



The Department of Information and Technology Services  
Research and Statistics  
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**PRETRIAL INTERVIEWS WITH PRETRIAL CUSTODY ENDING FY 2019**  
INTERVIEWS WITH DISTRICT FELONY OR CIRCUIT CRIMINAL CASES  
WITH FELONY AS HIGHEST PENALTY CHARGE CONVICTED OR INDICTED IN COURTNET  
NUMBER OF INTERVIEWS AND DAYS IN CUSTODY

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March 2, 2022

**Statistics Request Overall Description**

On February 24, 2022, the Legislative Research Commission requested a report of the number of interviews and time in custody along with indications of release decision and outcome for pretrial interviews with custody ending during Fiscal Year (FY) 2019 wherein at least one felony level charge was indicted or convicted.

PRIM, the information system used by Pretrial Services, treats as separate interviews those situations in which a defendant is released from Pretrial Custody for a District Felony case prior to returning to custody related to a Circuit Criminal case following the indictment of one of the offenses originally heard in the District Felony case. For this reason, the data is not currently configured in such a way as to allow for quick reporting of time in custody linking these separate interviews. Therefore, the data presented in this report counts time in custody related to District Court and Circuit Court cases separately, though these may frequently be the same interview.

PRIM was queried for interviews in which pretrial custody ended from 7/1/2018 through 6/30/2019 (FY19). Interviews in which the most recent Custody Holder indicated was *Federal Inmate* or *State Inmate* were excluded. District Court cases were limited to those including felony level charges as indicated in PRIM. All cases were linked to the CourtNet database, which includes a summary of cases statewide. Only cases with at least one charge with a disposition of *Indictment* or *Guilty* were included. The class of the most serious charge indicted or convicted was identified for each case.

A pretrial interview may apply to multiple cases simultaneously and may receive one or more release decisions over time. The most recent release decision and outcome for any related case is reported for each interview uniquely for each jurisdiction (Circuit and District Court). If a single interview has at least one Circuit case and at least one District case, release decisions, release outcomes, and time in custody will be reported separately for each jurisdiction. A defendant is not considered released unless they are indicated as released on ALL cases of that jurisdiction included in an interview. For instance, a defendant may receive a recognizance bond for a case with minor charges but remain in custody on cash bail on a separate case.

**Statistical Report (22\_PINS8001)**

This report consists of a sequence of two pages repeated for each Felony Class (A, B, C, and D), limited to those interviews in which the most serious charge indicted or convicted was of that penalty class.

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# PRETRIAL INTERVIEWS WITH PRETRIAL CUSTODY ENDING FY 2019

INTERVIEWS WITH DISTRICT FELONY OR CIRCUIT CRIMINAL CASES  
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## Statistical Report (22\_PINS8001)

The first page presents a visualization of the number of interviews and time in custody for each group of cases while the second page presents the same data in a cross-tabulation.

The bar chart on the left of the first page (for each class) depicts the number of interviews within each Jurisdiction/Level and Release Outcome. Cells to the right of the center show the median number of days spent in Pretrial custody for each group. The chart on the right visualizes the 25<sup>th</sup> percentile, median, 75<sup>th</sup> percentile, and average number of days in custody for each group.

### Statistical Analysis Considerations:

- The statistics presented in the attached tables are a snapshot in time as of the date the data was queried: 3/2/2022.
- An individual defendant may be involved in multiple interviews during the reported time frame.
- Each interview may involve one or more cases.
- Multiple bonds may be issued for a single case, and only the most recent bond for any case applicable to each interview is reported.
- A defendant is reported as released from pretrial custody once release is indicated for all cases pertaining to the same pretrial interview.
- Counts of interviews count each interview only once. A single interview may have separate Release Decisions and Outcomes in Circuit and District Court. The same interview may appear in more than one subtotal within a table but will never be counted more than once in any single cell, subtotal, or grand total.
- Time in custody is evaluated separately for interviews that have custody for both District and Circuit cases.
- Interviews with indictment summons do not return to custody following the indictment and are excluded from measurement of time in custody.

