

Federal Pretrial Risk Assessment

User's Manual

and

Scoring Guide

Office of Probation and Pretrial Services

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INTRODUCTION

The Federal Pretrial Risk Assessment (PTRA) was developed by OPPS staff using data collected through the PACTS system and initially analyzed as part of a larger project. The PTRA is an objective, quantifiable instrument that provides a consistent and valid method of predicting risk of failure-to-appear (FTA), new criminal arrest (NCA), and technical violations (TV) while on pretrial release.

The instrument is comprised of 11 scored and 9 unscored items that are divided into two domains or categories: criminal history and other. The criminal history items are static and will not likely change during the pretrial period. The “other” items are changeable and might show some movement based on pretrial supervision and services.

Scoring for the items on the PTRA is a fairly straightforward process. There are two types of items on the PTRA—scored and unscored items (the unscored item is there to be tested for future revisions of the instrument). The unscored item is rated as either A or B and does not contribute to the overall risk score. However, the unscored items will be analyzed for future revisions aimed at improving the tool. The scored items are given a number of points (either 0, 1, or 2). The points from the items are then added up to give an overall score. When administered correctly, the PTRA provides a score that allows for classification into a risk category. Those risk categories are then associated with rates of FTA, NCA, and TVs.

This scoring guide is designed in a user-friendly format and provides the purpose behind each of the scoring items, potential prompts and sample questions, and scoring rules/issues.

The PTRA is configured as follows:

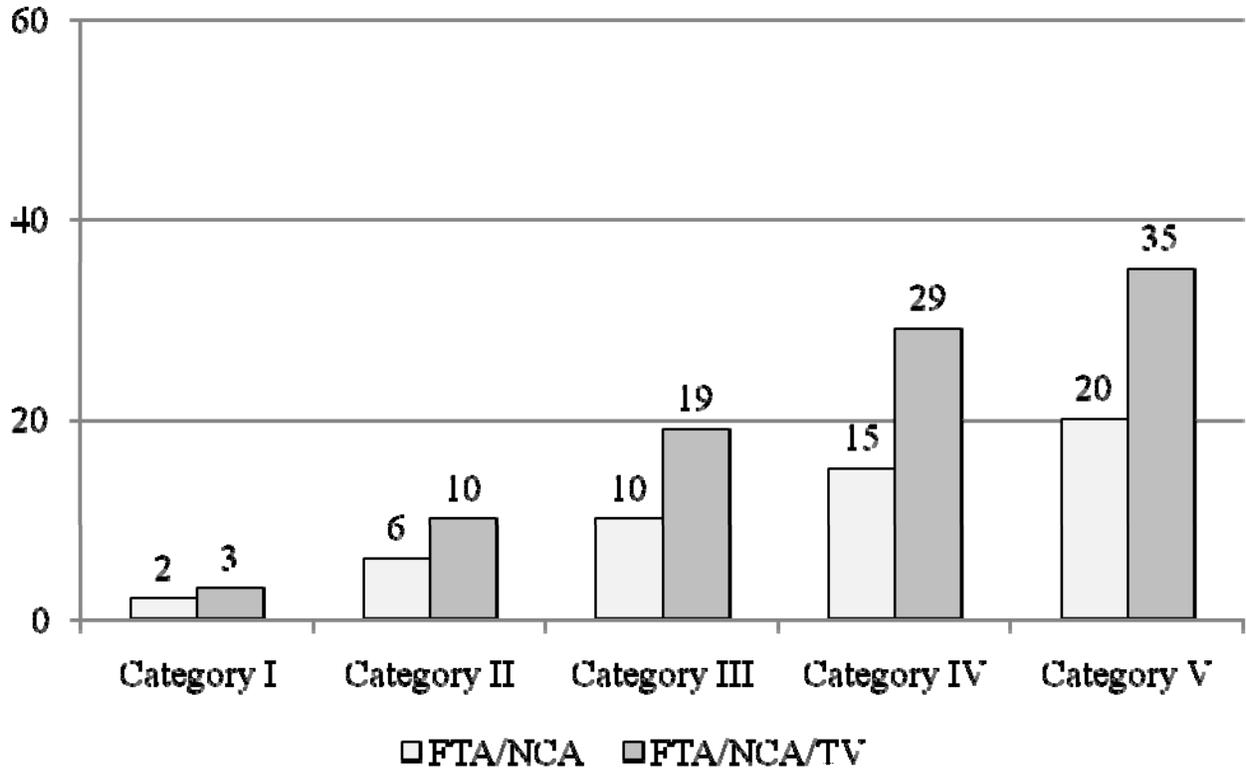
<u>Item #'s</u>	<u>Domain</u>	<u>Scored Items</u>	<u>Unscored Items</u>
1.1-1.6	Criminal History	6	0
2.1-2.7	Other	5	9

