

**VALIDATION OF CONNECTICUT'S RISK ASSESSMENT FOR
PRETRIAL DECISION MAKING**

Final Report submitted to:

**Court Support Services Division
Judicial Branch
State of Connecticut**

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**Revised
July 31, 2003**

ACKNOWLEDGEMENTS

The *Validation of Connecticut's Risk Assessment for Pretrial Decision Making* study was conducted through a contract with the Court Support Services Division (CSSD) of the Connecticut Judicial Branch. We appreciate CSSD's role in sponsoring and facilitating this research. In particular, Michael Hines and James Carollo served as invaluable resources in framing the research, collecting the data (especially when we had to review actual client records), reviewing preliminary findings, and discussing the implications of our conclusions. We thank Laura Grenon for taking time to help us fully understand the Judicial Information Systems electronic files and providing us with the necessary data in a timely manner. And although we cannot thank them individually, we would like to thank the CSSD staff at the four sites (Bridgeport, New London, New Britain, Waterbury) for helping compile case data records.

At CCSU, we express our gratitude to Sara Basford, whose knowledge of the pretrial system was instrumental in reviewing bail records, interpreting results, and developing recommendations. Sorting through and organizing all of the collected data was a daunting task, which we could not have done without the assistance of Jessica Bottomley and Erin O'Brien.

Finally, we greatly appreciate the talents of Eileen Downey in helping with the administration of this project.

NOTE

This revision to the final report is being submitted to reflect changes made subsequent to the original report in response to an inquiry regarding data collected as part of a client's criminal history. Specifically, the number prior charges was collected by the authors and was intended to be used as a proxy for number of prior arrests. It was discovered that the basic record check conducted by a bail commissioner does not include all past charges, but rather only those resulting in convictions. Therefore, we have made adjustments to the report and the revised point scale to more appropriately reflect the data being collected. These adjustments include omitting all references to the number of prior charges and substituting the number of prior convictions. Because these two factors were highly correlated with one another, the changes to the results and point scale were minimal.

EXECUTIVE SUMMARY

The purpose of this study was to examine the validity of the existing risk assessment used for bail decision-making in Connecticut. Specifically, we sought to evaluate the current point system to determine which factors are predictive of bail decisions and outcomes, and to identify additional factors that may enhance the validity of future risk assessment tools.

Summary of Pretrial Research

A review of pretrial research identified three general findings. First, bail decisions play an important role in the court process, with clients held in pretrial detention generally receiving less favorable trial outcomes than those released on bail (e.g., higher incarceration rates). Second, offense characteristics and criminal history have the most influence on bail decisions even when offender characteristics (e.g., community ties) are considered. Third, prior research has been unable to consistently explain failure to appear rates. Offense characteristics and criminal history appear to have the most influence on failure to appear rates. However, offender characteristics such as employment, living arrangement, and drug use also have been associated with failure to appear.

Current Bail Practices

Bail Commissioners are required to seek the least restrictive conditions of release that will insure a client will appear in court. Criteria that should be considered in the pretrial release, as defined by Section 54-63c of the Connecticut General Statutes, are (1) nature and circumstances of the offense; (2) prior convictions; (3) prior failure to appear in court; (4) family ties; (5) employment record; (6) financial resources, character, and mental condition; and (7) community ties. Bail commissioners currently use a point scale to guide pretrial decisions. Points are given for residence, family ties, employment and education, verifiable references, and no prior record. Points are taken away for charge seriousness, substance abuse or mental health problems, criminal history, and prior failure to appear.

Validation Study

The validation study examined 622 pretrial clients randomly selected from the years 1998 and 2000. Data for this representative sample of bail decisions and outcomes were collected from four major geographical areas (GA): New Britain, Bridgeport, Waterbury, and New London. We examined the influence of Demographics, Community/Family Ties, Financial Resources, Mental Condition, Offense Characteristics, and Criminal History on the type and amount of bail recommended, the likelihood of being released, and failure to appear.

Factors pertaining to Criminal History and Offense Characteristics were the best predictors of both bail decisions and outcomes. Clients with criminal histories and more serious offense characteristics received more restrictive bail and were less likely to be released on bond. Fewer of these factors explained bond amount and failure to appear. Clients with more serious offenses received higher bond amounts but were not less likely to appear for court. Prior FTA and prior convictions were the only Criminal History factors strongly associated with a higher likelihood of failing to appear.

Only a few factors in the categories of Community/Family Ties, Financial Resources, and Mental Condition were predictive of either bail decisions or outcomes. In regards to Community Ties, clients who were unmarried received higher bond amounts and were more likely to fail to appear. Clients who lived alone or with non-immediate family received more restrictive bail and were more likely to fail to appear. Having a verifiable reference was associated with lower bond and greater likelihood of being out on bond/release. In regards to Financial Resources, clients who were more financially self-sufficient received less restrictive bail, were more likely to be out on bond/release, and were more likely to appear for court. The more time at one's current job and years of education also decreased the likelihood of failure to appear. Finally, clients with a mental illness or substance abuse problem received more restrictive bail and were less likely to be out on bond/release. However, they were not more likely to fail to appear.

Overall, the strongest predictors of bail decisions were charge severity and prior criminal behavior, including prior failure to appear. Means of support, mental/substance abuse problems, and verifiable reference were also influential but to a lesser degree. Criminal history was the strongest predictor of failure to appear (number of prior convictions increased the likelihood of failure to appear) followed by marital status and means of support (unmarried and unemployed clients were more likely to fail to appear).

Based on these validation findings, we developed an alternative point scale that takes into account statute guidelines and current bail practices. Consistent with existing research and practice in bail decision-making, the new scale places weight on offense characteristics and criminal history but also includes points for family and community ties. The alternative point scale is advantageous because it has fewer items and more accurately predicts who will fail to appear while recommending less restrictive bail types than current practice.

Recommended Modifications to Current Bail Practices

In addition to the alternative point scale, we recommend the following changes to the actual Case Data Record and the methods of collecting pretrial data.

- Delete fields from the Case Data Record that are irrelevant to bail decisions and FTA.
- Collapse the number of response options for existing fields.
- Add additional items to record check that are predictive of bail outcomes.
- Improve the consistency of data collection and entry.
- Conduct verifications of self-report information.
- Revise the database to keep original and updated client information.
- Create a record in the judicial system for keeping track of clients who post bond.

Areas for Further Investigation

We identify four areas for further study. The first two areas expand directly on our research and should be considered a higher priority. They include validating the revised point system with additional samples and piloting the new point scale with a sample of new cases. The other two areas are indirectly related to this study, but are important because they can ultimately enhance the bail decision-making process as a whole. These areas include exploring the influence that the bail decision-making process has on subsequent offenses and case outcomes (e.g., verdict, sentence length) and examining the role that various conditions play in reducing both failure to appear and subsequent offenses.

TABLE OF CONTENTS

ACKNOWLEDGEMENTS	i
EXECUTIVE SUMMARY	ii
TABLE OF CONTENTS	iv
INTRODUCTION	1
History of Bail Reform	1
Review of Relevant Research on Bail Decision Making.....	3
<i>Effects Of Pretrial Detention</i>	4
<i>Factors Affecting Bail Decisions</i>	5
<i>Predictors Of Failure To Appear Or Rearrest</i>	5
<i>Summary of Pretrial Research</i>	6
Bail in Connecticut	6
<i>Bail Reform In Connecticut</i>	6
<i>Current Point System</i>	7
VALIDATION OF CONNECTICUT’S RISK ASSESSMENT FOR	8
BAIL DECISION MAKING	8
Case Selection.....	8
Predictor and Outcome Variables	9
Data Analytic Procedures	9
Validation Results.....	12
<i>Characteristics of the Selected Cases</i>	13
<i>Relationships between Predictors and Bail Decisions</i>	14
<i>Likelihood of Being Out on Bond or Release</i>	15
<i>Predictors of Failure to Appear</i>	17
<i>Differences Across Years and Sites</i>	17
<i>Full Bail Decision-Making Model</i>	18
GENERAL DISCUSSION	20
Summary of Findings.....	20
Relationship of Findings to Previous Research	21
RECOMMENDATIONS	21
Creation of an Alternative Point Scale.....	21
Recommended Modifications to Data Collection.....	24
Areas for Further Investigation.....	26
<i>Subsequent Validation</i>	26
<i>Additional Relationships</i>	27
REFERENCES	28
APPENDIX A Summary of Pretrial Statutes by State.....	31
APPENDIX B Current CSSD Intake Point Scale.....	34
APPENDIX C Relationships between Key Variables and Bail Decisions.....	36
APPENDIX D Relationships between Key Variables and Bail Outcomes	39
APPENDIX E Mean Comparisons for Out on Bond and FTA	42
APPENDIX F Revised CSSD Pretrial Risk Assessment Point Scale	43

LIST OF TABLES

Table 1. State Statutes for Pretrial Release Decisions	3
Table 2. Findings from A National Survey of Risk Assessments*.....	4
Table 3. Total Bail Cases by Year and Site	8
Table 4. Sample Sizes by Year and Site	9
Table 5. Variables Names and Codes as Used in Analyses.....	11
Table 6. Relationships between Predictors, Bail Decisions, and Outcomes.....	16
Table 7. Summary of Full Model Analysis.....	19
Table 8. Statute Criteria and Factors included in the Alternative Point Scale.....	22
Table 9. Weighted Factors for Bail Decisions.....	23
Table 10. Descriptive Comparison between Point Scales	23

LIST OF FIGURES

Figure 1. Model of Bail Decisions and Outcomes.....	10
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INTRODUCTION

Every year Connecticut bail commissioners interview thousands of arrestees and decide whether to release them back into community prior to their scheduled court date. While the overarching goal of bail commissioners is to release only those clients who will most likely appear in court, these decisions can have serious effects on the arrestees, the victims of their crimes, and the overall safety of their communities.

The Connecticut General Assembly has passed several pieces of legislation over the past 40 years regarding factors that bail commissioners should consider during the pretrial interview. A risk assessment point scale was created from this legislation to guide bail commissioners' decision-making and provide statewide consistency in pretrial release decisions. Although this point scale was implemented in the 1980s it has never been statistically validated, meaning that it is unclear whether the criteria used in pretrial decisions are the most useful and whether other factors may provide better information to bail commissioners. The purpose of this study is to assess the current interview questions and validate the point structure used by Connecticut bail commissioners. The report will begin with an overview of the history of the bail reform movement followed by a discussion of bail reform in Connecticut. Next, we will summarize prior research regarding the effect of pretrial detention on subsequent court dispositions, those factors that influence bail decisions, and predictors of failure to appear for court and rearrest prior to court appearance. This discussion will be followed by a description of the data and methods used to conduct the validation as well as a presentation and discussion of the results of our study. Finally, we will provide recommendations concerning the pretrial interview process and suggest an alternative point scale for pretrial release decisions.

History of Bail Reform

Support to reform pretrial bail decisions gained significant momentum in the early 1960s out of concern over the haphazard methods being used to set bail. At the time the U.S. Supreme Court supported a "right to bail" in noncapital offenses, no criteria was set forth to determine the form and amount of bail (Albonetti, Hauser, Hagan, and Nagel, 1989). Bail was primarily based on the current charge with little or no influence of prior behavior or offender characteristics (such as ties to the community)(Clark and Henry, 1996). In addition, an extremely high percentage of accused offenders were given financial bail, which greatly discriminated against indigent offenders (Clark and Henry, 1996). Critics of the use of financial bail argued that the true sense of justice was being compromised by detaining nonviolent offenders solely because they could not afford to post bail (Goldfarb, 1965). Even President Lyndon Johnson voiced his concern over poor people "languish[ing] in jail weeks, months and perhaps even years before trial" (Zalman, 1994: p. 64).

There have been two significant pieces of Congressional legislation that have led to long lasting effects on bail decision-making: the Federal Bail Reform Act of 1966 and the Federal Bail Reform Act of 1984. The Federal Bail Reform Act of 1966 was partially a result of the Manhattan Bail Project, an experiment by the Vera Institute of Justice that tested the concept of "Release on Recognizance." In this project, judges would release offenders if they could provide

verifiable information about their job, family, prior criminal record, and associations (Goldfarb, 1965; Cole, 1983). The evaluation of this project found that offenders released on recognizance had a higher court appearance rate than those released on financial bail (Frazier, Bock, and Henretta, 1980; Clark and Henry, 1997; Vera Institute of Justice, 1972).

