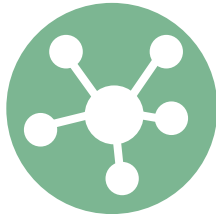# Virginia Pretrial Data Project Overview

The PRETRIAL DATA PROJECT **was established in 2018 to address the *significant lack of data available* to answer questions regarding various pre-trial release mechanisms, conditions of pretrial release, appearance at court proceedings, and public safety.**

The Project was an *unprecedented, collaborative effort* between numerous state and local agencies representing all three branches of government.

The 2021 General Assembly passed legislation directing the *Sentencing Commission to continue this work*.

The Commission's first report was submitted December 1, 2022.

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Virginia Pretrial Data Project Overview

E-Magistrate System
- Defendants brought before magistrates

Court Case Management Systems
- Case dispositions and FTA
- Defendants released on summons or charged by direct indictment

Circuit Court Case Management System
- Case dispositions and FTA
- Defendants released on summons or charged by direct indictment

Circuit Court Case Management System
- Case dispositions and FTA
- Defendants released on summons or charged by direct indictment

Pretrial and Community Corrections (PTCC) Case Management System
- Defendants on pretrial services agency supervision
- Defendants on active local probation

Central Criminal Records Exchange
- New in-state arrests
- FTA

Corrections Information System (CORIS)
- Defendants on active state probation

Compensation Board- Local Inmate Data System (LIDS)
- Jail committals and releases
- Lengths of stay
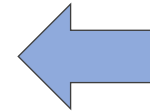
Data for the Project is obtained from numerous agencies.

Compiling the data requires numerous iterations of data cleaning, merging, and matching to ensure accuracy when linking information from each data system to each defendant in the cohort.

More than 500 data elements are captured for each defendant.

NEW COHORT

Commission staff selected individuals with pretrial contact events during CY2019. and CY2020.

For individuals with more than one contact event during the period, only the first event was selected.

FOLLOW-UP PERIOD

Individuals are tracked for a minimum of 15 months or until disposition of the case, whichever occurs first.

- **For the CY2019 cohort, follow-up ended March 2021.**
- **For the CY2020 cohort, follow-up ended March 2022.**

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4

New Data Collection Method introduced

Commission staff introduced the new selection method for upcoming CY2019 and CY2020 cohorts.

While CY2018 cohort in the inaugural year does not have the benefit of the data in a previous calendar year, Commission was able to identify the first contact events in CY2019 or CY2020 that occurred during the pretrial period.

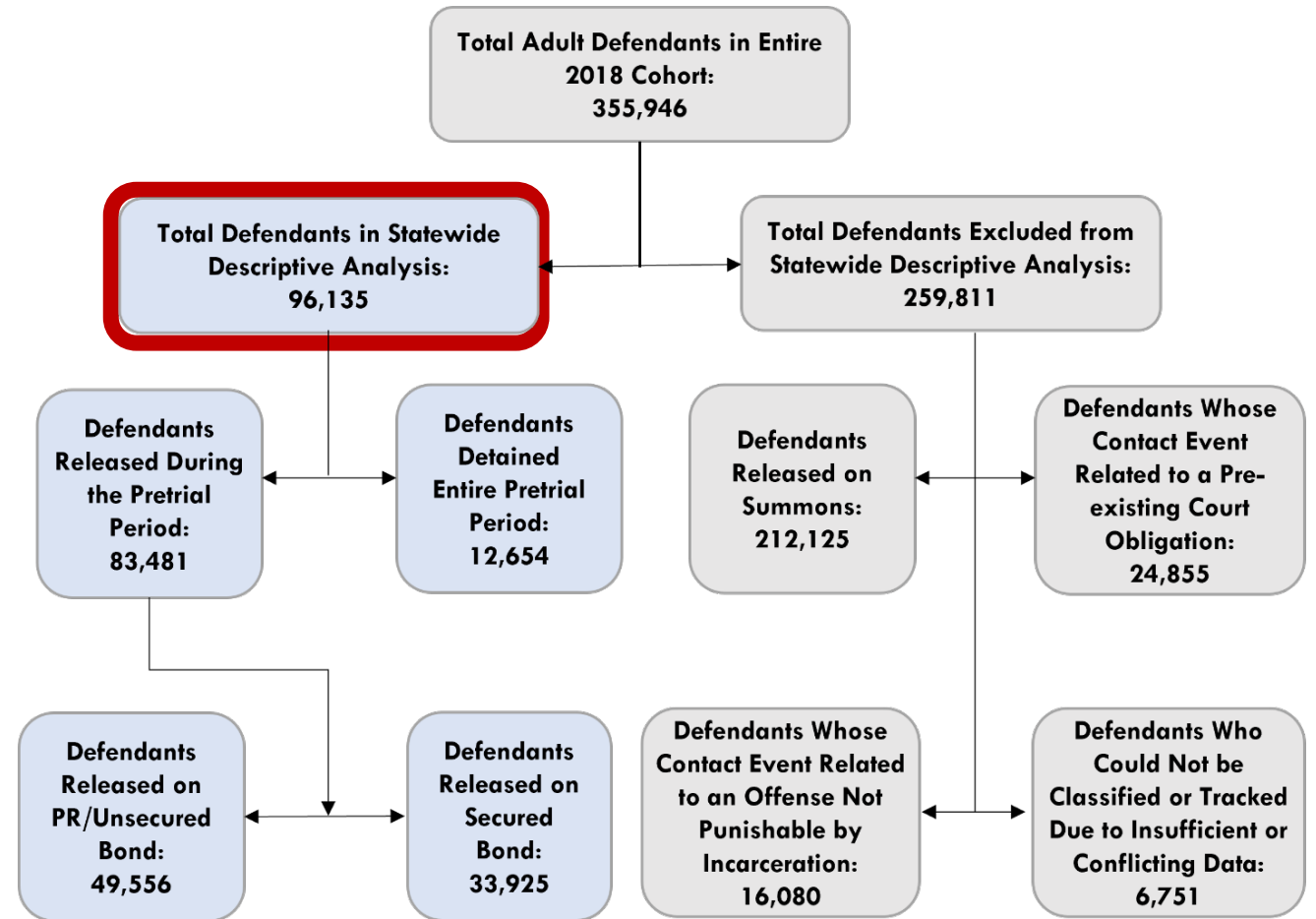To be consistent with ongoing data collection methods, the first contact events later identified as pretrial outcomes were later excluded from the analyses.

