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Stakeholder Use and Perceptions of the Public Safety Assessment (PSA) in New Mexico: A Survey of Judicial Actors

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Contents

Introduction

The American criminal justice system relies heavily on the discretion of professionals who make critical pretrial decisions daily about whether defendants should be released or detained while their cases proceed. These decisions, often made quickly and with limited information, have significant consequences for defendants and communities. Many jurisdictions have implemented actuarial risk assessment instruments to structure pretrial release decisions in response to these concerns. The Public Safety Assessment (PSA), developed by the Laura and John Arnold Foundation, has been adopted in numerous jurisdictions to predict the likelihood of failure to appear, new criminal activity, and new violent criminal activity. While several studies have validated the predictive accuracy of risk assessment tools, there is limited understanding of how criminal justice professionals perceive and utilize these instruments in their daily work. Understanding these stakeholder perspectives is crucial because their acceptance has a direct influence on the success of implementation.

The effective functioning of risk assessments depends on what has been termed the "courtroom workgroup"- the collaborative structure of judges, prosecutors, defense attorneys, and pretrial officers who share decision-making responsibilities. When members of this workgroup have divergent views about the value and utility of risk assessment tools, implementation may be compromised. For example, if a prosecutor believes the tool is too lenient while a judge finds it valuable, recommendations may be contested rather than relied upon to guide decisions.

In what follows, we present findings from a 2025 survey of New Mexico criminal justice professionals across seven judicial districts currently using the PSA, examining their perceptions of its strengths, weaknesses, and influence on decision-making. By understanding how these stakeholders perceive the PSA, we can identify opportunities to enhance implementation, address concerns, and potentially improve the effectiveness of the tool in reducing unnecessary detention while protecting public safety.

Methods

Participants[1]

We collected survey data from 84 criminal justice professionals across multiple judicial districts in New Mexico between January 2025 and March 2025. Participants included pretrial staff (37%; n = 31), judges (28%; n = 24), public defenders (32%; n = 27), and prosecutors (2%; n = 2). Most respondents (58%; n = 49) worked in the Second Judicial District, with the remainder distributed across six other districts. Participants averaged 9.0 years (SD = 7.8) in their profession and 11.6 years (SD = 9.6) in their current district (see Table 1).

[1] Response rates by district and profession given in Appendix A.

Table 1. *Summary of Career Characteristics of Survey Respondents*

Variable	N = 84[1]
District	
1st District	7% (6)
2nd District	58% (49)
3rd District	6% (5)
4th District	7% (6)
6th District	5% (4)
11th District	9 (11%)
13th District	5 (6.0%)
Professional Role	
Judge	29% (24)
Pretrial Staff	37% (31)
Prosecutor	2% (2)
Public Defender	32% (27)
Years in Profession	9.0 (7.7)
Years in District	11.5 (9.5)

[1]n (%); Mean (SD)

Demographically, respondents were predominantly female (56%; n = 47) and Caucasian (52%; n = 44) or Latino/a (36%; n = 30), with most holding either a professional degree/doctorate (60%; n = 50) or a bachelor's degree (20%; n = 7) (see Table 2).

Table 2. *Demographic Summary of Survey Respondents*

Variable	N = 84[1]
Age	45.1 (10.4)
Gender	
Female	56% (47)
Male	44% (37)
Race/Ethnicity	
Caucasian (White)	52% (44)
Latino/a (Latin American or Hispanic)	36% (30)
Asian American, Pacific Islander	5% (4)
Native American or American Indian	5% (4)
African American (Black)	2% (2)
Education	
Some college	12% (10)
Completed college (i.e., B.A./B.S. degree)	20% (17)
Master's Degree (i.e., M.A./M.S./M.S.W. degree)	8% (7)
Professional degree/doctorate (i.e., M.D., J.D., Ph.D., Ed.D.)	60% (50)

As shown in Table 3, our sample exhibited diverse political views: 16% (n = 13) identified as Extremely Liberal, 19% (n = 16) as Liberal, 7% (n = 6) as Slightly Liberal, 16% (n = 13) as Moderate, 12% (n = 10) as Slightly Conservative, and 12% (n = 10) as Conservative.

