



A SURVEY OF  
PRETRIAL PRACTICES  
IN OHIO 2020

Prepared by the Staff of the  
OHIO CRIMINAL SENTENCING COMMISSION

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In addition to our gratitude to the survey team, we want to thank each and every person from the local courts that participated in this effort. We understand it isn't easy to take time away from a busy court schedule to answer survey questions. The time spent by local court staff to answer the questions and provide us with the information proved invaluable to preparing a meaningful, realistic report of our findings. And, for those that were frustrated by our effort, we apologize – but, hope you will appreciate this final report and perhaps find some or all of the information useful.

## BACKGROUND

In April 2016, the Ohio Criminal Sentencing Commission (Commission), in an effort to affirm that Ohio is detaining people for the right reasons prior to trial, sought technical assistance from the National Institute of Corrections and created an Ad Hoc Committee on Bail and Pretrial Services. The Ad Hoc Committee's goal was to ensure that Ohio's bail system appropriately places defendants, protects the presumption of innocence, maximizes appearance at court hearings and reinforces public safety. The 34-member Ad Hoc Committee was comprised of a member of the Ohio Senate, Judges, Court Administrators, Prosecutors, Defense Attorneys, a Sheriff, a Jail Administrator, Pretrial Services personnel, Clerks of Courts, Victim Advocates, and Bail Bondsmen.

In June 2017, the Commission unanimously voted to favorably accept the [Final Report and Recommendations of the Ad Hoc Committee](#). Those recommendations are designed to be holistic and focus on achieving consistency, fairness and efficiency in the pretrial system while decreasing the reliance on monetary bail. The recommendations also promote consistent and uniform practices that realize fundamental fairness and promote public safety throughout the state.

The Commission's study and work on bail practices and pretrial services inspired legislation in the 132nd Ohio General Assembly, Sub.HB439 (Dever, Ginter) and SB274 (McColley). The Commission also produced a [Bail Practices and Pretrial Services Addendum Report](#) to estimate costs for those legislatively drafted provisions.

In the interest of continuing the Commission's work to promote efficiencies and consistency in Ohio's pretrial system while decreasing the reliance on monetary bail as the primary release mechanism, we applied for and received a federal grant in collaboration with the Office of Criminal Justice Services. The grant project began in spring 2019 and we are working with a variety of courts with a focus on data collection for bail and pretrial services.

Further, influenced by the Sentencing Commission Recommendations and Report from June 2017, the Commission on the Rules of Practice and Procedure proposed a number of changes to the Rules of Evidence and the Rules of Criminal Procedure, including Rule 46(B). Subsequently, the Chief Justice created a [Task Force to Examine the Ohio Bail System \(Bail Task Force\)](#).

Lastly, in the summer of 2019, the Commission embarked on a groundbreaking survey of Ohio pretrial practices. The Commission coordinated the development of the survey with staff from the Supreme Court of Ohio, the Ohio Association of Pretrial Services Agencies, the Ohio Chief Probation Officers Association, and the Ohio Association for Court Administration, among others. A team of interns, representing several universities, was assigned to the project and contacted local court officials to schedule phone interviews to conduct the survey. Following this vibrant survey process, the researchers at the Commission compiled results and prepared this report.

This ambitious survey credibly and meaningfully supplements the prior work of the Commission on bail practices and pretrial services giving us a better understanding of pretrial processes in Ohio. While we admit there are some limitations to the data presented in this report, the survey, with 191 courts contacted and 158 participating, is likely the largest publicly available statewide survey of pretrial practices in the nation and for the first time, gives practitioners, policy makers, and others first-hand, fresh, and powerful aggregate information about pretrial practices in Ohio.

## EXECUTIVE SUMMARY

“Pretrial is the part of the criminal justice system that begins when a person is arrested and ends when any resulting charges are resolved – usually through a dismissal, a plea, or a trial.”<sup>1</sup>

The information compiled as a result of the survey illuminates that nearly one-third of all pretrial services programs in Ohio have been implemented in the past three years, making this first statewide survey of pretrial services as timely as ever. The proliferation of new pretrial services and programs appears to coincide with municipalities searching for answers to the interrelated issues of the substance use disorder epidemic and jail crowding.

Further, it reveals that the plurality of pretrial services and programs in Ohio are primarily operating on an informal basis without dedicated staff or documented program policies and guidelines. The participating courts overwhelmingly signaled a lack of resources, namely funding and staff, as the primary reason they have yet to implement a formal pretrial services program, or to expand their existing program.

As pretrial services programs continue to develop and evolve statewide, it is critical to monitor trends and track metrics over time. Future surveys of Ohio pretrial practices will and should monitor the baseline information established in this survey, and expand to track adherence to both the national standards, as defined by the American Bar Association and the National Association of Pretrial Services Agencies, and the recommendations set forth by the Ad Hoc Committee and the Bail Task Force. Comparing adherence to national standards and best practices allows Ohio to consider local practices and establish optimal pretrial services practices, guidance, and model policies for our great state.

## METHODOLOGY

Beginning in June 2019, staff of the Ohio Criminal Sentencing Commission and a team of interns contacted all 130 municipal and 88 courts of common pleas in Ohio (a total of 218 courts) to complete a 35-question survey of pretrial practices, attached as Appendix A.<sup>2</sup> By September 2019, the team engaged 191 of the 218 courts. The list of participating courts is attached as Appendix B. Each court that responded to the survey request determined the most appropriate person to participate in the survey. The survey was conducted by recorded interview over the phone. A small number of courts opted to provide written responses to the survey via email. Survey participants included chief probation officers, court administrators, and judges.

Of the near-200 courts contacted, 158 indicated they operate either a full, formal pretrial services program or some form of informal, “unofficial” pretrial services or supervision program.<sup>3</sup> Thirty-three of the courts indicated that they lacked an established pretrial services program and declined to participate in the survey. *We acknowledge that although these courts by their own definition lacked an established program, this does not mean that the court is not performing pretrial service functions.*

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<sup>1</sup> Report and Recommendations of The Supreme Court of Ohio: Task Force to Examine the Ohio Bail System (Bail Task Force), p. 1. All courts participating in the survey meet this general definition.

<sup>2</sup> In Ohio, county court jurisdiction does not generally include pretrial defendants, therefore county courts were not contacted by the survey team.

<sup>3</sup> While the American Bar Association (ABA) and the National Association of Pretrial Service Agencies (NAPSA) both publish standards for pretrial release, there is no standard definition for what constitutes a pretrial program. When asked if their jurisdiction supervised people who were on pretrial release, survey participants could either indicate (a) Yes, we have a formal pretrial supervision program, or (b) Not officially, but we do have an informal pretrial supervision program operating. For the purposes of this survey, courts who answered affirmatively to either of these options were considered to be operating pretrial services. As program formality is self-defined here, this report presents the results but does not use this variable to categorize the courts.

Researchers at the Commission employed qualitative and quantitative methods of analysis to capture the intricate picture of pretrial practices of the 158 participating courts.<sup>4</sup> The results are descriptive in nature and for the first time, give practitioners, policy makers and others first-hand, fresh, and powerful aggregate information about the current status of pretrial practices in Ohio. Not all survey questions were described in the body of this report. Responses that are not contained in the body of this report are detailed in Appendix C.

Please note, for purposes of this report from here forward, “court” refers to those *courts that responded to the survey* and is not representative of every court in Ohio.

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<sup>4</sup> Note that not every question was answered by all 158 courts. The total number of courts responding to each question is given where applicable.



## SECTION 1: GENERAL CHARACTERISTICS OF PRETRIAL PRACTICES

This section offers a general overview of the pretrial practices of the courts that responded to the survey, including a qualitative analysis of how those courts define their pretrial practices or services and information about how they were established.

### Key Findings

- Of the 158 courts, 45.6% (72) described themselves as operating a formal pretrial program and 54.4% (86) an informal program.
- The majority of the courts surveyed (68.1%) said the pretrial services program was part of the probation department.
- 52.5% of the courts reported dedicated staff for pretrial services.
- 70.2% of the pretrial services programs began operation five or more years ago, while 29.8% were established within the last 3 years.
- 63.5% of the courts defined pretrial supervision as monitoring defendants to ensure compliance with the conditions of bond.
- 45.4% of the courts indicated a desire to improve pretrial services and program efficiency by reducing failure to appear rates, increasing defendant compliance with bond conditions and connecting defendants to community treatment services sooner.
- 34.3% of the courts said the drug epidemic or jail crowding led them to develop and implement a pretrial services or program.

### Overview of Participating Courts

Table 1 displays the number and type of courts responding to this survey. This survey reached 87.6% of all 218 municipal and common pleas courts in Ohio. As illustrated in the percentage's column of Table 1, the proportion of common pleas to municipal courts in Ohio is nearly identical to the proportion in this survey sample.

Table 1: Survey Participation by Type of Court

Court Type	# of Courts Surveyed	Percent	Total # of Courts Statewide	Percent
Common Pleas	79	41.4%	88	40.4%
Municipal	112	58.6%	130	59.6%
Total	191	100.0%	218	100.0%

Survey participants were first asked: “does your jurisdiction supervise people who are on pretrial release?” They could respond with, (a) “Yes, we have a formal pretrial supervision program”, (b) “Not officially, but we do have an informal pretrial supervision program operating” or (c) “No.” Survey participants were not provided a definition of “formal pretrial supervision program,” leaving the answer self-defined.

It is important to again note that although courts, by their own definition, may lack a formal pretrial supervision program, this does not mean that courts are not performing pretrial service *functions*. In our future work we intend to clarify this distinction.

Table 2: Pretrial Services by Type of Court

Pretrial Services Type	Common Pleas Frequency	Percentage of Common Pleas Courts	Municipal Frequency	Percentage of Municipal Courts	Total	Percentage of All Courts
Formal	44	55.7%	28	25.0%	72	37.7%
Informal	28	35.4%	58	51.8%	86	45.0%
None	7	8.9%	26	23.2%	33	17.3%

The majority of courts surveyed (158, 82.7%) were monitoring defendants' pretrial in some form. The plurality of courts surveyed indicated that they considered their pretrial services program to be more informal in its operation. Common pleas courts more often self-reported a formal pretrial services program, while municipal courts more often reported having no pretrial service program.

