

VIRGINIA PRETRIAL RISK ASSESSMENT INSTRUMENT - (VPRAI)

Instruction Manual – Version 4.5



Virginia Department of Criminal Justice Services

12/28/2021 Amended

Table of Contents

Determining Eligibility	1
The Jail Admission Event (JAE) Module	3
Screening Tab	3
Definitions	4
Scoring the VPRAI	6
VPRAI (Step 1) Tab	6
Research Factors	6
Risk Factors	8
VPRAI (Step 2) Tab	13
Praxis Recommendation	14
Staff Recommendation	14
Officer and Recommendation Date	15
VPRAI (Step 3) Tab	15
Conditions of Release	16
Additional Conditions of Release	16
Mitigating / Aggravating Considerations	17
Create VPRAI	17
VPRAI (Step 4) Tab	19
Court Decision	19
JAE Outcome	20
The Pretrial Placement Module	22
Step 1: Setup / Intake	22
Step 2: Placement Submodule	23
Step 3: VPRAI	24
Research Factors	24
Risk Factors	25
Praxis	25
Praxis – Supervision Levels	25
Virginia Pretrial Risk Assessment Instrument (Sample)	28
VPRAI – Manual Scoring Sheet	29

Virginia Pretrial Risk Assessment Instrument (VPRAI) Instruction Manual

DETERMINING ELIGIBILITY

A Virginia Pretrial Risk Assessment Instrument (VPRAI) examines a defendant's status at the time of the arrest related to any active community criminal justice supervision, current charges, pending charges, criminal history, history of failure to appear, history of violent convictions, employment, and history of drug abuse. For this reason, the instrument is primarily intended to be completed after arrest and presented at the first court 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 arrest. This instrument is also used to determine the supervision level for those defendants placed on pretrial supervision. This is discussed in more detail in the Pretrial Placement Module Section, beginning on page 21 of this manual.

A pretrial investigation must be conducted prior to completing the VPRAI. A VPRAI is required for all eligible defendants and should be completed by using the instructions provided in this manual. Defendants who do not meet all of the criteria listed below are not eligible for instrument completion as part of the pretrial investigation.

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 for unrelated charges at the time of the arrest or when the new warrants were served.
3. The defendant must have been arrested for one or moreailable offense(s) – Class 1 and 2 misdemeanors (M1 and M2), unclassified misdemeanors (M9) that carry a penalty of jail time, or any felony. Class 3 misdemeanors, Class 4 misdemeanors, and 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:
 - ✓ Civil offense
 - ✓ FTA or capias due to an underlying charge from a civil court
 - ✓ Fugitive warrant/warrant of extradition

The VPRAI is automated and contained in the Pretrial and Community Corrections Case Management System (PTCC). The appendix contains a sample of a completed instrument created using sample data. The VPRAI can only be created after completing the Screening, VPRAI (Step 1), VPRAI (Step 2), and VPRAI (Step 3) tabs contained in the Jail Admission Event Module (JAE) of PTCC.

THE JAIL ADMISSION EVENT (JAE) MODULE

Screening Tab

FIGURE 1. SCREENING TAB IN JAIL ADMISSION EVENT MODULE (JAE)

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

File Edit Modules Reports Administration Window Help

Screening VPRAI Charges Court Assignment Court Reports Recommendation Charge Update Court Update

Name: Case, Sample; SSN: 555555555; DOB: 07/25/1988 Screening ID: 201707240001

Scr. Date	Jail Name	PCC	Scr. In	Reason Screened Out	Investigated
07/24/2017	Chesapeake City Jail	F6	Yes		Yes

Existing Defendant New Defendant

First Name: Sample
 Middle Name: Suffix:
 Last Name: Case
 Race: White SSN: 555-55-5555
 Sex: Male Age: 28 DOB: 07/25/1988
 PCC: F6
 Jail Admission Date: 07/22/2017
 Jail: Chesapeake City Jail

Screened
 In
 Out - Reason:
 Other Desc.:
 By: Collins, Kirk - PTCC Date: 07/24/2017

Investigated
 Yes
 No - Reason:
 Other Desc.:
 By: Collins, Kirk - PTCC Date: 07/24/2017
 Criminal Record Check:

Staff: Shiflett, Donna
 Date Edited: 07/24/2017 05:43 AM

Exit << Previous Save Undo New Delete Next >>

This tab will be completed to determine whether a defendant will be investigated. Based on the information gathered, the defendant will be “screened in” or “screened out.”

Screened
 In
 Out - Reason:
 Other Desc.:

Selecting “screened out” indicates the defendant was admitted to jail awaiting trial, but **NOT** eligible for a pretrial investigation for one of the following reasons: Detainer(s), Drunk in Public, Federal / U.S. Marshall’s Office Hold(s), J&DR Court Juvenile Defendant, Parole Violation, or PB-15. Selecting “screened in” indicates the defendant was admitted to jail awaiting bail awaiting trial and eligible for a VPRAI. For any defendant who is eligible but is **NOT** investigated, select a reason from the dropdown. If “Other” is selected, enter a description in the appropriate field.

Investigated	
<input type="radio"/> Yes	
<input checked="" type="radio"/> No - Reason:	
Other Desc.:	Behavior Not Conducive To Interview
By:	Debilitated Due To Drugs/Alcohol/Medical Conditions At Time
	Declined Interview
	Other
Criminal Record	Released On Bond Before Interview

In the Screening tab, the following information is required for the VPRAI: First Name, Last Name, Race, Social Security Number (SSN), Sex, Date of Birth (DOB), Primary Charge Classification (PCC), Jail Admission Date, Jail, Screened, and Investigated (see Figure 1).

The defendant is eligible for a VPRAI when “Screened” = “in” and “Investigated” = “yes.” If “yes” is selected, a VPRAI must be completed.

If the defendant is eligible for a VPRAI when “Screened” = “in” and is not investigated, select no. If no is selected, which of the following that apply:

- The defendant’s behavior not conducive to interview and prevented the pretrial officer from completing the investigation,
- The defendant was debilitated due to drugs/alcohol and prevented the pretrial officer from completing the investigation,
- The defendant declined the interview,
- The defendant was screened in, was available to be investigated, but was released on bond before interview could be completed, or
- Other. If Other is selected, provide a brief description to describe why the investigation could not be completed.

Investigated	
<input type="radio"/> Yes	
<input checked="" type="radio"/> No - Reason:	Debilitated Due To Drugs/Alcohol/Medical Cr
Other Desc.:	
By:	1, User - PTCC Sta
Date:	08/07/2020
Criminal Record Check:	Yes

If an investigation was not completed, and the local agency provides the court with a summary of convictions to assist with reconsidering the defendant’s bail status, select yes Criminal Record Check.

