



The Department of Information and Technology Services
Research and Statistics
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PRETRIAL INTERVIEWS WITH PRETRIAL CUSTODY ENDING FY 2015-21

NUMBER OF INTERVIEWS AND DAYS IN CUSTODY
INTERVIEWS WITH DISTRICT FELONY CASES INCLUDING AT LEAST ONE INDICTMENT &
INTERVIEWS WITH CIRCUIT CRIMINAL CASES INCLUDING AT LEAST ONE CONVICTION

January 18, 2022

Statistics Request Overall Description

On January 14, 2022, the Legislative Research Commission requested a report of the number of interviews and time in custody along with indications of release decision and outcome including enough separately reported years to show the impact of the COVID-19 pandemic for those interviews related to pretrial custody preceding a conviction.

PRIM, the information system used by Pretrial Services, treats as separate interviews those situations in which a defendant is released from Pretrial Custody for a District Felony case prior to returning to custody related to a Circuit Criminal case following the indictment of one of the offenses originally heard in the District Felony case. For this reason, the data is not currently configured in such a way as to allow for quick reporting of time in custody linking these separate interviews.

The data presented in this report therefore counts time in custody related to District Court and Circuit Court cases separately, though these may frequently be the same interviews. Data related to interviews containing Circuit Criminal cases is limited to those including at least one convicted charge, and data from interviews containing District Felony cases is limited to those including at least one indicted charge. Not all indictments are followed by convictions in Circuit Court, and some charges are indicted directly to Circuit Court without being preceded by a District Felony case.

PRIM was queried for interviews in which pretrial custody ended from Fiscal Year (FY) 2015 to FY 2021. Interviews in which the most recent Custody Holder indicated was *Federal Inmate* or *State Inmate* were excluded. District Court cases were limited to those including felony level charges as indicated in PRIM. All cases were linked to the CourtNet database, which includes a summary of cases statewide. All cases were excluded apart from those District Felony cases with at least one charge with a disposition of *Indictment* indicated in CourtNet and those Circuit Criminal cases with at least one charge with a disposition of *Guilty*.

A pretrial interview may apply to multiple cases simultaneously and may receive one or more release decisions over time. The most recent release decision and outcome for any related case is reported for each interview uniquely for each jurisdiction (Circuit and District Court). If a single interview has at least one Circuit case and at least one District case, release decisions, release outcomes, and time in custody will be reported separately for each jurisdiction. A defendant is not considered released unless they are indicated as released on ALL cases of that jurisdiction included in an interview. For

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instance, a defendant may receive a recognizance bond for a case with minor charges but remain in custody on cash bail on a separate case.

Statistical Report (22_PINS8001)

This report consists of a sequence of two pages repeated for each Fiscal Year from FY 2015 through FY 2021. The first page presents a visualization of the number of interviews and time in custody for each group of cases while the second page presents the same data in a cross-tabulation.

The bar chart on the left of the first page for each Fiscal Year depicts the number of interviews within each Jurisdiction/Level and Release Outcome. Cells to the right of the center show the median number of days spent in Pretrial custody for each group. The chart on the right visualizes the 25th percentile, median, 75th percentile, and average number of days in custody for each group.

Statistical Analysis Considerations:

- The statistics presented in the attached tables are a snapshot in time as of the date the data was queried: 1/18/2022.
- An individual defendant may be involved in multiple interviews during the reported time frame.
- Each interview may involve one or more cases.
- Multiple bonds may be issued for a single case, and only the most recent bond for any case applicable to each interview reported.
- A defendant is reported as released from pretrial custody once release is indicated for all cases pertaining to the same pretrial interview.
- Counts of interviews count each interview only once. A single interview may have separate Release Decisions and Outcomes in Circuit and District Court. The same interview may appear in more than one subtotal within a table but will never be counted more than once in any cell, subtotal, or grand total.
- Time in custody is evaluated separately for interviews that have custody for both District and Circuit cases.
- Interviews with indictment summons do not return to custody following the indictment and are excluded from measurement of time in custody.

Data Variables Requested

Database	Data Variable	Description
PRIM	Custody End Date	The date on which a defendant is released from pretrial custody tracked as a pretrial interview. All cases must receive bond release or some other factor ending pretrial release (see Release Outcome). The custody end date is the most recent custody end date for any case related to the interview.

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		For a case, the custody end date is the earliest of any non-bond release or other release as indicated below.
	Release Outcome	<p>An indication of the manner in which a defendant was released from pretrial custody:</p> <p>Detained Until Disposition: Without being given pretrial release, the defendant was released upon the disposition of all cases in this interview from a given jurisdiction.</p> <p>Indictment: Indicates that pretrial custody on one or more District cases ended with an indictment to Circuit Court while the defendant was in pretrial custody. Indictment outcomes reported outside of the District-Felony group typically result from expungement or charges amended up following the initial filing of the case.</p> <p>60-Day Rule: Released after 60 days of pretrial custody on a District Court case.</p> <p>Financial Release: Types of release in which money or property must be posted prior to release.</p> <ul style="list-style-type: none">• 10%• Cash• Guaranteed Arrest Bond Certificate• Property• Partially Secured or Percent Bond• Stock and Bonds <p>Non-Financial Release: Types of release in which no money or property must be posted prior to release.</p> <ul style="list-style-type: none">• Release on Recognizance• Surety• Unsecured• No Probable Cause• 60-Day Rule <p>Administrative Release: Released with Administrative Release as described above. Defendants assessed as low or moderate risk; not charged with offenses identified as public safety concerns, contempt, probation violation, bail jumping, the violation of a protection order, and who have not previously violated a condition of pretrial release or failed to</p>

