

Illinois Pretrial/Presentence Information

*Data from:

- Jamie with the pretrial services division, former SOMB member as probation representative.
- Lake County (north of Chicago, a medium-sized county)
- Dept of Corrections website

Once arrested

- No cash bail has changed things quite a bit; now, “detain or release” - many facing sex offense charges stay in custody.
- Electronic monitoring is used, but primarily for domestic violence perpetrators
- No specific sex offense risk assessment, just the PSA (Info on PSA below)
- Staff will look through phones and computers, but this must be specified in the court order during pretrial.
- Staff ensures those accused are not living with the kids, etc.
- In certain jurisdictions, such as the Central District of Illinois, specialized, sex-offense-specific evaluations and counseling (group or individual) can be required for defendants during the pretrial phase.
- Presentence Investigation Reports (PSI): For sex crimes, PSIs must be filed within 60 days of a guilty verdict, detailing the defendant's criminal history, mental health, and the impact of the offense on the victim.

Other notes:

- Failure to register is non-detainable in Illinois
- SOMB is 22 persons
- Sexual Offender Management Board Act (20 ILCS 4026):
 - Since January 1, 2004, all felony sex offenders considered for probation must undergo evaluation by licensed professionals.
 - As of January 1, 2014, that evaluation and subsequent treatment must be carried out by licensed evaluators or treatment providers, and expenses are borne by the offender based on ability to pay.

Adult Pretrial Services

Adult Pretrial Services is comprised of **two units** responsible for **pretrial investigations** (help the court make informed decisions regarding release back to community while waiting case) **and pretrial supervision** (compliance with the conditions specific to the level of their release).

Pretrial Investigation Unit completes risk assessments, which require a comprehensive criminal history report, for the first appearance hearing. The risk assessment, along with the criminal history, is filed with the court. Our current risk assessment is the **Public Safety Assessment (PSA)**, which is a validated, evidence-based tool that does not require a client interview to complete.

Pretrial Field Supervision Unit:

The Pretrial Field Unit is responsible for the monitoring of clients assigned to pretrial supervision. Once released to Pretrial Supervision by the court and assessed a level of supervision, the justice-involved individual is assigned a pretrial officer. Clients are assigned to officers based on two factors: 1) what risk level they are assessed at and 2) where they live. Risk levels range from low (Level 1) to Max (Level 4). All clients on pretrial release will receive court reminder calls.

PSA Tool

The Public Safety Assessment (PSA) is an evidence-based, algorithmic tool used by courts to help judges determine pretrial release conditions by predicting a defendant's risk of failing to appear in court, committing new crimes, or committing new violent crimes. It promotes fairness and consistency by removing subjective, non-criminal factors from the assessment.

Risk Factors Used: The **tool analyzes 9 specific factors**, including the defendant's age at current arrest, current violent offense, pending charges, prior convictions, and prior failures to appear.

Scores Generated:

NCA (New Criminal Activity): 6-point scale predicting a new crime.

FTA (Failure to Appear): 6-point scale predicting if the person will return to court.

NVCA (New Violent Criminal Activity): A "yes" or "no" flag indicating an elevated risk of violence.