

# Ohio Risk Assessment System

## Pre-Trial Tool (PAT)

- *PAT- Score Sheet*
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- *PAT- Interview Guide*

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

Name: \_\_\_\_\_ Date of Assessment: \_\_\_\_\_

Case#: \_\_\_\_\_ Name of Assessor: \_\_\_\_\_

Pretrial Items	Verified
1. Age at First Arrest 0=32 or older 1=Under 32	<input type="text"/> <input type="checkbox"/>
2. Number of Failure-to-Appear Warrants Past 24 Months 0=None 1=One Warrant for FTA 2=Two or More FTA Warrants	<input type="text"/> <input type="checkbox"/>
3. Three or more Prior Jail Incarcerations 0=No 1=Yes	<input type="text"/> <input type="checkbox"/>
4. Employed at the Time of Arrest 0= Yes, Full-time 1= Yes, Part-time 2= Not Employed	<input type="text"/> <input type="checkbox"/>
5. Residential Stability 0=Lived at Current Residence Past Six Months 1=Not Lived at Same Residence	<input type="text"/> <input type="checkbox"/>
6. Illegal Drug Use During Past Six Months 0=No 1=Yes	<input type="text"/> <input type="checkbox"/>
7. Severe Drug Use Problem 0=No 1=Yes	<input type="text"/> <input type="checkbox"/>
<b>Total Score:</b>	<input type="text"/>

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

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**Please State Reason if Professional Override:**

**Reason for Override (note: overrides should not be based solely on offense):**

**Other Areas of Concern. Check all that Apply:**

- Low Intelligence\*
- Physical Handicap
- Reading and Writing Limitations\*
- Mental Health Issues\*
- No Desire to Change/Participate in Programs\*
- Transportation
- Child Care
- Language
- Ethnicity
- Cultural Barriers
- History of Abuse/Neglect
- Interpersonal Anxiety
- Other \_\_\_\_\_

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

# Ohio Risk Assessment System – Pretrial Assessment Tool (ORAS-PAT) Scoring Guide

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## Introduction

The following scoring guide is intended to be a user's guide for the Ohio Risk Assessment System – Pretrial Assessment Tool (ORAS-PAT), which was developed by the Center for Criminal Justice Research at the University of Cincinnati. The scoring guide will give a brief overview of the assessment tool followed by an item-by-item explanation of scoring criteria.

## Overview of the Pretrial Assessment Tool (PAT)

The Pretrial Assessment Tool (PAT) was designed to be quick to administer, but at the same time be predictive of both a defendant's failure-to-appear and risk of violating pretrial probation with a new offense. In keeping with the idea of brevity, the PAT consists of seven risk variables in three dimensions (criminal history, employment and residential stability, and drug use). The tool can be administered in 10-15 minutes and involves a face-to-face interview with the defendant with some questions of the interview being verified through official records (i.e., criminal history variables, employment, etc.). Based on scores of these items, cut-points have been constructed to differentiate between groups that are low, medium, and high risk to violate pretrial supervision (Failure-to-Appear or new arrest). The pretrial assessment was designed to seamlessly contribute to more comprehensive assessments at later stages of the criminal justice system (probation, intake classification, and community release following incarceration).

Each assessment item is scored using specific criteria that is gathered through the interview and review of the defendant's file. Based on these criteria, the defendant is assigned a score ranging from 0 to 2 depending on the item. The total score is a summed product of each of the individual items creating a range between 0-9. The higher the score, the greater the risk the individual poses. Individuals who score between 0-2 are classified as low risk defendants, 3-5 as medium risk, and 6-9 as high risk defendants. The following cutoff scores and failure rates have been established for this instrument:

## **Risk Categories and Expected Rates of Failure by Type of Failure**

<b>Score</b>	<b>Risk Level</b>	<b>% Fail-to-Appear</b>	<b>% New Arrest</b>	<b>% Failure (any type)</b>
0-2	Low	5%	0%	5%
3-5	Moderate	12%	7%	18%
6+	High	15%	17%	30%

### **Accuracy of Information**

An accurate assessment requires accurate information. There are several sources of information that should be used: Official records, offender interview, and collateral sources. Remember the following tips:

- Ask the right questions in the right way – follow the questionnaire.
- Use effective interviewing techniques – probe and allow offender to talk.
- Get the quality and depth of information needed – take your time and do not rush.
- Get collaboration from collateral sources – when in doubt, double check information.
- Score accurately – double check scoring, follow scoring guide, and consult with supervisor if in doubt about an item.

### **Verification of Information**

While verification of assessment items is optimal, there are times when the assessment determination must be calculated and reported without the ability to subsequently verify reported information. The following things should be kept in mind when verifying information:

- Use official records to collect and verify information whenever possible; however, each assessment item does not need to be validated in order for the assessment to be scored. Although verification is optimal, the scoring of the PAT is not dependent upon verification of every item in the assessment.
- Unless verification from official files/employment records directly refutes the information provided, the default scoring should be the information provided by the defendant.