## Data Variables Requested

Database	Data Variable	Description
PRIM	Custody End Date	The date on which a defendant is released from pretrial custody tracked as a pretrial interview. All cases must receive bond release or some other factor ending pretrial release (see Release Outcome). The custody end date is the most recent custody end date for any case related to the interview. For a case, the custody end date is the earliest of any non-bond release or other release as indicated below.

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### Data Variables Requested

	Highest Class Indicted or Convicted	<p>Sections of the report are divided according to the class of the most serious felony indicted or convicted within any case related to each interview.</p> <ul style="list-style-type: none"><li>• <b>Class A Felony:</b> Incarceration of 20 years or greater. All capital offenses are also Class A Felonies.</li><li>• <b>Class B Felony:</b> Ten years or greater and less than 20 years.</li><li>• <b>Class C Felony:</b> Five years or greater and less than ten years.</li><li>• <b>Class D Felony:</b> One year or greater and less than five years.</li></ul>
	Release Outcome	<p>An indication of the manner in which a defendant was released from pretrial custody:</p> <p><b>Detained Until Disposition:</b> Without being given pretrial release, the defendant was released upon the disposition of all cases in this interview from a given jurisdiction.</p> <p><b>Indictment:</b> Indicates that pretrial custody on one or more District cases ended with an indictment to Circuit Court while the defendant was in pretrial custody. Indictment outcomes reported outside of the District-Felony group typically result from expungement or charges amended up following the initial filing of the case.</p> <p><b>60-Day Rule:</b> Released after 60 days of pretrial custody on a District Court case.</p> <p><b>Financial Release:</b> Types of release in which money or property must be posted prior to release.</p> <ul style="list-style-type: none"><li>• 10%</li><li>• Cash</li><li>• Guaranteed Arrest Bond Certificate</li><li>• Property</li><li>• Partially Secured or Percent Bond</li><li>• Stock and Bonds</li></ul> <p><b>Non-Financial Release:</b> Types of release in which no money or property must be posted prior to release.</p> <ul style="list-style-type: none"><li>• Release on Recognizance</li><li>• Surety</li><li>• Unsecured</li></ul>

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## Data Variables Requested

		<ul style="list-style-type: none"> <li>• No Probable Cause</li> <li>• 60-Day Rule</li> </ul> <p><b>Administrative Release:</b> Released with Administrative Release as described above. 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 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 have changed several times since initial implementation, including many changes implemented in response to the COVID-19 pandemic.</p> <p><b>Indictment Summons:</b> 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. There is no time in custody for this outcome.</p> <p><b>Transfer:</b> 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.</p> <p><b>Escape/Error:</b> Indicates that a defendant was released in error or escaped.</p>
	Jurisdiction/Level	<p>Indicates the Jurisdiction and the most serious charge of any case applicable to the pretrial interview. Interviews in which a defendant was in custody for both Circuit and District cases are counted and have time in custody reported separately for each jurisdiction.</p> <ul style="list-style-type: none"> <li>• Circuit Criminal – all interviews and custody related to Circuit Criminal cases.</li> <li>• District Felony – interviews and custody related to District Criminal cases in which at least one case related to the interview includes a felony level charge.</li> </ul>

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Data Variables Requested		
		<ul style="list-style-type: none"> <li>District Misdemeanor – interviews and custody related to District Criminal cases in which at least one case related to the interview includes a misdemeanor level charge and no cases include felony charges.</li> <li>District Other – interviews and custody related to District Criminal cases containing no felony or misdemeanor charges. These cases may contain violation level offenses or may relate to post-disposition charges such as probation violations, violations of release conditions, contempt, etc.</li> </ul>
	Charge Disposition	Each charge in a case receives a separate disposition, which is indicated in the CourtNet database. This report is limited to those District Felony interviews related to cases including at least one charge with a disposition of <i>Indictment</i> and those Circuit Criminal interviews related to cases with at least one disposition of <i>Guilty</i> .
	Holder Reason	<p>The factor other than judicial decision, if any, that holds a defendant in pretrial custody for a given interview. If a defendant is held by multiple factors, the most serious reason is reported per the hierarchy below:</p> <ul style="list-style-type: none"> <li>Federal Inmate</li> <li>State Inmate</li> <li>Parole</li> <li>Probation</li> <li>County Inmate</li> <li>Contempt</li> <li>Non-Payment of Fines / Restitution</li> <li>Other</li> </ul> <p>Interviews in which a Holder Reason of <i>Federal Inmate</i> or <i>State Inmate</i> indicated at the end of pretrial custody are excluded from this report.</p>
	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. Release outcomes and measurements of time in custody are captured separately for each jurisdiction (Circuit and District Court) for any interview including at least one case from each jurisdiction.
	Cases	The total number of cases related to the reported interviews.