We assessed participants' rehabilitation attitudes and work self-efficacy using two validated scales. The Rehabilitation Attitudes Scale comprised eight items on a 7-point Likert scale (1 = "Strongly Disagree" to 7 = "Strongly Agree"), measuring views on criminal rehabilitation through statements like "Rehabilitating a criminal is just as important as making a criminal pay" and reverse-coded items such as "The rehabilitation of adult criminals just does not work."

The Efficacy Attitudes Scale consisted of seven items on a 5-point Likert scale (1 = "Strongly Disagree" to 5 = "Strongly Agree"), assessing professional self-efficacy through items such as "I can remain calm when facing difficulties in my job because I can rely on my abilities."

Both scales demonstrated strong internal consistency (Rehabilitation Attitudes: α = 0.86; Efficacy Attitudes: α = 0.84), exceeding the standard reliability threshold of 0.70. Mean scores revealed moderately positive attitudes toward rehabilitation (M = 5.5, SD = 1.1) and high professional self-efficacy (M = 4.3, SD = 0.5), indicating participants generally favored rehabilitation approaches while expressing confidence in their professional abilities.

Table 3. *Summary of Respondent Political Ideology, Risk Orientation, Attitudes Toward Rehabilitation, and Efficacy Attitudes*

Variable	N = 84[1]
Political Ideology	
Extremely Conservative	0% (0)
Conservative	12% (10)
Slightly Conservative	12% (10)
Middle of the Road	11% (9)
Moderate	16% (13)
Slightly Liberal	7% (6)
Liberal	19% (16)
Extremely Liberal	16% (13)
Haven't Thought Much About This	7% (6)
Risk Orientation	
2	1 (1.2%)
3	8 (9.5%)
4	9 (11%)
Neither Willing nor Unwilling to Take Risks (5)	15 (18%)
6	19 (23%)
7	16 (19%)
8	13 (15%)
9	2 (2.4%)
Very Willing to Take Risks (10)	1 (1.2%)
Rehabilitation Attitudes (α = 0.86)	5.5 (1.1)

Variable	N = 84[1]
Efficacy Attitudes (α = 0.84)	4.3 (0.5)

[1]n (%); Mean (SD)

Measures

Our survey assessed several outcomes of interest:

- *PSA Experience and Usage*: Respondents reported their experience using the PSA, including the time they have used it, the training they received, and the frequency of use.
- *PSA Perceptions*: Participants rated the PSA's usefulness on a five-point scale (from "Not at all useful" to "Extremely useful"), the frequency of agreement with PSA recommendations, and estimated how accurate the PSA was, and judges were, at predicting pretrial failure outcomes.
- *Pretrial Release Factors*: Respondents rated the importance of 13 factors in pretrial release decisions on a five-point scale (from "Not at all important" to "Extremely important").
- *PSA Strengths and Weaknesses*: Participants categorized nine specific aspects of the PSA as either a "Strength," "Weakness," or "Neither."
- *Missing PSA Factors:* Respondents indicated whether they believed the PSA was missing important factors and, if so, what those factors were.

Analysis

We conducted a range of analyses to examine perceptions of the PSA across different criminal justice roles. First, we calculated descriptive statistics for all survey items to understand overall response patterns. We used cross-tabulations across professional roles to identify differences in how judges, prosecutors, defenders, and pretrial staff view the PSA.

To understand what drives stakeholder perspectives, we conducted lasso regression analyses to identify significant predictors of three critical outcomes: perceived PSA usefulness, perceived PSA accuracy, and perceived judge accuracy. This approach helped us identify which factors most strongly influence these key perception measures, adjusting for the small sample size of respondents.

For the qualitative portion of our analysis, we reviewed all open-ended responses regarding factors that respondents felt were missing from the PSA. Using a data-driven thematic approach, we identified 12 distinct themes from these responses, providing insight into potential areas for PSA improvement, according to practitioners.

