

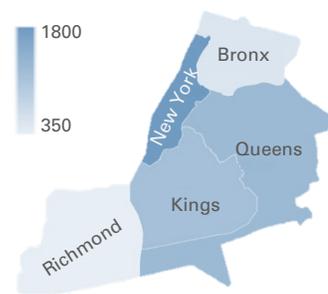
# Supervised Release Five Years Later

Launched in March 2016, New York City's Supervised Release program offers an effective, non-carceral alternative to bail and pretrial detention, allowing people awaiting trial to remain in their communities.

## An Increasing Caseload

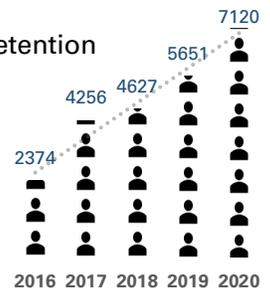
Supervised Release has diverted **nearly 25,000 people** from monetary bail and likely pretrial detention over its first five years, contributing to historic overall declines in the NYC jail population.

Active caseload



Citywide Total ≈ 5,000 active participants

With notable volume increases each year, **the citywide active caseload rose to more than 5,000 participants at the start of 2021.** Among the five boroughs, Manhattan had the highest caseload, comprising more than a third of the citywide total.



= 1,000 individuals released to NYC Supervised Release

## Court Attendance

In lieu of bail, unaffordable to many arrested New Yorkers, pretrial supervision helps ensure participants attend their court dates, reducing the possibility of detention for failing to appear in court. Rather than law enforcement officers who provide supervision in many other jurisdictions, Supervised Release employs **social workers and case managers from local nonprofit agencies** who work with participants awaiting trial, planning for

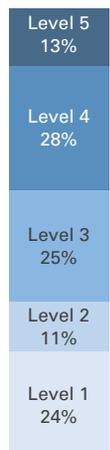
upcoming court dates, addressing barriers to attendance, and offering linkages to voluntary community-based social services.

Findings from [a recent evaluation](#) show that Supervised Release is as effective as cash bail at preventing failure to appear in court without recourse to the documented harms of incarceration. Cumulatively since 2016, **87% of participants never missed a single court date while enrolled.** Court attendance remains high following major bail reforms in January 2020 which made all cases eligible for the program, with **91% of scheduled court dates attended.**<sup>1</sup>



## Pretrial Supervision

In addition to preparing for upcoming court dates, regular check-ins provide opportunities to address needs, build on strengths, and connect participants to community-based resources that offer support beyond the duration of a court case. Program staff utilize a people-centered approach to meaningfully engage different participants at varying degrees of intensity. Initially, **one of five possible levels of supervision** is assigned based on [severity of the charge](#) and an assessment of their [likelihood of returning to court](#).<sup>2</sup> While the lowest level of supervision requires one check-in per month, approximately **40% of participants are currently supervised at the two highest supervision levels**, requiring weekly check-ins with a social worker holding a significantly lower caseload to ensure capacity for higher-intensity engagement and individualized support.



Overall, compliance with supervision level requirements is high. **Participants attend around 98% of their required check-ins.**<sup>3</sup> If a participant loses contact with the program, rigorous outreach is immediately initiated, and in cases when re-engagement efforts are not successful, the court is notified that the participant has become disengaged.

## Rearrest

The program also notifies the court if a new arrest occurs. However, most participants are not rearrested during pretrial supervision. From 2016 through 2020, **87% of participants were not arrested on a new felony charge** while enrolled in Supervised Release. Each month during 2020, only around 1% of participants were rearrested for a violent felony, and on average, **93% were not rearrested at all.**

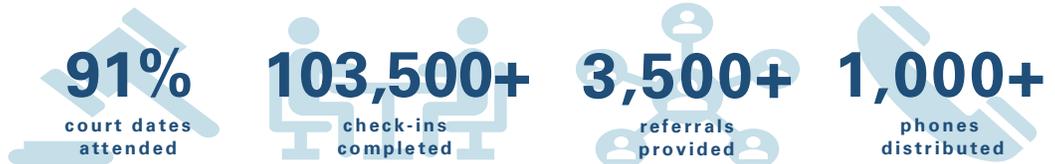


<sup>1</sup> Among participants released post-bail reform (January 2020 – March 2021); Queens data not included.

<sup>2</sup> At their discretion, judges may also mandate a higher or lower level of supervision.