The passage of the Bail Reform Act of 1966 made sweeping changes to pretrial release decisions. Namely, that courts must first consider releasing clients on recognizance, and, if this was not feasible, other bail options must be present so that pretrial release conditions could be structured to the needs of each individual offender (Clark and Henry, 1996). In all cases, financial bail, in the form of a surety bond, would be the last option and would be used only when non-monetary conditional release would not guarantee an offenders' court appearance (Wheeler and Wheeler, 1981). The Act also defined those standards that should be considered in a pretrial release decision. These were: (1) nature and circumstances of the offense, (2) weight of evidence against the person, and (3) the history and characteristics of the person (this includes character, mental condition, family ties, employment and financial resources, length of residence in the community, past conduct, criminal history and FTA history, whether the offender was on probation or parole at the time of the offense, and pending cases).

The Bail Reform Act of 1984 primarily amended the prior reform act to include the consideration of preventive detention to assure public safety from dangerous offenders. Specifically, an offender can be denied bail and detained if the offender (1) poses a serious risk to the community; (2) may obstruct justice or intimidate witnesses or jurors; and, (3) commits a violent or drug offense, offenses carrying a life sentence or the death penalty, commits a felony while having a serious criminal record (Cole, 1989; Reid, 1996).

Over the past forty years several federal and state jurisdictions have created and implemented quantitative strategies for making pretrial decisions (Gottfredson and Gottfredson, 1986). These strategies commonly assign point values to clients' current charge, criminal history, and community ties for the purpose of determining the likelihood that client will appear in court or will not commit a new criminal offense while awaiting trial. The Vera Institute of Justice pioneered its points system in the Manhattan Bail Project. Clients were given points for no prior criminal record, living with immediate family in the New York City area, having steady employment or regularly attending school, length of time or residence in the area, and having a positive disposition during the bail interview.

Many states and local jurisdictions are currently utilizing risk assessments for pretrial release decisions that weigh the nature of the offense, community ties, personal and socio-economic characteristics, and criminal history. Table 1 presents the various factors considered by 35 states (fifteen states are not included in this table because they did not have statutes concerning pretrial decisions or did not have published criteria). The pretrial statute guidelines in most of the states are similar to Connecticut. The more common factors considered relate to prior court appearances (94%), nature of the offense, (91%) and criminal history (89%). Several states also use clients' employment and financial status (68%), family or community ties (68%), mental or substance abuse problems (57%), residency (60%), and clients' character (54%). In addition to these factors nearly one-half of these states consider clients' danger to the community

(46%) and 23% of states weigh the evidence of the case. Only one state (New York) considers juvenile records (see Appendix A for a summary of the individual state guidelines).

Table 1. State Statutes for Pretrial Release Decisions

	Percentage and number of state statutes with factor	Related Issues
Nature of the Offense	91% (32)	Aggravating/mitigating factors
Prior Criminal Record	89% (31)	History of violence
Prior Court Appearances	94% (33)	
Employment	68% (24)	Financial status
Character	54% (19)	Reputation, No personal ID
Mental/Substance Abuse	57% (20)	
Residency	60% (21)	
Pending Charges	31% (11)	
Family/Community Ties	68% (24)	
Other Factors		
Weight of Evidence	23% (8)	Likelihood of conviction
Victim Characteristics	20% (7)	
Danger to the Community	46% (16)	
Juvenile Record	3% (1)	
Drug dependency or treatment	17% (6)	

In addition, Clark and Henry (2002) surveyed 202 pretrial service programs across the United States and found that 23% rely solely on objective risk assessment criteria (e.g., length of time in area, property ownership, employment or education status, income, marital and parental status), 42% combine objective and subjective criteria (examples of subjective criteria are court demeanor and attitude, comments from the arresting police officer), and 35% use subjective criteria only. This survey also asked respondents about the criteria used in making the assessments. Table 2 displays the results of this survey. The most commonly collected information is local address, length of time in the area, length of time at current address, employment/school status, prior convictions, on probation or parole, prior arrests, and living arrangements.

Review of Relevant Research on Bail Decision Making

Research on bail decision-making has generally focused on three main issues: (1) the effects of pretrial detention on subsequent trial outcomes, (2) the factors that influence bail decisions, and (3) the factors which predict of failure to appear and re-offending while the client is released on bail. We discuss the general findings in regards to each of these issues below.

Table 2. Findings from A National Survey of Risk Assessments*

Factors Considered in Risk Assessment	2001 Percent	1989 Percent	1979 Percent
Local address	92%	94%	95%
Length of time in area	94%	93%	92%
Length of time at current address	82%	84%	85%
Length of time at prior address	60%	67%	N/A
Property owner	53%	60%	50%
Have telephone	44%	34%	27%
Living arrangements	75%	82%	74%
Parental status/support of children	50%	63%	N/A
Employment/school status	92%	93%	92%
Income level	36%	48%	43%
Physical or mental impairment	59%	65%	N/A
Use of alcohol or drugs	72%	68%	N/A
Age	40%	N/A	N/A
Comments from arresting officer	40%	56%	N/A
Comments from victim	47%	48%	N/A
Prior arrests	77%	79%	67%
Prior convictions	95%	91%	86%
On probation, parole, or pretrial release	86%	89%	N/A
Compliance with probation, parole, or pretrial release	69%	N/A	N/A
Prior court appearance history	92%	88%	N/A
Family/friend in court	12%	16%	20%
Having references	56%	N/A	N/A
Other	9%	17%	6%
	N = 172	N = 196	N = 117

Table was published in Clark, J. and Henry, D.A. (2002). Pretrial services programming at the start of the 21st century: A survey of pretrial services programs. Washington, D.C.: Pretrial Services Resource Center.

Effects Of Pretrial Detention

Concern over the detrimental effects of being detained prior to a client's trial has been a cornerstone of the bail reform movement. Besides the obvious impact on a client's life such as loss of employment, being unable to fulfill family obligations, and inability to maintain community ties, individuals in pretrial detention also suffer harsher treatment from court decisions at the trial (Foote, 1958). Foote's (1958) study of bail decisions found that the length of pretrial detention was associated with a higher likelihood of being convicted and a more severe sentence following conviction (these findings were replicated by Rankin in 1964, Swigert and Farrell in 1977, and Goldkamp in 1979). Another study found that pretrial detention does not necessarily affect conviction rates but does have a direct impact on incarceration rates. Detained offenders have a significantly higher rate of imprisonment than offenders released on bail (these differences remain when controlling for type of charges)(Wheeler and Wheeler,

1981). In Connecticut, the Justice Education Center (1992) replicated this finding, in that; pretrial detention was one of six significant predictors of whether an offender would be sentenced to jail/prison or probation (the other predictors were charge severity, type of charge, felony conviction, race/ethnicity, and sex).

Factors Affecting Bail Decisions

The majority of bail literature has examined the process of looking at what factors predict release on recognizance. Despite the emphasis placed on community ties and personal characteristics, research overwhelmingly indicates that offense seriousness and prior criminal record are the most influential factors on bail decisions (Bock and Frazier, 1977; Bynum, 1996; Ebbesen and Konecni, 1975; Frazier, Bock, and Henretta, 1980; Goldkamp, 1979; Petee, 1994; Roth and Wice, 1980; Rhodes and Matsuba, 1984; Suffet, 1966). Other legal factors that have been found to influence bail decisions are being on probation or parole (Bock and Frazier, 1977; Petee, 1994; Rhodes and Matsuba, 1984) and pending charges (Rhodes and Matsuba, 1984). Some additional factors appear to play a small role in bail decisions. These include: client's appearance and demeanor (Bock and Frazier, 1977; Frazier, Bock, and Henretta, 1980; Petee, 1994), income (Bynum, 1976), living arrangement (Petee, 1994), the amount of time the client lived in the town or county (Frazier, Bock, and Henretta, 1980; Petee, 1994), and marital and employment status (Albonetti, Hauser, Hagan, and Nagel, 1989)

Predictors Of Failure To Appear Or Rearrest

The most recently published study on failure to appear rates analyzed 1996 data from felony cases in the 75 large urban counties and found that 22% of those clients released on bail did not appear in court (Hart and Reaves, 1999). Drug offenders (29%) and property offenders (22%) had the highest failure to appear rates followed by clients accused of violent offenses (14%) and public order offenses (14%).

Gottfredson and Gottfredson (1986) provide a thorough summary of research that attempts to explain why clients fail to appear in court. In this review, they identified offense type, prior record, drug use, prior FTAs, pending charges, and "community ties" as variables that commonly predict failure to appear for trial. It is important to point out that many of the early studies reviewed by Gottfredson and Gottfredson found little relationship between predictor variables and FTAs (Angel, Green, Kaufman, and Van Loon, 1971; Feeley and McNaughton, 1974; Locke, Penn, Rock, Bunten, and Hare, 1970). Studies that found significant predictors of FTA were Gottfredson (1974, present offense, offense history, employment, living arrangement, and relatives in the area), Clarke, Freeman, and Koch (1976, criminal history and bail type), Roth and Wice (1980, offense type, employment, and drug use), and Goldkamp and Gottfredson (1981, criminal history, drug use, and age).

Other studies not included in Gottfredson and Gottfredson's (1986) review produced similar findings. Eskridge (1979) looked at severity of current charge, prior criminal activity, behavior in past court appearances, community ties, socioeconomic background, and sanction. He found that socioeconomic background and community ties had no effect on failure to appear. Interestingly, individuals with no prior criminal activity were less likely to appear in court.

Chilvers, Allen, and Doak (2002) found that clients with prior convictions, pending charges, serious drug offenses, and burglaries were most likely to fail to appear.

In an evaluation of Philadelphia's pretrial release experiment, Goldkamp and White (2001) assessed the effect of 30 factors (demographic, criminal case and charges, criminal history, and guidelines' classification). The factors they found to be associated with failure to appear were prior charges in the past three years, felony theft, and prior FTAs. They also found that having a weapons charge was actually predictive of appearing in court.

Summary of Pretrial Research.

Recent research on bail decision-making is limited but is consistent with earlier studies. First, bail decisions play an important role in the court process, with clients held in pretrial detention generally receiving less favorable trial outcomes than those released on bail (detained clients tend to have a higher incarceration rate). Second, although the bail reform movements centered on the importance of using offender characteristics (such as community ties) to determine pretrial release, these characteristics do not appear to be predictive of type of bail or failure to appear. Offense characteristics and criminal history (most often offense seriousness and prior offenses) consistently have more influence on bail decisions even when offender characteristics were considered. Third, there is less consistency in the literature in regards to failure to appear rates. Offense characteristics and criminal history appear to have a greater influence on FTAs than offender characteristics (offense type and prior criminal record were most commonly found to explain FTA rates). The few offender characteristics associated with FTAs were employment, living arrangement, and drug use.

Bail in Connecticut

As in most states, general statutes guide pretrial release decisions. Section 54-63c of the Connecticut General Statutes defines the criteria for which offenders can be released from detention following their arrest but before they appear in court. Bail Commissioners are required to seek the least restrictive conditions of release that will insure a client will appear in court. Criteria that should be considered in the pretrial release are:

- 1) Nature and circumstances of the offense;
- 2) Prior convictions;
- 3) Prior failure to appears in court after being released on bail;
- 4) Family ties;
- 5) Employment record;
- 6) Financial resources, character, and mental condition;
- 7) Community ties.

Bail Reform In Connecticut

A 1974 report by the Institute for Effective Criminal Justice (Gerety and Rein, 1974) expressed concern over the state of Connecticut's bail system. In particular, they argued that "bail practices are frequently inconsistent with the law. Police, bail commissioners and judges

sometimes fail to follow the statutory framework and bail is often used for purposes that conflict with the spirit of the law. When the legal guidelines are ignored, the result is unnecessary pretrial detention” (p. 5). The authors describe a 1970 study conducted by a Yale Law School student who found that pretrial detention had a very prejudicial effect in Connecticut (jailed offenders had almost three times fewer suspended sentences, less nolle prosequis and acquittals, and nearly twice the incarceration rate as bailed offenders). In addition, Gerety and Rein (1974) emphasized the inability to readily measure bail effectiveness using a “skip rate” (failure to appear). They point out that bail commissioners keep records of the conditions they set but they do not collect release rate (those clients who actually post bond).

Similar concerns were raised in a 1981 report prepared by the Connecticut Pretrial Commission (1981). The report focused on how Connecticut’s overburdened criminal justice system had strained the pretrial system. The high number of cases had brought out the deficiencies in bail decisions caused primarily by a lack of standardized procedures for dealing with the large number of cases coupled with the “lack of clear-cut procedures for implementing statutorily-mandated release policies” (p. 1). These problems resulted in conservative release decisions being made leading to a high number of clients in detention simply because they could not post bond. This report recommended, among other things, that (1) procedures be implemented to reflect the Connecticut General Statutes’ recommendations for non-monetary release; (2) use of uniform and weighted criteria to determine pretrial release; and, (3) creation of data collection and verification for the purpose of improving accountability of pretrial release decisions.

