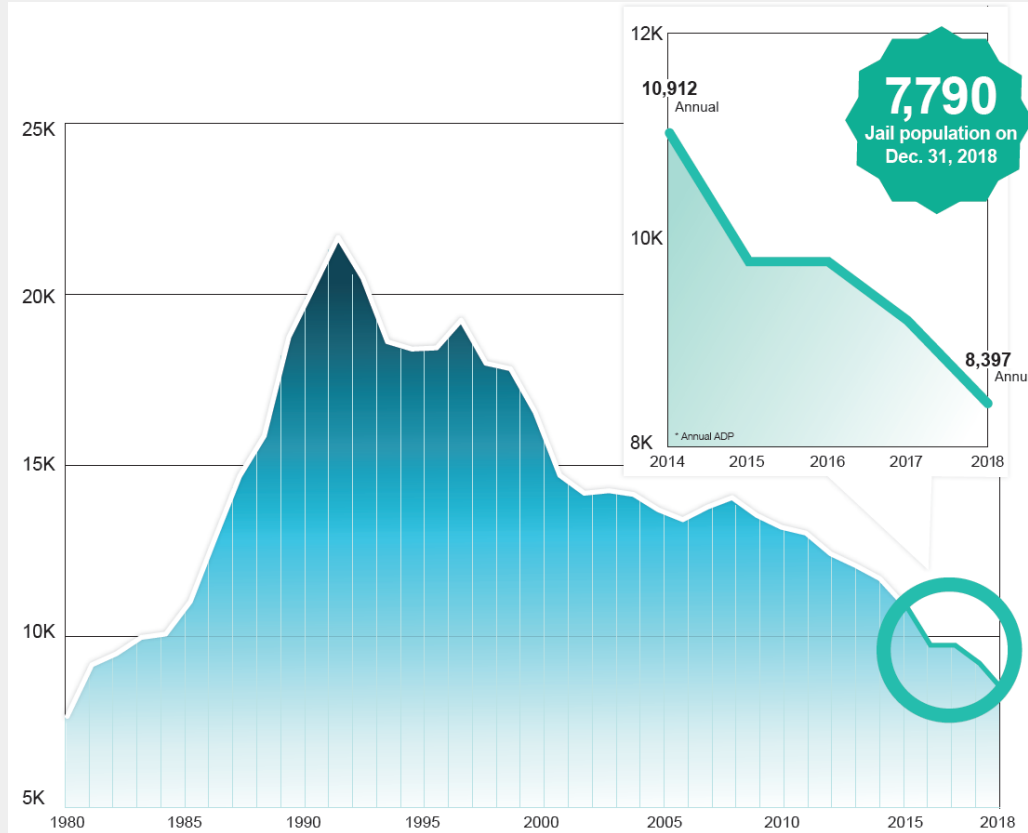


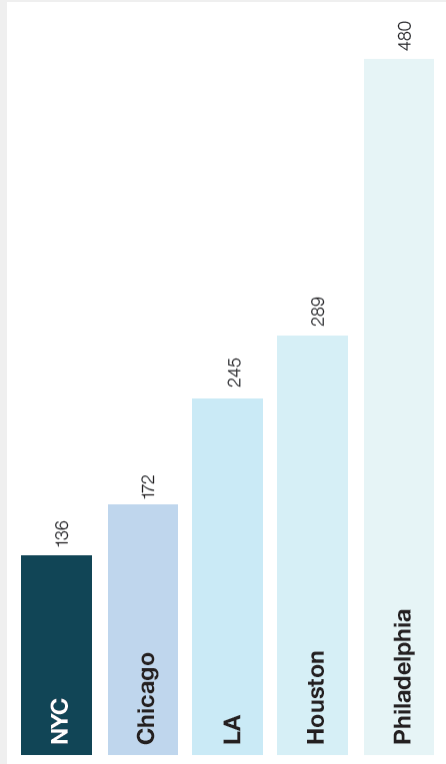
# Alternatives to Incarceration and Pretrial Detention