Definitions

Screening: The process of determining the number of detained defendants awaiting a probable cause or initial or subsequent bail hearing available for

pretrial investigation. This may occur at the initial bail hearing or prior to arraignment.

Pretrial Investigation: A formal procedure, which includes the preparation of a VPRAI, a court report, with recommendations, summarizing the results of the following:

1. An interview.
2. Self-reported information including, but not limited to, criminal history, financial status, community stability and health.
3. National, federal, state, and local criminal history.
4. DMV record.

SCORING THE VPRAI

VPRAI (Step 1) Tab

All of the information on VPRAI (Step 1) tab is required: Instrument Completion Date, Arrest Information, Research Factors, and Risk Factors (see Figure 2). The Risk Level is a calculated field, which resides on this tab.

FIGURE 2. VPRAI (STEP 1) TAB IN THE JAE MODULE

The screenshot displays the 'VPRAI (Step 1)' tab in the JAE Module. The interface includes a menu bar (File, Edit, Modules, Reports, Administration, Window, Help) and a navigation bar with tabs: Screening, VPRAI (selected), Charges, Court Assignment, Court Reports, Recommendation, Charge Update, and Court Update. The main area contains the following information:

- Name: Case, Test; SSN: 999999999; DOB: 07/12/1993
- Screening ID: 2017071200002
- Instrument Completion Date: 07/12/2017
- Arrest Information:
 - Court Date: 07/12/2017
 - Charge(s): Possession of Stolen Property
 - Bond Type and Amount: \$10,000 Secured
 - Court: Arlington County GDC
- Research Factors:
 - Prior Misdemeanor Conviction: Yes
 - Prior Felony Conviction: Yes
 - Prior Violent Convictions: 0
 - Prior FTAs in Past 2 Years: 0
 - Prior FTAs Older Than 2 Years: No
 - Prior Sentence to Incarceration: Yes
- Risk Factors:
 - Active Community Supervision: Yes
 - Charge is Felony Drug, Theft or Fraud: Yes
 - Pending Charge(s): No
 - Criminal History: Yes
 - Two or More FTAs: No
 - Two or More Violent Convictions: No
 - History of Drug Abuse: No
 - Employed at Time of Arrest: Full-Time Student
- Calculate Risk button
- Risk Level: 4

The bottom of the screen features a navigation bar with buttons: Exit, << Previous, Save, Undo, New, Delete, and Next >>. The staff name is Rose, Ken, and the date edited is 07/12/2017 10:45 AM.

Research Factors

Research factors are collected for ongoing VPRAI validation and research. Responses to these research factors are entered in the appropriate sections on the VPRAI (Step 1) Tab (see Figure 2) in the JAE Module. Guidance for selecting accurate responses to the factors is provided below.

1. Prior Misdemeanor Conviction
 - ✓ Select “Yes” if the defendant has at least one adult misdemeanor conviction in the past.
 - ✓ Select “No” if the defendant has no misdemeanor conviction in the past.

NOTE: Do not consider any prior marijuana related misdemeanor convictions that will be eligible for automatic expungement (§ 18.2-250.1, *Code of Virginia*).

- 2. Prior Felony Conviction
 - ✓ Select “Yes” if the defendant has at least one adult felony conviction in the past.
 - ✓ Select “No” if the defendant has no felony conviction in the past.

- 3. Prior Violent Convictions – Enter the number of adult convictions of violent offenses (count each conviction). For the purpose of the VPRAI, an act of violence is defined by [§19-2.297.1](#) and includes any act that causes or intends to cause physical injury to another person. The type of violent offenses include, but are not limited to, Murder, Manslaughter, Mob related felonies, Kidnapping, Abduction, Malicious Wounding, Robbery, Carjacking, Arson, Assault, or Sex Offenses (Rape, Sexual Assault / Battery, Carnal Knowledge of a Child, Forcible Sodomy). Violent convictions for the purpose of the VPRAI also include misdemeanor charges of Simple Assault or Assault and Battery and Violation of Protective Orders.

A conviction for **attempt** or being an **accessory before the fact** to commit any of the offenses listed above **is** counted. A conviction for **conspiring** or being an **accessory after the fact** to commit any of the offenses listed above is **NOT** counted.

- ✓ Select “0”
- ✓ Select “1”
- ✓ Select “2”
- ✓ Select “3”
- ✓ Select “More”

- 4. Prior Failure to Appear in Past 2 Years – Enter the number of Failures to Appear, as an adult, within the past two years of the current arrest date. See the definition for failure to appear on page 10.
 - ✓ Select “0”
 - ✓ Select “1”
 - ✓ Select “2”
 - ✓ Select “3”
 - ✓ Select “More”

NOTE: A failure to appear should **NOT** be considered if the only charge was for a marijuana related misdemeanor charge that will be eligible for automatic expungement (§ 18.2-250.1, *Code of Virginia*).

- 5. Prior Failure to Appear Older than 2 Years
 - ✓ Select “Yes” if the defendant has a Failure to Appear, as an adult, from two or more years from the current arrest date.

- ✓ Select “No” if the defendant does not have a Failure to Appear, as an adult, from two or more years from the current arrest date.

NOTE: A failure to appear should **NOT** be considered if the only charge was for a marijuana related misdemeanor charge that will be eligible for automatic expungement (§ 18.2-250.1, *Code of Virginia*).

6. Prior Sentence to Incarceration as an Adult

- ✓ Select “Yes” if the defendant was sentenced to an active period of incarceration prior to the current arrest date.
- ✓ Select “No” if the defendant has not been previously sentenced to an active period of incarceration.

NOTE: Do **NOT** consider prior incarceration as an adult for any prior marijuana related misdemeanor convictions that will be eligible for automatic expungement (§ 18.2-250.1, *Code of Virginia*).

Risk Factors

The VPRAI calculates a defendant’s level of risk based on eight (8) risk factors listed below. Responses to these risk factors are entered in the appropriate sections on the VPRAI (Step 1) Tab (see Figure 2) in JAE Module. Note that there are verifications for data accuracy on this screen. Responses entered for the research factors - Prior Misdemeanor or Felony Conviction, Prior Violent Convictions, and Prior Failure to Appear Pretrial in Past 2 Years and Older than 2 Years - are repeated in the corresponding risk factors - Criminal History, Two or More Failures to Appear and Two or More Violent Convictions. Guidance for selecting accurate responses to the risk factors is provided below.