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INTERVIEWS WITH DISTRICT FELONY OR CIRCUIT CRIMINAL CASES  
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NUMBER OF INTERVIEWS AND DAYS IN CUSTODY

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### Data Variables Requested

	Days in Custody	<p>The number of days in custody is calculated for each interview as the difference in days between the earliest booking date and most recent release date for any cases of the reported jurisdiction related to that pretrial interview. The following metrics of Days in Custody are reported:</p> <ul style="list-style-type: none"><li>• <b>25<sup>th</sup> Percentile (25th Pctl.):</b> For a reported group, one quarter of the reported interviews spent this number of days in custody or less and three quarters spent this number of days in custody or more. Also known as first quartile.</li><li>• <b>Median:</b> For a reported group, half of the reported interviews spent this number of days in custody or less and half spent this number of days in custody or more. Also known as 50<sup>th</sup> Percentile.</li><li>• <b>75<sup>th</sup> Percentile (75th Pctl.):</b> For a reported group, three quarters of the reported interviews spent this number of days in custody or less and one quarter spent this number of days in custody or more. Also known as third quartile.</li><li>• <b>Average (Avg):</b> The total days in custody divided by the number of interviews. The average is designed to indicate a typical representation of the value in a normal distribution. However, with the majority of interviews released quickly and smaller numbers of outliers as time in custody increases, interviews do not form a normal distribution over time in custody. As such, the average may indicate a higher number of days in custody than might be considered typical. Also known as mean.</li><li>• <b>Standard Deviation (Std. Dev.):</b> A statistical calculation indicating the amount of variance in a normal distribution. Standard deviations with values similar to or greater than the average indicate very high variance of values measured for a population.</li><li>• <b>Total Days in Custody:</b> The total number of days spent in custody among the reported pretrial interviews.</li></ul>
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### **Disclaimer Associated with KCOJ/AOC Database(s) and Element(s)**

#### **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.

#### **RESEARCH AND STATISTICS DISCLAIMER for COURTNET DATABASE**

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.