Current Point System

Bail commissioners currently use a point scale developed in accord with the general statutes based on the need to standardize pretrial decisions (see Appendix B). It consists of ten components that result in the addition or deduction of points. Points are given for residence, family ties, employment and education, verifiable references, and no prior record. Points are taken away for charge seriousness, medical (substance abuse or psychiatric problems), criminal history, and prior failure to appear. Clients receiving six or more points are to receive a non-financial form of release (e.g., written promise to appear, non-surety bond, or a conditional release). Clients with five or fewer points receive a surety or 10% bond. Our goal was to look at how these components relate to bail decisions and failure to appear, to determine if additional components should be added, and to adjust the current points system if appropriate.

VALIDATION OF CONNECTICUT'S RISK ASSESSMENT FOR BAIL DECISION MAKING

The purpose of this study was to evaluate the validity of the existing risk assessment used for bail decision-making in Connecticut. Specifically, we sought to evaluate the current point system to determine which factors are predictive of bail decision and outcomes and to identify additional factors that may enhance the validity of future risk assessment tools.

The process of validating the risk assessment involved several steps. First, we identified the key components of Connecticut's risk assessment along with other factors from the literature on bail decision-making that have been found to be predictive of bail decisions and outcomes. Second, we acquired complete data in electronic form from Judicial Information Systems (JIS) for select courts and imported these data into a statistical software package (SPSS) to facilitate analyses. Third, we decided to manually reenter data from a sample of original case files (Case Data Records) after it was determined that the electronic data were incomplete and that some information is overwritten each time a client subsequently appears in court. Fourth, we conducted follow-up background checks to gather additional information on each individual's criminal history and cross-checked each case with DOC records to determine if an individual was out on bond between time of arrest and disposition. Fifth, we recoded factors where appropriate and conducted the validation analyses. We provide below a description of the sample used in our analyses, the factors (i.e., variables) examined, and the type of analyses used. Figure 1 also depicts the model of bail decision-making that guided our analyses.

Case Selection

The validation involved examining a representative sample of bail decisions and outcomes for two years (1998 and 2000) from four major geographical areas (GA): New Britain, Bridgeport, Waterbury, and New London. These two years were selected because some factors were mandatory in 1998 but not in 2000, so we wanted to ensure that the validity of the point factors were comparable across these different data collection conditions. The number of bail cases processed each year and from each GA are shown in Table 3. A random sample of approximately 100 cases was selected from each GA and year for manual entry. Some cases were unavailable or incomplete, and thus not included in the final sample used for the validation purposes. We verified that the final samples were representative of the bail cases by checking the characteristics of the sample against characteristics of the total population from which each sample was drawn. The final samples sizes are provided in Table 4.

Table 3. Total Bail Cases by Year and Site

Site	1998	2000
GA02 (Bridgeport)	4943	4959
GA04 (Waterbury)	3893	5241
GA10 (New London)	2217	2097
GA15 (New Britain)	2621	2261

Table 4. Sample Sizes by Year and Site

Site	1998	2000	Combined
GA02 (Bridgeport)	85 (14%)	66 (11%)	151 (24%)
GA04 (Waterbury)	96 (15%)	51 (8%)	147 (24%)
GA10 (New London)	81 (13%)	68 (11%)	149 (24%)
GA15 (New Britain)	80 (13%)	95 (15%)	175 (28%)
Total	342 (55%)	280 (45%)	622 (100%)

Predictor and Outcome Variables

All the variables included in the analyses are shown in Figure 1. The predictor variables are listed on the left and are clustered around the key components identified in the Connecticut statute and the general literature. We also included two extralegal factors (gender and race), which have been found in previous studies to have some effect on bail decisions. In addition to the predictors, we examined two decision-making variables (type of bail and amount of bond) and one interim outcome variable (likelihood of being out on bond). Finally, our primary outcome variable of interest was whether or not the individual failed to appear in court. Table 5 lists all variables along with how they were coded in our analyses.

Data Analytic Procedures

The analyses focused on testing the model presented in Figure 1. First, we analyzed the influence of each individual predictor on the bail decision and outcome variables. Different analyses were used with different predictors depending on the way in which the variables were coded. These analyses included Chi-square tests, which compare observed to expected frequencies; t-tests and analysis of variance, which compare differences among group averages; and correlations, which assess the degree of association between variables. Second, we evaluated the relative contribution of each predictor in regards to all other predictors using regression analyses. These analyses provide an indication of how much weight each variable should be given in terms of predicting the particular outcome (e.g., failure to appear). Finally, we tested the overall model of bail decision-making using path analysis, which simultaneously assesses the direct and indirect effects of the predictor variables on the outcome variable.

Figure 1. Model of Bail Decisions and Outcomes

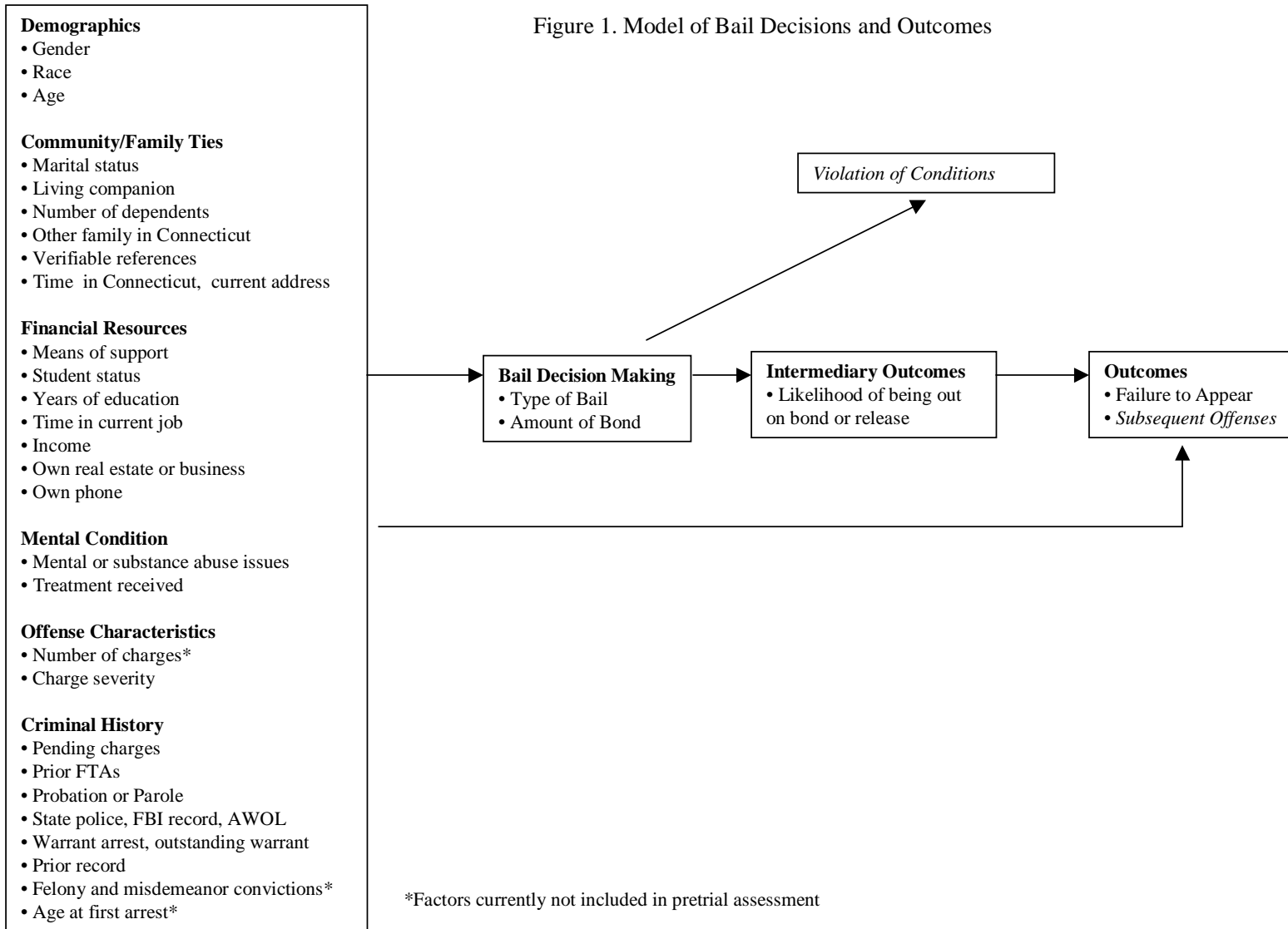


Table 5. Variables Names and Codes as Used in Analyses

Variable Name	Variable Description	Data Codes
<i>Demographics</i>		
Sex		0=Male; 1=Female
Race		1=Black; 2=Hispanic; 3=Caucasian; 4=Asian; 5=Amer. Indian
Age at arrest		Years
<i>Community/Family Ties</i>		
Marital Status		1=Married; 2=Single; 3=Widowed; 4=Divorced; 5=Separated
Living Companion	Individuals w/ whom the client lives	1=Alone; 2=Parent/Guardian; 3=Relative; 4=Spouse/Child; 5=Non- relative
# of Dependents		
Other Family Reference	Client has other family in CT	0=No; 1=Yes
Time in CT	Client has a verifiable reference	0=No; 1=Yes
Time at Address	Total time lived in CT	Months
	Total time lived at current address	Months
<i>Financial Resources</i>		
Means of Support		1=None; 2=Reliance on others; 3=Government assistance; 4=Part- time employment; 5=Full-time employment
Time at job	Amount of time at current job	Months
Income		\$ per week
Student Status		0=No; 1=Part-time; 2=Full-time
Education		Years
Own Real Estate	Client owns real estate or business	0=No; 1=Yes
Own Phone	Client owns a phone in his/her name	0=No; 1=Yes
<i>Mental Condition</i>		
Mental/Substance	Client has a mental illness and/or substance abuse problem	0=No; 1=Yes
Treatment	Client has received treatment for mental or substance abuse problem	0=No; 1=Previous; 2=Current
<i>Offense Characteristics</i>		
# of Charges	Number of charges on current case	
Charge Severity	Severity of primary charge	0=Infraction; 1=unclassified misdemeanor ...5=class A misdemeanor ...10=class A felony
Charge Type		1=Minor motor vehicle; 2=Drug offense; 3=Weapons violation; 4=Property offense; 5=Personal offense; 6=Sex offense; 7=Public disorder; 8=Violation of court order

Table 5 continued...

Variable Name	Variable Description	Data Codes
<i>Criminal History</i>		
Probation	Client was on probation at time of arrest	0=No; 1=Yes
Parole	Client was on parole at time of arrest	0=No; 1=Yes
State Police Record	Client had a state police record	0=No; 1=Yes
FBI Record	Client had a FBI record	0=No; 1=Yes
Warrant Arrest	Client was arrested on a warrant	0=No; 1=Yes
Outstanding Warrant	Client had an outstanding warrant	0=No; 1=Yes
On Release	Client was on release on another charge	0=No; 1=Yes
Pending Felony	Client charged with a class A, B or C felony and has another pending	0=No; 1=Yes
AWOL	Client had a military AWOL	0=No; 1=Yes
Prior FTA	Client had a prior failure to appear	0=No; 1=Yes
Prior Record	Client had a prior record	0=No; 1=Misdemeanor; 2=Felony; 3=Prison
# Misdemeanor Convictions	Number of prior misdemeanor convictions	
# Felony Convictions	Number of prior felony convictions	
Age at 1 st Arrest	Age at first adult arrest	
<i>Bail Decisions & Outcomes</i>		
BC Type	Bail commissioner recommendation	1=Promise to appear; 2=Non-surety; 3=Conditions; 4=Non-surety w/conditions; 5=Percent surety; 6=Percent surety w/conditions; 7=Surety; 8=Surety w/conditions; 9=Cash bond; 10=Cash w/conditions
BC Amount	Bail commissioner recommended bond amount	\$\$
Out on Bond/Release	Client was out on bond or release before court date	0=No; 1=Yes
FTA	Client failed to appear for court	0=No; 1=Yes

Validation Results

The results are organized around the main components of the bail decision model shown in Figure 1. We first provide an overview of the characteristics of the sample in regards to the predictor variables. Then we examine relationships between the predictors and the decision-making variables of bail type, bond amount, and likelihood of being out on bond. Next, we review what factors predict the likelihood that one will fail to appear as well as how these factors contribute to the prediction of failure to appear. Finally, we present results regarding the bail decision-making model as a whole and identify any differences in results that emerged as a function of year or site. Complete results can be found in Appendices C through F.