1. Active Community Criminal Justice Supervision

- ✓ Select “Yes” if the defendant was under any active community criminal justice supervision including state or local probation, parole, pretrial services, the alcohol safety action program (ASAP), drug court, day reporting, or any other form of active criminal justice supervision at the time of the arrest. Active supervision does **NOT** include unsupervised probation, a term of good behavior, or release on bail without pretrial supervision.
- ✓ Select “No” if the defendant was not on active community criminal justice supervision at the time of the arrest.

2. The charge is a felony drug, theft or fraud

- ✓ Select “Yes” if any of the current charges are in any of the following felony categories: drug, theft or fraud.
- ✓ Select “No” for all other felony and misdemeanor charges.

3. Pending Charge(s) – The defendant has a pending charge(s) when there is an open criminal case that carries the possibility of a period of incarceration, and the pending charge has an offense date that is before the offense date of the current charge. (A charge with a disposition of “deferred” is **NOT** counted as a pending charge.)

EXCEPTION: If the current arrest is solely for a failure to appear, the underlying charge related to the failure to appear does not constitute a pending charge. In addition, if a defendant is arrested, remains incarcerated pending trial, and is served with new warrants, this does not constitute a pending charge.

- ✓ 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.

4. Criminal History – A conviction for a criminal offense that carries the possibility of incarceration is counted as a prior criminal history.

NOTE: A charge with a disposition of “deferred” is **NOT** counted as a conviction. Do **NOT** consider any prior marijuana related misdemeanor convictions that will be eligible for automatic expungement (§ 18.2-250.1, *Code of Virginia*).

- ✓ 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 in the past.

5. Two or More Failures to Appear – For the purposes of scoring the VPRAI, a failure to appear means any prior failure to appear for a criminal charge that (a) carries the possibility of incarceration, and (b) as a result of the failure to appear, the court issued a *capias* or equivalent. A failure to appear for a single court appearance is counted once regardless of the number of failure to appear charges related to the one court appearance. A failure to appear is not counted if there is confirmation that the defendant was in custody (jail or prison) when the failure to appear occurred.

NOTE: FTA is counted regardless of the disposition. A failure to appear should **NOT** be considered if the only underlying charge was for a marijuana related misdemeanor charge that will be eligible for automatic expungement (§ 18.2-250.1, *Code of Virginia*).

- ✓ Select “Yes” if the defendant has failed to appear in court two or more times as an adult.
- ✓ Select “No” if the defendant has not failed to appear two or more times as an adult.

6. Two or More Violent Convictions – For the purpose of the VPRAI, an act of violence is defined by [§19.2-297.1](#) and includes any act that causes or intends to cause physical injury to another person. This includes, but is not limited to, Murder, Manslaughter, Mob related felonies, Kidnapping, Abduction, Malicious Wounding, Robbery, Carjacking, Arson, Assault, or Sex Offenses (Rape, Sexual Assault / Battery, Carnal Knowledge of a Child, Forcible Sodomy). Violent convictions for the purpose of the VPRAI also include misdemeanor charges of Simple Assault or Assault and Battery and Violation of Protective Orders.

A conviction for attempt or being an accessory *before* the fact to commit any of the offenses above **is** counted. A conviction for conspiring or being an accessory *after* the fact to commit any of the offenses is **NOT** counted.

- ✓ 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. Employed at the Time of Arrest – Enter the employment status at the time of arrest. *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 who is not employed but is enrolled in high school or is attending college fulltime, to include online classes at an accredited school, is considered a *student*. A defendant who is not employed but is considered a *primary caregiver* if he or she is responsible for, and consistently cares for, at least one dependent child (under the age of 18) or disabled or elderly family member, living with the defendant at the time of arrest. A defendant who is not employed but is receiving retirement benefits or retirement savings is considered *retired*.

Select the appropriate status from the following dropdown items:

- ✓ Employed
- ✓ Full-time Student
- ✓ Primary Caregiver
- ✓ Retired
- ✓ None

8. History of Drug Abuse – For the purpose of the VPRAI, drug abuse means the persistent use and chronic abuse of drugs. For the purposes of the VPRAI, drugs mean any illegal substance and may include the previous use of prescription drugs if used chronically and illegally. Alcohol and marijuana use shall not be considered for scoring the risk factor History of Drug Abuse. Consideration should be given to the information provided by the defendant, criminal history record check, information contained in supervision records, and any information provided by references regarding history of drug abuse.

NOTE: The determination of history of drug abuse is not necessarily a clinical diagnosis of drug addiction. For the purposes of the VPRAI, determining the history of drug abuse, the pretrial officer is strongly encouraged to use interview and investigation skills to identify the defendant’s prior use of drugs and the consequences of using drugs to determine if there has been history of chronic drug use.

EXAMPLES: Indications of history of drug abuse could include (a) the persistent and chronic use of drugs, distinguished from short-term experimental use; (b) admission of previously abusing drugs, including prescription drugs when used in abusive manner; (c) a criminal history with more than one drug related conviction (excluding possession with intent to distribute and drug distribution); (d) the results of substance abuse screening instruments administered at the time of the pretrial investigation indicated the need for further evaluation for current drug usage and/or history; (e) a previous substance abuse assessment indicated a need for substance abuse treatment for drugs; and/or (f) 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.

Scoring and Risk Level

After selecting responses to the eight risk factors, the risk level will be automatically calculated in PTCC by selecting the *Calculate Risk* button. The defendant’s Risk Level is identified as one of the following six levels: 1, 2, 3, 4, 5 and 6. See Figure 3 below.