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		<p>appear in court may be released on their own recognizance without a bond hearing. The use of this option was discretionary per judge as of 11/1/2015 and became mandatory statewide on 1/1/2017. The specific criteria for Administrative Release have changed several times since initial implementation, including many changes implemented in response to the COVID-19 pandemic.</p> <p>Indictment Summons: Indicates that a defendant already released on a District Felony case was not brought back into custody following an indictment, but that the same release conditions were maintained by the Circuit Court and the defendant was issued a summons. There is no time in custody for this outcome.</p> <p>Transfer: Indicates that pretrial custody for all cases of a given jurisdiction related to this interview had pretrial custody end when the defendant was transferred to another secure facility or to a substance use treatment facility.</p> <p>Escape/Error: Indicates that a defendant was released in error or escaped.</p>
	Jurisdiction/Level	<p>Indicates the Jurisdiction and the most serious charge of any case applicable to the pretrial interview. Interviews in which a defendant was in custody for both Circuit and District cases are counted and have time in custody reported separately for each jurisdiction.</p> <ul style="list-style-type: none">• Circuit Criminal – all interviews and custody related to Circuit Criminal cases.• District Felony – interviews and custody related to District Criminal cases in which at least one case related to the interview includes a felony level charge.• District Misdemeanor – interviews and custody related to District Criminal cases in which at least one case related to the interview includes a misdemeanor level charge and no cases include felony charges.• District Other – interviews and custody related to District Criminal cases containing no felony or misdemeanor charges. These cases may contain violation level offenses or may relate to post-

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		disposition charges such as probation violations, violations of release conditions, contempt, etc.
	Charge Disposition	Each charge in a case receives a separate disposition, which is indicated in the CourtNet database. This report is limited to those District Felony interviews related to cases including at least one charge with a disposition of <i>Indictment</i> and those Circuit Criminal interviews related to cases with at least one disposition of <i>Guilty</i> .
	Holder Reason	<p>The factor other than judicial decision, if any, that holds a defendant in pretrial custody for a given interview. If a defendant is held by multiple factors, the most serious reason is reported per the hierarchy below:</p> <ul style="list-style-type: none"> • Federal Inmate • State Inmate • Parole • Probation • County Inmate • Contempt • Non-Payment of Fines / Restitution • Other <p>Interviews in which a Holder Reason of <i>Federal Inmate</i> or <i>State Inmate</i> indicated at the end of pretrial custody are excluded from this report.</p>
	Interviews	The number of distinct pretrial interviews. The pretrial interview is the central data unit used in PRIM, capturing any data related to a discrete period of pretrial custody for a single defendant, which may apply to one or more cases. A single defendant may have multiple pretrial interviews during any given period of time. Release outcomes and measurements of time in custody are captured separately for each jurisdiction (Circuit and District Court) for any interview including at least one case from each jurisdiction.
	Cases	The total number of cases related to the reported interviews.
	Days in Custody	<p>The number of days in custody is calculated for each interview as the difference in days between the earliest booking date and most recent release date for any cases of the reported jurisdiction related to that pretrial interview.</p> <p>The following metrics of Days in Custody are reported:</p> <ul style="list-style-type: none"> • 25th Percentile (25th Pctl.): For a reported group, one quarter of the reported interviews spent this number of days in custody or less and three quarters spent

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		<p>this number of days in custody or more. Also known as first quartile.</p> <ul style="list-style-type: none">• Median: For a reported group, half of the reported interviews spent this number of days in custody or less and half spent this number of days in custody or more. Also known as 50th Percentile.• 75th Percentile (75th Pctl.): For a reported group, three quarters of the reported interviews spent this number of days in custody or less and one quarter spent this number of days in custody or more. Also known as third quartile.• Average (Avg): The total days in custody divided by the number of interviews. The average is designed to indicate a typical representation of the value in a normal distribution. However, with the majority of interviews released quickly and smaller numbers of outliers as time in custody increases, interviews do not form a normal distribution over time in custody. As such, the average may indicate a higher number of days in custody than might be considered typical. Also known as mean.• Standard Deviation (Std. Dev.): A statistical calculation indicating the amount of variance in a normal distribution. Standard deviations with values similar to or greater than the average indicate very high variance of values measured for a population.• Total Days in Custody: The total number of days spent in custody among the reported pretrial interviews.
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Disclaimer Associated with KCOJ/AOC Database(s) and Element(s)

RESEARCH AND STATISTICS DISCLAIMER for PRETRIAL SERVICES REQUESTS

The data from this report is provided from the Pretrial Services program. Information received from the Pretrial Services program's electronic case management system (PRIM) is subject to change(s), reprogramming, modification(s) of format and availability at the direction of the Administrative Office of the Courts (AOC), and may not at any particular moment reflect the true status of court cases due to ordinary limitation(s), delay(s) or error(s) in the system's operation.