Characteristics of the Selected Cases

In regards to demographics, 83% of the sample was male, 41% were Caucasian, 32% Black, 26% Hispanic, and 1% were categorized as Asian or American Indian. The average age of clients was 30 at time of arrest, with 50% of the sample falling under 30 years of age.

In regards to community ties, 76% were single, 11% were married, and the remaining 13% were either widowed, divorced or separated. The majority of the sample (56%) lived with immediate family or a relative, 18% lived alone, and 26% lived with a non-relative. Eighty-six percent had other family in Connecticut and 69% had a verifiable reference. Fifty-eight percent had no dependents, 31% had 1 to 2 dependents, and 11% had 3 or more dependents. The average amount of time clients lived in Connecticut was 20 years and the average time at their current address was 4 years. However, 50% lived at their current address less than 1 year.

In regards to financial resources, 53% had part-time or full-time employment as a means of support, 27% relied on government assistance or family members, and 21% had no means of support. Of those who worked, the average time at the current job was 2.3 years and 61% worked at their current job 1 year or less. For those who reported income (13%), the average was \$329 per week. The average education level was 11th grade and only 6% reported current student status. Finally, two factors that are included to evaluate financial stability and community ties are whether or not the client owns a phone or owns real estate/business. Only 10% of the sample reported having a phone in their name and only 3% reported owning real estate or a business. These small percentages limit the potential value of these factors as predictors of bail decisions and outcomes.

In regards to mental conditions, 40% reported some mental health and/or substance abuse problem, and of those, 61% reported having received either past or current treatment.

The next set of variables pertained to the criminal history of the clients. Thirty percent were on probation and 2% were on parole at time of arrest. Thirty-nine percent were arrested on a warrant and 10% had an outstanding warrant. Thirty-three percent were on release on another charge, while 10% were charged with a felony and had a felony pending. Only 3% had an AWOL on record, but 32% had a prior failure to appear. Twenty-five percent had a state police record and 35% had a FBI record. Prior record was assessed by whether or not the client had a prior record, and the number of prior misdemeanor and felony convictions. Forty-five percent of the sample had no prior record, 25% had a prior misdemeanor, 21% had a prior felony, and 9% had served a prison sentence. The average number of prior misdemeanor convictions was 4 with 50% having less than 2 misdemeanor convictions. The average number of felony convictions was 1.5 with 58% of the sample having no prior felony convictions. The average age at first adult arrest was 26 years.

Finally, we looked at the frequency, severity and type of charges faced in the current case. On average, clients were charged with 2 offenses per case. The average severity on a scale from 0 (least severe) to 10 (most severe) was 5.4. More specifically, 33% of the cases involved class A misdemeanors, 24% unclassified felonies, and the remaining charges representing the range from class A felony to infractions. Primary charges also were categorized into offense

types. Twenty-two percent of the charges were drug offenses, 21% were violations of court orders, 21% were personal offenses, 14% were property offenses, 11% were public disorders, 6% were minor motor vehicle, 2% were weapons violations, and 2% were sex offenses.

Relationships between Predictors and Bail Decisions

A bail commissioner recommendation was available for 480 cases. Of those, 61% received a surety bond, 19% received conditions, 13% received a promise to appear, 6% received a surety with conditions or cash bond, and 1% received a non-surety with conditions or a percent surety bond. Bond amounts ranged from \$0 to \$1,000,000, with an average amount of \$18,386. The average is likely affected by the fact that a small number of cases (11) received a bond amount greater than \$100,000. The median bond amount, however, was \$1,500 indicating that half of the bond amounts were less than \$1,500 and the remaining half were greater than \$1,500.

Table 6 provides a summary of which variables were significant predictors of either bail type or bond amount. The analyses involving bond amount were based on those cases involving a surety bond or cash bond. It also is important to note that the bail commissioners' recommendations and the court ordered bail types were highly correlated ($r = .80$) as were the recommended and ordered amounts ($r = .94$). These values suggest that the judges generally followed the bail commissioners' recommendations.

First of all, we found that neither of the extralegal variables (sex or race) had a significant effect on bail decisions. However, there were marginally significant differences in bond amount as a function of race with Hispanics receiving slightly higher bond amounts than either Blacks or Hispanics. One explanation is that these differences could be attributed to an extreme case in one group. After excluding one case with \$1,000,000 bond that happened to be Hispanic, slight differences remained. Another potential explanation for these differences is that race may be a proxy for another variable. Upon further investigation, it was discovered that Hispanics lived significantly less time in Connecticut than either Blacks or Caucasians. Since length of time in Connecticut is a factor used in bail decisions, it may explain the apparent race effect. In fact, after controlling for time in Connecticut, race differences were negligible.

Additionally we found that only a few factors from the Community Ties or Financial Resources categories predicted bail decisions. These factors included length of time in Connecticut, means of support, marital status and having a verifiable reference. The longer the client lived in Connecticut, the more restrictive the bail type received. Individuals who were more financially self-sufficient, however, received less restrictive bail types. In terms of marital status, individuals who were unmarried at time of arrest received higher bond amounts than those who were married. Clients with a verifiable reference received somewhat lower bond amounts than those without. In addition, mental condition had an influence on bail type such that those with a mental illness and/or substance abuse problem were likely to receive a more restrictive type of bail.

Bail decisions were influenced most by Offense Characteristics and Criminal History. The more charges a client had and the more severe the primary charge was, the more restrictive the bail and the higher the bond amount received. Clients charged with sex offenses and weapons

violations received the most restrictive bail, followed by violations of court orders and drug offenders. However, in regards to amount, clients charged with personal and sex offenses received the highest bond amounts followed by drug offenses and property offenses. Clients charged with minor motor vehicle and public disorder violations received the least restrictive bail and the lowest bond amounts.

In terms of the Criminal History variables, being on probation or parole, being arrested on a warrant, and having an outstanding warrant were all associated with more restrictive bail types. Additionally, having a state police or FBI record, an AWOL on record, a prior FTA, or a prior record were associated with more restrictive bail. The number of misdemeanor convictions and felony convictions also were significant predictors of bail decisions. The only factors that influenced bond amount were probation or parole status, state police record, and prior FTA.

Likelihood of Being Out on Bond or Release

In order to compute accurate figures regarding failure to appear, we also determined the numbers of clients who were held in detention versus those who were out at the time of their court date. Twenty-nine percent were held in detention, 30% were out on a promise to appear or conditional release, 39% were out on bond, and 3% of the cases were disposed by the court. A summary of which factors were predictive of who was likely to be out on bond or release is provided in Table 6.

As with bail decisions, the main predictors of being out on bond or release fell in the categories of Offense Characteristics and Criminal History. All Criminal History factors with the exception of AWOL and age at first adult arrest reduced the likelihood that the client was out on bond or release.

In regards to Offense Characteristics, clients with more charges and those with more severe charges were less likely to be out on bond or release. Clients with minor motor vehicle violations were most likely to be out on bond or release, followed by those charged with public disorder, personal offenses and drug offenses. Clients charged with sex offenses were the least likely to be out on bond or release.

A few additional variables were related to being out on bond or release. Females were more likely to be out on bond or release than males. In terms of Community Ties, clients with a verifiable reference were more likely to be out on bond or release. In regards to Financial Resources, clients who were more self-sufficient and had more years of education were more likely to be out on bond or release. Income also had a marginally significant effect such that those with higher incomes were more likely to be out. Interestingly, clients with a mental illness and/or substance abuse problem also were more likely to be out.

Finally, we looked at the relationship between bail decisions and likelihood of being out on bond. Clients with less restrictive bail types and lower bond amounts were more likely to be out on bond or release.

Table 6. Relationships between Predictors, Bail Decisions, and Outcomes

Variable	Bail Type	Bond Amount	Out on Bond	Failure to Appear
<i>Demographics</i>				
Sex			**	
Race				
Age at arrest				
<i>Community/Family Ties</i>				
Marital Status		**		*
Living Companion				
# of Dependents				
Other Family Reference		*	**	
Time in CT	**			
Time at Address				
<i>Financial Resources</i>				
Means of Support	**		**	*
Time at job				*
Income			*	
Student Status				
Education			**	*
Own Real Estate				
Own Phone				
<i>Mental Condition</i>				
Mental/Substance Treatment	**		**	
<i>Offense Characteristics</i>				
# of Charges	**		**	
Charge Severity	**	**	**	
Charge Type	**	**	**	
<i>Criminal History</i>				
Probation	**	**	**	
Parole	**	*	--	--
State Police Record	**	*	**	
FBI Record	**		**	
Warrant Arrest	**		**	
Outstanding Warrant	**		**	
On Release			**	
Pending Felony			**	
AWOL	**			
Prior FTA	**	**	**	**
Prior Record	**		**	
# Misdemeanor Convictions	**		**	**
# Felony Convictions	**		**	
Age at 1 st Arrest				*
<i>Bail Decisions</i>				
BC Type	--	--	**	
BC Amount	--	--	**	**

* marginally significant; ** significant

Predictors of Failure to Appear

Of those clients who were out on bond or release, 21% failed to appear in court. Overall, fewer factors were predictive of FTA than were predictive of bail decisions and likelihood of being out on bond or release (see Table 6). In regards to Criminal History, having a prior FTA significantly increased the likelihood of failing to appear. Additionally, clients with more misdemeanor convictions were more likely to fail to appear. The number of prior felony convictions exhibited a similar pattern with FTA rate but was not statistically significant. Age at first adult arrest also had a marginally significant effect on FTA such that the younger the client was at first arrest, the more likely they were to fail to appear.

Additional factors that related to FTA included marital status, means of support, length of time at current job and years of education. Specifically, clients who were not married were much more likely to fail to appear than those who were married. Clients who had no means of support or relied on other people or governmental assistance were more likely to fail to appear. Clients who had less years of education and spent less time at their current job were more likely to fail to appear. Finally, bond amount was significantly related to FTA such that clients who received lower bonds were more likely to fail to appear.

Differences Across Years and Sites

In addition to analyzing the relationship with the total sample, we also looked at the effects of the predictors on bail decision and outcome variables for subsamples of cases based on year (1998 and 2000) and site (Bridgeport, Waterbury, New London, New Britain). Generally, the findings were consistent across years and sites. The primary differences were in the strength of the effects. Some variables that were significant predictors in the overall sample were not significant in the individual subsamples. These differences can be attributed to the smaller number of cases per year and site, which limits the power to detect significant effects. The patterns of influence, however, were unaffected by year or site. We identify below the factors that emerged as consistent predictors across years and sites and point out other potential influences that emerged in the subsample analyses.

Most of the predictors that influenced bail decisions in the overall sample also influenced decisions in the smaller subsamples. The most consistent predictors of bail type were Offense Characteristics (number of charges and severity of primary charge) and Criminal History (parole status, state police and FBI record, outstanding warrant, AWOL, prior FTA, prior record, and number of misdemeanor convictions). Other predictors that were less consistent but yet significant for some of the subsamples included time lived in Connecticut, means of support, mental illness and/or substance abuse, probation status, and number of prior felony convictions.

The predictors of bond amount were less consistent across years and sites. The only consistent predictor was found to be charge severity. The second most consistent predictor of bond amount was prior FTA, followed by marital status, and probation status. Although prior record was not a significant predictor in the overall sample, it was predictive in two sites (Waterbury and New London).

The most robust findings across the different years and sites pertained to one's likelihood to be out on bond/release. The most consistent predictors were mental illness and/or substance abuse, charge severity and several Criminal History factors (state police or FBI record, prior FTA, prior record, prior misdemeanor and felony convictions). In addition, the type of bail and the amount of bond consistently predicted the likelihood of being out on bond/release. Other factors that were significant predictors across multiple years and/or sites included having a verifiable reference, means of support, education, number of charges, probation status, being arrested on a warrant or having an outstanding warrant.

In contrast to the likelihood of being out on bond/release, the results regarding failure to appear were the least stable across years and sites. Predictors that emerged as significant across multiple years and/or sites included marital status, living companion, means of support, amount of time at current job, education, number of prior misdemeanor convictions, and bond amount.

