

**PRETRIAL SERVICES ACT  
FOR JUDICIAL OFFICERS**

*Purpose: To provide assistance to judicial officers, to improve public safety, and to expedite release of adult defendants held in jail in lieu of a secured bond.*

**Enabling Legislation**  
**Pretrial Services Act**  
 §§ 19.2-152.2 *et seq.* &  
 Article 1 (§ 19.2-119 *et seq.*) of Chapter 9

**FOR JUDICIAL OFFICERS AS DEFINED IN  
§19.2-119**

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**For persons in custody or confinement awaiting trial and charged with an offense other than one punishable by death**

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**Information**

**§19.2-121 Assistance To:**

1. Magistrates: at Initial Bail Hearing [subject to the availability of staff resources]
2. Judges: to Reconsider the Conditions of Bail at Any Subsequent Hearing  
*[Cross reference §§19.2-130 & 19.2-158]*  
**Any judicial officer may make a direct placement without the benefit of a pretrial investigation**

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**Services**

**§19.2-123 Provide:**

- A. Defendant Investigation/interview
- B. Substance Abuse Screening or Testing @ Investigation  
*If Approved by Chief Judge of General District Court*
- C. Results of Risk Assessment [Instrument to be implemented gradually during FY 04]
- D. Recommendations based on facts or factual conclusions
- E. Pretrial Reports to the following: [subject to consent for release of information signed by defendant]
  1. Court
  2. Commonwealth's Attorney
  3. Public Defender or Defense Attorney
  4. Other agencies involved in supervision or provision of services to the defendant
- F. Pretrial Report confidential

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**Custody & Supervision**

**§19.2-123**

*For defendants released from jail to recognizance in lieu of a secure bond. Signing for custody optional*

Supervision includes:

- A. Continued Drug & Alcohol Testing if so ordered
- B. Frequent Face-to-Face Contact with Program Staff
- C. Assure that defendant keeps the peace and does not continue criminal behavior
- D. Appears for all Court Hearings
- E. Compliance with all other conditions of bail imposed by judicial officer
- G. Optional Home/Electronic incarceration (§53.1-131.2)
- H. Supervision records confidential

**Investigation/Interviews**

- A. Includes Information & Verification of:
  1. Financial Resources of Accused
  2. Family Ties
  3. Employment or Education
  4. Length of Residence in Community
  5. Record of Convictions (VCIN & Local)
  6. Record of Court Appearances, Flight to Avoid Prosecution, Failures to Appear
  7. Substance Abuse Information
  8. Any Other Information Which Court Considers Relevant
- B. Does Not Include Discussion of:
  1. Weight of Evidence
  2. Circumstance(s) of Instant Offense(s)