



PUBLIC SAFETY ASSESSMENT

San Luis Obispo County Probation

Public Safety Assessment (PSA)

Source of information

- **CLETS- on all cases**
- **CJIS- on local cases**

The PSA uses nine factors to generate scores that predict three outcomes:

- **Failure to appears (risk score)**
- **New criminal arrest while on pre-trial release (risk score)**
- **New violent criminal arrest while on pre-trial release (potential flag)**

Additionally, the PSA does not use socioeconomic factors to predict risk:

- **Unemployment**
- **Homelessness**

In February 2021, the Access to Justice Lab at the Harvard Law School published the most recent validation of the PSA.

PUBLIC SAFETY ASSESSMENT - RISK FACTOR WORKSHEET

| DEFENDANT NAME | | | | CASE IDENTIFICATION |
|--|-------------------------|----------|-----|---|
| DOB (AGE) | ARREST DATE | | | PSA COMPLETION DATE |
| RISK FACTOR | CIRCLE CORRECT RESPONSE | | | DOCUMENT DATA SOURCE, DATE, LOCALITY, CASE NUMBER, CHARGE/FTA |
| 1. Age at Current Arrest Defendant age at time of current arrest. If no arrest date or arrest date unknown, use PSA completion date | 20 or younger | 21 or 22 | 23+ | Current age: |
| 2. Current Violent Offense Consult the violent offense list in the appendix of the PSA Risk Factor and Outcome Definitions document | No | Yes | | Current Charge: |
| 3. Pending Charge At The Time Of The Offense Defendant was arrested, released, and allegedly committed a new offense while on release pending trial | NO | Yes | | |
| 4. Prior Misdemeanor Conviction Conviction for criminal offense defined as a misdemeanor by statute | No | Yes | | |
| 5. Prior Felony Conviction Conviction for criminal offense defined as a felony by statute | No | Yes | | |
| 6. Prior Violent Conviction Conviction for violent offense per violent offense list in the PSA Risk Factor and Outcome Definitions document appendix | 0 | 1 or 2 | 3+ | 1. 2. 3. |
| 7. Prior FTA Pretrial In Past 2 Years Missed pre-disposition court appearance & warrant issued in past 2 years | 0 | 1 | 2+ | 1. 2. |
| 8. Prior FTA Pretrial Older Than 2 Years Missed pre-disposition court appearance & warrant issued more than 2 years prior to arrest | No | Yes | | |
| 9. Prior Sentence To Incarceration Prison or jail sentence of 14 days or more (not suspended) imposed at sentencing or re-sentencing | No | Yes | | |

Definition of Violent Offense for the PSA

- An offense is categorized as violent for purposes of the PSA if a person causes or attempts to cause physical injury through use of force or violence against another person.
- A charge of attempt (such as attempted murder or attempted robbery), being an accessory before the fact, solicitation, or conspiracy to commit any of these offenses is considered a violent offense.

Offenses Not Considered Violent

The following offenses are *not* considered violent for purposes of the PSA:

- involuntary crimes of recklessness and negligence, unless they are charged at the level of manslaughter or homicide; and
- offenses involving threats, intimidation, harassment, and similar behavior—with the exception of stalking, which *is* categorized as violent.

