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# Two-Year Update

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## Brooklyn Justice Initiatives Supervised Release Program

By Josephine W. Hahn



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In November 2013, the Center for Court Innovation launched the Brooklyn supervised release program with support from the New York State Office of Court Administration. Operated by Brooklyn Justice Initiatives at 120 Schermerhorn Street, the pilot initiative sought to engage misdemeanor defendants who cannot afford relatively low bail amounts (generally \$1,500 or less).<sup>1</sup> The program closely monitored participants to ensure that they appeared for court dates, and provided short-term individual case management and links to voluntary community-based referrals, where appropriate. Program engagement averaged approximately four months. The pilot program served 315 cases pre-disposition in lieu of bail being set from November 2013 to February 2016.

Center for Court Innovation researchers previously conducted a mixed methods study to evaluate the impact of the supervised release pilot program (available at [http://www.courtinnovation.org/sites/default/files/documents/BK%20SRP\\_Research%20Report\\_FINAL.pdf](http://www.courtinnovation.org/sites/default/files/documents/BK%20SRP_Research%20Report_FINAL.pdf)). The purpose of the current update is to extend the tracking period for re-arrest up to two years.

## Overview of the Prior Evaluation

The earlier evaluation had several components. First, an impact evaluation included all program participants arraigned from November 25, 2013 through September 30, 2014, representing the cases seen within the first nine months of program operations. Researchers used propensity score matching to establish a matched comparison group arraigned in the year before program launch. The evaluation examined the effects of the supervised release program on key criminal justice outcomes.

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<sup>1</sup> Of note, impact evaluation results are restricted to the first year of operation (2013 to 2014). In March 2016, the Mayor's Office of Criminal Justice (MOCJ) launched a citywide bail reform initiative in all five boroughs. As part of this initiative, the Brooklyn Supervised Release Program was revised based on MOCJ criteria, which included nonviolent felony cases, as well as not engaging 'high risk' cases flagged by the MOCJ risk assessment tool.

When compared to the matched sample, supervised release participants were significantly more likely to be released during the pretrial period (100% vs. 47%); spent significantly fewer days in detention (4 days vs. 26 days); and were significantly less likely to receive a misdemeanor criminal conviction (21% vs. 38%) or a jail sentence (11% vs. 34%). Results did not demonstrate a deleterious impact on recidivism; at one-year, there were no significant differences between the groups for any re-arrest, as well as felony or violent felony re-arrest.<sup>2</sup>

Additional analysis demonstrated that the program was appropriately engaging a high-risk population and did not have a net-widening effect. Participants averaged significantly higher bail amounts (nearly \$500) than a comparison group of misdemeanor cases. Further, 94% of participants were classified as high risk of failing to appear in court according to the flight risk tool administered by the New York City Criminal Justice Agency.

Finally, qualitative findings showed that program participants held positive perceptions of the program.

## The Current Update

After examining one-year re-arrest rates in the original evaluation, researchers conducted an updated analysis to examine re-arrest outcomes two years after the initial arrest to see whether the Brooklyn Justice Initiatives participants were more likely to be re-arrested than the comparison group.

### Impact on Two-year Re-Arrest Outcomes

Findings from the updated analysis are presented below.

- **Felony and Violent Felony Re-Arrests:** In line with one year outcomes, supervised release participants and comparison cases had no differences in felony or violent felony re-arrest rate at two years after the initial arrest.
- **Any Re-Arrest and Misdemeanor Re-Arrest:** At two years, program participants were modestly more likely than the comparison group to have any re-arrest (80% vs.

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<sup>2</sup> Though program participants were more likely than the comparison group to have a misdemeanor re-arrest (60% vs. 51%), this finding was not statistically significant.

73%) and any misdemeanor re-arrest (73% vs. 64%). Neither finding was statistically significant.

