Does a Validated Risk Assessment Reduce the Likelihood of an Individual Recidivating
as well as Bond Disparity in Court?

by

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Dedication

To everyone who has and does encourage and support my aspirations

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Abstract

The Youngstown Municipal Court began using the Ohio Risk Assessment System in 2018. Research has shown that the adoption of risk assessment tools helped decrease restrictive placements and reduce recidivism rates. However, some critics may argue that the benefits of using a risk assessment will be offset by race or gender bond disparities. This study hypothesizes that the use of the Ohio Risk Assessment System significantly reduces recidivism, racial bond disparities, and gender bond disparities of pretrial arrestees. In order to test these hypotheses, data from 2017 and 2019 were used. The overall objective of this thesis is to investigate the value of risk assessments, specifically the Ohio Risk Assessment System, in a pretrial court. Of the six hypotheses, five of the six were supported in the analysis. ORAS reduced recidivism, the bond type of own recognizance or supervised release was greater for females and minorities in 2019 than in 2017, minorities in 2019 had a lower percentage of high bond amounts than in 2017, and ORAS was the most influential predictor of recidivism. However, statistical significance was not found for hypothesis four. Females in 2019 did not have a lower percentage of high bond amounts than in 2017. The support for five out of the six hypotheses can enlighten other courts on the effectiveness of risk assessments at a pretrial level to find a way to incorporate ORAS in their jurisdiction. Future research is encouraged in order to provide better insight on the cost benefits of the pretrial tool in ORAS.

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Chapter 1

Introduction

In the United States, correctional facilities are overcrowded and operate at a capacity level higher than years before. "The United States spends an estimate of $9 billion annually detaining defendants who are awaiting trial or other case disposition" (Alsdorf, Holsinger, Milgram, & Vannostrand, 2015, p.219). Reports by the Pew Center on the United States (2008) reveal that 1 in 100 adults are behind bars (Latessa, Lemke, & Lowenkamp, n.d.). Nearly half a million people are in jail awaiting the resolution of their cases (Alsdorf, Holsinger, Milgram, & Vannostrand, 2015). Of that half of a million people, pretrial detainees represent more than 60 percent of the jail population (Alsdorf, Holsinger, Milgram, & Vannostrand, 2015). "Since 2000, 95% of the growth in jail populations has been the result of the growing number of people held in jail, pretrial" (Menefee, 2018, p.1). More specifically, in 2015, 434,00 inmates (62.7 percent) were being detained prior to a conviction (Minton & Zeng, 2016, Barrick & et.al., 2019). In recent years, the criminal justice system has introduced evidenced-based practices, such as risk assessments, to help with this overcrowding, to aid the courts in making informed decisions, reduce unequal outcomes, and decrease recidivism.

Research demonstrates that the use of validated risk assessments in criminal justice decision making can have profound effects on reducing offender recidivism (Casey, et al., 2011). The use of pretrial validated risk assessments assists the courts in making informed bail decisions, in reducing incarceration of low risk offenders, in identifying individuals who meet the criteria for specialized dockets, and in reducing failure-to-appear bench warrants for scheduled court appearances.

Youngstown Municipal Court began using the Ohio Risk Assessment System in 2018. This thesis looks to see how the Ohio Legislation House Bill 86 and the Ohio Risk Assessment System have impacted the Youngstown Municipal Court in Mahoning County, Ohio. This study hypothesizes that the use of the Ohio Risk Assessment System significantly reduces recidivism and both racial and gender bond disparities of pretrial arrestees. In order to support the hypotheses, data from 2017 and 2019 were used. The overall objective of this thesis is to demonstrate the value of the Ohio Risk Assessment System in a pretrial setting.

The Bail Reform Act of 1984

The Bail Reform Act of 1984 requires courts to grant bail for someone who is charged with a crime punishable by imprisonment unless pretrial detention is justified. More specifically, the Bail Reform Act authorizes and sets forth the procedures for a judicial officer to order the release or detention of a person charged with an offense pending trial, sentence, and appeal. The Bail Reform Act reduces jail facilities from being overcrowded and increase the fairness of the justice system. Under 18 U.S. Code § 3142, pretrial release, the judicial officer may issue the person charged with the offense an order that the person be released on personal recognizance, released on a condition or combination of conditions, temporarily detained to permit revocation of conditional release, deportation, or exclusion, or detained.

For pretrial release on personal recognizance, under 18 U.S.C. § 3142(b), the defendant must be released on personal recognizance or unsecured personal bond unless the judicial officer determines "that such release will not reasonably assure the appearance of the person as required or will endanger the safety of any other person or the community" (Adair, 2006, p.54). The release on personal recognizance is always subject to the mandatory condition that the person not commit another crime during their period of release.

The judicial officer may impose additional conditions to the person's release under 18 U.S.C. § 3142(c). However, the judicial officer must choose "the least restrictive...condition, or combination of conditions, that...will reasonably assure the appearance of the person as required and the safety of any other person and the community" (Adair, 2006, p.54). There is a list of thirteen possible conditions of release that the judicial officer may impose under the statute or they may impose "any other condition that is reasonably necessary" (Adair, 2006, p.1).

The Bail Reform Act of 1984 provides due process to those accused of a crime and, maintains the integrity of the judicial process. The conditions that a judicial officer imposes should be based on an individual evaluation of the defendant. One way they can do this is by establishing a pretrial agency or program and performing a risk assessment on the individual.

Ohio House Bill 86 / Ohio Risk Assessment System

Ohio House Bill 86 objectives are to reduce the incarcerated population by utilizing community alternatives to incarceration, increasing the use of judicial release, and mandating a single standardized risk assessment in all jurisdictions of Ohio to better understand the needs of offenders and reduce recidivism (Butcher & Tossone, 2018).

Although Ohio House Bill 86 objectives are to mandate a single standardized risk assessment in all jurisdictions of Ohio, funding can be an issue when the state does not provide the economic resources to do so. Some courts may cover a larger jurisdiction with even less economic resources.

The Ohio Risk Assessment System (ORAS) under Ohio House Bill 86 became effective in April 2011, which requires the Ohio Department of Rehabilitation and Correction (ODRC) to adopt a single validated risk assessment tool to assess the likelihood of future crimes by adult offenders (ODRC, 2020). This was imperative, because before ORAS came into effect, there was a great deal of variation in assessing the risks of offenders from jurisdiction to jurisdiction. The use of ORAS, a single standardized risk assessment, in Ohio allows for consistent assessments across all jurisdictions and the objective assessment of risk for offenders.

In 2006, ODRC contracted with the University of Cincinnati, Center for Criminal Justice Research, to develop the Ohio Risk Assessment System (ODRC, 2020). From September 2006 to October 2007, in-depth interviews centering on criminogenic risks were conducted with over 1,800 offenders throughout the state of Ohio, in addition to self-report surveys on other dimensions of behaviors and attitudes (Koepke & Robinson, 2018; Toro, 2015). The data collection and the validation of this system began in 2008 and concluded in 2010 (Lovins, et.al., 2018). Once the data from these interviews and surveys was collected, scales were created using the Burgess Method for variables found to be related to recidivism. The Burgess Method is a unit-weighted regression, which is a simplified version of a multiple regression analysis. "The Burgess method dichotomizes risk factors into a one if they are present and a zero if they are not present. Expanded scales of zero, one, and two were also used for certain variables" (Toro, 2015, p.16). Recidivism was measured if the offender re-offended in a one-year, follow-up period.

The Pretrial Risk Assessment Tool in ORAS was created to predict recidivism and/or failure-to-appear.

In 2018, a validation study was done to confirm that the Ohio Pretrial Assessment Tool was inter-rater reliable (Elyounes, 2020). This was vital because it enhances the use of the tool's consistency among staff. ORAS should be used by all courts including each municipal, county, and common pleas court when it orders an assessment for sentencing or other purposes, probation departments serving those courts, state and local correctional institutions, private correctional facilities, community-based correctional facilities, adult parole authority and parole board (Diroll, 2011).

ORAS was developed as an actuarial measure of criminogenic risk that assess Ohio offenders' risk of recidivism and is designed to be provided at different points in the justice system (Butcher & Tossone, 2018). Individuals can be at low, moderate, or high risk for recidivism and their level of risk can change as the measure is collected at multiple points in the justice system. ORAS consists of four assessment tools: The Pretrial Tool, the Community Supervision Tool (and Community Supervision Screening Tool), the Prison Intake Tool, and the Community Reentry Tool.

The Pretrial Assessment Tool (PAT) is designed to assist courts in determining the risk of a defendant to appear at the next court date or the risk of them being arrested for a new crime. The PAT aids courts in making decisions determining release and pretrial supervision. "The pretrial assessment instrument consists of seven items from four domains: criminal history, employment, substance abuse, and residential stability" (Latessa et al., 2009, p.19).

The Community Supervision Tool (CST) is designed to be used for a large number of offenders across the state of Ohio and assist in determining the supervision level as well as to guide case management for offenders in the community (Latessa et al., 2009). "The Community Supervision Tool consists of 35 items from seven domains: criminal history, education, employment and finances, family and social support, neighborhood problems, substance abuse, antisocial associations, and antisocial attitudes and behavioral problems" (Latessa et al., 2009, p.44).

 The Community Supervision Screening Tool (CSST) is designed to aid counties to quickly identify high risk cases to provide an assessment of criminogenic needs while

avoiding extra resources in assessing lower risk cases (Latessa et al., 2009). "The Community Supervision Screening Tool is a four-item instrument designed to quickly identify low risk cases that do not need the full assessment" (Latessa et al., 2009, p.29).

The Prison Intake Tool (PIT) is designed to prioritize prison treatment based on the likelihood of recidivism for courts and case managers. "The Prison Intake Tool consisted of 31 items from five domains: criminal history, education, employment, and finances, family and social support, substance abuse, and criminal lifestyle" (Latessa et al., 2009, p.32).

The Community Reentry Tool (RT) is designed to assist offenders reentering the community and should be administered within 6 months of release from prison. RT consist of 20 items from three domains of criminal history, social bonds, and antisocial attitudes to predict the likelihood of a new arrest.

For the purpose of this research, the focus will be on the Pretrial Risk Assessment Tool (PAT) in Youngstown, Ohio in Mahoning County. The pretrial risk assessment tool was designed to help courts make decisions in determining release and pretrial supervision placements (Lovins et.al., 2018) as well as to predict recidivism and/or the failure-to-appear in court. The focus was on PAT due to data availability and to examine if PAT had an effect on the recidivism rate.

Mahoning County, Ohio

Mahoning County, Ohio is in the northeast region of Ohio and the eastern border of Mahoning County forms Ohio's boundary with the state of Pennsylvania. The Ohio government authorized the creation of Mahoning County and it was created on February 16, 1846 and residents named the county after the Mahoning River (Ohio History Central a, n.d.).

As of 2017, the population in Mahoning County was 229,796 with a racial mix of 67.9 percent White, 12.5 percent African American, 5.3 percent Hispanic, 2.4 percent two or more races, .9 percent Asian, and .2 percent other (City-Data, n.d.). Mahoning County has both rural and urban characteristics with the area 85 percent urban and 15 percent rural (City-Data, n.d.).

Youngstown, Ohio

The city of Youngstown is in the northeast region of Mahoning County, Ohio and was founded by John Young in 1797.   In the late 1800s, the first steel mills were constructed in Youngstown, Ohio, which attracted many immigrants to the community, including Poles, Italians, and Hungarians (Ohio History Central, n.d.). During World War I, Youngstown's population increased so rapidly due to Youngstown producing material for the war effort that there was not enough housing for everyone. "By the 1920s, Youngstown was second only to Pittsburgh in terms of total steel production in the United States" (Ohio History Central b, n.d.). In 1920, Youngstown ranked as the fifteenth largest city in the nation with a population of 132,358 people. "The population reached its peak in 1930 at just over 170,000 residents" (Ohio History Central b, n.d.). However, the Great Depression hit Youngstown hard as the steel industry across the United States began to decline and so too did Youngstown's population.

As of 2017, the population of Youngstown was 64,604, with a racial mix of 40.6 percent African American, 39.9 percent white, 12.5 percent Hispanic or Latino, 5.6 percent two or more races, .8 percent Asian, and .5 percent other (City-Data, n.d.). Additionally, males make up 50.1 percent and females make up 49.9 percent of the population of Youngstown (City-Data, n.d.).

As of 2017, Youngstown's violent crime rate of 428.9 and property crime of 420.0 is around double the United States average of 215.2 and 206.4 (City-Data, n.d.). The unemployment rate in the city of Youngstown is the highest in the state. In March 2019, the unemployment rate for Youngstown, Ohio was 7.2 percent, and Ohio's state average unemployment rate was 4.1 percent (City-Data, n.d.).