VIOLENT OFFENSE LIST

| | | | | | |
|-------------|-------------|-----------|----------|--------------|--------------------|
| 69 | 219 | 245(a)(2) | 273.6(b) | 288a(f) | 667.61(e)(5) |
| 136.1(c)(1) | 219.1 | 245(a)(3) | 273.6(d) | 288a(g) | 667.8 |
| 140(a) | 219.2 | 245(a)(4) | 273a(a) | 288a(h) | 667.85 |
| 148(b) | 220 | 245(b) | 273a(b) | 288a(i) | 674 |
| 148(c) | 220(a)(1) | 245(c) | 273ab(a) | 288a(j) | 836.6(c) |
| 148(d) | 220(a)(2) | 245(d)(1) | 273ab(b) | 288a(k) | 4500 |
| 148.10(a) | 220(b) | 245(d)(2) | 273d(a) | 289 | 4501 |
| 149 | 222 | 245(d)(3) | 278 | 289.6(a)(3) | 4501.1(a) |
| 151 | 236 | 245.2 | 285 | 311.4(a) | 4501.5 |
| 186.26(c) | 236.1 | 245.3 | 286(b) | 311.4(b) | 4503 |
| 187(a) | 237(a) | 245.5(a) | 286(c) | 311.4(c) | 4530(a) |
| 191.5(a) | 240 | 245.5(b) | 286(d) | 347(a) | 4532(a)(2) |
| 192(a) | 241 | 245.5(c) | 286(f) | 368(b) | 4532(b)(2) |
| 192(b) | 241.1 | 245.6 | 286(g) | 368(c) | 11413(a) |
| 192(c)(1) | 241.2 | 246 | 286(h) | 368(f) | 11413(b) |
| 192(c)(3) | 241.3 | 246.3(a) | 286(i) | 404(a) | 11418(b) |
| 192.5(a) | 241.4 | 246.3(b) | 286(j) | 417(a) | 11418(c) |
| 192.5(b) | 241.5 | 261(a) | 286(k) | 417(b) | 11418(d) |
| 192.5(c) | 241.6 | 261.5(a) | 288(a) | 417(c) | 18740 |
| 203 | 241.7 | 261.5(b) | 288(b) | 417.3 | 18745 |
| 205 | 241.8(a) | 261.5(c) | 288(c) | 417.8 | 18750 |
| 206 | 242 | 261.5(d) | 288.2(a) | 422.6(a) | 18755 |
| 207(a) | 243 | 262(a)(1) | 288.3 | 451(a) | 26100(c) |
| 207(b) | 243.1 | 262(a)(2) | 288.4 | 451(b) | 18540(a) |
| 207(c) | 243.2(a)(1) | 262(a)(3) | 288.5(a) | 451.1 | 664/187(a) |
| 207(d) | 243.25 | 262(a)(4) | 288.7(a) | 451.5(a) | 664/211 |
| 208(b) | 243.3 | 262(a)(5) | 288.7(b) | 452(a) | |
| 209(a) | 243.35 | 264.1 | 287(b) | 452(b) | Veh Code 2800.3(a) |
| 209(b)(1) | 243.4 | 266a | 287(c) | 455 | Veh Code 2800.3(b) |
| 209.5(a) | 243.5(a)(1) | 266b | 287(d) | 646.9(a) | |
| 210.5 | 243.6 | 266c | 287(f) | 646.9(b) | |
| 667.85 | 243.65(a) | 266h(b) | 287(g) | 647.6(a)(1) | |
| 211 | 243.7 | 266i(b) | 287(h) | 647.6(b) | |
| 212 | 243.8(a) | 266j | 287(i) | 647.6(c) | |
| 212.5 | 243.9(a) | 267 | 287(j) | 667.61(d)(2) | |
| 214 | 244 | 269(a) | 287(k) | 667.61(d)(3) | |
| 215 | 244.5(b) | 273.4 | 288a(b) | 667.61(e)(1) | |
| 218 | 244.5(c) | 273.5(a) | 288a(c) | 667.61(e)(2) | |
| 218.1 | 245(a)(1) | 273.5(e) | 288a(d) | 667.61(e)(4) | |

The Violent Offense List used by the six Judicial Council pretrial pilot sites that implemented the PSA. Although, California does not have a state authority requiring one list, the Judicial Council collaborated with Judges from the six pilot counties using the PSA, to create one list for those counties to use.

Public Safety Assessment

Points and Scales/Flag

Calculate points by using the Risk Factor tables. Then convert total points to scaled score/flag.