Results

PSA Experience and Utilization

Most respondents (85%; n = 71) reported that the PSA had been used in their jurisdiction for over 12 months. Despite this implementation period, only 40% (n = 34) had direct experience using the PSA, though 68% (n = 57) had received training on its use. Most respondents (79%; n = 66) had received their training more than a year before the survey. Frequency of PSA use varied considerably: 17% (n = 14) reported "Always" using it, 29% (n = 24) "Often," 26% (n = 22) "Sometimes," 14% (n = 12) "Rarely," and 14% (n = 12) “Never."

Table 4. *PSA Use Characteristics*

Variable	N = 84[1]
Length of PSA Use	
6 to 12 months	4% (3)
More than 12 months	85% (71)
Unsure/Don't Know	12% (10)
PSA Experience	40% (34)
PSA Training Received	68% (57)
PSA Training Time	
Less than 1 month ago	2% (2)
1-6 months ago	8% (7)
6-12 months ago	11% (9)
1+ years ago	79% (66)
PSA Use Frequency	
Always	17% (14)
Often	29% (24)
Sometimes	26% (22)
Rarely	14% (12)
Never	14% (12)

[1]n (%)

Notably, usage patterns differed significantly by professional role (see Table 5). Judges reported the highest frequent usage rates (58%; n = 14), followed by pretrial staff (48%; n = 15), public defenders (33%; n = 9), and prosecutors (0%; n = 0).

Table 5. *Percent Reporting Often or Always Using PSA by Profession*

Variable	N = 84[1]
Profession	
Pretrial Staff	48% (15)
Public Defender	33% (9)
Judge	58% (14)
Prosecutor	0% (0)

[1]n (%)

Perceived Usefulness and Accuracy of the PSA

The data presented in Table 6 describe stakeholders' perceptions of the PSA's usefulness and their agreement with its recommendations.

Overall, most criminal justice professionals in our sample found the PSA useful to some degree. Only 10% (n = 8) of respondents indicated that the PSA was "Not at all useful," while 23% (n = 19) found it "Slightly useful." The largest group of respondents, 37% (n = 31), considered the PSA "Moderately useful," followed by 26% (n = 22) who found it "Very useful." A small minority of 5% (n = 4) rated the PSA as "Extremely useful." When combined, nearly two-thirds of respondents (68%) rated the PSA as at least moderately useful, suggesting generally favorable views toward the tool's utility.

Regarding agreement with PSA recommendations, almost half of the respondents (48%; n = 40) reported that they "Often" agree with the PSA's recommendations, while 38% (n = 32) indicated they "Sometimes" agree. Only 2% (n = 2) reported "Always" agreeing with PSA recommendations, and on the opposite end, 8% (n = 7) "Rarely" agreed, and 4% (n = 3) "Never" agreed. These findings indicate that, while complete alignment with PSA recommendations is uncommon, most criminal justice professionals (88%) agree with the tool's guidance at least sometimes.

When asked about perceived accuracy, respondents provided ratings on a 10-point scale where 0 indicated "Not accurate at all" and 10 indicated "Perfectly accurate." Respondents rated the PSA's accuracy at predicting pretrial failure at 5.3 (SD = 2.7), suggesting moderate confidence in the tool's predictive ability. Interestingly, when asked, "On a 10-point scale, where a value of 0 indicates 'Not accurate at all' and a value of 10 indicates 'Perfectly accurate,' how accurate do you think judges are at predicting a defendant's likelihood of pretrial failure?", respondents rated judges' accuracy slightly lower at 4.5 (SD = 2.5). This difference suggests that while neither prediction method is perceived as highly accurate, respondents tend to have slightly more confidence in the PSA's predictions than in judges' predictions.

