

# **INDIANA PRETRIAL OUTCOME AND PERFORMANCE MEASURES**

Pretrial Committee of the Judicial Conference  
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The following proposed outcome and performance measures were developed using Indiana's existing measures in the [Pretrial Practices Manual](#) in combination with [Measuring What Matters – Outcome and Performance Measures for the Pretrial Services Field, 2<sup>nd</sup> Edition](#) published by the National Institute of Corrections.

It is the intent of the Pretrial Committee of the Judicial Conference that a jurisdiction collect data and monitor key pretrial performance measures. The committee seeks to support evidence-based decision making among their local stakeholders and alignment with pretrial best practices as outlined in the Indiana Pretrial Services Rules. When reading through the manual, jurisdictions will notice that the scope of the population they are now collecting data on has expanded to include all arrestees assessed with the IRAS-PAT within an agency's target population. The goal of the expansion is to support jurisdictions in analyzing the effectiveness of their local practices by providing a comparison population for examination. The following measures and commentary will assist each pretrial agency in making meaningful pretrial policy decisions that maximize release, maximize court appearance, and maximize public safety. It is highly encouraged that each jurisdiction use these measures to spur discussions within their local pretrial stakeholder teams and local Justice Reinvestment Advisory Councils to assess whether high performance is being achieved and to identify where adjustments are necessary. It is goal of the Pretrial Committee and all those involved the project that these metrics will empower agencies to provide the best and most effective pretrial services in their communities.

Unless otherwise stated, each measure should be based on the assessed individuals within the jurisdiction's target population. Though each jurisdiction may have markedly different target populations, strategies will be implemented to indicate these differences when data is aggregated at the state-level. Exceptions may exist when case processing strays from traditional pathways. These anomalies may result in problems collecting certain data elements in the manner prescribed by this document. Jurisdictions should collect the information available, make note of missing data, and evaluate whether consistent issues collecting data need to be addressed.

Additionally, data elements should be collected so that each measure may be reported by pretrial risk as well as a combination of demographic characteristics, such as age, sex, race, and ethnicity.

Each outcome and performance measure is specifically defined and followed by multiple items listed below to provide information on calculating the measure correctly.

- Commentary – Used to describe the measure in greater detail.
- Type of measure – Indicates whether the item should be measured based on an individual, case, or supervision and at what point in the process the data should be collected.
- Example(s) – Provided to illustrate appropriate data collection in varied circumstances.
- Enhanced Data – Indicates data that jurisdictions should collect, if able. Recognizing that each jurisdiction's resources vary with regard to data collection, these items represent data elements not required for a program to be certified. The definition of the measure and formula indicate the *minimum* required for program certification.
- Data elements – Listed to indicate the information essential to calculate the measurement as defined. Items with an asterisk (\*) represent enhanced data elements. Full details on each element can be found at the end of the document.
- Formula – Shows the method to calculate the measure.

The minimum data to be collected for each outcome and performance measure is indicated in the definition and description of each measure. As stated above, those elements listed in the Enhanced Data section are not required, but jurisdictions are encouraged to collect. The following measures are also optional for a jurisdiction to collect:

- Statutorily-eligible Population Assessed
- Pretrial Support Interventions Ordered
- Pretrial Support Interventions Referred
- Return to Incarceration Rate

## **DEFINITIONS**

ADMINISTRATIVE SANCTION/RESPONSE – An action or requirement imposed by the pretrial services agency in reaction to a technical violation of supervision conditions.

ARREST – The taking of a person into custody, so that the person may be held to answer for a crime, see IC 35-33-1-5.

ARRESTEE – A person taken into custody and held to answer for the alleged commission of a crime.

ASSESS – A pretrial services staff completes an Indiana Risk Assessment System – Pretrial Assessment Tool (IRAS-PAT) and may include other supplementary assessments and information. All results are provided to the court prior to an initial hearing.

ASSESSED POPULATION – The target population of pretrial defendants who are assessed with the IRAS-PAT.

BAIL – A person's release from jail pending trial on criminal charges.

CHARGE – A person's alleged offense.

COURT APPEARANCE – Any court hearing or event where the pretrial defendant is required to be present.

COURT INTERVENTION – An action taken by a court in reaction to a technical violation of supervision conditions.

FAILURE TO APPEAR – Occurs when a court issues a warrant following an arrestee's or pretrial defendant's non-appearance for court. This definition includes recalled warrants.

FIRST COURT APPEARANCE – See Initial Hearing.

INDIANA RISK ASSESSMENT SYSTEM – PRETRIAL ASSESSMENT TOOL (IRAS-PAT) – The pretrial risk assessment system tool adopted by the Judicial Conference of Indiana designed to assess an arrestee's or pretrial defendant's risk for failure to appear for court and risk to be arrested for a new criminal offense during the pretrial stage.

INITIAL HEARING – A hearing in court held in compliance with IC 35-33-7-1 and IC 35-33-7-5.

NEW CRIMINAL OFFENSE – An arrest or charge for a crime that occurred after release and during the pretrial stage and is unrelated to the original charge from which the pretrial defendant was released.

PRETRIAL DEFENDANT – A person charged with a criminal offense not yet adjudicated.

PRETRIAL MISCONDUCT – When a person fails to appear for court or is arrested for a new criminal offense during the pretrial stage.

PRETRIAL SERVICES AGENCY – The court-approved entity that provides pretrial risk assessments, pretrial services reports, pretrial supervision, pretrial compliance monitoring, and performance measurement to arrestees and pretrial defendants pursuant to all applicable laws and rules.

PRETRIAL STAGE – The length of time after a person's arrest until charge disposition or sentencing, whichever is later. The pretrial stage could also end once a determination is made by the Prosecutor to not file an information alleging an offense(s) that was the basis for an arrest.

RELEASE – The removal from jail after an initial arrest for the alleged commission of a crime.