FIGURE 3. VPRAI (STEP 1) TAB IN THE JAE MODULE: CALCULATE RISK

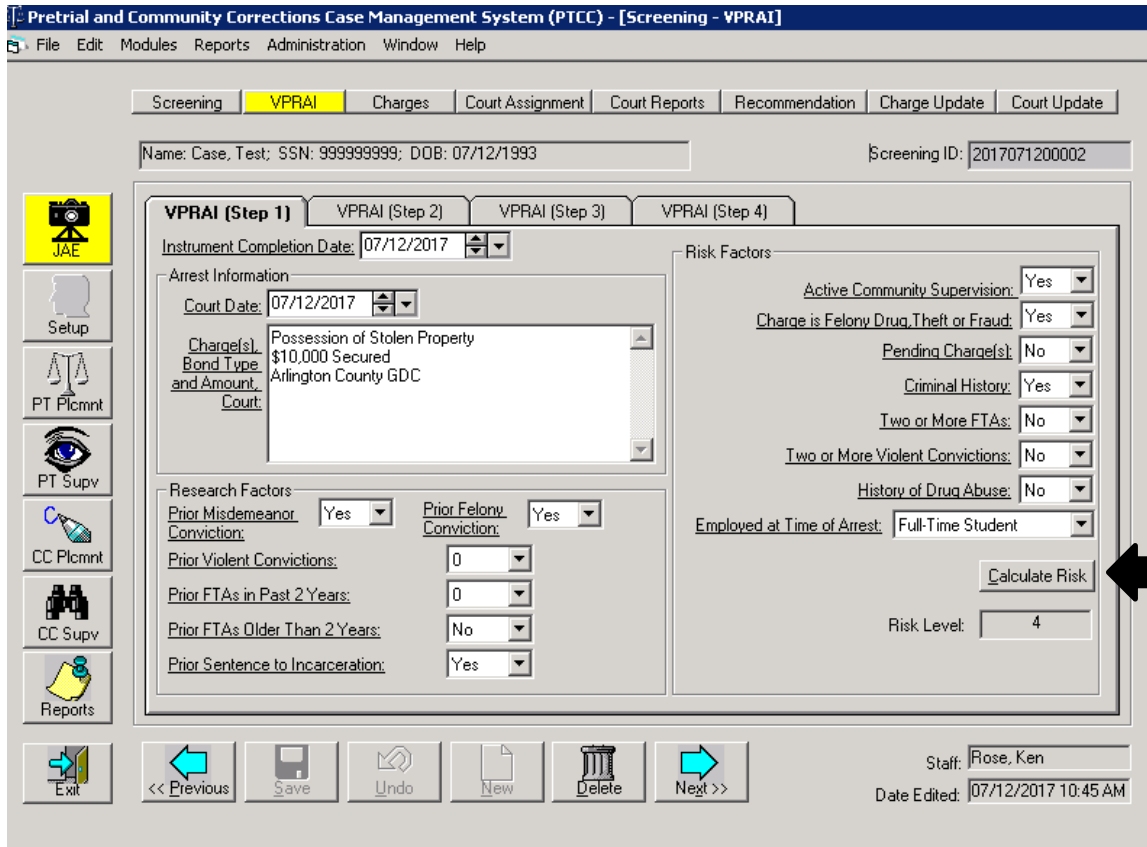


TABLE 1. VPRAI: WEIGHTED RISK FACTORS

Based on the odds ratio of each risk factor’s ability to independently predict the likelihood of any pretrial failure, each risk factor has been weighed to maximize predictive value of the VPRAI.

Risk Factor	Points
Active community criminal justice supervision	2
Charge is felony drug, felony theft, or felony fraud	3
Pending charge(s)	2
Criminal history	2
Two or more failure to appear	1
Two or more violent convictions	1
Unemployed at time of arrest	1
History of drug abuse	2
Total Possible Score	14

TABLE 2. VPRAI: RISK LEVEL BASED ON CALCULATED SCORE

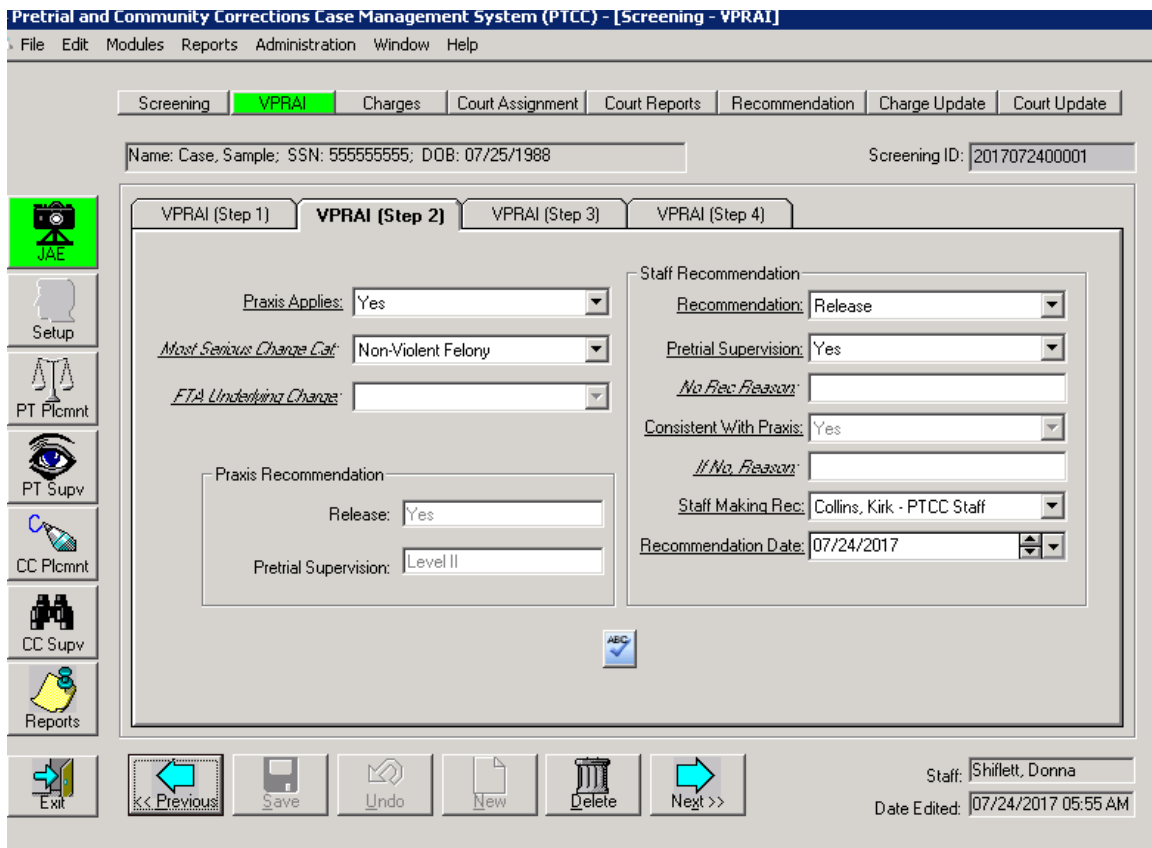
The defendant’s total score on the VPRAI will identify their level of risk.

VPRAI-R Score	Risk Level
0 - 2	Level 1
3 - 4	Level 2
5 - 6	Level 3
7 - 8	Level 4
9 - 10	Level 5
11 - 14	Level 6

VPRAI (Step 2) Tab

The following information, described below, will be entered in the VPRAI (Step 2) tab to apply the pretrial decision-making matrix, the Praxis. See Figure 4 below.