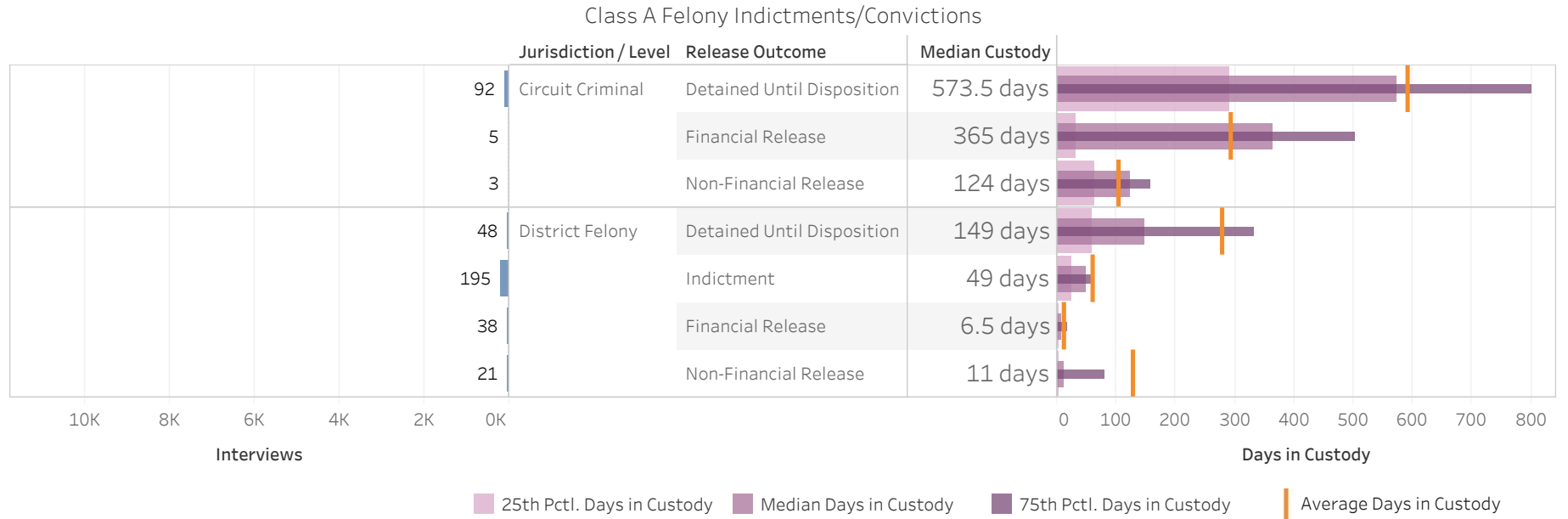
The AOC disclaims any warranties as to the validity of the information obtained from KYCourts/CourtNet. The recipient is solely responsible for verifying information received from KYCourts/CourtNet through the cross-referencing of official court records. The AOC shall not be liable to the recipient,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



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Research and Statistics

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Pretrial Interviews with Pretrial Custody Ending FY 2019  
Interviews with District Felony or Circuit Criminal Cases  
with Class A Felony as Highest Penalty Charge Convicted or Indicted in CourtNet



Statistical Analysis Considerations

- \* Data provided from the Pretrial Information Management System.
- \* Counts reflect distinct pretrial interviews within a given jurisdiction (Circuit or District Court). Time in custody is evaluated separately for District and Circuit cases.
- \* A single Interview may involve more than one case, and a single defendant may have multiple interviews during a given period of time.





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**Pretrial Interviews with Pretrial Custody Ending FY 2019**  
**Interviews with District Felony or Circuit Criminal Cases**  
**with Class A Felony as Highest Penalty Charge Convicted or Indicted in CourtNet**

Jurisdiction / Level	Detained Until Disposition	Indictment	60-Day Rule	Financial Release	Non-Financial Release	Indictment Summons	Grand Total
Circuit Criminal	Interviews	92		5	3	2	102
	Cases	109		5	3	2	119
	25th Pctl. Days in Custody	291		32	63		270
	Median Days in Custody	574		365	124		512
	75th Pctl. Days in Custody	802		503	157		766
	Avg. Days in Custody	593		294	105		563
	Std. dev. of Days in Custody	361		261	95		366
	Days in Custody	54,511		1,471	316		56,298
	Interviews	48	195	5	38	21	307
	Cases	60	226	5	41	27	359
District Felony	25th Pctl. Days in Custody	59	25	71	2	3	13
	Median Days in Custody	149	49	73	7	11	48
	75th Pctl. Days in Custody	334	64	77	17	81	70
	Avg. Days in Custody	278	60	76	11	130	93
	Std. dev. of Days in Custody	337	77	8	12	321	187
	Days in Custody	13,347	11,610	381	417	2,720	28,475

**Statistical Analysis Considerations**

- \* Data provided from the Pretrial Information Management System.
- \* Counts reflect distinct pretrial interviews within a given jurisdiction (Circuit or District Court). Time in custody is evaluated separately for District and Circuit cases.
- \* A single Interview may involve more than one case, and a single defendant may have multiple interviews during a given period of time.