RELEASE CONDITION – Requirement imposed by a court to assure the pretrial defendant's appearance at court proceedings and to assure the safety of the community and others during the pretrial stage. Release conditions may or may not include supervision conditions. See IC 35-33-8-3.2.

RELEASE PROTOCOL – A written policy and procedure developed by the court for release decision making.

REVOCAION OR REVOKED – A court intervention that requires a pretrial defendant to be incarcerated due to violating a release condition during the pretrial stage.

SUPERVISION – The period of time when a pretrial services agency monitors supervision conditions required by the court of a pretrial defendant.

SUPERVISION CONDITION – Requirement imposed by a court and facilitated by a pretrial services agency for a specified period of time designed to mitigate a person's risk of failing to appear for court proceedings and arrest for a new criminal offense during the pretrial stage.

TARGET POPULATION – The local policy team's defined group of pretrial defendants who are eligible for pretrial services.

TECHNICAL VIOLATION – Failing to comply with a release or supervision condition that does not involve failing to appear for a court proceeding or an arrest for a new criminal offense.

TREATMENT/SUPPORT SERVICE – Service provided by an entity other than the pretrial services agency to a pretrial defendant which may aid the person in adhering to release conditions.

**RELEASE RATE**

The percentage of assessed pretrial defendants who secure release during the pretrial stage.

COMMENTARY: Release rate informs the jurisdiction on the percentage of the target population released during the pretrial stage. This allows each jurisdiction to evaluate whether policies and procedures point toward maximizing release for those individuals in the target population while simultaneously maximizing court appearance and maximizing public safety.

TYPE OF MEASURE: Case-related; measured at the end of the pretrial stage and based only on the initial release from incarceration in a case.

EXAMPLE(S): Defendant is arrested for a new criminal offense in County A. The defendant has an active warrant in County B at the time of the arrest in County A, which triggers a hold in County A's jail. Defendant is released on recognizance in County A for the new criminal offense, but remains in jail due to the hold in County B. County A should report Defendant as released as of the date of the court's order indicating such.

Defendant resolved the warrant in County B and is later arrested in County A for a second new criminal offense while the original case is still pending. Defendant is held to a financial bail requirement in the second case and bail is revoked in the original case in County A. Defendant fails to post the financial bail in the second case and is not released from jail during the pretrial stage. In the second case, County A should report Defendant as not released during the pretrial stage.

DATA ELEMENTS:

- Start date and time of jail stay following initial arrest
- End date and time of jail stay following initial arrest
- Release during pretrial stage
- Release type\*
- Financial condition\*
- Non-release reason\*

FORMULA:

$\frac{\text{Number of assessed defendants who secure release during the pretrial stage}}{\text{Total number of assessed defendants}} \times 100$
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ENHANCED DATA

Jurisdictions may also wish to track release rates by release types, such as release on recognizance, release with financial conditions and type of financial conditions, or release with supervision conditions.

For those who are not releases, jurisdictions may also want to track reasons why a defendant may be ineligible for release, such as having a warrant in another jurisdiction, inability to pay financial conditions, or a hold due to community supervision violation in another case

## **COURT APPEARANCE RATE**

The percentage of released pretrial defendants who were assessed and who attend all scheduled pretrial court appearances.

COMMENTARY: Failure to appear for court shall only be counted for those where a warrant was issued by the court as a result of the defendant failing to appear for a scheduled pretrial hearing. This includes warrants later recalled by the court. Though there may be exceptions, this measure assumes a court by issuing a warrant is determining a willful failure to appear versus one that cannot be controlled by the defendant.

Our definition includes warrants that have later been recalled. It should be noted that this definition differs from instructions provided in training for the IRAS-PAT, which directs an assessor to ignore recalled warrants when determining failures to appear in the previous 24 months.

The Court Appearance Rate shows the percentage of assessed individuals who attend all court appearances where their attendance is required. Though an individual may have multiple pretrial court events, a defendant's failure to appear for a single event where a warrant was issued by the court impacts the Court Appearance Rate.

TYPE OF MEASURE: Case-related; measured at the end of the pretrial stage.

EXAMPLE(S): Defendant is released in Case #1 during the pretrial stage and failed to appear for a pretrial conference and a warrant is issued. The warrant is resolved and the defendant is again released in Case #1. Defendant is later arrested for a new criminal offense initiating the filing of new Case #2. Defendant is released in both Case #1 and Case #2 during the pretrial stage and all pretrial hearings for both cases run concurrently. Defendant appears at all the remaining hearings through the end of the pretrial stage.

The jurisdiction would report the defendant as failing to appear – warrant in Case #1. The county would report the defendant has appearing for all pretrial hearings in Case #2.

### DATA ELEMENTS:

- Failure to appear – warrant
- Failure to appear – summons\*
- Failure to appear – other\*
- Court reminders sent\*

### FORMULA:

$$\frac{\text{Number of released defendants who were assessed and who attend all scheduled pretrial court appearances without a warrant being issued}}{\text{Total number of released pretrial defendants who were assessed}} \times 100$$

### ENHANCED DATA

Jurisdictions may also wish to track when a court issues a summons rather than a warrant as this may provide insight to a defendant's willful actions to avoid court proceedings versus the difficulty in overcoming barriers to attending a hearings (e.g. employment, childcare, or incarceration in another jurisdiction) as the court is often presented with information to make an informed decision on the best course of action.

Tracking whether a court reminder was sent to a defendant prior to a hearing can also provide insight on the effectiveness of court reminders on appearance rates.

**PUBLIC SAFETY RATE**

The percentage of released pretrial defendants who were assessed and who are not charged with a new criminal offense that occurred during the pretrial stage.

COMMENTARY: The public safety rate measures defendants who have not been arrested and charged OR summoned and charged with a new criminal offense (misdemeanor or felony). Thus, those who have been summoned to court for a new offense should also be included along with information learned about charges in other jurisdictions.

