

APPENDIX A.

Virginia Pretrial Risk Assessment Instrument (VPRAI)¹²

The VPRAI consists of eight risk factors.

1. **Primary Charge Type** – Defendants charged with a felony are more likely to fail pending trial than defendants charged with a misdemeanor.
2. **Pending Charge(s)** – Defendants who have pending charge(s) at the time of their arrest are more likely to fail pending trial.
3. **Criminal History** – Defendants with at least one prior misdemeanor or felony conviction are more likely to fail pending trial.
4. **Two or More Failures to Appear** – Defendants with two or more failures to appear are more likely to fail pending trial.
5. **Two or More Violent Convictions** – Defendants with two or more violent convictions are more likely to fail pending trial.
6. **Length at Current Residence** – Defendants who live at their current residence for less than one year are more likely to fail pending trial.
7. **Employed/Primary Caregiver** – Defendants who have not been employed continuously at one or more jobs during the two years prior to their arrest or who are not a primary caregiver are more likely to fail pending trial.
8. **History of Drug Abuse** – Defendants with a history of drug abuse are more likely to fail pending trial.

¹² VanNostrand, Marie and Rose, Kenneth J. (2009). Pretrial Risk Assessment in Virginia. Virginia Department of Criminal Justice Services.

The eight VPRAI risk factors are weighted as follows: each risk factor is scored at 1 point with the exception of Two or More Failures to Appear which is assigned 2 points. The points are totaled to create a score from 0 to 9 and are used to create five risk levels: low, below average, average, above average, and high (Appendix Table A.1.) The risk levels represent the likelihood of pretrial failure including failing to appear in court and danger to the community pending trial.

Appendix Table A.1. VPRAI Risk Levels

VPRAI Risk Level	VPRAI Score
Low	0-1
Below Average	2
Average	3
Above Average	4
High	5-9

APPENDIX B.

Pretrial Praxis (revised 2-11-2013)

Risk Level / Charge Category	Traffic: Non-DUI	Non-violent Misd.	Theft/Fraud	Traffic: DUI	Drug	Failure to Appear	Firearm	Violent
Low Risk								
PR or UA Bond	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Pretrial	No	No	No	No	No	Yes	Yes	Yes
Supervision Level	N/A	N/A	N/A	N/A	N/A	I	II	II
Below Average Risk								
PR or UA Bond	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Pretrial	No	No	Yes	Yes	Yes	Yes	Yes	Yes
Supervision Level	N/A	N/A	I	I	I	II	III	III
Average Risk								
PR or UA Bond	Yes	Yes	Yes	Yes	Yes	Yes	No	No
Pretrial	Yes	Yes	Yes	Yes	Yes	Yes	No	No
Supervision Level	I	I	II	II	II	III	N/A	N/A
Above Average Risk								
PR or UA Bond	Yes	Yes	Yes	Yes	Yes	No	No	No
Pretrial	Yes	Yes	Yes	Yes	Yes	No	No	No
Supervision Level	I	I	II	III	III	N/A	N/A	N/A
High Risk								
PR or UA Bond	Yes	Yes	Yes	No	No	No	No	No
Pretrial	Yes	Yes	Yes	No	No	No	No	No
Supervision Level	II	II	III	N/A	N/A	N/A	N/A	N/A

Charge Category Priority Order – Violent, Firearm, Failure to Appear, Drug, Traffic: DUI, Theft/Fraud, Non-violent Misdemeanor, Traffic: Non-DUI

Pretrial Praxis Does Not Apply To – murder, homicide, manslaughter, or similar or an attempt to commit any of these crimes

Charges That Are Not Praxis Eligible Include – probation violation, contempt of court, fugitive from justice, escape, immigration violation/detainer, drunk in public, non-support, sex offender failure to register