Table 6. *Perceptions of PSA Usefulness and Agreement with Its Recommendations*

Variable	N = 84[1]
PSA Usefulness	
Not at all useful	10% (8)
Slightly useful	23% (19)
Moderately useful	37% (31)
Very useful	26% (22)
Extremely useful	5% (4)
Agreement with PSA	
Always	2% (2)
Often	48% (40)
Sometimes	38% (32)
Rarely	8% (7)
Never	4% (3)
Perceived PSA Accuracy (%)	5.3 (2.7)
Perceived Judge Accuracy (%)	4.5 (2.5)

[1]n (%); Mean (SD)

Analysis of accuracy ratings by profession revealed noteworthy differences in how stakeholders perceive prediction methods (see Table 7). Pretrial staff (n = 31) rated the PSA most favorably at 5.9 on a 10-point scale, while prosecutors (n = 2) gave it the lowest rating at 1.0. Judges (n = 24) showed the most confidence in their own profession's predictive accuracy (5.4), closely followed by pretrial staff's rating of judicial accuracy (5.3). Public defenders (n = 27) demonstrated low confidence in judges' predictive abilities (2.7).

The combined approach (i.e., using the combination of the PSA and judicial discretion) received the highest ratings across all groups, with pretrial staff rating it highest (6.5) and public defenders and prosecutors rating it lowest (4.4 and 4.5, respectively). These patterns suggest that professional role significantly influences perceptions of various pretrial assessment methods, with pretrial staff generally showing the most confidence in all approaches and prosecutors expressing the most skepticism about the PSA specifically. However, it is important to note the small sample size of participating prosecutors (n = 2), suggesting that these results may not be more broadly generalizable.

Table 7. *Average Perceived Accuracy on a 10-Point Scale by Profession*

Variable	PSA	Judges	Combined
Profession			
Pretrial Staff (n = 31)	5.9	5.3	6.5
Public Defenders (n = 27)	5.2	2.7	4.4
Judges (n = 24)	4.9	5.4	6.0
Prosecutors (n = 2)	1	4.5	4.5

[1]n (%); Mean (SD)

Lasso Regression Results

We used a specialized statistical approach called LASSO regression to analyze which factors predicted PSA perceptions. This method is particularly useful when we have many potential factors that might influence an outcome but want to identify only those with the strongest effects. Unlike traditional statistical approaches that include all variables regardless of their importance, LASSO automatically selects the most influential factors and eliminates those with minimal impact. This results in a cleaner, more focused analysis where we can be more confident that the relationships we identify are meaningful rather than statistical noise.

In our case, the LASSO method helped us identify which respondent characteristics (such as professional role, education level, and ideological stance) most strongly influenced perceptions of PSA usefulness, PSA accuracy, and judicial accuracy. Importantly, these effects are estimated while holding all other variables in the model constant, meaning they represent the independent effect of each factor. The fact that LASSO retained these variables indicates they have meaningful relationships with the outcome, even after accounting for all other factors in the model.

For PSA usefulness, pretrial staff and those from judicial districts outside of the Second Judicial District viewed the PSA more favorably. In contrast, those who rarely use PSAs or have less education viewed it as less useful. For PSA accuracy, pretrial staff and those with higher rehabilitation scale scores perceived PSAs as more accurate, while those with less education and "Other" professional roles rated PSA accuracy much lower (coefficients of -2.01 and -2.62, respectively). Regarding judge accuracy, those with higher efficacy scale scores and those identifying with "Other" ideologies rated judges as more accurate, while public defenders strongly questioned judge accuracy (coefficient of -1.70).

Across all models, professional role emerged as a particularly influential factor, with pretrial staff consistently rating both PSAs and judges more favorably. At the same time, public defenders were significantly more skeptical of judicial accuracy. Educational background also played an important role, with less education associated

with lower perceptions of PSA usefulness and accuracy. Interestingly, the frequency of PSA use was inversely related to perceptions of usefulness and accuracy, suggesting that those who use these tools less frequently may have more negative views of them. These findings highlight how professional role, education, and familiarity with assessment tools significantly shape algorithmic and human judicial decision-making perceptions.

