

Pretrial Release Conditions Matrix

PURPOSE:

Judicial officers and pretrial services officers should use ORAS PAT results to help inform certain pretrial decisions. For instance, if a person can legally be detained, the judicial officer may consider the ORAS PAT score, along with other information, when making a decision about release or detention. If someone will be released—either due to the liberty interest created by state or federal law or because the judicial officer decides not to detain the person—the officer should use the ORAS PAT results to help determine the nature of release conditions. A Release Conditions Matrix provides judicial officers and pretrial services officers guidance on how to use the ORAS PAT results to match conditions of release to people assessed with varying degrees of pretrial risk. Detention is not included in the matrix because eligibility for detention is based on statute and local rules of court, and the matrix becomes relevant only after a judicial officer and/or a pretrial services officers decides a person will be released. The ORAS PAT is used to help measure a person’s pretrial risk, whereas the Release Conditions Matrix is used to help manage that risk.

The entire Release Conditions Matrix is a guide to help the judicial officer and pretrial services officer make the most effective and efficient use of the ORAS PAT results. When deciding on appropriate release conditions, the judicial officer and pretrial services officer should take other facts and circumstances into account, such as these:

- the nature and severity of the current charges;
- information provided by the prosecutor;
- information provided by the defense attorney;
- information provided by any relevant victims or witnesses; and/or
- the person’s life circumstances (such as employment, enrollment in school or a training program, family life, or housing).

However, judicial officers and pretrial services officers should limit the types of situations in which exceptions or deviations from the presumed release levels. Otherwise, exceptions may overshadow the rule, resulting in inconsistent decisions not based on assessed risk.

MATRIX

Release Activities and Conditions	ORAS PAT SCORE		
	Low	Mod	High
Mandatory Statutory Conditions	X	X	X
Court Reminders	X	X	X
Monthly Criminal History Checks		X	X
Monthly CE Check-in	X		
Monthly Office Visits		X	
Bi-Weekly Office Visits			X
Other Case Specific Conditions		X	X

Mandatory Statutory Conditions: The person shall appear in court for all hearings (and abide by all laws, if statutorily applicable).

Court Reminders: The person shall read or listen to all court date reminders and reply if requested.

Criminal History Checks: The person's criminal history will be checked for new criminal charges at least once per month.

CE Check-in: The person will check in remotely or at a kiosk via the CE Check-in system at least once a month.

Monthly Office Visits: The person will check in with a pretrial services officer at least once a month. If the client lives out of county or has other documented barriers to traveling to the office during office hours, check-ins may occur in person or by telephone or videoconference at the case manager's discretion.

Bi-Weekly Office Visits: The person will check in with a pretrial services officer at least once a month. If the client lives out of county or has other documented barriers to traveling to the office during office hours, check-ins may occur in person or by telephone or videoconference at the case manager's discretion.

Other Case-Specific Conditions (such as No Contact Orders, Substance Testing, or Electronic Monitoring): Any special conditions imposed should target a person's identified risk and should be the least-restrictive necessary to provide the judicial officer reasonable assurance that the person will appear at future court hearings and will not engage in criminal activity during pretrial release. If one or more conditions are court-ordered, the person will comply and the pretrial services officer will monitor the individual's compliance.

ADDITIONAL GUIDANCE:

- If the current charge is domestic violence, a person-to-person sex crime, arson, or robbery—or if the alleged offense involved the use of a weapon— the person's presumptive pretrial release level may increase by one level. For example, if the ORAS PAT score is "Mod," the person may be released on "High" conditions.
- If the current charge is murder or rape and they are released, the person may be placed on "High" conditions regardless of the ORAS PAT outcome.