

**Pretrial Analysis
for Middlesex County, Massachusetts**

Technical Assistance Report

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Disclaimer

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The resource person who provided the on-site technical assistance did so through a cooperative agreement, at the request of the Sheriff of Middlesex County, Massachusetts, and through the coordination of the National Institute of Corrections. The direct onsite assistance and the subsequent report are intended to assist the jurisdiction in addressing issues outlined in the original request and in efforts to enhance its overall effectiveness.

The contents of this document reflect the views of Ms. Stephanie Vetter and Mr. Don Trapp. The content does not necessarily reflect the official views or policies of the National Institute of Corrections.

Pretrial Analysis for Middlesex County, Massachusetts

Introduction

This report summarizes the primary findings and recommendations from a pretrial analysis for Middlesex County, Massachusetts. Peter Koutoujian, Sheriff of Middlesex County acted on behalf of multiple justice system stakeholders in the county to request technical assistance to receive an analysis of the pretrial jail population, trend analysis and related practices. The purpose of which is to examine the possible causes of increasing numbers of pretrial defendants remaining in custody, leading to overcrowding and subsequent jail cap releases. The assistance will also include discussions with all system stakeholders so as to incorporate input and information about these issues, and will facilitate the development of clear, measurable, and attainable objectives regarding the ongoing management of this population.

Method

Don Trapp, Pretrial Supervision Program Manager for Multnomah County, Oregon and Stephanie Vetter, Senior Consultant with the Juvenile Detention Alternatives Initiative provided the technical assistance to Middlesex County (See Appendix A for Bios). Jail data, applicable statues, policies and procedures, related documents and background information were reviewed prior to the on-site visit. The site visit was conducted from December 8 – 10, 2014, during which time meetings with the major stakeholders were held including: Circuit and District Court Judges, Deputy District Attorneys, Attorneys from the Committee for Public Counsel Services, Bail Commissioner, Middlesex County Sheriff’s Jail Records, and Middlesex County Probation. In addition, the jail facility was toured with specific attention to the booking and pretrial processes, defendants’ first court appearances and bail review hearings were observed.

Findings and Recommendations

The findings and recommendations are organized into three groups: an overview of the current system including administrative practices, infrastructure, challenges and opportunities; jail population and case processing analysis; and specific recommendations regarding pretrial practices and next steps. References are appended to the report, some of which will be referred to in the body of the report; and others that may serve as a resource. Other documents may be cited within the text of the report. The source of information for the recommendations are the federal and state constitutional, statutory, and case law, national pretrial standards from the American Bar Association (ABA) and National Association of Pretrial Services Agencies (NAPSA), and recent empirical research from the social sciences/criminal justice field.

Middlesex County Overview

At over 1.5 million, Middlesex is the most populous county in Massachusetts. Middlesex County operates a 1501-bed House of Correction in Billerica housing pretrial defendants, and persons sentenced to less than 2.5 years. The Middlesex County Jail receives fewer than 5000 bookings annually. While this equate to a high jail beds to bookings ratio (.3) compared to .06 for Mecklenberg County, .1 for Maricopa County, and .037 for Multnomah County, it is reflective an effective processing of misdemeanor cases, which includes stationhouse releases or citations to appear in court. However, Middlesex County has been operating under increasing capacity in its jail facilities, particular in the growth of the pretrial population. Jail overcrowding has forced Middlesex County to release inmates early pursuant to a Court Order, in 5 of the past 6 fiscal years. Additionally, as a consequence of overcrowding, female defendants in Middlesex County are housed in a special unit of a state institution, Framingham. The Awaiting Trial Unit (ATU) has a rated capacity of 452, but currently holds 646 defendants. Jail overcrowding is also present in many Massachusetts counties and the state Department of Corrections reports that as of 12/31/13, state institutions were at 132% of capacity.

In the midst of this increase in incarcerated persons, Massachusetts has experienced a 16% decrease in crime, mirroring that of the reduction nation-wide. There have been a number of state-wide and local issues that have been discussed as possible factors for this increase. These include: state sentencing guidelines establishing mandatory minimum sentences, the 2012 “Melissa’s Law” requiring 3rd time violent felons to serve their entire sentence without parole eligibility, recent changes in pretrial practices for defendants charged with domestic violence offenses requiring a minimum of a 6 – hour (cooling off) period in custody, and a 99% state-wide increase in fatal opiate overdoses from 2000 to 2013.

Preliminary data indicate that the marked increase in the Middlesex County Jail pretrial population over the last six years is largely related to a relatively high percentage of pretrial defendants held without bail (Table 3), and high average lengths of stay (Table 1). The average length of stay for Middlesex County defendants has increased almost 24% over the past 6 years; which has contributed to the 30% increase in the average daily jail population over the past 6 years, led to overcrowding, and the forced released of inmates due to the capacity order.

Other contributory factors related to case processing have been identified. However some of these are beyond the scope of this assistance and are included for discussion purposes only. These refer to local practices that extend the period of pretrial detention. For example, the Commonwealth has 30 days to conduct a hearing for persons held on probation violations. Neither the number of probation violations held each month, nor the number of probationers in custody was available. However, given that Middlesex County comprises 23% of the state’s population; which would translate to approximately 18,000 of the 80, 000 probationers in the state; and a 39% recidivism rate, it is likely the annual number of probation violators coming into custody would exceed 3500. Probation violators generally comprise a relatively low percentage (less than 5%) of new prison commitments in Massachusetts; however, the percentage of female probationers committed to prison is 50 times the rate of males (4.06% vs. .08%). This would indicate that most probation revocations would result in sentences served in the County Jail. A large number of probationers held in custody would contribute to increases the average daily jail population amd average lengths of stay. This is supported by data from Middlesex County

defendants held in DOC facilities having a median length of stay of 29 days. Preliminary data analysis also reveals the predilection for money bails, which have been linked to increased lengths of stay and pretrial detention. Massachusetts statutes provide for pretrial diversion, though its application appears to be narrow in its eligibility and limited in its use.

Infrastructure

Legislative: Massachusetts General Laws, Chapter 276 § 58 are comprehensive and provide the structure and authority from which to administer comprehensive pretrial services. The statutes include a presumption of recognizance or least restrictive conditional release, outlines criteria to be considered, and provide for a “dangerousness” hearing in cases where preventive detention is sought. The statutes provide for release authority to be delegated to Bail Commissioners in specific cases.

Pretrial diversion remains an option under current statute, Chapter 276A § 2. The statute was recently expanded to include veterans, and specialty courts are under development across Massachusetts. The provisions of the diversion option are unstructured, and therefore would vary by participant and program availability. Final admittance is dependent on approval from the Commonwealth and agreement by the defendant. The Department of Probation will conduct an assessment as directed by the Court to determine someone’s eligibility. No data is available from which to assess the number of defendants who participate in this option or who are successfully diverted.

Administrative: Arrested defendants may be admitted to bail by a Bail Commissioner, who reviews relevant case information and establishes the conditions of release for a defendant, which may include money bail. The application of the release criteria in practice appears to be subjective, and lacking of documentation or supporting evidence from which either to assess the efficacy of these decisions or present an alternative argument. Defendants who remain in jail after review by the Bail Commissioner are subsequently arraigned before a judge. The Middlesex County Probation Department provides administrative support through the completion of an affidavit of indigence and preparation of the defendant’s criminal history. The Probation department maintains offices in each of the County’s Courts, which facilitates access to defendants, court information and staff. The Court’s application of the release criteria also appears subjective, though supporting documents are prepared. The utilization of money bail appears almost universal. No data is regularly compiled to assess the efficacy of these decisions. However, the jail analysis will provide some estimates from the data that has been provided.