Table 8. *Lasso Regression Models Predicting PSA Usefulness, PSA Accuracy, and Judge Accuracy Perceptions (Statistically Significant Factors Only)*[23]

Variable	Coefficient	Model
Profession: Pretrial Service Staff	0.55	PSA Usefulness
Judicial District: Non-SJDC	0.50	PSA Usefulness
Race: Other	0.35	PSA Usefulness
Political Ideology: Liberal	0.29	PSA Usefulness
Risk Aversion Scale	0.08	PSA Usefulness
Rehabilitation Scale	0.07	PSA Usefulness
Profession: Public Defender	-0.04	PSA Usefulness
Job Efficacy Scale	-0.09	PSA Usefulness
Gender: Male	-0.10	PSA Usefulness
Education: Graduate Degree	-0.12	PSA Usefulness
Political Ideology: Moderate	-0.24	PSA Usefulness
PSA Frequency Use: Sometimes	-0.25	PSA Usefulness
Education: Some College or Less	-0.39	PSA Usefulness
PSA Frequency Use: Rarely/Never	-0.69	PSA Usefulness
Profession: Pretrial Service Staff	1.40	PSA Accuracy
Rehabilitation Scale	0.47	PSA Accuracy

[2] Coefficients represent the difference in ratings compared to reference groups. Reference groups: Race = White; Education = College; Gender = Female; Ideology = Conservative; Professional Role = Judge; District = 2nd District; PSA Use Frequency = Frequent. For example, the coefficient of -1.70 for "prof_recodePublic Defender" in the Judge Accuracy model indicates that Public Defenders rated judge accuracy 1.70 points lower than Judges (the reference group) did, holding all other variables constant.

[3] Each coefficient for a scale item indicates the impact of increasing one item on each scale on the outcome rating. For example, the 0.47 coefficient for the seven-item rehabilitation scale for the PSA Accuracy Model suggests that someone who went from being entirely opposed to rehabilitation (score of 1) to being very in favor of rehabilitation (score of 7) would rate the accuracy of the PSA 2.82 points higher (0.47 × 6) on the accuracy scale. This indicates that judicial actors who favor rehabilitation approaches are substantially more likely to view the PSA as an accurate assessment tool than those who do not support rehabilitation-oriented approaches to criminal justice.

Variable	Coefficient	Model
Judicial District: Non-SJDC	0.36	PSA Accuracy
Race: Latino/a (Latin American or Hispanic)	0.33	PSA Accuracy
Gender: Female	0.33	PSA Accuracy
Political Ideology: Liberal	0.06	PSA Accuracy
PSA Frequency Use: Sometimes	0.00	PSA Accuracy
PSA Frequency Use: Rarely/Never	-0.52	PSA Accuracy
Political Ideology: Moderate	-0.67	PSA Accuracy
Education: Some College or Less	-2.01	PSA Accuracy
Job Efficacy Scale	0.51	Judge Accuracy
Judicial District: Non-SJDC	0.30	Judge Accuracy
Race: Latino/a (Latin American or Hispanic)	0.13	Judge Accuracy
Risk Aversion Scale	0.03	Judge Accuracy
Race: Other	-0.08	Judge Accuracy
Rehabilitation Scale	-0.18	Judge Accuracy
Profession: Public Defender	-1.70	Judge Accuracy

Factors in Pretrial Release Decisions

Understanding which factors decision-makers consider most important in pretrial release determinations is crucial for evaluating the current pretrial justice system and identifying potential areas for reform. This analysis offers insight into how judges, attorneys, and pretrial services staff prioritize different factors when making or advocating for pretrial detention decisions, directly impacting defendants' liberty, case outcomes, and system resources.

Our results reveal a hierarchy in the perceived importance of various factors. Using a 1-5 scale where one indicated whether a decision-maker thought that the factor was “Not at all important” and a five indicated that the decision-maker thought that factor was “Extremely important”, our results suggest that case-specific legal factors were rated as most important, with criminal history (M=4.21), pending charges (M=4.13), current charge (M=4.06), prior failure to appear (M=4.06), and weapon involvement (M=4.06) receiving the highest ratings. In contrast, contextual factors such as the presence of family or friends (M = 2.99), the presence of victims (M = 2.93), and jail capacity (M = 2.50) were rated as substantially less important.

This finding suggests that decision-makers prioritize legally relevant factors over practical or environmental considerations, aligning with normative expectations about how pretrial decisions should be made. However, the relatively high importance placed on factors such as the defendant's mental condition (M = 3.80) also indicates recognition of individual circumstances that might affect pretrial success.

