

VA PRETRIAL RISK ASSESSMENT INSTRUMENT TRAINING



VIRGINIA PRETRIAL RISK ASSESSMENT INSTRUMENT (VPRAI) INSTRUCTION MANUAL

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INTRODUCTION

The Virginia Pretrial Risk Assessment Instrument (VPRAI) was developed by the Virginia Department of Criminal Justice Services in 2003 for use by Pretrial Services programs throughout the Commonwealth. The VPRAI is an objective research-based instrument that assists Pretrial Services Officers in the performance of their duties by identifying a defendant's level of risk of failure (failure to appear and/or new arrest) if released pending trial. The VPRAI is provided to judicial officers as a part of the pretrial investigation report to assist them in making the bail decision (to release or detain a defendant pending trial).

Virginia Pretrial Services

There are currently 30 Pretrial Services programs serving 80 of Virginia's 134 cities and counties. All Virginia Pretrial Services programs operate under the authority of the Pretrial Services Act and are funded in whole or part by the Virginia Department of Criminal Justice Services (DCJS). DCJS administers general appropriation funds designated for the purpose of supporting the Pretrial Services Act (PSA) as discretionary grants to local units of government.

Mission

The mission of Pretrial Services programs in Virginia is to provide information to the Courts to assist with the bail decision and to provide supervision and services, as ordered by a judicial officer (for this purpose a Judge or Magistrate) to pretrial defendants, that will promote public safety and court appearance. These efforts are intended to honor the Constitutional presumption of innocence, provide protections for the community, assist in the fair administration of justice, and to promote equitable treatment of defendants.

Goals

The goals of Pretrial Services programs in Virginia include the following:

1. to assist judicial officers in making initial bail release decisions or in reviewing and amending the term and/or conditions of release on bail at subsequent hearings and
2. to provide supervision of defendants placed in the custody of the program and assure compliance with the conditions of release imposed by a judicial officer.

Objectives

1. To expedite release and improve judicial decision making through the provision of defendant background information and recommendations for use by judicial officers in determining or reconsidering the risk to public safety and appearance in court pending trial.
2. To reduce failures to appear in court and improve public safety by providing custody and supervision for pretrial defendants.
3. To alleviate jail overcrowding, thereby reducing jail operating costs and future capacity needs of local jails, caused by the continued detention of certain pretrial defendants.
4. To improve the efficiency and effectiveness of local criminal justice systems.

Pretrial Services Legal Authority

The Pretrial Services Act §19.2-152.2 of the Code of Virginia states: “It is the purpose of this article to provide more effective protection of society by establishing programs that will assist judicial officers in discharging their duties pursuant to Article 1 (§19.2-119 et seq.) of Chapter 9 of this title. Such programs are intended to provide better information and services for use by judicial officers in determining the risk to public safety and the assurance of appearance of persons age 18 or over or persons under the age of 18 who have been transferred for trial as adults held in custody and charged with an offense, other than an offense punishable by death, who are pending trial or hearing. Any city, county or combination thereof may establish a pretrial services program and any city, county or combination thereof required to submit a community-based corrections plan pursuant to §53.1-82.1 shall establish a pretrial services program.” (1994, 2nd Sp. Sess., cc. 1, 2; 1999, cc. 829, 846; 2004, c. 378.)

VPRAI Legal Authority

§19.2-152.3. *Department of Criminal Justice Services to prescribe standards; biennial plan* of the Code of Virginia states: The Department of Criminal Justice Services shall prescribe standards for the development, implementation, operation and evaluation of programs authorized by this article. **The Department of Criminal Justice Services shall develop risk assessment and other instruments to be used by pretrial services programs in assisting judicial officers in discharging their duties** pursuant to Article 1 (§19.2-119 et seq.) of Chapter 9 of this title. Any city, county or combination thereof which establishes a pretrial services program pursuant to this article shall submit a biennial plan to the Department of Criminal Justice Services for review and approval. (1994, 2nd Sp. Sess., cc. 1, 2; 1999, cc. 829, 846.)

