

VPRAI

Frequently Asked Questions

Recently we investigated a defendant that had multiple charges for one arrest event—two misdemeanor charges in General District Court and the other was a Circuit Court capias for probation violation. The policy of our State Probation and Parole office is to close the case as soon as the court issues a capias. When we complete the VPRAI for the General District Court charges, is the defendant considered to be on “active community supervision” under the Research Factors section?

Yes, the intent of this research factor is to capture the status as ordered by the court at the time of arrest. In this example, the court obligations and conditions of probation are in still place. The procedures of the Probation and Parole in this example are not considerations for interpreting this research factor.

I interviewed a defendant that was 18 years old and still on juvenile probation. Should I count this as “Active Community Supervision” under Research Factors?

Yes, make sure the defendant’s supervision period is still active and the underlying charge would be a criminal offense if she/he was charged as an adult (not a status offense). This factor is looking at the issue of the defendant’s involvement on community supervision at the time of arrest. Although the defendant is an adult at the time of arrest, she/he may continue to have a supervision obligation to fulfill from a prior juvenile conviction.

If the current arrest event includes a violent charge, do I count that as an arrest in the Research Factors section for “Number of Violent Arrests?”

No, the intent of this research factor is to capture a prior arrest history of violent offenses. The number of violent offenses can be obtained by reviewing the defendant’s criminal history record or through self-report during the pretrial interview and does not include the current arrest event.

What if the defendant is denied bail by the magistrate and I want to recommend to the judge that this status continue at first appearance in court? There is no choice for “no bond continued.”

In this scenario, you should recommend “Same Bond” and make notes clarifying your recommendation in the text box “Additional Comments/Recommendations.”

Should a VPRAI be completed for defendants who are already in custody and are served with a new criminal warrant? For example, people who have been sentenced and have active time

in another jail get served with a warrant from our jurisdiction. As a result, they are taken back to our jail to appear for first appearance on the new charge.

No, a VPRAI should not be completed for defendants who were in custody already when the current warrants were served. A VPRAI is intended to assess a defendant's risk based on the assumption that they were in the community prior to arrest. In this example, the defendant was incarcerated at the time the new warrant was served and a VPRAI may not provide accurate results in such a case. Consult your local policies and procedures and DCJS for guidance on whether to investigate defendants that fit this example.

If a defendant is charged with assaulting another inmate while they were in custody awaiting trial, do we count the original charges as pending charges?

No, the risk factor "Pending Charges" is intended to capture the defendant's criminal status while they were in the community. A criminal offense allegedly committed while in custody is not considered a pending charge for the purposes of the VPRAI. In fact, in this example, a VPRAI should not be completed for the reasons stated above.

Do I have to complete a separate screening and VPRAI for one arrest event that has multiple charges going to multiple courts that our agency provides service?

No, one arrest event must result in one screening and one VPRAI. If one of the charges in one court is a felony and the other is a misdemeanor, the defendant's arrest event is considered a felony for all courts. As a result, the risk factors and level are always the same for each court.

Some of the courts that we serve convict defendants for failure to appear, even if they were in jail at the time they were supposed to appear. The VPRAI instructions state that we should not count this as an FTA if there is confirmation that the defendant was in custody (jail or prison) when the failure to appear occurred. How should we handle this for the risk factor "Two or More FTAs?"

In this case you would count any FTA conviction, as decided by a Court, as an FTA whether or not you have reason to believe the FTA was willful. This research factor is capturing arrests for "willful" failure to appear. If a judge convicts a defendant that fails to appear and did so because they were in custody, we must assume that the court determined that the failure to appear was considered "willful." The VPRAI instructions relating to having confirmation that the defendant was in custody when the failure to appear occurred only applies to FTA arrests with a disposition other than guilty.

I'm always looking for time saving tips. You referenced a tip during training that is contained in the VPRAI screen we may not have know about. Can you tell me what that was again?

If you double click in the date field it will populate with the current date. Usually, you will be completing the risk assessment instrument on the same day of court. If not, you can still use this technique and edit the day as needed.

What is the best way to type in the charge, bond type and amount, and court information in the text box provided?

That depends. First, your agency should make a policy decision about how you will use this text box for consistency. Next, consider the amount of space that will be provided on the VPRAI report. If you hit the “enter key” or “return” after each description, you may create some spacing issues. Some agencies have found that not hitting the “enter key” and using commas and semicolons to separate each category is a better use of space on the report. This is especially helpful when a defendant has multiple charges in multiple courts. Pretrial agencies that cover multiple counties and/or cities will want to consider this method. Others have found that if you have the space, hitting the “enter key” and creating a line for each charge can provide a cleaner appearance.

VPRAI Support

How do I get support if I have a question about using the VPRAI?

If you have a question about using the VPRAI or encounter a unique situation and you are not sure how to apply the risk factors to that situation, contact the VPRAI Help Desk for additional support at askvprai@luminosity-solutions.com. We welcome your questions and all answers are shared with VPRAI users across the Commonwealth. Chances are that someone else in Virginia will benefit from your question and corresponding answer.

If you have technical questions or want to report an error with PTCC, contact the PTCC Help Desk at ptcchelp@dcjs.virginia.gov. If possible, try and include screen shots and as much detail about the question or problem that you are experiencing. Upon receipt of your question, the PTCC Help Desk will send you a work order number for tracking purposes. If you do not receive a work order number, contact the PTCC Help Desk immediately and one will be provided.