Youngstown Municipal Court

When an adult is charged with a crime or traffic offense in Youngstown, Ohio, the case comes before the Youngstown Municipal Court. The Youngstown Municipal Court handles misdemeanor offenses (where the maximum penalty is generally up to six months in jail and a $1,000 fine) and initial appearances and preliminary hearings in felony cases (The City of Youngstown, 2020, p.1). The Youngstown Municipal Court's Mission is to "ensure access to justice, and to serve our community by efficiently and

respectfully resolving criminal, traffic, and civil cases in a fair and impartial manner"
(The City of Youngstown, 2020).

The Youngstown Municipal Court was previously housed in the Youngstown
police station and city hall on West Federal Street. However, in 2018, the court moved
into newly-renovated facilities in the Annex building located on 9 West Front Street,
Youngstown, OH 44503.

In 1914, the Youngstown Municipal Court Act had provisions for two judges.
Later in time, in 1929, the Act was amended and provisions were made for a court
consisting of three judges. Due to population decline, upon the retirement of Judge
Robert A. Douglas, Jr. in 2012, the court reverted back to two judges. Currently, the
Youngstown Municipal Court is home to Presiding Judge Carla J. Baldwin, Judge Renee
M. DiSalvo, and Magistrate Anthony Sertick, Jr.

Chapter 2
Literature Review

An Overview

Research in the criminal justice field has focused intently on identifying whether or not risk assessments are an effective tool to use for court. Each year, more jurisdictions adopt the use of a risk assessment. In 2013, around 10% of Americans lived in a jurisdiction that implemented risk assessments (Elyounes, 2020). Four years later, in 2017, 25% of Americans lived in a jurisdiction that implemented risk assessments (Elyounes, 2020). Research has shown that risk assessments aid courts in identifying the likelihood that an offender will recidivate, appear before the court at the next hearing, and/or be a threat to the public. The use of pretrial validated risk assessments assists the court in making informed bail decisions, reduce incarceration of low risk offenders, assist the court in identifying individuals who meet the criteria for specialized dockets, and reduce failure to appear bench warrants for scheduled court appearances. Pre-trial validated risk assessment tools save correctional facilities monetary resources by diverting low risk offenders from correctional facilities and programs. Risk assessments can have a great deal of variation when it comes to types of risk assessments, the factors or variables used, and the jurisdiction that is being applied. Even with these variations, research indicates that risk assessments, such as the Ohio pretrial validated risk assessment, can be effective and can be the cornerstone of a more just criminal justice system.

Risk Assessment Development

The development and history of risk assessments has gone through many stages. More specifically, in 2010, Andrews and Bonta identified four stages in the development of actuarial risk assessments in their book *The Psychology of Criminal Conduct* (Toro, 2015). Professional judgement, static risk scales, risk/need scales, and risk/need scales with management, began the risk assessments widely used today.

Risk assessments first began simply by using professional judgement. Offenders would be interviewed by a professional, such as a psychologists or psychiatrists, and they would predict their risk to the community and assign treatment if needed. This was not a

structured process and there was no empirical background to the questions being asked. After a period of time, they found that structured statistical instruments far outclassed this method (Toro, 2015).

The second stage of risk assessments used static risk scales (Toro, 2015). Static risk scales used static factors that were based on factors that could not change, such as an offender's criminal history. This risk assessment was not practical when determining or identifying which offenders would need treatment to help recidivism.

In order to determine which offenders needed treatment, the third phase of risk assessment was developed. This risk assessment used risk/need scales. The risk/need scales allowed the assessment to determine the level of treatment to the offender's level of risk (Toro, 2015; Andrews & Bonta, 2010; Bonta, et al., 2008). The scale that was used the most in this period was the Level of Service Inventory-Revised (LSI-R) that was composed of 54 risk and needs items scored in a zero-one format and distributed across ten subsections (Toro, 2015; Andrews & Bonta, 2010; Andrews & Bonta, 2000). However, research found that criminal justice agencies would administer the scale but did not adhere to the risk and need principle and spend more time with the high-risk offenders compared to the low risk offenders (Toro, 2015).

In order to combat this issue, the fourth phase of risk assessment integrated case management with the risk/need assessment. The instrument that was most commonly used with this fourth phase assessment was the Level of Service/Case Management Inventory (LS/CMI) (Toro, 2015). This instrument has specific sections that involved probation officers in a more direct way with the risk and need principles from the assessment. However, research found that the LS/CMI does not incorporate age which is a significant predictor of recidivism (Toro, 2015).

In the state of Ohio, the previous risk assessment used for offenders leaving prison was the RAPrisk instrument (Toro, 2015). This assessment was designed to help determine the offender's eligibility for parole by assessing them into groups according to their likelihood to recidivate. They determined this by giving questionnaires to those leaving prison. This questionnaire mainly used static factors, similar to the second stage.

The current risk assessment in the state of Ohio is the Ohio Risk Assessment System (ORAS). This current assessment uses an applied risk/needs approach. The focus

of this study is the Pretrial Assessment Tool in ORAS due to data availability and to study the recidivism rate.

Types of Assessments

   Risk assessments can vary greatly. There is no risk assessment that fits all areas of the criminal justice system. For example, the risk assessment that is used for the pretrial area of the criminal justice system may vary from the risk assessment used in probation or a correctional facility area of the criminal justice system. Generally, there are three basic categories of risk assessments that can be used. The three basic categories of risk assessments include screening instruments, comprehensive risk/need assessments, and specialized tools (Latessa & Lovins, 2010).

   Screen instruments consist primarily of static items such as prior arrests and can be useful in decision making such as release on recognizance. They tend to be quick to complete and easy to use. Screening instruments can also be helpful in the sorting of offenders into risk categories.

   Comprehensive risk/need assessment tools take longer to administer and cost more, but produces levels of risk/need that measures outcomes, such as recidivism. Comprehensive risk/need assessment tools can be useful in determining if risk has changed after the implementation of a program or intervention and take into account the full range of factors that are associated with the risk (Latessa & Lovins, 2010).

   Specialized tools are usually used to access specific domains or populations, such as substance abuse or sex offenders. Specialized assessment tools may require extra training and should be used in conjunction with more comprehensive risk assessments (Latessa & Lovins, 2010).

   In many instances, jurisdictions develop a process that involve all three categories of risk assessments as an offender moves throughout each part of the criminal justice system. An example of this would be a screening instrument used at pretrial, a more comprehensive assessment used on the offenders who continue to move through the system, and specialized assessment might be used on an as needed basis.

   According to the National Institute of Corrections, "Effective pretrial justice systems utilize risk-based decision-making to release or detain defendants while

maintaining public safety and high levels of court appearance" (Pilnik, 2017, p.4). Furthermore, "Research in criminal justice and other disciplines has demonstrated that decisions about individual behavior are best made using actuarial risk assessment" (Pilnik, 2017, p.38). "Predictions made using actuarial assessments tools are far more accurate than those based on clinical (i.e.; professional) judgment." (Pilnik, 2017, p.38).

It is also important to point out that risk assessments simply help guide decisions. Risk assessments do not guarantee a decision, because there is still professional discretion that comes into play. Pretrial decision may also vary and can include: Release on Own Recognizance, Release with Supervision, Release with Financial Conditions, and Detain (Pilnik, 2017). If a defendant receives the decision "release on their own recognizance", there is no monetary bond and the defendant is released after promising to appear in court for all upcoming proceedings. If a defendant receives the decision of being released with supervision, that defendant must stay in contact with their pretrial supervision officer that was assigned to them and continue to be supervised by that officer until the case is resolved or the period of supervision is over. If a defendant receives the decision of Release with Financial Conditions, or when a monetary bond is issued, the defendant is temporary released on a condition that a percent of a sum of money be paid to guarantee their appearance in court. If a defendant receives the decision of being detained, the defendant must remain in official custody, jail or prison.

Factors within Risk Assessments

Factors used in risk assessments can vary from jurisdiction to jurisdiction, and assessment to assessment. Most risk assessments measure the same broad criminogenic domains, and static factors, such as criminal history, education and employment history, and previous drug use (Lovins et.al., 2018). Many risk assessments also include dynamic factors such as criminal attitudes, current substance use, current employment and education factors (Lovins et.al., 2018). Research has found that dynamic risk factors are directly linked to recidivism (Latessa et al., 2010). However, risk assessments should include both static and dynamic factors. A way of eliminating discretion without discarding dynamic factors are to have self-reported questionnaires completed by the defendant (Elyounes, 2020). This is a method used within Ohio Pat. However, Ohio Pat

also uses face-to-face interviews. Research by the U.S. Department of Justice found that 85 percent of local and state pretrial risk assessment programs across the country included local address, time in area, employment, prior convictions, and failure to appear in court as factors (Clark & Henry, 2003). Each factor should be taken into consideration when it comes to the development of the risk assessment for that particular jurisdiction.

The factors should also be objective rather than subjective in the development of the risk assessment. The American Bar Association and National Adult Protective Services Association strongly urge the use of objective factors in pretrial risk assessments to assess a defendant's risk of failure to appear and rearrests (Clark & Henry, 2003). The U.S. Department of Justice research indicated only 23 percent of pretrial risk assessment programs relied exclusively on objective risk assessment criteria (Clark & Henry, 2003). They further indicated 42 percent of pretrial risk assessments combined objective and subjective criteria, and 35 percent used subjective criteria only (Clark & Henry, 2003). Risk Assessments should contain objective factors in order to be fair and not have bias outcomes based on race, gender, or socioeconomic status. However, risk assessments should also contain subjective factors. The most effective risk assessments that ensure the public's safety and fairness contain both objective and subject factors (Alsdorf et al., 2015).

When completing a risk assessment, either human, a computer, or some mix of the two will determine the applicable factors and calculate the total risk score (Koepke & Robinson, 2018). Those scores are then transformed into categories, such as low risk, moderate risk, and high risk. Research has shown that agencies that incorporate risk scores within their assessment increase public safety by also reducing recidivism (Alsdorf et al., 2015).

For Mahoning County, if the offender's risk level is low, the offender will report bi-weekly via telephone or as ordered by the court or assigned Pretrial Officer. If the offender's risk level is moderate, the offender will report weekly via telephone or as ordered by the court or assigned Pretrial Officer. If the offender's risk level is high, the offender will report bi-weekly in person or as ordered by the court or assigned Pretrial Officer.

Research indicates that risk assessments are statistically more accurate at predicting risk than sole reliance on professional judgement (Andrews et al., 2006; Grove et al., 2000; Latessa & Lovins, 2010; DeMichele et.al, 2019). A study found that 95 percent of judges indicated that the Public Safety Assessment (PSA) was important when considering their final decision (DeMichele et al., 2019). PSA is an algorithmic pretrial risk assessment that was developed using nine datasets from seven states, Ohio being one of the seven (DeMichele et.al., 2019). Furthermore, 69 percent of prosecutors agreed with the PSA's recommendations and 59 percent reported that the PSA did inform their release / detain request to the judge (DeMichele et.al., 2019). Pretrial agencies' most fundamental decision lies in the recommendation made to the courts regarding whether an individual is detained or released and, if released, with or without some conditional requirements (Latessa et al., n.d.).

Thus, risk assessments do not have universal applicability and should be validated on the jurisdiction or specific population it is serving. The factors or variables used in the assessments should contain static and dynamic factors as well as objective and subjective factors. Once those factors are assessed, they should be incorporated into risk scores or levels and professionals should rely on risk assessments for their decision making.

Risk Assessments Validated on Local Conditions

Risk assessment tools are widely used and valued throughout the country. However, there is a great deal of variation in its application. Some states implement standardized assessment tools, while others use a less systematic approach. Examples of states that have developed or adopted risk assessment tools include Arizona, Pennsylvania, Maryland, Washington, Idaho, Colorado, North Dakota, Nebraska, Oklahoma, Iowa, Georgia, New Jersey, Illinois, and Indiana (Latessa & Lovins, 2010, p.205).

Ohio uses the Ohio Risk Assessment System (ORAS), which is a state-wide risk assessment that included risk assessments of all levels in the correctional system from pretrial to parole. ORAS will also include a Web-based application that will allow correctional staff across the state to assess offenders using the same tools in the near future (Latessa & Lovins, 2010). Prior to ORAS, Ohio counties and agencies used all

different methods of assessing the risk and needs of offenders. The ORAS allows for consistency across all jurisdictions in Ohio.