Virginia Pretrial Risk Assessment Instrument (VPRAI)

The VPRAI was developed to assist Pretrial Services programs in meeting their duties as specified in the Pretrial Services Act and to support the mission, goals, and objectives of Virginia Pretrial Services programs. The VPRAI is completed as a part of the Pretrial Investigation Report for those defendants deemed eligible. This manual contains the eligibility criteria and instructions for the completion of the VPRAI.

VPRAI ELIGIBILITY

The VPRAI is required and shall be included as a part of the Pretrial Investigation Report when defendants meet a number of eligibility requirements. When a defendant meets all of the criteria listed below a VPRAI shall be included in the Pretrial Investigation Report; otherwise, the report is to be submitted without a VPRAI.

A VPRAI examines a defendant's status at the time of the arrest as it relates to the current charges, pending charges, outstanding warrants, criminal history, residence, employment, primary child caregiver, and history of drug abuse. For this reason, the instrument is primarily intended to be completed after arrest and presented to the Court at first appearance. Completing the instrument soon after arrest increases the likelihood of capturing the most accurate information as it relates to the defendant's status at the time of his/her arrest.

1. The defendant must be an adult- 18 years or older or a juvenile previously certified as an adult by the court.
2. The defendant must not be incarcerated at the time of the arrest or when the warrants were served. Defendants who were incarcerated for unrelated charges at the time the new warrants were served are not eligible.
3. The defendant must have been arrested for one or more jailable offense(s) – Class 1 and 2 misdemeanors (M1 and M2), unclassified misdemeanors (M9) that carry a penalty of jail time, and all felonies. Class 3 misdemeanors, Class 4 misdemeanors, and any Class 9 misdemeanors, which carry a maximum penalty of a fine, are not eligible for instrument completion.
4. The defendant must have been arrested for a criminal offense (includes criminal traffic charges but NOT traffic infractions). Defendants charged solely with the following are not eligible:
 - a. civil offense
 - b. FTA or capias due to an underlying charge from a civil court
 - c. fugitive warrant/warrant of extradition
5. A VPRAI must be completed within seven (7) days of the defendant's arrest and incarceration for the current charges in order to be valid.

Pretrial staff must have completed an investigation prior to completing the VPRAI. Defendants who do not meet all five criteria listed above are not eligible for instrument completion as part of the pretrial investigation. A VPRAI must be completed for all eligible defendants by following the instructions provided in the section that follows.

VPRAI COMPLETION

The VPRAI is automated and contained in the Pretrial and Community Corrections Case Management System (PTCC). Appendix A contains an example of the instrument with no data while Appendix B contains an example of a completed instrument created from sample data. The VPRAI can be created after completing four tabs contained in the Screening sub-module of the Screening module. The four tabs include the following: Screening, VPRAI (Step 1), VPRAI (Step 2), and VPRAI (Step 3).

Screening

The following information required for the VPRAI is entered into the Screening tab: First Name, Last Name, Race, SSN, Sex, and DOB, screened in, and investigated Yes. (See figure 1)

Figure 1

Pretrial and Community Corrections Case Management System (PTCC) - [Screening - Screening]

File Edit Modules Reports Administration Window Help

Screening Charges Court Assignment Court Reports Recommendation Charge Update Court Update

Screening VPRAI (Step 1) VPRAI (Step 2) VPRAI (Step 3) RA Outcome

Scr. Date	Jail Name	PCC	Scr. In	Reason Screened Out	Investigated
-----------	-----------	-----	---------	---------------------	--------------

Existing Defendant New Defendant

First Name:

Middle Name: Suffix:

Last Name:

Race: SSN:

Sex: Age: DOB:

Height (in): Eye Color:

Weight (lbs): Hair Color:

PCC: Arrest Date:

Jail:

Screened

In Out - Reason:

Other Desc.:

By: Date:

Investigated

Yes No - Reason:

Other Desc.:

By: Date:

Criminal Record Check:

Staff:

Date Edited:

10/13/2004 9:14 AM

VPRAI (Step 1)