Such cases accounted only for around 6% of all defendants initially selected for analyses. Underlying demographic characteristics of these individuals were generally not different from the main cohorts.

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Pretrial Data Project
CY2018 Cohort

The study focuses on the 96,135 adult defendants whose contact event included a criminal offense punishable by incarceration where a bail determination was made by a judicial officer.

Total Adult Defendants in Entire 2018 Cohort: 355,946

Total Defendants in Statewide Descriptive Analysis: 96,135

Total Defendants Excluded from Statewide Descriptive Analysis: 259,811

Defendants Released During the Pretrial Period: 83,481

Defendants Detained Entire Pretrial Period: 12,654

Defendants Released on Summons: 212,125

Defendants Whose Contact Event Related to a Pre-existing Court Obligation: 24,855

Defendants Released on PR/Unsecured Bond: 49,556

Defendants Released on Secured Bond: 33,925

Defendants Whose Contact Event Related to an Offense Not Punishable by Incarceration: 16,080

Defendants Who Could Not be Classified or Tracked Due to Insufficient or Conflicting Data: 6,751

Source: Virginia Criminal Sentencing Commission - Virginia Pretrial Data Project, CY2018 Cohort Dataset
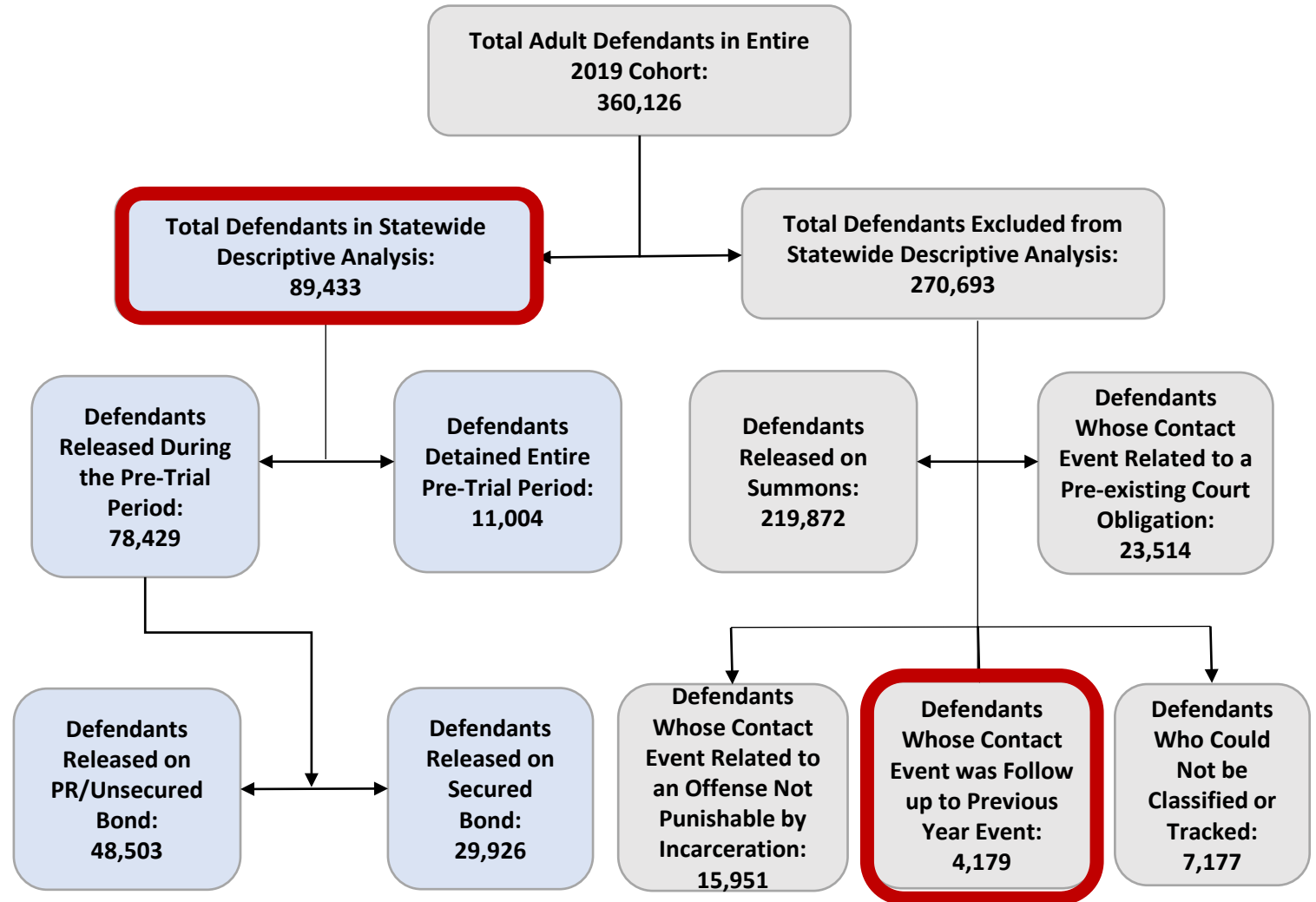
Pretrial Data Project
CY2019 Cohort

The analysis focuses on 89,433 adult defendants whose contact event included a criminal offense punishable by incarceration where a bail determination was made by a judicial officer.