The Probation Department provides pretrial supervision as directed by the Court. Case management of pretrial defendants is focused on the monitoring of persons on electronic surveillance (GPS), drug testing and responding to violations. It is not known if the range of pretrial supervision includes case management focused on court date reminders or referrals to treatment or other services. Data on the supervised pretrial population, such as average number supervised annually, average daily caseloads and outcomes was not available.

Jail and Pretrial Processes Analysis

The following jail analysis was conducted using data provided by the Middlesex County Sheriff's Department, supplemented by data available from the Massachusetts Department of Corrections. The data included 6 years (2008 to 2013) of bookings, releases, and average daily population statistics of the pretrial population of the Middlesex County Jail (House of Correction, HOC). The analysis is intended to illustrate the dynamics of current practices and identify issues where they exist.

The 1501-bed HOC receives just fewer than 5000 new case (pretrial) bookings annually. In the 6-year span for which data was provided, average annual bookings were 4717. In FY 2013, bookings increased 6.7% to 4977, or 260 over average. The increase in bookings from 2008 – 2013 was 4.62%, roughly equivalent to the increase in the County's population (5.8% from 2004 – 2013). The average daily pretrial population (ADP) from 2008 – 2013 is 655.7. The ADP increased 30.18% during this time. This increase is most notable in 2012 -2013, where that two-year average is 738.5. Similarly the average length of stay increased 23.9% from 2008 to 2013. The overall average length of stay is 51.3 days, for the period 2012 – 2013 the average is 56 days. The following is a summary of major performance measures. Note: due to coding issues, some of these are estimates.

Table 1: Middlesex County Pretrial Justice Indicators 2008 - 2013

YEAR	2008	2009	2010	2011	2012	2013
BOOKINGS/JAIL ADMISSIONS	4757	4685	4580	4758	4545	4977
AVG. DAILY PRETRIAL POPULATION	593	637	644	642	705	772
AVG. LENGTH OF STAY	46	48	54	48	55	57
PRETRIAL RELEASE RATE	36.0%	39.1%	39.3%	39.5%	41.7%	44.6%
JAIL CAP RELEASES (as % of releases)	14.0%	10.3%	9.2%	9.2%	9.9%	0
SENTENCED TIME SERVED	17.0%	16.51%	18.5%	16.55%	30.1%	15.2%
SENTENCED TO BHC	30.0%	30.5%	27.1%	29.4%	49.8%	33.9%

The data indicate that the increase in the average daily population is uncorrelated with the increase in bookings, suggesting that current case processing practices are to account. While increases in the pretrial release rate are associated with decreases in jail cap releases, neither of these practices have any impact or correlation to the average daily population. However, increases in the average length of stay are significantly correlated with increases in the average daily population. The relationship, illustrated in the graph below, functions such that:

- A one day increase in the average length of stay will increase the average daily jail population by 12, with the reverse also being true.

Table 2: Middlesex County Jail pretrial population: Relationship between length of stay and average daily population 2008 - 2013

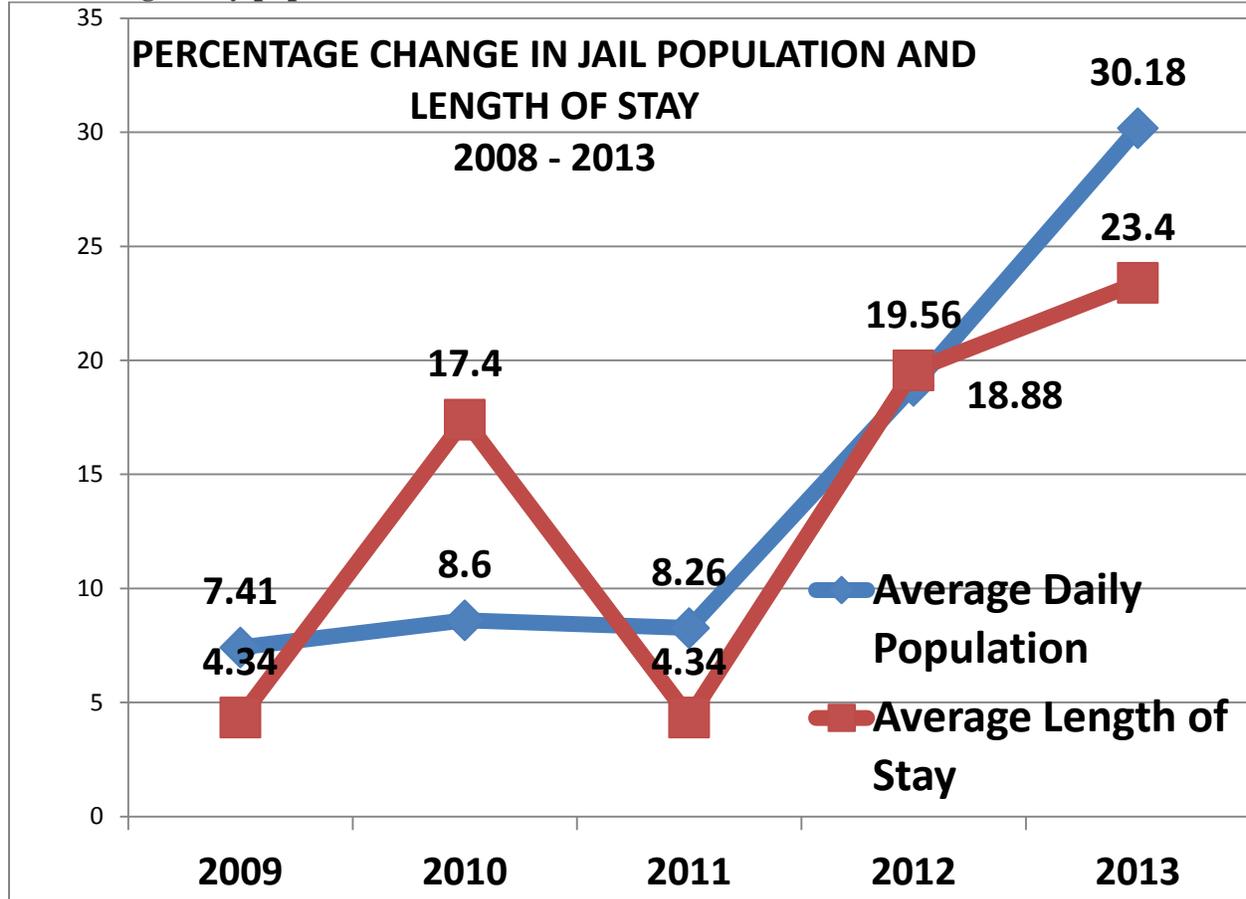


Table 3: Middlesex County Jail snapshot of population 10/31/2014

Jail Snapshot 10/31/2014	Number	Percent
Pretrial population	811	100%
Defendants held w/o bail	346	42.66%
Held on bail <\$1000 cash bail	184	22.68%
Held on bail >\$100,000	81	9.98%
Population by Charge		
Held on Drug Charges	110	13.56%
Held on Property Charges	87	10.72%
Held on Sex Offenses	42	5.17%
Held on Violation of Protection Order	32	3.94%
Held on OUI Charges	23	2.83%
Held on Person to Person Charges, including Murder	333	41.06%

