

Public Safety Assessment (PSA)

The PSA provides pretrial decision makers with research-based information to consider, as well as several other factors, about the likelihood of people's success while on pretrial release. The pretrial phase extends from arrest to case disposition—whether charges are dismissed, a plea is entered, or at trial.

The U.S. Constitution requires that release be the norm, and detention be the carefully limited exception. State laws typically place further restrictions on who may be detained.



When releasing a person, a judge may impose conditions so long as they are the least restrictive necessary to support the person's return to court and law-abiding behavior.



The PSA can enhance the transparency and consistency of pretrial decisions. When used with other pretrial improvements, the PSA has helped jurisdictions achieve higher rates of release and lower use of financial conditions, with no negative impact on crime or court appearance rates.



A judge considers all relevant information, including prosecutor and defense counsel arguments and the person's circumstances. The PSA adds research-based information about the estimated likelihood of court appearance and remaining arrest-free while on pretrial release.



The PSA scores are calculated using nine factors.

Age at current arrest	Current violent offense	Pending charge at the time of arrest
Prior misdemeanor conviction	Prior felony conviction	Prior violent conviction
Prior failure to appear in the past 2 years	Prior failure to appear older than 2 years	Prior sentence to incarceration

Bernalillo County Public Safety Assessment Validation Study

In June, 2021 the **University of New Mexico Institute of Social Research** published an **independent validation study of the Public Safety Assessment**. Researchers used a data sample consisting of 10,289 felony cases that were assessed by the PSA and closed between July, 2017 and March, 2020.

The study highlights the implementation of Legal and Evidence Based Practices (LEBP) in Bernalillo County in 2017, and **validates the predictability of the PSA**. The study also found the **PSA does not drive bias in the pretrial justice system**.

UNM ISR Validation Study: <http://isr.unm.edu/reports/2021/bernalillo-county-public-safety-assessment-validation-study.pdf>

Background Investigation Report (BIR)

In addition to the PSA, judges are provided an **in-depth background investigation report** that provides criminal arrest, conviction, misconduct on supervision, failure to appear, and other criminal history factors to assist in the release decision.

Collaboration

A **collaborative team of justice system stakeholders**—law enforcement, prosecutors, defense counsel, judicial officers, corrections, and others—along with community partners work together to **develop a local policy** (called a "PSA Release Conditions Matrix") that matches a person's score with appropriate conditions, services, and support to help people succeed while on pretrial release.