Consistency across jurisdictions is imperative in the development and use of a risk assessment. By having the same risk assessment used state-wide, "it facilitates the implementation process, fosters more uniformity among law enforcement in the state, enables pretrial officers to share knowledge gained from their experience with the same tool, and enhances the creation of guidelines and detailed manuals for using it" (Elyounes, 2020, p.437).

The U.S. Department of Justice research indicates that in 2001, 39 percent of agencies adopted a risk assessment tool from another jurisdiction, while only 25 percent reported developing their own risk assessment by using data from their own jurisdiction (Clark & Henry, 2003).

Much of the existing literature uses a single jurisdiction's data to predict outcomes in another jurisdiction. If this data comes into play in the development of the risk assessment, the risk assessment might not accurately portray the classified risk associated with the local conditions. For example, geographic differences in law enforcement patterns can undermine the risk assessment's accuracy (Koepke & Robinson, 2018). The factors that bring someone to commit a crime can differ from jurisdiction to jurisdiction. This is why an assessment tool should be validated on the population for which it is being used and then analyzed based on the population for which the assessment tool is being used (Latessa & Lovins, 2010).

The ORAS and its Pretrial Assessment Tool accurately portrays the classified risks with Ohio conditions since it was validated on Ohio's population. Ohio Risk Assessment System's Pretrial Assessment Tool was developed locally in Ohio on "over 1,800" cases, from September 2006 to October 2007 (Koepke & Robinson, 2018, p.1758). Thus, accurately portraying the classified risk associated with Ohio's conditions provides an assessment based specifically on Ohio offenders. The Ohio Risk Assessment System also is specific to each different stage in the criminal justice process, adding to the accuracy when specifically speaking about the pretrial assessment. It also allows each county and agency in Ohio to be more consistent by using the same assessment. This

thesis assesses the pretrial risk assessment to the local conditions of the city of Youngstown in Mahoning County, Ohio.

Pretrial Justice System

Pretrial is one of the early stages of the criminal justice system process. It begins when a person is arrested and ends when the resulting charge is resolved. It is usually resolved through either dismissal, a plea, or a trial. A court having a pretrial service program can be a valuable resource for making the criminal justice system process fairer and having equal justice. Generally, there are three pretrial service program obligations: keeping the public safe, ensuring the individual accused of the crime appears before the court, and the individual must be presumed innocent unless proven otherwise and not unfairly interfere with the freedom of the individual.

Pretrial programs were initially developed around the 1960's to make the system fairer to those who could not afford bail. Around the 1980's when the overcrowding of jails became more apparent, policymakers began to recognize that pretrial programs could help alleviate the crowded jails. About a third of the Ohio municipal and common pleas courts suggested that the overcrowding of jails and or drug epidemic led them to develop and implement a pretrial service program (Ohio Criminal Sentencing Commission, 2020). Many of the current programs have been developed in response to jail overcrowding but also focuses on helping to identify those who may safely be released from custody before trial and not obscure the fairness of pretrial decision making (Beaudin et al., 2001). According to the National Institute of Justice (2001), one of the central goals of a fair and effective pretrial release / detention policy or program is to "minimize unnecessary detention by releasing as many defendants as possible who are likely to appear for scheduled court dates and who will refrain from criminal behavior before trial" (Beaudin, et.al., p.8).

A recent study found that risk assessment tools for pre or post trial decisions can reduce the rates of incarceration while continuing to protect public safety (Viljoen et al., 2019). Furthermore, they found when a risk assessment tool was used, fewer defendants were placed in detention prior to trial and more inmates were released from custodial centers (Viljoen et al., 2019).

Ohio Pretrial Justice System

The Ohio Criminal Sentencing Commission recently surveyed 191 Ohio municipal and common pleas courts in an effort to get a better understanding of the pretrial processes in Ohio and to affirm that Ohio is detaining people for the right reasons prior to trial. They did this by giving a 35-question survey of pretrial practices by recorded interviews over the phone or written responses via email by either the chief probation officer, court administrator, or judge of that court. Out of the 191 Ohio municipal and common pleas courts engaged, "158 (83%) indicated they operate either a full, formal pretrial services program or some form of informal, "unofficial" pretrial services or supervision program" (Ohio Criminal Sentencing Commission, 2020, p.3). "33 (17%) of the courts indicated that they lacked an established pretrial services program and declined to participate in the survey" (Ohio Criminal Sentencing Commission, 2020, p.3). About 64% of the courts began their pretrial services more than five years ago with the average start date in 2008 (Ohio Criminal Sentencing Commission, 2020). However, in Ohio, "the earliest program began in 1970 while the newest program began in 2019" (Ohio Criminal Sentencing Commission, 2020, p.7). Almost half of the courts surveyed reported the use of a pretrial risk assessment tool. "Of those that used a pretrial risk assessment tool: 78.1% of courts used the risk assessment score as a consideration for bail/bond decisions, 77.8% of courts used the risk assessment tool in determination of the level of pretrial supervision, and 79.3% of courts had their pretrial risk assessment tool validated for their jurisdiction (Ohio Criminal Sentencing Commission, 2020, p.13). The Ohio Risk Assessment System (ORAS) was the most commonly used risk assessment used in Ohio.

Risk Levels

Risk levels are determined by the individual's score they receive. Scores range from 0-9 and are rated low, moderate, or high. Scores 0-2 have a low rating, scores 3-5 have a moderate rating and scores 6-9 have a high rating. As you can see in the chart below, individuals who receive a low rating are only at a 5 percent chance of not successfully completing supervised release and 5 percent chance of failing to appear before the court and a 0% chance of a new arrest. Individuals that receive a moderate

rating are at an 18 percent chance of not successfully completing supervised release, a 12 percent chance of failing to appear before the court and a 7 percent chance of a new arrest. Individuals that receive a high rating are at a 29 percent chance of not successfully completing supervised release, 15 percent chance of failing to appear before the court and a 17 percent chance of a new arrest.

Figure 5: Pretrial Assessment Tool

Scores	Rating	% of Failures	% of Failure to Appear	% of New Arrest
0-2	Low	5%	5%	0%
3-5	Moderate	18%	12%	7%
6+	High	29%	15%	17%

It is important that risk assessments successfully categorize offenders in the correct category of risk. Research has shown that pretrial risk assessment instruments do successfully differentiated between low-risk defendants, medium-risk defendants and high-risk defendants (Latessa et al., n.d.). Furthermore, research found that the Ohio Risk Assessment System (ORAS) is successful in distinguishing between risk levels in all assessment instruments (Latessa, et.al, 2010).

Hypotheses

The existing literature related to risk assessment can be overwhelming. In order to allow the reader a clear picture of prior literature related to risk assessments and its contributing factors, this review will be separated and organized into sections based on the following hypotheses proposed in this research. The hypotheses are as follows:

- Hypothesis One: The use of the Ohio Risk Assessment System reduces the likelihood of an individual to recidivate based on re-arrest within a six-month follow-up period.
- Hypothesis Two: The use of the Ohio Risk Assessment System reduces the likelihood of gender disparities in the type of initial bond given.
- Hypothesis Three: The use of the Ohio Risk Assessment System reduces the likelihood of racial disparities in the type of initial bond given.

- Hypothesis Four: The use of the Ohio Risk Assessment System reduces the likelihood of gender monetary bond disparities.
- Hypothesis Five: The use of the Ohio Risk Assessment System reduces the likelihood of race monetary bond disparities.
- Hypothesis Six: The use of ORAS will be a more influential predictor of recidivism than the factors of gender, race, and released on own recognizance/ supervised release.

Bond Disparities

The use of a pre-trial risk assessment tool alone cannot reverse all racial or gender injustices. However, the use of pre-trial tools can eliminate or reduce the amount of bail a defendant receives, which in return can reduce racial or gender disparities (Elyounes, 2020, p.445). Determinations of a defendant's bond amount at an initial appearance without the use of a risk assessment can lead to monetary bond disparities. A higher bond amount can prevent a defendant from posting bond and being released, which can affect their employment, and family circumstances. The stress of being confined pre-trial may have an effect on how the defendant prepares for their case and make a decision. Research has shown that "the inability to make bail and the experience of pretrial detention produces more guilty pleas, higher rates of conviction, and harsher sentences" (Donnelly & MacDonald, 2018, p.779). Research has confirmed that disparities do exist at the pretrial stage (Schlesing, 2005; Demuth, 2003; Kitateladze, 2014; DeMichele et.al, 2019). Donnelly and MacDonald (2018) found that pretrial conditions contribute to 43.5% of explainable Black-White disparity in convictions and 37.2% of the disparity in guilty pleas (p.780).

Research indicates that the use of risk assessments is more effective than a judge's decision alone. A 2018 study by Kleinberg, Lakkaraju, Leskovec, Ludwig, and Mullainathan compared pretrial release decisions among judges, and found evidence that when algorithms are used, as in risk assessments, they perform more effectively than judge's decisions alone. (Menefee, 2018, p.6). They further found that "judges are more likely to release defendants who are classified high-risk while disproportionately

detaining low-risk defendants" (Menefee, 2018, p.6). One of the reasons could be due to decision making based on implicit biases.

Criminal justice professionals often make discretionary pretrial decisions on which individuals should be detained or not, and the bail amount quickly, sometimes with limited information. A disadvantage when using discretion is the unconscious bias or implicit bias. A criminal justice professional's implicit bias might impact their decision to release or detain an individual or to set a higher bond amount.

A 2017 comprehensive report, "The State of Pretrial Justice in America by Pretrial Justice Institute" found that pretrial detention had dropped by 34% with the use of a pretrial risk assessment (Elyounes, 2020, p.446). Not only did pretrial detention drop, but they found that there was a reduction in all types of crime when a pretrial risk assessment was used (Elyounes, 2020).

Risk assessments have been offered as a tool to overcome these biases and disparities and is the leading factor to why mandates came out about pretrial tools. Recent 2019 research indicated that 98% of the judges in their sample indicated that the use of a risk assessment was used occasionally, as opposed to all the time, in their decision making (DeMichele, et.al, 2019). This finding could suggest that risk assessments do aid in criminal justice professionals' decision making and the need for risk assessment adoptions. The adoption of a pretrial risk assessment may make the criminal justice system fairer for all when having a non-biased tool than when not having one.

Recidivism

The Ohio Pretrial Risk Assessment's data collection provided over 100 potential predictors of recidivism (Latessa, Lemke, Makarios, Smith, & Lowenkamp, 2010). The items that were found to be related to recidivism were the items that measure criminal history, employment, residential stability, and substance abuse (Latessa et al., 2010). Further research that encompassed more than 1.5 million pretrial records drawn from hundreds of jurisdictions across the United States, found that criminal history and the current charge was by far the most predictive that an individual will commit new crimes, new violent crimes, or fail to appear for court (Alsdorf et al., 2015). In the development of the pretrial assessment tool in Ohio Risk Assessment System, they found that it had a

correlation of .23 (p<.01) with recidivism with the scores ranging from 0 to 9 (Latessa et al., 2010).

A recent systematic review and meta-analysis of multiple risk assessment studies confirmed that the adoption of risk assessment tools helped decrease restrictive placements and reduce recidivism rates (Viljoen et al., 2019). More specifically, research found that the implementation of risk assessment tools was associated with small but significant reductions in recidivism (Viljoen et al., 2019). It was further found that incarceration is not an effective method to reduce recidivism (Viljoen et al., 2019; Nagin et al., 2009). Therefore, even though risk assessments decrease the incarceration population, they also reduce recidivism.

Most studies measured recidivism by examining arrest rates or reincarceration (Viljoen et al., 2019). Follow-up periods for re-arrest in research differs. Some studies had follow-up periods of 60 or 90 days, and other studies used follow-up periods of approximately 12 to 18 months (Viljoen et al., 2019, p.406). For this study, re-arrest is the measure of recidivism within a six-month follow-up period. If individuals received a new charge within the six-months of the original charge, they were considered to have recidivated in my research.

Gender

It is important when using a risk assessment tool that it produces equal and valid results for both females and males. A few scholars have researched if risk assessments have biased outcomes when relating to gender. However, recent research indicates that is not the case. Lovins, B. K., Latessa, E. J., May, T., & Lux, J. (2018) research found that risk assessment tools are appropriate for classifying males and females separately and determined that they are equally valid for males and females (p.198). The Ohio Risk Assessment System (ORAS) separates males and females to ensure that the risk assessment is valid for females alone and that the cutoffs did not create an over-classification for female offenders (Lovins, et al., 2018; Van Voorhis & Presser, 2001).