Total Adult Defendants in Entire 2019 Cohort:
360,126

Total Defendants in Statewide Descriptive Analysis:
89,433

Total Defendants Excluded from Statewide Descriptive Analysis:
270,693

Defendants Released During the Pre-Trial Period:
78,429

Defendants Detained Entire Pre-Trial Period:
11,004

Defendants Released on Summons:
219,872

Defendants Whose Contact Event Related to a Pre-existing Court Obligation:
23,514

Defendants Released on PR/Unsecured Bond:
48,503

Defendants Released on Secured Bond:
29,926

Defendants Whose Contact Event Related to an Offense Not Punishable by Incarceration:
15,951

Defendants Whose Contact Event was Follow up to Previous Year Event:
4,179

Defendants Who Could Not be Classified or Tracked:
7,177

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Source: Virginia Criminal Sentencing Commission - Virginia Pretrial Data Project, CY2019 Cohort Dataset

Pretrial Data Project
CY2020 Cohort

The analysis focuses on 73,537 adult defendants whose contact event included a criminal offense punishable by incarceration where a bail determination was made by a judicial officer.
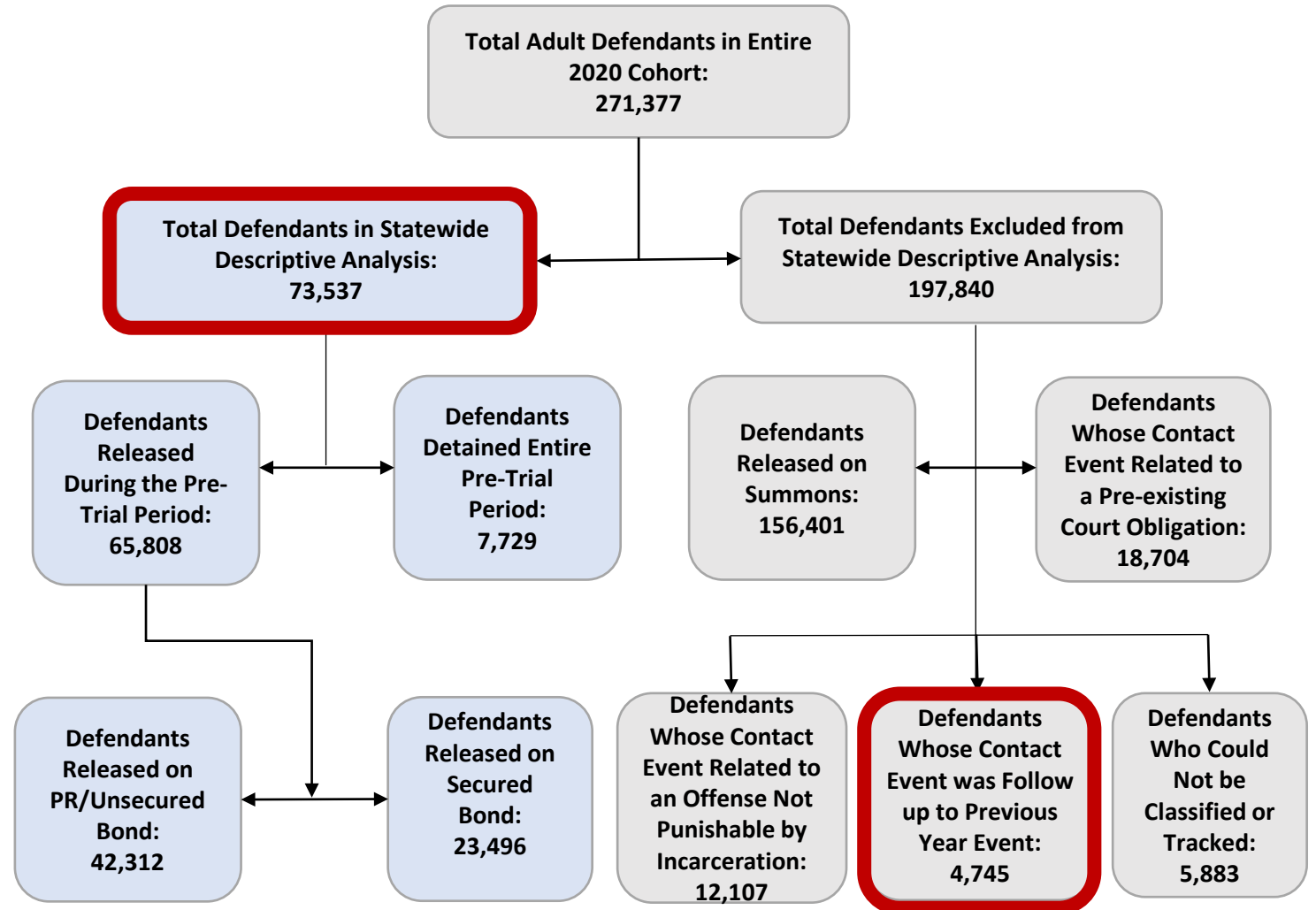
Total Adult Defendants in Entire 2020 Cohort:
271,377

Total Defendants in Statewide Descriptive Analysis:
73,537

Total Defendants Excluded from Statewide Descriptive Analysis:
197,840

Defendants Released During the Pre-Trial Period:
65,808

Defendants Detained Entire Pre-Trial Period:
7,729

Defendants Released on Summons:
156,401

Defendants Whose Contact Event Related to a Pre-existing Court Obligation:
18,704

Defendants Released on PR/Unsecured Bond:
42,312

Defendants Released on Secured Bond:
23,496

Defendants Whose Contact Event Related to an Offense Not Punishable by Incarceration:
12,107

Defendants Whose Contact Event was Follow up to Previous Year Event:
4,745

Defendants Who Could Not be Classified or Tracked:
5,883

Source: Virginia Criminal Sentencing Commission - Virginia Pretrial Data Project, CY2020 Cohort Dataset

CY2018, CY2019 & CY2020 Cohorts Characteristics

The same type of table was presented in Sep Commission Meeting. →

Each year, the cohort is mostly male, white, and between the ages of 18 and 35.

Between 55% and 60% of the individuals in each cohort are categorized as indigent.

Indigency status is a proxy measure calculated based upon whether the attorney type at case closure in the court case management system (CMS) was noted as a public defender or court-appointed attorney.

This measure does not capture any changes to the attorney type that occurred prior to case closure.