RESEARCH AND STATISTICS DISCLAIMER for COURTNET DATABASE

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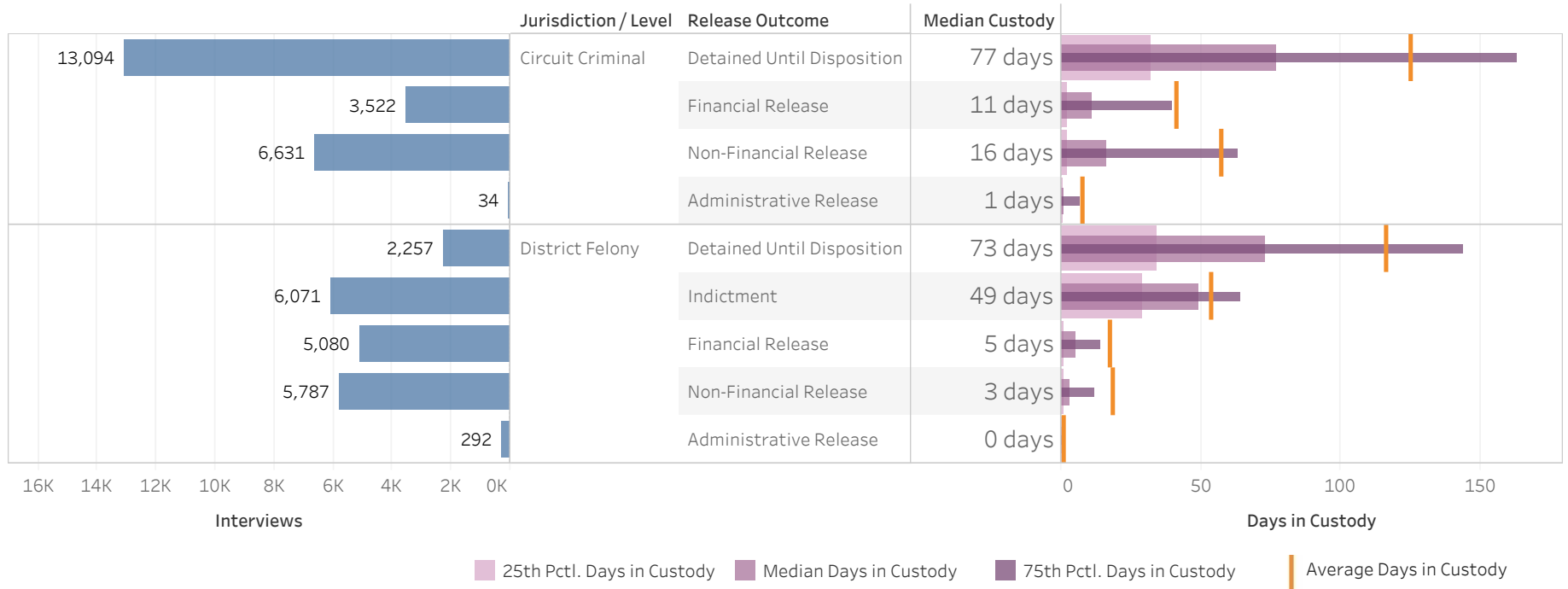
Information received from KYCourts/CourtNet is subject to change(s), reprogramming, modification(s) of format and availability at the direction of the Administrative Office of the Courts (AOC), and may not at any particular moment reflect the true status of court cases due to ordinary limitation(s), delay(s) or error(s) in the system's operation. The KYCourts/CourtNet database is not a real-time system. All datasets are a snapshot of case data at the time a query is run. Case counts are not counts of individuals as some persons may have multiple cases.

The AOC disclaims any warranties as to the validity of the information obtained from KYCourts/CourtNet. The recipient is solely responsible for verifying information received from KYCourts/CourtNet through the cross-referencing of official court records. The AOC shall not be liable to the recipient, or to any third party using the system or information obtained therefrom, for any damages whatsoever arising out of the use of KYCourts/CourtNet.

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**Pretrial Interviews with Pretrial Custody Ending 2015
Interviews with District Felony Cases Including at Least One Charge Indicted in CourtNet &
Interviews with Circuit Criminal Cases Including at Least One Charge Convicted in CourtNet**



Statistical Analysis Considerations

- * Data provided from the Pretrial Information Management System.
- * Counts reflect distinct pretrial interviews within a given jurisdiction (Circuit or District Court). Time in custody is evaluated separately for District and Circuit cases.
- * A single Interview may involve more than one case, and a single defendant may have multiple interviews during a given period of time.

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Jurisdiction / Level	Detained Until Disposition	Indictment	60-Day Rule	Financial Release	Non-Financial Release	Administrative Release	Indictment Summons	Transfer	Escape/Error	Grand Total
Circuit Criminal	Interviews	13,094		3,522	6,631	34	3,371		38	26,690
	Cases	17,094		3,985	7,683	34	3,443		42	32,281
	25th Pctl. Days in Custody	32		2	2	0			9	12
	Median Days in Custody	77		11	16	1			35	44
	75th Pctl. Days in Custody	163		40	63	7			64	119
	Avg. Days in Custody	125		41	57	8			66	93
	Std. dev. Days in Custody	150		98	112	20			118	138
	Total Days in Custody	1,642,304		144,959	380,620	260			2,505	2,170,648
District Felony	Interviews	2,257	6,071	310	5,080	5,787	292	3	18	19,818
	Cases	5,585	8,644	466	6,671	7,819	300	8	37	29,530
	25th Pctl. Days in Custody	34	29	69	1	1	0	95	17	3
	Median Days in Custody	73	49	73	5	3	0	171	53	16
	75th Pctl. Days in Custody	144	64	81	14	12	1	316	170	55
	Avg. Days in Custody	117	54	83	17	19	1	216	114	41
	Std. dev. Days in Custody	140	48	34	55	54	5	224	143	75
	Total Days in Custody	263,276	328,077	25,671	88,544	109,251	265	649	2,051	817,784

Statistical Analysis Considerations

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* A single Interview may involve more than one case, and a single defendant may have multiple interviews during a given period of time.