Further, research has found that the ORAS reentry tool does a good job of distinguishing between low, moderate, and high-risk cases for gender (Latessa et al., 2010). Research also indicates that pretrial risk assessments risk factors are gender

neutral and that gender is not a predictor of any failure of the risk factors within a pretrial risk assessment (Danner et al., 2016). Therefore, research has found that using risk assessment tools produce fair results and are gender neutral. This thesis assesses if ORAS produces fair gender results regarding the type of initial bond given and monetary bond amounts in the city of Youngstown, Ohio.

Race

A limited amount of research has looked into whether risk assessments lead to more or less racial disparities. However, research indicates that risk assessments are a valid instrument for Whites, Hispanics and African Americans, and that it equally predicts recidivism for all three groups (Lovins, Latessa, May, & Lux, 2018). Risk assessments do not include race or ethnicity as considerations and are a more effective way in determining risk levels.

Research has found that "any failure for each risk level are statistically the same for people of color and whites" when a pretrial risk assessment is used and that the use of a pretrial risk assessment eliminates "the potential for predictive bias to either group" (Danner et al., 2016, p.22). However, minorities sometimes receive higher scores on risk assessments than non-minorities (Viljoen et al., 2019; Skeem & Lowenkamp, 2016). This could be due to other factors relating to a social disadvantage, poverty, and opportunities for employment.

According to the Council of State Government (2018), the first step to ensure that any risk assessment is valid and fair regarding race is to examine the validity of the tool for racial and ethnic groups separately (Lovins, Latessa, May, Lux., p.198). They found that if the risk assessment is valid for one distinct group, the statistical analysis should produce similar results across all subgroups (Lovins, Latessa, May, Lux., 2018).

This could be due to judges making racially biased predictions. A 2017 study by Arnold, Dobbie, and Yang found that judges do engage in, "racially biased prediction errors resulting largely from inexperienced, part-time judges" (Menefee, 2018, p.6). Thus, there is a need for the use of standardized risk assessments.

Evidence has shown that risk assessment help to ensure that all offenders are treated fairly (Alsdorf et al., 2015). Objective based risk assessments that are conducted

at the earliest points, such as the pretrial stage, are best at avoiding racial disparity (Alsdorf et al., 2015).

A recent 2019 systematic review and meta-analysis of multiple risk assessment studies found that in five studies, the "absolute rates of restrictive placements were lower for people of color" following the adoption of a risk assessment tool (Viljoen et al., 2019, p.408). Further, they found that in two studies, pretrial detention racial disparities decreased following the adoption of a risk assessment tool (Viljoen et al., 2019). However, they found that a few studies had differing results and future research is needed (Viljoen et al., 2019). Due to the mixed results of research, it is vital for more studies to review how their risk assessments are affecting this area and the importance of this study in reviewing how the pretrial assessment tool in ORAS is impacting defendants in the city of Youngstown, Ohio.

Chapter 3

Methodology

The data gathered and analyzed are from the time periods of 2017 and 2019. This study explores the potential impact of the adoption of ORAS in the Youngstown Municipal Court within a medium-sized city (Youngstown, Ohio) and hypothesizes that ORAS reduces recidivism, increases the release on own recognizance and supervised release type of initial bond given based on gender and race, reduces the monetary bond amount given based on gender or race, and that the ORAS is a more influential predictor of recidivism than the factors of race, gender, and release on own recognizance / supervised release. The overall objective of this thesis is to investigate the potential impact ORAS has in a pretrial court setting. This chapter will provide the insight to the methodology used in this thesis by describing the research design, data collection process, sample details, measurement, and analysis.

Research Design

The research design for this thesis is a quasi-experimental design using data from two time periods of 2017 and 2019. The non-random data was collected by the probation department at the Youngstown Municipal Court. The Youngstown Municipal Court was selected for this study based on the access of data for this investigation and the Court's willingness to work with Youngstown State University for this study. Youngstown Municipal Court began using the Ohio Risk Assessment System in 2018. Therefore, the two time periods of 2017 and 2019 were chosen to explore the potential impact ORAS had in the court before and after it was adopted. Only the first six-months of both time periods, 2017 and 2019, were examined due to time restraints, data availability, and in order to conduct a six-month recidivism study, which prior work has shown to be credible (Viljoen et al., 2019).

Data Context

This study uses data from two time periods, one in 2017 and one in 2019, from the Youngstown Municipal Court. The sample used was non-random and selected using anyone charged with a jailable offense in the first six-months of both time periods, 2017

and 2019. Offense type was reported based on each defendant's most serious criminal offense for each jail incarceration. If multiple counts and cases exist for a single jail booking, only the highest degree offense was to be reported. The first time period before ORAS was used included all individuals booked into the Mahoning County Justice Center from January 3, 2017 to June 30, 2017 with an accompanying criminal charge filed in Youngstown Municipal Court until December 31, 2017. During this time period, all arrestees were either given a cash bond or released on their own recognizance without completing a validated risk assessment tool. The sample size from 2017 is 424.

The second time period of 2019 (after ORAS was adopted) included all individuals booked into the Mahoning County Justice Center from January 2, 2019 to June 28, 2019 with an accompanying criminal charge filed in Youngstown Municipal Court until December 31, 2019 who agreed to cooperate with the risk assessment and be assessed. During this time period, all arrestees were given an opportunity to complete a validated risk assessment tool to determine their risk of re-offending and failing to appear for future court proceedings and bond was set accordingly. The sample size for 2019 is 164, which is the number of individuals out of the 415 that participated in the ORAS.

The Probation Department at the Youngstown Municipal Court gathered and provided the necessary information used within this thesis. Approval from Youngstown State University's Institutional Review Board (IRB)was obtained and can be found in this thesis' Appendix.

Data Collection Process

Upon being booked into the Mahoning County Justice Center in 2019, each arrestee was afforded the opportunity to meet with a pretrial officer to complete a voluntary risk assessment, if the arrestee did not have a felony offense of violence. Felony offenses of violence were not eligible and excluded from the program in 2019 due to the volume of cases the Youngstown Municipal Court was expecting at the beginning of 2019 and only having one pretrial officer at the jail to do the assessment. Since 2019, Youngstown Municipal Court has hired two more assessment officers. In 2020, all defendants, regardless of the nature of their offenses, are eligible for the assessment. Additionally, the risk assessment was voluntary so quite a few defendants declined

participation. More specifically, 251 individuals in the 2019 data set were either excluded for having a felony offense of violence or declined to participate in the assessment, and 164 individuals did participate in the assessment. Therefore, the participation rate was 40%.

The information that is collected during this voluntary assessment is an offender self-report survey, offender interview, responsivity assessment, and a criminal record check. Once each portion of the assessment is complete, a pretrial officer completes a pretrial recommendation report. The pretrial recommendation report is then distributed to the Court and to the Prosecuting Attorney prior to the start of arraignments. Information on the offender's current offense is not included in the pretrial recommendation report.

The pretrial recommendation report includes the following information; demographic information, employment status, substance abuse history, military experience, criminal history, history of failure to appear bench warrants, probation supervision history, offender risk level, and pretrial release recommendation.

If the offender is granted supervised release, the offender will meet with a pretrial officer prior to their release from incarceration to be given the conditions of supervised release, to sign a consent to release confidential information, for referrals to treatment providers and outside agencies, and to be provided reporting instructions.

The levels of supervision and reporting frequency will be determined by each offender's risk level as indicated on the validated risk assessment tool. Risk assessment tools primarily focuses on the past behavior to classify offenders into risk levels such as low, moderate, and high. Generally, if the offender's risk level is low, the offender will report bi-weekly via telephone or as ordered by the court or assigned pretrial officer. If the offender's risk level is moderate, the offender will report weekly via telephone or as ordered by the court or assigned pretrial officer. If the offender's risk level is high, the offender will report bi-weekly in person or as ordered by the court or assigned pretrial officer.

Profile of Sample (Table 1)

The profile of the sample can be found on Table 1. To further explain the profile of data that was used and analyzed during this research, the variables that were examined are:

- **Pretrial Recommendation Report:** For the purpose of analyzing the data, if the defendant completed the risk assessment, a number 1 was used and if the defendant did not complete the risk assessment, a number 0 was used. As mentioned above, the risk assessment was voluntary so defendants could decline participation and felony offenses of violence were not eligible and excluded from the program. More specifically, 251 (60%) of individuals of the 2019 data were either excluded for having a felony offense of violence or declined to participate in the assessment, and 164 (40%) of individuals did participate in the assessment.
  - The 2019 ORAS data includes only the 164 defendants that participated in the assessment.

- **Recidivism:** An Ohio Courts Network search was conducted on each individual that was charged in the first six-months at the Youngstown Municipal Court for both time periods of 2017 and 2019. An Ohio Courts Network search is a database that pulls information from the Bureau of Criminal Investigation and the probation department to track arrest and court filings. If yes, the defendant was arrested and/or charged with a new criminal offense within six months from the date of arrest for the instant offense, the number 1 was used. If no, the defendant was not arrested and/or charged with a new criminal offense in the State of Ohio within six months from the date of arrest for the instant offense, the number 0 was used.
  - Of the 424 offenders examined in 2017, 65 (15%) recidivated with a re-arrest, and 359 (85%) of defendants were not re-arrested.
  - Of the 164 offenders examined in the 2019 ORAS sample, 14 (8%) of defendants recidivated by re-arrest, and 150 (92%) of defendants were not re-arrested.

- **Gender:** This variable can be defined as the sexual orientation of the defendant. The defendant's gender was reported based upon self-identification. For the

purpose of analyzing the data, if the defendant self-identified as a Male, a number 0 was used. If the defendant self-identified as a Female, a number 1 was used. If the defendant identified as neither a man or a woman, this may include those who identify as transgendered, and erogenous, or gender fluid, a number 2 was used. However, for both time periods, there were not one defendant that did not identify themselves other than male or female.

- o Of the 424 offenders examined in 2017, 339 (80%) identified themselves as males and 85 (20%) identified themselves as females.
- o Of the 164 offenders examined in the ORAS sample of 2019, 118 (72%) identified themselves as males and 46 (28%) identified themselves as females.

- **Race:** This variable can be defined as the racial makeup or background of the defendant. Race categories correspond to the definitions of race according to the United States Census Bureau. Race categories was defined as follows: 1) White, Non-Hispanic, 2) White, Hispanic or Latino, 3) Black or African American, 4) American Indian or Alaska Native, 5) Asian or Pacific Islander, 6) Unknown/Other. To meet the vision of the study, some of the variables were transformed. This variable was altered and coded as 0= non-minority, 1 = minority. Non-minority (0) included the race category of White, Non-Hispanic. Minority (1) included the race categories of 2) Hispanic or Latino, 3) Black or African American, 4) American Indian or Alaska Native, 5) Asian or Pacific Islander, 6) Unknown/Other.
  - o Before the variable was altered to non-minority and minority, the results were as follows: of the 424 offenders examined in 2017, 118 (18%) classified themselves White, Non-Hispanic, 8 (2%) classified themselves White, Hispanic or Latino, 297 (70%) classified themselves Black or African American, 1 (.2%) classified themselves as Unknown/Other. Of the 415 offenders examined in 2019, 107 (26%) classified themselves White, Non-Hispanic, 18 (4%) classified themselves White, Hispanic or Latino, 290 (70%) classified themselves Black or African American (Table 2).

- o Once the variable race was altered and coded, 0= non-minority, 1 = minority, the results are as follows:
    - ▪ Of the 424 offenders examined in 2017, 118 (28%) classified themselves as non-minority and 306 (72%) classified themselves as minority.
    - ▪ Of the 164 offenders in 2019 that volunteered to be assessed in ORAS, 34 (21%) classified themselves as non-minority and 130 (79%) classified themselves as minority

- **Initial Bond Type:** This variable is the bond type the defendant was given and are as follows: 1) Monetary bond, 2) Own recognizance, 3) supervised release, 4) Other.
    - o Of the 424 offenders examined in 2017, 412 (97%) received a Monetary initial bond type, 11 (3%) were released on their own recognizance, and 1 offender received supervised release.
    - o Of the 164 offenders examined in the ORAS sample of 2019, 96 (59%) received a Monetary initial bond type, 7 (4%) were released on their own recognizance, 59 (36%) received supervised release and 2 (1%) received another form of initial bond that was not a monetary bond, own recognizance, or supervised release and either granted electronically monitored house arrest at arraignment or held without bond at arraignment.

- **Release on Own Recognizance / Supervised Release:** These variables were made as its own variable and coded as: 0= No, the defendant was not released on their own recognizance or given supervised release or 1= Yes, the defendant was released on their own recognizance or given supervised release.
    - o Of the 424 offenders examined in 2017, 413 (97%) received another initial bond type that was not release on own recognizance and 11 (3%) was granted the initial bond of release on own recognizance.
    - o Of the 164 offenders examined in the ORAS sample of 2019, 98 (60%) received a type of initial bond that was not release on own recognizance or

supervised and 7 (4%) was granted the initial bond of release on own recognizance and 59 (36%) was granted supervised release.