TYPE OF MEASURE: Case-related; measured at the end of the pretrial stage.

EXAMPLE(S): Defendant #1 is arrested for a new criminal offense and is released to pretrial supervision at an initial hearing. Defendant #1 is arrested for a new criminal offense while on pretrial supervision. The county would report Defendant #1 as being arrested for a new criminal offense during the pretrial stage.

Defendant #2 is arrested for a new criminal offense and is released on recognizance at an initial hearing. Pretrial services receives notice from the prosecutor that Defendant #2 has been summoned to court for a new criminal case alleging an offense that occurred while Defendant #2's original pretrial case is still pending. The county would report Defendant #2 as being arrested for a new criminal offense during the pretrial stage.

Defendant #3 is arrested for a new criminal offense and is released to pretrial supervision at an initial hearing. Defendant #3 is later released from pretrial supervision before the case has been disposed and the pretrial stage continues. Defendant #3 is arrested for a new criminal offense during the pretrial stage, however the prosecutor has elected not to file an information alleging a new criminal offense. The county would NOT report Defendant #3 as being arrested for a new criminal offense during the pretrial stage.

DATA ELEMENTS:

- New criminal offense charge
- New criminal offense date
- Highest new criminal offense code\*
- Highest new criminal offense title\*
- Highest new criminal offense level\*

FORMULA:

$\frac{\text{Number of released defendants who were assessed and who are not charged with a new offense that occurred during the pretrial stage}}{\text{Total number of released pretrial defendants who were assessed}} \times 100$
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ENHANCED DATA

While collecting information about the new criminal offense, it may also be helpful to a jurisdiction to learn the types of offenses defendants are being rearrested for or charged with during the pretrial stage. Thus, a jurisdiction may want to collect data on the highest new criminal offense code, title, and level of offense.

**SUCCESS RATE**

The percentage of released pretrial defendants who were assessed and who attend all scheduled pretrial court appearances and are not arrested and charged or summoned and charged with a new criminal offense during the pretrial stage.

COMMENTARY: The success rate includes the combination of two measures: court appearance rate and public safety rate. Thus, successful defendants will have appeared for all pretrial court hearings and will have not been arrested and charged or summoned and charged with a new criminal offense that occurred during the pretrial stage.

TYPE OF MEASURE: Case-related; measured at the end of the pretrial stage.

EXAMPLE(S): See examples listed in the Court Appearance Rate and Public Safety Rate.

DATA ELEMENTS:

- Failure to appear – warrant
- New criminal offense charge
- New criminal offense date

FORMULA:

$\frac{\text{Number of released defendants who were assessed and who attend all scheduled court appearances and are not arrested and charged or summoned and charged with a new criminal offense during the pretrial stage}}{\text{Total number of released pretrial defendants who were assessed}} \times 100$
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## **RECOMMENDATION RATE**

The percentage of a pretrial services agency's release recommendations that corresponds with their assessed risk of pretrial misconduct and release protocol.

COMMENTARY: It is recommended that each jurisdiction develop a release protocol that incorporates the results of the pretrial risk assessment. The Recommendation Rate indicates the percentage of instances when the pretrial services officer does not override the assessed risk and release protocol when crafting recommendations for the court to consider at the initial hearing.

TYPE OF MEASURE: Case-related; measured after the initial hearing.

EXAMPLE(S): Defendant #1 is arrested for a new criminal offense and the pretrial services agency assesses the defendant prior to the initial hearing. Defendant #1's assessed risk level is low and the adopted release protocol indicates the defendant should be released on recognizance with no pretrial conditions. The pretrial services agency recommends release on recognizance with no pretrial conditions. The county would count this as a recommendation corresponding with the assessed risk of pretrial misconduct and release protocol.

Defendant #2 is arrested for a new criminal offense and the pretrial services agency assesses the defendant prior to the initial hearing. Defendant #2's assessed risk level is low and the adopted release protocol indicates the defendant should be released on recognizance with no pretrial conditions. The pretrial services agency recommends release on recognizance with pretrial supervision. The county would count this as a recommendation NOT corresponding with the assessed risk of pretrial misconduct and release protocol.

### DATA ELEMENTS:

- Recommendation / release protocol concurrence
- Recommendation override reason\*

### FORMULA:

$$\frac{\text{Number of recommendations corresponding with the assessed risk of pretrial misconduct and release protocol}}{\text{Total number of release recommendations made by the pretrial services agency}} \times 100$$

### ENHANCED DATA

Collecting the release protocol result and the reason why a recommendation does not correspond may help the agency identify if changes are necessary to the adopted release protocol and why the agency may be making recommendations outside of the protocol.

## **CONCURRENCE RATE**

The percentage of pretrial defendants whose court ordered release or detention status on the date of the initial hearing corresponds with their assessed risk of pretrial misconduct and release protocol.

COMMENTARY: This measure is similar to the Recommendation Rate by measuring the percentage of instances when the court overrides the assessed risk and release protocol.

It is recommended that each jurisdiction develop a standard pretrial services report, which includes information about the defendant's assessed risk and an indication if the recommendation from the pretrial services officer is an override from the determined release protocol.

TYPE OF MEASURE: Case-related; measured after the initial hearing.

EXAMPLE(S): Defendant #1 is arrested for a new criminal offense and the pretrial services agency assesses the defendant prior to the initial hearing. Defendant #1's assessed risk level is low and the adopted release protocol indicates the defendant should be released on recognizance with no pretrial conditions. The pretrial services agency recommends release on recognizance with no pretrial conditions and the court agrees at the initial hearing. The county would count this as a court order corresponding with the assessed risk of pretrial misconduct and release protocol.