Full Bail Decision-Making Model

Determining the strongest predictors of bail decisions. The above analyses were useful in determining how each factor individually related to bail decision, bond amount, whether the client was released on bond, and failure to appear. However, they did not provide any indication as to how the combination of these factors relate to pretrial decisions or which factors were most important. The following analyses were used to determine which factors have the most impact on bail decisions and failure to appear. The results of these analyses served as the basis for developing an alternative point scale.

A series of regression analyses were conducted on the type of bail and amount of bond recommended by bail commissioners including the same predictors from the earlier analyses. A regression analysis is a statistical technique that can assess the influence of one factor (e.g., prior convictions) after controlling for the effect of others (means of support and charge severity). In these analyses, we combined prior misdemeanor and prior felony convictions since they were highly correlated with one another and exhibited similar patterns with other variables. These analyses identified factors that were significantly related to bail type and bond amount.

The results of the regression analyses mirror the prior results. That is, six factors were identified as being significantly predictive of bail type. These were: means of support, mental/substance abuse issues, charge severity, outstanding warrant, prior criminal record, and prior failure to appear. Of these, bail commissioners relied most on charge severity, followed by prior criminal record, having an outstanding warrant, having a prior failure to appear, means of support, and having mental/substance abuse issues. Clients receiving less restrictive bail types (i.e., promise to appear) committed less serious offenses, usually had no prior criminal record or a failures to appear, did not have an outstanding warrant, were financially supporting themselves, and did not have any mental or substance abuse problems.

The factors influencing the recommended bond amount were different than those influencing bail type. Bail commissioners recommend bond amounts were dependent on having a verifiable reference, having a prior failure to appear, and charge severity. Similar to decisions regarding type of bail, charge severity had the highest influence (the more serious the charge the

higher the bond amount). Also, clients with a verifiable reference and no prior failure to appear tended to receive lower bond amounts.

Determining the strongest predictors of FTA. A similar strategy was employed to determine which factors best explained who failed to appear. Using the same predictive factors as the previous regression analyses, these analyses found that clients with more prior convictions, who were not married, and had no self-sufficient means of support were the most likely to fail to appear for court. The final regression analysis determined that the number of prior convictions was the most predictive factor of failure to appear followed by marital status and lack of self-support (did not have either a full or part-time job). That is, clients are most likely to fail to appear when they have a high number of prior convictions, are unmarried, and are not self-supported.

Table 7 summarizes the findings from the full model analysis. The factors that influence the type of bail recommended by bail commissioners are primarily based on the nature of the offense and criminal history. Bail commissioners do consider other factors including mental condition (people with a mental or substance abuse problem receive a more restrictive form of bail), and clients' ability to financially support themselves. Factors related to the nature of the offense also have a significant influence on the amount of bond recommended along with the lack of a verifiable reference and prior failure to appear. While the nature of the offense is important in bail decisions, prior criminal behavior (prior convictions), not being able to financially support his/herself, and being unmarried raise the likelihood that a client will fail to appear for court.

Table 7. Summary of Full Model Analysis

Factors related to a restrictive type of bail:	Factors related to a high amount of bond to be set:	Factors related to failure to appear:
<ul style="list-style-type: none"> • High charge severity • Serious prior criminal record • Having an outstanding warrant • Prior failure to appear • No self-sufficient means of support • Having a mental or substance abuse problem 	<ul style="list-style-type: none"> • High charge severity • Having no verifiable reference • Prior failure to appear 	<ul style="list-style-type: none"> • High number of prior convictions • Not being married • No self-sufficient means of support

GENERAL DISCUSSION

Summary of Findings

The purpose of this project was to evaluate the validity of the existing risk assessment tool as a predictor of bail decisions and outcomes, and to make recommendations as to how to improve the bail decision-making process. We began with a general model (see Figure 1) that identified factors currently used in bail decision-making along with those identified in the literature as predictive of bail decisions and outcomes. These factors were organized around six major categories: Demographics, Community/Family Ties, Financial Resources, Mental Condition, Offense Characteristics, and Criminal History. We examined the extent to which these factors explained bail decisions (bail type, bond amount) and bail outcomes (likelihood of being out on bond/release, failure to appear).

Overall, factors pertaining to Criminal History and Offense Characteristics were the best predictors of both bail decisions and outcomes. Clients who had criminal histories and more serious offense characteristics received more restrictive bail types and were less likely to be out on bond. Fewer of these factors explained bond amount and failure to appear. Clients with more serious offenses received higher bond amounts but were not less likely to appear for court. Prior FTA and prior convictions were the only Criminal History factors strongly associated with a higher likelihood of failing to appear.

Only a few factors in the categories of Community/Family Ties, Financial Resources, and Mental Condition were predictive of either bail decisions or outcomes. These included marital status, living companion, verifiable reference, means of support, education, time at current job, and mental illness or substance abuse. In regards to Community Ties, clients who were unmarried received higher bond amounts and were more likely to fail to appear. Clients who lived alone or with non-immediate family received more restrictive bail and were more likely to fail to appear. Having a verifiable reference was associated with lower bond and greater likelihood of being out on bond/release.

In regards to Financial Resources, clients who were more financially self-sufficient received less restrictive bail, were more likely to be out on bond/release, and were more likely to appear for court. The amount of time at one's current job and years of education also decreased the likelihood of failure to appear. Finally, clients with a mental illness or substance abuse problem received more restrictive bail and were less likely to be out on bond/release. However, they were not any more likely to fail to appear.

We also considered the influence of bail decisions on outcomes. Bail type was only associated with likelihood of being out on bond/release and not failure to appear. Higher bond amounts, however, were associated with a decreased likelihood of being out on bond/release and an increased likelihood of appearance in court.

The analysis of the full bail decision model found that bail decisions were made primarily based on the nature of the offense (charge severity) and prior criminal behavior, including prior failure to appear. Other factors were influential on bail decisions (means of support,

mental/substance abuse problems, and verifiable reference) but to a lesser degree than offense and criminal history factors. Criminal history was the strongest predictor of failure to appear (prior convictions increased the likelihood of failure to appear) followed by marital status and means of support (unmarried and unemployed clients were more likely to fail to appear).

Relationship of Findings to Previous Research

Our findings are consistent with prior research on pretrial decision-making. First, offense severity and prior criminal records have the greatest influence on bail decisions with community/family ties having limited influence. Second, consistent with previous research, a small number of factors were predictive of failure to appear, with criminal history being the most important. Although it was not part of the validation study, it is important to point out that we found very little race and gender effects in bail decisions and failure to appear rates. These findings differ from prior studies that have found race and gender effects detrimental to minorities and women (Albonetti, Hauser, Hagan, and Nagel, 1989; Gottfredson and Jarjoura, 1996; Petee, 1994).

RECOMMENDATIONS

Creation of an Alternative Point Scale

One of the primary goals of this project was to recommend an alternative point scale for bail release decisions. The development of this point scale consisted of several steps combining our findings from the previously discussed statistical tests, the criteria outlined in the Connecticut General Statutes, and prior practices of bail commissioners. In creating this point scale, we sought to decrease the rate of failures to appear but not increase the number of clients who receive a surety or 10% bond.

The first step was to eliminate those factors that were not uniformly collected or did not appear to influence bail decisions or failure to appear. Number of dependents, other family in Connecticut, student status, time at current address, and whether the client had treatment for mental health/substance abuse problems were eliminated because they were not statistically related to type of bail recommended, amount of bond recommended, or failure to appear. Owning a telephone, owning real estate, and income were not included due to the small percentage of clients that responded to these questions. For instance, 87% of the cases did not include information regarding income, only 10% of the clients' claimed to own a telephone (it is also unclear if this meant a cellular telephone or a house telephone), and 3% of clients owned real estate.

The second step consisted of determining which factors should be included in the point scale. This decision was based upon the results of the above statistical analysis and the criteria outlined in the statute (Table 8).

Table 8. Statute Criteria and Factors included in the Alternative Point Scale

Statute Criteria	Factor
Nature of the offense	Charge severity
Prior Convictions	Prior criminal record, number of prior convictions
Prior failure to appears	Prior failure to appears
Family/Community Ties	Marital status, living companion
Financial Resources	Means of self-support, job time
Character	Verifiable reference
Mental condition	Mental/substance abuse problems

As stated earlier, the number of misdemeanor and felony convictions were combined into a single index due to their high correlation with each other and similar relationship with other variables. In addition, many of the factors associated with prior convictions were important in determining type of bail and bond amount, but did not add any predictive value to the point scale when prior criminal record and number of prior convictions were included.

The third step consisted of assigning weights to each of the selected factors. With the exception of charge severity, the weights were assigned by calculating the likelihood of failing to appear for each factor (Table 9). For example, marital status was included in the point scale because it was consistently found to predict failure to appear. When comparing married clients to unmarried clients (regardless of whether they single, divorced, or separated), married clients were three to five times more likely to appear in court. The points assigned to charge severity reflect the charge type and charge class of the offense (a Class A felonies were given –10 points, Class B felonies were given –9 points, Class C felonies were given –8 points, etc.). There were no cases involving Capital Felonies in our sample (we recommend that –20 points be given for Capital Felonies).

Clients would be given a nonfinancial form of release (written promise to appear, non-surety bond, or conditions) with a score of 1 and above. A score of zero and below would result in a more restrictive bail decision such as a surety or 10% bond.

The fourth step assessed the validity of the alternative point scale by comparing it to the existing point scale. The alternative point scale has a smaller range of values than the existing point scale, a lower average, and a lower standard deviation (Table 10). The lower standard deviation is a result of the fewer extreme values found in the alternative point scale.

Table 9. Weighted Factors for Bail Decisions

Factor	Criteria	Points Assigned
Charge severity		0 to -20
Prior criminal record	No record	2
	Misdemeanor	-1
	Felony	-2
Prior failure to appear	None	1
	Misdemeanor	-2
	Felony	-3
Number of prior convictions	None	0
	One or Two	-1
	More than Two	-2
Marital status	Not married	0
	Married	3
Living companion	Alone	0
	Roommates and non-immediate family	2
	Immediate family	3
Financial self-support	None	0
	Reliance on others	2
	Self-reliance	4
Employment	Less than 1 year on the job	0
	1 year to 2 years on the job	1
	More than 2 years	2
Education	High school or less	0
	More than high school	2
Verifiable reference	No	0
	Yes	2
Mental/Substance abuse problem	No	0
	Yes	-1

Table 10. Descriptive Comparison between Point Scales

	Alternative Point Scale	Existing Point Scale
Minimum	-10	-30
Maximum	14	28
Average	1.28	3.84
Standard Deviation	4.86	9.01

In addition, the alternative point scale suggests that more clients could have been given a less restrictive bail type than those recommended by the existing point scale and current bail practices. When applying the alternative point scale, we would have recommended a nonfinancial form of release for 66% of the clients, which is much higher than the existing point scale (52%). In fact, this is almost the same percentage as those clients who actually receive a surety bond, a surety bond with conditions, or a cash bond (67%).

The alternative scale also appears to produce a lower FTA rate than the existing point scale. Of the clients who were actually out on bond or released, 21% did not appear for court. Based on the existing scale, 20% of those let out on bond would have had a failure to appear. Based on the alternative point scale, only 10% of those who would have been released would have failed to appear.

We created the alternative point scale using research while following the statute guidelines and current bail practices. This alternative point scale offers several potential advantages over the current point scale. It has fewer items and more accurately predicts who will fail to appear while recommending less restrictive bail types than current practice. Consistent with research on bail decisions and failure to appear, the new scale places weight on offense characteristics and criminal history and includes points for family and community ties.

Recommended Modifications to Data Collection

In addition to the modifications to the point system suggested above, we identify several recommendations for changing the actual Case Data Record and the methods by which data are collected.

1. Delete certain fields from the Case Data Record. First, based on our findings that very few clients were classified as owning a phone or owning real estate/business, and that neither of these variables were predictive of bail decision or outcomes, we recommend deleting these two pieces of information from client portion of the Case Data Record. Similarly, V.A. Benefits was not even included in our analyses due to the small number of cases and thus should be removed. Second, we recommend deleting the question “Other family in CT?” since it has no explanatory value and there are better indicators of community/family ties (e.g., marital status, living companion). Third, student status may be considered for removal since it had no relationship to bail decision or outcomes. Fourth, treatment history may be useful information for other reasons (e.g., recommending conditions), but it does not relate to bail decision or outcomes. It therefore may be more valuable to simply collect information about the specific type of treatment a client has received.
2. Collapse the number of response options for existing fields. Based on our analyses, we often found that a smaller number of categories provided comparable, if not better, prediction of bail decision and outcomes. First, we suggest reducing the six options under “Lives with” to three as follows: Alone, Other Family/Non-family (relative, non-relative) and Immediate Family (parent, guardian, spouse/child). Second, we recommend simplifying Marital Status to two response options: Married vs. Unmarried (single, separated, widowed, divorced). Third, Means of Support currently consists of 12 categories. These options can be narrowed to five: None (no means of support, incarcerated), Reliance on Others (spouse cares for dep., family), Government Assistance (disability, retirement, unemployment comp., welfare), Part-Time Employment (seasonal, part-time), and Full-Time Employment. Fourth, in the Record Check section, we suggest combining the Prior record categories of felony and prison into one option. We also suggest changing the prior FTA options to: No, FTA on Misdemeanor Charge, FTA on Felony Charge. Finally, we recommend combining the questions “Was

present offense allegedly committed while released in another case?” and “Presently charged with A, B, or C felony and has another A, B, or C felony pending” into one question that asks whether the client has a pending charge.

