

Guide to Pretrial System Mapping

After reading this guide, team leads will be prepared to help their policy team create a pretrial system map. They will be able to explain how a system map helps illustrate how cases are processed through the current pretrial system, to facilitate their policy team's creation of a system map, and to answer common questions about a system map.

Introduction

System mapping is a key way for your team to understand and assess how your pretrial justice system works. A system map is an essential tool your jurisdiction will use to identify changes your team may want to make to the pretrial system. The mapping process brings together policymakers, first-line supervisors, and line staff to graphically describe the pretrial system, key decision points within the system, information available at each decision point, and time lapse from one key step to the next. The process brings to the surface issues for further inquiry, and sometimes helps identify quick solutions to bottlenecks or inefficiencies.

“The system mapping process returns so much value to everyone who participates: it acknowledges the experience and wisdom of line staff and engages them in a meaningful way in the project early on, it enriches the knowledge of policymakers, and it draws everyone involved into imagining what a better, more just and effective system might look like.”

— Donna Reback, senior partner, Flint Springs Associates, and APPR TA provider

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Pretrial Decision Points

Pretrial decision points are events where decisions are made that set the course for how a person moves through the pretrial system. Changes in policies or practices at each decision point offer an opportunity to improve the system and achieve your pretrial goals.

Your system map should include all of these major pretrial decision points:

- **Initial contact by a law enforcement officer.** An officer decides whether to stop a person and make initial contact.
- **Diversion, citation, or custodial arrest.** An officer decides to take no action, refers the person to services (e.g., mental health or housing), issues a citation, or makes a custodial arrest.
- **Jail booking.** A jail administrator processes people for booking into the jail, and a judicial officer, jail administrator, or pretrial services staff may use their “delegated release authority” to release people before their first appearance.
- **Filing criminal charges.** A prosecutor decides whether to file criminal charges and, if so, which charges, and/or refers the person to a pre- or post-charge diversion program.
- **First appearance hearing.** A judicial officer decides to release a person and set release conditions or to hold a detention hearing.
- **Detention hearing.** A judicial officer decides to release or detain.

“For someone like me, who has been in the justice system for 30 years, I was pretty sure I knew exactly how the system worked. I was continually surprised by various decision points where I heard a stakeholder say, ‘Well, this is what we do here and this is why we do it.’ There were some decision points that I didn’t even know existed. When we were done, our system map was seven or eight feet long, and we had identified something like 110 change targets from which we then had to decide what to focus on to make our initial foray into pretrial reform.”

— Retired Chief Judge Jeff Kremers, Milwaukee County, Wisconsin

Advancing Pretrial Policy and Research is committed to achieving fair, just, effective pretrial practices, every day, throughout the nation.

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Two Approaches to System Mapping

The purpose of a system map is like that of a good road map: it shows the main interstates as well as all the offramps and side roads. Creating a system map is an iterative process of asking questions, getting detailed information, and discussing the answers. It is describing each decision point, who’s involved, with what information and options, on what kind of timeline. It is a dialogue among those who make policies and the front-line staff charged with implementing them.

“My preference—borne out of experience doing this many times with many teams—is to develop the system map all at once with the full policy team present, along with several additional people from each member’s organization. This concentrated method of system mapping seems to maximize the exchange among participants, generate the most in-depth discussions, and optimize identifying connections, gaps, and opportunities.”

— Mimi Carter, principal, Center for Effective Public Policy, and APPR TA provider

Gathering this kind of information through the mapping process takes time, and some team members may resist doing the exercise. The resistance may come because your jurisdiction is small and people believe they already know how everything works. In a large jurisdiction, the system may seem too complex and overwhelming for some stakeholders. Team leadership will have to decide how best to respond to any concerns that arise.

There are many ways to create a system map, but the policy team should expect to engage in a facilitated interactive process designed to articulate a complete “picture” of how decisions are made at each point in the pretrial system. Although it is a time-consuming process, this foundational exercise will inform much of the team’s explorations, discussions, and decision making going forward. By understanding what happens in the pretrial system now, team members can assess how that picture aligns with and differs from their goals and desired outcomes. In many jurisdictions, completing this process helps give policy team members a clearer picture of the work ahead that will lead to the changes they wish to make.

There is no one “right way” to complete system mapping. This section describes two approaches to the mapping process. The first relies exclusively on a single expanded meeting, that is, a nearly day-long meeting that involves the policy team members and invited frontline staff. The second approach uses staff workgroups followed by a similar meeting. You can choose the approach that best suits your jurisdiction and adjust as needed.

The two approaches are similar. Both rely on a set of questions about each decision point; participants use the answers to create the map and discuss what is and what could be.

Approach #1: A Single Policy Team Meeting

This approach relies on the policy team to create the map in a single meeting. This option is more intensive, but it can reduce the total time spent on mapping.

Best suited for: A jurisdiction in which the high-level policymakers are able to commit time and real effort to the process.

What it looks like: Using this approach, the policy team gathers with line staff and first-line supervisors from each agency/entity involved in the pretrial system, and together they work through each decision point to create the map. You will need to ensure that:

- The entire policy team is available to meet for a single six- to eight-hour work session
- Identified agency staff are available—preferably for the entire session, but at least for specific blocks of time as needed

“I prefer using workgroups instead of a single large group because I want the folks who know the most about their systems to participate. People in small groups tend to be assistant DAs or assistant public defenders—and they may know the most about how the system works. If people in a workgroup are not sure about the answers, they will invite others to participate or seek answers from those who are the most knowledgeable. I find that in large groups, only certain people (sometimes the senior person, elected official, etc.) will provide answers and others may defer.”

— Richard Stroker, director,
Center for Effective Public Policy,
and APPR TA provider

- The room is large enough for the team and the staff to meet, with wall space to hang the sections of the map as they are developed
- Ground rules, including expectations that everyone will participate, speak candidly, and engage in active listening, are determined
- Food and beverages are available to participants throughout the workday

Roles and responsibilities: You will need someone to facilitate the mapping session and help the group work through all the decision points. Your team lead or other stakeholder or staff person can perform that role, or you can obtain (sometimes for hire) the assistance of an outside facilitator. Either way, someone will need to capture the details on the flip charts and record key elements of the discussion.