Table 9. *Perceived Importance of Factors in Pretrial Release Decisions*

Release Factor	N	Mean (SD)	Median
Criminal history	84	4.21 (0.91)	4
Pending charge	84	4.13 (0.8)	4
Current charge	84	4.06 (0.87)	4
Prior failure to appear	84	4.06 (0.91)	4
Weapon involvement	84	4.06 (1.08)	4
Victim injury	84	3.96 (1.1)	4
Defendant's mental condition	84	3.8 (1.08)	4
Arguments made by the Prosecution or Defense	84	3.52 (0.94)	4
Defendant's substance use history	84	3.38 (1.15)	3.5
Defendant's age	84	3.02 (1.12)	3
Presence of defendant's family, friends, or counselor	84	2.99 (0.99)	3
Presence of the victim or the victim's family, friends, or counselor	84	2.93 (1.13)	3
Jail capacity	84	2.5 (1.3)	2

Note: Factors rated from 1 (Not at all important) to 5 (Extremely important)

PSA Strengths and Weaknesses

Understanding how legal professionals perceive the PSA's strengths and weaknesses is essential for evaluating its practical utility and acceptance within the pretrial justice system. While algorithmic risk assessment tools, such as the PSA, have been increasingly adopted nationwide to promote more objective and consistent pretrial decisions, their effectiveness ultimately depends on how they are perceived and utilized by the practitioners who implement them.

Our analysis in Table 10 reveals notable patterns in how respondents view various aspects of the PSA. The most widely recognized strength is that the PSA is research-based (76.2%; n = 64), followed by its ability to generate different scores for failure to appear, new criminal activity, and new violent criminal activity risks (69%; n = 58).

However, there was considerable disagreement about whether the PSA being charge-blind is a strength (40.5%; n = 34) or a weakness (48.8%; n = 41), suggesting tension between those who value this feature for reducing bias and those who believe charge information is essential for accurate risk assessment. Additionally, 41.7% (n = 35) of respondents viewed the fact that defendants are not interviewed for the PSA as a weakness, with only 20.2% (n = 17) considering it a strength.

These findings highlight areas where the PSA design aligns with practitioner values and areas where modifications or supplementary procedures might enhance its acceptance and perceived validity among the professionals who rely on it for pretrial decision-making.

Table 10. *Perceptions of PSA Strengths and Weaknesses*

PSA Aspect	Strength % (n)	Weakness % (n)	Neither % (n)
That the PSA is research-based	76% (64)	4% (3)	20% (17)
That the PSA generates different scores for FTA, NCA, or NVCA risk	69% (58)	11% (9)	20% (17)
The types of factors that are included in the PSA	60% (50)	21% (18)	19% (16)
The number of factors that are included in the PSA	56% (47)	16% (13)	29% (24)
The amount of time it takes to complete and interpret the PSA	43% (36)	8% (7)	49% (41)
That the PSA is developed from a national - versus local dataset	42% (35)	31% (27)	26% (22)
That the PSA is not charge-based	41% (34)	49% (41)	11% (9)
That the PSA reduces the role of judicial discretion	38% (32)	29% (24)	33% (28)
That the defendant is not interviewed for the PSA	20% (17)	42% (35)	38% (32)

Missing PSA Factors

To identify potential improvements to the PSA instrument, we asked respondents whether they believed there were additional risk factors not currently included that would enhance the predictive quality of the assessment. This question was designed to elicit practitioner insights that might lead to potential refinements of the PSA based on front-line expertise. The survey utilized a two-step approach: first, we asked whether respondents believed omitted factors existed (yes/no), and then we requested open-ended responses identifying specific factors from those who answered affirmatively.

We employed a content analysis methodology to categorize the open-ended responses. A function was created to categorize responses based on keywords associated with 12 predefined categories (e.g., "Current Charge," "Criminal History," "Housing Status"). Each response was analyzed for these keywords and assigned to the first matching category, with non-matching responses labeled "Other."

Of the 84 survey respondents, 54% (n = 45) did not suggest additional factors. Among the 39 who did respond, the most frequently suggested addition was information about the current charge (26%; n=10). Respondents also often recommended including more detailed criminal history (11%; n=9) and housing status information (10%; n = 4). Other suggestions included community ties (8%; n = 3), compliance history (8%; n = 3), and employment status (8%; n = 3).

Table 11. *Recommended Factors to Include in PSA*

Factor	% Mentioning of Those Listing Factors
More information about the current charge	26% (10)
More information about past criminal history	23% (9)
Housing status	10% (4)
Community ties	8% (3)
Compliance history	8% (3)
Employment	8% (3)

How PSA Information is Presented

To evaluate whether how PSA information is presented matters, we asked stakeholders to choose the most informative presentation style for PSA information with three options:

(1) scored presentation showing "defendant X scored a five on the FTA scale, a two on the NCA scale, and a zero on the NVCA flag"

(2) a similar scored presentation but with a four on the NVCA scale instead of a flag; and

(3) a probability-based presentation stating, "Defendant X has a 20% probability of FTA, a 3% probability of NCA, and a 1% probability of NVCA."

Of the 84 respondents, the probability-based presentation was the most frequently selected option, with 67% (n = 56) endorsing this answer choice. Meanwhile, 25% of respondents (n = 21) preferred the scored presentation with the NVCA scale. Only 8% (n = 7) of respondents selected the scored presentation with the NVCA flag, as the current system uses.

This suggests that criminal justice professionals find probability-based risk communication more informative than scale-based presentations.

Discussion

The results of our survey offer initial insights into how criminal justice professionals in New Mexico perceive and utilize PSA. We spotlight below some key findings.

First, our analysis reveals significant variation in PSA perceptions across professional roles. Pretrial staff consistently reported more favorable views of the PSA than other stakeholders, rating it higher for usefulness and accuracy. This aligns with their professional responsibilities, as they directly administer the tool. In contrast, public defenders expressed greater skepticism about judicial accuracy, which may reflect their role as advocates for defendants. At the same time, prosecutors (though limited in our sample) appeared most skeptical about the PSA's accuracy.

Second, our findings regarding the missing factors that stakeholders would like to see incorporated into the PSA highlight a tension in the design of risk assessments. The most requested additions were more information about current charges (26%), criminal history (23%), and housing status (10%). This preference for including charge information directly contradicts the PSA's intentional design as a charge-blind instrument meant to reduce potential bias. This tension reveals the challenge of balancing stakeholders' perceived need for comprehensive information against the goal of developing more equitable assessment tools.

Third, our finding that 67% of respondents prefer a probability-based presentation format over the current score-based format suggests an important opportunity for improving how information about defendants' risk of NCA is communicated to stakeholders. Presenting risk in terms of percent probabilities appears to make the information more intuitive and useful for decision-makers compared to abstract scale values.

Fourth, our LASSO regression results highlight the impact of professional role on perceptions of algorithmic and human decision-making in the pretrial context. The

fact that rehabilitation attitudes were positively associated with perceived PSA accuracy suggests that ideological orientation toward criminal justice may influence receptiveness to risk assessment tools. This highlights how the success of implementation depends on the technical quality of the tool and its alignment with stakeholders' existing values and beliefs.

Finally, the finding that less frequent PSA users rated it as less useful suggests that familiarity and regular exposure to the tool may enhance perceived utility, though this finding may be circular. This highlights the importance of ongoing training and integrating the PSA into regular workflows to support sustained implementation.

Limitations

Several important limitations should be considered when interpreting the findings of this study.

First, the disproportionate representation of respondents from the Second Judicial District (58% of our sample) limits the generalizability of our findings to other judicial districts in New Mexico. Given potential differences in implementation practices, caseloads, and local courtroom cultures across districts, the perspectives captured may not fully represent statewide attitudes and practices.

Second, the small number of prosecutors in our sample (2% of respondents; n = 2) means that findings regarding prosecutorial perspectives should be interpreted with extreme caution. The underrepresentation of this key stakeholder group creates a significant gap in our understanding of the full dynamics of the courtroom workgroup surrounding PSA implementation.