FIGURE 4. VPRAI (STEP 2) TAB IN THE JAE MODULE



Praxis Recommendation

Section 1

The defendant's current charge(s) will determine whether the Praxis applies. The Praxis applies to the following charge categories: Violent Felony or Firearm, Violent Misdemeanor, Non-Violent Felony, Driving under the Influence (misdemeanor or felony), and Non-Violent Misdemeanor. It does not apply to Murder, Homicide, Manslaughter or an attempt to commit any of these crimes. Other charges that are not Praxis eligible are Probation Violation, Contempt of Court, and Escape.

- ✓ Select "Yes" if the Praxis does apply.
- ✓ Select "No" if the Praxis does not apply.

If the Praxis does apply, determine the most serious charge category and select from the following dropdown options:

- ✓ Violent Felony / Firearm¹
- ✓ Violent Misdemeanor
- ✓ Non-Violent Felony
- ✓ Driving Under the Influence (Misdemeanor or Felony)
- ✓ Non-Violent Misdemeanor
- ✓ Failure To Appear² – If selected, indicate the primary charge category for the underlying charge:
 - Violent Felony / Firearm
 - Violent Misdemeanor
 - Non-Violent Felony
 - Driving Under the Influence (Misdemeanor or Felony)
 - Non-Violent Misdemeanor

Section 2

The Praxis Recommendation will automatically fill based on the pretrial decision-making matrix. Based on the information entered into PTCC, a recommendation about release and pretrial supervision will be auto-filled. The recommendation in the "Release" field is either "yes" or "no." If release is recommended, the appropriate level of supervision will be displayed in the "Pretrial Supervision" field. If release is not recommended, the "Pretrial Supervision" field is "no."

Staff Recommendation

After a review of this information, complete this section by selecting one of the following options:

¹ Firearm offenses include any charge relating to possession, use, or manufacturing a firearm. Examples include shooting at a vehicle, discharging a weapon in a public place, brandishing, illegally carrying a concealed weapon, or removing or altering the serial number or other identification number on a firearm.

² If "Failure to Appear" is selected, identify the primary charge category for the underlying charge, and increase the preliminary risk level by one risk level.

- ✓ Release
- ✓ Detain
- ✓ No Recommendation

If “Release” is recommended, select whether pretrial supervision is recommended. If the value in the dropdown “no recommendation” is selected, list the reason(s) in the “No Rec Reason” field.

“Consistent with Praxis” is an automatic fill (yes or no) based on whether the Praxis Recommendation and the Staff Recommendation are in agreement. If the answer is “no,” enter the reason for the override to the Praxis.

Note that the Praxis recommendation concurrence rate for each agency must be 85% or higher.

Officer and Recommendation Date

After completing this tab and making a recommendation. The officer will:

1. Select their name from the dropdown list.
2. Enter the date the recommendation was made.

VPRAI (Step 3) Tab

The VPRAI (Step 3) tab provides a list of seven (7) common conditions of release. This screen contains a text box to enter other conditions as permitted by §19.2-123 of the *Code of Virginia*, and a text box to enter information relevant to the staff recommendation. See Figure 5 below.

FIGURE 5. VPRAI (STEP 3) TAB IN THE JAE MODULE

Conditions of Release

Conditions of release can be recommended if the bail recommendation entered in the Staff Recommendation section is Release with or without pretrial supervision. There are seven (7) common conditions that can be recommended by selecting the box next to recommended condition (see Figure 5: VPRAI (Step 3) Tab in Jail Admission Event Module). The seven (7) common conditions include:

- ✓ Refrain from excessive use of alcohol or use of drugs;
- ✓ Submit to testing for drugs and alcohol;
- ✓ Refrain from possessing a firearm, destructive device, or other dangerous weapon;
- ✓ No contact with victim or potential witness;
- ✓ Maintain or seek employment;
- ✓ Maintain or commence educational program; and
- ✓ Comply with a curfew.

Additional Conditions of Release

Other conditions of release permitted by the *Code of Virginia* can be entered in this section of the VPRAI (Step 2) tab. These other conditions should be written with detailed specificity.

Mitigating / Aggravating Considerations

Additional information related to risk that is deemed as important and should be considered by the judicial officer when making the bail decision is entered in the “Mitigating / Aggravating Considerations” section of this tab. Comments entered are intended to focus on risk, making note of any mitigating or aggravating factors that may not be reflected in the risk factors. Mitigating factors would be any information that may lessen the seriousness of any of the eight (8) primary risk factors that were identified for the defendant and any positive factors that are relevant to the bail decision. For example: “Although the defendant has a criminal history, it was 20 years ago.” Aggravating factors would be any additional information identified during the pretrial investigation that may increase the level of risk and was not accounted for in the eight (8) primary risk factors. For example: “Although the defendant does not have a history of drug abuse, he has a long history of alcohol abuse.”

Create VPRAI

The VPRAI Report is created by the PTCC software and uses information entered into the four tabs contained in the Jail Admission Event module of PTCC including the Screening, VPRAI (Step 1), VPRAI (Step 2), and VPRAI (Step 3) tabs. Select the “Print VPRAI” button to view and print the VPRAI Report.

TABLE 3. PRETRIAL PRAXIS (MANUAL VERSION)

Risk Level	Recommendation	VPRAI: Charge Category				
		Non-Violent Misd.	Driving Under the Influence	Non-Violent Felony	Violent Misd.	Violent Felony or Firearm
Level 1	Bail Status	Release	Release	Release	Release	Release
	Pretrial Supervision	No	No	No	No	Level II
	Special Conditions	No	No	No	No	As Needed
Level 2	Bail Status	Release	Release	Release	Release	Release
	Pretrial Supervision	No	Monitor	Monitor	Monitor	Level III
	Special Conditions	No	No	No	No	As Needed
Level 3	Bail Status	Release	Release	Release	Release	Detain
	Pretrial Supervision	Monitor	Monitor	Level I	Level I	No
	Special Conditions	No	No	No	As Needed	N/A
Level 4	Bail Status	Release	Release	Release	Release	Detain
	Pretrial Supervision	Level I	Level I	Level II	Level II	No
	Special Conditions	No	As Needed	As Needed	As Needed	N/A
Level 5	Bail Status	Release	Release	Release	Detain	Detain
	Pretrial Supervision	Level II	Level II	Level III	No	No
	Special Conditions	As Needed	As Needed	As Needed	N/A	N/A
Level 6	Bail Status	Detain	Detain	Detain	Detain	Detain
	Pretrial Supervision	No	No	No	No	No
	Special Conditions	N/A	N/A	N/A	N/A	N/A

VPRAI (Step 4) Tab

Details about the court decision are entered in the VPRAI (Step 4) tab. See Figure 6 below.