With this approach, each team member is responsible for ensuring that other staff from their agency attend and are prepared to engage with the policy team.

Approach #2: Workgroups Followed by a Policy Team Meeting

This approach relies on workgroups consisting of line staff and first-line supervisors.

Best suited for: Jurisdictions that have multiple law enforcement agencies and/or a number of pretrial partners (such as community-based service organizations), and where the policy team wants their participation but their leadership may not be able to join a team meeting.

What it looks like: The workgroups are organized around the identified decision points (such as law enforcement contact, jail booking, etc.) to create preliminary drafts of their part of the system map. The workgroups meet prior to the policy team meeting and then send representatives to that meeting to share their work and help create the full system map. This approach gives agency staff more time to do a deep dive into their area of expertise. The team lead is responsible for organizing the groups and meetings, and will:

- Create the decision-point workgroups identified previously by the policy team (this is described below)
- Work with each team member to identify the staff who will participate in each workgroup (see the guidance below)
- Schedule the workgroup meetings and find appropriate venues
- Invite and confirm the attendance for each workgroup
- Attend each meeting to facilitate the discussion, make sure questions are addressed, and ensure that a meeting record is produced

Roles and responsibilities: Each workgroup should choose at least two members to attend the policy team’s mapping session. The team lead will

“By nature of the work, you work in silos, so it really was powerful to see through the system mapping process all the decision points that happen...I don’t think we realized how much opportunity we had to make meaningful change. That was probably the biggest benefit for the partners.”

— Jessica Ireland, program manager, Mecklenburg County Pretrial Services (2010–2021), senior manager, Center for Effective Public Policy (2021–present)

be responsible for ensuring that those representatives attend the expanded team meeting where they will describe the decision point, present their section of the map, and respond to questions.

The following guidelines can help you select workgroup members and conduct workgroup meetings:

- Team members should select a diverse group of individuals—those with the greatest knowledge and perspective about the formal policies that guide decision making and about the informal decision making that occurs at each decision point. The workgroups should include both front-line staff and first-line/mid-level supervisors.
- It is strongly recommended that staff from each agency who are familiar with or responsible for data collection and analysis participate in the workgroups and the system mapping exercise. Data are important components of a system map, and including knowledgeable staff in the process will help them understand what is needed when the time comes to collect these data. (For more information on the importance of data, see “Include Data in Your System Map,” below.)
- For purposes of continuity, it may be helpful for one or more policy team members to sit in on the workgroup meetings. During the policy team meeting, those participants may also be able to play a valuable role by prompting workgroup members to discuss examples of what happens at “their” decision point(s) or to provide their perspective on the information presented.

Creating Your Map

Before your team meets to create the system map together, hold a policy team meeting to plan how you will conduct the mapping process. Coming out of this meeting, the team should have reached consensus about the decision points to include in your system map, approved the approach to system mapping, and identified the staff who will participate in the mapping exercise.

To facilitate this meeting, the project champion and the team lead will describe the mapping process by reviewing the tasks required to complete the system map and explaining what is expected of team members and their staff in terms of participation. They will also recommend which approach the team should use to complete the map.

Identify all the Decision Points

Regardless of which approach you choose, the mapping process must begin with the policy team identifying all the pretrial decision points in your system. Show them the pretrial decision points illustrated on the [APPR website](#). Then facilitate a brainstorming session to capture all the decision points in your jurisdiction that

lead to a case's conclusion. Record the points on a flip chart. When the team members have exhausted all their ideas, arrange the points in sequence if you haven't been able to do that along the way.

Identify Agency Staff

Agency staff must participate in the mapping process to help the policy team understand the complexity of the decisions made at each point. Depending on the approach you take, staff will either work in small groups that focus on each decision point before meeting with the policy team to discuss their efforts or staff will meet with the policy team to work on the map together.

Each of the relevant agencies is typically represented on the policy team. So, each team member should put together a small group of their staff, including front-line staff and supervisors, who have knowledge about how things happen at the decision point in question: police, service providers, prosecutors, judicial officers, public defenders, pretrial services staff, court administrators, booking staff, jail staff, and anyone else who may play a role at one of these points.

Some agencies may be involved at multiple decision points and, if you decide to use the workgroup approach, their staff may need to participate in more than one workgroup. For example, the police department is involved in the first contact with a person suspected of committing a crime (often the first pretrial decision point) and may also have the authority to book or release someone at a station house.

Prepare for the System Mapping Exercise

Whether the policy team is creating the system map or workgroups are preparing sections of it, the same questions are used to gather the information you will need. For each decision point, the group must answer these questions:

- Who is involved in the decision making?
- What are the desired outcomes?
- What are the major options available to the decision maker?
- What formal procedures or policies are followed?
- What information is needed to make decisions?
- What data are collected and how are they stored?
- What other factors are considered, including unspoken or implicit norms?
- How much time typically elapses between decision points?
- How quickly can the decision be made at each point?
- What are the challenges and barriers to effective and efficient decision making?

“I like to ask staff, ‘If you could wave a magic wand and change something here, what would it be?’”

— Jennifer Tallon, principal research associate, Center for Court Innovation, and APPR TA provider

As these questions are answered and details are added for each decision point, the resulting information should be turned into a separate narrative for each point. The narratives will be added to the completed map (as addenda) and can be changed as the team’s work progresses. Typically, a one- or two-sentence paragraph suffices for each decision point. (See Appendixes A and B for an example of a system map and the corresponding narrative.)

As you discuss each decision point—whether working with the policy team or in workgroups—staff should be asked what they would change about that part of the system if they could. Staff should also be prompted to think about what works really well and what strengths the agencies bring to each decision point. Staff’s answers should be kept as part of the record. Through their answers and the discussion, the group should identify places where immediate changes could be made to achieve greater efficiency, equity, and justice while preserving those things that work well.