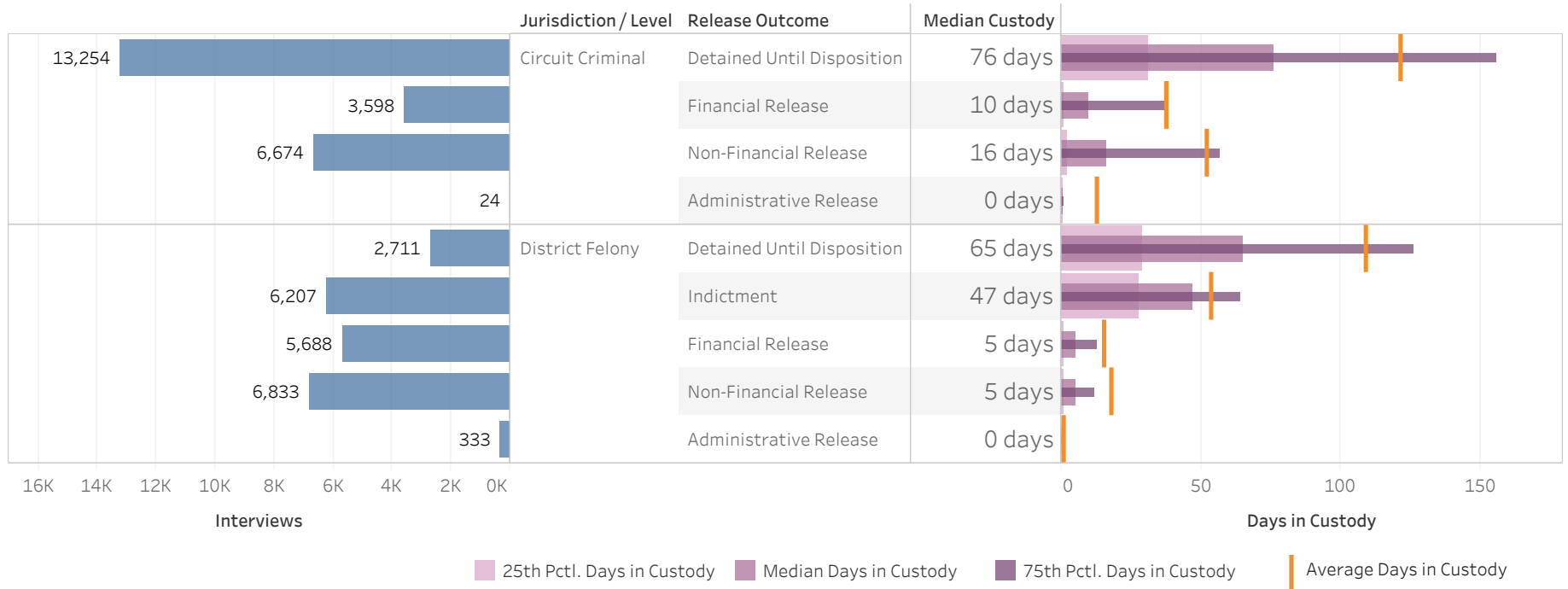
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Pretrial Interviews with Pretrial Custody Ending 2016
Interviews with District Felony Cases Including at Least One Charge Indicted in CourtNet &
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Jurisdiction / Level	Detained Until Disposition	Indictment	60-Day Rule	Financial Release	Non-Financial Release	Administrative Release	Indictment Summons	Transfer	Escape/Error	Grand Total
Circuit Criminal	Interviews	13,254		3,598	6,674	24	2,712		38	26,300
	Cases	17,355		4,054	7,794	27	2,756		49	32,035
	25th Pctl. Days in Custody	31		1	2	0			38	11
	Median Days in Custody	76		10	16	0			69	43
	75th Pctl. Days in Custody	156		37	57	1			116	113
	Avg. Days in Custody	121		38	52	13			89	89
	Std. dev. Days in Custody	147		83	105	36			89	133
	Total Days in Custody	1,609,959		135,523	347,090	308			3,385	2,096,265
District Felony	Interviews	2,711	6,207	409	5,688	6,833	333	4	59	22,244
	Cases	6,518	8,954	645	7,536	9,377	352	11	168	33,561
	25th Pctl. Days in Custody	29	28	70	1	1	0	77	16	3
	Median Days in Custody	65	47	74	5	5	0	174	42	14
	75th Pctl. Days in Custody	126	64	82	13	12	1	282	214	52
	Avg. Days in Custody	109	54	85	16	18	1	185	156	40
	Std. dev. Days in Custody	141	59	48	44	57	7	127	245	78
	Total Days in Custody	295,408	332,628	34,736	89,083	123,761	354	738	9,202	885,910

Statistical Analysis Considerations

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* Counts reflect distinct pretrial interviews within a given jurisdiction (Circuit or District Court). Time in custody is evaluated separately for District and Circuit cases.

* A single Interview may involve more than one case, and a single defendant may have multiple interviews during a given period of time.

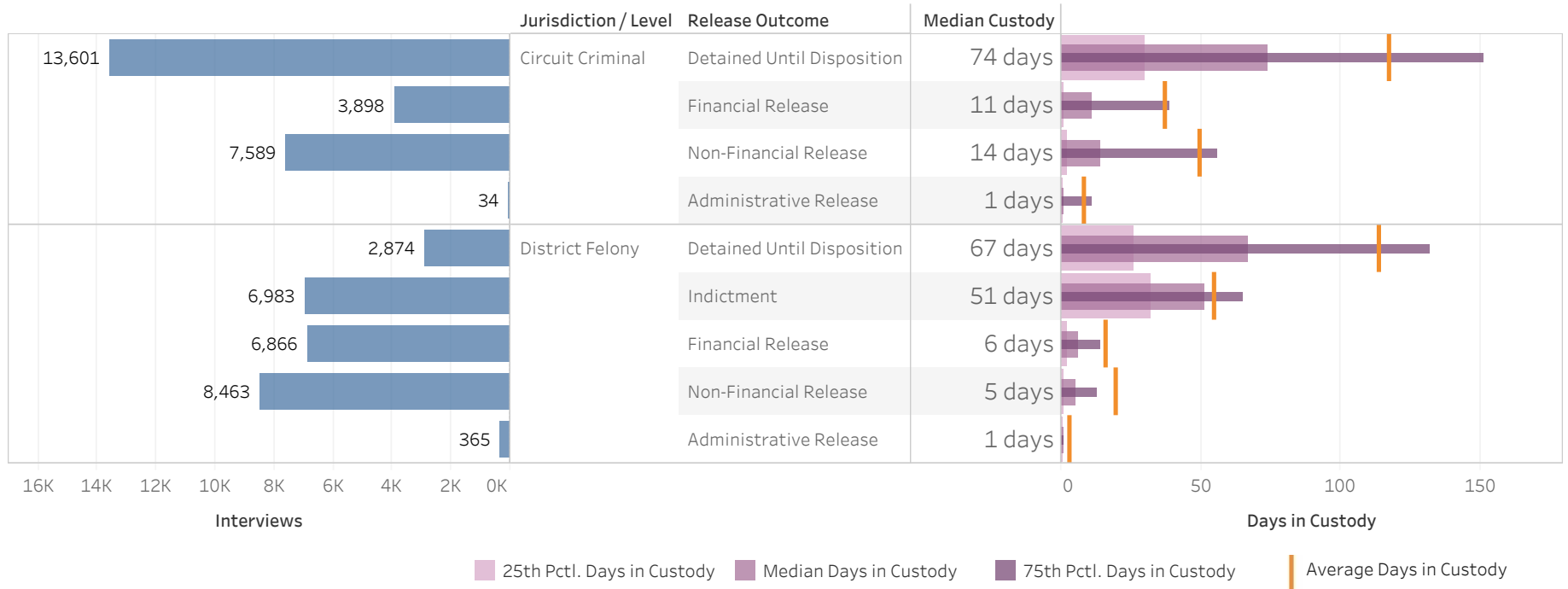
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Pretrial Interviews with Pretrial Custody Ending 2017
Interviews with District Felony Cases Including at Least One Charge Indicted in CourtNet &
Interviews with Circuit Criminal Cases Including at Least One Charge Convicted in CourtNet



