

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

Score	Risk Level	% Fail-to-Appear	% New Arrest	% Failure (any type)
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 the 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 violation 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 case's 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 has a warrant for failure-to-appear as 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 a 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 0 if the individual is employed full-time (40 hours 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 received 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 questions as 0.
- If the individual is a homemaker or whose job is to maintain the house and care for dependents, score this item as a 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 items as 0 if the offender has lived at the current residence over the past 6 months. If the individual has lived in multiple residences 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 the 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 six months, not drug dealing or drug selling. Score as 0 if there is no evidence of illegal drug use in the last six 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 last 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 six 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.