As the policy team learns about and discusses each point, its members should reflect on whether what they’ve heard represents the principles and values they think should drive decision making in their system. Those reflections should be part of the team’s discussions.

Facilitate the Meeting

Someone from within your system, such as the team lead, or an outsider, such as a consultant, will serve as the primary facilitator of the system mapping exercise. The meeting is a time for the policy team to ask questions of agency staff and one another, complete a draft of the map, note any areas that can be addressed quickly, and identify any questions or concerns for the team to take up at future meetings.

The project champion should take these steps to start the mapping meeting:

- Restate the purpose of system mapping
- Provide an overview of the meeting and the agenda
- Describe the steps team members will take after the meeting to finalize the map, including the opportunities they will have to review the map further
- Remind everyone of any meeting ground rules
- Encourage agency staff who are present to be forthright in their answers and not hesitant to correct errors in the map or in the discussion

As the team is working through the map, someone should be tasked with keeping track of outstanding questions, gaps in information, and ideas for improving the process—all for discussion at future meetings.

If you have chosen the approach of a single policy team meeting, you will need at least six to eight hours, and possibly a second meeting. If you decide

to use workgroups to draft sections of the map in advance, the policy team meeting will likely be shorter, perhaps four to six hours; however, in a large system, the meeting may last longer. Please be prepared for either option to take most of a day.

Draft Your Map

The result of the system mapping exercise is likely to be a set of flip charts with an array of squiggly lines, notes, and question marks. The map is not yet completed.

Those flip charts and accompanying notes have a lot of information. The task now is to turn them into useful documents that can help the policy team assess their pretrial system and make decisions about improving it.

To turn the information from the flip charts into a polished system map, the team lead and policy team will need to do the following:

- The team lead—with the assistance of senior staff from the agencies if needed—should take the flip charts and create a version of the system map in electronic form. This is often done in Word or PowerPoint, but you could use flowchart software or other flowchart tools. Color-coding the map by the lead agency (i.e., yellow for police, blue for jail, etc.) is helpful for clarity. (See the example in Appendix A.)
- For each decision point, create an accompanying narrative that includes the details provided during the decision point discussions (such as the information and options available, the formal policies and common practices that guide the decision, who makes the decision, and the time it takes to make the decision and move the case forward).
- Check the decision point narratives with the staff who provided the information to make sure they are correct.
- Identify the data and information to include on the map. The team lead should work with information technology or analyst staff from the relevant agencies to obtain the needed data and information for each decision point. If those data are not available, the completed map should indicate that.

Once the system map is created in electronic form, the policy team should meet again to review and discuss the draft. The team may want additional information and data before finalizing the map.

Finalize Your Map

The following tasks will need to be completed to finalize your pretrial system map:

- Review notes from the system mapping session. Refine and categorize the notes, questions, and ideas from the policy team meeting (and the workgroups if you used them). Include a list of the data you were unable to access and a timeline for getting it, if known.

“Our system map looked at all the decision points in our justice system. We also went ahead and added data to each of those decision points. So, for example, we could tell at the law enforcement level how many citations or summonses were being issued and how many custodial arrests were being made. We also looked at what was happening at the magistrate level, and we found that we were setting secure bonds, a lot—almost 95 percent of the time.”

— Jessica Ireland, program manager, Mecklenburg County Pretrial Services (2010–2021); senior manager, Center for Effective Public Policy (2021–present)

- Make sure your next policy team meeting is scheduled. If you don't have a recurring time for policy team meetings already scheduled, set the date and add a meeting to team members' calendars to review the draft system map, discuss any remaining questions, and finalize the map.
- When the map is finalized, hold a policy team meeting to show the map and summarize the steps in your local pretrial process. Different stakeholders or policy team members can each present their portion of the map (law enforcement can present the arrest decisions, jail staff can describe booking, judicial officers can describe what occurs at first appearance, etc.).

Next Steps

Include Data in Your System Map

Your system map will be substantially more useful when it includes data about your system, such as the number and percentage of people reaching and leaving each pretrial decision point, as well as the average amount of time between the decision points.

Data can help policymakers understand the breadth of the system's contacts by displaying the number of people who are “offramped” at various steps and the number who are detained pretrial. The map can identify the existing options for off-ramping, but simply describing what those options are does not convey their limitations or potential. For example, your jurisdiction may have a diversion program, but if its capacity is too small to accommodate everyone who is eligible, your jurisdiction might be missing the benefit of a potentially valuable offramp. Similarly, a crisis center that can accept only a fraction of the people whom law enforcement indicates could benefit from its services could be indirectly contributing to an increased number of people being detained. Also, the average time between steps in the process can help the policy team identify the decision points where cases bottleneck.

Consider answering these questions for the most recent year for which you have data. The data should correspond to the map:

- How many people reach each decision point?
- From each decision point, how many people go to each of the different options, for example, arrest, citation, referral to services, first appearance, detention, etc.?
- What is the capacity of available “offramp” services?
- What is the average length of time between the major decision points?
- What is the average length of time from first contact to case adjudication or dismissal?

Hard numbers can deepen participants' questions and discussion, so it is helpful to provide as much of these data as possible to the workgroups and the policy team as part of the mapping exercise. But most jurisdictions are unlikely to collect these data before the meetings. Indeed, some or most of these data may be difficult to gather even after the meetings.

Compare Your Map to Practices Supported by the Law and Research

One way to better understand your pretrial system's opportunities to become more fair, effective, and efficient is to look at the events and decisions illustrated in your map and at the laws, policies, and best practices that underlie them. To do this, the policy team may first need to educate themselves about what those laws, policies, and best practices are.

For example, if your system still requires people who are likely to appear in court and remain law-abiding during the pretrial phase to post a financial bond to leave jail, your system is losing the opportunity to mitigate the negative consequences associated with detention (e.g., decreased earnings, loss of employment and public benefits, increased likelihood of new arrests). Similarly, if people do not meet their defense counsel until after their first appearance hearing, they are more likely to spend more time in pretrial detention than if they had been represented. Your map will display where your current process falls short of practices supported by the law and research to achieve better outcomes.