Failure to Appear (FTA)

| Risk Factor | Points |
|--|---------------|
| Pending charge at the time of offense | No = 0 |
| | Yes = 1 |
| Prior conviction (misdemeanor or felony) | No = 0 |
| | Yes = 1 |
| Prior failure to appear in past 2 years | 0 = 0 |
| | 1 = 2 |
| | 2 or more = 4 |
| Prior failure to appear older than 2 years | No = 0 |
| | Yes = 1 |

| Total FTA Points | = | FTA Scaled Score |
|------------------|---|------------------|
| 0 | = | 1 |
| 1 | = | 2 |
| 2 | = | 3 |
| 3 | = | 4 |
| 4 | = | 5 |
| 5 | = | 6 |
| 6 | = | 7 |

New Criminal Activity (NCA)

| Risk Factor | Points |
|---|-------------------|
| Age at current arrest | 23 or older = 0 |
| | 22 or younger = 2 |
| Pending charge at the time of offense | No = 0 |
| | Yes = 3 |
| Prior misdemeanor conviction | No = 0 |
| | Yes = 1 |
| Prior felony conviction | No = 0 |
| | Yes = 1 |
| Prior violent conviction | 0 = 0 |
| | 1 = 1 |
| | 2 = 1 |
| | 3 or more = 2 |
| Prior failure to appear in past 2 years | 0 = 0 |
| | 1 = 1 |
| | 2 or more = 2 |
| Prior sentence to incarceration | No = 0 |
| | Yes = 2 |

| Total NCA Points | = | NCA Scaled Score |
|------------------|---|------------------|
| 0 | = | 1 |
| 1 | = | 2 |
| 2 | = | 2 |
| 3 | = | 3 |
| 4 | = | 3 |
| 5 | = | 4 |
| 6 | = | 4 |
| 7 | = | 5 |
| 8 | = | 5 |
| 9 | = | 6 |
| 10 | = | 6 |
| 11 | = | 6 |
| 12 | = | 6 |
| 13 | = | 6 |

New Violent Criminal Activity (NVCA)

| Risk Factor | Points |
|---|---------------|
| Current violent offense | No = 0 |
| | Yes = 2 |
| Current violent offense AND 20 years old or younger | No = 0 |
| | Yes = 1 |
| Pending charge at the time of the offense | No = 0 |
| | Yes = 1 |
| Prior conviction (misdemeanor or felony) | No = 0 |
| | Yes = 1 |
| Prior violent conviction | 0 = 0 |
| | 1 = 1 |
| | 2 = 1 |
| | 3 or more = 2 |

| Total NVCA Points | = | FTA Scaled Score |
|-------------------|---|------------------|
| 0 | = | No |
| 1 | = | No |
| 2 | = | No |
| 3 | = | No |
| 4 | = | Yes |
| 5 | = | Yes |
| 6 | = | Yes |
| 7 | = | Yes |

Public Safety Assessment (PSA) Decision-Matrix Framework (DMF)

SAN LUIS OBISPO COUNTY, CA

| | NCA 1 | NCA 2 | NCA 3 | NCA 4 | NCA 5 | NCA 6 |
|-------|-------|--------|--------|--------|-------|-------|
| FTA 1 | Low | Low | | | | |
| FTA 2 | Low | Low | Low | Medium | High | |
| FTA 3 | | Low | Low | Medium | High | High |
| FTA 4 | | Low | Low | Medium | High | High |
| FTA 5 | | Medium | Medium | High | High | High |
| FTA 6 | | | | High | High | High |



New Violent Criminal Activity (NVCA) Flag

=If yes, will be considered when suggesting release conditions and Pre-Trial Monitoring Levels (PML)

Pre-

San Luis Obispo Co. PSA-DMF

Case Example:

Defendant: John Doe

Age: 29

Prior Record:

2013: VC 23152- Misdemeanor, FTA-bench warrant, served 2 days in custody, 3 years bench probation

2018: PC 647(f)- Misdemeanor, served 1 day in custody

2019: PC 242- Misdemeanor, served 30 days in custody. 3 years formal probation. Per AB 1950 cases closed 1/1/21

Current Charge:

PC 273.5(A)- Felony

O.R./BAIL REDUCTION REPORT

DEFENDANT: LFM_Name

COURT DATE: vCrtdDate
TIME: vCrTime
DEPARTMENT: vCrtdLoc
CASE NUMBER: vHrgCaseNo
BAIL:
DDA/DA NO: DANum