	CY2018	CY2019	CY2020
Gender			
Male	71.9%	71.7%	72.3%
Female	27.7%	27.9%	27.4%
Unknown	0.4%	0.4%	0.3%
Race			
White	56.9%	57.0%	57.2%
Black	38.8%	38.7%	38.7%
Other/Unknown	4.3%	4.3%	4.0%
Age Group			
18-25 years old	25.2%	23.0%	22.8%
26-35 years old	33.2%	33.1%	33.4%
36-45 years old	20.2%	21.4%	21.8%
46-55 years old	13.2%	13.7%	13.2%
>55 years old	8.1%	8.7%	8.8%
Indigency Status			
Indigent	59.2%	55.7%	55.5%
Not Indigent	37.8%	41.0%	40.9%
Undetermined	3.0%	3.3%	3.5%
Total Defendants	96,135	89,433	73,537

Note: Defendants whose contact event was a follow-up to a contact event during the previous year were excluded for CY2019 & 2020.
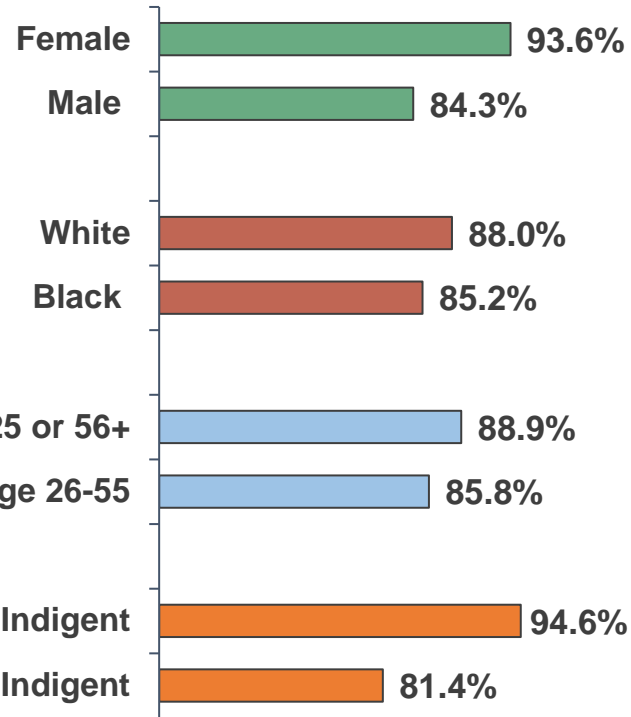
This analysis is based on pretrial contact events that included a criminal offense punishable by incarceration where a bail determination was made by a judicial officer.

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Source: Virginia Criminal Sentencing Commission - Virginia Pretrial Data Project, CY2018, CY2019 & CY2020 Cohort Datasets

9

CY2018, CY2019 & CY2020 Cohorts Charges

The same type of table was presented in Sep Commission Meeting.

A slightly larger percentage of individuals were charged with felonies in the CY2020 cohort compared to the CY2018 cohort (48.3% v. 45.7%).

Each year, the most common felony charge was a drug offense.

In CY2020, assault became the most common misdemeanor offense.

Note: Defendants whose contact event was a follow-up to a contact event during the previous year were excluded for CY2019 & 2020.

	CY2018	CY2019	CY2020
Most Serious Charge			
Felony	45.7%	46.7%	48.3%
Misdemeanor	54.1%	53.2%	51.6%
Special/Undetermined	0.2%	0.1%	0.0%
Felonies			
Drug	32.1%	33.8%	32.3%
Larceny	18.8%	17.9%	16.2%
Assault	10.6%	10.7%	12.8%
Fraud	8.1%	6.9%	5.8%
Weapon/Firearm	4.4%	4.7%	5.9%
Other Felonies	26.0%	26.0%	27.0%
Misdemeanors			
DUI	31.8%	33.1%	31.7%
Assault	31.6%	31.8%	35.7%
Larceny	5.1%	4.0%	3.6%
Obstruction of Justice	3.4%	3.5%	3.1%
Drug	3.3%	2.9%	1.7%
Other Misdemeanors	24.8%	24.7%	24.2%
Total Defendants	96,135	89,433	73,537

This analysis is based on pretrial contact events that included a criminal offense punishable by incarceration where a bail determination was made by a judicial officer.
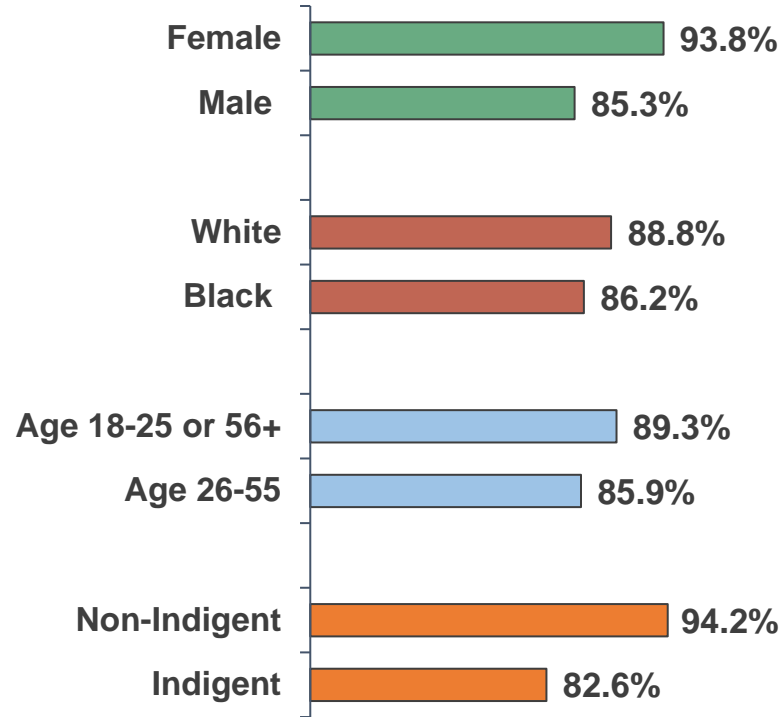
Source: Virginia Criminal Sentencing Commission - Virginia Pretrial Data Project, CY2018, CY2019 & CY2020 Cohort Datasets

10

VIRGINIA CRIMINAL SENTENCING COMMISSION

Pretrial Release Rates and Defendant Characteristics

The same type of chart was presented in Sep Commission Meeting.

