

NAPSA Annual Conference and Training Institute



NAPSA Fundamentals Curriculum

So, We Know The Risk Assessment Score - Now What?

Turning Risk Assessment Findings Into a Recommendation and Supervision Plan



Session Presenters

Eric Schmidt

Manager

Oakland County Pretrial & Justice Services

NAPSA President-Elect

schmidte@oakgov.com

Janet Yosick

Supervisor – Supervision EM Unit

Oakland County Pretrial & Justice Services

NAPSA Education Committee Member

yosickj@oakgov.com

Dr. Shy Meckna

Community Reentry Services Manager

Douglas County Department of Corrections

NAPSA Education Committee Member

shy.meckna@douglascounty-ne.gov



WHAT SHOULD A PRETRIAL AGENCY DO?

NAPSA Standard 4.3(a) states:

The pretrial services agency should conduct background investigations that solicit social background, criminal history, and other information relevant to the court's bail decision. At minimum, the investigation should include a check of the individual's criminal history, an interview with the individual, and application of a validated risk assessment.

NAPSA Standard 4.5(a) states:

The pretrial services agency should prepare for the Court, prosecution, and defense counsel a written report that summarizes results from its background investigation, criminal history search, and validated risk assessment. The report should include a recommendation for appropriate conditions to address identified court appearance and public safety-related risk factors.



WHAT ELSE SHOULD A PRETRIAL AGENCY DO?

NAPSA Standard 4.6 states:

The goal of pretrial monitoring, supervision, and support is to promote court appearance, public safety, and compliance with court-ordered conditions. Monitoring, supervision, and support should include:

- (i): the least restrictive interventions needed to promote pretrial success;
- (ii): notification of upcoming court appearances;
- (iii): assignment to pretrial specific monitoring or supervision staff and communication with assigned staff to report circumstances that may affect the individual's reporting to court as required, public safety or compliance to court-ordered conditions;
- (iv): monitor individuals' compliance with court-ordered conditions, including addressing initial compliance or infractions of court-ordered conditions administratively;
- (v): inform the court of new arrests or conduct that may warrant a modification of bail;
- (vi): recommend lower or higher levels of supervision when appropriate; and
- (vii): facilitate the return to court of individuals who miss scheduled court dates.

PRETRIAL RECOMMENDATIONS SHOULD INCLUDE?

- A presumption of release on the least restrictive conditions necessary to reasonably assure safety and appearance
- Research shows putting restrictive conditions on lower risk individuals is counterproductive

2011 VanNostrand, Rose, and Weibrecht, State of the Science of Pretrial Release Recommendations and Supervision, Pretrial Justice Institute

2013 VanNostrand and Lowenkamp, Exploring the Impact of Supervision and Pretrial Outcomes



Audience Question

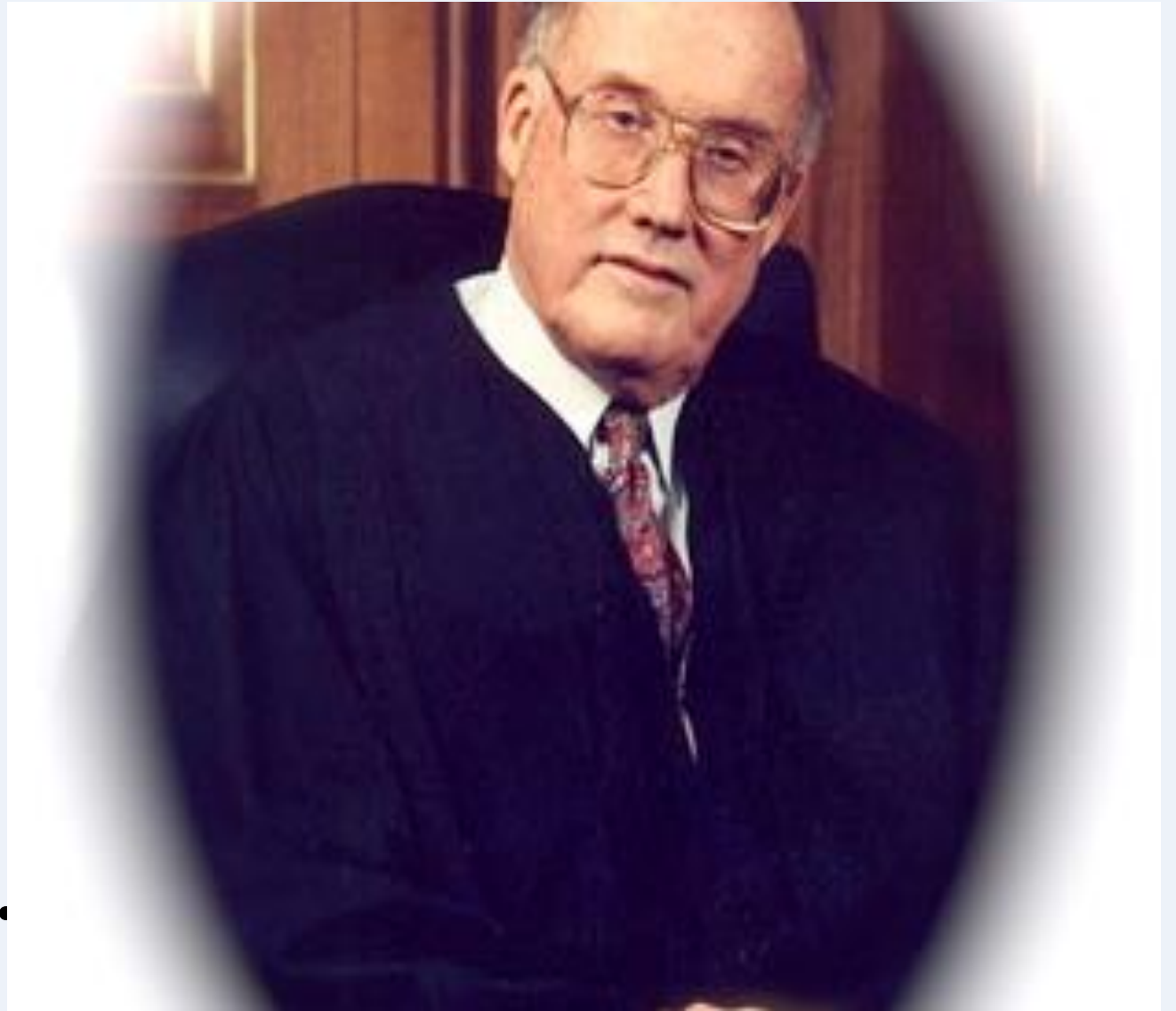
What assessments are currently being used in your jurisdictions?

What other information is gathered during the pretrial interview?

“In our society, liberty is the norm, and detention prior to trial or without trial is the carefully limited exception.”