The following information required for the VPRAI is entered into the VPRAI (Step 1) tab: Instrument Completion Date, Court Date, Charge(s) (with corresponding Bond Type, Bond Amount, and Court), Risk Factors, and Risk Level. (See figure 2)

Figure 2

Pretrial and Community Corrections Case Management System (PTCC) - [Screening - Screening]

File Edit Modules Reports Administration Window Help

Screening Charges Court Assignment Court Reports Recommendation Charge Update Court Update

Name: Defendant, Pretrial; SSN: 999999999; DOB: 10/13/1955

Screening VPRAI (Step 1) VPRAI (Step 2) VPRAI (Step 3) RA Outcome

Instrument Completion Date: 08/13/2004

Arrest Information

Court Date: 08/13/2004

Charge(s), Bond Type and Amount, Court: Grand Larceny \$1,500 Secure Bond General District Court; Domestic Assault \$500 Secure Bond J&DR Court

Risk Factors:

Charge Type: Felony

Pending Charge(s): No

Outstanding Warrant(s): No

Criminal History: No

Two or More FTA Convictions: No

Two or More Violent Convictions: No

Length at Current Residence Less Than One Year: No

Residence Verified: Yes

Employed 2 Years/Primary Child Caregiver: Yes

Employed/Caregiver Verified: Yes

History of Drug Abuse: No

Calculate Risk Risk Level: Low

Exit << Previous Save Undo New Delete Next >>

Staff: Administrator, System
Date Edited: 10/13/2004 09:24 AM

Case No.: CA10592004101309163500 10/13/2004 9:24 AM

Risk Factors

The VPRAI calculates a defendant's level of risk based on nine (9) risk factors listed below. Responses to these risk factors are entered in the appropriate spaces on this tab. Guidance for selecting accurate responses to the factors is provided below.

1. Charge Type – If there is only one charge - select the classification for that charge.
 - Select **misdemeanor** or **felony** to indicate whether the most serious charge classification for the arrest event is a misdemeanor or a felony.
 - **Count the charge type** of the most serious underlying charge for a capias or FTA warrant.
 - Select **misdemeanor** when there are multiple charges and all of the charges have a charge classification of misdemeanor.

- **Select *felony*** when there are multiple charges and one or more of the charges is a felony.
2. Pending Charge(s) – Pending charge(s) require: 1) that the defendant was previously arrested for one or more charges for jailable offenses that have not been “disposed of”; 2) was arrested for a new crime that was allegedly committed while released on bail pending trial; 3) that a future court date has been set; or 4) that a warrant has been issued for failure to appear.
 - **Select Yes** if the defendant had one or more charges for jailable offenses pending in a criminal or traffic (not civil) court at the time of arrest.
 - **Select No** if the defendant had no pending charge(s) at the time of arrest.
 - **Exception:** If the current arrest is solely for a failure to appear, the underlying charge(s) related to the failure to appear does not constitute a pending charge.
 - The following scenarios **DO NOT** constitute a pending charge:
 - A defendant is arrested, remains incarcerated pending trial, and is served with new warrants.
 - A defendant is arrested, released pending trial, and is arrested for an alleged offense date that is prior to the first arrest.
 3. Outstanding Warrant(s) – Outstanding warrants include warrants that have not been served on the defendant and, therefore, do not have a future court date.
 - **Select Yes** if, at the time of the arrest, the defendant had one or more warrant(s) outstanding in another locality for charges (jailable offenses only) unrelated to the current arrest.
 - **Select Yes** for outstanding warrants if a defendant is arrested on warrants from more than one locality.
 - **Select No** if the defendant did not have any outstanding warrant(s) at the time of arrest.
 - **Exception:** Do not count a warrant for an FTA as outstanding. Count the underlying charge(s) that produced the FTA as a pending charge. (See Pending Charge, above)
 4. Criminal History – Only convictions for a jailable offense are counted as a prior criminal history.
 - **Select Yes** if the defendant has at least one adult misdemeanor or felony conviction in the past.
 - **Select No** if the defendant has no misdemeanor or felony conviction(s) in the past.

