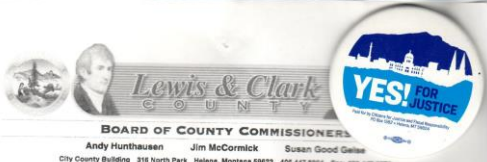


Criminal Justice Services

THOUGHTFUL CRIMINAL JUSTICE REFORM



BOARD OF COUNTY COMMISSIONERS
 Andy Hunthausen Jim McCormick Susan Good Galles
 City County Building 316 North Park Helena, Montana 59623 406.447.2304 Fax: 406.447.2379

Lewis and Clark County Detention Center
Operations Levy Budget

Guards and Other Staff		\$2,540,000
1 Detention Sergeant	\$85,000	
33 Detention Officers	\$2,211,000	
1 Receptionist	\$45,000	
1 Sworn Deputy	\$90,000	
1 Volunteer program coordinator	\$45,000	
1 Maintenance	\$64,000	
<i>(Estimated budget for staff includes salary, benefits, and training)</i>		
Jail Diversion and Risk Prevention		\$725,000
Early Intervention Coordinator	\$45,000	
Mental Health Therapist	\$200,000	
Pretrial Services	\$335,000	
Stability Funding	\$145,000	
<i>(Pretrial services include actions such as collecting and analyzing defendant information for risk assessment, making recommendations for treatment and diversion programs, and supervision and measuring outcomes for those released.)</i>		
Technology and Maintenance		\$775,000
Operations	\$100,000	
Building Maintenance and Insurance	\$625,000	
Capital Expenditures	\$50,000	
		\$4,040,000

Paid for by Lewis and Clark County
 Roger Batts, Treasurer
 316 North Park, Rm. 347, Helena, MT 59623

Criminal Justice Coordinating Council

An advisory council created in 2012.

Serves as the central planning body for the criminal justice system.

Honorable Mike Menahan,
First Judicial Court, CJCC Chair

Suzanne Seburn, Vice Chair
Region IV Deputy Office of Public Defender

Justice of the Peace
Mark Piskolich

Municipal Court Judge
Anne Peterson

Lewis & Clark County Commissioner
Tom Rolfe

City of Helena Chief of Police
Steve Hagen

Lewis & Clark County Attorney
Leo Gallagher

Lewis & Clark County Sheriff
Leo Dutton

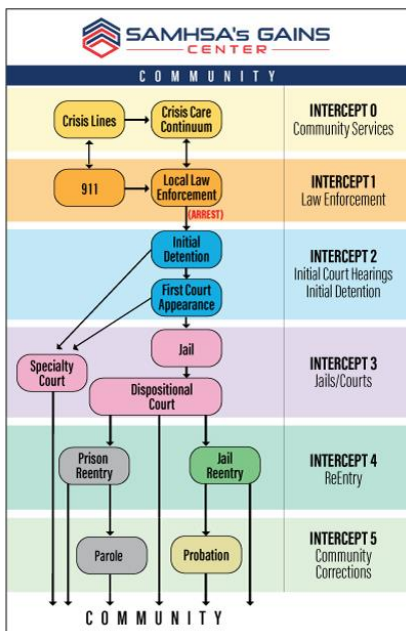
Chief Youth Probation Officer
Leah Lindgren

