



## **Pretrial Diversion Performance Measurement Overview Yellowstone County**

**January 1, 2019 to December 31, 2021**

- **Maximize public safety by reserving detention for those offenders who pose the greatest risk to reoffend or fail to appear in court.**
- **Maximize court appearance.**
- **Maximize the appropriate use of release and detention by use of services designed to fulfill the two goals stated above**

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- Data is collected using the AutoMon case management system. The data still contains “noise” and will continue to need refinement. *(Please note that percentages were rounded and may not add to 100%)*
  - The attached report captured all cases closed in Yellowstone County between January 1, 2019, and December 31, 2021. During that time-period, 2,664 or 81% of the Public Safety Assessment-related cases were closed.
  - About 80% or 2,128 defendants were released pre-trial from detention. Of those, about 47% were released on their own recognizance. The other 53% had some form of cash bail required for release.
  - Of the defendants not released pre-trial, 11% were a level 1 on the PSA, 33% were a level 2, and 56% were a level 3.
  - For defendants released pre-trial, 63% reported to their court appearances. *(\*\*Please note this reflects cases in which a warrant was issued for the failure to appear. If a defendant did not appear but a warrant was not issued, it is not counted as it doesn't exist in the database.)*
  - In the closed cases, 65% of the defendants remained law-abiding. 341 people were arrested for new misdemeanors and 402 for new felonies. 255 of these were violent offenses.
  - The OCA does not maintain or collect county jail data. Thus, it is difficult to assess the impact on overall jail populations, which include not only pre-trial defendants, but people convicted who are awaiting a Department of Corrections placement, serving a misdemeanor sentencing, or awaiting the outcome of a probation violation. Several detention facilities also house federal inmates.

**MONTANA JUDICIAL BRANCH  
PRETRIAL PROGRAM  
Performance Measures Report**

**County** Yellowstone      **Start Date** 1/1/2019      **End Date** 12/31/2021

**Assessment Volume**

1) Number of Public Safety Assessments (PSAs) completed 3300

*Criteria: # of PSAs completed-Open or closed cases*

**Defendants' Case Closures**

2) Number of court cases closed for which a PSA was done 2664

*Criteria: Counting cases that have a disposition date within reporting period AND had a PSA completed.*

*Case driven, not person driven*

**Jail Release Measures**

3) Number of these closed cases for which the defendant was released pretrial from jail 2128

*Criteria: Closed cases within reporting period that had a PSA completed with a release date*

Number of closed cases for which released defendants were:

4. Charged with a violent offense 1001

*Criteria: Closed cases within the reporting period that had a PSA completed with a release date AND a charge with the violent flag.*

5. Assessed as having the violence flag 639

*Criteria: Closed cases within the reporting period that had a PSA completed with a release date AND PSA scored the New Violent Criminal Activity equals YES.*

6. Released on recognizance 1002

*Criteria: Closed cases within the reporting period that had a PSA completed with a release date, with a release decision, bond imposed checked and bond type = Personal Recognizance*

7. Released after paying money bail 1126

*Criteria: Closed cases within the reporting period that had a PSA completed with a release date, with a release decision, bond imposed checked and bond type = Cash and/or Surety*

8. Recommendation from the PSA to Pretrial Release Level 1 499

*Criteria: Closed cases within the reporting period that had a PSA completed with a release date, with a release decision of Release Level 1 (Passive Monitoring)*

9. Recommendation from the PSA to Pretrial Release Level 2 (Active Monitoring) 989

**Criteria: Closed cases within the reporting period that had a PSA completed with a release date, with a release decision of Release Level 2 (Active Monitoring)**

10. Recommendation from the PSA to Pretrial Release Level 3 (Active Monitoring) 622

**Criteria: Closed cases within the reporting period that had a PSA completed with a release date, with a release decision of Release Level 3 (Active Monitoring)**

**Jail Detention Measures**

11) Number of these closed cases for which the defendant was detained (not released) pretrial from jail 536

**Criteria: Closed cases within the reporting period that had a PSA completed without a release date entered.**

Number of closed cases for which detained defendants:

12. Were charged with a violent offense 211

**Criteria: Closed cases within the reporting period that had a PSA completed without a release date AND a charge with the violent flag.**

13. Were assessed as having the violence flag 252

**Criteria: Closed cases within the reporting period that had a PSA completed without a release date AND PSA scored the New Violent Criminal Activity equals YES.**

14. Were ordered to pay money bail 493

**Criteria: Closed cases within the reporting period that had a PSA completed without a release date, with a release decision, bond imposed checked and bond type = Cash**

15. Would have been on Pretrial Release Level 1 56

**Criteria: Closed cases within the reporting period that had a PSA completed without a release date, with a PSA Recommendation of Release Level 1 (Passive Monitoring)**

16. Would have been on Pretrial Release Level 2 178

**Criteria: Closed cases within the reporting period that had a PSA completed without a release date, with a PSA Recommendation of Release Level 2 (Active Monitoring)**

17. Would have been on Pretrial Release Level 3 302

**Criteria: Closed cases within the reporting period that had a PSA completed without a release date, with a PSA Recommendation of Release Level 3 (Active Monitoring)**

**Pretrial Release Outcome Measures**

Number of closed cases for which released defendants:

18. Made all of their court appearances 1339

**Criteria: Closed cases within the reporting period that had a PSA completed with a release date AND does not have any violations filed for any associated FTA's that resulted in a violation disposition of warrant. The client can have an FTA and a violation filed for the FTA. However, if the violation has a disposition of Warrant, the client is excluded from this list.**

19. Remained law-abiding (were not arrested for any new offense) 1385

**Criteria: Closed cases within the reporting period that had a PSA completed with a release date AND does not have any new arrests entered in the infraction screen within the violations module.**

20. Had a new misdemeanor offense 341

**Criteria: Closed cases within the reporting period that had a PSA completed with a release date AND has a new arrest entered in the infraction screen, within the violations module with a charge class of misdemeanor.**

21. Had a new felony offense 402

**Criteria: Closed cases within the reporting period that had a PSA completed with a release date AND has a new arrest entered in the infraction screen, within the violations module with a charge class of felony.**

22. Had a new violent (misdemeanor or felony) offense 255

**Criteria: Closed cases within the reporting period that had a PSA completed with a release date AND has a new arrest entered in the infraction screen, within the violations module with a charge category of violent.**

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Report Prepared by: \_\_\_\_\_

Date: \_\_\_\_\_

Last Updated: 11-12-2018