5. Two or More Failure to Appear Convictions – Convictions for Contempt of Court that were a result of failure to appear are counted as failure to appear convictions.
 - **Select Yes** if the defendant has two or more prior failure to appear convictions as an adult.
 - **Select No** if the defendant does not have two or more failure to appear convictions.
6. Two or More Violent Convictions – Violent convictions are defined for the purposes of risk assessment to include the following: Murder, Manslaughter, Kidnapping, Abduction, Malicious Wounding, Robbery, Carjacking, Arson, Assault (simple assault or assault & battery/misdemeanor or felony), and Sex Offenses (Rape, Sexual Assault/Battery, Carnal Knowledge of a Child, Forcible Sodomy. Convictions for burglary and possession or brandishing a firearm are **not** included as Violent Convictions. Count a conviction for attempts. Do not count conspiracy to commit any of the offenses is not included.
 - **Select Yes** if the defendant has two or more prior violent convictions as an adult.
 - **Select No** if the defendant does not have two or more prior violent convictions.
7. Length at Current Residence Less than One Year – A stable residence is where the defendant currently lives and has lived continuously for a year or more.
 - **Select Yes** to indicate if the defendant has lived at his residence for less than one year, is homeless, or does not have a stable residence.
 - **Select No** if the defendant has lived at his current residence for one year or more.
 - **Select Yes or No** to indicate whether the residence information **was verified** by a reference or other secondary source.
8. Employed 2 Years/Primary Child Caregiver – Employment includes part or full time as long as the defendant worked regularly and consistently for a minimum of 20 hours per week. A defendant is considered a primary child caregiver if he or she is responsible for, and consistently cares for, at least one dependent child (under the age of 18), living with the defendant at the time of the arrest.
 - **Select Yes** if the defendant has been employed continuously at one or more jobs during the two years prior to the arrest.
 - **Select Yes** if the defendant was a primary child caregiver at the time of the arrest.
 - **Select No** if the defendant was unemployed at the time of the arrest or had a gap in employment over the two years prior to the arrest and was not a primary child caregiver at the time of arrest.

- **Select Yes or No** to indicate whether the employed/primary child caregiver information was verified by a reference or other secondary source.
9. History of Drug Abuse – The pretrial officer must determine if the defendant has a history of drug abuse based on the information gathered during the pretrial investigation. For the purposes of risk assessment drug abuse includes any illegal or prescription drugs and **does not include alcohol**. Consideration should be given to the information provided by the defendant, criminal history, information contained in supervision records, and any information provided by references regarding drug use (**excluding alcohol**).

Examples: Indications of a history of drug abuse: 1) previously used illegal substance(s) repeatedly (this is to be distinguished from short-term experimental use); 2) defendant admits to previously abusing illegal or prescription drugs; 3) the criminal history contains drug related convictions; and 4) the defendant received drug treatment in the past.