3. Add additional items to record check. As part of our study we collected some additional information regarding criminal history, including number of misdemeanor and felony convictions, and age at first adult arrest. We found that all items were, to some extent, predictive of bail decision and/or outcomes. We included the total number of prior convictions in the revised point system along with the existing indicator of whether or not the client had any prior misdemeanor or felony convictions. The number of prior convictions provided added value in identifying which clients were more likely to fail to appear. It also is readily available as part of a standard record check. Therefore, we recommend adding the number of prior convictions to the record check portion of the Case Data Record. Finally, although we did not include age at first arrest in our point system, we do suggest adding it to the record check since it exhibited some potential as a predictor of FTA. Our data was limited in that we only had access to age at first adult arrest, but bail commissioners currently can use juvenile records to determine clients’ degree of risk to the community. Thus, it would be possible to add age at first arrest to the criminal history information that is considered as part of the pretrial assessment.
4. Improve the consistency of data collection and entry. From our experience working with the data and discussions with bail personnel, we discovered numerous inconsistencies in the way information is collected and entered into the JIS system. For example, the number of dependents was not a significant predictor of bail decisions or outcomes, but we learned that not all interviewers ask the question in the same way. Some interviewers ask the client to report how many children they have while others ask how many children they support financially. As another example, some interviewers count “common law” arrangements as married while other count them as single status. We recommend standardizing the format of questions that are asked so that information is collected in a consistent manner. In regards to data entry, we found that record check information was not always completed or entered accurately into the database. For example, an interviewer may have written down on the Case Data Record that an individual had a prior FTA, but not checked this information in the appropriate field nor entered it into the computer. This action could result in inaccuracies in the point values computed for a client and reduce the reliability of the data for other uses. Because criminal history factors were the most relevant predictors of bail decisions and outcomes, we recommend that greater emphasis be placed on creating accurate records of this information.
5. Conduct verifications of self-report information. Another area of concern regarding data collection is the reliability of information provided by the clients. Much of the data, except for criminal history, is obtained through direct questioning of the client. Since clients are aware that such information is being used to determine their likelihood of being released, they may attempt to provide answers they believe will result in the least restrictive bail decision. For example, a client may exaggerate the number of dependents he or she claims with the assumption that the bail commissioner may be more lenient. Another concern is that clients may not be able to accurately recall certain information, such as how long they have

lived at their current address or how long they have worked at their current job. We recommend that, wherever feasible, client information be verified through other sources. For example, the interviewer could ask for identification to verify if the client is providing his or her true name and address. Employment status can be verified by contacting a supervisor or asking the client to provide written proof (e.g., pay stub).

6. Revise the database to keep original and updated client information. Currently, the JIS system overwrites client information each time an individual is re-interviewed. This occurs, for example, when a client violates a condition of release, fails to appear, or is rearrested. Therefore, client information in the electronic data may not be reflective of the situation when the client was arrested. In order to conduct accurate assessments of which factors influence bail decisions and outcomes, client information at time of arrest is needed. In addition to facilitating future research, having access to original and updated client information may be useful to bail commissioners. Constant changes in the information a client provides across interviews may be an indicator that the client lacks stability in his or her life or is less than truthful in his or her answers. This information may prove useful in making bail decisions.
7. Create a record in the judicial system for clients posting bond. Currently, there is no field in the JIS data that indicates whether a client was able to post bond. For our purposes, we had to rely on Department of Correction data to determine if a client remained in detention the duration of the pretrial period. In order to be able to accurately compute FTA rates, this information is needed. We recommend that a procedure be created to follow-up on each client for whom bond is recommended to determine if he or she posted. The challenge is that some clients may post immediately and some may remain in detention until they are able to post bond. Therefore, this procedure likely will require coordination with DOC personnel in order to obtain timely and accurate information.

Areas for Further Investigation

Subsequent Validation

We propose that further validation analyses be conducted with additional samples and using the revised point system. First, the existing findings are based on data representing approximately 2% of the actual cases from four sites. By manually entering the data from the original hard copies, we ensured that our findings are based on accurate information. We also are confident that our selected cases are representative of the total population of cases in each site. However, although we did not find substantial differences across sites in our research, it is possible that the findings may not be representative of other geographical areas in the state. We therefore suggest that additional data be collected from other sites and subjected to the same analyses we presented here. This would also serve to increase our overall sample size and thus enhance the confidence in our results.

Second, as part of our initial validation research, we devised an alternative point system that is intended to reduce the number of clients who fail to appear. Before this point system is

adopted on a statewide level, we recommend that it be piloted with a sample of new cases and subjected to validation. This process would entail asking selected bail commissioners to apply the point system in making decisions about their clients and then tracking these clients in regards to bail outcomes (out on bond/release, failure to appear).

Additional Relationships

The primary focus of our initial effort was to determine what factors should be considered in bail decisions in order to reduce the likelihood that a client will fail to appear for court. There are two additional issues related to bail decision-making that may warrant consideration in subsequent efforts.

First, we suggest that additional research be conducted to explore the influence that the bail decision-making process has on subsequent offenses and case outcomes (e.g., verdict, sentence length). Ideally, the same decision factors that reduce the likelihood that one will fail to appear for court should also influence the likelihood that one will commit a new offense while out on bond/release. However, if different factors emerged as predictive of subsequent offenses, it might be valuable to expand the point system to include those factors. In regards to case outcomes, prior research indicates that clients who remain in detention have more negative outcomes in terms of conviction rates and sentence lengths. It would be useful to examine these potential influences in our data to ensure that bail decisions do not result in adverse effects on case outcomes.

Second, we suggest exploring the role that various conditions play in reducing both failure to appear rates and subsequent offenses. In our existing data set, there were an insufficient number of cases (88 or 28% of the total sample) for which conditions were assigned to allow for an examination of the effects of condition type. However, the Justice Education Center (1996) found that defendants released with conditions were more likely to appear than defendants posting bond without conditions. It would be valuable to isolate the effects of different condition types on bail outcomes.

In summary, we have identified four areas that we feel should be addressed through additional research. The first two areas (further validation and piloting the revised point system) expand directly on the research presented in this report and should be considered higher priority. The other two areas (examining additional outcomes and exploring conditions) address issues that are indirectly related to the goals of the present research. However, they are important in that they can ultimately enhance the bail decision-making process as a whole.

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APPENDIX A

Summary of Pretrial Statutes by State

State	Nature of the Offense	Prior Criminal Record	Prior Appearances	Employment	Character	Mental capacity	Residency	Pending Charges	Family/Community Ties	Other
Alabama	x- degree of violence, weapon used, probability of conviction	x	x	x- history, location, finances	x		x- ownership, length		x	threats made against victims/witnesses, value of property taken, recovery of property, evidence of selling drugs
Alaska	x- circumstances, effect of the offense upon alleged victim, weight of evidence	x	x	x	x	x	x-length		x	threats to the victim
California		x				x		x		arrested under the vehicle code, outstanding warrants, no evidence of personal identification, danger to the community, refused to sign notice to appear
Colorado	x- depending on the crime, there may not be a bail option	x	x	x- history, finances	x			x	x	amount of bail not to be oppressive, identity of people who agree to assist them on attending court, danger to community, drug involvement, crimes against children
Connecticut	x - circumstances	x	x	x- history, finances	x	x			x	
Florida	x- circumstance	x	x	x		x	x-length	x	x	weight of evidence, danger to community, street value of drug, threats to victim
Georgia	x- some are only bailable in superior court									previous violation of probation or parole
Hawaii								x		danger to community

Idaho	x- current charge, mitigating or aggravating factors that bear likelihood of conviction	x	x	x- history, finances	x		x		x	possibility of violations of law
Illinois	x- circumstances, degree of violence, weapon used	x- history indicative of violent or abusive behavior			x	x		x		statements made by the defendant, age and physical condition of of any person assaulted by defendant
Iowa	x - circumstances	x	x	x			x- place, length		x	lack of identification, refusing to sign citation, drugs
Louisiana	x- seriousness, degree of violence, involvement of controlled substance	x				x- drug induced		x		weight of evidence against defendant, ability of defendant to give bail, voluntary participation in pretrial drug testing program
Maine	x- circumstances	x	x	x	x	x	x- length	x	x	physical condition, threats to victim or witness or officer of the court
Maryland		x								danger to community
Massachusetts	x- circumstances, potential penalty	x	x	x		x	x- length		x	false identification, drug dependency or distribution
Michigan	x- seriousness	x								danger to community
Missouri	x	x						x		
Montana	x	x		x			x- length		x	
Nevada	x- probability of conviction	x	x	x- status, history	x	x	x- length		x	danger to community
New Hampshire	x							x		danger to community
New Jersey	x- seriousness, likelihood of conviction	x	x	x	x	x	x- length		x	
New Mexico	x - circumstances	x	x	x- status, history, finances	x	x	x- length	x	x	weight of the evidence, danger to community
New York	x- potential penalty	x	x	x- status, finances	x- reputation, habits	x	x- length	x	x	weight of the evidence, previous adjudication as a juvenile delinquent, probability of conviction

North Carolina	x- circumstances	x	x	x- status, finances		x	x-length		x	weight of the evidence, danger to the community due to high intoxication level
Ohio	x- circumstances	x	x	x	x	x	x-length		x	interference with treatment or counseling, danger to community
Oklahoma	x- seriousness	x								weight of the evidence, ability of defendant to give bail
Oregon	x- aggravating factors, likelihood of conviction	x	x	x- status, history, finances	x- reputation	x	x- length, nature		x	use of false identification
Pennsylvania	x- mitigating factors, likelihood of conviction, possible penalty	x	x	x	x- reputation		x- length, nature, history		x	age, addictions to drugs, use of false identification
Rhode Island		x	x	x- place, position, length		x			x	marital status, dependants, in care of a physician, danger to community
South Carolina	x-circumstances	x	x	x- finances	x	x	x-length		x	
South Dakota	x-circumstances	x	x	x- finances	x	x	x- length		x	danger to community
Tennessee	x- probability of conviction	x	x	x- status, history, finances	x		x- length		x	danger to community
Texas	x- circumstances									danger to community
Vermont	x- circumstances	x	x	x- finances	x	x	x- length		x	violence or threats of violence in recent history
Virginia	x- circumstances	x	x	x- finances	x	x	x- length		x	danger to community, weight of evidence, threat to witness, juror, or victim

APPENDIX B

Current CSSD Intake Point Scale

CSSD INTAKE POINT SCALE

OFFICIAL RECORD (0 through 30)

Principal Charge:

- 30 Capital Felony or
- 20 Class A Felony or
- 20 P.A. 98-90 Violations of Conditions of Release
- 15 Class B Felony or
- 12 Class C Felony or
- 10 Class D Felony or
- 10 Unclassified Felony or
- 3 Class A Misdemeanor

SCORING KEY

- | | |
|---|--|
| +6 and above | Non-financial form of release, including written promise to appear, non-surety or conditional release. |
| +5 and under | Surety or 10% bond. |
| <p>Regardless of points, if the IAR Specialist/Bail Commissioner determines that conditions of release other than financial are necessary to provide reasonable assurance of the appearance of such person in court, he/she shall set a surety bond <u>and</u> provide recommendations to the court concerning the terms and conditions of release.</p> | |

RESIDENCE (0 through +12)

- +6 Has been a resident of the state for more than one year or
- +3 Has been a resident of the state for less than a year but more than three months.

- +3 Owns real estate in state

- +3 Has working telephone in residence/or cell phone in own name.