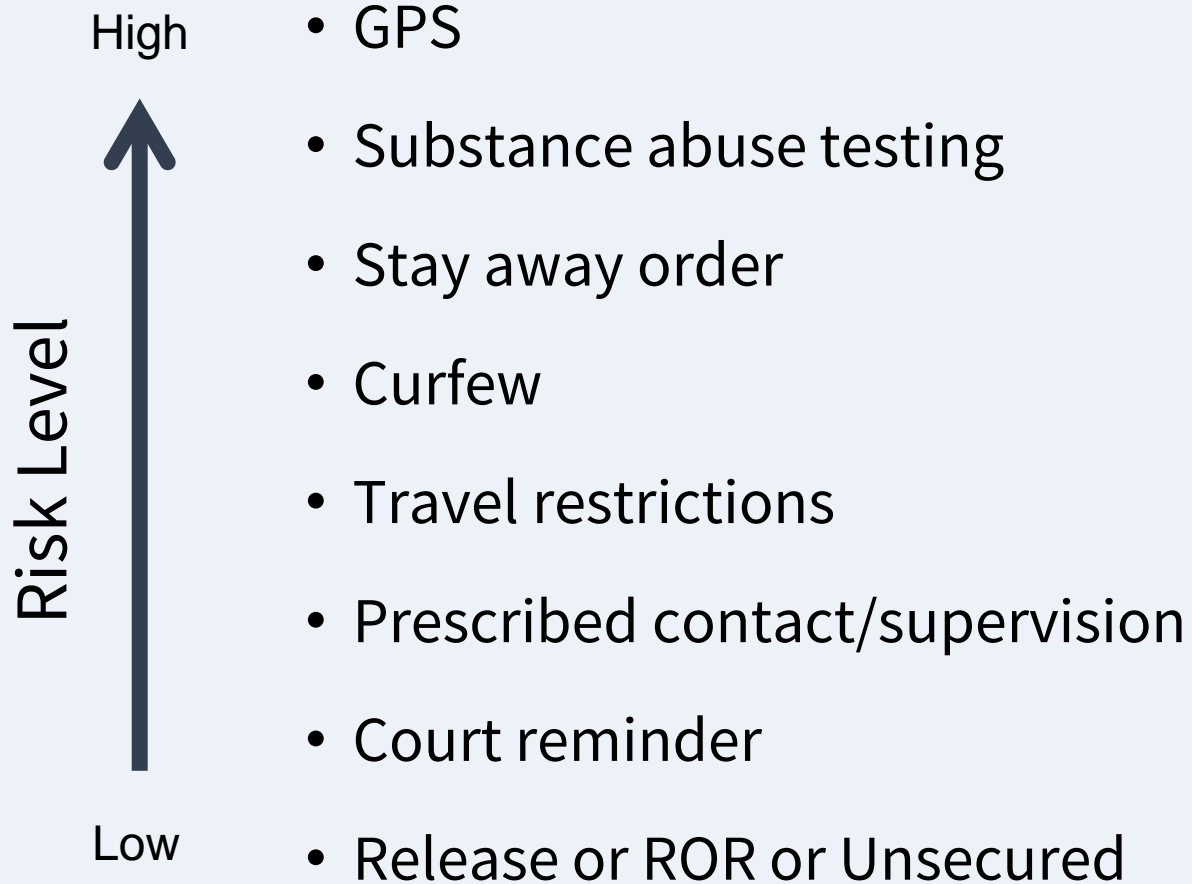
Chief Justice William Rehnquist

U.S. V. Salerno, 481 U.S. 739 (1987)



NON-FINANCIAL OPTIONS:

Level of Supervision/Monitoring



Use of Financial Conditions

- Only when non-financial conditions are insufficient to reasonably assure appearance
- Not to protect the safety of the community



PREVENTATIVE DETENTION:

- At least 27 states, the federal system and DC, currently allow for detention without bail in certain circumstances in non-capital cases
- Must allow for due process hearing
- Detention authority used sparingly in jurisdictions that have it

In 2020, Washington DC detained pretrial only 842 individual's out of 10,163 (3% misdemeanors, and 24% of the felons for a total of 8% detention rate). That's a 92% release rate!

HOW OFTEN IS FINANCIAL BAIL USED?

72% of individuals charged with a felony nationwide have a financial bond set in their cases

24% receive a non-financial bond

4% held without bond

2009 Brian A. Reaves, U.S. Department of Justice, Felony Defendants in Large Urban Counties, 2009-Statistical Tables, at 15, 20

FINANCIAL BAIL RELEASE RATE – FELONY CASES

53% of individuals make release

47% of individuals do not make release

- For individuals ordered to financial bail, only half are able to make release
- The release decision is now delegated to a commercial bail agent, and creates the inequities resulting from cash bail



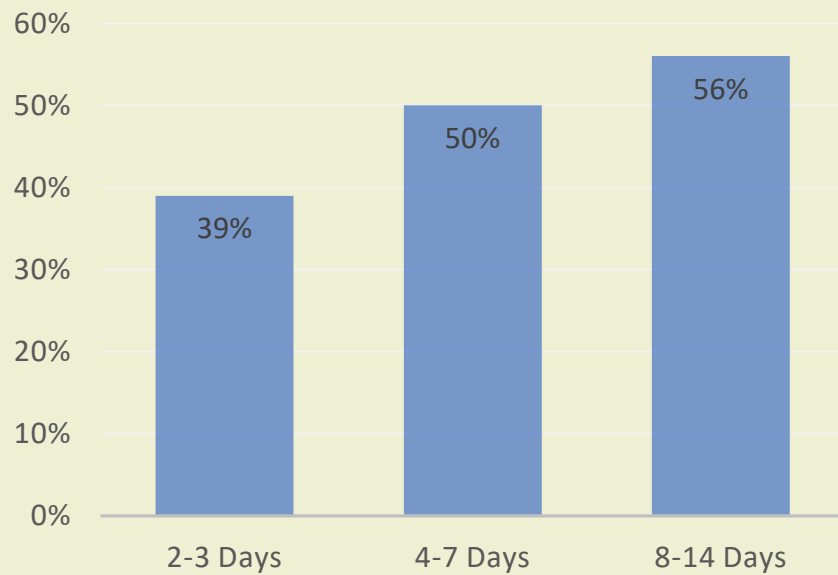
What is an Acceptable Level of Risk?

We all want fairness and safety – but what does “**acceptable risk**” really mean in pretrial release?

