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PRETRIAL RELEASE OUTCOMES FY 2023-2024 STATEWIDE

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By

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Report Description

On July 17, 2024, Research and Statistics received a request from the Kentucky County Attorneys Association for an aggregate report of the number of defendants with administrative releases for fiscal years (FY) 2023 and 2024.

PRIM, the information system used by Pretrial Services, was queried for case, interview, and defendant information for cases with a Custody End Date between 7/1/2022 and 6/30/2024.

Statistical Report 24_PINS6045

The report consists of two (2) pages of data aggregations that display information pertaining to pretrial Release Outcomes for cases with a Custody End Date between 7/1/2022 and 6/30/2024. Administrative Release is included among these Release Outcomes.

Page 1: This page includes a chart of horizontally stacked bars depicting counts of cases grouped by Jurisdiction and the Fiscal Year of Custody End Date. Each bar is broken down into segments of different colors, the length of which represent the proportion of cases with that Release Outcome for the given Jurisdiction and Fiscal Year. Bars depicting the total of both Fiscal Years are provided for each Jurisdiction.

Page 2: This page Provides three cross-tabulations. The top two cross-tabulations include counts of distinct cases grouped by Release Outcome and the Fiscal Year of the Custody End Date. The first table provides these counts for District Court, and the second table provides counts for Circuit Court. Additionally, these tables include counts of distinct pretrial interviews and distinct defendants associated with those cases in each group. The bottom table on this page includes the number of cases, interviews, and unique defendants grouped by the Fiscal Year of Custody End Date and Jurisdiction so as to provide a count of distinct defendants with cases ending custody for either jurisdiction during the reported time period.

Statistical Analysis Considerations:

- These statistics represent a snapshot in time as of the date the data was queried (7/26/2024).

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- A single pretrial interview or defendant may have cases with different Release Outcomes or Custody End years. On page 2, this situation is handled by counting the interview or defendant in a separate row and/or column for each distinct combination of Release Outcome and Custody End year present for the interview or defendant. Counts of distinct interviews and distinct cases are presented for each grouping, causing the sum of the presented subtotals greater than the true grand total of interviews or defendants. A defendant may also have cases in both Circuit Court and District Court.
- On January 1, 2024, the Pre-Arrestment Release Protocol established by Amended Order 2023-40 replaced the previously authorized Administrative Release protocols. In this report, the label Administrative Release refers to either protocol.

Data Fields

Database	Data Variable	Description
PRIM	Jurisdiction	Indicates whether the case was filed in Circuit or District Court.
	Custody End Date	<p>The date on which pretrial custody for a given case ends. This is the earlier of either:</p> <ul style="list-style-type: none"> • The release date of the most recent bond set for the case, if release is indicated for this bond. • The date pretrial custody ended for the case for some other reason (case disposition, indictment, transfer, error, etc.). <p>This date reflects the end of custody for the case but may not represent the release of a defendant. For example, custody may continue for a District Criminal case that is indicted to Circuit Court, when a defendant is transferred to another secure facility, or when a defendant's arrest pertains to multiple cases at once.</p> <p>This report is limited to cases with a Custody End Date between 7/1/2022 and 6/30/2024.</p>
	Release Decision	<p>Release Decisions for each case are identified from the type of the most recent bond set for each case in the groups described below.</p> <p>Administrative Release: Defendants assessed as low or moderate risk; not charged with offenses identified as public safety concerns, contempt, probation violation, bail jumping, the violation of a protection order, and who have not previously violated a condition of pretrial release or failed to appear in court may be released on their own recognizance without a bond hearing. The use</p>

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Data Fields

		<p>of this option was discretionary per judge as of 11/1/2015 and became mandatory statewide on 1/1/2017. The specific criteria for Administrative Release changed several times since initial implementation, including many changes implemented in response to the COVID-19 pandemic before being replaced by the Pre-Arrestment Release Protocol on 1/1/2024.</p> <p>Non-Financial Bond: Types of release that do not include conditional forfeiture.</p> <ul style="list-style-type: none"> • Release on Recognizance • Surety • Unsecured • No Probable Cause • 60-Day Rule <p>Financial Bond: Types of release including a bond with conditional forfeiture of assets.</p> <ul style="list-style-type: none"> • 10% • Cash • Guaranteed Arrest Bond Certificate • Property • Partially Secured or Percent Bond • Stock and Bonds <p>No Judicial Presentation: No bond hearing occurred for this case. This typically happens in District Court cases disposed very quickly, or Circuit Court cases for which a previous bond with release conditions already exists for one or more District Court cases.</p> <p>Release Not Offered: Indicates that the defendant had a bond hearing and was not offered any pretrial release.</p>
	Release Outcome	<p>An indication of the manner in which pretrial custody ended for a case. In situations in which a case is part of an interview with multiple cases, bond release is not indicated for the case until bond or other release is indicated for all cases in the interview.</p> <ul style="list-style-type: none"> • Administrative Release: Released with Administrative Release as described above. • Non-Financial Release: Released via Non-Financial Bond as described above. • Financial Release: Released via Financial Bond as described above.