Share Your Map

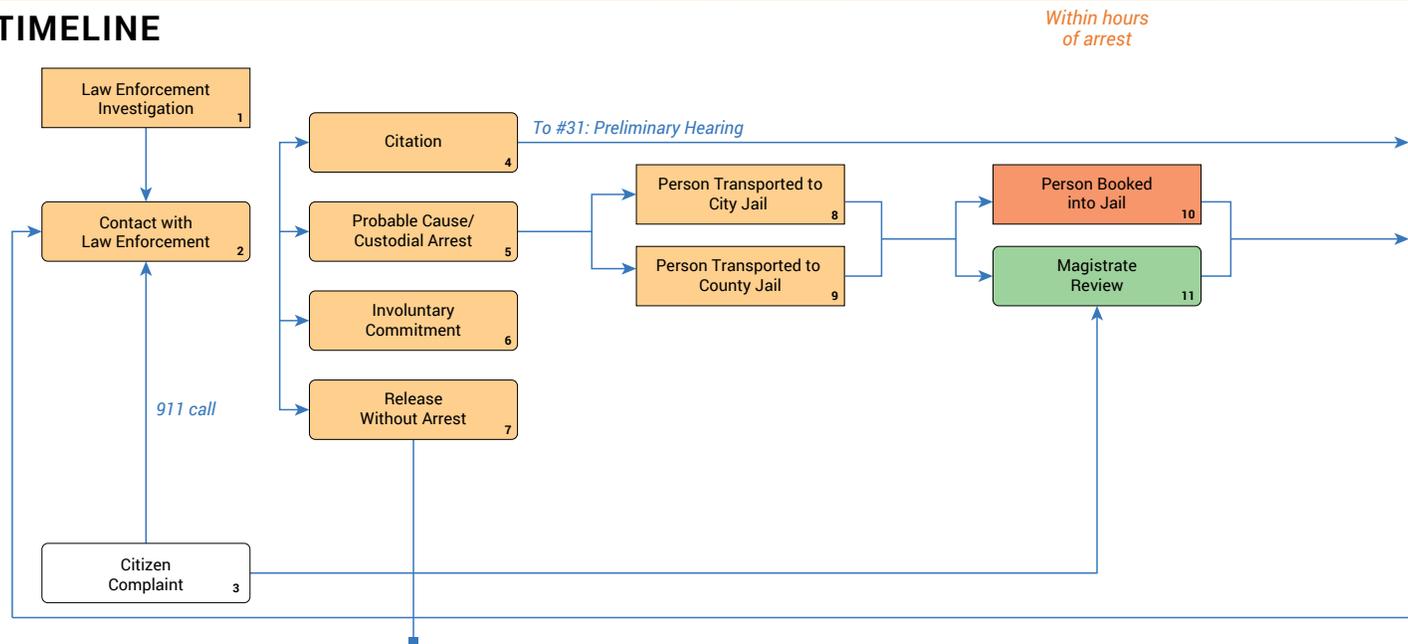
Justice system stakeholders—law enforcement, jail administrators, prosecutors, defense counsel, judicial officers, and others—largely work independently. As a result, stakeholders often do not fully understand how a person moves through the justice system. Your system map is an opportunity to improve understanding of how your system works. Use your map to prepare presentation slides and speaker notes. Ask members of your policy team to share your map, along with data, to the agencies in your pretrial system. Explain where the process uncovered areas of strengths and opportunities for improvement. Ask staff for their ideas and share their feedback with your policy team.

Update Your Map

Your pretrial system map is not a static document. The policy team should periodically update it so it illustrates how your pretrial system is functioning. Changes to local policies and practice, such as implementing a new pretrial assessment or altering prosecution priorities, may change the flow of the steps and decision points, as well as the data, in your map. New legislation or changes in funding may do the same thing. When these events occur, it is important that you update your system map to reflect the changes. The policy team is then better positioned to evaluate how the changes have advanced, or hindered, your pretrial system getting closer to making its pretrial vision a reality.

Appendix A: System Map (Example)