- **Monetary Bond Amount:** This variable was the monetary bond amount that the defendant received. The monetary bond amount was examined as follows: 1) 0 - $4,999.99, 2) $5,000.00 – $9.999.99, 3) $10,000.00 – $19,999.99, 4) Greater than $20,000.00, 5) Not applicable. This variable was altered and coded as 0= Low 0-$9,999.99 and, 1 = High $10,000 and greater.
  - o Of the 412 offenders examined in 2017 that received a monetary bond, 197 (48%) received a low monetary bond in the amount between $0-$9,999.99 and 215 (52%) of offenders received a high monetary bond in the amount of $10,000 and greater.
  - o Of the 96 offenders examined in the 2019 ORAS sample that received a monetary bond, 58 (60%) received a low monetary bond in the amount between $0- $9,999.99 and 38 (40%) of offenders received a high monetary bond in the amount of $10,000 and greater.

Hypotheses
- Hypothesis One: The use of the Ohio Risk Assessment System reduces the likelihood of an individual to recidivate based on re-arrest within a six-month follow-up period.
- Hypothesis Two: The use of the Ohio Risk Assessment System reduces the likelihood of gender disparities in the type of initial bond given.
- Hypothesis Three: The use of the Ohio Risk Assessment System reduces the likelihood of racial disparities in the type of initial bond given.
- Hypothesis Four: The use of the Ohio Risk Assessment System reduces the likelihood of gender monetary bond disparities.
- Hypothesis Five: The use of the Ohio Risk Assessment System reduces the likelihood of race monetary bond disparities.
- Hypothesis Six: The use of the Ohio Risk Assessment System will be a more influential predictor of recidivism than the factors of gender, race, and initial bond type.

Measures

Dependent Variables

For the analysis of the first hypothesis, the dependent variable was recidivism. Re-arrest is the measure of recidivism within a six-month follow-up period for each of the two periods of 2017 and 2019.

For the second and third hypotheses, disparity was measured by not being released on one's own recognizance or granted supervised release. The dependent variable, released on own recognizance / supervised release, is based on the defendant's type of initial bond given. A defendant could be given four bond types; a monetary bond type, released on their own recognizance, supervised release, or some other form of bond type. Disparity for this research was defined as when a defendant of a certain race or gender receives a type of initial bond other than release on own recognizance or supervised release. When a defendant is granted release on their own recognizance, the court is placing trust in the defendant that they will appear in all future court proceedings without having to place a monetary bond or be further supervised. When a defendant is granted supervised release, the court is placing trust in the defendant that he will appear at scheduled times with their probation officer without having to place a monetary bond. If this disparity exists, it would be expected that in 2017 before ORAS was adopted, defendants based on race or gender would be less likely to be release on their own recognizance or supervised release than the defendants in 2019 when ORAS was being used. The dependent variable, released on own recognizance/supervised release, was analyzed to see if defendants by race or gender were given the bond type of release on their own recognizance or supervised release more after ORAS was adopted than before.

For the fourth and fifth hypothesis, disparity was measured by having a high or low monetary bond amount before or after ORAS was adopted per race or gender. Disparity was defined in this research as when a defendant of a certain race or gender receives a monetary bond amount, where their monetary bond amount would be set higher than others. If this disparity exists, it would be expected that in 2017 before ORAS was adopted, defendants based on race or gender would receive a higher monetary bond amount than the defendants in 2019 after ORAS was used. The dependent variable monetary bond amount asks if the defendant's monetary bond amount was high ($10,000

or greater) or low ($9,999.99 or less). The dependent variable, monetary bond amount, was analyzed to see if defendants were given different monetary bond amounts before or after ORAS was adopted. Disparity was interpreted by high or low in monetary bond amount.

<u>Independent Variables</u>

Gender and race are the independent variables used during this research. The defendant's gender was reported based upon self-identification, male or female. The defendant's race was measured as either non-minority or minority. Non-minority included the race category of white, non-Hispanic. Minority included the race categories of all of the following: Hispanic or Latino, black or African American, American Indian or Alaskan native, Asian or pacific islander, unknown / other.

Analytic Strategy

The data gathered in both time-periods, 2017 and 2019, were analyzed using Microsoft Excel version 2009. The first stage of the analysis was conducted by running descriptive statistics (i.e. counts, frequencies, and percentages) of the dependent and independent variables listed above. The second stage of the analysis tested the hypotheses by performing independent t-tests to determine if there was a significant difference between the means of both time periods, 2017 and 2019, before and after ORAS was adopted. Most commonly used values for alpha are 0.01, 0.05, and 0.1, representing a 1%, 5%, and 10% chance of an error occurring. A p-value less than 0.05 is the value most commonly used by statisticians (Kennedy-Shaffer, 2018). A p-value less than 0.05 indicates strong evidence of a hypothesis being statistically significant (McLeod, 2019). Therefore, in this research the selection of alpha at p-value <.05 represents the level of statistical significance. The third stage of the analysis involved Ordinary Least Squares (OLS) regression analysis set up to explain recidivism rates by using the variables of interest covered in the first two stages of the analysis (ORAS, gender, race, initial bond type). The next chapter presents the results of the analysis.

Chapter 4

Findings

There are several factors, such as the recidivism rate, that can determine the effectiveness of the pretrial tool in ORAS. This chapter reveals the results of the analysis set up in order to test the six hypotheses proposed.

Results

Hypothesis 1:

Recidivism

For the analysis of the first hypothesis, re-arrest is the measure of recidivism within a six-month follow-up period for each of the two periods of 2017 and 2019. Referring to Table 2, of the 424 offenders examined in 2017, 65 (15%) recidivated with a re-arrest, and 359 (85%) of defendants were not re-arrested. Of the 164 offenders examined in the 2019 ORAS sample, 14 (8%) of defendants recidivated by re-arrest, and 150 (92%) of defendants were not re-arrested. The two-tailed independent t-test for the variable recidivism per the 2017 sample and 2019 ORAS sample produced a p-value of 0.030, which is significant. Therefore, the result indicates that there was a statistical difference in the mean for recidivism between the 2017 sample and the 2019 ORAS sample indicating the support for hypothesis one.

Hypothesis 2

Bond Disparity (Released on Own Recognizance) by Gender

The analysis of the second hypothesis looked to determine if more defendants based on gender were granted release on their own recognizance or supervised release once ORAS was in effect. Disparity was measured by not being released on one's own recognizance. The defendant's gender was reported based upon self-identification, male or female. It was hypothesized that in 2017 before ORAS was adopted, female defendants would be less likely to be release on their own recognizance than the defendants in 2019 when ORAS was being used.

Referring to Table 2, of the 85 offenders in the first six-months of 2017 that identified themselves as female, 3 (4%) were given the initial bond of release on own

recognizance and 82 (96%) were not given the initial bond of release on own recognizance and received another type of initial bond. Of the 46 offenders in the first six-months of the 2019 ORAS sample that identified themselves as female, 4 (9%) were given the initial bond of release on own recognizance, 23 (50%) were given the initial bond of supervised release, 18 (39%) were given a monetary bond and 1 (2%) was given another type of initial bond. After running a two-tailed independent t-test for variables initial bond type release on own recognizance / Supervised release and variable female gender between the 2017 sample and the 2019 ORAS sample, the p-value was less than .05 (i.e. 0.001) showing that there was a statistical difference in the mean for the female gender between the two time periods indicating the support for hypothesis two.

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Hypothesis 3

Bond Disparity (Released on Own Recognizance) by Race

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The analysis of the third hypothesis looked to determine if more defendants based on minority race were granted release on their own recognizance or supervised release once ORAS was in effect. Disparity was measured by not being released on one's own recognizance or supervised release. The defendant's race was measured as either non-minority or minority. Non-minority included the race category of white, non-Hispanic. Minority included the race categories of Hispanic or Latino, black or African American, American Indian or Alaskan native, Asian or pacific islander, unknown / other. It was hypothesized that in 2017 before ORAS was adopted, defendants based on the minority race would be less likely to be release on their own recognizance or supervised release than the defendants in 2019 when ORAS was being used.

Referring to Table 2, of the 306 individuals in the first six-months of 2017 who classified themselves as minority (White, Hispanic or Latino, Black or African American, Unknown/Other), 9 (3%) were released on their recognizance, and 297 (97%) were not released on their own recognizance and was given another type of initial bond.

Of the 130 individuals in the first six-months of the ORAS sample of 2019 who classified themselves as minority (White, Hispanic or Latino, Black or African American, Unknown/Other), 4 (3%) were released on their recognizance, 37 (28%) were given supervised release, 87 (67%) were given a monetary bond and 2 (2%) were given another

type of initial bond. After running a two-tailed independent t-test for bond type release on own recognizance / supervised release and variable minority race between the two time periods of 2017 and 2019, the p-value was less than .05 (i.e. 0.001) showing that there was a statistical difference in the mean for minorities race between the two time periods indicating the support for hypothesis three.

Hypothesis 4

Bond Disparity (Monetary Bond Amount) by Gender

The analysis of the fourth hypothesis looked to determine if more defendants based on gender received a high monetary bond amount rather than a low monetary bond amount. Disparity was measured by having a high monetary bond amount. The defendant's gender was reported based upon self-identification, male or female. It was hypothesized that in 2017 before ORAS was adopted, defendants based on gender would receive higher monetary bond amounts than the defendants in 2019 when ORAS was being used.

Referring to Table 3, of the 85 offenders in the first six-months of 2017 that identified themselves as female, 27 (31%) were given a high monetary bond amount of $10,000 or greater, and 55 (65%) were given a low monetary bond amount of $9,999 or less.

Of the 46 offenders in the first six-months of the ORAS sample of 2019 that identified themselves as female, 5 (11%) were given a high monetary bond amount of $10,000 or greater, 13 (28%) were given a low monetary bond amount of $9,999 or less, and 28 (61%) did not receive a monetary bond and was given another type of initial bond. After running a two-tailed independent t-test for the variable monetary bond amount and variable female gender between the two time periods of 2017 and 2019, the p-value was more than .05 (i.e. 0.675) showing that there was not a statistical difference in the mean for the female gender between the two time periods indicating the failure to find support for hypothesis four.

Hypothesis 5

Bond Disparity (Monetary Bond Amount) by Race

The analysis of the fifth hypothesis looked to determine if more defendants based on race received a high monetary bond amount rather than a low monetary bond amount. Disparity was measured by having a high monetary bond amount. The defendant's race was measured as either non-minority or minority. Non-minority included the race category of white, non-Hispanic. Minority included the race categories of white Hispanic or Latino, black or African American, American Indian or Alaskan native, Asian or pacific islander, unknown / other. It was hypothesized that in 2017 before ORAS was adopted, defendants based on race would receive higher monetary bond amounts than the defendants in 2019 when ORAS was being used.

Referring to Table 3, of the 306 individuals in the first six-months of 2017 who classified themselves as minority (White, Hispanic or Latino, Black or African American, Unknown/Other), 171 (56%) were given a high monetary bond amount of $10,000 or greater and 126 (41%) were given a low monetary bond amount between the amount of $1-$9,999.

Of the 130 individuals in the first six-months of the 2019 ORAS sample who classified themselves as minority (White, Hispanic or Latino, Black or African American, Unknown/Other) 36 (28%) were given a high monetary bond amount of $10,000 or greater, and 51 (39%) were given a low monetary bond amount between the amount of $1-$9,999. After running a two-tailed independent t-test for the variable monetary bond amount and variable race minority between the 2017 sample and 2019 ORAS sample, the p-value was less than .05 (i.e. 0.008) showing that there was a statistical difference in the mean for the race minority between the two samples indicating the support for hypothesis five.

Hypothesis 6

Ordinary Least Squares (OLS) was utilized to determine the effect of the independent variables gender, race, and the initial bond of release on own recognizance/supervised release had upon the dependent variable recidivism. This analysis sought to discover what independent variables influence the likelihood of a defendant recidivating based on re-arrest. It was hypothesized that the use of the Ohio Risk Assessment System will be a more influential predictor of recidivism than the

factors of gender, race, and type of initial bond. Referring to table 4, the adjusted r square was 2%. There were 588 observations, which included the 2017 dataset and the 2019 ORAS dataset. Utilizing OLS, the variable gender was not statistically significant with the p-value more than .05 (i.e. 0.641) and the variable race was not statistically significant with the p-value more than .05 (i.e. 0.733). The variable release on own recognizance or supervised release indicated statical significance with the p-value less than .05 (i.e. 0.003) and the variable ORAS indicated statical significance with the p-value less than .05 (i.e. 0.001). Therefore, the variable ORAS being most statistically significant out of the variables indicates the support for hypothesis six.

