

### Interpreting the MNPAT-R

#### Grey Section - Pretrial Assessment Tool Section

Total score is a validated predictor of the likelihood that a defendant will appear at all future hearings and not commit a new offense.

#### 1. Employment/Income or School

Defendant has less than 20 hours of work/school. No points received if Defendant has 20+ hours of work/school, receiving public income assistance, is a pensioner, or is a homemaker.

- **Yes - 6 points**
- No - 0 points

#### 2. Pending Case

Targeted misdemeanor or higher w/out disposition.

- **Yes - 8 points**
- No - 0 points

#### 3. Current Monitoring

Defendant meets one or more of the following statuses prior to the arrest for the current offense:

- Pretrial conditional release
- Probation
- Revoked probation
- Supervised release
- **Yes - 4 pts**
- No - 0 points



### Minnesota Pretrial Release Evaluation Form and Assessment Tool-Revised (MNPAT-R)

Name (Last) (First) (Middle)			Court Case Number		
Age		Date of Assessment (mm/dd/yyyy)			
County of Residence:			Duration of Residency yr. mo.		
No. of Children:		Have you ever been in or served in the U.S. armed forces? <input type="checkbox"/> Yes <input type="checkbox"/> No			
No. of Dependents:					

**Pretrial Assessment Tool Section** The pretrial risk score is intended to aid in determining whether to release a defendant or assign bail and/or conditions. The total scale score is a validated predictor of pretrial success or failure.

Pretrial Factor	Points Assigned
Employment/income sources or school status	Yes - 6 pts No - 0 pts
Pending case (targeted Misdemeanor or higher)	Yes - 8 pts No - 0 pts
Current Monitoring	Yes - 4 pts No - 0 pts
<b>Total Scale Score</b> Score range: 0 - 18	

Below is a description of the likelihood that a defendant will appear at all future hearings and not commit a new offense for each pretrial risk score.

Score	Likelihood of success	Level of Risk	Score	Likelihood of success	Level of Risk
0	between 79% and 89%	Lower	10	between 56% and 70%	Moderate
4	between 73% and 83%	Lower	12	between 53% and 68%	Higher
6	between 67% and 78%	Moderate	14	between 48% and 64%	Higher
8	between 61% and 73%	Moderate	18	between 45% and 62%	Higher

Level of risk by score:

Lower = 0 - 4      Moderate = 6 - 10      Higher = 12 - 18

Comment from Collateral/Victim Sources

### White Section

Supplemental information to aid in determining conditions and/or bail amount in relation to Rule 6.02 factors.

- **Age**  
Defendant's age on the date of assessment
- **Duration of Residency**  
Calculated by the number of consecutive months the defendant has resided within the county/American Indian Reservation or Community.
- **Number of Children**  
The number of biological/adopted children. Stepchildren only counted if the defendant is married to the other parent.
- **Number of Dependents**  
The number of all qualifying children and adult dependents living with the defendant or receiving financial support from the defendant.
- **Service in U.S. Armed Forces**  
Any service regardless of duration, branch, or discharge status.
- **Victim and Collateral Contact Comments**  
A summary of the information received from collateral/victim sources, including any safety issues or conflicting information.
- **Assessments Conducted**  
Any assessments conducted may be provided and reviewed separately.
- **Criminal Conviction History**  
All cases resulting in a conviction except for petty misdemeanors and misdemeanor driving offenses other than DWIs.
- **Failure to Appear Bench Warrant History**  
All qualifying failure to appear Bench Warrants within the last three years (may not be listed in date order).

More information on the back.



## Pretrial Release

### Least restrictive pretrial release order – Minn. R. Crim. P. 6.02

“On appearance before the court, a person must be released on personal recognizance or an unsecured appearance bond unless a court determines that release will endanger the public safety or will not reasonably assure the defendant’s appearance. [When making a pretrial release decision judicial officers must] impose the first of the following conditions of release that will reasonably assure the person’s appearance as ordered, or, if no single condition gives that assurance, any combination of the following conditions:

- (a) Place the defendant under the supervision of a person who, or organization that, agrees to supervise;
- (b) Place restrictions on travel, association, or residence during release;
- (c) Require an appearance bond, cash deposit, or other security; or
- (d) Impose other conditions necessary to assure appearance as ordered.”

The court must also set money bail without other conditions on which the defendant may be released.

### Interim conditions entered by court staff in MNCIS to reflect the judicial officer’s order

<b>Hold Without Bail or Bond</b>	Defendant remains in custody.
<b>Post Bail or Bond with Conditions</b>	Defendant pays a certain amount to be released from custody along with other conditions, such as no same or similar, abstain from alcohol, etc. May be cash bail or non-cash bond.
<b>Post Bail or Bond with No Conditions</b>	Defendant pays a certain amount to be released from custody without any other conditions. May be cash bail or non-cash bond.
<b>Post Cash Bail with Conditions</b>	Defendant pays cash bail to be released from custody along with other conditions, such as no same or similar, abstain from alcohol, etc.
<b>Post Cash Bail with No Conditions</b>	Defendant pays cash bail to be released from custody without conditions.
<b>Post Non-Cash Bond with Conditions</b>	Defendant pays non-cash bond to be released from custody along with other release conditions, such as no same or similar, abstain from alcohol, etc.
<b>Post Non-Cash Bond with No Conditions</b>	Defendant pays non-cash bond to be released from custody without conditions.
<b>Release with Conditions</b>	Defendant is to be released from custody with specific conditions, other than bail or bond.
<b>Release with No Bail, Bond, or Conditions of Release</b>	Judicial officer orders the defendant to be released from custody without ordering any cash bail, non-cash bond, or release conditions.

### Legal references

- Minn. Const., art. 1, § 7
- Minn. Stat. §§ 629.74, .53, .715, .72
- Minn. R. Crim. P. 6.01, 6.02
- *State v. Pett*, 92 N.W.2d 205 (Minn. 1958) (constitutional right to bail for all offenses since capital punishment abolished).
- *State v. Brooks*, 604 N.W.2d 345 (Minn. 2008) (purpose of bail is to ensure appearance & submission to court's judgment).
- *State v. Ledoux*, 770 N.W.2d 504 (Minn. 2009) (factors relied upon in pretrial decision must be related to appearance or public safety).
- *State v. Martin*, 743 N.W.2d 261 (Minn. 2008) (bail only appropriate when accused’s appearance cannot be otherwise guarantee; public safety may be considered in setting conditions to assure appearance).