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EVALUATION OF COURT-DATE NOTIFICATION

FOR DEFENDANTS RELEASED ON BAIL

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APR 11 1988

ACQUISITIONS

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I. INTRODUCTION

Court date notification has been demonstrated to reduce failure to appear in Criminal Court among defendants released on their own recognizance. In March 1987, The New York City Criminal Justice Agency (CJA) began to also notify defendants who had secured release on bail of their upcoming court appearances, in an effort to reduce failure-to-appear (FTA) rates among this population. In early March, CJA began sending notification letters to bailed defendants informing them of the date and location of their next scheduled court appearance. Towards the end of March, CJA also began calling bailed defendants two days prior to their next scheduled appearance. Calls alone were made to defendants who provided a home or other telephone contact number and whose cases were adjourned for less than a week, allowing insufficient time for notification by mail. Defendants who made bail between court appearances while in the custody of the Department of Correction may not have been notified by CJA, either by mail or telephone, of their next court appearance.

Preliminary findings showed a slightly lower FTA rate in April 1987 (8.1%) than in February 1987 (8.6%). The May 1987 rate was considerably lower (6.9%) but was followed by a substantial increase for June (9.0%). Since this monthly fluctuation was evident for several months both before and after program start-up, the evaluation was designed to see if there were any differences in long-term FTA trends that could be attributed

to the program. In addition, it was hypothesized that the effectiveness of court date notification might vary by charge type, severity, or CJA release recommendation.

II. RESEARCH DESIGN

The program evaluation was designed to determine what effect, if any, court date notification had on the FTA rate among bailed defendants. Data were examined for both bailed and ROR'd defendants to ensure that any difference in FTA rates among bailed defendants could be attributed to the program. FTA data were collected and graphed by CJA release recommendation for a full 21 month periods from January 1986 through September 1987 (Exhibit 1). Much month-to-month fluctuation was discovered, possibly concealing differences in overall FTA rates before and after the program. To identify changes in FTA which might be a result of the program, least-squares linear regression analysis was used. This type of statistical analysis attempts to account for variations in the data by smoothing extremes to achieve a representative straight line.

III. DATA COLLECTION

Data were collected from standard tables produced monthly by CJA. These tables contain the number of appearances scheduled during a given month and the number of appearances that resulted in the issuance of a bench warrant for FTA. These data are run by charge type and severity, CJA release recommendation at arraignment, arraignment release status, and release status enter-

ing the scheduled appearance during the month. The preliminary analysis did not reveal any gross differences in post-March FTA rates for bailed defendants by charge type or severity. Therefore, FTA data were then examined by CJA recommendation since preliminary analysis suggested that the program might be particularly effective in reducing FTA rates for bailed defendants with the strongest community ties. The evaluation addressed trends for the 21-month period from January 1986 through September 1987 (14 months prior to the program month and 6 months after program implementation).¹ Similar data were collected for ROR defendants for comparative purposes, in order to assure that any observed trends in FTA rates among bailed defendants did not reflect a more general trend among all released defendants.

Regression analysis was conducted separately for the full 21-month period, for the 14 months preceding the program and for the six months after program start-up (Appendix 1A). To address possible seasonal variation, regression results for the six-month program period were also compared to the results for the same April-to-September period in 1986.

IV. FINDINGS

Average FTA rates by time period are presented in Exhibit 2 for all defendants who made bail, for defendants recommended for

1 Since the program began in two stages during March 1987, this month was excluded from both the before and after evaluation periods to prevent incorrect estimation of program effects.

release who made bail, and for bailed defendants who qualified for CJA's ROR recommendation but whose community ties were unverified or who were not recommended for release. The average FTA rate was slightly lower for all defendants and for those who "qualified" or were not recommended during April through September 1987 than for the same period in 1986. The average FTA rate during the program period was a little lower than the average rate for the 14 month period preceding the program, for all categories of defendants. Statistical analysis indicated that full January 1986 to September 1987 period and the period since the inception of the notification project showed no significant increase or decrease in overall FTA rates for bailed defendants. However, the 14 months preceding project start-up and for April to September 1986 showed increasing FTA rates, while the FTA rate for the April-September 1987 post-program period showed no significant change in FTA rates.² Thus, the notification project appears to have interrupted a trend of rising FTA rates for bailed defendants. Exhibit 3 graphically presents the actual FTA data, the pre- and post-program trend lines, and the predicted FTA rates for April-to-September 1987, had the January 1986 to February 1987 trend continued.

