



COMPARING PRETRIAL SUPERVISION MODES

Findings from a Random Assignment Study of Remote Versus Hybrid Supervision in New York City

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OVERVIEW

The U.S. jail population has tripled over the last 30 years due to surges in the use of pretrial detention and money bail. On any given day, nearly 450,000 people in the United States are detained while awaiting the resolution of their criminal charges. Many of these individuals, still legally innocent, are in jail because they cannot afford to pay the bail amount set as a condition of their release. Pretrial detention takes a significant toll on the lives of affected individuals, putting them at increased risk of continued involvement with the criminal legal system as well as of losing their jobs, housing, and child custody.

As a result, jurisdictions across the United States are reforming their pretrial systems to reduce the number of people who are held in pretrial detention—that is, who remain in jail while they await the adjudication of their cases. As part of this effort, many jurisdictions are moving away from money bail as a primary means of encouraging people to return for future court dates. Instead, they are increasingly relying on alternatives such as pretrial supervision, which requires released people to meet regularly with supervision staff members while their cases are pending. Pretrial supervision has traditionally required clients to report for in-person meetings, particularly for those assessed as being at relatively high risk of failing to attend a court hearing or of being rearrested.

With the onset of the COVID-19 pandemic, however, many pretrial supervision programs shifted in-person meeting requirements to remote check-ins to protect the health of both clients and staff members. For many jurisdictions, this shift highlighted some of the benefits of remote supervision, which include time savings for clients balancing work, school, caregiving, or other responsibilities, and less resource-intensive administration for supervision providers, potentially generating cost savings. At the same time, some members of the pretrial community questioned whether remote supervision was as effective as in-person interaction at meeting clients' needs and protecting public safety. As the pandemic waned, it remained unclear whether remote supervision was as effective as in-person or hybrid (a mix of in-person and remote) supervision in achieving the main goals of supervision programs: helping clients make their court appearances and avoid new arrests during the pretrial period.

This report presents new evidence on the effects of remote supervision compared with hybrid supervision, based on the results of a randomized controlled trial conducted in the Queens borough of New York City. The trial found that:

- Remote supervision can be used in place of hybrid supervision while achieving the same levels of court appearance and avoidance of new felony charges.
- Remote supervision may allow a range of supervision clients to meet the conditions of their release with less disruption to their daily lives and improved ability to handle job, childcare, and other responsibilities during the pretrial period. Given the study's eligibility criteria, however, it is not known whether these benefits extend to the highest-need and -risk clients, many of whom were not included in the study sample.
- Staff members and clients acknowledged that both modes of supervision have strengths and challenges, though the clients interviewed for this study felt more positively about remote supervision. There was general agreement that the appropriate supervision mode may vary based on the client's needs and preferences.

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The Authors

The U.S. jail population has tripled over the last 30 years due to surges in the use of pretrial detention and money bail.¹ On any given day, nearly 450,000 people in the United States are detained while awaiting the resolution of their criminal charges.² Many of these individuals, still legally innocent, are in jail because they cannot afford to pay the bail amount set as a condition of their release. Pretrial detention takes a significant toll on the lives of affected individuals, putting them at increased risk of continued involvement with the criminal legal system as well as of losing their jobs, housing, and child custody.³

As a result, jurisdictions across the United States are reforming their pretrial systems to reduce the number of people who are held in pretrial detention—that is, who remain in jail while they await the adjudication of their cases. As part of this effort, many jurisdictions are moving away from money bail as a primary means of encouraging people to return for future court dates. Instead, they are increasingly relying on alternatives such as pretrial supervision, which requires released people to meet regularly with supervision staff members while their cases are pending. Pretrial supervision has traditionally required clients to report for in-person meetings, particularly for those assessed as being at relatively high risk of failing to attend a court hearing or of being rearrested.⁴

With the onset of the COVID-19 pandemic, however, many pretrial supervision programs shifted in-person meeting requirements to remote check-ins to protect the health of both clients and staff members. For many jurisdictions, this shift highlighted some of the benefits of remote supervision, which include time savings for clients balancing work, school, caregiving, or other responsibilities, and less resource-intensive administration for supervision providers, potentially generating cost savings. At the same time, some members of the pretrial community questioned whether remote supervision was as effective as in-person interaction at meeting clients' needs and protecting public safety. As the pandemic waned, it remained unclear whether remote supervision was as effective as in-person or hybrid (a mix of in-person and remote) supervision in achieving the main goals of supervision programs: helping clients make their court appearances and avoid new arrests during the pretrial period.

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1. Prison Policy Initiative (2023). Jails, as opposed to prisons, are locally operated, short-term facilities used to detain people who are awaiting trial and those who are serving sentences of less than one year.
 2. Sawyer and Wagner (2024).
 3. Digard and Swavola (2019).
 4. In the context of this report, “assessed risk” refers to the use of a validated, actuarial tool that uses factors such as criminal history and community ties to estimate the probability that a person will appear in court and avoid a new arrest during the pretrial period. Such tools and their accompanying, jurisdiction-specific decision matrices (which produce release-condition recommendations based on the results of the tool and local policies) are widely used, including in New York City, to guide release conditions. This report uses the term “client” to describe people assigned to pretrial supervision, as this is the term the pretrial supervision program in this study used to describe the individuals with whom they work.

This report presents new evidence on the effects of remote supervision compared with hybrid supervision, based on the results of a randomized controlled trial conducted in the Queens borough of New York City.

BACKGROUND AND POLICY CONTEXT

Pretrial supervision is a common practice across the United States. (See Box 1 for additional information regarding the pretrial process in New York City.) According to one survey of large jurisdictions, about 85 percent had pretrial services agencies or other agencies that were typically responsible for pretrial supervision (sometimes referred to as pretrial monitoring).⁵ Pretrial supervision involves pretrial services staff members keeping in contact with clients through periodic phone or in-person check-ins. In theory, pretrial supervision is designed to help clients to make their court appearances and avoid new arrests.⁶ In some instances, pretrial services staff members will also refer clients to additional services, such as substance abuse or mental health care, housing support, or other community-based services, but the use of services is generally voluntary. Overall, these services are intended to provide structure for clients, including reminders of court dates, help navigating the court process (which can be confusing and intimidating), and stabilizing support services for those who need them. Pretrial supervision practices vary across jurisdictions in meeting frequency (that is, how often clients are expected to check in with supervision staff members), in whether these check-ins take place in person or over the phone, and in whether other conditions such as drug testing are applied. Some jurisdictions employ multiple levels or intensities of supervision, to which clients are assigned according to the charges in their cases and their assessed risk of failing to appear in court, of being rearrested, or both.

Although pretrial supervision practices vary, research has largely focused on whether supervision is generally effective relative to release with no conditions, the imposition of money bail, or both. This body of research suggests that compared with release without supervision, pretrial supervision may improve the likelihood of making court appearances, especially among individuals at relatively high risk of failing to appear (according to a risk-assessment tool). However, this research also suggests that pretrial supervision is no more effective than release without supervision at preventing new arrests.⁷ When judges are given the option of pretrial supervision as an alternative to money bail, evidence indicates that the use of this option does not increase arrests or failures to appear in court.⁸

5. Pretrial Justice Institute (2019).

6. Advancing Pretrial Policy and Research (2020).

7. Austin, Krisberg, and Litsky (1985); Barno, Nevárez Martínez, and Williams (2020); Bechtel, Holsinger, Lowenkamp, and Warren (2017); Danner, VanNostrand, and Spruance (2015); Goldkamp and White (2006); Lowenkamp and VanNostrand (2013).

For reviews of this body of research, see Advancing Pretrial Policy and Research (2020) and Hatton (2020).

8. Skemer, Redcross, and Bloom (2020).

BOX 1

The Pretrial Process in New York City

The pretrial period is the time between an initial arrest and the resulting criminal case's disposition (when a person is found guilty or not guilty, or the case is dismissed). In New York City, following an arrest people may be held in detention, have bail set (meaning that they may be released once they post the bail amount), be released with nonfinancial conditions (typically pretrial supervision), or be released on their own recognizance (ROR) with no conditions. Those who are released are given a date on which they are expected to return to court for the next hearing in their case. Those who are released under supervision must meet all conditions and supervision requirements while they are on supervision or risk having bail set.

Most of the nation's bail laws mandate that courts use the least restrictive conditions necessary to reasonably ensure individuals return to court and do not incur any new arrests while their cases are pending. Legal criteria for bail and pretrial detention vary by jurisdiction. The New York State bail statute indicates that a judge can only legally consider risk of flight (failure to return to court to face one's criminal charges) when determining release conditions. This situation differs from that in all other states, where judges or judicial officers also consider risks to community safety, though the "least restrictive conditions necessary" requirement still applies.

Existing research also suggests that the effects of pretrial supervision vary based on assessed risk of failing to appear in court or being rearrested while awaiting trial, with supervision being most effective at increasing court appearance rates among those who are assessed as being at higher risk,⁹ and being either ineffective, or in some cases detrimental, among those who are assessed as being at low risk.¹⁰ These findings are consistent with other research showing that the effects of criminal justice interventions vary both among people at different levels of assessed risk and among those with different levels of need in areas such as drug treatment and employment services. People identified as being at higher risk and having greater needs tend to benefit more, while those identified as being at lower risk and having fewer needs may not benefit or may be negatively affected by such interventions.¹¹

Despite this relatively strong evidence base for the use of pretrial supervision for higher-risk and -need individuals, very little is known about the relative effects of different intensities of pretrial supervision, including different modes of supervision (remote versus in-person).

9. Advancing Pretrial Policy and Research (2020); Lowenkamp and VanNostrand (2013).

10. VanNostrand and Keebler (2009); Lowenkamp and VanNostrand (2013).

11. Lowenkamp, Latessa, and Holsinger (2006).

Only a few studies have been conducted in this area and each is subject to different methodological limitations.¹² The most recent of these studies compared the effectiveness of four supervision levels, ranging from no supervision up to high-intensity supervision with multiple in-person meetings per month. That study found that lower-intensity supervision performed similarly to higher-intensity supervision in terms of court-appearance and rearrest outcomes.¹³

The present study, a randomized controlled trial of considerable size, offers some of the strongest evidence to date regarding the relative effectiveness of different supervision requirements, with a focus on remote versus in-person modes of supervision. More specifically, the study compares remote supervision (via phone or virtual meetings only) with hybrid supervision (consisting of a mix of in-person and remote meetings).

ABOUT SUPERVISED RELEASE

The Queens Supervised Release program is operated by the New York City Criminal Justice Agency (CJA), a community-based nonprofit organization and the city’s main pretrial services agency. In addition to serving as the Supervised Release provider in Queens, CJA plays a central role in the pretrial process citywide: It interviews nearly every individual arrested and held for arraignment as part of its release assessment, and, based on the results of the assessment, offers the court a pretrial release recommendation.¹⁴ The primary purpose of Supervised Release is to ensure that clients appear in court. To reach this goal, the New York City model relies on trained case managers from local, community-based nonprofit organizations and referrals to services in the community.¹⁵ Judges assign clients to Supervised Release at arraignment as part of their release conditions. Release conditions are at the judge’s discretion and are informed by the recommendation from the CJA release assessment, which evaluates the likelihood that a released individual will return for court appearances.¹⁶

Recommendations for supervision levels are determined by a matrix that considers the release-assessment recommendation and the bail eligibility of the charge. Supervision level dictates the frequency of check-ins. The lefthand side of Table 1 (“Hybrid Supervision”) shows the standard supervision requirements in New York City (before the COVID-19 pandemic). Clients assigned to a higher supervision level must check in more frequently than those assigned to a lower level. The mode of check-in also varies by supervision level; for example, Level 1 only requires phone check-ins after an initial in-person intake assessment has been completed, while all other levels require at least some in-person meetings. Remote check-

12. Advancing Pretrial Policy and Research (2020); Goldkamp and White (2006); Lowder and Foudray (2021). For a review of this body of research see Jacobs Valentine and Picard (2023).

13. Jacobs Valentine and Picard (2023).

14. In addition, CJA notifies all individuals facing criminal charges of their upcoming court dates.

15. Mayor’s Office of Criminal Justice (2024).

16. New York City Criminal Justice Agency (n.d.).

TABLE 1
Supervision Requirements for Both Research Groups at All Five Levels

	Hybrid Supervision	Remote Supervision
Level 1	1 phone check-in per month (ineligible for the study)	
Level 2	1 phone check-in per month and 1 in-person check-in per month	2 phone check-ins per month
Level 3	1 phone check-in per month and 2 in-person check-ins per month	3 phone check-ins per month
Level 4	2 phone check-ins per month and 2 in-person check-ins per month	4 phone check-ins per month
Level 5	1 in-person check-in per week	1 phone check-in per week

ins are typically conducted by phone, though video calls are used if the case manager or the client prefers.

Clients on Levels 4 and 5 receive more intensive support, including at least five required contacts in the first month of supervision, more experienced case managers with smaller caseloads, and assignment to group-based or individual programs that use structured curricula informed by cognitive behavioral therapy, or other suitable interventions. Judges can mandate that clients receive a specific supervision level. One staff member expressed that judges typically increase the supervision level (above the recommendations generated by the supervision matrix) as a “liability thing” and a way to “kind of cover themselves.” In other words, arraignment judges face high stakes in preventing pretrial misconduct, particularly violent misconduct, given that the burden of accountability rests with them. One staff member noted that clients with a gun charge are typically mandated to receive a higher level of supervision because it is a “hot topic” in New York City. “Most clients who have a gun charge are mandated to the highest level.”

With the onset of the pandemic, the program shifted all supervision check-ins to remote only (as depicted on the righthand side of Table 1). As the public health crisis improved, Supervised Release providers were required to gradually reintroduce in-person check-ins. However, due to staffing and resource constraints, they were initially unable to revert fully to prepandemic procedures. This reality created the opportunity to build a random assignment study into the program’s reopening process that allowed MDRC to test the standard, pre-COVID hybrid supervision approach against the remote approach necessitated by the pandemic.

THE QUEENS SUPERVISED RELEASE STUDY

In the absence of substantial research evidence regarding what pretrial supervision programs should require of clients to help them make their court appearances and avoid new arrests, program designers have assumed that more frequent or more intensive check-ins would help clients stay on top of their pretrial obligations while also allowing the supervision staff to better monitor them for the court.¹⁷ Many staff members in the Queens Supervised Release program also believe in-person checks-ins allow case managers to forge stronger connections with their clients, which in turn renders them better able to support clients for the duration of their court cases, as they become a trusted resource. The Queens Supervised Release study seeks to test these assumptions by answering the following research questions:

- A. Do clients on remote supervision:
 - i. make their court appearances at rates similar to those of clients on hybrid supervision?
 - ii. avoid new felony charges at rates similar to those of clients on hybrid supervision?¹⁸
 - iii. have similar supervision attendance rates to clients on hybrid supervision?
 - iv. get reported to the court for pretrial supervision noncompliance at similar rates to clients on hybrid supervision?
- B. How do the services received by clients assigned to remote supervision compare with those received by clients assigned to hybrid supervision in terms of the total number of check-ins, the mode of these check-ins, and clients' receipt of service referrals?
- C. What strengths and challenges do staff members and clients identify in delivering or receiving remote and hybrid supervision?

Study enrollment began in March 2022 and concluded in October 2022. During study enrollment, 854 eligible clients were randomly assigned to either remote or hybrid supervision when they entered the program. Only a subset of all individuals assigned to Supervised Release in Queens were eligible to enroll in the study. Eligibility criteria were determined in collaboration with CJA and the Mayor's Office of Criminal Justice, the agency that oversees the program citywide. The eligibility criteria were:

- Clients had to attend the intake appointment within 30 days of being assigned to Supervised Release.

17. Some pretrial supervision programs were modeled on community supervision approaches used by probation and parole agencies.

18. Court data were used to identify all prosecuted arrests and compile information regarding the resulting cases. This measure indicates that the person was arrested and charged with an offense, and that the resulting court case had one or more felony charges at arraignment.

- Clients had to be able to consent, meaning they were not under the influence of substances and had the mental faculties to understand what it meant to agree to participate in the study.
- Clients had to be assigned to a supervision level of 2 or above, as Level 1 clients only required phone check-ins even under the standard supervision matrix (see Table 1).
- Clients could not be facing a gun charge.¹⁹
- If charged with intimate partner violence, clients could not also have an open violent felony charge.
- Clients had to be able to attend supervision check-ins in person. Those who did not have the physical ability to participate in person or who were restricted from visiting the CJA office for security reasons or other reasons were excluded.
- If clients were rereleased to supervision (meaning they were already on Supervised Release and got rearrested and assigned to it on the new case as well), they could not have been subject to involuntary commitment for mental health reasons.²⁰
- If clients were rereleased, there had to be little media coverage of the case, as determined by Queens Supervised Release management.

The analysis uses a noninferiority approach, which tests whether the less intensive, remote form of supervision results in similar outcomes to the more intensive hybrid form. Noninferiority designs are useful when one intervention (in this case, remote supervision) does not have to be superior to another (in this case, hybrid supervision) to be preferable.²¹ The noninferiority framework aligns well with the pretrial legal mandate to use the least restrictive release conditions possible. If a less restrictive condition can reasonably assure court appearance and community safety to the same degree as a more restrictive condition, the less restrictive condition should be used to curtail people’s liberty as little as possible while they await the resolution of their charges.

In addition to the impact component, the study also includes an implementation component to capture staff members’ and clients’ perspectives on remote versus hybrid supervision.

The study’s primary data sources are:

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19. Gun charges are defined as New York penal law § 265.01-A (criminal possession of a weapon on school grounds), § 265.01-B (criminal possession of a firearm), § 265.02 (criminal possession of a weapon in the third degree), and § 265.03 (criminal possession of a weapon in the second degree).
 20. Involuntary commitments are applications for emergency evaluation and treatment for persons who are a danger to themselves or others due to mental illness.
 21. For more information about noninferiority designs, see Walker and Nowacki (2011).

- **The New York State Office of Court Administration.** Data from this source include information on court hearings, bench warrants issued for missed court appearances or other instances of pretrial noncompliance, and new felony charges.²² The research team used these data to address the main research questions regarding making court appearances and avoiding new felony charges.
- **Pretrial supervision data from CJA.** These data include information about individual and case characteristics, supervision check-in attendance, and noncompliance reporting. These data were used to describe the characteristics of individuals in the study, their participation in pretrial supervision, and their compliance with program requirements.
- **In-depth, semistructured interviews with Queens Supervised Release leaders, case managers, and clients.** The research team interviewed 9 staff members and 11 clients (6 who were supervised remotely and 5 who received hybrid supervision). These data documented service delivery, recorded staff and client perspectives on supervision modes, and informed the interpretation of quantitative data.

STUDY ENROLLMENT

During the study enrollment period, nearly 3,000 individuals were assigned to Supervised Release at arraignment in Queens. Following arraignment, these clients were required to attend an in-person intake appointment with a Supervised Release case manager within 48 hours.²³ Typically, Supervised Release supervisors informed case managers about clients' eligibility for the study before clients attended their intake appointments. Of the clients assigned to Supervised Release during study enrollment, about 44 percent met the study eligibility criteria. The most frequent reasons clients were found ineligible were because of their supervision level (that is, they had been placed on Level 1 supervision) or because they did not attend their intake appointment within 30 days. Staff members explained that these criteria excluded many of the lowest- and highest-need clients from the study, respectively. According to staff members, many clients with the most intensive needs do not appear for intake within 30 days as they may have barriers to attending, such as being unhoused or having no money to pay for transportation.

At the intake appointments of study-eligible clients, case managers described the study and provided information about it, obtained clients' consent to participate in the research, and randomly assigned clients who agreed to participate into one of two research groups: (1) remote supervision or (2) hybrid supervision. Among clients eligible for the study, about

22. A bench warrant is issued by a judge, typically because a person has failed to appear for a mandated court hearing. It gives the police the authority to arrest the individual.

23. If the client does not appear for intake within the designated time frame, Supervised Release submits a noncompliance report to the court.

two-thirds agreed to participate. In total, 444 clients were assigned to the remote supervision group and 410 were assigned to the hybrid supervision group.²⁴

Staff members and clients both said that the possibility of remote supervision was the primary motivation for clients to enroll in the study. As a staff member and client explained:

“If you agree, there’s a 50/50 chance that you can do all your check-ins over the phone.” And, usually, at that point, people are like, “Oh, yeah. Get me on that. Like, I can possibly do this over the phone?”

In the beginning he told me I would have to come in three times. I said, “What? I’m working, you know.” I’m like, “I’m already struggling with my job as it is, you know, based on attendance, you know....” And, she said I could qualify for virtual check-ins. So, then I was like, “Yes, I’ll definitely do that.” You know?

Clients who were not eligible for the study and eligible clients who declined to participate received hybrid supervision. (About one-third of eligible clients declined to participate in the study.) Staff members mentioned distrust of the criminal legal system and research, mistaking Supervised Release for probation or parole, and thinking that participating in the study would put an extra burden on them—despite case managers’ attempts to explain that there were no additional requirements to participate—as reasons clients declined the study. As one staff member said:

Those who decline are people who had been through the system before and it was just a sense of distrust. So I didn’t blame them.

In addition to random assignment, at intake appointments case managers informed clients about the Supervised Release program and its requirements, and conducted clinical needs assessments of mental health, substance use, and risk of suicide to inform referrals to services.

24. The remote and hybrid supervision groups are not exactly even in size due to the early random assignment process. At the start of the study, a client’s randomly generated program identification number determined that client’s research group: even identification numbers were assigned to hybrid supervision and odd identification numbers were assigned to remote supervision. This approach should have produced research groups of about even size, but during early monitoring, the research team saw a small divide begin to appear. To address this issue—potential evidence of bias entering the sample—the team switched to use MDRC’s random assignment system, which uses unpredictable sequencing files to generate group assignments. As shown in Appendix Table A.1, the research groups are statistically equivalent with respect to all baseline characteristics the research team was able to measure, suggesting the issue was addressed quickly enough that sample bias was prevented.

CLIENT CHARACTERISTICS

Among the study sample, most clients (about 89 percent) were male, and the majority were Hispanic (about 38 percent) or Black (about 36 percent), as shown in Figure 1. The demographics of those enrolled in the study reflect significant racial disparities between the Queens population at large and those involved in the criminal legal system.²⁵ An extensive body of research has shown that these disparities are rooted in a long history of policies and practices that have disadvantaged people of color and created a system in which Black and Latino people are disproportionately more likely to be arrested, convicted, and incarcerated.²⁶

About half of clients were employed at enrollment, meaning they had to balance their check-in requirements with job responsibilities.

Clients enrolled in the study were arrested on a mix of charge classes and types. The most common charge among study clients was a violent felony (about 37 percent), followed by a violent misdemeanor (15 percent).²⁷ Nearly half of the clients in the study were assigned to the highest supervision level, whether because the supervision matrix indicated this level or because a judge mandated it. Notably, however, over three-fourths of all clients in the study had an initial release recommendation, based on the CJA release assessment, of release without extra conditions (ROR, as described in Box 1). This fact suggests that judges are often not basing clients' release conditions on the release-assessment recommendation and are instead using their judicial discretion to order more restrictive conditions.²⁸

SUPERVISION CHECK-INS

Clients assigned to Supervised Release are required to meet with a case manager, and how often they meet depends on their supervision level. Many of these case managers have a master's degree in social work or a related field or are working toward a degree in social services. Their backgrounds reflect the New York City Supervised Release model, which is grounded in providing supportive services to meet the intended goal of the program: ensuring clients attend their court hearings.²⁹ The model's focus is somewhat distinctive, as pretrial

25. U.S. Census Bureau (2022).

26. Alexander (2010); Hinton, Henderson, and Reed (2018); Sentencing Project (2018); Carson (2018); Davis, Whyde, and Langton (2018).

27. The most common violent felony charges were assault in the second degree, robbery in the second degree, and robbery in the first degree. The most common violent misdemeanor charges were assault in the third degree, menacing in the second degree, and aggravated harassment in the second degree.

28. Current charge is not considered in the CJA release assessment score, which evaluates the likelihood that a released individual will return for court appearances and ranges from 1 through 25, where higher scores indicate a higher likelihood of return. For those with a score of 19 through 25, current charge is also not considered in their release recommendation, which is release with no conditions (ROR). For scores under 19, release recommendations are based on both the score and the class/type of the individual's current charges (misdemeanor, nonviolent felony, or violent felony). Among those with a release assessment score in the study sample, 73 percent had a score in the 19 to 25 range.

29. On July 1, 2020, New York State implemented reforms to change the bail statute in the Bail Elimination

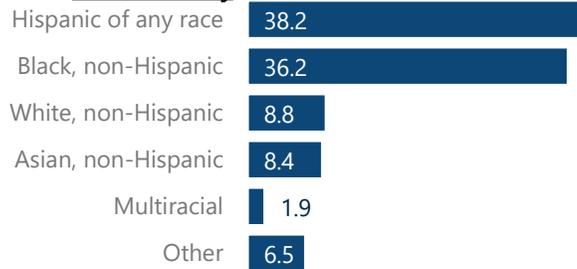
FIGURE 1

Selected Characteristics of Clients in the Queens Supervised Release Study at Enrollment

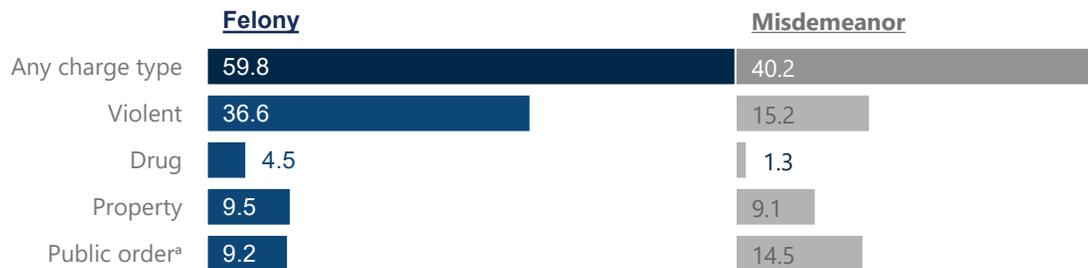
Demographics and background characteristics (%)



Race/Ethnicity



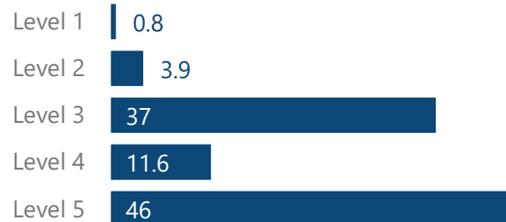
Charge class and type (%)



Release recommendation and assigned supervision level (%)



Assigned Supervision Level



SOURCE: MDRC calculations based on New York City Criminal Justice Agency Queens Supervised Release program data.

NOTE: ^aPublic order crimes are acts that are illegal because they conflict with accepted social norms. Examples include disorderly conduct, prostitution, and unlawful assembly.

supervision in many jurisdictions across the country concentrates less on supportive services and more solely on enforcement, with many jurisdictions employing electronic monitoring and substance use monitoring.

During check-ins, whether clients are assigned to remote or hybrid supervision, case managers assess how the clients are doing, see whether they have questions about their court cases, and determine whether they need forms of support such as cell phones, food, clothing, transportation assistance, or hygiene products. Additionally, case managers refer clients to voluntary services such as employment programs, alcohol and substance use programs, mental health services, educational services, or housing assistance. Service referrals were described as an integral component of the program model. As one case manager explained:

And [referrals are] also the big, biggest thing that my job as a case manager is. You know, I'm only working with somebody while their case is ongoing ... so my goal is to make sure that somebody is set up so that when they stop working with me, they're gonna be good. They have all the resources they need.

Judges can mandate that case managers assess clients for certain needs and refer them to specific services. In addition to the support of their case managers, clients also have access to a network of peer specialists who have lived experience in the criminal legal system to further support them.

The duration of a check-in depends on the client. One staff member said check-ins are “as long as they need to be.” If clients do not need assistance or referrals, check-ins can be as short as 10 minutes. As one case manager explained, “My average check-in is, ‘Hey, how was your weekend? How are your kids? How’s your job? Do you need anything?’” A client described check-ins similarly, saying the case manager asks, “‘How is everything, work is good, everything out of the way, my next court day is coming up?’ And that will be it, because I have a job, so it won’t be a job conversation.” Clients in crisis (for example, those in need of housing, mental health support, or substance use treatment) typically have longer check-ins.

Case managers are required to report clients who miss a check-in to the court for not complying with their supervision obligations. In these instances, the time between the missed check-in and the noncompliance report submitted to the court depends on the severity of the charge. Clients who miss a check-in and were charged with a misdemeanor have 21 days to reestablish contact with their case managers.³⁰ Clients accused of a felony have 5 days to make contact with their case managers. During this time, the case managers make repeated outreach attempts to clients and will engage their attorneys as needed. If the case manager and client do not connect and complete a check-in during the required time frame, Supervised Release notifies the court.

Act. As part of those reforms, judges were granted the ability to mandate that people receive electronic monitoring from the Sheriff’s Department while enrolled in Supervised Release.

30. Clients who miss a check-in and are charged with misdemeanors involving intimate partner violence or sex offence charges must be reported to the court after 5 days.

Being reported to the court can have negative consequences for clients and the outcomes of their cases. Judges have discretion in how they respond to noncompliance reports. For example, the judge can set bail and remove the client from the program, mandate a different supervision level, advance a case (put it on the calendar for a date sooner in the future), issue a warrant, or address it at the next court date. As one case manager reported,

It really depends on the judge, it depends on the day ... and the court part that they're in, too, because there is a specific mental health court part, a specific substance use court part, and they tend to be more lenient because they know what the client is going through at that point in time, so they don't want to immediately set bail, whereas other court parts, there's a little bit less leniency. But then again it depends on the judge. Some judges are very quick to either set bail or to set a warrant, others wanna hold off for a bit and might stay a warrant or just set a quick court date, upcoming court date to allow them to have time to come in.

DIFFERENCES IN SERVICE RECEIPT

The research team analyzed CJA's supervision data to confirm that there was a meaningful contrast in modes of supervision between the hybrid and remote supervision groups. It is possible for remote supervision group members to have in-person contacts, as all intake meetings occur in person and there may be times when a client has reason to come into CJA's offices (for example, to receive food or transit support).

- **Clients in the remote supervision group had significantly more remote check-ins and fewer in-person check-ins than clients in the hybrid supervision group, indicating fidelity to the intended research design.**

As shown in Table 2, the remote supervision group had 12.0 remote check-ins (primarily phone calls) compared with 3.7 remote check-ins for the hybrid supervision group. The remote supervision group also had significantly fewer in-person meetings (2.4 versus 9.8). Importantly, there is no significant difference in the two groups' total number of supervision contacts. (A difference in the total number of contacts between groups could arguably, in turn, have an effect on outcomes separate from that of supervision mode.) Taken together, this information suggests that the study provided a fair test of the effects of remote supervision compared with hybrid supervision.

- **There were no significant differences between groups in receiving a referral or in the overall number of referrals made.**

TABLE 2
Differences in Supervision Contacts and Service Referrals After Six Months

Characteristic	Remote Supervision Group	Hybrid Supervision Group	Difference	95 Percent Confidence Interval
Total number of supervision contacts	14.4	13.6	0.9	(-0.7, 2.4)
Remote	12.0	3.7	8.3 ***	(7.1, 9.5)
In-person	2.4	9.8	-7.4 ***	(-8.2, -6.6)
Referred to services (%)	44.6	50.2	-5.6	(-12.4, 1.1)
Counseling	42.0	43.9	-1.9	(-12.4, 8.6)
Employment/vocational	33.9	33.9	0.0	(-10.1, 10.0)
Education	19.0	22.8	-3.8	(-12.5, 4.8)
Mental health/substance use treatment	14.9	17.0	-2.0	(-9.8, 5.8)
Housing/shelter	10.9	15.8	-4.9	(-12.1, 2.3)
Benefits	12.1	11.7	0.4	(-6.5, 7.2)
Health/medical	3.4	2.9	0.5	(-3.2, 4.3)
Legal services/immigration	2.3	2.9	-0.6	(-4.0, 2.8)
Other	5.7	4.7	1.1	(-3.7, 5.8)
Number of referrals made	1.8	1.9	-0.1	(-0.3, 0.2)
Sample size (total = 854)	444	410		

SOURCES: MDRC calculations based on New York City Criminal Justice Agency Queens Supervised Release program data.

NOTES: Results in this table are regression-adjusted, controlling for pre-random assignment characteristics. Rounding may cause slight discrepancies in sums and differences. Statistical significance levels are indicated as: *** = 0.1 percent; ** = 1 percent; * = 5 percent.

The research team compared the research groups' receipt of service referrals to assess whether supervision mode had any effect on this aspect of Supervised Release. About 50 percent of the hybrid supervision group received a service referral, compared with about 45 percent of remote clients; this difference is not statistically significant. Notably, these data only capture whether a referral was made and not whether clients accepted and acted upon the referral. The most common service referral for both groups was to counseling services, followed by employment and vocational training.³¹

31. "Counseling services" here refers to mental health support from external service providers, as opposed to the counseling provided by Queens Supervised Release staff members.

REMOTE VERSUS HYBRID CHECK-INS: CLIENT AND STAFF REACTIONS

Overall, clients did not believe there was a benefit to hybrid check-ins compared with remote check-ins. None of the clients interviewed for the study thought their relationships with their case managers would be substantially different if they had a different supervision mode. Interviewed clients expressed a strong preference for remote supervision. Those who were assigned to remote supervision spoke positively about meeting remotely, and most of the clients on hybrid supervision wished they had remote check-ins, citing the challenges of navigating check-in requirements with their employers and the burden of travel:

I see [my case manager] for 10 minutes and then just.... Yeah, just the commute back and forth. Like if I'm seeing you for 10 minutes, like why can't I see you, I can talk to you on phone?

The only problem for me meeting in person is that I'm always on the road. So, every day my job requires me to drive in all five boroughs, including Long Island and Jersey. So, sometimes it's hard for me to get there.... So, it's kind of difficult, especially when a job requires you to drive a lot.

It would've been nicer not coming here at all or at least, a better [supervision level] where I don't have to report as often, but either way, you know, three times at least over the phone, it's way better than coming in three times. Because, like I said, my employment, they're already upset regarding my attendance.

Despite clients' strong preference for remote supervision, staff members had mixed views about remote versus in-person check-ins, though most felt that both modes had strengths. Staff members acknowledged that remote check-ins offered flexibility for clients who would not have to take time off work (if employed), find childcare, or spend time commuting to CJA offices. They also reported that it was operationally easier to have some clients on remote supervision, noting that office space for in-person check-ins is limited, leading to long wait times and frustration for clients, especially for short check-ins. Last, they expressed that they found it easier to follow up with clients and reschedule appointments for clients on remote supervision, as rescheduling a phone call is more straightforward than finding a time to travel in person. Staff members believed that these benefits of remote supervision helped clients maintain compliance. As one staff person explained:

In person, it's harder to be compliant, I think. In person if you miss it, like, you know, people have to take off for work, they have to arrange for childcare, those things can be really challenging. And you have to do it within a certain amount of time or else there's a risk that we will report you're not compliant. So I think that is like a huge disadvantage for people who are in person versus people who are remote.

However, most staff members thought their relationships with clients were more substantial if they met in person. For example, some expressed that meeting with a client in person, one-on-one, and in a room with no distractions allowed for more focused conversations, which made it easier to understand what the client needed. It also reduced the reliance on technology. (On the other hand, one staff member felt that remote supervision “immediately established rapport ... just because they had a sense that I was trying to work with them and not like force them to come in.”) Additionally, staff members observed that clients they met in person were more likely to take advantage of available forms of support such as food, clothing, transportation assistance, etc. One staff member said:

I do [have a preference for meeting in person], because I think I have a stronger rapport with the clients that are in person. In terms of the ones that are remote, it’s just a little bit of a disconnect because you’re not seeing them and there’s certain things that you kind of miss when you’re doing a check-in over the phone. You know, because if you’re in person you can kind of see body language. So if you say you’re doing good, I mean you know, sometimes people smile and you can kind of catch them. But if you say you’re doing good over the phone, sometimes it’s hard to assess especially because, like, some people they have the same, kind of, voice and tone.

Broadly speaking, however, there was general agreement among clients and staff members that the most suitable mode of supervision may vary based on the client’s needs and preferences. Many staff members said that some clients prefer to come in person while others prefer to meet over the phone. They thought that clients with greater needs might benefit more from in-person check-ins, as staff members can quickly identify those needs, build a strong rapport with those clients, and provide them more support. In contrast, many staff members thought that clients in need of less support might benefit from remote check-ins to reduce the time required of them to come in person, especially if they are only having short check-ins.

IMPACT FINDINGS

The impact analysis focused on two main outcomes: attendance at required court appearances and new arrests. These outcomes are in alignment with two of the main goals of the Queens Supervised Release program, which are to ensure clients appear for their court dates and avoid new felony charges, particularly those of a serious nature.

- **Court appearance rates were similar across the remote and hybrid supervision groups.**

The measure capturing court appearance is the percentage of clients who avoided a bench warrant in the six months following their enrollment into the study.³² As shown in Table 3,

32. Bench warrants are typically issued by a judge in response to an individual failing to appear for a court

TABLE 3
Effects of Remote Supervision on Pretrial Outcomes After Six Months

Outcome (%)	Remote Supervision Group	Hybrid Supervision Group	Difference	95 Percent Confidence Interval
Did not incur any bench warrants	87.7	86.7	1.0	(-3.3, 5.4)
Avoided any new felony charges ^a	80.5	79.4	1.0	(-4.3, 6.3)
Pretrial supervision attendance rate ^b	73.2	67.3	5.9 *	(0.7,11.1)
Reported to the court for pretrial supervision noncompliance	34.4	41.5	-7.1 *	(-13.4, -0.9)
Sample size (total = 854)	444	410		

SOURCES: MDRC calculations based on data from the New York City Criminal Justice Agency’s Queens Supervised Release Program and their processing of New York State Office of Court Administration data.

NOTES: Results in this table are regression-adjusted, controlling for pre-random assignment characteristics. Rounding may cause slight discrepancies in sums and differences.

Statistical significance levels are indicated as: *** = 0.1 percent; ** = 1 percent; * = 5 percent.

^aCourt data were used to identify all prosecuted arrests and compile information regarding the resulting cases. This measure indicates that the person was arrested, charged with an offense, and the resulting court case had one or more felony charges at arraignment.

^bThe pretrial supervision attendance rate is the percentage of required check-ins attended, averaged across all study participants for whom that information was available. Of all study participants, 333 had a change in supervision level during their time on Supervised Release. Information on the date of supervision level changes was not available. Because supervision level dictates how often a person must check in, it was not possible to determine the attendance rate for these clients accurately. The number of check-ins is also needed to calculate the attendance rate. This information was missing for 33 other clients. Therefore, the sample size for this measure is 488.

remote clients and hybrid clients avoided bench warrants at about the same rate: 88 percent of remote clients remained bench warrant-free in the six months following study enrollment, compared with 87 percent of hybrid clients. It is of note that court appearance levels were quite high for clients in the study sample overall, in line with much previous research showing that most people return to court to face their charges.³³

date, though they can be issued for other types of pretrial violations as well. Due to data limitations at the time of this study, the research team is not able to distinguish bench warrants issued for failure to appear from those issued for other reasons. However, because bench warrants are only rarely issued for forms of noncompliance other than failure to appear, they are considered a good proxy for court appearance.

33. Advancing Pretrial Policy and Research (2023). Due to the ongoing effects of the COVID-19 pandemic, court hearings were largely conducted virtually during much of the study period.

- **Supervision mode did not affect new felony charges.**

This measure captures the percentage of clients who avoided new felony charges in the six months following their enrollment into the study. The measure is limited to felonies to focus on more serious contact with law enforcement. As shown in Table 3, 81 percent of remote clients and 79 percent of hybrid clients avoided new felony charges during the six-month follow-up window. This difference is not statistically significant.

- **Clients on remote supervision had a higher attendance rate, on average, than clients on hybrid supervision.**

The research team assessed two additional outcomes as part of the impact analysis: supervision attendance and noncompliance reporting. Supervision attendance was defined as the number of check-in meetings attended divided by the number required at the client's supervision level. As shown in Table 3, the average attendance rate for remote clients was 73 percent, compared with 67 percent for hybrid clients, a statistically significant improvement. Phone check-ins are easier to make and reschedule than in-person check-ins, a likely explanation for this result. In-person meetings require commuting time and mean navigating other responsibilities such as work and childcare, creating burdens for many clients. As one staff member explained:

[There are] participants who reschedule constantly, and not because they want to be out of compliance, but because they either physically can't get here, because they would lose their job if they had to get here, because they have kids they have to try to take care of. And having it as a requirement puts such a burden on people. Again, it can go anywhere from being a mild inconvenience to doing active harm.

The attendance rate measure is subject to some limitations. Specifically, 333 study participants had a change in supervision level during their time on pretrial supervision; these participants were equally split between remote and hybrid clients.³⁴ Information on the date of supervision-level changes was not available. Because supervision level dictates the frequency of check-in requirements, it was not possible to determine the attendance rate for these clients accurately.³⁵ Additionally, information on supervision contacts was missing for 33 other clients. Therefore, the sample size for this measure is 488, 366 less than the full study sample.

34. About 39 percent of both groups experienced a change in supervision level. Clients who remain in compliance for a certain period are eligible for a reduction in supervision level, depending on whether the judge mandated they receive a specific supervision level. A client's supervision level can also increase if ordered by the judge.

35. Mode of check-in was not affected by changes in supervision level.

- **Clients on hybrid supervision were more likely than those on remote supervision to be reported to the court for noncompliance.**

The last outcome, noncompliance reporting, measures how often Queens Supervised Release case managers reported clients to the court for missed supervision check-ins in the six months following their study enrollment (or the length of their time on supervision, if shorter). Consistent with the attendance-rate findings, about 34 percent of remote clients were reported to the court for missing a supervision check-in compared with 42 percent of hybrid clients. The likely explanation for this statistically significant difference is the same as it is for the attendance rate difference: phone check-ins are far easier to attend consistently than in-person check-ins. As another staff member explained:

Many clients who are remote, you know, they have full-time jobs and they, you know, generally they were more accessible to reach because they knew that they could talk to me on the phone, like, and it was okay, they wouldn't be in trouble with the courts.

POLICY AND PRACTICE IMPLICATIONS

Results from this study indicate that remote supervision can be used in place of the more restrictive hybrid supervision for many pretrial supervision clients and achieve the same levels of court appearance and avoidance of new felony charges. In fact, remote supervision can even improve supervision attendance and compliance. These findings dovetail with the general opinion of Queens Supervised Release clients and staff that supervision mode should be based on client need and preference. They suggest that jurisdictions should adopt remote supervision more broadly, in line with the least-restrictive-conditions standard, which holds that release conditions for individuals awaiting trial—who have not been convicted of any crime—should infringe on their freedom as little as possible while reasonably assuring court appearance and community safety. Additionally, given existing research that has found that more restrictive community supervision often does not improve outcomes and, for lower-risk individuals, can actually lead to worse outcomes, unnecessary supervision requirements should be carefully avoided wherever possible.³⁶ Finally, remote supervision is generally less costly and burdensome for both clients and supervision providers, meaning a shift toward this mode of supervision may allow limited resources to be reallocated to higher-risk and -need clients more likely to benefit from expanded services.

These findings contribute to a growing body of evidence in support of the use of less restrictive pretrial conditions.³⁷ However, it is of note that while the Queens Supervised Release sample included individuals facing serious charges (more than one-third were charged with

36. Doleac (2018); VanNostrand and Keebler (2009); Lowenkamp and VanNostrand (2013); Pew Charitable Trusts (2020).

37. Jacobs Valentine and Picard (2023); Anderson, Valentine, and Holman (2023).

violent felonies, for example), it excluded many believed to be at higher risk and to have higher needs (for example, those assigned to supervision who did not appear for an intake meeting within 30 days, those facing gun charges, and those with intimate partner violence charges who already had an open felony). Thus, the findings presented here may not be generally representative of what would occur with all pretrial-supervision clients. It is possible that in-person supervision requirements could be more effective for very high-risk and -need clients, a question that this study is not able to address. Given that existing research suggests that both service and supervision resources are most effective when reserved for higher-risk and -need cases, it is essential to conduct further evaluation focusing on outcomes solely among this group.³⁸

38. VanNostrand and Keebler (2009); Lowenkamp and VanNostrand (2013); Lowenkamp, Latessa, and Holsinger (2006).

In addition to constraints on study eligibility, there were limitations on the available data with respect to the extent to which clients referred to services actually made use of them. This lack of information prevented the research team from conducting a full analysis of the potential benefits of in-person supervision. Queens Supervised Release case managers consistently shared their observation that in-person check-ins enhanced rapport with clients and allowed staff members to get a better understanding of their needs. If in-person interaction did, in fact, have these benefits, service-use data would be a more proximate test of that advantage than court appearance rates or new felony charges—meaning it would be testing an outcome more likely to be immediately influenced by in-person interactions. Existing research of service-based supervision during the pretrial period and later in the criminal legal process suggests that service use (rather than service referral) is more likely to precede a shift in these longer-term outcomes. See Manno et al. (2023); National Alliance to End Homelessness (2022). Improved tracking of pretrial service use at the supervision-provider level could make it possible to study more rigorously whether pretrial supportive services are more or less effective than pretrial monitoring at improving pretrial outcomes.

APPENDIX

A

Characteristics of Clients in the Queens Supervised Release Study at Enrollment

APPENDIX TABLE A.1
**Characteristics of Clients in the Queens Supervised
Release Study at Enrollment**

Characteristic	Remote Supervision Group	Hybrid Supervision Group	Full Sample
Age (years)	34.6	35.7	35.2
Gender (%)			
Male	89.4	88.3	88.9
Female	10.6	11.5	11.0
Other	0.0	0.2	0.1
Race/ethnicity (%)			
Hispanic of any race	36.8	39.7	38.2
Black non-Hispanic	38.6	33.6	36.2
White non-Hispanic	7.7	10.0	8.8
Asian non-Hispanic	8.2	8.6	8.4
Multiracial	2.3	1.5	1.9
Other	6.4	6.6	6.5
Charge class and type (%)			
Felony	59.2	60.5	59.8
Violent	35.2	38.1	36.6
Drug	4.1	4.9	4.5
Property	9.5	9.5	9.5
Public order	10.4	7.8	9.2
Misdemeanor	40.8	39.5	40.2
Violent	15.1	15.4	15.2
Drug	1.4	1.2	1.3
Property	8.8	9.5	9.1
Public order	15.5	13.4	14.5
Release-assessment score	20.3	20.5	20.4
Release recommendation (%)			
Consider all options	7.4	5.0	6.2
ROR	76.2	75.5	75.9
ROR not recommended	7.4	10.8	9.0
No recommendation	0.0	0.3	0.1
Incomplete	4.0	4.3	4.1

(continued)

APPENDIX TABLE A.1 (continued)

Characteristic	Remote Supervision Group	Hybrid Supervision Group	Full Sample
Supervision level (%)			
Level 1	0.9	0.7	0.8
Level 2	4.7	2.9	3.9
Level 3	38.3	35.6	37.0
Level 4	10.8	12.4	11.6
Level 5	44.4	47.8	46.0
Housing status (%)			
Private or market-rate housing	72.6	72.1	72.4
Affordable housing	9.3	10.0	9.6
Transitional residence or shelter	8.8	8.6	8.7
Street homeless	4.5	6.1	5.3
Permanent supportive housing	2.3	1.2	1.8
Other	2.5	2.0	2.2
Employed (%)	51.3	52.5	51.8
Sample size (total = 854)	444	410	

SOURCE: MDRC calculations based on New York City Criminal Justice Agency Queens Supervised Release program data.

NOTE: Statistical significance levels are indicated as: *** = 0.1 percent; ** = 1 percent; * = 5 percent.

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ABOUT MDRC

MDRC, a nonprofit, nonpartisan social and education policy research organization, is committed to finding solutions to some of the most difficult problems facing the nation. We aim to reduce poverty and bolster economic mobility; improve early child development, public education, and pathways from high school to college completion and careers; and reduce inequities in the criminal justice system. Our partners include public agencies and school systems, nonprofit and community-based organizations, private philanthropies, and others who are creating opportunity for individuals, families, and communities.

Founded in 1974, MDRC builds and applies evidence about changes in policy and practice that can improve the well-being of people who are economically disadvantaged. In service of this goal, we work alongside our programmatic partners and the people they serve to identify and design more effective and equitable approaches. We work with them to strengthen the impact of those approaches. And we work with them to evaluate policies or practices using the highest research standards. Our staff members have an unusual combination of research and organizational experience, with expertise in the latest qualitative and quantitative research methods, data science, behavioral science, culturally responsive practices, and collaborative design and program improvement processes. To disseminate what we learn, we actively engage with policymakers, practitioners, public and private funders, and others to apply the best evidence available to the decisions they are making.

MDRC works in almost every state and all the nation's largest cities, with offices in New York City; Oakland, California; Washington, DC; and Los Angeles.