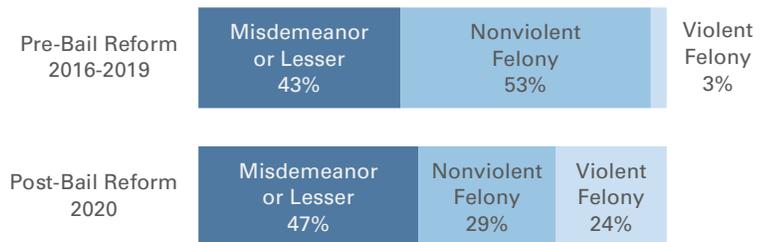
<sup>3</sup> Among participants discharged between January 2020 and March 2021.

# Highlights from 2020



In **January 2020**, New York’s statewide bail reform legislation took effect, removing charge- or risk-based restrictions on who could be released into pretrial supervision, enjoining judges only to ensure they were using the “least restrictive” condition to “reasonably assure” someone’s return to court.

With the change, Supervised Release **intakes rose by more than a quarter in 2020**, despite a four-month emergency suspension of the program due to COVID-19.<sup>4</sup> The program also experienced a substantial **shift toward a more serious charge profile**. Nearly one quarter of all new participants were charged with a violent felony offense in 2020 and previously ineligible violent felonies (assault and robbery) became two of the **top three most common charges** released to pretrial supervision.

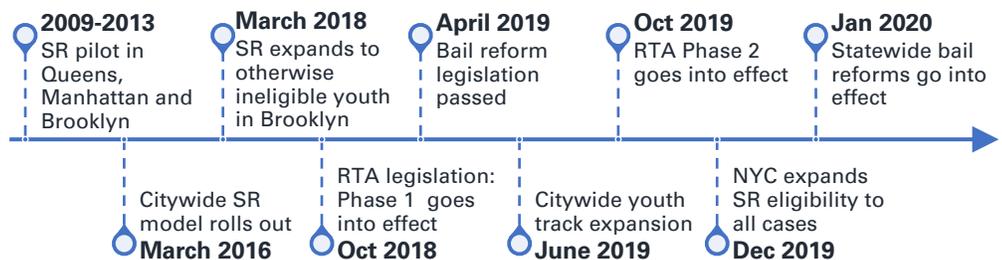


## Supervised Release program outcomes remain stable despite now enrolling a larger, more charge-diverse population

Even as Supervised Release participants and staff confronted the many challenges posed by the COVID-19 pandemic, program engagement remained high in 2020. **More than 103,500 check-ins were successfully completed**. To help ensure ongoing compliance with remote supervision requirements, **over 1,000 program-issued cell phones were distributed** to participants in need. Program staff also addressed participants’ needs by providing **more than 3,500 referrals to community-based services**, most commonly for employment/vocational support.

### The Evolution of Supervised Release

The original model was piloted in [Queens](#) in **2009** and by **2013** had expanded to [Manhattan](#) and [Brooklyn](#). After encouraging findings showed reductions in pretrial detention and post-conviction incarceration, and no increased risk of failure to appear in court among pilot participants, the citywide Supervised Release model was developed.



Since its debut in **March 2016**, the citywide program has evolved and expanded in response to changing policies and legislation. Before [Raise the Age](#) (RTA) legislation took effect in 2018, the program launched its youth engagement track, expanding eligibility to “high risk” young people and those with select violent felony charges, first in Brooklyn, and later citywide. High rates of court attendance among youth track participants (**95%**) laid the groundwork for expanding the program to an even wider, more charge-diverse population overall, and in **December 2019**, in anticipation of impending bail reforms, all eligibility restrictions were lifted.

Yet the program is still not reaching everyone it could help: last year, **85% of individuals with bail set were unable to pay**, while NYC’s pretrial jail population increased by more than 70% after reaching an all-time low in April 2020.<sup>5</sup> So far this year, at least 14 people have died in the custody of NYC jails, amid widespread reports of sharply deteriorating conditions at the facilities. Greater use of Supervised Release will spare more people the potentially life-threatening harms of incarceration.

**For more information, contact Tia Pooler ([poolert@courtinnovation.org](mailto:poolert@courtinnovation.org)) or Camille Wada ([wadac@courtinnovation.org](mailto:wadac@courtinnovation.org)).**

<sup>4</sup> Supervised Release was not available as a pretrial release option for new cases between March 17 and July 20, 2020; beginning March 17, supervision of existing participants continued from a remote posture for the remainder of the COVID-19 suspension.

<sup>5</sup> Source: Department of Correction via NYC Open Data (analyzed by the Center for Court Innovation).