

# Public Safety Assessment: How It Works

The Public Safety Assessment (PSA) is an actuarial assessment that uses nine factors to predict three pretrial outcomes: Failure to Appear (FTA), New Criminal Arrest (NCA), and New Violent Criminal Arrest (NVCA). Use of the PSA, in combination with other pretrial improvements, is associated with improved pretrial outcomes. The PSA does not replace judicial discretion. The PSA provides judicial officers with research-based information that they weigh, along with other information, to make more informed pretrial decisions.

## PSA Factors and Pretrial Outcomes

This table shows the nine factors used by the PSA and which factors are used to predict each outcome.

PSA FACTORS AND PRETRIAL OUTCOMES			
PSA FACTOR	FTA	NCA	NVCA
1. Age at current arrest		✓	
2. Current violent offense			✓
2A. Current violent offense and 20 years old or younger			✓
3. Pending charge at the time of the arrest	✓	✓	✓
4. Prior misdemeanor conviction		✓	
5. Prior felony conviction		✓	
5A. Prior conviction (misdemeanor or felony)	✓		✓
6. Prior violent conviction		✓	✓
7. Prior failure to appear in the past 2 years	✓	✓	
8. Prior failure to appear older than 2 years	✓		
9. Prior sentence to incarceration		✓	

## Factor Weights

To calculate the scores, each PSA factor is weighted and assigned different points according to the strength of its relationship with the specific pretrial outcome. At the end of the assessment, the points for each pretrial outcome are totaled. The total points assigned to FTA and NCA are then converted to two separate scales ranging from 1 to 6. Lower scores indicate a greater likelihood of pretrial success. The points assigned to NVCA are converted to a scaled score and then to the presence or absence of a “violence flag.”

The following series of tables show how the PSA assigns points to the factors for each outcome and then converts them to scaled scores or a violence flag.

### Failure to Appear (FTA)

FTA refers to a person missing a pretrial court hearing and the court, in response, issuing a warrant, capias, or other similar response.

The PSA converts the total number of FTA points to a final, scaled score ranging from 1 to 6.

Failure to Appear: Points		
PSA FACTOR	RESPONSE	POINTS
Pending charge at the time of the arrest	No	0
	Yes	1
Prior conviction (misdemeanor or felony)	No	0
	Yes	1
Prior failure to appear in the past 2 years	No	0
	Yes, just 1	2
	Yes, 2 or more	4
Prior failure to appear older than 2 years	No	0
	Yes	1

Failure to Appear: Scaled Score	
TOTAL FTA POINTS	SCALED FTA SCORE
0	1
1	2
2	3
3 or 4	4
5 or 6	5
7	6

## New Criminal Arrest (NCA)

NCA refers to a person being arrested while on pretrial release. It includes both a custodial arrest and an arrest by citation or summons.

The PSA converts the total number of NCA points to a final, scaled score ranging from 1 to 6.

New Criminal Arrest Points		
PSA FACTOR	RESPONSE	POINTS
Age at current arrest	23 or older	0
	22 or younger	2
Pending charge at the time of the arrest	No	0
	Yes	3
Prior misdemeanor conviction	No	0
	Yes	1
Prior felony conviction	No	0
	Yes	1
Prior violent conviction	No	0
	Yes, 1 or 2	1
	Yes, 3 or more	2
Prior failure to appear in the past 2 years	0	0
	Yes, just 1	1
	Yes, 2 or more	2
Prior sentence to incarceration	No	0
	Yes	2

New Criminal Arrest: Scaled Score	
TOTAL NCA POINTS	SCALED NCA SCORE
0	1
1 or 2	2
3 or 4	3
5 or 6	4
7 or 8	5
9 to 13	6

## New Violent Criminal Arrest (NVCA)

NVCA refers to a person being arrested for a violent offense while on pretrial release. It includes both a custodial arrest and an arrest by citation or summons.

The PSA converts the total number of NVCA points to a scaled score and then to a “violence flag.”

New Violent Criminal Arrest: Points		
PSA FACTOR	RESPONSE	POINTS
Current violent offense	No	
	Yes	
Current violent offense and 20 years old or younger	No	
	Yes	
Pending charge at the time of the arrest	No	
	Yes	
Prior conviction (misdemeanor or felony)	No	
	Yes	
Prior violent conviction	No	
	Yes, 1 or 2	
	Yes, 3 or more	

New Violent Criminal Arrest Violence Flag	
TOTAL NVCA POINTS	SCALED NVCA SCORE (VIOLENCE FLAG)
0 or 1	1 (NO)
2	2 (NO)
3	3 (NO)
4	4 (YES)
5	5 (YES)
6 or 7	6 (YES)

Advancing Pretrial Policy and Research (APPR) is committed to fair, just, effective pretrial practices, every day throughout the nation. To learn more about APPR, pretrial justice, and the PSA, visit [advancingpretrial.org](http://advancingpretrial.org).