NYSAC Legislative Conference  
January 2019

# The jail population fell below 8,000 for the first time since 1980



# New York City has the lowest rate of incarceration of all large cities in the U.S.



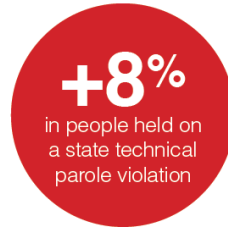
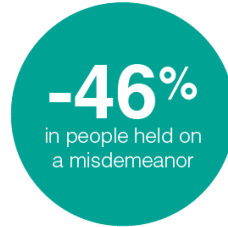
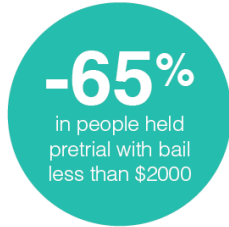
## New York City is the safest city with the lowest rate of incarceration of all large cities in the United States

- 30% decline in the jail population since the Mayor first took office
- 46% decline in jail admissions
- 14% reduction in index crime
- Lowest jail population since 1980

# New York City's Decreasing Jail Population

All populations, except state parole violators, have decreased

**Key trends:  
2013-2018**



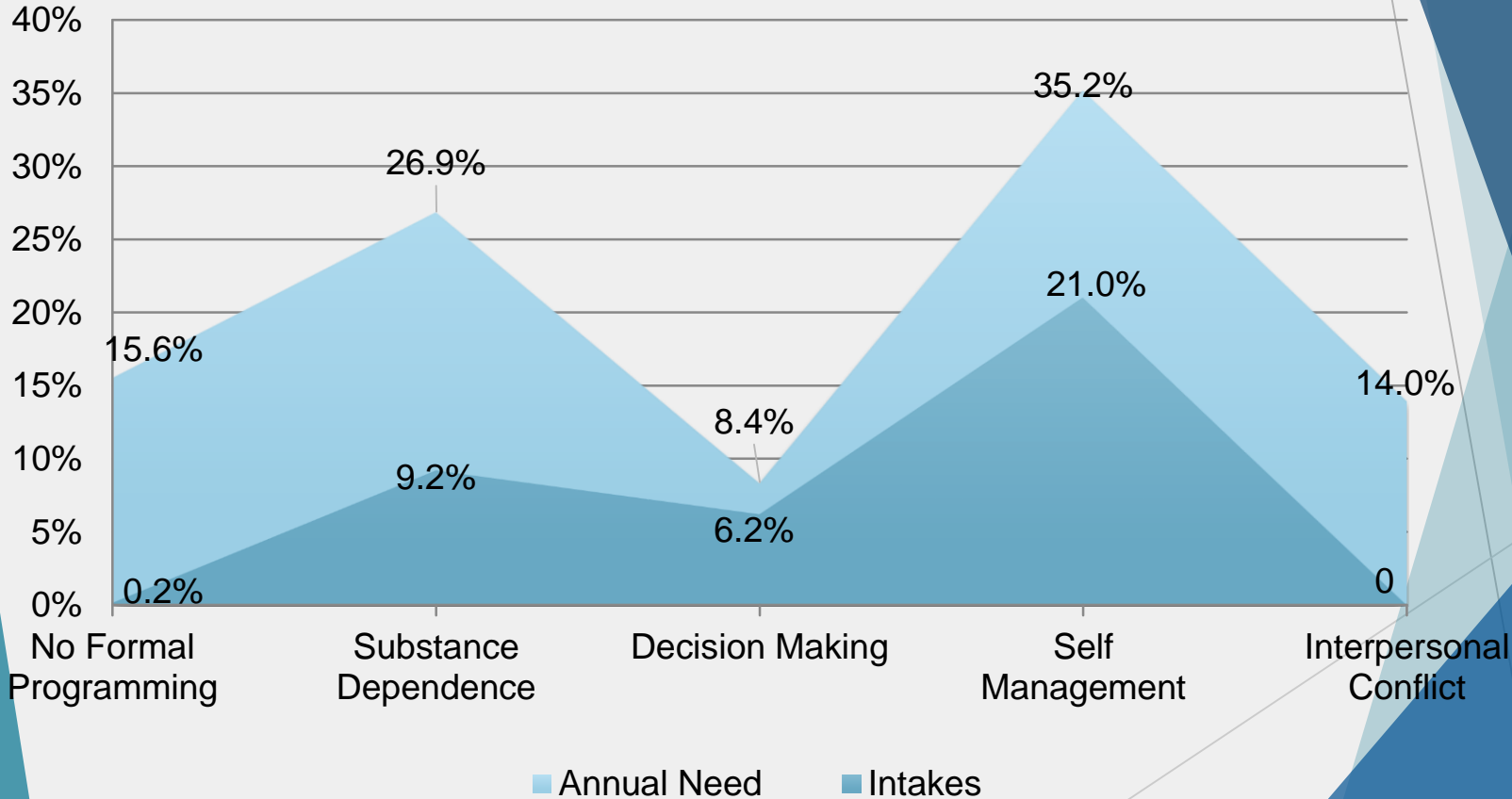
# MOCJ-Funded Alternative to Incarceration (ATI) Programs