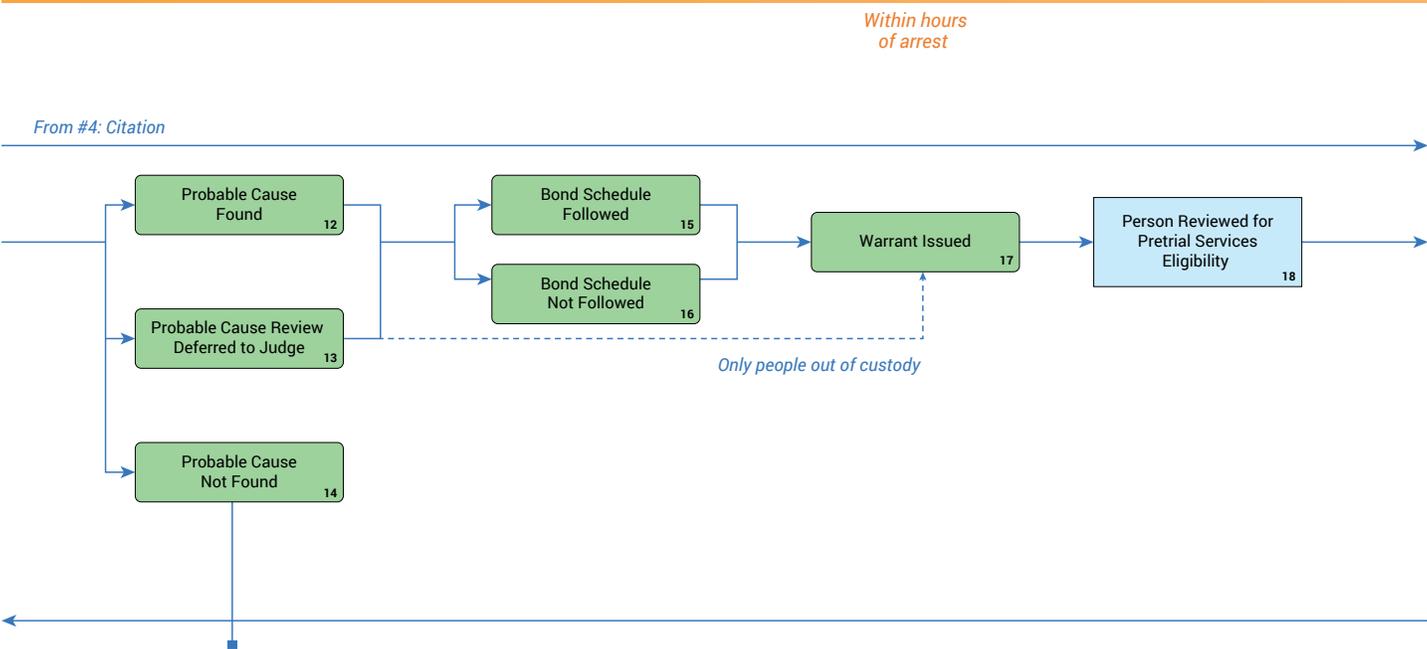
TIMELINE



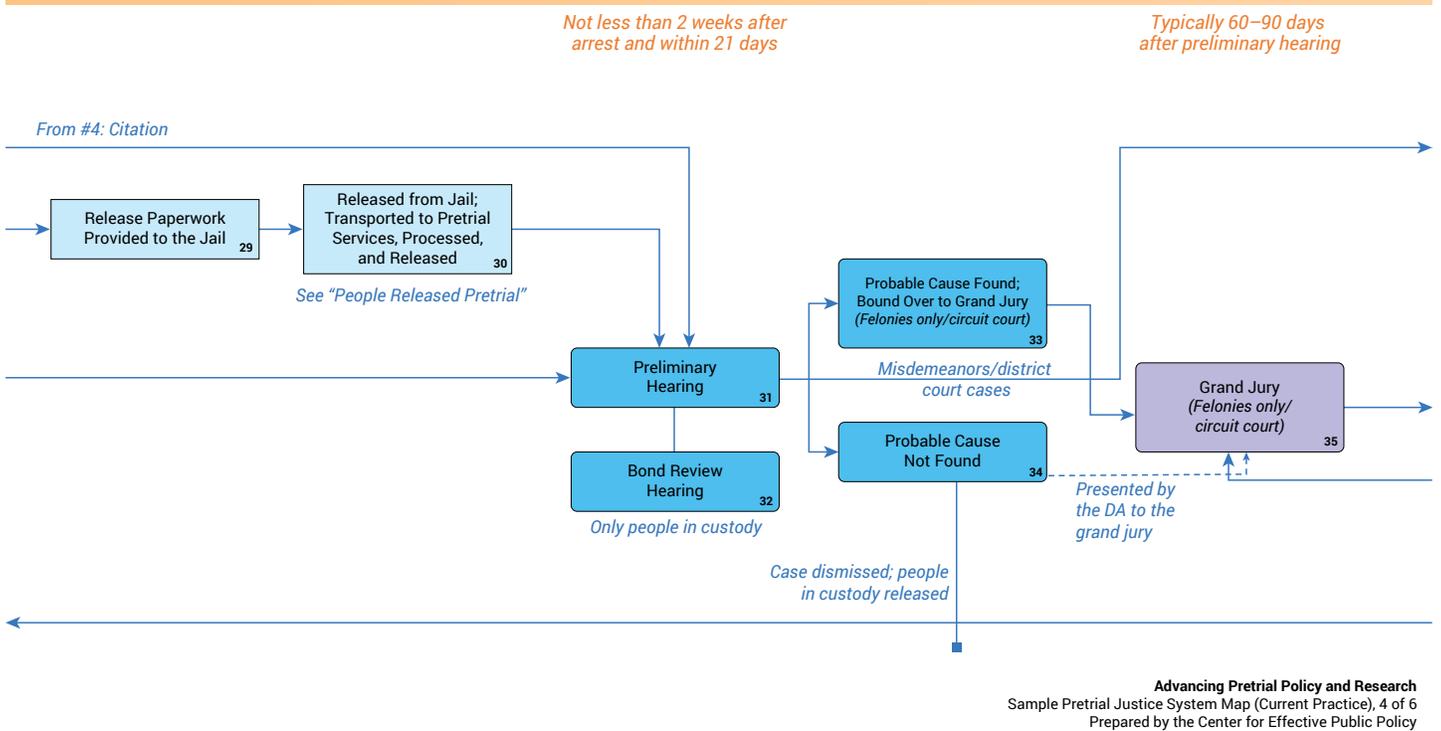
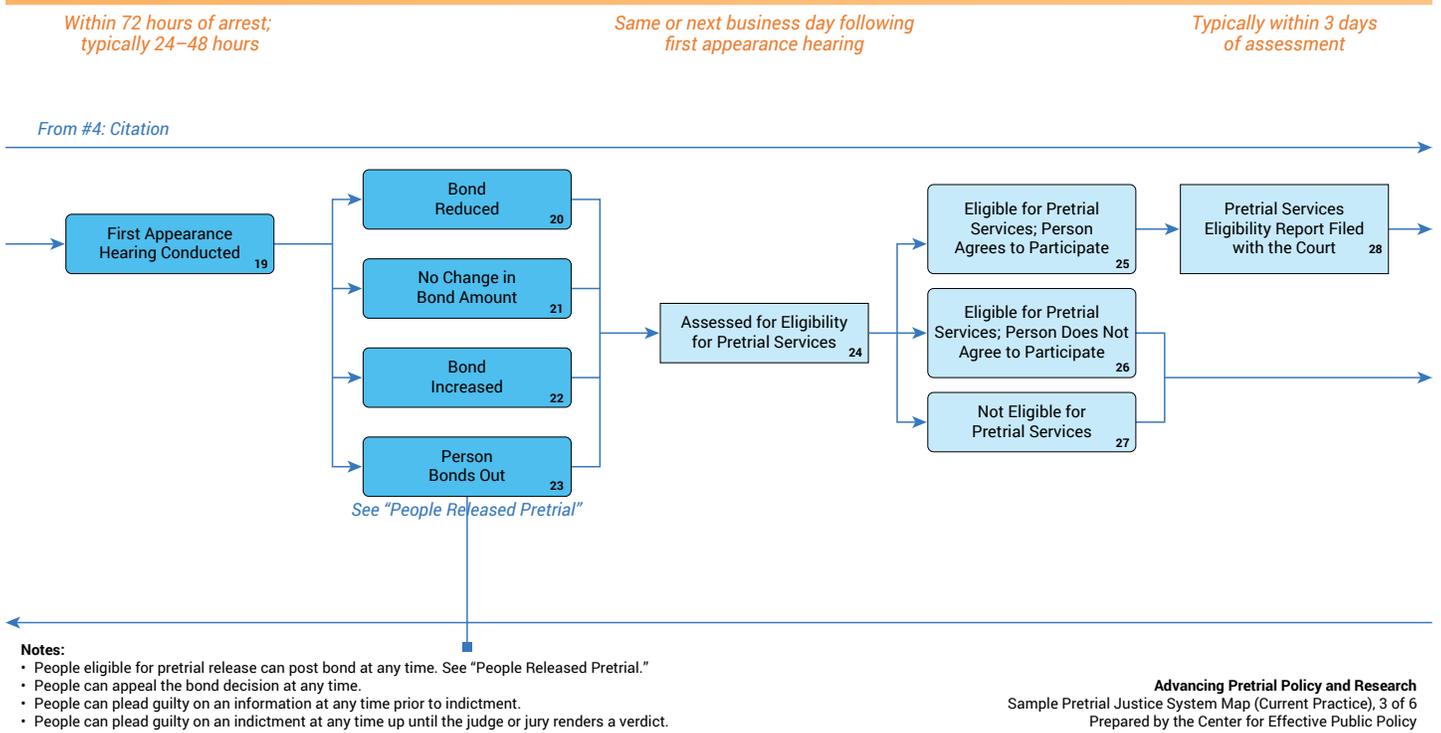
Legend

