

Minnesota Pretrial Release Evaluation Form and Assessment Tool (MNPAT) Validation Study



What is the goal of the MNPAT?

In support of the vision of the court system being fair, consistent, and free of discrimination, the MNPAT was implemented to:

- Reduce the impact of implicit bias during the pretrial decision-making process.
- Provide judges with the most predictive and least biased information for making pretrial decisions.
- Allow all parties to work from the same information.
- Provide a method for the Minnesota Judicial Branch (MJB) to validate and make improvements to the tool.

What is a validation study?

A study of the effectiveness of a particular tool at predicting the outcome it seeks to predict (e.g., pretrial failure) on a particular population.

Why is the Minnesota Judicial Branch leading a validation study?

The [Judicial Council Policy 524](#) directs that any tool approved for use by the MJB must be validated as soon as practicable upon implementation utilizing appropriate advanced statistical analysis techniques, bias testing, and incorporating only data-driven results in the final risk assessment tool.

Who is conducting the validation study?

The MNPAT Validation Committee includes judges, representatives from county probation, community corrections, the Department of Corrections, the Minnesota County Attorneys Association, the Public Defender's Office, and tribal courts, as well as research scientists.

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Which counties are included in the validation study?

The validation study includes 82 counties throughout the state (Anoka, Cass, Hennepin, Sherburne, and Wright counties opted out of using the statewide tool).

Has the study concluded?

No. The Committee has reached the mid-point of the validation study.

What are the preliminary findings?

The preliminary assessment of the data shows that the MNPAT is a valid tool for predicting pretrial failure. The preliminary data also show that the predictiveness of the tool should be improved and that predictiveness varies by racial group.

Does this mean that the MJB should no longer use the MNPAT?

No, there is no indication that using the MNPAT leads to less favorable outcomes for any racial group than if a risk assessment tool is not used. In fact, research suggests that using a tool improves pretrial outcomes. It is important to remember that the MNPAT is designed to inform, not replace, judicial decision-making. The MNPAT provides critical information, but is used by judges within the context and directives of [Minnesota Rule of Criminal Procedure 6.02](#) when making pretrial release decisions. The Committee is confident, based on the preliminary data and available research, that use of the current tool results in better outcomes for the majority of cases than not using an assessment tool.

How does the Committee plan to use these results?

Recognizing the need to improve the MNPAT, the Committee is in the process of determining how to best improve the tool to increase the overall predictiveness and reduce the variance between racial groups.

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Pending completion of the study, what does the Committee recommend?

The Committee recommends:

- That practitioners and judges not view defendants in the “High” risk category as “twice” or “three times” as likely to fail to appear or commit another crime if scores are double or triple the high-risk threshold. This is an incorrect interpretation of the risk score for all defendants.
- Practitioners and judges should understand when making pretrial determinations that, on average, Black and Native American defendants in the “Higher” risk category are not at a higher risk for pretrial failure than Black and Native American defendants in the “Moderate” risk category.
- That judges continue to exercise their judicial discretion within the context and directives of [Rule 6.02](#).
- That practitioners and judges use this as an opportunity to refresh their knowledge of pretrial practices, policies, and rules.

When will the MNPAT Validation Study conclude?

As a result of the preliminary findings, the Committee has decided to extend the study by approximately six months to further analyze the data and explore opportunities to improve the tool. The Committee believes this is a critical step to ensure the MNPAT is an objective tool that provides judges with the most predictive, least biased data as they make decisions in each case. A final report with recommendations is scheduled to be released in 2022 and presented to Judicial Council when the study is completed.

What happens after the MNPAT Validation Study has concluded?

Upon completion of the validation study, the Committee will plan to implement any recommended Judicial Council-approved improvements to the MNPAT. The improvements to the MNPAT will be implemented following Judicial Council’s decision.