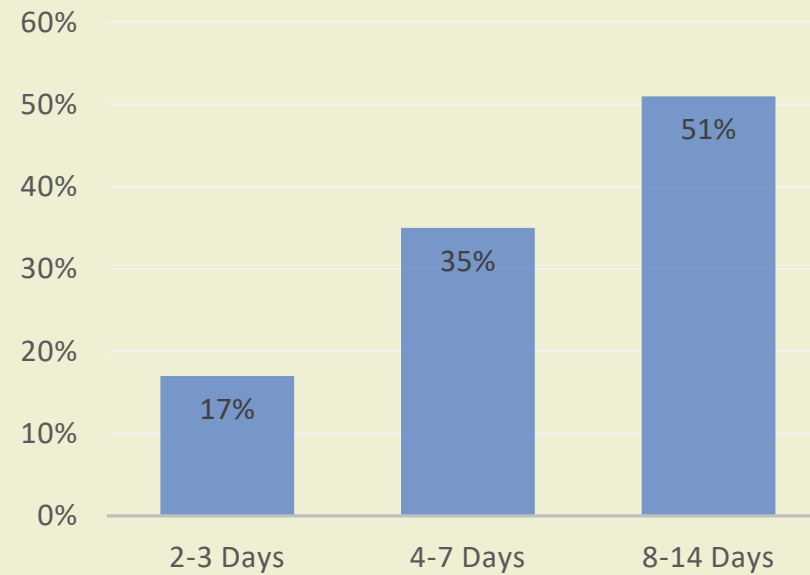
Are your recommendations aligned with that definition?

IMPACT OF SHORT-TERM INCARCERATION:

Increase in New Criminal Arrest Low-Risk Individuals*



Increase in 2-Year Recidivism Low-Risk Individuals*



Lowenkamp, C.T., VanNostrand, M., & Holsinger, A. (2013). The Hidden Costs of Pretrial Detention. Laura and John Arnold Foundation. New York City, NY.

OUTCOMES OF PRETRIAL INCARCERATION:

Compared to defendants released at some point prior to trial,
defendants held for the entire pretrial period had:

4x greater likelihood
of being sentenced
to jail

3x greater likelihood of
being sentenced to
prison

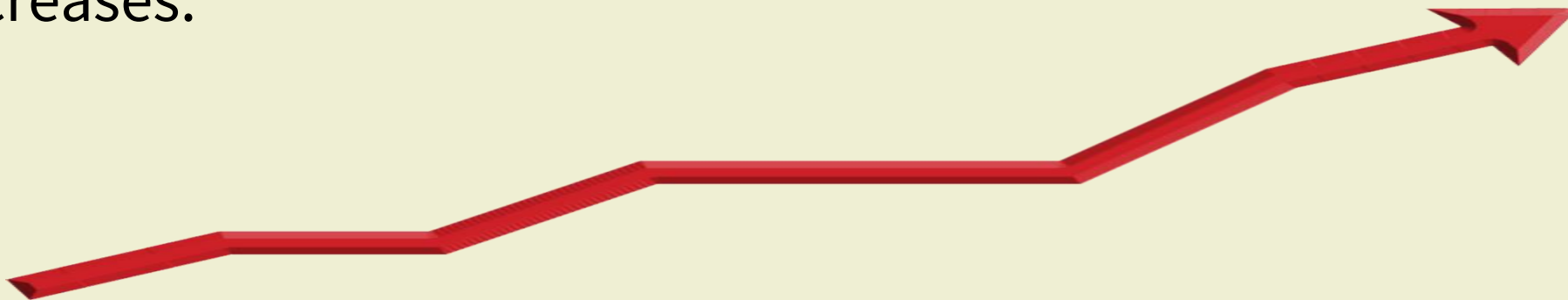
3x longer jail
sentences

2x longer prison
sentence

GENERAL DATA & RELEASE OUTCOMES:

Evidence based practices and highly effective pretrial service programs have shown overall FTA rates of around 10% with new criminal activity at approximately 11%.

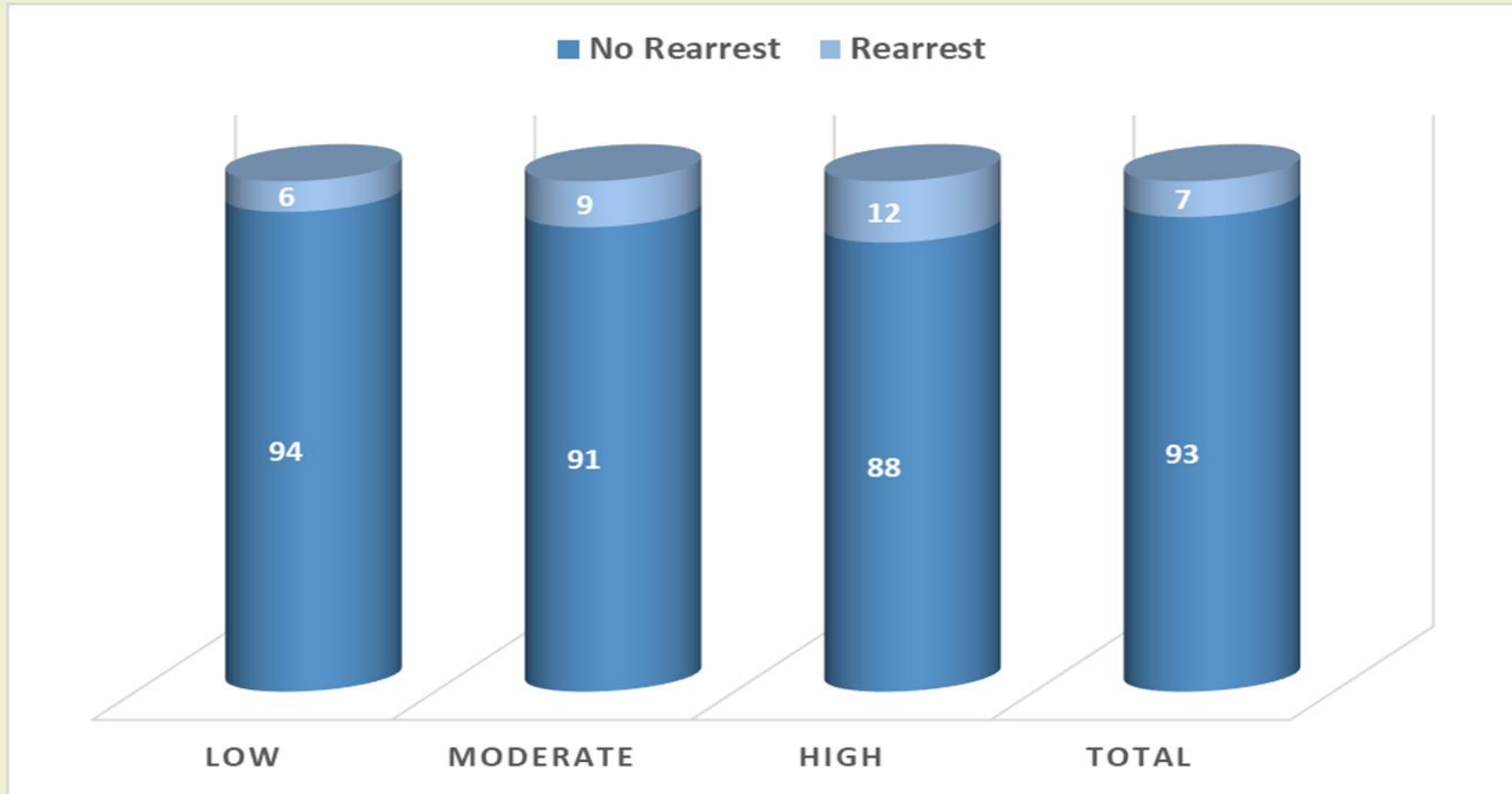
The rate for FTA & NCA has been shown to increase as the risk level increases.