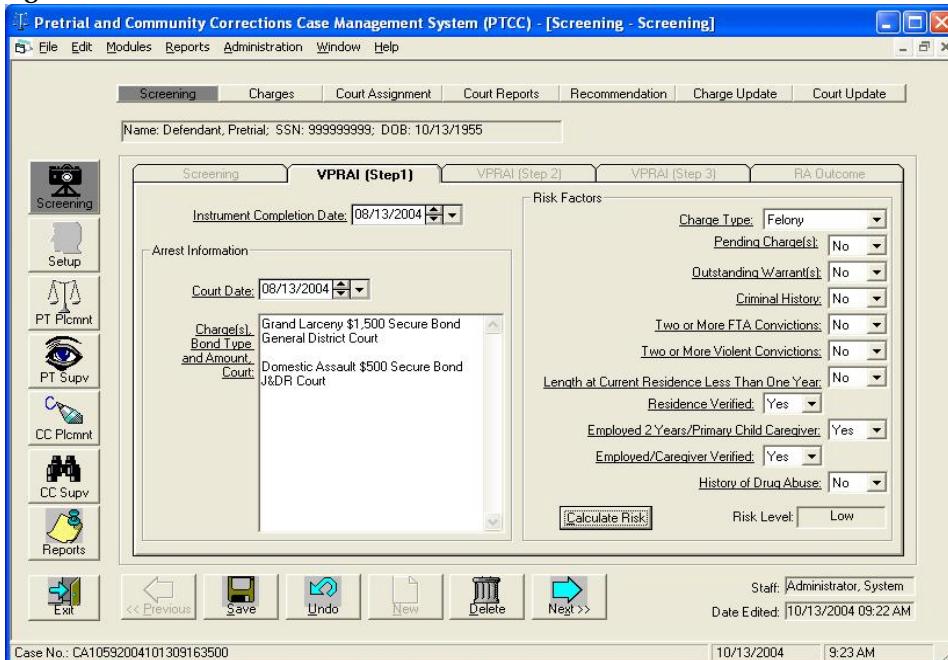
Any one or a combination of the factors above can be used to determine whether or not the defendant has a history of drug abuse.

- **Select Yes** to indicate the defendant has a history of drug abuse.
- **Select No** if the defendant does not have a history of drug abuse.

Risk Level

After selecting responses to the nine risk factors the risk level is automatically calculated in PTCC by selecting the Calculate Risk button. The defendant’s level of risk is identified as one of the following: Low, Below Average, Average, Above Average, or High. (See figure 3)

Figure 3



VPRAI (Step 2)

The following information for the VPRAI is entered into the VPRAI (Step 2) tab: Meets Presumption of No Bail §19.2-120 and Additional Risk Considerations and/or Mitigating Factors. (See figure 4)

Figure 4

Pretrial and Community Corrections Case Management System (PTCC) - [Screening - Screening]

File Edit Modules Reports Administration Window Help

Screening Charges Court Assignment Court Reports Recommendation Charge Update Court Update

Name: Defendant, Pretrial: SSN: 999999999; DOB: 10/13/1955

Screening VPRAI (Step1) **VPRAI (Step 2)** VPRAI (Step 3) RA Outcome

Risk Level: Average

Summary of Risk Factors:

The most serious charge is a felony.
Length at current residence is less than one year.
Not employed continuously for the past two years and was not a primary child caregiver at the time of arrest.

From Magistrate's Bail Determination Checklist:

Meets Presumption of No Bail §19.2-120

B.1 Violence B.6 Pending

B.2 Life/Death B.7 Sexual Assault

B.3 Narcotics B.8 Gang/Terrorism

B.4 Firearm B.9 DUI + 3

B.5 Felony+2 C. Illegal Alien

Additional Risk Considerations and/or Mitigating Factors:

Although the defendant poses a risk due to residence and employment, he recently obtained employment at American Auto and he has purchased a home in the local area. Pretrial supervision can address these risk factors.

Staff: Administrator, System
Date Edited: 10/13/2004 09:31 AM

Case No.: CA10592004101309163500 10/13/2004 10:00 AM

Meets Presumption of No Bail §19.2-120

The *Meets Presumption of No Bail* check box is an optional box and should only be used by Pretrial Services Agencies that include this service in their Standard Operating Procedures, (SOP). If the Magistrate's Bail Determination Checklist has identified that the defendant meets the *Presumption of No Bail* per §19.2-120 of the Code of Virginia, it can be indicated here by checking one or more applicable check box(es) provided as shown below, (see figure 5). If the Magistrate's Bail Determination Checklist is unavailable, only statements regarding the facts relating to *Presumption of No Bail* can be made in the *Additional Risk Considerations and/or Mitigating Factors* text box.

Figure 5

Risk Level:

From Magistrate's Bail Determination Checklist:

- Meets Presumption of No Bail \$19,2-120
- B.1 Violence
- B.2 Life/Death
- B.3 Narcotics
- B.4 Firearm
- B.5 Felony+2
- B.6 Pending
- B.7 Sexual Assault
- B.8 Gang/Terrorism
- B.9 DUI + 3
- C. Illegal Alien

Additional Risk Considerations and/or Mitigating Factors

Information is documented here that the Pretrial Officer deems important for the Judicial Officer to consider when making the bail decision. Additional Risk Considerations are areas of risk that have been identified during the pretrial investigation that are not accounted for in the nine (9) primary risk factors detailed previously. Mitigating Factors are factors that may mitigate the seriousness of any of the nine (9) primary risk factors that were identified for the defendant. (See figure 6)

Figure 6

Additional Risk Considerations and/or Mitigating Factors:

Although the defendant poses a risk due to residence and employment, he recently obtained employment at American Auto and he has purchased a home in the local area. Pretrial supervision can address these risk factors.

VPRAI (Step 3)

The following information for the VPRAI is entered into the VPRAI (Step 3) tab: Pretrial Supervision Recommended, Recommended Conditions of Supervision, and Other Recommended Term and Conditions of Bail. (See figure 7)

Figure 7

The screenshot shows the PTCC software interface. The title bar reads "Pretrial and Community Corrections Case Management System (PTCC) - [Screening - Screening]". The menu bar includes File, Edit, Modules, Reports, Administration, Window, and Help. The main window has several tabs: Screening, Charges, Court Assignment, Court Reports, Recommendation, Charge Update, and Court Update. The "Screening" tab is active, and the "VPRAI (Step 3)" sub-tab is selected. The defendant's name and identification numbers are displayed at the top. The "Pretrial Supervision Recommended" dropdown is set to "Yes". Under "Conditions of Supervision", several checkboxes are visible, with "No contact with victim or potential witness" and "Maintain or seek employment" checked. A text box for "Additional Conditions of Supervision" contains the text: "The defendant must reside at his parents home at 115 First Street, Fredericksburg, VA 22401." There is also a field for "Other Recommendations for Term and Conditions of Bail" which is currently empty. The interface includes a "Create VPRAI" button and a bottom status bar with navigation controls and system information.

Pretrial Supervision Recommended

The Pretrial Officer is required to indicate whether or not Pretrial Supervision is recommended for the defendant. (See figure 8)

- Select Yes if Pretrial Supervision is recommended.

Conditions of Supervision

Standard conditions of supervision, (See figure 8) can be recommended by checking the box associated with any of the following conditions:

1. Refrain from excessive use of alcohol or use of drugs
2. Submit to testing for drugs and alcohol
3. Refrain from possessing a firearm, destructive device, or other dangerous weapon
4. No contact with victim or potential witness
5. Maintain or seek employment

- 6. Maintain or commence educational program
- 7. Comply with a curfew

Figure 8

Pretrial Supervision Recommended: Yes

Conditions of Supervision

<input type="checkbox"/> Refrain from excessive use of alcohol or use of drugs	<input checked="" type="checkbox"/> No contact with victim or potential witness
<input type="checkbox"/> Submit to testing for drugs and alcohol	<input checked="" type="checkbox"/> Maintain or seek employment
<input type="checkbox"/> Refrain from possessing a firearm, destructive device, or other dangerous weapon	<input type="checkbox"/> Maintain or commence educational program
	<input type="checkbox"/> Comply with a curfew

Any other allowable conditions of supervision permitted by the Code of Virginia can be recommended by entering them in the Additional Conditions of Supervision box. (See figure 9).

Figure 9

Additional Conditions of Supervision:

The defendant shall reside at his parents home at 115 First Street, Fredericksburg, VA 22041.

The defendant shall not leave the Commonwealth during the trial period without permission from the assigned pretrial officer.

Other Recommendation for Term and Conditions of Bail

Use this text box when you make a recommendation other than Pretrial Supervision, (see figure 10).

Figure 10

Other Recommendations for Term and Conditions of Bail:

Release on an unsecured bond with the condition that the defendant have no contact with the co-defendant unless in the presence of an attorney.

