Release Conditions Matrix

Grid of Release Levels

Failure to Appear (FTA) Scaled Score	New Criminal Activity (NCA) Scaled Score					
	1	2	3	4	5	6
	91% Likely Arrest-Free	85% Likely Arrest-Free	78% Likely Arrest-Free	68% Likely Arrest-Free	55% Likely Arrest-Free	47% Likely Arrest-Free
1 89% Likely to Appear	Release Level 1	Release Level 1				
2 85% Likely to Appear	Release Level 1	Release Level 1	Release Level 1	Release Level 1	Release Level 2	
3 81% Likely to Appear		Release Level 1	Release Level 1	Release Level 1	Release Level 2	Release Level 3
4 73% Likely to Appear		Release Level 1	Release Level 1	Release Level 1	Release Level 2	Release Level 3
5 69% Likely to Appear		Release Level 2	Release Level 2	Release Level 2	Release Level 2	Release Level 3
6 65% Likely to Appear				Release Level 3	Release Level 3	Release Level 3

Table of Release Conditions

Release Activities and Conditions	Pretrial Release Level		
	1	2	3
Mandatory Statutory Conditions	Yes	Yes	Yes
Court Date Notifications	Yes	Yes	Yes
Criminal History Checks Once per Month		Yes	Yes
Check-in Once per Month			Yes
Other Case-Specific Conditions			If court-ordered

RCM in Practice

Release Conditions Matrix

	New Criminal Arrest (NCA) Scaled Score					
Failure to Appear (FTA) Scaled Score	1 91% Likely Arrest-Free	2 85% Likely Arrest-Free	3 78% Likely Arrest-Free	4 68% Likely Arrest-Free	5 55% Likely Arrest-Free	6 47% Likely Arrest-Free
1 89% Likely to Appear	WPTA/ Unsecured Bond	WPTA/ Unsecured Bond				
2 85% Likely to Appear	WPTA/ Unsecured Bond	WPTA/ Unsecured Bond	Administrative	Standard	Standard	
3 81% Likely to Appear		Administrative	Administrative	Standard	Standard	Intensive
4 73% Likely to Appear		Administrative	Administrative	Standard	Intensive	Intensive
5 69% Likely to Appear		Standard	Standard	Intensive	Intensive	Intensive
6 65% Likely to Appear				Intensive	Intensive	Intensive

RCM in Practice

Pretrial Supervision Levels

	Pretrial Release Services by Supervision Level			
Pretrial Release Services	WPTA/ Unsecured Bond	Administrative	Standard	Intensive
Court Date Reminders	X	X	X	X
Criminal History Watch List		X	X	X
Initial Check in		By Phone	In Person	In Person
Phone Check in			Monthly	Bi-Weekly
Court Date Check In				In Person

Strafford County, New Hampshire
Pretrial Assessment Report

REPORT DATE
4/14/2024

NAME
Jessica Ireland

DOB
04/30/1977

ARREST DATE
04/10/2023

COURT CASE NUMBER
cr2023-987-989

PSA COMPLETION DATE
04/10/2023

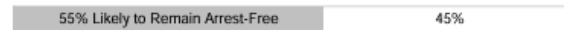
CREATED BY
Jessica Ireland on 04/10/2023

Statute	Charge	Number of Counts	Violent
609.688.2(a)	Adulterate by Bodily Fluid - Knows or Should Know Intended for Human Consumption	1	No
14-54 (B)	Breaking and Entering	1	No

Failure to Appear Scale: Score = 1 2 3 4 5 6



New Criminal Arrest Scale: Score = 1 2 3 4 5 6



New Violent Criminal Arrest Flag: NO



Presumptive Pretrial Release Level: Level 2

Conditions: Court reminder calls

PSA Factors	Response
1. Age at Current Arrest	23 or older
2. Current Violent Offense	No
2a. Current Violent Offense & 20 Years Old or Younger	No
3. Pending Charge at the Time of the Arrest	Yes
4. Prior Misdemeanor Conviction	No
5. Prior Felony Conviction	Yes
5a. Prior Conviction	Yes
6. Prior Violent Conviction	1
7. Prior Pretrial Failure to Appear in the last 2 Year	0
8. Prior Pretrial Failure to Appear Older than 2 Years	No
9. Prior Sentences to Incarceration	Yes

Questions



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