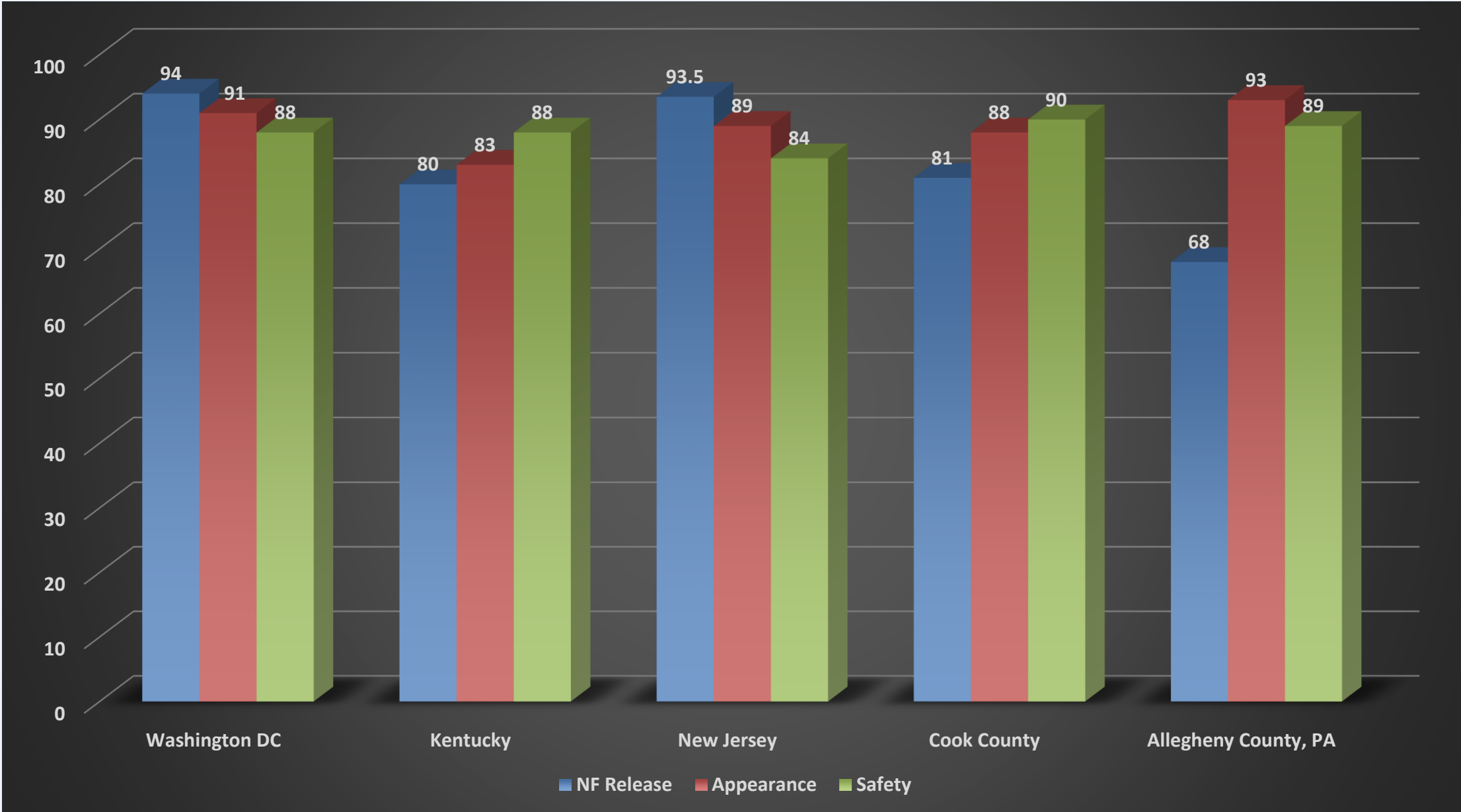


Supervision, Risk Level, & Compliance Rates: VPRAI

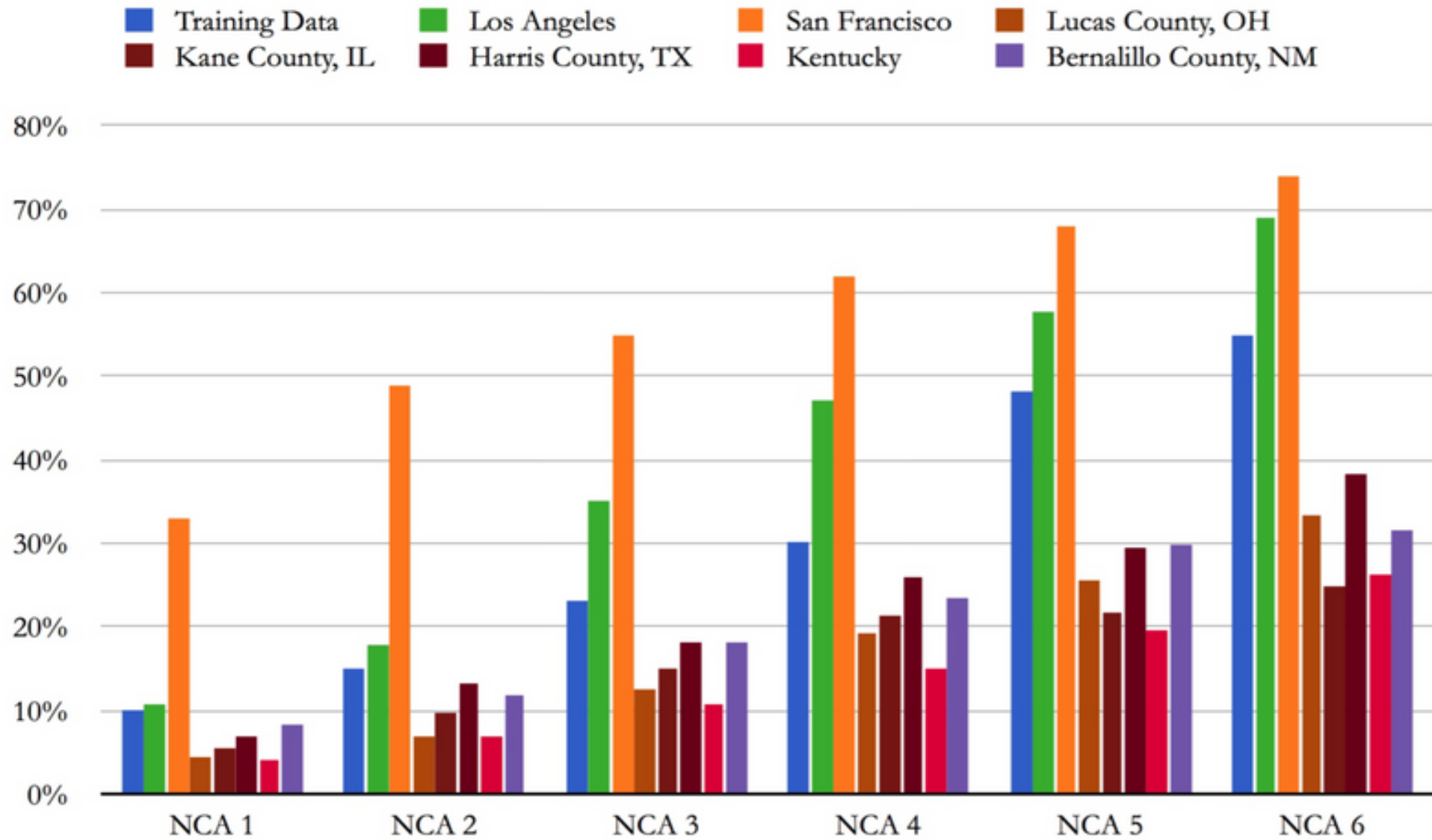
VPRAI Risk Level	Total VPRAI Cases		Any Failure		FTA		New Arrest		Technical Violation		
	VPRAI Score	N	%	N	Rate	N	Rate	N	Rate	N	Rate
Low	0-1	1661	11.5	77	4.6	26	1.6	34	2.0	30	1.8
Below Average	2	2691	18.7	229	8.5	62	2.3	81	3.0	130	4.8
Average	3	3524	24.5	479	13.6	128	3.6	183	5.2	257	7.3
Above Average	4	3168	22.0	578	18.2	143	4.5	204	6.4	344	10.9
High	5-9	3338	23.2	819	24.5	220	6.6	288	8.6	508	15.2

KENTUCKY STATEWIDE DATA – REARRESTS & RISK LEVEL





Differences in NCA Rates between Jurisdictions



INCREASED RELEASE & PUBLIC SAFETY CONCERNS:

Prison Policy Initiative Report 2023

Jurisdictions implementing bail reform, have seen no impact on public safety. The Prison Policy Institute reports that in four states and nine cities/counties where pretrial reforms have been implemented and public safety data is available, there have been decreases or negligible increases in crime or rearrest rates after implementing reforms.



DEVELOPING YOUR PRAXIS:

- Praxis: is the process by which a theory, lesson, or skill is enacted, embodied, or realized
- Risk assessment has been proven to be predictive for pretrial misconduct, however the research does not provide a formula or guidance on actual recommendations



DEVELOPING YOUR PRAXIS:

- Meet with stakeholders to adopt a current risk assessment tool or develop one
- Once a risk assessment is selected with the defined risk levels, decide what type of recommendation and supervision level is appropriate for your jurisdiction
- Balance acceptable risk with known data on FTA rates, new criminal activity rates, and technical violation rates

DEVELOPING YOUR PRAXIS:

- Recommendations should not include financial bail – Avoid color codes (Red/Green)
- Recommendations should include release eligibility, supervision consideration, and could indicate possible differential levels of supervision
- Specific conditions should be assigned individually
- Many jurisdictions apply recommendations based on risk level and offense category

PRAXIS SUPERVISION RECOMMENDATIONS:

- Each agency must define each supervision level in conjunction with their agency resources
- Be careful of over supervising as caseloads may skyrocket



El Paso Pretrial Services Report