FIGURE 6. VPRAI (STEP 4) TAB IN THE JAE MODULE

Court Decision

Select from the options provided in the dropdown:

1. Decision – Select one from the following dropdown options:
 - ✓ Recognizance
 - ✓ Unsecured Bond
 - ✓ Secured Bond
 - ✓ Denied Bail
 - ✓ Bonded Out After Investigation, but Before Court
 - ✓ Case Disposed

2. Pretrial Supervision – Select one from the following dropdown options:
 - ✓ Select “Yes” if the judicial officer ordered pretrial supervision.
 - ✓ Select “No” if pretrial supervision is not ordered.

3. The field “Consistent with Staff Recommendation” is auto-filled based on the staff recommendation entered in VPRAI Step 2 and the Court Decision entered on this tab. See Table 4 for details on how it is determined whether the court decision is consistent with the staff recommendation.
 - ✓ If the field “Consistent with Staff Recommendation” is “no,” enter the reason the judge did not follow the recommendation in the following field: “If no, reason.”

TABLE 4. GRID FOR “CONSISTENT WITH STAFF RECOMMENDATION”

Consistent with Staff Recommendation Chart			
Staff Recommendation	Court Decision		Consistent with Staff Recommendation
	Decision	PTS	
Release without PTS	Recognizance, Unsecured, or Secured	No	Yes
Release without PTS	Recognizance, Unsecured, or Secured	Yes	No
Release without PTS	Denied Bail	N/A	No
Release with PTS	Recognizance, Unsecured, or Secured	No	No
Release with PTS	Recognizance, Unsecured, or Secured	Yes	Yes
Release with PTS	Denied Bail	N/A	No
Detain	Denied Bail	N/A	Yes
Detain	Recognizance, Unsecured, or Secured	No	No
Detain	Recognizance, Unsecured, or Secured	Yes	No

4. Select the name of the Judicial Officer from the dropdown or
5. List the name of the Substitute Judicial Officer.

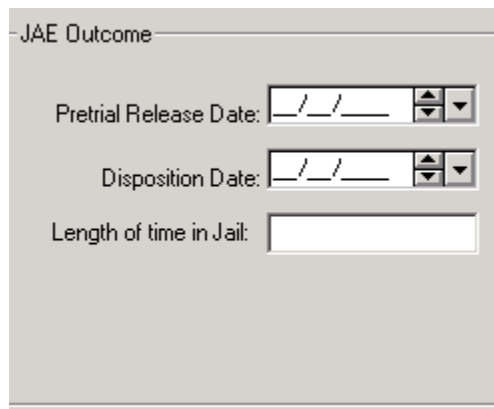
JAE Outcome

The purpose of the JAE Outcome is to track the amount of time defendants remain in pretrial detention. The pretrial services agency should review the status of detained defendants on an ongoing basis to determine if there are

any changes in eligibility for release options or other circumstances that might enable the conditional release of the defendants.³

Information contained in the JAE Outcome section of this tab is for the purpose of tracking the outcome of the case. Following is an overview for completing these fields:

1. If the defendant was released from jail before trial, enter the release date.
2. If the defendant remained in jail until trial, enter the disposition date.
3. The “Length of Time in Jail” field will auto-fill based on the jail admission date entered on the Screening tab and the release date or disposition date entered on this tab.



The image shows a screenshot of a software interface titled "JAE Outcome". It contains three input fields:

- Pretrial Release Date:** A date field with a format of MM/DD/YY and a dropdown arrow on the right.
- Disposition Date:** A date field with a format of MM/DD/YY and a dropdown arrow on the right.
- Length of time in Jail:** A text input field.

³ See Virginia Department of Criminal Justice Services Minimum Standards for Pretrial Services (§ 3.5, page 5) and National Association of Pretrial Services Agencies Standards on Pretrial Release, 3rd ed. (Standard 3.6, page 69).

THE PRETRIAL PLACEMENT MODULE

Information is entered in the Pretrial Placement Module for defendants ordered to pretrial supervision. If a risk assessment was not completed prior to the placement, a risk assessment must be completed under the VPRAI tab located in the Pretrial Placement Module.

Step 1: Setup / Intake

Once a defendant is ordered to pretrial supervision, an intake must be completed in the Setup Module in PTCC. All information must be entered under each tab in the Setup Module before a placement is made “active.” See Figure 7 below for the tabs included in the Setup Module.

FIGURE 7. SETUP MODULE

The screenshot shows the 'Pretrial and Community Corrections Case Management System (PTCC) - [Setup - Demographics]' window. The 'Demographics' tab is selected. The 'Intake' checkbox is checked, as indicated by an arrow from the text below. The form contains the following fields:

- Name: Case, Sample; SSN: 5555555555; DOB: 07/25/1988
- Interview/Pending:
- Investigation:
- Intake:

The 'Demographics' section includes:

- First Name: Sample
- Middle Name: [Empty]
- Suffix: [Empty]
- Last Name: Case
- Maiden Name: [Empty]
- Marital Status: [Empty]
- Height (in): [Empty]
- Eye Color: [Empty]
- Weight (lbs): [Empty]
- Hair Color: [Empty]
- Language: Primary Language: [Empty]
- Other Description: [Empty]
- English Literate: [Empty]
- Interpreter Needed: [Empty]
- SSN: 555-55-5555
- DOB: 07/25/1988
- Age: 28
- Race: White
- Sex: Male
- Dependents: No. of Dependents: 0; No. Living w/Defendant: 0
- Virginia SID No: [Empty]
- FBI No: [Empty]
- Local Tracking No: [Empty]
- Date Last Reviewed: [Empty]

The bottom of the window shows navigation buttons: Exit, << Previous, Save, Undo, New, Delete, Next >>. The staff name is Shiflett, Donna and the date edited is 07/24/2017 05:46 AM.

Check the “Intake” box if you are completing an intake.

A close-up of the checkbox area from the screenshot above. The 'Intake' checkbox is checked, while 'Interview/Pending' and 'Investigation' are unchecked. An arrow points from the text above to this area.

Step 2: Placement Submodule

Information about the referral is entered under the Placement Tab in the Pretrial Placement Module. If a screening for this placement was previously completed, link the completed VPRAI to the corresponding screening by selecting it from the pop up box. If there is no screening related to this placement, select “no screening for this placement” from the pop up box. See Figure 8 below.

