

# Guide to Pretrial Release Assessment

The New York City Criminal Justice Agency (CJA) administers New York City’s release assessment to every individual arrested and held for arraignment. The assessment evaluates the likelihood that an individual released before trial will return for court appearances. CJA’s updated release assessment and form are based on analysis of 1.6 million NYC cases and extensive feedback from court actors and the community, to determine the 8 most predictive factors of court appearance. The scoring below will be generated by CJA for individuals interviewed; this guide explains the elements of the score and other features of the updated assessment form.

## STEP 1: SCORE IS CALCULATED BASED ON FACTORS

### RELEASE ASSESSMENT: FACTORS & SCORE

*Below is a guide to how score is computed. Each person starts with 25 points, with points deducted based on each factor.*

	Assessment Factors		Cycles Considered/Details	Points	
	<i>All criminal history factors stem from NYS history only. Factors exclude violations, infractions, and sealed cases</i>	<i>Explanation of factors</i>	<i>References rap sheet cycle related to factor</i>	<i>Number of points deducted by factor</i>	<i>Point deductions from 25</i>
A	Years since last bench warrant	<i>How long has it been since last non-stayed bench warrant?</i> <ul style="list-style-type: none"> <li><i>Multiple bench warrants issued on same day are counted as one warrant</i></li> </ul>	e.g. Last Warrant Cycle/ Date: 1 (10-21-2016)	Past year = 6 1-2 years = 4 2-5 years = 3	—
B	Two or more bench warrants in last five years	<i>Have there been 2 or more non-stayed warrants in last 5 years?</i>	e.g. Additional Cycle/ Date: 1 (9-19-2016)	Yes = 2	—
C	Misdemeanor or felony convictions in last year	<i>Have there been any convictions within past 1 year?</i> <ul style="list-style-type: none"> <li><i>Time since conviction is measured using conviction date</i></li> <li><i>Does not count cycles where marijuana expungement laws apply</i></li> </ul>		Yes = 2	—
D	Misdemeanor convictions in last three years	<i>What is the number of misdemeanor convictions in last 3 years?</i>	e.g. Cycle/Date: 2 (7-1-2016)	3 or more = 3 2 = 2 1 = 1	—
E	Felony convictions in last ten years	<i>What is the number of felony convictions in last 10 years?</i>		1 or more = 1	—
F	Pending cases	<i>Are there one or more pending cases with an arrest date in last 5 years?</i> <ul style="list-style-type: none"> <li><i>Does include ACDs</i></li> </ul>		1 or more = 3	—
G	Years living at last two addresses	<i>What is the reported combined length of time at last two addresses?</i> <ul style="list-style-type: none"> <li><i>Does not require a NYC address</i></li> <li><i>Verification does not affect score</i></li> </ul>	e.g. Current Address: 2 years Prior address: 12 years	No address = 5 < 3 years = 2	—
H	Reachable by phone	<i>Did the individual report a phone number where they can be reached?</i> <ul style="list-style-type: none"> <li><i>A cell phone or landline of the individual or a household member qualifies</i></li> <li><i>Verification does not affect score</i></li> </ul>		No phone = 3	—
<b>Total Score</b>				_____ / 25	
Of those released with this score				_____ out of 100 return for all required court appearances	

## STEP 2: MATCH SCORE WITH CORRESPONDING RECOMMENDATION IN KEY BELOW

### Reappearance Score and Recommendation Key

Score	0-3	4-6	7-8	9-11	12-15	16-18	19-20	21-22	23-24	25	
<b>Reappearance Rate (# out of 100)</b>	42	50	56	63	71	76	82	87	89	93	
<b>Recommendation</b>	<b>ROR Not Recommended</b>					<b>Misd ROR</b>	<b>Misd/ NVFO ROR</b>	<b>ROR</b>			
						<b>NVF/ VFO</b> Consider all options	<b>VFO</b> Consider all options				

- CJA’s Recommendation is based on score and top arraignment charge. The score and corresponding recommendation(s) will be highlighted.
- Based on the score, the model estimates the reappearance rate – the likelihood that individuals will make all required pretrial court appearances, if released on recognizance. This reappearance rate is based on historical data, and measures the percentage of cases with similar scores where individuals made all required court appearances. For example, out of 100 individuals with a score of 23 or 24, 89 made all required court appearances.
- Note that for any individual case, there may be additional factors which suggest a higher or lower likelihood of making all required court appearances.