Chief Adult Probation Officer
Christin Thennis

City of Helena
Mayor Wilmot Collins

City of East Helena Mayor
James Schell

Victim Advocate Representative
Gina Boesdorfer



7 Generations Program

Intercept Zero Program*

Pretrial Services Program

Behavioral Health Team in the Detention Center

MAT Bridges Program

Education and Reentry/Transition Program

PASS Program*

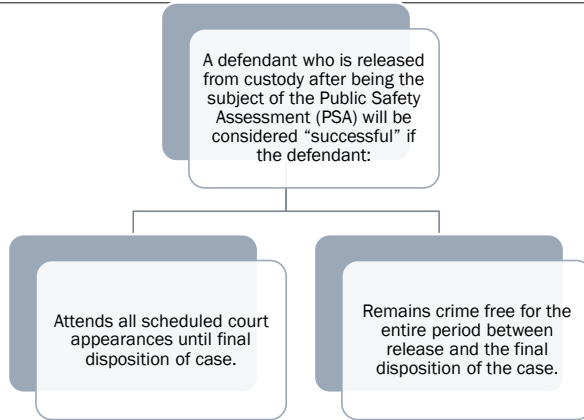


Pretrial Services in Lewis and Clark County

*“The goal of bail setting is to **maximize release** while simultaneously **maximizing court appearance** and **public safety.**”*

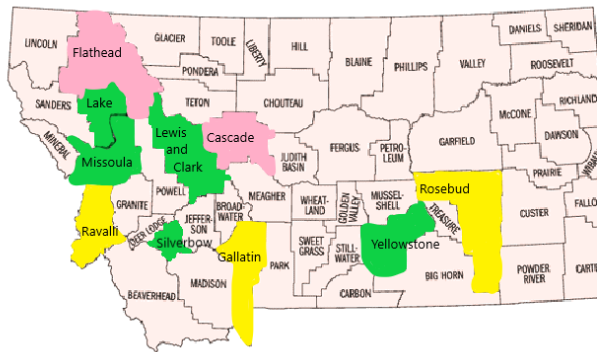
- NATIONAL INSTITUTE OF CORRECTIONS

Measuring Success



Montana Pretrial Counties

- Green = 5 Original Pilot Counties
- Pink = 2 Additional Pilot Counties
- Yellow = Existing Pretrial



Public Safety Assessment: PSA

PSA

1. A tool for
judges

2. Nationally
validated
instrument

3. Predictive
factors for
defendant
success

4. Transparent

5. Continually
evaluated

6. Results:
Predictive across
different
jurisdictions

PSA Criteria – 9 Factors

The factors do not include race, gender or any demographic information other than age. They include:

- The person's age at the time of arrest
- Whether the current offense is violent
- Whether the person had a pending charge at the time of the current offense
- Whether the person has a prior misdemeanor conviction
- Whether the person has a prior felony conviction
- Whether the person has prior convictions for violent crimes
- How many times the person failed to appear at a pretrial hearing in the last two years
- Whether the person failed to appear at a pretrial hearing more than two years ago
- Whether the person has previously been sentenced to incarceration.

The logo for PSA (Pretrial Services Agency) is displayed in large, white, serif capital letters on a black rectangular background.

Looking for success...

How likely will the defendant:

1. Appear in Court?
2. Stay arrest-free during their pretrial phase?

Montana Pretrial Public Safety Assessment

Prepared by

Court Administrator's Office

Name: [REDACTED] MEBride, Kellie
 DOB: 11/17/1977

Arrest Information:
 Arrest Date: 6/18/2020
 Charge(s):
 45-6-301 Theft – Stolen Property

Assessment Results: (Completed: 6/19/2020)

Score for Failure to Appear FTA 5	Score for New Criminal Activity NCA 6	Flag for New Violent Criminal Activity No
--------------------------------------	--	--

Assessment Information:

- 1. Age at Current Arrest 23 or older
- 2. Current Violent Offense No
- 2a. Current Violent Offense & 20 Years Old or Younger No
- 3. Pending Charge at the Time of the Arrest Yes
- 4. Prior Misdemeanor Conviction Yes
- 5. Prior Felony Conviction Yes
- 5a. Prior Conviction Yes
- 6. Prior Violent Conviction 1
- 7. Prior Failure to Appear in Past 2 Years 2 or more
- 8. Prior Failure to Appear Older Than 2 Years No
- 9. Prior Sentence to Incarceration Yes

Presumptive Release Conditions:

Pretrial Monitoring Level 3, Active

Notes:

Montana's Matrix of Presumptive Pretrial Release Conditions

PSA's Failure to Appear Scaled Score	PSA's New Criminal Activity Scaled Score					
	1	2	3	4	5	6
1	Pretrial Monitoring Level 1, Passive	Pretrial Monitoring Level 1, Passive				
2	Pretrial Monitoring Level 1, Passive	Pretrial Monitoring Level 1, Passive	Pretrial Monitoring Level 1, Passive	Pretrial Monitoring Level 2, Active	Pretrial Monitoring Level 2, Active	
3		Pretrial Monitoring Level 1, Passive	Pretrial Monitoring Level 1, Passive	Pretrial Monitoring Level 2, Active	Pretrial Monitoring Level 2, Active	Pretrial Monitoring Level 3, Active
4		Pretrial Monitoring Level 1, Passive	Pretrial Monitoring Level 1, Passive	Pretrial Monitoring Level 2, Active	Pretrial Monitoring Level 2, Active	Pretrial Monitoring Level 3, Active
5		Pretrial Monitoring Level 2, Active	Pretrial Monitoring Level 2, Active	Pretrial Monitoring Level 2, Active	Pretrial Monitoring Level 3, Active	Pretrial Monitoring Level 3, Active
6				Pretrial Monitoring Level 3, Active	Pretrial Monitoring Level 3, Active	Pretrial Monitoring Level 3, Active

Montana's Presumptive Release Activities and Conditions for the Various Pretrial Monitoring Levels

Presumptive Release Activities and Conditions	Monitoring Level 1, Passive	Monitoring Level 2, Active	Monitoring Level 3, Active
Minimal Conditions	Yes	Yes	Yes
Court Reminders	Yes	Yes	Yes
Criminal History Checks Once per Month	Yes	Yes	Yes
Check-In Once per Month		Yes	
Check-In Twice per Month			Yes
No Contact Orders		If Court Ordered	If Court Ordered
Substance Testing		If Court Ordered	If Court Ordered
Electronic Monitoring		If Court Ordered	If Court Ordered
Secured financial conditions		If Court Ordered	Presumptive unless a minor offense
Other Case-Specific Conditions		If Court Ordered	If Court Ordered

- Minimal Conditions = The defendant shall appear in court for all hearings and abide by all laws.
- Court Reminders = The defendant shall read or listen to all court date reminders and reply if requested.
- Criminal History Checks = The defendant's criminal history will be checked for new criminal charges at least once per month.
- Check-In = The defendant will check-in with a pretrial case manager at least once or twice per month. Check-ins may occur, at the discretion of the case manager, in-person or be done through telephone or videoconference.
- No Contact Orders, Substance Testing, Electronic Monitoring, and Other Case-Specific Conditions = If one or more of these conditions are court ordered, the defendant will comply, and the case manager will monitor the defendant's compliance.

Montana Judicial Branch
Pretrial Performance Measurement Summary
Cases with PSA disposed between January 1, 2019 and December 31, 2019

	Statewide	Butte Silver Bow	Missoula	Lewis and Clark	Lake	Yellowstone
% released pretrial	80%	90% (769)	87% (241)	84% (623)	70% (115)	64% (542)
% of those released who were released OR	60%	54%	69%	70%	50%	53%
% remaining in jail designated as a PSA level 3	49%	44%	46%	39%	30%	57%
% released who did not have pretrial FTA warrant	88%	95%	89%	89%	94%	73%
% with a new offense while on pretrial	18%	6%	14%	22%	10%	27%
% with a new felony offense while on pretrial	9% (197)	4% (30)	8% (22)	9% (68)	4% (7)	13% (70)
% with a new violent offense (m/f) while on pretrial	2% (55)	1% (10)	3% (7)	1% (8)	1% (2)	5% (28)


Pretrial Phase



Process Flow

1. Arrest
2. Booking
3. PSA: Created and Disseminated
4. Initial Appearance
5. Pretrial Decision:
 - A. Bond = Cash Bond
 - B. Bond = Pretrial Services
 - C. Bond = Pretrial Services and Cash
 - D. Released on Own Recognizance (OR)

Process Flow

1. Pretrial Officer attends Court
2. Pretrial Officer may meet with Defendants at Detention Center
3. Defendant reports to Pretrial Office and meets with Pretrial Officer
 - A. Review of Court Order and Conditions
 - B. Signed Pretrial Agreement
 - C. Ensure a good cell phone number for text messaging of court reminders
 - D. Multiple reminders for Defendant to not talk about charges
 - E. Social determinants of health. 