- Key Decision Point
- Law Enforcement
- Jail
- Magistrate
- Prosecution
- Court
- Pretrial

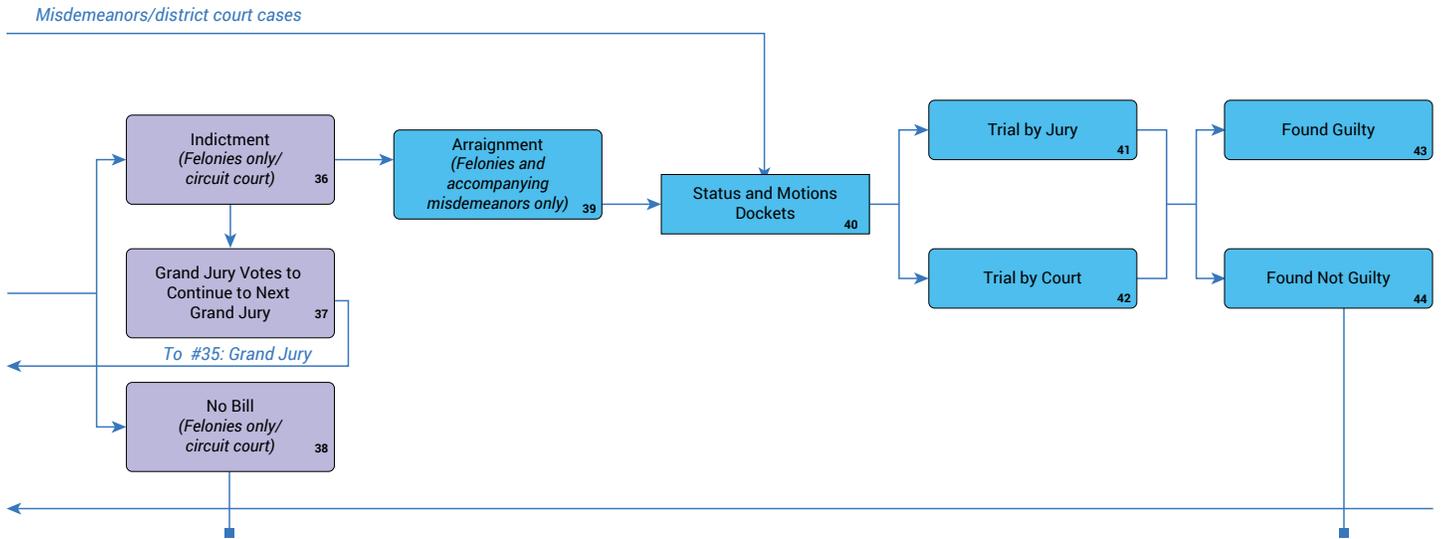
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Sample Pretrial Justice System Map (Current Practice), 1 of 6
Prepared by the Center for Effective Public Policy



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Sample Pretrial Justice System Map (Current Practice), 2 of 6
Prepared by the Center for Effective Public Policy