## General Assessment Information

- **Arrest vs. Conviction:** Items which ask about arrests are inquiring to times the offender was taken into custody for a misdemeanor or felony, regardless of the final disposition. There are a variety of reasons why a charge might not become a conviction: dismissal, court diversion in lieu of conviction, etc. For clarification, convictions are findings of guilt by a court which results in a criminal record.
- **Prior:** Items which ask about prior incidents are inquiring about events which occurred *before* the current offense. Current offenses should not be considered when scoring these items. For example, an offender who is being assessed for their third conviction would only have two prior convictions.
- **Current:** Items which ask about current behavior should focus on the last six month period prior to the assessment, unless otherwise stated.
- **Incarceration:** Items which ask about prior incarcerations in a secure correctional facility are inquiring about custodial sentences imposed as punishment upon conviction. Jail incarceration which result from pretrial detention or other non-court issued confinement should not be scored as a yes. Jail stays resulting from probation violations should be counted in this question.

## Scoring for the Pretrial Assessment Tool

### 1. Age of the defendant at first arrest. If unknown, use first conviction:

Score this question as a 1 if the defendant's age at first arrest was 32 or under, and score as 0 if over 32. Note that, as mentioned above, arrests are inquiring to the first time the defendant was taken into custody, for a misdemeanor or felony, regardless of the cases final disposition. If the defendant does not remember or a discrepancy exists, use available official criminal history to determine the age that the defendant was first convicted of either a misdemeanor or a felony. Note: As stated, to score this as a 1 the defendant must have been taken into custody.

### 2. How many failure-to-appear warrants have been filed in the last 24 months?

The range of scoring for this item is 0 to 2 depending on the number of warrants issued for failure-to-appear. Score this question as a 0 if the defendant has never had a warrant for failure-to-appear for an adult case or if the warrants were over two years from the date of the assessment. Score this question as a 1 if the defendant has a single warrant for failure-to-appear within the last 24 months, and score as a 2 if there are two or more. Only consider *adult criminal cases*.

### **3. Did the defendant have 3 or more prior jail and/or prison incarcerations?**

Score this question as a 0 if the defendant has had 2 or fewer previous jail and/or prison incarcerations including sentences to a secure correctional facility imposed upon sentencing. Score this question as a 1 if the defendant has had three or more jail/prison incarcerations imposed upon sentencing. Jail incarcerations resulting from pretrial detention or other non-court issued confinement should not be considered when scoring this item. Any sentence in which the defendant spent time in jail, regardless of duration, should be counted. Jail sentences that are credited due to pretrial detention should also be counted, even if the credit is for the entirety of the sentence.

### **4. Was the defendant employed at the time of arrest?**

The range of scoring for this item is 0 to 2 depending on the employment status of the defendant at the time of arrest. Score as a 0 if the individual is employed full-time (40 hours or more a week) or is verifiably disabled and unable to work, is retired and existing on a pension, or currently attending a school full time (or part-time schooling co-occurring with a part-time job). If the individual works part-time (between 10 and 39 hours a week) the defendant should receive a score of 1. A score of 2 is assigned to those individuals who work less than 10 hours per week, or if their hours are inconsistent from week-to-week.

#### **Considerations:**

- If the individual works seasonally (i.e., construction) or intermittently, but the income covers expenses year round, score this question as 0.
- If the individual is a homemaker or whose job is to maintain the house and care for dependents, score this item as 0.
- If the individual reports being self employed and the assessor is unable to verify this before final determination is required, score this individual as a 2 (i.e., unemployed).

### **5. Residential Stability: Was the defendant at the current residence for the last 6 months?**

Score this item as 0 if the offender has lived at the current residence over the past 6 months. If the individual has lived in multiple residencies or if living arrangements have otherwise not been stable (such as sleeping on a friend's couch, no permanent address, being constantly thrown out of the house, or is homeless), score as a 1.

#### **Considerations:**

- When a defendant reports living in a family owned housing unit (i.e. parental owned home), determine if the housing situation is a temporary adjustment due to circumstances or if the defendant is maintaining stable residence at that location.
- Clarify that time at residence is when the defendant personally lived in the home, not the duration when the family/parents have owned/lived in the home.

## **6. Defendant reported drug use in last 6 months:**

Score this question as a 1 if the individual self reports *illegal* drug use (not alcohol use or legally prescribed medication taken in accordance to directions) in the last six months, or if there are official records (i.e., urinalysis results) that indicate that such use occurred. Official possession charges can be indicators of use, but inquiries should be made into the specifics of the charge as the assessment item is about drug use in the last 6 months, not drug dealing or drug selling. Score as 0 if there is no evidence of illegal drug use in the last 6 months.