TOTAL RISK SCORE

The total risk score is determined by adding up the points for each of the scored items. This score ranges from 0 to 14. The guidelines established based on initial analyses are as follows: 0-4—Category I, 5-6 Category II, 7-8 Category III, 9-10 Category IV, and 11+ Category V.

INTRODUCTION

The chart below displays the failure rates (FTA/NCA and FTA/NCA/TV) for each category of risk. As can be seen with each increase in risk category the probability of failure also increases. These failure rates were generated using data from the pretrial supervision period.



Criminal History Domain

#1.1

Domain: Criminal History

Item #1.1: Number of Felony Convictions

Rate and score

Purpose of Item: Criminal history is a long-established predictor of future behavior. The versatility, stability & frequency of the criminal patterns are key factors in assessing the risk for recidivism. A more extensive history means a greater likelihood of future criminal behavior. Gathering information regarding how the criminal behavior interrelates with other risk factors will assist in determining interventions needed.

Sample Questions

This item can be scored from official records and should at least be verified by official records.

How many times have you been arrested for a felony offense?

How many times have you been convicted of a felony?

Interviewing Strategies

Some self-reported convictions might not show up on a record check. Be sure to gather information on these items and attempt to verify this information for scoring purposes.

Scoring Rules/Issues:

1. This information is based on the number of felony convictions.
2. Multiple counts of a conviction, resulting from one arrest date, should be counted as one conviction.
3. Be sure to accurately record the number of convictions and then code that number properly for scoring.
4. No prior felony convictions is given zero (0) points, 1 to 4 prior felony convictions is given one (1) point, and five or more felony convictions is given 2 points.
5. Do not count juvenile arrests/convictions in this section.

#1.2

Domain: Criminal History

Item #1.2: Prior FTAs

**Rate and
score**

Purpose of Item: One of the best predictors of future behavior is past behavior. The number of prior FTAs allows for some assessment as to how likely this behavior is to occur in the future.

Sample Questions

This item can be scored from official records. Response from defendants should be verified by official records.

How many times have you been arrested?

How many times have you had to appear in court?

Have you ever missed any of those court proceedings?

Why?

Were charges filed?

Interviewing Strategies

Ask the defendant about court proceedings for criminal cases.

Determine if any criminal proceedings have been missed by the defendant.

Attempt to verify self-reported FTAs.

Scoring Rules/Issues:

1. Count and code the number of times the defendant has failed to appear for a criminal proceeding.
2. Do not include FTAs for traffic summons.
3. No prior FTAs is given zero (0) points, 1 prior FTA is given one (1) point, and 2 or more prior FTAs is given two (2) points. FTA scoring does not require a conviction.

#1.3

Domain: Criminal History

Item #1.3: Pending Felonies or Misdemeanors

Rate and score

Purpose/Intent of Item: Pending charges might increase a defendant's flight risk and/or be indicative of a person that has difficulties while under CJ system supervision.

Sample Questions

Do you have any criminal cases besides this one that are not closed?
How many are for felony charges?
How many are for misdemeanor charges?
What were you charged with?
Are you on any type of supervision for those cases?

Interviewing Strategies

Make sure to gather information on non-federal charges as well as pending federal charges. This should not include the instant offense.

Scoring Rules/Issues:

1. No pending cases is given zero (0) points, 1 or more pending cases is given one (1) point.
2. A probation violation is not be counted as a pending matter.
3. When the current underlying federal charge, is the same as the state/local offense, do not count the state/local offense as a pending matter.
4. If a defendant is convicted it is not considered a pending matter.
5. For traffic violations, only count those at a misdemeanor or higher offense level.

