

NATIONAL INSTITUTE OF CORRECTIONS
Elements of a High Functioning Pretrial System

- **Pre-Arrestment Screening:** Begin using risk assessment information to screen for release prior to initial hearing with or in lieu of a bond schedule. Release decisions do not rely solely on monetary considerations.
- **Risk Assessment:** Risk assessment information shall be available at every stage of pretrial release decision-making.
- **Initial Hearing:** A prosecutor and defense attorney must be present and conduct a meaningful initial hearing for all defendants.
- **Prosecutorial Case Screening:** When screening cases, prosecutors shall ensure that the appropriate charge is issued in each case and the release decision and conditions are informed by reviewing the pre-arrestment hearing release decision and using risk assessment information.
- **Conditions of Release:** Defendants released with conditions shall be assigned release conditions consistent with assessed risk. All defendants released with conditions shall be provided court date notifications. *Note: Many defendants will be successful on pretrial release with only court notification as a condition of release without additional conditions of supervision.*
- **Differential Pretrial Supervision:** Defendants released on pretrial supervision shall be supervised according to assessed risk level, noting that as risk increases, conditions and/or intensity of supervision increases.
- **Performance Measures:** Jurisdictions shall collect and report performance measure data in key areas. Baseline data for the jurisdiction's detained jail population and failure to appear rate shall be established.