Conclusion:

In this chapter, the analysis and findings used in this research are discussed. The analysis was performed in order to test hypotheses specified earlier in the thesis. Of the six hypotheses, five of the six were supported in the analysis. Hypotheses one, two, three, and five all had a statistical difference in the mean with p values lower than 0.05. ORAS reduced recidivism, the bond type of own recognizance or supervised release was greater for females and minorities in 2019 than in 2017, minorities in 2019 had a lower percentage of high bond amounts than in 2017, and ORAS was the most influential predictor of recidivism. However, for hypothesis four, statistical significance was not found. Females in 2019 did not have a lower percentage of high bond amounts than in 2017. In the final chapter, a summary of the findings is provided along with this research limitations, contributions, and recommendations for future work related to ORAS will be brought forth.

Chapter 5
Discussion

This thesis sought out to examine if the Pretrial Assessment Tool (PAT) within the Ohio Risk Assessment System (ORAS) helps lower recidivism rates, increase more defendants based on gender or race in receiving the initial bond types of release on own recognizance or supervised release, and if more defendants based on gender or race receive lower monetary bond amount based. The results of this study are encouraging for future research and analysis to be done in regards to the PAT within ORAS. In this chapter, the major findings will be discussed, along with several limitations, recommendations, and contributions related to the present study.

Major Findings

When reviewing the first hypothesis, the most prevalent finding was the statistical significance. The result indicates that there was a statistical difference in the mean, p-value <0.05 (i.e. 0.030) for recidivism between the 2017 sample and the 2019 ORAS sample indicating the support for hypothesis one. Therefore, as hypothesized, once the court began using ORAS, the recidivism rate lowered.

Next, this study proposed and predicted that the PAT within ORAS would reduce the likelihood of gender or race initial bond disparities. Both hypotheses had statistical difference in the means for support in the present study.

For hypothesis two, the result shows that there was a statistical difference in the mean, p-value <0.05 (i.e. 0.001) for female's bond type of own recognizance or supervised release between the 2017 sample and the 2019 ORAS sample showing support for hypothesis two. Therefore, the bond type of own recognizance or supervised release was greater for females in 2019 than in 2017.

For hypothesis three, the result shows that there was a statistical difference in the mean, p-value <0.05 (i.e. 0.001) for minorities bond type of own recognizance or supervised release between the 2017 sample and the 2019 ORAS sample showing support for hypothesis two. Therefore, the bond type of own recognizance or supervised release was greater for minorities in 2019 than in 2017.

Offenders face a variety of barriers in achieving fair bond amounts. It was hypothesized that an offender's race or gender demographics may have more of a statistical impact on monetary bond amounts. This study proposed and predicted that PAT within ORAS would reduce the likelihood of race or gender monetary bond disparities. Research has shown that objective based risk assessments that are conducted at the earliest points, such as the pretrial stage, are best at avoiding racial disparity (Alsdorf et al., 2015). However, only one out of the two hypotheses regarding bond amount had statistical difference in the means for support in the present study.

For hypothesis four, the use of the Ohio Risk Assessment System reduces the likelihood of gender monetary bond disparities, the independent t-test showed that there was not a statistical difference in means between both the 2017 sample and 2019 ORAS sample p-value <0.05 (i.e. 0.68 for female). It should be noted when descriptive statistics was utilized on the 2017 sample and 2019 ORAS sample there was a 57% increase for female defendants that were given another form of initial bond that was not a monetary bond amount after ORAS was adopted. However, due to the means not being statistically different when an independent t-test was used, hypothesis four was not supported.

For hypothesis five, the use of the Ohio Risk Assessment System reduces the likelihood of race monetary bond amount disparities, the results show that there was statistical difference in the mean (i.e. 0.008) for the monetary bond amount regarding the minority race between the 2017 time period and the 2019 ORAS sample. Therefore, minorities in 2019 had a lower percentage of high bond amounts than in 2017, finding the support for hypothesis five.

For hypothesis six, the use of ORAS will be a more influential predictor of recidivism than the factors of gender, race, and initial bond type, the OLS regression results showed that the variable ORAS had the smallest p-value finding the support for hypothesis six that ORAS was the most significant predictor of recidivism.

Conclusion

The overall objective of this thesis was to investigate the value of risk assessments, more specifically the Ohio Risk Assessment System, in a pretrial court setting using Youngstown Municipal Court data. The results are encouraging to show that

risk assessments, specifically ORAS, are of value in a pretrial court setting. The analysis resulted in the support of five of the six hypotheses proposed. Hypotheses one, two, three, and five all were statically significant. ORAS reduced recidivism, the bond type of own recognizance or supervised release was greater for females and minorities in 2019 than in 2017, minorities in 2019 had a lower percentage of high bond amounts than in 2017, and ORAS was the most influential predictor of recidivism. However, statistical significance was not found in hypothesis four. Females in 2019 did not have a lower percentage of high bond amounts than in 2017. Future research on a larger sample and different setting are encouraged in order to provide better insight on the benefits of the pretrial tool in ORAS to ultimately benefit the Ohio criminal justice system.

Limitations

One limitation of this study is the size of both time periods in the sample. Due to time constraints, the sample size was only the first six months of both time periods, 2017 and 2019. However, this study provided current research. This research initiated at the end of 2019 and used the most recent data available. The data gathered in this research should be considered preliminary until more data can be collected on a larger sample.

Another limitation could be that the relatively small sample from Youngstown, Ohio does not accurately portray or represent all of the state of Ohio. However, the ORAS and its Pretrial Assessment Tool accurately portrays the classified risks with Ohio conditions since it was validated on Ohio's population (Koepke & Robinson, 2018). Nevertheless, future research is recommended to see if other Ohio cities get the same results that this thesis reveals.

Another limitation was this study was susceptible to non-response bias due to the risk assessment being voluntary. More specifically, 251 (60%) of the 2019 data were either excluded for having a felony offense of violence or declined to participate. Since the start of 2020, Youngstown Municipal Court includes all offenses, including a felony offense of violence. However, they are still having quite a few people declining participation. There could be a variety of reasons a defendant would decline to participate in the assessment. The assessment is done early in the process before their initial appearance, before counsel is appointed. Some potential defendants might see that the

assessment asks about having a criminal background and he/she chose not participate in the assessment in order to not incriminate themselves before speaking with counsel. The risk assessment is also voluntary so defendant's rights are not infringed upon. There can also be selection bias. It could be suggested that the individuals who are volunteering to participate in the assessment are the individuals who are less likely to recidivate.

Another limitation to the present study could be the exclusion of socioeconomic considerations from the sample. Some studies have indicated that poverty is a significant factor in recidivism. It is important to note that nearly all of Youngstown, Ohio exists within a perpetual state of economic deprivation. The median household income in Youngstown, Ohio in 2017 was $26,295, compared to the United States median household income of $61,937 (City-data, 2017). Furthermore, 36.8 percent of Youngstown residents live below the poverty line; 48.3 percent for African American residents and 33.5 percent for white residents (City-data, 2017). Due to the uniformity of low income throughout the city of Youngstown, Ohio, and the lack of access to the defendant's socioeconomic status, data regarding socioeconomic status was excluded.

Lastly, the Youngstown Municipal Court is considering changing from the Ohio Risk Assessment System to the Public Safety Assessment in the near future. Thus, this current study may not pertain to the future of assessment of the court and be limited for the court use temporarily.

The Public Safety Assessment is an algorithmic pretrial risk assessment that was developed using nine datasets from seven states, Ohio being one of the seven (DeMichele, et.al., 2019). Research has shown that the Public Safety Assessment-Court (PSA-Court) is a risk assessment that, "accurately predicts the risk of new crime, new violence, and court appearance in a manner that not only improves public safety, but also enhances fairness and helps jurisdictions use resources more efficiently" (Alsdorf, Holsinger, Milgram, & Vannostrand, 2015, p.220). PSA-Court was validated successfully in the entire state of Kentucky and three diverse counties in the United States (Alsdorf, Holsinger, Milgram, & Vannostrand, 2015, p.220). "In Kentucky, the tool has helped judges reduce crime by up to 15 percent among defendants on pretrial release, while at the same time increasing the percentage of defendants released before trial" (Alsdorf, Holsinger, Milgram, & Vannostrand, 2015, p.220). The PSA-Court was

intended to be and research has proven that it to be race and gender neutral. The assessment's factors pertain to criminal history, current charge, and current age; and no factors are included that could be implicitly or explicitly discriminatory, such as education level, socioeconomic status, race, gender, or neighborhood of residence. The benefits of this design have been born out in the results from Kentucky: the tool has accurately classified defendants' risk levels without regard to whether they were white or black, male or female" (Alsdorf, Holsinger, Milgram, & Vannostrand, 2015, p.220).

Recommendations for Future Research

Future research would be beneficial to professionals in the criminal justice system regarding gender or race disparities that risk assessments may help with. In reviewing literature, it was observed that little research was done on gender and race bond disparities and recidivism rates before or after risk assessments were adopted since risk assessments are a fairly new concept in the criminal justice system. This study should set a precedent for future research to be done on risk assessments with hopes that it will someday benefit the criminal justice system.

The second recommendation for future research is for the researcher to obtain a larger sample of defendants before and after PAT within ORAS was adopted in the Youngstown Municipal Court. This would allow for more conclusive results concerning factors that influence disparities and recidivism.

The third recommendation would be to further conduct revalidation studies of the Ohio pretrial risk assessment. Revalidation will provide further evidence that risk assessments will reduce the recidivism rate and maybe shed more light on the possibility of racial or gender bond disparities without the use of a risk assessment.

The fourth recommendation would be to analyze recidivism rates, based on re-arrests, within a longer period than six-months. This would create a better indicator on the impact a risk assessment may have on the recidivism rate or gender and race disparities. Researchers could further analyze the types of crime committed and how many times someone was arrested in their life, to also help determine recidivism rates.

The fifth recommendation would be to construct the same research in a different Ohio setting, location, culture, and see if they receive the same results.

The sixth recommendation would be to examine the cost benefit of using a risk assessment. Examining the costs associated with having a risk assessment compared to other sentencing options could play a role into other courts adopting the use of ORAS. Initially, at a pretrial level, risk assessments may cost more, but long-term effects may outweigh the short-term costs. This could create a greater cost savings for the community and state tax payers.

The seventh recommendation would be to examine how pretrial risk assessments can be to incentivize defendants to participate in the pretrial assessment. In this research, 60% of defendants were not assessed. Therefore, it would be recommended to try to find incentive ways for more defendants to participate. An increase in the defendant's participation rate would help avoid non-response bias or selection bias. It would also help future researchers to analyze how ORAS is affecting the recidivism rate on broader group of defendants.

Contributions

While the data did not show support for all six of the hypotheses proposed, this research still offers insightful and valuable information concerning PAT within ORAS and the future of other criminal justice risk assessments. Several contributions stand out that are worth mentioning.

First, this study can influence other courts that are debating whether or not to establish a pretrial risk assessment in their county. If other courts can observe positive changes and the extent of risk assessments effectiveness, it will hopefully find ways to incorporate the assessment in their courts. By other Ohio courts adopting the use of the ORAS, it will contribute the uniformity and consistency of a fairer criminal justice system among the counties and courts within the counties.

Second, the present research would be a good starting point for a researcher to further analyze how the ORAS has affected other Ohio counties and how a risk assessment in general can impact a court. This research lays out a foundation on a topic that is relatively new to the criminal justice system and can provide insight to other researchers. This study can also help gear other researchers towards other variables that

ORAS could have impacted, rather than spending time on the variables this study found were not significant.

Third, this study shows how valuable a pretrial risk assessment can be on the recidivism rate, initial bond types, and the monetary bond amounts. The results of this study highlight the importance of risk assessments in the criminal justice system and ways risk assessments can make a more just system. The pretrial risk assessment in ORAS can help lower the recidivism rate, help more defendants based on race or gender be released on their own recognizance or be granted supervised release without having to post bail, and can help minority defendants be granted lower monetary bond amounts, making the criminal justice system a fairer system for all.

Lastly, this thesis highlights the importance of bail reform as discussed in the Bail Reform Act. By focusing on the importance of bail reform, and ORAS effectiveness, it can provide insight for future bail reform and risk assessment policies. If the criminal justice system can observe positive changes when bail reform and risk assessments are used and the extent of its effectiveness, it will hopefully create a fairer criminal justice system for all defendants, no matter their race or gender.