#1.4

Domain: Criminal History

Item #1.4: Current offense type

Rate and score

Purpose/Intent of Item: The type of offense was found to have a statistically significant relationship with outcomes of interest during the pretrial services stage.

Sample Questions

This information should be taken directly from official records.

Interviewing Strategies

N/A

Scoring Rules/Issues:

1. If the most serious charge is for a drug offense, firearms offense, or immigration charge assess one (1) point.
2. Theft, fraud, violent, and other types of offenses are assessed zero (0) points.
3. This item is based on the current federal charges only.

Drug	Firearms	Immigration	Theft	Violent	Other
Cocaine	Firearms	Immigration	Auto theft	Assault	Absconded
Crack			Burglary	Homicide	Drunkenness
Heroin			Counterfeiting	Kidnapping	DUI
Marijuana			Embezzlement	Rape- force	DWI
Methamphetamine			Forgery	Robbery	Escape
Opiate			Fraud	Sex offense	Federal Statutes
Other Drug			Larceny/theft	Simple assault	FTA
			Mail fraud		Gambling
			Mail theft		General violation
			Petty theft		Income tax
			Racketeering		Liquor (tax)
			Transportation of stolen property		Non-payment of financial penalties
					Misdemeanor
					Misprison of a felony
					Miscellaneous
					Other minor violation offense
					Perjury
					Technical, violation of supervision conditions
					Traffic violation
					Cyber crime (non-sexual)

#1.5

Domain: Criminal History

Item #1.5: Offense class

Rate and score

Purpose of Item: The class of offense was found to have a statistically significant relationship with outcomes of interest during the pretrial services stage.

Sample Questions

This information should be taken directly from official records.

Interviewing Strategies

N/A

Scoring Rules/Issues:

1. Base this item on the current federal charges only.
2. If there is more than one pending federal charge consider the most serious when scoring this item.
3. Those defendant's charged with a felony are assessed one (1) point. Those charged with a misdemeanor are assessed zero (0) points.

#1.6**Domain: Criminal History****Item #1.6: Age at interview****Rate and score**

Purpose/Intent of Item: The relationship between age and criminal behavior is well documented. This item assesses points based on the defendant's age at the time of the interview or when the information to score the assessment is collected.

Sample Questions

This information should be taken directly from official records.

Interviewing Strategies

N/A

Scoring Rules/Issues:

1. Calculate the defendant's age on the date of interview or when the information to score this assessment is collected.
2. Calculate age in years. If the defendant is in between years begin rounding up at .5 years. If a defendant is 22.50 years old he/she would be considered 23 years old and would be assessed two (2) points for this item.
1. If the defendant is 26 or younger then two (2) points are assessed, one (1) point is assessed for defendants age 27 to 46, and zero (0) points are assessed for defendants 47 or older.

Other Domain

Employment

Residence

**Citizenship &
Foreign Ties**

Education

Alcohol & Drugs

#2.1**Domain: Other-Education****Item #2.1: Highest Education****Rate and
score****Purpose/Intent of Item:** Overall academic achievement is related to pretrial outcomes.**Sample Questions**

Tell me about your education experiences.

Tell me about any additional job training you've completed.

How far did you go in school?

What was the last grade you finished?

Tell me about the circumstances that contributed to you not finishing school?

Interviewing Strategies

Establish overall academic achievement.

Explore defendant's motivation for terminating school when they did.

Scoring Rules/Issues:

1. If the defendant has completed less than a high-school degree assess two (2) points.
2. If the defendant has a GED assess two (2) points.
3. If the defendant has a GED plus a further degree, some college, or vocational training certificates assess one (1) point.
4. If the defendant has a high school degree, vocational training, or some college assess one (1) point.
5. If the defendant has a 4 year degree or higher he/she should be assessed zero (0) points.

#2.2

Domain: Other-Employment

Item #2.2: Employment Status

**Rate and
score**

Purpose/Intent of Item: Employment is an important activity for a number of reasons. Not only does it provide us with legitimate means to meet financial needs, it exposes us to prosocial others, provides us rewards for engaging in prosocial behavior, and occupies free time in a prosocial and structured way.