Survey participants were asked where their pretrial services were located administratively. For both municipal and courts of common pleas, the majority of pretrial services (68.1%) are housed within the probation department. The full breakout of administrative location by court type is located in Appendix C.

Table 3 gives an idea of the general size of each court, based on their respective county population.

Table 3: Demographic Variables by Court Type<sup>5</sup>

Demographic Variable	Common Pleas Frequency	Percent	Municipal Frequency	Percent	Total	Percent (of All Courts)
Multi-Judge Court	36	50.0%	30	34.9%	66	41.8%
Single-Judge Court	36	50.0%	56	65.1%	92	58.2%
Population (<40,000)	20	27.8%	23	26.7%	43	27.2%
Population (>40,000 < 75,000)	21	29.2%	27	31.4%	48	30.4%
Population (>75,000 < 200,000)	18	25.0%	30	34.9%	48	30.4%
Population (>200,000)	13	18.1%	6	7.0%	19	12.0%

## Pretrial Services Staff

Next, the survey specifically asked courts for the number of staff solely dedicated to pretrial supervision. Of the 158 courts that reported having pretrial services operations in Ohio, 83 (52.5%) have full- or part-time dedicated pretrial supervision officers. Some courts shared that non-dedicated probation officers may also be assigned pretrial duties, but the survey did not formally ask about non-dedicated staff. Overall, 46 of the 72 (63.9%) common pleas courts reported having dedicated pretrial services staff, while 37 of 86 (43.0%) of the municipal courts reported having dedicated pretrial services staff.

<sup>5</sup> Data provided by the Supreme Court of Ohio's Office of Court Services. Population data is taken from the 2010 census. This table includes information for only the 158 surveyed courts.

There is very little difference between municipal and common pleas courts regarding the average number of pretrial services staff members. On average, municipal courts had 2.89 dedicated pretrial supervision staff while common pleas courts had 2.76 staff members. The frequency distribution of number of dedicated staff members is listed in Table 4.

Table 4: Frequency of Total Dedicated Pretrial Supervision Staff

Total Staff	Number of Courts	Percent
1	33	39.8%
2	17	20.5%
3	10	12.1%
4	4	4.8%
5	9	10.8%
6	2	2.4%
7	2	2.4%
8	4	4.8%
9	2	2.4%
<b>Total</b>	83	100.0%

The plurality of courts (39.8%) had just one dedicated pretrial services staff member, and the majority of courts (72.4%) had three or fewer pretrial services staff members. Only 10 courts had more than five dedicated pretrial services staff members.

### History of Pretrial Services

Participants were asked what year their pretrial services began. The majority of programs surveyed (64.6%) began more than five years ago, with the average start date in 2008. The earliest program began in 1970 while the newest program began in 2019. The distribution of pretrial programs by years of operation is listed in Table 5.

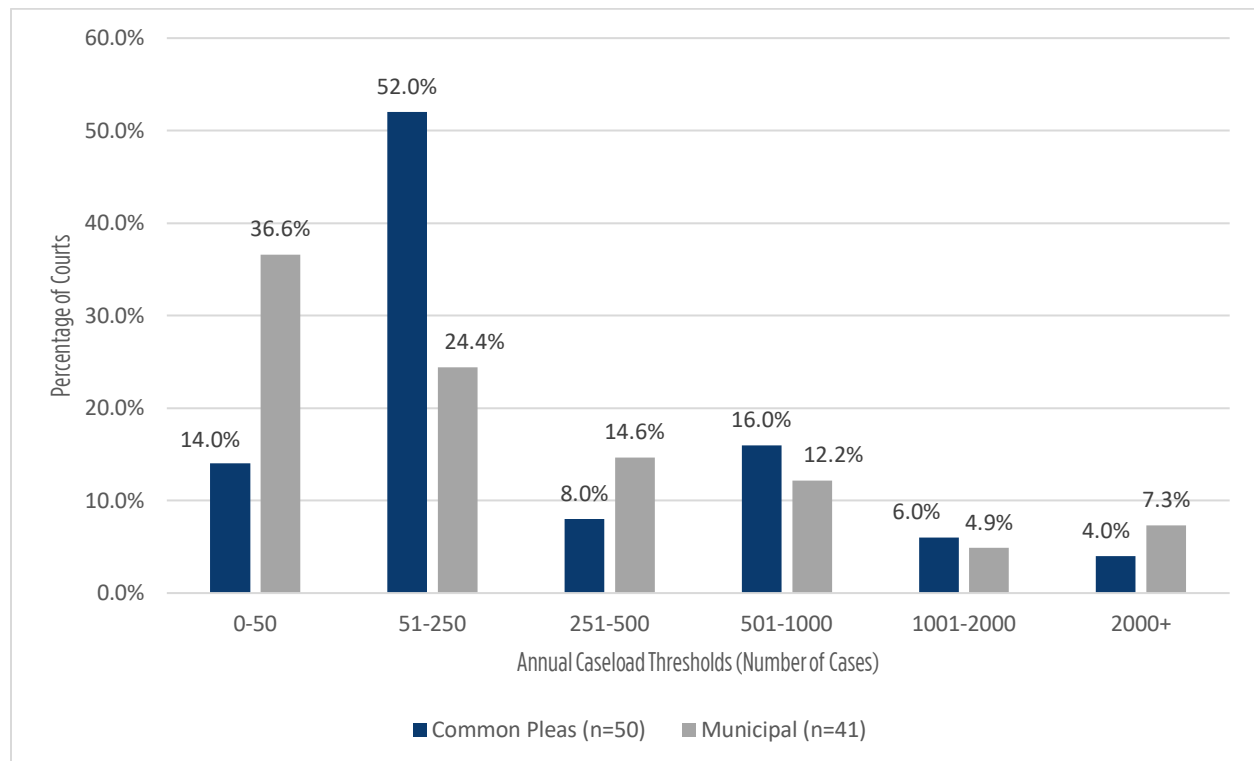
Table 5: Program History

Years of Operation	Frequency (n=144)	Percent
1 Year or Less	14	9.7%
1 - 3 Years	29	20.1%
5 Years	8	5.6%
More than 5 Years	93	64.6%

## Pretrial Services Caseloads

Participants were asked how many defendants are supervised pretrial annually, and caseload per pretrial officer.<sup>6</sup> Because participants gave answers in ranges for both questions (e.g. 15-25 cases), responses were coded into threshold categories (i.e. 0-50 cases, 51-250, 250-500, etc.). Figure 1 shows the percentage of courts that reported a caseload in each of the defined thresholds, separated by the type of court (municipal and common pleas).

Figure 1: Annual Pretrial Caseload by Court Type (Percentage of Courts by Type)

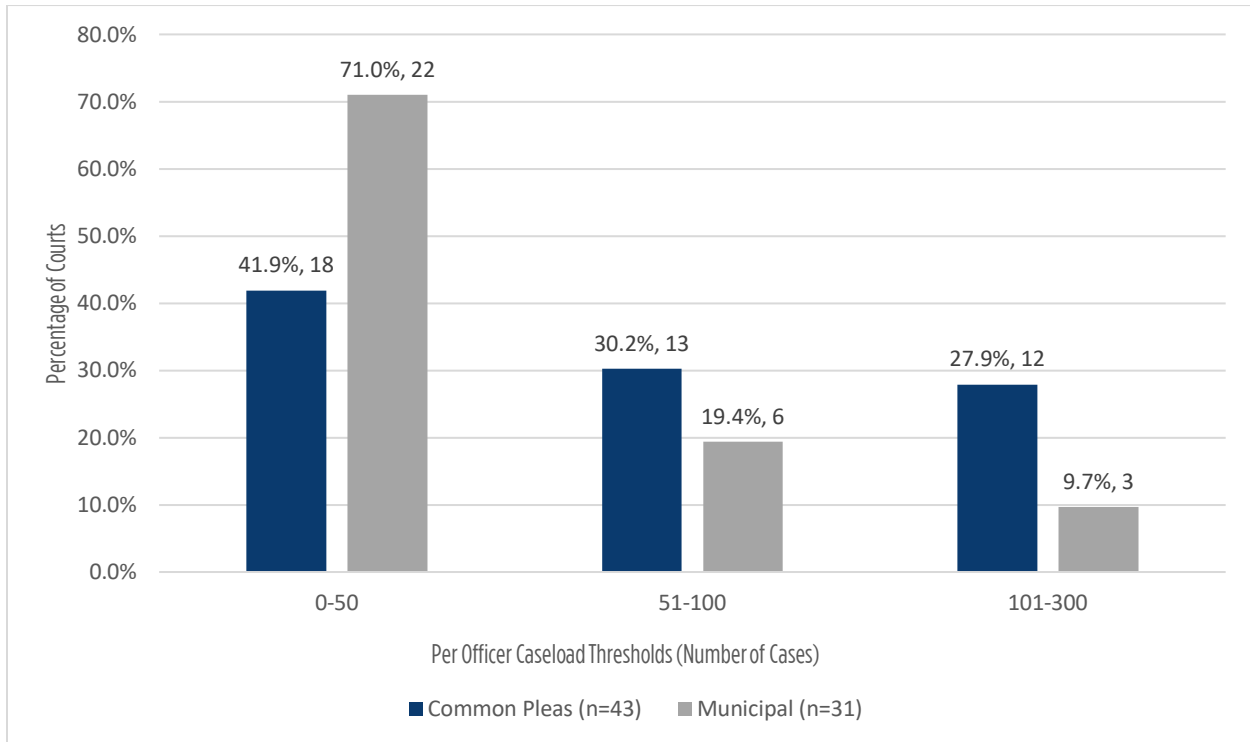


For both municipal and common pleas courts, most pretrial services operations (66.0% of common pleas courts and 61.0% of municipal courts) are supervising 250 or fewer cases annually. There is a disparity between municipal and common pleas courts between the two lowest thresholds, however. Only 14.0% of common pleas courts supervised 0-50 cases a year while 36.6% of municipal courts supervised the same. Conversely, while 52.0% of common pleas courts supervised between 51-250 cases a year, only 24.4% of municipal courts reported similarly. Just five common pleas courts and municipal courts each oversaw more than 1,000 pretrial cases each year. This distribution likely reflects the courts' respective county population.