Percent Released Pretrial CY2018
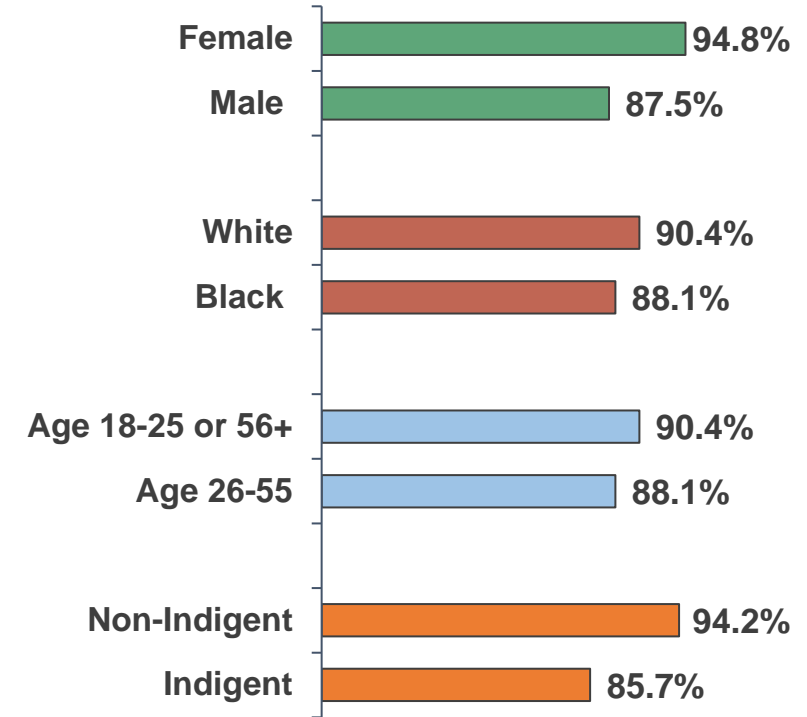
Category	Percent
Female	93.6%
Male	84.3%
White	88.0%
Black	85.2%
Age 18-25 or 56+	88.9%
Age 26-55	85.8%
Non-Indigent	94.6%
Indigent	81.4%

Percent Released Pretrial CY2019

Category	Percent
Female	93.8%
Male	85.3%
White	88.8%
Black	86.2%
Age 18-25 or 56+	89.3%
Age 26-55	85.9%
Non-Indigent	94.2%
Indigent	82.6%

Percent Released Pretrial CY2020

Category	Percent
Female	94.8%
Male	87.5%
White	90.4%
Black	88.1%
Age 18-25 or 56+	90.4%
Age 26-55	88.1%
Non-Indigent	94.2%
Indigent	85.7%

Note: The defendant whose contact event was follow-up to previous year events was excluded for CY2019 & 2020.

Analysis is based on defendants whose pretrial contact event included a criminal offense punishable by incarceration where a bail determination was made by a judicial officer; however, defendants in other categories or who have missing information are excluded from the chart.

Indigency status is a proxy measure based upon whether the attorney type at case closure in the Court Case Management System (CMS) was noted as a public defender or court-appointed attorney.

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Source: Virginia Criminal Sentencing Commission - Virginia Pretrial Data Project, CY2018, CY2019 & CY2020 Cohort Datasets

Cohorts Release Rate by Two Dimensions: Defendant Characteristics by Offense Type (CY2018 through CY2020)

A larger percentage of females charged with felonies in the study period were released as compared to male defendants (89.8% v. 75.6%).

A slightly larger percentage of white defendants charged with felonies in the study period were released compared to black defendants (80.7% v. 77.7%).

A larger percentage of non-indigent defendants charged with felonies in the study period were released compared to indigent defendants (87.9% v. 75.4%).

It does not differentiate the type and seriousness of felonies and misdemeanors. Also, there are other factors, including the prior criminal history records, which should be taken into account.

Note: Defendants whose contact event was a follow-up to a contact event during the previous year were excluded for CY2019 & 2020.

Number of Defendants (Pretrial Release Rate)

	Felony	Misdemeanor
Female	32,597 (89.8%)	39,038 (97.7%)
Male	88,091 (75.6%)	98,188 (94.6%)
Unknown	543 (73.5%)	383 (94.3%)
Total	**121,231 (79.4%)**	**137,609 (95.5%)**

	Felony	Misdemeanor
White	65,850 (80.7%)	81,826 (95.7%)
Black	50,662 (77.7%)	49,600 (95.2%)
Asian or Pacific Islander	1,012 (87.7%)	1,921 (97.4%)
American Indian or Alaskan Native	39 (71.8%)	66 (90.9%)
Unknown	3,668 (75.9%)	4,196 (93.1%)
Total	**121,231 (79.4%)**	**137,609 (95.5%)**

	Felony	Misdemeanor
Indigent	81,120 (75.4%)	66,168 (92.5%)
Not Indigent	38,739 (87.9%)	64,363 (98.3%)
Unknown	1,372 (76.6%)	7,078 (97.8%)
Total	**121,231 (79.4%)**	**137,609 (95.5%)**

This analysis is based on pretrial contact events that included a criminal offense punishable by incarceration where a bail determination was made by a judicial officer.

VIRGINIA CRIMINAL SENTENCING COMMISSION

Source: Virginia Criminal Sentencing Commission - Virginia Pretrial Data Project, CY2018, CY2019 & CY2020 Cohort Datasets

12

A larger percentage of females charged with violent offenses in the study period were released as compared to male defendants (95.3% v. 81.4%).

A slightly larger percentage of white defendants charged with violent offenses in the study period were released compared to black defendants (86.9% v. 83.1%).

A larger percentage of non-indigent defendants charged with violent offenses in the study period were released compared to indigent defendants (90.6% v. 81.0%).

It does not differentiate the type and seriousness of the offenses. Also, there are other factors, including the prior criminal history records, which should be taken into account.

