

# **BENCH CARD**Minnesota Pretrial Evaluation Form and Assessment Tool-Revised (MNPAT-R)

# 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

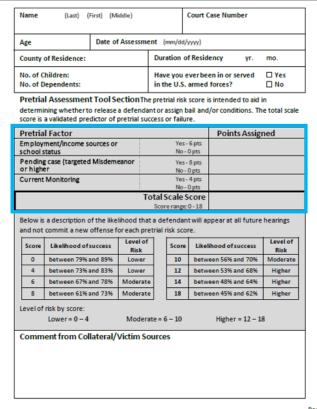
#### 3. Current Monitoring

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

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



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#### **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.

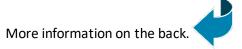
#### Criminal Conviction History

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).

Last Revised: 1/5/2024



#### **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

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

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