



# Pretrial Assessment and Release Services (PARS)

Program Guidelines

May 2025



## Table of Contents

1: Program Description .....	4
1.1 Overview .....	4
1.2 Background .....	4
1.3 Goals and Objectives .....	4
1.4 PARS Program Target Population .....	5
1.5 Virginia Pretrial Risk Assessment Instrument (VPRAI) .....	6
VPRAI Overrides .....	7
Types of Release and Monitoring .....	7
2 Roles and Responsibilities .....	8
2.1 Pre-Trial Services Officer (PTSO) .....	8
2.1.1 Intake Assessment and Reporting .....	8
2.1.2 PTSO Assessment Packet .....	9
2.2 Probation .....	9
2.2.1 PARS Participation Recommendations .....	9
2.2.2 Monitoring .....	9
2.2.3 Progress Reports .....	10
2.2.4 Non-Compliance .....	10
2.2.5 Statistics .....	10
2.3 Court .....	10
2.3.1 Release at Arraignment .....	10
2.3.2 Progress Reports .....	11
2.3.3 Non- Compliance .....	11
2.4 District Attorney .....	11
2.5 Public Defender .....	11
2.6 Sheriff's Department .....	11
3 Statistics .....	12
3.1 PARS Program Data Requirements .....	12
3.2 Reports of Active PARS Participants Daily Averages .....	12
4.0 Attachments .....	13
Attachment A: Program Change Request Form .....	14
Attachment B: Eligibility Criteria for Pretrial Release Screening .....	15
Attachment C: Virginia Pretrial Risk Assessment Instrument .....	20
Attachment D: Definitions of VPRAI Questions .....	21
Attachment E: Pretrial Release Monitoring Strategy VPRAI Assessment .....	23

Attachment F: Sample Assessment Report .....25

Attachment G: Sample CJ1 Court List.....26

Attachment H: Sample Pretrial Monitoring Risk Assessment Report.....27

Attachment I: Instructions for Pretrial Release Monitoring.....29

Attachment J: Pretrial Release Monitoring Kiosk Reporting .....30

Attachment K: Probation Area Offices.....301

Attachment L: Pretrial Monitoring Progress Report .....302

Attachment M: Failure to Report Notice .....313

Attachment N: Non-Compliance Report.....335

Attachment O: Agreement for Monitored Pretrial Release .....346

Attachment P: Initial Risk Assessment and Recommendation Workflow .....357

Attachment Q: Pretrial Release Program – In Custody Arraignment.....368

Attachment R: Pretrial Release Program – Post Arraignment.....379

# 1: Program Description

## 1.1 Overview

Key members of the Orange County Superior Court and the Probation Department met and agreed upon the program guidelines memorialized in this document. Program Guidelines will be shared with the Project Management Team (PMT), a working group that was established in 2016 when the Pretrial Assessment and Supervision (PARS) pilot program was launched. The PMT consists of sponsors from the following agencies:

- Orange County Superior Court
- Orange County Sheriff Department
- Orange County District Attorney
- Orange County Public Defender
- Orange County Probation
- Orange County Health Care Agency

When stakeholders, including PMT members, have PARS Program recommendation, they will complete a Program Change Request Form (Attachment A) and email their request to the PARS Judicial Sponsor, and the Court's Deputy Chief Operations Officer and Pretrial Services Manager for consideration.

## 1.2 Background

In 2016, the Pretrial Assessment, Release and Supervision (PARS) pilot project was implemented. SB 129, which became operative in 2021, allocated funds to the Judicial Council so all California courts may establish or expand their pretrial release programs to meet the goals outlined in SB 129. The purpose of the funding, as specified in SB 129, is to provide every superior court with information and resources to support judicial officers in making pretrial release decisions that impose the least restrictive conditions to address public safety and return to court, and to implement appropriate monitoring practices and provisions of services for released individuals. Effective July 1, 2022, the Court will contract with the Orange County Probation Department to provide Pretrial Monitoring Risk Assessment Reports and program monitoring services for pretrial defendants. At which time, a new program name will be adopted - Pretrial Assessment and Release Services (PARS).

The purpose of the PARS program is to assist the Court in making pretrial release decisions through diligent data gathering, the utilization of a validated risk assessment tool, and the application of objective analysis in the recommendation of own recognizance (OR) releases. Additionally, to proactively encourage all defendants to appear at each of their court dates and to support public safety by monitoring defendants' compliance with court ordered conditions through monitoring. This aligns with the purposes outlined in SB 129.

## 1.3 Goals and Objectives

- Conduct risk assessments and complete Humphrey Financial Questionnaires for felony and misdemeanor defendants who remain in-custody for a bailable offense pending arraignment
- Make evidence-based release recommendations to the Court utilizing an established and validated risk assessment tool
- Introduce least restrictive monitoring options for release as a component to Pretrial Services
- Collect data to measure outcomes including program effectiveness and recidivism

## 1.4 PARS Program Target Population

Consideration for the PARS program will apply to in and out-custody felony and misdemeanor defendants who are appearing for their first arraignment hearing. The pretrial release screening review will include those defendants who have been charged with misdemeanor(s) (not cite and release eligible) or with felony crime(s) punishable pursuant to Penal Code § 1170(h) absent any of the following exclusions:

### Exclusions under PC §1170(h) include:

- Prior adult conviction(s), juvenile W&I § 707(b) adjudication(s), or present charge(s) for serious or violent felonies as defined in PC § 667.5(c) or § 1192.7(c), including an out-of- state felony conviction of a crime that would qualify as a serious or violent felony under California law – (see list below)
- Current or past requirement to register as a sex offender pursuant to PC § 290
- Conviction of a felony with sentencing enhancement of aggravated theft as defined in PC § 186.11
- Other expressly excluded charge(s)

### Exclusion per program guideline:

- ICE hold or under active deportation
- Out-of-county felony warrants
- Current or prior convictions of felony evading including CVC §§ 2800.2, 2800.3, and 2800.4
- PC § 186.22 all current felony gang enhancement(s) charge(s) or prior conviction(s)
- Defendants released pursuant to PC 1203.25

Defendants under Medicated Assisted Treatment (MAT) will not be excluded from participating in this program. In addition, defendants who reside out-of-county will be primarily monitored remotely.

- Attachment 1- Eligibility Criteria for Pre-Trial Release Screening

PARS program guidelines allow for PARS consideration for defendants who were not assessed prior to arraignment, whether in or out-of-custody. When defendants are ordered into PARS and an assessment has not been completed, the Vision Case Management System (CMS) will email to PTSU staff to alert them to conduct an assessment when the order is made. If a party is referred to the Probation department without an assessment, Probation will email the PTSU email box to request a telephonic assessment be completed.

The following criteria guidelines and pretrial custody status categories are now eligible/applicable for PARS consideration:

- **Non-Penal Code § 1170(h) Charges**
  - Defendants charged with non-PC § 1170(h) felonies, with charges not considered serious or violent as defined in PC § 667.5(c) or § 1192.7(c)
  - Current charge(s) do not involve firearms, GBI, or sexual assault
- **Current and Prior Serious/Violent Felonies meeting the following criteria**
  - Defendants with a VPRAI scores of ≤3

**Note:** These defendants will not be OR'd at the jail, instead these cases will be referred to the Probation Department for a recommendation to be provided to the Court.

- Defendants booked for an PC § 1170(h) eligible felony, with a prior serious/violent conviction and no criminal convictions within the last ten years, including 5 years following supervised release date
- Defendants booked for serious/violent felonies with no criminal history
- Current charge(s) that do not involve firearms, GBI, or sexual assault
- **In-custody Misdemeanor and Felony Defendants**
  - In-custody defendants appearing for their first arraignment hearing who were **not** assessed for PARS during booking, and who are remanded to the custody of the Sheriff with set bail. These defendants may be assessed for PARS at the judge's or commissioner's discretion by PTSU at the Intake Release Center (IRC).
 

**Note:** PTSU will submit a response to the Court and Probation indicating PARS eligibility and risk assessment information.
- **Out-of-custody Felony Defendants**
  - Out-of-custody defendants appearing per an arraignment letter for their first arraignment hearing are excluded from the PARS program
  - Out-of-custody defendants appearing for their first arraignment hearing may be assessed telephonically at the judge's discretion by the PTSU. Depending on the outcome of the PTSU assessment and Probation report, the judge may OR the defendant, set provisional bail, or set bail to be due by a set date in the future.
  - Defendants must provide the Court a current telephone number and monitor the phone following court hearing.
  - PTSU will submit a response to the Court and Probation indicating PARS eligibility and risk assessment information.
  - PTSU will forward the assessment to Probation for PARS eligible defendants, and Probation will submit the *Pretrial Monitoring Risk Assessment Report* to the court at next hearing day set.

### 1.5 Virginia Pretrial Risk Assessment Instrument (VPRAI)

Pretrial services agencies that use risk assessment tools are required to meet the tool validation and transparency requirements of SB 36. Penal Code section 1320.35(c)(1) mandates that any pretrial risk assessment tool used by a pretrial services agency must be validated by July 1, 2021, and on a regular basis thereafter, but no less frequently than once every three years. The Court will coordinate with the Judicial Council validation of the risk assessment tool utilized in Orange County.

The Virginia Pretrial Risk Assessment Instrument (VPRAI) will be utilized for the PARS program. The VPRAI was developed by the Virginia Department of Criminal Justice Services in 2003. Since then, several pretrial release programs throughout the US, including California, utilize this tool. VPRAI was revalidated in August 2015 by Luminosity Data Driven Justice Solutions in a three-year research study.

The purpose of the VPRAI tool is to:

- Predict the risk of court failure to appear / new arrest
- Support conditions of release pending trial
- Guide decision making for judges and/or other staff

The VPRAI is an objective research-based instrument that assess the level of risk of re-offense and failure to appear. The following risk factors are considered to calculate a risk score:

- Current criminal charge
- Pending charges
- Prior violent convictions
- Employment status

- Criminal history
- History of failures to appear
- Residence
- History of drug abuse (excludes alcohol and marijuana)

Defendants are assigned one of five risk levels based on their risk score. The VPRAI score is provided to judicial officers to assist them in deciding to release or set bail for defendants pending trial. Defendants placed onto PARS without a VPRAI score will be referred to the PTSU for determination of a risk assessment score via a telephonic referral process.

### *VPRAI Overrides*

- Pre-Trial Services Officers (PTSO) will not override the RAI score
- Probation may or may not recommend an override of the RAI score and monitoring recommendations
- Judicial officers may override Probation's recommendations
- All overrides will be recorded for statistical program evaluation purposes

### *Types of Release and Monitoring*

The following types of release and monitoring levels correspond with the VPRAI numerical score:

#### **Pretrial Release Monitoring Strategy-VPRAI Assessment\*\***

PARS Monitoring Matrix	Score 1 & 2 OR Release <b>(1)Low Risk / (2) Below Average Risk</b>	Score 3 & 4 OR Release (w/OCM Approval) <b>(3) Average Risk / (4) Above-Average Risk</b>	Score 5 through 9 <b>High Risk</b>
Planned Monitoring Duration	Release Own Recognizance	Release Own Recognizance with OCM approval	90-days or longer as approved by the Court or longer as needed
Court Reminder	X	X	X
Probation Intake and Orientation	X	X	X
**Contacts: In-Person, Telephonic, or Virtual	Subject to the recommendation of the Pretrial Deputy Probation Officer	Subject to the recommendation of the Pretrial Deputy Probation Officer or Minimum 1x / Month	Minimum 2x / Month
Substance Testing	Court Ordered	Court Ordered	Court Ordered
Electronic Monitoring	Court Ordered	Court Ordered	Court Ordered
Resource Referral	Voluntary / Court Ordered	Voluntary / Court Ordered	Voluntary / Court Ordered

*\*Probation monitoring for PARS program participants will be limited to funding levels and staff availability. The Probation Department will provide the Court with a monthly report listing the average daily number of active PARS defendants by risk levels to assess and track staffing levels and impact. As soon as staffing concerns impacting the PARS program are identified, the Court and the Probation Department will meet to discuss next steps. See section 2.2 for more information.*

## 2 Roles and Responsibilities

This section describes the roles and responsibilities of each participant in relation to the overall PARS program.

### 2.1 Pre-Trial Services Officer (PTSO)

PTSOs are Court employees assigned to the Orange County Jail's Intake & Release Center (IRC) and the Central Justice Center (CJC). Services at the jail are provided 24 hours a day, 7 days a week; services at CJC are provided during court business hours.

#### 2.1.1 Intake Assessment and Reporting

PTSOs assigned to the jail will conduct risk and financial assessments for felony and misdemeanor defendants, who remain in-custody for a bailable offense, through the booking process to determine pretrial release and PARS eligibility based upon the agreed upon target population guidelines and eligibility criteria. This includes defendants who are booked after appearing pursuant to an arraignment letter that have not been arraigned, or defendants who failed to appear pursuant to an arraignment letter, a warrant was issued, and are booked on the warrant.

PTSOs will review criminal history and obtain personal information to complete the VPRAI assessment and Humphrey Financial Questionnaire. Prior to the start of each interview, defendants will be informed that their participation is voluntary, and can decline to answer questions at any time during the interview. The defendant will only be asked questions about information that cannot be obtained from outside sources (RAP, Vision, etc.), and will be asked to confirm personal information, i.e., name, residence, employer, etc.

The interview will not include questions regarding the nature and circumstances of the current charge(s) or the weight of the evidence. If the defendant attempts to discuss either of these issues, the PTSO will inform the defendant that they are not to discuss this information and reiterate the purpose of the interview. If the defendant continues with details about the current or pending criminal case(s), the interview will be terminated and noted on the PTSO's report.

The PTSOs will assess defendants for pretrial risk factors utilizing the VPRAI and PTSO Assessment Report, which will include the risk level score. PTSOs cannot override the VPRAI score. For defendants whose score falls within the Monitoring Matrix, score 1 or 2 range, the PTSO may release the defendant on his or her own recognizance (OR) prior to arraignment or the PTSO may contact the On-Call Magistrate for their guidance. Exception: For defendants whose score falls within the Monitoring Matrix, score 1 or 2 range but are arrested for, or charged with, Health and Safety Code Section 11395 or Penal Code 666.1, the PTSO must contact the On-Call Magistrate or Duty Judge for their approval for an OR release from the jail prior to arraignment,

For defendants whose score falls within the Monitoring Matrix, score 3 or 4 range, the PTSO will contact the On-Call Magistrate or Duty Judge for their approval for an OR release from the jail prior to arraignment, unless the booking charge is for sales of narcotics, supplemental felony warrant or there is an immigration related proceeding/hold. These cases will be referred to Probation for their recommendation at arraignment.

Judicial officers may order PARS assessments for in-custody defendants who are remanded to Sheriff's custody but have not been assessed, and for out-of-custody felony defendants who were not originally assessed or whose prior assessment is older than 45 days. Court ordered assessments will be conducted by the PTSO. Out-of-custody felony defendants must provide the Court a current telephone number for the PTSO to conduct a telephonic assessment. The PTSO

will submit a *PARS Assessment Request Response Form* indicating PARS eligibility and assessment results.

On occasion, judicial officers may order a defendant directly into the PARS program without an assessment. These defendants are ordered to report to Probation for initial PARS indoctrination. When defendants are placed onto PARS without an assessment, the Vision case management system (CMS) will email PTSU to alert PTSOs to conduct a telephonic assessment.

Defendants who are eligible under the PARS expansion guidelines will be referred to Probation for their recommendation at arraignment (or next set hearing date), including those whose VPRAI scores are 1, 2, 3, or 4.

Defendants who are found to be PARS eligible, including those under expansion guidelines, will have a complete assessment report packet completed that includes the PTSO Assessment Report, VPRAI, and related criminal history documents that will be electronically sent to Probation for their review and PARS program participation recommendation to the Court.

PTSOs assigned to CXC will email the Court List to the felony arraignment courtrooms, including CJ1 (and other courtrooms as applicable), and Probation that will include whether the defendant was assessed via the VPRAI at booking or if they are PARS eligible based on the booking or filing charge(s) however no current assessment has been completed. The list will be updated throughout the day as needed.

### *2.1.2 PTSO Assessment Packet*

The PTSO assessment packet, which includes the PTSO Assessment Report, VPRAI and related criminal history documents, will remain confidential to the Pre-Trial Service Unit (PTSU) and Probation. Records will be retained per the agreed upon retention guidelines.

## *2.2 Probation*

Probation monitoring for PARS program participants will be provided by Deputy Probation Officers under the supervision of a Supervising Probation Officer at levels established by completed VPRAI assessments. The number of PARS program participants is limited to funding levels, services levels, and staff availability. The Probation Department will provide the Court with a monthly report listing the average daily number of active PARS defendants by risk levels to assess and track staffing levels and impact. As soon as staffing concerns impacting the PARS program are identified, the Court and the Probation Department will meet to discuss next steps. Communication will be sent to the PARS Judicial Sponsor, the Court's Deputy Chief Operations Officer, and Pretrial Services Manager.

### *2.2.1 PARS Participation Recommendations*

Probation will be provided with the PTSO Assessment Reports including the VPRAI and related criminal history documents. Probation will receive and review report packets and provide timely PARS participation recommendations as to release to the Court via the *Pretrial Monitoring Risk Assessment Report*. This report will be provided to the Court, deputy district attorney and defense counsel at the arraignment hearing.

Probation may override the VPRAI score and monitoring as part of their recommendation to the Court. All overrides will be recorded for statistical reporting requirements and program evaluation.

### *2.2.2 Monitoring*

Monitoring options by Probation for this program are defined in the *Pretrial Release Monitoring Strategy*. Once a defendant is accepted into the program, Probation will provide the level of monitoring and support as ordered by the Court and outlined in the Agreement for *Monitoring*

*Pretrial Release* signed by the defendant. If a defendant is placed on PARS without a VPRAI score, the level of monitoring will be established at the discretion of the assigned DPO until a VPRAI score has been provided by the Court's PTSU. However, Probation will comply with specific court orders such as drug testing and/or GPS in the interim until a VPRAI score is received.

Probation will not discuss with defendants the dynamics of the individual offense while participating in the PARS Program.

Probation will not seek to recover from defendants any costs associated with monitoring and drug testing. Defendants who are residing out of county or state may be monitored remotely.

### 2.2.3 Progress Reports

Probation will provide the Court and counsel progress reports for all hearings while defendants are participating in the PARS program. A progress report will be required if the hearing has been set 14 calendar days from the current hearing, with day one beginning the current court date. No progress will be required if a hearing is set within 14 days of the current hearing.

The reports will include a status of defendant's compliance as well as recommendations to maintain, modify or terminate PARS program participation. The Deputy Probation Officer (DPO) may recommend to the Court that the defendant move up or down monitoring or individual monitoring functions based on the defendant's performance on pretrial release monitoring. The DPO will document monitoring changes and the reasoning for the changes as part of the court progress reports.

- When a defendant with a risk score of 1 through 4 is compliant with monitoring and release conditions for 90 days, the DPO will prepare a Progress Report reflecting defendant's compliance and provide notification to the Court regarding PARS termination.
- When a defendant with a risk score of 5+ is compliant with monitoring and release conditions for 90 days, the DPO will prepare a Progress Report reflecting defendant's compliance. The Court will order PARS termination based on the defendant's progress.

Probation will inform the defendants they will stop receiving automated reminders for their scheduled hearings when they are terminated from PARS.

### 2.2.4 Non-Compliance

Probation will track compliance and determine action on non-compliance issues. Probation will report minor non-compliance issues to the Court and counsel via the *Pretrial Progress Report* at the next scheduled hearing. For serious non-compliance, a *Non-Compliance PARS Report* will be filed by Probation in the Clerk's Office to request the matter to be added on calendar at the justice center where the case is scheduled.

### 2.2.5 Statistics

Probation will provide statistical data as defined in Section 3 of this document.

## 2.3 Court

The court will establish procedures and provide staff training to ensure the successful implementation of the PARS program. Data gathering procedures will also be established to comply with JCC reporting requirements.

### 2.3.1 Release at Arraignment

The Court will exercise its discretion and consider recommendations from Probation for PARS program participation to determine the appropriate type of release or bail. The Court may override Probation's recommendations. All overrides will be recorded for statistical and program evaluation purposes.

If the Court determines that PARS program participation is appropriate, and the defendant agrees to the monitoring conditions, the defendant will sign the *Agreement for Monitored Pretrial Release* at the hearing. The signed agreement will be imaged by the court and available electronically in the case record.

Court staff will send the necessary paperwork to the jail for the defendant's release from custody.

### 2.3.2 Progress Reports

Upon receipt, the Court will consider Pretrial Progress Reports for all hearings while defendants are participating in the PARS program. The Court will determine if participation should continue under the existing monitoring conditions, be modified, or terminated.

Court staff will send a copy of the minutes to Probation after each hearing while defendant is participating in the program.

### 2.3.3 Non- Compliance

The Court will exercise its discretion and consider recommendations from Probation regarding non-compliance issues. For serious non-compliance, a *Non-Compliance PARS Report* will be filed by Probation in the Clerk's Office to request the matter to be placed on calendar at the justice center where the case is scheduled.

## 2.4 District Attorney

The Orange County's District Attorney's Office agreed to support the PARS program when it was implemented in 2016. These revised guidelines will be shared with them so they may provide staff training to ensure understanding of the program's revised guidelines, as they determine to be appropriate. Additionally, the Court will resume the PMT meetings that were paused after the COVID-19 pandemic and will extend a meeting invitation to the District Attorney's Office for continued participation.

## 2.5 Public Defender

The Orange County's Public Defender's Office agreed to support the PARS program when it was implemented in 2016. These revised guidelines will be shared with them so they may provide staff training to ensure understanding of the program's revised guidelines, as they determine to be appropriate. Additionally, the Court will resume the PMT meetings that were paused after the COVID-19 pandemic and will extend the meeting invitation to the Public Defender's Office for continued participation.

## 2.6 Sheriff's Department

The Orange County Sheriff's Department (OCSD) agreed to support the PARS program when it was implemented in 2016. These revised guidelines will be shared with them so they may provide staff training to ensure understanding of the program's revised guidelines, as they determine to be appropriate. Additionally, the Court will resume the PMT meetings that were paused after the COVID-19 pandemic and will extend the meeting invitation to the Sheriff's Department for participation.

OCSD will make available in-custody defendants to PTSO's at IRC to conduct court ordered PARS assessments and they will assist with interpreter or language line services, when possible, to conduct

interviews and assess defendants. Upon order of the Court, OCSD will release defendants on their own recognizance from the IRC.

## 3 Statistics

Statistical data will be collected to evaluate the efficacy of the PARS program. Statistics will include data elements listed in section 3.1 and as defined by the Judicial Council of California (JCC). The Court will coordinate the gathering of data from PARS program sponsor agencies, specifically Probation and OCSD.

### 3.1 PARS Program Data Requirements

The following statistical information will be gathered:

- Probation will provide release and monitoring level recommendations
- Court will provide recommendations
- Sheriff's Department (OC Jail) will provide Pretrial releases
- Court will provide:
  - overrides of release and monitoring recommendations
  - Eligible defendants screened and assessed
  - Program termination (Successful and Unsuccessful)
  - Failure to appear and warrant issuance rates

### 3.2 Reports of Active PARS Participants Daily Averages

The Probation Department will provide the Court a monthly report with the following information:

- All new and existing PARS participants.
- Identifying information including name, DOB, Court Case Number, Booking Number, and the VPRAI Score (if available).
- Monitoring level as determined by VPRAI score or DPO prior to receiving VPRAI score.
- Termination date and Termination Category.

Separately, the Probation Department will provide the Court a monthly report with the number of defendants placed on GPS during the preceding month.

If additional data is requested by JCC or other entities, Probation and the Court will meet to discuss and strategize in data collection efforts.

## 4.0 Attachments

<b>Attachment A:</b>	Program Change Request Form
<b>Attachment B:</b>	Eligibility Criteria for Pretrial Release Screening
<b>Attachment C:</b>	Virginia Pretrial Risk Assessment Instrument
<b>Attachment D:</b>	Definitions of VPRAI Questions
<b>Attachment E:</b>	Pretrial Release Monitoring Strategy VPRAI Assessment
<b>Attachment F:</b>	Sample Assessment Report
<b>Attachment G:</b>	Sample CJ1 Court List
<b>Attachment H:</b>	Sample Pretrial Monitoring Risk Assessment Report
<b>Attachment I:</b>	Instructions for Pretrial Release Monitoring
<b>Attachment J:</b>	Pretrial Release Monitoring Kiosk Reporting
<b>Attachment K:</b>	Probation Area Offices
<b>Attachment L:</b>	Pretrial Monitoring Progress Report
<b>Attachment M:</b>	Failure to Report Notice
<b>Attachment N:</b>	Non-Compliance Report
<b>Attachment O:</b>	Agreement for Monitored Pretrial Release
<b>Attachment P:</b>	Initial Risk Assessment and Recommendation Workflow
<b>Attachment Q:</b>	Pretrial Release Program – In Custody Arraignment
<b>Attachment R:</b>	Pretrial Release Program – Post Arraignment

*Attachment A: Program Change Request Form*

**PROGRAM CHANGE REQUEST**

**Change Description:** <Description>

**Analysis (Including assumptions and constraints):** <Description>

**Program Impact:** <Description>

**Acknowledgement and Approval**

I have reviewed this Program Change Request and concur with its scope, limitations, assumptions, considerations, and exceptions as stated. I request that Program Requirements document be amended with this Change Order and that the associated work be performed.

\_\_\_\_\_  
<Name/Position>  
<Dept >  
<Court Location>

\_\_\_\_\_  
DATE

## *Attachment B: Eligibility Criteria for Pretrial Release Screening*

Consideration for the pretrial release screening review will be limited to those defendants who have been charged with felony crime(s) punishable pursuant to Penal Code § 1170(h) absent any of the following exclusions:

**Exclusions** under PC § 1170(h) include:

- Prior adult conviction(s), juvenile W&I § 707(b) adjudication(s), or present charge(s) for serious or violent felonies as defined in PC § 667.5(c) or § 1192.7(c), including an out-of-state felony conviction of a crime that would qualify as a serious or violent felony under California law – (see list below)

### **Current or past requirement to register as a sex offender pursuant to PC § 290**

- Conviction of a felony with sentencing enhancement of aggravated theft as defined in PC § 186.11
- Other expressly excluded charge(s)

**Exclusion** per program guideline:

### **ICE hold or under active deportation**

- Out-of-county felony warrants
- Current or prior convictions for felony evading including CVC §§ 2800.2, 2800.3, and 2800.4
- PC § 186.22 all current felony gang enhancement(s) charge(s) or prior conviction(s)
- Defendants released pursuant to PC 1203.25

**Note:** Individuals under Medicated Assisted Treatment (MAT) will not be excluded from participating in this program.

The following are common examples that will make a defendant ineligible for the program:

- Gang crimes/charges under Penal Code § 186.22
- Current charge(s) requiring, or present requirement for, registration as an arson offender
- A few common crimes that are excluded under 1170(h) include
  - Corporal injury – spouse/co-habitant (PC § 273.5)
  - Stalking (PC § 646.9)
  - Evading a Peace Officer/Reckless driving (VC § 2800.2)

The following PARS expansion criteria guidelines and pretrial custody status categories are now eligible/applicable for PARS consideration at arraignment as of 7-2-2018:

- **Non-Penal Code § 1170(h) Charges**
  - Defendants charged with non-PC § 1170(h) felonies, with charges not considered serious or violent as defined in PC § 667.5(c) or § 1192.7(c)
  - Current charge(s) do not involve firearms, GBI, or sexual assault
- **Current and Prior Serious/Violent Felonies meeting the following criteria**
  - Defendants with a VPRAI scores of ≤3
  - Defendants booked for an PC § 1170(h) eligible felony, with a prior serious/violent conviction and no criminal convictions within the last ten years, including 5 years following supervised release date
  - Defendants booked for serious/violent felonies with no criminal history
  - Current charge(s) that do not involve firearms, GBI, or sexual assault

- **Note:** These defendants will not be OR'd at the jail, instead these cases will be referred to the Probation Department for a recommendation to be provided to the Court
- **In-custody Misdemeanor and Felony Defendants**
  - In-custody defendants appearing for their first arraignment hearing who were **not** assessed for PARS during booking, and who are remanded to the custody of the Sheriff with set bail. These defendants may be assessed for PARS at the judge's or commissioner's discretion by PTSU at the Intake Release Center (IRC).
 

**Note:** PTSU will submit a response to the Court and Probation indicating PARS eligibility and risk assessment information.
- **Out-of-custody Felony Defendants**
  - Out-of-custody defendants appearing per an arraignment letter for their first arraignment hearing are excluded from the PARS program
  - Out-of-custody defendants appearing for their first arraignment hearing may be assessed telephonically at the judge's discretion by the PTSU. Depending on the outcome of the PTSU assessment and Probation report, the judge may OR the defendant, set provisional bail, or set bail to be due by a set date in the future.
  - Defendants must provide the Court a current telephone number and monitor the phone following court hearing.
  - PTSU will submit a response to the Court and Probation indicating PARS eligibility and risk assessment information.
  - PTSU will forward the assessment to Probation for PARS eligible defendants, and Probation will submit the *Pretrial Monitoring Risk Assessment Report* to the court at next hearing day set.

## **VIOLENT FELONIES**

Pursuant to Penal Code § 667.5(c) "violent felony" shall mean any of the following:

- (1) Murder or voluntary manslaughter
- (2) Mayhem
- (3) Rape as defined in paragraph (2) or (6) of subdivision (a) of Section 261 or paragraph (1) or (4) of subdivision (a) of Section 262
- (4) Sodomy as defined in subdivision (c) or (d) of Section 286
- (5) Oral copulation as defined in subdivision (c) or (d) of Section 288a
- (6) Lewd or lascivious act as defined in subdivision (a) or (b) of Section 288
- (7) Any felony punishable by death or imprisonment in the state prison for life
- (8) Any felony in which the defendant inflicts great bodily injury on any person other than an accomplice which has been charged and proved as provided for in Section 12022.7, 12022.8, or 12022.9 on or after July 1, 1977, or as specified prior to July 1, 1977, in Section 213, 264, and 461, or any felony in which the defendant uses a firearm which use has been charged and proved as provided in subdivision (a) of Section 12022.3, or Section 12022.5 or 12022.55
- (9) Any robbery
- (10) Arson, in violation of subdivision (a) or (b) of Section 451
- (11) Sexual penetration as defined in subdivision (a) or (j) of Section 289
- (12) Attempted murder
- (13) A violation of Section 18745, 18750, or 18755
- (14) Kidnapping
- (15) Assault with the intent to commit a specified felony, in violation of Section 220

- (16) Continuous sexual abuse of a child, in violation of Section 288.5
- (17) Carjacking, as defined in subdivision (a) of Section 215
- (18) Rape, spousal rape, or sexual penetration, in concert, in violation of Section 264.1
- (19) Extortion, as defined in Section 518, which would constitute a felony violation of Section 186.22 of the Penal Code
- (20) Threats to victims or witnesses, as defined in Section 136.1, which would constitute a felony violation of Section 186.22 of the Penal Code
- (21) Any burglary of the first degree, as defined in subdivision (a) of Section 460, wherein it is charged and proved that another person, other than an accomplice, was present in the residence during the commission of the burglary
- (22) Any violation of Section 12022.53
- (23) A violation of subdivision (b) or (c) of Section 11418. The Legislature finds and declares that these specified crimes merit special consideration when imposing a sentence to display society's condemnation for these extraordinary crimes of violence against the person

### **SERIOUS FELONIES**

Pursuant to Penal Code § 1192.7, "serious felony" means any of the following:

- (1) Murder or voluntary manslaughter
- (2) Mayhem
- (3) Rape
- (4) Sodomy by force, violence, duress, menace, threat of great bodily injury, or fear of immediate and unlawful bodily injury of the victim or another person
- (5) Oral copulation by force, violence, duress, menace, threat of great bodily injury, or fear of immediate and unlawful bodily injury on the victim or another person
- (6) Lewd or lascivious act on a child under the age of 14 years
- (7) Any felony punishable by death or imprisonment in state prison for life
- (8) Any felony in which the defendant personally inflicts great bodily injury on any person, other than an accomplice, or any felony in which the defendant personally uses a firearm
- (9) Attempted murder
- (10) Assault with intent to commit rape or robbery
- (11) Assault with a deadly weapon or instrument on a peace officer
- (12) Assault by life prisoner on a non-inmate
- (13) Assault with a deadly weapon by an inmate
- (14) Arson
- (15) Exploding a destructive device or any explosive with intent to injure
- (16) Exploding a destructive device or any explosive causing bodily injury, great bodily injury, or mayhem
- (17) Exploding a destructive device or any explosive with intent to murder
- (18) Any burglary of the first degree

- (19) Robbery or bank robbery
- (20) Kidnapping
- (21) Holding of a hostage by a person confined in a state prison
- (22) Attempt to commit a felony punishable by death or imprisonment in the state prison for life
- (23) Any felony in which the defendant personally used a dangerous or deadly weapon
- (24) Selling, furnishing, administering, giving, or offering to sell, furnish, administer, or give to a minor any heroin, cocaine, phencyclidine (PCP), or any methamphetamine-related drug, as described in paragraph (2) of subdivision (d) of H&S § 11055, or any of the precursors of methamphetamines, as described in subparagraph (A) of paragraph (1) of subdivision (f) of Section 11055 or subdivision (a) of Section 11100 of the Health and Safety Code
- (25) Any violation of subdivision (a) of Section 289 where the act is accomplished against the victim's will by force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person
- (26) Grand theft involving a firearm
- (27) Carjacking
- (28) Any felony offense, which would also constitute a felony violation of Section 186.22
- (29) Assault with the intent to commit mayhem, rape, sodomy, or oral copulation, in violation of Section 220.
- (30) Throwing acid or flammable substances, in violation of Section 244
- (31) Assault with a deadly weapon, firearm, machinegun, assault weapon, or semiautomatic firearm or assault on a peace officer or firefighter, in violation of Section 245
- (32) Assault with a deadly weapon against a public transit employee, custodial officer, or school employee, in violation of Sections 245.2, 245.3, or 245.5
- (33) Discharge of a firearm at an inhabited dwelling, vehicle, or aircraft, in violation of Section 246
- (34) Commission of rape or sexual penetration in concert with another person, in violation of Section 264.1
- (35) Continuous sexual abuse of a child, in violation of Section 288.5
- (36) Shooting from a vehicle, in violation of subdivision (c) or (d) of Section 26100
- (37) Intimidation of victims or witnesses, in violation of Section 136.1
- (38) Criminal threats, in violation of Section 422
- (39) Any attempt to commit a crime listed in this subdivision other than an assault
- (40) Any violation of Section 12022.53
- (41) A violation of subdivision (b) or (c) of Section 11418
- (42) Any conspiracy to commit an offense described in this subdivision

Pursuant to Penal Code § 1192.8, for purposes of subdivision (c) of § 1192.7, "serious felony" also means any violation of:

- (1) Penal Code § 191.5
- (2) Penal Code § 192(c)(1)
- (3) Subdivision (a), (b), or (c) of Penal Code § 192.5
- (4) Vehicle Code §2800.3, § 23104(b), or § 23153 when any of these offenses involve the personal infliction of great bodily injury on any person other than an accomplice, or the personal use of a dangerous or deadly weapon, within the meaning of Penal Code § 1192.7(c)(8) or (c)(23)

**Exclusions under Welfare & Institutions Code §707(b) include the following:**

- (1) Murder (§ 187)
- (2) Arson (§ 451(a) or (b))
- (3) Robbery (§§ 211/212.5(a) or (b)/214)
- (4) Rape by force, violence, or threat of GBI [§ 261(a)(2)]
- (5) Sodomy by force, violence, duress, menace, or threat of GBI [§ 286(c)(2)]
- (6) Lewd act by force (§ 288(b))
- (7) Oral Copulation by force, violence, duress, menace, or threat of GBI [§ 288a(c)]
- (8) Sexual penetration by force (§ 289(a))
- (9) Kidnapping for ransom [§ 209(a)]
- (10) Kidnapping for purposes of robbery [§ 209(b)]
- (11) Kidnapping with bodily harm
- (12) Attempted murder [§ 664/187]
- (13) Assault with a firearm or destructive device [§ 245(a)(2)/ § 18750]
- (14) Assault by any means of force likely to produce GBI [§ 245(a)(4)]
- (15) Discharge of a firearm into an inhabited or occupied building [§ 246]
- (16) Any offense described in § 1203.09 [the following crimes committed against a person 60 years of age or old, or blind, paraplegic, quadriplegic, or confined to a wheelchair or disabled and then inflicts GBI during the commission of: (1) murder, (2) robbery (§ 211), (3) kidnapping (§ 207), (4) kidnapping (§ 209), (5) first degree burglary (§ 460), (6) rape by force (§ 261(a)(2) or (a)(6), § 262(a)(1) or (a)(4), (7) assault with intent to commit rape or sodomy (§ 220), (8) carjacking (§ 215), (9) kidnapping (§ 209.5)]
- (17) Any offense described in §§ 12022.5 or 12022.53 [use of a firearm]
- (18) Any offense in which the minor personally used a weapon as described in § 16590 (includes 26 types of weapons including dirk or dagger, concealed explosive substance, metal knuckles, nunchaku, short-barreled rifle)
- (19) Any offense described in §§ 136.1 or 137 [dissuading a witness or inducing false testimony or bribery of a witness]
- (20) Manufacturing, compounding, or selling ½ ounce or more of a controlled substance (H&S § 11055 – Schedule II (includes opium, opiates, morphine, oxycodone, cocaine, amphetamine, PCP) [§ 11352]
- (21) Any violent felony (§ 667.5(c)) which also would constitute a felony violation of § 186.22(b) [for the purposes of benefiting a criminal street gang]
- (22) Escape by force or violence (W&I § 871(b)) if GBI is intentionally inflicted upon an employee of the juvenile faculty during the escape
- (23) Torture (§§ 206 or 206.1)
- (24) Aggravated mayhem (§ 205)
- (25) Carjacking (§ 215) while armed with a dangerous or deadly weapon
- (26) Kidnapping for the purposes of sexual assault (§ 209(b))
- (27) Kidnapping in the commission of carjacking (§ 209.5)
- (28) Willfully and maliciously discharged firearm from a motor vehicle at another person (§ 26100(c))
- (29) Exploding destructive device with intent to commit murder (§ 18745). Voluntary manslaughter (§ 192(a))
- (30) Voluntary manslaughter (§ 192(a))

**Attachment C: VIRGINIA PRETRIAL RISK ASSESSMENT INSTRUMENT**

Defendant Name \_\_\_\_\_

Date of Assessment \_\_\_\_\_

Risk Factors		Points	Score
1.	<b>Primary Charge Type</b> - Is defendant charged with a felony?	No= 0 Yes= 1	
2.	<b>Pending Charge(s)</b> – Does defendant have any pending criminal charge(s) at time of arrest? <u>Note:</u> Arrests that occurred within the past 90 days from the date of the assessment, where charges have not been filed (i.e. cite and release, booking with bail/bond posted or booking with OR) will be counted as a pending charge(s).	No= 0 Yes= 1	
3.	<b>Criminal History</b> - Does defendant have one or more misdemeanor or felony convictions? <u>Note:</u> A charge with a disposition of “deferred” is NOT counted as a conviction.	No= 0 Yes= 1	
4.	<b>History of Failure to Appear</b> – Does defendant have two or more failures to appear for court?  <u>Note:</u> Failure to appear, bail jumping, or contempt of court that was a result of failing to appear is counted. Failure to appear is not counted if there is confirmation that the defendant was in custody (jail or prison) when the failure to appear occurred. Failure to appear on an Arraignment Letter is not counted.	No= 0 Yes= 2	
5.	<b>History of Violent Convictions</b> – Has defendant been convicted of two or more violent offenses?  <u>Note:</u> Violent convictions listed in CPC §667.5(c) and additional charges determined to be violent. Examples include, assault and battery (misdemeanor or felony), violations of restraining orders, and sex offenses. Out of state convictions that would qualify as violent felonies under California law will be counted. A <u>conviction</u> for <u>attempt</u> or being <u>an accessory before the fact</u> to commit any of the offenses is counted. Convictions for non-residential burglary and possession or brandishing a firearm are <b>not</b> counted as violent convictions. Convictions for <u>conspiring</u> or being <u>an accessory after the fact</u> to commit any of the offenses is <b>not</b> counted.	No= 0 Yes= 1	
6.	<b>Employed 2 years/Primary Caregiver</b> – Has defendant been employed regularly and continuously at one or more jobs, for a minimum of 20 hours per week, during the two years prior to the arrest? And/or, is defendant the primary caregiver, and consistently cares for, at least one dependent child (under the age of 18) or disabled or elderly family member, living with the defendant at the time of the arrest?	No= 1 Yes= 0	
7.	<b>Length at Current Residence</b> – Has defendant lived at current residence for 1 year or more? <u>Note:</u> A residence is where the defendant currently lives and does not include non-residences such as a jail, prison, or hospital.	No= 1 Yes= 0	
8.	<b>History of Drug Abuse</b> – Does defendant have a history of any illegal or prescription drug abuse, not including alcohol?	No= 0 Yes= 1	
<b>VPRAI SCORE</b>			

Risk Level	Score
Low	1
Below Average	2
Average	3
Above Average	4
High	5 through 9

Assessment Ofcr. \_\_\_\_\_

## Attachment D: Definitions of VPRAI Questions

2. **Pending Charge(s):** Includes: 1) pending cases with no disposition and 2) arrests that occurred within the past 90 days from the date of the assessment, where charges have not been filed (i.e., cite and release, booking with bail/bond posted or booking with OR).
3. **Criminal History-** “Adult” is defined as 18 years or older or as a juvenile previously certified by the court as an adult. Note: A charge with a disposition of “deferred” is NOT counted as a conviction.
4. **History of Failure to Appear-** Failure to appear, bail jumping, or contempt of court that was a result of failing to appear is counted. Failure to appear is not counted if there is confirmation that the defendant was in custody (jail or prison) when the failure to appear occurred. Failure to appear on an Arraignment Letter is not counted.
5. **Two or More Violent Convictions-** This includes any charge listed in California Penal Code §667.5(c) and additional charges determined to be violent offenses (Appendix A). Examples include, but are not limited to, murder, mayhem, kidnapping, robbery, carjacking, assault, assault, and battery (misdemeanor or felony), violations of restraining orders, and sex offenses (rape, sexual penetration in concert, sodomy, lewd act on a child, oral copulation, sexual penetration). Some out of state convictions should also be counted as violent. See Appendix A below.

A conviction for attempt or being an accessory before the fact to commit any of the offenses **is** counted. A conviction for conspiring or being an accessory after the fact to commit any of the offenses is **not** counted.

Convictions for non-residential burglary and possession or brandishing a firearm are **not** counted as violent convictions. Convictions for conspiring or being an accessory after the fact to commit any of the offense is **not** counted.

Scoring: Score 1 point if the defendant has two or more violent convictions (including attempts and accessory before the fact). Otherwise, score 0 points.

**“Violent offenses” shall mean any of the following:**

### Violent Charges List [§ 667.5 (c)]

- (1) Murder or voluntary manslaughter.
- (2) Mayhem.
- (3) Rape as defined in paragraph (2) or (6) of subdivision (a) of Section [261](#) or paragraph (1) or (4) of subdivision (a) of Section [262](#).
- (4) Sodomy as defined in subdivision (c) or (d) of Section [286](#).
- (5) Oral copulation as defined in subdivision (c) or (d) of Section [288a](#).
- (6) Lewd or lascivious act as defined in subdivision (a) or (b) of Section [288](#).
- (7) Any felony punishable by death or imprisonment in the state prison for life.
- (8) Any felony in which the defendant inflicts great bodily injury on any person other than an accomplice which has been charged and proved as provided for in Section [12022.7](#), [12022.8](#), or [12022.9](#) on or after July 1, 1977, or as specified prior to July 1, 1977, in Sections [213](#), [264](#), and [461](#), or any felony in which the defendant uses a firearm which use has been charged and proved as provided in subdivision (a) of Section [12022.3](#), or Section [12022.5](#) or [12022.55](#).
- (9) Any robbery.
- (10) Arson, in violation of subdivision (a) or (b) of Section [451](#).
- (11) Sexual penetration as defined in subdivision (a) or (j) of Section [289](#).

- (12) Attempted murder.
- (13) A violation of Section [18745](#), [18750](#), or [18755](#).
- (14) Kidnapping.
- (15) Assault with the intent to commit a specified felony, in violation of Section [220](#).
- (16) Continuous sexual abuse of a child, in violation of Section [288.5](#).
- (17) Carjacking, as defined in subdivision (a) of Section [215](#).
- (18) Rape, spousal rape, or sexual penetration, in concert, in violation of Section [264.1](#).
- (19) Extortion, as defined in Section [518](#), which would constitute a felony violation of Section [186.22](#) of the Penal Code.
- (20) Threats to victims or witnesses, as defined in Section [136.1](#), which would constitute a felony violation of Section [186.22](#) of the Penal Code.
- (21) Any burglary of the first degree, as defined in subdivision (a) of Section [460](#), wherein it is charged and proved that another person, other than an accomplice, was present in the residence during the commission of the burglary.
- (22) Any violation of Section [12022.53](#).
- (23) A violation of subdivision (b) or (c) of Section [11418](#). The Legislature finds and declares that these specified crimes merit special consideration when imposing a sentence to display society's condemnation for these extraordinary crimes of violence against the person.

**• Other assault and battery or domestic violence related offenses listed in;**

§§ [243\(c\)\(1\)](#), [243\(c\)\(2\)](#), [243\(d\)](#), [243\(e\)\(1\)](#), [243.1](#), [243.3](#), [243.4](#), [243.6](#), [244](#), [244.5](#), [245](#), [245.2](#), [245.3](#), [245.5](#), and/or [273.5\(a\)](#). Also, any offense under section [273.6](#), [166\(a\)\(4\)](#), or [166\(c\)\(1\)](#).

**• Out of State Convictions**

The following guidelines identify out of state convictions as violent:

- If the description of the offense uses the same or similar language as the codes listed in this appendix, count that as a violent conviction.
  - If the description of the offense refers to:
    - Assault,
    - Domestic Violence or Domestic Battery
    - Battery with injury
    - Bodily injury or great bodily injury
    - Lewd acts, Molest, sexual assault/battery, rape
    - Homicide, manslaughter, murder
    - Use of a weapon with any charge
  - Any "attempt" of the above offenses would count
- 6. Employed 2 years/Primary Caregiver-** Has defendant been employed regularly and continuously at one or more jobs, for a minimum of 20 hours per week, during the two years prior to the arrest? And/or, is defendant the primary caregiver, and consistently cares for, at least one dependent child (under the age of 18) or disabled or elderly family member, living with the defendant at the time of the arrest?
- 7. Length at Current Residence-** A residence is where the defendant currently lives and does not include non-residences such as a jail, prison, and hospital.

## Attachment E: Pretrial Release Monitoring Strategy VPRAI Assessment

PARS Monitoring Matrix	Score 1 & 2 OR Release  (1)Low Risk / (2) Below Average Risk	Score 3 & 4 OR Release (w/OCM Approval)  (3) Average Risk / (4) Above- Average Risk	Score 5 through 9  <b>High Risk</b>
Planned Monitoring Duration	Release Own Recognizance	Release Own Recognizance with OCM approval	90-days or longer as approved by the Court or longer as needed
Court Reminder	X	X	X
Probation Intake and Orientation	X	X	X
**Contacts: In-Person, Telephonic, or Virtual	Subject to the recommendation of the Pretrial Deputy Probation Officer	Subject to the recommendation of the Pretrial Deputy Probation Officer or Minimum 1x / Month	Minimum 2x / Month
Substance Testing	Court Ordered	Court Ordered	Court Ordered
Electronic Monitoring	Court Ordered	Court Ordered	Court Ordered
Resource Referral	Voluntary / Court Ordered	Voluntary / Court Ordered	Voluntary / Court Ordered

*\*Probation monitoring for PARS program participants will be limited to funding levels and staff availability. The Probation Department will provide the Court with a monthly report listing the average daily number of active PARS defendants by risk levels to assess and track staffing levels and impact. As soon as staffing concerns impacting the PARS program are identified, the Court and the Probation Department will meet to discuss next steps. See section 2.2 for more information.*

### **Conforming the Monitoring Matrix to the VPRAI Tool**

In previous versions of the monitoring strategy matrix, the matrix was based on a “score” monitoring model. The primary purpose of these models was to demonstrate a process for monitoring. In the absence of a designated risk assessment tool, we were unable to conform monitoring strategy and risk levels. Now that the team has designated the Virginia Pretrial Risk Assessment tool (VPRAI), the strategy now attempts to create conformation between the risk tool outcomes and monitoring models. As is noted later, this is a **strategy in development** and should be considered as a starting point until valid data can be developed through program participation to inform the monitoring process.

### **Rational for proposed monitoring strategy**

Monitoring strategies vary widely across the nation with monitoring strategies ranging from reporting reminders and minimal office contact to conditions very similar to standard probation conditions. The evidence appears to indicate that the best success is derived from the lowest levels of interventions, but this has not been documented yet in Orange County. The goal for Pretrial Release is to minimize the risk of failure to appear for court and minimize risk of a new law violation. The National Institute of Corrections asserts that notification of a next court date coupled with early and meaningful responses to inappropriate conduct and notifications to the court of inappropriate

conduct have shown to be effective in achieving positive outcomes. The proposed monitoring strategy is a **strategy in development** meaning that the strategy is developing with the input of the Court and counsel. The monitoring strategy is intended to support the ability to provide guidance and support to the program participant while maintaining a focus on minimizing risk of failure to appear and new law violations.

### Monitoring Definitions

#### **Court Reminder**

The defendant will receive telephone or text reminders regarding upcoming court hearing dates and times.

#### **Probation Intake & Orientation**

Defendant reports to a Pretrial Monitoring Officer (PMO) at the probation office for intake processing and orientation to the conditions of pretrial monitoring.

#### **Kiosk or Phone Reporting**

Defendants with an assessed low risk may be instructed to check in via the kiosk reporting terminal at any probation field office. The participants will be trained on the check-in process by the Pretrial Monitoring Officer (PMO) at the time of intake and orientation. The defendant may also be directed to report to the PMO by telephone at monthly or more frequent intervals.

#### **Office Reporting**

At intervals determined by the Pretrial Monitoring Officer (PMO) and informed by the risk assessment and the wishes of the court, the defendant will report to a probation office to meet with the assigned PMO. The PMO will inquire as to residence, employment and prosocial living and provide the participant with court appearance reminders, guidance, and voluntary referrals for services.

#### **Field Contact**

At intervals determined by the Pretrial Monitoring Officer (PMO) and informed by the risk assessment and the wishes of the court, the PMO will make field contact with high-risk participants at the participant's residence or place of employment in addition to or in lieu of reporting to a designated probation office to meet with the assigned PMO. The PMO will inquire as to residence, employment and prosocial living and provide the participant with court appearance reminders, guidance, and voluntary referrals for services.

#### **Substance Testing**

At the direction of the court, the Pretrial Monitoring Officer (PMO) will conduct random substance abuse testing including alcohol breathalyzer, urine drug screen or oral swab drug screen. The PMO will report the results of the random testing in progress reports to the court.

#### **Electronic Monitoring**

At the direction of the court, a high-risk participant may be ordered to submit to an electronic monitoring device (GPS monitoring) which may include the establishment of inclusion or exclusion zones. The Pretrial Monitoring Officer (PMO) will monitor compliance with inclusion or exclusion zones and report compliance to the court.

#### **Service Referral and Self Help All Scores –Voluntary or Court Order**

Based on risk factors and needs identified by the assessment instrument, when disclosed by the participant, or at the direction of the court, the Pretrial Monitoring Officer (PMO) may refer the participant to voluntary services including but not limited to mental health, basic subsistence, housing, self-help meetings, substance abuse treatment etc. When ordered by the court, the PMO will confirm enrollment for services and monitor compliance with the court ordered participation.

### Attachment F: Sample Assessment Report

PARS Eligible? No If no, state reason: Booking Charge Expansion exceptions: None Judicial Request: None VPRAI Completed? No  
If no, state reason: Other

---

Superior Court of California, County of Orange  
Pretrial Service Unit

**ASSESSMENT REPORT**

**Court Case #:** [REDACTED] **Justice Center:** Central Justice Center **OCJ Booking #:** [REDACTED] **Booking Date:** 5/24/2022 **LEA Case#:** [REDACTED] **Arrest Date:** 05/24/2022 10:30 AM

**Book Charges:** HS 11378 |  Felony  Drug Sales  Police Declaration Filed  Bail Increase Request  Non-PARS OR Request  
 1275.1 Request

**Arresting Agency:** Santa Ana PD **If Other Agency:**

---

**Personal Information** **Name:** [REDACTED] **Date of Birth:** [REDACTED]/1988 **Age:** 33  
**Present Address:** [REDACTED] SANTA ANA, CA **Length:** 1 Year or More? **Out Of County Resident?** No

**Own/Rent:** Mortgage/Rent Amt:  Transient  Other **Living With:** Relationship: **Race:** Caucasian/White **Ethnicity:** Hispanic/Latino **Gender:** Male **Marital Status:**

**ID Type:** None **License/ID State:** **License/ID #:** **License Status:**

**Spouse/Cohabitant/Domestic Partner Name:** # **Minor Children:** **Living With Children:** **Support Children:**

**Spouse/Cohabitant/Partner Address**  Unknown

**Phone Type:** **Phone Number:** **Military Status:** Unknown

**Employment:**  Not Employed **Employed 2 years/Primary Caregiver(VPRAI):**

**Current Employer:** Unknown **Work Type:** **Current Work Address:** **Supervisor Name:** **Sup. Phone Type:** **Phone #:**  
**Length at Current Job:** **Hours Worked/Week:**

**Defendant Status:**

**Type:** None **Case Numbers:** **Existing Time:** **Charges:** **Location of time served:** **Time Served:**

**Type:** **Case Numbers:** **Existing Time:** **Charges:** **Location of time served:**

**Prior Convictions:** Yes **Convicted of two or more violent offenses:** No

**Pending Charges:** Yes

**Case No:** 22CM **Charges:** 11377(A) HS **Court Loc:** CJC **CBC Y/N:** **Release Status:** **If Bail, Amt.:** **Next Court Date:**

**Case No:** **Charges:** **Court Loc:** **CBC Y/N:** **Release Status:** **If Bail, Amt.:** **Next Court Date:**

**Hold(s):**  No  Supervision  Parole  ICE  No bail War  1725.1 PC  Agency Hold  Other  
**PRIOR FTAs:** 1

**Health:** **Drug Use:** Unknown **Type:** **\$Amt per day:** **Length:** **Alcohol Use:** **\$Amt per day:** **Length:** **Possible Mental Health?** No

**IRC PTSO Summary** **IRC PTSO Action Taken/Bail Source:** Bail Schedule **Arraignment/Court Date:** 5/26/2022

**Adult Strikes** 0 **Juvenile Strikes** 0 **Total # of Strikes** 0

**Magistrate Review:**  Increase Bail  1275.1(b)&(c) Hearing  History(Rap)  VPRAI Score 0  Non-PARS OR Release  PC Dec Criminal  
 PAR OR Release  PARS for Magistrate Review  Other

**VPRAI Score:** 0 **IRC PTSO Bail Rec:** \$25,000.00 **Magistrate Contact:** **Magistrate Name:** **Magistrate Ruling:** **IRC PTSO Initial:**

**Report by:** Rick Madrigal **Interview by:** No Interview  Continuation Page Attached

**Prior Violence?:** None **Pending Charges:** Yes, **CBC:** No **Supervision:** None, **Strikes:** 0, **Crim IX:** Yes, 2 pr or conv **FTA:** 1, **Residence:** OC **Residence:** **Drug Use:** Unknown

**IRC PTSO Notes:** NO O.R. DUE TO QUANTITY AND PACKAGING OF NARCO. NO PRIOR FELONY CONVICTIONS. NO INTERVIEW--W/S

**Court PTSO Summary:** **Court PTSO Bail Rec:** **Final Case Disp. at Filing:** Filed as Felony **PARS Status:** No change

**Court PTSO Notes:**

Hearing Date: 6/28/2022 Last Time Update: 11:04 AM

**CJ1 COURT LIST**

Pre-Trial Services Officer: Jeffrey Dillon

Page 1 of 9

For Court Staff, Probation & Counsel

PTSU Office (657) 622-7142

Defendant	PARS Eligible	VPRAI Done.	In Custody	Bail	Charge	Case#	Holds	Information
ARIAS, [REDACTED] 09/2 [REDACTED]	No Pr Strike	No	Yes	\$220,000.00 Bail Schedule	PC 69	22 [REDACTED]	Probation PRCS	[PRIOR VIOLENCE?]: Yes [PENDING CHARGES]: YES [CBC]: UNKNOWN [SUPERVISION]: YES [STRIKES]: 2 [CRIM HX]: Yes [FTA]: N/A [RESIDENCE]: UNKNOWN## [DRUG USE]: UNKNOWN  [Note]: PRIOR STRIKES 20NF2 [REDACTED], 22NF [REDACTED]
BARRIOS, [REDACTED] 01 [REDACTED]	No BK Charge	No Housed prior to interview	Yes	\$50,000.00 Bail Schedule	PC 368(b)(1)	22CF1 [REDACTED]	No Hold	[PRIOR VIOLENCE?]: None [PENDING CHARGES]: No [CBC]: No [SUPERVISION]: None [STRIKES]: 0 [CRIM HX]: No [FTA]: 0, Within the last two years [RESIDENCE]: No [DRUG USE]: Unknown  [Note]: MINIMAL CRIMINAL HX. ARRESTS NOTED ON RAP, BUT NO CONVICTIONS. VISION SHOWS TWO INFRACTION CASES ONLY. NO FTA HX FOUND WITHIN 3 YEARS. VALID CDL.
BURNS, [REDACTED] 12/0 [REDACTED]	Yes	No Housed prior to interview Unavailable	Yes	\$20,000.00 Bail Schedule	PC 22210	22HF [REDACTED]	No Hold	[PRIOR VIOLENCE?]: Yes [PENDING CHARGES]: Yes [CBC]: No [SUPERVISION]: None [STRIKES]: 0 [CRIM HX]: Yes, [FTA]: 2, Within the last two years [RESIDENCE]: Transient [DRUG USE]: Yes, METH  [Note]: MULTIPLE BATTERY, NARC, RESISTING, DISTURBING PEACE AND TRESPASS CONVICTIONS. 2 OPEN CASES (WARRANT PC 853.6-YES) FTAS.

\* Criminal History Check: RAP, DMV, VISION & Sheriff

## Attachment H: Sample Pretrial Monitoring Risk Assessment Report

**PRETRIAL MONITORING RISK  
ASSESSMENT REPORT  
CENTRAL JUSTICE CENTER  
DEPARTMENT            DAY TIME**

Name: \_\_\_\_\_ C- \_\_\_\_\_ A- \_\_\_\_\_  
 AKA: \_\_\_\_\_ DOB: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Phone: (\_\_\_\_) \_\_\_\_\_

**ASSESSMENT AND EVALUATION**

The defendant was assessed for released on pretrial monitoring on \_\_\_\_\_ by \_\_\_\_\_

Most serious charge \_\_\_\_\_ Assessment Score: \_\_\_\_\_

The defendant is eligible for pretrial monitoring  YES  NO

The defendant is recommended for Pretrial Release  YES  NO

Recommended Monitoring Status:

Circumstances of the offense: \_\_\_\_\_ Prior Record:

**Records of the FBI, CII and:**

Date	Agency	Offense	Disposition
------	--------	---------	-------------

California DMV records indicate:

**RECOMMENDATION**

- The defendant was found unsuitable or ineligible for Pretrial release monitoring and is not recommended for pretrial release monitoring for the following reason: \_\_\_\_\_
- The defendant has been found eligible and suitable for release and is recommended for pretrial monitoring under the following conditions:
- Obey all orders of the court and appear in Court for all scheduled hearings except as excused by the Court
  - Report to the Pretrial Monitoring Officer within 72 hours of release. Continue to report to the Pretrial Release Monitoring Officer as instructed.

3. Maintain residence and employment. Notify the Pretrial Release Monitoring Officer of any change, giving new phone number and address where the defendant will be residing and employed. Also, give mailing address if different from above.
4. Violate no law. Should you be arrested or have any police contact, you are directed to report such arrest or police contact to the Pretrial Release Monitoring Officer immediately.
5. You are not to have any firearms or weapons of any description in your possession during the period of Pretrial Release. Including, but not limited to: knives, switchblades, pepper spray, mace, gun replicas, pellet guns, air soft guns, bb guns, ammunition, clubs, martial arts weaponry, or anything that may be used as a dangerous or deadly weapon.
6. Use no unauthorized drugs, narcotics, or controlled substances.
7. You may not leave the state of California without approval of the court and agree that if you fail to appear and are apprehended outside the State of California, you will waive all extradition proceedings.

Daniel Hernandez  
Chief Probation Officer  
Orange County Probation Department

---

Name: \_\_\_\_\_  
Pretrial Release Services Officer  
Phone: \_\_\_\_\_

\_\_\_\_\_  
Name: \_\_\_\_\_  
Supervising Probation Officer  
Pretrial Release Services Officer  
Phone: \_\_\_\_\_

*Attachment I: Instructions for Pretrial Release Monitoring***INSTRUCTIONS FOR PRETRIAL RELEASE MONITORING**

LAST, First Middle

A-  
Court Case #:

Your Pretrial Release matter may be revoked by the court if the Court has reason to believe from the report of the Pretrial Release Monitoring Officer that you have violated any of the conditions of this release.

**In addition, you are instructed by the Pretrial Release Officer as follows:**

1.  Obey all orders of the court and appear in Court for all scheduled hearings except as excused by the Court
2.  Report to the Pretrial Monitoring Officer on\_\_\_\_\_. Continue to report to the Pretrial Release Monitoring Officer as instructed.
3.  Comply with all protective orders and have no contact with\_\_\_\_\_unless approved by the court.
4.  Maintain residence and employment. Notify the Pretrial Release Monitoring Officer of any change, giving new phone number and address where the defendant will be residing and employed. Also, give mailing address if different from above.
5.  Violate no law. Should you be arrested or have any police contact, you are directed to report such arrest or police contact to the Pretrial Release Monitoring Officer immediately.
6.  You are not to have any firearms or weapons of any description in your possession during the period of Pretrial Release. Including, but not limited to: knives, switchblades, pepper spray, mace, gun replicas, pellet guns, air soft guns, bb guns, ammunition, clubs, martial arts weaponry, or anything that may be used as a dangerous or deadly weapon.
7.  Use no unauthorized drugs, narcotics, or controlled substances.
8.  Submit to court ordered drug or narcotic testing as directed by the Pretrial Release Monitoring Officer.
9.  Attend self-help meetings\_\_\_\_\_times each week and show proof of attendance to the Pretrial Release Monitoring Officer and Court.
10.  You may not leave the state of California without approval of the court and agree that if you fail to appear and are apprehended outside the State of California, you will waive all extradition proceedings.
11.  Other orders: \_\_\_\_\_

I have personally initialed the above boxes and understand each and every one outlined above. I have received a copy of the Court's order and understand that non-compliance with any of the above-stated conditions will result in a report of the violation to the court and may result in a revocation of pre-trial release, and the issuance of a bench warrant for my arrest.

I hereby acknowledge receipt of and agree to comply with the instructions.

\_\_\_\_\_  
Pretrial Release Participant's Signature\_\_\_\_\_  
Date\_\_\_\_\_  
Pretrial Release Services Officer\_\_\_\_\_  
Date

**PRETRIAL RELEASE MONITORING KIOSK REPORTING**

LAST, First Middle  
Street Address  
City, STATE Zip

**A-**  
Court Case #:

Effectively immediately your Pretrial Release Monitoring case has been assigned to the Kiosk Reporting caseload. This level of monitoring requires that you report 1 time(s) per month to the Probation Kiosk. You will be expected to report to the kiosk by the 20th of each month and/or as directed by the Pretrial Release Services Officer.

When reporting to the kiosk, you will need to have your Probation A# as seen above. The kiosk will ask a series of questions that you must answer completely. Once concluded, you will see a summary screen; you will be given the option to receive a receipt summarizing your Kiosk contact. In the event you are directed to report to a Pretrial Services Officer by the kiosk instructions, you are required to do so.

Please be aware that all the terms and conditions of Pretrial Release and all court orders remain in full force and effect. Specifically, you are to:

1. Maintain residence and employment. Notify your Pretrial Release Services Officer of any change, giving new phone number and address where you will be residing and employed. Also give mailing address if different from above.
2. Violate no law. Should you be arrested or have any police contact, you are directed to report such arrest or police contact to your Pretrial Release Officer immediately.
3. You will not be charged for participation in Pretrial Release. If you have outstanding financial obligations, you are to continue making payments. Please mail your payments to the address printed on your monthly billing statement or in the envelope provided in your monthly billing statement.
4. You may not leave the state of California without approval of the court and agree that if you fail to appear and are apprehended outside the State of California, you will waive all extradition proceedings.

I acknowledge that I have been informed and understand that non-compliance with any of the above-stated conditions will result in a report of the violation to the court and may result in a revocation of pre-trial release, and the issuance of a bench warrant for my arrest.

Very truly yours,

\_\_\_\_\_  
Pretrial Release Services  
Officer Deputy Probation Officer

\_\_\_\_\_  
Date

I have read and understood the above instructions

\_\_\_\_\_  
Defendant's Signature

\_\_\_\_\_  
Date

**Santa Ana Office**

909 N. Main Street, Suite1 | Santa Ana, CA 92701 | (714) 569-2000

Hours of operation: Monday 8am-6:30pm, Tuesday - Friday 8am-5pm, closed Saturday and Sunday

---

**Manchester Office Building**

301 The City Drive | Orange, CA 92868 | (714) 935-7411

Hours of operation: Monday - Friday 8am-5pm, closed Saturday and Sunday

---

**Juvenile Hall Administration**

331 The City Drive | Orange, CA 92868 | (714) 935-6660

Hours of operation: Monday - Friday 8am-10pm, Saturday and Sunday 8am-5pm

---

**North County Field Services Office**

1535 E. Orangewood Avenue | Anaheim, CA 92805 | (714) 937-4500

Hours of operation: Monday 8am-6:30pm, Tuesday - Friday 8am-5pm, closed Saturday and Sunday

---

**West County Field Services Office**

14180 Beach Boulevard | Westminster, CA 92683 | Adult Probation (714) 896-7500 | Juvenile Probation (714) 896-7878

Hours of operation: Monday 8am-5pm, Tuesday 8am-6:30pm, Wednesday - Friday 8am-5pm, closed Saturday and Sunday

---

**South County Field Services Office**

23271 Verdugo Drive | Laguna Hills, CA 92653 | (949) 206-4160 Hours of operation: Monday - Friday 8am-5pm, closed Saturday and Sunday

**PRETRIAL MONITORING PROGRESS REPORT  
CENTRAL JUSTICE CENTER  
DEPARTMENT DAY TIME**

**Name:** \_\_\_\_\_  
**AKA:** \_\_\_\_\_  
**Address:** \_\_\_\_\_

**C-** \_\_\_\_\_ **A-** \_\_\_\_\_  
**DOB:** \_\_\_\_\_

**Phone:**( ) \_\_\_\_\_

**Pretrial Monitoring Officer:** \_\_\_\_\_

**REASON FOR HEARING**

The defendant was released on pretrial monitoring on \_\_\_\_\_. This is a progress review covering the period from \_\_\_\_\_ to today.

**PROGRESS ON PRETRIAL MONITORING**

The defendant's compliance with the terms and conditions of pretrial release since last court date:

- Defendant is in compliance with the terms and conditions of pretrial release**
- The defendant has had the following compliance issues:** \_\_\_\_\_
- The defendant has had the following violation behavior:** \_\_\_\_\_

**COMMENTS**

Changes in defendant's life since last Court appearance. If checked, briefly explain:

- Employment:** \_\_\_\_\_
- Family/Significant Other:** \_\_\_\_\_
- Medical:** \_\_\_\_\_
- Residence:** \_\_\_\_\_
- School:** \_\_\_\_\_
- Activities (i.e., exercise, etc.):** \_\_\_\_\_

**MONITORING**

**Office Appointments** \_\_\_\_\_

**Residence Checks** \_\_\_\_\_

\_\_\_\_ Positive test(s)      Date(s) \_\_\_\_\_

\_\_\_\_ Negative test(s)      Date(s) \_\_\_\_\_

Drug(s) \_\_\_\_\_  
Patch Results \_\_\_\_\_  
Breathalyzer \_\_\_\_\_

**RECOMMENDATION**

- Continued Pretrial Release participation – same terms / conditions
- Continued Pretrial Release participation – modified terms / conditions
- Termination of Pretrial Release and return to custody
- Sanction
- Discharge from Pretrial monitoring with continued release on OR: Other:
- 

**Next Court Date:** \_\_\_\_\_

**FAILURE TO REPORT NOTICE  
PRETRIAL RELEASE MONITORING**

**TO:** LAST, First Middle  
Street Address  
City, STATE Zip

**A-**  
Court Case #:

**RE: MISSED INTAKE AND ORIENTATION APPOINTMENT**

---

This is notification that you failed to report on \_\_\_\_\_.

You are hereby directed to report at \_\_\_\_\_ on \_\_\_\_\_ to the Santa Ana Field Service Office.

You are directed to bring the following with you when you report:

\_\_\_ Identification/Birth Certificate

\_\_\_ Proof of Residence

\_\_\_ Proof of Employment

Failure to report is a violation of your Pretrial Release Instructions and may lead to issuance of a warrant for arrest.

Pretrial Release Services Officer  
Deputy Probation Officer

A-

### Audit History

Name	Action	Date

## Attachment N: Non-Compliance Report

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF ORANGE,

THE PEOPLE OF THE STATE OF CALIFORNIA  vs.      Plaintiff Defendant	DEPT  Court Case No:  <b>NON-COMPLIANCE REPORT PRETRIAL RELEASE SERVICES</b>
--	--

AKA:  
DOB:TO THE HONORABLE JUDGE OF THE SUPERIOR COURT OF THE CENTRAL JUDICIAL DISTRICT OF THE  
COUNTY OF ORANGE, STATE OF CALIFORNIA:

On, the District Attorney filed a complaint against the defendant for violation of Section(s) . On the defendant signed the AGREEMENT FOR MONITORED PRETRIAL RELEASE and was ordered released into the Pretrial Release Services Program. A non-compliance report is being submitted for the following reason(s):

- The defendant has absconded and his or her whereabouts are unknown.
- The defendant has absconded in addition to violating the terms and conditions of monitoring or has committed a new offense and his or her whereabouts are unknown.
- Other:

## PROGRESS ON PRETRIAL RELEASE SERVICES:

To date, the defendant's compliance with the terms and conditions of Pretrial Release Services has been unsatisfactory.

Days on Pretrial Release Monitoring: days.

Previous sanctions: and days.

Providing there are no changes of circumstances when the defendant appears before the Court, it is respectfully recommended that the defendant be found in violation of Pretrial Release Monitoring, Pretrial Release Services be terminated and

- Defendant be reinstated to the Pretrial Release Services Program.
- Defendant be remanded to the custody of the Orange County Jail pending further court proceedings.
- Other:

WHEREFORE, your petitioner prays that Pretrial Release Services be terminated, and the defendant brought before this Court to be dealt with as provided by law. I declare under penalty of perjury that the foregoing is true and correct.

Done this \_\_\_\_\_, in Santa Ana, California

**Daniel Hernandez**  
Chief Probation Officer

DPO Location: CCO-Civic Center

By \_\_\_\_\_  
Supervising Probation Officer

## ORDER OF THE COURT

It is the Order of the Court that Pretrial Release Services in the above case be terminated.

Dated \_\_\_\_\_

\_\_\_\_\_  
Judge of the above-entitled Court

DISTRIBUTION: Original - Court; Copies - Probation, District Attorney (), Defense Attorney, RPO Office  
**NON-COMPLIANCE REPORT PRETRIAL RELEASE SERVICES**

*Attachment O: Agreement for Monitored Pretrial Release*

<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE</b> JUSTICE CENTER: <input type="checkbox"/> Central – 700 Civic Center Dr. West, Santa Ana, CA 92701 <input type="checkbox"/> Harbor-Newport Beach – 4601 Jamboree Rd., Newport Beach, CA 92660 <input type="checkbox"/> North – 1275 N. Berkeley Ave, Fullerton, CA 92838 <input type="checkbox"/> West – 8141 13 <sup>th</sup> Street, Westminster, CA 92683	<i>FOR COURT USE ONLY</i>
People of the State of California <div style="text-align: right;">vs.</div> Defendant:	
<b>AGREEMENT FOR MONITORED PRETRIAL RELEASE</b>	Case Number:

I, the undersigned, in consideration for being placed on monitored pre-trial release by the Court in the above-entitled matter, promise that I **will appear at 8:30 AM, on \_\_\_\_\_ in Department \_\_\_\_\_** of the above-checked Court, and at all times and places as ordered by the Court or magistrate, and as ordered by any Court or magistrate before whom the charge is subsequently pending.

**I agree to all of the following conditions of monitored pre-trial release as ordered by the court:**

Obey all orders of the court and appear in Court for all scheduled hearings except as excused by the Court.

Report to the Pretrial Release Monitoring Officer **within 72 hours of release** at the Orange County Probation Pretrial Release Services Unit, 909 N. Main Street Ste. #1, Santa Ana, CA 92701. Continue to report to the Pretrial Release Services Officer as instructed. Phone: (714) 569-2000

Maintain residence and employment. Notify the Pretrial Release Monitoring Officer of any change, giving new phone number and address where the defendant will be residing and employed. Also, give mailing address if different from above.

Violate no law. Should you be arrested or have any police contact, you are directed to report such arrest or police contact to the Pretrial Release Monitoring Officer immediately.

You are not to have any firearms or weapons of any description in your possession during the period of Pretrial Release. Including, but not limited to: knives, switchblades, pepper spray, mace, gun replicas, pellet guns, air soft guns, bb guns, ammunition, clubs, martial arts weaponry, or anything that may be used as a dangerous or deadly weapon.

Use no unauthorized drugs, narcotics, or controlled substances.

You may not leave the state of California without approval of the court and agree that if you fail to appear and are apprehended outside the State of California, you will waive all extradition proceedings.

**Additional conditions of release:**

- Comply with all protective orders and have no contact with \_\_\_\_\_ unless approved by the court.
- Submit to court ordered drug or narcotic testing as directed by the Pretrial Release Monitoring Officer.
- Attend self-help meetings \_\_\_\_\_ times each week and show proof of attendance to the Pretrial Release Monitoring Officer and Court.
- Other orders:

Failure to comply with these rules may result in the revocation of your pretrial release, being placed back in custody or a warrant being issued for your arrest.

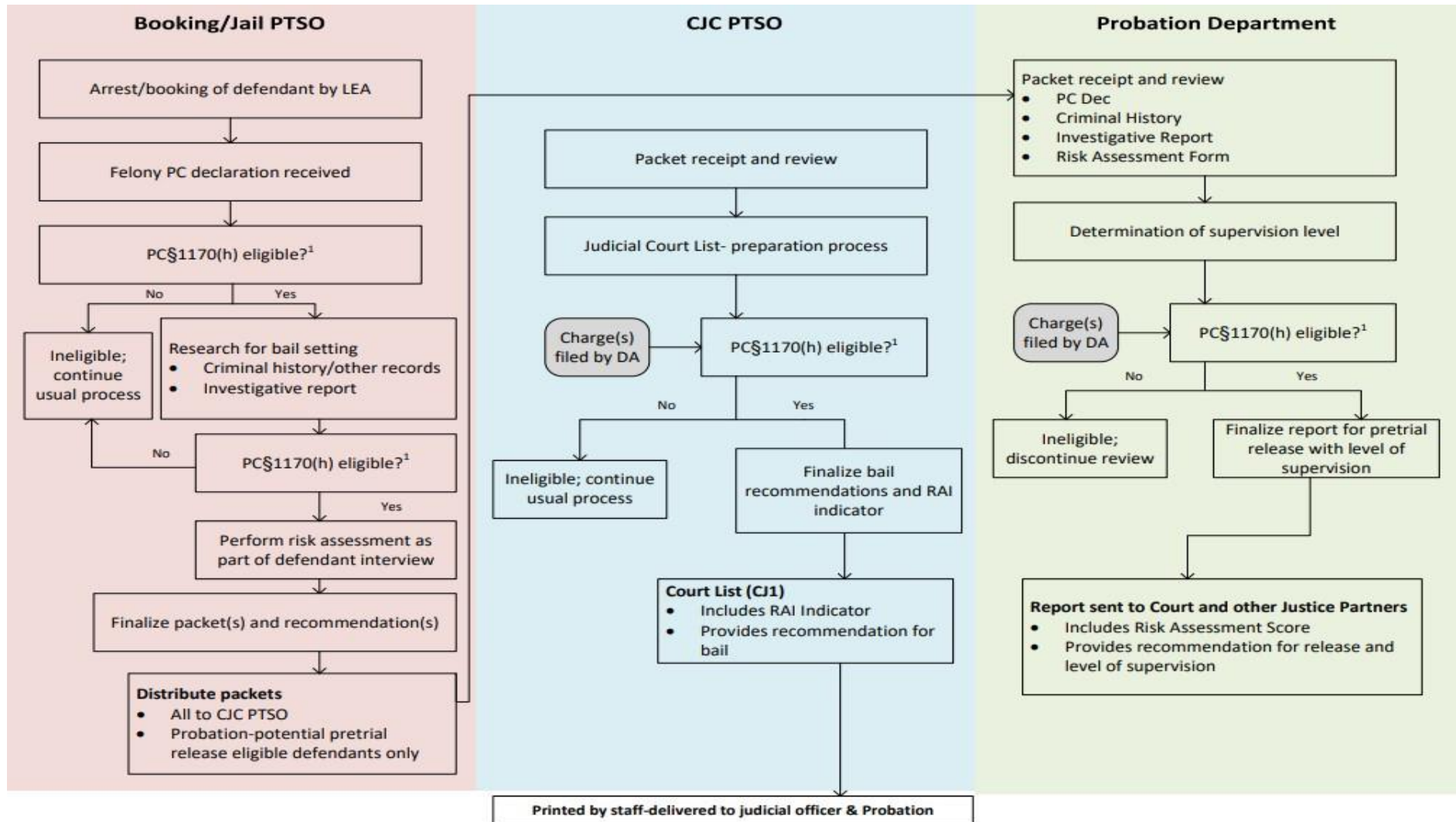
I acknowledge that I have been informed and understand that non-compliance with any of the above-stated conditions will result in a report of the violation to the court and may result in a revocation of pre-trial release, and the issuance of a bench warrant for my arrest.

Defendant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

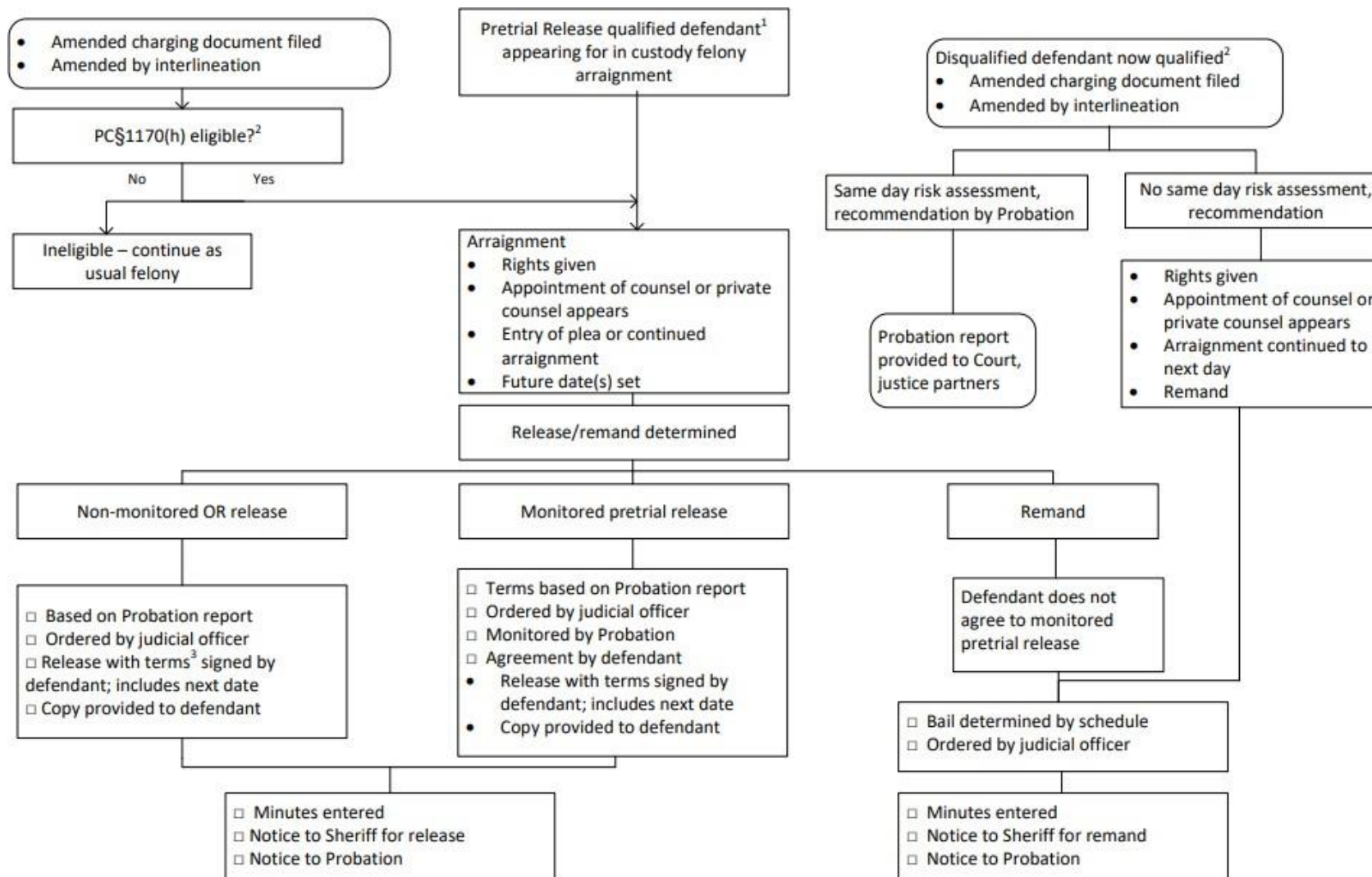
Street Address: \_\_\_\_\_ Phone Number: (\_\_\_\_) \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

e-mail Address: \_\_\_\_\_



<sup>1</sup>Eligible if charged with a felony crime where punishment term not specified; crime is a wobbler; or expressly authorized under PC §1170(h). Not eligible if prior conviction or current serious or violent felony (not juvenile adjudications); defendant required to register under PC §290; aggravated theft (PC §186.11); or expressly excluded.



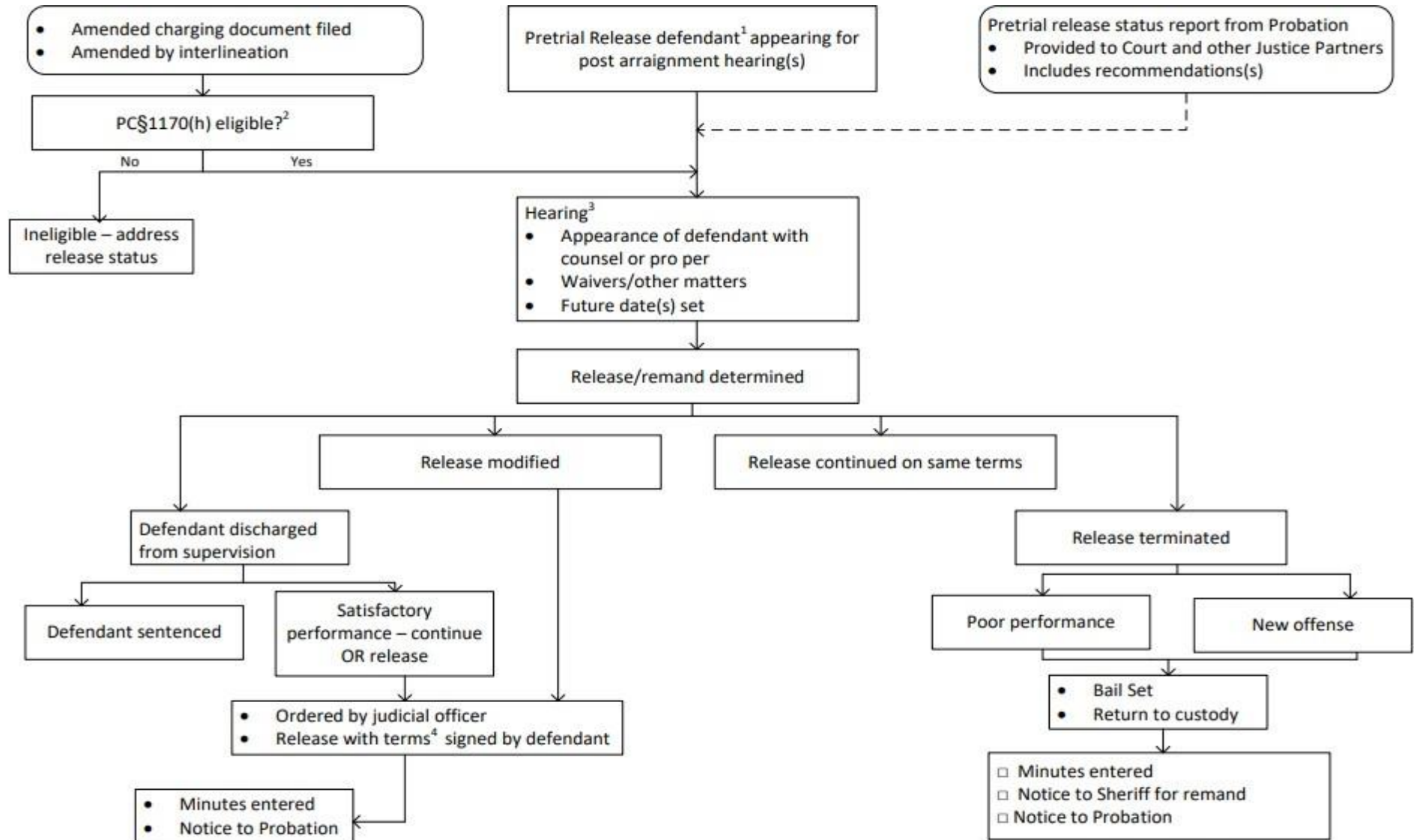
<sup>1</sup>A Pretrial Release qualified defendant is one whose score on the risk assessment tool is within established parameters for release and whose current offense and criminal history meet the requirements for a PC §1170(h) sentence.

<sup>2</sup>Eligible if felony crime where punishment term not specified; wobbler; or expressly authorized under §1170(h). Not eligible if prior conviction or current serious or violent felony (not juvenile adjudications); defendant required to register under §290; aggravated theft (PC §186.11); or expressly excluded.

<sup>3</sup>Typically includes ‘Violate no law’; other terms may apply.

Attachment R: Pretrial Release Program – Post Arraignment

Attachment B



<sup>1</sup>A Pretrial Release defendant is one who has met the criteria for OR release with monitoring by the Probation Department, subject to compliance with terms and conditions.

<sup>2</sup>Eligible if felony crime where punishment term not specified; wobbler; or expressly authorized under §1170(h). Not eligible if prior conviction or current serious or violent felony (not juvenile adjudications); defendant required to register under §290; aggravated theft (PC §186.11); or expressly excluded.

<sup>3</sup>Hearings may include any or all types such as, but not limited to pretrial, motion, preliminary hearing, and jury trial settings.

<sup>4</sup>Typically includes 'Violate no law'; other terms may apply.

EB 10/22//2015