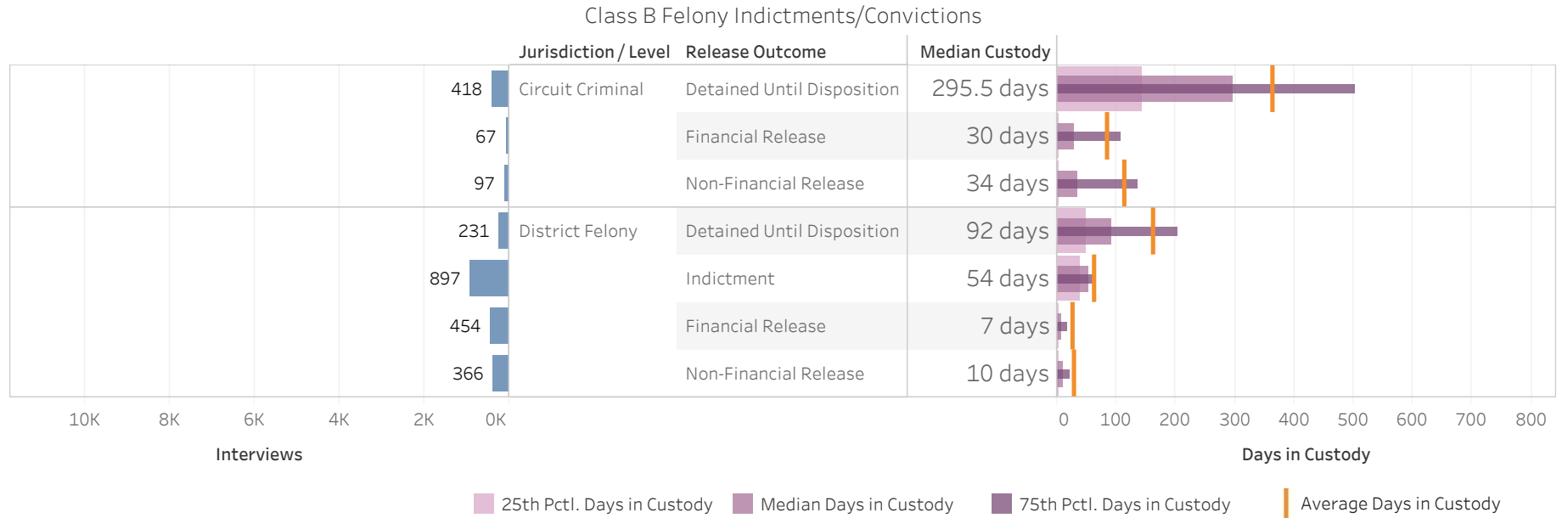
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Pretrial Interviews with Pretrial Custody Ending FY 2019  
Interviews with District Felony or Circuit Criminal Cases  
with Class B Felony as Highest Penalty Charge Convicted or Indicted in CourtNet



Statistical Analysis Considerations

- \* Data provided from the Pretrial Information Management System.
- \* Counts reflect distinct pretrial interviews within a given jurisdiction (Circuit or District Court). Time in custody is evaluated separately for District and Circuit cases.
- \* A single Interview may involve more than one case, and a single defendant may have multiple interviews during a given period of time.



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**Pretrial Interviews with Pretrial Custody Ending FY 2019**  
**Interviews with District Felony or Circuit Criminal Cases**  
**with Class B Felony as Highest Penalty Charge Convicted or Indicted in CourtNet**

Jurisdiction / Level	Detained Until Disposition	Indictment	60-Day Rule	Financial Release	Non-Financial Release	Indictment Summons	Transfer	Escape/Error	Grand Total
Circuit Criminal	Interviews	418		67	97	24	2	4	612
	Cases	643		89	128	24	2	7	893
	25th Pctl. Days in Custody	144		1	3		47	24	65
	Median Days in Custody	296		30	34		95	128	214
	75th Pctl. Days in Custody	502		108	135		142	235	421
	Avg. Days in Custody	364		86	114		95	131	289
	Std. dev. of Days in Custody	305		136	176		134	131	296
	Days in Custody	152,360		5,752	11,095		189	525	169,921
	District Felony	Interviews	231	897	50	454	366		5
Cases		322	1,113	67	508	430		12	2,452
25th Pctl. Days in Custody		49	38	70	2	2		92	9
Median Days in Custody		92	54	75	7	10		265	41
75th Pctl. Days in Custody		205	66	82	17	22		447	66
Avg. Days in Custody		162	62	100	28	30		316	62
Std. dev. of Days in Custody		187	67	90	79	60		283	101
Days in Custody		37,523	55,878	4,988	12,537	10,905		1,580	123,411