Defendant #2 is arrested for a new criminal offense and the pretrial services agency assesses the defendant prior to the initial hearing. Defendant #2's assessed risk level is low and the adopted release protocol indicates the defendant should be released on recognizance with no pretrial conditions. The pretrial services agency recommends release on recognizance with pretrial supervision and the court agrees. The county would count this as a court order NOT corresponding with the assessed risk of pretrial misconduct and release protocol.

### DATA ELEMENTS:

- Ordered release conditions/risk protocol concurrence
- Order concurrence with release recommendation\*
- Ordered release conditions override reason\*

### FORMULA:

$$\frac{\text{Number of court ordered release or detention decisions corresponding with the assessed risk of pretrial misconduct and release protocol}}{\text{Total number of court ordered release or detention decisions on the date of the initial hearing}} \times 100$$

### ENHANCED DATA

A jurisdiction may also want to track whether the order from the court matches the pretrial agency's release recommendation, especially if the release recommendation is an override from the assessed risk and release protocol.

Collecting the reason why the court's order does not correspond to the release protocol may help the jurisdiction identify if changes are necessary to the adopted release protocol and why court may be initiating orders outside of the protocol.

## **COUNSEL AT INITIAL HEARING**

The percentage of assessed pretrial defendants who are in custody and represented by counsel at the initial hearing.

COMMENTARY: Counsel at Initial Hearing measures the rate at which defense counsel is present to represent an in-custody defendant at the initial hearing where a bail decision is being made by the court.

TYPE OF MEASURE: Case-related; measured after the initial hearing.

EXAMPLE(S): Defendant is arrested for a new criminal offense and remains in jail until the initial hearing. Defendant is represented by counsel and counsel is active and participating in the initial hearing. The county would count this as a pretrial defendant represented by counsel at the initial hearing.

### DATA ELEMENTS:

- Counsel present at initial hearing

### FORMULA:

$$\frac{\text{Number of assessed pretrial defendants in custody and represented by counsel at the initial hearing}}{\text{Total number of assessed pretrial defendants in custody at the initial hearing}} \times 100$$

### ENHANCED DATA

Jurisdictions may wish to track whether counsel is present for all defendants, including those who are not in custody at the initial hearing.

**PRETRIAL DETAINEE  
LENGTH OF STAY**

The average length of stay in jail for assessed pretrial defendants after initial arrest.

COMMENTARY: Pretrial Detainee Length of Stay measures how quickly assessed pretrial defendants are afforded release while their case is pending. Only the length of time after initial arrest until the defendant's release (or until the end of the pretrial stage, if not released) should be counted.

Length of stay should be calculated in actual days served including the day of arrest and the day of release.

TYPE OF MEASURE: Case-related; measured at the end of the pretrial stage and based only on the initial release from incarceration in a case.

EXAMPLE(S): Defendant #1 is arrested for a new criminal offense and incarcerated on Monday. On Wednesday, the defendant is released after the initial hearing. The length of stay in jail after initial arrest for this defendant is three days (Monday, Tuesday, and Wednesday).

Defendant #2 is arrested for a new criminal offense and incarcerated on Saturday. Defendant #2 is also being held in jail due to a violation of community supervision in an unrelated case. On Monday, the defendant is released from incarceration after an initial hearing on the criminal offense, but remains in custody due to the violation of community supervision in the unrelated case. The length of stay in jail after initial arrest for the new criminal offense is three days (Saturday, Sunday, and Monday).

DATA ELEMENTS:

- Start date and time of jail stay following initial arrest
- End date and time of jail stay following initial arrest
- Non-release reason\*

FORMULA:

$$\frac{\text{Total number of days in jail after initial arrest -for assessed pretrial defendants}}{\text{Total number of assessed pretrial defendants}}$$

ENHANCED DATA

A jurisdiction may want to calculate this measure based on the entire arrested pretrial population eligible for bail and not just those in a jurisdiction's target population and distinguish between the length of stay for the target population and those outside of the target population.

Though the length of stay is tracked in days, jurisdictions may want to track in the number of hours for those lengths of stay that are under 24 hours.

Jurisdictions may also want to report the length of stay for those who are released during the pretrial stage in comparison to those who are never released.

Additionally, a jurisdiction may wish to report the median length of stay in addition to the average to provide more detail and identify outliers which may move the average higher or lower than anticipated. The median is the middle of the range.

**SUPERVISION CONDITION  
SUCCESS RATE**

The percentage of assessed pretrial defendants who complete supervision conditions with no technical violations that result in an administrative sanction/response or court intervention.

COMMENTARY: The Supervision Condition Success Rate indicates the percentage of assessed defendants who have no technical violations that require an administrative response or court intervention during any pretrial supervision period for a case.

This is intended to measure technical violations of supervision and not violations due to a new offense arrest or charge or the defendant failing to appear for court.

TYPE OF MEASURE: Supervision-related; measured at the end of pretrial supervision.

EXAMPLE(S): Defendant #1 is placed on pretrial supervision after release and is ordered to report to the pretrial services agency weekly until further order of the court. Defendant #1 fails to appear for a scheduled appointment with the pretrial services officer during week three. The pretrial services officer contacts Defendant #1 by phone and addressed the missed appointment by providing a verbal warning. The county would report this as a defendant who failed to complete supervision conditions with no technical violations.

Defendant #2 is placed on pretrial supervision after release and is ordered by the court to reengage with their treatment provider and attend all treatment sessions as directed. The treatment provider sends a report to the pretrial services officer stating Defendant #2 failed to engage in treatment. The pretrial services officer files a notice of noncompliance with the court and attached the report from the treatment provider. At the next hearing, the court again orders Defendant #2 to engage in treatment and continues pretrial supervision. The county would report this as a defendant who failed to complete supervision conditions with no technical violations.