Note: Defendants whose contact event was a follow-up to a contact event during the previous year were excluded for CY2019 & 2020.

Number of Defendants (Pretrial Release Rate)

	Nonviolent	Violent
Female	48,385 (93.4%)	23,335 (95.3%)
Male	124,562 (87.6%)	61,897 (81.4%)
Unknown	626 (83.4%)	300 (79.3%)
Total	**173,573 (89.2%)**	**85,532 (85.2%)**

	NonViolent	Violent
White	102,096 (89.9%)	45,747 (86.9%)
Black	63,950 (88.2%)	36,396 (83.1%)
Asian or Pacific Islander	1,977 (95.1%)	957 (92.0%)
American Indian or Alaskan Native	67 (88.1%)	38 (76.3%)
Unknown	5,483 (86.5%)	2,394 (81.6%)
Total	**173,573 (89.2%)**	**85,532 (85.2%)**

	NonViolent	Violent
Indigent	95,329 (84.1%)	52,166 (81.0%)
Not Indigent	76,207 (95.7%)	26,937 (90.6%)
Unknown	2,037 (85.7%)	6,429 (97.0%)
Total	**173,573 (89.2%)**	**85,532 (85.2%)**

This analysis is based on pretrial contact events that included a criminal offense punishable by incarceration where a bail determination was made by a judicial officer.

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In general, the median secured bond amounts did not vary widely across sex, race, age, and indigency status.

The mean bond amount for all defendants released on secured bond throughout the years was from $3,648 to $3,770 and the median was $2,500.

In addition to the information in this table, data for the *Project* showed that around 92.5% of defendants released on a secured bond utilized the services of a bail bondsman.

	Mean Bond Amount (Median)		
	2018	**2019**	**2020**
Defendant Sex			
Male	$3,994 ($2,500)	$3,906 ($2,500)	$3,947 ($2,500)
Female	$3,059 ($2,000)	$2,865 ($2,000)	$2,829 ($2,000)
Defendant Race			
White	$3,682 ($2,500)	$3,566 ($2,500)	$3,573 ($2,500)
Black	$3,803 ($2,500)	$3,690 ($2,500)	$3,802 ($2,500)
Defendant Age Group			
18-25 years old	$3,787 ($2,500)	$3,477 ($2,500)	$3,961 ($2,500)
26-35 years old	$3,822 ($2,500)	$3,649 ($2,500)	$3,708 ($2,500)
36-45 years old	$3,762 ($2,500)	$3,799 ($2,500)	$3,680 ($2,500)
46-55 years old	$3,542 ($2,500)	$3,547 ($2,500)	$3,398 ($2,500)
56-65 years old	$3,714 ($2,500)	$3,699 ($2,000)	$3,430 ($2,000)
>65 years old	$4,992 ($2,000)	$4,417 ($2,000)	$3,936 ($2,000)
Defendant Indigency Status			
Indigent	$3,379 ($2,500)	$3,161 ($2,500)	$3,192 ($2,000)
Not Indigent	$4,480 ($2,500)	$4,391 ($2,500)	$4,436 ($2,500)
Total	**$3,770 ($2,500)**	**$3,648 ($2,500)**	**$3,694 ($2,500)**

Note: Defendants whose contact event was a follow-up to a contact event during the previous year were excluded for CY2019 & 2020.

Of released individuals, around 15.6% -16.1% were ordered to comply with pretrial supervision by a Pretrial Services Agency. There is a small difference across years.

In general, defendants placed under pretrial supervision requirements were more likely to receive a secured bond than those who were not placed under pretrial supervision.

Percentage of Released Defendants by Supervision Status (%)

	2018	2019	2020
Received Supervision	13,000(15.6%)	12,250(15.6%)	10,620(16.1%)
Did Not Receive Supervision	70,481(84.4%)	66,179(84.4%)	55,188(83.9%)
Total Released	**83,481(100%)**	**78,429(100%)**	**65,808(100%)**

	Pretrial Release Status					
	2018		2019		2020	
Pretrial Services Agency Supervision Status	PR or Unsecured	Secured	PR or Unsecured	Secured	PR or Unsecured	Secured
Received Supervision	38.1%	61.9%	44.2%	55.8%	49.3%	50.7%
Did Not Receive Supervision	63.3%	36.7%	65.1%	34.9%	67.2%	32.8%
Total	49,556	33,925	48,503	29,926	42,312	23,496

Note: Defendants whose contact event was a follow-up to a contact event during the previous year were excluded for CY2019 & 2020.

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Pretrial Risk Assessment

Risk assessment tools are commonly used at various stages within the criminal justice system.

Studies have consistently found that validated actuarial risk assessment tools combined with professional judgement produce better outcomes than subjective professional judgement alone.

The Public Safety Assessment (PSA) is a pretrial risk assessment tool developed by Arnold Ventures that has been validated in a number of states/ localities outside of Virginia.

Unlike other tools, the PSA does not require an interview with the defendant.

RELATIONSHIP BETWEEN RISK FACTORS AND PRETRIAL OUTCOMES

Risk Factor	FTA	NCA	NVCA
1. Age at current arrest		X	
2. Current violent offense			X
Current violent offense & 20 years old or younger			X
3. Pending charge at the time of the offense	X	X	X
4. Prior misdemeanor conviction		X	
5. Prior felony conviction		X	
Prior conviction (misdemeanor or felony)	X		X
6. Prior violent conviction		X	X
7. Prior failure to appear in the past two years	X	X	
8. Prior failure to appear older than two years	X		
9. Prior sentence to incarceration		X	

Note: Boxes where an "X" occurs indicate that the presence of a risk factor increases the likelihood of that outcome for a given defendant.

https://www.arnoldventures.org/stories/public-safety-assessment-risk-tool-promotes-safety-equity-justice

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The largest share of individuals in the cohort were classified as low risk.

42.0%-43.8% were classified in Level 1 for Failure to Appear (FTA).

32.7%-34.2% were classified in Level 1 for New Criminal Arrest (NCA).