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Data Fields		
		<ul style="list-style-type: none"> • 60-Day Rule: Released after 60 days of pretrial custody on a District Court case. Cases released in this manner are reported according to the release decision category of the <u>prior</u> bond on which the defendant was held in pretrial custody, though release by the 60-Day Rule is considered non-financial release. • Indictment Summons: Indicates that a defendant already released on a District Felony case was not brought back into custody following an indictment, but that the same release conditions were maintained by the Circuit Court and the defendant was issued a summons. • Indictment: Indicates that pretrial custody on one or more District cases ended with an indictment to Circuit Court while the defendant was in pretrial custody. • Detained Until Disposition: Without being given pretrial release, the defendant was released upon the disposition of all cases in this interview from a given jurisdiction. • Transfer: Indicates that pretrial custody for all cases of a given jurisdiction related to this interview had pretrial custody end when the defendant was transferred to another secure facility or to a substance use treatment facility. • Escape/Error: Indicates that a defendant was released in error or escaped.
	Cases	The number of discrete entries in PRIM of a court case related to a Pretrial Interview. Each pretrial interview may relate to one or more cases and a single court case may be related to one or more separate pretrial interviews over time. The count of cases in this report counts cases separately when the same court case appears in multiple interviews.
	Interviews	The number of distinct pretrial interviews. The pretrial interview is the central data unit used in PRIM, capturing any data related to a discrete period of pretrial custody for a single defendant, which may apply to one or more cases. A single defendant may have multiple pretrial interviews during any given period of time. If the defendant’s arrest pertains to cases from both Circuit

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Data Fields

		and District Court, this is counted as two separate interviews in this report – one associated with the Circuit Jurisdiction and one associated with the District Jurisdiction.
	Defendants	A count of distinct individuals related to at least one of the reported cases. Instances in which the same defendant is involved in more than one pretrial interview are identified when a Pretrial Officer connects the defendant identification in a new pretrial interview to the defendant identification entered for a previous interview involving the same person.

Disclaimer Associated with KCOJ/AOC Database(s) and Element(s)

RESEARCH AND STATISTICS DISCLAIMER FOR COURTNET

Information received from KYCourts/CourtNet is subject to change(s), reprogramming, modification(s) of format and availability at the direction of the Administrative Office of the Courts (AOC) and may not at any particular moment reflect the true status of court cases due to ordinary limitation(s), delay(s) or error(s) in the system's operation. The KYCourts/CourtNet database is not a real-time system. All datasets are a snapshot of case data at the time a query is run. Case counts are not counts of individuals as some persons may have multiple cases.

The AOC disclaims any warranties as to the validity of the information obtained from KYCourts/CourtNet. The recipient is solely responsible for verifying information received from KYCourts/CourtNet through the cross-referencing of official court records. The AOC shall not be liable to the recipient, or to any third party using the system or information obtained therefrom, for any damages whatsoever arising out of the use of KYCourts/CourtNet.

RESEARCH AND STATISTICS DISCLAIMER for PRETRIAL SERVICES REQUESTS

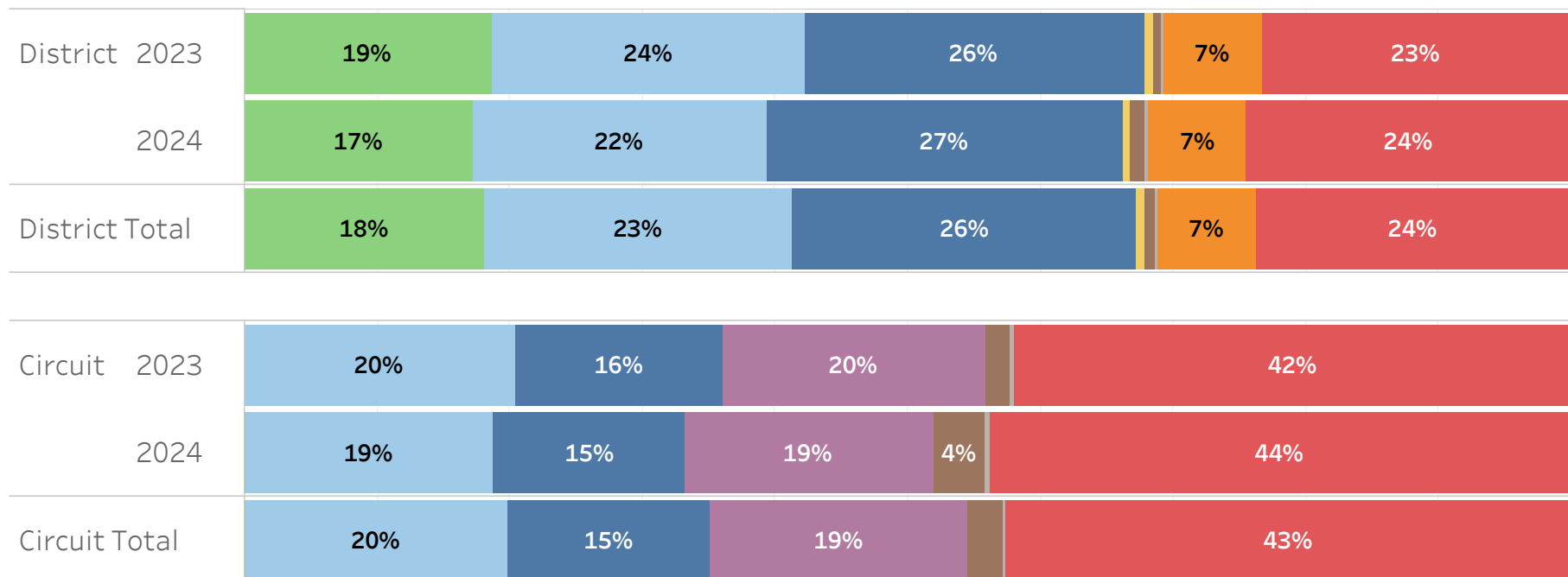
The data from this report is provided from the Pretrial Services program. Information received from the Pretrial Services program's electronic case management system (PRIM) is subject to change(s), reprogramming, modification(s) of format and availability at the direction of the Administrative Office of the Courts (AOC) and may not at any particular moment reflect the true status of court cases due to ordinary limitation(s), delay(s) or error(s) in the system's operation.



