

**Pretrial Diversion Performance Measurement Overview**  
**Lewis and Clark County**  
**January 1, 2019, to December 31, 2023**

- ☐ 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 Lewis and Clark County between January 1, 2019, and December 31, 2023. During that time-period, 4238 or 94% of the Public Safety Assessment-related cases were closed. (PMR report – 2 as a percentage of 1)
- ☐ About 69% or 2931 defendants were released pre-trial from detention. (3 as a percentage of 2) Of those, about 75% were released on their own recognizance. (6 as a percentage of 3) The other 21% had some form of cash bail required for release.
- ☐ Of the defendants not released pre-trial, 24% were a level 1 on the PSA, 45% were a level 2, and 31% were a level 3. (15, 16, 17 as a percentage of 11)
- ☐ For defendants released pre-trial, 88% 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.)* (18 as a percentage of 3)
- ☐ In the closed cases, 78% of the defendants remained law-abiding. (19 as a percentage of 3) 343 people were arrested for new misdemeanors and 300 for new felonies. 173 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** Lewis and Clark      **Start Date** 1/1/2019      **End Date** 12/31/2023

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**Assessment Volume**

1) Number of Public Safety Assessments (PSAs) completed 4489

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

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**Defendants' Case Closures**

2) Number of court cases closed for which a PSA was done 4238

***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 2931

***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 908

***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 587

***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 2199

***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 605

***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 1261

***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) 1122

**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) 496

**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 1346

**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 443

**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 411

**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 357

**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 1 331

**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 2 606

**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 3 414

**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 2572

**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) 2291

**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 343

**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 300

**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 173

**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