Sample Questions

Are you currently working?
If no: How do you support yourself while unemployed?
What was your reason for leaving your last job?
If yes: Tell me where you are working.
How long have you worked there?
Tell me about the type of work you do.
Where did you work before that?

Interviewing Strategies

Explore type of job and number of hours per week. If not employed, check if defendant is a full time student.
Seek information about the *quality* of the defendant's performance, ability to get along with others in frequent contact or in positions of authority.

Scoring Rules/Issues:

1. If the defendant is considered unemployed score one (1) point if he/she is capable of working but is not working even if he/she is otherwise productively occupied.
2. Students and homemakers are not considered employed or unemployed but are still assessed one (1) point.
3. Defendants that are retired but are capable of employment are assessed one (1) point based on the amount of unstructured free time he/she has to engage in criminal activity.
4. Defendants that are completely disabled and receiving benefits are assessed zero (0) points.
5. Full time and part time (20 hours per week or more) are considered employed and are assessed zero (0) points.
6. Defendants that receive public assistance and are working are considered employed.
7. Please circle the appropriate item on the scoring sheet.

#2.3

Domain: Other-Residence

Item #2.3: Residence

**Rate and
score**

Purpose/Intent of Item: Lack of ties to the area, as measured by residential attachment, might relate to risk of FTA.

Sample Questions

Where do you live now?

Do you own that home, condo, etc.?

Interviewing Strategies

Determine if the defendant either owns or is purchasing a home.

This applies to current circumstances and not plans to purchase or buy.

Scoring Rules/Issues:

1. If the defendant owns his/her home then assess zero (0) points.
2. If the defendant does not own his/her home and is not purchasing the home then assess one (1) point.

Alcohol and Drugs Domain

#2.4

Domain: Drug Problems

Item #2.4: Current Drug Problems

**Rate and
score**

Purpose/Intent of Item: Substance misuse facilitates or instigates criminal behavior. Drug use has been shown to increase risk for pretrial failure.

Sample Questions

Has your use caused disruptions at work, school, or home?

Have you ever been in treatment?

Do you use in physically hazardous situations: driving a motor vehicle; operating machinery; caring for children?

Do you have legal problems related to use?

Do you continue to use despite social/interpersonal problems related to use?

Interviewing Strategies

Be sure to keep conversation and questions current.

For defendants that have been in detention assess :

Treatment

Triggers in community setting (i.e. People, places, or situations that increase the likelihood of use)

Ability to remain substance free

Scoring Rules/Issues:

1. Score based on past twelve (12) months. Consider the responses to items in the sample questions.
2. If incarcerated less than two (2) years evaluate for last twelve (12) months in the community.
3. If incarcerated more than two (2) years evaluate over past year in the institution but consider treatment and ability to deal with triggers and stressors. The defendant should be able to identify, in a concrete way, **triggers** (i.e. people, places, or situations that increase the likelihood of use) and the skills they will use to cope with them.
4. No current substance abuse problem is given zero (0) points.
5. Current substance abuse problem is given one (1) point.

#2.5

Domain: Alcohol Problems

Item #2.5: Current Alcohol Problems

Rate

Purpose/Intent of Item: Alcohol abuse facilitates or instigates criminal behavior. Alcohol use might be related to failure on pretrial supervision.

Sample Questions

Has your use caused disruptions at work, school, or home?

Have you ever been in treatment?

Do you use in physically hazardous situations: driving a motor vehicle; operating machinery; caring for children?

Do you have legal problems related to use?

Do you continue to use despite social/interpersonal problems related to use?

Interviewing Strategies

Be sure to keep conversation and questions current.