FIGURE 8. PLACEMENT TAB IN PT PLACEMENT MODULE

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

File Edit Modules Reports Administration Window Help

Placement VPRAI Charges Conditions Payment Obligations Court Dates Attorney

Name: Case, Sample; SSN: 555555555; DOB: 07/25/1988 Placement Number: _____

Placement Status Closure

Referral Date	PCC	Court/Locality	Current Status

Arrest Date: 07/22/2017 Referral Date: MM/DD/YYYY Linked Screening: 2017072400001 - 07/24/2017

Arresting Agency: Other Arresting Agency Supervision Level: Level II

Placement Type: _____ PCC: F6 Monitor Only

Assigned To: 20, User - PTCC Staff

Referred By: Judge Magistrate

Court: Chesapeake - General District - Criminal

Judicial Officer: Judge, Substitute

Subst. Jud. Officer: XYZ

Placement Type: Transferred In: No Court Reinstatement: No

Bond Type: Unsecured Bond

Judicial Action: Based On Program Rec

Reinstatement Reinstatement Previous Placement No: _____

Exit << Previous Save Undo New Delete Next >> Staff: _____ Date Edited: _____

Case ID: CA16302014022614274700

Screenings

Scr. Date	Jail Name	PCC	Scr. In	Reason Screened Out	Investigated	VPRAI Date	VPRAI Risk
06/01/2017	Alexandria City Adult Detention Center	F9	Yes		Yes	06/01/2017	High
06/01/2017	Allegheny County Jail	F2	Yes		Yes	06/01/2017	High
06/02/2017	Accomack County Jail	F1	Yes		Yes	06/02/2017	Above Average
06/03/2017	Albermarle/Charlottesville Regional Jail	F2	Yes		Yes	06/03/2017	High
06/04/2017	Accomack County Jail	F1	Yes		Yes	12/31/9999	
07/19/2017	Allegheny Regional Jail	F2	Yes		Yes	12/31/9999	

Open Close

Step 3: VPRAI

If a risk assessment was not completed prior to the placement, it must be completed under the VPRAI tab located in the Pretrial Placement Module. See Figure 9 below. Completion of the risk assessment for all defendants placed on pretrial supervision is required. The VPRAI provides important information related to risk level and the appropriate level of supervision.

Do not enter any information in the Jail Admission Event Module for direct placements.

FIGURE 9. VPRAI TAB IN PT PLACEMENT MODULE

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

File Edit Modules Reports Administration Window Help

Placement **VPRAI** Charges Conditions Payment Obligations Court Dates Attorney

Name: Case, Test; SSN: 999999999; DOB: 07/12/1993 Placement Number: 2017071200001

VPRAI

Instrument Completion Date: 07/27/2017

Research Factors

Prior Misdemeanor Conviction: No Prior Felony Conviction: No

Prior Violent Convictions: 0

Prior FTAs in Past 2 Years: 0

Prior FTAs Older Than 2 Years: No

Prior Sentence to Incarceration: No

Praxis

Praxis Applies: Yes

Charge Category: Non-Violent Felony

FTA Underlying Charge:

Praxis Sup Level: Monitoring Assigned Sup Level: Level I

Consistent With Praxis: No

If No Reason: sdfsdf

Risk Factors

Active Community Supervision: No

Charge is Felony Drug, Theft or Fraud: No

Pending Charge(s): No

Criminal History: No

Two or More FTAs: No

Two or More Violent Convictions: No

History of Drug Abuse: Yes

Employed at Time of Arrest: None

Calculate Risk

Risk Level: 2

Print VPRAI

Staff: Rose, Ken Date Edited: 07/27/2017 10:23 AM

Exit << Previous Save Undo New Delete Next >>

Research Factors

For further explanation on completing these fields, see the research factors under the Jail Admission Event Module section found on pages 6 - 8 of this manual.

Risk Factors

For further explanation on completing these fields, see the risk factors under the Jail Admission Event Module section found on pages 8 - 11 of this manual.

Praxis

The purpose of this section is to identify the supervision level for those defendants ordered to pretrial supervision. To determine whether the Praxis applies and an explanation on selecting the charge category, see the “Praxis Recommendation” section on pages 14 - 15 of this manual.

After selecting the charge category, the “Praxis Supervision Level” field will auto-fill with the supervision level. The officer will then select the “Assigned Supervision Level” from the following dropdown:

- ✓ Level I
- ✓ Level II
- ✓ Level III
- ✓ Monitoring

After selecting the “Assigned Supervision Level” the “Consistent with Praxis” field will auto-fill with a “yes” or “no” based on the officer selection and the displayed “Praxis Supervision Level.” If the assigned supervision level is different than the Praxis supervision level, enter the justification for the override in the “If no, reason” field. Note that the Praxis supervision concurrence rate for each agency must be 85% or higher. In addition, the supervision level must not be adjusted up or down by more than one level. For example, a Praxis Level I could only be overridden to Monitoring or Supervision Level II.

Praxis – Supervision Levels

The defendant’s calculated risk level and the current most serious charge category will determine the level of supervision for those ordered to pretrial supervision. Using the risk level identified by the VPRAI and selecting the current most serious charge category, defendants released with pretrial supervision will be assigned to one of four levels of supervision: Pretrial Monitoring, Level I, Level II, or Level III. See Table 5.

TABLE 5. PRETRIAL PRAXIS – SUPERVISION LEVELS (MANUAL VERSION)

Risk Level	Recommendation	VPRAI: Charge Category				
		Non-Violent Misd.	Driving Under the Influence	Non-Violent Felony	Violent Misd.	Violent Felony or Firearm
Level 1	Pretrial Supervision Level	Monitor	Monitor	Monitor	Monitor	Level II
Level 2	Pretrial Supervision Level	Monitor	Monitor	Monitor	Monitor	Level III
Level 3	Pretrial Supervision Level	Monitor	Monitor	Level I	Level I	Level III
Level 4	Pretrial Supervision Level	Level I	Level I	Level II	Level II	Level III
Level 5	Pretrial Supervision Level	Level II	Level II	Level III	Level III	Level III
Level 6	Pretrial Supervision Level	Level III	Level III	Level III	Level III	Level III

Based on the pretrial supervision level identified by the Praxis, defendants will be assigned to one of the following differential supervision strategies. See Table 6.