## **7. Severe drug-related problems in the last 6 months:**

This question addresses the severity of drug use related problems of the defendant during the past six months. Those defendants whose illegal drug use has caused serious problems in the past six months (legal, employment, family, health, etc.) or that self-report severe drug related problems should be scored a 1. Individuals who have not used illegal drugs in the past six months or who do not appear to have a severe drug-related problem should be scored a 0. This item can be scored from official information or self report. If self report score from the following question:

**“Please rate yourself on a scale of 1 (none/not at all) to 5 (Lots of problems). Drug use has caused problems in my life in the last 6 months.”**

An individual who reports a score of 1-3 (i.e., no drug related problems or slight problems) should be assigned an assessment score of 0 for this question, while defendants who self report a 4 or 5 should be given a score of 1.

### **Considerations:**

- If an individual’s official record contradicts the self reported statements, default to use the official record (e.g., urinalysis, drug abuse convictions, etc.). For instance, if the defendant denies use, but official records indicate recent problems due to use, default to the official records.
- Look for indicators of major disruption to the offender’s life due to drug abuse. For example, problems holding or obtaining a job, health or relationship problems due to drug use, or legal problems related to drug use.
- This question should focus on drug use problems, and should not be scored for individuals who have family, employment, or legal problems due to the illegal selling or manufacturing of illicit narcotics unless they are also users.

# Ohio Risk Assessment System – Pretrial Assessment Tool (ORAS-PAT) Interview Guide

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## Conducting the Interview

The interview guide is designed to assist the assessor in gathering the information necessary to accurately assess the defendant. It is important to establish rapport with the defendant. While it is recommended that the interview guide be closely followed, the wording of the questions may vary. Here are some tips for conducting the interview:

- Conduct the interview in a relaxed and private environment.
- Explain the purpose of the interview, and stress the need for honesty and complete answers to questions.
- Do not hesitate to use follow-up questions and probe. Examples of follow-up questions:
  - Tell me more. I want to be certain that I understand you.
  - What happened next?
  - Could you explain that further?
  - What do you mean?
  - Can you describe some examples?
  - How did that make you feel?
- Remember what information you are trying to obtain. Develop clear examples and remember there are sometimes differences in perception.
- Remember that the interviewer sets the tone. Be patient and try not to correct or teach.
- Whenever possible, use open-ended questions where the respondent provides his or her opinion and is able to elaborate. For example, “Tell me more about your relationship with....”
- Avoid double-barreled questions where the respondent is asked a combination of questions:
  - “How is your relationship with your mother and father?”
- Avoid biased questions where the respondent is led in a certain direction:
  - “Your relationship with your mother isn’t bad, is it?”

Also remember that the interview is only one source of information. Official records and collateral sources such as family members or other professionals should also be consulted when needed. It is important to corroborate the defendant’s responses whenever possible.

***The Following Items are scored for the Pretrial Assessment Tool:***

1. Age at First Arrest:  
0=32 or older  
1=under 32
  
2. Number of Failure-to-Appear Warrants Past 24 Months:  
0=None  
1=One Warrant for FTA  
2=Two or More FTA Warrants
  
3. Three or More Prior Jail Incarcerations:  
0=No  
1=Yes
  
4. Employed at the Time of Arrest:  
0=Yes, Full-time  
1=Yes, Part-time  
2=Unemployed
  
5. Residential Stability:  
0=Lived at Current Residence Past Six Months  
1=Not Lived at Same Residence
  
6. Illegal Drug Use During Past Six Months:  
0=No  
1=Yes
  
7. Severe Drug Use Problem:  
0=No  
1=Yes

***Questions:***

1. Do you have any prior arrests or convictions:    Y        N
  
2. How old were you when you were arrested for the first time? \_\_\_\_\_
  
3. What was it for? \_\_\_\_\_
  
4. As an adult, have you ever gotten a warrant filed for failure-to-appear to court? Y        N
  
5. How many times? \_\_\_\_\_
  
6. How many times during the past two years? \_\_\_\_\_

7. What happened as a result? \_\_\_\_\_  
\_\_\_\_\_

8. Have you ever been incarcerated in jail as a result of a conviction?     Y     N

*(Probe to make sure that incarceration was a result of sentencing and not simply pretrial detention).*

9. How many times? \_\_\_\_\_

10. Have you ever been in prison?                     Y     N

11. How many times? \_\_\_\_\_

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

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

14. Is work temporary, seasonal \_\_\_\_, or permanent? \_\_\_\_

15. Are you in school?             Y     N

16. If yes, full-time \_\_\_\_ or part-time? \_\_\_\_

17. If not employed or enrolled in school find out if defendant is retired, disabled, or full-time homemaker. \_\_\_\_\_

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

19. Is this your primary residence?   Y             N

If no, please explain: \_\_\_\_\_

20. Do you own \_\_\_\_ or rent \_\_\_\_?

21. If you have moved within the past six months, what was the reason? \_\_\_\_\_  
\_\_\_\_\_

22. Have you ever had a problem with drugs other than alcohol?     Y             N

If yes, please explain: \_\_\_\_\_

23. Have you ever been arrested for drug use?                     Y     N

If yes, please explain: \_\_\_\_\_