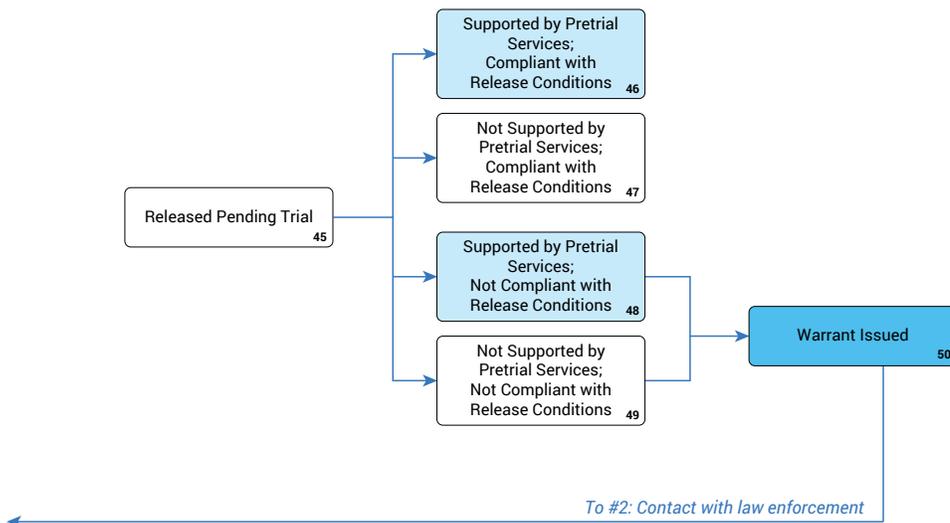


For people not in custody, within 30 days of arrest
 For people in custody, within 72 hours of arrest



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 Sample Pretrial Justice System Map (Current Practice), 5 of 6
 Prepared by the Center for Effective Public Policy

People Released Pretrial



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 Sample Pretrial Justice System Map (Current Practice), 6 of 6
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Appendix B: System Map Narrative (Example)

1. **Law Enforcement Investigation.** Law enforcement may arrest on probable cause or may seek an arrest warrant from a judge.
2. **Contact with Law Enforcement.**
3. **Citizen Complaint.**
4. **Citation.** There are administrative barriers to the use of citations except under limited circumstances. Citations can be issued for misdemeanor traffic, game, and fishing offenses. Citations cannot be issued for misdemeanors that involve alcohol, drugs, or violence.
5. **Probable Cause/Custodial Arrest.** The three primary arresting agencies are the police department, county sheriff, and state police. (The state police has statewide jurisdiction; they do not engage in a high volume of county misdemeanor arrests.) The arresting agency dictates whether a person is taken to city or county jail. All state law violations go to county jail.
 - *Decision making factors.* Arrests are guided by police discretion. Discretion involves the facts and circumstances of the situation; conventional practice; criminal history (e.g., whether the person has violated the law before); mental health concerns; whether the victim is present and their input as to what should happen; the nexus between the instant charge and the person's criminal history; and the level of the person's understanding/assumption of responsibility for the behavior.
6. **Involuntary Commitment.** This is a civil action in which the person is involuntarily taken to hospital when there is a threat of serious harm to themselves or another person.
7. **Release Without Arrest.**
8. **Person Transported to City Jail.** A person arrested by the police department is taken to city jail.
9. **Person Transported to County Jail.** A person arrested by the sheriff or state police is transported to county jail. A person arrested by the police department for a state law violation is transported to county jail rather than city jail.
10. **Person Booked into Jail.** Booking involves fingerprinting, a brief mental health and medical evaluation, a photograph, and a strip search. (Mental health staff in the jail are available for further assessment/intervention as needed.) After a person is booked, they are moved to general housing. The booking process takes a few hours to 10–12 hours.
11. **Magistrate Review.** Once law enforcement transports the individual charged to jail, they meet with a magistrate in person (typically several hours after the arrest). Magistrates are available Monday–Friday from 8:00 a.m. to 5:00 p.m. After hours, law enforcement reports to City Court which operates 24/7. The magistrate reviews law enforcement's written summary report, which may or may not include information from the victim/witness. Magistrates do not have NCIC access but do have access to in-state criminal history records and can contact law enforcement for national criminal history records if doing so is warranted. The magistrate determines if probable cause exists and, where probable cause is found, money bond is set regardless of whether a summons or warrant is issued. Magistrates do not typically have information related to a person's financial status and therefore cannot make indigency determinations.
12. **Probable Cause Found.** Magistrates are guided by the court rules. If probable cause is found and the person is not in custody, a warrant is issued.
13. **Probable Cause Review Deferred to Judge.**
14. **Probable Cause Not Found.** The person is released or a warrant is not issued.

15. **Bond Schedule Followed.**
16. **Bond Schedule Not Followed.** Magistrates may decide to reduce or increase the bond. The bond is typically increased for serious offenses such as homicide, child/sex/domestic abuse, or other types of violent offenses. Law enforcement may make a request to the judge to either reduce or increase the bond amount.
17. **Warrant Issued.** For a person in custody, information about the warrant and bond amount is transferred to the jail. Warrants are issued as a result of law enforcement or a citizen bringing forth a complaint. For citizen complaints, the citizen must sign the warrant.
18. **Person Reviewed for Pretrial Services Eligibility.** A person scheduled for a first appearance hearing is reviewed (Monday–Friday) by pretrial staff for eligibility for pretrial services. The eligibility criteria are not bound by statute but instead are established by the board. They include the following:
 - The review typically takes place within 3 days of the assessment.
 - The bond must be \$25K or less (all charges combined).
 - There can be no holds (e.g., other counties or law enforcement agencies).
 - The person cannot be sentenced to the county or DOC.
 - The person cannot have a no-bond on any charge.
 - Charges must be nonviolent. Nonqualifying charges include but are not limited to: DUI, domestic violence, assault, robbery, distribution of cocaine, selling/trafficking a controlled substance, any type of child abuse or sexual abuse, rape, murder, registered sex offender/community notification, FTAs (no bond)/contempt (no bond), reckless endangerment, arson, kidnapping, parole/probation violations, fugitive from justice, and abuse of elderly.
19. **First Appearance Hearing Conducted.** A person is entitled to a hearing before a judge within 72 hours of their arrest. This hearing is typically conducted within 24–48 hours. The jail sends a list of bookings from which the first appearance hearing docket is constructed. Both defense counsel and prosecution are present. Defense counsel interviews the person charged in advance, either the day before or the morning of the hearing. The judge reviews the affidavit filed by the arresting officer; may run a criminal history and/or review previously documented information on the person such as a prior PSI; and receives information from prosecution and defense. Defense will advise the court regarding the person’s ability to afford a financial condition of release. The court has available four forms of release: (1) appearance bond/release on recognizance; (2) unsecured financial release; (3) secured financial release; and (4) support from Pretrial Services. During this hearing, the person charged may request a probable cause hearing (preliminary hearing). Victims are not typically notified of the hearing except in the case of capital or violent offenses.
20. **Bond Reduced.** State law requires surety to post a bond. Surety can be provided by a professional bonding company or a citizen who owns real property that is unencumbered and valued at twice the amount of the bond.
21. **No Change in Bond Amount.**
22. **Bond Increased.**
23. **Person Bonds Out.** A person who is jailed on a Failure to Appear—for missed court appearances that pertained solely to compliance with a payment plan—may secure their release by paying the amount due. A person who does not pay is held for an additional period of time while they “sit out” their debt.