TABLE 6. DIFFERENTIAL SUPERVISION LEVEL OF THE PRAXIS

Level	Supervision Strategy
Pretrial Monitoring	<ul style="list-style-type: none"> ✓ Court date reminder for every court date ✓ Criminal history check before court date
Pretrial Supervision Level I	<ul style="list-style-type: none"> ✓ Court date reminder for every court date ✓ Criminal history check before court date ✓ Face-to-face contact once a month ✓ Special conditions compliance verification
Pretrial Supervision Level II	<ul style="list-style-type: none"> ✓ Court date reminder for every court date ✓ Criminal history check before court date ✓ Face-to-face contact every other week ✓ Special conditions compliance verification
Pretrial Supervision Level III	<ul style="list-style-type: none"> ✓ Court date reminder for every court date ✓ Criminal history check before court date ✓ Face-to-face contact every week ✓ Special condition compliance verification

VIRGINIA PRETRIAL RISK ASSESSMENT INSTRUMENT (SAMPLE)**Virginia Pretrial Risk Assessment Instrument****Instrument Completion Date:** 04/03/2018**Court Date:** 04/03/2018**First Name:** John**Last Name:** Test**Race:** White**SSN:** 568-15-2469**Sex:** Male**DOB:** 06/30/1972

Charge(s): Grand Larceny, Possession of Cocaine
 \$5,000 Secured Bond
 General District Court

Recommendation	Primary Charge Category	Risk Level
Release With Pretrial Supervision	Non-Violent Felony	5

Pretrial services recommendation is consistent with the Praxis

Conditions of Release

- Refrain from excessive use of alcohol or use of drugs
- Submit to testing for drugs and alcohol
- Maintain or seek employment

Risk Assessment

- The defendant was on active criminal justice supervision at the time of arrest.
- The defendant has a current charge of felony drug, theft or fraud.
- The defendant did not have pending charges at the time of arrest.
- The defendant has prior criminal convictions.
- The defendant does not have 2 or more failure to appears.
- The defendant does not have 2 or more violent convictions.
- The defendant has a history of drug abuse.
- The defendant did not meet employment stability requirements at the time of arrest.

Mitigating/Aggravating Considerations

Although the defendant was not employed at the time of arrest, he will begin employment next week at American Auto Repair as a mechanic. This information was verified by the owner of American Auto Repair, John Sullivan.

Confidential - Further disclosure prohibited by law pursuant to §2.2-3706 and §19.2-152.42 of the Code of Virginia.

This recommendation is based on information available to the pretrial officer at the time the report was compiled. The Court may have additional information available to it when a bail/bond hearing is held, such as the nature and circumstances of the alleged offense, the number of charges that are pending, any juvenile criminal history, or the potential risk the defendant may pose to the alleged victim(s) or witness(es).

VPRAI – MANUAL SCORING SHEET

Virginia Pretrial Risk Assessment Instrument (Manual Scoring Sheet)

Instrument completion Date: _____ Court Date: _____
 First Name: _____ Last Name: _____
 SSN: _____ DOB: _____ Race: _____ Sex: _____

Charge(s): _____

Research Factors:

1. Prior Adult Misdemeanor Conviction: Yes No
2. Prior Adult Felony Conviction: Yes No
3. Prior Violent Conviction: 0 1 2 3 or More
4. Prior Failures to Appear in Past 2 Years: 0 1 2 3 or More
5. Prior Failures to Appear Older than 2 Years: Yes No
6. Prior Sentence to Incarceration: Yes No

Risk Factors:

#	Risk Factors	# Points	Yes ✓	No ✓	Score	
1	Active Community Criminal Justice Supervision	2 points				
2	Current Charge is Felony Drug, Felony Theft or Felony Fraud	3 points				
3	Pending Charge at Time of Arrest	2 points				
4	One or More Adult Criminal Convictions	2 points				
5	Two or more Failures to Appear	1 point				
6	Two or more Violent Convictions	1 point				
7	Unemployed at the Time of Arrest	1 point				
8	History of Drug Abuse	2 points				
Total Score						
Score	0 - 2	3 - 4	5 - 6	7 - 8	9 - 10	11 - 14
Risk Level	Level 1	Level 2	Level 3	Level 4	Level 5	Level 6

The pretrial risk assessment identifies the defendant's risk level as _____

Praxis Recommendation:

1. Does the Praxis apply: Yes No
2. If yes, determine the most serious charge category:
 - Violent Felony / Firearm
 - Violent Misdemeanor
 - Non-Violent Felony
 - Driving Under the Influence
 - Non-Violent Misdemeanor
 - Failure to Appear (If selected, choose the primary charge category for the underlying charge.)
 - Violent Felony / Firearm (If selected, Risk Level = Current Risk Level + 1)
 - Violent Misdemeanor (If selected, Risk Level = Current Risk Level + 1)
 - Non-Violent Felony (If selected, Risk Level = Current Risk Level + 1)
 - Driving under the Influence (If selected, Risk Level = Current Risk Level + 1)
 - Non-Violent Misdemeanor (If selected, Risk Level = Current Risk Level + 1)

Confidential- Further disclosure prohibited by law pursuant to §2.2-3706FB and §19.2-152.4:2 of the Code of Virginia

Risk Level	Recommendation	VPRAI: Charge Category				
		Non-Violent Misdemeanor	Driving Under the Influence	Non-Violent Felony	Violent Misdemeanor	Violent Felony or Firearm
Level 1	Bail Status	Release	Release	Release	Release	Release
	Pretrial Supervision	No	No	No	No	Level II
	Special Conditions	No	No	No	No	As Needed
Level 2	Bail Status	Release	Release	Release	Release	Release
	Pretrial Supervision	No	Monitor	Monitor	Monitor	Level III
	Special Conditions	No	No	No	No	As Needed
Level 3	Bail Status	Release	Release	Release	Release	Detain
	Pretrial Supervision	Monitor	Monitor	Level I	Level I	No
	Special Conditions	No	No	No	As Needed	N/A
Level 4	Bail Status	Release	Release	Release	Release	Detain
	Pretrial Supervision	Level I	Level I	Level II	Level II	No
	Special Conditions	No	As Needed	As Needed	As Needed	N/A
Level 5	Bail Status	Release	Release	Release	Detain	Detain
	Pretrial Supervision	Level II	Level II	Level III	No	No
	Special Conditions	As Needed	As Needed	As Needed	N/A	N/A
Level 6	Bail Status	Detain	Detain	Detain	Detain	Detain
	Pretrial Supervision	No	No	No	No	No
	Special Conditions	N/A	N/A	N/A	N/A	N/A

Recommendation: ✓ the box below to indicate your recommendation

<input type="checkbox"/> Release without Pretrial Supervision	<input type="checkbox"/> Release with Pretrial Supervision	<input type="checkbox"/> Detain	<input type="checkbox"/> No Recommendation
---	--	---------------------------------	--

Conditions of Release:

- _____
- _____

Mitigating / Aggravating Considerations:
