CJA New York City
Criminal Justice
Agency

ANNUAL REPORT

2019

Board of Directors

CJA New York City Criminal Justice Agency

**The mission of the New York City Criminal Justice Agency, Inc.,
is to assist the courts and the City in reducing unnecessary pretrial detention.**

ANNUAL REPORT

2019

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Message from the Executive Director

Aubrey Fox

One of the challenges of releasing the CJA Annual Report in 2021, which tracks the arrests to arraignment and final disposition of cases in 2019, is that by the time it is published the data can seem out of date.

Given the tumultuous period New York City has gone through since the end of 2019, it would seem like a particular challenge for this year's Annual Report.

However, I'm choosing to see this as more of a feature than a bug for anyone reading this document.

The reason is relatively straightforward. After the momentous events of the last eighteen months – major bail reform, followed by a global pandemic and revisions to the state's bail statute – it's easy to forget where New York City's pretrial process stood before all those changes took place.

Think of the 2019 Annual Report as the "forgotten baseline" – an opportunity to reality check the kinds of outcomes achieved by pretrial practitioners in New York City at a time before 2020's major disruptions.

As CJA has written elsewhere (see Pretrial Release Without Money, 1987-2019 at https://www.nycja.org/ publications/test-3), over three decades beginning in the late 1980s, New York City had been moving slowly and steadily away from the use of money bail as a pretrial release condition. These changes, which added up to striking declines in the volume and rate of monetary release conditions over time, were accomplished not through legislative reform but changes in day-to-day practice.

The 2019 Annual Report makes this clear, showing that New York City already stood out as a jurisdiction that had moved away from the use of money bail:

- 90 percent of individuals charged with a misdemeanor offense were released without monetary conditions;
- 63 percent of individuals charged with a nonviolent felony offense were released without monetary conditions; and
- 39 percent of individuals charged with a violent felony offense were released without monetary conditions.

The new statewide bail statute, which took effect in January 2020, eliminated bail for almost all misdemeanor charges and a significant percentage of nonviolent charges, while leaving violent felony charges largely untouched. While these changes have had significant impacts on pretrial practice in New York City, their impacts have been more muted than in upstate jurisdictions with less of a tradition of employing non-monetary conditions of release.

The 2019 CJA Annual Report can be a useful benchmark for those people who are interested in learning more about how the pretrial process has changed in 2020 and beyond. For example, by comparing pretrial release outcomes by charge type in 2020 and future years to documented results in 2019, it can help address the key question: *compared to what?* In other words, compared to 2019, how much has the system continued to move towards non-monetary release conditions? For which types of arrest charges and why?

Beyond providing a means of comparison, the 2019 CJA Annual Report helps show the complexity of the

relationship between legislative action and day-to-day practice. Two perhaps lesser known but important changes in the pretrial landscape introduced in 2019 were updates to the CJA Release Assessment and the expansion of the citywide Supervised Release program. The goal of both projects was to build upon existing infrastructure to support pretrial release without money, first by giving judges an improved evidence-based tool that identifies those individuals who can be expected to make all their court dates even if released without conditions, and second by connecting those individuals who need more help and support to trained social workers through the city's Supervised Release program.

While not the result of legislative change, the updated release assessment and the expansion of Supervised Release are meant to help guide and support judges if they choose nonmonetary forms of release.

The 2019 Annual Report shows the practical impacts of the updated release assessment. Introduced in November 2019, it was administered about 11,000 times before the end of the year. Through face-to-face interviews with arrested individuals conducted before arraignment, CJA gathers information and combines it with criminal history factors to produce an assessment of the likelihood that an individual will make all their court dates. As the 2019 Annual Report shows, 85 percent of people interviewed with the new release assessment were recommended for release, compared to the 50 percent with the old release assessment.

December 2019 also saw the expansion of eligibility criteria for Supervised Release citywide. Prior to December, only a small number of people arrested on a violent felony offense were eligible for admission to the program; after December, judges were given the ability to mandate individuals to the program regardless of charge. As the 2019 Annual Report shows, 981 individuals were mandated to Queens Supervised Release program operated by CJA, of which 66 percent were charged with a felony offense (this includes nonviolent felony charges, which prior to December 2019 were the charges most likely to be eligible) and 34 percent were charged with a misdemeanor offense.

Finally, the 2019 Annual Report highlights CJA's continued work to help individuals and families navigate the bail payment process, provide people with the information they need to make all their court dates and, in the event that a warrant is issued for non-appearance, quickly return to court. That information is summarized in sections 10 – 12 of the Annual Report.

Thanks to Stephen Koppel, David Topel, and Katie Bent-Koerick for their help in preparing this year's Annual Report.

Introduction

The New York City Criminal Justice Agency, Inc. (CJA), a not-for-profit organization incorporated in 1977, has over 200 employees in offices in all five counties (boroughs) of the city. With the support of the Mayor's Office of Criminal Justice (MOCJ), it provides pretrial services to the justice-involved population as well as research and technical support to criminal justice stakeholders.

CJA's Origins: The Manhattan Bail Project

CJA grew out of a research project of the Vera Institute of Justice, then the Vera Foundation, in the early 1960s. The Vera Foundation's first initiative was the Manhattan Bail Project, launched in 1961 in conjunction with the New York University School of Law and the Institute of Judicial Administration. Project researchers gathered data on the administration of bail in Manhattan and introduced the use of release on recognizance (ROR) as an alternative to bail. They tested the hypothesis that arrested individuals with strong community ties would return for scheduled court appearances, and that a greater number could be released if the courts had access to this information.

As a result of the Manhattan Bail Project, the Vera Institute developed a recommendation system based on objective community-ties information obtained by interviewing arrested individuals. In 1973, Vera created the Pretrial Services Agency (PTSA) to take over responsibility for making ROR recommendations. In 1977, PTSA became independent from Vera and was incorporated as the New York City Criminal Justice Agency.

CJA Operations

Interview and Recommendation

CJA personnel interview people who, after arrest, are held for arraignment in the lower court (Criminal Court) in New York City. The purpose of the interview is to provide judges, prosecutors, and defense counsel with background information on individuals in order to assist in determining the likelihood that an individual, if released, will return for scheduled court dates.

During the interview, information is collected on the arrested individual's occupation, residence, and family status. Attempts are made to verify many of these items through telephone calls made to a relative or someone else named by the individual. The individual's history of previous convictions, bench warrants, and current open cases is also entered on the interview report. Selected items are then used to calculate an objective score that reflects the estimated risk of nonappearance and is the basis for assigning a recommendation category for each person. A separate recommendation system is used for youths under 16 years of age who are prosecuted as adults under New York State's Juvenile Offender (JO) Law.

Research

The Research Department maintains an ongoing program of evaluation and research aimed at improving Agency operations, providing summary data relevant to criminal justice policy issues, and investigating special interest topics. The research agenda covers a broad array of criminal justice policy concerns.

Notification

The Agency attempts to notify all released individuals, by mail or telephone, of all scheduled court appearances. Those issued desk appearance tickets (DATs) are also notified of their scheduled arraignment.

Supervised Release

Since August 2009, CJA has operated a supervised release program in Queens for individuals charged with nonviolent felonies who meet strict criteria. In 2013, CJA began operating a similar program in Manhattan. In 2016, the city expanded supervised release to all boroughs. CJA continues to operate the program in Queens. Another organization now operates the Manhattan program.

Bail Expediting Program (BEX)
    CJA operates the Bail Expediting Program to help individuals who have had bail set contact potential sureties and obtain release sooner than they would if they had to navigate the complicated bail system on their own.

Court Appearance Support Unit
    CJA operates Court Appearance Support Unit (CASU) Units to assist individuals who have missed court to come back as soon as possible and clear their warrants.

CJA Database

    To perform its operational and research activities, CJA maintains a database which includes background and court-processing information on virtually every person arrested in New York City. The database contains case-processing data for Criminal Court since September 1979 and for Supreme Court since July 1987. Demographic information is obtained from CJA's pre-arraignment interview, arrest data are received by CJA through automated electronic transmissions from the New York City Police Department (NYPD), and case-processing data from the Office of Court Administration (OCA). Information about individuals' out-of-court bail making is transmitted to CJA by the New York City Department of Correction (DOC).

    CJA's Information Technology Division is responsible for managing the database as well as the rest of the Agency's computing resources and the communications infrastructure that link CJA's 11 citywide office locations. Information Technology staff also provide a wide range of support services to CJA staff and partner with many organizations to ensure that data is exchanged and processed securely.

    CJA continues to make significant progress towards the modernization and improvement of its operations. It continues to make needed upgrades to the network infrastructure, and is migrating the primary database system to a new, more modern architecture. In addition, as mentioned elsewhere in this report, CJA has implemented an updated release assessment tool. To calculate the new risk score, CJA's technology staff has worked closely with MOCJ and DoITT to develop a software tool in the Azure Cloud.

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Aubrey Fox, Executive Director

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PART 1

ARREST TO ARRAIGNMENT

1 Prosecuted Arrests

PROSECUTED ARRESTS

- In 2019, the New York City Police Department (NYPD) made 165,233 arrests that were ultimately prosecuted. The breakdown of prosecuted cases by court and arrest type are shown below.

Figure 1
Prosecuted Arrests, by Court of Arraignment

Court	Arrests
Bronx Criminal Court	32,446
Brooklyn Criminal Court	44,226
Red Hook CJC	2,155
Manhattan Criminal Court	39,112
Midtown Community Court	2,191
Queens Criminal Court	37,824
Staten Island Criminal Court	7,279

46,381 All Brooklyn

41,303 All Manhattan
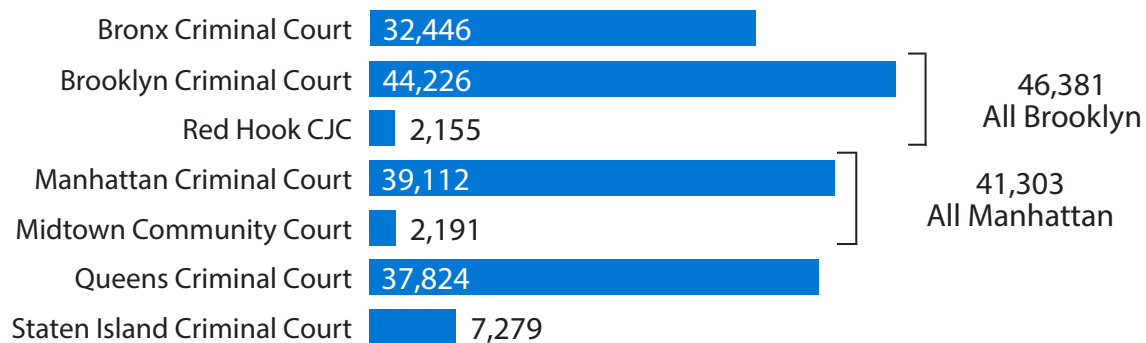
Figure 2
Arrest Type, by Court of Arraignment

Legend: ■ Summary Arrest ■ DAT

Court	Summary Arrest	DAT	N
Bronx Criminal Court	83%	17%	N=32,446
Brooklyn Criminal Court	91%	9%	N=44,226
Red Hook CJC	63%	37%	N=2,155
Manhattan Criminal Court	82%	18%	N=39,112
Midtown Community Court	63%	37%	N=2,191
Queens Criminal Court	80%	20%	N=37,824
Staten Island Criminal Court	83%	17%	N=7,279
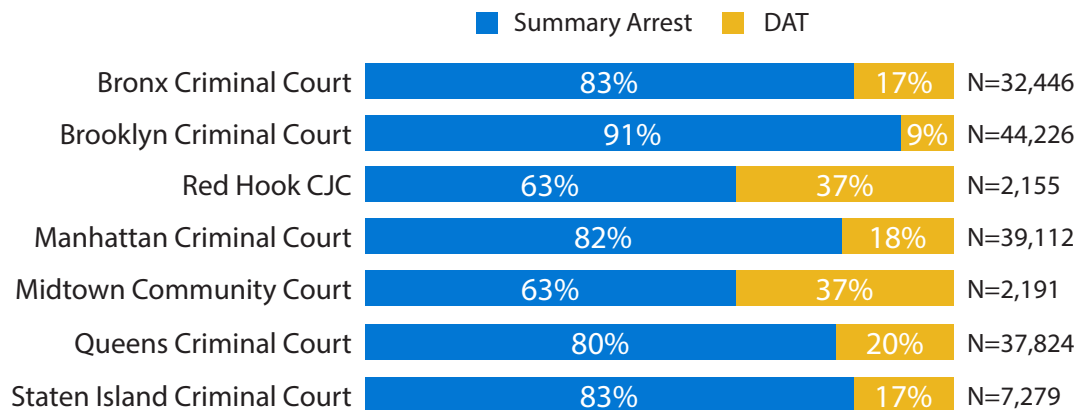
About The Data

▶ Data in this report are restricted to arrests made in 2019.

▶ Due to court shutdowns related to COVID-19, post-arraignment outcomes are tracked up to March 16th, 2020, even if a case was still ongoing. By this time, 88% of all cases had already reached a final disposition (misdemeanors 89%, nonviolent felony 84%, violent felony offense 85%). As previous reports tracked post-arraignment outcomes for at least one year, comparisons should be made with caution.

▶ Individuals prosecuted in multiple cases may be represented more than once in the data.

▶ In summary arrests (aka online arrest, aka custodial arrest), an individual is detained between arrest and arraignment; in desk appearance tickets (DATs), an individual is released between arrest and arraignment (see Section 6).

▶ Community courts—Red Hook Community Justice Center in Brooklyn and the Midtown Community Court in Manhattan—offer an array of services and alternative sanctions not available in the central courts. In most other figures in this report, cases arraigned in these courts are included in the totals for their respective boroughs.

▶ Sixteen-year-olds subject to New York State's Raise the Age law are excluded from this report.

2 Demographics

RACE

- Individuals in prosecuted cases were most likely to be Black (47%), followed by Hispanic (34%), White (12%) and Asian (5%). The racial breakdown by borough is shown below.

Figure 3
Race, Citywide

N=165,233

Race	Percentage
Black	47%
Hispanic	34%
White	12%
Asian	5%
Other	2%

Figure 4
Race, by Borough

Legend: Black | Hispanic | White | Asian | Other

Borough	Black	Hispanic	White	Asian	Other	N
Bronx	45%	49%	4%	1%	1%	N=32,446
Brooklyn	57%	25%	13%	3%	2%	N=46,381
Manhattan	47%	34%	14%	3%	2%	N=41,303
Queens	37%	34%	12%	13%	4%	N=37,824
Staten Island	34%	25%	35%	2%	4%	N=7,279
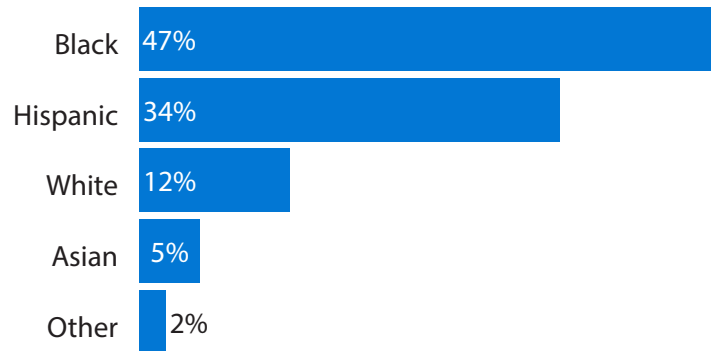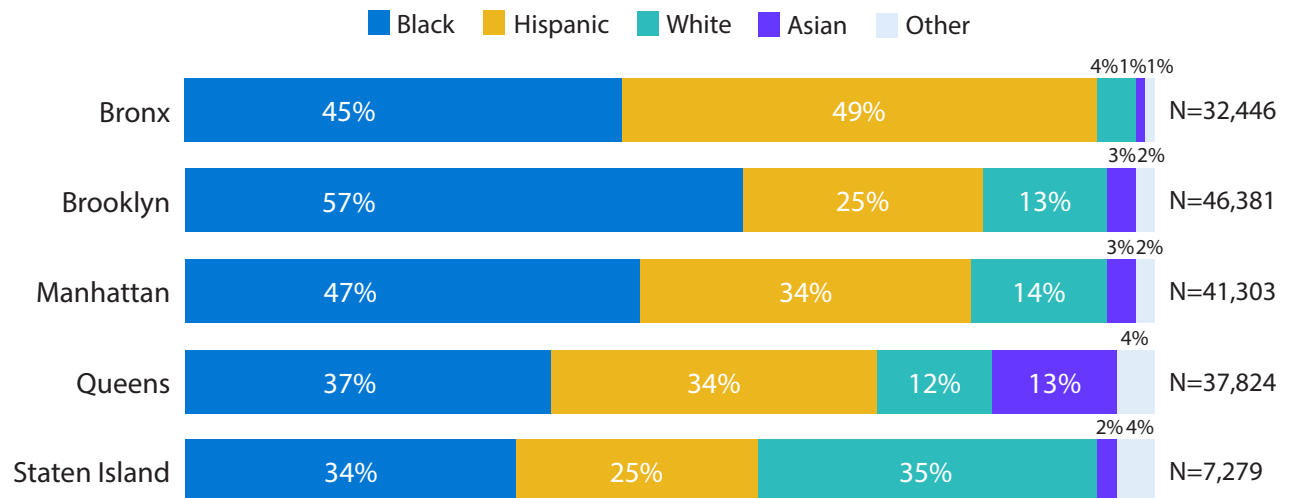
About The Data

► Information about an individual's race was obtained either from the CJA pre-arraignment interview or from the NYPD.

AGE

- About 2 in 3 individuals (67%) were between the ages of 18 and 39.

Figure 5
Age, Citywide

N=165,233

Age	Percentage
16-17	2%
18-29	39%
30-39	28%
40-49	16%
50+	16%
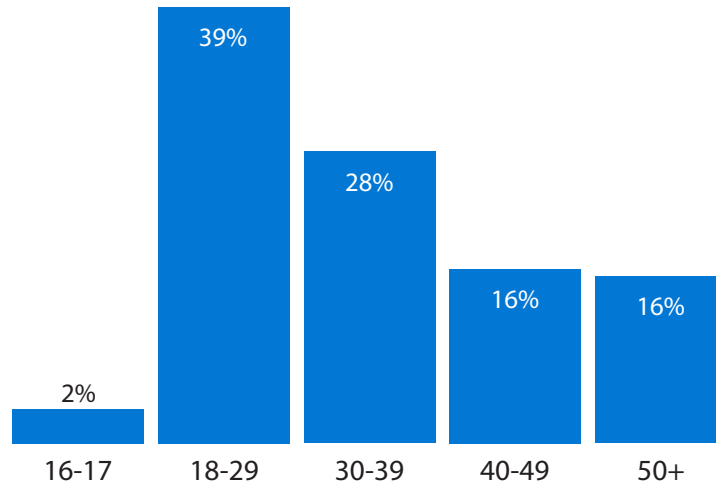
SEX

- About 4 in 5 individuals (82%) were male.

Figure 6
Sex, Citywide

N=165,214

82% Male
18% Female
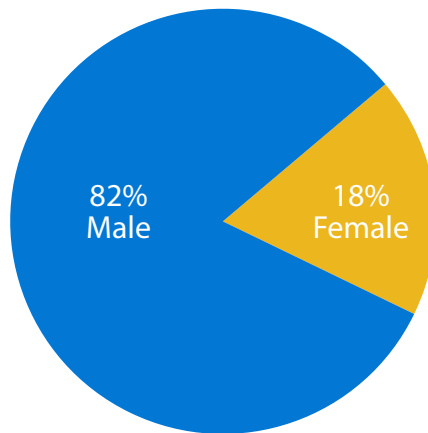
About The Data

► Information about an individual's age and sex were obtained either from the CJA pre-arraignment interview or from the NYPD.

3 Charge Severity and Type

CHARGE SEVERITY

- A misdemeanor was the most serious arraignment charge in about 4 in 5 cases (79%). A felony was the most serious arraignment charge in about 1 in 5 cases (21%).

Figure 7
Arraignment Charge Severity, Citywide

N=164,795
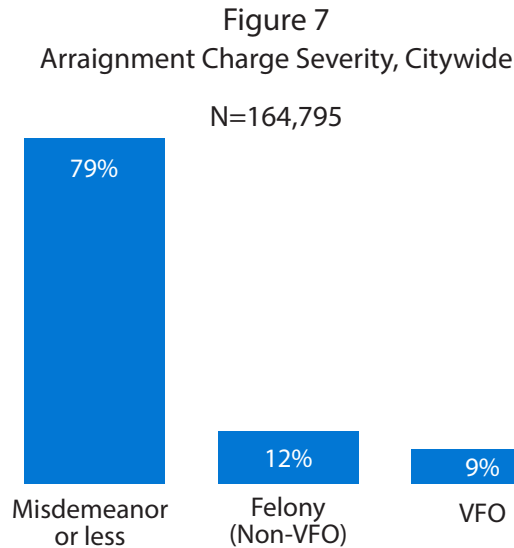
- Brooklyn and Queens had the highest percentage of misdemeanor or lesser charges (81%); Staten Island had the highest percentage of nonviolent felonies (17%) and the highest percentage of VFOs (11%).

Figure 8
Arraignment Charge Severity, by Borough
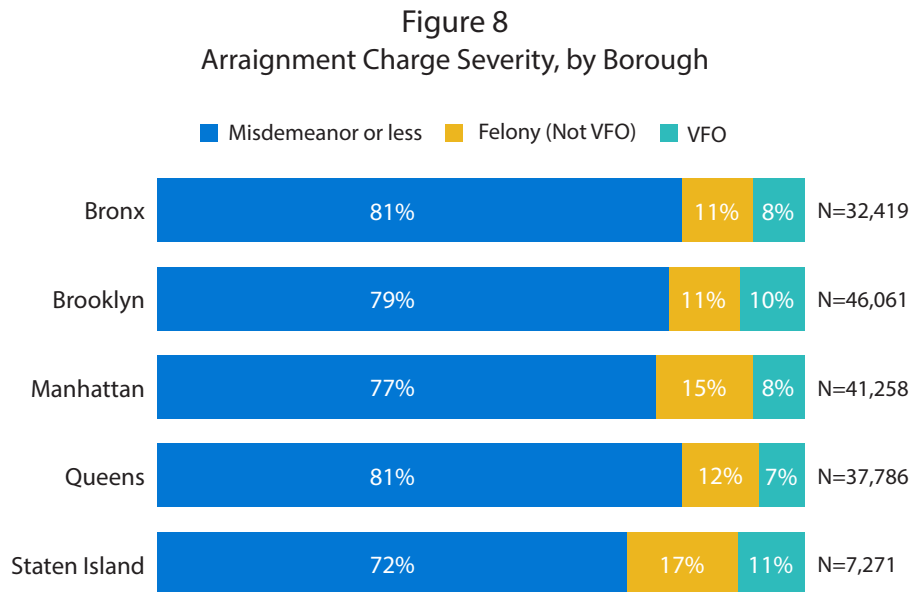
About The Data

► Charge severity is based on the most serious charge at arraignment. Violent felony offenses (VFOs) are a subset of felonies subject to restrictive sentencing provisions (e.g., manslaughter in the 1st degree, rape in the 1st degree, assault in the 1st degree). Such charges, as well as Class A violent felonies (e.g., murder in the 1st degree, murder in the 2nd degree, kidnapping in the 1st degree), are classified as VFOs throughout this report. Cases with missing charge severity information are excluded from figures broken down by charge severity.

CHARGE TYPE

- Physically injurious was the most common arraignment charge type citywide and in every borough.

Figure 9
Arraignment Charge Type, Citywide

N=165,226

Charge Type	Percentage
Physically injurious	32%
Property crime	19%
Drug	12%
VTL	14%
Misconduct/obstruction/prostitution	13%
Theft of services/fraud	5%
Weapon	3%
Local law/other	2%
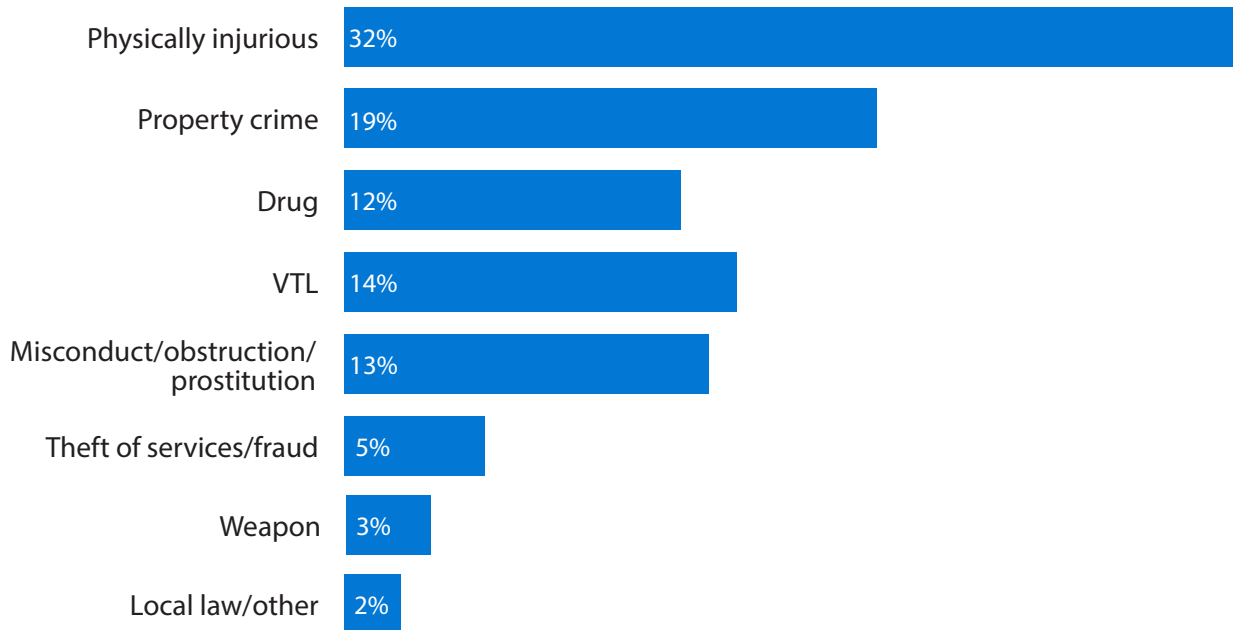
Figure 10
Arraignment Charge Type, by Borough

Legend: Physically injurious | Drug | Property crime | VTL | Theft of services/fraud | Misconduct/obstruction/prostitution | Weapon | Local law/other

Borough	Physically injurious	Drug	Property crime	VTL	Theft of services/fraud	Misconduct/obstruction/prostitution	Weapon	Local law/other	N
Bronx	32%	19%	13%	14%	5%	11%	4%	2%	N=32,446
Brooklyn	33%	10%	17%	14%	5%	14%	4%	3%	N=46,378
Manhattan	28%	14%	26%	11%	6%	12%	2%	1%	N=41,300
Queens	34%	8%	18%	15%	5%	15%	3%	2%	N=37,823
Staten Island	27%	11%	19%	22%	2%	14%	4%	1%	N=7,279

About The Data

▶ Physically injurious charges include homicide, arson, assault, violent sex offenses, kidnapping, robbery, and other crimes of physical harm.

▶ Drug charges are primarily possession and/or sale of a controlled substance.

▶ Charge types can include misdemeanor and felony offenses.

4 CJA Release Recommendation

OLD CJA RELEASE RECOMMENDATION

The system used until November 2019 for recommending people for release on recognizance (ROR) at arraignment was introduced in New York City lower courts (Criminal Court) in June 2003. It incorporated community-ties and criminal-history items found to have a strong empirical relationship with the likelihood that person will appear for scheduled court dates, the only criterion for release currently authorized by New York bail law.

A score was calculated for each person using the items shown in the box at the right. CJA staff attempted to verify the first three items by calling a named contact. Positive points were awarded for Y (yes) or YV (yes verified) responses, and the person was penalized with negative points for N (no) or NV (no verified) responses. For the question about employment, negative points were given if the person and the contact gave discrepant responses (UC, or unresolved conflict).

The score was then calculated by tallying the negative and positive points. Based on this score, each person's risk of failure to appear was assessed as low (recommended for ROR), moderate (moderate risk for ROR), or high (not recommended). Individuals subject to a policy exclusion (e.g., outstanding warrant, bail-jumping charge, conflicting residence information) were also not recommended. The no recommendation category was assigned when the rap sheet was unavailable, the person was charged with murder, or the interview was incomplete.

Because the recommendation did not take into account all factors listed in the New York bail statute (CPL §510.30), it was not an unconditional recommendation.

A separate recommendation system for juvenile offenders (youths between the ages of 13 and 15 prosecuted in adult court for certain serious offenses) remains in use. The recommendation is based on two community ties factors: 1) whether the individual is enrolled in school, and 2) whether the individual expects someone at arraignment.

Old CJA Recommendation Point System

	Y	YV	N	NV	UC
1. Does the defendant have a working telephone or cellphone?	1	1	−2	−2	0
2. Does the defendant report a NYC area address?	0	3	−2	−2	0
3. Is the defendant employed / in school / in training program full time?	1	1	−1	−1	−2
4. Does the defendant expect someone at arraignment?	1		−1		
5. Does the prior bench warrant count equal zero?	5		−5		
6. Does the open case count equal zero?	1		−1		
Column totals					
Subtotals A = Y+YV B = N+NV+UC	**A**		**B**		
Total Score	**A** minus **B**				

Old CJA Recommendation Categories

Score	Recommendation
+7 to +12	■ Recommended for release on recognizance (ROR)
+3 to +6	■ Moderate risk for release on recognizance (ROR)
-12 to +2	■ Not recommended for release on recognizance (ROR)

NEW CJA RELEASE RECOMMENDATION

New CJA Recommendation Point System

Predictive Factors	Points Deducted
Years since last bench warrant	
• Within past year	6
• 1-2 years	4
• 2-5 years	3
• No prior warrant or warrant is over 5 years old	0
More than one bench warrant in last 5 years	
• Yes	2
• No	0
Years since last misdemeanor or felony conviction	
• Within past year	2
• No convication in past year	0
Misdemeanor convictions in last three years	
• 3 or more	3
• 2	2
• 1	1
• 0	0
Felony convictions in last 10 years	
• 1 or more	1
• 0	0
Pending cases	
• 1 or more	3
• 0	0
Length of time at last two addresses	
• No address	5
• Less than 3 years	2
• 3 or more years	0
Reachable by phone	
• No phone	3
• Reachable by phone	0

In November 2019, CJA began using an updated Release Recommendation to provide the New York City Criminal Courts with information about the likelihood of court appearance. Under the auspices of the NYC Mayor's Office of Criminal Justice (MOCJ), CJA updated the Release Recommendation to improve its predictive accuracy by using more recent data reflecting changes in New York City's social conditions and justice system practices. It was also driven by the desire to benefit from the breadth and wealth of knowledge accumulated since 2003 across many disciplines, including social science, data science, and behavioral science. Because it is based on newer data and new techniques, the updated Release Recommendation provides a more accurate calculation of the likelihood of court appearance.

Whether a person receives a recommendation of Recommended for ROR, Consider all options, or Not recommended for ROR is based on the total points scored on the assessment and the charge severity. Each person begins with a score of 25 and points are subtracted when a predictive factor is present. Release Recommendation scores range from 0 to 25 points. Higher scores are associated with a higher likelihood of making all scheduled court appearances, while lower scores are associated with a lower likelihood of making all appearances.

All individuals with a score between 19 and 25 points are Recommended for ROR, while all individuals with a score between 0 and 11 points are Not recommended for ROR. The release recommendation for those who score between 12 and 18 points depends on the charge severity at arraignment.

New CJA Recommendation Categories

Score	Recommendation
19-25	Recommended for release on recognizance (ROR)
16-18	Charged with misdemeanor and non-violent felony: Recommended for release on recognizance (ROR) Charged with violent felony offense: Consider all options
12-15	Charged with misdemeanor: Recommended for release on recognizance (ROR) Charged with felony: Consider all options
0-11	Not recommended for release on recognizance (ROR)

OLD CJA RELEASE RECOMMENDATION

- CJA conducted nearly 125,000 interviews using the old release recommendation point system. The breakdown by borough is shown below.

Figure 11
Old CJA Release Recommendation Interview Volume, by Borough

N=124,477

Borough	Value
Bronx	24,387
Brooklyn	36,604
Red Hook	1,345
Manhattan	28,041
Midtown	1,352
Queens	27,195
Staten Island	5,553
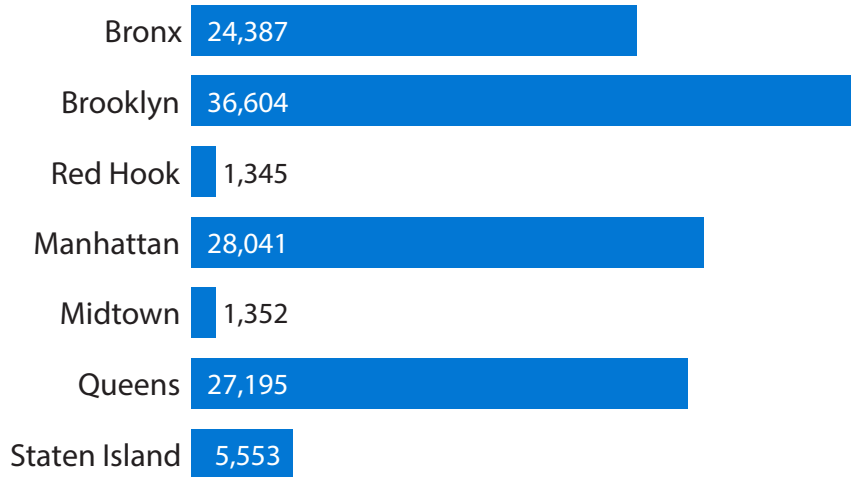
- Interview data collected by CJA on an indiviudal's ties to the community are shown below.

Figure 12
Select Interview Responses, by Borough

Legend: Has NYC area address (blue), Has a phone (yellow), Engaged in full-time activity (teal)

	Has NYC area address	Has a phone	Engaged in full-time activity
Citywide	89%	79%	45%
Bronx	89%	76%	43%
Brooklyn	91%	81%	44%
Manhattan	81%	72%	39%
Queens	92%	87%	53%
Staten Island	93%	81%	49%
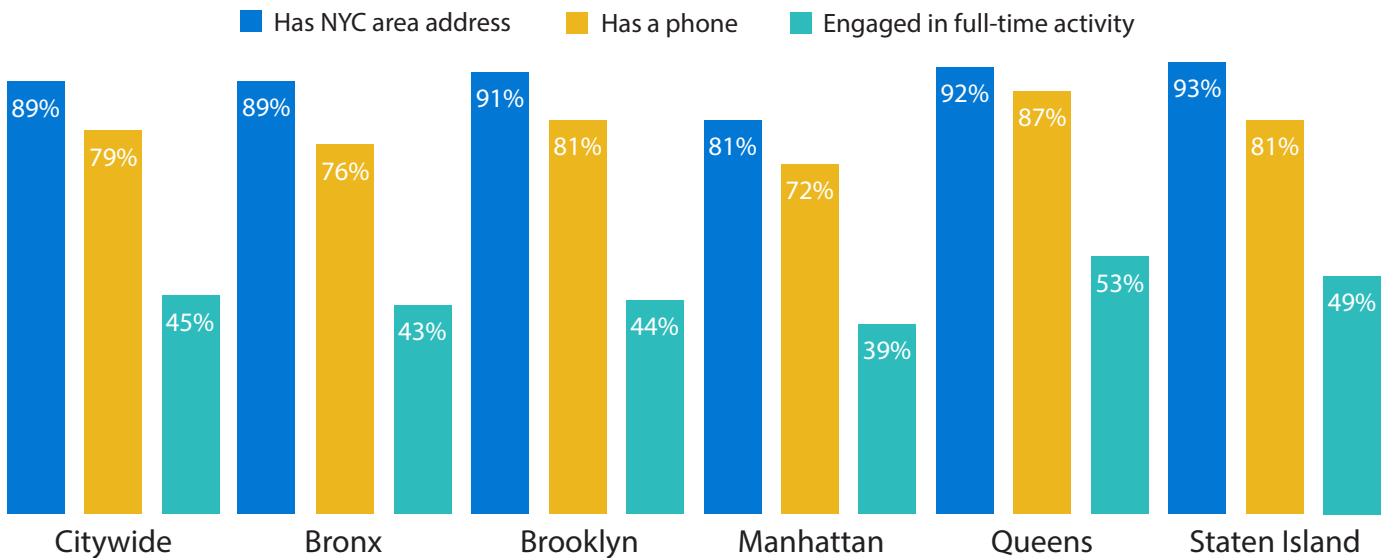
About The Data

► The release recommendation system used in 2019 distinguished between a verified and unverified home address, phone number, and full-time activity. Figure 12 shows data on individuals who indicated yes even if CJA could not verify the information.

OLD CJA RELEASE RECOMMENDATION

- Half of the pople interviewed were either recommended for ROR as low risk (33%) or were recommended as moderate risk for FTA (17%).

Figure 13
Old CJA Release Recommendation, Citywide

N=124,477
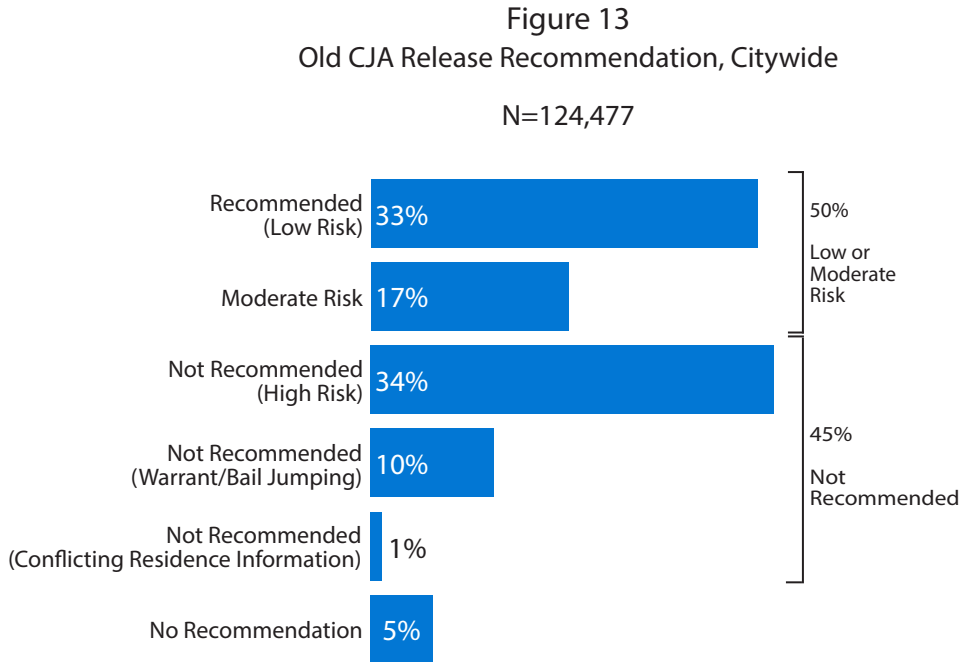
- Individuals in Manhattan were most likely to be classified as high risk (41%), followed by the Bronx (38%).

Figure 14
Old CJA Release Recommendation, by Borough
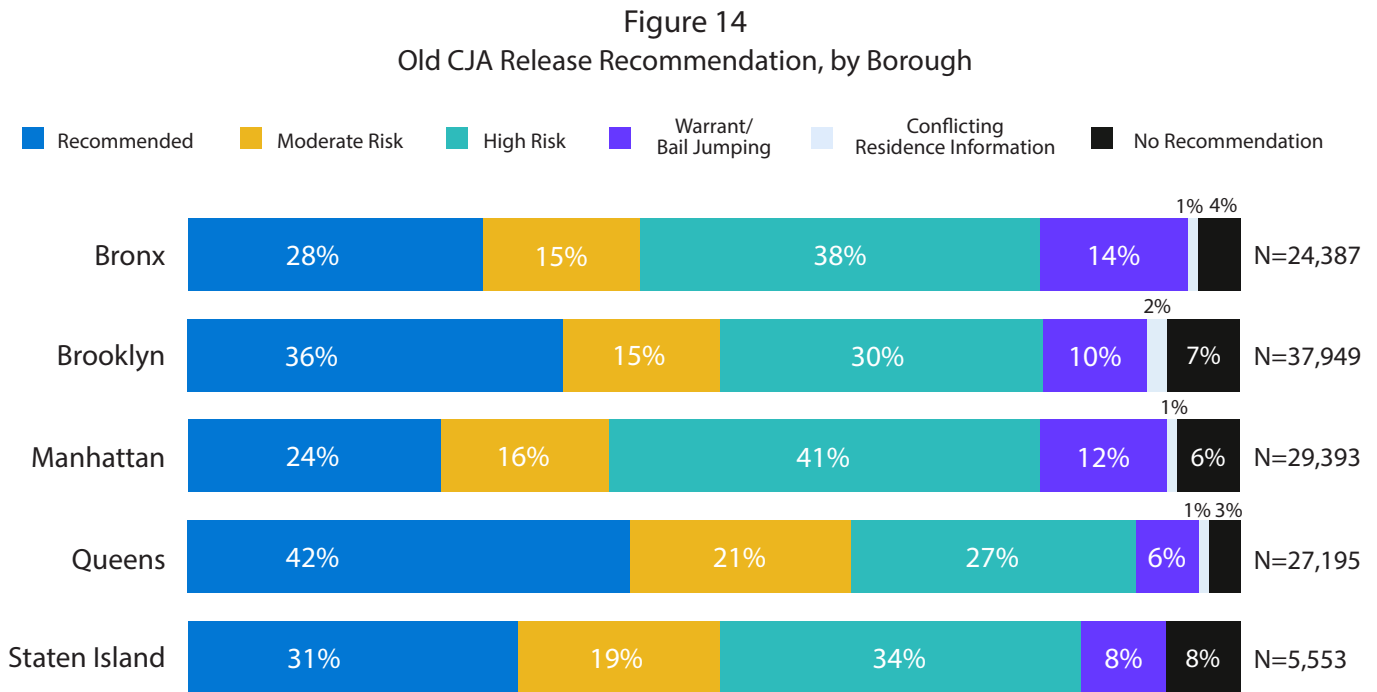
OLD CJA RELEASE RECOMMENDATION AND CHARGE SEVERITY

- CJA's old release recommendation did not vary considerably by arraignment charge severity. For all levels of severity, about half of the people interviewed were recommended for release.

Figure 15
Old CJA Release Recommendation (Recommended/Not Recommended), by Charge Severity

Legend: ■ Recommended/Moderate Risk ■ Not Recommended/No Recommendation

Charge Severity	Recommended/Moderate Risk	Not Recommended/No Recommendation	N
Misdemeanor or less	50%	50%	N=94,059
Felony (Non-VFO)	43%	57%	N=17,830
VFO	50%	50%	N=12,272
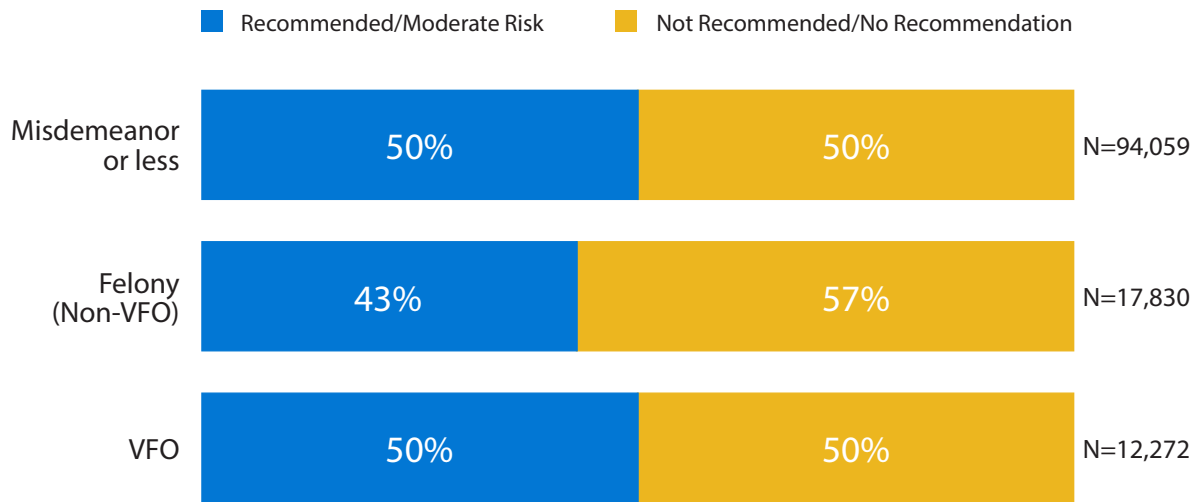
- A more granular breakdown of the old CJA release recommendation by charge severity is shown below.