Third, our survey captures perceptions at a single point in time rather than tracking changes over the implementation period. Without longitudinal data, we cannot determine whether stakeholders' views of the PSA have evolved since its introduction or how perceptions might change with more prolonged exposure or additional training.

Finally, while our analysis identified which factors stakeholders would like to see added to the PSA, we did not systematically evaluate why they believe these factors would improve prediction or how they would suggest incorporating them without introducing bias.

Conclusion

Our study provides preliminary insights into stakeholders' perceptions and use of the PSA across different professional roles in New Mexico. Findings highlight consensus and divergence in how criminal justice professionals view and implement the PSA. While the PSA generally receives moderate support, particularly for its research foundation and structured approach, concerns persist about its omission of certain factors and its national rather than local orientation. The significant differences in perception across professional roles underscore the importance of regular training on

the tool’s intended use and design. Addressing public defenders' concerns about the PSA's fairness and prosecutors' skepticism about its accuracy could help build a broader consensus around its use.

In sum, our results highlight the importance of ongoing assessment, dialogue, and refinement in implementing risk assessment tools to ensure that they effectively support fair and evidence-based pretrial decision-making. Future research should investigate the relationship between these perceptions and actual pretrial outcomes and explore whether modifying how risk information is communicated to stakeholders (e.g., as probabilities instead of as raw scores) or supplementing the PSA with additional information (e.g., the type and severity of predicted NCA) can enhance its effectiveness and acceptance among all members of the courtroom workgroup.

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Appendix

Appendix A. Response Rates by District and Profession

Our survey achieved an overall response rate of 40.0% (84 respondents out of 205 recipients), varying across both districts and professional roles, as shown in Figures 1 and 2. The 2nd Judicial District demonstrated the highest engagement at 54.4%, followed closely by the 11th District at 52.9%. In contrast, the 13th Judicial District recorded the lowest response rate at 20.0%, with the 3rd and 6th Judicial Districts showing similar levels of participation (21.7% and 21.1%, respectively). When examining response rates by profession, Public Defenders showed the strongest participation at 65.9%, while Prosecutors had the lowest response rate at 22.2%. Pretrial Staff responded at a rate of 45.6%, and Judges at 27.3%.

These response rates should be contextualized within the broader landscape of judicial surveys. As demonstrated by the IAALS survey conducted across eight states from December 2021 to February 2022, judicial survey response rates typically range from 30-40% (Kalil et al., 2024). Our results align with these patterns, with our overall response rate comparable to the 36.7% achieved in the multi-state JPE Perspectives Survey. Notably, the New Mexico response rate in that survey (31.1%) closely mirrors our findings. While Massachusetts showed an unusually low response rate (6.7%), states like Utah achieved nearly 50% participation, suggesting that variability across jurisdictions is common in this type of research.

It is important to note that contemporary survey research indicates that lower response rates are not necessarily indicative of poor data quality. As Lupia and Philpot (2015) report, results from surveys with lower response rates should be evaluated on their merits rather than dismissed outright. The increasing challenge of survey fatigue across all research domains has shifted focus from absolute response rate thresholds toward careful analysis of the data collected. While we cannot definitively determine whether non-respondents differ systematically from participants, the consistency of our response rates with similar judicial surveys suggests our data provides valuable insights despite these limitations.

Table 1. *Response Rates by District*

District	Respondents	Recipients	Response Rate (%)
1st District	6	18	33.3%
2nd District[4]	49	90	54.4%
3rd District	5	23	21.7%
4th District	6	13	46.2%
6th District	4	19	21.1%
11th District	9	17	52.9%
13th District	5	25	20.0%
Total	**84**	**205**	**40.0%**

Table 2. *Response Rates by Profession*

Profession	Respondents	Recipients	Response Rate (%)
Pretrial Staff	31	68	45.6%
Prosecutor	2	9	22.2%
Public Defender	27	41	65.9%
Judge	24	87	27.3%
Total	**84**	**205**	**40.0%**

[4] Inclusive of BCMC as BCMC is subsumed within the SJDC but was not presented as a survey response option.