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Jurisdiction / Level	Detained Until Disposition	Indictment	60-Day Rule	Financial Release	Non-Financial Release	Administrative Release	Indictment Summons	Transfer	Escape/Error	Grand Total
Circuit Criminal	Interviews	13,601		3,898	7,589	34	2,876		79	28,077
	Cases	18,178		4,379	8,955	34	2,923		108	34,577
	25th Pctl. Days in Custody	30		1	2	0			12	10
	Median Days in Custody	74		11	14	1			33	40
	75th Pctl. Days in Custody	151		39	56	11			81	108
	Avg. Days in Custody	118		37	50	8			74	85
	Std. dev. Days in Custody	144		76	99	13			122	128
	Total Days in Custody	1,601,056		145,457	378,331	276			5,824	2,130,944
District Felony	Interviews	2,874	6,983	493	6,866	8,463	365	6	105	26,155
	Cases	6,867	10,374	739	8,966	11,887	403	19	283	39,538
	25th Pctl. Days in Custody	26	32	70	2	1	0	258	15	3
	Median Days in Custody	67	51	74	6	5	1	395	36	14
	75th Pctl. Days in Custody	132	65	83	14	13	1	444	126	53
	Avg. Days in Custody	114	55	85	16	20	3	357	127	40
	Std. dev. Days in Custody	167	45	58	46	61	21	211	198	81
	Total Days in Custody	327,291	382,584	42,109	109,979	165,795	1,187	2,139	13,384	1,044,468

Statistical Analysis Considerations

* Data provided from the Pretrial Information Management System.

* Counts reflect distinct pretrial interviews within a given jurisdiction (Circuit or District Court). Time in custody is evaluated separately for District and Circuit cases.

* A single Interview may involve more than one case, and a single defendant may have multiple interviews during a given period of time.

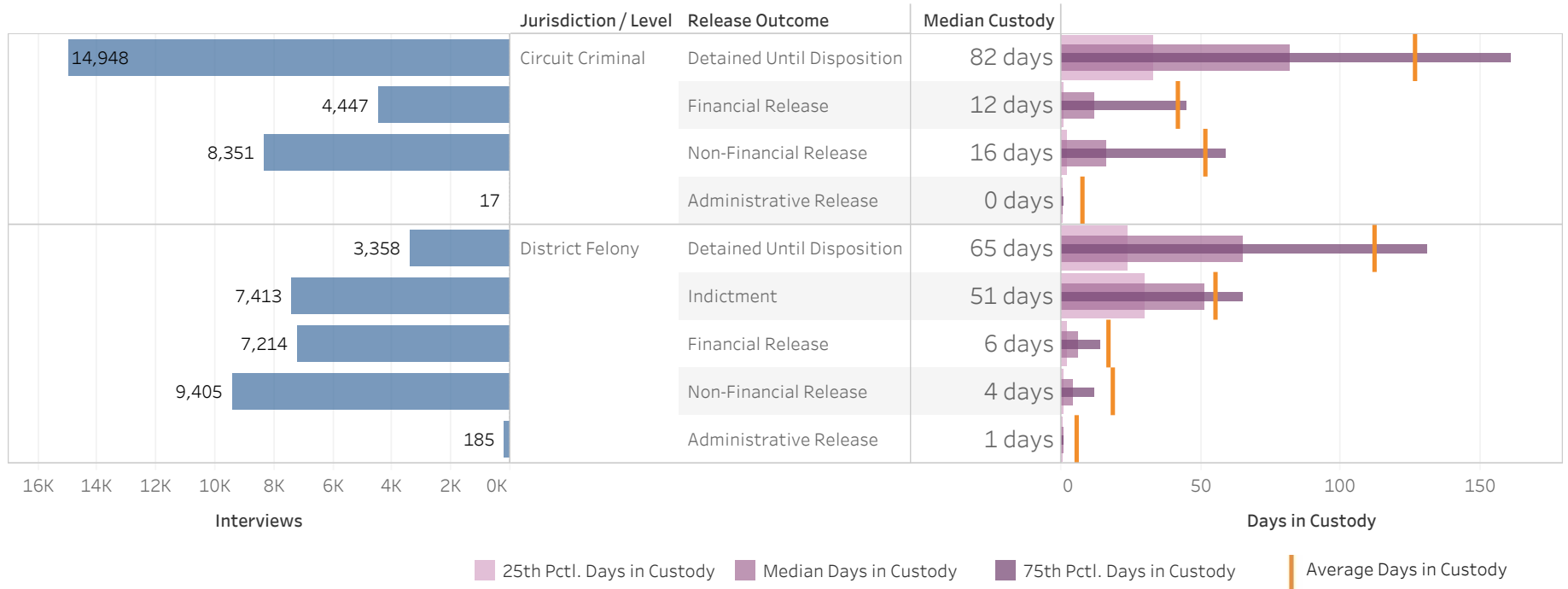
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Jurisdiction / Level	Detained Until Disposition	Indictment	60-Day Rule	Financial Release	Non-Financial Release	Administrative Release	Indictment Summons	Transfer	Escape/Error	Grand Total
Circuit Criminal	Interviews	14,948		4,447	8,351	17	3,474	3	102	31,342
	Cases	20,424		5,132	9,949	20	3,543	5	126	39,199
	25th Pctl. Days in Custody	33		1	2	0		59	13	11
	Median Days in Custody	82		12	16	0		117	39	44
	75th Pctl. Days in Custody	161		45	59	1		272	111	118
	Avg. Days in Custody	127		42	52	8		181	84	91
	Std. dev. Days in Custody	154		95	102	17		221	116	137
	Total Days in Custody	1,895,066		187,204	432,157	131		544	8,518	2,523,620
District Felony	Interviews	3,358	7,413	571	7,214	9,405	185	6	114	28,266
	Cases	7,962	10,723	849	9,531	12,985	240	18	310	42,618
	25th Pctl. Days in Custody	24	30	70	2	1	0	47	22	3
	Median Days in Custody	65	51	74	6	4	1	209	55	14
	75th Pctl. Days in Custody	131	65	81	14	12	1	335	154	54
	Avg. Days in Custody	112	55	83	17	18	6	255	143	41
	Std. dev. Days in Custody	160	51	52	46	52	21	276	220	81
	Total Days in Custody	376,591	408,729	47,365	124,044	173,976	1,068	1,527	16,308	1,149,608