Less than 1% of the individuals were classified in Level 6 (the highest risk) for FTA and less than 3.5% were classified in Level 6 for NCA.

Note: Defendants whose contact event was a follow-up to a contact event during the previous year were excluded for CY2019 & 2020.

	Number (Percentage)		
Assigned PSA Scores for Failure to Appear	*2018*	*2019*	*2020*
FTA Score 1 (Lowest Risk)	42,090 (43.8%)	39,146 (43.8%)	30,863 (42.0%)
FTA Score 2	29,846 (31.0%)	27,645 (30.9%)	22,953 (31.2%)
FTA Score 3	13,124 (13.7%)	12,297 (13.7%)	10,422 (14.2%)
FTA Score 4	8,299 (8.6%)	7,590 (8.5%)	6,743 (9.2%)
FTA Score 5	2,309 (2.4%)	2,276 (2.5%)	2,128 (2.9%)
FTA Score 6 (Highest Risk)	467 (0.5%)	479 (0.5%)	428 (0.6%)
Assigned PSA Scores for New Criminal Arrest	*2018*	*2019*	*2020*
NCA Score 1 (Lowest Risk)	32,256 (33.6%)	30,599 (34.2%)	24,042 (32.7%)
NCA Score 2	28,707 (29.9%)	25,939 (29.0%)	21,006 (28.6%)
NCA Score 3	15,134 (15.7%)	14,135 (15.8%)	11,981 (16.3%)
NCA Score 4	11,412 (11.9%)	10,794 (12.1%)	9,290 (12.6%)
NCA Score 5	5,840 (6.1%)	5,322 (6.0%)	4,781 (6.5%)
NCA Score 6 (Highest Risk)	2,786 (2.9%)	2,644 (3.0%)	2,437 (3.3%)
Total	**96,135 (100%)**	**89,433 (100%)**	**73,537 (100%)**

VIRGINIA CRIMINAL SENTENCING COMMISSION

CY2018, CY2019 & CY2020 Cohorts Release Rate by Assigned PSA FTA and NCA Scores

A larger percentage of defendants were released throughout the years if he or she was assigned with lower PSA scores for both FTA (Failure to Appear) or NCA (New Criminal Arrest). There are stair-step patterns (downward) along with PSA Scores.

However, as heading toward CY2020 (during COVID), proportionally more defendants assigned with higher PSA scores (5 or 6) were released.

Pretrial Release Rate by PSA FTA Score

| | Pretrial Release Rate | | |
	2018	2019	2020
PSA FTA Score 1	92.7%	93.2%	94.1%
PSA FTA Score 2	87.3%	88.0%	89.7%
PSA FTA Score 3	80.1%	81.7%	85.8%
PSA FTA Score 4	74.1%	75.6%	80.0%
PSA FTA Score 5	64.8%	67.4%	71.5%
PSA FTA Score 6	54.6%	61.0%	69.6%
Total	**96,135**	**89,433**	**73,537**

Pretrial Release Rate by PSA NCA Score

| | Pretrial Release Rate | | |
	2018	2019	2020
PSA NCA Score 1	92.9%	93.2%	94.3%
PSA NCA Score 2	92.8%	93.4%	94.6%
PSA NCA Score 3	83.9%	85.2%	88.1%
PSA NCA Score 4	74.1%	75.1%	78.5%
PSA NCA Score 5	69.0%	72.6%	77.3%
PSA NCA Score 6	61.2%	63.8%	70.7%
Total	**96,135**	**89,433**	**73,537**

This analysis is based on pretrial contact events that included a criminal offense punishable by incarceration where a bail determination was made by a judicial officer.

Defendants whose contact event was a follow-up to a contact event during the previous year were excluded for CY2019 & 2020.

Source: Virginia Criminal Sentencing Commission - Virginia Pretrial Data Project, CY2018, CY2019 & CY2020 Cohort Datasets

18

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Cohorts Release Rate by Two Dimensions:
Defendant Characteristics by PSA NCA Scores (CY2018 through CY2020)

A larger percentage of females assigned with High-PSA NCA Score in the study period were released as compared to male defendants (78.7% v. 68.5%).

The release rate of white defendants assigned with High-PSA NCA Score in the study period was nearly the same as that of the black defendants (70.7% v. 70.0%).

A larger percentage of non-indigent defendants assigned with High-PSA NCA Score in the study period were released compared to the indigent (80.5% v. 67.1%).

Number of Defendants (Pretrial Release Rate)

	Low PSA NCA Score	Mid PSA NCA Score	High PSA NCA Score
Female	52,440 (96.8%)	15,187 (88.6%)	4,093 (78.7%)
Male	109,513 (91.8%)	57,335 (79.4%)	19,611 (68.5%)
Unknown	596 (90.9%)	224 (74.6%)	106 (48.1%)
Total	**162,549 (93.4%)**	**72,746 (81.3%)**	**23,810 (70.2%)**

	Low PSA NCA Score	Mid PSA NCA Score	High PSA NCA Score
Black	54,616 (93.4%)	33,098 (80.9%)	12,632 (70.0%)
White	99,373 (93.6%)	37,777 (81.9%)	10,693 (70.7%)
Other/Unknown	8,560 (91.0%)	1,871 (77.3%)	485 (63.1%)
Total	**162,549 (93.4%)**	**72,746 (81.3%)**	**23,810 (70.2%)**

	Low PSA NCA Score	Mid PSA NCA Score	High PSA NCA Score
Indigent	78,539 (90.0%)	50,385 (77.9%)	18,571 (67.1%)
Not Indigent	78,045 (96.6%)	20,377 (88.9%)	4,722 (80.5%)
Unknown	5,965 (96.4%)	1,984 (90.4%)	517 (84.1%)
Total	**162,549 (93.4%)**	**72,746 (81.3%)**	**23,810 (70.2%)**

Note: Defendants whose contact event was a follow-up to a contact event during the previous year were excluded for CY2019 & 2020.

This analysis is based on pretrial contact events that included a criminal offense punishable by incarceration where a bail determination was made by a judicial officer.