Create VPRAI

The VPRAI is created by the PTCC software, is displayed and printed for inclusion in the Pretrial Investigation Report. Four (4) tabs of PTCC are used to create the VPRAI report by completing and saving the Screening, VPRAI (Step 1), VPRAI (Step 2), and VPRAI (Step 3) tabs. The VPRAI report can be created by selecting the Create VPRAI button located on the VPRAI (Step 3) tab.

Instrument Completion Date

Data entered in the VPRAI (Step 1) tab

Court Date

Data entered in the VPRAI (Step 1) tab

First Name

Data entered in the Screening tab

Last Name

Data entered in the Screening tab

Race

Data entered in the Screening tab

SSN

Data entered in the Screening tab

Sex

Data entered in the Screening tab

DOB

Data entered in the Screening tab

Charge(s)

Data entered in the VPRAI (Step 1) tab

Risk Factor(s) Identified

Data entered in the VPRAI (Step 1) tab

A Statement is printed in response to each risk factor that was identified through the completion of the nine (9) risk factors as follows:

1. The most serious charge is a felony.
2. Pending charges existed at the time of arrest.
3. Outstanding warrants existed in another locality unrelated to the current arrest.
4. Adult criminal history includes at least one misdemeanor or felony conviction.
5. Two or more failure to appear convictions as an adult.
6. Two or more convictions for violent offenses as an adult.
7. Length at current residence less than one year.
8. Not employed continuously for the past two years and was not a primary child caregiver at the time of arrest.
9. History of drug abuse.

Risk Level

Data entered in the VPRAI (Step 2) tab

The risk level identified on the VPRAI (Step 1) tab is shaded in the appropriate box.

LOW	BELOW AVERAGE	AVERAGE	ABOVE AVERAGE	HIGH
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Meets Presumption of No Bail §19.2-120

The statement below is printed when the check box indicating that the defendant Meets Presumption of No Bail §19.2-120.

“The Magistrate has identified that the defendant meets the presumption of no bail as stated in the Checklist for Bail Determination.”

The below statement(s) is/are printed for each category for Presumption of No Bail box(es) that was/were checked as follows:

§19.2-120 B.1 - an act of violence as defined in §19.2-297.1.

§19.2-120 B.2 - an offense for which the maximum sentence is life imprisonment or death.

§19.2-120 B.3 - a violation of §§18.2-248, 18.2-248.01, 18.2-255 or §18.2-255.2 involving a Schedule I or II controlled substance if (i) the maximum term of imprisonment is 10 years or more and the person was previously convicted of a like offense or (ii) the person was previously convicted as a “drug kingpin” as defined in § 18.2-248.

§19.2-120 B.4 - a violation of §§18.2-308.1, 18.2-308.2, or §18.2-308.4 and which relates to a firearm and provides for a mandatory minimum sentence.

§19.2-120 B.5 - any felony, if the person has been convicted of two or more offenses described in subdivision 1 or 2, whether under the laws of this Commonwealth or substantially similar laws of the United States.

§19.2-120 B.6 - any felony committed while the person is on release pending trial for a prior felony under federal or state law or on release pending imposition or execution of sentence or appeal of sentence or conviction.

§19.2-120 B.7 - an offense listed in subsection B of §18.2-67.5:2 and the person had previously been convicted of an offense listed in §18.2-67.5:2 and the judicial officer finds probable cause to believe that the person who is currently charged with one of these offenses committed the offense charged.

§19.2-120 B.8 - a violation of §§18.2-46.2, 18.2-46.3, 18.2-46.5 or § 18.2-46.7.

§19.2-120 B.9 - a violation of §§18.2-36.1, 18.2-51.4, 18.2-266, or §46.2-341.24 and the person has, within the past five years of the instant offense, been convicted three times on different dates of a violation of any combination of these Code sections, or any ordinance of any county, city, or town or the laws of any other state or of the United States substantially similar thereto, and has been at liberty between each conviction.

§19.2-120 C - the person is being arrested pursuant to §19.2-81.6. (When there is reasonable suspicion that the individual has committed or is committing a crime and upon receiving confirmation from the Bureau of Immigration and Customs Enforcement

that the person (i) is an alien illegally present and (ii) has previously been convicted of a felony in the U.S. and was deported or left after conviction.

Additional Risk Considerations and/or Mitigating Factors

Data entered in the VPRAI (Step 2) tab

Recommendations for Term and Conditions of Bail

Data entered in the VPRAI (Step 3) tab

The information that makes up this section consist of data from the 4 fields located on the VPRAI (Step 3) tab as follows:

When the response to Pretrial Supervision Recommended was Yes the following statement is printed

“Release to Pretrial Supervision without a secure bond.”

When one or more boxes were checked under Recommended Conditions of Supervision, the following statements are printed as follows:

1. Refrain from excessive use of alcohol or use of drugs - Refrain from excessive use of alcohol, or use of any illegal drug or any controlled substance not prescribed by a health care provider.
2. Submit to testing for drugs and alcohol - Submit to testing for drugs and alcohol until the final disposition of the case.
3. Refrain from possessing a firearm, destructive device, or other dangerous weapon - Refrain from possessing a firearm, destructive device, or other dangerous weapon.
4. No contact with victim or potential witness - Avoid all contact with an alleged victim or potential witness.
5. Maintain or seek employment - Maintain employment or, if unemployed, actively seek employment.
6. Maintain or commence educational program - Maintain or commence an educational program.
7. Comply with a curfew - Comply with a specified curfew.

When any Conditions of Supervision are recommended, the text from the Additional Conditions of Supervision field is printed.

When a recommendation other than pretrial supervision is entered in the Other Recommendations for Term and Conditions of Bail, the text is printed.

Virginia Pretrial Risk Assessment Instrument

Instrument Completion Date: 08/13/2004

Court Date: 08/13/2004

First Name: Pretrial

Last Name: Defendant

Race: White

SSN: 999-99-9999

Sex: Female

DOB: 10/13/1955

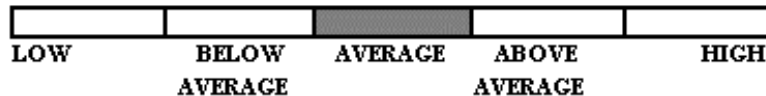
Charge(s): Grand Larceny \$1,500 Secure Bond
General District Court

Domestic Assault \$500 Secure Bond
J&DR Court

Risk Factor(s) Identified

1. The most serious charge is a felony.
2. Length at current residence is less than one year.
3. Not employed continuously for the past two years and was not a primary child caregiver at the time of arrest.

Risk Level



Meets Presumption of No Bail §19.2-120

The Magistrate has identified that the defendant meets the presumption of no bail as stated in the Checklist for Bail Determination.

§19.2-120 B.6 - any felony committed while the person is on release pending trial for a prior felony under federal or state law or on release pending imposition or execution of sentence or appeal of sentence or conviction.

Additional Risk Considerations and/or Mitigating Factors

Although the defendant poses a risk due to residence and employment, he recently obtained employment at American Auto and he has purchased a home in the local area. Pretrial supervision can address these risk factors.

Recommendations for Term and Conditions of Bail

Release to Pretrial Supervision without a secure bond.

- Refrain from excessive use of alcohol, or use of any illegal drug or any controlled substance not prescribed by a health care provider.
- Submit to testing for drugs and alcohol until the final disposition of his case.
- Refrain from possessing a firearm, destructive device, or other dangerous weapon.
- Avoid all contact with an alleged victim or potential witness.
- Maintain employment or, if unemployed, actively seek employment.
- Maintain or commence an educational program.
- Comply with a specified curfew.

Virginia Pretrial Risk Assessment Instrument

Instrument Completion Date:

Court Date:

First Name:

Last Name:

Race:

SSN:

Sex:

DOB:

Charge(s)

Risk Factor(s) Identified

Risk Level



Meets Presumption of No Bail §19.2-120

Additional Risk Considerations and/or Mitigating Factors

Recommendations for Term and Conditions of Bail