**Statistical Analysis Considerations**

- \* Data provided from the Pretrial Information Management System.
- \* Counts reflect distinct pretrial interviews within a given jurisdiction (Circuit or District Court). Time in custody is evaluated separately for District and Circuit cases.
- \* A single Interview may involve more than one case, and a single defendant may have multiple interviews during a given period of time.

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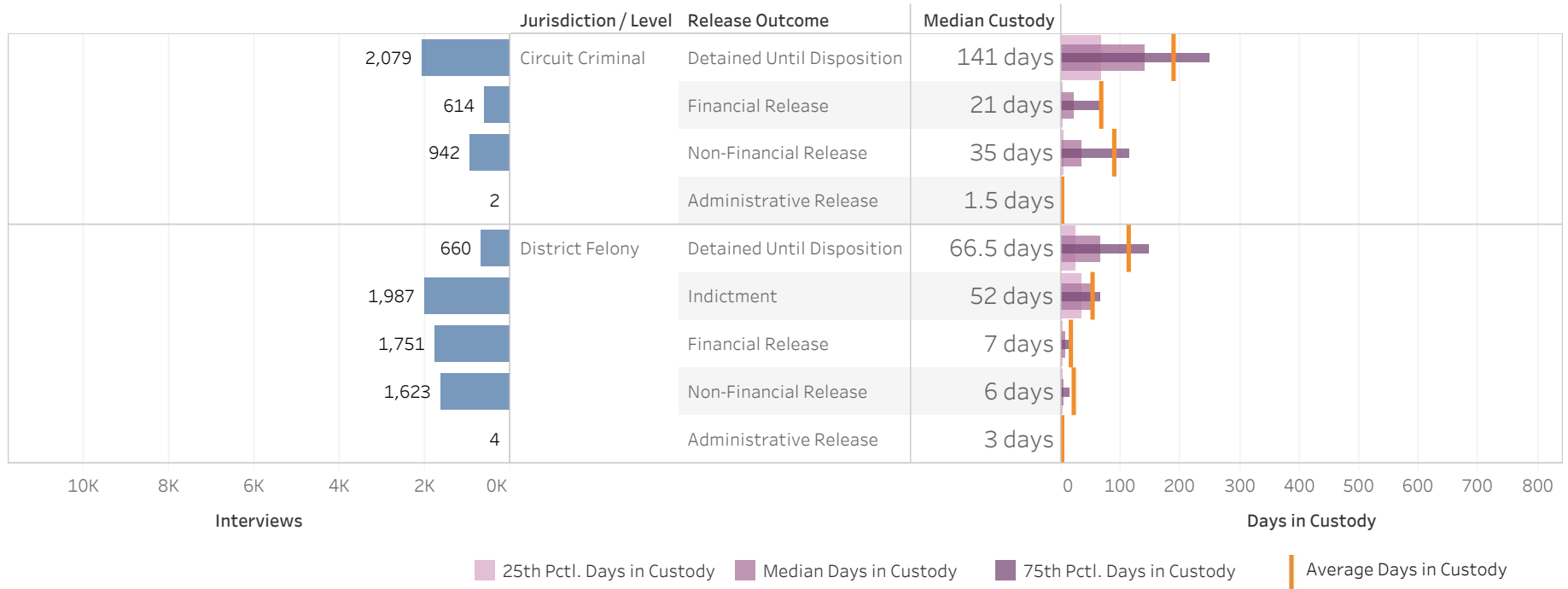


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**Pretrial Interviews with Pretrial Custody Ending FY 2019**  
**Interviews with District Felony or Circuit Criminal Cases**  
**with Class C Felony as Highest Penalty Charge Convicted or Indicted in CourtNet**

Class C Felony Indictments/Convictions



**Statistical Analysis Considerations**

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- \* A single Interview may involve more than one case, and a single defendant may have multiple interviews during a given period of time.