ADMINISTRATIVE OFFICE OF THE COURTS
Research and Statistics

24_PINS6045

Pretrial Release Outcomes for Criminal Cases Statewide
Cases with Custody End Date During FY 2023-2024



Release Outcome

- Administrative Release
- Indictment Summons
- 60-Day Rule
- Non-Financial Release
- Transfer
- Indictment
- Financial Release
- Escape/Error
- Detained Until Disposition

Statistical Analysis Considerations

* Data provided from the Pretrial Information Management System.

* An interview or defendant may have cases with differing Release Outcomes or Custody End years, causing it to appear in a separate row and/or column for each distinct combination of Release Decision and Custody End year present for the interview or defendant. Counts of distinct interviews and distinct cases are presented for each grouping, causing subtotals of case counts to add up to a number greater than the actual overall total. A defendant may also have cases in both Circuit Court and District Court.

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**ADMINISTRATIVE OFFICE OF THE COURTS
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**Pretrial Release Outcomes for Criminal Cases Statewide
Cases with Custody End Date During FY 2023-2024**

	District						Grand Total		
	2023			2024			Cases	Interviews	Defendants
	Cases	Interviews	Defendants	Cases	Interviews	Defendants			
Administrative Release	28,111	27,369	25,999	14,628	14,301	13,836	42,739	41,670	38,948
Non-Financial Release	35,833	30,377	26,772	18,738	16,123	14,992	54,571	46,491	39,631
Financial Release	38,592	33,838	30,152	22,733	20,044	18,597	61,325	53,870	46,154
60-Day Rule	965	866	850	537	475	471	1,502	1,341	1,308
Escape/Error	285	241	239	183	140	140	468	380	378
Transfer	886	692	668	865	691	683	1,751	1,381	1,337
Indictment	11,191	9,521	9,338	6,337	5,425	5,396	17,528	14,844	14,324
Detained Until Disposition	35,248	26,975	23,256	20,720	15,879	14,383	55,968	42,560	34,573
Grand Total	151,111	121,605	94,346	84,741	68,860	58,521	235,852	189,393	135,756

	Circuit						Grand Total		
	2023			2024			Cases	Interviews	Defendants
	Cases	Interviews	Defendants	Cases	Interviews	Defendants			
Administrative Release	23	22	22	30	29	29	53	51	51
Non-Financial Release	9,192	7,942	7,362	4,427	3,817	3,685	13,619	11,756	10,643
Financial Release	7,090	6,293	5,977	3,454	3,089	2,991	10,544	9,379	8,753
Indictment Summons	8,905	8,663	8,337	4,447	4,367	4,275	13,352	13,021	12,431
Escape/Error	135	115	114	78	70	70	213	185	183
Transfer	866	682	672	931	757	753	1,797	1,433	1,413
Detained Until Disposition	18,930	13,809	13,258	10,404	7,843	7,711	29,334	21,276	19,885
Grand Total	45,141	36,356	31,758	23,771	19,438	18,177	68,912	55,188	45,353

Defendant Totals Over Jurisdiction

	2023			2024			Grand Total		
	Cases	Interviews	Defendants	Cases	Interviews	Defendants	Cases	Interviews	Defendants
Circuit	45,141	36,356	31,758	23,771	19,438	18,177	68,912	55,188	45,353
District	138,955	114,069	88,841	77,867	64,402	54,721	216,822	177,923	128,562
Grand Total	184,096	150,425	103,457	101,638	83,840	65,290	285,734	233,111	146,522

Statistical Analysis Considerations

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Run Date:

7/26/2024

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