El Paso Pretrial Services Report v3

Defendant Name:				AKA's:			
Date:	April 18, 2019	DOB:	9/25/84	Arrest Date/Time:			
Gender:		AGE:	34	Client has no known holds			
Indigent?	Unknown	START TIME:					

SECTION A: CURRENT CHARGE (S)



SECTION B: HISTORICAL PRETRIAL SUCCESS RATES

The following research provides the latest empirical outcomes of pretrial defendants in El Paso who are most closely associated with this defendant. This research is intended to provide empirical information to supplement a judge's statutory obligation to consider public safety and flight risks. The EPPRA-R empirically categorizes defendants into four pretrial categories of research outcomes based on El Paso's local population, as follows:

DEFENDANT'S CATEGORY:

Level 2

Level 1: 81% Overall Success Level 2: 70% Overall Success Level 3: 60% Overall Success Level 4: 51% Overall Success

"Overall Success" definition: No warrants during the pretrial period for failure to appear in court, no new criminal charges during the pretrial period, and no warrants for failure to comply with bond conditions. This defendant's responses and history result in the following outcomes from the most recent available research:

*SUCCESSFUL COURT APPEARANCE RATE	91%	†NO NEW VIOLENT CHARGE RATE	96%	‡NO NEW NON-VIOLENT CHARGE RATE	85%
-----------------------------------	------------	-----------------------------	------------	---------------------------------	------------

New Orleans Public Safety Assessment Model Decision-Making Matrix and Release Recommendations

		Decision-Making Matrix					
		<i>New Criminal Activity (NCA) Score</i>					
		NCA 1	NCA 2	NCA 3	NCA 4	NCA 5	NCA 6
<i>Risk of Failure to Appear (FTA) Score</i>	FTA 1	Risk Level 1	Risk Level 1				
	FTA 2	Risk Level 1	Risk Level 1	Risk Level 2	Risk Level 3	Risk Level 4	
	FTA 3		Risk Level 2	Risk Level 2	Risk Level 3	Risk Level 4	Risk Level 5
	FTA 4		Risk Level 2	Risk Level 3	Risk Level 4	Risk Level 4	Risk Level 5
	FTA 5		Risk Level 3	Risk Level 3	Risk Level 4	Risk Level 5	Risk Level 5
	FTA 6				Risk Level 5	Risk Level 5	Risk Level 5

Step 1: Pretrial Services completes PSA and provides FTA and New Criminal Activity (NCA) scores

Step 2: Apply the scores from Step 1 to the Decision-Making Matrix to determine the risk level

Step 3: Use the risk level in Step 2 to determine release and supervision recommendations