Charge severity	Program	Non-Profit Provider	2019 Capacity	Target population notes
<i>Misdemeanor</i>	Manhattan START	CASES	1,700	Behavioral Health & Gen. Pop.   18+ y.o.
	Bronx Community Solutions	Center for Court Innovation	1,616	16+ y.o.
	Red Hook/Brownsville ATI Program	Center for Court Innovation	717	16+ y.o.
<i>Misdemeanor &amp; Felony</i>	Court Employment Project	CASES	340	16 - 19 y.o.
	Men's Initiative	Palladia	120	Substance Abuse Residential   Men   16+ y.o.
	Youth Advocacy Project	Center for Community Alternatives	40	JOs (13-15 y.o.)   16 - 18 y.o.
	Families Rising - Functional Family Therapy	NY Foundling	124	Family Therapy   YO-eligible   16 - 18 y.o.
	Justice Home Program	Women's Prison Association	55	Women   16+ y.o.
<i>Felony</i>	El Rio and Court Advocacy Services	Osborne Association	345	Substance Abuse & Gen. Pop.   16+ y.o.
	Freedom	Fortune Society	188	16+ y.o.
	FlameTree	Fortune Society	124	Substance Abuse   16+ y.o.
	BronxConnect	Urban Youth Alliance International	90	JOs (13-15 y.o.)   16 - 24 y.o.
	Steps to End Family Violence	Edwin Gould	57	Women   Victims of DV   16+ y.o.
	Better Living Center	Fortune Society	40	Mental Health   16+ y.o.
	Nathaniel Assertive Community Treatment	CASES	30	Serious Mental Illness   16+ y.o.
	Common Justice Project	The Vera Institute	18	Restorative Justice   16 - 24 y.o.
	<b>TOTAL</b>			<b>5,604</b>

# Risk Need Responsivity (RNR) Research Project

- ▶ Who are we serving in ATI programs?
- ▶ Who are we missing in ATI programs?
- ▶ Of those we are serving, are they getting what they need?
- ▶ What services are missing?
  
- ▶ Gap analysis to compare existing ATI program services and the needs of the criminal justice-involved population
  - ▶ Data on services from RNR Program Survey of MOCJ-funded ATI programs
  - ▶ Data on needs from ATI provider organizations, CJA, DOC, CHS

# Annual ATI-Enrolled Programming Needs vs. Annual Program Enrollments



# Lessons Learned from RNR Study

- ▶ Identify gaps in services
- ▶ Adhere to evidence-based practices
- ▶ Importance of high quality implementation & quality assurance
- ▶ Need for process to streamline ATI enrollments from court (how to match people to right program)
- ▶ Data collection to effectively manage programs & contracts



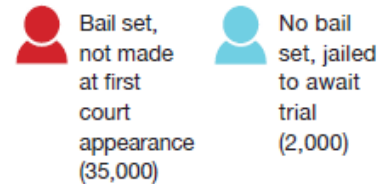
# Most people arrested in NYC are released at arraignment

## MOST PEOPLE DO NOT GO TO JAIL AFTER ARREST

**87%** of people are released



**13%** of people are jailed



Of cases that are not resolved at arraignment, over 70% of defendants await trial in the community

# The vast majority released to the community do not miss court or commit a serious crime

- ❖ 86% never miss a court date
  - Only 7% fail to appear (FTA) and do not return within 30 days
- ❖ Only 3% rearrested for violent felony offense while awaiting trial