DATA ELEMENTS:

- Supervision end date
- Supervision end status
- Technical violation during pretrial supervision
- Technical violation(s) and response to violation\*

FORMULA:

$$\frac{\text{Number of assessed pretrial defendants who complete supervision conditions with no technical violations that result in an administrative sanction/response or court intervention}}{\text{Total number of assessed pretrial defendants who complete supervision conditions}} \times 100$$

ENHANCED DATA  
A jurisdiction may want to track the type of violation and type of administrative response or court intervention as this may provide information on which interventions promote success in completing pretrial supervision without revocation.

**SUPERVISION OVERALL SUCCESS RATE**

The percentage of assessed and released pretrial defendants with supervision conditions who do not have any of the following:  
(1) arrested and charged or summoned and charged with a new criminal offense that occurred during supervision,  
(2) failed to appear for court where a warrant was issued during supervision, or  
(3) revoked for a technical violation during supervision.

COMMENTARY: The Supervision Overall Success Rate measures the success of an assessed pretrial defendant during the pretrial supervision period only. This measure includes whether the defendant was arrested and charged or summoned and charged for a new offense during the supervision period, failed to appear for court where a warrant was issued during the supervision period, or revoked for a technical violation during the supervision period.

In other words, this measures pretrial defendants who complete supervision without being re-incarcerated in the original case during the pretrial supervision period.

Warrants for failure to appear, or new arrest or charges issued for events that did not occur while on pretrial supervision should not be counted.

TYPE OF MEASURE: Supervision-related; measured at the end of pretrial supervision.

EXAMPLE(S): Defendant is released in a new case and placed on pretrial supervision. During supervision, the defendant attended all court hearings and is not charged with a new criminal offense allegedly occurring during pretrial supervision. The defendant missed one supervision appointment and was given a verbal warning. The county would count this case as successfully completing pretrial supervision without having any of the events that resulted in incarceration.

DATA ELEMENTS:

- Failure to appear – warrant
- New criminal offense arrest
- New criminal offense charge without arrest
- Supervision end date
- Supervision end status
- Technical violation(s) resulting in revocation

FORMULA:

$$\frac{\text{Number of assessed and released pretrial defendants with supervision conditions who do not have any of the following: (1) arrested and charged or summoned and charged with a new offense that occurred during supervision, (2) failed to appear for court where a warrant was issued (including recalled warrants) during supervision, or (3) revoked for a technical violation during supervision}}{\text{Total number of assessed and released pretrial defendants with supervision conditions}} \times 100$$

## **SUPERVISION COMPLETION RATE**

The percentage of released pretrial defendants who were assessed and who complete supervision conditions and did not have a full revocation of their supervision.

COMMENTARY: The Supervision Completion Rate measures the overall rate of completion despite some defendants experiencing missteps along the way. The key to counting a defendant as completing supervision is the fact that they are not in jail and remain in the community at either the completion of supervision or at the end of the pretrial stage, whichever comes first.

Jurisdictions should track the type of issue that occurred during the pretrial supervision period, such as being arrested and charged or summoned and charged with a new criminal offense during supervision, failing to appear for court where a warrant was issued (including recalled warrants), or being revoked from supervision for a brief period of time due to a technical violation.

Sometimes after a short stint in jail due to a failure to appear or other misstep, a defendant is released and placed back onto pretrial supervision while the case is pending and the defendant eventually completes supervision despite the setback. The supervision was not successful, as measured in the Supervision Overall Success Rate, but it was completed and the defendant was not in jail at end of pretrial supervision. Counties should determine by local policy how long a break in supervision, due to incarceration or other reasons, may occur before the defendant's original supervision is closed and a new supervision condition begins.

TYPE OF MEASURE: Supervision-related; measured at the end of pretrial supervision.

EXAMPLE(S): Defendant is released in a new case and placed on pretrial supervision. During pretrial supervision, the defendant is placed in jail due to an arrest and charge for a new criminal offense. The court released the defendant in both cases and ordered the defendant back on pretrial supervision in the original case. Two months later the original case is disposed, ending pretrial supervision. On the date of sentencing, the defendant remained in the community and completed pretrial supervision. The county would count this as a completed supervision without a full revocation of pretrial supervision.

### DATA ELEMENTS:

- Supervision end date
- Supervision end status

### FORMULA:

$$\frac{\text{The percentage of released pretrial defendants who were assessed and who complete supervision conditions and did not have a full revocation of their supervision}}{\text{Total number of released pretrial defendants with supervision conditions}} \times 100$$

**STATUTORILY-ELIGIBLE  
POPULATION ASSESSED**

The percentage of arrested pretrial defendants eligible by statute for bail that the agency assesses for release.

COMMENTARY: Statutorily-eligible population assessed measures the percentage of pretrial defendants assessed who are eligible for bail. Thus, this measure must be calculated based upon the entire arrested pretrial population eligible for bail and not just those in a jurisdiction's target population. The assessment occurs prior to the initial hearing.

A jurisdiction should also track reasons why a bail-eligible defendant was not assessed, such as defendant refused interview, defendant unavailable, defendant not in target population, holds due to community supervision violations, outstanding warrants in other jurisdictions, etc.

TYPE OF MEASURE: Case-related; measured after the initial hearing.

EXAMPLE(S): Defendant #1 is arrested for a new criminal offense. The pretrial services agency completes an assessment prior to the initial hearing. The county would count this as a pretrial defendant assessed by the agency.

Defendant #2 is arrested for a new criminal offense. The pretrial services agency does not complete an assessment because the pretrial defendant is not in the county's target population. The county would count this as an arrested pretrial defendant eligible by statute for bail, but not assessed.

DATA ELEMENTS:

- Start date and time of jail stay following initial arrest
- Assessment date and time

FORMULA:

$$\frac{\text{Number of pretrial defendants assessed by the agency}}{\text{Total number of arrested pretrial defendants eligible by statute for bail}} \times 100$$

NOTE: This measure is not required to be collected by each jurisdiction and should be considered an enhancement a jurisdiction may wish to use as an additional performance measure.

**PRETRIAL SUPPORT INTERVENTIONS ORDERED**

The percentage of released pretrial defendants who were assessed and ordered by the court to participate in treatment/support services.