The program appeared to be more effective in reducing FTA among defendants who were recommended for ROR by CJA than among

2 For January 1986 through February 1987, $R^2 = .455$, $b = .186$, $t = 3.16$. For April 1986 to September 1986, $R^2 = .899$, $b = .743$, $t = 5.97$.

the whole bail-release population (Appendix 1B). It seems probable that since a verified address is necessary to receive CJA's most positive release rating, these recommended defendants were more likely to actually receive notification letters than defendants in any of the other rating categories. FTA increased from April to September 1986 for appearances scheduled for recommended defendants, (April 1986, 2.9%; September 1986, 5.9%) but decreased from April to September 1987 (April 1987, 6.5%; September 1987, 3.5%) Exhibit 4 shows pre- and post-program trends for recommended defendants.

Similar analyses were performed for appearances scheduled for defendants in two other release recommendation categories, those who "qualified" but were not recommended, and those who were not recommended. (These defendants may or may not have had verified addresses, and therefore it is unclear whether or not they received letters). Unlike recommended defendants, the upward trend in FTA rates continued through the post-notification period for these defendants (Appendix 1C and D).

The analysis described thus far has identified a change in the FTA trend since the inception of the court date notification program for all scheduled appearances for bailed defendants and particularly for bailed defendants recommended for ROR. The analysis has not, however, addressed the significance of this difference. To measure the statistical significance of the

change in the direction of FTA rates, an analysis was conducted with an additional variable included to indicate the program period. This variable was important because its statistical significance could identify if the program, rather than a natural trend over time, was responsible for the change in FTA rates.

The results of this analysis provided additional support for the findings discussed above. The program was shown to be statistically significant in accounting for the change in FTA rates among all scheduled appearances and among those scheduled for recommended defendants. In addition, the program seems to have had a small effect on FTA rates among defendants who were not recommended for ROR by CJA due to insufficient community ties. Thus, it appears that court-date notification was responsible for reducing FTA rates (Appendix 2A,B,C,D).

The same pattern of findings were obtained when analysis was restricted to appearances scheduled for defendants who had posted bail at Criminal Court arraignment rather than later in the court process.

As mentioned earlier in this report, a parallel analysis was conducted for appearances scheduled for defendants who were ROR'd (Exhibit 5). The goal of this analysis was to ensure that any change in FTA for bail defendants after the start of the new notification project was not also occurring for ROR'd defendants for whom no new program had been initiated. ROR'd defendants

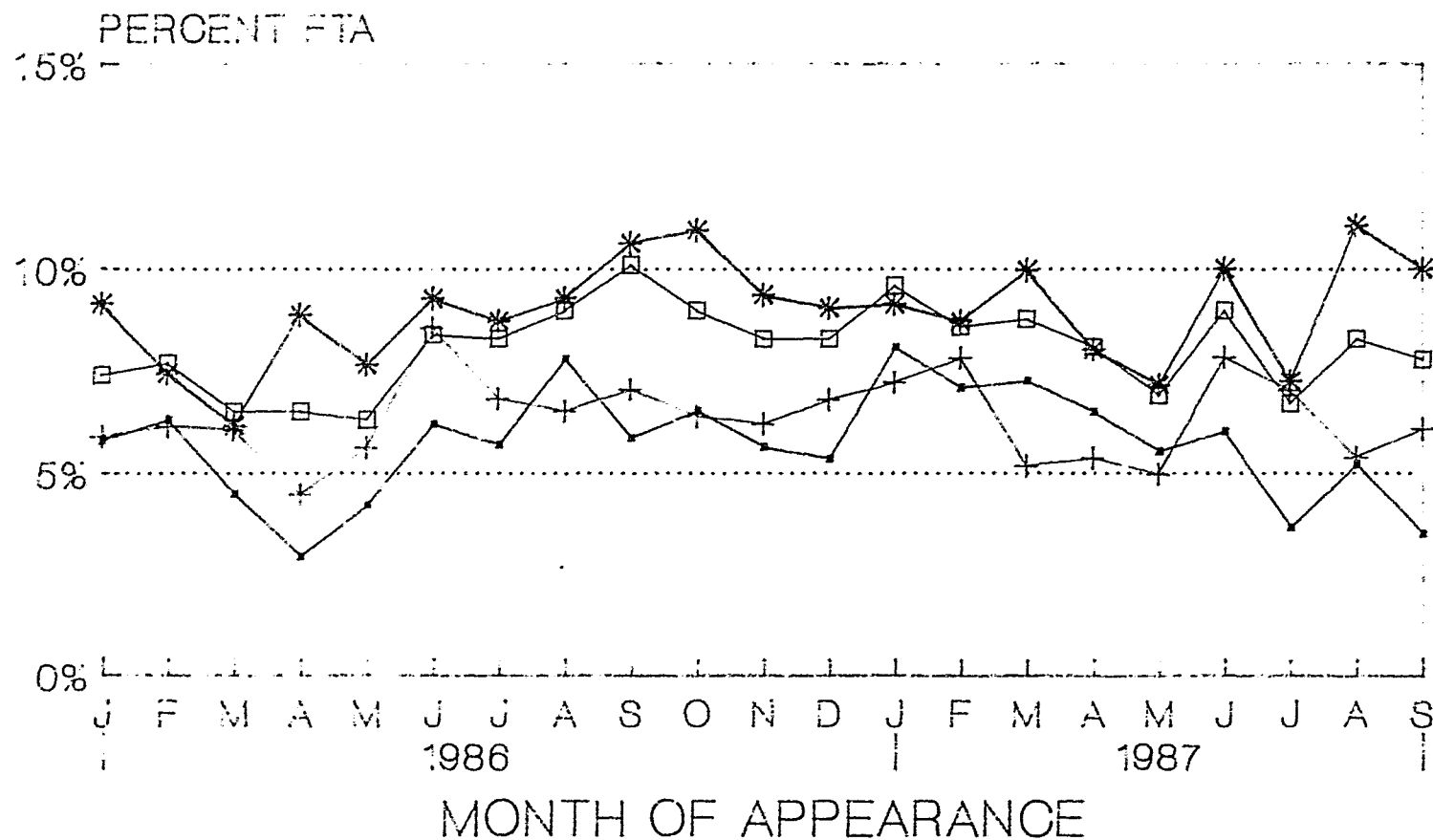
showed a rather steady increase in FTA for the full 21-month period, from 11.5% in January 1986, to 15.2% in September 1987³.

Finally, possible alternative explanations for the decrease in FTA rates among the bailed defendants were assessed. The data were examined to ensure that the decrease was not due to a change in the overall volume of scheduled appearances without a corresponding change in FTA rates, or a change in the proportion of appearances scheduled for recommended defendants (those most likely to appear, overall). These analyses did not challenge the conclusion that the program was responsible for the modest reduction in FTA among bailed defendants. The Bail Notification Program seems to have slightly reduced FTA among all defendants who secured release on bail, and particularly among defendants recommended for release by CJA.

3 Among all defendants who failed to appear and who were ROR'd from January 1986 through September 1987, $R^2=.585$, $b=.195$.

FTA RATE FOR ALL DEFENDANTS RELEASED ON BAIL BY CJA RECOMMENDATION

JANUARY 1986 - SEPTEMBER 1987



—•— Total FTA
for Recommended
Defendants

—+— Total FTA
for Qualified
Defendants

—*— Total FTA
for Not Recom-
mended Defendants

—□— Total FTA
for all
Defendants

Exhibit 2

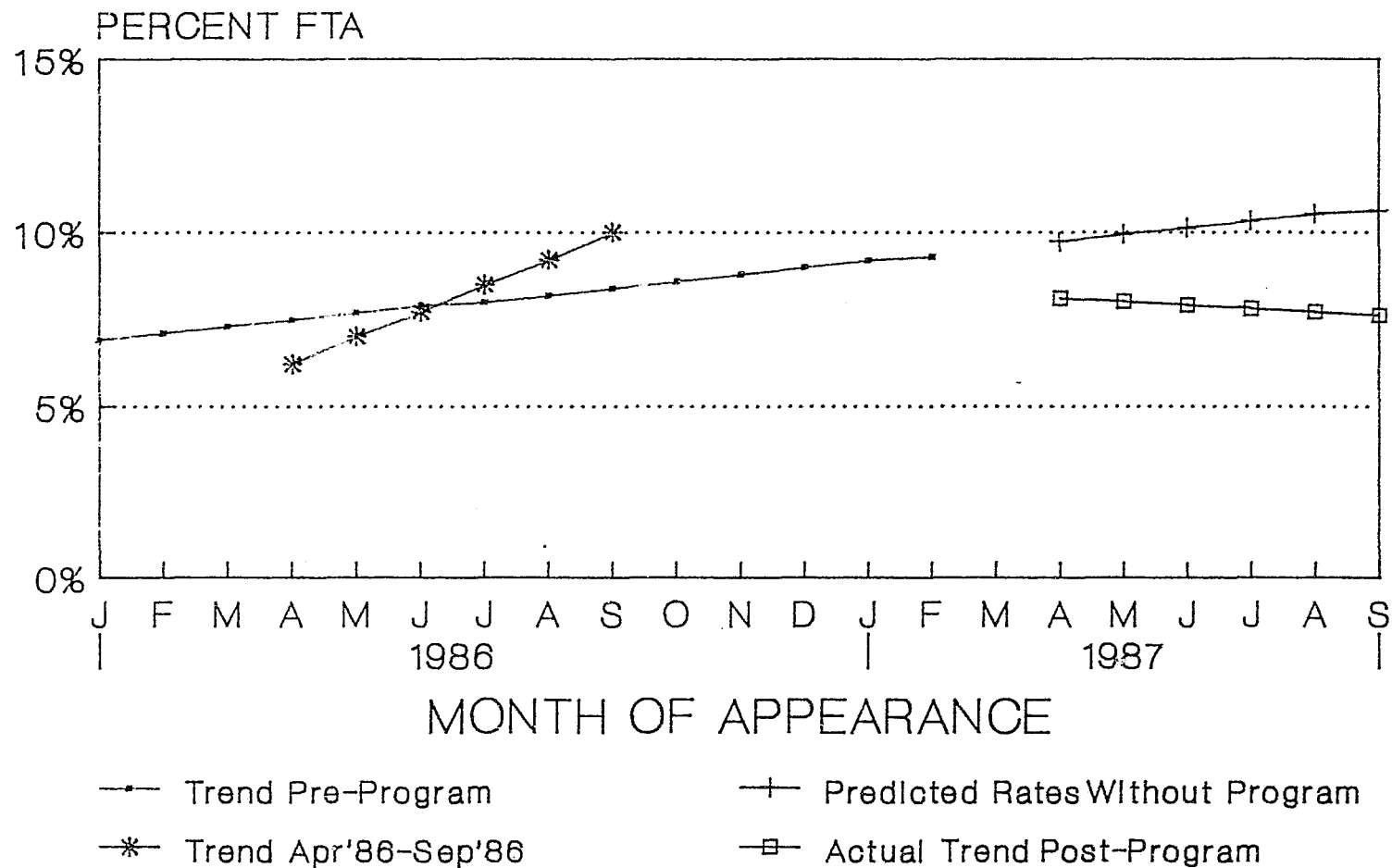
AVERAGE FTA FOR DEFENDANTS WHO WERE RELEASED

ON BAIL

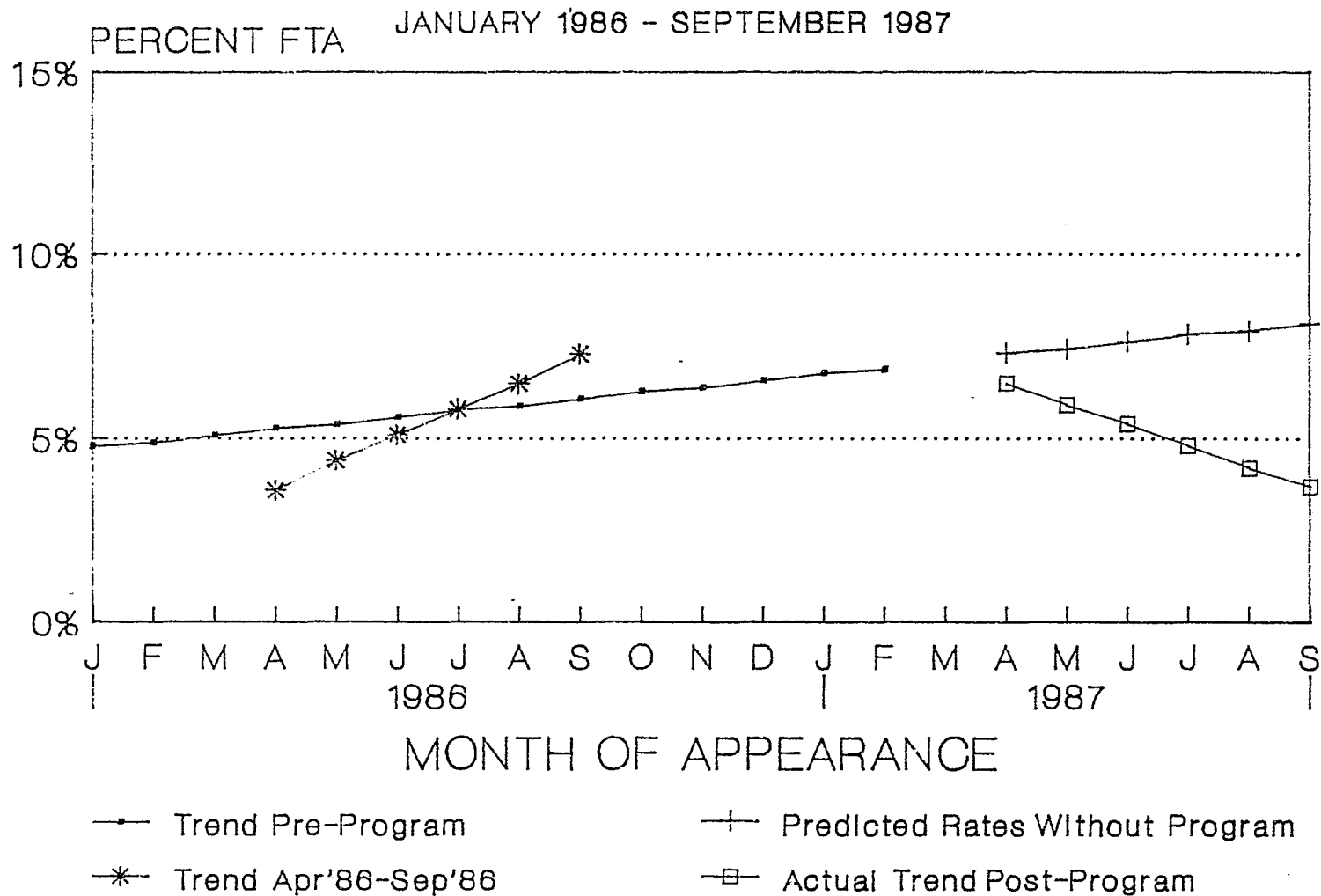
<u>TIME PERIOD</u>	<u>AVERAGE</u> <u>FTA FOR</u> <u>ALL DEF'S</u>	<u>AVERAGE</u> <u>FTA FOR REC.</u> <u>DEF'S ONLY</u>	<u>AVERAGE</u> <u>FTA FOR QUALIF. &</u> <u>NOT REC. DEF'S ONLY</u>
April 1986-September 1986	8.0%	5.2%	7.8%
January 1986-February 1987	8.6%	5.7%	7.7%
April 1987-September 1987	7.8%	5.2%	7.4%

PREDICTED AND ACTUAL FTA RATES FOR DEFENDANTS RELEASED ON BAIL

JANUARY 1986 - SEPTEMBER 1987

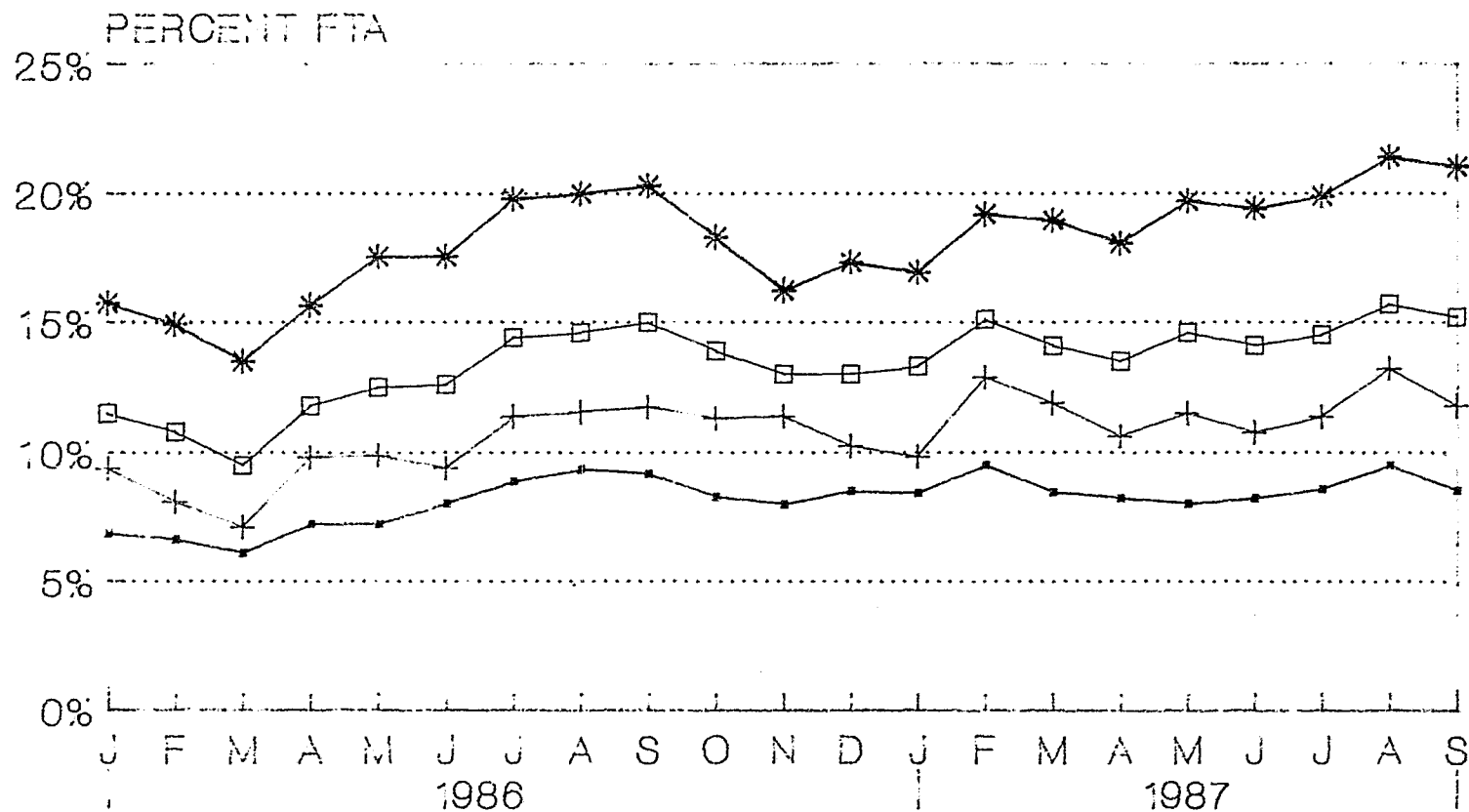


PREDICTED AND ACTUAL FTA RATES FOR DEFENDANTS WHO WERE RELEASED ON BAIL AND RECOMMENDED FOR RELEASE BY CJA



FTA RATE FOR ALL DEFENDANTS RELEASED ON RECOGNIZANCE BY CJA RECOMMENDATION

JANUARY 1986 - SEPTEMBER 1987



—●— Total FTA
for Recommended
Defendants

—+— Total FTA
for Qualified
Defendants

—*— Total FTA
for Not Recom-
mended Defendants

—□— Total FTA
for all
Defendants

APPENDIX 1: Regression Analysis Results Showing FTA Trends For Defendants Released On Bail, by CJA Recommendation

		<u>2</u> <u>R</u>	<u>F</u>	<u>Sig F</u>	<u>b</u>	<u>t</u>	<u>Sig T</u>
A. All Scheduled Appearances							
Jan 86-Sep 87 (21 months)	% FTA = $7.65 + .039 (\text{Month}) + e$	.052	1.04	.322	.039	1.02	.322
Jan 86-Feb 87 (14 months)	% FTA = $6.74 + .186 (\text{Month}) + e$	.454	9.99	.008	.186	3.16	.008
Apr 86-Sep 86 (6 months)	% FTA = $3.27 + .743 (\text{Month}) + e$	.899	35.67	.004	.743	5.97	.004
Apr 87-Sep 87 (6 months)	% FTA = $9.74 - .100 (\text{Month}) + e$	.060	.32	.596	-.100	.57	.596
B. Appearance Scheduled for "Recommended" Defendants Only							
Jan 86-Sep 87 (21 months)	% FTA = $5.71 + .002 (\text{Month}) + e$	.000	.001	.968	.002	-.04	.968
Jan 86-Feb 87 (14 months)	% FTA = $4.60 - .166 (\text{Month}) + e$	.252	4.05	.067	.166	2.01	.067
Apr 86-Sep 86 (6 months)	% FTA = $.75 + .723 (\text{Month}) + e$	.634	6.97	.058	.723	2.63	.058
Apr 87-Sep 87 (6 months)	% FTA = $25.59 - .568 (\text{Month}) + e$	.748	14.82	.012	-.568	-3.85	.012
C. Appearances Scheduled For "Qualified" Defendants Only							
Jan 86-Sep 87 (21 months)	% FTA = $6.30 + .006 (\text{Month}) + e$	.001	.02	.884	.006	.15	.884
Jan 86-Feb 87 (14 months)	% FTA = $5.67 + .117 (\text{Month}) + e$	.246	3.91	.072	.117	1.98	.072
Apr 86-Sep 86 (6 months)	% FTA = $3.94 + .397 (\text{Month}) + e$	.285	1.60	.275	.397	1.26	.275
Apr 87-Sep 87 (6 months)	% FTA = $4.12 + .108 (\text{Month}) + e$	.033	.14	.730	.108	.37	.730
D. Apperances Scheduled For "No Recommendation" Defendants Only							
Jan 86-Sep 87 (21 months)	% FTA = $8.23 + .060 (\text{Month}) + e$	.080	1.65	.215	.060	1.28	.215
Jan 86-Feb 87 (14 months)	% FTA = $7.83 + .140 (\text{Month}) + e$	.229	3.56	.084	.140	1.89	.084
Apr 86-Sep 86 (6 months)	% FTA = $6.65 + .371 (\text{Month}) + e$	.506	4.09	.113	.371	2.02	.113
Apr 87-Sep 87 (6 months)	% FTA = $1.11 + .540 (\text{Month}) + e$	.371	2.36	.200	.540	1.54	.200

APPENDIX 2: Regression Analysis Results Showing Program Effect by Defendant Released on Bail, by CJA Recommendation

A. All Scheduled Appearances			% FTA = 6.92 + .16 (Month) - 2.05 (TRT) + e			R ² =.365	F = 5.18	Sig F = .017
	<u>b</u>	<u>t</u>	<u>Sig t</u>					
Month	.158	3.04	.006					
Program effect	-2.049	-2.98	.008					
B. Appearances Scheduled For "Recommended" Defendants Only			% FTA = 4.90 + .13 (Month) - 2.26 (TRT) + e			R ² =.224	F = 2.59	Sig F = .102
	<u>b</u>	<u>t</u>	<u>Sig t</u>					
Month	.130	1.76	.096					
Program effect	-2.264	-2.27	.035					
C. Appearances Scheduled For "Qualified" Defendants Only			% FTA = 5.95 + .06 (Month) - .997 (TRT) + e			R ² =.079	F = .78	Sig F = .474
	<u>b</u>	<u>t</u>	<u>Sig t</u>					
Month	.064	1.06	.302					
Program effect	-.997	-1.24	.232					
D. Appearances Scheduled For "Not Recommended" Defendants Only			% FTA = 7.63 + .16 (Month) - 1.80 (TRT) + e			R ² =.236	F = 2.78	Sig F = .088
	<u>b</u>	<u>t</u>	<u>Sig t</u>					
Month	.165	2.36	.029					
Program effect	-1.804	-1.92	.070					