# Tools to decrease unnecessary pretrial detention

Appearance reminders

Supervised release

Bail expeditors

Bail funds

Courthouse ATMs and on-line bail

Arraignment Release Tool (ART) underway

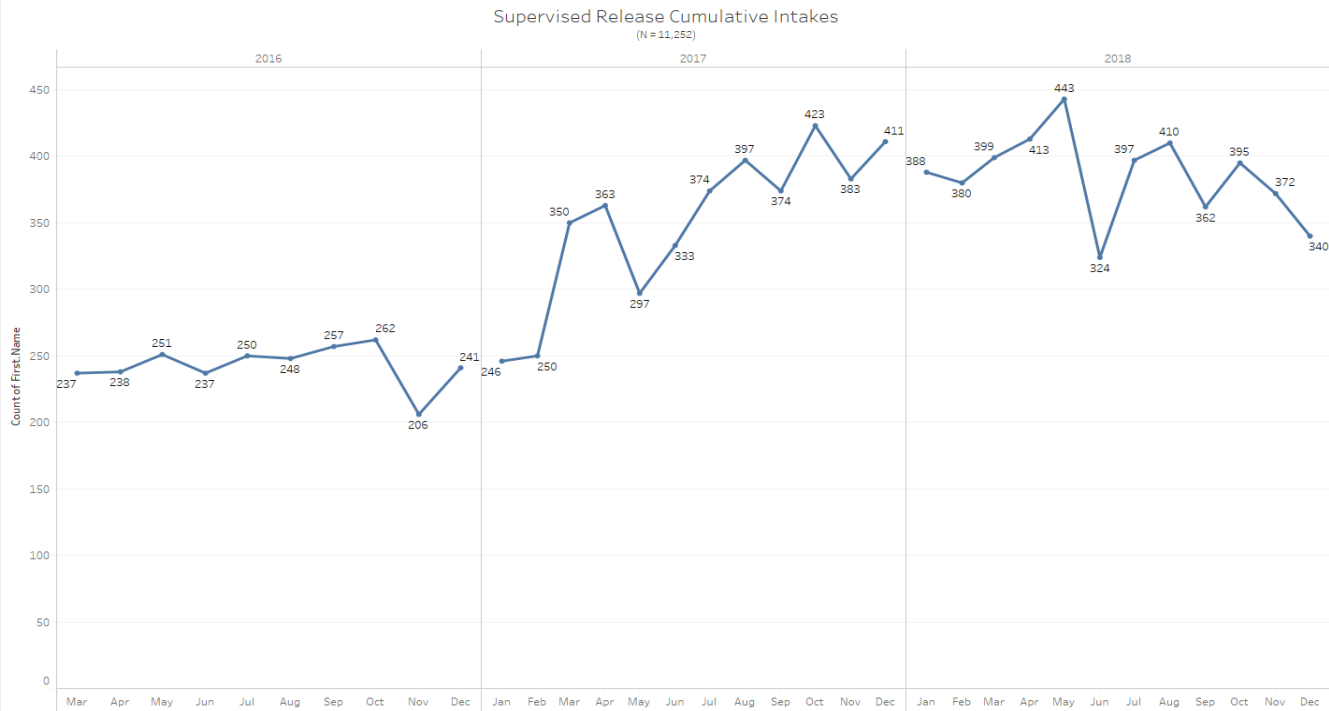
# Supervised Release

- ◀ Supportive model: Non-profit master's level social workers, motivational interviewing, peer mentors to engage clients
- ◀ Only supervision, no mandates
- ◀ Eligibility: Misdemeanors & nonviolent felonies
- ◀ Individuals with domestic violence charges and those assessed to be high risk of felony re-arrest are ineligible

## Supervision Requirements

<b>All Levels</b>	<ul style="list-style-type: none"><li>• Phone call/text message court date reminders</li><li>• Criminal history check (the day before the next court date)</li></ul>
<b>Level 1</b>	One face-to-face contact per month and a planning phone call before court date
<b>Level 2</b>	One face-to-face contact per month and two phone calls per month
<b>Level 3</b>	Two face-to-face contacts per month and two phone calls per month
<b>Level 4</b>	One face-to-face contact and one phone call per week

# Supervised release is growing rapidly



- Over 11,100 intakes from 3/16 through 12/18
- 88% appearance rate

- New specialized tracks for populations with greater needs
- 98% rate of no violent felony re-arrest

# Updating Pretrial Release Assessment- Process underway



Two independent expert research teams



Oversight by Research Advisory Council of world-class experts



Partnering judges and attorneys with experts to develop tool



Pursuing what judges told us and the research bears out  
• E.g., *recent* warrants not *old* warrants matter most



Active and ongoing partnership and consultation with NYC judges and other stakeholders

**For further  
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