## Sonoma County Public Safety Assessment (PSA) Factors and Definitions

PSA Factor	Definition
1. Age at Current Arrest	<ul style="list-style-type: none"> <li>• The person's age at the time of the arrest – not the age at the time the alleged offense was committed.</li> <li>• If the arrest date is unknown, scoring will use the person's age at the time the PSA is being completed.</li> </ul>
2. Current Violent Offense	<ul style="list-style-type: none"> <li>• An offense is only considered violent if the booking charge appears on Sonoma County's PSA Violent Offense List. Sonoma County uses the Violent Offense List adopted by all California jurisdictions participating in the Pretrial Pilot Program and using the PSA.</li> <li>• An offense is included on the violent offense list if a person causes or attempts to cause physical injury through use of force or violence against another person.</li> <li>• Charges of attempt (such as attempted murder or attempted robbery), being an accessory before the fact, party to a crime, solicitation, or conspiracy to commit any of these offenses are also included on the violent offense list.</li> </ul>
2a. Current Violent Offense and 20 Years Old or Younger	<ul style="list-style-type: none"> <li>• If one or more current charges is violent (as defined in factor 2) <b>and</b> the person was 20 years of age or younger at the time of the arrest (as defined in factor 1), this factor is scored as <b>Yes</b>.</li> </ul>
3. Pending Charge	<ul style="list-style-type: none"> <li>• A pending charge refers to any charge that has not reached final disposition at the time the PSA is completed. There are two exceptions: <ul style="list-style-type: none"> <li>○ If someone is currently participating in a 1210 PC deferral, the charges on the 1210 PC deferral case will be considered pending, even though the charges appear as convicted during the 1210 PC deferral program.</li> <li>○ If the person was booked <i>only</i> on a warrant without any new charges, then the Pending Charges connected to the Warrant Case are considered the new charges. In this scenario, Risk Factor 3: Pending Charges may be scored as <b>No</b>.</li> </ul> </li> </ul>
4 and 5. Prior Misdemeanor and Felony Convictions	<ul style="list-style-type: none"> <li>• A conviction is an adjudication of guilt, whether by a guilty plea or a finding of guilt.</li> <li>• The <b>prior misdemeanor</b> conviction must be for a traffic or criminal offense defined by statute as a misdemeanor <b>and</b> which carries a potential penalty of incarceration. By definition in Sonoma County a misdemeanor carries a potential penalty of incarceration.</li> <li>• The <b>prior felony</b> conviction must be for a traffic or criminal offense defined by statute as a felony <b>and</b> which carries a potential penalty of incarceration. By definition in Sonoma County a misdemeanor carries a potential penalty of incarceration.</li> </ul>

	<ul style="list-style-type: none"> <li>• Out-of-state and out-of-county convictions are included in the scoring.</li> <li>• The following are <b>not</b> counted as a prior conviction: <ul style="list-style-type: none"> <li>○ any case for which the person was found not guilty by reason of insanity; or</li> <li>○ any case that was expunged or for which the conviction was overturned.</li> </ul> </li> </ul>
5a. Prior Conviction	<ul style="list-style-type: none"> <li>• If the person has a prior misdemeanor conviction as defined in factor 4 <b>or</b> a prior felony conviction as defined in factor 5, this factor is scored as <b>Yes</b>.</li> </ul>
6. Prior Violent Convictions	<ul style="list-style-type: none"> <li>• An offense is only considered violent if it appears on the Violent Offense List adopted by all California jurisdictions participating in the Pretrial Pilot Program and using the PSA.</li> <li>• An offense is included on the violent offense list if a person causes or attempts to cause physical injury through use of force or violence against another person.</li> <li>• Charges of attempt (such as attempted murder or attempted robbery), being an accessory before the fact, party to a crime, solicitation, or conspiracy to commit any of these offenses are also included on the violent offense list.</li> <li>• Each prior violent conviction is counted separately, even if multiple convictions were related to the same incident and/or were disposed of on the same day.</li> <li>• Out-of-state and out-of-county convictions are included in the scoring.</li> <li>• The following are <b>not</b> counted as a prior conviction: <ul style="list-style-type: none"> <li>○ any case in which the person was found not guilty by reason of insanity or not competent to proceed and not likely to regain competency; or</li> <li>○ any case that was expunged or for which the violent conviction was overturned or reversed on appeal.</li> </ul> </li> </ul>
7. Prior Failure to Appear Pretrial in Past Two Years and 8. Prior Failure to Appear Pretrial Older Than Two Years	<ul style="list-style-type: none"> <li>• For PSA scoring, failures to appear are counted for pre-disposition court appearances for a for a felony or misdemeanor and for which the court took an action, such as issuing a warrant.</li> <li>• A pre-disposition court appearance is any hearing after arrest and prior to and including sentencing. Post-sentence failures to appear, such as an FTA at a hearing for a violation of probation supervision are not counted.</li> <li>• A failure to appear for a single court appearance is counted once, regardless of the number of charges or warrants issued related to that appearance.</li> <li>• Out-of-state and out-of-county failures to appear pretrial are included when the information is available.</li> </ul>

<p>9. Prior Sentence to Incarceration</p>	<ul style="list-style-type: none"><li>• A prior sentence to incarceration to jail, jail as part of an 1170(h) sentence, or prison is counted if the sentence was for a period of 14 or more days. This includes incarceration as a result of a resentencing.</li><li>• The incarceration sentence must be imposed by a judicial officer. It does <b>not</b> include any time spent in jail by order of a probation or community supervision officer.</li><li>• Prior sentences are <b>not</b> counted if any of the following are true:<ul style="list-style-type: none"><li>○ The judge stayed or suspended the sentence and placed the person on probation;</li><li>○ The conviction on which the person was sentenced was later expunged;</li><li>○ The sentence is later vacated; or</li><li>○ The sentence of incarceration is in lieu of payment of fines or costs.</li></ul></li></ul>
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