New Orleans Release & Supervision Recommendations

Release & Supervision Recommendations					
	Risk Level I	Risk Level II	Risk Level III	Risk Level IV	Risk Level V
Release Recommendation:	Release (ROR if eligible) No Supervision	Release (ROR if eligible) Administrative Supervision	Release (ROR if eligible) Standard Supervision	Release (ROR if eligible) Intensive Supervision	Detention Hearing If released: Maximum Supervision
Court Date Reminder Texts**	✓	✓	✓	✓	✓
New Arrest Checks		Monthly	Monthly	Monthly	Monthly
Face to Face Contact		Initial	1x/month	2x/month	At least 3x/month
Phone Contact		1x/month	1x/month	2x/month	2x/month

**Note: the presence of a Violent Activity flag increases a defendant's risk by one level, e.g. from Risk Level I to Risk Level II*

***Court date reminder texts will be sent by the City to defendants 48 hours in advance of upcoming court dates*

Release Conditions Matrix Pulaski County Arkansas

Failure to Appear (FTA) Scaled Score	New Criminal Activity (NCA) 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	Level 1	Level 1				
2 85% Likely to Appear	Level 1	Level 1	Level 2	Level 2	Level 3	
3 81% Likely to Appear		Level 2	Level 2	Level 2	Level 3	Level 3
4 73% Likely to Appear		Level 2	Level 2	Level 3	Level 3	Level 3
5 69% Likely to Appear		Level 3	Level 3	Level 3	Level 3	Level 4
6 65% Likely to Appear				Level 3	Level 4	Level 4

Release Conditions Matrix Pulaski County Arkansas

Release Activities and Conditions	Pretrial Monitoring Level			
	1	2	3	4
Mandatory Statutory Conditions	Yes	Yes	Yes	Yes
Court Date Notifications	Yes	Yes	Yes	Yes
Criminal History Checks Once per Month		Yes	Yes	Yes
Voluntary Supportive Services		Yes	Yes	Yes
Check-in after Court			Yes	Yes
Check-in Once per Month				Yes
Other Case-Specific Conditions	If Court Ordered	If Court Ordered	If Court Ordered	If Court Ordered

Virginia Praxis

Risk Level	Recommendation	VPRAI: Charge Category				
		Non-Violent Misd.	Driving Under the Influence	Non-Violent Felony	Violent Misd.	Violent Felony or Firearm
Level 1	Bail Status	Release	Release	Release	Release	Release
	Pretrial Supervision	No	No	No	No	Level II
	Special Conditions	No	No	No	No	As Needed
Level 2	Bail Status	Release	Release	Release	Release	Release
	Pretrial Supervision	No	Monitor	Monitor	Monitor	Level III
	Special Conditions	No	No	No	No	As Needed
Level 3	Bail Status	Release	Release	Release	Release	Detain
	Pretrial Supervision	Monitor	Monitor	Level I	Level I	No
	Special Conditions	No	No	No	As Needed	N/A
Level 4	Bail Status	Release	Release	Release	Release	Detain
	Pretrial Supervision	Level I	Level I	Level II	Level II	No
	Special Conditions	No	As Needed	As Needed	As Needed	N/A
Level 5	Bail Status	Release	Release	Release	Detain	Detain
	Pretrial Supervision	Level II	Level II	Level III	No	No
	Special Conditions	As Needed	As Needed	As Needed	N/A	N/A
Level 6	Bail Status	Detain	Detain	Detain	Detain	Detain
	Pretrial Supervision	No	No	No	No	No
	Special Conditions	N/A	N/A	N/A	N/A	N/A

Virginia Supervision Levels

Risk Level	Recommendation	VPRAI: Charge Category				
		Non-Violent Misd.	Driving Under the Influence	Non-Violent Felony	Violent Misd.	Violent Felony or Firearm
Level 1	Pretrial Supervision Level	Monitor	Monitor	Monitor	Monitor	Level II
Level 2	Pretrial Supervision Level	Monitor	Monitor	Monitor	Monitor	Level III
Level 3	Pretrial Supervision Level	Monitor	Monitor	Level I	Level I	Level III
Level 4	Pretrial Supervision Level	Level I	Level I	Level II	Level II	Level III
Level 5	Pretrial Supervision Level	Level II	Level II	Level III	Level III	Level III
Level 6	Pretrial Supervision Level	Level III	Level III	Level III	Level III	Level III

Virginia Supervision Levels

Level	Supervision Strategy
Pretrial Monitoring	<ul style="list-style-type: none">✓ Court date reminder for every court date✓ Criminal history check before court date
Pretrial Supervision Level I	<ul style="list-style-type: none">✓ Court date reminder for every court date✓ Criminal history check before court date✓ Face-to-face contact once a month✓ Special conditions compliance verification
Pretrial Supervision Level II	<ul style="list-style-type: none">✓ Court date reminder for every court date✓ Criminal history check before court date✓ Face-to-face contact every other week✓ Special conditions compliance verification
Pretrial Supervision Level III	<ul style="list-style-type: none">✓ Court date reminder for every court date✓ Criminal history check before court date✓ Face-to-face contact every week✓ Special condition compliance verification

Virginia Pretrial Release Conditions Matrix

	New Criminal Arrest (NCA) Scaled Score					
Failure to Appear (FTA) Scaled Score	1 Likely Arrest-Free: 87%	2 Likely Arrest-Free 79%	3 Likely Arrest-Free 72%	4 Likely Arrest-Free 66%	5 Likely Arrest-Free 63%	6 Likely Arrest-Free 58%
1 Likely to Appear 91%	Release Level 1	Release Level 1				
2 Likely to Appear 88%	Release Level 1	Release Level 1	Release Level 1	Release Level 1	Release Level 2	
3 Likely to Appear 84%		Release Level 1	Release Level 1	Release Level 1	Release Level 2	Release Level 2
4 Likely to Appear 78%		Release Level 1	Release Level 1	Release Level 1	Release Level 2	Release Level 3
5 Likely to Appear 69%		Release Level 2	Release Level 2	Release Level 2	Release Level 2	Release Level 3
6 Likely to Appear 67%				Release Level 2	Release Level 3	Release Level 3

The listed percentages are weighted averages from the Virginia Criminal Sentencing Commission's analysis of individuals with pretrial contact events during calendar years 2018 and 2019.