For defendants returning to the community from prison assess:

Treatment in prison

Triggers in community setting (i.e. people, places or situations that increase the likelihood of use)

Ability to remain alcohol free

Scoring Rules/Issues:

1. Rate based on past twelve (12) months. Consider the responses to the sample questions.
2. If incarcerated less than two (2) years evaluate for past twelve (12) months in the community.
3. If incarcerated more than two (2) years evaluate over past year in the institution but consider treatment and ability to deal with triggers and stressors. The defendant should be able to identify, in a concrete way, **triggers** (i.e. people, places, or situations that increase the likelihood of use") and the skills they will use to cope with them.
4. If you determine the defendant has no current alcohol problem he/she should be rated B.
5. If you determine the defendant has a current alcohol problem he/she should be rated A.

Citizenship And Foreign Ties

#2.6

Domain: Other-Citizenship

Item #2.6: Citizenship

**Rate and
score**

Purpose/Intent of Item: Being a legal or illegal alien might be associated with ties to a foreign country and therefore an increase in FTA Risk.

Sample Questions

What is your citizenship status?

Interviewing Strategies

Determine if the defendant is a US Citizen, legal alien, or illegal alien.

Scoring Rules/Issues:

1. If the defendant is a legal or illegal alien assess one (1) point.
2. If the defendant is a U.S. or Naturalized citizen assess zero (0) points.

#2.7

Domain: Other – Foreign Ties

Item #2.7: Foreign Ties

Rate

Purpose/Intent of Item: Foreign ties facilitate a defendant’s ability to leave the country and thus fail-to-appear at criminal proceedings.

Sample Questions

Does the defendant have ties outside of the U.S.?

Interviewing Strategies

Be sure to keep conversation and questions current.
For defendants traveling outside the United States be sure to probe deeper into potential foreign relationships, businesses, bank accounts, essentially anything they could use as a resource to flee the United States.

Scoring Rules/Issues:

1. Rate based on last ten (10) years. Consider the responses to the sample question.
2. If you determine that the defendant has foreign ties he/she should be rated A.

#2.7(A)

Domain: Other – Foreign Ties

Item #2.7(A): Type of Foreign Ties

Rate

Purpose/Intent of Item: Foreign ties facilitate a defendant's ability to leave the country and thus fail-to-appear at criminal proceedings.

Sample Questions

Does the defendant have any of the following ties to a foreign country (family-parents, siblings, cousins, etc., spouse, children, significant other, business relationships, friends, other or no foreign ties)

If yes, what country or county or countries?

Interviewing Strategies

Be sure to keep conversation and questions current.

Scoring Rules/Issues:

1. Rate based on last ten (10) years. Circle all that apply. Indicate which country or countries on the tool.
2. If you determine that the defendant has foreign ties he/she should be rated A.

#2.7(B)

Domain: Other – Foreign Ties

Item #2.7(B): Foreign Contacts

Rate

Purpose/Intent of Item: Foreign ties facilitate a defendant's ability to leave the country and thus fail-to-appear at criminal proceedings.

Sample Questions

Does the defendant maintain contact with any individual in question 2.7(A)?

Interviewing Strategies

Be sure to keep conversation and questions current.
For defendants traveling outside the United States be sure to probe deeper into potential foreign relationships, businesses, bank accounts, essentially anything they could use as a resource to flee the United States.

Scoring Rules/Issues:

1. Rate based on last ten (10) years. Consider the responses to the sample questions.
2. If you determine that the defendant maintains contact with any individuals in question 2.7(A) he/she should be rated A.

#2.7(C)

Domain: Other - Foreign Ties

Item #2.7(C): Citizen of a foreign country

Rate

Purpose/Intent of Item: Foreign ties facilitate a defendant's ability to leave the country and thus fail-to-appear at criminal proceedings.

Sample Questions

Is the defendant a citizen or resident of a foreign country? If yes, which country or countries?

Interviewing Strategies

Be sure to keep conversation and questions current.
For defendants traveling outside the United States be sure to probe deeper into potential foreign relationships, businesses, bank accounts, essentially anything they could use as a resource to flee the United States.

Scoring Rules/Issues:

1. Rate based on last ten (10) years. Consider the responses to the sample question.
2. If you determine that the defendant has foreign ties he/she should be rated A.

#2.7(D)

Domain: Other – Foreign Ties

Item #2.7(D): Passport

Rate

Purpose/Intent of Item: A passport may facilitate a defendant's ability to leave the country and thus fail-to-appear at criminal proceedings.