COMMENTARY: A jurisdiction should track the type of service being ordered and whether the assessed and released pretrial defendant engaged in the service at least once during the pretrial period.

Simply being ordered to participate in services does not necessary result in engagement by the defendant. It is also important to measure the engagement to determine if the intervention promotes successful outcomes.

TYPE OF MEASURE: Case-related; measured at the end of the pretrial stage.

EXAMPLE(S): Defendant is released in a new case during the pretrial stage and ordered to attend and engage in treatment before the next court hearing. After the hearing, the pretrial services officer provides information about several treatment providers in the area and discusses ideas on how the defendant can engage in treatment. Before the next hearing, a treatment provider sends a report to the court stating the defendant attended two sessions since their initial contact and is scheduled to attend additional sessions. The county would count this as a pretrial defendant ordered by the court to participate in treatment/support services.

DATA ELEMENTS:

- Treatment/support services – ordered
- Treatment/support services – engaged

FORMULA:

$$\frac{\text{Number of pretrial defendants who were assessed and ordered by the court to participate in treatment/support services}}{\text{Total number of released pretrial defendants who were assessed}} \times 100$$

NOTE: This measure is not required to be collected by each jurisdiction and should be considered an enhancement a jurisdiction may wish to use as an additional performance measure.

**PRETRIAL SUPPORT INTERVENTIONS REFERRED**

The percentage of pretrial defendants who were assessed and referred to treatment/support services absent a court order.

COMMENTARY: A jurisdiction should track the type of service the assessed pretrial defendant is being referred for and whether the defendant engaged in the service at least once during the pretrial period.

Simply being referred to participate in services does not necessary result in engagement by the defendant. It is also important to measure the engagement to determine if the intervention promotes successful outcomes.

TYPE OF MEASURE: Supervision-related; measured at the end of pretrial supervision.

EXAMPLE(S): Defendant is released in a new case during the pretrial stage and placed on pretrial supervision. During the course of supervision, the pretrial services officer refers the defendant to services related to employment and discusses ideas on how the defendant can engage in employment services. At the next appointment, the defendant reports attending several appointments with the employment service provider and brings documentation indicating such. The county would count this as a pretrial defendant to treatment/support services.

DATA ELEMENTS:

- Treatment/support services – referred
- Treatment/support services – engaged

FORMULA:

$$\frac{\text{Number of assessed pretrial defendants referred to treatment/support services}}{\text{Total number of pretrial supervision defendants who were assessed}} \times 100$$

NOTE: This measure is not required to be collected by each jurisdiction and should be considered an enhancement a jurisdiction may wish to use as an additional performance measure.

**RETURN TO  
INCARCERATION RATE**

The percentage of pretrial defendants who were assessed and released and subsequently returned to incarceration during the pretrial stage.

COMMENTARY: To measure the return to incarceration rate, a jurisdiction should focus on the assessed population who were released at some point during the pretrial stage. The return to incarceration must have also occurred during the pretrial stage. The defendant could be incarcerated due to being arrested for a new offense, failure to appear, or for a technical violation of supervision conditions.

It is important to note that the return to incarceration should be counted if it is related to the local jurisdiction's case and should not be counted if the defendant is incarcerated in another jurisdiction for a technical violation of pretrial or post-sentence community supervision.

TYPE OF MEASURE: Case-related; measured at the end of pretrial supervision.

EXAMPLE(S): Defendant #1 is arrested for a new criminal offense and assessed by the pretrial services agency. Defendant #1 is released to pretrial supervision conditions after the initial hearing. Defendant #1 is arrested due to a failure to appear warrant being issued in the case. The local jurisdiction would count Defendant #1 as a return to incarceration.

Defendant #2 is arrested for a new criminal offense and assessed by the pretrial services agency. Defendant #2 is released on recognizance after the initial hearing. Defendant #2 is on post-sentence community supervision in another jurisdiction. After the other jurisdiction learns of the new criminal offense, Defendant #2 is arrested for a community supervision violation and incarcerated in the other jurisdiction. Defendant #2 should not be counted as a return to incarceration.

DATA ELEMENTS:

- Return to incarceration

FORMULA:

$\frac{\text{The number of pretrial defendants who were assessed and released and subsequently returned to incarceration during the pretrial stage}}{\text{Total number of pretrial supervision defendants who were assessed and released}} \times 100$
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NOTE: This measure is not required to be collected by each jurisdiction and should be considered an enhancement a jurisdiction may wish to use as an additional performance measure.

DATA ELEMENT	DESCRIPTION	CHOICES (IF APPLICABLE)	FORMAT	NOTES
County	County from which the record comes		Text	
Defendant Identification Number	Unique identification number used by the jurisdiction's case management system		Number	
First Name	First name of the arrestee or pretrial defendant		Text	
Middle Name	Middle name of the arrestee or pretrial defendant		Text	
Last Name	Last name of the arrestee or pretrial defendant		Text	
<b>DEMOGRAPHIC INFORMATION</b>				
Date of Birth	Arrestee or pretrial defendant's date of birth		Date (mm/dd/yyyy)	
Sex	Arrestee or pretrial defendant's biological sex assigned at birth	<ul style="list-style-type: none"> <li>• Female</li> <li>• Male</li> </ul>	Text	
Gender	Arrestee or pretrial defendant's gender identity	<ul style="list-style-type: none"> <li>• Female</li> <li>• Male</li> <li>• Non-binary</li> <li>• Transgender</li> <li>• Other</li> </ul>	Text	
Race	Arrestee or pretrial defendant's race	<ul style="list-style-type: none"> <li>• American Indian or Alaskan Native</li> <li>• Asian</li> <li>• Black or African American</li> <li>• Native Hawaiian or Pacific Islander</li> <li>• White</li> <li>• Mixed Race</li> <li>• Other</li> </ul>	Text	
Ethnicity	Whether the arrestee or pretrial defendant is of Hispanic descent	<ul style="list-style-type: none"> <li>• Hispanic</li> <li>• Non-Hispanic</li> </ul>	Text	
Education	Highest level of education completed at time of pretrial assessment for the arrestee or pretrial defendant	<ul style="list-style-type: none"> <li>• Less than high school/primary school</li> <li>• High school equivalency</li> <li>• High school diploma/secondary school</li> <li>• Trade/technical/vocational school</li> </ul>	Text	