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* A single Interview may involve more than one case, and a single defendant may have multiple interviews during a given period of time.

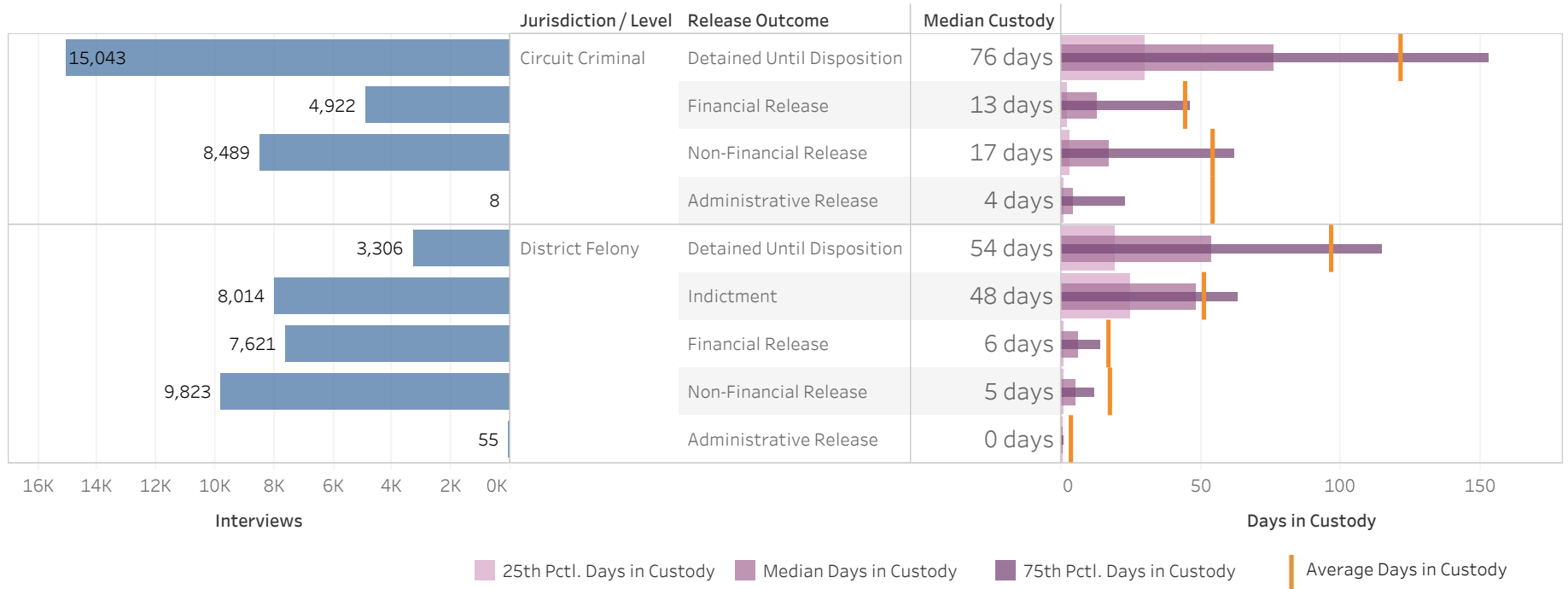
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Circuit Criminal	Interviews	15,043		4,922	8,489	8	4,182	33	130	32,807
	Cases	20,977		5,819	10,483	8	4,276	48	180	41,791
	25th Pctl. Days in Custody	30		2	3	1		14	11	10
	Median Days in Custody	76		13	17	4		49	44	42
	75th Pctl. Days in Custody	153		46	62	23		77	116	112
	Avg. Days in Custody	122		45	54	54		65	97	88
	Std. dev. Days in Custody	153		89	107	126		71	140	136
	Total Days in Custody	1,832,602		220,118	459,064	435		2,155	12,580	2,526,954
	District Felony	Interviews	3,306	8,014	503	7,621	9,823	55	29	127
Cases		7,459	11,549	772	10,171	13,469	79	74	399	43,972
25th Pctl. Days in Custody		19	25	69	1	1	0	31	22	3
Median Days in Custody		54	48	73	6	5	0	78	55	13
75th Pctl. Days in Custody		115	63	82	14	12	1	336	143	49
Avg. Days in Custody		97	51	85	17	18	4	206	128	37
Std. dev. Days in Custody		137	49	65	49	56	8	261	186	74
Total Days in Custody		320,706	412,286	42,891	130,692	172,751	193	5,969	16,232	1,101,720

Statistical Analysis Considerations

* Data provided from the Pretrial Information Management System.