24. **Assessed for Eligibility for Pretrial Services.** Following the first appearance hearing, Pretrial Services (Monday–Friday) will again review a person for program eligibility. To determine eligibility, staff gather information, including conducting an interview with the person charged. This process typically occurs over a period of 48 hours following the first appearance hearing.
25. **Eligible for Pretrial Services; Person Agrees to Participate.** Pretrial Services supervises people to ensure compliance with requirements of the court and provides referrals for treatment/assistance. People are seen two times per month—either two face-to-face contacts in the office or one face-to-face and one phone contact. People receive court reminders, help with job searches, and general support toward prosocial living. They undergo drug testing. They pay fees for supervision (\$30.00 per month) and drug testing (\$15.00 per test). Pretrial staff report violations/noncompliance to the court. Reports are not provided for people who are in compliance. If a person has repeated positive drug tests, they are referred to a treatment program. Defense counsel is also often contacted to help bring the person back into compliance. People are returned to court only for repeated violations or FTAs. An informal hearing takes place during which the judge may decide to issue a warrant (or not issue a warrant) and schedule the matter for a hearing, with the person who has been charged present.
26. **Eligible for Pretrial Services; Person Does Not Agree to Participate.**
27. **Not Eligible for Pretrial Services.** A person must have a viable address for purposes of monitoring,
28. **Pretrial Services Eligibility Report Filed with the Court.** If a person is determined to be eligible for support by Pretrial Services, staff notify the court of this finding via written report.
29. **Release Paperwork Provided to the Jail.** Provided the judge approves the person’s release to Pretrial Services, the release paperwork is transmitted to the jail.
30. **Released from Jail; Transported to Pretrial Services, Processed, and Released.** A person released to Pretrial Services is physically transported by staff from the jail to the Pretrial Services office. Following intake into the program, the person is released.
31. **Preliminary Hearing.** Preliminary hearings must occur within 30 days of arrest. Preliminary hearing requests are typically made at the first appearance hearing and must be conducted no less than two weeks following arrest and within 21 days of the hearing, although a person has the right to waive the hearing. During the preliminary hearing, the judge will determine probable cause and, in the case of felonies, bind the case over to the grand jury.
32. **Bond Review Hearing.** Immediately following the preliminary hearing—provided probable cause is found, the case is not dismissed, and the person is in custody—bond may be reconsidered.
33. **Probable Cause Found; Bound Over to Grand Jury.** Felony cases only. Cases are pre-assigned to a circuit court judge. Bail can be reviewed prior to the grand jury. Per district attorney policy, all felony cases are sent to the grand jury if not *nolle pros*.
34. **Probable Cause Not Found.** Charges are dismissed and the person is released. The DA has the ability to re-file the case if (1) the statute of limitations has not run out and (2) the circuit judge receiving the grand jury report continues the case.
35. **Grand Jury.** The grand jury convenes one week per month and hears only felonies. Felonies are heard by the grand jury 60–90 days following the bind-over. Some cases (approximately 10%) may be held over to a subsequent grand jury. If a case is dismissed, it is typically done by the grand jury. If prosecution assess that charges need to be modified, the grand jury typically does this.

36. **Indictment.** If the grand jury finds there is sufficient evidence to establish the commission of a crime, it returns an indictment (“true bill”). As a result, the final charges are established (which may include a reduction in charges). Bond can be modified as a result of grand jury decisions but must be finalized by a circuit court judge.
37. **Grand Jury Votes to Continue to Next Grand Jury.** In instances where drugs or other evidence has not yet been processed by the state crime lab, or witnesses are unavailable to testify, the grand jury can bind the case over to a subsequent grand jury.
38. **No Bill.** If the grand jury does not find sufficient evidence to establish the commission of a crime, it returns a finding of “no bill.” Approximately 30–40% of cases are no-billed.
39. **Arraignment.** For a person not in custody, the arraignment must occur within 30 days; notice (indictment) is served by the sheriff. If a person is in custody, arraignment must occur within 72 hours. A waiver of arraignment may be filed by defense counsel.
40. **Status and Motion Dockets.** Various evidentiary (pretrial) motions are conducted in preparation for plea or trial.
41. **Trial by Jury.** Most trials are heard by a jury. Trials are mostly for Class A felonies.
42. **Trial by Court.** If the parties agree, the case can be heard by a jury.
43. **Found Guilty.** Following a finding of guilt, the case is set for sentencing. If the person faces a sentence of more than 20 years, the judge will determine whether the person may remain free on bond prior to sentencing.
44. **Found Not Guilty.** The person and surety, if applicable, are released from bond obligations.
45. **Released Pending Trial.**
46. **Supported by Pretrial Services; Compliant with Release Conditions.**
47. **Not Supported by Pretrial Services; Compliant with Release Conditions.**
48. **Supported by Pretrial Services; Not Compliant with Release Conditions.**
49. **Not Supported by Pretrial Services; Not Compliant with Release Conditions.**
50. **Warrant Issued.** Warrants are executed by the sheriff’s department. A hold is placed on the person charged. The person charged is not able to make bond because bond is not yet set.