Data from the 10/31/2014 snapshot revealed that over 40% of defendants were being held on person-to-person charges, including 5.17% held on Murder and related charges. This seems to correspond to the 42.66% who are being held without bail, in addition to the almost 10% held on bails of over \$100,000. It is common to observe person charges ranging from 25% – 35% of the jail population. This higher number could be reflective of practices that prioritize this offense category. However, given the range of charges and the varied specific risks with which defendants present, this 40% may not represent the highest risk defendants, but a higher percentage detained. Almost 25% were being held on drug and property charges, and 23% were being held for \$1000 cash bail or less. The data did not lend itself to matching bail amounts to charge types, nor did it provide information about special status indicators, such as: probation violators, or out of county holds. The nature of these charges and bail amounts suggest that these defendants are “release-able” in a general sense. Moreover, that an objective risk assessment could better inform the court leading to more affirmative release decisions.

There were no data specifically on the performance of defendants released pretrial. However, there are records on the number of default warrants issued over FY2014. Default warrants covers a range of non-compliant behaviors including: failure to appear, technical violation of pretrial release, new charges while on pretrial release, probation violation warrants, and other contempt of court warrants. It was not possible to disaggregate the various types of defaults from the data, therefore only an estimate of the efficacy of the release decision-making process can be calculated. Of the 22, 977 defendants arraigned across Middlesex County in FY 2014, there were 4132 default warrants (18% default rate). Given that only released defendants would be eligible for default warrants, and subtracting the average number of detained subjects (2613), the default rate would be 20.3%. This is the most conservative estimate based on available data.

In summary, the jail’s increasing pretrial population is strongly correlated with the increases in lengths of stay. The relationship between these two factors has been consistent over the past 6 years. In addition, the last 2 years has seen considerable increases in both length of stay and the average daily pretrial population. In view of the large percentage of persons held without bail, this might suggest some impact from “Melissa’s Law” and the change in local practice related to domestic violence cases. An additional source for the population increases could derive from probation/parole violators. No current data was available, but the recidivism rates for both probation and parole between 36% - 39% would require considerable jail space for those defendants. The data also suggest that the current pretrial release process and jail cap releases are inadequate to manage the jail’s growing population, and are not aligned with national best practices and standards. However, the data suggest that there are opportunities and strategies that could result in sustained, safe, and effective management of jail space generally and pretrial defendants specifically.

These strategies, which will be detailed in the remainder of this report, focus on developing and implementing objective, risk-informed data from which to make affirmative pretrial release decisions. In addition, these strategies include developing capacity and administrative framework to conduct assessments and pretrial reports, develop a range of release options, and provide pretrial supervision commensurate with the specific risks of each defendant. These strategies will include both structural and cultural changes. The impact of these changes

would support the BHC maintaining a 40% pretrial population (600 beds). This assessment is based on the following data and assumptions. It is presented as an example of how system change could impact jail space management.

- Data trends from 2012-2013 may indicate a “new normal” in terms of ADP and length of stay. These will be used as a basis for analysis and reference.
- Based on the current release rate (43.15%) and the percentage of defendants held for non-person charges and low bails (between 23% - 27%), a risk-informed release process would support a release rate between 51% - 58% (This includes an estimate of defendants currently being released, who may be detained under a risk-informed model).
- The average length of stay would have to decrease by 20% from 56 days to 45.56 days. This could only be accomplished through an increase in the release rate to a minimum of 50%. The decrease in the length of stay would only impact pretrial releases. Pretrial detainees would continue to remain in custody an average 58 days. Pretrial releases would need to average 14 days.
- The dynamics of the above are as follows:
 - 600 pretrial jail beds = 21900 jail bed days (600 X 365)
 - 1255 pretrial defendants (50% of release eligible defendants entering custody) averaging 14 days in custody = 17570 bed days, leaving 201430 bed days.
 - 3506 defendants remaining in custody (includes pretrial, sentenced, out of county transfers, etc) remaining in custody an average of 57.45 days = 201430 bed days.
- Capacity and protocols to conduct assessment for pretrial and specialized risk, e.g., Domestic Violence, would need to be developed, to include release and supervision options.

Challenges and opportunities

Middlesex County is currently facing emergent issues regarding jail overcrowding. While there appears to be some influence from external factors, such as mandatory sentences and population, this issue is largely due to local practices. These practices span the range of critical decisions made from arrest to sentencing and involve all stakeholders in the system. The impacts of these decisions are both observable and measurable. Accordingly, addressing this issue will require systemic change, both structural and cultural, and stakeholder collaboration. The recommendations that follow will describe and detail a framework from which this work may commence. This framework, designed to promote risk-informed decision making leading to enhanced public safety outcomes, will be guided by the following principles:

- **Coordination and collaborative decision-making:** Criminal justice issues, from arrest to adjudication, and through probation supervision should be overseen by a coordinating committee. This committee should be comprised of stakeholders from across the system, Court, Sheriff and Chiefs of Police, State’s Attorney, Public Defenders,

Pretrial/Probation, Parole and Court Administrator. The committee should be charged with overall justice system practices and policies. Accordingly, committee members should be able to make policy decisions, or otherwise represent their agency. Operational committees, working groups, special projects, etc. should all be chartered and monitored by this group. The purpose would be to ensure that all proposed policy changes are examined for their potential impact on other system partners and resources.

- **Data driven decisions:** Policy decisions impacting the system should be based on available data as to their impact and efficacy. The above referenced coordinating committee as well as agency heads should regularly examine data related to their agency's performance and impact on the system. Data should be used to develop benchmarks from which programs and policies may be evaluated. Measurement and the means to gather, maintain, and report data should be included in all policy/program discussions.
- **Risk Informed:** The use of validated risk assessment instruments can improve public safety outcomes across the system from pretrial release decisions, sentencing, and supervision plans. These tools can objectively make valid distinctions between low and high risk persons in terms of pretrial risk, domestic violence risk, and recidivism risk. Risk assessments have been demonstrated to perform better than charge-based, or other subjective methods, leading to improved outcomes, equity of treatment in terms of minority overrepresentation, and appropriate supervision and treatment.
- **Outcome Measures:** Related to data-driven decisions. The County's agencies utilize a variety of information systems to manage individual programs. These should also be used to track performance and outcome measures, which are central to an understanding of how well a program or policy functions, and how to address performance issues. Data entry of outcomes is a necessary, but insufficient first step. Outcomes and strategies to maintain or improve them must become part of the culture of the organization--from agency heads to program supervisors. This culture helps to ensure that all business practices are focused on improving both service delivery and improving outcomes. This promotes effective use of resources and public accountability. The Criminal Justice Coordinating Committee should work to define what these outcome measures are, how will they be measured, and by whom (see Measuring What Matters in References). These data should be developed to answer specific questions regarding program effectiveness, resource utilization, and service delivery.
- **Outcome focused:** Critical criminal justice decisions should not be made in isolation, but with full knowledge and consideration of the consequences with regard to the defendant, the victim/community, and the next stage in the criminal justice process. For example, a defendant should not be released pretrial without considerations for how his risk will be managed in the community. Similarly, a defendant should not be held in custody without consideration for treatment or supervision needs and community concerns upon release. Stakeholders should work to improve and ensure the continuity of the process and consistency across major decision points.