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**Pretrial Interviews with Pretrial Custody Ending FY 2019**  
**Interviews with District Felony or Circuit Criminal Cases**  
**with Class C Felony as Highest Penalty Charge Convicted or Indicted in CourtNet**

Jurisdiction / Level		Detained Until Disposition	Indictment	60-Day Rule	Financial Release	Non-Financial Release	Administrative Release	Indictment Summons	Transfer	Escape/Error	Grand Total
<b>Circuit Criminal</b>	Interviews	2,079			614	942	2	293	7	30	3,967
	Cases	3,162			746	1,231	2	302	11	39	5,493
	25th Pctl. Days in Custody	69			2	4	1		52	22	21
	Median Days in Custody	141			21	35	2		60	70	90
	75th Pctl. Days in Custody	250			71	115	2		132	115	196
	Avg. Days in Custody	189			68	89	2		109	100	142
	Std. dev. of Days in Custody	180			138	165	1		110	129	177
	Days in Custody	393,092			41,466	84,237	3		761	2,997	522,556
	<b>District Felony</b>	Interviews	660	1,987	143	1,751	1,623	4		7	25
Cases		861	2,455	165	1,924	1,805	5		7	34	7,256
25th Pctl. Days in Custody		24	34	70	2	1	1		42	18	5
Median Days in Custody		67	52	73	7	6	3		89	40	19
75th Pctl. Days in Custody		148	65	81	15	14	6		383	118	58
Avg. Days in Custody		115	54	82	17	22	4		249	87	43
Std. dev. of Days in Custody		153	39	34	47	54	3		279	123	74
Days in Custody		75,595	107,482	11,707	30,457	35,223	14		1,740	2,169	264,387

**Statistical Analysis Considerations**

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- \* Counts reflect distinct pretrial interviews within a given jurisdiction (Circuit or District Court). Time in custody is evaluated separately for District and Circuit cases.
- \* A single Interview may involve more than one case, and a single defendant may have multiple interviews during a given period of time.

