



# NEWS

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### FOR IMMEDIATE RELEASE:

#### Montgomery County Establishes Pretrial Services Unit to Implement Bail Reform

**Norristown, PA (July 28, 2020)** – The Montgomery County Court of Common Pleas announced the establishment of a Pretrial Services Unit, a significant component of the criminal justice bail reform movement.

Moving away from release decisions based on financial conditions related to the crimes charged, courts have recognized a need for a more standardized process for gathering and reporting information needed to make risk-based decisions, which are a key factor in determining whether defendants are released or retained during their trial.

“The reality is that too often if you can make bail, you are set free, and if you are too poor to make bail, you are punished prematurely,” said Kenneth E. Lawrence Jr., Vice Chair, Montgomery County Board of Commissioners. “No one should be held in custody awaiting trial solely because of their inability to pay bail.

Planning for and funding the new unit has been a priority goal for the Court and the County Administration for more than a year.

The mission of Pretrial Services is to provide accurate and timely information to assist the court in making informed decisions regarding a defendant’s pretrial release, supervise and provide services for defendants while utilizing cost-effective measures for the community, promote compliance with court orders and court appearances, and support public safety.

“The consequences of pretrial detention on the defendant, their family, and their job is often severe. The Pretrial Services Unit will help ensure that eligible defendants receive any necessary services while awaiting trial, are complying with their conditions of release, and remind individuals of upcoming court dates with the goal of equitable treatment of all defendants independent of their ability to afford bail,” said Dr. Valerie A. Arkoosh, Chair, Montgomery County Board of Commissioners.

Pretrial services programs can be valuable resources for making significant improvements in the criminal justice system because they are used in the early stages of the criminal case process. Unnecessary detention before trial not only results in unnecessary jail costs, it also deprives defendants of their liberty. Policy decisions about detaining or releasing defendants

balance the benefits of release with the least restrictive conditions that ensure appearances at court proceedings and the risk of flight or threat to public safety.

Pretrial Services interviews are anticipated to become part of the booking process, which allows for early diagnosis at a critical period and gets more information early on from law enforcement and other integrated sources. It will be recommended that all defendants who are arrested and processed at one of the County's Central Booking Center sites, eligible by statute for pretrial release, be considered for release.

While awaiting hearings, defendants will be monitored based on the assessed risk level, which can include:

- Court reminders for all defendants
- Reporting by phone
- Reporting in-person
- Drug and alcohol testing
- Drug and alcohol treatment (including behavioral health treatment)
- Other provisions such as no contact, curfews, etc.
- Electronic monitoring

Determination of bail will continue, and bail options noted in Rule 524 will remain available. However, the court is generally expected to accept the risk assessment tool recommendation, as the same based on best practices and approved court policies.

Ongoing monitoring of the program will be based on performance measures that include: the percentage of defendants who appear for scheduled court matters, the percentage of supervised defendants who are not charged with a new offense during pretrial supervision, the ratio of defendants whose supervision level or detention status corresponds with their assessed risk of pretrial misconduct, the success rate of released defendants based on certain factors, and the average length of stay in jail for pretrial detainees who are eligible for pretrial release.

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