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Appendices

Figure 1 - Purpose of Policy

PURPOSE

The purpose of this policy is to set forth the requirements for the Youngstown Municipal Court Pretrial Department.

APPLICABILITY

This policy applies to all employees of the Youngstown Municipal Court Pretrial Department and all defendants under its supervision.

POLICY

It is the policy of the Youngstown Municipal Court Pretrial Department to complete a validated risk assessment and Pretrial Report prior to each scheduled video arraignment in Youngstown Municipal Court. Pretrial Officers shall follow this procedure for individuals placed on supervised release and for the purpose of data collection.

PROCEDURES

A. Assessment

Pretrial Officers shall identify all scheduled video arraignments each day court is in session and complete the following:

a. Each defendant scheduled to appear for video arraignment shall be afforded the opportunity to complete a Pretrial Interview Form. (Appendix A)

b. Pretrial Officers will use information collected from the Pretrial Interview, Form and other collateral information to complete the Pretrial Assessment Tool (Appendix B) and Responsivity Assessment. (Appendix C)

c. Pretrial Officers will complete a Pretrial Recommendation Report (Appendix D) based upon the defendant's risk score and other collateral information collected.

B. Supervision

Each defendant granted supervised release will meet with a Pretrial Officer immediately following their scheduled hearing to complete the following:

a. Conditions of Supervised Release. (Appendix E) Defendant shall read and sign this form acknowledging they fully understood it and received a copy of the same.

b. Reporting Instructions. Defendant shall receive written notification of reporting instructions as indicated by the court and/or as indicated by each defendant's risk score.

c. Consent to Release Confidential Information form. (Appendix F)

C. Non-Compliance

Non-compliance to any of the Conditions of Supervised Release shall be reported to the court by completing a Notification of Possible Supervised Release Violation form. (Appendix G)

D. Data Collection

Pretrial Officers shall collect information on the following domains and enter the information into one centralized database.

a. The date of the defendant's arrest;
b. The date of the defendant's final release;
c. The case number;
d. The name of the court;
e. The name of the judge;
f. The name of the offender;
g. The city, county, and state of the offender's residence;
h. The name of the offense;
i. The section of the revised code that specifies the offense;
j. The degree of the offense;
k. The validated risk assessment tool used to set bail;
l. The risk score assigned to the offender;
m. Release recommendations;
n. Monetary bail amount set;
o. Whether a bail schedule was used;
p. The rate at which defendants released on bail or under pretrial supervision cause physical harm to persons or property;
q. The rate at which defendants released on bail or under pretrial supervision fail to appear before the court as required;
r. The rate at which the court accepts the recommendation of a pretrial service agency in setting bail.

Figure 2 - Court Document

Youngstown Municipal Court
9 West Front Street
Youngstown, Ohio 44503)
State of Ohio,)
Mahoning County)
)
Plaintiff)
)
)
vs. Case Number: _____)
)
)

Defendant

Defendant advised of the nature of the charge(s) and the potential penalties. Defendant advised of his/her constitutional rights. Defendant is referred to and ordered to comply with the Standard Conditions of Supervised Release as monitored by the Youngstown Municipal Court Pretrial Services Department.

Additional Conditions:

___ No Contact with _____

___ Drug and Alcohol Evaluation

___ Mental Health Evaluation

___ Electronically Monitored House Arrest

___ Continuous Alcohol Monitoring

___ Random Drug and Alcohol Screening

___ Other _____

Other _____

IT IS SO ORDERED

_____

Judge Carla J. Baldwin

Figure 3 - Pretrial Interview Form

Mahoning County — Pretrial Interview Form
Advisement Prior to Interview

This form is being provided to you by Community Corrections
Association, Inc., Mahoning County Pretrial Probation Department. It
is going to be used to collect information from you that will be used by
the court to determine your pretrial release status. We will not ask you
anything about your charge. Please do not tell us anything about your
charge; if you do it can be used against you in court. The information
that you give will be verified. Please understand that any false
information that you give can delay final decisions about your release
status. You may choose to not provide any information.

Do you wish to proceed? (Circle and initial)   Yes

_____ No _____ Date: _____

Witness Signature/ Date:

_____

DEFENDANT: information		
Name:	Date of Birth:	
Aliases:	Social Security #:	
Sex: Male Female	Race: Caucasian African American Hispanic Asian Other:	Height: Weight: Passport: Yes No
Marital Status: Single Married Separated Divorced Widowed		
Children: Yes No	If Yes, Number:	Live with Children: Yes No
Age of Children:	Primary Caregiver of Children: Yes No	
Verified By:	Unverified:	
RESIDENCE INFORMATION		
Length of residence-in the State: _____Years _____Months_____Days Not State Resident/ State:		
Present Address (Street): Apt. #		
(City) (State)		

Who-do you live with:		Relationship: Spouse Children Parent(s) Other Family Non-Family Live Alone
Telephone:	Can return to Residence: Yes Na	Own Rent

How long at this address: _____Years _____ _____ Days Months	
Get mail at this address: Yes No	When were you last at this address?
Stay at any other address: Yes No	

List other address (Street):		Apt. #	
(City)		(State)	
Who do you live with?		Relationship: Spouse Children Parent(s) Other Family Non-Family Live Alone	
Telephone:	Can return: Yes No		Own Rent
How long at this address: ___Years ___Months ___ Days			
Get mail at this address: Yes No		When were you last at this address?	
Verified By:		Unverified:	
Comments:			

EMPLOYMENT/ SCHOOL STATUS/' MILITARY HISTORY

Unemployed: Yes No		If Yes, How long:	
How are you supported:			
Current Employment: Full-Time Part-Time			
Where employed:		Occupation:	
How long: Years Months Days		Date last worked:	
Work address (Street):			
(City) (State)			
Supervisor's Name:		Phone:	
Schools Status: Last year of school completed:		Currently in school: No	
If in school, name:			
Military Status: Currently in military: Yes No		If yes, branch/unit:	
Ever in military: Yes No	Branch:		Discharge Type:

HEALTH INFORMATION
Current problem with: AlcoholDrugs Mental Illness
Currently in treatment for: Alcohol Drugs Mental Illness Name of treatment program:

Ever in treatment for: Alcohol   Drugs   Mental Health
Name of treatment program: _____

Verified by:	Unverified:
Comments:	

SELF-REPORTED CRIMINAL HISTORY

Number of prior arrests:	Number of prior convictions:
Are you currently on: Pretrial Release Probation Parole	
Name and phone number of supervising officer:	

REFERENCES

Name	Address	Telephone	Relationship

Figure 4 - Self-Report Survey

SELF-REPORT SURVEY - ASSESSMENT TOOL

Name: _____ Todays Date: _____ .

The following questions ask about several things in your life, such as education, employment, your family, and your beliefs. Please answer the following questions as best that you can. There are no right or wrong answers to these questions, some questions will be simple yes/no questions-and others will ask you to circle a number which corresponds to how much that statement reflects your beliefs or is true for you.

2. In school were you ever suspended or expelled? Yes   No
3. Were you employed at the time of your arrest?
   If yes, how many hours per week did you work?
4. Have you ever quit a job without having another one?
5. Current Marital Status:
   Married (or common law)
   Divorced
   Single
   Widowed
   Separated

For the following statements, circle the answer that best describes how you feel.

6. It is possible to overcome your past.

Strongly agree	Agree		Undecided	Disagree	Strongly Disagree
1	2	3	4	5	

7. Would others describe you as someone who walks away from a fight or the first to get into it?

Always walks away	Usually walks away	Sometimes walks away	Rarely walks away	First one in
1	2	3	4	5

8. I'm often concerned when hear about other people's problems.

Strongly agree	Agree		Undecided	Disagree	Strongly Disagree
1	2	3	4	5	

9. How much. do you agree with this statement: "Do unto others before they do unto you?"

Strongly agree	Agree		Undecided	Disagree	Strongly Disagree
1	2	3	4	5	

---

10.   I want to ask you about your temper. Excluding the current charge, tell me about times you have lost your temper:
    What happened?

_____

11.   Excluding the current charge, have you ever hurt anyone because you lost your temper, give examples: _____

_____
_____

12.   When you want someone to do something they don't necessarily want to do, how do you get them to do it?

_____

13.   Excluding the current charge, have you ever been charged with intimidation, threatening others or using violence? _____

_____

14. Have you ever been written up for intimidation, threatening others, or using violence when you were incarcerated, please explain?

_____

_____

Probe to determine if the defendant has a history of using violence or intimidation to get what they want.

15.   Can you describe some high-risk situations you might encounter when released? _____

_____

16.   What would be some different ways you might handle •these situations?

_____

Probe to see if the defendant can recognize risky situations and in multiple and realistic ways to handle them.

17.   What do you think you need to do-to stay out of trouble when you get out of jail?_____

_____

18.   What are some things you have tried in the past to stay out of trouble with the law? _____

_____

19.   Are there some other things you have yet to try?

_____

_____

20.   Good Problem-Solving Skills   Poor Problem-Solving Skills

21.   Would you describe yourself as someone who "Walks Away from a Fight", "Tries to avoid it but it seems to find you", or "First One In".

_____

_____

22.   As a general rule, do you think most people are out for themselves, explain?

_____

23.   Have you heard the saying, "Do unto others, before they do unto you?" In general, do you agree with this statement, explain?

_____

_____

24.   How do you feel about getting some help or participating in programs? _____

_____

Questions:

I. Aside-from the current charges, do you have any prior arrests or convictions: Y

N

2. How old were you when you were arrested for the first time? _____

3. What   was   it   for?
_____

4. As an adult, have you ever gotten a warrant filed for failure-to-appear to court? Y N

5. How many times? _____

6. How many times during the past two years?_____

7. What happened as a result?
_____

8. Have you ever been incarcerated in jail as a result of a conviction?
(Probe to make sure that incarceration was a result of sentencing and not simply pretrial detention).

9. How many times?_____

10. Have you ever been to prison?Y

11. How many times?_____

12. Were you employed at the time of arrest? Y N

13. If employed, how many hours a week do you work?
_____

14. Is work,   Temporary   Seasonal   or Permanent?

15. Are you in school?   Y   N

16. If yes, Full-time   Part-time?

17. If not employed or enrolled in school, are you Retired Disabled Full-time Homemaker?

18. How long have you lived at your current residence? _____

19. Is this your primary residence?   Y

20. Do you own   or   rent?

21. if you have moved in the past six months, what was the reason?
_____

22. Have you ever had a problem with drugs other than alcohol? Y
23. Excluding the current charge, have you ever been arrested for drug use? Y   N
24. When?

_____

25. What drugs have you used?

_____

26. What is your drug of choice?

_____

27. How often, on average, do you use?

_____

28. Have you used drugs in the last six months? Y   N
29. Has your drug use affected other parts of your life? Y   N
     -If yes, proceed to next questions
30. For example, has a doctor ever told -you to quit using drugs?
     Y
31. Have you ever had problems- at work because of drug use? .
32. How does your family feel about your drug use?

_____   _____

(Probe about problems with health, relationships (family, social), legal, etc.) .

If I asked you to rate the severity of your drug use problem on a scale from 1 to 5, with 1 being few or no problems and 5 being many problems, what score would you give yourself?

	1	2	3	4	5
	Few or none				Many problems

THANK YOU

Figure 5 - Pretrial Assessment Tool

OHIO RISK ASSESSMBNT SYSTEM: PRETRIAL ASSESSMENT TOOL (ORAS-PAT)

Name: Date of Assessment:

Case#:   Name of Assessor:

1.1.   Age at First Arrest

               0—33 or
                    older

Number of Failure-to-Appear Warrants Past 24 Months

            O-None 1-One
           Warrant for FTA

1.3.   2—Two or more FTA Warrants

Three or more Prior Jail Incarcerations

           O-N0

1.4.

Employed at the Time of Arrest

           0— Yes, Full-time

1.5.   I— Yes, Part-time
           2— Not employed

Residential Stability

1.6.
           0—Lived at Current Residence Past Six Months
           I—Not Lived at Same Residence

1.7.   Illegal Drug Use during Past Six Month

           O-N0

Severe Drug Use Problem

           O-N0

                                                          Total Score: -

Scores	Rating	% of Failures	% of Failure to Appear	% of New Arrest
0-2	Low	5%	5%	0%
3-5	Moderate	18%	12%	7%
6+	High	29%	15%	17%

Figure 6 - Responsivity Assessment

RESPONSIVITY ASSESSMENT

Considering the entire interview as well as official records, the next section is designed to identify special considerations or responsivity factors that might affect the defendant's engagement in the program or supervision. For each of following areas check the-boxes that best describe the offender for each of these items.

____ Low Intelligence

____ Physical Handicap (describe)

_____

____Reading or Writing significantly below normal*

____ Mental Health Issues* (list diagnosis)

_____

____ Motivation is a problem* (No desire to change/ participate in program) Note, some defendants will be motivated to obtain help in some areas, but not others. For example, they may not want assistance in getting a job, but are willing to go to substance abuse treatment. Please provide information:

_____

_____

_____

____Transportation is a problem

____Child care is a problem

Language is a problem. List defendant's native language:

Ethnicity or cultural barriers. Describe:

History of Abuse/ Neglect poses a barrier for defendant. Explain:

_____

____ Interpersonal Anxiousness (defendant is very nervous and may require program with little confrontation)

Other, please explain:

*If these items are checked it is strongly recommended that further assessment be conducted to determine level of severity.

Figure 7 - Pretrial Recommendation Report Example

MAHONING COUNTY PRETRIAL SUPERVISION
PRETRIAL RECOMMENDATION REPORT

---

case #
Court Date

Youngstown Municipal Court
Honorable Judge: _____

Defendant _____ was assessed by the Mahoning County Pretrial Supervision program on this 1st Day of _month_, _year. The defendant is a (31) thirty-one-year-old African American Male, in good physical and mental condition and is not in treatment. He resides in Youngstown, Ohio and has been an active member of the community for (31) thirty-one years.

The defendant resides at _____location_____ and has lived there for (20) twenty years, with his grandfather _____ .

The defendant is unemployed, but reports receiving $750.00 a month from Social Security. The defendant reported having ownership of a vehicle, having no ownership of property and having no savings or checking accounts.

The defendant reported a history of substance use and has used opiates, cocaine, heroin, marijuana and Suboxone, the defendant reported Suboxone is his drug of choice. The defendant reports using Suboxone six months ago. He reports being in treatment in the past in Columbus Ohio and is not in treatment at this time.

The defendant has previously been convicted of Disorderly Conduct, (Youngstown) __month, year__, Possession of Marijuana (Youngstown), Possession of Cocaine, Possession of Heroin, Possession of Drugs, and Possession of a Dangerous Drug (Mahoning), Obstructing Justice, and Carrying a Concealed Weapon.

The defendant was under the supervision of the Adult Parole Authority and his supervision history, includes (1) one probation violation, two local incarcerations and one prison commitment. The defendant has two prior failure to appear bench warrants. At the time of the current arrest, the defendant was not on any active supervision, release pending trial, sentencing or appeal.

The defendant was assessed using the Ohio Risk Assessment System Pretrial Assessment Tool and received a Moderate risk score to determine that defendant is of Moderate risk of nonappearance or a threat to the safety of any persons or the community.

Taking all factors into consideration, it is respectfully recommended that the defendant be granted eligibility for supervised release under the supervision of the Youngstown Municipal Court Pretrial Services Department.

As a special condition of the supervised release, it is further recommended that the defendant be ordered to follow all conditions of the Youngstown Municipal Court Pretrial Services Department.

Reviewed by,   Respectfully
                                                       Submitted,

_____   _____

Chief Probation Officer   Pretrial Officer

Figure 8 - Conditions of Supervised . Release

PRETRIAL SERVICES DEPARTMENT
26 South Phelps Street Youngstown, Ohio 44503 - (330)742-8848
CONDITIONS OF SUPERVISED RELEASE

Name: Case Number(s):

1. You have been granted supervised release as a condition of bond in the above listed case(s).
2. You may not leave the State of Ohio without the permission of the Youngstown Municipal Court.
3. You shall obey all federal, state and local laws and ordinances and be of good behavior.
4. You shall inform the Youngstown Municipal Court Pretrial Services Department of any changes of address, telephone number or place of employment.
5. You are not permitted to purchase or possess any firearms or weapons.
6. You are not to possess or consume any illegal drugs or substances. Only drugs prescribed by a physician may be in your possession.
7. You must notify the Youngstown Municipal Court Pretrial Services Department if you are questioned or arrested by any law enforcement officer.

The following special conditions of supervised release have been ordered by the court.
The checked items below apply to you:

1. You are to report weekly via telephone every _____   starting _____by 2:00 pm by calling (330)742-8849
2. You are to report in person to the Youngstown Municipal Court Pretrial Department located at 26 South

Phelps Street Youngstown, Ohio 44503   _____ _____ on at
AM/PM and each scheduled appointment thereafter as directed by your assigned officer.

3. Other:

_____

4. Other: 5. Other:

_____

The Conditions of Supervised Release have been explained to me and I fully understand them. Furthermore, I understand any infraction during my period of supervision of these terms may result in the revocation of my supervised release, a capias being issued for my arrest and/or additional sanctions. By signing below, I agree to waive my right of service of a Notification of Possible Supervised Release Violation form if I fail to notify the probation department of any change of address and/or telephone number or fail to comply with any conditions of my release. Further, I waive my right of service of a Notification of Possible Supervised Release Violation form if I provide a false or incorrect address.

Defendant   Date

_____
Pretrial Officer   Date

Figure 9 - Consent to Release Confidential Information

PROBATION DEPARTMENT
9 west Front Street Youngstown, Ohio 44503 - (330)742-8848
CONSENT TO RELEASE CONFIDENTIAL INFORMATION

Defendant:

_____

Social Security Number: _____

Date of Birth:

_____

Case Number:

_____

Officer:

_____

I, the undersigned do hereby give my consent to release information relating to my physical, mental, psychological, vocational, education and social conditions by individuals, physicians, agencies, hospitals or others to:

Youngstown Municipal Court
Probation Department

Such information shall be used by authorized persons in the court's probation department to monitor compliance of treatment, programming and special conditions of probation supervision as ordered by the Youngstown Municipal Court.

This information has been disclosed to you from records protected by Federal Confidentiality Rule. The Federal rules prohibit you from making any further disclosure of this information unless further disclosure is expressly permitted by written consent of the person to whom it pertains or as otherwise permitted by (42 CFR Part 2). A general authorization for the release of medical or other information is not sufficient for this purpose. The Federal Rules restrict any use of information to criminally investigate or prosecute any alcohol or drug related client.

A photocopy or facsimile of this authorization will have the same legal authority as the original.

1, do hereby understand the above statements as they apply to me and to me and do hereby express consent to disclosure for the purpose or need and the extent or nature stated above.

_____   _____
Defendant   Date

_____   _____
Witness   Date

Figure 10 - Notification of Possible Supervised Release

Violation

YOUNGSTOWN MUNICIPAL COURT PRETRIAL SERVICES DEPARTMENT

9 West Front Street Youngstown, Ohio 44503 - (330)742-8848

NOTIFICATION OF POSSIBLE SUPERVISED RELEASE VIOLATION

Defendant:

Case Number: Charge(s):

You have alleged to have violated the following condition(s) of supervised release

and/or court orders:

Condition:

Details of alleged violation:

Prepared ——————————————————————— by: Date:

_____/_____/_____

Notice received by Defendant:	Date: ____/____/____
	Date: ____/____/____
_____	
Notice served by Deputy Bailiff:	
_____	

Figure 11 – Approved Memo

Youngstown
STATE UNIVERSITY

One University Plaza, Youngstown, Ohio 44555
www.ysu.edu

August 19, 2020

Dr. Christopher Bellas, Principal Investigator
Ms. Haley Lapcevich, Co-investigator
Department of Criminal Justice and Consumer Sciences
UNIVERSITY

RE: HSRC PROTOCOL NUMBER: 008-2021
      TITLE: Does Ohio Pretrial Validated Risk Assessment Reduce the Likelihood of
                 Unequal Outcomes in Recidivism?

Dear Dr. Bellas and Ms. Lapcevich:

The Institutional Review Board has reviewed the abovementioned protocol and determined that
it meets the expectations of DHHS 45 CFR 46.104(d)(4) and therefore is exempt from full
committee review and oversight. Your project is approved.

Any changes in your research activity should be promptly reported to the Institutional Review
Board and may not be initiated without IRB approval except where necessary to eliminate hazard
to human subjects. Any unanticipated problems involving risks to subjects should also be
promptly reported to the IRB.

The IRB would like to extend its best wishes to you in the conduct of this study.

Sincerely,

S. Van slambrouck

Dr. Severine Van Slambrouck
Director Research Services, Compliance and Initiatives
Authorized Institutional Official

SVS:cc

c: Dr. John Hazy, Chair
      Department of Criminal Justice and Consumer Sciences

Table 1. Profile of Sample

Variable	2017, N=424		2019 ORAS, N=164	
	N	**Percent**	**N**	**Percent**
Recidivism				
0 = No, not re-arrested	359	85%	150	92%
1 = Yes, re-arrested	65	15%	14	8%
Gender				
0=Male	339	80%	118	72%
1=Female	85	20%	46	28%
Race				
1 = White, Non-Hispanic	118	28%	34	21%
2 = White, Hispanic or Latino	8	2%	9	5%
3 = Black or African American	297	70%	121	74%
4 = Unknown/Other	1	0%	0	0%
Race				
0 = Non-Minority	118	28%	34	21%
1 = Minority	306	72%	130	79%
Initial Bond Type				
1 = Monetary bond	412	97%	96	59%
2 = Own recognizance	11	3%	7	4%
3 = Supervised release	1	0%	59	36%
4 = Other	0	0%	2	1%
Released on own Recognizance or Supervised				
0 = No, Other Bond Type	413	97%	98	60%
1 = Yes, Released/Supervised	11+1	3%	7+59	40%
Monetary Bond Low/High				
0 = Low 0 - $9,999.99	197	48%	58	60%
1 = High $10,000 and greater	215	52%	38	40%

Table 2. Breakdown of the Hypotheses 1, 2, and 3.

Hypothesis 1: ORAS should reduce recidivism

	2017 (424)		2019 ORAS (164)		
Variable	**N**	**Percent**	**N**	**Percent**	**P-Value**
Recidivism					
0 = Not re-arrested	359	85%	150	92%	0.030
1 = Re-arrested	65	15%	14	8%	

Hypothesis 2: Bond Type of Own Recognizance or Supervised Release should be greater for females in 2019 than in 2017

	2017, N=85		2019 ORAS, N=46		
For Female Cases Only	**N**	**Percent**	**N**	**Percent**	**P-Value**
Initial Bond Type					
1 = Monetary bond	82	19%	18	39%	
2 = Own recognizance	3	1%	4	9%	
3 = Supervised release	0	0%	23	50%	
4 = Other	0	0%	1	2%	
Released on Own Recognizance or Supervised					
1 = Yes, Released/Supervised	3	4%	27	59%	0.001
0 = No, Other Bond Type	82	96%	19	41%	

Hypothesis 3: Bond Type of Own Recognizance or Supervised Release should be greater for minorities in 2019 than in 2017

	2017, N=306			2019 ORAS, N=130	
For Minority Cases Only	**N**	**Percent**	**N**	**Percent**	**P-Value**
Initial Bond Type					
1 = Monetary bond	297	97%	87	67%	
2 = Own recognizance	9	3%	4	3%	
3 = Supervised release	0	0%	37	28%	
4 = Other	0	0%	2	2%	
Released on own Recognizance or Supervised					
1 = Yes, Released/Supervised	9	3%	41	32%	0.001
0 = No, Other Bond Type	297	97%	89	68%	

Table 3. Breakdown of the Hypotheses 4 and 5

Hypothesis 4: Females in 2019 should have a lower percentage of "high bond" amounts than in 2017

For Female Cases Only	2017, N=85		2019 ORAS, N=46		
	N	Percent	N	Percent	P-Value
Monetary Bond					
1 = High $10,000 and Greater	27	33%	5	28%	0.675
0 = Low 0 - $9,999.99	55	67%	13	72%	

Hypothesis 5: Minorities in 2019 should have a lower percentage of "high bond" amounts than in 2017

For Minority Cases Only	2017, N=306		2019 ORAS, N=130		
	N	Percent	N	Percent	P-Value
Monetary Bond					
1 = High $10,000 +	171	58%	36	41%	0.008
0 = Low -$1-$9,999	126	42%	51	59%	

Table 4. Breakdown of the Hypothesis 6

Hypothesis 6: ORAS should be the most significant predictor of recidivism in the OLS regression, N=588 (Adjusted R Square = 2%)

` Variable	Unstandardized Coefficients	P-value
ORAS (1=yes, 0=no)	-0.122	0.001
Release on Own Recognizance or Supervised 1=yes, 0=no)	0.142	0.003
Gender (1=female, 0=male)	0.016	0.641
Race (1=minority, 0=non-minority)	-0.011	0.733
Constant	0.154	0.001

* Note: Bond amount was not included in the OLS regression analysis because of substantial missing data (41%)