- **Survival Analysis:** According to results, initial differences in re-arrests may reflect the fact that more Supervised Release participants were shown to be released and at higher risk for re-arrest while in the community, whereas more of the comparison group was detained and not at risk for re-arrest during detention. However, the gap narrowed between groups over time, and this narrowing continued right up until the two-year mark.

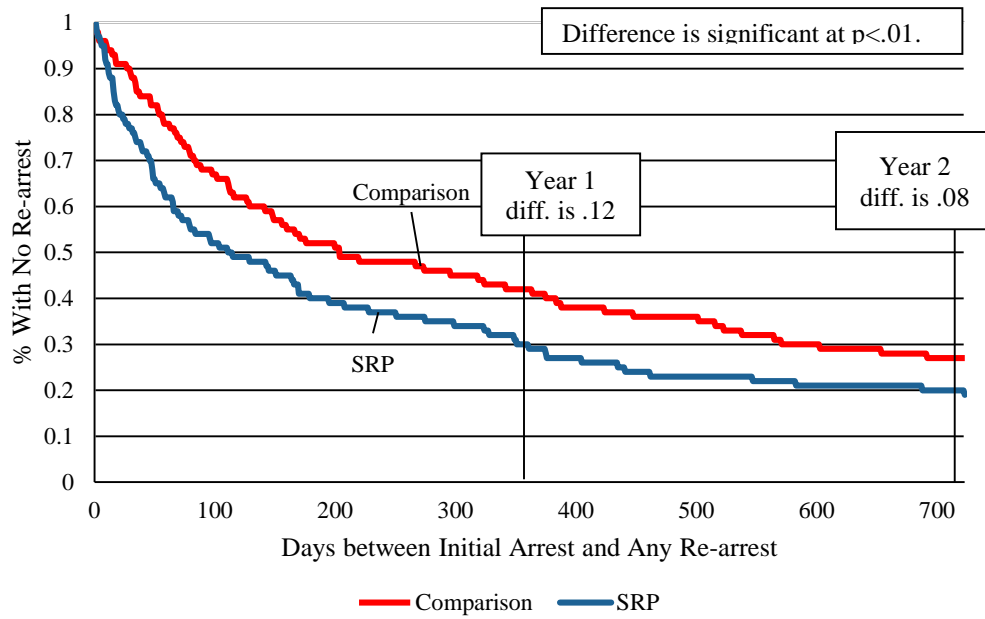
In sum, the Brooklyn supervised release pilot program has enabled hundreds of defendants to return to their community and avoid pre-trial detention. The full impact evaluation report indicates that participants in supervised release are more likely to avoid criminal convictions and jail sentences. There is no evidence that the program increased serious re-offending. Participants were slightly more likely to be re-arrested for a misdemeanor offense, but this difference was not statistically significant.

## Average Brooklyn Supervised Release Program Effects on Re-arrest Outcomes in a Matched Sample

Recidivism	Program Participants	Comparison Group
N	164	164
<b>One Year after Initial Arrest</b>		
Any Re-arrest	67%	59%
<i>Average No. of Re-arrests</i>	2	1.6
Any Misdemeanor Re-arrest	60%+	51%
<i>Average No. of Misdemeanor Re-arrests</i>	1.5	1.1
Any Felony Re-arrest	25%	28%
Any Violent Felony Re-arrest	12%	9%
<b>Two Years after Initial Arrest</b>		
Any Re-arrest	80%+	73%
<i>Average No. of Re-arrests</i>	3.5	2.9
Any Misdemeanor Re-arrest	73%+	64%
<i>Average No. of Misdemeanor Re-arrests</i>	2.5+	2.0
Any Felony Re-arrest	44%	37%
<i>Average No. of re-arrests</i>	0.7	0.7
Any Violent Felony Re-arrest	21%	16%
<i>Average No. of re-arrests</i>	0.3	0.2

+p<.10 \* p<.05 \*\* p<.01 \*\*\*p<.001

### Survival Curve for Any Re-arrest at Two Years



### Survival Curve for Any Misdemeanor Re-arrest at Two Years