Participants were then asked to report pretrial caseload per officer. These responses were again coded into thresholds (0-50 cases, 51-100 cases, and 101-300 cases). Figure 2 illustrates the distribution of officer caseload, separated by court type.

<sup>6</sup> It is important to note that 91 of the 158 courts surveyed (57.6%) reported annual pretrial caseload statistics and 74 (46.8%) reported pretrial services caseload by officer statistics. Because nearly half of the courts do not track this statistic or were not able to otherwise report the number, there may be significant selection bias in these numbers. Therefore, caution should be exercised in drawing conclusions about the caseload statistics between common pleas and municipal courts or extrapolating the data statewide.

Figure 2: Pretrial Officer Caseload by Court Type (Percentage of Courts by Type)



In this sample of 74 courts, municipal courts were more likely to report a lower number of cases per officer. While 71.0% of municipal courts reported a smaller caseload of 0-50 cases per officer, only 41.9% of common pleas courts reported the same. Further, just 9.7% of municipal courts reported a higher range of 101-300 cases per officer while 27.9% of common pleas courts reported the highest threshold. This explains the aforementioned disparity in twice as many common pleas courts overseeing 51-250 cases each year compared to municipal courts. Although common pleas courts are supervising more defendants than municipal courts on average, they report a similar number of dedicated pretrial staff.

### Defining Pretrial Supervision

The courts were asked to answer, in their own words, how they defined pretrial supervision. The recorded answers were transcribed and coded into discreet responses that were then aggregated to general categories for analysis. Of the 184 courts that answered, 230<sup>7</sup> total response codes were recorded. The majority of courts (63.5%) defined pretrial supervision as monitoring a defendant while released on bond or on general pretrial supervision.

Notably, and perhaps as expected, the ways in which courts monitor conditions of bond and supervise pretrial defendants varies widely. For example, 24.3% of the responses define pretrial supervision as requiring a defendant to comply with or achieve a specific goal. Six percent of responses indicated that pretrial supervision is used as a way to connect defendants to mental health or substance use disorder treatment facilities. As one participating common pleas court described:

“Pretrial services is a system of early intervention at the onset of a defendant's case...early assessments and referral for services as a condition for bond gives defendants a head start on addressing problems of stability including mental illness, substance use, and housing in order to prepare them for the best possible outcome of their case.”

<sup>7</sup> Each court could give multiple discreet answers in their open-ended response.

Eight percent of the responses defined pretrial supervision as a way to meet the goal of ensuring a court appearance.<sup>8</sup> Other common goals mentioned included increasing public safety, allowing the defendant to reconnect with their community, and reducing the jail population.

## Describing Pretrial Services

Participants were then asked how they would describe pretrial services in their court, including its scope, work and programming. Results were tabulated in the exact same manner as described above. Of the 433<sup>9</sup> responses, 14.0% described their pretrial services program as the judge setting bond conditions on a case-by-case basis. Another 12.5% of the responses described their pretrial services program as defendants regularly reporting to their pretrial supervision officer. One common pleas court remarked that defendants were supervised “... almost the same way as someone who is convicted, who is on community control but with less restrictions.”

The most common description of pretrial services is as strategies designed to compel and enforce compliance with conditions of bond or to connect the defendant with needed services, such as mental health or substance use disorder treatment. Specifically, 33.0% of courts surveyed described their pretrial services program in terms of using drug testing/SCRAM,<sup>10</sup> diversion,<sup>11</sup> or electronic monitoring<sup>12</sup> to enforce compliance with bond conditions. Just over ten percent of the responses described their pretrial services as designed to connect the defendant with treatment (such as mental health or substance use disorder), keep the defendant in the community, or prevent a drug overdose. As one common pleas court succinctly said, “... our goal is not just to provide basic bond supervision and ensure the defendants are abiding by the law but to hopefully make some progress in their personal lives before the resolution of their case.” Many of the courts made note of a drug epidemic in their communities and that pretrial services and supervision are necessary as a means to manage defendants suffering from substance use disorder.

## Reason for Starting Pretrial Services

Participating courts were asked in an open-ended format why they implemented pretrial services or a pretrial program. There were 207 responses among the courts who said they have a pretrial services or a program. Those responses fell into three major categories: (1) a desire to improve the administrative case processing of the court that includes reducing failures to appear and helping defendants get programming prior to trial, (2) a need to respond to negative external circumstances such as jail crowding, or (3) the existence of positive external circumstances, such as a funding opportunity. Table 6 describes the full breakdown of the answer themes.

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<sup>8</sup> The majority of courts did not define their pretrial operation in terms of a specific end goal, but rather in terms of the process of supervision. Many courts may share this common goal, even though they do not define their pretrial services operation in this way.

<sup>9</sup> Again, each court could give multiple discreet answers in their open-ended response.

<sup>10</sup> “Secure Continuous Remote Alcohol Monitoring”

<sup>11</sup> As defined by R.C. 2935.36: “The prosecuting attorney may establish pre-trial diversion programs for adults who are accused of committing criminal offenses and whom the prosecuting attorney believes probably will not offend again. The prosecuting attorney may require, as a condition of an accused's participation in the program, the accused to pay a reasonable fee for supervision services that include, but are not limited to, monitoring and drug testing.” In this context, courts referred to screening candidates for diversion program eligibility.

<sup>12</sup> Electronic monitoring is a form of remote, digital supervision – generally a GPS ankle monitor – used to monitor a defendant’s location while on supervision.

Table 6: Cited Reasons for Implementing a Pretrial Services

Answer Category	Percentage of All Responses (n=207)
<b>Improve Administrative Case Processing</b>	45.4%
Improve Defendant Compliance	25.6%
Reduce FTA/Increase Bond Compliance	14.0%
Improve Public Safety	11.6%
Improve Services	19.8%
Connect Defendant to Services	13.0%
Informed Decision-Making	6.8%
<b>Negative External Circumstances</b>	34.3%
Jail Crowding	21.3%
Drug Epidemic	12.6%
<b>Positive External Circumstances</b>	19.3%
Support of the Judge	12.6%
Received Grant or New Funds Available	4.3%
Support from Other Courts	2.4%

### Improving Administrative Operation of the Court

Of the 207 total responses, the largest category (45.4% of responses) was the desire to improve administrative case processing for pretrial defendants. As a subset of this category, 25.6% of courts specifically mentioned a desire to improve defendant compliance with pretrial supervision requirements – including reducing failure to appear (FTA) rates (14.0% of responses) and improving public safety by preventing the defendant from committing a crime while out on bond (11.6% of responses).

The second largest subset of responses among those that wanted to improve administrative case processing was the 19.8% of responses that reported that their primary goal was to improve access to community treatment or intervention services for pretrial defendants, with 13.0% specifically mentioning intervening early to better connect the defendant to needed treatment and employment services in the community. An additional 6.8% of responses expressed their interest in following best practices to make more informed bail decisions.

### Responding to Negative External Circumstances

A large number of courts (34.3%) mentioned the necessity of implementing pretrial services or creating a pretrial program due to external circumstances, including the opioid drug epidemic and jail crowding. Two courts reported federal consent decrees mandated them to address jail crowding. Many other courts stated specifically that the opioid epidemic substantially impacted jail populations, leading to overcrowding, and in response they developed and implemented pretrial services. Those courts also noted that resources such as substance use disorder treatment were not available for defendants with low-level drug offenses before

they appeared in court and that developing pretrial services was a way to connect defendants with treatment services sooner.

Generally, many of the courts lamented a lack of adequate jail space, and opined that jails were burdened with more defendants awaiting trial than those convicted and sentenced to a jail term.

### Leveraging Positive External Circumstances

A portion of courts (12.6%) credited the judge for championing the effort to develop and implement pretrial services. There were a variety of reasons why judges believed pretrial services were a necessity and often in the interest of implementing best practices. Some courts specifically mentioned that the judges were motivated by the desire to increase fairness and equity for pretrial defendants. Others wanted to create a formal program to track things like defendant compliance with conditions and failure to appear rates, which is information also used to evaluate a defendant's suitability for community control supervision, if convicted.

Four percent of the courts surveyed reported they received grant funding or a budget increase allowing them to start a pretrial services program. Just over two percent of the courts stated that they started a pretrial services program after receiving support and training from other courts in their jurisdiction or close by.



## SECTION 2: PROGRAM OPERATION

This section explores the use of risk assessment to inform pretrial practices and decision-making as well as the ways in which pretrial services are funded.

### Key Findings

- 46.2% of the surveyed courts reported the use of a pretrial risk assessment tool. Of those that used a pretrial risk assessment tool, 78.1% of courts used the risk assessment score as a consideration for bail/bond decisions. 77.8% of courts used the risk assessment tool in determination of the level of pretrial supervision. 79.3% of courts had their pretrial risk assessment tool validated for their jurisdiction.
- ORAS was the risk assessment tool most commonly used, among 78.1% of courts surveyed that use a risk assessment.
- 28.1% of all courts have some form of automated court date reminders for pretrial defendants.

### Use of Pretrial Risk Assessment

Table 7 offers a descriptive overview of risk assessment practices among pretrial services. Of the 158 courts surveyed, 73 (46.2%) reported using a pretrial risk assessment. The table displays how many courts are using a pretrial risk assessment for the purpose listed, separated by court type.