Virginia Pretrial Release Conditions Matrix


Release Activities and Conditions	Pretrial Release Level 1 Recognizance	Pretrial Release Level 2 Supervision	Pretrial Release Level 3 Supervision
Mandatory Statutory Conditions	Yes	Yes	Yes
Court Date Notifications	No*	Yes	Yes
Criminal History Checks	N/A	Yes	Yes
Check-In with Pretrial Services at Least Once per Month	N/A	Yes	No
Check-In with Pretrial Services at Least Twice per Month	N/A	No	Yes
Other Case-Specific Conditions that Do Not Require Pretrial Services Supervision	Yes, if court ordered	N/A	N/A
Other Case-Specific Conditions that Do Require Pretrial Services Supervision	N/A	Yes, if court ordered	Yes, if court ordered

Mandatory Statutory Conditions

Virginia Code § 19.2-135, sets the conditions that must be part of every release on recognizance. They are as follows:

- The person accused must appear to answer the charge before the court where the case is to be tried at such time as stated on the recognizance, and any time or times which the proceedings may be continued;
- The person accused may not depart from the Commonwealth unless the judge or magistrate specifically waives this provision in the DC-330, Recognizance form;
- The accused person accused must keep the peace and be of good behavior until the final disposition of the case.



 Risk Level	CASS COUNTY PRETRIAL RELEASE AND SUPERVISION MATRIX			
	Offense Level			
	Non-violent Misdemeanor* CLASS <u>A,B,C</u>	Non-Violent Felony* LEVELS 4, 5, 6	Felony Levels 1-4 Violent Offenses**: Battery, Sex Offenses, Stalking, Invasion of Privacy (includes Class A CMs, F6s if Violent Offense) Pretrial Release New Offense/Probation Violators Juvenile Waivers/Direct Files	Murder, Treason***
LOW	ROR OR Supervision Level 1	Supervision Level 1	Supervision Level 2	Not Bailable
MODERATE	ROR OR Supervision Level 2	Supervision Level 2	Supervision Level 3	Not Bailable
HIGH	Supervision Level 3	Supervision Level 3	Supervision Level 3	Not Bailable

Supervision Levels

- **Level 1**—one telephone appointment every two weeks; one office appointment every six weeks; special conditions pursuant to a court order
- **Level 2**—at least one telephone appointment (in between appointments & court dates) and office appointment every month; special conditions pursuant to a court order
- **Level 3**—at least two telephone appointments and two office appointments every month; special conditions pursuant to a court order. Weekly reporting may be required in addition/in lieu of assessed Supervision Level Requirements.

If Pretrial Services identifies a risk factor where increased supervision would be appropriate despite IRAS-PAT score, such as current illegal substance use or an instant offense that requires higher supervision (Pretrial GPS Monitoring, for example) to ensure victim and public safety, the Pretrial Director has the right to petition the Court to move the pretrial release participant to a higher level of supervision.

Standards Conditions for all Levels of Pretrial Release

- Making a full and truthful report to the Pretrial Services Probation Officer as directed.
- Appearing in court at all times required.
- Obtaining prior consent before leaving Indiana.
- Not committing or being arrested and/or charged for a new criminal offense.
- Monthly criminal records checks.
- Court Reminders

Special Conditions and/or supervision requirements may include, but are not limited to: alcohol prohibition, daily/weekly/monthly/random drug screens, no contact order, weapons restriction, and Pretrial GPS Monitoring.

Last Date Modified: September 24, 2021

Indiana Pretrial Violation Response Template

June 8, 2018

PRETRIAL VIOLATION RESPONSE MATRIX TEMPLATE

		Violation Severity Level		
		Low	Medium	High
Risk Level	Category 1	Low Response	Low Response	Medium Response
	Category 2	Low Response	Medium Response	High Response
	Category 3	Medium Response	High Response	High Response

Low Violations: show a lapse in judgment and do not cause harm to self or others

Examples: late for appointments/call-ins, insufficient UA sample, failure to report police contact, failure to report address change

Medium Violations: show disregard for court orders and pretrial supervision and do not cause harm to others

Examples: missed appointment, missed drug test, positive drug test, repeated low severity violations

High Violations: show willful or repeated disregard for court orders and pretrial supervision, and/or cause a risk of harm to self or others

Examples: new criminal arrest/charge, missed court date, failure to comply with no contact order, absconding from home detention/EM, possession of a weapon in violation of a court order, failure to complete violations response, repeated moderate severity violations

Low Response options (examples): verbal warning, review release conditions with defendant, increased reporting

Medium Response options (examples): meet with defendant in person, increase supervision level, increase services, notice to defense counsel and prosecutor, increase drug screens, treatment referral

High Response options (examples): file violation notice with court

Pima County Release Conditions Matrix

	New Criminal Arrest (NCA) Score					
Failure to Appear (FTA) Score	1 97% Likely Felony Arrest-Free	2 95% Likely Felony Arrest-Free	3 92% Likely Felony Arrest-Free	4 89% Likely Felony Arrest-Free	5 86% Likely Felony Arrest-Free	6 85% Likely Felony Arrest-Free
1 92% Likely to Appear	Release Level-1	L1				
2 89% Likely to Appear	L1	L1	L1	L1	L2	
3 82% Likely to Appear		L1	L2	L2	L2	L3
4 77% Likely to Appear		L2	L2	L2	L2	L3
5 66% Likely to Appear		L3	L3	L3	L3	L4
6 59% Likely to Appear				L4	L4	L4

Pima County Release Conditions Matrix - Continued

	Non-Violent Charges	Violent Charges <i>Per PSA Violent Charge List</i>
Release Level 1 (L1)	ROR, or PTS with Indirect Monitoring	ROR, or PTS with Intermediate Monitoring
Release Level 2 (L2)	ROR PTS with General Monitoring	ROR, or PTS with Intermediate Monitoring
Release Level 3 (L3)	ROR, or PTS with Intermediate Monitoring	ROR, or PTS with Direct Monitoring
Release Level 4 (L4)	ROR, or PTS with Direct Monitoring	ROR, or PTS with Direct Monitoring

Pima County Supervision Levels

	Contact Frequency	Text Reminder System	Phone Call/Email Reminder	Law Enforcement Contact	General Violations	Supportive Services Supervision
Indirect Monitoring	1 Initial Personal Contact (Virtual) <i>*If needed</i>	Yes, Contact # Entered After Release Only*	None	Outreach on a case-by-case basis	None, no active monitoring	N/A
All levels below, pre-Arrestment	2x Weekly (Telephone Check-in)	<i>See Condition Level</i>	3 Business Days Prior to Arrestment	<i>See Condition Level</i>	<i>See Condition Level</i>	Initial Referral within 10 Business Day of IA
General Monitoring	Initial PC (Virtual) 1x Month No PC required	Yes, Contact # Entered After Release -60-day review	None in most cases, -only if assessed as a need	Discuss within 10 business days of notice	Discuss within 10 business days of notice	Follow up determined by referral screening
Intermediate Monitoring	Initial PC (Virtual) 1x Weekly 1x Monthly after 90 Days PC as Needed	Yes, Contact # Entered After Release -30-day review	3 Bus. Days Prior to Court Hearing	Discuss within 7 business days of notice	Discuss within 7 business days of notice	Mandatory follow up every 30 days
Direct Monitoring	Initial PC (Virtual) 1x Weekly 1x PC Month	Yes, Contact # Entered After Release -30-day review	5 Bus. Days Prior to Court Hearing -Follow up, 3 Bus. Days	Discuss ASAP or within 5 business days of notice	Discuss within 7 business days of notice	Mandatory follow up every 30 days

Oakland County Praxis Framework

GRID 1

MISDEMEANOR CHARGE ONLY

(Punishable up to 93 days in jail)

Risk Level	Bond Type	Bond Amount	Supervision	Conditions of Release
Low	Personal Bond	Low	None	None
Below Average	Personal Bond	Low	None	None
Average	Personal Bond	Low	None	None
Above Average	Personal Bond	Moderate	Standard	As Needed
High	10% Cash Surety	Low	Intermediate	As Needed

GRID 2

NON-VIOLENT FELONY CHARGE & HIGH MISDEMEANOR CHARGES

(Any High-Court Misdemeanor Offense punishable over 93 days in jail)

Risk Level	Bond Type	Bond Amount	Supervision	Conditions of Release
Low	Personal Bond	Low	None	None
Below Average	Personal Bond	Moderate	None	None
Average	Personal Bond	Moderate	Standard	As Needed
Above Average	10% Cash Surety	Moderate	Intermediate	As Needed
High	Cash Surety	Moderate	Intensive	As Needed

GRID 3

VIOLENT FELONY CHARGE

(See Violent Felony Charge List For Applicable Charges)

Risk Level	Bond Type	Bond Amount	Supervision	Conditions of Release
Low	Personal Bond	High	Intermediate	As Needed
Below Average	10% Cash Surety	Low	Intermediate	As Needed
Average	10% Cash Surety	Moderate	Intermediate	As Needed
Above Average	Cash Surety	High	Intensive	As Needed
High	Cash Surety	High	Intensive	As Needed

MEASURE YOUR OUTCOMES:

- Assess your performance outcomes, risk classification, and failure rates to determine if release & supervision recommendations should be changed
- Track deviations
- Check for racial bias
- Consult the risk assessment creator for recommendations before making changes

Michigan Praxis Framework 2025

Risk Level	Misdemeanor < 93 Days Jail	High Misdemeanor and Non-Violent Felony	Violent Felony
Low (0-2)	Release	Release	Release with Conditions
Average (3-5)	Release	Release with Conditions	Release on Recognizance Not Recommended ²
High (6-9)	Release with Conditions	Release on Recognizance Not Recommended ¹	Release on Recognizance Not Recommended ²

¹ Defendants charged with a high misdemeanor or a non-violent felony, who score a risk level 6-9, are not recommended for release on recognizance. If the defendant is able to post bail or make release, the court may wish to consider conditions aimed at mitigating the defendant's risk to public safety and/or risk of failure to appear.

² Defendants charged with a violent felony scoring average or high risk level are not recommended for release on recognizance. If the defendant is able to post bail or make release, the court may wish to consider conditions aimed at mitigating the defendant's risk to public safety and/or risk of failure to appear.

End of Part I

Questions regarding developing recommendations?

Eric Schmidt

Manager

Oakland County Pretrial & Justice Services

NAPSA President-Elect

schmidte@oakgov.com

Janet Yosick

Supervisor – Supervision EM Unit

Oakland County Pretrial & Justice Services

NAPSA Education Committee Member

yosickj@oakgov.com

Dr. Shy Meckna

Community Reentry Services Manager

Douglas County Department of Corrections

shy.meckna@douglascounty-ne.gov



Part II

Case Scoring Exercise: Application of Risk Level, Conditional Release, & Defining Supervision Levels

MATRIX DISCUSSION & CASE STUDY:

- Each group apply case examples of individual's risk score & recommendation/supervision outcome (Ten-minute time limit)
- Each group share courtroom presentation and appropriate recommendations for conditional release
- Each group to share their supervision level definition

SUPERVISION LEVEL CREATION:

- Create supervision levels assuming the organization has exceptional resources
- Organization has adequate staffing
- Organization uses differential levels of supervision
- The organization uses the Michigan Praxis Framework 2025

SUPERVISION DEFINITION EXAMPLE:

Monitoring

Court date reminder notices

Standard

Weekly reporting by telephone, court date reminder notices

Intermediate

Weekly reporting by telephone, monthly in-person reporting to case manager or kiosk, drug/alcohol assessment and placement in monitoring or treatment if indicated, court date reminder notices

Intensive

GPS monitoring, weekly in-person reporting to case manager or kiosk, drug and alcohol assessment and placement in treatment or monitoring if indicated, court date reminders

Supervision & Risk Level Example

Risk Level	Misdemeanor Non-Assaultive	Misdemeanor Assaultive	Felony Non-Assaultive	Felony Assaultive
1	No active supervision	No active supervision, stay away order	No active supervision	Standard, stay away order
2	No active supervision	No active supervision, Stay away order	No active supervision	Standard, stay away order
3	No active supervision	No active supervision, Stay away order	Standard	Intensive, stay away order
4	Monitoring	Monitoring, stay away order	Intermediate	Intensive, stay away order
5	Standard	Intensive, stay away order	Intensive	Intensive, stay away order

RISK ASSESSMENT SCORES:

Defendant	Points	Risk Level
George Torres	2	2
David Cramer	3	3
Michelle McComb	4	4
Wayne Richter	1	1

Risk
Assessment
Scores

Michigan Praxis Framework 2024

Risk Level	Misdemeanor < 93 Days Jail	High Misdemeanor and Non-Violent Felony	Violent Felony
Low (0-2)	Release	Release	Release with Conditions
Average (3-5)	Release	Release with Conditions	Release on Recognizance Not Recommended ²
High (6-9)	Release with Conditions	Release on Recognizance Not Recommended ¹	Release on Recognizance Not Recommended ²

¹ Defendants charged with a high misdemeanor or a non-violent felony, who score a risk level 6-9, are not recommended for release on recognizance. If the defendant is able to post bail or make release, the court may wish to consider conditions aimed at mitigating the defendant's risk to public safety and/or risk of failure to appear.

² Defendants charged with a violent felony scoring average or high risk level are not recommended for release on recognizance. If the defendant is able to post bail or make release, the court may wish to consider conditions aimed at mitigating the defendant's risk to public safety and/or risk of failure to appear.

Session Presenters

Eric Schmidt

Manager

Oakland County Pretrial & Justice Services

NAPSA President-Elect

schmidte@oakgov.com

Janet Yosick

Supervisor – Supervision EM Unit

Oakland County Pretrial & Justice Services

NAPSA Education Committee Member

yosickj@oakgov.com

Dr. Shy Meckna

Community Reentry Services Manager

Douglas County Department of Corrections

NAPSA Education Committee Member

shy.meckna@douglascounty-ne.gov



Thank You

Enjoy the remainder of the conference