FAMILY TIES (0 through +5)

- +5 Lives with spouse, children, parents or guardian or
- +3 Lives with non-related roommate or other relative

EMPLOYMENT AND EDUCATION (0 through +6) (Choose One)

- +6 Has held present job for more than three months, or
- +3 Homemaker living with and caring for minor children, or
- +4 Dependent on unemployment, disability, retirement or welfare compensation, or
- +3 Has held present job for less than three months, or
- +3 Is dependent on spouse, parents, other relatives, or legal guardian

EDUCATION (0 through +6)

- +6 Full-time student and dependent on family.

MEDICAL (-3 through +0) (Defendant's statement or Bail Commission opinion)

- 1 Individual has alcohol, drug and/or psychiatric problem and is currently under treatment.
- 3 Individual has alcohol, drug and/or psychiatric problem and is not currently under treatment.

REFERENCES (-1 through +1)

- +1 Individual gives verified character reference, or
- 1 Individual can give no character reference.

PENDING CHARGE (-10)

- 10 Presently charged with A, B, C felony and has another A, B, C felony pending.

PRIOR RECORD (- 8 through +4)

Convictions (- 5 through +4)

- +4 No conviction of record (excluding infractions) in last 5 years.

- 5 Felony conviction in last 5 years other than a conviction for FTA or
- 5 In prison during last 5 years for felony conviction.

- 3 AWOL on record (current military personnel only).

FAILURE TO APPEAR (-3 through -20)

- 3 FTA on motor vehicle/misdemeanor summons or misdemeanor charge pending.
- 10 FTA on felony charge pending.
- 10 Conviction for misdemeanor failure to appear within last 5 years.
- 20 Conviction for felony failure to appear.

APPENDIX C

Relationships between Key Variables and Bail Decisions

	Descriptive Statistics ^a	Bond Type ^b	Bond Amount ^b
Demographics		M=5.51 (480)	M=\$18,386 (477)
Sex		$t=1.27, p=.21$	$t=.79, p=.43$
<i>Male</i>	513 (83%)	5.6 (397) ^b	\$28,637 (273)
<i>Female</i>	109 (17%)	5.2 (83)	\$19,048 (50)
Race		$F=1.31, p=.27$	$F=1.26, p=.29$
<i>Black</i>	196 (32%)	5.8 (150)	\$20,034 (109)
<i>Hispanic</i>	159 (26%)	5.5 (118)	\$36,680 (75)
<i>Caucasian</i>	253 (41%)	5.3 (202)	\$19,781 (130)
<i>Asian</i>	1 (.2%)	7.0 (1)	\$5,000 (1)
<i>American Indian</i>	5 (.8%)	3.7 (3)	\$5,000 (1)
Age at Arrest	M=30 (610) ^b	$r=.05, p=.27$	$r=.05, p=.40$
Community/Family Ties			
Marital Status		$F=.98, p=.42$	$F=3.32, p=.01$
<i>Married</i>	67 (11%)	5.8 (45)	\$20,394 (33)
<i>Single</i>	461 (76%)	5.5 (357)	\$25,598 (239)
<i>Widowed</i>	5 (1%)	7.0 (3)	\$4,333 (3)
<i>Divorced</i>	55 (9%)	5.6 (46)	\$16,734 (31)
<i>Separated</i>	21 (3%)	4.8 (17)	\$113,650 (10)
Living Companion		$F=1.20, p=.31$	$F=.53, p=.71$
<i>Alone</i>	111 (18%)	6.0 (92)	\$28,759 (72)
<i>Parents/Guardian</i>	193 (31%)	5.4 (148)	\$34,574 (98)
<i>Relative</i>	60 (10%)	5.4 (44)	\$29,750 (30)
<i>Spouse/child</i>	91 (15%)	5.5 (70)	\$17,826 (46)
<i>Non-relative</i>	160 (26%)	5.4 (122)	\$20,270 (77)
# of Dependents	M=.85 (600)	$r=.00, p=.93$	$r=-.02, p=.77$
Other Family in CT		$t=.28, p=.78$	$t=.67, p=.51$
<i>Yes</i>	516 (86%)	5.5 (396)	\$26,235 (270)
<i>No</i>	82 (14%)	5.6 (62)	\$35,002 (43)
Reference		$t=.62, p=.53$	$t=1.68, p=.09$
<i>Yes</i>	409 (69%)	5.4 (309)	\$20,254 (203)
<i>No</i>	181 (31%)	5.6 (145)	\$41,911 (100)
Time in CT (mos.)	M=243 (622)	$r=.10, p=.04$	$r=-.09, p=.12$
Time at Address (mos.)	M=48 (622)	$r=.01, p=.79$	$r=.08, p=.14$

^a Cell values represent frequencies; values in parentheses represent percentages. ^b Cell values represent means; values in parentheses represent sample sizes.

	Descriptive Statistics	Bond Type	Bond Amount
Financial Resources			
Means of Support		$F=4.43, p=.00$	$F=.73, p=.57$
<i>None</i>	122 (21%)	6.3 (99)	\$25,408 (84)
<i>Family</i>	90 (16%)	5.7 (73)	\$37,598 (51)
<i>Government</i>	64 (11%)	5.1 (50)	\$11,355 (31)
<i>Part-time</i>	66 (11%)	5.0 (54)	\$15,197 (31)
<i>Full-time</i>	239 (41%)	5.3 (172)	\$30,536 (108)
Time at Job (mos.)	M=15 (622)	$r=.04, p=.39$	$r=.00, p=.99$
Income	M=329 (83)	$r=-.20, p=.11$	$r=.07, p=.67$
Student Status		$F=.54, p=.58$	$F=.15, p=.86$
<i>No</i>	558 (93%)	5.5 (430)	\$26,765 (291)
<i>Part-time</i>	10 (2%)	4.8 (9)	\$12,700 (5)
<i>Full-time</i>	28 (5%)	5.2 (19)	\$17,000 (11)
Education (yrs.)	M=11 (594)	$r=-.06, p=.22$	$r=-.07, p=.20$
Owns Real Estate		$t=-.63, p=.53$	$t=.55, p=.59$
<i>Yes</i>	16 (3%)	5.9 (13)	\$12,278 (9)
<i>No</i>	596 (97%)	5.5 (459)	\$26,749 (312)
Owns a Phone		$t=-.45, p=.65$	$t=.39, p=.70$
<i>Yes</i>	62 (10%)	5.6 (50)	\$22,000 (35)
<i>No</i>	549 (90%)	5.5 (421)	\$27,571 (284)
Mental Condition			
Mental Illness/Substance Abuse		$t=-2.80, p=.01$	$t=1.13, p=.26$
<i>Yes</i>	251 (40%)	5.8 (217)	\$21,933 (161)
<i>No</i>	371 (60%)	5.2 (263)	\$31,764 (165)
Treatment Status		$F=.44, p=.64$	$F=.04, p=.96$
<i>None</i>	92 (39%)	6.0 (81)	\$21,169 (62)
<i>Previous</i>	99 (42%)	5.9 (85)	\$23,580 (65)
<i>Current</i>	46 (19%)	5.6 (39)	\$20,846 (26)
Offense Characteristics			
# of Charges	M=2.3 (617)	$r=.12, p=.01$	$r=-.01, p=.87$
Charge Severity	M=5.3 (622)	$r=.21, p=.00$	$r=.37, p=.00$
Charge Type		$F=3.81, p=.00$	$F=4.13, p=.00$
<i>Minor motor vehicle</i>	38 (6%)	3.8 (22)	\$1,197 (8)
<i>Drug offense</i>	139 (22%)	5.6 (111)	\$19,975 (79)
<i>Property offense</i>	87 (14%)	5.5 (72)	\$17,689 (51)
<i>Personal offense</i>	156 (25%)	5.6 (126)	\$59,244 (84)
<i>Public disorder</i>	71 (11%)	4.8 (45)	\$3,380 (21)
<i>Violation of court order</i>	130 (21%)	5.9 (104)	\$15,412 (80)

	Descriptive Statistics	Bond Type	Bond Amount
Criminal History			
Probation		$t=-2.36, p=.02$	$t=2.04, p=.04$
<i>Yes</i>	145 (29%)	6.0 (120)	\$17,958 (93)
<i>No</i>	346 (71%)	5.4 (259)	\$35,707 (172)
Parole		$t=-12.27, p=.00$	$t=-1.87, p=.06$
<i>Yes</i>	12 (2%)	7.0 (11)	\$74,864 (11)
<i>No</i>	517 (98%)	5.5 (389)	\$26,590 (265)
State Police Record		$t=-4.05, p=.00$	$t=1.81, p=.08$
<i>Yes</i>	469 (75%)	5.8 (371)	\$22,062 (269)
<i>No</i>	153 (25%)	4.7 (109)	\$49,781 (57)
FBI Record		$t=-5.55, p=.00$	$t=.91, p=.37$
<i>Yes</i>	402 (65%)	5.9 (321)	\$24,648 (246)
<i>No</i>	220 (35%)	4.6 (159)	\$33,859 (80)
Warrant Arrest		$t=-2.36, p=.02$	$t=.47, p=.64$
<i>Yes</i>	244 (39%)	5.8 (198)	\$24,691 (149)
<i>No</i>	377 (61%)	5.3 (281)	\$28,797 (176)
Outstanding Warrant		$t=-6.00, p=.00$	$t=-.22, p=.82$
<i>Yes</i>	59 (9%)	6.7 (55)	\$29,265 (51)
<i>No</i>	561 (91%)	5.4 (423)	\$26,565 (273)
On Release		$t=-1.42, p=.16$	$t=.03, p=.98$
<i>Yes</i>	149 (33%)	5.7 (130)	\$26,890 (92)
<i>No</i>	303 (67%)	5.3 (212)	\$27,126 (133)
Pending Felony		$t=-1.50, p=.14$	$t=-.65, p=.52$
<i>Yes</i>	62 (10%)	5.9 (52)	\$34,439 (41)
<i>No</i>	559 (90%)	5.5 (427)	\$25,907 (284)
AWOL		$t=-10.59, p=.00$	$t=-.31, p=.76$
<i>Yes</i>	20 (3%)	7.1 (18)	\$32,444 (18)
<i>No</i>	601 (97%)	5.4 (461)	\$26,590 (307)
Prior FTA		$t=-5.57, p=.00$	$t=3.15, p=.00$
<i>Yes</i>	198 (32%)	6.3 (163)	\$13,015 (135)
<i>No</i>	424 (68%)	5.1 (317)	\$36,728 (191)
Prior Record		$F=17.36, p=.00$	$F=1.49, p=.22$
<i>No</i>	276 (45%)	4.6 (186)	\$39,859 (94)
<i>Misdemeanor</i>	157 (25%)	5.7 (127)	\$19,896 (92)
<i>Felony conviction</i>	132 (21%)	6.2 (116)	\$18,682 (94)
<i>Felony prison</i>	54 (9%)	6.6 (49)	\$31,966 (44)
# Prior Misdemeanor Convictions	M=4 (620)	$r=.20, p=.00$	$r=-.08, p=.13$
# Prior Felony Convictions	M=1.5 (621)	$r=.23, p=.00$	$r=.01, p=.83$
Age at 1 st Adult Arrest	M=26 (615)	$r=-.07, p=.12$	$r=.02, p=.72$

APPENDIX D

Relationships between Key Variables and Bail Outcomes

	Out on Bond ^a		FTA ^a	
	Yes	No	Yes	No
	431 (71%)	173 (29%)	89 (21%)	342 (79%)
Demographics				
Sex	$\chi^2=5.72, p=.02$		$\chi^2=1.52, p=.22$	
<i>Male</i>	343 (69%)	152 (31%)	75 (22%)	268 (78%)
<i>Female</i>	88 (81%)	21 (19%)	14 (16%)	74 (84%)
Race	$\chi^2=5.81, p=.21$		$\chi^2=1.68, p=.64$	
<i>Black</i>	130 (68%)	61 (32%)	26 (20%)	104 (80%)
<i>Hispanic</i>	112 (71%)	45 (29%)	28 (25%)	84 (75%)
<i>Caucasian</i>	180 (74%)	64 (26%)	34 (19%)	146 (81%)
<i>Asian</i>		1 (100%)		
<i>American Indian</i>	4 (100%)		1 (25%)	3 (75%)
Community/Family Ties				
Marital Status	$\chi^2=6.68, p=.15$		$\chi^2=8.91, p=.06$	
<i>Married</i>	45 (70%)	19 (30%)	2 (4%)	43 (96%)
<i>Single</i>	327 (73%)	121 (27%)	75 (23%)	252 (77%)
<i>Widowed</i>	5 (100%)		1 (20%)	4 (80%)
<i>Divorced</i>	32 (60%)	21 (40%)	7 (22%)	25 (78%)
<i>Separated</i>	13 (62%)	8 (38%)	4 (31%)	9 (69%)
Living Companion	$\chi^2=5.44, p=.25$		$\chi^2=6.74, p=.15$	
<i>Alone</i>	70 (65%)	37 (35%)	18 (26%)	52 (74%)
<i>Parent/Guardian</i>	133 (71%)	55 (29%)	25 (19%)	108 (81%)
<i>Relative</i>	39 (65%)	21 (35%)	11 (28%)	28 (72%)
<i>Spouse/child</i>	69 (78%)	20 (22%)	8 (12%)	61 (88%)
<i>Non-relative</i>	114 (75%)	39 (25%)	27 (24%)	87 (76%)
Other Family in CT	$\chi^2=.48, p=.49$		$\chi^2=.38, p=.54$	
<i>Yes</i>	353 (70%)	150 (30%)	74 (21%)	279 (79%)
<i>No</i>	57 (74%)	20 (26%)	14 (25%)	43 (75%)
Reference	$\chi^2=4.28, p=.04$		$\chi^2=.64, p=.42$	
<i>Yes</i>	296 (74%)	104 (26%)	57 (19%)	239 (81%)
<i>No</i>	114 (66%)	60 (34%)	26 (23%)	88 (77%)

^a Cell values represent frequencies; values in parentheses represent percentages.

