

Section V: Pretrial Release Trends

Section V presents data on the types of pretrial release used in the Commonwealth, as provided by the Kentucky Administrative Office of the Courts' (AOC), Department of Pretrial Services. The information reported in this section was obtained from the Pretrial Release Information Management (PRIM) System. Appendix D provides detailed information on the limitations of the data included in this section.

- In 2012, AOC's Pretrial Services processed 180,631 individuals. 130,076 (72.1%) of the individuals were males, and 50,054 (27.8%) were females. The remaining 501 individuals (<1%) involved persons of unknown or unreported gender.
- In 2012, there were 129,062 cases in which the judge set a financial bail amount. In these cases, 70,559 (54.7%), defendants were able to obtain pretrial release and in the remaining 58,503 (45.3%) defendants were still in custody or unable to obtain pretrial release.
- There were 101,821 cases in which the judge allowed release on recognizance or set another type of non-financial bail such as a surety or unsecured bond. In these cases, 94,455 (97.6%) were able to obtain pretrial release.
- AOC's Pretrial Services conducts a thorough investigation and utilizes a risk assessment on all defendants interviewed. In 2012, 75,103 defendants were assessed as low-risk, 76,940 assessed as moderate risk, and 19,879 assessed as high-risk. The release rate for low-risk defendants was 84%, 67% for moderate risk, and 54% for high-risk.

Table 5.1: Bail Type and Release for Cases Processed by the Administrative Office of the Courts, Pretrial Services, 2011-2012

<i>Bail Type</i>	<i>TOTAL CASES</i>		<i>OBTAINED PRE-TRIAL RELEASE</i>		<i>CASES DISPOSED</i>		<i>STILL IN CUSTODY</i>	
	<i>2011</i>	<i>2012</i>	<i>2011</i>	<i>2012</i>	<i>2011</i>	<i>2012</i>	<i>2011</i>	<i>2012</i>
FINANCIAL RELEASE	139,977	129,062	76,842	70,559	63,042	57,937	93	566
10%	24,889	19,452	20,803	16,093	4,083	3,327	3	32
Partially Secured	829	628	667	521	162	105	0	2
Cash Bond	113,063	108,015	54,286	53,061	58,687	54,424	90	530
Property	1,196	967	1,086	884	110	81	0	2
NON-FINANCIAL RELEASE	96,555	101,821	94,445	99,391	2,110	2,424	0	6
Recognizance	47,168	45,805	46,696	45,322	472	482	0	1
Surety	25,174	27,913	24,001	26,465	1,173	1,444	0	4
Unsecured	24,213	28,103	23,748	27,604	465	498	0	1
TECHNICALITY RELEASE	801	704	792	694	9	10	0	0
60 Day Rule	783	684	777	676	6	8	0	0
No Probable Cause	18	20	15	18	3	2	0	0
No Bail Set	9,455	10,010	328	399	9,116	9,524	11	87
Unknown	4,146	4,734	425	1,036	3,710	3,698	1	0

Table 5.2: Release Outcome by Level of Risk, 2011-2012

<i>Level of Risk</i>	<i>Total Cases</i>		<i>Obtained Release</i>		<i>Percent Release</i>		<i>Appearance Rate</i>	<i>Public Safety Rate</i>
	<i>2011</i>	<i>2012</i>	<i>2011</i>	<i>2012</i>	<i>2011</i>	<i>2012</i>	<i>2012</i>	<i>2012</i>
Low	80,957	75,103	65,883	62,995	81%	84%	91%	93%
Moderate	74,872	76,940	49,006	51,896	65%	67%	86%	89%
High	17,370	19,879	9,266	10,686	53%	54%	85%	86%
Ineligible	33,172	30,951	21,726	20,175	65%	65%	88%	94%
Not Verified	44,555	43,419	26,958	26,300	61%	61%	86%	92%
Incomplete	8	14	3	8	38%	57%	75%	100%

Source: Administrative Office of the Court, Pretrial Services

Table 5.3: Gender of Individuals Screened by Pretrial Services, 2012

Male	130,076	72.0%
Female	50,054	27.7%
Unknown	501	<1%
TOTAL NUMBER OF INDIVIDUALS SCREENED BY PRETRIAL SERVICES	180,631	

Source: Administrative Office of the Court, Pretrial Services

Table 5.4: Release Outcome by Charge Type, 2012

<i>Type of Charge</i>	<i>Total Cases</i>	<i>Obtained Release</i>	<i>Percent Release</i>	<i>Appearance Rate</i>	<i>Public Safety Rate</i>
	<i>2012</i>	<i>2012</i>	<i>2012</i>	<i>2012</i>	<i>2012</i>
Drug	35,292	26,698	76%	88%	88%
Sex	1,475	1,120	76%	94%	91%
Domestic Violence	2,895	1,896	65%	90%	85%
Violent Felony Class A or B	5,023	3,130	62%	97%	93%
Violent Crime (Non A/B Felony)	27,529	20,125	73%	92%	91%
Other	174,121	119,113	68%	87%	92%

