

Evaluating the Calibrate Pretrial Diversion Program: Summary of Results

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We conducted an evaluation of the Calibrate Pretrial Diversion Program. Overall, we found evidence suggesting that Calibrate is an effective program. Data show that Calibrate is administered in a fair manner, with acceptance into Calibrate being a result of risk assessment scores and offense characteristics rather than defendant demographics. We found that success in Calibrate is impacted by risk assessment scores, with low-risk defendants being more likely to succeed. Most importantly, Calibrate has a strong impact on recidivism. We also interviewed attorneys who have experience with Calibrate: they had positive things to say about the program and suggested expanding it going forward, though some expressed a desire for a clear set of eligibility criteria for Calibrate that is less reliant on prosecutor discretion.

First, we examined who is accepted into the Calibrate program. In general, we found that the demographics of Calibrate participants are similar to Missoula County as a whole. We also found that certain characteristics of the case impacted whether a defendant would be accepted or rejected from the program. Individuals rated as low risk on the Ohio Risk Assessment System (ORAS) were more likely to be accepted compared to medium- or high-risk defendants. Also, individuals who had committed a drug offense were less likely to participate in the program.

Next, we examined what factors were related to success within Calibrate. We found that low risk defendants were more likely to successfully complete pretrial diversion. As an alternate test of success within Calibrate, we also considered what factors impacted whether a defendant had any instances of noncompliance with the terms of the diversion program. Low risk defendants were less likely to record an instance of noncompliance. Similarly, White defendants and older defendants were less likely to have any instances of noncompliance.

The final quantitative analyses examined how Calibrate impacted recidivism, defined here as a rearrest within one year. Comparing Calibrate participants, we found that defendants who successfully completed Calibrate were much less likely to recidivate (7.2%) compared to defendants who failed out of the program (91.7%). We also compared Calibrate participants to a control group of similarly situated defendants drawn from the years prior to the creation of Calibrate. These individuals would have been eligible for pretrial diversion had the program existed at that time. Compared to the control group, Calibrate participants were 59% less likely to recidivate (taking into account demographics and offense characteristics). Limiting the focus to participants who successfully completed Calibrate, the results are even stronger: successful Calibrate participants were 87% less likely to recidivate compared to the control group.

We also conducted interviews with prosecutors and defense attorneys who have experience with Calibrate to learn about their perceptions of the program. Overall, attorneys thought that Calibrate has a positive impact on defendants. They also felt that Calibrate was good for attorneys, freeing up time to work on other cases and giving them a sense of satisfaction when clients succeeded in the program. Another common theme from interviews was a desire for a distinct set of criteria for determining eligibility for defendants. Attorneys also discussed how much impact victims should have in the process: this is generally a case-by-case determination, but some attorneys expressed concerns that rejecting defendants from Calibrate based on victim input could create issues of equity. Finally, prosecutors were very supportive of increasing the staffing of Calibrate to expand the program so that more cases could be diverted.