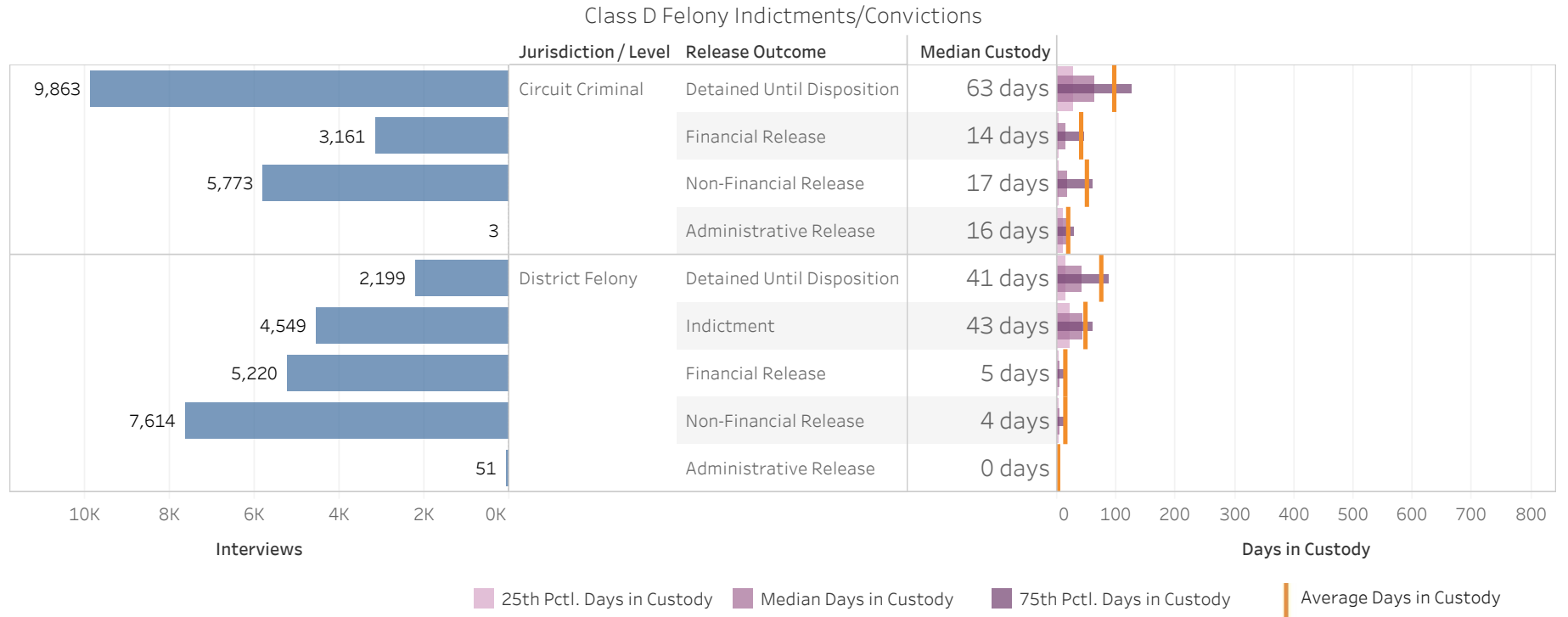
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Pretrial Interviews with Pretrial Custody Ending FY 2019  
Interviews with District Felony or Circuit Criminal Cases  
with Class D Felony as Highest Penalty Charge Convicted or Indicted in CourtNet



Statistical Analysis Considerations

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- \* A single Interview may involve more than one case, and a single defendant may have multiple interviews during a given period of time.



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**Pretrial Interviews with Pretrial Custody Ending FY 2019**  
**Interviews with District Felony or Circuit Criminal Cases**  
**with Class D Felony as Highest Penalty Charge Convicted or Indicted in CourtNet**

Jurisdiction / Level	Detained Until Disposition	Indictment	60-Day Rule	Financial Release	Non-Financial Release	Administrative Release	Indictment Summons	Transfer	Escape/Error	Grand Total
<b>Circuit Criminal</b>	Interviews	9,863		3,161	5,773	3	2,802	20	84	21,706
	Cases	12,847		3,580	6,755	3	2,859	24	106	26,174
	25th Pctl. Days in Custody	27		2	3	9		8	9	10
	Median Days in Custody	63		14	17	16		36	37	38
	75th Pctl. Days in Custody	127		45	60	30		57	114	96
	Avg. Days in Custody	97		42	50	20		38	85	74
	Std. dev. of Days in Custody	117		78	89	22		31	112	106
	Days in Custody	960,710		133,443	288,040	61		755	7,155	1,390,164
	<b>District Felony</b>	Interviews	2,199	4,549	272	5,220	7,614	51	22	89
Cases		2,476	5,131	297	5,516	8,025	53	26	103	21,627
25th Pctl. Days in Custody		14	21	67	1	1	0	17	22	2
Median Days in Custody		41	43	73	5	4	0	74	69	11
75th Pctl. Days in Custody		88	61	81	13	11	1	195	170	39
Avg. Days in Custody		74	48	85	15	15	4	192	134	31
Std. dev. of Days in Custody		106	47	75	40	52	9	260	195	64
Days in Custody		163,137	216,655	23,197	79,313	114,690	181	4,229	11,883	613,285

**Statistical Analysis Considerations**

- \* Data provided from the Pretrial Information Management System.
- \* Counts reflect distinct pretrial interviews within a given jurisdiction (Circuit or District Court). Time in custody is evaluated separately for District and Circuit cases.
- \* A single Interview may involve more than one case, and a single defendant may have multiple interviews during a given period of time.

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