Source: Administrative Office of the Court, Pretrial Services

Table 5.5: Ethnicity of Individuals Screened by Pretrial Services, 2012

Hispanic	4,684	2.6%
Non-Hispanic	166,633	92.3%
Unknown	9,314	5.2%
TOTAL NUMBER OF INDIVIDUALS SCREENED BY PRETRIAL SERVICES	180,631	

Source: Administrative Office of the Court, Pretrial Services

Table 5.6: Special Populations Among Individuals Screened by Pretrial Services, 2012

Veterans	7,213	18.7%
Individuals on Probation	33,868	18.7%
Individuals with Substance Abuse and/or Mental Health Issues	97,169	53.8%
Total Number of Individuals Screened by Pretrial Services	180,631	

Source: Administrative Office of the Court, Pretrial Services

Table 5.7: Race of Individuals Screened by Pretrial Services, 2012

African-American	31,603	17.5%
White	145,344	80.5%
Asian/Pacific Islander	298	<1%
American Indian/Alaska Native	103	<1%
Other	1,960	1.1%
Unknown	1,323	<1%
TOTAL NUMBER OF INDIVIDUALS SCREENED BY PRETRIAL SERVICES	180,631	

Source: Administrative Office of the Court, Pretrial Services

Table 5.8: Age of Individuals Screened by Pretrial Services, 2012

Under 18	15	<1%
18-20	7,021	3.9%
21-29	60,993	33.8%
30-39	56,164	31.1%
40-49	33,110	18.3%
50-59	18,156	10.1%
60-69	4,108	2.3%
70 or older	768	<1%
TOTAL NUMBER OF INDIVIDUALS SCREENED BY PRETRIAL SERVICES	180,631	

Source: Administrative Office of the Court, Pretrial Services

Table 5.9: Public Safety Rate by Classification Level, 2012

Individuals Not Charged with a New Crime while on Pretrial Release (Public Safety Rate)	91%
Public Safety Rate for Individuals Classified as Low Risk	93%
Public Safety Rate for Individuals Classified as Moderate Risk	89%
Public Safety Rate for Individuals Classified as High Risk	86%

Source: Administrative Office of the Court, Pretrial Services

Table 5.10: Highest Level of Education Completed by Individuals Screened by Pretrial Services, 2012

Less than High School Diploma	52,795	29.2%
General Equivalency Diploma (GED)	24,635	13.6%
High School Graduate	48,556	26.9%
Formal Vocational Training	2,177	1.2%
Some College	30,203	16.7%
Associate's Degree	4,026	2.2%
Bachelor's Degree	4,375	2.4%
Post Graduate	1,203	<1%
Unknown	12,661	7.0%
TOTAL NUMBER OF INDIVIDUALS SCREENED BY PRETRIAL SERVICES	180,631	

Source: Administrative Office of the Court, Pretrial Services

Table 5.11: Appearance Rate by Classification Level, 2012

Individuals Appearing at Subsequent Court Proceedings Upon Obtaining Pretrial Release (Appearance Rate)	88%
Appearance Rate for Individuals Classified as Low Risk	91%
Appearance Rate for Individuals Classified as Moderate Risk	86%
Appearance Rate for Individuals Classified as High Risk	85%

Source: Administrative Office of the Court, Pretrial Services

**Table 5.12: Pretrial Release
January 1-December 31, 2012**

Number of Cases	246,335
Number of Defendants	180,631
Percentage of Individuals Still in Custody and Awaiting Trial as of 6/2012	<1%
Charged with a Misdemeanor or Less	171,909
Defense Screened for Mental Health or Substance Abuse Issue	97,169
Case was Disposed within 48 hours of Arrest	57,108
Investigation Rate	68.9%
Obtained Pretrial Release	172,082 (70%)
Percentage of Individuals Unable to Make Bail/Held in Jail Until Disposition of Case	30%
Non-Financial Releases including Release on Recognizance, Unsecured Bond, and Surety	58%

Source: Administrative Office of the Court, Pretrial Services

Table 5.13: Monitored Conditional Release, 2012

Individuals Referred to Monitored Conditional Release Program	10,668
Average Length of Monitored Conditional Release Term	115 Days
Active Monitored Conditional Release Caseload on 12-31-10	3,549
Monitored Conditional Release Compliance Rate	85%
Percentage of Monitored Conditional Release Participants Classified as Low Risk	42.7%
Monitored Conditional Release Follow-Up Including Office Visits, Call-In, Curfew, and Drug Screens	173,821

Source: Administrative Office of the Court, Pretrial Services