Social Determinants of Health

Support Systems?

Communication?

Housing?

Child Care?

Transportation?

What will help this defendant be successful on pretrial status?

\$10,059

- **Specific to the defendant:**

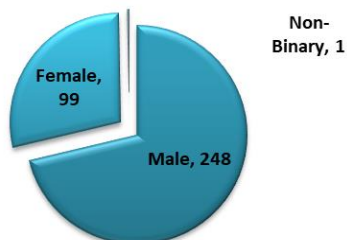
- Cell Phones and Minutes
- Bus Passes and Gas Cards
- Food Packs and Grocery Store Cards
- Tires
- Child Care Assistance (One Week?)
- Rental Assistance (One Week?)
- Birth Certificate and Other Documentation
- Up to Two Weeks 24/7
- Up to Two Weeks Random UAs
- GPS and SCRAM

- **Specific to the defendant:**

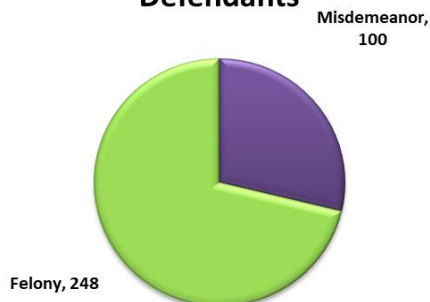
- Connection to Treatment
- Connection to Housing
- Connection to Employment
- Connection to Services

Lewis and Clark County Pretrial Services Program

Gender Identification of the 348 PTS Defendants

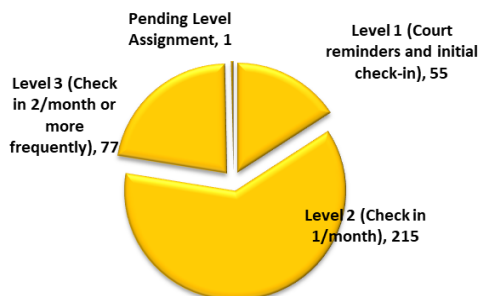


Severity of Charge for the 348 PTS Defendants

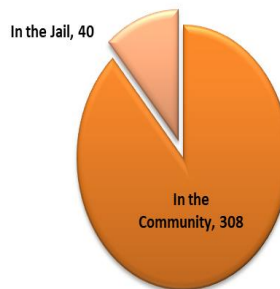


Lewis and Clark County Pretrial Services Program

Supervision Levels of the 348 PTS Defendants



Location of the 348 PTS Defendants



Technical Violations

Best Practices,
Research, and
Reality...



Pretrial Officers and POST



Lewis and Clark County Pretrial Officer Employment Requirements

- ❖ NAPSA Certification
- ❖ Certified in Mental Health First Aid
- ❖ Certified in Circle of Security
- ❖ POST Certification

Annual Income and Expense

<u>Expenses</u>		<u>Income</u>	
Personnel	325,590	State	97,000
Operating	26,159	County	22,024
Travel	2,766	Levy	<u>269,127</u>
Training	5,735		388,151
Fixed	<u>27,901</u>		
	388,151		

Questions?

Kellie McBride
cell 406-459-9964
office 406-447-8380
kmcbride@lccountymt.gov

<https://nicic.gov/framework-pretrial-justice-essential-elements-effective-pretrial-system-and-agency> A Framework for Pretrial Justice: Essential Elements of an Effective Pretrial System and Agency (National Institute of Corrections)

<https://drive.google.com/file/d/1edS2bltwfNR0ieGeu1A6qKluTfzqop92/view> National Association of Pretrial Services Agencies (NAPSA) Standards on Pretrial Release