Table 7: Descriptive Profile of the Use of Risk Assessment

Pretrial Risk Assessment Practices	Court Type		
	Municipal	Common Pleas	All Courts
Risk Assessment Score Considered for Bail/Bond Decisions <sup>13</sup>	85.0% (n=40)	69.7% (n=33)	78.1% (n=73)
Risk Assessment Score Used in Determination of the Level of Pretrial Supervision <sup>14</sup>	71.8% (n=39)	84.9% (n=33)	77.8% (n=72)
In-Person Interview to Conduct Risk Assessment Tool	85.0% (n=40)	97.0% (n=33)	90.4% (n=73)
Risk Assessment Conducted Prior to Initial Court Appearance or Arraignment <sup>15</sup>	57.9% (n=38)	51.5% (n=33)	54.9% (n=71)
Risk Assessment Tool Used Is Validated for the Jurisdiction <sup>16,17</sup>	77.8% (n=27)	80.7% (n=31)	79.3% (n=58)

### Scan of Risk Assessment Tools

Table 8 lists the type of pretrial risk assessment used by each court. The Ohio Risk Assessment System (ORAS) was most often used among the courts who use risk assessment, with a small number using the Arnold Ventures’ Public Safety Assessment (PSA). Six courts developed their own form of risk assessment, although the survey did not ask how these assessments worked. One court is using the Virginia Pretrial Risk Assessment Instrument (Virginia Model).<sup>18</sup>

<sup>13</sup> The Ohio Criminal Sentencing Commission’s Ad Hoc Committee on Bail and Pretrial Services Final Report (2017) also recommended the use of an empirically based risk assessment tool with a presumption of nonfinancial release (p. 8). Available at: [sc.ohio.gov/Boards/Sentencing/resources/commReports/bailPretrialSvcs.pdf](https://sc.ohio.gov/Boards/Sentencing/resources/commReports/bailPretrialSvcs.pdf).

<sup>14</sup> Recommendation 5 of the Bail Task Force states: “Pretrial services in Ohio courts should be tailored to offer appropriate supervision and services that correspond to the level of a defendant’s risk/needs” (p.8).

<sup>15</sup> Courts who did not select this answer conducted their risk assessment at arraignment or after the initial court appearance.

<sup>16</sup> Validation refers to the process of evaluating the risk assessment tool’s predictive accuracy in determining a defendant’s risk level, specific to the population it is intended to assess. For more information see the Pretrial Justice Center for Court’s page on risk assessment: [ncsc.org/Microsites/PJCC/Home/Topics/Risk-Assessment.aspx](https://ncsc.org/Microsites/PJCC/Home/Topics/Risk-Assessment.aspx).

<sup>17</sup> The six respondents who indicated that they used their own/local risk assessment tool were removed for this question as validation does not apply. An additional nine courts who answered that they were unsure if their risk assessment was validated were also excluded from these totals.

<sup>18</sup> For more information on each of the risk assessment tools, see the fact sheets on ORAS-PAT, PSA, and the Virginia Pretrial Risk Assessment Instrument at the *Stanford Pretrial Risk Assessment Tools Factsheet Project*: <https://law.stanford.edu/pretrial-risk-assessment-tools-factsheet-project/>.

Table 8: Risk Assessment Tool Used

Name of Risk Assessment	Municipal	Common Pleas	Total
Ohio Risk Assessment System (ORAS)	27 (67.5%)	30 (90.9%)	57 (78.1%)
Arnold Ventures' Public Safety Assessment (PSA)	7 (17.5%)	2 (6.1%)	9 (12.3%)
The Virginia Model	0 (0%)	1 (3.0%)	1 (1.4%)
Local/Own Risk Assessment (RA)	6 (15.0%)	0 (0%)	6 (8.2%)
<b>Total Number of Courts Using a Risk Assessment Tool</b>	<b>33 (100%)</b>	<b>40 (100%)</b>	<b>73 (100%)</b>

Over three-fourths of the courts using a risk assessment tool were using it as a consideration for bail/bond decisions and as a factor determining the level of pretrial supervision. Nearly all courts using a risk assessment tool used an in-person interview to conduct their risk assessment. Of the seven courts (9.6%) that do not use an in-person interview, two used the PSA, three used the ORAS, and two used their own risk assessment tool. The ORAS, Virginia Model, and the PSA require in-person assessments to generate a risk score.<sup>19</sup>

Nearly four-fifths of the courts reported validating their instruments for their jurisdiction. It is worth noting that the Bail Task Force made the recommendation to require a validated risk assessment tool be available to every municipal, county, and common pleas court when setting bond or conditions of bond.<sup>20</sup> As risk assessment validation is a means of ensuring the predictive accuracy of the tool, this will be an important metric to track over time as courts continue to adopt risk assessment tools. Further, as the process of validation also calibrates the risk assessment tool to the jurisdiction's unique demographic makeup, it will also be important to record whether courts continue to revalidate their risk assessment tools over time. Future research should also clarify how courts without a risk assessment tool are determining pretrial release and conditions of supervision.

### Court Date Reminders

A small number of the courts (28.1%) use some form of court date reminders (e.g. phone or text reminders) to increase the probability that defendants appear for subsequent court dates. Some courts indicated that they are in the process of developing or implementing a system for court date reminders. As there is evidence to support that failure to appear rates are declining with the use of court date reminder systems,<sup>21</sup> this is also be an important metric to track over time. It is worth noting that the Bail Task Force also recommended that courts leverage technology solutions, such as text and email reminders, as a low-cost solution to improve court appearance rates.<sup>22</sup>

<sup>19</sup> As indicated by the *Stanford Pretrial Risk Assessment Tools Factsheet Project*: <https://law.stanford.edu/pretrial-risk-assessment-tools-factsheet-project/>.

<sup>20</sup> Recommendation 1, p. 5: [sc.ohio.gov/Publications/bailSys/report.pdf](https://sc.ohio.gov/Publications/bailSys/report.pdf).

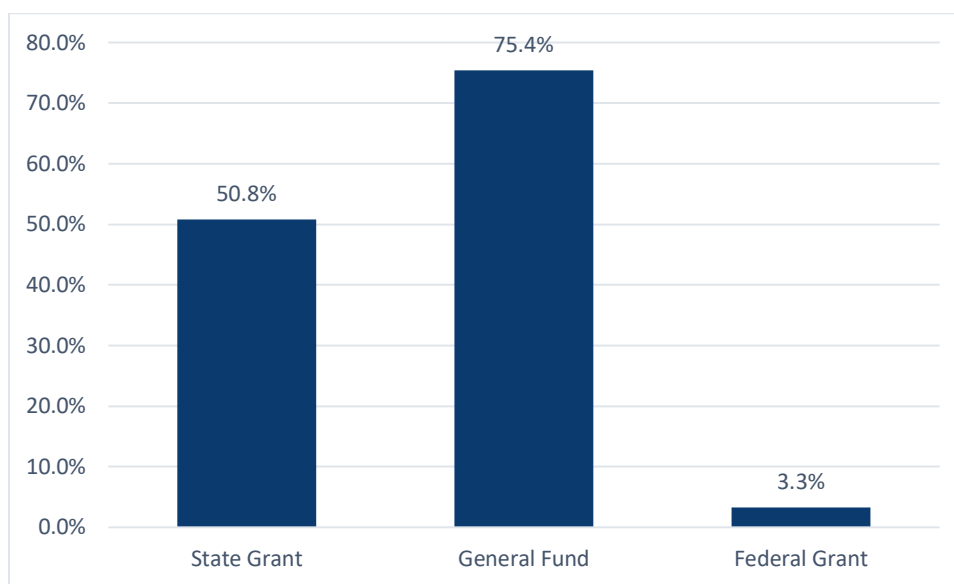
<sup>21</sup> One randomized control trial found a 26% reduction in FTA by instituting text court date reminders and redesigning the summons form. See *Using Behavioral Science to Improve Criminal Justice Outcomes*, <https://urbanlabs.uchicago.edu/projects/using-behavioral-science-to-improve-criminal-justice-outcomes>.

<sup>22</sup> Bail Task Force Recommendation 7, (p. 9).

## Funding

The survey asked participating courts an open-ended question about how their pretrial services were funded. Answers were coded into general categories. The three general categories include state grants,<sup>23</sup> federal grants,<sup>24</sup> and general fund. Here, the general fund category refers to the pretrial services being funded through the court budget or an allocation from the municipality's or county's general fund.<sup>25</sup> Note that because the question about funding was open-ended, answers are likely not comprehensive, but may provide insight regarding the variety of ways in which the pretrial services are funded.

Figure 3: Common Pleas Court Pretrial Funding Sources (n=61)



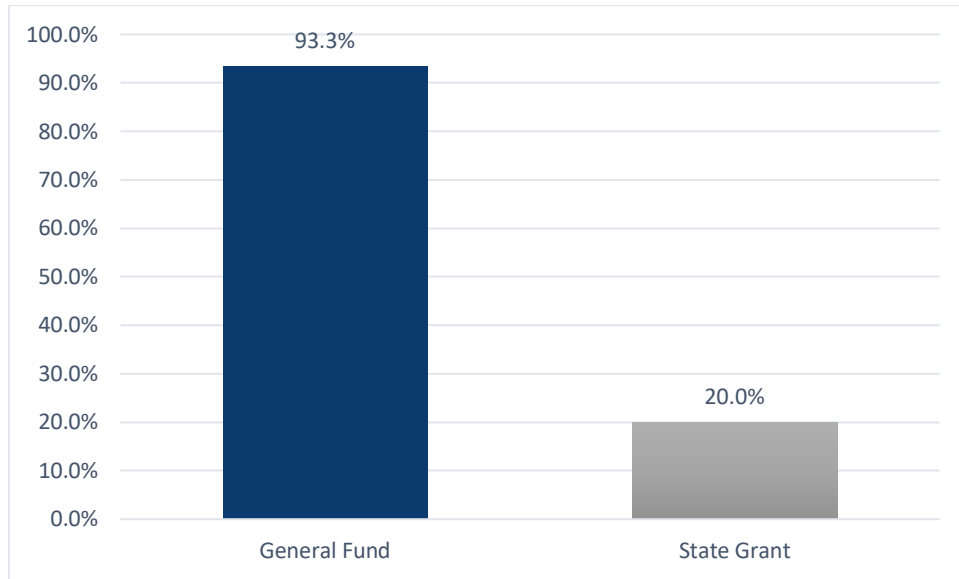
While presumably most, if not all, pretrial services receive some form of resource support from the court general budget, only 75.4% of common pleas respondents indicated receiving funding from the general fund. Accordingly, nearly one-quarter of the respondents answered that their pretrial services were funded through a state grant alone. Although this answer does not preclude the possibility of funds flowing through the court or local government budget, it likely indicates that a quarter of pretrial services are primarily funded through state grants. Just over half of the common pleas courts that answered (31 courts) reported that they were receiving funding through the state. Just two courts indicated that they were using federal dollars for pretrial services. Importantly, state funding appears to be a major driver of pretrial services for common pleas courts in Ohio.

<sup>23</sup> The only state grants mentioned were through the Ohio Department of Rehabilitation and Corrections. Because courts were not asked to name any specific grants, total numbers are not reported. Among courts who did specify the name of the grant, the most common answers in order were the Community Corrections Act Grant (CCA), The Targeted Community Alternatives to Prison grant (TCAP), the Justice Reinvestment Incentive Grant (JRIG), and the 408 Diversion grant.

<sup>24</sup> The only federal grant mentioned by name was through Medicaid/Medicare for an intervention in lieu of conviction program.

<sup>25</sup> Participants gave answers ranging from “court budget” and “probation department” to “county/municipality general fund.” Generally speaking the court budget is a line item of the jurisdiction’s general fund. Therefore, these categories were collapsed.

Figure 4: Municipal Court Pretrial Funding Sources (n=60)



Nearly all of the municipal courts answered that they were funding their pretrial services through the general budget. The remaining 6.7% of courts who did not provide “general fund” as an answer indicated that they were funding their services solely through a state grant, although this does not preclude the possibility of these services also receiving some funding through the general budget. The municipal courts surveyed were much less likely to have received a state grant compared to common pleas courts.

### Costs to the Defendant

Courts were asked directly “are some/all costs of pretrial supervision paid by the defendant?” Of the responding courts, 50.0% of the common pleas courts (35 total) and 64.0% of the municipal courts (53 total) answered yes, meaning 57.5% of all participating courts reported that at least some pretrial costs are borne by the defendant. This information, however, should be interpreted with caution as it does not consider the nature and extent of fees levied on the defendant or if the court has fund for indigent defense.

## SECTION 3: PRETRIAL SERVICES MANAGEMENT

This section covers various topics concerning the management of pretrial services and programs including pretrial supervision requirements, program policies and procedures, and barriers to creating or expanding pretrial services and programs.

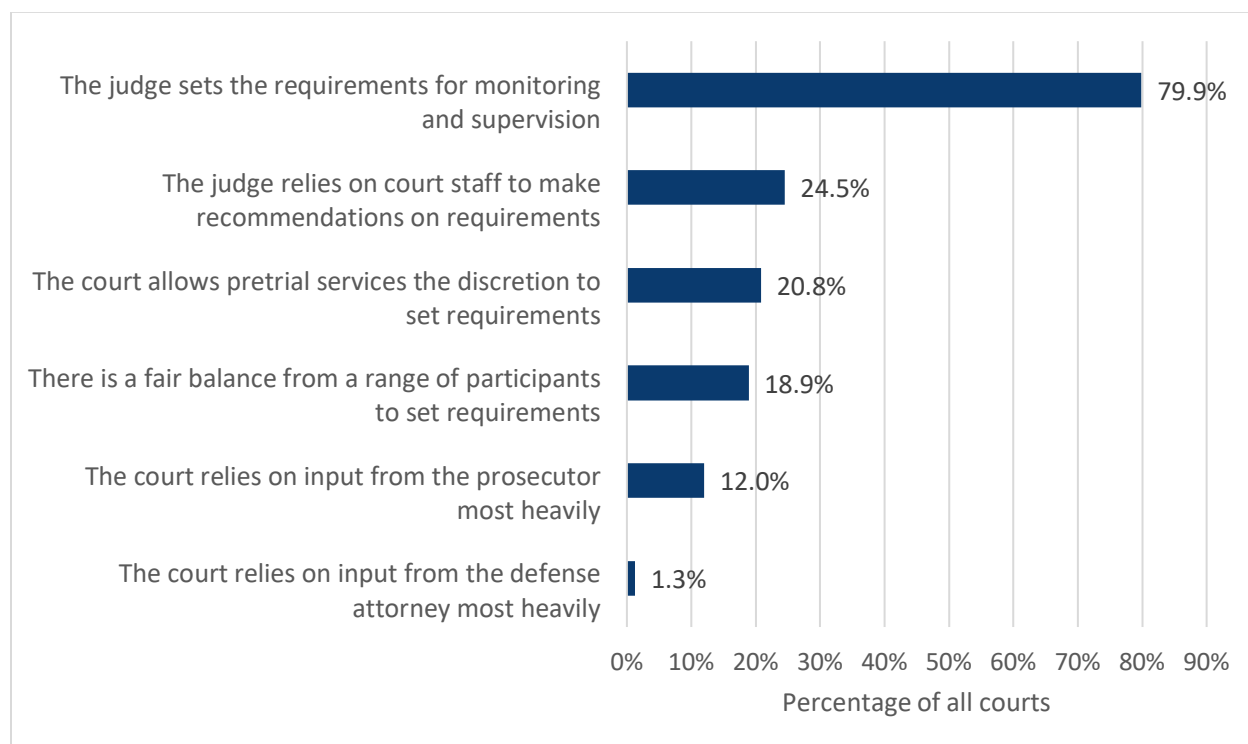
### Key Findings

- In 79.9% of the courts surveyed, the monitoring and supervision conditions for the defendant are determined by the judge.
- One-third of the courts have official policies and procedures documented for pretrial services.
- 11.0% of courts had a specific policy regarding sanctions and incentives for defendants on pretrial supervision.
- 65.0% with dedicated staff members for pretrial services have structured training for new staff or ongoing training for all staff.
- 78.9% of the courts indicated that the greatest impediment to starting a pretrial services program or improving the success of existing pretrial services is insufficient resources (including staff members, funding, and physical space).

### Establishing Pretrial Services Requirements

Participants in the survey were asked, “who is responsible for establishing the requirements of pretrial monitoring and supervision for defendants?” Courts could select more than one answer. The affirmative responses to each selection are reported individually and displayed in Figure 5.

Figure 5: Who Is Responsible for Establishing Pretrial Monitoring and Supervision Requirements? (n=158)



The majority of courts report that the judge is responsible for determining pretrial monitoring and supervision requirements for defendants. Of the 127 courts that answered “the judge sets the requirements,” 58 (45.7%) selected that answer alone – or 36.5% of all courts. This means that, for the majority of courts (63.5%), there is a collaborative process among the judge and other court members in setting pretrial monitoring requirements.

In roughly one-fifth of the courts, pretrial services staff have discretion to set pretrial supervision requirements. Of the 33 courts who selected this answer, the majority (21 courts) also selected that the judge sets the requirements for monitoring and supervision. These courts are likely indicating that the judge ultimately authorizes the supervision requirements that have been determined by pretrial services. Ten total courts (6.3%) answered solely that “the court allows pretrial services the discretion to set requirements.” Although the judge is ultimately the sole authority responsible for setting supervision conditions, these courts are likely indicating that the judge is deferring to pretrial services staff to determine specific conditions for the defendant.

Additionally, 21 of the courts (13.3%) relied most heavily on input from attorneys for setting pretrial requirements. While 19 courts (12.0%) relied most heavily on the prosecutor for input on pretrial supervision, only two courts (1.3%) relied most heavily on the defense attorney.

### Policies, Procedure, and Staff Training

Table 9 offers an overview of pretrial management policies, showing all courts and courts who have at least one dedicated pretrial staff member.

Table 9: Use of Pretrial services Policies

Pretrial Policies	All Courts	Courts with Dedicated Pretrial Staff
Policy and Procedures Document Specifically for the Pretrial Program <sup>26</sup>	33.3% (n=138)	53.3% (n=77)
Specific Pretrial Policy Regarding Sanctions and Incentives	11.0% (n=137)	17.1% (n=76)
Structured Training Program for New Staff or Ongoing Training for All Staff (for Pretrial Program) <sup>27</sup>	46.1% (n=152)	65.0% (n=80)
Pretrial Program Representative at Defendants’ Initial Court Appearance <sup>28</sup>	37.1% (n=140)	56.4% (n=78)

<sup>26</sup> The NAPSA Standards on Pretrial Release recommends, “Pretrial services agencies and programs should establish appropriate policies and procedures to enable the effective supervision of defendants who are released prior to trial under conditions set by the court” (p. 65)

<sup>27</sup> Recommendation 8 of the Bail Task Force states: “Education and training should be offered and encouraged for court personnel, including judges, clerks of court, prosecutors, defense counsel, and other stakeholders critical to the pretrial process” (p. 10).

<sup>28</sup> Recommendation 4 of the Bail Task Force states: “Crim.R. 44 should be amended to require the presence of counsel for the defendant at the initial appearance for any offense carrying the potential penalty of confinement, unless the defendant is being released on an unsecured financial condition or on personal recognizance” (p. 7). This recommendation is also stated in the Commission’s Ad Hoc Committee on Bail and Pretrial Services Final Report (2017).

Notably, just one-third of all courts and over half of courts with a dedicated pretrial staff utilize a policy and procedures document specifically for pretrial services. Few courts, regardless of dedicated staffing, have a specific pretrial policy on the use of sanctions and incentives. Less than half of the surveyed courts have structured training for new staff or ongoing training for all staff for pretrial services. Even among courts with dedicated pretrial staff members, 35.0% have not implemented any sort of training for pretrial services. While courts with dedicated pretrial staff are more likely to have a staff person present at the defendant’s initial court appearance, the majority do not.

Many of the pretrial programs are recently established, so it is important to track adherence to these policy, training, and management best practices over time.

### Barriers to Implementing or Improving Pretrial Services

Courts were asked an open-ended question about the most significant barrier to starting pretrial services if they lacked them; or, the greatest barrier to improving their existing pretrial services program. There were 223 discreet answers given by the courts, and these answers were coded into three major and seven sub-categories, which are described in Table 10.

Table 10: Most Significant Barriers to Implementing Pretrial Services or Improving Existing Services

Answer Category	Percentage of All Responses (n=223)
<b>Limited Resources</b>	78.9%
Limited Money	31.8%
Limited Staff	30.0%
Limited Available Services	6.3%
Logistical Issues/Lack of Guidelines	6.2%
Limited Physical Space	4.5%
<b>Defendant Issues</b>	10.8%
<b>Lack of Buy-in</b>	10.3%
Agency/Stakeholder	5.8%
Judge	4.5%

Courts overwhelmingly answered that resource constraints were the biggest obstacle to implementing pretrial services or improving existing pretrial services. The two biggest subsets of answers included limited staff and limited funding, which represented nearly 62% of all responses. Staff and funding go hand and hand, as many courts mentioned that they not only needed additional personnel, along with the money to pay them, but also additional funding for assessments, equipment, and even office space. One common



pleas court with existing pretrial services stated that they had experienced a “general rising caseload with the expectation that we can do more with less.”

Nearly five percent of the courts indicated that even if they had the fiscal resources to expand pretrial services, there would not be enough physical space to do so. Six percent noted a lack of community treatment services for defendants, which hampered the success of pretrial services. Finally, just over six percent of the responses mentioned that they either experienced logistical issues or did not have guidelines or technical experience to implement pretrial services.

Over 10 percent of courts mentioned that defendants themselves often reduced the successful impact of pretrial services. The most common answers in this category included the myriad of challenges in supervising defendants with substance use disorder, defendants’ failure to appear, and lack of housing and transportation for defendants, which hinders their ability to comply with conditions of bond and pretrial services.

The final category of barriers includes stakeholder buy-in, both inside and outside the courthouse. Nearly six percent of the answers from the courts cited difficulty in collaborating with agencies and criminal justice partners outside of the court (such as sheriff, jail personnel, prosecutor). Almost five percent of the responses indicated that a judge in their court did not support implementing pretrial services.

## SECTION 4: DATA MANAGEMENT

This section describes how courts collect data on pretrial defendants, what data is collected, and the ways in which that data is used and reported. Implementing a data collection system to ensure fair, effective, and a fiscally efficient process was also a recommendation in the Final Report of the Commission’s Ad Hoc Committee on Bail and Pretrial Services. The final recommendation of the Bail Task Force is to “Implement a statewide uniform data collection system to ensure a fair, effective, and fiscally efficient pretrial process” (p.11). This Task Force joins repeated calls from the Commission to establish a statewide data repository of criminal justice data to better understand how the pretrial process impacts defendants and the statewide criminal justice landscape.<sup>29</sup>

### Key Findings

- 78.6% of courts are collecting pretrial data on defendants.
  - 43.1% of these courts said that they share defendant data with other criminal justice agencies.
- 47.7% use data for high-level analytical purposes.
- 80.5% use the data to inform the Judge at the decision-making stage.
- 72.7% use pretrial data to manage the defendant’s case or supervision.

### Pretrial Data Collection on Defendants

All courts surveyed, including those without pretrial services were asked if they collected any form of data on pretrial defendants. Of the 158 courts who answered, 132 (78.6%) reported collecting data on pretrial defendants. Further, 43.1% of the courts who responded indicated that they share defendant data with other criminal justice agencies to help develop strategies to address the issues of the defendant.<sup>30</sup>

Figure 6 illustrates how data is collected on defendants pretrial. Figure 7 describes for what purposes this data is used.

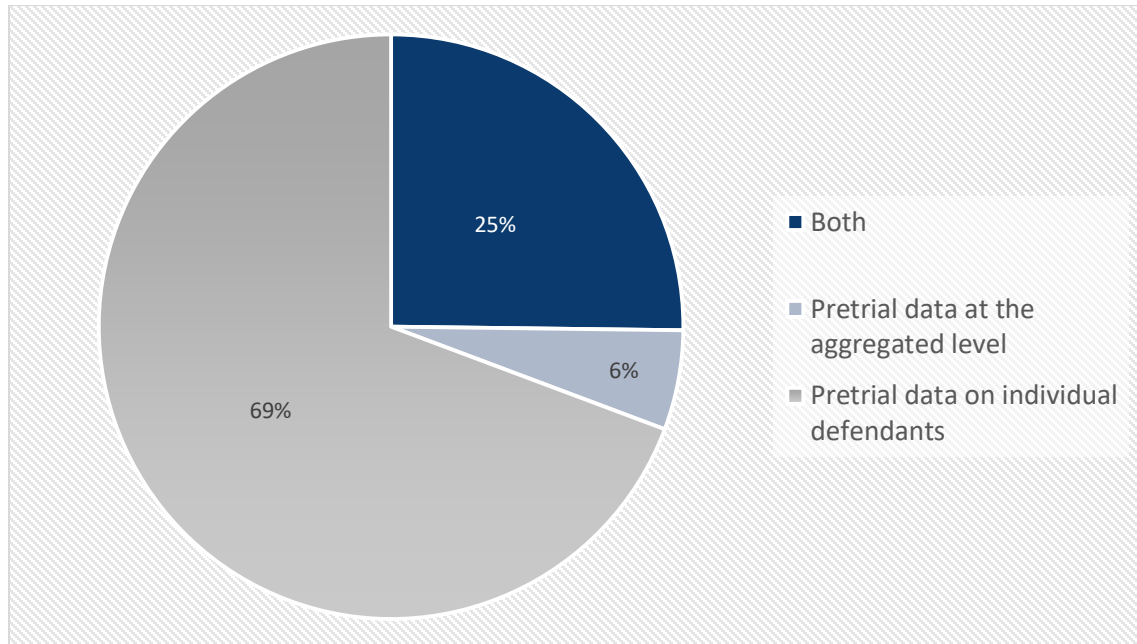
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<sup>29</sup> In an effort to assist courts with evaluating the availability of pretrial data and, if necessary, collecting more data, the Commission has partnered with the Office of Criminal Justice Services to create a Data Quality Self-Assessment tool. The tool can be found is at: [sc.ohio.gov/Boards/Sentencing/resources/judPractitioner/pretrialDataQualityAssess.pdf](https://sc.ohio.gov/Boards/Sentencing/resources/judPractitioner/pretrialDataQualityAssess.pdf).

The Commission also called for a statewide criminal justice data repository in its publication, [The Data Disconnect: Adult Criminal Justice Data in Ohio](#).

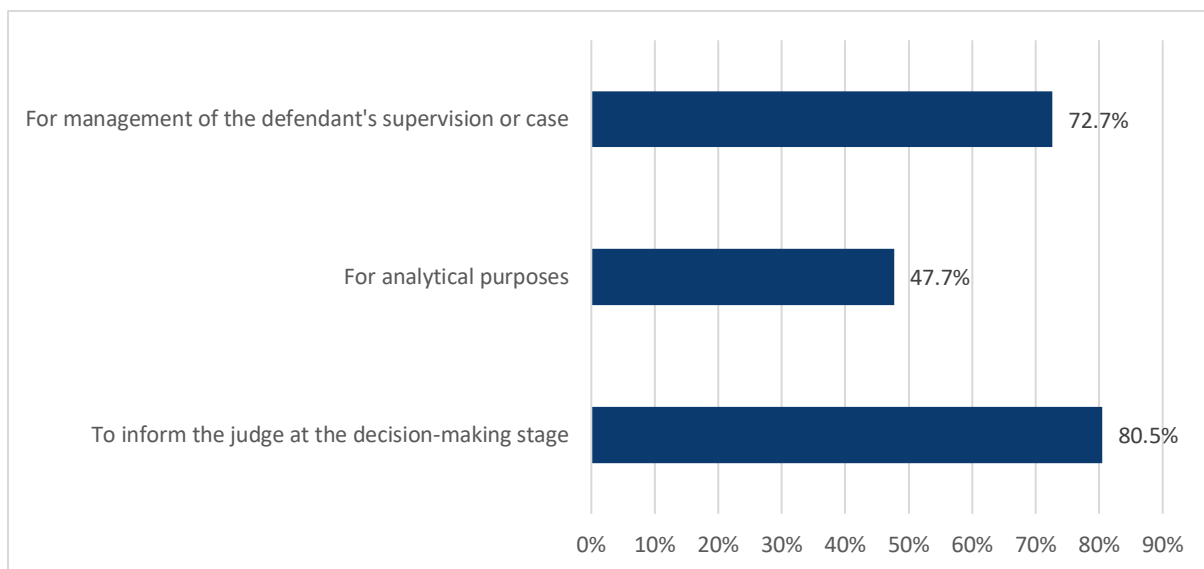
<sup>30</sup> Examples given by the courts include sharing records with courts in other jurisdictions; collaboration with the prosecutor, defense attorney, probation department, law enforcement, and jails; reporting data to LEADS/BCI; and sharing information with mental health and addiction services providers for treatment purposes.

Figure 6: Level of Pretrial Data Collection, Municipal and Common Please Courts (n=127)



Most of the courts (69.0%) collecting data are doing so at the defendant (person) level. A smaller number of courts (31.0%) are collecting data at the aggregate level (or both levels), which may be an indication that they are using the data for more program-level analysis and decision-making. Indeed, in Figure 7, nearly half of the courts indicated that they were using data for analytical purposes. Using data at the aggregate level allows courts to assess pretrial services outcomes such as FTA rates, success rates, offenses, and more, for the purposes of internal review and data reporting for grants.

Figure 7: Stated Purposes of Data Collection, All Courts



When asked if there were any other purposes for which pretrial services data is collected, the most common answers were for grant and reporting purposes and for internal management decisions regarding the administration and operation of pretrial services. Of the 158 participating courts, 28 (17.7%) answered that there is a requirement to report process measures, such as failure to appear and success rates.

## Data Reporting

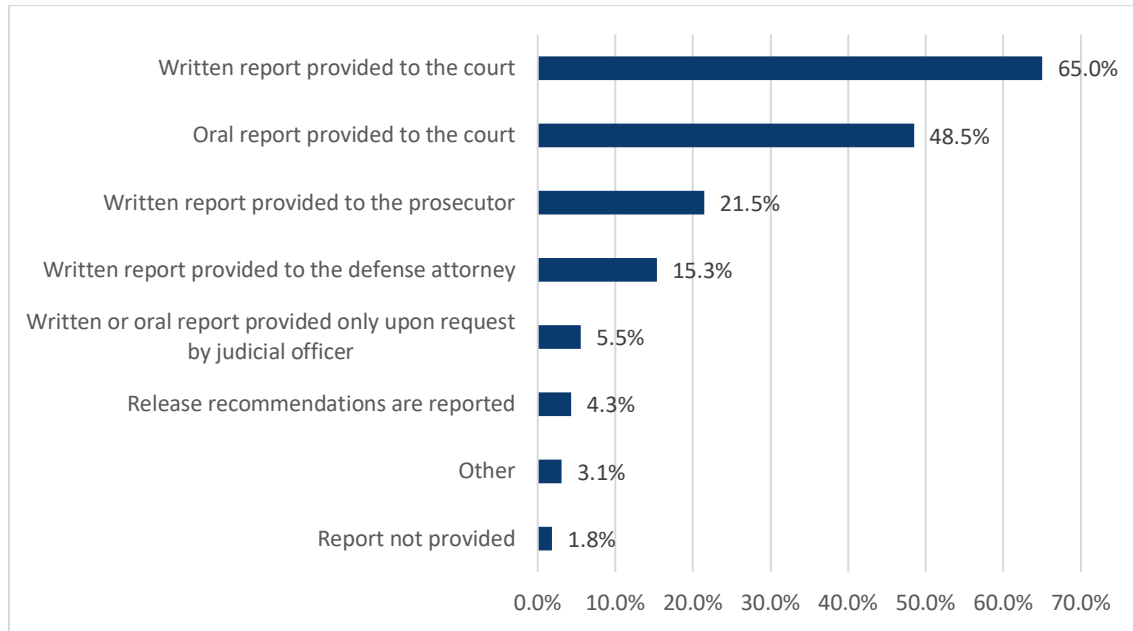
The survey gave participating courts a list of variables and asked them which were “reported to the court to be used as part of the decision-making process of a Judge regarding bail/bond.” The percentage of courts answering affirmatively is listed in Table 11.

Table 11: Data Reported to the Court for Use in Bail/Bond Decision-Making – All Courts

Variable	Percentage (n=162)
Prior Conviction Record	90.7%
Prior Arrest Record	88.9%
Pending Cases	87.7%
Current Probation or Parole Status	84.0%
Residence Status	82.7%
Prior Failure to Appear (FTA)	80.3%
Employment Status	77.8%
Substance Use	77.8%
LEADS	74.1%
Mental Health	71.6%
Comments from Victim	67.9%
Comments from Arresting Officer	58.0%
Military Service	53.7%
Demographics	51.9%
Results of Risk Assessment Score	40.7%
Juvenile Record	39.5%
Other	11.1%

With the exception of juvenile record and risk assessment scores, the majority of courts are reporting each of these measures to inform bail or bond decisions and to establish pretrial monitoring and supervision requirements. Figure 8 describes how this information is reported to the court.

Figure 8: The Means in Which Information is Reported to the Court for All Courts (n=163)



Participants were allowed to select multiple answers when asked how information in Figure 8 is reported to the court. The most common answer was a written report provided to the court, followed by an oral report. A total of 91.4% (149 of 163) answered that they provided either a written report, oral report, or both to the court. Only a small number (3 of 163) did not provide any report.

## APPENDIX A: PRETRIAL SURVEY

Name of court:

Interviewee name:

Date and time of interview:

Interviewers:

*Thank you for agreeing to participate in the Ohio Criminal Sentencing Commission's survey of pretrial practices in Ohio. This survey is being conducted to better understand pretrial practices, services and supervision in Ohio. We currently do not know the full scope of pretrial practices in Ohio, and this survey should provide some insight and clarity into such processes. A Commission report will be produced based on the findings from this survey and made available to courts and the public, but all data collected will be presented in aggregate form and individual courts will not be specifically identified, although all participating courts will be listed. The interview today will be recorded and we will be taking notes to maintain accuracy when reporting your court's information.*

*We are grateful for your participation and your time. Do you have any questions before we begin?*

### **BACKGROUND INFORMATION**

1. How do you define pretrial supervision?
  -
2. In your own words, describe and explain your pretrial services program, including its scope, work and programming in your specific office.
  -
3. Does your jurisdiction supervise people who are on pretrial release? **[READ ANSWERS AND LET THEM SELECT THE MOST APPROPRIATE RESPONSE]**
  - a. Yes, we have a formal pretrial supervision program
  - b. Not officially, but we do have an informal pretrial supervision program operating
    - i. **[ASK]** Please explain
  - c. No
4. If yes, where is your program located administratively in the criminal justice system? **[READ ANSWERS AND LET THEM SELECT THE MOST APPROPRIATE RESPONSE. If it is "other" write down their response for what the "other" is]**
  - a. Probation department (county)
  - b. Probation department (APA)
  - c. Courts (state)
  - d. Courts (county or municipal)
  - e. Prosecutor
  - f. Public defender
  - g. Sheriff or jail
  - h. Private, nonprofit organization
  - i. Other

5. If yes:
  - a. Do you have dedicated pretrial supervision officers?
    - 
    - i. If yes, how many are full time? How many are considered part time?
      -
  - b. What is your pretrial caseload per officer?
    -
  - c. Annually, how many defendants are on pretrial supervision?
    -
6. If yes, how old is your pretrial supervision program? **[READ ANSWERS AND LET THEM SELECT THE MOST APPROPRIATE RESPONSE.]**
  - a. 1 year or less
  - b. 1-3 years
  - c. 5 years
  - d. More than 5 years old
7. When did your jurisdiction begin a pretrial program? Please provide year.
  -
8. Why did your jurisdiction begin a pretrial program? Please explain relevant background/ history.
  -
9. If you have a pretrial services program, are you NAPSA accredited (National Association of Pretrial Services Agencies)?
  -
10. Does your jurisdiction have a Diversion Program and/or a Failure to Appear Unit?
  -

**OPERATION**

11. Does your jurisdiction use a pretrial risk assessment?
  - 
  - a. If yes:
    - i. Which one?
      -
    - ii. Is the result of the assessment provided to the judge for use when making bail/bond decisions?
      -
    - iii. Is the risk assessment score used to determine the level of pretrial supervision?
      -

12. Does your jurisdiction conduct an in-person interview to obtain risk information?  
●
13. Is a pretrial assessment conducted on every defendant? **[READ ANSWERS AND LET THEM SELECT THE MOST APPROPRIATE RESPONSE]**
- a. Yes
  - b. Only felony offenses
  - c. Only misdemeanor offenses
  - d. Other- explain
14. When is this assessment conducted? **[READ ANSWERS AND LET THEM SELECT THE MOST APPROPRIATE RESPONSE]**
- a. Prior to initial court appearance
  - b. After initial court appearance
15. Does your pretrial program make specific recommendations to the court regarding release and/or conditions for release? **[READ ANSWERS AND LET THEM SELECT THE MOST APPROPRIATE RESPONSE.]**
- a. Recommendations made in all cases
  - b. Recommendations made in most cases
  - c. Recommendations made only when asked by court
  - d. No recommendations made
16. In your pretrial program, are pretrial defendants' supervision (and conditions set) based upon risk level?  
●
17. Has your pretrial risk assessment tool been validated for your jurisdiction?  
●
18. Are some/all costs of pretrial supervision paid by the defendant?  
●
19. How is your jurisdiction's pretrial program funded?  
●
20. Does your pretrial supervision office employ court date reminders with pretrial defendants? (example include phone or text reminders)  
●

### **MANAGEMENT**

21. If your jurisdiction's pretrial program is responsible for supervision of pretrial defendants, who determines the requirements of the monitoring and supervision? **[READ ANSWERS AND LET THEM SELECT as many as are appropriate to their court –MORE THAN ONE ANSWER CAN BE SELECTED]**
- a. The court allows pretrial services the discretion to set requirements
  - b. The judge sets the requirements for monitoring and supervision



- c. The judge relies on court staff to make recommendations on requirements
  - d. The court relies on input from the prosecutor most heavily
  - e. The court relies on input from the defense attorney most heavily
  - f. There is a fair balance from a range of participants to set requirements
  - g. Other
22. Does your office have a policy and procedures document specifically for your pretrial program?
- 
23. Does your office have a specific pretrial policy regarding sanctions and incentives?
- 
24. Is there a pretrial program representative present at defendants' initial court appearance?
- 
25. Do you have a structured training program for new staff? Ongoing training for all staff?
- 
26. If your jurisdiction does not have a pretrial supervision program, what do you consider the most significant barrier to starting a program?
- 
27. If you have a pretrial supervision program, what do you consider the most significant barrier to increase the success of your program?
- 

**DATA**

28. Do you collect pretrial data on defendants?
- 
- a. For what purposes? **[READ ANSWERS AND LET THEM SELECT THE MOST APPROPRIATE RESPONSE]**
    - i. To inform the judge at the decision-making stage
    - ii. For analytical purposes
    - iii. For management of the defendant's supervision or case
    - iv. Some or all of the above **[PLEASE RECORD WHICH ONES WITH THIS REPNONSE]**
29. If pretrial data is collected on defendants, is the data shared with other criminal justice agencies to help develop strategies to address the issues of the defendant?
- 
- a. If yes, please explain/ describe.
    -
30. Are there any additional purposes you use pretrial data you collect? What are those purposes?
-

31. If you collect pretrial data, do you collect: **[READ ANSWERS AND LET THEM SELECT THE MOST APPROPRIATE RESPONSE]**
- Pretrial data on individual defendants
  - Pretrial data at the aggregated level (to report, for example, percents and rates for the entire group or subgroups)
  - Both
32. What pretrial data do you collect? (list)
- 
33. What information about a defendant is reported to the court to be used as part of the decision-making process of a judge regarding bail/bond? **[READ ANSWERS AND LET THEM SELECT as many as are appropriate to their court –MORE THAN ONE ANSWER CAN BE SELECTED]**
- Demographics
  - Residence Status
  - Employment Status
  - Military service
  - Juvenile record
  - Prior arrest record
  - Prior conviction record
  - LEADS
  - Pending cases
  - Current probation or parole status
  - Substance Use
  - Mental health
  - Comments from arresting officer
  - Comments from victim
  - Prior FTA
  - Results of risk assessment score
  - Other
34. How is this information reported? **[READ ANSWERS AND LET THEM SELECT as many as are appropriate to their court –MORE THAN ONE ANSWER CAN BE SELECTED]**
- Written report provided to the court
  - Written report provided to the prosecutor
  - Written report provided to the defense attorney
  - Oral report provided to the court
  - Written or oral report provided only upon request by judicial officer
  - Release recommendations are reported
  - Report not provided
  - Other
35. Is your office required to report process measures for pretrial services (for any purposes) (examples include failure to appear/appearance rates for the group, success rates, public safety rates)?
-

*That completes the interview. I appreciate your time and the information you provided. If you think of anything else or have any further questions, please contact Sara Andrews at the Ohio Criminal Sentencing Commission.*

APPENDIX B:  
ALPHABETICAL LIST OF PARTICIPATING COURTS

Adams County Common Pleas Court	Crawford County Municipal Court
Akron Municipal Court	Cuyahoga County Common Pleas Court
Allen County Common Pleas Court	Darke County Municipal Court
Alliance Municipal Court	Darke County Common Pleas Court
Ashland County Common Pleas Court	Dayton Municipal Court
Ashland Municipal Court	Defiance County Common Pleas Court
Ashtabula County Common Pleas Court	Delaware Common Pleas Court
Ashtabula Municipal Court	Delaware Municipal Court
Athens County Common Pleas Court	East Liverpool Municipal Court
Athens Municipal Court	Eaton Municipal Court
Auglaize Common Pleas Court	Eerie County Municipal Court
Auglaize County Municipal Court	Elyria Municipal Court
Avon Lake Municipal Court	Erie County Common Pleas Court
Barberton Municipal Court	Fairborn Municipal Court
Bellefontaine Municipal Court	Fairfield County Common Pleas Court
Bellevue Municipal Court	Fairfield County Municipal Court
Belmont County Common Pleas Court	Fairfield Municipal Court
Berea Municipal Court	Fayette County Common Pleas Court
Bowling Green Municipal Court	Findlay Municipal Court
Brown County Common Pleas Court	Franklin County Municipal Court
Brown County Municipal Court	Franklin Municipal Court
Butler County Common Pleas Court	Fremont Municipal Court
Cambridge Municipal Court	Fulton County Common Pleas Court
Campbell Municipal Court	Gallia County Common Pleas Court
Canton Municipal Court	Gallipolis Municipal Court
Carroll County Common Pleas Court	Garfield Municipal Court
Carroll County Municipal Court	Geauga County Common Pleas Court
Celina Municipal Court	Girard Municipal Court
Champaign County Common Pleas Court	Greene County Common Pleas Court
Champaign County Municipal Court	Guernsey County Common Pleas Court
Chardon Municipal Court	Hamilton County Common Pleas Court
Chillicothe Municipal Court	Hamilton County Municipal Court
Circleville Municipal Court	Hardin County Common Pleas Court
Clark County Common Pleas Court	Hardin County Municipal Court
Clark County Municipal Court	Harrison County Common Pleas Court
Clermont County Common Pleas Court	Henry County Common Pleas Court
Clermont Municipal Court	Highland County Common Pleas Court
Cleveland Heights Municipal Court	Hillsboro Municipal Court
Cleveland Municipal Court	Hocking County Common Pleas Court
Clinton County Common Pleas Court	Hocking County Municipal Court
Clinton County Municipal Court	Holmes County Common Pleas and Municipal Court
Columbiana Municipal Court	
Conneaut Municipal Court	Huron County Common Pleas Court
Coshocton County Common Pleas Court	Huron Municipal Court
Coshocton Municipal Court	Ironton Municipal Court
Crawford County Common Court	Jackson County Municipal Court

Jefferson County Common Pleas Court  
Kettering Municipal Court  
Knox County Common Pleas Court  
Lake County Common Pleas Court  
Lakewood Municipal Court  
Lawrence Municipal Court  
Lebanon Municipal Court  
Licking County Municipal Court  
Licking County Common Pleas Court  
Lima Municipal Court  
Logan County Common Pleas Court  
Lorain Municipal Court  
Loraine County Common Pleas Court  
Lucas County Common Pleas Court  
Lyndhurst Municipal Court  
Madison County Common Pleas Court  
Madison Municipal Court  
Mahoning County Common Pleas Court  
Mansfield Municipal Court  
Marietta Municipal Court  
Marion Municipal Court  
Marysville Municipal Court  
Massillon Municipal Court  
Maumee Municipal Court  
Medina County Common Pleas Court  
Medina Municipal Court  
Meigs County Common Pleas Court  
Mercer County Common Pleas Court  
Miami County Common Pleas Court  
Miami County Municipal Court  
Miamisburg Municipal Court  
Middletown Municipal Court  
Monroe County Common Pleas Court  
Montgomery County Common Pleas Court  
Montgomery County Municipal Court  
Morgan County Common Pleas Court  
Morrow County Common Pleas Court  
Morrow Municipal Court  
Mount Vernon Municipal Court  
Muskingum County Common Pleas Court  
Napoleon Municipal Court  
New Philadelphia Municipal Court  
Newton Falls Municipal Court  
Niles Municipal Court  
Noble County Common Pleas Court  
Norwalk Municipal Court  
Oberlin Municipal Court

Oregon Municipal Court  
Ottawa County Common Pleas Court  
Painesville Municipal Court  
Parma Municipal Court  
Paulding County Common Pleas Court  
Perry County Common Pleas Court  
Perry Municipal Court  
Perrysburg Municipal Court  
Pickaway County Common Pleas Court  
Pike County Common Pleas Court  
Portage Municipal Court  
Portsmouth Municipal Court  
Preble County Common Pleas Court  
Putnam County Common Pleas Court  
Richland County Common Pleas Court  
Rocky River Municipal Court  
Ross County Common Pleas Court  
Sandusky County Common Pleas Court  
Sandusky Municipal Court  
Scioto County Common Pleas Court  
Seneca County Common Pleas Court  
Shaker Heights Municipal Court  
Sidney Municipal Court  
Stark County Common Pleas Court  
Steubenville Municipal Court  
Stow Municipal Court  
Struthers Municipal Court  
Summit County Common Pleas Court  
Sylvania Municipal Court  
Tiffin-Fostoria Municipal Court  
Toledo Municipal Court  
Trumbull County Common Pleas Court  
Tuscarawas County Common Pleas Court  
Union County Common Pleas Court  
Upper Sandusky Municipal Court  
Van Wert County Common Court  
Van Wert Municipal Court  
Vandalia Municipal Court  
Vermillion Municipal Court  
Vinton County Common Pleas Court  
Wadsworth Municipal Court  
Warren County Common Pleas Court  
Warren Municipal Court  
Washington Courthouse Municipal Court  
Wayne County Common Pleas Court  
Wayne County Municipal Court  
Williams County Common Pleas Court

Willoughby Municipal Court  
Wood County Common Pleas Court  
Wyandot County Common Pleas Court  
Xenia Municipal Court  
Youngstown Municipal Court  
Zanesville Municipal Court

**APPENDIX C:  
TABLES NOT INCLUDED IN THE REPORT**

Appendix Table 1: Administrative Location of the Pretrial Services

Administrative Location of the Pretrial Services	Common pleas (n=72)	Municipal (n=88)	Total (n=160)
Courts (County or Municipal)	20.80%	22.70%	21.90%
Courts (State)	1.40%	0.00%	0.63%
Sheriff or Jail	5.60%	0.00%	2.50%
Private, Nonprofit Organization	1.40%	1.10%	1.30%
Probation Department (APA)	2.80%	0.00%	1.30%
Probation Department (County or Municipal)	66.70%	69.30%	68.10%
Prosecutor	0.00%	1.14%	0.60%
Other	1.40%	5.70%	3.80%

Appendix Table 2: Administrative Location of the Pretrial Services by Program Age

	Courts (County/ Municipal)	Courts (State)	Other	Private, Nonprofit	Probation Department (APA)	Probation Department (county)	Prosecutor	Sheriff or Jail	Total
1 Year or Less	4	0	0	0	0	9	0	1	14
1 - 3 Years	8	0	1	0	1	19	0	0	29
5 Years	2	0	0	0	0	6	0	0	8
More than 5 Years	20	1	4	2	1	61	1	3	93
<b>Total</b>	34	1	5	2	2	95	1	4	144

Appendix Table 3: Diversion or Failure to Appear Unit

	Court Type		
	Municipal (n=93)	Common Pleas (n=78)	Total (n=171)
<b>Does Your Jurisdiction Have a Diversion Program and/or a Failure to Appear Unit?</b>	67.7%	57.7%	63.2%

Appendix Table 4: Is Pretrial Assessment Conducted on Every Defendant?

	Frequency	Percent
<b>Only Felony Offenses</b>	18	17.3%
<b>Only Misdemeanor Offenses</b>	2	1.9%
<b>Other</b>	43	41.4%
<b>Yes</b>	41	39.4%
<b>Total</b>	104	100.0%

Appendix Table 5: Occurrence of Pretrial Program Recommendations to the Court Regarding Defendant Release or Conditions of Release

Occurrence of Recommendations	All Courts (n=140)
<b>Recommendations Made in All Cases</b>	25.7%
<b>Recommendations Made in Most Cases</b>	15.7%
<b>Recommendations Made Only When Asked by Court</b>	30.0%
<b>No Recommendations Made</b>	28.6%







# OHIO

## CRIMINAL SENTENCING COMMISSION

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