# SAMPLE RELEASE ASSESSMENT

## Pretrial Release Assessment

Name on NYSID/Arrest Report Doe, John		First Arrest No	
NYSID 00000000J		Arrest Charges (up to 4)	
Age 30	Precinct 000	1. 000.00	2.
Sex Male	Arrest # 000000	3.	4.

CJA Interview		Interview Date & Time 05-31-19 12:00 AM
		Language & Service Type Spanish
Address Yes, Verified 0000 Canterbury Dr., Brooklyn, N.Y. 10000	Employed Full-time Length of Employment 3 yr. Job/Position Security Guard Employer Empire Airport	In School No In Training Program No In Treatment Program No Served in the U.S. Armed Forces, National Guard, or Reserves
Phone Yes, Verified (212) 555-5555 Lives with Mother	Est. Monthly Net Income \$ 1,234	Financial Support for Others No
Caretaker for Others No		
CJA Notes		

### Release Assessment Scoring

	Assessment Factors	Cycles Considered/Details	Points
		<i>All start with 25 points</i>	<b>25</b>
A	Years since last bench warrant <u>N/A</u>	No counted warrants from last 5 years	0
B	Two or more bench warrants in last five years <u>No</u>		0
C	Misdemeanor or felony convictions in last year <u>0</u>		0
D	Misdemeanor convictions in last three years <u>0</u>		0
E	Felony convictions in last ten years <u>0</u>		0
F	Pending cases <u>1+</u>	Cycle/Date: 2 (04-31-2019)	-3
G	Years living at last two addresses <u>3+</u>	Current Address: 3 years Prior Address: 2 years	0
H	Reachable by phone <u>Yes</u>		0
Total Score		<b>22 /25</b>	
Of those released with this score		<b>87 out of 100</b> <small>return for all required court appearances</small>	

### Reappearance Score and Recommendation Key

Score	0-3	4-6	7-8	9-11	12-15	16-18	19-20	21-22	23-24	25
Reappearance Rate (out of 100)	42	50	56	63	71	76	82	87	89	93
Recommendation	ROR Not Recommended		Misd ROR	Misd/NVF ROR	ROR					
			NVF/VFO Consider all options	VFO Consider all options						

### CJA Recommendation

## ROR

Indicates whether information has been verified by CJA.

Uses CJA Notes field to indicate missing information and specific information such as "cycle not scored" and potential discrepancies.

Aligns scores with reappearance rates and recommendation.

Reappearance rate estimates individual's likelihood of appearing for all required court appearances, if that individual was released on recognizance.

Provides information about person and arrest with up to 4 arrest charges.

Summarizes CJA interview data.

Includes points deducted from 25 based on model.

Under Cycles Considered/Details field, provides cycle info for criminal justice factors and details on community ties factors.

Highlights an individual's score.

CJA Recommendation based on score and arraignment charge.

## CJA RECOMMENDATIONS

*The recommendation is based on top arraignment charge, not top arrest charge.*

**ROR** • CJA attempts to contact all released individuals by telephone, text and/or letter to remind them of their future court appearance dates.

**Consider All Options** • Court may determine that some in this group could be appropriately ROR'd, while others may require additional conditions or support to ensure their return to court, such as Supervised Release.

**ROR Not Recommended** • Consider Supervised Release or other appropriate conditions.

### SPECIAL CASES

For information purposes only - Incomplete • One or more of the 8 factors is listed as incomplete ("INC"). For further information on why incomplete, look at CJA Notes. If criminal history is not received or community tie interview factors are incomplete, the report is incomplete.

For information purposes only - No Recommendation Due to Arrest Charge • Murder or attempted murder charges: e.g. 125.25, 110-125.25, 125.26, 110-125.26, 125.27, 110-125.27.  
• Escape or absconding charges: e.g. 205.05, 205.10, 205.15, 205.16, 205.17, 205.18, 205.19.  
• Bail Jumping charges: e.g. 215.55, 215.56, 215.57, or 215.58.

For information purposes only - Currently Incarcerated • Person is currently incarcerated.

For more information, contact court-based CJA staff,  
visit CJA's website at [nycja.org](http://nycja.org), or email [info@nycja.org](mailto:info@nycja.org).

General: (646) 213-2500 Manhattan: (212) 577-8777 Bronx: (718) 681-0406 Brooklyn: (718) 330-1508	Queens: (929) 396-0017 Queens Supervised Release: (929) 396-0019 Staten Island: (718) 816-4293
---	--