	Out on Bond		FTA	
Financial Resources				
Means of Support	$\chi^2=21.00, p=.00$		$\chi^2=8.96, p=.06$	
<i>None</i>	66 (57%)	49 (43%)	19 (29%)	47 (71%)
<i>Family</i>	60 (68%)	28 (32%)	18 (30%)	42 (70%)
<i>Government</i>	43 (68%)	20 (32%)	9 (21%)	34 (79%)
<i>Part-time</i>	46 (72%)	18 (28%)	9 (20%)	37 (80%)
<i>Full-time</i>	188 (80%)	46 (20%)	29 (15%)	159 (85%)
Student Status	$\chi^2=1.03, p=.60$		$\chi^2=2.08, p=.35$	
<i>No</i>	387 (71%)	155 (29%)	83 (21%)	304 (79%)
<i>Part-time</i>	6 (60%)	4 (40%)		6 (100%)
<i>Full-time</i>	20 (77%)	6 (23%)	3 (15%)	17 (85%)
Owens a Phone	$\chi^2=.73, p=.39$		$\chi^2=.31, p=.58$	
<i>Yes</i>	45 (76%)	14 (24%)	8 (18%)	37 (82%)
<i>No</i>	379 (71%)	155 (29%)	81 (21%)	298 (79%)
Owens Real Estate	$\chi^2=.00, p=1.00$		$\chi^2=.72, p=.40$	
<i>Yes</i>	10 (71%)	4 (29%)	1 (10%)	9 (90%)
<i>No</i>	414 (71%)	166 (29%)	87 (21%)	327 (79%)
Mental Condition				
Mental Illness/Substance Abuse	$\chi^2=19.71, p=.00$		$\chi^2=.16, p=.69$	
<i>Yes</i>	152(62%)	95(38%)	33 (22%)	119 (78%)
<i>No</i>	279 (78%)	78 (22%)	56 (20%)	223 (80%)
Treatment Status	$\chi^2=.70, p=.70$		$\chi^2=1.79, p=.41$	
<i>None</i>	56 (61%)	36 (39%)	14 (35%)	42 (75%)
<i>Previous</i>	57 (29%)	39 (41%)	14 (25%)	43 (75%)
<i>Current</i>	30(67%)	15 (33%)	4 (13%)	26 (87%)
Offense Characteristics				
Charge Type	$\chi^2=14.42, p=.01$		$\chi^2=6.71, p=.24$	
<i>Minor motor vehicle</i>	34 (97%)	1 (3%)	10 (29%)	24 (71%)
<i>Drug offense</i>	99 (72%)	39 (28%)	25 (25%)	74 (75%)
<i>Property offense</i>	55 (66%)	28 (34%)	13 (24%)	42 (76%)
<i>Personal offense</i>	104 (68%)	49 (32%)	18 (17%)	86 (83%)
<i>Public disorder</i>	53 (76%)	17 (24%)	6 (11%)	47 (89%)
<i>Violation of court order</i>	85 (69%)	39 (31%)	17 (20%)	68 (80%)

	Out on Bond		FTA	
Criminal History				
Probation	$\chi^2=7.33, p=.01$		$\chi^2=.46, p=.50$	
<i>Yes</i>	86 (61%)	55 (39%)	16 (19%)	70 (81%)
<i>No</i>	249 (74%)	90 (26%)	55 (22%)	194 (78%)
Parole	$\chi^2=16.14, p=.00$		$\chi^2=.54, p=.47$	
<i>Yes</i>	2 (17%)	10 (83%)		2 (100%)
<i>No</i>	355 (71%)	147 (29%)	75 (21%)	280 (79%)
State Police Record	$\chi^2=20.04, p=.00$		$\chi^2=.71, p=.40$	
<i>Yes</i>	304 (67%)	152 (33%)	66 (22%)	238 (78%)
<i>No</i>	127 (86%)	21 (14%)	23 (18%)	104 (82)
FBI Record	$\chi^2=23.59, p=.00$		$\chi^2=.59, p=.44$	
<i>Yes</i>	251 (65%)	137 (35%)	55 (22%)	196 (78%)
<i>No</i>	180 (83%)	36 (17%)	34 (19%)	146 (81%)
Warrant Arrest	$\chi^2=4.25, p=.04$		$\chi^2=.04, p=.84$	
<i>Yes</i>	154 (67%)	77 (33%)	31 (20%)	123 (80%)
<i>No</i>	277 (75%)	95 (25%)	58 (21%)	219 (79%)
Outstanding Warrant	$\chi^2=10.90, p=.00$		$\chi^2=1.80, p=.18$	
<i>Yes</i>	30 (53%)	27 (47%)	9 (30%)	21 (70%)
<i>No</i>	400 (73%)	145 (27%)	79 (20%)	321 (80%)
On Release	$\chi^2=4.18, p=.04$		$\chi^2=.11, p=.74$	
<i>Yes</i>	97 (67%)	48 (33%)	18 (19%)	79 (81%)
<i>No</i>	223 (76%)	70 (24%)	45 (20%)	178 (80%)
Pending Felony	$\chi^2=7.56, p=.01$		$\chi^2=.01, p=.94$	
<i>Yes</i>	33 (56%)	26 (44%)	7 (21%)	26 (79%)
<i>No</i>	397 (73%)	147 (27%)	82 (21%)	315 (79%)
AWOL	$\chi^2=2.75, p=.10$		$\chi^2=.30, p=.58$	
<i>Yes</i>	11 (55%)	9 (45%)	3 (27%)	8 (73%)
<i>No</i>	420 (72%)	163 (28%)	86 (21%)	334 (79%)
Prior FTA	$\chi^2=18.01, p=.00$		$\chi^2=6.84, p=.01$	
<i>Yes</i>	113 (60%)	76 (40%)	33 (29%)	80 (71%)
<i>No</i>	318 (77%)	97 (23%)	56 (18%)	262 (82%)
Prior Record	$\chi^2=44.53, p=.00$		$\chi^2=3.02, p=.39$	
<i>No</i>	220 (82%)	47 (18%)	43 (20%)	177 (80%)
<i>Misdemeanor</i>	108 (72%)	43 (28%)	21 (19%)	87 (81%)
<i>Felony conviction</i>	81 (62%)	49 (38%)	22 (27%)	59 (73%)
<i>Felony prison</i>	22 (42%)	31 (58%)	3 (14%)	19 (86%)

APPENDIX E

Mean Comparisons for Out on Bond and FTA

	Out on Bond ^a		FTA ^a	
	Yes	No	Yes	No
Demographics				
Age at Arrest	30 (426)	32 (167)	29 (89)	30 (337)
	<i>t</i> = 1.41, <i>p</i> = .16		<i>t</i> = .94, <i>p</i> = .35	
Community/Family Ties				
# of Dependents	.83 (416)	.87 (167)	.74 (87)	.86 (329)
	<i>t</i> = .34, <i>p</i> = .73		<i>t</i> = .86, <i>p</i> = .39	
Time in CT (mos.)	240 (431)	257 (173)	240 (89)	239 (342)
	<i>t</i> = 1.12, <i>p</i> = .26		<i>t</i> = -.04, <i>p</i> = .97	
Time at Address (mos.)	48 (431)	49 (173)	51 (89)	47 (342)
	<i>t</i> = .17, <i>p</i> = .87		<i>t</i> = -.31, <i>p</i> = .76	
Financial Resources				
Time at Current Job (mos.)	29 (252)	26 (76)	10 (89)	19 (342)
	<i>t</i> = -.41, <i>p</i> = .69		<i>t</i> = 1.90, <i>p</i> = .06	
Income	350 (58)	251 (22)	351 (13)	349 (45)
	<i>t</i> = -1.84, <i>p</i> = .07		<i>t</i> = -.02, <i>p</i> = .99	
Education (yrs.)	11 (409)	11 (167)	11 (86)	11 (323)
	<i>t</i> = -2.53, <i>p</i> = .01		<i>t</i> = 1.88, <i>p</i> = .06	
Offense Characteristics				
# Charges	2.2 (429)	2.5 (169)	2.2 (89)	2.2 (340)
	<i>t</i> = 1.96, <i>p</i> = .05		<i>t</i> = -.01, <i>p</i> = .99	
Charge Severity	5.2 (430)	5.9 (173)	5 (89)	5.2 (341)
	<i>t</i> = 4.75, <i>p</i> = .00		<i>t</i> = .83, <i>p</i> = .41	
Criminal History				
# Prior Misdemeanor Convictions	3.1 (430)	5.3 (172)	4 (88)	3 (342)
	<i>t</i> = 4.03, <i>p</i> = .00		<i>t</i> = -2.02, <i>p</i> = .05	
# Prior Felony Convictions	1.1 (431)	2.5 (172)	1 (89)	.9 (342)
	<i>t</i> = 5.50, <i>p</i> = .00		<i>t</i> = -1.47, <i>p</i> = .14	
Age at 1 st Adult Arrest	26 (427)	25 (170)	25 (88)	27 (339)
	<i>t</i> = -1.26, <i>p</i> = .21		<i>t</i> = 1.94, <i>p</i> = .05	
Outcomes				
BC Bail Type	4.8 (315)	6.8 (165)	4.6 (69)	4.9 (246)
	<i>t</i> = 12.61, <i>p</i> = .00		<i>t</i> = .82, <i>p</i> = .42	
BC Bond Amount	15498 (168)	39042 (158)	6110 (34)	17880 (134)
	<i>t</i> = 2.66, <i>p</i> = .01		<i>t</i> = 2.66, <i>p</i> = .01	

^a Cell values represent means; values in parentheses represent sample sizes.

APPENDIX F

Revised CSSD Pretrial Risk Assessment Point Scale

CSSD Pretrial Risk Assessment Point Scale (Revised)

_____	Most Serious Charge	-20 = Capital Felony -10 = Class A Felony -9 = Class B Felony -8 = Class C Felony -7 = Class D Felony -6 = Unclassified Felony	-5 = Class A Misdemeanor -4 = Class B Misdemeanor -3 = Class C Misdemeanor -2 = Class D Misdemeanor -1 = Unclassified Misdemeanor 0 = Violation
_____	Prior Criminal Record	+2 = No prior record -1 = Prior misdemeanor conviction -2 = Prior felony conviction	
_____	Number of Convictions	0 = No convictions -1 = One or Two convictions -2 = More than two convictions	
_____	Prior Failure to Appear	+1 = No prior failure to appears -2 = Prior failure to appear for a misdemeanor charge -3 = Prior failure to appear for a felony charge	
_____	Marital Status	0 = Not Married (includes separated, divorced, and widowed) +3 = Married	
_____	Living Companion	0 = Alone +2 = Nonimmediate family or roommate +3 = Immediate family	
_____	Financial Self-Support	0 = None +2 = Reliance on others (includes government support) +4 = Self-reliance (part-time, seasonal, and full-time employment)	
_____	Time at Current Job	0 = Less than one year at current job +1 = One year but less than two years at current job +2 = Two or more years at current job	
_____	Education	0 = High School or less +2 = More than High School	
_____	Mental Health/ Substance Abuse	0 = No -1 = Yes	
_____	Verifiable Reference	0 = No +2 = Yes	

_____	TOTAL POINTS <i>Below zero: Surety or 10% Bond</i> <i>Zero or more: Nonfinancial form of release</i>
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