- **Deliberate and affirmative decisions:** With specific regard to pretrial release decisions and their implications for managing jail resources, stakeholders should develop a range of release and supervision options representing the variance in risk issues that defendants present. These options should range from the least to the most restrictive, and be part of a risk-informed process which should empower stakeholders to identify appropriate release candidates; moreover, these options should support affirmative release/no release decisions by the Court or their designee without undue delay or preconditions (posting money bail).

Recommendations:

1. Charter and convene a Criminal Justice Coordinating Committee:

Systemic change, from managing jail resources, responding to legislative changes, emerging crime trends or issues or generally improving system efficiencies are best administered through the coordination of all system stakeholders through a Criminal Justice Coordinating Committee (CJCC). The CJCC should be comprised of the agency/department heads of all major stakeholders in the county (see NIC’s Guide to developing Criminal Justice Coordinating Committee in References). The committee should be charged with overall justice system practices and policies. Accordingly, committee members should be able to make policy decisions, or otherwise represent their agency. Operational committees, working groups, special projects, etc. should all be chartered by this group. The purpose would be to ensure that all proposed policy changes are examined for their potential impact on system partners, resources, and public safety. The CJCC should:

- Develop mission and purpose statements, establish authority and guidelines
- Identify major goals, areas of focus, expected outcomes
- Develop outcome measures, method for collection, and how/when reported

2. Identify and Develop System Outcome Measures

(Refer to “Measuring what Matters in the references section for more Detail)

- Develop a system “dashboard” (see table below) that identifies major outcomes across the criminal justice system for discussion and monitoring at least quarterly. These could include:
 - Average daily jail population
 - Average length of stay
 - Percentage of jail population that is pretrial
 - Percentage of jail population that are probation violators
 - Percentage of jail population that are sentenced
 - Number of Probation violation hearings conducted and outcomes
 - Number of defendants sentenced to probation, prison
 - Number of persons released pretrial
 - Number of persons who failed to appear for court, and were re-arrested

- Develop internal capacity to track important data elements, including recoding some data (such as in the jail system to increase clarity and ensure mutually exclusive categories), and to share information across the system.
- Develop reporting protocols, including timeframes (recommended that this not be less than 120 days), and how to disseminate.
- Establish benchmarks based on initial baselines to improve performance and focus interventions.
- Ensure that data integrity procedures are in place, including training, monitoring, and auditing of records.

Table 4: Example of Pretrial Program Outcome Report

Sample Snapshot of Pretrial Program data ¹	1 st TRI 2014		2 nd TRI 2014		3 rd TRI 2014	
	Number	%	Number	%	Number	%
Track 1 (Misd/Non-Person Felony) Total	897 Defendants		956 Defendants		955 Defendants	
FTA-Warrant	147	16.38%	153	16.0%	185	19.37%
Revoked-Felony Arrest	9	1.0%	4	.42%	5	.52%
Revoked-Misdemeanor Arrest	11	1.22%	7	.73%	11	1.15%
Track 2 (Person Felony) Total	203 Defendants		188 Defendants		175 Defendants	
FTA-Warrant	10	4.9%	6	3.2%	10	5.7%
Revoked-Felony Arrest	0	0%	0	0.0%	0	0.0%
Revoked-Misdemeanor Arrest	0	0%	1	.53%	0	0.0%
PSP TOTAL	1100 Defendants		1144 defendants		1130 Defendants	
FTA-Warrant	157	14.27%	159	13.9%	195	17.25%
Revoked-Felony Arrest	9	.81%	4	.35%	5	.44%
Revoked-Misdemeanor Arrest	11	1.0%	8	.70%	11	.97%
Revoked—Technical Violations	57	5.18%	46	4.02%	46	4.07%
Successful Closures	866	79%	927	81.03%	873	77.3%
Sentenced to Probation*	172	15.63%	191	16.7%	162	14.3%
Sentenced to Prison*	18	1.63%	6	.5%	7	.62%

3. Identify and adopt a validated pretrial risk assessment for use as the primary component of the pretrial release evaluation process.

As previously noted, the current pretrial release evaluation process, as administered by both the Courts and Bail Commissioners, utilize criteria outlined in statute to arrive at bail decisions---95% of which impose financial conditions of release. Utilizing a validated risk assessment would provide objectivity, consistency, and reliability to this process, while making valid distinctions between high, medium and low risk defendants. The pretrial risk assessment would also form the basis for a pretrial report to the court which could be maintained in a file for accountability and assessment purposes. There are a number of assessment instruments in the public domain at this time.

¹ This table is extracted from a trimester report prepared by the Pretrial Services program in Multnomah County, Oregon, as part of regular program review across the Department of Community Justice.

The Ohio Pretrial Assessment (ORAS-PAT) is in Appendix B, which is currently being used in several states. The Massachusetts Probation Department utilizes the supervision risk/needs version of the ORAS. Using the ORAS-PAT, the pretrial assessment would result in a risk classification for each defendant. Each class would be associated with a presumptive release recommendation and commensurate supervision level (Table 5). These could vary by charge type based on specialized assessment, availability of local resources, and stakeholder agreement (risk tolerance). Data from the ORAS-PAT and suggested release recommendations could better inform the Court, District Attorney, and Defense Counsel. The release options will be discussed further in the report.

The release decision-making process should be risk-driven, transparent, and consistent. Further, the release options should be consistent with the assessed risk of each defendant, and be conducive to deliberate release/no release decisions along a continuum. The Bail Commissioners, who have release authority delegated to them or future positions that the county may identify, should receive training, oversight, and be required to maintain accurate records of release investigations and decisions. In addition, as the Probation Department has contact with detained defendants, they would be perfectly placed to complete a risk assessment and provide that information, along with the criminal history and affidavit of indigency to the Court. Pretrial risk assessments utilize criminal history information and community ties information that can be obtained with a few interview questions. The Probation Department should be utilized to conduct pretrial assessments and provide this information to the court for release decisions.

Table 5: Example of Risk Assessment Score, Risk level, and Release Recommendation

SCORES	RATING	% FAILURES	% FTA	% REARREST	RELEASE TYPE
0 – 2	LOW	5%	5%	0%	OWN RECOGNIZANCE
3 – 5	MODERATE	18%	12%	7%	MONITOR
6 +	HIGH	29%	15%	17%	SUPERVISE/DETAIN

4. Clarify roles; establish authority and procedures of pretrial assessment and supervision.

It is recommended that Middlesex County implement a pretrial program to provide the Court with risk-informed information upon which to make bail decisions. This information should be compiled into a report which summarizes the assessment and makes a recommendation. Appendix C illustrates one form of a report. A final version should be reviewed and approved by the stakeholders. Based on the National Association of Pretrial Services Agencies (NAPSA) standards on pretrial release there are 12 key elements to a high functioning pretrial program. Few organizations across the country have the resources to complete all functions but many that strive to process pretrial defendants according to the standards within system and resource limitations. Below are the NAPSA pretrial program key elements:

- a. The pretrial release program should interview all detainees over whom the court has jurisdiction to set conditions of release or detention and should communicate accurate and objective information to the court at first appearance

- Interview should include contact information, criminal history, address/employment, supervision information if any.
 - Information obtained in interview subject to verification
- b. The pretrial release program's policies and procedures should support the presumption of release on personal recognizance or the least restrictive conditions and/or options to provide reasonable assurance that the defendant will appear as required and will reasonably assure public safety
 - c. The pretrial release program's interview of the defendant should be structured to obtain sufficient information to make an accurate assessment of risks posed and provide sufficient information to contact the defendant should he/she be released
 - d. The pretrial release program should employ a risk assessment to generate recommendations for release or detention
 - e. The pretrial release program's policies and procedures should address defendant confidentiality and provide that information obtained in the course of the investigation or supervision should not be available for purposes of prosecution
 - f. The pretrial release program should not recommend financial conditions of release unless no condition or combination of conditions will reasonable assure appearance. The program should not recommend financial conditions to address public safety issues, nor an amount that is beyond the capability of the defendant to reach
 - g. The pretrial release program should monitor the jail population and revisit its recommendations if the defendant remains detained and/or if there is a change in circumstances
 - h. The pretrial release program's recommendations for supervision conditions should be individually tailored to meet the assessed needs of each defendant. Any condition recommended should address the particular risk of misconduct or failure to appear presented
 - i. The pretrial release program should monitor adherence to the release conditions, appearance in court and any arrests for other charges for all defendants under supervision. The program should provide notification to defendants of upcoming court dates.
 - j. The pretrial release program should consistently apply its policies and procedures which address violations of release conditions as well as the timing and form of communication to the court on such matters. Appropriate graduated sanctions are in place to address violations.
 - k. The pretrial release program should have a well-developed organizational structure which can support the critical functions as described in the pretrial release standards and has adequate resources to provide appropriate levels of interviewing and supervisory services for defendants
 - l. The pretrial release program should develop and maintain strong collaboration both within the criminal justice system and in the broader community as well

Currently, release authority is delegated to Bail Commissioners under certain criteria. The Probation Department provides assistance in gathering information and completing an affidavit of indigency. Neither of these functions is consistent with evidence-based practices in pretrial services. However, the statutory authority of the Bail Commissioners and the resources and expertise of the Probation Department provide a great opportunity

for the County to define the structure for pretrial services and the persons/agency best able to administer them. It is recommended that Middlesex County identify the roles and responsibilities of each party, detailing the process to be adhered to, and under what circumstances release authority may be delegated.

5. Develop a release matrix and supervision guidelines that correspond to the level of risk.

Applying the data from the risk assessment by charge type would result in a release decision matrix. This would clarify how case types would be recommended for release. Specific release recommendations may vary by capacity, both in terms of community supervision and available treatment, and by consensus among stakeholders. Consistent with the principle of deliberate decision-making, it is recommended that these release options not include money bail to be posted as a condition of release. In the alternative, it is recommended that the County move to other options based on risk such as:

- Release on Recognizance
- Release on unsecured bail²
- Release with pretrial monitoring (low-level supervision)³
- Release on pretrial supervision

Below is an example of a matrix using the ORAS-PAT. See Appendix D for an extended version.

Table 6: Example of release decision matrix

RISK SCORE	RISK LEVEL	CHARGE	RELEASE DECISION
0 – 2	LOW	NON VIOLENT MISDEMEANORS SELECTED NON-VIOLENT FELONIES	OWN RECOGNIZANCE
3 - 5	MODERATE	NON-VIOLENT FELONIES	MONITORED ON RELEASE
6 +	HIGH	VIOLENT MISDEMEANORS/ FELONIES	SUPERVISED ON RELEASE
6 +	HIGH	VIOLENT MISDEMEANORS/ FELONIES	DETAINED

Exceptions should be based on risk and the ability of the system to manage that risk if the defendant were to be released. Note: Over-riding a validated risk instrument more than 10% of the time effectively erodes the value of the instrument. Appendix E has an example of specific over-ride criteria that can define and limit those occurrences. These are specific areas that general assessments of pretrial risk do not capture. In addition, the case management

² In 2013, the Pretrial Justice Institute (in References Section) sponsored a study in Colorado examining the efficacy of utilizing unsecured bail as a release option. Among their findings from over 1900 cases across 10 counties, were that persons released on unsecured bail were no more likely to be either rearrested or fail to appear for court. This release option effectively reduced defendant’s length of stay in custody.

³ See Risk/Needs Case Management Matrix (Appendix E) Pretrial monitoring for low-risk defendants should consist of court date reminders, and minimal contacts.

matrix provides a guide to differential supervision by risk. Supervision capacity may need to be addressed as the program is implemented.

6. Develop release and supervision guidelines for persons charged with domestic violence offenses that correspond to the level of risk.

The use of a validated domestic violence assessment instrument is recommended to be administered in all cases involving a domestic violence charge. Adoption of such a process would ensure that in all cases involving domestic violence, the court has relevant information upon which to make bail setting and other related decisions. In terms of case management where two assessments are being used, the higher risk level determines the release decision and supervision strategy. The selection of an assessment instrument should consider a number of factors:

- What information is needed to complete the assessment? (criminal history, police reports, defendant/victim interviews)
- What training (or certification) is required?
- How can the results inform bail setting, pretrial release and supervision, and treatment decisions?
- What are the limitations to the assessment? (Is domestic violence defined narrowly as males perpetrating violence against their female intimate partner, or more broadly to include other intra-familial violence?)

Specific to the recommended purpose, an assessment that can utilize static risk factors available from the defendant's criminal history, supplemented by information gathered from the victim at the scene of the most recent incident would be most appropriate. This would allow for the timely completion of the assessment and bail setting or release recommendation report prepared. The Ontario Domestic Assault Risk Assessment (ODARA) is one such instrument (see Appendix F). This is a widely used assessment instrument, currently incorporated into a supplemental report used by the Bloomington, Illinois Police Department (see Appendix G). This tool is also being implemented in police agencies across the state of Maine, effective January 1, 2015.

It is recommended that Middlesex County enlist the support of local law enforcement to adopt this supplemental report to domestic violence cases. Further, that this report be required to be filed at the time of booking for a defendant charged with a domestic violence offense. Pretrial staff should incorporate the results of the assessment into the pretrial report.

In the alternative, pretrial services staff should be trained in the ODARA, and be able to review appropriate criminal records, including recent police reports, so as to enable completing the assessment. Some pretrial agencies make contact with the victim to: advise of a defendant's possible release, receive victim's input on a potential release, and ensure the victim has a safety plan. This could be completed during the extended custody time required (6 hours, plus 3 if requested by the Prosecutor) for defendants charged with domestic violence offenses.

Scores from the risk assessment should be examined with respect to other qualitative factors to determine release and supervision guidelines. These guidelines will ensure a consistency in the application of the assessment, and that they utilize risk mitigation strategies along the continuum of low to high risk. Some these qualitative factors include:

- Victim concerns for safety. (Is there a safety plan in place (including protection order)?)
- Does the defendant have a viable alternative residence?
- What is the defendant’s access or proximity to the victim if released?
- What is the defendant’s willingness and ability to comply with the terms of release (such as no contact), as assessed by official records, victim and defendant’s statements.

Table 7: Example Domestic Violence Release and Supervision Guidelines

ODARA SCORE	% RECIDIVISM with new DV Offense (at top score)	VICTIM SAFETY/COMPLIANCE ISSUES	RELEASE CONDITIONS
0 - 2	20%	LOW	No Offensive Contact
3 – 4	41%	MODERATE	No Contact with victim (consider limited no offensive contact) No weapons Geographic restrictions—may be monitored electronically
5 – 13	70%	HIGH	No Contact with victim No Weapons Abide by Order of Protection Electronic Monitoring with exclusion zones DETENTION

7. Explore and develop expanded diversionary programs

As previously noted, pretrial diversion appears to be an infrequently used option that is largely driven by the defendant to arrange and seek the court’s approval. The pretrial period is an opportunity for the system to identify the various risks and criminogenic needs that a defendant presents and direct the appropriate resources towards them.

NAPSA has devoted considerable attention to this issue and has produced a guide to developing diversion programs. Pretrial diversion is a strong and viable option that ultimately serves the defendants and the community well.

Diversion programs can take on several legal forms from pre-arraignment diversion to deferred sentence, or conditional discharge. They have been designed to address a variety of issues from drug use, driving under the influence, and domestic violence. The common element is that the programs identify a risk area, an effective intervention, and they create an expedited process to address an important public safety area. The CCJC could charter a sub-committee to explore and present diversion options, including the types of issues to be addressed, the recommended treatment protocol, and the number of defendants who would be eligible to participate.

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Appendix A

Bio for Don Trapp

Don Trapp is the manager for the Pretrial Supervision Program in Multnomah County, Oregon. He has worked in community correction in Oregon since 1988, and is an Associate Faculty of Criminal Justice at Portland State University. He has served as the Project Manager for the Department of Community Justice's evidence-based practices initiative, and continues to provide training to staff in Multnomah and other Oregon counties on evidence-based case management practices. Don has served as a consultant with the Crime and Justice Institute and has provided technical assistance to local jurisdictions through the National Institute of Corrections. Don has a Master's Degree in Psychology from Portland State University, has conducted workshops and provided trainings for corrections agencies on implementing evidence-based practices, managing offender risk, and organizational change and development, and is the author of several papers in these subjects.

Bio for Stephanie Vetter

Stephanie Vetter, is a Senior Consultant of the Annie E. Casey Foundation. As a manager of the Juvenile Detention Alternatives Initiative (JDAI), a national advocacy and technical assistance initiative to improve pretrial juvenile justice, she manages training and technical assistance to over 250 jurisdictions in 38 states and serves as a technical assistance team leader to South Dakota where she resides. Her career in the juvenile justice field includes program and policy positions in juvenile probation and court services; program development and evaluation; and advocacy and communications. Stephanie has a Bachelor's Degree in Criminal Justice from Portland State University and completed the National Institute of Corrections Orientation for Pretrial Executives.

Appendix B

APPENDIX A: SCORING FORMS FOR EACH ASSESSMENT

OHIO RISK ASSESSMENT SYSTEM: PRETRIAL ASSESSMENT TOOL (ORAS-PAT)

Name: _____	Date of Assessment: _____
Case#: _____	Name of Assessor: _____

Pretrial Items		Verified
1.1. Age at First Arrest 0=33 or older 1=Under 33	<input style="width: 80px; height: 20px;" type="text"/>	<input style="width: 40px; height: 20px;" type="checkbox"/>
1.2. Number of Failure-to-Appear Warrants Past 24 Months 0=None 1=One Warrant for FTA 2=Two or more FTA Warrants	<input style="width: 80px; height: 20px;" type="text"/>	<input style="width: 40px; height: 20px;" type="checkbox"/>
1.3. Three or more Prior Jail Incarcerations 0=No 1=Yes	<input style="width: 80px; height: 20px;" type="text"/>	<input style="width: 40px; height: 20px;" type="checkbox"/>
1.4. Employed at the Time of Arrest 0= Yes, Full-time 1= Yes, Part-time 2= Not employed	<input style="width: 80px; height: 20px;" type="text"/>	<input style="width: 40px; height: 20px;" type="checkbox"/>
1.5. Residential Stability 0=Lived at Current Residence Past Six Months 1=Not Lived at Same Residence	<input style="width: 80px; height: 20px;" type="text"/>	<input style="width: 40px; height: 20px;" type="checkbox"/>
1.6. Illegal Drug Use during Past Six Month 0=No 1=Yes	<input style="width: 80px; height: 20px;" type="text"/>	<input style="width: 40px; height: 20px;" type="checkbox"/>
1.7. Severe Drug Use Problem 0=No 1=Yes	<input style="width: 80px; height: 20px;" type="text"/>	<input style="width: 40px; height: 20px;" type="checkbox"/>
Total Score:		<input style="width: 80px; height: 20px;" type="text"/>

Scores	Rating	% of Failures	% of Failure to Appear	% of New Arrest
0-2	Low	5%	5%	0%
3-5	Moderate	18%	12%	7%
6+	High	29%	15%	17%

Appendix C

NAME _____ SWIS: _____

CASE NO: _____

CHARGES: _____

COURT DATE: _____ ROOM _____

REVISED VIRGINIA PRETRIAL RISK ASSESSMENT TOOL

Risk Factor	Criteria								Assigned Points	Score	
1. Charge Type	If the current offense is a drug offense (MCS, DCS, PCS, including attempts) or is an offense charged under ORS Chapter 166 or 181.								1 Point		
2. Pending Charges	If the defendant had one or more charge(s) pending in court at the time of arrest.								1 Point		
3. Outstanding Warrant(s)	If the defendant had one or more warrant(s) outstanding in another locality for charges unrelated to the current arrest.								1 Point		
4. Criminal History	If the defendant had one or more misdemeanor or felony convictions.								1 Point		
5. Two or more Failure to Appear Events	If the defendant had two or more failure to appear events.								2 Points		
6. Current Residence	If the defendant has had three or more address changes in the past 12 months.								1 Point		
7. Employment	If the defendant is employed, in school, or otherwise engaged as a primary caregiver for a child for less than 20 hours per week.								1 Point		
8. History of Drug Abuse	If the defendant has a history of drug abuse.								1 Point		
SCORE											
Risk Score	0	1	2	3	4	5	6	7	8	9	
Failure Rate --%	0%	9%	18%	27%	36%	50%	54%	74%	100%	100%	
Presumptive Release Decision	Release on Recognizance				Conditionally Release PRS				Detain		
Supervision Risk Level	Low				Medium				High		

Revised Virginia Pretrial Risk Assessment Score _____

Scores in this range are associated with a ____% incidence of failure on pretrial supervision

Exclusionary Factors or Charges:

- _____
- _____

Factors Supporting Release

Factors Not Supporting Release

_____ **Community Stability** _____

_____ **Failure to Appear History** _____

_____ **Violent History/Community/Victim Safety** _____

_____ **Chronic A & D/Mental Health Issues** _____

ASSESSMENT:

RECOMMENDATION:

Defendant be released on their own Recognizance

Defendant be released to Pretrial Release Services

Special Conditions:

- _____
- _____
- _____

Defendant be referred to PRS for further investigation, e.g., establish victim safety plan, verify alternate housing and/or treatment resources,

Release be denied. It does not appear any conditions of supervision would be adequate to assure that the defendant would comply with the terms of pretrial release.

Pretrial Case Manager

Date

Appendix D

Sample Matrix

		Most Serious Charge				
Pretrial Risk Category	Less Serious Misdemeanor	More Serious Misdemeanor	Less Serious or Non-Violent Felony	Driving Under the Influence	Domestic Violence	Statutory Serious or Violent Felony
Lower	Recognizance Release with Court Reminder	Recognizance Release with Court Reminder	Recognizance Release with Court Reminder	Recognizance Release with Basic Supervision	Recognizance Release with Basic Supervision	Detained, or Recognizance Release with Enhanced Supervision if Released
Medium	Recognizance Release with Basic Supervision	Recognizance Release with Basic Supervision	Recognizance Release with Basic Supervision	Recognizance Release with Enhanced Supervision	Recognizance Release with Enhanced Supervision	Detained, or Recognizance Release with Enhanced Supervision if Released
Higher	Detained, or Recognizance Release with Enhanced Supervision if Released	Detained, or Recognizance Release with Enhanced Supervision if Released	Detained, or Recognizance Release with Enhanced Supervision if Released	Detained, or Recognizance Release with Enhanced Supervision if Released	Detained or Recognizance Release with Enhanced Supervision if released	Detained, or Recognizance Release with Enhanced Supervision if Released

Appendix E

RISK/NEEDS CASE MANAGEMENT MATRIX

RISK LEVEL	DEFENDANT ABILITY TO MANAGE BEHAVIOR	RECOMMENDED SUPERVISION STRATEGY
<p>HIGH Scores 8 – 9 on Revised VPRA</p>	<p>LOW <u>Recommend</u> <u>Detained in Custody</u></p>	<p><u>RISK CONTROL:</u> Monitoring of required activities to mitigate risk, including: Electronic Monitoring, MH medication, Treatment, case managed housing, victim contact. (home/community/office) weekly contacts</p>
<p>MEDIUM Scores 5 – 7 on Revised VPRA</p>	<p>MODERATE Conditionally Release</p>	<p><u>SUPERVISION:</u> Reporting via phone (weekly), collateral contacts Monitoring of A & D use, or other prohibited activities</p>
<p>LOW Scores 0 – 4 on Revised VPRA</p>	<p>HIGH Presumptively Release</p>	<p><u>MONITORING:</u> Reporting via phone (bi-weekly) Report in person after court</p>

RISK/NEEDS CASE MANAGEMENT MATRIX

The PSP Case Management matrix is intended as a guide to developing and administering supervision to pretrial defendants. The following will provide operational definitions for the matrix as well as conditions under which the case manager should modify the supervision strategy.

Definitions:

Risk Level: The assessed risk of pretrial misconduct based on the results of the revised-VPRA.

Defendant Ability to Manage Behavior: Assessment of factors indicating the defendant's ability to manage his/her own behavior in the community, including the extent of supervision and or support. These factors may provide the basis to over-ride the risk tool. These factors may change during the course of pretrial supervision, which may require modifications to the supervision plan. These factors may be pro-social or pro-criminal, and include:

- Current/Chronic alcohol/drug issues
- Mental Health Issues (and extent to which they are currently being treated)
- Family/Social support
- Score on the ODARA (for DV Cases)
- Demonstrated propensity for violence
- Proximity/access and relationship to victim
- Issues regarding housing that significantly impact (positively or negatively) the defendant's ability to abide by release conditions
- Personality issues, Physical/medical issues, degree of impulsivity, maturity, etc., that may impact ability/willingness of defendant to comply with release conditions

Recommended Supervision Strategy: These are strategies that should be considered given the level of risk and the ability of the defendant to manage their own behavior in the community. It is not an exhaustive list; nor is it a required list of conditions.

- **Reporting Requirements:**
 - The purpose of reporting generally is to
 - Verify that the defendant is physically within the jurisdiction, and thus able to comply with the conditions of release
 - Verify that the defendant resides where he/she reported they would, that the residence is appropriate, and that the defendant is able to comply with all release conditions while residing there
 - Facilitate the monitoring of other conditions such as, taking prescribed MH medication, abstaining from alcohol and/or drugs, curfew, or Treatment attendance
 - The mode of reporting, phone, office, home, etc., should be commensurate with the defendant's level of risk and be the most appropriate to accomplish the above purpose(s).

Appendix F

Accused: _____ Incident # _____
LAST NAME First name Middle name(s)

Victim: _____ Offence date: ____/____/20____
LAST NAME First name dd mm yy

The *Ontario Domestic Assault Risk Assessment (ODARA)* is an actuarial risk assessment tool that ranks men with respect to risk for domestic violence recidivism. The higher the ODARA score, the more likely the man is to assault a female cohabiting partner again, the more frequent and severe future assaults will be, and the sooner he will be reassaulted. The ODARA was developed on a study of 589 men known to police in Ontario for physically assaulting their female partners. In an average follow up of approximately five years after an index incident of domestic violence, 30% of men recidivated; recidivism occurred an average of 15 months after the index incident. The ODARA consists of 13 unique predictors of domestic violence recidivism, including domestic and non-domestic criminal history, threat and confinement during the most recent incident, children in the relationship, substance abuse, and barriers to victim support.

In the study, only acts of physical violence (including, but not limited to, actual or attempted use of a weapon) met the definition of domestic violence recidivism. Of the men who recidivated, most assaulted the same partner as before.

Adjusted Scores for Missing Items (circle score used)

Raw Score	Number of Missing Items				
	0	1	2	3	4
0	0	0	0	0	0
1	1	1	1	1	2
2	2	2	3	3	3
3	3	4	4	4	5
4	4	5	5	6	7+
5	5	6	7+	7+	7+
6+	7+	7+	7+	7+	7+

ODARA Raw Score for the Accused:

ODARA Adjusted Score for the Accused:

Check	ODARA score	Percent Recidivism*	Percent in this range of scores	Percent scoring lower	Percent scoring higher	Remarks
	0	5	11	0	89	Men with this score have a 5% likelihood of recidivism.* Approximately 90% of wife assaulters score higher on the ODARA.
	1	10	16	11	73	Men with this score have a 10% likelihood of recidivism.* Approximately 70% of wife assaulters score higher on the ODARA.
	2	20	21	27	52	Men with this score have a 20% likelihood of recidivism.* Approximately 50% of wife assaulters score higher on the ODARA.
	3	27	19	48	33	Men with this score have approximately a 30% likelihood of recidivism.* Approximately 30% of wife assaulters score higher on the ODARA.
	4	41	13	67	20	Men with this score have approximately a 40% likelihood of recidivism.* Approximately 20% of wife assaulters score higher on the ODARA.
	5-6	59	13	80	7	Men in this range of scores have approximately a 60% likelihood of recidivism.* Fewer than 10% of wife assaulters score higher on the ODARA.
	7-13	70	7	93	0	Men in this range of scores have a 70% likelihood of recidivism.* No wife assaulters score higher on the ODARA.

* Recidivism: a new assault against a female domestic partner, identified in police records.

Note: The higher the ODARA score, the sooner, more frequent, and more serious the recidivism.

Completed by: _____ Date: ____/____/20____

Reviewed by: _____ Date: ____/____/20____
dd mm yy hr min

NOTE: Use only with full scoring criteria. Based on ODARA-LE used by police in Ontario Pilot Project, modified by MHCP.

Appendix G

Bloomington Police Department
305 S. East Street
Bloomington, IL 61701



DOMESTIC VIOLENCE SUPPLEMENTAL REPORT

VICTIM'S NAME (LAST, FIRST, MIDDLE)		DATE OF BIRTH		CASE NUMBER	
VICTIM			OFFENDER		
<input type="checkbox"/> ANGRY <input type="checkbox"/> APOLOGETIC <input type="checkbox"/> CRYING <input checked="" type="checkbox"/> FEARFUL <input type="checkbox"/> HYSTERICAL <input type="checkbox"/> CALM <input checked="" type="checkbox"/> AFRAID <input type="checkbox"/> IRRATIONAL <input type="checkbox"/> NERVOUS <input type="checkbox"/> THREATENING <input type="checkbox"/> OTHER: EXPLAIN			<input type="checkbox"/> COMPLAINT OF PAIN <input type="checkbox"/> BRUISE(S) <input type="checkbox"/> ABRASION(S) <input type="checkbox"/> MINOR CUT(S) <input type="checkbox"/> LACERATION(S) <input type="checkbox"/> FRACTURE(S) <input type="checkbox"/> CONCUSSION(S) <input type="checkbox"/> OTHER: EXPLAIN <input type="checkbox"/> ALCOHOL/DRUG FACTORS		
<input type="checkbox"/> ANGRY <input type="checkbox"/> APOLOGETIC <input type="checkbox"/> CRYING <input type="checkbox"/> FEARFUL <input type="checkbox"/> HYSTERICAL <input checked="" type="checkbox"/> CALM <input type="checkbox"/> AFRAID <input type="checkbox"/> IRRATIONAL <input type="checkbox"/> NERVOUS <input type="checkbox"/> THREATENING <input type="checkbox"/> OTHER: EXPLAIN			<input type="checkbox"/> COMPLAINT OF PAIN <input type="checkbox"/> BRUISE(S) <input type="checkbox"/> ABRASION(S) <input type="checkbox"/> MINOR CUT(S) <input type="checkbox"/> LACERATION(S) <input type="checkbox"/> FRACTURE(S) <input type="checkbox"/> CONCUSSION(S) <input type="checkbox"/> OTHER: EXPLAIN <input type="checkbox"/> ALCOHOL/DRUG FACTORS		
VICTIM/OFFENDER RELATIONSHIP			DOMESTIC VIOLENCE HISTORY		
<input type="checkbox"/> SPOUSE <input type="checkbox"/> FORMER SPOUSE <input type="checkbox"/> COHABITANTS <input type="checkbox"/> OTHER: EXPLAIN			<input type="checkbox"/> FORMER COHABIT <input type="checkbox"/> DATING/ENGAGED <input checked="" type="checkbox"/> FORMER DATING <input type="checkbox"/> PARENT/CHILD		
<input type="checkbox"/> SAME SEX <input type="checkbox"/> EMANCIP MINOR <input type="checkbox"/> COMMON CHILD <input type="checkbox"/> SIBLINGS			PRIOR HISTORY OF DOMESTIC VIOLENCE? <input checked="" type="checkbox"/> YES <input checked="" type="checkbox"/> NO PRIOR HISTORY OF VIOLENCE DOCUMENTED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO NUMBER OF REPORTED INCIDENTS: (0) NUMBER OF UNREPORTED INCIDENTS: (2) PRIOR HISTORY OF CHILD ABUSE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO EXPLAIN IN REPORT PRIOR HISTORY OF ANIMAL ABUSE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO EXPLAIN IN REPORT		
LENGTH OF RELATIONSHIP (3) YEARS (6) MONTHS SOURCE OF INFO:					
MEDICAL TREATMENT					
<input checked="" type="checkbox"/> NONE <input type="checkbox"/> HOSPITAL <input type="checkbox"/> FIRST AID <input type="checkbox"/> PARAMEDICS <input type="checkbox"/> MEDICAL RELEASE OBTAINED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> IF NO, EXPLAIN:					
PARAMEDICS AT SCENE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO HOSPITAL: UNIT NUMBER(S): ATTENDING PHYSICIAN(S): NAME(S), ID NUMBER(S):					
EVIDENCE					
EVIDENCE COLLECTED FROM: <input type="checkbox"/> CRIME SCENE <input type="checkbox"/> HOSPITAL <input type="checkbox"/> OTHER: EXPLAIN PHOTOGRAPHS OF VICTIM'S INJURIES? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO PHOTOGRAPHS OF OFFENDERS INJURIES? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO PHOTOGRAPHS OF CRIME SCENE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO WHO CALLED 911?					
WEAPON(S) USED DURING INCIDENT? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO TYPE OF WEAPON(S): WEAPON(S) IMPOUNDED AS EVIDENCE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO					
WITNESSES			VOLUNTARY STATEMENTS		
WITNESSES PRESENT DURING INCIDENT? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO CHILDREN PRESENT DURING INCIDENT? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO DCFS CONTACTED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO DCFS CONTACT PERSON:			VICTIM VOLUNTARY STATEMENT TAKEN? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO OFFENDER VOLUNTARY STATEMENT TAKEN? <input type="checkbox"/> YES <input type="checkbox"/> NO CHILDREN VOLUNTARY STATEMENTS TAKEN? <input type="checkbox"/> YES <input type="checkbox"/> NO REMARKS:		
ORDER OF PROTECTION / VIOLATION OF BAIL BOND					
ORDER OF PROTECTION? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO TYPE OF OP: <input type="checkbox"/> EMERGENCY <input type="checkbox"/> PLenary IS THE OP CURRENT? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO VIOLATION OF BAIL BOND? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO ISSUING COURT: CASE NUMBER:					
VICTIM ADVISED					
<input checked="" type="checkbox"/> DOMESTIC VIOLENCE INFORMATION SHEET <input type="checkbox"/> DOMESTIC VIOLENCE UNIT HANDOUT REMARKS:					
TEMPORARY ADDRESS (if applicable)					
VICTIM:			OFFENDER:		
PHONE:			PHONE:		
ODARA PROTOCOL					
Suspect threaten to harm or kill anyone? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO Suspect prevent the victim from leaving during this incident? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO Do they have children (biological or adopted) together? How many? Victim have other children that are not the suspect's? Suspect ever been violent to anyone besides the victim/children? Victim scared of future assaults by the suspect? Suspect use alcohol or drugs? Suspect on alcohol or drugs now?					
Suspect's alcohol or drug usage increased lately? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO Suspect have an alcohol or drug problem? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO Suspect more violent when on alcohol or drugs? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO Victim pregnant now? Suspect ever hurt the victim while she was pregnant? Victim have a working phone? Victim have access to transportation? Victim currently under the influence of drugs or alcohol? Victim have a drug or alcohol problem?					
REPORTING OFFICER NAME		REPORTING DATE		APPROVING SUPERVISOR NAME	
S. Wold		12/29/13		[Signature]	