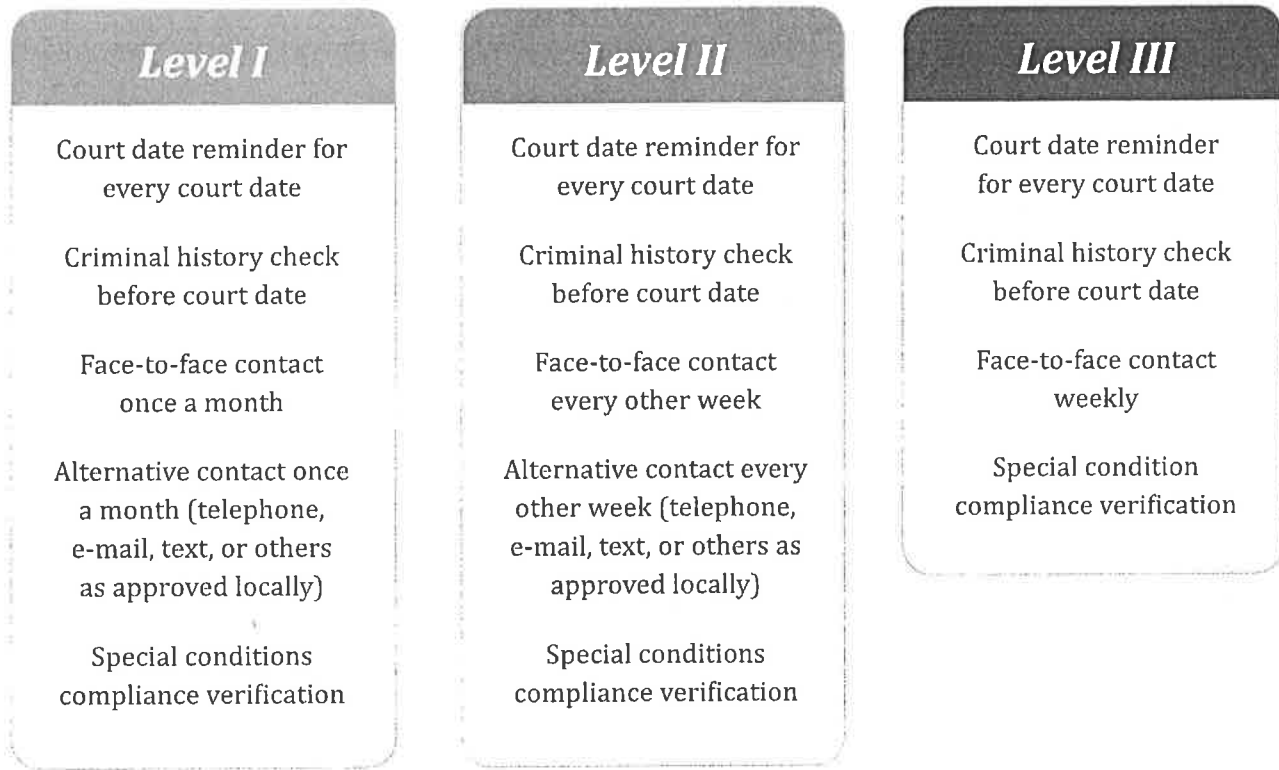
FTA Recommendation – applies when the underlying charge is NOT violent or firearm, otherwise the violent or firearm category takes precedence

PR or UA Bond – [Yes] = Recommended for Personal Recognizance or Unsecured Appearance Bond; [No] = Not Recommended

Pretrial Supervision – [Yes] = Recommended for Pretrial Supervision; [No] = Not Recommended

Supervision Level – [I, II, III] = Recommended Level of Supervision; [N/A] = Supervision not recommended (level not applicable)

Structure for Differential Pretrial Supervision



In developing the three levels of supervision it was acknowledged that there may be times when active supervision is not feasible for a particular defendant. In these cases, defendants may be placed in monitoring status. Monitoring varies from all levels of supervision as there is no face-to-face contact requirement. Monitoring may be used to address extenuating circumstances and is not formally part of the differential supervision structure.