Figure 16
Old CJA Release Recommendation, by Charge Severity

Legend: ■ Recommended ■ Moderate Risk ■ High Risk ■ Warrant/Bail Jumping ■ Conflicting Residence Information ■ No Recommendation

Charge Severity	Recommended	Moderate Risk	High Risk	Warrant/Bail Jumping	Conflicting Residence Information	No Recommendation	N
Misdemeanor or less	33%	17%	33%	11%	1%	5%	N=94,059
Felony (Non-VFO)	27%	16%	41%	10%	1%	5%	N=17,830
VFO	35%	15%	34%	8%	1%	7%	N=12,272
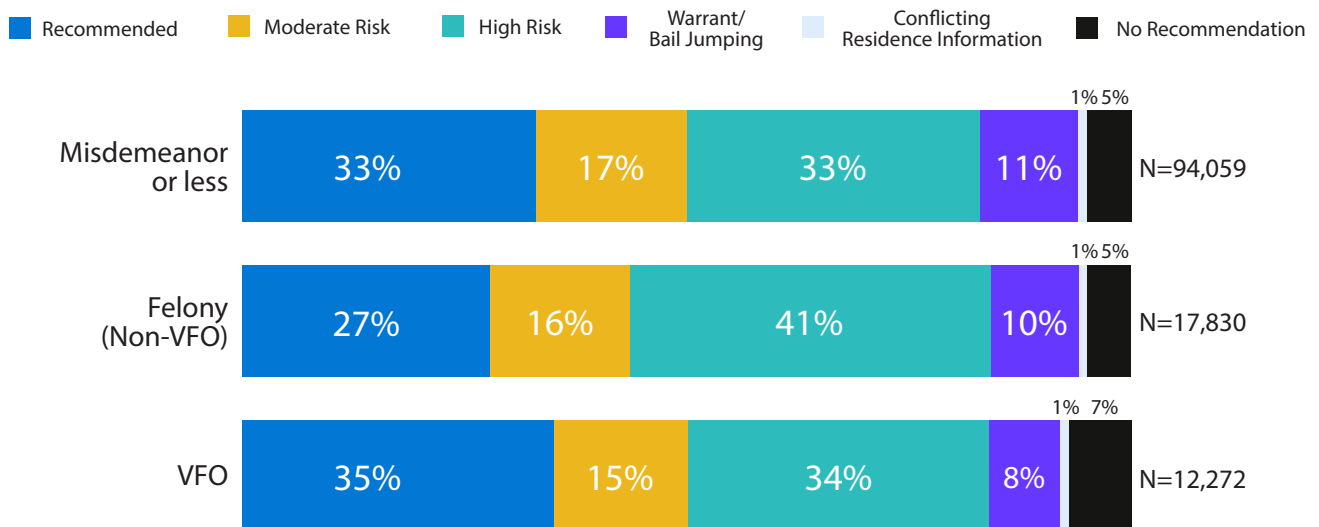
NEW CJA RELEASE RECOMMENDATION

- CJA conducted nearly 11,000 interviews using the new release recommendation point system.

Figure 17
New CJA Release Recommendation Interview Volume, by Borough

N=10,976

Borough	Volume
Bronx	1,921
Brooklyn	3,300
Manhattan	3,198
Queens	2,229
Staten Island	328
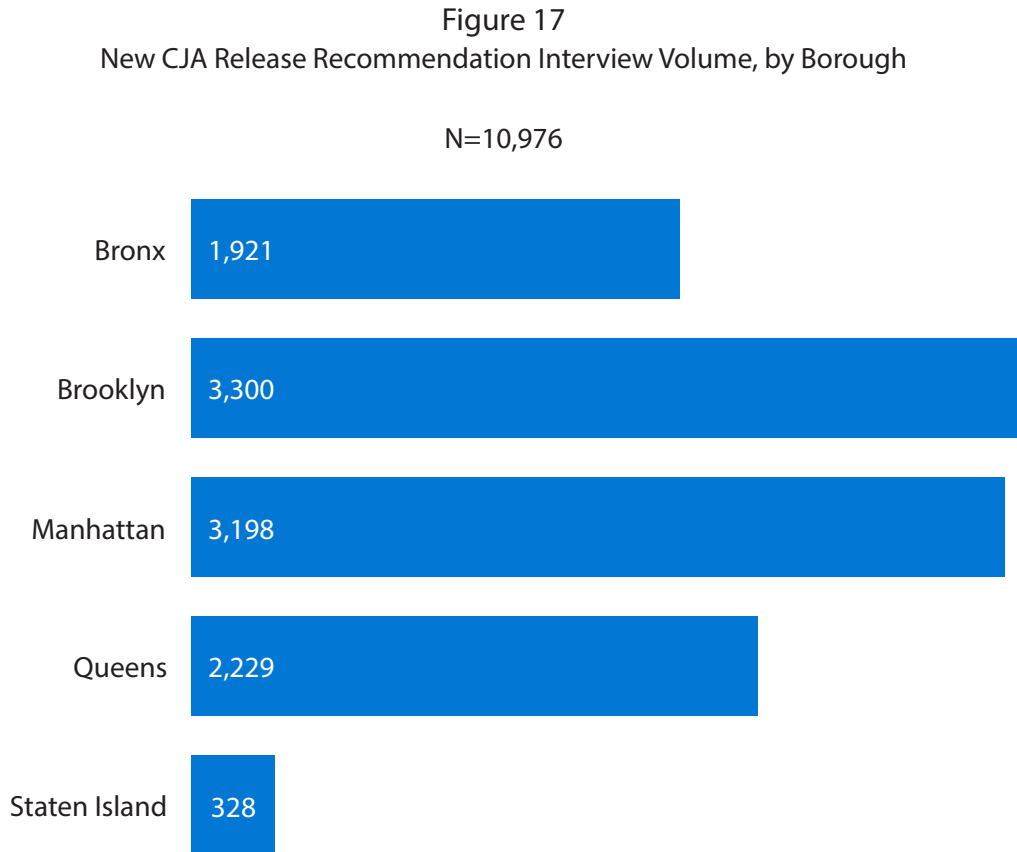
- Eight-five percent of people interviewed were recommended for ROR. Only 11% were not recommended for ROR.

Figure 18
New CJA Release Assessment Recommendation, Citywide

Recommendation	Percent
ROR	85%
Consider All Options	4%
ROR Not Recommended	11%
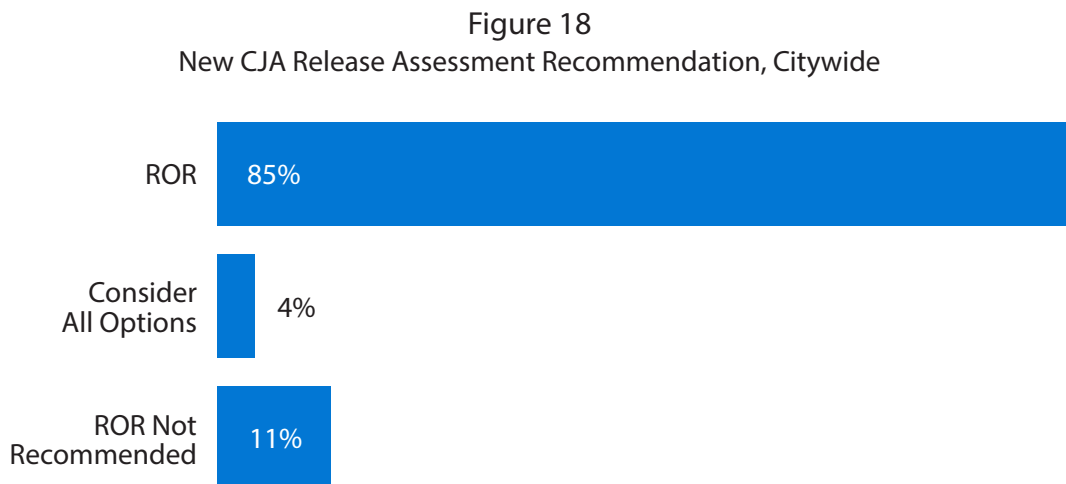
NEW CJA RELEASE RECOMMENDATION AND CHARGE SEVERITY

- People in Queens were most likely to be recommended for ROR (91%), followed by Staten Island (90%).

Figure 19
New CJA Risk Assessment Recommendation, by Borough

ROR ■ **Consider all options** ■ **ROR not recommended**

Borough	ROR	Consider all options	ROR not recommended	N
Bronx	84%	4%	12%	N=1,921
Brooklyn	88%	4%	8%	N=3,300
Manhattan	78%	4%	18%	N=3,198
Queens	91%	3%	6%	N=2,229
Staten Island	90%	4%	6%	N=328
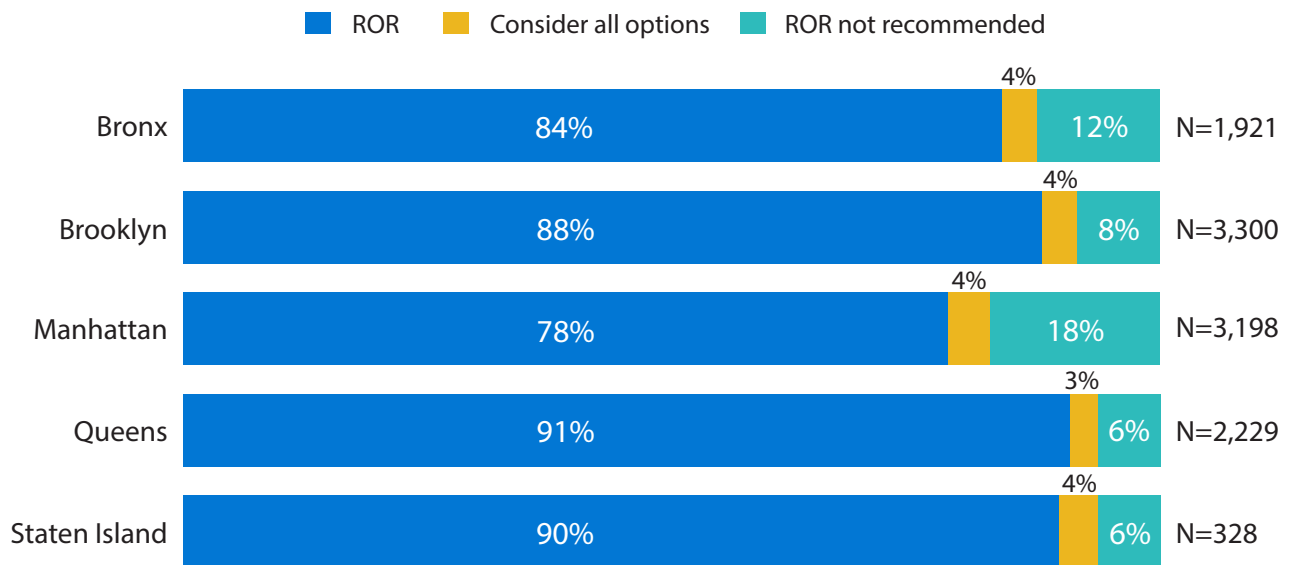
- The more serious the arraignment charge, the less likely a person was recommended for ROR.

Figure 20
New CJA Risk Assessment Recommendation, by Charge Severity

ROR ■ **Consider all options** ■ **ROR not recommended**

Charge Severity	ROR	Consider all options	ROR not recommended	N
Misdemeanor or less	88%		12%	N=8,132
Felony (Non-VFO)	77%	12%	11%	N=1,579
VFO	74%	18%	8%	N=1,247
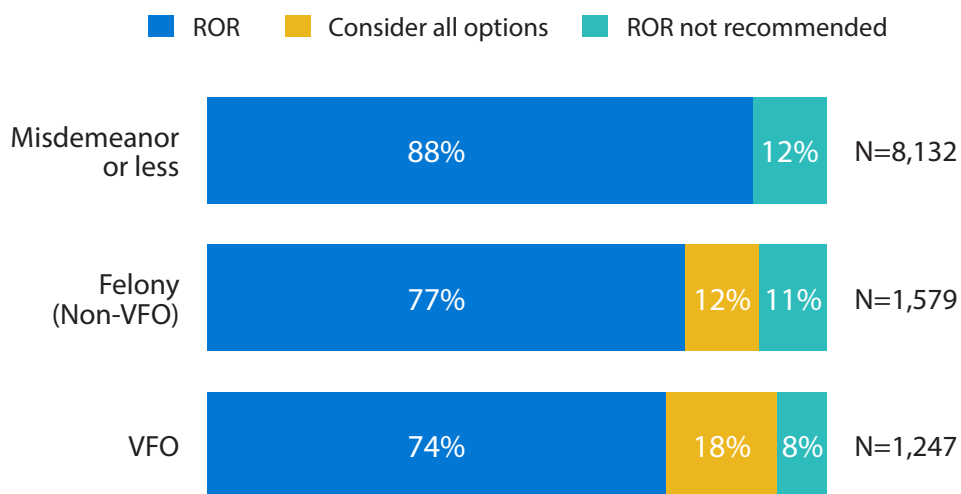
5 Summary Arrests: Arraignment Outcomes

ARRAIGNMENT OUTCOMES

• About 4 in 5 summary arrests (81%) were continued at arraignment citywide.

Figure 21
Arraignment Outcomes for Summary Cases, Citywide

N=138,098

19%
Disposed

81%
Continued
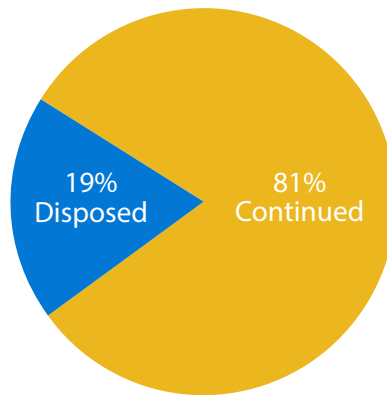
• The percentage of cases continued at arraignment was higher in Staten Island (95%) and Queens (84%).

Figure 22
Arraignment Outcomes for Summary Cases, by Borough

■ Disposed   ■ Continued

	Disposed	Continued	
Bronx	22%	78%	N=26,927
Brooklyn	20%	80%	N=41,589
Manhattan	21%	79%	N=33,245
Queens	16%	84%	N=30,309
Staten Island	5%	95%	N=6,028
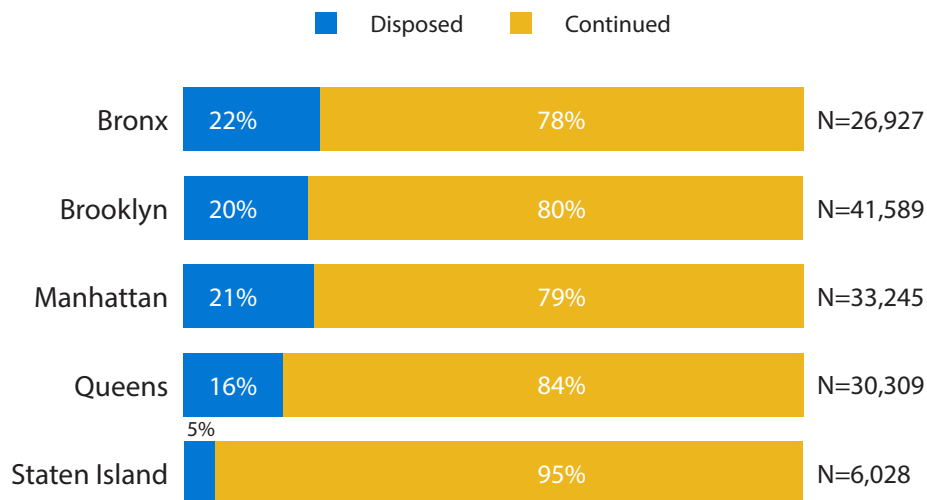
OUTCOMES IN CASES DISPOSED AT ARRAIGNMENT

- About 2 in 3 summary cases disposed at arraignment (66%) ended in a guilty plea. Twenty-eight percent of cases were adjourned in contemplation of dismissal (ACD), deferring a final disposition in the case for 6 to 12 months. Such cases are typically dismissed at the end of this period. Six percent of cases were dismissed.

Figure 23
Outcomes for Summary Cases Disposed At Arraignment, Citywide

N=26,255
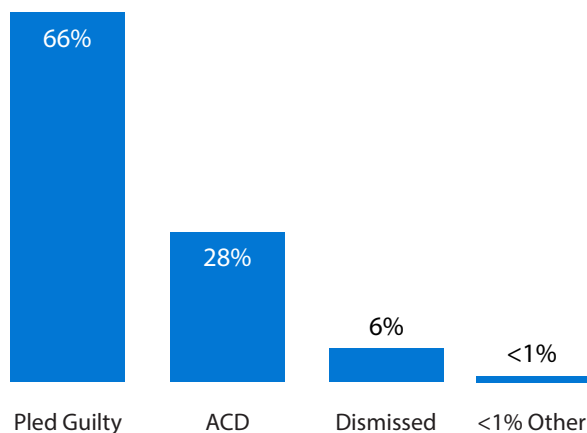
- The percentage of cases with a guilty plea was higher in Manhattan (87%) and Staten Island (81%). The percentage of cases adjourned in contemplation of dismissal was higher in Brooklyn (39%) and the Bronx (31%).

Figure 24
Outcomes for Summary Cases Disposed At Arraignment, by Borough
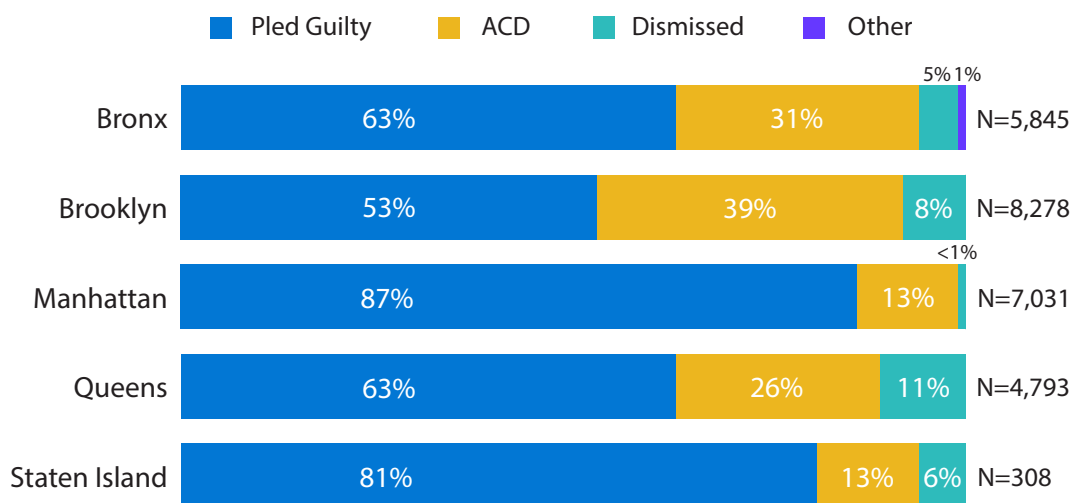
About The Data

► In most disposed cases with an outcome of "other," the individual's case was transferred to another court (e.g., Family Court), or the case was combined with another ongoing case.

6 Desk Appearance Tickets: Arraignment Outcomes

A desk appearance ticket (DAT) is a written notice to appear in court for arraignment at a future date. The person is not detained before arraignment. In 2019, DATs could be issued for any misdemeanor charge and some nonviolent Class E felony arrest charges (§150.20). The NYPD imposes some additional restrictions such as denying DATs to individuals with an outstanding warrant.

- Citywide, there were 26,255 DAT arraignments. Thirty-one percent (8,058) were arraigned in Manhattan.

Figure 25
DATs, by Borough

N=26,255

Borough	Count
Bronx	5,519
Brooklyn	4,792
Manhattan	8,058
Queens	7,515
Staten Island	1,251

TIME TO DAT ARRAIGNMENT

- Citywide, nearly three-quarters (73%) were not arraigned within one month of issuance. By two months, nearly all had been arraigned. Figure 27 (page 20) shows the time from arrest to arraignment for DATs by borough.