VIRGINIA CRIMINAL SENTENCING COMMISSION

Cohorts Relationships between Assigned PSA FTA and NCA Scores (CY2018 through CY2020)

Number of Defendants (Percentage)

	Low PSA NCA Score	Mid PSA NCA Score	High PSA NCA Score	Total
Low PSA FTA Score	152,618 (58.9%)	39,521 (15.3%)	404 (0.2%)	192,543 (74.3%)
Mid PSA FTA Score	9,928 (3.8%)	30,432 (11.7%)	18,115 (7.0%)	58,475 (22.6%)
High PSA FTA Score	3 (0.0%)	2,793 (1.1%)	5,291 (2.0%)	8,087 (3.1%)
Total	162,549 (62.7%)	72,746 (28.1%)	23,810 (9.2%)	259,105 (100.0%)

This analysis is based on pretrial contact events that included a criminal offense punishable by incarceration where a bail determination was made by a judicial officer.

While PSA FTA & NCA scores have different instruments/scoring factors, a large percentage of defendants share the same levels of both new FTA & NCA scores (72.6%).

Note: Defendants whose contact event was a follow-up to a contact event during the previous year were excluded for CY2019 & 2020.

VIRGINIA CRIMINAL SENTENCING COMMISSION

Pretrial Data Project
Outcome Measures

COURT APPEARANCE OUTCOME

Whether the released defendant was charged with failure to appear (FTA) or contempt of court for failure to appear during the pretrial period

PUBLIC SAFETY OUTCOME

Whether the released defendant had a new in-state arrest for an offense punishable by incarceration during the pretrial period (excluding FTA and probation violations, etc.)

> **Both offense date and arrest date must be between the first contact event date and final disposition date.**

Pretrial Outcome Measures (CY2018, 2019, & 2020)

**COURT APPEARANCE Outcomes
for Released Defendants**

**Percent Charged with
Failure to Appear**

Year	Percent
2018	12.4%
2019	12.6%
2020	16.2%
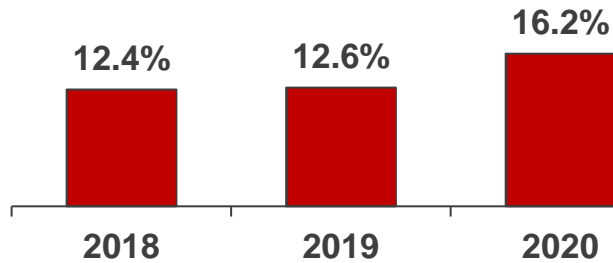
**PUBLIC SAFETY Outcomes
for Released Defendants**

**Percent with New In-State Arrest
for Offense Punishable by
Incarceration**
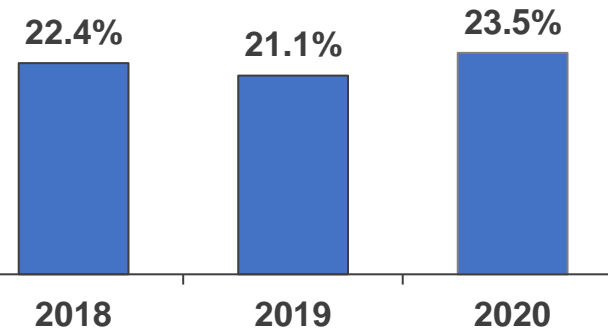
Year	Percent
2018	22.4%
2019	21.1%
2020	23.5%

This analysis is based on the defendants who were charged with a criminal offense punishable by incarceration and, following a bail determination made by a judicial officer, were released during the pretrial period.

Note: Defendants whose contact event was a follow-up to a contact event during the previous year were excluded for CY2019 & 2020.

VIRGINIA CRIMINAL
SENTENCING COMMISSION

Source: Virginia Criminal Sentencing Commission - Virginia Pretrial Data Project, CY2018, CY2019 & CY2020 Cohort Datasets

In general, the rate for new FTA or NCA constantly increases along with the level of PSA scores, showing upward stair-step patterns.

As heading toward CY2020 (during the COVID), proportionally more defendants assigned with higher PSA scores (5 or 6) were arrested for new FTA or NCA.

Note: Defendants whose contact event was a follow-up to a contact event during the previous year were excluded for CY2019 & 2020.

New FTA Rate by PSA FTA Score

	New FTA Rate		
	2018	2019	2020
PSA FTA Score 1	9.4%	9.6%	12.3%
PSA FTA Score 2	12.1%	11.7%	15.4%
PSA FTA Score 3	16.2%	16.0%	20.4%
PSA FTA Score 4	21.4%	22.7%	26.2%
PSA FTA Score 5	29.2%	33.7%	36.6%
PSA FTA Score 6	37.3%	28.4%	41.9%
Total	83,481	78,429	65,808

New Criminal Arrest by PSA NCA Score

	NCA Rate		
	2018	2019	2020
PSA NCA Score 1	13.7%	12.6%	13.8%
PSA NCA Score 2	22.1%	20.3%	21.9%
PSA NCA Score 3	28.6%	26.8%	28.8%
PSA NCA Score 4	34.1%	32.9%	37.1%
PSA NCA Score 5	36.7%	36.9%	38.9%
PSA NCA Score 6	41.9%	41.3%	45.1%
Total	83,481	78,429	65,808

This analysis is based on the defendants who were charged with a criminal offense punishable by incarceration and, following a bail determination made by a judicial officer, were released during the pretrial period.

VIRGINIA CRIMINAL
SENTENCING COMMISSION

The Commission's annual report is due to the General Assembly on **December 1, 2023**.

The **final data set** (with personal/case identifiers removed) for CY2019 & 2020 will be made available on the Commission's website.

An **electronic interactive data dashboard tool** on the website will be updated to reflect the aggregated data for CY2019 & 2020.

VIRGINIA CRIMINAL SENTENCING COMMISSION

tableau public **Virginia Pretrial Data Project** by <u>Virginia Criminal Sentencing Commission</u>

<u>Pretrial Data Dashboard Link</u>

VIRGINIA CRIMINAL SENTENCING COMMISSION

**VIRGINIA CRIMINAL
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Questions