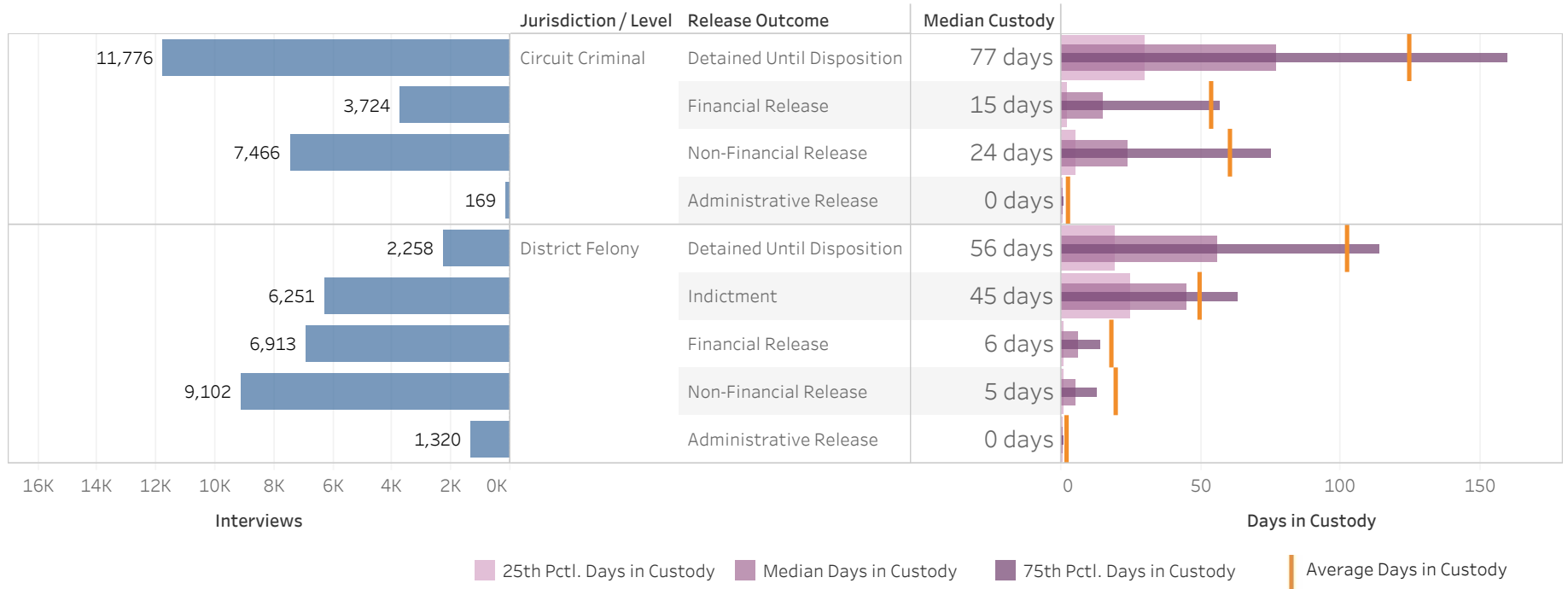
* Counts reflect distinct pretrial interviews within a given jurisdiction (Circuit or District Court). Time in custody is evaluated separately for District and Circuit cases.

* A single Interview may involve more than one case, and a single defendant may have multiple interviews during a given period of time.

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Pretrial Interviews with Pretrial Custody Ending 2020
Interviews with District Felony Cases Including at Least One Charge Indicted in CourtNet &
Interviews with Circuit Criminal Cases Including at Least One Charge Convicted in CourtNet



Statistical Analysis Considerations

- * Data provided from the Pretrial Information Management System.
- * Counts reflect distinct pretrial interviews within a given jurisdiction (Circuit or District Court). Time in custody is evaluated separately for District and Circuit cases.
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ADMINISTRATIVE OFFICE OF THE COURTS
Research and Statistics

Pretrial Interviews with Pretrial Custody Ending 2020
Interviews with District Felony Cases Including at Least One Charge Indicted in CourtNet &
Interviews with Circuit Criminal Cases Including at Least One Charge Convicted in CourtNet

Jurisdiction / Level		Detained Until Disposition	Indictment	60-Day Rule	Financial Release	Non-Financial Release	Administrative Release	Indictment Summons	Transfer	Escape/Error	Grand Total
Circuit Criminal	Interviews	11,776			3,724	7,466	169	3,645	130	117	27,027
	Cases	16,649			4,506	9,652	201	3,750	214	173	35,145
	25th Pctl. Days in Custody	30			2	5	0		26	21	11
	Median Days in Custody	77			15	24	0		63	59	46
	75th Pctl. Days in Custody	160			57	75	1		136	140	117
	Avg. Days in Custody	125			54	61	3		102	105	92
	Std. dev. Days in Custody	159			110	105	9		120	133	139
	Total Days in Custody	1,466,430			200,393	452,031	428		13,243	12,280	2,144,805
District Felony	Interviews	2,258	6,251	399	6,913	9,102	1,320		70	115	26,428
	Cases	5,097	8,950	582	9,299	12,574	1,619		170	289	38,580
	25th Pctl. Days in Custody	19	25	70	1	1	0		34	22	2
	Median Days in Custody	56	45	74	6	5	0		78	46	11
	75th Pctl. Days in Custody	114	63	81	14	13	1		219	200	43
	Avg. Days in Custody	103	50	84	18	20	2		168	147	35
	Std. dev. Days in Custody	159	46	55	58	69	14		216	221	80
	Total Days in Custody	231,914	310,322	33,337	126,399	178,867	2,392		11,781	16,935	911,947