Figure 26
Percentage of DATs Not Arraigned, Citywide

73%

2 months after arrest,
two-thirds of all DATs were arraigned

27%

30 days   60 days   90 days
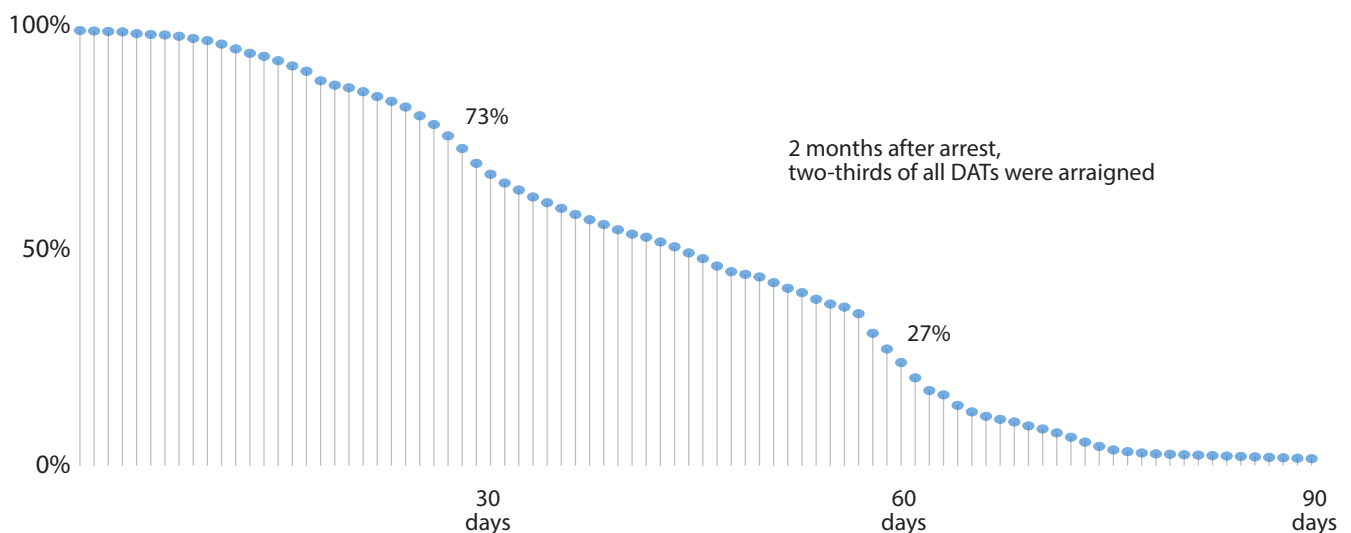
Figure 27
Percentage of DATs Not Yet Arraigned, by Borough

Bronx

94%

72%

1%

Brooklyn

79%

7%

4%

Manhattan

89%

34%

1%

Queens

38%

3%

Staten Island

59%

<1%
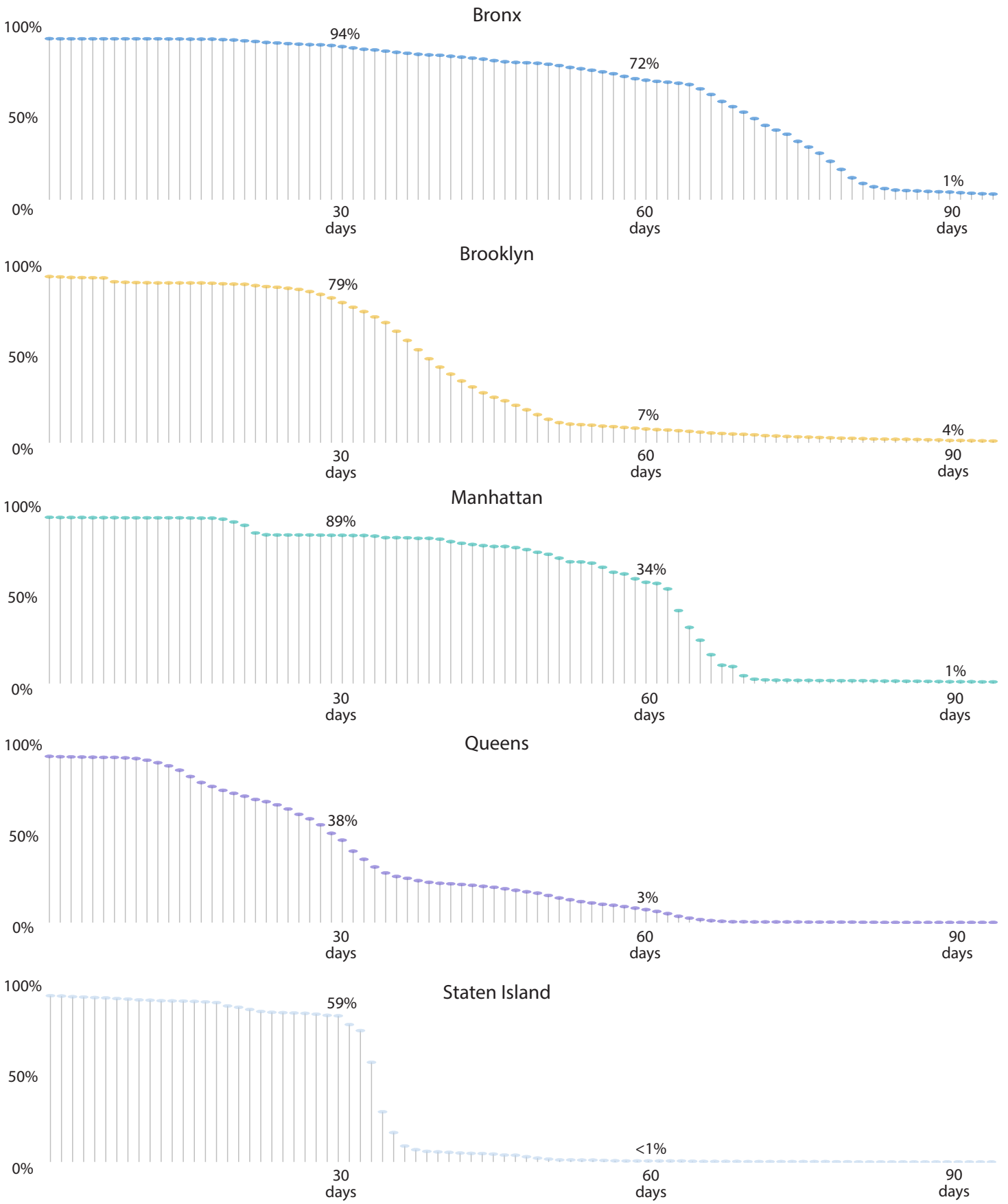
ARRAIGNMENT OUTCOMES

- At arraignment, 38% of DATs were disposed, 39% were continued, and about 1 in 4 individuals (23%) failed to appear.

Figure 28
Arraignment Outcomes for DATs, Citywide

N=26,872

38% Disposed
23% FTA
39% Continued
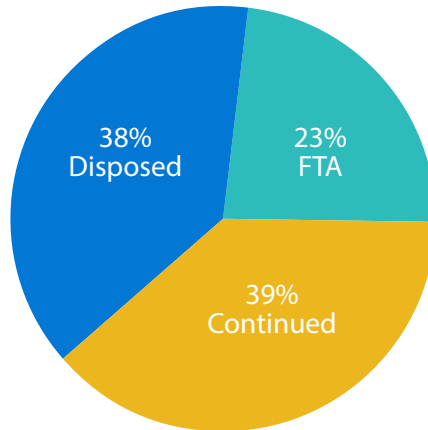
- The Bronx had the highest percentage of cases disposed at arraignment (44%), while Manhattan had the lowest (29%). Staten Island had the highest percentage of cases continued at arraignment (47%), followed by Manhattan (46%).

Figure 29
Arraignment Outcomes for DATs, by Borough

Legend: Disposed | Continued | FTA

Borough	Disposed	Continued	FTA	N
Bronx	44%	23%	33%	N=5,514
Brooklyn	42%	36%	22%	N=4,688
Manhattan	29%	46%	25%	N=7,950
Queens	42%	42%	16%	N=7,486
Staten Island	41%	47%	12%	N=1,234
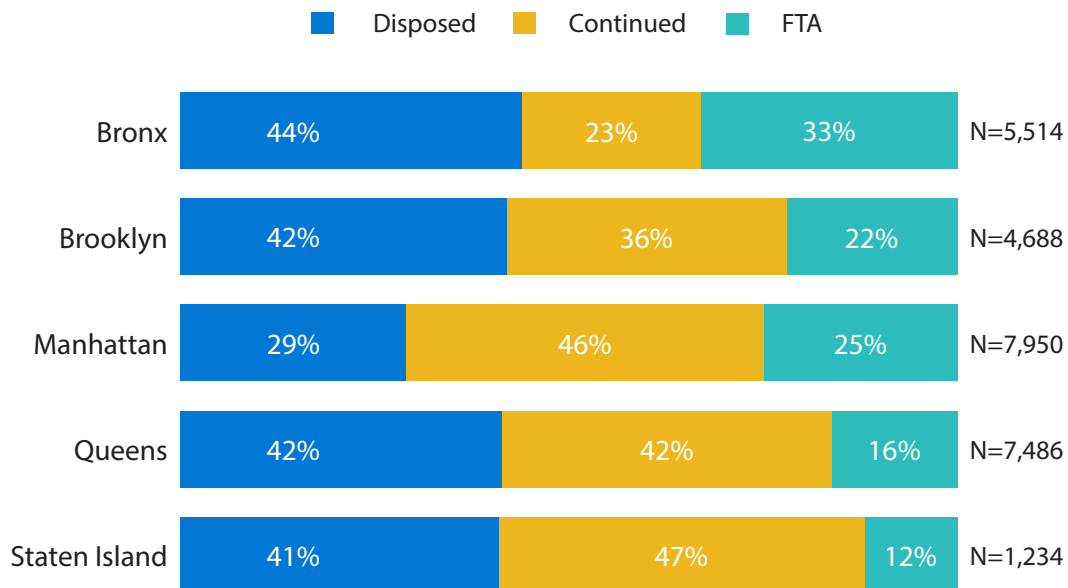
OUTCOMES IN CASES DISPOSED AT ARRAIGNMENT

- More than half of DATs disposed at arraignment ended in a guilty plea (54%). Thirty-nine percent were adjourned in contemplation of dismissal, and seven percent were dismissed.

Figure 30
Outcomes for DATs Disposed at Arraignment, Citywide

N=10,327

Pled guilty	54%
ACD	39%
Dismissed	7%

- The percentage of cases with a guilty plea was higher in Staten Island (86%). The percentage of cases adjourned in contemplation of dismissal was higher in Queens (51%) and Manhattan (47%). Ten percent of DATs were dismissed at arraignment in the Bronx.

Figure 31
Outcomes for DATs Disposed at Arraignment, by Borough

Pled Guilty   ACD   Dismissal

Borough	Pled Guilty	ACD	Dismissal	N
Bronx	64%	26%	10%	N=2,401
Brooklyn	60%	33%	7%	N=1,972
Manhattan	48%	47%	5%	N=2,344
Queens	44%	51%	6%	N=3,104
Staten Island	86%	11%	3%	N=506
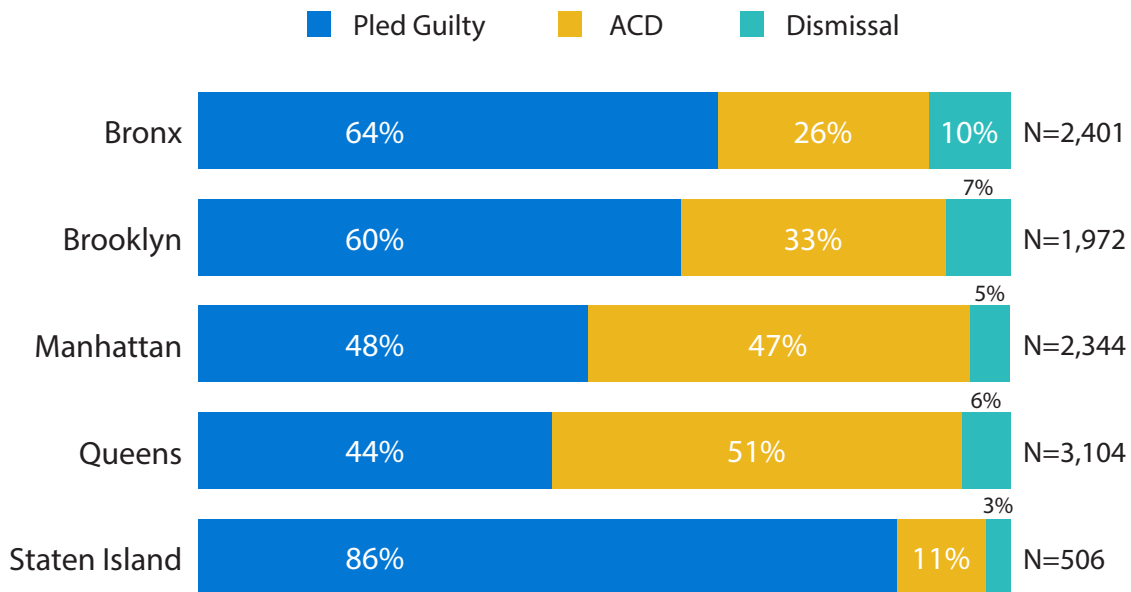
ARRAIGNMENT OUTCOMES

- Of all summary arrests and DATs combined, nearly 4 in 5 cases (78%) were continued at arraignment.

Figure 32
Arraignment Outcomes for Summary Arrests and DATs, Citywide

N=165,233

22%
Disposed

78%
Continued
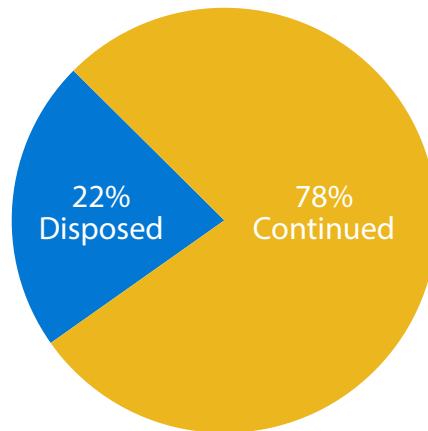
- A case was more likely to be continued at arraignment in Staten Island (89%). The Bronx (25%) had the highest percentage of cases disposed at arraignment.

Figure 33
Arraignment Outcomes for Summary Arrests and DATs, by Borough

	Disposed	Continued	
Bronx	25%	75%	N=32,446
Brooklyn	22%	78%	N=46,381
Manhattan	23%	77%	N=41,303
Queens	21%	79%	N=37,824
Staten Island	11%	89%	N=7,279
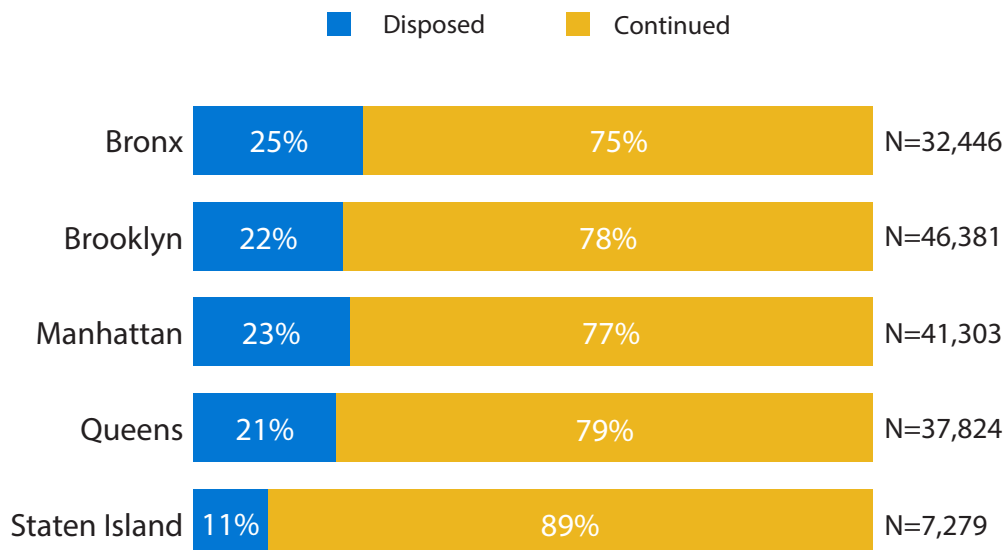
OUTCOMES IN CASES DISPOSED AT ARRAIGNMENT

- Sixty-three percent of cases disposed at arraignment ended in a guilty plea. Thirty-one percent of cases were adjourned in contemplation of dismissal, and 6% were dismissed.

Figure 34
Outcomes for Summary Arrests and DATs Disposed at Arraignment, Citywide

N=36,601
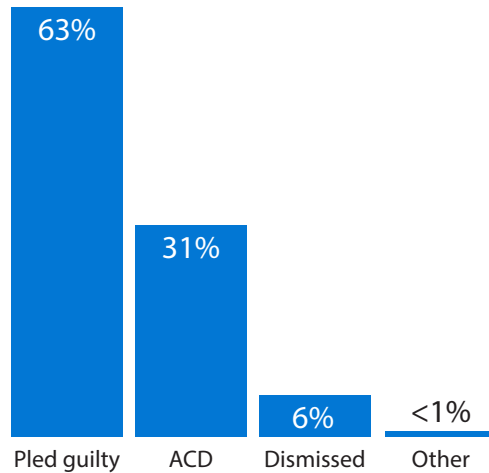
- The percentage of cases with a guilty plea was higher in Staten Island (84%). The percentage of cases adjourned in contemplation of dismissal was higher in Brooklyn (38%) and Queens (36%). Nine percent of cases were dismissed at arraignment in Queens.

Figure 35
Outcomes for Summary Arrests and DATs Disposed at Arraignment, by Borough
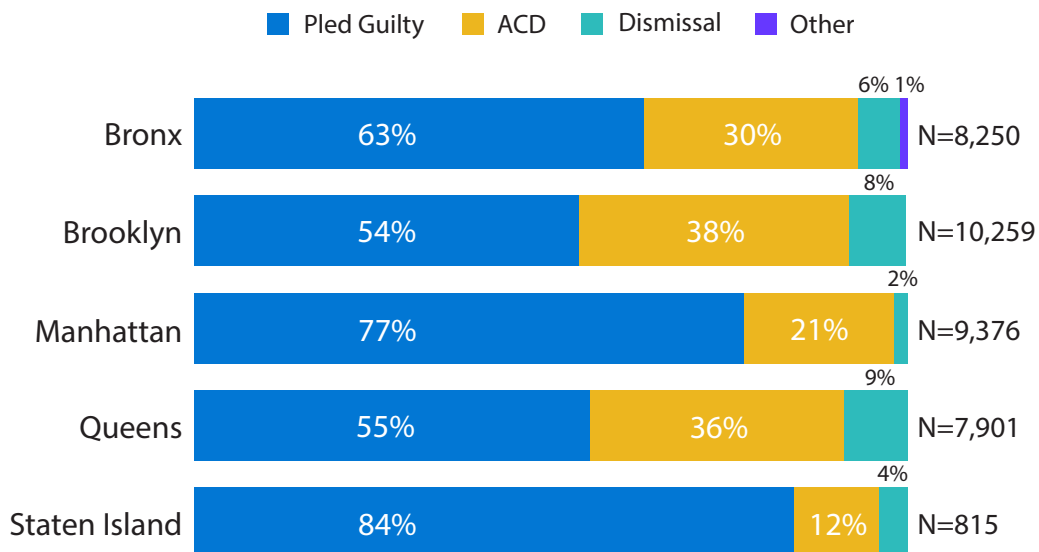
RELEASE OUTCOME AT ARRAIGNMENT

- In cases continued past arraignment, 4 in 5 were released without monetary conditions — either released on recognizance (75%) or released under supervision (5%).

Figure 36
Release Outcome at Arraignment, Citywide

N=120,034

Category	Percentage
ROR	75%
Bail Set	19%
RUS	5%
Remand	1%
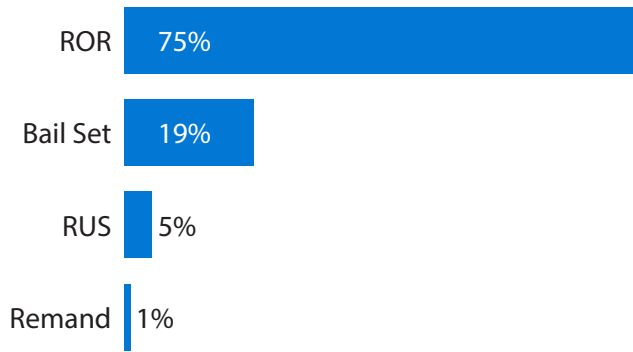
Note: cases missing release status, and DAT cases in which the individual failed to appear at arraignment, are excluded from these figures.

Figure 37
Release Outcome at Arraignment, by Borough

Legend: ROR, Bail Set, RUS, Remand

Borough	ROR	Bail Set	RUS	Remand	N
Bronx	79%	17%	3%	1%	N=21,894
Brooklyn	79%	16%	4%	1%	N=33,918
Manhattan	68%	25%	6%	1%	N=29,619
Queens	77%	18%	4%	1%	N=28,404
Staten Island	69%	24%	6%	1%	N=6,199
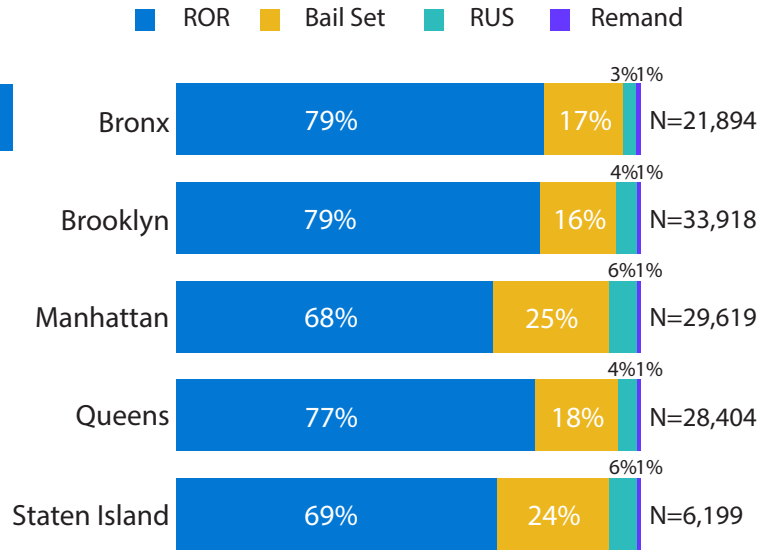
- The more serious the charge, the less likely a person was ROR'd at arraignment.

Figure 38
Release Outcome at Arraignment, by Severity

Legend: ROR, Bail Set, RUS, Remand

Severity	ROR	Bail Set	RUS	Remand	N
Misdemeanor or less	87%	10%	3%		N=86,393
Felony (Non-VFO)	51%	33%	12%	4%	N=19,918
VFO	36%	59%	3%	2%	N=13,601
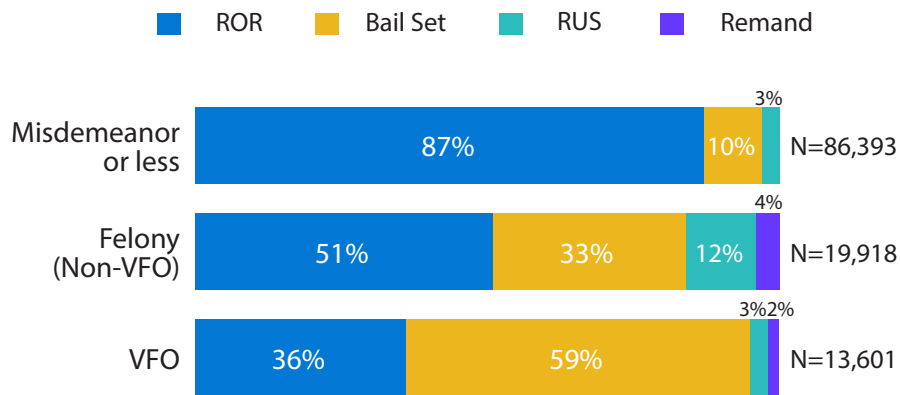
About The Data

► If a person does not appear for a DAT arraignment, the case is usually continued and a warrant is issued. Such cases are included in previous figures as continued cases, but are excluded from figures showing arraignment release outcomes as no release decision is made at arraignment.

► RUS (Release Under Supervision) indicates the person entered Supervised Release. Supervised Release is a program in which a person works with a social worker during the pendency of the case, with varying levels of supervision that combine phone calls and in-person visits. CJA operates the Supervised Release program in Queens. For a description of that program and data on clients, see pages 48-49.

RELEASE OUTCOME AT ARRAIGNMENT, BY OLD CJA RELEASE RECOMMENDATION

- Judges ROR'd more than 8 in 10 individuals recommended for release by CJA. Even when not recommended, judges ROR'd more than half of all individuals.

Figure 39
Release Outcome for Continued Cases by Old CJA Recommendation, Citywide

Legend: ROR | Bail Set | RUS | Remand

Category	ROR	Bail Set	RUS	Remand	N
Recommended	87%	11%	2%		N=37,163
Moderate Risk	84%	13%	3%		N=18,900
Not Recommended	60%	31%	8%	1%	N=46,891
No Recommendation	59%	31%	5%	5%	N=5,509
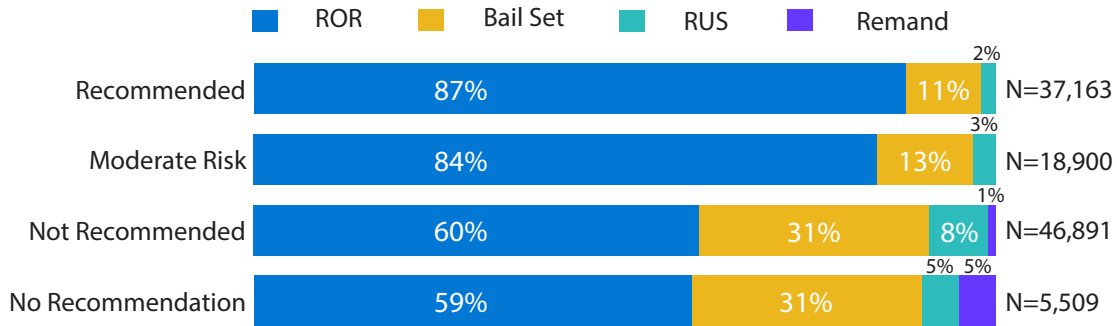
Figure 40
Release Outcome for Continued Cases by Old CJA Recommendation, by Borough

Bronx

Category	ROR	Bail Set	RUS	Remand	N
Recommended	90%	9%	1%		N=6,071
Moderate Risk	88%	10%	1%	1%	N=3,262
Not Recommended	71%	23%	5%	1%	N=10,034
No Recommendation	61%	29%	3%	7%	N=879

Brooklyn

Category	ROR	Bail Set	RUS	Remand	N
Recommended	88%	10%	2%		N=11,969
Moderate Risk	85%	12%	3%		N=4,929
Not Recommended	66%	25%	8%	1%	N=13,295
No Recommendation	69%	22%	5%	4%	N=2,140

Manhattan

Category	ROR	Bail Set	RUS	Remand	N
Recommended	83%	13%	3%	1%	N=6,965
Moderate Risk	80%	15%	4%	1%	N=4,478
Not Recommended	50%	39%	10%	1%	N=12,967
No Recommendation	43%	44%	8%	5%	N=1,308

Queens

Category	ROR	Bail Set	RUS	Remand	N
Recommended	88%	10%	2%		N=10,405
Moderate Risk	86%	12%	2%		N=5,148
Not Recommended	55%	36%	8%	1%	N=8,312
No Recommendation	56%	35%	4%	5%	N=777

Staten Island

Category	ROR	Bail Set	RUS	Remand	N
Recommended	85%	12%	3%		N=1,753
Moderate Risk	79%	17%	4%		N=1,083
Not Recommended	48%	40%	11%	1%	N=2,283
No Recommendation	55%	35%	7%	3%	N=405

About The Data

► Not Recommended includes high risk of FTA, warrant/bail jumping charge, and conflicting residence information.

► These figures and any others about the CJA Recommendation include only summary arrests. Individuals issued DATs are not detained prior to arraignment and thus CJA does not conduct a pre-arraignment interview for them.

- Release outcomes varied considerably by arraignment charge severity. Yet for each severity category judges were more likely to ROR individuals recommended by CJA than individuals not recommended.

Figure 41
Release Outcome for Continued Cases by Old CJA Release Recommendation, by Severity

ROR   Bail Set   RUS   Remand

Misdemeanor or less

Recommended	96% (3%1%)	N=27,158
Moderate Risk	94% (5%1%)	N=13,831
Not Recommended	74% 20% (6%)	N=31,267
No Recommendation	76% 18% (5%1%)	N=3,578

Felony (Non-VFO)

Recommended	72% 19% (8%1%)	N=5,302
Moderate Risk	65% 24% (9%2%)	N=3,011
Not Recommended	38% 44% 16% (2%)	N=9,905
No Recommendation	32% 41% (10%) 17%	N=969

VFO

Recommended	51% 45% (3%1%)	N=4,648
Moderate Risk	49% 47% (3%1%)	N=2,035
Not Recommended	24% 71% (3%2%)	N=5,698
No Recommendation	22% 71% (1%6%)	N=960

RELEASE OUTCOME AT ARRAIGNMENT, BY NEW CJA RELEASE RECOMMENDATION

Figure 42
Release Outcome for Continued Cases by New CJA Release Recommendation, Citywide

Legend: ■ ROR ■ Bail Set ■ RUS ■ Remand

Recommendation	ROR	Bail Set	RUS	Remand	N
ROR	83%	11%	6%		N=7,780
Consider All Options	29%	47%	22%	2%	N=396
ROR Not Recommended	43%	31%	25%	1%	N=839
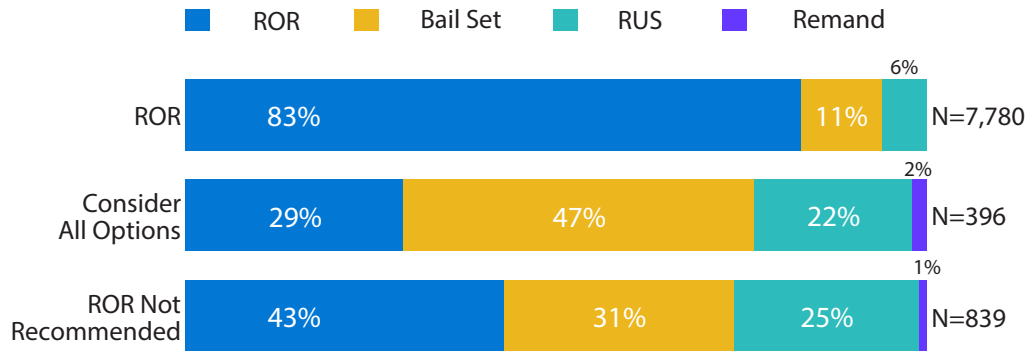
Figure 43
Release Outcome for Continued Cases by New CJA Release Recommendation, by Borough

Bronx

	ROR	Bail Set	RUS	Remand	N
ROR	85%	9%	5%	1%	N=1,244
Consider All Options	44%	41%	15%		N=66
ROR Not Recommended	62%	25%	12%	1%	N=146

Brooklyn

	ROR	Bail Set	RUS	Remand	N
ROR	88%	8%	4%		N=2,423
Consider All Options	34%	51%	13%	2%	N=117
ROR Not Recommended	53%	21%	26%		N=220

Manhattan

	ROR	Bail Set	RUS	Remand	N
ROR	76%	15%	9%		N=2,122
Consider All Options	21%	49%	28%	2%	N=136
ROR Not Recommended	30%	39%	30%	1%	N=346

Queens

	ROR	Bail Set	RUS	Remand	N
ROR	86%	9%	4%	1%	N=1,713
Consider All Options	25%	35%	33%	6%	N=63
ROR Not Recommended	40%	33%	23%	4%	N=110

Staten Island

	ROR	Bail Set	RUS	Remand	N
ROR	77%	20%	3%		N=278
Consider All Options	21%	72%	7%		N=14
ROR Not Recommended	41%	24%	35%		N=17

Figure 44
Release Outcome for Continued Cases by New CJA Release Recommendation, by Severity

■ ROR ■ Bail Set ■ RUS ■ Remand

Misdemeanor or less

Category	ROR	Bail Set	RUS	Remand	N
ROR	91%	5%	4%		N=5,669
ROR Not Recommended	55%	22%	22%	1%	N=568

Felony (Non-VFO)

Category	ROR	Bail Set	RUS	Remand	N
ROR	72%	16%	11%	1%	N=1,195
Consider All Options	39%	28%	31%	2%	N=177
ROR Not Recommended	24%	38%	36%	2%	N=172

VFO

Category	ROR	Bail Set	RUS	Remand	N
ROR	47%	39%	12%	2%	N=910
Consider All Options	21%	62%	14%	3%	N=219
ROR Not Recommended	12%	64%	23%	1%	N=98
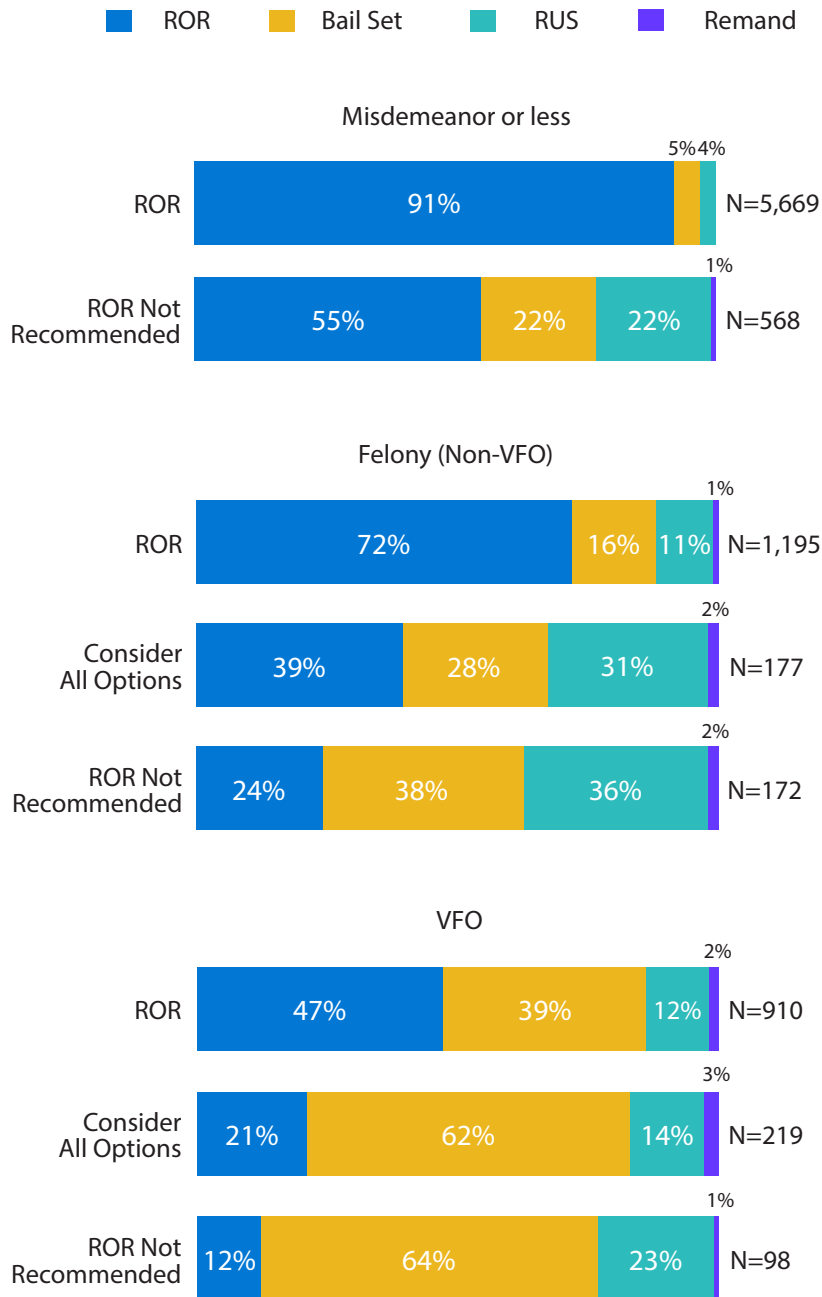
About The Data

► Consider all Options is not a release recommendation category in misdemeanor cases.

BAIL AMOUNT

- Bail was set at $10,000 or less in about 4 in 5 cases (79%). It was set at more than $10,000 in about 1 in 5 cases (21%).

Figure 45
Bail Amount Set at Arraignment, Citywide

N=20,082
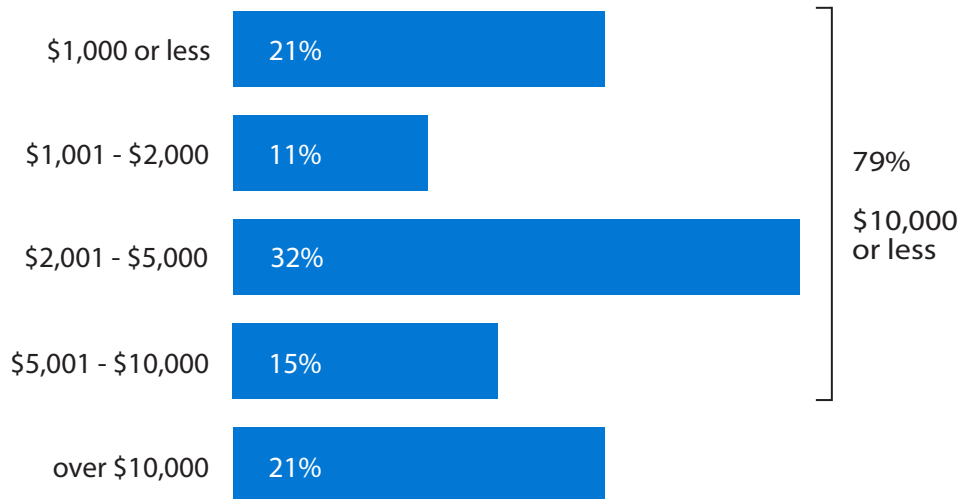
- Bail amounts were similar across all five boroughs.

Figure 46
Bail Amount Set at Arraignment, by Borough
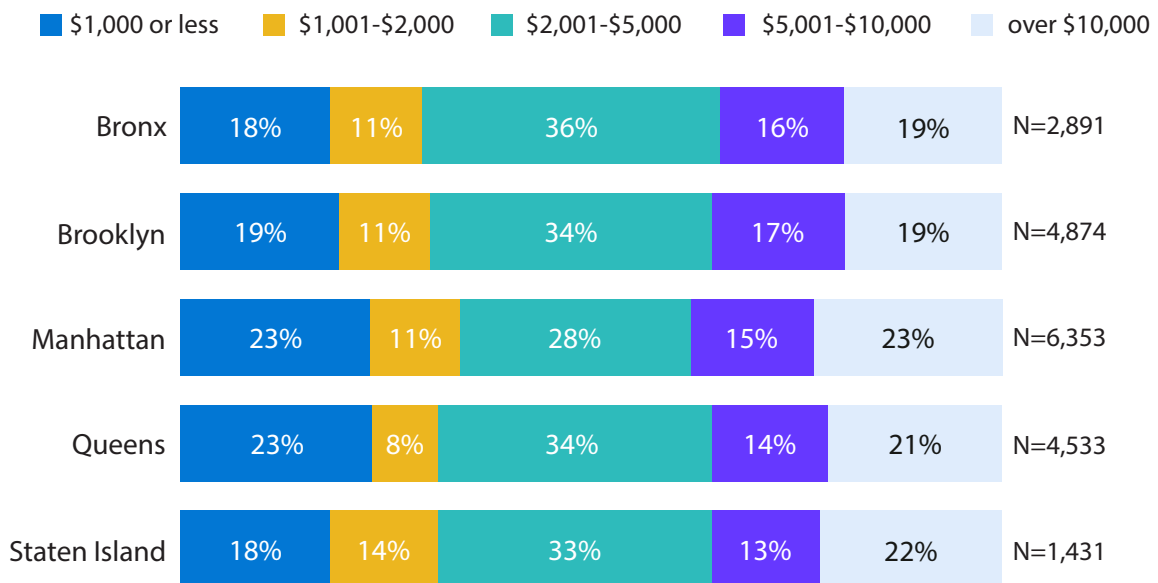
About The Data

► Cases with bail set at $1 to indicate a nonmonetary pretrial hold are excluded.

- The amount of bail set was related to an individual's arraignment charge severity: bail was set at $1,000 or less for over half of all misdemeanor or lesser charges (57%); it was set at more than $10,000 in about 1 in 3 violent felonies (34%).

Figure 47
Bail Amount Set at Arraignment, by Severity

■ $1,000 or less ■ $1,001-$2,000 ■ $2,001-$5,000 ■ $5,001-$10,000 □ over $10,000

Severity	$1,000 or less	$1,001-$2,000	$2,001-$5,000	$5,001-$10,000	over $10,000	N
Misdemeanor or less	57%	20%	21%	1%	<1%	N=6,044
Felony (Non-VFO)	7%	7%	42%	21%	23%	N=6,229
VFO	5%	6%	34%	21%	34%	N=7,805
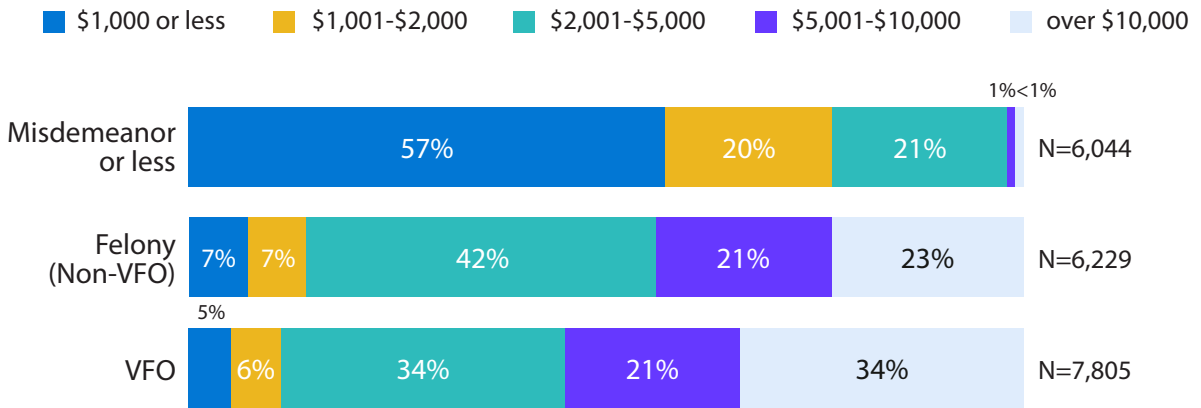
BAIL MAKING

- Twelve percent of individuals posted bail at arraignment. The greater the bail amount, the less likely it was paid at arraignment.

Figure 48
Bail Making at Arraignment, Citywide

	$1,000 or less	$1,001 - $2,000	$2,001 - $5,000	$5,001 - $10,000	over $10,000	combined amounts
Percent	19%	18%	12%	7%	4%	12%
N	N=4,246	N=2,134	N=6,500	N=3,019	N=4,179	N=20,078
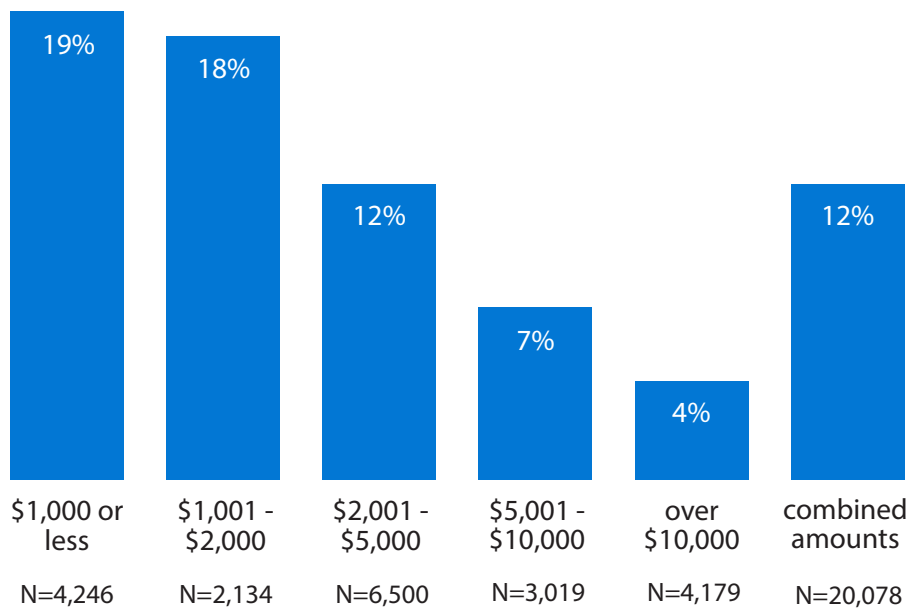
- Bail making at arraignment varied widely by borough. Individuals were more likely to post bail at arraignment in Staten Island (18%) and the Bronx (17%), and less likely in Manhattan (8%).

Figure 49
Bail Making at Arraignment, by Borough

Legend: ■ $1,000 or less ■ $1,001-$2,000 ■ $2,001-$5,000 ■ $5,001-$10,000 ■ over $10,000 ■ combined

	$1,000 or less	$1,001-$2,000	$2,001-$5,000	$5,001-$10,000	over $10,000	combined
Bronx (N=2,891)	27%	27%	16%	11%	4%	17%
Brooklyn (N=4,874)	19%	18%	12%	9%	6%	12%
Manhattan (N=6,351)	17%	13%	7%	3%	2%	8%
Queens (N=4,531)	14%	12%	13%	7%	4%	10%
Staten Island (N=1,431)	30%	27%	21%	10%	5%	18%
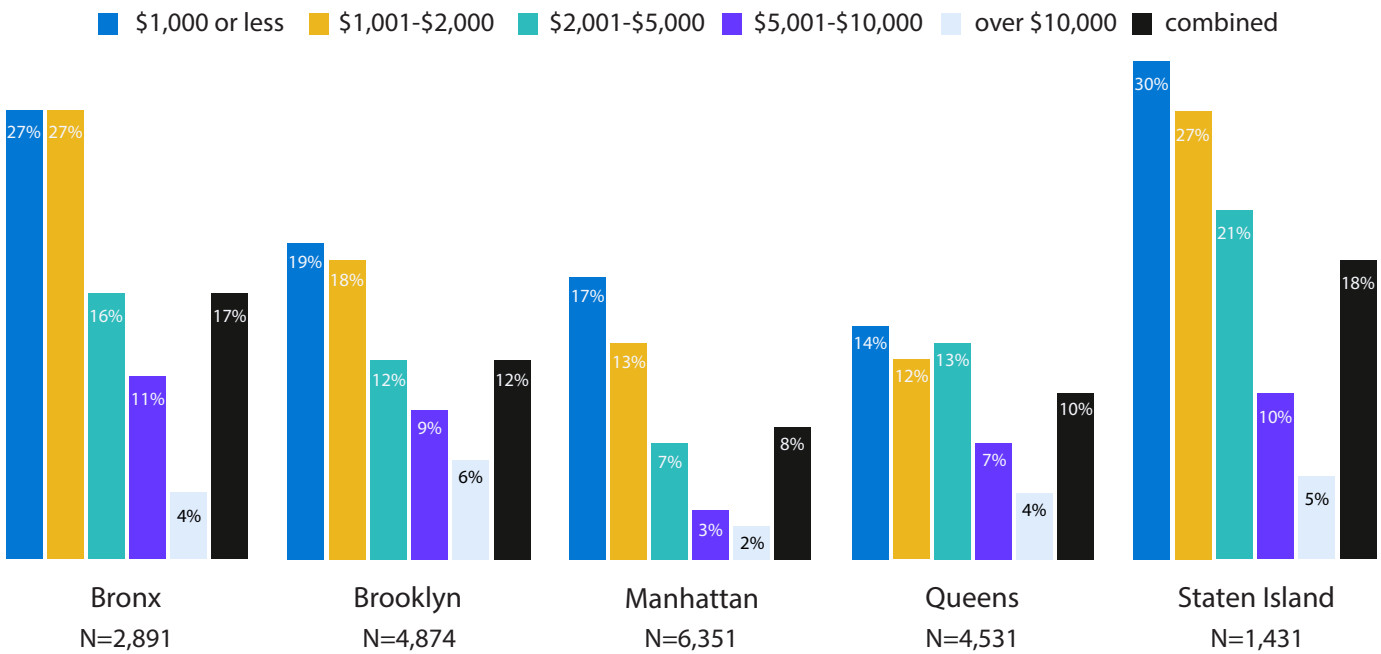
- Individuals were more likely to post bail when charged with a misdemeanor (16%) compared to a felony (8-11%).

Figure 50
Bail Making at Arraignment, by Severity

Legend: ■ $1,000 or less ■ $1,001-$2,000 ■ $2,001-$5,000 ■ $5,001-$10,000 ■ over $10,000 ■ combined

	$1,000 or less	$1,001-$2,000	$2,001-$5,000	$5,001-$10,000	over $10,000	combined
Misdemeanor or less (N=6,041)	18%	18%	10%	4%	5%	16%
Felony (Non-VFO) (N=6,228)	18%	14%	9%	5%	3%	8%
VFO (N=7,805)	24%	20%	16%	9%	4%	11%
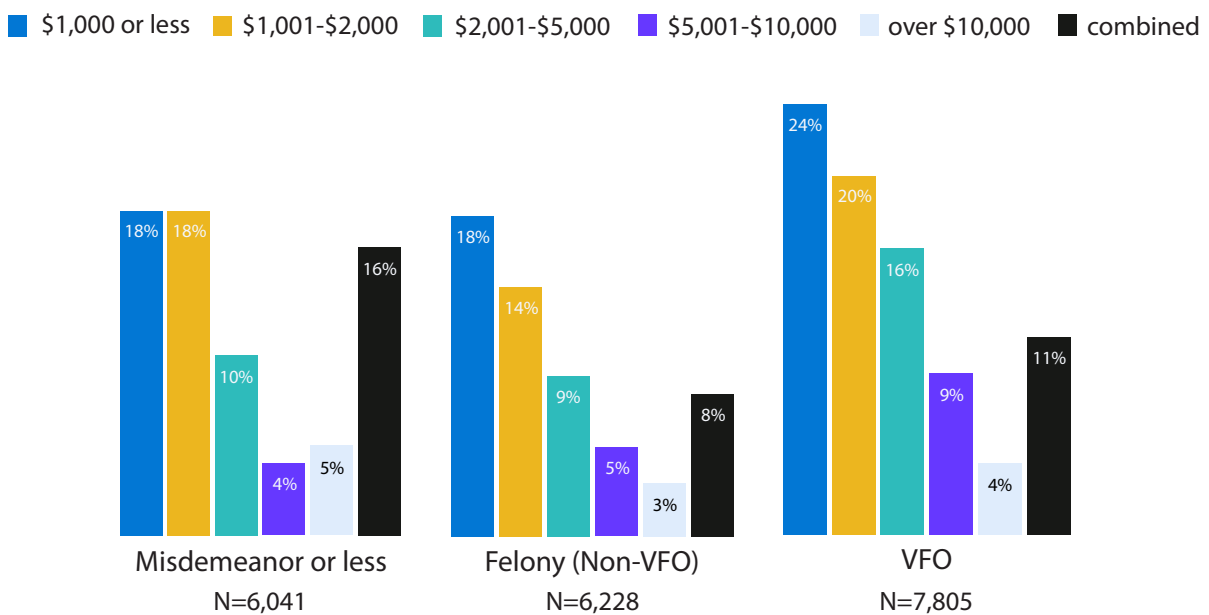
PART 2

POST-ARRAIGNMENT

8 Release Prior to Disposition

- Roughly 2 in 3 bail cases (65%) were released into the community prior to the disposition in their case. Release outcomes for bailed individuals are shown below by borough and by severity.

Figure 51
Release Prior to Disposition, Citywide
(cases with bail set at arraignment)

N=20,056

- ■ Made bail at arraignment
- ■ Made bail post-arraignment
- ■ ROR/RUS post-arraignment
- ■ Not released
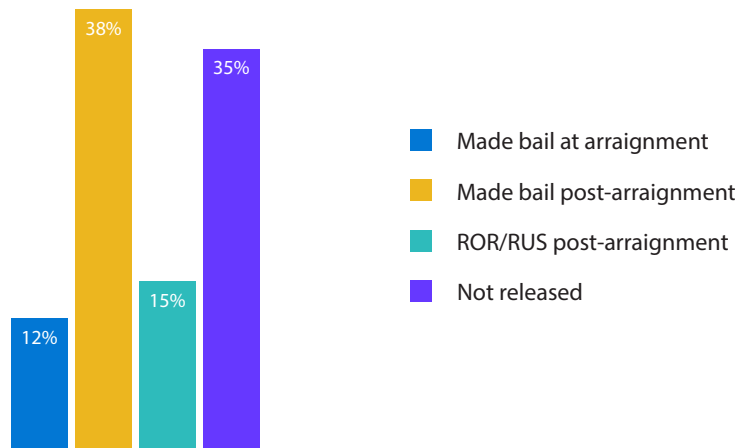
Figure 52
Release Prior to Disposition, by Borough

■ Made bail at arraignment   ■ Made bail post-arraignment   ■ ROR/RUS post-arraignment   ■ Not released

	Bronx	Brooklyn	Manhattan	Queens	Staten Island
	N=2,908	N=4,843	N=6,352	N=4,522	N=1,431
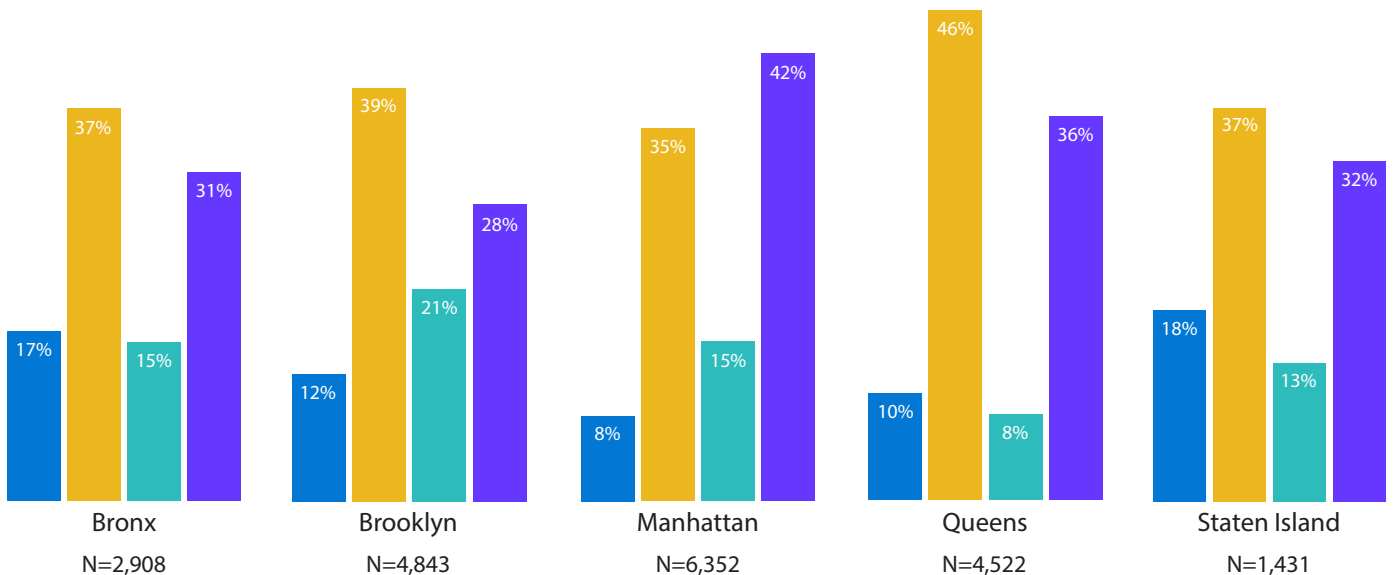
Figure 53
Release Prior to Disposition, by Severity

Legend: ■ Made bail at arraignment ■ Made bail post-arraignment ■ ROR/RUS post-arraignment ■ Not released

Misdemeanor or less (N=5,997)
- Made bail at arraignment: 16%
- Made bail post-arraignment: 41%
- ROR/RUS post-arraignment: 11%
- Not released: 32%

Felony (non-VFO) (N=6,247)
- Made bail at arraignment: 8%
- Made bail post-arraignment: 37%
- ROR/RUS post-arraignment: 16%
- Not released: 39%

VFO (N=7,808)
- Made bail at arraignment: 11%
- Made bail post-arraignment: 38%
- ROR/RUS post-arraignment: 17%
- Not released: 34%

- When bail was set at $10,000 or less (about 4 out of every 5 bailed cases; Figure 45), the rate of pretrial release varied by less than 10% (64-73%).

Figure 54
Release Prior to Disposition, by Bail Amount

Legend: ■ Made bail at arraignment ■ Made bail post-arraignment ■ ROR/RUS post-arraignment ■ Not released

Bail Amount	Made bail at arraignment	Made bail post-arraignment	ROR/RUS post-arraignment	Not released	N
$1,000 or less	19%	41%	11%	29%	N=4,244
$1,001 - $2,000	18%	41%	14%	27%	N=2,130
$2,001 - $5,000	12%	39%	16%	33%	N=6,498
$5,001 - $10,000	7%	39%	17%	36%	N=3,019
over $10,000	4%	34%	15%	47%	N=4,185
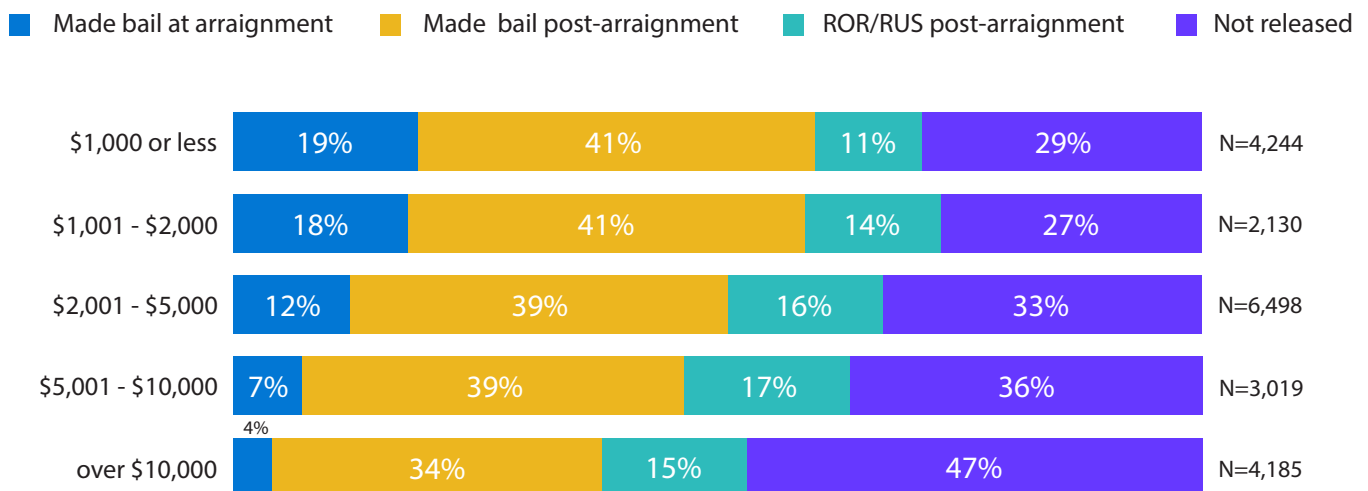
Figure 55
Release Prior to Disposition, by Severity and Borough

- Release outcomes for bailed individuals are shown below by severity and borough.

	Made bail at arraignment	Made bail post-arraignment	ROR/RUS post-arraignment	Not released

Misdemeanor or less

Borough	Made bail at arraignment	Made bail post-arraignment	ROR/RUS post-arraignment	Not released	N
Bronx	22%	35%	15%	28%	N=855
Brooklyn	16%	41%	13%	30%	N=1,199
Manhattan	15%	39%	9%	37%	N=2,010
Queens	12%	47%	8%	33%	N=1,505
Staten Island	24%	39%	8%	29%	N=428

Felony (non-VFO)

Borough	Made bail at arraignment	Made bail post-arraignment	ROR/RUS post-arraignment	Not released	N
Bronx	12%	32%	16%	40%	N=601
Brooklyn	8%	36%	25%	31%	N=1,325
Manhattan	4%	33%	17%	46%	N=2,277
Queens	8%	46%	9%	37%	N=1,488
Staten Island	17%	35%	16%	32%	N=556

VFO

Borough	Made bail at arraignment	Made bail post-arraignment	ROR/RUS post-arraignment	Not released	N
Bronx	15%	41%	15%	29%	N=1,452
Brooklyn	13%	39%	22%	26%	N=2,319
Manhattan	6%	32%	19%	43%	N=2,061
Queens	11%	44%	8%	37%	N=1,529
Staten Island	15%	36%	14%	35%	N=447

Figure 56
Release Prior to Disposition, by Severity and Bail Amount

- Release outcomes for bailed individuals are shown below by severity and bail amount.

■ Made bail at arraignment   ■ Made bail post-arraignment   ■ ROR/RUS post-arraignment   ■ Not released

Misdemeanor or less

Bail Amount	Made bail at arraignment	Made bail post-arraignment	ROR/RUS post-arraignment	Not released	N
$1,000 or less	18%	43%	9%	30%	N=3,415
$1,001 - $2,000	18%	45%	10%	27%	N=1,223
$2,001 - $5,000	10%	33%	14%	43%	N=1,238
$5,001 - $10,000	4%	38%	15%	43%	N=84
over $10,000	6%	27%	24%	43%	N=37

Felony (Non-VFO)

Bail Amount	Made bail at arraignment	Made bail post-arraignment	ROR/RUS post-arraignment	Not released	N
$1,000 or less	18%	31%	16%	35%	N=436
$1,001 - $2,000	13%	34%	18%	35%	N=443
$2,001 - $5,000	9%	38%	16%	37%	N=2,612
$5,001 - $10,000	5%	37%	18%	40%	N=1,292
over $10,000	3%	37%	15%	45%	N=1,464

VFO

Bail Amount	Made bail at arraignment	Made bail post-arraignment	ROR/RUS post-arraignment	Not released	N
$1,000 or less	24%	36%	20%	20%	N=372
$1,001 - $2,000	20%	39%	21%	20%	N=463
$2,001 - $5,000	16%	43%	17%	24%	N=2,646
$5,001 - $10,000	9%	41%	17%	33%	N=1,643
over $10,000	4%	32%	15%	49%	N=2,684

- Release outcomes for bailed individuals are shown below by severity, borough, and bail amount.

Figure 57
Release Prior to Disposition For Nonfelony Cases, by Borough and Bail Amount

■ Made bail at arraignment   ■ Made bail post-arraignment   ■ ROR/RUS post-arraignment   ■ Not released

Bronx

N	Made bail at arraignment	Made bail post-arraignment	ROR/RUS post-arraignment	Not released	Bail Amount
N=380	29%	39%	13%	19%	$1,000 or less
N=201	29%	39%	12%	20%	$1,001 - $2,000
N=249	7%	27%	20%	46%	$2,001 - $5,000
N=22	9%	36%	5%	50%	$5,001 - $10,000
N=3			33%	67%	over $10,000

Brooklyn

Bail Amount	Made bail at arraignment	Made bail post-arraignment	ROR/RUS post-arraignment	Not released	N
$1,000 or less	18%	42%	12%	28%	N=710
$1,001 - $2,000	16%	44%	13%	27%	N=262
$2,001 - $5,000	11%	36%	16%	37%	N=199
$5,001 - $10,000	5%	30%	20%	45%	N=20
over $10,000	25%	37%	25%	13%	N=8

Manhattan

N	Made bail at arraignment	Made bail post-arraignment	ROR/RUS post-arraignment	Not released	Bail Amount
N=1,192	17%	39%	9%	35%	$1,000 or less
N=400	17%	45%	8%	30%	$1,001 - $2,000
N=369	7%	36%	10%	47%	$2,001 - $5,000
N=33		46%	15%	39%	$5,001 - $10,000
N=16		19%	31%	50%	over $10,000

Queens

Bail Amount	Made bail at arraignment	Made bail post-arraignment	ROR/RUS post-arraignment	Not released	N
$1,000 or less	13%	50%	8%	29%	N=952
$1,001 - $2,000	11%	48%	8%	33%	N=253
$2,001 - $5,000	10%	35%	11%	44%	N=290
$5,001 - $10,000		33%	33%	33%	N=3
over $10,000		43%	14%	43%	N=7

Staten Island

Bail Amount	Made bail at arraignment	Made bail post-arraignment	ROR/RUS post-arraignment	Not released	N
$1,000 or less	28%	42%	6%	24%	N=181
$1,001 - $2,000	22%	48%	8%	22%	N=107
$2,001 - $5,000	21%	28%	12%	39%	N=131
$5,001 - $10,000		33%	33%	33%	N=6
over $10,000		33%		67%	N=3

Figure 58
Release Prior to Disposition For Felony (Non-VFO) Cases, by Borough and Bail Amount

■ Made bail at arraignment ■ Made bail post-arraignment ■ ROR/RUS post-arraignment ■ Not released

Bronx

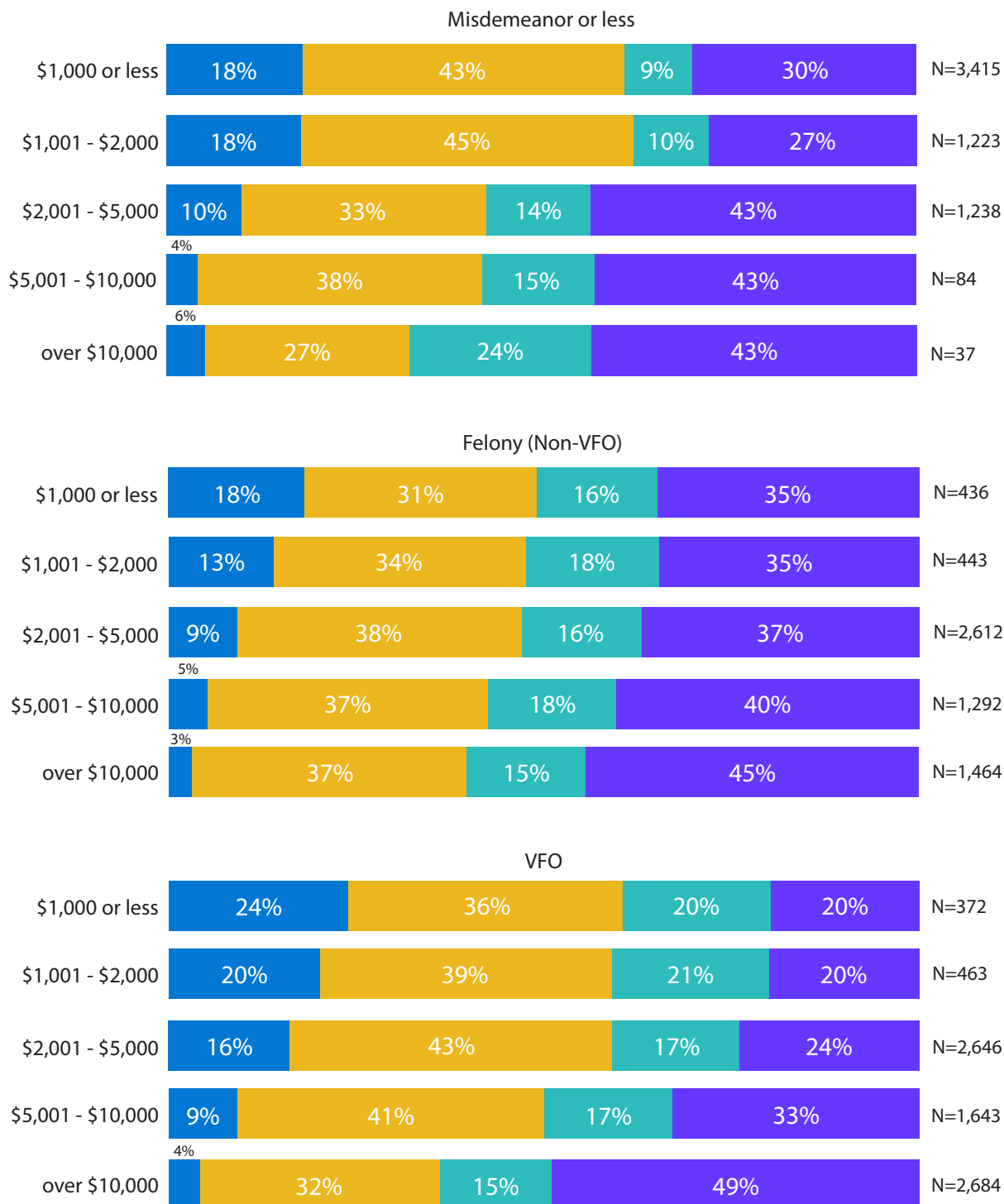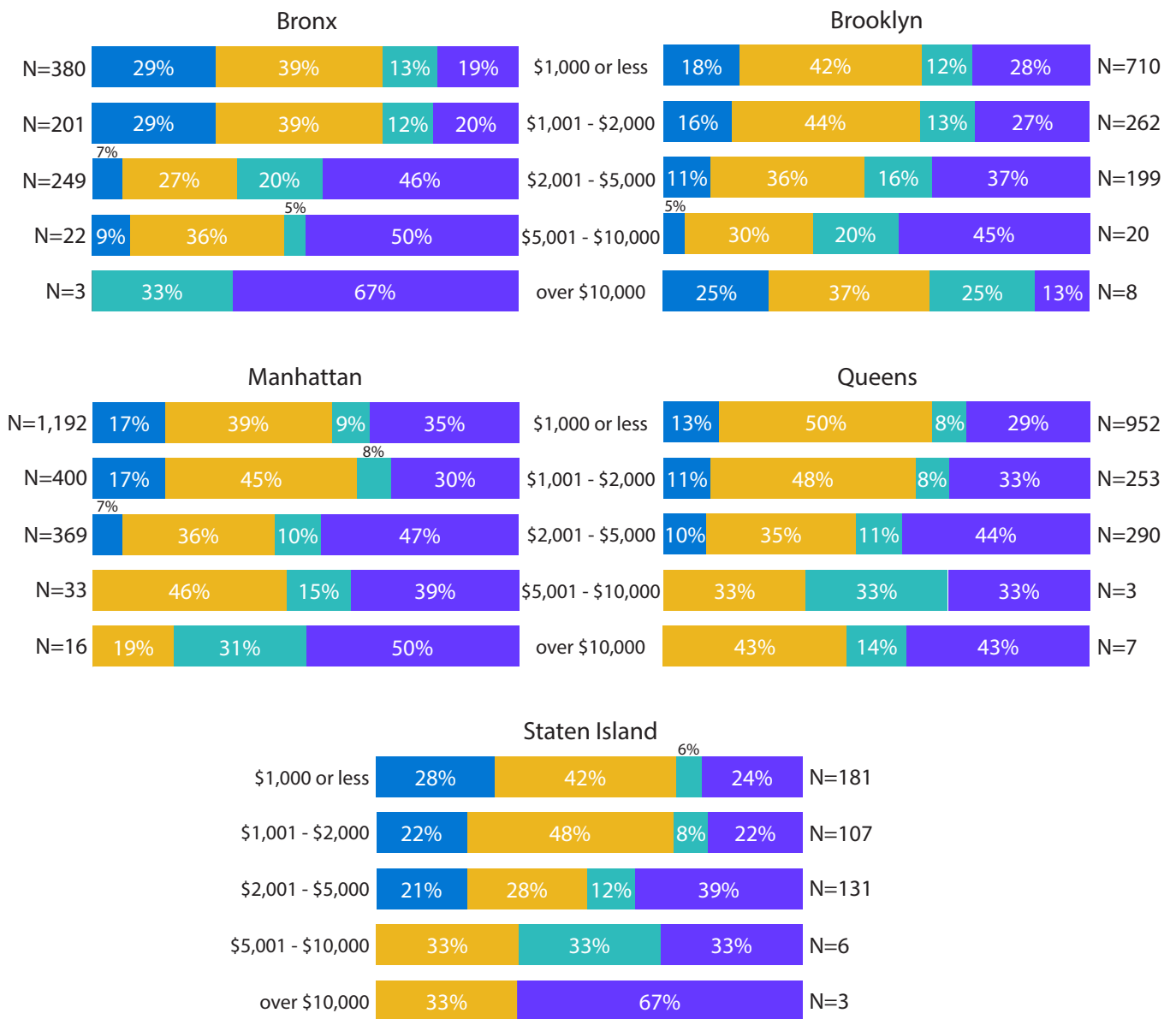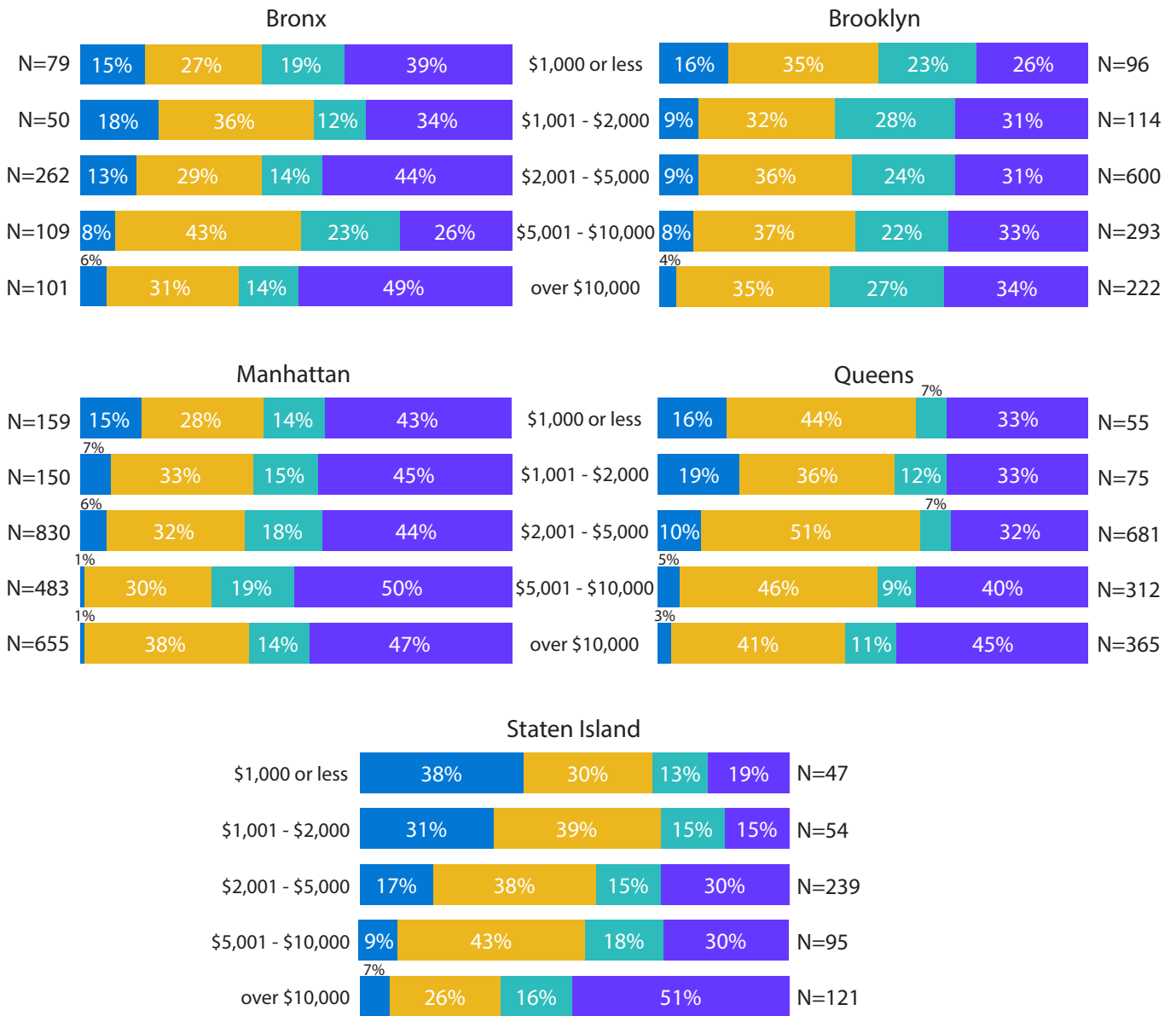| N=79 | 15% | 27% | 19% | 39% | $1,000 or less |
N=50	18%	36%	12%	34%	$1,001 - $2,000
N=262	13%	29%	14%	44%	$2,001 - $5,000
N=109	8%	43%	23%	26%	$5,001 - $10,000
N=101	6%	31%	14%	49%	over $10,000

Brooklyn

$1,000 or less	16%	35%	23%	26%	N=96
$1,001 - $2,000	9%	32%	28%	31%	N=114
$2,001 - $5,000	9%	36%	24%	31%	N=600
$5,001 - $10,000	8%	37%	22%	33%	N=293
over $10,000	4%	35%	27%	34%	N=222

Manhattan

N=159	15%	28%	14%	43%	$1,000 or less
N=150	7%	33%	15%	45%	$1,001 - $2,000
N=830	6%	32%	18%	44%	$2,001 - $5,000
N=483	1%	30%	19%	50%	$5,001 - $10,000
N=655	1%	38%	14%	47%	over $10,000

Queens

$1,000 or less	16%	44%	7%	33%	N=55
$1,001 - $2,000	19%	36%	12%	33%	N=75
$2,001 - $5,000	10%	51%	7%	32%	N=681
$5,001 - $10,000	5%	46%	9%	40%	N=312
over $10,000	3%	41%	11%	45%	N=365

Staten Island

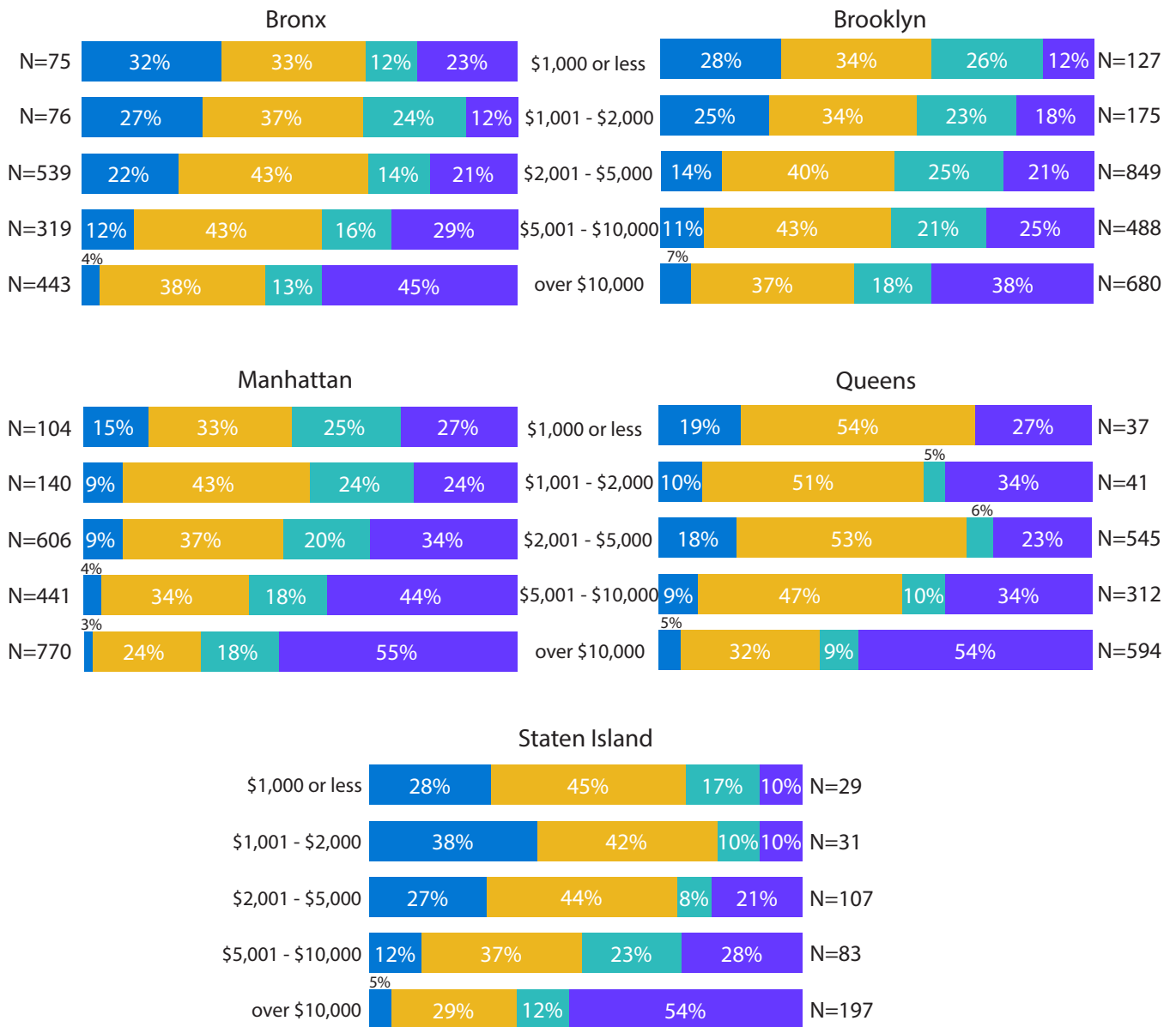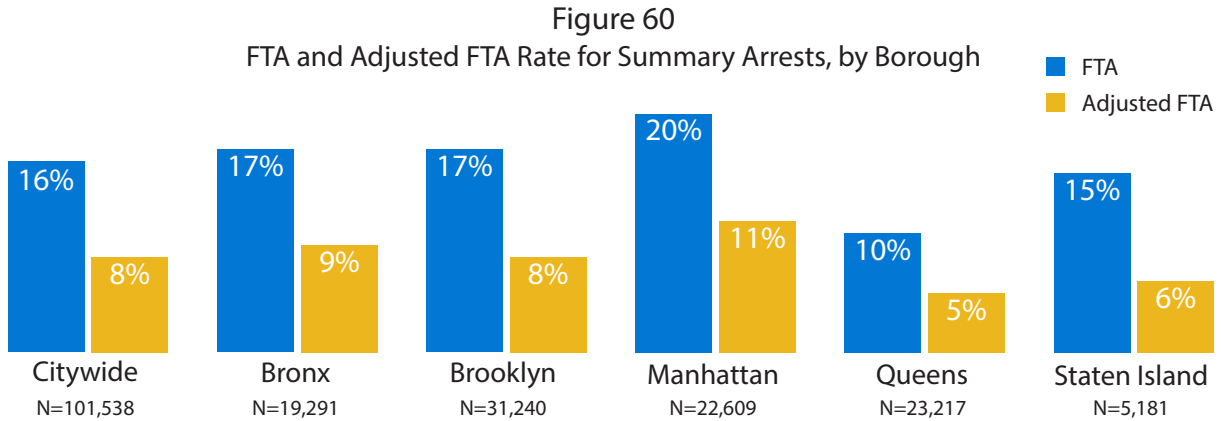| $1,000 or less | 38% | 30% | 13% | 19% | N=47 |
$1,001 - $2,000	31%	39%	15%	15%	N=54
$2,001 - $5,000	17%	38%	15%	30%	N=239
$5,001 - $10,000	9%	43%	18%	30%	N=95
over $10,000	7%	26%	16%	51%	N=121

Figure 59
Release Prior to Disposition For VFO Cases, by Borough and Bail Amount

■ Made bail at arraignment   ■ Made bail post-arraignment   ■ ROR/RUS post-arraignment   ■ Not released

Bronx

N=75	32%	33%	12%	23%	$1,000 or less
N=76	27%	37%	24%	12%	$1,001 - $2,000
N=539	22%	43%	14%	21%	$2,001 - $5,000
N=319	12%	43%	16%	29%	$5,001 - $10,000
N=443	4%	38%	13%	45%	over $10,000

Brooklyn

$1,000 or less	28%	34%	26%	12%	N=127
$1,001 - $2,000	25%	34%	23%	18%	N=175
$2,001 - $5,000	14%	40%	25%	21%	N=849
$5,001 - $10,000	11%	43%	21%	25%	N=488
over $10,000	7%	37%	18%	38%	N=680

Manhattan

N=104	15%	33%	25%	27%	$1,000 or less
N=140	9%	43%	24%	24%	$1,001 - $2,000
N=606	9%	37%	20%	34%	$2,001 - $5,000
N=441	4%	34%	18%	44%	$5,001 - $10,000
N=770	3%	24%	18%	55%	over $10,000

Queens

$1,000 or less	19%	54%		27%	N=37
$1,001 - $2,000	10%	51%	5%	34%	N=41
$2,001 - $5,000	18%	53%	6%	23%	N=545
$5,001 - $10,000	9%	47%	10%	34%	N=312
over $10,000	5%	32%	9%	54%	N=594

Staten Island

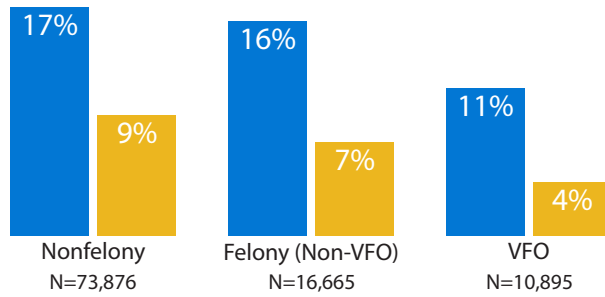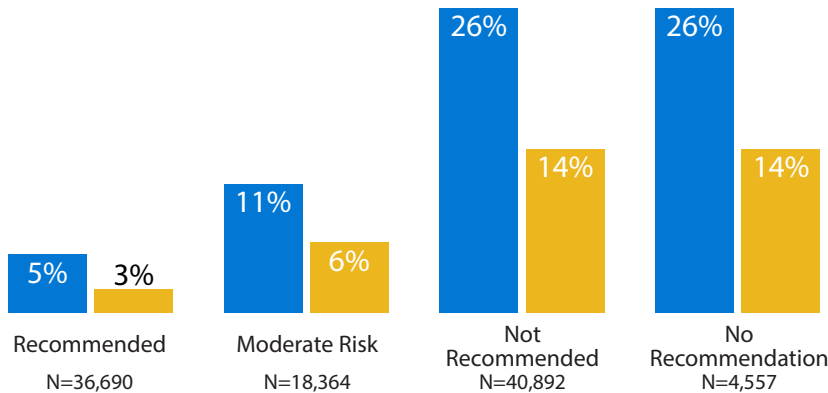|				
$1,000 or less	28%	45%	17%	10%	N=29
$1,001 - $2,000	38%	42%	10%	10%	N=31
$2,001 - $5,000	27%	44%	8%	21%	N=107
$5,001 - $10,000	12%	37%	23%	28%	N=83
over $10,000	5%	29%	12%	54%	N=197

9 Failure to Appear

- Eighty-four percent of individuals subject to a summary arrest made every scheduled pretrial court appearance; 16% missed at least one. The failure-to-appear rate was lower for individuals charged with a violent felony offense and those CJA recommended for release.

Figure 60
FTA and Adjusted FTA Rate for Summary Arrests, by Borough

■ FTA
■ Adjusted FTA

Citywide	Bronx	Brooklyn	Manhattan	Queens	Staten Island
16% / 8%	17% / 9%	17% / 8%	20% / 11%	10% / 5%	15% / 6%
N=101,538	N=19,291	N=31,240	N=22,609	N=23,217	N=5,181

Figure 61
FTA and Adjusted FTA Rate for Summary Arrests, by Severity

Nonfelony	Felony (Non-VFO)	VFO
17% / 9%	16% / 7%	11% / 4%
N=73,876	N=16,665	N=10,895

Figure 62
FTA and Adjusted FTA Rate for Summary Arrests, by Old CJA Recommendation

Recommended	Moderate Risk	Not Recommended	No Recommendation
5% / 3%	11% / 6%	26% / 14%	26% / 14%
N=36,690	N=18,364	N=40,892	N=4,557

About The Data

▶ The FTA rate is calculated by dividing the number of cases where an individual was issued a non-stayed warrant for failing to appear by the total number of cases where an individual was released pretrial. The adjusted FTA rate is calculated the same way, but excludes cases where the individual returned to court voluntarily within 30 days. Cases were tracked until disposition or March 16, 2020, whichever came first. As previous reports tracked these outcomes for at least one year, comparisons should be made with caution.
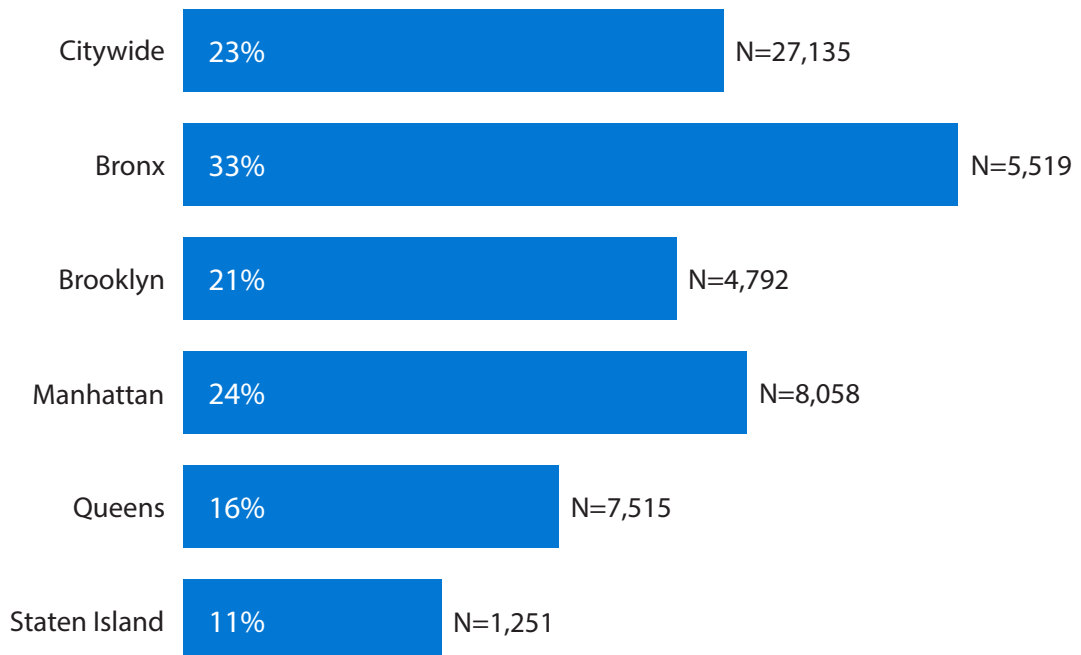
Figure 63
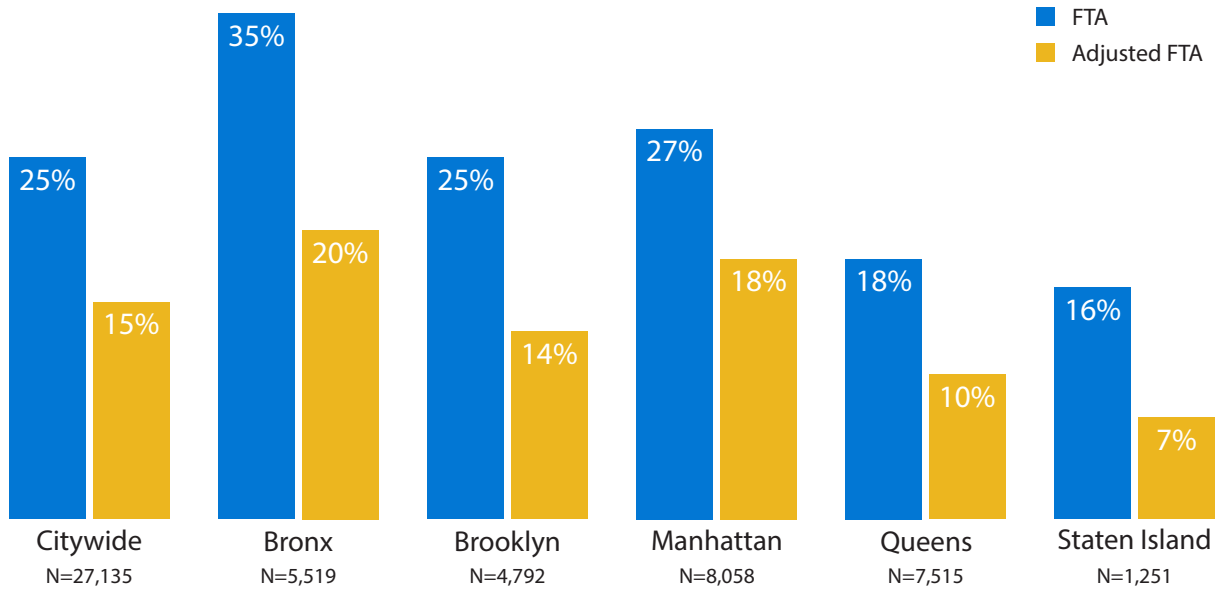## FTA and Adjusted FTA Rate for Summary Arrests, by New CJA Recommendation

■ FTA
■ Adjusted FTA

29%

14%

13%

6%

6%

4%

ROR
N=9,326

Consider All Options
N=406

ROR Not Recommended
N=1,244
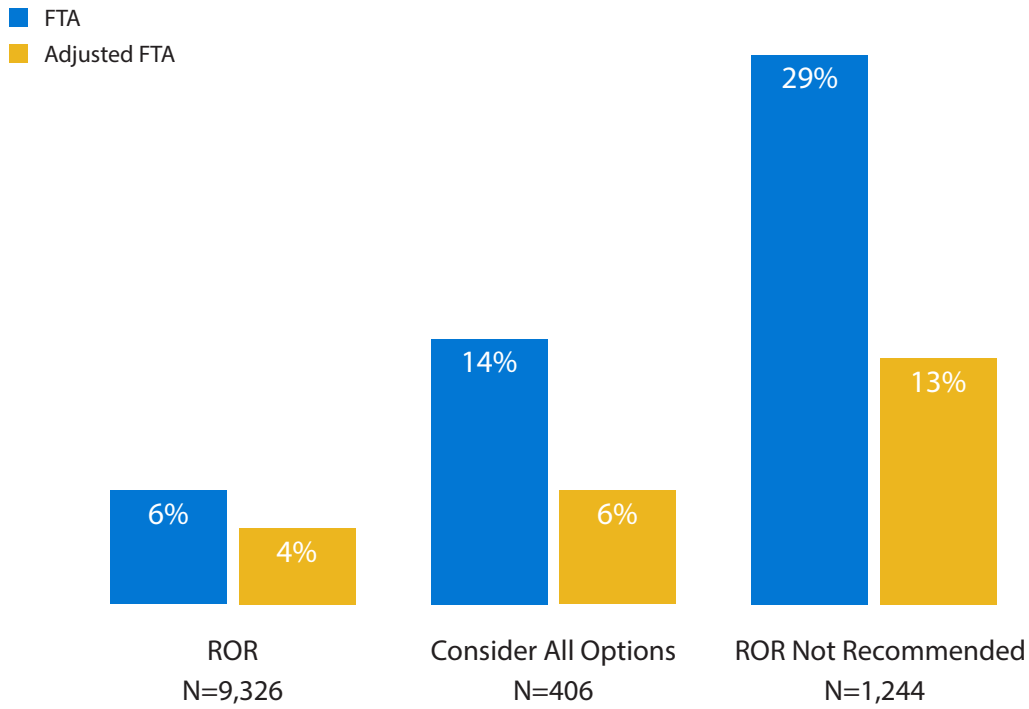
- Nearly 1 in 4 individuals issued a DAT (23%) failed to appear at arraignment.

Figure 64
FTA Rates at DAT Arraignments, by Borough

Citywide   23%   N=27,135

Bronx   33%   N=5,519

Brooklyn   21%   N=4,792

Manhattan   24%   N=8,058

Queens   16%   N=7,515

Staten Island   11%   N=1,251

- Seventy-five percent of individuals issued a DAT made every scheduled court appearance; 25% missed at least one. The FTA rates for DATs were higher in the Bronx (35%) and Manhattan (27%).

Figure 65
FTA and Adjusted FTA Rate for DATs, by Borough

Legend: FTA (blue), Adjusted FTA (yellow)

Borough	FTA	Adjusted FTA	N
Citywide	25%	15%	N=27,135
Bronx	35%	20%	N=5,519
Brooklyn	25%	14%	N=4,792
Manhattan	27%	18%	N=8,058
Queens	18%	10%	N=7,515
Staten Island	16%	7%	N=1,251

PART 3
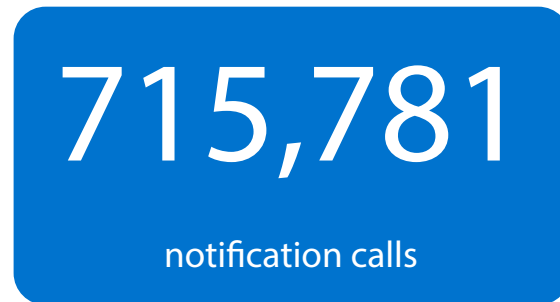
CJA PROGRAMS

10 Notification

CJA has provided court date reminders since the 1970s. In recent years a vendor has provided most notification services, including robocalls three days prior to an appearance and on the morning of an appearance, as well as text messages to individuals with mobile phones.

In September 2017, CJA established a new Outreach Center to enable live notification calls. Though robocalls are still made, CJA wanted to add a personal touch. When people speak to a live caller, they have an opportunity to ask questions and are more likely to understand the criminal justice process. CJA has also expanded its Helpline capacities, making it easier for individuals and their families to call if they have questions or concerns about their case.

- In 2019, CJA made a total of 715,781 notification calls. This represents an increase of nearly 60% compared to the previous year.

715,781
notification calls

CJA conducts research to evaluate the effectiveness of various types of notification calls (e.g., Research Brief No. 45), with the goal of providing customized services based on an individual's needs.

11 Bail Expediting Program

CJA operates the Bail Expediting Program (BEX) in the Bronx, Brooklyn, Manhattan, and Queens. The program has operated in the Bronx and Queens since the 1980s and was expanded to Brooklyn and Manhattan in 2010. Its purpose is to identify potential sureties for individuals with bail set in their case, call the potential sureties, and assist them in posting bail. As part of CJA's pre-arraignment interview, it asks every individual to identify potential sureties. For those with bail set, CJA attempts to contact these sureties for up to two days after the arraignment. In December 2018, CJA launched the Adolescent BEX program for people 17 and younger. In July 2019, eligibility for BEX was expanded from all cases with bail set at $5,000 or less to all cases with bail set at $10,000 or less.

In 2017, the New York City Council passed, and Mayor Bill de Blasio signed into law, a series of bail reform measures to make posting bail easier and more timely. One of these reforms increased the amount of time an individual with bail set can remain in the courthouse. In cases where an individual has bail set and is unable to post it immediately, most will eventually be placed on a bus and transported to a facility on Rikers Island. But if CJA identifies a potential surety who's able to post bail, a hold is placed on the individual — keeping them at the courthouse for an extended period of time and avoiding unnecessary incarceration on Rikers Island.
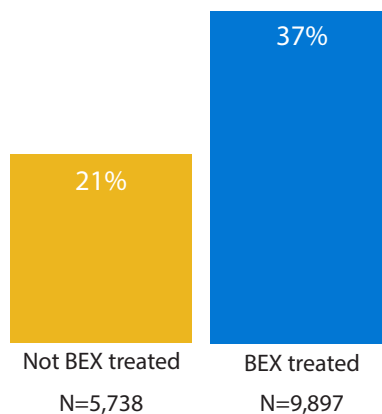
- CJA secured 1,346 holds in 2019. Sixty-four percent posted bail at arraignment.

Figure 66
Rate of Release at Arraignment
N=1,346

64%

Holds

- Thirty-seven percent of clients treated under the BEX program posted bail within 2 days, compared with 21% who were not.

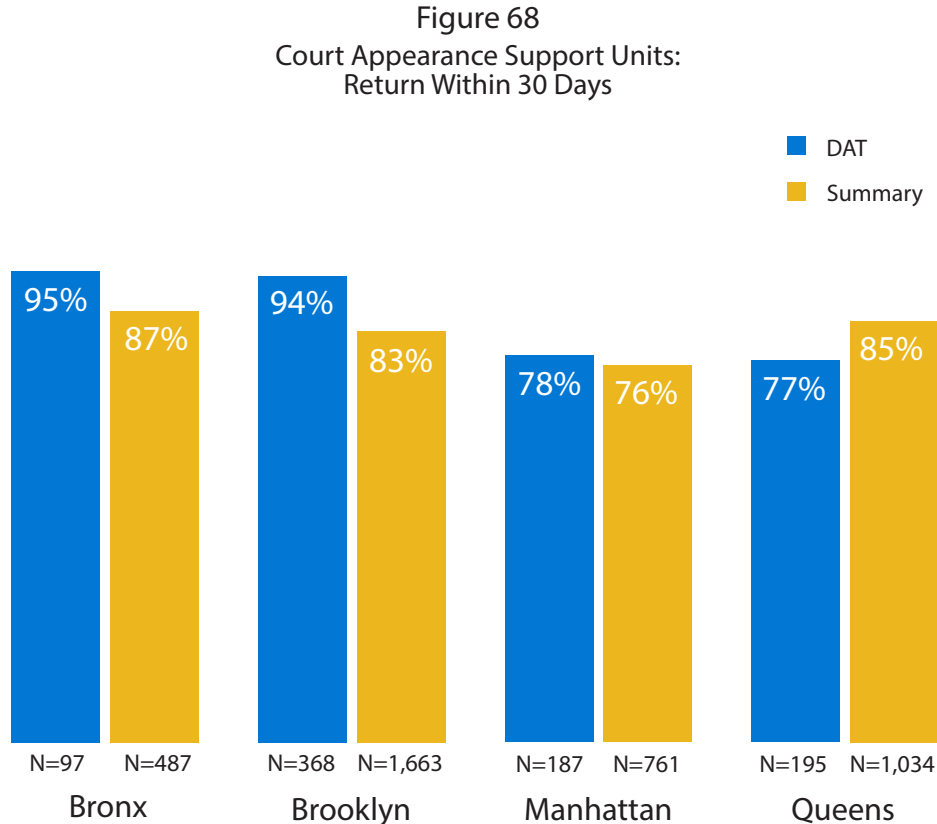Figure 67
Rate of Release within 2 days of Arraignment

37%

21%

Not BEX treated
N=5,738

BEX treated
N=9,897

CJA operates Court Appearance Support Units (CASU) in the Bronx, Brooklyn, Manhattan, and Queens. Staff members identify individuals who failed to appear for a post-arraignment date in Criminal Court, as well as individuals who were issued a desk appearance ticket (DAT) and failed to appear for the scheduled arraignment (or for a post-arraignment appearance). CASU staff attempt to reach these people and persuade them to return to court voluntarily. For those who do return, or provide a verified reason for the missed court date, there are benefits: the warrant is often vacated, usually no additional charges result from the FTA, and the individual is more likely to be released without having to post bail.

Attempts are made to contact individuals by telephone and letter. If a phone number is available, CJA's efforts to reach the individual continue until he or she returns to court, or up to 29 days after the warrant is issued. CJA also may help arrange for the individual's attorney to accompany him or her to court.

Figure 68 shows the percentage of people CJA attempted to contact who returned to court.

- In DAT arrests, 77-95% of individuals who missed an appearance returned to court within 30 days. In Summary arrests, 76-87% of individuals who missed an appearance returned to court within 30 days.

Figure 68
Court Appearance Support Units:
Return Within 30 Days

	DAT	Summary

Bronx: DAT 95% (N=97), Summary 87% (N=487)
Brooklyn: DAT 94% (N=368), Summary 83% (N=1,663)
Manhattan: DAT 78% (N=187), Summary 76% (N=761)
Queens: DAT 77% (N=195), Summary 85% (N=1,034)

13 Supervised Release

In 2009, CJA launched the Supervised Release program in Queens (QSR). In March 2016, the city established Supervised Release programs in each borough. At the time, individuals charged with a nonviolent felony offense or a misdemeanor were eligible. The program seeks to enroll those who would most likely have bail set in their case if not for the option of entering the program. QSR Court Representatives screen potentially eligible individuals and engage with defense attorneys to find people who may benefit from the program. Clients in the program undergo a thorough assessment and are assigned a social worker or counselor who works closely with them. Voluntary referrals are made for services ranging from housing and vocational training to community-based mental health and substance abuse treatment.

- The demographic characteristics of the 981 clients enrolled in Supervised Release in 2019 are shown below.

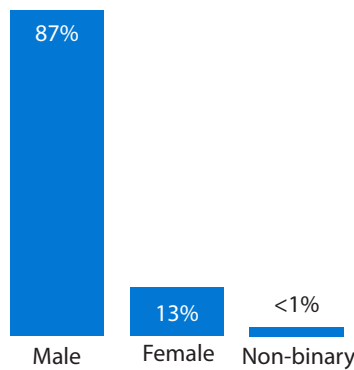Figure 69
Queens Supervised Release Clients, by Sex

Figure 70
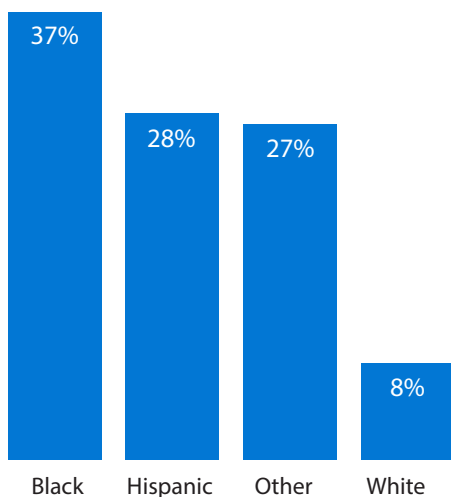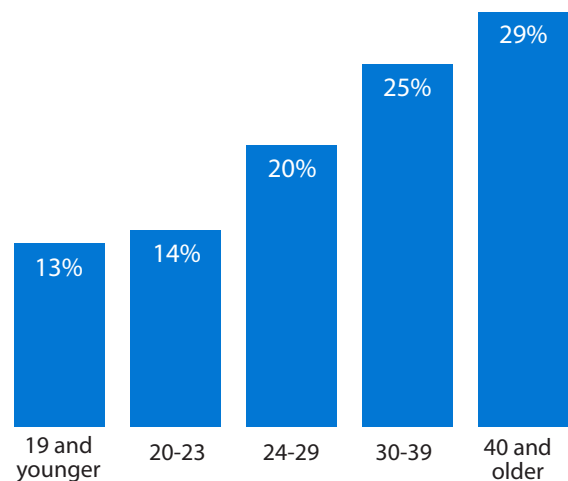Queens Supervised Release Clients, by Race

Figure 71
Queens Supervised Release Clients, by Age

- Roughly 2 in 3 clients enrolled in Supervised Release (66%) were charged with a felony. Eighty percent of clients successfully completed the program, while 20% had their supervision revoked. Possible reasons for revoking supervision include a rearrest, failure to comply with program requirements, and missing a scheduled court date, though such infractions do not automatically result in revocation.

Figure 72
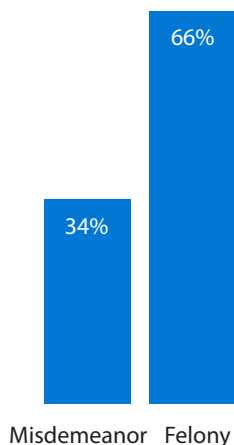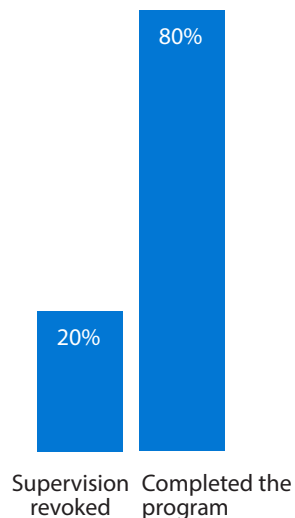QSR Most Severe Arraignment Charge

Misdemeanor	34%
Felony	66%

Figure 73
QSR Program Outcome

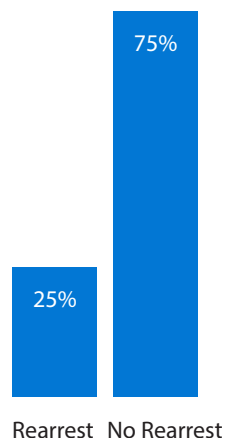|	
Supervision revoked	20%
Completed the program	80%

- Among the 981 clients who completed the program, the failure-to-appear rate was 12% and the rearrest rate was 25%.

Figure 74
QSR FTA Rate

FTA	12%
No FTA	88%

Figure 75
QSR Rearrest Rate
(prosecuted rearrests only)

Rearrest	25%
No Rearrest	75%

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No. 47 Desk Appearance Tickets 2013-2019 (2020)

No. 46 CJA's Updated Release Assessment (2020)

No. 45 Desk Appearance Tickets and Appearance Rates — The Benefits of Court Date Reminders (2019)

No. 44 Pretrial Release Without Money: New York City, 1987-2019 (2019)

No. 43 Disorderly Conduct (§240.20) — New York City's Catchall Disposition (2019)

No. 42 Reducing Unnecessary Pretrial Detention: CJA's Manhattan Supervised Release Program (2017)

No. 41 Post-Disposition Re-Arrests of Juvenile Offenders (2016)

No. 40 Marijuana Possession Arrests in New York City - How Times Have Changed (2016)

No. 39 Re-Arrests of Homeless Defendants in New York City (2016)

Domestic Violence

The Impact of the Kings County Integrated Domestic Violence Court on Case Processing (2014)

Early Victim Engagement in Domestic Violence Cases (2013)

The Kings County District Attorney's Video Statement Program for Domestic Violence Cases (2012)

Arrest Histories of Adolescent Male Domestic Violence Offenders in New York City (2011)

Arrests of Juveniles

The First Six Months of the Second Year of Raise the Age (2020)

Post-Disposition Re-Arrests of Juvenile Offenders (2016)

Recidivism Among Juvenile Offenders in New York City, 2007-2012: A Comparison by Case Outcome (2015)

Annual Report on the Adult Case Processing of Juvenile Offenders in New York City (available from 1998 through 2015)

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What Doesn't Get Measured Doesn't Get Done: A Roadmap for Data Collection and Reporting in the Era of Bail Reform (2020)

Court Date Notifications (2020)

Pretrial Release Without Money: New York City, 1987-2020 (2020)

New York's Credit Card Bail Experiment (2014)

A Decade of Bail Research in New York City (2012)

Effect of Release Type on Failure to Appear (2011)

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CJA Annual Report (available from 2003-2019)

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Misdemeanor Marijuana Arrests: New York City 2012-2014 (2015)

The Past, Present, and Possible Future of Desk Appearance Tickets in New York City (2014)

Alternatives to Incarceration

Community Supervision as a Money Bail Alternative: The Impact of CJA's Manhattan Supervised Release Program on Legal Outcomes and Pretrial Misconduct (2016)

Screening and Selecting Cases and Clients for CJA's Supervised Release Programs in Queens and Manhattan (2014)

CJA's Supervised Release Programs and Manhattan Start-Up: Case Screening and Participant Selection Process (2014)

CJA
New York City Criminal Justice Agency

2019 Annual Report

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