Sample Questions

Does the defendant possess a valid or expired passport (either U.S. or foreign)?

Interviewing Strategies

Be sure to keep conversation and questions current.
For defendants traveling outside the United States be sure to probe deeper into potential foreign relationships, businesses, bank accounts, essentially anything they could use as a resource to flee the United States.

Scoring Rules/Issues:

1. Rate based on last ten (10) years. Consider the responses to the sample question. Indicate whether the passport is U.S. or foreign.
2. If you determine that the defendant possess a passport (either U.S. or foreign) he/she should be rated A.

#2.7(E)

Domain: Other - Foreign Ties

Item #2.7(E): Financial interest outside of U.S.

Rate

Purpose/Intent of Item: Financial interest outside of the U.S. may provide the defendant with resources to leave the country and thus fail-to-appear at criminal proceedings.

Sample Questions

Does the defendant have any financial interest (such as, property bank accounts, business, etc.) outside of the U.S.?

Interviewing Strategies

Be sure to keep conversation and questions current.
For defendants traveling outside the United States be sure to probe deeper into potential foreign relationships, businesses, bank accounts, essentially anything they could use as a resource to flee the United States.

Scoring Rules/Issues:

1. Rate based on last ten (10) years. Consider the responses to the sample question. Indicate the type of financial interest on the tool.
2. If you determine that the defendant has financial interests outside of the U.S. he/she should be rated A.

#2.7(F)

Domain: Other - Foreign Ties

Item #2.7(F): Travel outside the U.S.

Rate

Purpose/Intent of Item: Travel outside of the U.S. facilitate a defendant's ability to leave the country and thus fail-to-appear at criminal proceedings.

Sample Questions

Has the defendant traveled outside of the United States within past 1 year, 2 , 3, 4, 5, 10 years?

Interviewing Strategies

Be sure to keep conversation and questions current.
For defendants traveling outside the United States be sure to probe deeper into potential foreign relationships, businesses, bank accounts, essentially anything they could use as a resource to flee the United States.

Scoring Rules/Issues:

1. Rate based on last ten (10) years. Consider the responses to the sample question. Circle the appropriate item.
2. If you determine that the defendant has traveled outside the U.S. he/she should be rated A.

#2.7(G)

Domain: Other - Foreign Ties

Item #2.7(G): Purpose of travel

Rate

Purpose/Intent of Item: Travel outside the U.S. facilitate a defendant's ability to leave the country and thus fail-to-appear at criminal proceedings.

Sample Questions

Was the travel in item 2.7(F) for pleasure, business, both, or not applicable?

Interviewing Strategies

Be sure to keep conversation and questions current.
For defendants traveling outside the United States be sure to probe deeper into potential foreign relationships, businesses, bank accounts, essentially anything they could use as a resource to flee the United States.

Scoring Rules/Issues:

1. Rate based on last ten (10) years. Consider the responses in the sample question.
2. Circle (A) for pleasure, (B) for business, (C) for both, of (D) if not applicable. Indicate appropriate letter in rating box.

Missing Items

What to do if there are missing items?

Prorated Scoring: The PTRA score can be prorated based on the table below. Statistical analysis indicated that the PTRA score was still predictive when 4 or fewer scored items were missing. The prorated score is based on a calculation involving the data on scored/available items. This process is more accurate as assuming missing items are 0 potentially underestimates risk and assuming missing items potentially overestimates risk.

Officers should make every attempt to gather information on all items. If criminal history information is not available this instrument cannot be scored.

Raw Score	← Number of Missing Items →			
	1	2	3	4
0	0	0	0	0
1	1	1	1	2
2	2	2	3	3
3	3	4	4	5
4	4	5	6	6
5	6	6	7	8
6	7	7	8	10
7	8	8	10	11+
8	9	10	11+	11+
9	10	11+	11+	11+
10	11+	11+	11+	11+

To use the above chart find the raw score that you obtained in the left most column. Read along that row until you get to the column that indicates the number of items that are missing from the assessment. The number in the cell where the row and column intersect is the prorated score.

For example, an assessment with a raw score of 4 with 2 items missing would equal a prorated score of 5.