ATTORNEY: vAttrName

CHARGES: vCasesCharges
COMMUNITY AND FAMILY TIES Verified Not verified

RESIDENCES

| Length of Time | With Whom | Address |
|---------------------------|-----------|----------|
| Current: | | vCurAddr |
| Previous: | | |
| If released, will reside: | | |
| COMMENT: | | |

EMPLOYMENT /how long Verified Not verified

UNEMPLOYED SINCE

SOURCE OF INCOME/SUPPORT

| Number of People Living in the Home | Gross Monthly Household Income |
|-------------------------------------|--------------------------------|
| | |

CRIMINAL RECORD (Source of Information)

THE KNOWN CRIMINAL RECORD CONSISTS OF ARRESTS DATING FROM TO .

INCLUDING CONVICTIONS FOR

PRE-TRIAL RISK ASSESSMENT:

The Public Safety Assessment (PSA) is a Pre-Trial risk assessment tool that takes into consideration an individual's likelihood to commit a new criminal act and failure to appear for court dates.

FTA Scaled Score (Failure to Appear scale score uses four factors to calculate a score (1-7) on an individual's likelihood to appear at a pretrial court hearing. A low score indicates a greater likelihood of pretrial success.)

NCA Scaled Score (New Criminal Activity scale score uses seven factors to calculate a score (1-6) on an individual's likelihood of being arrested while on pretrial release. A low score indicates a greater likelihood of pretrial success.)

PUBLIC SAFETY ASSESSMENT (PSA) Decision Matrix Framework (DMF):

(Using borrowed success rates from national data. We will update the success rates when there is State or SLO County data)

| Failure to Appear (FTA) Scaled Score | New Criminal Activity (NCA) Scaled Score | | | | | |
|--------------------------------------|--|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|
| | 1 91% Likely Arrest-Free | 2 85% Likely Arrest-Free | 3 78% Likely Arrest-Free | 4 68% Likely Arrest-Free | 5 55% Likely Arrest-Free | 6 47% Likely Arrest-Free |
| 1 89% Likely to Appear | Low | Low | | | | |
| 2 85% Likely to Appear | Low | Low | Low | Medium | High | |
| 3 81% Likely to Appear | | Low | Low | Medium | High | High |
| 4 73% Likely to Appear | | Low | Low | Medium | High | High |
| 5 69% Likely to Appear | | Medium | Medium | High | High | High |
| 6/7 65% Likely to Appear | | | | High | High | High |

- Low** likelihood to commit a new criminal act and failure to appear for future court hearings.
- Medium** likelihood to commit a new criminal act and failure to appear for future court hearings.

High likelihood to commit a new criminal act and failure to appear for future court hearings.

PUBLIC SAFETY ASSESSMENT (PSA) NEW VIOLENT CRIMINAL ACTIVITY FLAG **Total NVCA Points**
The New Violent Criminal Activity Flag (NVCA) is an indicator of past or potential future violent criminal acts based upon an individual's prior criminal history and current charge.

0-3 Total NVCA Points = a "No" Response

4-7 Total NVCA Points = a "Yes" Response

No, the defendant does not have multiple violent offense factors which may include the current offense(s).

Yes, the defendant has multiple violent offense factors which may include the current offense (s).

COMMENTS

| Not Opposed | Opposed | No Comment | Title of Info. Source (Inv., Sup., Etc.) | COMMENTS |
|-------------|---------|------------|--|----------|
| | | | | |
| | | | | |
| | | | | |

RECOMMENDATION (check one)

BE RELEASED O.R

CONSIDER BAIL REDUCTION

REJECTED DUE TO INELIGIBILITY

NOT BE RELEASED O.R./NO BAIL REDUCTION

INVESTIGATION INCOMPLETE

DEFENDANT REFUSED CONSIDERATION FOR O.R.

COMMENTS:

Date: CurDate

Respectfully Submitted,
Robert B. Reyes
Chief Probation Officer

vDPOName
Deputy Probation Officer

vSupervisor
Supervising Deputy Probation Officer