		<ul style="list-style-type: none"> <li>• Some college</li> <li>• College graduate/post-secondary</li> </ul>		
Marital Status	Marital status at time of pretrial assessment for the arrestee or pretrial defendant	<ul style="list-style-type: none"> <li>• Divorced</li> <li>• Married</li> <li>• Separated</li> <li>• Single</li> <li>• Widowed</li> </ul>	Text	
Employment Status	Employment status at time of pretrial assessment for the arrestee or pretrial defendant	<ul style="list-style-type: none"> <li>• Part-time</li> <li>• Full-time</li> <li>• Unemployed</li> <li>• Disabled</li> <li>• Student</li> <li>• Retired</li> <li>• Medical Restriction</li> </ul>	Text	
<b>ASSESSMENT DATA</b>				
Assessment Date	Date the assessment was administered		Date (mm/dd/yyyy)	User driven date of the interview.
Assessment Identification Number	Identification number associated with the IRAS-PAT tool		Number	
Assessment Collector	Name of pretrial services staff who completed the assessment		Text	
Assessment Item #1	Scored result for assessment item #1 on the IRAS-PAT	0, 1	Number	
Assessment Item #2	Scored result for assessment item #2 on the IRAS-PAT	0, 1, 2	Number	
Assessment Item #3	Scored result for assessment item #3 on the IRAS-PAT	0, 1	Number	
Assessment Item #4	Scored result for assessment item #4 on the IRAS-PAT	0, 1, 2	Number	
Assessment Item #5	Scored result for assessment item #5 on the IRAS-PAT	0, 1	Number	
Assessment Item #6	Scored result for assessment item #6 on the IRAS-PAT	0, 1	Number	

Assessment Item #7	Scored result for assessment item #7 on the IRAS-PAT	0, 1	Number	
Assessment Score	Total score for the IRAS-PAT	0, 1, 2, 3, 4, 5, 6, 7, 8, 9	Number	
Risk Level	Risk classification based on the total score for the IRAS-PAT	<ul style="list-style-type: none"> <li>• Low</li> <li>• Moderate</li> <li>• High</li> </ul>	Text	
Override Risk Level	Risk level for the arrestee or pretrial defendant that has been overridden by the assessment collector	<ul style="list-style-type: none"> <li>• Low</li> <li>• Moderate</li> <li>• High</li> </ul>	Text	
Override Reason	Description describing rationale for overriding the assessment risk level	<ul style="list-style-type: none"> <li>• Sex offense</li> <li>• Seriousness of offense</li> <li>• Mental illness</li> <li>• Departmental policy</li> <li>• Other</li> </ul>	Text	
<b>CASE DETAILS</b>				
Case Number	Case number associated with the charged offense(s)		xxxx-xxxx-xx-xxxxxx (Leading zeros required)	
Highest Charged Offense Code	Indiana Code for the highest charged offense		xx-xxx-xxx-xxxx (Leading zeros unnecessary)	Highest charged offense should be ordered as follows: MR (Murder), FA, F1, F2, FB, F3, F4, FC, F5, FD, F6, AM, BM, CM.
Highest Charged Offense Title	Title of the highest charged offense as listed in the Indiana Code		Text	
Highest Charged Offense Level	Level of offense as listed in the Indiana Code	MR, F1, F2, F3, F4, F5, F6, FA, FB, FC, FD, AM, BM, CM	Text	
				<p>For multiple charges at the same level, use the following ranking to choose the highest level:</p> <ul style="list-style-type: none"> <li>• Person related offenses under IC 35-42</li> <li>• Property related offense under IC 35-43</li> </ul>

				<ul style="list-style-type: none"> <li>• Offense involving controlled substances under IC 35-38</li> <li>• Offenses related to weapons under IC 35-47</li> <li>• Offenses involving a motor vehicle under IC 9</li> <li>• Offenses related to public health under IC 35-45</li> <li>• Offenses related to public administration under IC 35-44.1</li> <li>• Miscellaneous offenses under IC 35-46</li> <li>• Any not listed above</li> </ul>
Disposition of Charge(s)	Guilty finding on at least one charge	Yes, No	Text	<p>Guilty means a charge disposition containing:</p> <ul style="list-style-type: none"> <li>• Admission</li> <li>• Conviction</li> <li>• Finding of guilty</li> <li>• Guilty verdict</li> <li>• Plea by agreement</li> <li>• Plea guilty</li> </ul>
Failure to Appear – Warrant	Pretrial defendant had at least one failure to appear where a warrant was issued by the court (including recalled warrants) during the pretrial stage.	Yes, No	Text	
Failure to Appear – Summons	Pretrial defendant had at least one failure to appear where a summons was issued by the court during the pretrial stage.	Yes, No	Text	
Failure to Appear – Other	Pretrial defendant had at least one failure to appear and neither a warrant or	Yes, No	Text	