Statistical Analysis Considerations

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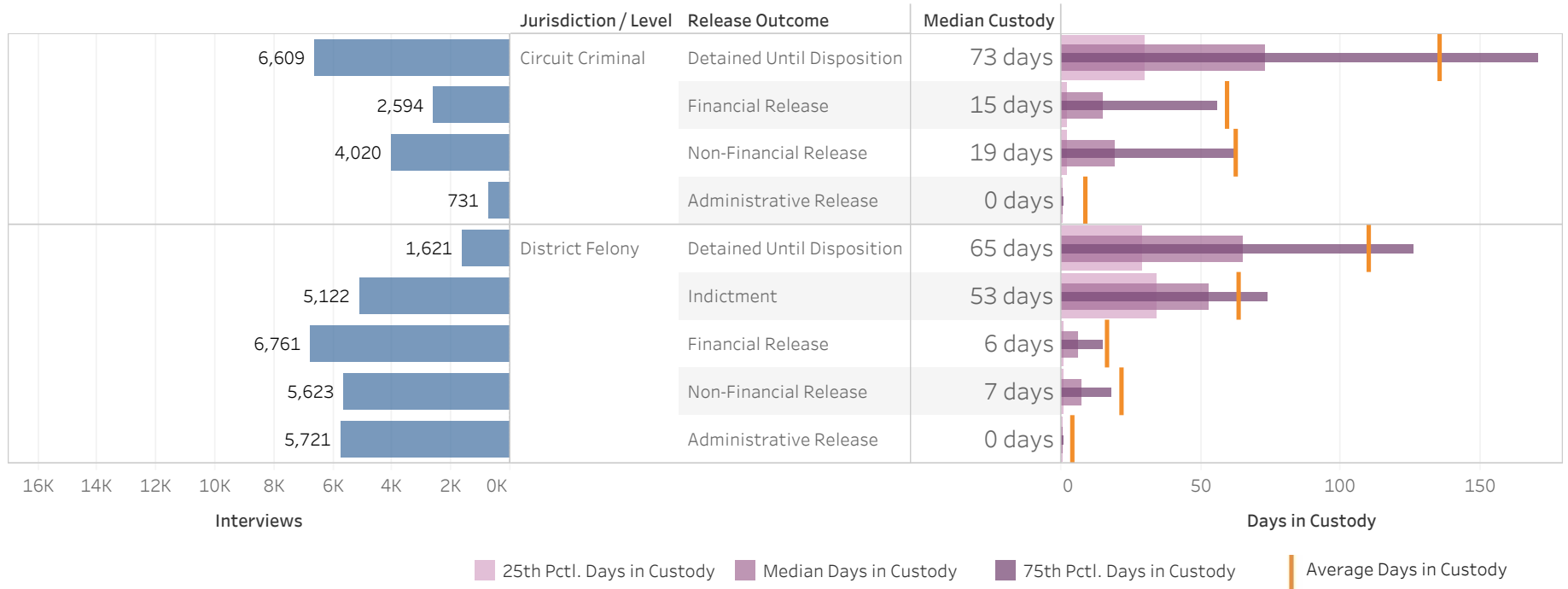
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Pretrial Interviews with Pretrial Custody Ending 2021
Interviews with District Felony Cases Including at Least One Charge Indicted in CourtNet &
Interviews with Circuit Criminal Cases Including at Least One Charge Convicted in CourtNet



Statistical Analysis Considerations

- * Data provided from the Pretrial Information Management System.
- * Counts reflect distinct pretrial interviews within a given jurisdiction (Circuit or District Court). Time in custody is evaluated separately for District and Circuit cases.
- * A single Interview may involve more than one case, and a single defendant may have multiple interviews during a given period of time.

**ADMINISTRATIVE OFFICE OF THE COURTS
Research and Statistics**

22_PINS8001

**Pretrial Interviews with Pretrial Custody Ending 2021
Interviews with District Felony Cases Including at Least One Charge Indicted in CourtNet &
Interviews with Circuit Criminal Cases Including at Least One Charge Convicted in CourtNet**

Jurisdiction / Level	Detained Until Disposition	Indictment	60-Day Rule	Financial Release	Non-Financial Release	Administrative Release	Indictment Summons	Transfer	Escape/Error	Grand Total
Circuit Criminal	Interviews	6,609		2,594	4,020	731	2,938	147	49	17,088
	Cases	9,493		3,316	5,280	842	3,024	223	82	22,260
	25th Pctl. Days in Custody	30		2	2	0		15	20	7
	Median Days in Custody	73		15	19	0		45	70	37
	75th Pctl. Days in Custody	171		56	63	1		162	127	113
	Avg. Days in Custody	136		59	63	9		162	117	95
	Std. dev. Days in Custody	187		141	136	28		351	155	168
	Total Days in Custody	897,036		154,105	251,546	6,461		23,804	5,753	1,338,705
	District Felony	Interviews	1,621	5,122	299	6,761	5,623	5,721	122	66
Cases		3,643	7,626	442	9,259	8,577	6,733	227	162	36,669
25th Pctl. Days in Custody		29	34	72	1	1	0	16	11	1
Median Days in Custody		65	53	78	6	7	0	34	34	8
75th Pctl. Days in Custody		126	74	94	15	18	1	81	80	41
Avg. Days in Custody		110	64	92	17	22	4	60	105	32
Std. dev. Days in Custody		165	62	47	44	51	23	85	220	69
Total Days in Custody		178,276	325,835	27,522	113,037	121,615	22,392	7,294	6,921	802,892

Statistical Analysis Considerations

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