	summons was issued or indicated by the court during the pretrial stage.			
Court Reminders Sent	Court reminders (text message, emails, telephone calls, etc.) are sent to the pretrial defendant reminding of the next scheduled court appearance	Yes, No	Text	
Counsel Present at Initial Hearing	Defense counsel present at initial hearing	Yes, In custody No, In custody Yes, Not in custody No, Not in custody Unknown	Text	
Date of Initial Hearing	Date of initial hearing or first court appearance		Date (mm/dd/yyyy)	
Return to Incarceration	Pretrial defendant was incarcerated due to an issue related to the case in which the defendant was released	Yes, No	Text	
<b>PRETRIAL SERVICES DETAILS</b>				
Recommendation / Release Protocol Concurrence	Recommendation from the pretrial services agency matched the release protocol	Yes, No	Text	
Recommendation Override Reason	Description describing rationale for overriding the release protocol	<ul style="list-style-type: none"> <li>• Has unresolved pretrial case(s)</li> <li>• Currently on post-sentence supervision conditions</li> <li>• Other (Free text if possible)</li> </ul>	Text	
Order Concurrence with Release Recommendation	Court ordered release conditions matched the recommendation from the pretrial services agency	Yes, No	Text	
Ordered Release Conditions / Release Protocol Concurrence	Court ordered release conditions matched the release protocol	Yes, No	Text	
Ordered Release Conditions Override Reason	Description describing rationale for overriding the release protocol	<ul style="list-style-type: none"> <li>• Seriousness of offense</li> <li>• Criminal history</li> <li>• Risk of failure to appear</li> </ul>	Text	

		<ul style="list-style-type: none"> <li>• Risk to public safety</li> <li>• Other</li> </ul>		
New Criminal Offense Charge	Pretrial defendant, after release and during the pretrial stage, is arrested and charged or summoned and charged for allegedly committing a new criminal offense that occurred during the pretrial stage.	Yes, No	Text	
New Criminal Offense Date	The date the new criminal offense is alleged to have occurred during the pretrial stage.		Date (mm/dd/yyyy)	
Highest New Criminal Offense Code	Indiana Code for the highest new criminal offense		xx-xxx-xxx-xxxx (Leading zeros unnecessary)	Highest charged offense should be ordered as follows: MR (Murder), FA, F1, F2, FB, F3, F4, FC, F5, FD, F6, AM, BM, CM.
Highest New Criminal Offense Title	Title of the highest new criminal offense as listed in the Indiana Code		Text	
Highest New Criminal Offense Level	New criminal offense level as listed in the Indiana Code	MR, F1, F2, F3, F4, F5, F6, FA, FB, FC, FD, AM, BM, CM	Text	<p>For multiple charges at the same level, person related offenses should be ranked highest, then property based offenses, then substance related offenses, then all other offenses.</p> <p>If arrested and not charged, use the highest arresting offense.</p>
<b>JAIL STAY DETAILS</b>				
Start Date and Time of Jail Stay following Initial Arrest	Start date and time of jail stay following initial arrest		Date/Time (mm/dd/yyyy hh:mm)	

End Date and Time of Jail Stay following Initial Arrest	End date and time of jail stay following initial arrest		Date/Time (mm/dd/yyyy hh:mm)	
Released during Pretrial Stage	Whether or not the defendant was released during the pretrial stage	Yes, No	Text	
Release Type	Manner in which the pretrial defendant is released from the initial jail stay following arrest	<ul style="list-style-type: none"> <li>• Recognizance release</li> <li>• Financial conditions imposed</li> <li>• Not released during pretrial stage</li> </ul>	Text	
Financial Condition	Type of financial condition(s) imposed prior to release, if any	<ul style="list-style-type: none"> <li>• None</li> <li>• Cash</li> <li>• Surety</li> <li>• Cash and surety</li> <li>• Property</li> <li>• Other</li> </ul>	Text	
Non-release Reason	Reason why the pretrial defendant was not released during the pretrial stage	<ul style="list-style-type: none"> <li>• Financial condition not met</li> <li>• Hold due to pending case in original county</li> <li>• Hold due to pending case in another jurisdiction</li> <li>• Other</li> </ul>	Text	Non-release reason should be indicated in the following order if more than one reason may apply: 1. Hold due to pending case in original county 2. Hold due to pending case in another jurisdiction 3. Financial condition not met 4. Other
Bail Amount	Amount of cash or surety required as a financial condition greater than \$1,000	Yes, No	Text	
<b>SUPERVISION DETAILS</b>				
Supervision Start Date	Date when the first supervision condition begins		Date (mm/dd/yyyy)	
Supervision End Date	Date when the final supervision condition ends		Date (mm/dd/yyyy)	

Case Management / Pretrial Monitoring	Pretrial defendant is subject to pretrial case management	Yes, No	Text	
Treatment / Support Services – Referred	Pretrial defendant is referred to treatment or support services by the pretrial services agency	Yes, No	Text	
Treatment / Support Services – Ordered	Pretrial defendant is ordered to treatment or support services by the court	Yes, No	Text	
Treatment / Support Services – Engaged	Pretrial defendant engages with treatment or support services at least once after being referred by the pretrial services agency or ordered by the court	Yes, No	Text	
Technical Violation during Pretrial Supervision	Pretrial defendant had at least one technical violation of a supervision condition	Yes, No	Text	
Technical Violation(s) with Response	Pretrial defendant had at least one technical violation of a supervision condition that resulted in an administrative sanction/response	Administrative Sanction Court Intervention Dismisses/Not Guilty	Text	
Supervision End Status	Description of how the final supervision condition ended.	<ul style="list-style-type: none"> <li>• Completed</li> <li>• Completed with technical violation(s)</li> <li>• Completed with new offense</li> <li>• Completed with at least one FTA warrant</li> <li>• Completed with new offense and technical violation(s)</li> <li>• Completed with new offense and at least one FTA</li> <li>• Completed with technical violation(s) and at least one FTA</li> </ul>	Text	

		<ul style="list-style-type: none"><li>• Terminated with technical violation(s)</li><li>• Terminated with new offense</li><li>• Terminated with at least one FTA warrant</li><li>• Terminated with new offense and technical violation(s)</li><li>• Terminated with new offense and at least one FTA</li><li>• Terminated with technical violation(s) and at least one FTA</li></ul>		
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